



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH  
JANUARY 10, 2024 COUNCIL MEETING  
VIRTUAL MEETING BY ELECTRONIC PARTICIPATION &  
IN-PERSON AT THE MUNICIPAL OFFICE –  
7404 WELLINGTON RD 34, PUSLINCH

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## **AGENDA ADDENDUM**

**DATE:** Wednesday January 10, 2024

**CLOSED MEETING:** Directly following Section 13 Announcements

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

### **Addendum**

**7.1.1 10:15 A.M. Delegation by John McNie regarding item 10.1 Office of the Auditor General of Ontario Management of Aggregate Resources**

**14.2 Confidential report regarding litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – Hydrogeology report**

**≠ Denotes resolution prepared**

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:



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- 6.1.1 December 20, 2023 Council Meeting Minutes
  - 6.1.2 December 13, 2023 Council Meeting Minutes
  - 6.1.3 November 14, 2023 Committee of Adjustment Meeting Minutes
  - 6.2 Clearview Township Support Resolution Cemetery Administration Management
  - 6.3 Tay Township Support Resolution Cemetery Administration Management Support
  - 6.4 Town of Aurora Resolution regarding Community Safety and Inciteful Speech
  - 6.5 City of Greater Sudbury Amendment to the Occupational Health and Safety Act
  - 6.6 Town of Aurora Resolution regarding the Homelessness Crisis
  - 6.7 City of Stratford Letter to C. Freeland Minister of Finance of Canada Requesting More Business Support for CEBA
7. **Delegations ≠**
- 7.1 Specific Interest (Items Listed on the Meeting Agenda)
    - 7.1.1 **10:15 A.M. Delegation by John McNie regarding item 10.1 Office of the Auditor General of Ontario Management of Aggregate Resources**
  - 7.2 General Interest (Items Not Previously Listed on the Meeting Agenda)
    - 7.2.1 **10:05 A.M. Delegation by Ken Friesen, President Reclay StewardEdge regarding Township of Puslinch Recycling Project Reclay StewardEdge & Blue Triton**
8. **Public Meetings**
- 8.1 January 17, 2024 Public Information Meeting held at 7404 Wellington Rd 34 in-person and by electronic participation through Zoom at 7:00 p.m. regarding the following matter:  
  
2024 Proposed Budget Public Information
9. **Reports ≠**
- 9.1 **Puslinch Fire and Rescue Services**
    - 9.1.1 None
  - 9.2 **Finance Department**
    - 9.2.1 Report FIN-2024-001 - 2024 Interim Property Tax Levy and Due Dates≠
    - 9.2.2 Report FIN-2024-002 – 2024 Proposed Budget Update Report≠ (Circulated under separate cover)
  - 9.3 **Administration Department**
    - 9.3.1 Report ADM-2024-001 2024 Conferences and Delegations≠
    - 9.3.2 Report ADM-2024-002 Second Reading of Proposed Site Alteration By-law & Road Activity By-law≠



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- 9.4 **Planning and Building Department**
  - 9.4.1 None
- 9.5 **Roads and Parks Department**
  - 9.5.1 None
- 9.6 **Recreation Department**
  - 9.6.1 None
  
- 10. **Correspondence ≠**
  - 10.1 Office of the Auditor General of Ontario Management of Aggregate Resources≠
  - 10.2 Grand River Conservation Authority Municipal Apportionment and Budget Notice≠
  
- 11. **Council reports ≠**
  - 11.1 Mayor' Updates
  - 11.2 Council Member Reports (verbal or written updates from members who sit on boards/committees)
  
- 12. **By-laws ≠**
  - 12.1 Second Reading
    - 12.1.1 BL2023-057 Site Alteration By-law and to repeal BL31/12, as amended
    - 12.1.2 BL2023-058 Road Activity By-law
  - 12.2 First, Second and Third Reading
    - 12.2.1 BL2024-001 2024 Interim Tax Levy By-law
  
- 13. **Announcements**
  
- 14. **Closed Session – Pursuant to Section 239 of the Municipal Act, 2001**
  - 14.1 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 – Memorandum of Understanding with a conservation authority
  - 14.2 Confidential report regarding litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – Hydrogeology report
  
- 15. **Business Arising from Closed Session**
  
- 16. **Notice of Motion**



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17. **New Business**
18. **Confirmatory By-law ≠**  
18.1 BL2024-002 Confirm By-law – January 10, 2024≠
19. **Adjournment ≠**



## **MINUTES**

**DATE:** December 20, 2023

**CLOSED MEETING:** 11:00 A.M.

**COUNCIL MEETING:** 9:00 A.M.

The December 20, 2023 Council Meeting was held on the above date and called to order at 9:38 a.m. via electronic participation and in-person at 7404 Wellington Rd 34, Puslinch.

### **1. CALL THE MEETING TO ORDER**

### **2. ROLL CALL**

#### **ATTENDANCE:**

Councillor Sara Bailey  
Councillor Russel Hurst  
Councillor Jessica Goyda  
Councillor John Sepulis  
Mayor James Seeley

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

1. Glenn Schwendinger, CAO - absent
2. Mike Fowler, Director of Public Works, Parks and Facilities
3. Mary Hasan, Director of Finance/Treasurer
4. Courtenay Hoytfox, Interim CAO
5. Justine Brotherston, Interim Municipal Clerk
6. Sarah Huether, Interim Deputy Clerk

### **3. MOMENT OF REFLECTION**

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

#### **Resolution No. 2023-421:**

Moved by Councillor Sepulis and  
Seconded by Councillor Goyda

**That Council approves the December 20, 2023 Agenda and Addendum as circulated; and**

**That Council approves the additions to the agenda as follows:**

**Consent Item 6.1.5 Questions received from Council seeking additional information and the corresponding responses provided by staff regarding the December 20, 2023 Council agenda; and**

**That Council authorize the change of order to the order of business to advance Report ADM-2023-XXX Internet Initiative to directly following the closed session.**

**CARRIED**

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

Councillor Goyda declared a potential pecuniary interest related to item 10.2 Compliance Assessment Reports, due to a family member operating a gravel pit in the Township.

Councillor Sepulis declared a potential pecuniary interest related to item 10.1 as I live on SR20N and have previously declared that I have a pecuniary interest in a proposed rezoning of a property on SR20N. The study area for the Regionally Significant Economic Development Study as currently structured includes all properties on the east side of SR20N from WR34 to Forestell Road. This further requires me to declare a pecuniary interest as any development may have an impact on the value of my property. Unless the study area is changed I cannot accordingly participate in any discussions and decisions regarding the study.



**6. CONSENT AGENDA**

6.1 Adoption and Receipt of the Minutes of the Previous Council and Committee Meetings:

- 6.1.1 November 29, 2023 Council Minutes
- 6.1.2 November 6, 2023 Youth Advisory Committee Minutes
- 6.1.3 October 3, 2023 Recreation Advisory Committee Minutes
- 6.1.4 October 23, 2023 Special Heritage Committee Minutes
- 6.1.5 December 21, 2022 Council questions and Staff Responses

- 6.2 City of Guelph Notice of Decision Draft Plan of Condominium Subdivision - 120 Huron Street
- 6.3 City of Hamilton Notice of Study Completion – Airport Employment Growth District Transportation Master Plan Update
- 6.4 Loyalist Township Resolution regarding Expanding Permit-by-rule
- 6.5 Prince Edward County Resolution regarding Expanding Permit-by-rule
- 6.6 Town of Plympton-Wyoming Resolution regarding Strong Mayor Powers and Leave to Construct Threshold
- 6.7 Coleman Township Resolution regarding Conservation Officer Reclassification
- 6.8 Grand River Conservation Authority November 2023 General Membership Meeting Summary
- 6.9 Municipality of Chatham-Kent Resolution regarding Ontario Works Rate
- 6.10 Municipality of Grey Highlands Resolution regarding Enbridge Gas
- 6.11 Municipality of Tweed Resolution regarding Request for Further Funding, Grant Programs, Services
- 6.12 Town of Aylmer Resolution regarding Amendments to the Residential Tenancies Act
- 6.13 Wellington Federation of Agriculture Battery Storage System Contract Requirements
- 6.14 Dufferin Aggregates Mill Creek Pit November 2023 Monthly Monitoring Report

**Resolution No. 2023-422:** Moved by Councillor Bailey and  
Seconded by Councillor Hurst

**That the Consent Agenda with the exception of items 6.10 listed for DECEMBER 20, 2023 Council meeting be received for information.**

**CARRIED**

**Resolution No. 2023-423:** Moved by Councillor Sepulis and  
Seconded by Councillor Bailey

**That the Consent Agenda item 6.10 listed for DECEMBER 20, 2023 Council meeting be received for information.**

**CARRIED**

**7. DELEGATIONS:**

- 7.1 Specific Interest (Items Listed on the Meeting Agenda)
  - 7.1.1 None
- 7.2 General Interest (Items Not Previously Listed on the Meeting Agenda)
  - 7.2.1 None

**Council recessed from 10:45 a.m. to 11:52 p.m.**

**Roll Call**

**Councillor Goyda  
Councillor Sepulis  
Councillor Bailey  
Councillor Hurst  
Mayor Seeley**



8. **PUBLIC MEETINGS:**

January 17, 2024 Public Information Meeting held at 7404 Wellington Rd 34 in-person and by electronic participation through Zoom regarding the following matter:

2024 Proposed Budget Public Information at 7:00 P.M.

9. **REPORTS:**

**9.1 Puslinch Fire and Rescue Services**

9.1.1 None

**9.2 Finance Department**

9.2.1 Report FIN-2023-035 – Annual Indexing of Development Charges

**Resolution No. 2023-424**

Moved by Councillor Hurst and  
Seconded by Councillor Sepulis

**THAT Report FIN-2023-035 entitled Annual Indexing of Development Charges be received; and**

**THAT the indexed development charge rates outlined in Schedule B to Report FIN-2023-035 be approved.**

**CARRIED**

9.2.2 Township of Puslinch Pre-Audit Communication to Council

**Resolution No. 2023-425:**

Moved by Councillor Bailey and  
Seconded by Councillor Hurst

**THAT Council receive the Township of Puslinch Pre-Audit Communication to Council for information.**

**CARRIED**

**9.3 Administration Department**

9.3.1 Report ADM-2023-071 – Private Well Interference Complaints Resolution Agreement with Triton Water Canada Holdings Inc.

**Resolution No. 2023-426:**

Moved by Councillor Hurst and  
Seconded by Councillor Bailey

**That Report ADM-2023-071 entitled Private Well Interference Complaints Resolution Agreement with Blue Triton be received; and**

**That Council give three readings to By-law 2023-056 being a by-law to authorize the Mayor and Clerk to execute the necessary documents in order to enter into a Private Well Interference Complaints Resolution Agreement with Triton Water Canada Holdings, Inc.**

**CARRIED**

9.3.2 Report ADM-2023-074 – Health and Safety Policy and Harassment and Violence in the Workplace Policy Annual Review

**Resolution No. 2023-427:**

Moved by Councillor Sepulis and



Seconded by Councillor Bailey

**That Report ADM-2023-074 regarding the Health and Safety Policy and Harassment and Violence in the Workplace Policy Annual Review be received; and**

**That Council endorse the Health and Safety Policy and the Harassment and Violence in the Workplace Policy attached to this report as Schedule "A" and "B" respectively.**

**CARRIED**

9.3.3 Report ADM-2023-075 – Application for Noise Exemption for Wellington Common Elements Condo Corp #214 (Mini Lakes)

**Resolution No. 2023-428:**

Moved by Councillor Goyda and  
Seconded by Councillor Sepulis

**That Council receives report ADM-2023-075 Application for Noise Exemption for Wellington Common Elements Condo Corp #214, (Mini Lakes); and**

**That Council authorizes an exemption to Section 4 - Prohibitions by Time and Place and Schedule 2, #1 of By-Law 5001-05 to permit the use of a scare gun to scare away geese at the Mini Lakes Resident Association during the period of:**

**March 25, 2024 to May 31, 2024 between the hours of 9 a.m. to 7 p.m.;**  
**August 1, 2024 to December 31, 2024 between the hours of 9 a.m. to 7 p.m.;**  
**January 1, 2025 to May 31, 2025 between the hours of 9 a.m. to 7 p.m.;**  
**August 1, 2025 to December 31, 2025 between the hours of 9 a.m. to 7 p.m.;**  
**January 1, 2026 to May 31, 2026 between the hours of 9 a.m. to 7 p.m.;**  
**August 1, 2026 to December 31, 2026 between the hours of 9 a.m. to 7 p.m.; and**

**That the exemption be approved for the time period indicated pending that the Township does not receive any complaints; and**

**That the Migratory Bird Damage or Danger Permit holder be directed to notify the Ontario Provincial Police of the noise exemption; and**

**That Council delegate its authority to the Clerk to approve the Noise Exemption for Wellington Common Elements Condo Corp #214, (Mini Lakes) on a go forward basis subject to no complaints being received.**

**CARRIED**

9.3.4 Report ADM-2023-076 – High Speed Internet Initiative

**Resolution No. 2023-429:**

Moved by Councillor Sepulis and  
Seconded by Councillor Bailey

**That Report ADM-2023-076 entitled High Speed Internet Initiative, as amended be received; And**

**That Council approve the public engage initiatives and schedule as outlined in this report; and**

**Whereas the Township and the Puslinch Highspeed Initiative Committee remains concerned regarding a number of outstanding issues, and has a number of questions as follows:**

**A) Rogers:**

- 1. There are dashes on the lines on the map. We assume all of the road segments that the dashes appear on will have fibre installed on them. The dashes include 3 green dashes near Corwhin and red dashes along Gore Road. Please confirm these dashes indicate fibre coverage of the full road segments on which the dashes appear;**
- 2. On County Road 46 between Aberfoyle and the northern border of Puslinch, there is no planned fibre coverage, neither by Rogers or any other ISP. However, there is a business located on that stretch of road; there are two developments off of County Road 46 and two sideroads, as well as Aberfoyle itself. Would Rogers entertain covering this road, the sideroads along with the subdivisions and Aberfoyle?**
- 3. Clarification is required whether the green lines are accurate as depicted as some roads have had fibre installed already by other ISPs (such as in Morriston), or already provided by Bell (south end of Puslinch at Hwy 6), or already provided by Frontenac at Sandy Shores near Puslinch Lake;**
- 4. In the email text from Rogers there is reference to “25mpbs(DL)/5mpbs(UL) speeds”. We have always understood that the criteria for eligible versus ineligible areas to be 50/10. Is it Rogers understanding that this criteria is actually based on 25/5 speeds?**
- 5. Is there a deadline for customers to sign up for Rogers service, or can they sign up any time after the service is made available on their roads/streets?**
- 6. We understand there are no initial installation costs incurred by residents. Would there be installation costs to residents if they choose to sign up for the services sometime after the initial roll-out of the service? and;**

**B) Standard Broadband:**

- 1. There is an inconsistency between the map, schedule and previous committed work which requires clarification;**
- 2. There is an understanding from Standard Broadband on the Facebook page that there other areas proposed to be serviced but are not reflected in the map nor schedule such as Mill Creek;**
- 3. There is an overlap between work now proposed to be done by Rogers and work committed by Rogers which needs to be confirmed as to who will do the work;**

**Therefore, that Council direct staff to request a meeting with Rogers and Standard Broadband, and to include the Puslinch Highspeed Initiative Committee, in order to respond to the questions and issues noted above and in order to establish a comprehensive public engagement plan; and**

**That Council direct staff to work with the Puslinch Highspeed Initiative Committee in drafting a letter to the County requesting that the surplus funds from the SWIFT project be used to subsidize servicing deficient areas in the Township and deficient areas within the member municipalities in the County.**

**CARRIED**

**Council recessed from 1:06 pm to 1:44 pm**

**Roll Call**

**Councillor Goyda  
Councillor Sepulis  
Councillor Bailey**



**Councillor Hurst  
Mayor Seeley**

9.3.5 Report ADM-2023-077 – Radiocommunication Tower and Antenna Protocol

**Resolution No. 2023-430:** Moved by Councillor Sepulis and  
Seconded by Councillor Hurst

**That Report ADM-2023-077 entitled Radiocommunication Tower and Antenna Protocol be received; and**

**That Council approve the Radiocommunication Tower and Antenna Protocol as presented.**

**CARRIED**

9.3.6 Report ADM-2023-078 – Reporting Out to Council Update

**Resolution No. 2023-431:** Moved by Councillor Sepulis and  
Seconded by Councillor Bailey

**That Report ADM-2023-078 entitled Reporting Out from Council Direction Update be received for information; and**

**That Council direct staff to send the correspondence to County Councillor Bulmer and request a meeting to discuss options regarding cost recovery of Storm Water Management Facility maintenance throughout the County though potential policy development.**

**CARRIED**

9.3.7 Report ADM-2023-079 – First Reading of Proposed Site Alteration By-law & Road Activity By-law

**Resolution No. 2023-432:** Moved by Councillor Bailey and  
Seconded by Councillor Goyda

**That Report ADM-2023-079 – First Reading of Proposed Site Alteration By-law & Road Activity By-law be received for information; and**

**That Council give a first reading to By-law 2023-057 Being a By-law to prohibit and regulate the alteration of property and movement of fill within the Township of Puslinch; and**

**By-law 2023-058 Being a By-law to regulate Road Activity within the Township of Puslinch; and**

**That Council direct staff to incorporate the noted revisions into the next draft to be presented to Council at the January 10, 2024 meeting.**

**CARRIED**

9.3.8 Report ADM-2023-080 – Annual Township Communications and Engagement Report

**Resolution No. 2023-433:** Moved by Councillor Goyda and  
Seconded by Councillor Bailey



**That Report ADM-2023-080 entitled Annual Township Communications Report be received for information.**

**CARRIED**

**9.4 Planning and Building Department**

9.4.1 None

**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 10:05 AM** Presentation by Aldo Salis, Director of Planning and Development and Sarah Wilhelm, Manager of Policy Planning, County of Wellington regarding the RSEDA Scope of Work

Councillor Sepulis declared a potential pecuniary interest related to item 10.1 as I live on SR20N and have previously declared that I have a pecuniary interest in a proposed rezoning of a property on SR20N. The study area for the Regionally Significant Economic Development Study as currently structured includes all properties on the east side of SR20N from WR34 to Forestell Road. This further requires me to declare a pecuniary interest as any development may have an impact on the value of my property. Unless the study area is changed I cannot accordingly participate in any discussions and decisions regarding the study and refrained from discussions and voting on that item.

**Resolution No. 2023-434:**

Moved by Councillor Goyda and  
Seconded by Councillor Bailey

**That Correspondence Item 10.1 regarding the RSEDA Scope of Work be received; and**

**That Council approve the RSEDA Scope of Work as presented; and**

**That Council authorize staff to work with the County of Wellington to issue a Request for Proposal as soon as practical in the first quarter of 2024.**

**CARRIED**

**10.2 2023 Compliance Assessment Reports**

- 10.2.1 2023 Compliance Assessment Report - 5465 - Pit 1 - Capital Paving Inc.
- 10.2.2 2023 Compliance Assessment Report - 5482 - Glen Christie Company Ltd
- 10.2.3 2023 Compliance Assessment Report - 5483 - Aberfoyle Pit 1
- 10.2.4 2023 Compliance Assessment Report - 5497 – McNally
- 10.2.5 2023 Compliance Assessment Report - 5514 - Lafarge Canada Inc.
- 10.2.6 2023 Compliance Assessment Report - 5520 - St. Mary's Cement Inc.
- 10.2.7 2023 Compliance Assessment Report - 5563 - Coburn Pit
- 10.2.8 2023 Compliance Assessment Report - 5609 - Aberfoyle Pit 2
- 10.2.9 2023 Compliance Assessment Report - 5610 - Phillips Pit
- 10.2.10 2023 Compliance Assessment Report - 5631 – Edgington
- 10.2.11 2023 Compliance Assessment Report - 5654 - Martini Pit



- 10.2.12 2023 Compliance Assessment Report - 5709 - Arkell Ridge Development Ltd
- 10.2.13 2023 Compliance Assessment Report - 5710 - Puslinch Pit
- 10.2.14 2023 Compliance Assessment Report - 5737 – McMillan
- 10.2.15 2023 Compliance Assessment Report - 5738 - Mill Creek Pit
- 10.2.16 2023 Compliance Assessment Report - 10671 – McMillan
- 10.2.17 2023 Compliance Assessment Report - 15338 - Arkell Ridge
- 10.2.18 2023 Compliance Assessment Report - 17600 – Mast
- 10.2.19 2023 Compliance Assessment Report - 20085 - Capital Paving Inc.
- 10.2.20 2023 Compliance Assessment Report - 20212 - Cox Construction
- 10.2.21 2023 Compliance Assessment Report - 129817 - Mast Snyder Pit
- 10.2.22 2023 Compliance Assessment Report - 624864 - McNally East
- 10.2.23 2023 Compliance Assessment Report - 624889 - Con Construction
- 10.2.24 2023 Compliance Assessment Report - 624952 - Lanci Pit
- 10.2.25 2023 Compliance Assessment Report - 625189 – Roszell
- 10.2.26 2023 Compliance Assessment Report - 625284 - Neubauer Pit
- 10.2.27 2023 Compliance Assessment Report - 625710 - Cox Construction

Councillor Goyda declared a potential pecuniary interest related to item 10.2 Compliance Assessment Reports, due to a family member operating a gravel pit in the Township and refrained from discussions and voting on that item.

**Resolution No. 2023-435:** Moved by Councillor Bailey and  
Seconded by Councillor Sepulis

**That Correspondence Item 10.2 regarding the various Aggregate Compliance Assessment Reports (CARs) be received; and**

**That Council defer considering the CARs to a special meeting to be held on January 17, 2024 at 5:00 p.m.; and**

**That the Auditor General Report regarding Aggregate Resources be included on the January 10, 2024 agenda for consideration.**

**CARRIED**

10.3 MTO's Response to Council's September 27, 2023 Resolution 2023-303

**Resolution No. 2023-436:** Moved by Councillor Hurst and  
Seconded by Councillor Sepulis

**That Correspondence Item 10.3 regarding MTO's Response to Council's September 27, 2023 Resolution 2023-303 be received for information.**

**CARRIED**

10.4 BlueTriton's Response to Council's September 27, 2023 Resolution 2023-306

**Resolution No. 2023-437:** Moved by Councillor Sepulis and  
Seconded by Councillor Goyda

**That Correspondence Item 10.4 regarding BlueTriton's Response to Council's September 27, 2023 Resolution 2023-306 be received for information.**

**CARRIED**

10.5 Notice of Study Commencement – Highway 401 from Steeles Avenue in Milton to 1.5 km west of Halton-Wellington Boundary (GWP 2030-23-00)

**Resolution No. 2023-438:**

Moved by Councillor Sepulis and  
Seconded by Councillor Bailey

**That Correspondence Item 10.5 regarding Notice of Study Commencement – Highway 401 from Steeles Avenue in Milton to 1.5 km west of Halton-Wellington Boundary (GWP 2030-23-00) be received for information.**

**CARRIED**

10.6 October 2023 County of Wellington O.P.P Police Services Board Report

**Resolution No. 2023-439:**

Moved by Councillor Sepulis and  
Seconded by Councillor Hurst

**That Correspondence Item 10.6 regarding October 2023 County of Wellington O.P.P Police Services Board Report be received for information.**

**CARRIED**

**11. COUNCIL REPORTS:**

**11.1 Mayor' Updates**

11.1.1 Mayor Seeley wished Council and staff a Merry Christmas.

11.1.2 Mayor Seeley remarked about the Santa Clause Parade and the good turnout and donations to the food bank.

**11.2 Council Member Reports**

11.2.1 None

**Resolution No. 2023-440:**

Moved by Councillor Sepulis and  
Seconded by Councillor Hurst

**That Council receive the Mayors updates for information.**

**CARRIED**

**12. BY-LAWS:**

12.1.1 BL2023-057 Being a By-law to prohibit and regulate the alteration of property and movement of fill within the Township of Puslinch

12.1.2 BL2023-058 Being a By-law to regulate Road Activity within the Township of Puslinch

12.1.3 BL2023-057 Being a By-law to prohibit and regulate the alteration of property and movement of fill within the Township of Puslinch

12.1.4 BL2023-060 Appoint a Fire Chief and repeal 2022-060

**Resolution No. 2023-441:**

Moved by Councillor Bailey and  
Seconded by Councillor Sepulis

**That the following By-laws be given a first reading in open Council:**

**12.1.1 BL2023-057 Being a By-law to prohibit and regulate the alteration of property and movement of fill within the Township of Puslinch;**

**12.1.2 BL2023-058 Being a By-law to regulate Road Activity within the Township of Puslinch.**

**CARRIED**

**Resolution No. 2023-442:**

Moved by Councillor Goyda and



Seconded by Councillor Sepulis

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

**BL2023-053 to authorize the entering into a Private Well Interference Complaint Resolution Agreement with Triton Water Canada Holdings, Inc.**

**BL2023-060 Appoint a Fire Chief and repeal 2022-060.**

**CARRIED**

13. **CLOSED SESSION:**

Council was in closed session from 11:04 a.m. to 12:30 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. 2023-443:**

Moved by Councillor Hurst and  
Seconded by Councillor Sepulis

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

**Confidential report regarding advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Regulatory By-law.**

**CARRIED**

**Resolution No. 2023-444:**

Moved by Councillor Goyda and  
Seconded by Councillor Sepulis

**THAT Council moves into open session at 12:30 p.m.**

**CARRIED**

Council resumed into open session at 12:30 p.m.

**Resolution No. 2023-445:**

Moved by Councillor Hurst and  
Seconded by Councillor Sepulis

**That Council receives the:**

**Confidential report regarding advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Regulatory By-law; and**

**That staff proceed as directed.**

**CARRIED**

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

None

15. **NOTICE OF MOTION:**

None

16. **NEW BUSINESS:**

None

17. **ANNOUNCEMENTS:**

None



**18. CONFIRMATORY BY-LAW:**

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

**Resolution No. 2023-446:**

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 2023-059 being a by-law to confirm the proceedings of Council for the Corporation of the Township of Puslinch at its meeting held on the 20 day of December 2023.**

**CARRIED**

**19. ADJOURNMENT:**

**Resolution No. 2023-447:**

Moved by Councillor Hurst and  
Seconded by Councillor Goyda

**That Council hereby adjourns at 2:55 p.m.**

**CARRIED**

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James Seeley, Mayor

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Courtenay Hoytfox, Clerk



## MINUTES

**DATE:** December 13, 2023

**CLOSED MEETING:** Directly following item 7.2.1

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

The December 13, 2023 Council Meeting was held on the above date and called to order at 11:00 a.m. via electronic participation and in-person at 7404 Wellington Rd 34, Puslinch.

### 1. CALL THE MEETING TO ORDER

### 2. ROLL CALL

#### ATTENDANCE:

Councillor Sara Bailey  
Councillor Russel Hurst  
Councillor Jessica Goyda  
Councillor John Sepulis  
Mayor James Seeley

#### STAFF IN ATTENDANCE:

1. Glenn Schwendinger, CAO - absent
2. Mike Fowler, Director of Public Works, Parks and Facilities
3. Mary Hasan, Director of Finance/Treasurer
4. Courtenay Hoytfox, Interim CAO
5. Justine Brotherston, Interim Clerk
6. Sarah Huether, Interim Deputy Clerk

### 3. MOMENT OF REFLECTION

### 4. CONFIRMATION OF THE AGENDA

#### Resolution No. 2023-407:

Moved by Councillor Sepulis and  
Seconded by Councillor Hurst

**That Council approves the December 13, 2023 Agenda as circulated; and**

**That Council approves the additions to the agenda as follows:**

**Questions received from Council seeking additional information and the corresponding responses provided by staff regarding the December 13, 2023 Council agenda; and**

**That Council shall go into closed session under Section 239 of the Municipal Act for the purpose of 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 directly following item 7.2.1.**

**CARRIED**

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

Councillor Goyda declared a potential pecuniary interest related to item 6.1.1 and 7.1.1 Grant Application Program, the organization Sunrise Therapeutic Riding Centre are seeking to receive grant funding. As I am a member of this organization, I have an indirect pecuniary interest.

Councillor Goyda declared a potential pecuniary interest related to item 7.2.1 Properties for Designation under the Heritage Act, as my parents are the owners of one of the properties listed, I have an indirect pecuniary interest.



Councillor Sepulis declared a potential pecuniary interest related to item 7.1.1, the organizations Friends of Mill Creek and Optimist Club of Puslinch are seeking to receive grant funding. As I am a member of each of these organizations, I have an indirect pecuniary interest.

**6. DELEGATIONS:**

(a) Specific Interest (Items Listed on the Meeting Agenda)

6.1.1 **11:05 AM** Delegation by Sunrise Therapeutic Riding & Learning Centre regarding Report FIN-2023-033 – 2024 Grant Application Program

Councillor Goyda declared a potential pecuniary interest related to item 6.1.1 and 7.1.1 Grant Application Program, the organizations Friends of Mill Creek and Sunrise Therapeutic Riding Centre are seeking to receive grant funding. As I am a member of each of these organizations, I have an indirect pecuniary interest and refrained from discussions and voting on that item.

**Resolution No. 2023-408:**

Moved by Councillor Sepulis and  
 Seconded by Councillor Bailey

**That Council receives the Delegation by Anne Caine, Sunrise Therapeutic Riding & Learning Centre regarding the 2024 Grant Application Program for information.**

**CARRIED**

**7. REPORTS:**

**7.1 Finance Department**

7.1.1 Sunrise Therapeutic Riding & Learning Centre regarding Report FIN-2023-033 – 2024 Grant Application Program

**Resolution No. 2023-409:**

Moved by Councillor Bailey and  
 Seconded by Councillor Hurst

**THAT Report FIN-2023-033 entitled 2024 Grant Application Program be received; and**

**That Council approves the grant allocations amounting to \$7,870 as outlined below:**

<b>Organization</b>	<b>2024 Approved Grant Allocation</b>
Aberfoyle Agricultural Society	<b>\$3,000</b>
Aberfoyle Farmers' Market Association Inc.	<b>\$2,000</b>
Crieff Hills Retreat Centre	<b>\$1,370</b>
Ellis Chapel	<b>\$500</b>
Puslinch Minor Soccer Club	<b>\$0</b>
Whistle Stop Cooperative Preschool	<b>\$1,000</b>

**And that notice be provided to Whistle Stop Cooperative Preschool advising that exceptions to receive late applications from Whistle Stop Cooperative Preschool will no longer be provided and that future grant application requests will only be considered if submitted within the prescribed timelines; and**

**That Council direct staff to amend the submission deadline for the Grant Application Program to be the last business day of September at 2pm going forward to better support organizations in meeting the submission deadline.**

**CARRIED**

Councillor Goyda declared a potential pecuniary interest related to item 6.1.1 and 7.1.1 Grant Application Program, the organizations Friends of Mill Creek and Sunrise Therapeutic Riding Centre are seeking to



receive grant funding. As I am a member of each of these organizations, I have an indirect pecuniary interest and refrained from discussions and voting on that item.

**Resolution No. 2023-410:** Moved by Councillor Sepulis and  
 Seconded by Councillor Hurst

**That Council approves the grant allocations amounting to \$3,000 as outlined below:**

Organization	2023 Approved Grant Allocation
Sunrise Therapeutic Riding and Learning Centre	\$3,000

**CARRIED**

Councillor Sepulis declared a potential pecuniary interest related to item 7.1.1, the organizations Friends of Mill Creek and Optimist Club of Puslinch are seeking to receive grant funding. As I am a member of each of these organizations, I have an indirect pecuniary interest and refrained from discussions and voting on that item.

**Resolution No. 2023-411:** Moved by Councillor Hurst and  
 Seconded by Councillor Bailey

**That Council approves the grant allocations amounting to \$6,000 as outlined below:**

Organization	2023 Approved Grant Allocation
Friends of Mill Creek	\$3,000
Optimist Club of Puslinch	\$3,000

**CARRIED**

7.1.2 Report FIN-2023-034 - 2024 Municipal Insurance

**Resolution No. 2023-412:** Moved by Councillor Sepulis and  
 Seconded by Councillor Hurst

**THAT Report FIN-2023-034 entitled 2024 Municipal Insurance be received; and**

**THAT Council authorize awarding the Municipal Insurance Coverage and Services contract to Intact Public Entities Inc. for the Policy Term January 1, 2024 to January 1, 2025.**

**CARRIED**

7.1.3 Report FIN-2023-036 - 2024 Proposed Operating Budget

**Resolution No. 2023-413:** Moved by Councillor Hurst and  
 Seconded by Councillor Sepulis

**THAT Report FIN-2023-036 entitled 2024 Proposed Operating Budget be received; and**

**That Council approves the 2024 one-time base budget increases amounting to \$1,530 as outlined below to be funded by the 2023 surplus:**

Description	2024 Approved One-Time Base Budget Increases
Develop Video and Photo Content (GoPro or comparable device)	\$450



Public Consultation for Township's Land Acknowledgement Report and Statement	<b>\$1,080</b>
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**That Council approves the 2024 one-time base budget increases amounting to \$4,200 as outlined below to be funded by the Heritage Financial Incentive Program Discretionary Reserve:**

Description	2024 Approved One-Time Base Budget Increases
Heritage Plaque on the Puslinch Community Centre Grounds	<b>\$2,200</b>
Peer Reviews for Heritage Designations	<b>\$2,000</b>

**That Council approves the 2024 permanent base budget increases amounting to \$16,854 as outlined below to be funded by the 2024 tax levy:**

Description	2024 Approved One-Time Base Budget Increases
By-law Public Education	<b>\$500</b>
Enamel Crest Pins	<b>\$551</b>
Council, Committees and Administrative Support Staff Clothing Allowance	<b>\$2,210</b>
Youth Leadership Conference and Mileage for Youth Advisory Committee Members	<b>\$588</b>
Full-Time Facility Operator	<b>\$13,005</b>

**Further, that Council direct staff to incorporate the following approved amendments into the base budget as follows:**

- recognize the \$12.5K savings regarding aquifer study;
- \$25K contribution to the winter maintenance discretionary reserve be funded by the one-time 2024 County funds estimated at \$20K for the Wellington Road 35 closure with the remaining \$5K to be funded by the tax levy;
- \$0 contribution to the insurance contingency discretionary reserve; and

**That Council consider the reduction to the contribution to tree removal budget of \$10K at an upcoming budget meeting.**

**CARRIED**

Council recessed from 2:12 pm to 2:38 pm

**Roll Call**

**Councillor Goyda  
 Councillor Sepulis  
 Councillor Bailey  
 Councillor Hurst  
 Mayor Seeley**

**7.2 Administration Department**

**7.2.1 Report ADM-2023-073 Properties for Designation 2024**

**Resolution No. 2023-414:**

Moved by Councillor Hurst and  
 Seconded by Councillor Goyda

**That Report ADM-2023-073 entitled Priority Properties for Heritage Designation in 2024 be**

received; and

**That Council endorse the properties outlined in the report (as noted below) with the exception of the property 4726 Watson RD S for consideration for designation and approves the recommended action plan as outlined in this report:**

- 1. 4856 Sideroad 10 N;**
- 2. 6714 Concession 1;**
- 3. 4162 Highway 6;**
- 4. 7618 Leslie RD W;**
- 5. 8 Brock RD N;**
- 6. 413 Arkell RD;**
- 7. 6 Victoria ST;**
- 8. 7839 Wellington RD 34;**
- 9. 56 Queen ST;**
- 10. 4855 Pioneer TR;**
- 11. 4347 Concession 11;**
- 12. 4677 Watson RD S;**
- 13. 69 Queen ST;**
- 14. 6592 Concession 1;**
- 15. 7751 Maltby RD E;**
- 16. 6981 Concession 4;**
- 17. 4556 Sideroad 20 N; and**
- 18. 7094 Concession 1.**

**CARRIED**

Councillor Goyda declared a potential pecuniary interest related to item 7.2.1 Properties for Designation under the Heritage Act, as my parents are the owners of one of the properties listed, I have an indirect pecuniary interest and refrained from discussions and voting on that item.

**Resolution No. 2023-415:**

Moved by Councillor Sepulis and  
Seconded by Councillor Bailey

**That Council endorse the property 4726 Watson RD S for consideration for designation and approves the recommended action plan as outlined in report ADM-2023-073.**

**CARRIED**

**8. CLOSED SESSION:**

Council was in closed session from 2:44 p.m. to 3:10 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. 2023-416:**

Moved by Councillor Bailey and  
Seconded by Councillor Hurst

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

**CARRIED**

**Resolution No. 2023-417:**

Moved by Councillor Goyda and  
Seconded by Councillor Sepulis

**THAT Council moves into open session at 3:10 pm**



**CARRIED**

Council resumed into open session at 3:10 p.m.

**Resolution No. 2023-418:**

Moved by Councillor Hurst and  
Seconded by Councillor Bailey

**That Council receives the:**

**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 and that staff proceed as directed.**

**CARRIED**

**9. CONFIRMATORY BY-LAW:**

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

**Resolution No. 2023-419:**

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 2023-055 being a by-law to confirm the proceedings of Council for the Corporation of the Township of Puslinch at its meeting held on the 13 day of December 2023.**

**CARRIED**

**10. ADJOURNMENT:**

**Resolution No. 2023-420:**

Moved by Councillor Goyda and  
Seconded by Councillor Sepulis

**That Council hereby adjourns at 3:10 p.m.**

**CARRIED**

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James Seeley, Mayor

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Courtenay Hoytfox, Clerk



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH  
NOVEMBER 14, 2023 COMMITTEE OF ADJUSTMENT MEETING  
VIRTUAL MEETING BY ELECTRONIC PARTICIPATION & IN PERSON  
AT 7404 WELLINGTON RD 34, PUSLINCH

**MINUTES**

**DATE:** November 14, 2023

**MEETING:** 7:00 p.m.

The November 14, 2023 Committee of Adjustment Meeting was held on the above date and called to order at 7:05 p.m. via electronic participation and in-person at was held via electronic participation and in-person at 7404 Wellington Road 34, Puslinch.

**1. CALL THE MEETING TO ORDER**

**2. ROLL CALL**

**ATTENDANCE:**

**PRESENT:**

Councillor John Sepulis, Chair  
Dennis O'Connor  
Chris Pickard  
Paul Sadhra  
Jeffrey Born

**ABSENT:**

None

**STAFF IN ATTENDANCE:**

Lynne Banks, Secretary/Treasurer  
Laura Emery, Communications & Committee Coordinator  
Asavari Jadhav, Planner, County of Wellington

**3. MOMENT OF REFLECTION**

**4. CONFIRMATION OF THE AGENDA**

**Resolution No. 2023-093:**

Moved by Committee Member Jeff Born and  
Seconded by Committee Member Paul Sadhra



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH  
NOVEMBER 14, 2023 COMMITTEE OF ADJUSTMENT MEETING  
VIRTUAL MEETING BY ELECTRONIC PARTICIPATION & IN PERSON  
AT 7404 WELLINGTON RD 34, PUSLINCH

**That the Committee approves the November 14, 2023 Agenda as circulated.**

**CARRIED.**

**5. DISCLOSURE OF CONFLICT OF INTEREST:**

None

**6. APPROVAL OF MINUTES**

**6.1 Approval of the Minutes**

6.1.1 October 10, 2023

**Resolution No. 2023-094:**

Moved by Committee Member Dennis O'Connor and  
Seconded by Committee Member Chris Pickard

**That the Committee of Adjustment approves the Minutes from the meeting held October 10, 2023.**

**CARRIED.**

**7. APPLICATIONS FOR MINOR VARIANCE OR PERMISSION** under section 45 of the Planning Act to be heard by the Committee this date:

**7.1 Minor Variance Application D13-AHM – Najib Ahmadi – 68 Gilmour Road, Concession 8, Part Lot 23, Township of Puslinch. #**  
Requesting relief of New Comprehensive Zoning By-law # 23-2018, as amended, from the following:

1. From Section 4.2.a.i to permit the accessory building to have a maximum floor area of 153m<sup>2</sup> instead of 130m<sup>2</sup>, as required.
2. From Section 4.2.c.ii to permit the accessory building to be 0.14 meters from the lot line of the interior side yard instead of 3m, as required.
3. From Section 4.2.c.iii. to permit the accessory building to be located 47.41 meters to the house instead of 40 metres, as required.
  - Jonathan Netta, agent for the applicant, provided an overview of the application.



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH  
NOVEMBER 14, 2023 COMMITTEE OF ADJUSTMENT MEETING  
VIRTUAL MEETING BY ELECTRONIC PARTICIPATION & IN PERSON  
AT 7404 WELLINGTON RD 34, PUSLINCH

- Dennis O'Connor asked if the portion of the deck that overhangs the property can be removed.
- Jonathan Netta advised that it can be removed.
- Chris Pickard asked that a condition be added to the Decision that the encroaching deck be moved back so that it is in line with the existing dwelling.
- Chris Pickard asked where parking will be located.
- Jonathan Netta advised that the driveway is long and there is adequate parking.
- Chris Pickard asked if there will be an issue with fire vehicle access to the primary dwelling
- Jonathan Netta advised that they can extend the driveway so that there is adequate parking for the secondary residence.
- Chris Pickard noted that a condition should be added to provide adequate parking along the main fire truck routes
- Paul Sadhra asked if there is a condition to demo the existing dwelling after the new home is being constructed
- Jonathan Netta confirmed that there is an agreement in place to permit the current residence to remain during construction.
- Lynne Banks provided details of the agreement and noted that once final occupancy is granted a zoning review will be conducted to confirm that it meets the zoning by-law requirements.
- There were no questions or comments from the public.
- There were no further questions or comments from the Committee.

**Resolution No. 2023-095:**

Moved by Committee Member Dennis O'Connor and  
Seconded by Committee Member Chris Pickard

**That the Minor Variance Decision as made by the Committee be approved with the following conditions:**

1. That the deck encroaching over the property line be removed from the neighbouring property and be moved back 0.65 meters to match the minimum setback of the existing house.
2. That the Township's Fire Department confirm that adequate parking is available and does not impede fire truck routes.

**CARRIED.**



THE CORPORATION OF THE TOWNSHIP OF PUSLINCH  
NOVEMBER 14, 2023 COMMITTEE OF ADJUSTMENT MEETING  
VIRTUAL MEETING BY ELECTRONIC PARTICIPATION & IN PERSON  
AT 7404 WELLINGTON RD 34, PUSLINCH

**7.2 Minor Variance Application D13-MAD – Vikki Madden – 31 Farnham Road, Part Lot 5 Plan 131 being Part 1 on Reference Plan 61R-3484, Township of Puslinch. ≠**

Requesting relief of New Comprehensive Zoning By-law # 23-2018, as amended, from Section 4.27.1.c. to permit the pool equipment to be 1.5m from the interior side yard rather than 2m as required.

- Ryan Doucette, agent for the applicant, provided an overview of the application.
- Chris Pickard asked if it would be possible to move the equipment further back from the lot line.
- Ryan Doucette advised that the equipment is in place and electrical and gas are hooked up to the equipment.
- Chris Pickard asked if there is significant noise from the pool equipment.
- Ryan Doucette advised that there isn't significant noise from the equipment.
- There were no questions from the public.
- There were no further questions or comments from the Committee.

**Resolution No. 2023-096:**

Moved by Committee Member Paul Sadhra and  
Seconded by Committee Member Jeff Born

**That the Minor Variance Decision as made by the Committee be approved.**

**CARRIED.**

**8. NEW BUSINESS**

None

**9. ADJOURNMENT**

**Resolution No. 2023-097:**

Moved by Committee Member Dennis O'Connor and  
Seconded by Committee Member Jeff Born

**That the Committee of Adjustment hereby adjourns at 7:37 p.m.**

**CARRIED.**



CLEARVIEW  
TOWNSHIP

**Clerk's Department**  
Township of Clearview  
Box 200, 217 Gideon Street  
Stayner, Ontario L0M 1S0  
[clerks@clearview.ca](mailto:clerks@clearview.ca) | [www.clearview.ca](http://www.clearview.ca)  
Phone: 705-428-6230

December 12, 2023

File: C00.2023

Hon. Todd McCarthy  
Ministry of Public and Business Service Delivery  
777 Bay Street, 5<sup>th</sup> Floor  
Toronto ON M5B 2H7

Sent by Email

**RE: Cemetery Transfer/Abandonment Administration & Management Support**

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Please be advised that Council of the Township of Clearview, at its meeting held on December 11, 2023, passed a resolution regarding Cemetery Transfer/Abandonment Administration & Management Support as follows:

Moved by Councillor Walker, Seconded by Councillor Broderick, Whereas under the Funeral, Burial and Cremation Services Act, 2002 (FBCSA), when a cemetery is declared abandoned by a judge of the Superior Court Justice, the local municipality within whose geographic boundaries the land of the cemetery is located, becomes the owner of the cemetery with all the rights and obligations in respect of the cemetery and the assets, trust funds and trust accounts related to it that the previous owner or operator possessed;

And Whereas over the last decade, there has been an increase in the number of churches and local cemetery boards initiating processes to transfer ownership or abandon their owned and operated cemeteries to the local municipality due to such issues as high maintenance costs, inaccuracy of records, lack of financial and human resources to effectively operate and maintain the cemetery, increased regulatory processes regarding training, selling of interment rights, financial operation of the care and maintenance fund, etc.;

And Whereas municipalities experience the same issues and pressures that churches and local boards experience with the operation and maintenance of cemeteries within its jurisdiction, and additional transfers of cemetery lands only compound the burden on municipal taxpayers;

And Whereas cemeteries are important infrastructure where the reasonable costs for interment rights, burials, monument foundations, corner stones and administration charges do not sufficiently support the general operation of cemeteries;

And Whereas the interest earned from the care and maintenance fund(s) of a cemetery do not provide adequate funding to maintain the cemetery with the rising costs of lawn and turf maintenance contracts and monument restoration;

Now Therefore Be It Resolved that Council of the Township of Clearview requests that the Province through the Ministry of Public and Business Service Delivery and the Bereavement Authority of Ontario (BAO) consider the following to assist municipalities in this growing concern of cemetery transfers:

- Amend the Funeral, Burial and Cremation Services Act, 2002 (FBCSA), to have the Province, through the BAO, identified as the default owner and operator of a cemetery when it is abandoned;
- Provide annual funding (based on the number of cemeteries a municipality owns and operates) to municipalities to assist with the maintenance of inactive and active cemeteries; Page 6 of 7
- Provide free training opportunities for municipalities regarding cemetery administration; and,
- Investigate and support the design of universal cemetery software for use by municipal cemetery operators that can be offered at an affordable cost.

And that this resolution be circulated to the Hon. Todd McCarthy, Ministry of Public and Business Service Delivery, Jim Cassimatis, BAO Interim CEO/Registrar, MPP Brian Saunderson and all Ontario municipalities. Motion Carried.

For reference, please find attached the Staff Report LS-032-2023 that provides background for the above resolution. If you have any questions, please do not hesitate to contact the undersigned.

Regards,



Sasha Helmkey-Playter, B.A., Dipl. M.A., AOMC  
Clerk/Director of Legislative Services

cc: Jim Cassimatis, BAO Interim CEO/Registrar  
MPP Simcoe Grey, Brian Saunderson  
Ontario Municipalities



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**To:** Mayor and Council

**From:** Sasha Helmkey, Clerk/Director of Legislative Services

**Date:** December 11, 2023

**Subject:** Report # LS-032-2023 – Cemetery Transfer/Abandonment Administration & Management Support

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## Recommendation

Be It Resolved that Council of the Township of Clearview hereby receives Report LS-032-2023 (Cemetery Transfer/Abandonment Administration & Management Support) dated December 11, 2023; and,

Whereas under the Funeral, Burial and Cremation Services Act, 2002 (FBCSA), when a cemetery is declared abandoned by a judge of the Superior Court Justice, the local municipality within whose geographic boundaries the land of the cemetery is located, becomes the owner of the cemetery with all the rights and obligations in respect of the cemetery and the assets, trust funds and trust accounts related to it that the previous owner or operator possessed;

And Whereas over the last decade, there has been an increase in the number of churches and local cemetery boards initiating processes to transfer ownership or abandon their owned and operated cemeteries to the local municipality due to such issues as high maintenance costs, inaccuracy of records, lack of financial and human resources to effectively operate and maintain the cemetery, increased regulatory processes regarding training, selling of interment rights, financial operation of the care and maintenance fund, etc.;

And Whereas municipalities experience the same issues and pressures that churches and local boards experience with the operation and maintenance of cemeteries within its jurisdiction, and additional transfers of cemetery lands only compound the burden on municipal taxpayers;

And Whereas cemeteries are important infrastructure where the reasonable costs for interment rights, burials, monument foundations, corner stones and administration charges do not sufficiently support the general operation of cemeteries;

And Whereas the interest earned from the care and maintenance fund(s) of a cemetery do not provide adequate funding to maintain the cemetery with the rising costs of lawn and turf maintenance contracts and monument restoration;

Now Therefore Be It Resolved that Council of the Township of Clearview requests that the Province through the Ministry of Public and Business Service Delivery and the Bereavement Authority of Ontario (BAO) consider the following to assist municipalities in this growing concern of cemetery transfers:

- Amend the Funeral, Burial and Cremation Services Act, 2002 (FBCSA), to have the Province, through the BAO, identified as the default owner and operator of a cemetery when it is abandoned;
- Provide annual funding (based on the number of cemeteries a municipality owns and operates) to municipalities to assist with the maintenance of inactive and active cemeteries;
- Provide free training opportunities for municipalities regarding cemetery administration; and,
- Investigate and support the design of universal cemetery software for use by municipal cemetery operators that can be offered at an affordable cost.

And that this resolution be circulated to the Hon. Todd McCarthy, Ministry of Public and Business Service Delivery, Jim Cassimatis, BAO Interim CEO/Registrar, MPP Brian Saunderson and all Ontario municipalities.

## **Background**

Under the Funeral, Burial and Cremation Services Act, 2002 (FBCSA), when a cemetery is declared abandoned by a judge of the Superior Court Justice, the local municipality within whose geographic boundaries the land of the cemetery is located, becomes the owner of the cemetery with all the rights and obligations in respect of the cemetery and the assets, trust funds and trust accounts related to it that the previous owner or operator possessed.

Over the last decade there appears to be a trend where cemeteries in Ontario are being transferred, whether through abandonment or a mutually agreed upon transfer, to the care and control of municipalities. This is often seen when there is a breakdown in existing cemetery boards and/or when churches cease operations. For many existing private cemetery boards their board members and volunteers are aging and are unable to assist with the operations and maintenance of the cemetery any longer. Finding new members proves to be difficult for these boards to continue. In addition to aging board members, there are other issues that are contributing to the increase in cemetery transfers:

- high maintenance costs
- inaccuracy of records
- lack of financial and human resources to effectively operate and maintain the cemetery

- increased regulatory processes that require ongoing training for selling of interment rights, and the financial operation of the care and maintenance fund, etc.

### **Township Owned Cemeteries**

The Township of Clearview currently owns and operates nine (9) cemeteries within its geographic boundaries. Out of these nine cemeteries, four (4) are considered active meaning that there are still interment rights to be sold, or burials to take place. Below is a chart outlining these cemeteries and their status:

<b>Cemetery Name</b>	<b>Address</b>	<b>Status</b>
Batteau Hill Cemetery	2670 County Road 124, Duntroon	Inactive
Bethel Union Cemetery	2249 Creemore Avenue, New Lowell	Inactive
Dunedin Union Cemetery	9 Turkeyroost Lane, Dunedin	Active
Duntroon Pioneer Cemetery	2870 County Road 124, Duntroon	Inactive
Lavender Cemetery	827103 Mulmur/Nottawasaga Townline, Creemore	Active
Old Zion Presbyterian Church Cemetery	6130 Highway 26, Sunnidale Corners	Inactive
Second Line Nottawasaga Cemetery	2279 County Road 42, Stayner	Active
Stayner Union Cemetery	7661 Highway 26, Stayner	Active
Zion Presbyterian Church Cemetery	12358 County Road 10, Sunnidale Corners	Inactive

For the Dunedin and Stayner Union Cemetery, the Township looks after the maintenance and burials through a third-party contractor. The maintenance and burials for the Lavender Cemetery are conducted through the Board. For the Second Line Nottawasaga Cemetery all the interment rights have been sold, but there remains one burial to be completed. The cost to maintain an active cemetery is expensive. Although burial costs and the installation of markers, etc. are cost recovery through the purchaser, grounds maintenance is not.

Inactive cemeteries still require consistent grounds maintenance, which includes any monument restoration for health and safety, and record searches for the public register.

## Comments and Analysis

When analyzing the number of cemeteries that Clearview Township currently owns and operates, maintenance and administration is a large undertaking. To add any additional cemeteries by way of transfer or abandonment will only compound the issues the Township is already facing. In the past year, the Township has been approached by two separate entities regarding possible cemetery transfers. When a board or cemetery transfers ownership to the municipality, the issues are transferred with it. Municipalities are not immune to the same concerns. It becomes a strain on municipal resources, financially, administratively, and operationally.

### Administrative Impact

From an administrative perspective the management of four active cemeteries is both time consuming and complex. No interment is the same, and providing good customer service takes time especially for those making arrangements while also dealing with grief. Administrative tasks include but are not limited to: interment right sales and mapping, burial contracts and scheduling, monument placement, historical record searches, plot and monument staking, fees and charges review, family transfers of interment rights and annual reporting to the Bereavement Authority of Ontario (BAO).

- **Incomplete records**

Often the records accepted by the Township from a dissolved cemetery board or church are incomplete and disorganized. This is no fault of the previous board members, as they are also often operating with limited resources. However, it does make it difficult to manage the cemetery post-transfer when records are sparse. Understanding which plots are occupied and by who is critical to the sound management of a cemetery. Unfortunately, this is not made possible in all cases because of incomplete records. In addition, records received during a transfer usually are maintained under different records management standards and are often organized and named inconsistently. Adaptation to Township records keeping practices takes time.

- **Lack of human resources**

Cemetery management is a highly regulated professional field, with the responsibility of which is often placed on public sector employees who may have limited knowledge of cemeteries in general. With reduced resources within municipalities especially rural ones, the management of cemeteries often becomes a secondary responsibility to another position. There is also a lack of affordable training available for municipal employees who are required to abide by regulations set out by the FBCSA and the BAO.

- **Increased regulatory processes**

Annual reporting requirements of the BAO can be extensive and complex. This includes monitoring the number of interments, the transfers to the Care and Maintenance Fund (C&M), and how the C&M fund can be used. There are also regulations pertaining to maintaining a public register, how sales are to be conducted and strict guidelines on Cemetery By-law approvals, and expansions including the erection of columbaria structures.

- **Inconsistent cemetery regulations**

Cemeteries can have many different regulations related to plot size, number of burials allowed in a given plot, monument size, what types of flowers/shrubs are allowed to be installed near a headstone etc. The transfer of different cemeteries having inconsistent regulations can make it difficult to adapt management practices in order to maintain original cemetery operational standards.

## **Operational Impact**

Similarly, from an operational perspective the grounds maintenance of cemeteries, whether active or inactive, is both time consuming and complex. A key issue when analyzing the maintenance component of cemetery management is the lack of financial resources to support the operation. Cemetery maintenance includes, but is not limited to: grass cutting (whipper snipping around monuments), tree and shrub maintenance, monument and corner stone maintenance, water pipe and washroom monitoring, and general upkeep of cemetery grounds (removal of debris, etc.).

- **High maintenance costs**

As with many services, there are rising costs to contend with. Municipalities have adopted different models to address the maintenance of such, with third party contractors being commonly used or it becomes the responsibility of an internal department such as Parks & Recreation. Regardless the model, the costs have increased significantly over the last decade with equipment purchases/upgrades, insurance requirements for third-party contractors, and the time it takes to cut the grass and whipper snip around monuments. To put it into perspective, the Stayner Union Cemetery with the expansion is 25 acres with monuments to manoeuvre around during ground care. Other considerations for maintenance includes monument restoration and ensuring that they are not deteriorated to the point where they are unsafe. This is important for older cemeteries where restoration hasn't been provided in the past and there are many deteriorating monuments.

- **Cost of cemetery management software**

Cemetery Management Software can help municipalities manage cemetery records, including plot sale contracts, interment rights certificates, and regulatory reporting.

However, these software solutions are often expensive and require a large amount of staff time to implement especially with incomplete data and records. These software solutions range in price from \$5,000 to \$100,000 with annual maintenance costs. This investment in software can be a large budget request and one that would need to be supported from taxation with the limited funds in cemetery general accounts.

- **Inadequate Care and Maintenance funds**

When the Funeral, Burial and Cremation Services Act, 2002 (FBCSA) was enacted, it stipulated that a care and maintenance fund for a cemetery shall be established. A cemetery operator is required to make contributions to the fund from the sale of in-ground graves, crypts, tombs, niches, scattering rights and monument installation. The contribution is prescribed under the FBCSA and differs dependant on the interment type. The idea is that the fund (income earned from the fund - interest) pays for maintenance costs after a cemetery has stopped making sales. In reality, this concept does not produce enough funds to maintain a cemetery. Looking at the Stayner Union Cemetery as an example, for the very basics (grass cutting and whipper snipping) the interest from the care and maintenance fund does not provide enough monies to maintain the cemetery for the 7 months it's required. In addition, the care and maintenance fund is also to be utilized for the stabilization, maintenance and security of markers. Cemeteries are not self funding, and maintenance of such is becoming a larger budget concern.

### **Support Request**

Cemetery transfers and abandonments have been an ongoing concern for Clearview Township for many years. When you look at the large geography of the Township there are many cemeteries within the boundaries that have the potential to be transferred. To gauge the concern of other municipalities on this issue, staff addressed it at a Simcoe County Clerks group discussion. Many neighbouring municipalities expressed that they were dealing with the same issues and have also been approached by different external entities on possible transfers.

As result of the discussion, it was agreed that to assist with the real concerns with transfers and abandonments of cemeteries, it's vital that the Province provide assistance to adequately support this infrastructure. Support can be provided in many different forms, with staff making the following recommendations for the Ministry of Public and Business Service Delivery and the BAO:

- Amend the Funeral, Burial and Cremation Services Act, 2002 (FBCSA), to have the Province, through the BAO, identified as the default owner and operator of a cemetery when it is abandoned;

- Provide annual funding (based on the number of cemeteries a municipality owns and operates) to municipalities to assist with the maintenance of inactive and active cemeteries;
- Provide free training opportunities for municipalities regarding cemetery administration; and,
- Investigate and support the design of universal cemetery software for use by municipal cemetery operators that can be offered at an affordable cost.

There is not one solution to solve all the issues, but at the very least it's important to identify the concerns and have open and real discussions at the provincial level on what support can be provided.

### **Clearview's Strategic Plan**

The above initiative supports the following strategic pillars:

- Governance

### **Financial Implications**

It is difficult to identify an exact dollar amount that can be attributed to a cemetery transfer/abandonment to the municipality. Every transfer is different and depends on a multitude of factors beginning with the cemetery status (active/inactive), acreage, care and maintenance fund (if any), maintenance of records, etc. What is being recommended by staff by way of support from the province is not meant to erase the costs entirely, but rather, to alleviate the financial burden in some capacity.

### **Report Appendices**

Not applicable.

### **Approvals**

<b>Submitted by:</b>	Sasha HelmKay, B.A., Dipl. M.A., AOMC, Clerk/Director of Legislative Services
<b>Reviewed by:</b>	Krista Pascoe, Deputy Clerk
<b>Financial Implications Reviewed by:</b>	Kelly McDonald, Treasurer
<b>Approved by:</b>	John Ferguson, CAO

# TAY TOWNSHIP

450 Park Street  
PO Box 100  
Victoria Harbour, Ontario  
L0K 2A0



December 21, 2023

Hon. Todd McCarthy  
Minister of Public and Business Service Delivery  
5th Floor  
777 Bay St.  
Toronto, ON M7A 2J3

sent via email [Todd.McCarthy@pc.ola.org](mailto:Todd.McCarthy@pc.ola.org)

Dear Hon. Todd McCarthy,

## **Re: Provincial Cemetery Management Support Request – Tay Township**

Tay Township Council passed the following resolution during the December 20, 2023 Council Meeting regarding the Provincial Cemetery Management Support Request:

Whereas under the Funeral, Burial and Cremation Services Act, 2002 (FBCSA), when a cemetery is declared abandoned by a judge of the Superior Court Justice, the local municipality within whose geographic boundaries the land of the cemetery is located, becomes the owner of the cemetery with all the rights and obligations in respect of the cemetery and the assets, trust funds and trust accounts related to it that the previous owner or operator possessed;

And Whereas over the last decade, there has been an increase in the number of churches and local cemetery boards initiating processes to transfer ownership or abandon their owned and operated cemeteries to the local municipality due to such issues as high maintenance costs, inaccuracy of records, lack of financial and human resources to effectively operate and maintain the cemetery, increased regulatory processes regarding training, selling of interment rights, financial operation of the care and maintenance fund, etc.;

And Whereas municipalities experience the same issues and pressures that churches and local boards experience with the operation and maintenance of cemeteries within its jurisdiction, and additional transfers of cemetery lands only compound the burden on municipal taxpayers;

And Whereas cemeteries are important infrastructure where the reasonable costs for interment rights, burials, monument foundations, corner stones and administration charges do not sufficiently support the general operation of cemeteries;

# TAY TOWNSHIP

450 Park Street  
PO Box 100  
Victoria Harbour, Ontario  
L0K 2A0



And Whereas the interest earned from the care and maintenance fund(s) of a cemetery do not provide adequate funding to maintain the cemetery with the rising costs of lawn and turf maintenance contracts and monument restoration;

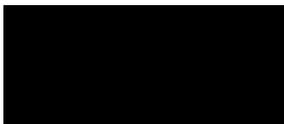
Now Therefore Be It Resolved that Council of the Township of Tay requests that the Province through the Ministry of Public and Business Service Delivery and the Bereavement Authority of Ontario (BAO) consider the following to assist municipalities in this growing concern of cemetery transfers:

- Amending the Funeral, Burial and Cremation Services Act, 2002 (FBCSA), to have the Province, through the BAO, identified as the default owner and operator of a cemetery when it is abandoned;
- Provide annual funding (based on the number of cemeteries a municipality owns and operates) to municipalities to assist with the maintenance of inactive and active cemeteries;
- Provide free training opportunities for municipalities regarding cemetery administration; and,
- Investigate and support the design of universal cemetery software for use by municipal cemetery operators that can be offered at an affordable cost;

And that this resolution be circulated to the Hon. Todd McCarthy, Ministry of Public and Business Service Delivery, Jim Cassimatis, BAO Interim CEO/Registrar, MPP Jill Dunlop and all Ontario municipalities.

Sent on behalf of Tay Township Council.

Yours truly,



Katelyn Johns, MPPA  
Municipal Clerk

Cc: Jim Cassimatis, BAO Interim CEO/Registrar, Hon. Jill Dunlop, Minister of Colleges and Universities/MPP, and all Ontario municipalities.



Legislative Services  
Jaclyn Grossi  
905-726-4768  
clerks@aurora.ca

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

December 19, 2023

The Right Honourable Justin Trudeau  
Prime Minister of Canada  
80 Wellington Street  
Ottawa, ON K1A 0A2

**Delivered by email**  
justin.trudeau@parl.gc.ca

The Honourable Doug Ford, Premier of Ontario  
Premier's Office, Room 281  
Legislative Building, Queen's Park  
Toronto, ON M7A 1A1

**Delivered by email**  
premier@ontario.ca

Dear Prime Minister Trudeau and Premier Ford:

**Re: Town of Aurora Council Resolution of December 12, 2023  
Motion 10.3 – Councillor Gilliland; Re: Community Safety and Inciteful Speech**

Please be advised that this matter was considered by Council at its meeting held on December 12, 2023, and in this regard, Council adopted the following resolution:

**Whereas there has been an escalation in terrorist activity and unrest around the world that has triggered homeland rallies and advocacy that supports inciteful actions, which are causing uncertainty and unsafe feelings in our own country; and**

**Whereas inciteful speech is knowingly being utilized to create division, manipulation and spread misinformation, which could be defined as violent extremist propaganda and encouraging violent crimes; and**

**Whereas any loss of innocent civilian life is unacceptable and tragic; and**

**Whereas other local municipal councils and residents in Aurora have expressed concerns of uncertainty and safety who are asking for peace, protection and security; and**

**Whereas law exists to help maintain public safety, security, peace and order in society, and in Canada, where the responsibility for criminal justice is shared between the Federal, Provincial and territorial governments; and**

**Whereas it is important to protect our general freedoms of speech, while respecting the principles to protect and respect human rights, whether in**

**person or in a free, open and secure internet, and to ensure transparency and accountability;**

- 1. Now Therefore Be It Hereby Resolved That the Town of Aurora acknowledges that residents in the community have expressed feelings of uncertainty and safety concerns, due to the recent global unrest, and condemns all acts of terror and violence resulting in loss of life or injury; and**
- 2. Be It Further Resolved That the Town of Aurora call on all levels of government to acknowledge this uncertainty and safety concerns in Canada and look to strengthening their available tools to deny inciteful speech that encourages violent extremists the ability to publicly manipulate, advocate, and incite violence or physical harm to another human being, whether it be online or in person; and**
- 3. Be It Further Resolved That Council encourages our community and diverse local leaders of faith to bring the community together to promote peace, healing and understanding during this difficult time; and**
- 4. Be It Further Resolved That a copy of this resolution be provided to both the Federal and Provincial government and all municipalities in Ontario.**

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

Sincerely,



W Jaclyn Grossi

Deputy Town Clerk

The Corporation of the Town of Aurora

JG/lb

Attachment (Council meeting extract)

Copy: All Ontario Municipalities



## 10. Motions

### 10.3 Councillor Gilliland; Re: Community Safety and Inciteful Speech

**Moved by** Councillor Gilliland

**Seconded by** Councillor Gaertner

Whereas there has been an escalation in terrorist activity and unrest around the world that has triggered homeland rallies and advocacy that supports inciteful actions, which are causing uncertainty and unsafe feelings in our own country; and

Whereas inciteful speech is knowingly being utilized to create division, manipulation and spread misinformation, which could be defined as violent extremist propaganda and encouraging violent crimes; and

Whereas any loss of innocent civilian life is unacceptable and tragic; and

Whereas other local municipal councils and residents in Aurora have expressed concerns of uncertainty and safety who are asking for peace, protection and security; and

Whereas law exists to help maintain public safety, security, peace and order in society, and in Canada, where the responsibility for criminal justice is shared between the Federal, Provincial and territorial governments; and

Whereas it is important to protect our general freedoms of speech, while respecting the principles to protect and respect human rights, whether in person or in a free, open and secure internet, and to ensure transparency and accountability;

1. Now Therefore Be It Hereby Resolved That the Town of Aurora acknowledges that residents in the community have expressed feelings of uncertainty and safety concerns, due to the recent global unrest, and condemns all acts of terror and violence resulting in loss of life or injury; and
2. Be It Further Resolved That the Town of Aurora call on all levels of government to acknowledge this uncertainty and safety concerns in Canada and look to strengthening their available tools to deny inciteful

speech that encourages violent extremists the ability to publicly manipulate, advocate, and incite violence or physical harm to another human being, whether it be online or in person; and

3. Be It Further Resolved That Council encourages our community and diverse local leaders of faith to bring the community together to promote peace, healing and understanding during this difficult time; and
4. Be It Further Resolved That a copy of this resolution be provided to both the Federal and Provincial government and all municipalities in Ontario.

Yeas (7): Mayor Mrakas, Councillor Weese, Councillor Gilliland, Councillor Gaertner, Councillor Thompson, Councillor Gallo, and Councillor Kim

**Carried (7 to 0)**

December 12, 2023

**\*Sent Via Email\***

Municipalities of Ontario

Re: Amendment to the Occupational Health and Safety Act to Clarify the Definition of "Employer"

The following resolution was passed by Council of the City of Greater Sudbury on December 5, 2023:

*CC2023-303: WHEREAS in 2015 the City of Greater Sudbury (the "City") entered into a contract with a contractor experienced in road construction projects to complete a project on Elgin Street in the City's downtown core;*

*AND WHEREAS the contract provided that the contractor would be the constructor for the project as that term is defined in the Occupational Health and Safety Act (the "Act");*

*AND WHEREAS an employee of the constructor operating a grader on the project struck and killed a pedestrian;*

*AND WHEREAS the City was charged with offences under the Act as the constructor and the employer;*

*AND WHEREAS after being acquitted at trial and on appeal, the Ontario Court of Appeal, in a decision issued on April 23, 2021, found the City to be liable for contraventions of the Construction Regulations as an employer as it employed quality control inspectors to monitor the quality of work on the project from time-to-time;*

*AND WHEREAS the Supreme Court of Canada, in a decision issued on November 10, 2023, was evenly divided 4-4 on the issue resulting in dismissal of the City's appeal;*

*AND WHEREAS the consequence of this decision is that municipalities in Ontario, as well as all other owners of property in the province, who wish to undertake construction, are subject to being charged and convicted as an employer for offences in relation to project sites for which they have no control and have, in accordance with the Act, contracted with an entity to assume plenary oversight and authority over the work on such site as the constructor; AND WHEREAS the potential of an owner being charged as an employer as that term is defined in the Act in circumstances where it has engaged a constructor disregards and renders meaningless the owner-constructor provisions contained in the Act and presents an unacceptable level of increased risk and confusion for owners and contractors throughout the province;*

PO BOX 5000 STN A  
200 BRADY STREET  
SUDBURY ON P3A 5P3

CP 5000 SUCC A  
200, RUE BRADY  
SUDBURY ON P3A 5P3

705.671.2489

[www.greatersudbury.ca](http://www.greatersudbury.ca)  
[www.grandsudbury.ca](http://www.grandsudbury.ca)

*AND WHEREAS the City believes that the safety of workers is paramount however the safety of workers on construction projects in Ontario is not increased by placing liability on parties that do not have control of and are not responsible for the conduct of the work on such sites;*

*NOW THEREFORE BE IT RESOLVED THAT the Council for the City of Greater Sudbury requests that the province amend the Occupational Health and Safety Act to clarify the definition of "employer" to exclude owners that have contracted with a constructor for a project;*

*AND BE IT FURTHER RESOLVED THAT this motion be provided to the Honourable Doug Ford, Premier of Ontario, the Honourable David Piccini, Minister of Labour, Immigration, Training and Skills Development, the Honourable Paul Calandra, Minister of Municipal Affairs and Housing, France Gelin, MPP for Nickel Belt, Jamie West, MPP for Sudbury, the Association of Municipalities of Ontario, the Federation of Northern Ontario Municipalities, Ontario's Big City Mayors, Mayors and Regional Chairs of Ontario, Northern Ontario Large Urban Mayors, the Council of Ontario Construction Associations, the Ontario Chamber of Commerce and all Ontario municipalities.*

Yours truly,



Brigitte Sobush  
Manager of Clerk's Services/Deputy City Clerk

- c. Members of City Council  
Eric Labelle, City Solicitor and Clerk



Legislative Services  
Jaclyn Grossi  
905-726-4768  
clerks@aurora.ca

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

December 19, 2023

The Honourable Doug Ford, Premier of Ontario  
Premier's Office, Room 281  
Legislative Building, Queen's Park  
Toronto, ON M7A 1A1

**Delivered by email**  
premier@ontario.ca

Dear Premier Ford:

**Re: Town of Aurora Council Resolution of December 12, 2023  
Motion 10.1 – Councillor Gilliland; Re: Homelessness Crisis**

Please be advised that this matter was considered by Council at its meeting held on December 12, 2023, and in this regard, Council adopted the following resolution:

**Whereas the homelessness crisis is taking a devastating toll on families and communities, undermining a healthy and prosperous Ontario, and that Council accepts that the responsibility to address these challenges rests with community stakeholders, partners, and residents as well as regional, federal, and provincial governments and agencies; and**

**Whereas the Town of Aurora recognizes the challenges of mental health, addictions, and homelessness, which are complex issues that have a significant and detrimental impact on the residents of the Town of Aurora and surrounding areas within Ontario; and**

**Whereas addressing and responding to these issues has placed extreme stress on all levels of regional, municipal, and non-municipal programs and services, including various not-for-profit organizations and provincially funded health services within the Town of Aurora and surrounding areas;**

- 1. Now Therefore Be It Hereby Resolved That the Town of Aurora acknowledge that homelessness in Ontario is a social, economic and health crisis, including people with substance use disorders; and**
- 2. Be It Further Resolved That the Town of Aurora commits to ending homelessness in the community in collaboration with the Region, and both the Provincial and Federal governments; and**

3. **Be It Further Resolved That the Town of Aurora call on the Region, the Province and Federal governments to increase action and supports on the following:**
  - a. **Commit to ending homelessness in Ontario; and**
  - b. **Work with the Association of Municipalities of Ontario (AMO) and a broad range of community, health, and economic partners to develop, resource, and implement an action plan to achieve this goal; and**
  - c. **Provide a long-term financial commitment to assist in the creation of more affordable and supportive housing for people in need, in York Region, including people with substance use disorders; and**
  - d. **Increase investments in evidence informed substance use prevention and mental health promotion initiatives that provide foundational support for the health, safety and well-being of individuals, families, and neighbourhoods, beginning from early childhood; and**
4. **Be It Further Resolved That a copy of this motion be sent to the Premier of Ontario; the Minister of Municipal Affairs and Housing; the Minister of Children, Community and Social Services; the Minister of Health; the Minister of the Solicitor General; the Minister of Finance; the Chief Medical Officer of Health; Town of Aurora local MPs and MPPs; the Association of Municipalities of Ontario; and all Ontario municipalities.**

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

Sincerely,



Jaclyn Grossi

Deputy Town Clerk

The Corporation of the Town of Aurora

JG/lb

Attachment (Council meeting extract)

Copy: Hon. Paul Calandra, Minister of Municipal Affairs and Housing

Hon. Michael Parsa, Minister of Children, Community and Social Services, MPP  
Aurora—Oak Ridges—Richmond Hill

Hon. Sylvia Jones, Minister of Health  
Hon. Michael S. Kerzner, Solicitor General  
Hon. Peter Bethlenfalvy, Minister of Finance  
Dr. Kieran Moore, Chief Medical Officer of Health  
Dawn Gallagher Murphy, MPP Newmarket—Aurora  
Tony Van Bynen, MP Newmarket—Aurora  
Leah Taylor Roy, MP Aurora—Oak Ridges—Richmond Hill  
Association of Municipalities of Ontario (AMO)  
All Ontario Municipalities



## 10. Motions

### 10.1 Councillor Gilliland; Re: Homelessness Crisis

**Moved by** Councillor Gilliland

**Seconded by** Councillor Gaertner

Whereas the homelessness crisis is taking a devastating toll on families and communities, undermining a healthy and prosperous Ontario, and that Council accepts that the responsibility to address these challenges rests with community stakeholders, partners, and residents as well as regional, federal, and provincial governments and agencies; and

Whereas the Town of Aurora recognizes the challenges of mental health, addictions, and homelessness, which are complex issues that have a significant and detrimental impact on the residents of the Town of Aurora and surrounding areas within Ontario; and

Whereas addressing and responding to these issues has placed extreme stress on all levels of regional, municipal, and non-municipal programs and services, including various not-for-profit organizations and provincially funded health services within the Town of Aurora and surrounding areas;

1. Now Therefore Be It Hereby Resolved That the Town of Aurora acknowledge that homelessness in Ontario is a social, economic and health crisis, including people with substance use disorders; and
2. Be It Further Resolved That the Town of Aurora commits to ending homelessness in the community in collaboration with the Region, and both the Provincial and Federal governments; and
3. Be It Further Resolved That the Town of Aurora call on the Region, the Province and Federal governments to increase action and supports on the following:
  - a. Commit to ending homelessness in Ontario; and
  - b. Work with the Association of Municipalities of Ontario (AMO) and a broad range of community, health, and economic partners to

develop, resource, and implement an action plan to achieve this goal; and

- c. Provide a long-term financial commitment to assist in the creation of more affordable and supportive housing for people in need, in York Region, including people with substance use disorders; and
- d. Increase investments in evidence informed substance use prevention and mental health promotion initiatives that provide foundational support for the health, safety and well-being of individuals, families, and neighbourhoods, beginning from early childhood; and

- 4. Be It Further Resolved That a copy of this motion be sent to the Premier of Ontario; the Minister of Municipal Affairs and Housing; the Minister of Children, Community and Social Services; the Minister of Health; the Minister of the Solicitor General; the Minister of Finance; the Chief Medical Officer of Health; Town of Aurora local MPs and MPPs; the Association of Municipalities of Ontario; and all Ontario municipalities.

Yeas (7): Mayor Mrakas, Councillor Weese, Councillor Gilliland, Councillor Gaertner, Councillor Thompson, Councillor Gallo, and Councillor Kim

**Carried (7 to 0)**



**City of Stratford, Corporate Services Department**

Clerk's Office

City Hall, P. O. Box 818, Stratford, Ontario N5A 6W1

Tel: 519-271-0250, extension 5237

Email: [clerks@stratford.ca](mailto:clerks@stratford.ca)

Website: [www.stratford.ca](http://www.stratford.ca)

December 19, 2023

**Sent via e-mail: [chrystia.freeland@parl.gc.ca](mailto:chrystia.freeland@parl.gc.ca)**

Honourable Chrystia Freeland, Minister of Finance of Canada

344 Bloor Street West

Suite 510

Toronto, Ontario

M5S 3A7

Dear Honourable Chrystia Freeland, Minister of Finance of Canada:

Re: Resolution – CEBA Loan Businesses

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At the November 27, 2023, Stratford City Council meeting, correspondence from the Downtown Stratford Business Improvement Area regarding more business support for CEBA loan businesses was provided for endorsement as part of the Consent Agenda (CA-2023-141). Enclosed with this letter is a copy of the correspondence received.

At the meeting, Council adopted the following resolution:

R2023-520

**THAT CA-2023-141, being correspondence from the Downtown Stratford Business Improvement Area regarding more business support for CEBA loan businesses, be endorsed;**

**AND THAT a copy of this resolution be forwarded to Chrystia Freeland, Minister of Finance of Canada, John Nater, Perth-Wellington MP, and all municipalities in Ontario for endorsement.**

Sincerely,

  
Tatiana Dafoe, Clerk

Enclosed – as referenced above

/vt

cc: John Nater, MP Perth-Wellington  
Jamie Pritchard, General Manager of the Downtown Stratford BIA  
Ontario Municipalities

# DOWNTOWN STRATFORD

**November 17, 2023**

Hon. Chrystia Freeland, Finance Minister  
510-344 Bloor Street W  
Toronto, Ontario M5S 3A7

**Subject:** The Downtown Stratford Business Improvement Area (DTSBIA) is Urging the Federal Government to Provide More Business Support for CEBA loan Businesses.

Dear Hon. Chrystia Freeland, Finance Minister,

The Downtown Stratford BIA was grateful to see some movement regarding the CEBA loans. However, after reviewing the new forgivable portion of the loans, in the announcement, the feedback from our partners, stakeholders, and members, all echoed the message that more needs to be done to lessen bankruptcies, vacancies and the subsequent increase in social issues in our community.

Tourist areas, such as Stratford, were the hardest hit by the pandemic as the stoppage of the revenue streams hit our entertainment industry and the ripple effect spilled over into restaurants, retail, and service providers. The Stratford economy was halted.

According to a 2023 report, taken from Statistics Canada's website, small businesses are major contributors to the Canadian economy. In 2022, businesses with 1 to 99 employees comprised 98.0% of all employer businesses in Canada and employed 10.7 million individuals which is almost two-thirds (63.0%) of all employees. By comparison, businesses with 100 to 500 employees, employed 3.6 million individuals (21.0% of employees) and businesses with more than 500 employees employed 2.7 million individuals (16.0% of employees) in Canada. As such, smaller businesses play an important role in employing Canadians and are a significant driver in shaping the economy.

Downtown Stratford is not made up of large corporate chains that can balance out their revenue shortfalls in a tourist area with other larger metropolitan locations that have recovered much quicker. For the most part our restaurants and shops are sole proprietorships and entrepreneurs who are fighting to keep their doors open. As the pandemic fades, elsewhere, the aftermath in tourist cities, like Stratford, hangs on. In addition Stratford businesses are facing a raft of new challenges: the cost-of-living crisis, rising prices, increased labour costs, supply disruptions, and climate events – the list goes on and on.

These new challenges and increased costs all end up raising the prices that businesses have to charge for their goods and services. This increase means both the Provincial and Federal Governments are benefiting from more tax revenue on these increased prices. The only ones not winning are the business owners as margins are shrinking with efforts to remain competitive in this difficult marketplace

For the businesses that are being crushed with heavy debt and operating in an economic sector that has been hit hard, we see closures. In Stratford Downtown alone we have 15 business closures (11 of which

# DOWNTOWN STRATFORD

were hospitality businesses) to date in 2023, when looking from the start of the pandemic we have had 35 closures. Currently there are 9 of our downtown businesses that have been for sale for a number of months as owners try to escape debt. As well as there have been dozens of other small business closures in the City of Stratford in 2023. These closures represent hundreds of jobs lost with well over a hundred in the last week alone.

These lost jobs cost all levels of government revenue in taxes and an increased cost in social services to help them transition into a new career. These funds would be better served to reduce unemployment in Stratford with the businesses that grow our economic infrastructure

To limit or minimize the number of vacancies and bankruptcies affecting our downtown businesses, the Downtown Stratford BIA respectfully requests businesses pursuing the announced five percent (5%) loan also qualify for forgiveness on the forgivable portions of the loan. Of importance to note many businesses do not qualify for a loan due to the current debt load that they are dealing with. Banks and even private loan companies are not lending funds to businesses in the hospitality business (restaurants, cafes, and accommodators) even with buildings and properties as collateral. These sectors are being deemed as high risk. Businesses face remortgaging or taking out high interest rate second mortgages on their homes putting their entire existence in jeopardy.

Therefore, we are calling upon the Federal Government to Extend the full CEBA program deadline by extending the forgiveness (up to \$20,000 of the maximum \$60,000) deadline for businesses to coincide with the new repayment deadline of December 31, 2026. Let our entrepreneurs have a fighting chance.

Sincerely,



Shawn Malvern

Chair of the Board of Directors DTSBIA

on behalf of the Downtown Stratford Business Improvement Area (DTSBIA)

**From:** [Township of Puslinch](#)  
**To:** [Justine Brotherston](#)  
**Subject:** New Entry: Delegate Request  
**Date:** Sunday, January 07, 2024 11:47:33 PM

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**Type of Meeting**

Council

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**Meeting Date**

January 10, 2024

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**How many delegates are requesting to make this presentation?**

One (1)

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**Type of Delegation**

This is a request to delegate on a topic on the upcoming agenda

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**Identify which agenda item you are requesting to delegate on?**

10.1: Auditor General's Report. Aggregate

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**Type of Presentation**

This request is to present a verbal delegation

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**Type of Attendance**

In person

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**Name of Delegate**

John McNie

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**Mailing Address of Delegate**

[Redacted]

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**Phone Number of Delegate**

[Redacted]

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**Email Address of Delegate**

[Redacted]

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**Purpose of delegation (state position taken on issue, if applicable)**

Comment on AG's Report and relevance to Puslinch Township

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**A formal presentation is being submitted to accompany the delegation**

No

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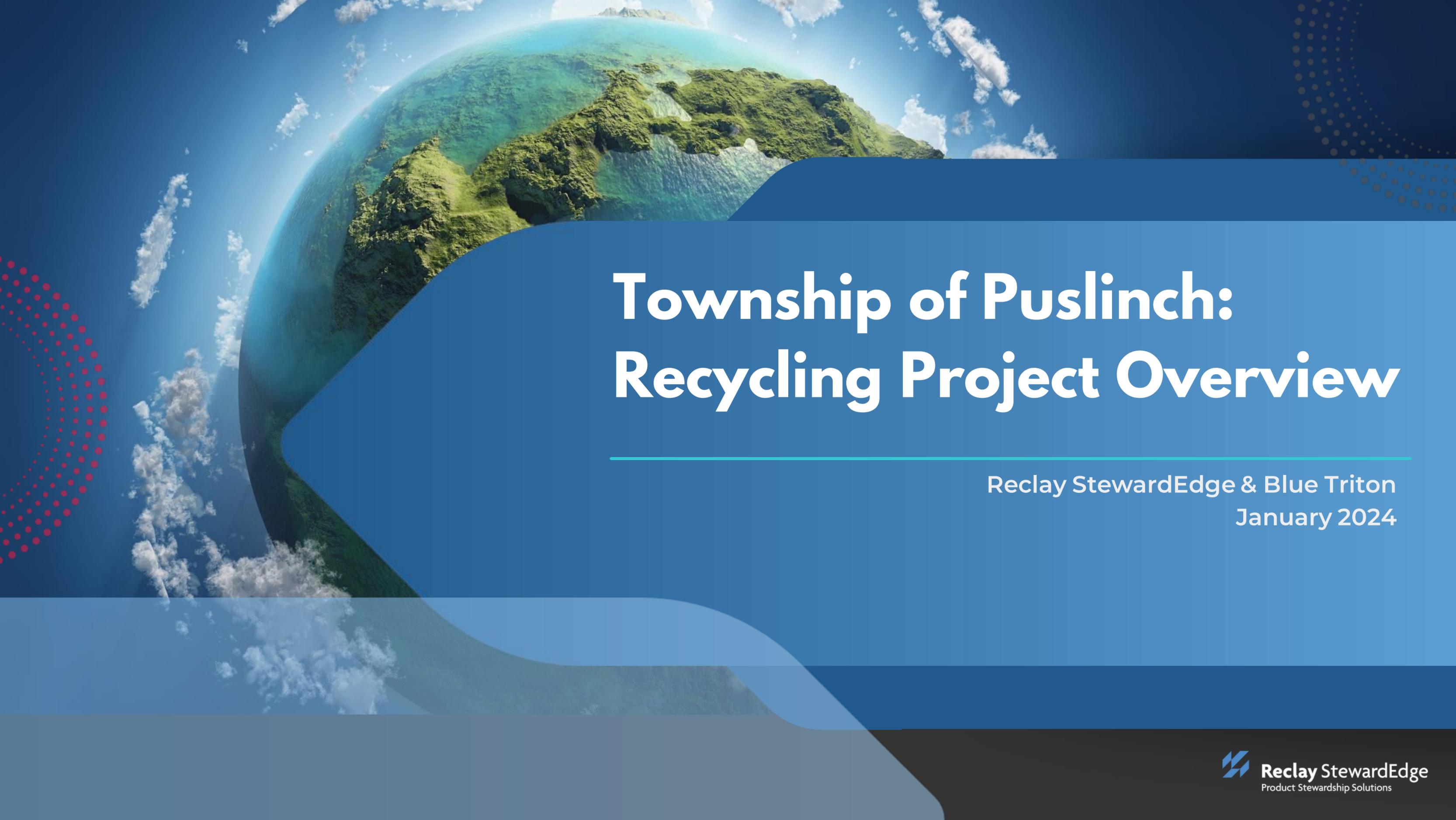
**The delegation will require the use of audio-visual equipment (power point presentation)**

No

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**Acknowledgement**

I (we) have read, understand and acknowledge the Rules and Procedures relating to Delegations as prescribed by the Procedural By-law 2022-046.



# Township of Puslinch: Recycling Project Overview

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Reclay StewardEdge & Blue Triton  
January 2024

# Project Overview

Reclay StewardEdge (RSE) was contracted by Blue Triton Brands Canada to assist in implementing a public space waste reduction and recovery project in the Township of Puslinch.

Our project strategy included:

1. Placing recycling bin infrastructure in public areas selected in coordination with the Township of Puslinch
2. Promotion and Education (P&E)
3. Post-project waste audit and recommendations

*Note: due to travel limitations regarding the COVID-19 pandemic and the restrictions in place for use of public facilities, the post-audit was delayed significantly.*



# Project Infrastructure

A review of potential bin locations was completed in 2018 and Blue Triton donated **25** dual stream public space bins, **5** indoor dual-stream bins, and **30** general use recycling bins.

The dual-stream bins were placed in three locations:

1. Badenoch Soccer Field
2. Morriston Meadows Park
3. Puslinch Community Centre

# Infrastructure Provided by Blue Triton





# Waste Audit Objectives

The main objectives of the waste audit were to:

1. Assess the generated materials in a waste characterization study
2. Qualitatively analyze materials by identifying and measuring the composition of garbage and recycling generation within the specified dual stream public space bins
3. Measure the current recovery and contamination rates which are key waste audit environmental performance indicators (EPIs)



## Waste Audit Highlights

RSE's collection and sorting of waste and recyclables in Puslinch took place from August 27 to 31, 2022.

All three locations had recovery (or diversion) rates for beverage containers of over **80%** which is above average for public space areas in Canada.

The contamination rates for all three locations were well below **30%**, which is low compared to the average contamination rates for public space audits.

A comprehensive waste audit report was submitted to Blue Triton and the Township of Puslinch as part of the project.

## Promotion & Education Highlights

Promotion and Education (P&E) of recycling is a proven method to decrease contamination rates and increase recovery rates of recyclables.

RSE designed print advertisements that were placed in the *Puslinch Pioneer* – the community's local newspaper.

RSE targeted residents on social media focusing on waste diversion education and awareness.



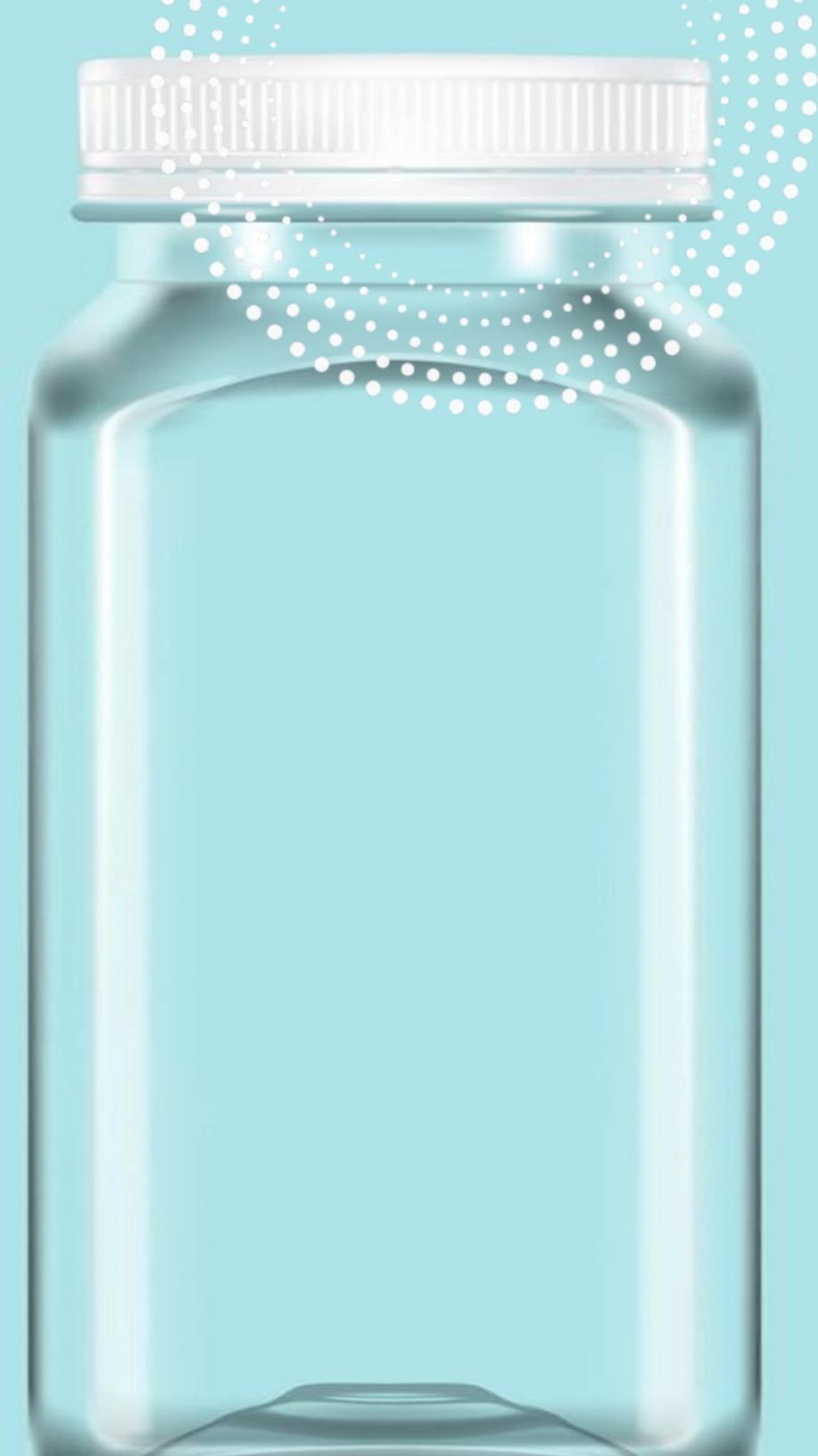
## Social Media Highlights

RSE conducted two social media campaigns on Meta (Facebook), geotargeted within the Puslinch area.

The first public space recycling awareness campaign ran from August 25 to September 4, 2020, and recorded **68,963** impressions\*.

The second campaign ran from August 20 to September 11, 2020, and recorded **61,474** impressions\*.

*\*Facebook impressions are recorded as the number of times an instance of an ad is on screen for the first time. The Township of Puslinch has a general population of 7,944, Statistics Canada, 2021.*



# Observations & Recommendations

Auditors noticed that a top contaminant in the recycling stream was polycoat cups (coffee cups) and that all recycling bins had black bags instead of clear bags in them.

To decrease contamination rates, and to increase recovery rates of other recyclables, RSE recommends:

1. Ensuring all recycling bins use clear bags
2. Additional Promotion and Education (P&E) regarding good recycling practices, e.g. in Town of Puslinch public communications
3. Reporting annually to the public on community recovery, capture, and contamination rates





**Thank you!**



## REPORT FIN-2024-001

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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: January 10, 2024

SUBJECT: 2024 Interim Property Tax Levy and Due Dates

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### RECOMMENDATIONS

**That Report FIN-2024-001 entitled 2024 Interim Property Tax Levy and Due Dates be received; and**

**That Council give 3 readings to By-law No. 2024-001 being a by-law to provide for the levy and collection of the 2024 Interim Tax Levy.**

#### Purpose

Section 317 of the Municipal Act allows a municipality to pass a by-law to provide for the levying and collection of interim taxes. The purpose of this report is to recommend that Council enact a by-law to provide for the levy and collection of the 2024 interim tax levy.

#### Background

The levying of an interim tax bill allows for a municipality to raise funds to meet its obligations until the final tax rates are set, including the mandated tax levy payments to the County of Wellington (County) and the local school boards.

Section 317 of the Municipal Act provides that municipalities have the ability to pass a by-law to levy interim taxes in an amount not exceeding 50% of the previous year's total taxes. The total taxes for the previous year include the Township, County and Education portions.

Consistent with the Township's practice in previous years, the 2024 interim tax levy will be payable in two installments. Interim property taxes are billed at 50% of the previous year's levy and are due in two installments: Thursday February 29, 2024 and Tuesday April 30, 2024. The

amount of the interim tax bill will be deducted from each property's final tax bill in the calculation of the final amount due for 2024.

In accordance with Section 317(3) of the Municipal Act, if any taxes levied on a property were for only part of 2023 due to an addition to the tax collector's roll in 2023, the 2023 taxes will be annualized and the 2024 interim levy amount will be based on the annualized taxes.

Section 342(b) of the Municipal Act allows for alternative instalment due dates to spread the payment of taxes more evenly over the year. This applies to Township taxpayers on the eleven-month pre-authorized automatic withdrawal plan. The pre-authorized payment plans shall be penalty free as long as the taxpayer is in good standing with the terms of the plan.

The final tax rates for 2024 will be calculated after the Township, County and Education finalize the 2024 budget. The Final 2024 property tax bill will include the total taxes levied for the Township, County and Education portions less the 2024 interim billing.

**Financial Implications**

The Township remits property tax levy payments to the County and the School Boards on the last business day of March, June and September. The final tax levy remittance to the County and the School Boards occurs on December 15<sup>th</sup>.

The amounts due to the County and School Boards must be paid according to the predetermined schedule, regardless of when the actual property taxes are collected by the Township.

**Applicable Legislation and Requirements**

Sections 317 and 342 of the Municipal Act

**Engagement Opportunities**

Information regarding the 2024 Interim Property Tax Levy and Due Dates is posted on the Township's website on the Property Taxes Page on [Puslinch.ca](https://puslinch.ca).

**Attachments**

None

**Respectfully submitted:**

**Reviewed by:**

**Sarah Huether  
Taxation and Customer Service Supervisor**

**Mary Hasan  
Director of Finance/Treasurer**



## **REPORT FIN-2024-002**

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TO: Mayor and Members of Council

PREPARED BY: Mary Hasan, Director of Finance/Treasurer

PRESENTED BY: Mary Hasan, Director of Finance/Treasurer

MEETING DATE: January 10, 2024

SUBJECT: 2024 Capital and Operating Budget Update  
File No. F05 BUD

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### **RECOMMENDATIONS**

**THAT Report FIN-2024-002 entitled 2024 Capital and Operating Budget Update be received.**

#### **Purpose**

The purpose of this report is to:

- 1.) Provide Council an update on the items that were discussed at the October 25, 2023 Capital Budget Meeting; and
- 2.) Provide Council an update on the items that were discussed at the December 13, 2023 Operating Budget Meeting; and
- 3.) Provide Operating and Capital Budget changes that have occurred due to more current information being available to staff.

#### **Background**

Council and the Public have received the following reports and presentations to date as part of budget deliberations:

<b>Report</b>	<b>Council Meeting</b>
FIN-2023-025 – 2024 Proposed User Fees and Charges	August 16, 2023 Council Meeting
FIN-2023-026 - 2024 Proposed Cost of Living Adjustment	September 6, 2023 Council Meeting
ADM-2023-046 – Budget Process and Service Level Review	September 6, 2023 Council Meeting

Report	Council Meeting
2024 Proposed User Fees and Charges Public Information Meeting (PIM) Presentation and Draft By-law	September 27, 2023 PIM
FIN-2023-030 – 2024 User Fees and Charges By-law	October 18, 2023 Council Meeting
FIN-2023-031 – 2024 Proposed Capital Budget	October 25, 2023 Council Meeting
FIN-2023-032 – 2024 User Fees and Charges By-law	November 29, 2023 Council Meeting
FIN-2023-033 – 2024 Grant Application Program	December 13, 2023 Council Meeting
FIN-2023-034 – 2024 Municipal Insurance	December 13, 2023 Council Meeting
FIN-2023-036 – 2024 Proposed Operating Budget	December 13, 2023 Council Meeting
FIN-2024-002 - 2024 Capital and Operating Budget Update	January 10, 2024 Council Meeting

**Capital Budget Updates based on Council Direction at the October 25, 2023 Council Meeting regarding Report FIN-2023-031 – 2024 Proposed Capital Budget:**

Council Direction	Staff Update	Budget Impact
<p>Council directed staff to establish a new discretionary reserve pertaining to Administrative Studies for the purpose of:</p> <ul style="list-style-type: none"> <li>• funding previously eligible studies that are no longer eligible to be Development Charge (DC) funded due to Bill 23; and</li> <li>• funding other plans, inspections that were previously funded through the tax levy.</li> </ul> <p>Council directed staff to contribute \$50K as outlined in Report FIN-2023-031.</p>	<p>The Capital Forecast presented at the October 25, 2023 Council Meeting did not include any contributions to the Administrative Studies Discretionary Reserve from 2024 to 2033.</p> <p>Based on the current version of the 2024 Capital Budget and Forecast, while incorporating the changes noted in Report FIN-2024-002, the estimated balances in the newly established Administrative Studies Discretionary Reserve from 2024 to 2033 are outlined below:</p> <ul style="list-style-type: none"> <li>• 2024 - \$142K</li> <li>• 2025 - \$37K</li> <li>• 2026 - \$25K</li> <li>• 2027 - \$55K</li> <li>• 2028 - \$10K</li> <li>• 2029 - -(\$5K)</li> <li>• 2030 - \$15K</li> <li>• 2031 - \$45K</li> <li>• 2032 - \$75K</li> <li>• 2033 - \$110K</li> </ul>	<p>The Capital Forecast from 2024 to 2033 has been updated to include a contribution to the newly established Administrative Studies Discretionary Reserve of \$50K based on Council’s direction.</p> <p>This results in a tax levy increase of \$50K from 2024 to 2033 from the previous version of the budget presented.</p>

Council Direction	Staff Update	Budget Impact														
<p>Council directed staff to allocate the supplemental taxation for 2017 to 2023 related to the gravel pit appeals to the Asset Management (AM) Discretionary Reserve when received to fund one-time capital tax levy increases to the 2024 budget such as the Regionally Significant Economic Development Study Area and/or the Compensation and Benefits Review.</p>	<p>Township staff recommend that the supplemental taxation for 2017 to 2023 estimated at \$200K related to the gravel pit appeals be redirected to the newly established Administrative Studies Discretionary Reserve (and not the AM Discretionary Reserve) to be utilized for non-recurring capital items that were previously noted as being tax levy funded when presented to Council at its meeting held on October 25, 2023. The Capital Forecast presented at the October 25, 2023 Council Meeting included the following amounts totaling \$95K in 2024 funded by the Tax Levy which are now recommended to be funded by the Administrative Studies Discretionary Reserve:</p> <table border="1" data-bbox="678 982 1203 1841"> <thead> <tr> <th data-bbox="678 982 1036 1098">Project</th> <th data-bbox="1036 982 1203 1098">Tax Levy Funded Portion</th> </tr> </thead> <tbody> <tr> <td data-bbox="678 1098 1036 1255">Regionally Significant Economic Development Study Area Phase 1 (Employment)</td> <td data-bbox="1036 1098 1203 1255">\$70,000</td> </tr> <tr> <td data-bbox="678 1255 1036 1371">2024 Development Charges Background Study</td> <td data-bbox="1036 1255 1203 1371">\$2,100</td> </tr> <tr> <td data-bbox="678 1371 1036 1486">2024 Conservation and Demand Management Plan</td> <td data-bbox="1036 1371 1203 1486">\$525</td> </tr> <tr> <td data-bbox="678 1486 1036 1570">Bridge and Culvert Inspections - 2025</td> <td data-bbox="1036 1486 1203 1570">\$7,500</td> </tr> <tr> <td data-bbox="678 1570 1036 1770">Comprehensive Speed Limit Review for Township Roads with a Posted Speed Above 60 km/hr</td> <td data-bbox="1036 1570 1203 1770">\$15,000</td> </tr> <tr> <td data-bbox="678 1770 1036 1841"><b>Total</b></td> <td data-bbox="1036 1770 1203 1841"><b>\$95K</b></td> </tr> </tbody> </table>	Project	Tax Levy Funded Portion	Regionally Significant Economic Development Study Area Phase 1 (Employment)	\$70,000	2024 Development Charges Background Study	\$2,100	2024 Conservation and Demand Management Plan	\$525	Bridge and Culvert Inspections - 2025	\$7,500	Comprehensive Speed Limit Review for Township Roads with a Posted Speed Above 60 km/hr	\$15,000	<b>Total</b>	<b>\$95K</b>	<p>The net tax levy impact of allocating the 2017 to 2023 supplemental taxation estimated at \$200K related to the gravel pit appeals to the Administrative Studies Discretionary Reserve is \$0 as the recoveries are currently being budgeted in supplemental taxation in the 2024 proposed Operating Budget.</p> <p>This results in a tax levy decrease of \$95K for 2024 from the previous version of the budget presented.</p>
Project	Tax Levy Funded Portion															
Regionally Significant Economic Development Study Area Phase 1 (Employment)	\$70,000															
2024 Development Charges Background Study	\$2,100															
2024 Conservation and Demand Management Plan	\$525															
Bridge and Culvert Inspections - 2025	\$7,500															
Comprehensive Speed Limit Review for Township Roads with a Posted Speed Above 60 km/hr	\$15,000															
<b>Total</b>	<b>\$95K</b>															

Council Direction	Staff Update	Budget Impact												
<p>Council deferred the decision on the Compensation and Benefits review until a future budget meeting.</p>	<p>The Capital Forecast presented at the October 25, 2023 Council Meeting included \$25K in 2024 to be funded by the Tax Levy and the Building Surplus Reserve for the Compensation and Benefits Review.</p>	<p>It is recommended that the Compensation and Benefits Review be funded by the newly established Administrative Studies Discretionary Reserve and the Building Surplus Reserve.</p> <p>This results in a tax levy decrease of \$20K for 2024 from the previous version of the budget presented.</p>												
<p>Council directed staff to remove the \$10K contribution in 2024 related to the 401 and Highway 6 Project Review of Hotspots.</p>	<p>The Capital Forecast presented at the October 25, 2023 Council Meeting included the following amounts from 2022 to 2024 for the 401 and Highway 6 Project Review of Hotspots to be funded by the tax levy:</p> <table border="1" data-bbox="678 1098 1170 1220"> <tr> <td>2022</td> <td>\$5,000</td> </tr> <tr> <td>2023</td> <td>\$10,000</td> </tr> <tr> <td>2024</td> <td>\$10,000</td> </tr> </table>	2022	\$5,000	2023	\$10,000	2024	\$10,000	<p>The Capital Forecast has been updated as follows based on Council’s direction:</p> <table border="1" data-bbox="1230 1020 1560 1335"> <tr> <td>2022</td> <td>\$5,000</td> </tr> <tr> <td>2023</td> <td>\$8,537 – funds of \$1.5K were spent in 2023 year to date.</td> </tr> <tr> <td>2024</td> <td>\$0</td> </tr> </table> <p>This results in a tax levy decrease of \$10K for 2024 from the previous version of the budget presented.</p>	2022	\$5,000	2023	\$8,537 – funds of \$1.5K were spent in 2023 year to date.	2024	\$0
2022	\$5,000													
2023	\$10,000													
2024	\$10,000													
2022	\$5,000													
2023	\$8,537 – funds of \$1.5K were spent in 2023 year to date.													
2024	\$0													

Council Direction	Staff Update	Budget Impact
<p>Council directed staff that the new Park’s pickup truck identified through the budget process be funded through the Parkland Reserve.</p>	<p>The Capital Forecast presented at the October 25, 2023 Council Meeting included \$55K related to the purchase of a new 2024 pickup truck to be funded by the tax levy. This was previously incorporated in the Public Works capital budget as an intercorporate transfer from Public Works to Parks.</p>	<p>The Capital Forecast has been updated to have this Pickup truck allocated to Parks and that it be funded by Cash in Lieu of Parkland in accordance with Council’s direction.</p> <p>This results in a tax levy decrease of \$55K for 2024 from the previous version of the budget presented.</p>
<p>Council directed staff to incorporate \$57K into the 2024 Capital Budget related to AM Plan and Policy Updates to be funded by the AM Discretionary Reserve as outlined in Report FIN-2023-031.</p>	<p>The Capital Forecast presented at the October 25, 2023 Council Meeting included \$10K related to the AM Plan and Policy Updates to be funded by the tax levy.</p> <p>Township staff are in the process of recruiting for an AM and Capital Co-op Student to assist with meeting the requirements of Ontario Regulation 588/17 and implementing the budget system (2023/2024) and AM system (2024/2025).</p>	<p>The Capital Forecast has been updated to incorporate \$67K related to the AM Plan and Policy Updates to be funded by the AM Discretionary Reserve based on Council’s direction.</p> <p>This results in a tax levy decrease of \$10K for 2024 from the previous version of the budget presented.</p>
<p>Council directed staff to:</p> <ul style="list-style-type: none"> <li>• Allocate \$0 identified in 2024, \$25K identified in 2025, and \$25K identified in 2026 to fund the Recreation and Parks Master Plan update with funding from the newly established discretionary reserve pertaining to Administration studies; and</li> <li>• Staff to undertake a review of the existing Master Plan, Township</li> </ul>	<p>The Capital Forecast presented at the October 25, 2023 Council Meeting included \$25K in 2024 and \$25K in 2025 related to the Recreation and Parks Master Plan to be funded by the tax levy.</p> <p>Staff’s review of the existing Master Plan, Township facilities, and the upgrades and construction projects that have taken place in accordance with the current Master Plan including the</p>	<p>The Capital Forecast has been updated to incorporate \$25K in 2025 and \$25K in 2026 related to the Recreation and Parks Master Plan to be funded by the newly established Administrative Studies Discretionary Reserve based on Council’s direction.</p>

<p>facilities, and the upgrades and construction projects that have taken place in accordance with the current Master Plan and develop a public engagement plan in consultation with the Recreation Advisory Committee.</p>	<p>development of a public engagement plan will be a 2024 work plan item which will be reported back to Council.</p>	<p>This results in a tax levy decrease of \$25K for 2024 from the previous version of the budget presented.</p>
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**Capital Budget Updates based on More Current information being available to Staff**

Item Description	Staff Update	Budget Impact
<p>The Township was notified on December 1, 2023 of its 2024 Ontario Community Infrastructure Fund (OCIF) – Formula Based Component Funding for the 2024 year of \$438K (increase of \$57K from the 2023 allocation of \$381K).</p>	<p>The OCIF funding can be used for roads (paved and unpaved), sidewalks located on an existing road, and bridges and culverts. The Township has typically utilized this funding for the repaving of existing paved roads and/or rehabilitation of bridges/culverts.</p> <p>The 2024 to 2033 Capital Budget and Forecast presented on October 25, 2023 had included this funding within the 2023 allocation levels of \$381K. The current version of the Capital Budget and Forecast has increased this funding to 2024 allocation levels of \$438K.</p>	<p>This change does not result in a tax levy impact as this increased grant funding has resulted in less funds of approximately \$57K required from the AM Discretionary Reserve on an annual basis.</p>
<p>The Township was notified on December 7, 2023 of its estimated 2024 to 2028 allocations for the Canada Community-Building Fund.</p>	<p>The 2024 to 2033 Capital Budget and Forecast presented on October 25, 2023 had included this funding within the 2023 allocation levels at approximately \$250K per year.</p> <p>The current version of the Capital Budget and Forecast has increased this funding based on the recent allocation notice received as follows:</p> <ul style="list-style-type: none"> <li>• 2024 - \$250K</li> <li>• 2025 - \$260K</li> <li>• 2026 - \$260K</li> <li>• 2027 - \$271K</li> <li>• 2028 - \$271K</li> <li>• 2029 to 2033 – approximately \$271K based on 2028 allocation levels.</li> </ul>	<p>This change does not result in a tax levy impact as this increased grant funding has resulted in less funds required from the AM Discretionary Reserve on an annual basis.</p>

Item Description	Staff Update	Budget Impact
Based on the 2024 Capital Budget and Forecast outlined in Report FIN-2023-031 presented at the October 25, 2023 Council Meeting, the estimated balances in the AM Discretionary Reserve were not meeting the recommended target balances outlined in the 2019 AM Plan mainly due to the significant capital cost estimates outlined in the 2023 Roads Management Plan.	Township staff worked with GM BluePlan to refine the capital cost estimates outlined in the 2023 Roads Management Plan Time of Need and Priority Rating schedule presented to Council at its meeting held on September 6, 2023. This refinement of costs has had a positive effect on the balance in the AM Discretionary Reserve from what was previously reported to Council in Report FIN-2023-031. See <b>Note A</b> below for further information.	This change does not result in a tax levy impact. See <b>Note A</b> below for further information.

**Note A:** As presented in Report FIN-2023-031 - *Based on the 2024 Capital Budget and Forecast, the estimated balances in the AM Discretionary Reserve are as outlined below:*

2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
\$2.3M	\$661K	\$174K	-\$300K	-\$2.8M	-\$3.4M	-\$4.4M	-\$3.8M	-\$3.6M	-\$2.4M

Based on the current version of the 2024 Capital Budget and Forecast, incorporating the changes noted in Report FIN-2024-002, the estimated balances in the AM Discretionary Reserve are as outlined below:

2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
\$2.9M	\$1.6M	\$1.6M	\$1.4M	-\$460K	-\$392K	-\$1.0M	-\$183K	\$46K	\$1.3M

The 2019 AM Plan recommends a minimum target balance of \$2.0 million and a maximum target balance of \$4.0 million in the AM Discretionary Reserve. The estimated balances only meet this target balance in 2024. The estimated balance does not meet this target balance from 2025 to 2033. The estimated balance becomes a deficit of \$460K in 2028 and continues to be a deficit to 2030 at \$1.0M. The deficit balance reduces to a deficit of \$183K by 2031. The estimated balance becomes positive in 2032 and increases to a positive balance of \$1.3M by 2033.

At its May 24, 2023 Council Meeting, Council directed staff to report on the upper and lower limit thresholds for the AM Discretionary Reserve. Staff will report back on this matter prior to 2025 budget deliberations.

**Operating Budget Updates based on Council Direction at the December 13, 2023 Operating Budget Meeting regarding Report FIN-2023-036 – 2024 Proposed Operating Budget:**

Council Direction	Staff Update	Budget Impact
Council approved grant allocations of \$16,870.	The budget presented on December 13, 2023 included an amount of \$12,115 for Community Grants in Account No. 01-0100-4600.	This results in a tax levy increase of \$4,755 from the previous version of the budget presented.
Council approved the 2024 one-time base budget increases amounting to \$1,530 as outlined below to be funded by the 2023 surplus: <ul style="list-style-type: none"> <li>• Develop Video and Photo Content (GoPro or comparable device) - \$450</li> <li>• Public Consultation for Township's Land Acknowledgement Report and Statement - \$1,080</li> </ul>	Township staff have incorporated the one-time base budget increases in the proposed operating budget to be funded by the 2023 surplus.	No tax levy impact as the 2024 one-time base budget increases are funded by the 2023 surplus.
Council approved the 2024 one-time base budget increases amounting to \$4,200 as outlined below to be funded by the Heritage Financial Incentive Program Discretionary Reserve: <ul style="list-style-type: none"> <li>• Heritage Plaque on the Puslinch Community Centre Grounds - \$2,200</li> <li>• Peer Reviews for Heritage Designations - \$2,000</li> </ul>	Township staff have incorporated the one-time base budget increases in the proposed operating budget to be funded by the Heritage Financial Incentive Program Discretionary Reserve.	No tax levy impact as the 2024 one-time base budget increases are funded by the Heritage Financial Incentive Program Discretionary Reserve.
Council approved the 2024 permanent base budget increases amounting to \$16,854 as outlined below to be funded by the 2024 tax levy: <ul style="list-style-type: none"> <li>• By-law Public Education - \$500</li> <li>• Enamel Crest Pins - \$551</li> <li>• Council, Committees and Administrative Support Staff Clothing Allowance - \$2,210</li> </ul>	Township staff have incorporated the permanent base budget increases in the proposed operating budget to be funded by the 2024 tax levy.	This results in a tax levy increase of \$16,854 for 2024 from the previous version of the budget presented.

<ul style="list-style-type: none"> <li>Youth Leadership Conference and Mileage for Youth Advisory Committee Members - \$588</li> <li>Full-Time Facility Operator - \$13,005</li> </ul>		
<p>Council directed staff to incorporate the following approved amendments into the base budget as follows:</p> <ul style="list-style-type: none"> <li>recognize the \$12.5K savings regarding aquifer study;</li> <li>\$25K contribution to the winter maintenance discretionary reserve be funded by the one-time 2024 County funds estimated at \$20K for the Wellington Road 35 closure with the remaining \$5K to be funded by the tax levy;</li> <li>\$0 contribution to the insurance contingency discretionary reserve.</li> </ul>	<p>Township staff have incorporated the approved amendments in the proposed operating budget which resulted in a reduction to the 2024 tax levy.</p>	<p>This results in a tax levy decrease of \$57,500 for 2024 from the previous version of the budget presented.</p>
<p>Council consider the reduction to the contribution to tree removal budget of \$10K at an upcoming budget meeting.</p>	<p>Township staff are seeking Council’s direction on this matter.</p>	<p>No further budget impact at this time.</p>

**Operating Budget Updates based on More Current information being available to Staff**

<b>Item Description</b>	<b>Staff Update</b>	<b>Budget Impact</b>
<p>Interest on General</p>	<p>The budget presented on December 13, 2023 included interest revenue based on three year average of actuals. Based on further data in the financial system pertaining to 2023 year to date amounts, it is recommended that this budget line item be increased.</p> <p>The 2024 Operating Budget presented on December 13, 2023 had included this revenue at \$180K. It is recommended that this be increased to \$210K based on three year average of actuals.</p>	<p>This results in a tax levy decrease of \$30K for 2024 from the previous version of the budget presented.</p>
<p>Payment in lieu of tax revenues</p>	<p>The budget presented on December 13, 2023 included payment in lieu of tax revenue based on the 2023 Municipal Property Assessment Corporation (MPAC) returned assessment roll. Based on the 2024 MPAC returned assessment roll that was recently received by</p>	<p>This results in a tax levy decrease of \$2,944 for 2024 from the previous version of the budget presented.</p>

	the Township, the payments in lieu of tax revenue in the Corporate cost centre have increased by \$2,944.	
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**Financial Implications**

**Current Proposed Tax Levy Impact**

Outlined in the table below is the current proposed tax levy impact based on the incorporation of the items discussed in this Report:

Description	2023 Approved Budget	2024 Proposed Budget	Difference
<b>Total Capital Tax Levy</b>	\$1,311,000	\$1,334,875	\$23,875
<b>Total Operating Tax Levy</b>	\$3,687,530	\$4,024,046	\$336,516
<b>Total Municipal Tax Levy</b>	<b>\$4,998,530</b>	<b>\$5,358,921</b>	<b>\$360,391</b>

**MPAC 2024 Returned Assessment Roll**

Based on the 2024 MPAC returned assessment roll and the current tax levy impact as reported in this Report, approximately each additional \$53,500 of taxes levied results in a 1% tax rate increase for the Township portion of taxes on the Median/Typical Single Family Home.

Similar to previous practise, the 2024 returned assessment roll obtained from MPAC in mid-December is compared to the 2023 returned assessment roll to determine the assessment change for the median/typical properties in the Township. The Township verifies the median/typical property assessment changes to the Ontario Property Tax Analysis tool that was made available to Township staff on December 14, 2023. The assessment change is incorporated in the calculation of the tax rate impact for the median/typical properties as further outlined in the tables below in this Report.

The education tax rates are assumed to be the same as 2023 as the Township has not received correspondence from the Ministry of Finance regarding the 2024 education tax rates at the time of writing this report. The County of Wellington (County) tax rates are preliminary as the County’s budget will be passed in January 2024. Both the Township and County tax rates are also subject to change based on the County Tax Policy which will be adopted by County Council in approximately April of 2024.

The 2024 returned assessment roll continues to be based on January 1, 2016 assessed values due to the Province’s continued postponement of the 2021 assessment update as a result of the COVID-19 pandemic. Property assessments for the 2024 property tax year will continue to be based on January 1, 2016 assessed values. As a result of the reassessment cycle being

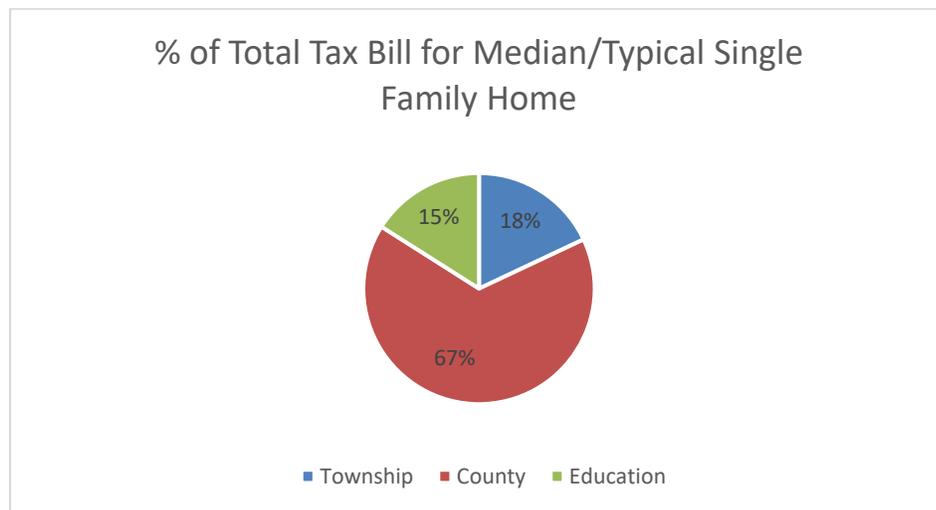
postponed again until 2025, the 2021 assessment values are deemed for 2024. There is however new assessment growth as outlined below.

The Township’s 2024 new weighted assessment growth is approximately 2.99% or \$81.3M (ie. new construction and renovations). If there had not been any new assessment growth in the Township, the proposed 2024 budget would have resulted in a Township tax increase of 7.21% and \$81 and a blended tax increase of 4.38% and \$268 on the median/typical single family home.

**Median/Typical Single Family Home**

The following table shows that the proposed 2024 budget results in a Township tax increase of 4.10% and \$46 and a blended tax increase of 3.81% and \$233 on the median/typical single family home (2023 Assessment - \$615,000; 2024 Assessment - \$615,000).

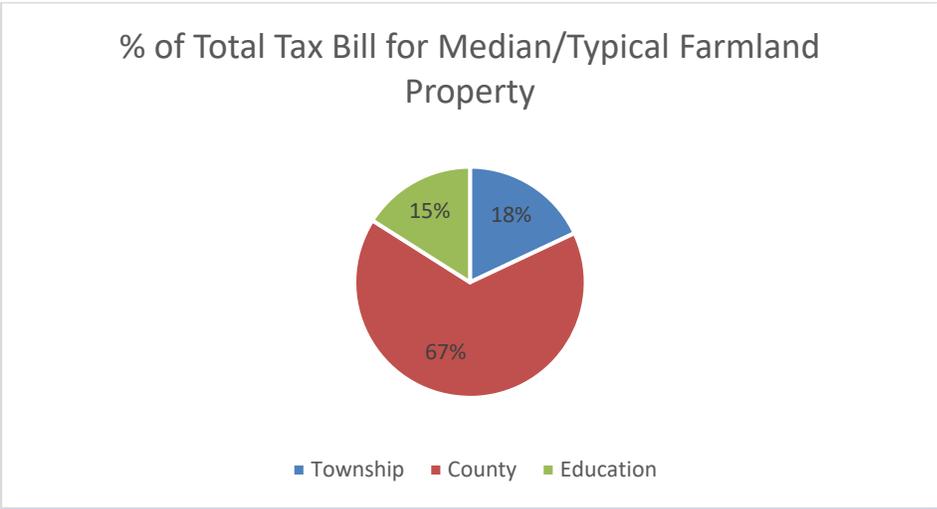
Description	% of Total Tax Bill	2023	2024	\$ Change from 2023	% Change from 2023
<b>Median Assessment</b>		\$615,000	\$615,000	<b>\$0</b>	<b>0.00%</b>
Yearly Township Taxes	<b>18%</b>	\$1,130	\$1,176	\$46	4.10%
Yearly County Taxes	<b>67%</b>	\$4,052	\$4,239	\$187	4.61%
Yearly Education Taxes	<b>15%</b>	\$941	\$941	\$0	0.00%
<b>Yearly Blended Taxes</b>	<b>100%</b>	<b>\$6,123</b>	<b>\$6,357</b>	<b>\$233</b>	<b>3.81%</b>
Yearly Township Taxes per \$100K Assessment		\$184	\$191	\$8	4.10%
<b>Yearly Blended Taxes per \$100K Assessment</b>		<b>\$996</b>	<b>\$1,034</b>	<b>\$38</b>	<b>3.81%</b>



**Median/Typical Farmland Property**

The following table shows that the proposed 2024 budget results in a Township tax increase of 4.10% and \$12 and a blended tax increase of 3.81% and \$62 on the median/typical farmland property (2023 Assessment - \$648,600; 2024 Assessment - \$648,600).

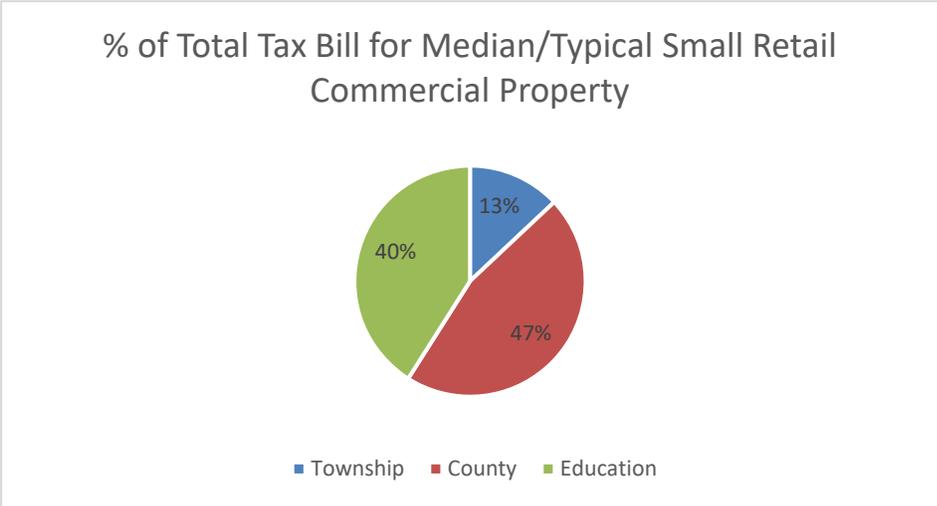
Description	% of Total Tax Bill	2023	2024	\$ Change from 2023	% Change from 2023
<b>Median Assessment</b>		\$648,600	\$648,600	<b>\$0</b>	<b>0%</b>
Yearly Township Taxes	<b>18%</b>	\$298	\$310	\$12	4.10%
Yearly County Taxes	<b>67%</b>	\$1,068	\$1,118	\$49	4.61%
Yearly Education Taxes	<b>15%</b>	\$248	\$248	\$0.00	0.00%
<b>Yearly Blended Taxes</b>	<b>100%</b>	<b>\$1,614</b>	<b>\$1,676</b>	<b>\$62</b>	<b>3.81%</b>
Yearly Township Taxes per \$100K Assessment		\$46	\$48	\$2	4.10%
<b>Yearly Blended Taxes per \$100K Assessment</b>		<b>\$249</b>	<b>\$258</b>	<b>\$9</b>	<b>3.81%</b>



**Median/Typical Small Retail Commercial Property**

The following table shows that the proposed 2024 budget results in a Township tax increase of 4.10% and \$59 and a blended tax increase of 2.65% and \$296 on the median/typical small retail commercial property (2023 Assessment - \$523,000; 2024 Assessment - \$523,000).

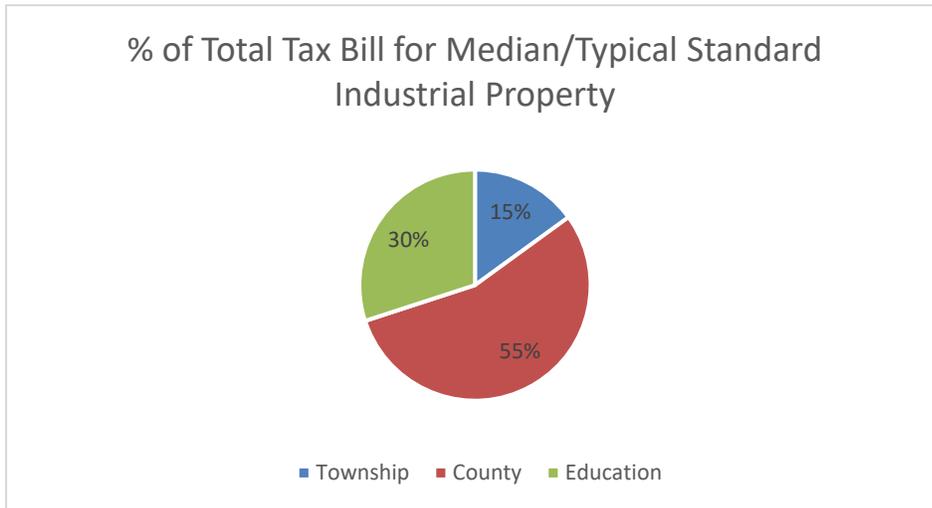
Description	% of Total Tax Bill	2023	2024	\$ Change from 2023	% Change from 2023
<b>Median Assessment</b>		<b>\$523,000</b>	<b>\$523,000</b>	<b>\$0</b>	<b>0%</b>
Yearly Township Taxes	<b>13%</b>	\$1,433	\$1,491	\$59	4.10%
Yearly County Taxes	<b>47%</b>	\$5,138	\$5,375	\$237	4.61%
Yearly Education Taxes	<b>40%</b>	\$4,602	\$4,602	\$0.00	0.00%
<b>Yearly Blended Taxes</b>	<b>100%</b>	<b>\$11,173</b>	<b>\$11,469</b>	<b>\$296</b>	<b>2.65%</b>
Yearly Township Taxes per \$100K Assessment		\$274	\$285	\$11	4.10%
<b>Yearly Blended Taxes per \$100K Assessment</b>		<b>\$2,136</b>	<b>\$2,193</b>	<b>\$57</b>	<b>2.65%</b>



**Median/Typical Standard Industrial Property**

The following table shows that the proposed 2024 budget results in a Township tax increase of 4.10% and \$241 and a blended tax increase of 3.14% and \$1,213 on the median/typical standard industrial property (2023 Assessment - \$1,332,000; 2024 Assessment - \$1,332,000).

Description	% of Total Tax Bill	2023	2024	\$ Change from 2023	% Change from 2023
<b>Median Assessment</b>		<b>\$1,332,000</b>	<b>\$1,332,000</b>	<b>\$0</b>	<b>0%</b>
Yearly Township Taxes	15%	\$5,873	\$6,114	\$241	4.10%
Yearly County Taxes	55%	\$21,065	\$22,037	\$972	4.61%
Yearly Education Taxes	30%	\$11,722	\$11,722	\$0	0.00%
<b>Yearly Blended Taxes</b>	<b>100%</b>	<b>\$38,660</b>	<b>\$39,872</b>	<b>\$1,213</b>	<b>3.14%</b>
Yearly Township Taxes per \$100K Assessment		\$441	\$459	\$18	4.10%
<b>Yearly Blended Taxes per \$100K Assessment</b>		<b>\$2,902</b>	<b>\$2,993</b>	<b>\$91</b>	<b>3.14%</b>



**Applicable Legislation and Requirements**

Municipal Act, 2001

**Engagement Opportunities**

The Township has incorporated a number of engagement opportunities associated with the 2024 budget process as outlined below:

- Advisory Committee Budget Input

- Social Media Posts and/or Advertisements at [Facebook.ca/TownshipofPuslinch](https://Facebook.ca/TownshipofPuslinch) and [Twitter.com/TwpPuslinchON](https://Twitter.com/TwpPuslinchON)
- Township Website Banner and Budget Page at [puslinch.ca/government/budget/](https://puslinch.ca/government/budget/)
- Community Engagement Survey at [EngagePuslinch.ca](https://EngagePuslinch.ca) open from December 22, 2023 to January 31, 2024 at 12:00 p.m.
- Puslinch Today
- Wellington Advertiser
- Public Information Meeting on January 17, 2024 at 7:00 p.m.
- Media releases related to EngagePuslinch.ca survey and final budget highlights.
- Community Newsletter regarding final budget highlights which will be sent with the final tax bill in August 2024.

### **Attachments**

Schedule A – 2024 Proposed Operating Budget

Schedule B – 2024 Proposed Expenditures, Reserve Transfers and Revenues Summary

Schedule C - 2019 to 2033 Capital Plan Summary

Schedule D - Projects by Year – 2019 to 2033

Schedule E – Capital Summary – Funding Sources by Year

Schedule F - 2024 Proposed Capital Budget Compared to the 2023 and 2022 Approved Capital Budget Funding Comparisons

Schedule G - 2024 Proposed Ten Year Plan Compared to the 2023 and 2022 Ten Year Plans

**Respectfully submitted:**

**Mary Hasan**  
**Director of Finance/Treasurer**

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Department	Account Type	Account	Description	2021 Actuals	2022 Actuals	2023 YTD	2023 Budget	2024 Budget
Administration								
	<b>Expenditures</b>							
		01-0010-4000	FT Wages	\$369,656	\$422,728	\$322,054	\$436,610	\$468,939
		01-0010-4001	PT Wages	\$2,828	\$6,735	\$6,677	\$8,440	\$9,128
		01-0010-4002	OT Wages	\$0	\$979	\$979	\$500	\$500
		01-0010-4100	FT Wage Related Expenses	\$66,192	\$75,657	\$57,498	\$78,658	\$81,659
		01-0010-4101	PT Wage Related Expenses	\$210	\$531	\$515	\$1,619	\$1,755
		01-0010-4102	Group Benefits	\$22,857	\$29,675	\$29,904	\$40,701	\$56,393
		01-0010-4103	WSIB	\$9,628	\$7,871	\$10,082	\$12,998	\$14,303
		01-0010-4200	Office Supplies & Equipment	\$1,479	\$1,310	\$1,037	\$1,300	\$1,750
		01-0010-4302	Communication (phone, fax, internet)	\$1,371	\$1,647	\$943	\$754	\$1,574
		01-0010-4303	Professional Fees - Legal	\$53,572	\$84,012	\$174,434	\$28,500	\$53,500
		01-0010-4305	Professional Fees - Engineering	\$50,736	\$44,239	\$24,685	\$44,423	\$23,145
		01-0010-4307	Events and Other	\$3,020	\$11,153	\$8,051	\$11,598	\$12,310
		01-0010-4308	Mileage	\$0	\$154	\$33	\$200	\$100
		01-0010-4309	Professional Development	\$6,725	\$2,674	\$10,447	\$12,300	\$18,621
		01-0010-4311	Membership and Subscription Fees	\$10,736	\$16,348	\$16,571	\$17,025	\$17,282
		01-0010-4312	Meals	\$0	\$0	\$0	\$100	\$400
		01-0010-4313	Travel - Accomodations & Parking	\$458	\$0	\$0	\$500	\$200
		01-0010-4314	Travel - Air Fare	\$0	\$0	\$0	\$500	\$200
		01-0010-4315	Insurance	\$15,801	\$37,794	\$43,303	\$48,711	\$51,896
		01-0010-4316	Advertising	\$2,695	\$2,032	\$3,935	\$13,510	\$2,715
		01-0010-4317	Professional Fees - Ground Water Monitoring	\$5,715	\$4,803	\$4,852	\$4,000	\$4,000
		01-0010-4320	Contract Services	\$28,525	\$47,709	\$96,769	\$57,790	\$34,394
		01-0010-4321	Clothing, Safety Allowance	\$777	\$207	\$0	\$500	\$2,710
		01-0010-4600	Heritage Financial Incentive Program	\$0	\$0	\$0	\$0	\$10,600
	<b>Expenditures Total</b>			<b>\$652,979</b>	<b>\$798,259</b>	<b>\$812,771</b>	<b>\$821,237</b>	<b>\$868,072</b>
	<b>ReserveTransfers</b>							
		01-0013-3110	Transfer from Heritage Financial Incentive Program	\$0	\$0	\$0	\$0	-\$10,600
	<b>ReserveTransfers Total</b>			<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>-\$10,600</b>
	<b>Revenues</b>							
		01-0015-1110	Agreement, Commissioner, FOI, Photocopy	-\$6,876	-\$2,212	-\$1,567	-\$2,156	-\$2,223
		01-0015-1130	Engineering, Environmental and Legal Fees Recovered	-\$29,591	-\$12,535	-\$3,925	-\$10,000	-\$10,000
		01-0015-1150	Recoveries from Staff Events	\$0	-\$995	-\$1,042	-\$1,300	-\$1,000
		01-0015-1155	Nestle Agreement	-\$500	-\$500	\$0	-\$500	-\$500
		01-0015-3738	Other recoveries	-\$20	\$0	\$0	-\$500	-\$500
		01-0015-4300	Ontario Cannabis Legalization Implementation Fund	-\$5,000	\$0	\$0	\$0	\$0
	<b>Revenues Total</b>			<b>-\$41,987</b>	<b>-\$16,241</b>	<b>-\$6,534</b>	<b>-\$14,456</b>	<b>-\$14,223</b>

Department	Account Type	Account	Description	2021 Actuals	2022 Actuals	2023 YTD	2023 Budget	2024 Budget
Building								
	<b>Expenditures</b>							
		01-0020-4000	FT Wages	\$270,967	\$305,284	\$292,316	\$324,944	\$407,637
		01-0020-4001	PT Wages	\$0	\$0	\$0	\$0	\$0
		01-0020-4002	OT Wages	\$0	\$737	\$0	\$500	\$500
		01-0020-4100	FT Wage Related Expenses	\$48,852	\$54,684	\$53,728	\$59,457	\$75,242
		01-0020-4101	PT Wage Related Expenses	\$0	\$0	\$0	\$0	\$0
		01-0020-4102	Group Benefits	\$31,823	\$33,637	\$29,495	\$36,805	\$47,039
		01-0020-4103	WSIB	\$7,958	\$6,998	\$9,169	\$10,136	\$12,856
		01-0020-4199	Computer Software & Hardware	\$131	\$61	\$295	\$300	\$300
		01-0020-4200	Office Supplies & Equipment	\$1,871	\$927	\$1,138	\$1,500	\$1,500
		01-0020-4203	Fuel	\$2,237	\$3,780	\$0	\$2,016	\$2,116
		01-0020-4220	Vehicle Maintenance	\$322	\$868	\$1,486	\$1,000	\$1,000
		01-0020-4301	Postage	\$539	\$547	\$810	\$1,000	\$850
		01-0020-4302	Communication (phone, fax, internet)	\$2,960	\$3,592	\$2,720	\$3,196	\$4,397
		01-0020-4303	Professional Fees - Legal	\$32,964	\$7,871	\$16,189	\$20,000	\$35,000
		01-0020-4304	Professional Fees - Audit	\$7,767	\$6,374	\$5,043	\$6,600	\$6,600
		01-0020-4305	Professional Fees - Engineering	\$54,273	\$3,730	\$1,593	\$40,000	\$5,000
		01-0020-4308	Mileage	\$133	\$186	\$743	\$500	\$750
		01-0020-4309	Professional Development	\$3,123	\$4,508	\$4,915	\$13,309	\$11,404
		01-0020-4311	Membership and Subscription Fees	\$3,250	\$3,784	\$4,535	\$4,711	\$5,431
		01-0020-4312	Meals	\$0	\$0	\$49	\$250	\$100
		01-0020-4313	Travel - Accomodations & Parking	\$0	\$938	\$1,262	\$2,000	\$2,000
		01-0020-4315	Insurance	\$4,520	\$10,541	\$13,391	\$13,547	\$14,509
		01-0020-4316	Advertising	\$892	\$418	\$559	\$1,715	\$898
		01-0020-4318	Vehicle Plates	\$165	\$125	\$0	\$125	\$125
		01-0020-4320	Contract Services	\$49,254	\$55,272	\$68,608	\$72,503	\$84,276
		01-0020-4321	Clothing, Safety Allowance	\$300	\$519	\$537	\$720	\$980
		01-0020-4322	Emergency Management	\$467	\$508	\$462	\$530	\$566
		01-0020-4323	Municipal Office Costs Recovered from Building Department	\$20,922	\$21,676	\$18,662	\$20,387	\$20,289
		01-0020-4500	Bank Service Charges	\$6,591	\$5,402	\$4,189	\$5,400	\$5,100
	<b>Expenditures Total</b>			<b>\$552,280</b>	<b>\$532,965</b>	<b>\$531,897</b>	<b>\$643,150</b>	<b>\$746,465</b>
	<b>ReserveTransfers</b>							
		01-0013-3150	Contribution to Building Surplus RF	\$80,971	\$39,059	\$482,003	\$0	\$0
			Transfer from Building Surplus RF	\$0	\$0	\$0	-\$103,910	-\$58,696
	<b>ReserveTransfers Total</b>			<b>\$80,971</b>	<b>\$39,059</b>	<b>\$482,003</b>	<b>-\$103,910</b>	<b>-\$58,696</b>
	<b>Revenues</b>							
		01-0015-1185	Online Service Fee	-\$2,571	-\$4,447	-\$1,709	-\$4,300	-\$3,000
		01-0015-1192	Reproduction of Digital Drawings	-\$676	-\$371	\$0	-\$350	-\$100
		01-0015-3742	Other recoveries	-\$3,000	\$0	\$0	-\$500	-\$500
		01-0017-7210	Designated Structures Permit	-\$3,010	-\$2,265	-\$473	-\$2,000	-\$2,000

Department	Account Type	Account	Description	2021 Actuals	2022 Actuals	2023 YTD	2023 Budget	2024 Budget
Building	Revenues	01-0017-7211	Tent or Marquee Application Fee	-\$1,512	-\$3,520	-\$1,185	-\$3,500	-\$1,500
		01-0017-7242	Transfer of Permit	-\$161	-\$984	-\$176	-\$500	-\$181
		01-0017-7243	Revision to Approved Plans	-\$5,653	-\$2,796	-\$3,186	-\$4,700	-\$4,000
		01-0017-7244	Alternative Solution Application	-\$518	-\$528	\$0	-\$569	-\$586
		01-0017-7250	Residential Building Permits	-\$500,059	-\$470,724	-\$275,744	-\$420,000	-\$408,000
		01-0017-7251	Institutional, Commercial & Industrial Building Permits	-\$14,273	-\$9,355	-\$708,939	-\$31,080	-\$200,000
		01-0017-7252	Farm Building Permits	-\$28,223	-\$27,898	\$0	-\$24,000	-\$20,000
		01-0017-7253	Demolition Permits	-\$1,288	-\$2,624	-\$1,760	-\$1,500	-\$1,900
		01-0017-7254	Occupancy Permits	-\$10,465	-\$5,658	-\$2,276	-\$5,700	-\$5,700
		01-0017-7255	Sign Permits	-\$1,614	-\$548	-\$295	-\$1,250	-\$1,000
		01-0017-7257	Septic System Permit - New	-\$52,316	-\$35,203	-\$14,789	-\$34,000	-\$34,000
		01-0017-7258	Septic System Permit - Alter	-\$7,752	-\$4,940	-\$3,192	-\$4,940	-\$4,940
		01-0017-7291	Inspection of works not ready	-\$161	-\$164	-\$176	-\$352	-\$362
	Revenues Total			-\$633,251	-\$572,025	-\$1,013,899	-\$539,241	-\$687,769

Department	Account Type	Account	Description	2021 Actuals	2022 Actuals	2023 YTD	2023 Budget	2024 Budget
By-law								
	<b>Expenditures</b>							
		01-0140-4000	FT Wages	\$0	\$33,003	\$55,857	\$63,243	\$83,976
		01-0140-4001	PT Wages	\$105	\$0	\$340	\$700	\$700
		01-0140-4002	OT Wages	\$0	\$330	\$330	\$500	\$500
		01-0140-4100	FT Wage Related Expenses	\$0	\$6,052	\$10,641	\$11,803	\$15,715
		01-0140-4101	PT Wage Related Expenses	\$0	\$0	\$0	\$0	\$0
		01-0140-4102	Group Benefits	\$0	\$1,328	\$4,612	\$5,139	\$7,187
		01-0140-4103	WSIB	\$0	\$471	\$1,759	\$2,084	\$2,745
		01-0140-4200	Office Supplies & Equipment	\$40	\$107	\$341	\$150	\$150
		01-0140-4203	Fuel	\$0	\$413	\$0	\$2,016	\$2,117
		01-0140-4208	Signage - 911 Signs	\$1,836	\$1,673	\$300	\$1,800	\$1,200
		01-0140-4220	Vehicle Maintenance	\$0	\$107	\$602	\$500	\$500
		01-0140-4302	Communication (phone, fax, internet)	\$1,583	\$1,331	\$568	\$752	\$1,144
		01-0140-4303	Professional Fees - Legal	\$40,364	\$56,189	\$81,120	\$30,000	\$76,000
		01-0140-4305	Professional Fees - Engineering	\$19,417	\$22,194	\$23,069	\$18,000	\$22,000
		01-0140-4308	Mileage	\$14	\$784	\$0	\$500	\$250
		01-0140-4309	Professional Development	\$102	\$2,173	\$1,630	\$1,900	\$3,631
		01-0140-4312	Meals	\$0	\$120	\$0	\$50	\$100
		01-0140-4313	Travel - Accomodations & Parking	\$0	\$1,577	\$0	\$250	\$250
		01-0140-4315	Insurance	\$0	\$0	\$10,586	\$10,653	\$12,064
		01-0140-4316	Advertising	\$0	\$1,351	\$0	\$1,500	\$1,000
		01-0140-4318	Vehicle Plates	\$0	\$0	\$0	\$125	\$125
		01-0140-4320	Contract Services	\$57,480	\$38,209	\$14,894	\$17,928	\$27,725
		01-0140-4321	Clothing, Safety Allowance	\$0	\$1,385	\$49	\$260	\$260
		01-0140-4324	Livestock Loss	\$780	\$0	\$0	\$353	\$353
		01-0140-4311	Membership and Subscription Fees	\$0	\$240	\$363	\$240	\$652
		01-0140-4207	Public Education	\$0	\$0	\$0	\$0	\$500
	<b>Expenditures Total</b>			<b>\$121,721</b>	<b>\$169,034</b>	<b>\$207,062</b>	<b>\$170,446</b>	<b>\$260,843</b>
	<b>ReserveTransfers</b>							
		01-0013-3090	Transfer from Capital Carry-forward	-\$11,494	\$0	\$0	\$0	\$0
	<b>ReserveTransfers Total</b>			<b>-\$11,494</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
	<b>Revenues</b>							
		01-0015-1000	Lottery Licences	\$0	-\$30	-\$42	-\$100	-\$50
		01-0015-1255	Sign Permits	-\$269	\$0	\$0	-\$113	-\$116
		01-0015-1260	Fence Viewer's Application	\$0	\$0	\$0	\$0	\$0
		01-0015-1270	Engineering, Environmental and Legal Fees Recovered	-\$19,891	-\$24,167	-\$28,890	-\$13,000	-\$31,500
		01-0015-1280	Site Alteration Agreement	-\$9,717	-\$2,056	-\$9,947	-\$4,000	-\$20,000
		01-0015-3744	Other recoveries	-\$370	-\$400	-\$995	-\$257	-\$588
		01-0015-5240	Ontario Wildlife Damage Compensation	-\$810	\$0	\$0	-\$353	-\$353
		01-0017-7220	Dog Tags and Kennel Licences	-\$12,948	-\$13,336	-\$13,357	-\$13,876	-\$14,088
		01-0017-7230	Municipal addressing signs and posts	-\$3,211	-\$1,264	-\$522	-\$2,180	-\$1,650



Department	Account Type	Account	Description	2021 Actuals	2022 Actuals	2023 YTD	2023 Budget	2024 Budget
Corporate								
	<b>Expenditures</b>							
		01-0150-4501	Taxes written off (Twp share only)	\$125,149	\$24,928	\$31,307	\$32,000	\$32,000
		01-0150-4700	Conservation Authorities Levy Payment	\$174,553	\$177,805	\$184,296	\$184,294	\$192,122
	<b>Expenditures Total</b>			<b>\$299,702</b>	<b>\$202,733</b>	<b>\$215,603</b>	<b>\$216,294</b>	<b>\$224,122</b>
	<b>ReserveTransfers</b>							
		01-0013-3090	Transfer from Capital Carry-forward	-\$87,616	\$0	-\$27,056	-\$27,056	-\$32,966
		01-0013-3100	Transfer from Operating Carryforward	-\$24,400	-\$41,500	-\$2,519	\$0	-\$51,531
		01-0013-3185	Contribution to Legal Contingency	\$50,000	\$0	\$0	\$0	\$25,000
			Transfer from Legal Contingency	\$0	\$0	\$0	\$0	\$0
		01-0013-3095	Contribution to Administrative Studies	\$0	\$0	\$0	\$0	\$200,000
		01-0013-3195	Transfer from Insurance Contingency	\$0	\$0	\$0	-\$10,000	-\$10,000
			Contribution to Insurance Contingency	\$25,000	\$10,000	\$25,000	\$25,000	\$0
	<b>ReserveTransfers Total</b>			<b>-\$37,016</b>	<b>-\$31,500</b>	<b>-\$4,575</b>	<b>-\$12,056</b>	<b>\$130,503</b>
	<b>Revenues</b>							
		01-0014-1220	Supplemental Billings	-\$112,591	-\$180,076	-\$229,277	-\$137,000	-\$366,000
		01-0015-3743	Donations	\$0	\$0	\$0	\$0	\$0
		01-0017-2310	Mun Tax Assistance	-\$27,173	-\$27,717	-\$28,726	-\$28,726	-\$29,066
		01-0017-2320	Host Kilmer (Service Ontario)	-\$30,599	-\$31,771	-\$34,078	-\$34,078	-\$36,410
		01-0017-2330	Ontario Hydro	-\$12,147	-\$12,147	-\$11,950	-\$12,147	-\$11,950
		01-0017-2340	Metrolinx	-\$11,261	-\$11,692	-\$14,249	-\$12,118	-\$13,744
		01-0017-2360	Hydro One	-\$6,310	-\$6,310	-\$6,310	-\$6,310	-\$6,310
		01-0017-2400	Grant Guelph Junction Railway	-\$5,330	-\$824	-\$718	-\$824	-\$718
		01-0017-2500	Puslinch Landfill/Wellington County	-\$8,511	-\$8,581	-\$8,651	-\$8,651	-\$8,732
		01-0017-2600	City of Guelph	-\$36,731	-\$37,035	-\$37,334	-\$37,334	-\$37,684
		01-0017-2700	University of Guelph	-\$723	-\$750	-\$778	-\$778	-\$1,123
		01-0017-2800	CN Railway	-\$1,316	-\$356	-\$311	-\$356	-\$311
		01-0017-2900	CP Railway	-\$7,804	-\$1,206	-\$1,052	-\$1,206	-\$1,052
		01-0017-5110	OMPF	-\$419,800	-\$422,200	-\$423,100	-\$423,100	-\$433,800
		01-0017-7510	Penalties - Property Taxes	-\$120,797	-\$58,816	-\$51,101	-\$90,000	-\$75,000
		01-0017-7520	Interest - Tax Arrears	-\$100,960	-\$157,324	-\$208,522	-\$120,000	-\$155,000
		01-0017-7672	Interest on General	-\$62,819	-\$198,680	-\$364,918	-\$97,000	-\$210,000
		01-0017-7770	Other Revenues	-\$355	-\$356	\$0	\$0	\$0
	<b>Revenues Total</b>			<b>-\$965,228</b>	<b>-\$1,155,841</b>	<b>-\$1,421,075</b>	<b>-\$1,009,627</b>	<b>-\$1,386,901</b>







Department	Account Type	Account	Description	2021 Actuals	2022 Actuals	2023 YTD	2023 Budget	2024 Budget
Fire and Rescue								
	<b>Expenditures</b>							
		01-0040-4001	PT Wages	\$450,424	\$475,836	\$425,389	\$380,151	\$406,850
		01-0040-4101	PT Wage Related Expenses	\$35,290	\$38,417	\$36,172	\$33,958	\$39,019
		01-0040-4102	Group Benefits	\$18,762	\$19,657	\$16,220	\$18,903	\$29,591
		01-0040-4103	WSIB	\$12,553	\$9,759	\$11,877	\$12,431	\$16,665
		01-0040-4200	Office Supplies & Equipment	\$1,310	\$1,039	\$545	\$1,500	\$1,000
		01-0040-4203	Fuel	\$12,684	\$22,055	\$0	\$19,350	\$20,318
		01-0040-4205	Equipment Maintenance & Supplies	\$30,345	\$20,097	\$13,453	\$25,000	\$22,000
		01-0040-4206	Oxygen & Medical Supplies	\$2,003	\$5,375	\$2,189	\$3,100	\$3,100
		01-0040-4207	Public Education	\$693	\$816	\$3,000	\$3,000	\$3,000
		01-0040-4220	Vehicle Maintenance	\$44,691	\$63,687	\$47,599	\$40,000	\$52,000
		01-0040-4302	Communication (phone, fax, internet)	\$10,381	\$10,068	\$5,716	\$6,117	\$5,688
		01-0040-4308	Mileage	\$735	\$929	\$1,693	\$2,000	\$1,500
		01-0040-4309	Professional Development	\$23,389	\$13,281	\$16,265	\$18,370	\$18,370
		01-0040-4311	Membership and Subscription Fees	\$3,100	\$2,206	\$2,140	\$3,585	\$3,740
		01-0040-4312	Meals	\$479	\$715	\$509	\$1,000	\$700
		01-0040-4313	Travel - Accomodations & Parking	\$189	\$36	\$942	\$2,500	\$200
		01-0040-4315	Insurance	\$13,724	\$37,967	\$52,930	\$53,264	\$60,318
		01-0040-4316	Advertising	\$219	\$0	\$355	\$1,000	\$500
		01-0040-4318	Vehicle Plates	\$165	\$390	\$265	\$265	\$265
		01-0040-4319	Permits	\$490	\$507	\$541	\$507	\$541
		01-0040-4320	Contract Services	\$89,919	\$142,070	\$206,332	\$199,734	\$164,381
		01-0040-4321	Clothing, Safety Allowance	\$12,967	\$21,046	\$8,737	\$21,252	\$21,252
		01-0040-4000	FT Wages	\$0	\$0	\$0	\$0	\$105,914
		01-0040-4100	FT Wage Related Expenses	\$0	\$0	\$0	\$0	\$19,029
	<b>Expenditures Total</b>			<b>\$764,515</b>	<b>\$885,952</b>	<b>\$852,869</b>	<b>\$846,988</b>	<b>\$995,940</b>
	<b>Revenues</b>							
		01-0015-3210	Information/Fire Reports	-\$699	-\$714	-\$599	-\$513	-\$616
		01-0015-3215	Other recoveries	-\$2,856	-\$1,972	-\$272	-\$9,437	-\$9,437
		01-0015-3230	Open Burning Permit and Inspection	-\$14,661	-\$13,423	-\$14,813	-\$15,000	-\$15,000
		01-0015-3235	Burning Permit Violations	-\$977	\$0	\$0	-\$1,086	-\$543
		01-0015-3245	Fire Extinguisher Training	-\$326	-\$190	\$0	-\$563	-\$264
		01-0015-3250	Water Tank Locks	\$0	\$0	\$0	-\$20	-\$21
		01-0015-3260	Fireworks Permits	-\$103	-\$105	\$0	-\$113	-\$116
		01-0015-3270	Occupancy Load	\$0	\$0	\$0	\$0	\$0
		01-0015-3280	Fire Safety Plan Review	-\$124	\$0	-\$133	-\$273	-\$140
		01-0015-3290	Post Fire Watch	\$0	\$0	\$0	\$0	\$0
		01-0015-3320	Key Boxes	-\$460	\$0	\$0	-\$505	-\$173
		01-0015-3330	Inspections	\$0	\$0	\$0	\$0	\$0
		01-0015-3340	Motor Vehicle Emergency Responses	-\$70,323	-\$89,967	-\$75,160	-\$93,361	-\$93,361
		01-0015-3350	Fire Alarm False Alarm Calls	\$0	\$0	\$0	\$0	\$0
		01-0015-5220	Office of the Fire Marshal Grants	-\$6,400	\$0	\$0	\$0	\$0
	<b>Revenues Total</b>			<b>-\$96,927</b>	<b>-\$106,372</b>	<b>-\$90,977</b>	<b>-\$120,871</b>	<b>-\$119,670</b>

Department	Account Type	Account	Description	2021 Actuals	2022 Actuals	2023 YTD	2023 Budget	2024 Budget
<b>Fire and Rescue</b>								
Library								
	<b>Expenditures</b>							
		01-0090-4204	Library Water Monitoring	\$2,357	\$2,656	\$2,564	\$2,250	\$2,500
		01-0090-4600	Library Rent for Historical society	\$5,117	\$4,819	\$5,603	\$5,440	\$5,440
	<b>Expenditures Total</b>			<b>\$7,474</b>	<b>\$7,475</b>	<b>\$8,167</b>	<b>\$7,690</b>	<b>\$7,940</b>
	<b>Revenues</b>							
		01-0015-4224	Library Costs Recovered from County	-\$3,632	-\$3,313	\$0	-\$3,300	-\$3,472
	<b>Revenues Total</b>			<b>-\$3,632</b>	<b>-\$3,313</b>	<b>\$0</b>	<b>-\$3,300</b>	<b>-\$3,472</b>



Department	Account Type	Account	Description	2021 Actuals	2022 Actuals	2023 YTD	2023 Budget	2024 Budget
ORC								
	<b>Expenditures</b>							
		01-0080-4000	FT Wages	\$45,131	\$46,971	\$49,599	\$58,906	\$61,277
		01-0080-4001	PT Wages	\$20,160	\$36,406	\$39,486	\$33,272	\$27,274
		01-0080-4002	OT Wages	\$368	\$5,045	\$3,118	\$4,000	\$4,000
		01-0080-4100	FT Wage Related Expenses	\$9,401	\$8,909	\$9,582	\$11,707	\$12,189
		01-0080-4101	PT Wage Related Expenses	\$907	\$2,156	\$4,400	\$6,382	\$5,243
		01-0080-4102	Group Benefits	\$7,168	\$2,218	\$3,628	\$5,350	\$9,947
		01-0080-4103	WSIB	\$1,969	\$1,973	\$2,928	\$3,145	\$3,008
		01-0080-4200	Office Supplies & Equipment	\$223	\$81	\$0	\$150	\$100
		01-0080-4201	Hydro	\$21,484	\$21,936	\$30,484	\$25,000	\$25,000
		01-0080-4202	Heat	\$4,932	\$6,362	\$5,143	\$6,000	\$5,500
		01-0080-4204	Water Protection	\$833	\$1,278	\$918	\$1,000	\$1,000
		01-0080-4205	Equipment Maintenance & Supplies	\$4,065	\$11,273	\$12,092	\$6,870	\$9,000
		01-0080-4215	Bldg-Cleaning, Maint,Supplies Interior	\$2,928	\$8,563	\$8,193	\$5,800	\$6,500
		01-0080-4217	Waste Removal	\$2,038	\$2,389	\$3,031	\$2,135	\$2,400
		01-0080-4222	Bldg-Cleaning, Maint,Supplies Exterior	\$5,014	\$19,900	\$5,565	\$8,000	\$8,000
		01-0080-4302	Communication (phone, fax, internet)	\$2,851	\$2,583	\$2,750	\$2,616	\$2,760
		01-0080-4308	Mileage	\$0	\$0	\$0	\$100	\$100
		01-0080-4309	Professional Development	\$0	\$0	\$0	\$1,000	\$0
		01-0080-4311	Membership and Subscription Fees	\$0	\$0	\$0	\$150	\$0
		01-0080-4312	Meals	\$0	\$0	\$0	\$50	\$50
		01-0080-4315	Insurance	\$3,321	\$8,432	\$10,586	\$10,653	\$12,064
		01-0080-4316	Advertising	\$175	\$1,323	\$418	\$2,100	\$1,000
		01-0080-4320	Contract Services	\$791	\$1,118	\$341	\$1,615	\$1,471
		01-0080-4321	Clothing, Safety Allowance	\$0	\$452	\$813	\$600	\$600
	<b>Expenditures Total</b>			<b>\$133,759</b>	<b>\$189,366</b>	<b>\$193,075</b>	<b>\$196,600</b>	<b>\$198,482</b>
	<b>Revenues</b>							
		01-0015-2600	Ice Rental - Prime	\$0	-\$36,021	-\$23,542	-\$38,808	-\$38,100
		01-0015-2700	Ice Rental - Non-Prime	\$0	-\$583	\$0	-\$628	-\$647
		01-0015-2800	Arena Summer Rentals	-\$12,850	-\$10,991	-\$6,048	-\$13,000	-\$10,310
		01-0015-2900	Gymnasium Rental	-\$3,948	-\$19,116	-\$27,107	-\$25,000	-\$25,775
		01-0015-3000	Rink Board and Ball Diamond Advertising	\$0	-\$1,518	-\$1,197	-\$1,617	-\$1,235
		01-0015-3735	Other Recoveries	\$0	-\$369	-\$353	-\$400	-\$400
	<b>Revenues Total</b>			<b>-\$16,797</b>	<b>-\$68,599</b>	<b>-\$58,248</b>	<b>-\$79,453</b>	<b>-\$76,467</b>

Department	Account Type	Account	Description	2021 Actuals	2022 Actuals	2023 YTD	2023 Budget	2024 Budget
Parks								
	<b>Expenditures</b>							
		01-0110-4000	FT Wages	\$30,311	\$42,624	\$116,696	\$110,523	\$119,359
		01-0110-4001	PT Wages	\$0	\$0	\$0	\$0	\$0
		01-0110-4002	OT Wages	\$255	\$2,486	\$2,607	\$1,000	\$1,000
		01-0110-4100	FT Wage Related Expenses	\$5,480	\$8,001	\$21,770	\$21,124	\$22,746
		01-0110-4101	PT Wage Related Expenses	\$0	\$0	\$0	\$0	\$0
		01-0110-4102	Group Benefits	\$439	\$6,377	\$14,680	\$15,218	\$15,485
		01-0110-4103	WSIB	\$920	\$852	\$3,531	\$3,647	\$3,912
		01-0110-4201	Hydro	\$2,618	\$2,843	\$2,930	\$2,700	\$2,800
		01-0110-4203	Fuel	\$5,687	\$5,877	\$0	\$3,534	\$3,711
		01-0110-4204	Water Protection	\$0	\$0	\$0	\$500	\$200
		01-0110-4205	Equipment Maintenance & Supplies	\$2,332	\$1,831	\$4,196	\$1,800	\$2,800
		01-0110-4220	Vehicle Maintenance	\$263	\$46	\$350	\$0	\$350
		01-0110-4222	Maintenance Grounds	\$7,689	\$12,369	\$6,909	\$13,000	\$13,000
		01-0110-4315	Insurance	\$3,385	\$8,432	\$10,586	\$10,653	\$12,064
		01-0110-4316	Advertising	\$0	\$1,440	\$0	\$2,100	\$1,000
		01-0110-4320	Contract Services	\$684	\$728	\$661	\$2,294	\$2,294
	<b>Expenditures Total</b>			<b>\$60,063</b>	<b>\$93,906</b>	<b>\$184,917</b>	<b>\$188,092</b>	<b>\$200,720</b>
	<b>Revenues</b>							
		01-0015-2200	Horse Paddock Rental	\$0	-\$53	-\$91	-\$57	-\$74
		01-0015-2300	Picnic Shelter	-\$518	-\$1,075	-\$1,013	-\$1,159	-\$1,159
		01-0015-2400	Ball Diamond Rentals	-\$7,387	-\$7,879	-\$9,968	-\$8,475	-\$10,277
		01-0015-2450	Soccer Field Rentals	-\$4,232	-\$4,103	-\$2,213	-\$4,423	-\$3,609
		01-0015-2500	Tennis Courts	\$0	\$0	\$0	-\$800	-\$800
		01-0015-3746	Other recoveries	\$100	-\$350	\$0	\$0	\$0
	<b>Revenues Total</b>			<b>-\$12,037</b>	<b>-\$13,459</b>	<b>-\$13,285</b>	<b>-\$14,914</b>	<b>-\$15,919</b>

Department	Account Type	Account	Description	2021 Actuals	2022 Actuals	2023 YTD	2023 Budget	2024 Budget
PCC								
	<b>Expenditures</b>							
		01-0070-4000	FT Wages	\$59,255	\$65,522	\$63,632	\$70,429	\$132,018
		01-0070-4001	PT Wages	\$0	\$0	\$8,212	\$31,637	\$0
		01-0070-4002	OT Wages	\$1,184	\$1,322	\$3,165	\$500	\$500
		01-0070-4100	FT Wage Related Expenses	\$10,756	\$12,115	\$12,204	\$13,135	\$24,976
		01-0070-4101	PT Wage Related Expenses	\$0	\$0	\$352	\$6,069	\$0
		01-0070-4102	Group Benefits	\$8,381	\$8,513	\$8,604	\$9,409	\$17,627
		01-0070-4103	WSIB	\$1,822	\$1,545	\$2,298	\$3,354	\$4,307
		01-0070-4200	Office Supplies & Equipment	\$0	\$102	\$0	\$150	\$100
		01-0070-4201	Hydro	\$7,085	\$11,116	\$12,061	\$12,000	\$12,000
		01-0070-4202	Heat	\$4,549	\$3,782	\$6,402	\$4,300	\$4,500
		01-0070-4204	Water Protection	\$4,096	\$3,551	\$3,440	\$4,500	\$3,700
		01-0070-4215	Bldg-Cleaning, Maint,Supplies Interior	\$3,607	\$6,366	\$3,449	\$10,000	\$6,500
		01-0070-4216	Kitchen Supplies and Equipment	\$0	\$1,697	\$317	\$1,500	\$1,500
		01-0070-4217	Waste Removal	\$8,100	\$9,453	\$12,123	\$8,541	\$9,500
		01-0070-4222	Outdoor Maintenance of Building	\$5,360	\$3,753	\$4,040	\$4,000	\$4,400
		01-0070-4302	Communication (phone, fax, internet)	\$2,682	\$2,790	\$2,556	\$2,616	\$2,448
		01-0070-4308	Mileage	\$0	\$0	\$0	\$0	\$0
		01-0070-4309	Professional Development	\$0	\$0	\$0	\$0	\$0
		01-0070-4311	Membership and Subscription Fees	\$500	\$0	\$0	\$500	\$500
		01-0070-4312	Meals	\$0	\$0	\$0	\$0	\$0
		01-0070-4313	Travel - Accomodations & Parking	\$0	\$0	\$0	\$0	\$0
		01-0070-4315	Insurance	\$3,321	\$8,432	\$10,586	\$10,653	\$12,064
		01-0070-4316	Advertising	\$0	\$1,507	\$0	\$2,100	\$1,000
		01-0070-4320	Contract Services	\$4,349	\$3,630	\$3,164	\$4,502	\$5,033
		01-0070-4321	Clothing, Safety Allowance	\$208	\$172	\$292	\$260	\$260
	<b>Expenditures Total</b>			<b>\$125,256</b>	<b>\$145,368</b>	<b>\$156,895</b>	<b>\$200,154</b>	<b>\$242,932</b>
	<b>Revenues</b>							
		01-0015-3110	Hall - Prime	\$26	-\$15,587	-\$26,770	-\$29,365	-\$34,739
		01-0015-3115	Hall - Non-Prime	\$26	-\$14,975	-\$20,756	-\$19,969	-\$20,434
		01-0015-3130	Meeting Room	\$0	-\$4,143	-\$11,047	-\$13,427	-\$13,427
		01-0015-3135	Projector and Microphone Rental Fee	\$0	-\$26	\$0	\$0	\$0
		01-0015-3160	Licensed Events Using Patio	\$0	-\$181	-\$126	-\$285	-\$130
		01-0015-3170	Hall - Commercial Rentals	\$0	\$0	\$0	-\$1,547	-\$1,547
		01-0015-3180	Bartenders	\$0	-\$234	\$0	\$0	\$0
		01-0015-3200	Kitchen Facilities - Non-Prime	\$0	-\$686	-\$2,357	-\$3,143	-\$2,570
		01-0015-3220	Advertising Sign	-\$34	\$0	\$0	\$0	\$0
		01-0015-3736	Other Recoveries	\$0	-\$2,101	-\$6,081	-\$5,000	-\$5,000
		01-0015-5250	Recreation Conditional Grants	\$0	-\$1,804	\$0	-\$5,167	-\$5,167
	<b>Revenues Total</b>			<b>\$18</b>	<b>-\$39,737</b>	<b>-\$67,137</b>	<b>-\$77,903</b>	<b>-\$83,014</b>





Department	Account Type	Account	Description	2021 Actuals	2022 Actuals	2023 YTD	2023 Budget	2024 Budget
Public Works								
	<b>Expenditures</b>							
		01-0030-4000	FT Wages	\$409,925	\$482,710	\$430,615	\$502,682	\$530,974
		01-0030-4001	PT Wages	\$41,231	\$38,487	\$24,573	\$19,258	\$20,835
		01-0030-4002	OT Wages	\$22,250	\$44,563	\$31,305	\$27,795	\$27,795
		01-0030-4100	FT Wage Related Expenses	\$73,974	\$88,111	\$81,807	\$95,004	\$100,146
		01-0030-4101	PT Wage Related Expenses	\$3,970	\$5,697	\$3,196	\$3,694	\$4,005
		01-0030-4102	Group Benefits	\$49,418	\$54,703	\$48,607	\$58,241	\$63,845
		01-0030-4103	WSIB	\$13,828	\$13,197	\$15,408	\$17,460	\$18,072
		01-0030-4200	Office Supplies & Equipment	\$202	\$0	\$236	\$100	\$150
		01-0030-4201	Hydro	\$594	\$679	\$771	\$750	\$700
		01-0030-4203	Fuel	\$74,050	\$135,894	\$142,707	\$94,063	\$98,766
		01-0030-4205	Equipment Maintenance & Supplies	\$2,028	\$2,204	\$355	\$2,050	\$2,050
		01-0030-4208	Signage	\$25,497	\$12,295	\$13,399	\$14,500	\$14,500
		01-0030-4209	Pavement Markings	\$30,056	\$34,204	\$36,283	\$35,500	\$35,500
		01-0030-4210	Railway Maintenance and Upgrades	\$41,340	\$1,975	\$0	\$5,000	\$5,000
		01-0030-4211	Municipal Street Naming	\$0	\$5,280	\$0	\$1,000	\$1,000
		01-0030-4212	Maintenance Gravel	\$75,422	\$79,098	\$63,707	\$80,000	\$75,000
		01-0030-4213	Calcium	\$68,488	\$79,791	\$79,152	\$72,000	\$76,000
		01-0030-4214	Winter Maintenance	\$214,793	\$294,687	\$239,851	\$235,000	\$250,000
		01-0030-4217	Waste Removal	\$1,171	\$1,279	\$0	\$1,300	\$1,300
		01-0030-4218	Shop Overhead	\$7,724	\$12,206	\$4,797	\$7,400	\$7,400
		01-0030-4219	Road Maintenance supplies	\$57,203	\$30,999	\$24,238	\$35,400	\$35,400
		01-0030-4220	Vehicle Maintenance	\$27,517	\$65,034	\$39,947	\$46,500	\$42,000
		01-0030-4221	Speed Monitor	\$0	\$0	\$0	\$0	\$0
		01-0030-4222	Tree Maintenance Program	\$23,356	\$24,015	\$20,956	\$22,000	\$32,000
		01-0030-4224	Sidewalk Repairs	\$4,398	\$0	\$0	\$5,000	\$5,000
		01-0030-4302	Communication (phone, fax, internet)	\$2,832	\$3,761	\$1,968	\$2,040	\$2,100
		01-0030-4305	Professional Fees - Engineering	\$994	\$877	\$0	\$2,000	\$1,000
		01-0030-4308	Mileage	\$0	\$0	\$0	\$100	\$100
		01-0030-4309	Professional Development	\$0	\$0	\$0	\$1,420	\$1,200
		01-0030-4311	Membership and Subscription Fees	\$559	\$559	\$219	\$709	\$709
		01-0030-4312	Meals	\$0	\$0	\$0	\$50	\$350
		01-0030-4315	Insurance	\$20,406	\$55,369	\$74,102	\$74,570	\$84,446
		01-0030-4316	Advertising	\$350	\$3,562	\$212	\$2,000	\$1,500
		01-0030-4318	Vehicle Plates	\$5,547	\$11,813	\$6,595	\$6,595	\$6,595
		01-0030-4319	Permits	\$65	\$111	\$60	\$100	\$100
		01-0030-4320	Contract Services	\$31,156	\$33,821	\$42,065	\$49,807	\$74,778
		01-0030-4321	Clothing, Safety Allowance	\$2,021	\$2,279	\$2,200	\$2,800	\$2,800
		01-0030-4400	Street Lights: Repairs and Hydro Bills	\$20,528	\$11,999	\$14,082	\$14,850	\$14,850
	<b>Expenditures Total</b>			<b>\$1,352,892</b>	<b>\$1,631,257</b>	<b>\$1,443,412</b>	<b>\$1,538,737</b>	<b>\$1,637,966</b>
	<b>ReserveTransfers</b>							
		01-0013-3085	Transfer from Asset Management Discretionary Reserve	\$0	-\$1,975	\$0	-\$10,000	-\$10,000

Department	Account Type	Account	Description	2021 Actuals	2022 Actuals	2023 YTD	2023 Budget	2024 Budget
Public Works	ReserveTransfers	01-0013-3100	Transfer from Operating Carryforward	\$0	\$0	-\$27,110	-\$27,110	\$0
		01-0013-3205	Contribution from Winter Maintenance	\$0	-\$39,257	-\$4,851	\$0	\$0
			Contribution to Winter Maintenance	\$14,457	\$0	\$0	\$0	\$25,000
	ReserveTransfers Total			\$14,457	-\$41,232	-\$31,961	-\$37,110	\$15,000
	Revenues							
		01-0015-1290	Oversize-Overweight Load Permits	-\$103	-\$420	-\$339	-\$453	-\$232
		01-0015-2000	Third Party Cost Recovery	-\$16,370	-\$1,319	-\$100	\$0	-\$100
		01-0015-3310	Entrance Permit	-\$5,832	-\$1,647	-\$1,822	-\$4,745	-\$3,196
		01-0015-3315	Municipal Street Naming	\$0	-\$3,080	\$0	-\$1,000	-\$1,000
		01-0015-3740	Public Works Other Recoveries	-\$26,704	-\$28,516	\$0	-\$26,704	-\$48,516
	Revenues Total			-\$49,008	-\$34,981	-\$2,261	-\$32,902	-\$53,044

Department	Account Type	Account	Description	2021 Actuals	2022 Actuals	2023 YTD	2023 Budget	2024 Budget
Source Water Protection								
	<b>Expenditures</b>							
		01-0160-4320	Contract Services	\$8,885	\$9,206	\$6,958	\$9,682	\$9,878
	<b>Expenditures Total</b>			<b>\$8,885</b>	<b>\$9,206</b>	<b>\$6,958</b>	<b>\$9,682</b>	<b>\$9,878</b>
	<b>Revenues</b>							
		01-0015-3748	Source Water Protection Other Recoveries	\$0	-\$24,351	-\$40,085	-\$19,585	-\$19,912
	<b>Revenues Total</b>			<b>\$0</b>	<b>-\$24,351</b>	<b>-\$40,085</b>	<b>-\$19,585</b>	<b>-\$19,912</b>

Department	Account Type	Account	Description	2021 Actuals	2022 Actuals	2023 YTD	2023 Budget	2024 Budget
Heritage Advisory Committee								
	<b>Expenditures</b>							
		01-0050-4001	<b>PT Wages</b>	\$2,262	\$8,379	\$8,786	\$9,766	\$10,986
		01-0050-4101	<b>PT Wage Related Expenses</b>	\$0	\$600	\$639	\$1,283	\$1,374
		01-0050-4103	<b>WSIB</b>	\$0	-\$13	\$159	\$219	\$232
		01-0050-4200	<b>Office Supplies &amp; Equipment</b>	\$1,801	\$0	\$1,650	\$1,833	\$100
		01-0050-4308	<b>Mileage</b>	\$0	\$298	\$109	\$760	\$300
		01-0050-4309	<b>Professional Development</b>	\$0	\$330	\$598	\$1,490	\$1,000
		01-0050-4311	<b>Membership and Subscription Fees</b>	\$110	\$75	\$177	\$177	\$177
		01-0050-4312	Meals	\$0	\$36	\$0	\$150	\$50
		01-0050-4313	<b>Travel - Accomodations &amp; Parking</b>	\$0	\$305	\$328	\$2,260	\$500
		01-0050-4102	<b>Group Benefits</b>	\$0	\$0	\$0	\$38	\$0
	<b>Expenditures Total</b>			<b>\$4,173</b>	<b>\$10,008</b>	<b>\$12,445</b>	<b>\$17,977</b>	<b>\$14,719</b>
	<b>Revenues</b>							
		01-0015-5113	<b>Federal Young Canada Works Operating Grant</b>	\$0	-\$5,700	-\$6,000	-\$5,700	-\$6,000
		01-0015-3749	Doors of Puslinch Posters	\$0	\$0	\$0	-\$4,248	-\$4,248
	<b>Revenues Total</b>			<b>\$0</b>	<b>-\$5,700</b>	<b>-\$6,000</b>	<b>-\$9,948</b>	<b>-\$10,248</b>





Department	2021 Actuals	2022 Actuals	2023 YTD	2023 Budget	2024 Budget
<b>Expenditures</b>					
Administration	\$652,979	\$798,259	\$812,771	\$821,237	\$868,072
Building	\$552,280	\$532,965	\$531,897	\$643,150	\$746,465
By-law	\$121,721	\$169,034	\$207,062	\$170,446	\$260,843
Corporate	\$299,702	\$202,733	\$215,603	\$216,294	\$224,122
Council	\$131,950	\$138,071	\$124,071	\$151,145	\$147,609
Elections	\$1,476	\$62,640	\$1,929	\$3,026	\$1,883
Finance	\$664,339	\$677,923	\$642,370	\$694,582	\$721,031
Fire and Rescue	\$764,515	\$885,952	\$852,869	\$846,988	\$995,940
Library	\$7,474	\$7,475	\$8,167	\$7,690	\$7,940
Municipal Office	\$69,741	\$72,255	\$62,208	\$67,958	\$67,630
ORC	\$133,759	\$189,366	\$193,075	\$196,600	\$198,482
Parks	\$60,063	\$93,906	\$184,917	\$188,092	\$200,720
PCC	\$125,256	\$145,368	\$156,895	\$200,154	\$242,932
PDAC	\$4,362	\$4,240	\$4,802	\$6,223	\$6,120
Planning	\$217,472	\$317,796	\$514,447	\$250,183	\$477,580
Public Works	\$1,352,892	\$1,631,257	\$1,443,412	\$1,538,737	\$1,637,966
Source Water Protection	\$8,885	\$9,206	\$6,958	\$9,682	\$9,878
Heritage Advisory Committee	\$4,173	\$10,008	\$12,445	\$17,977	\$14,719
Recreation Advisory Committee	\$2,709	\$1,611	\$2,124	\$2,941	\$4,413
Youth Advisory Committee	\$0	\$0	\$186	\$500	\$1,088
<b>Expenditures Total</b>	<b>\$5,175,746</b>	<b>\$5,950,067</b>	<b>\$5,978,210</b>	<b>\$6,033,604</b>	<b>\$6,835,434</b>
<b>ReserveTransfers</b>					
Administration	\$0	\$0	\$0	\$0	-\$10,600
Building	\$80,971	\$39,059	\$482,003	-\$103,910	-\$58,696
By-law	-\$11,494	\$0	\$0	\$0	\$0
Corporate	-\$37,016	-\$31,500	-\$4,575	-\$12,056	\$130,503
Elections	\$13,750	-\$41,250	\$13,750	\$13,750	\$13,750
Planning	\$0	-\$7,500	\$0	\$0	-\$25,000
Public Works	\$14,457	-\$41,232	-\$31,961	-\$37,110	\$15,000
<b>ReserveTransfers Total</b>	<b>\$60,668</b>	<b>-\$82,423</b>	<b>\$459,217</b>	<b>-\$139,326</b>	<b>\$64,957</b>
<b>Revenues</b>					
Administration	-\$41,987	-\$16,241	-\$6,534	-\$14,456	-\$14,223

Department	2021 Actuals	2022 Actuals	2023 YTD	2023 Budget	2024 Budget
Building	-\$633,251	-\$572,025	-\$1,013,899	-\$539,241	-\$687,769
By-law	-\$58,457	-\$50,500	-\$56,816	-\$46,596	-\$77,644
Corporate	-\$965,228	-\$1,155,841	-\$1,421,075	-\$1,009,627	-\$1,386,901
Elections	\$0	\$0	\$0	\$0	\$0
Finance	-\$208,417	-\$28,887	-\$44,715	-\$31,044	-\$40,188
Fire and Rescue	-\$96,927	-\$106,372	-\$90,977	-\$120,871	-\$119,670
Library	-\$3,632	-\$3,313	\$0	-\$3,300	-\$3,472
Municipal Office	-\$20,922	-\$21,676	-\$18,662	-\$20,387	-\$20,289
ORC	-\$16,797	-\$68,599	-\$58,248	-\$79,453	-\$76,467
Parks	-\$12,037	-\$13,459	-\$13,285	-\$14,914	-\$15,919
PCC	\$18	-\$39,737	-\$67,137	-\$77,903	-\$83,014
Planning	-\$246,290	-\$232,854	-\$185,618	-\$186,521	-\$267,585
Public Works	-\$49,008	-\$34,981	-\$2,261	-\$32,902	-\$53,044
Source Water Protection	\$0	-\$24,351	-\$40,085	-\$19,585	-\$19,912
Heritage Advisory Committee	\$0	-\$5,700	-\$6,000	-\$9,948	-\$10,248
<b>Revenues Total</b>	<b>-\$2,352,937</b>	<b>-\$2,374,537</b>	<b>-\$3,025,313</b>	<b>-\$2,206,748</b>	<b>-\$2,876,345</b>
<b>Grand Total</b>	<b>\$2,883,477</b>	<b>\$3,493,107</b>	<b>\$3,412,114</b>	<b>\$3,687,530</b>	<b>\$4,024,046</b>

**2019 Capital Carry-forward Plan Summary**

Project Cost				Funding Type	
Service	Department	Capital Project	Classification	Discretionary_Reserves	Grand Total
General					
Government					
	Corporate				
		Service Delivery Review Implementation - Ontario	Study/Plan	\$290,615	\$290,615
		Municipal Modernization Funding			
<b>Grand Total</b>				<b>\$290,615</b>	<b>\$290,615</b>

**2020 Capital Carry-forward Plan Summary**

Project Cost		Capital Project	Classification	Funding Type		Grand Total
Service	Department			Discretionary_Reserves	Restricted_Reserves	
General Government						
	Finance	2024 Development Charges Background Study	Study/Plan		\$480	\$480
Parks and Recreation						
	ORC	Building Condition Assessment, Arc Flash Study, Infrared Scanning of Equipment	Study/Plan	\$5,000		\$5,000
	PCC	Building Condition Assessment, Arc Flash Study, Infrared Scanning of Equipment	Study/Plan	\$5,000		\$5,000
Public Works						
	Public Works	Kerr Crescent - Stormwater Management Facility	Asset Management	\$141,062		\$141,062
<b>Grand Total</b>				<b>\$151,062</b>	<b>\$480</b>	<b>\$151,542</b>

**2021 Capital Carry-forward Plan Summary**

Project Cost				Funding Type	
Service	Department	Capital Project	Classification	Grant	Grand Total
General Government					
	Municipal Office				
		Municipal Office HVAC Upgrades -	Asset Management	\$75,599	<b>\$75,599</b>
<b>Grand Total</b>				<b>\$75,599</b>	<b>\$75,599</b>

## 2022 Capital Carry-forward Plan Summary

Project Cost Service	Department	Capital Project	Classification	Funding Type Grant	Discretionary_Re serves	Restricted_Reserves	Grand Total	
General Government								
	Corporate							
		County Road Diet through Aberfoyle Peer Review	Study/Plan		\$20,000		\$20,000	
		401 and Highway 6 Project Review of Hotspots	Study/Plan		\$5,000		\$5,000	
		Regionally Significant Economic Development Study Area Phase 1 (Employment)	Study/Plan	\$25,000	\$5,000		\$30,000	
	Municipal Office							
		Convert Lighting to LED and Install Motion Sensors	Asset Management		\$17,420		\$17,420	
		Municipal Office HVAC Upgrades	Asset Management		\$124,099		\$124,099	
		Accessible Washroom Upgrades	Asset Management		\$100,000		\$100,000	
		Power Distribution Equipment (feeders, panels, main disconnect switch)	Asset Management		\$6,000		\$6,000	
		Power Distribution Equipment (feeders, panels, main disconnect switch)	Asset Management		\$14,000		\$14,000	
		Window and Door Replacement Program and Air Curtain on Front Doors	Asset Management		\$100,000		\$100,000	
Parks and Recreation								
	Parks							
		Puslinch Community Centre Park Renovation and Upgrade	Asset Management	\$691,332		\$653,140	\$1,344,472	
Public Works								
	Public Works							
		Kerr Crescent - Stormwater Management Facility	Asset Management		\$408,938		\$408,938	
<b>Grand Total</b>					<b>\$716,332</b>	<b>\$800,457</b>	<b>\$653,140</b>	<b>\$2,169,929</b>

## 2023 Capital Plan Summary

Project Cost			Funding Type			Grand Total
Service	Department Capital Project	Classification	Grant	Discretionary_Reserves	Restricted_Reserves	
Fire and Rescue						
	Fire and Rescue					
	Community Risk Assessment - Ontario Regulation 378/18	Study/Plan		\$10,000	\$15,000	<b>\$25,000</b>
General Government						
	Corporate					
	401 and Highway 6 Project Review of Hotspots	Study/Plan		\$8,537		<b>\$8,537</b>
	Gravel Extraction Study	Study/Plan		\$25,000		<b>\$25,000</b>
	Finance					
	2024 Development Charges Background Study	Study/Plan		\$741	\$6,672	<b>\$7,413</b>
	Parkland Dedication By-law Amendment	Study/Plan		\$20,086		<b>\$20,086</b>
	Community Improvement Plan Amendment and Financial Incentives	Study/Plan		\$25,000		<b>\$25,000</b>
Parks and Recreation						
	Parks					
	Parking Lot & Associated Enhancements (curbing, entrance, and additional lighting) at the front of the Puslinch Community Centre	Asset Management	\$45,342	\$221,378		<b>\$266,720</b>
	PCC					

**2023 Capital Plan Summary**

Project Cost		Funding Type				Grand Total
Service	Department Capital Project	Classification	Grant	Discretionary_Reserves	Restricted_Reserves	
	Replacement of Ceiling Components	Asset Management			\$35,000	<b>\$35,000</b>
<b>Public Works</b>						
	Kerr Crescent - Stormwater Management Facility	Asset Management		\$50,000		<b>\$50,000</b>
	Puslinch Lake Pedestrian Access and Signage	New Asset			\$7,712	<b>\$7,712</b>
<b>Grand Total</b>			<b>\$45,342</b>	<b>\$360,742</b>	<b>\$64,384</b>	<b>\$470,468</b>

## 2024 Capital Plan Summary

Project Cost				Funding Type			Grand Total		
Service	Department	Capital Project	Classification	Grant	Levy	Discretionary_Reserves		Restricted_Reserves	Debt
Fire and Rescue									
	Fire and Rescue								
		Structural Firefighter Gear	Asset Management			\$17,766			\$17,766
		Wildland Firefighting Equipment	New Asset				\$12,500		\$12,500
General Government									
	Corporate								
		Asset Management	Reserve Contribution		\$949,075				\$949,075
		Corporate Information Technology	Reserve Contribution		\$15,000				\$15,000
		Compensation and Benefits Review	Study/Plan			\$25,000			\$25,000
		Computer Equipment	Information Technology			\$13,991			\$13,991
		Regionally Significant Economic Development Study Area Phase 1 (Employment)	Study/Plan			\$70,000			\$70,000
		Administrative Studies	Reserve Contribution		\$50,000				\$50,000
		Migration to Microsoft 365 Implementation	Information Technology			\$14,500			\$14,500
		Server and Network Infrastructure Replacement	Information Technology			\$75,000			\$75,000
	Finance								
		2024 Development Charges Background Study	Study/Plan			\$2,100	\$18,900		\$21,000
		Asset Management Plan and Policy Updates	Study/Plan			\$67,000			\$67,000
		2024 Conservation and Demand Management Plan	Study/Plan			\$750	\$6,750		\$7,500
	Municipal Office								
		Municipal Administration and Operations Facility	Asset Management			\$0		\$0	\$0
		Gas Fired Infra-Red Heaters in Public Works Area	Asset Management			\$10,000			\$10,000

2024 Capital Plan Summary

Project Cost Service	Department	Capital Project	Classification	Funding Type			Restricted_Re serves	Debenture	Grand Total
				Grant	Levy	Discretionary_R eserves			
		Replacement of UV Pure Water Treatment System	Asset Management			\$20,000			\$20,000
Parks and Recreation									
	Parks								
		Parking Lot & Associated Enhancements (curbing, entrance, and additional lighting) at the front of the Puslinch Community Centre	Asset Management	\$25,500			\$124,500		\$150,000
		Pickup truck - 1/2 ton - Crew Cab	New Asset				\$55,000		\$55,000
	PCC								
		Replacement of UV Pure Water Treatment System	Asset Management				\$20,000		\$20,000
		Window and Door Replacement Program	Asset Management				\$140,000		\$140,000
Public Works									
	Public Works								
		Gravel Roads Improvement	Reserve Contribution		\$320,800				\$320,800
		Watson Road South - County Road 37 (Arkeil Road) to Maltby Road East	Asset Management	\$438,094		\$240,706	\$396,200		\$1,075,000
		Gore Road - Valens Road to Concession 7	Asset Management			\$384,480	\$60,520		\$445,000
		Gore Road - Sideroad 20 South to Valens Road	Asset Management			\$655,776	\$103,224		\$759,000
		Comprehensive Speed Limit Review for Township Roads with a Posted Speed Above 60 km/hr	Study/Plan			\$15,000			\$15,000
		Maple Leaf Lane - County Road 46 to End	Asset Management			\$67,392	\$10,608		\$78,000
<b>Grand Total</b>				<b>\$463,594</b>	<b>\$1,334,875</b>	<b>\$1,679,461</b>	<b>\$948,202</b>	<b>\$0</b>	<b>\$4,426,132</b>

**2025 Capital Plan Summary**

Project Cost				Funding Type		Grand Total	
Service	Department Capital Project	Classification	Grant	Levy	Discretionary_Reserves	Restricted_Reserves	Grand Total
<b>Fire and Rescue</b>							
	Fire and Rescue						
	Fire Master Plan	Study/Plan			\$30,000		<b>\$30,000</b>
	Structural Firefighter Gear	Asset Management			\$17,766		<b>\$17,766</b>
	Defibrillators Fire & Rescue Service Trucks	Asset Management			\$15,000		<b>\$15,000</b>
	Defibrillators - Municipal Buildings	Asset Management			\$4,500		<b>\$4,500</b>
	Pump 31 Truck	Asset Management	\$20,000		\$930,000		<b>\$950,000</b>
<b>General Government</b>							
	Corporate						
	Asset Management	Reserve Contribution		\$1,155,700			<b>\$1,155,700</b>
	Corporate Information Technology	Reserve Contribution		\$15,000			<b>\$15,000</b>
	Computer Equipment	Information Technology			\$21,932		<b>\$21,932</b>
	Tablets - Building, Fire and Health & Safety	Information Technology			\$7,000		<b>\$7,000</b>
	Regionally Significant Economic Development Study Area Phase 2 (Residential)	Study/Plan	\$25,000		\$35,000		<b>\$60,000</b>
	Administrative Studies	Reserve Contribution		\$50,000			<b>\$50,000</b>
	Implement SharePoint Online	Information Technology			\$15,000		<b>\$15,000</b>
	Other Recommendations from 2023 IT Infrastructure and Services Audit (One-Time Costs)	Information Technology			\$7,240		<b>\$7,240</b>
<b>Parks and Recreation</b>							
	ORC						
	Rinkboard Replacement (Interior and Exterior)	Asset Management				\$200,000	<b>\$200,000</b>
	Parks						
	Recreation and Parks Master Plan	Study/Plan			\$25,000		<b>\$25,000</b>
	PCC						

## 2025 Capital Plan Summary

Project Cost			Funding Type				Grand Total
Service	Department Capital Project	Classification	Grant	Levy	Discretionary_R eserves	Restricted_Re serves	
	Emergency Generator	Asset Management				\$170,000	\$170,000
	Bar Counter, Bar Door, Cosmetic Upgrades	Asset Management	\$10,000			\$90,000	\$100,000
	Electronic Sign Replacement	Asset Management	\$37,500				\$37,500
<b>Public Works</b>							
	Public Works						
	Storm Sewer Inspections and Cleaning	Study/Plan			\$10,000		\$10,000
	Street Lights - Pole and Arm Inspections	Study/Plan			\$20,000		\$20,000
	Gravel Roads Improvement	Reserve Contribution		\$370,800			\$370,800
	Storm Water Management Pond Inspections	Study/Plan			\$5,000		\$5,000
	Puslinch-Flamborough Townline - Leslie Road West to Township Limits	Asset Management			\$76,032	\$11,968	\$88,000
	Concession 1 - Leslie Road West to Highway 6	Asset Management			\$138,240	\$21,760	\$160,000
	Concession 1/Leslie Rd W - Concession 7 to Highway 6	Asset Management	\$438,094			\$245,906	\$684,000
	Daymond Drive - Stormwater Management Facility	Asset Management			\$300,000		\$300,000
	Aberfoyle Business Park Block 6 - Stormwater Management Facility	Asset Management			\$200,000		\$200,000
	Leslie Road West - Victoria Road South to Watson Road South	Asset Management			\$507,168	\$79,832	\$587,000
	Comprehensive Speed Limit Review for Township Roads with a Posted Speed Above 60 km/hr	Study/Plan			\$15,000		\$15,000
	Winer Road - McLean Road to Nicholas Beaver Road	Asset Management			\$309,312	\$48,688	\$358,000
	Mason Road - Concession 7 to End	Asset Management			\$56,160	\$8,840	\$65,000
	Nicholas Beaver Road - Winer Road to Brock Road South	Asset Management			\$376,704	\$59,296	\$436,000
	Pickup truck - 3/4 ton - Crew Cab	Asset Management	\$6,000		\$49,000		\$55,000
	Bridge and Culvert Inspections	Study/Plan			\$15,000		\$15,000
<b>Grand Total</b>			<b>\$536,594</b>	<b>\$1,591,500</b>	<b>\$3,186,054</b>	<b>\$936,290</b>	<b>\$6,250,438</b>

## 2026 Capital Plan Summary

Project Cost				Funding Type				Grand Total
Service	Department	Capital Project	Classification	Grant	Levy	Discretionary Rese	Restricted Res	
Fire and Rescue								
	Fire and Rescue							
		Fire Master Plan	Study/Plan			\$30,000		\$30,000
		Structural Firefighter Gear	Asset Management			\$11,844		\$11,844
		Portable Pumps	Asset Management			\$15,000		\$15,000
General Government								
	Corporate							
		Website Redesign	Information Technology	\$25,000				\$25,000
		Asset Management	Reserve Contribution		\$1,258,700			\$1,258,700
		Corporate Information Technology	Reserve Contribution		\$15,000			\$15,000
		Computer Equipment	Information Technology			\$9,980		\$9,980
		Computer Equipment - New Term of Council	Information Technology			\$9,540		\$9,540
		Administrative Studies	Reserve Contribution		\$50,000			\$50,000
Parks and Recreation								
	Parks							
		Recreation and Parks Master Plan	Study/Plan			\$25,000		\$25,000
		Pickup Truck - Trsfr from Public Works	Asset Management	\$6,000			\$0	\$6,000
		Light Poles Replacement at the Puslinch Community Centre Grounds	Asset Management				\$5,200	\$5,200
		Fencing Replacement at the Badenoch Soccer Field (East Side)	Asset Management				\$14,934	\$14,934
Public Works								
	Public Works							
		Gravel Roads Improvement	Reserve Contribution		\$420,800			\$420,800
		Pickup truck - 3/4 ton - Single Cab	Asset Management			\$42,000		\$42,000
		Carroll Pond & Lesic Jassal Municipal Drain - Sediment Survey	Study/Plan			\$7,000		\$7,000

## 2026 Capital Plan Summary

Project Cost Service	Department	Capital Project	Classification	Funding Type			Restricted_Res	Grand Total
				Grant	Levy	Discretionary_Rese		
		Concession 2 Culvert	Asset Management			\$160,000		\$160,000
		Grader - 502	Asset Management			\$70,000		\$70,000
		Concession 2 - Sideroad 10 South to County Road 35	Asset Management			\$519,264	\$81,736	\$601,000
		Concession 2 - Country Road 35 to Sideroad 25 South	Asset Management			\$527,040	\$82,960	\$610,000
		Concession 2 - Sideroad 20 South to Sideroad 25 South	Asset Management	\$438,094		\$108,018	\$386,888	\$933,000
		Concession 2/2A - Sideroad 25 South to Concession 2	Asset Management			\$251,424	\$39,576	\$291,000
		Concession 2A - Concession 2 to Concession 7	Asset Management			\$93,312	\$14,688	\$108,000
<b>Grand Total</b>				<b>\$469,094</b>	<b>\$1,744,500</b>	<b>\$1,879,422</b>	<b>\$625,982</b>	<b>\$4,718,998</b>

**2027 Capital Plan Summary**

Project Cost				Funding Type				
Service	Department	Capital Project	Classification	Grant	Levy	Discretionary_Reserves	Restricted_Reserves	Grand Total
<b>Building</b>								
	Building							
		SUV	Asset Management			\$18,012		\$18,012
<b>Fire and Rescue</b>								
	Fire and Rescue							
		Structural Firefighter Gear	Asset Management			\$14,805		\$14,805
		Pickup Truck - Mid-Size	Asset Management			\$0		\$0
		Pickup Truck - Mid-Size	Asset Management	\$3,000				\$3,000
		Washer/Extractor	Asset Management			\$10,000		\$10,000
		Gear Dryer	Asset Management			\$6,000		\$6,000
		Thermal Imaging Camera	Asset Management			\$6,000		\$6,000
<b>General Government</b>								
	Corporate							
		Community Based Strategic Plan	Study/Plan	\$25,000		\$5,000		\$30,000
		Asset Management	Reserve Contribution		\$1,290,700			\$1,290,700
		Corporate Information Technology	Reserve Contribution		\$15,000			\$15,000
		Computer Equipment	Information Technology			\$7,916		\$7,916
		Administrative Studies	Reserve Contribution		\$50,000			\$50,000
<b>Parks and Recreation</b>								
	PCC							
		Rebalancing of HVAC system	Asset Management				\$5,000	\$5,000
<b>Public Works</b>								
	Public Works							

**2027 Capital Plan Summary**

Project Cost			Funding Type					
Service	Department	Capital Project	Classification	Grant	Levy	Discretionary_Reserves	Restricted_Reserves	Grand Total
		Gravel Roads Improvement	Reserve Contribution		\$470,800			\$470,800
		Leslie Road West Culvert	Asset Management			\$95,040	\$14,960	\$110,000
		Cooks Bridge	Asset Management			\$648,000	\$102,000	\$750,000
		Tandem Dump Truck - 304	Asset Management	\$25,000		\$375,000		\$400,000
		Victoria Road South - County Road 34 to Maltby Road East	Asset Management	\$438,094		\$106,522	\$399,384	\$944,000
		Cooks Mill Road - Bridge to County Road 41	Asset Management			\$110,592	\$17,408	\$128,000
		Bridle Path - Bridle Path Split to Brock Road South	Asset Management			\$175,392		\$175,392
		Bridle Path - Bridle Path Split to Brock Road South	Asset Management				\$27,608	\$27,608
		Bridle Path	Asset Management			\$438,912	\$69,088	\$508,000
		Bridge and Culvert Inspections	Study/Plan			\$15,000		\$15,000
<b>By-law</b>								
	By-law							
		SUV	Asset Management			\$17,988		\$17,988
<b>Grand Total</b>				<b>\$491,094</b>	<b>\$1,826,500</b>	<b>\$2,050,179</b>	<b>\$635,448</b>	<b>\$5,003,221</b>

## 2028 Capital Plan Summary

Project Cost Service	Department	Capital Project	Classification	Funding Type Grant	Levy	Discretionary_Reserves	Restricted_Reserves	Grand Total
<b>Building</b>								
	Building							
		Septic Reinspections	Study/Plan		\$16,526			\$16,526
<b>Fire and Rescue</b>								
	Fire and Rescue							
		Structural Firefighter Gear	Asset Management			\$8,883		\$8,883
		Aerial 33 Truck	Asset Management			\$1,490,000		\$1,490,000
		Aerial 33 Truck	Asset Management		\$10,000			\$10,000
<b>General Government</b>								
	Corporate							
		Asset Management	Reserve Contribution		\$963,044			\$963,044
		Corporate Information Technology	Reserve Contribution		\$15,000			\$15,000
		Compensation and Benefits Review	Study/Plan			\$25,000		\$25,000
		Computer Equipment	Information Technology			\$9,980		\$9,980
		Administrative Studies	Reserve Contribution		\$50,000			\$50,000
		Information Technology Infrastructure Audit	Information Technology			\$10,000		\$10,000
	Municipal Office							
		Emergency Generator	Asset Management			\$170,000		\$170,000
		Replacement of metal roofing panels	Asset Management			\$125,000		\$125,000
		Roads Storage Building Roof Rehabilitation	Asset Management			\$15,000		\$15,000
		Municipal Complex: Parking Lot	Asset Management			\$162,750		\$162,750
<b>Parks and Recreation</b>								
	Parks							

## 2028 Capital Plan Summary

Project Cost Service	Department	Capital Project	Classification	Funding Type Grant	Levy	Discretionary_Reserves	Restricted_Reserves	Grand Total
		Replacement of metal roofing panels in Blue Storage Building Behind PCC	Asset Management				\$30,000	\$30,000
		Kabota Lawnmower	Asset Management	\$4,933			\$25,067	\$30,000
		Gravel Road Rehabilitation at Old Morriston Park	Asset Management				\$7,740	\$7,740
	PCC							
		Replacement of metal roofing panels	Asset Management				\$100,000	\$100,000
	Public Works							
	Public Works							
		Traffic Count Study	Study/Plan			\$30,000		\$30,000
		Traffic Calming - Streetscaping Morriston - Phase 2	New Asset	\$25,000	\$61,400		\$13,600	\$100,000
		Gravel Roads Improvement	Reserve Contribution		\$520,800			\$520,800
		Roads Condition Index Updates	Study/Plan			\$40,000		\$40,000
		Storm Water Management Pond Inspections	Study/Plan			\$5,000		\$5,000
		Roadside Safety Allowances - Bridges and Culverts	New Asset		\$176,256		\$27,744	\$204,000
		Gore Road - Concession 7 to Lennon Road	Asset Management			\$241,920	\$38,080	\$280,000
		Concession 4 - County Road 35 to Sideroad 20 North	Asset Management	\$438,094		\$82,034	\$81,872	\$602,000
		Concession 1 - Sideroad 10 South to County Road 35	Asset Management			\$520,128	\$81,872	\$602,000
		Tandem Roll-Off Dump Truck- 302	Asset Management			\$375,000		\$375,000
		Tandem Roll-Off Dump Truck- 302	Asset Management	\$25,000				\$25,000
		Gore Road - County Road 35 to Foreman Road	Asset Management			\$249,128	\$352,872	\$602,000
<b>Grand Total</b>				<b>\$519,553</b>	<b>\$1,786,500</b>	<b>\$3,559,823</b>	<b>\$758,847</b>	<b>\$6,624,723</b>

2029 Capital Plan Summary

Project Cost				Funding Type				Grand Total
Service	Department	Capital Project	Classification	Grant	Levy	Discretionary_Reserves	Restricted_Reserves	
Fire and Rescue								
	Fire and Rescue							
		Structural Firefighter Gear	Asset Management			\$14,805		\$14,805
		Thermal Imaging Camera	Asset Management			\$6,000		\$6,000
General Government								
	Corporate							
		Asset Management	Reserve Contribution		\$1,245,450			\$1,245,450
		Corporate Information Technology	Reserve Contribution		\$15,000			\$15,000
		Computer Equipment	Information Technology			\$13,991		\$13,991
		Administrative Studies	Reserve Contribution		\$50,000			\$50,000
		Server and Network Infrastructure Replacement	Information Technology			\$75,000		\$75,000
	Finance							
		Asset Management Plan and Policy Updates	Study/Plan			\$10,000		\$10,000
		2029 Conservation and Demand Management Plan	Study/Plan			\$7,500		\$7,500
	Municipal Office							
		Building Condition Assessment, Arc Flash Study, Infra-red Scanning of Equipment	Study/Plan			\$20,000		\$20,000
		Exterior wall rehabilitation	Asset Management			\$25,000		\$25,000
		Replacement of furnaces - Fire area	Asset Management			\$20,000		\$20,000
		Replacement of fire alarm system (fire extinguishers, panels, bells, pullstations, heat & smoke detectors)	Asset Management			\$15,000		\$15,000
Parks and Recreation								
	ORC							

2029 Capital Plan Summary

Project Cost				Funding Type				
Service	Department	Capital Project	Classification	Grant	Levy	Discretionary_Reserves	Restricted_Reserves	Grand Total
		Building Condition Assessment, Arc Flash Study, Infra-red Scanning of Equipment	Study/Plan			\$7,500		\$7,500
		Floor Scrubber	Asset Management				\$15,000	\$15,000
	Parks	Landscape Trailer	Asset Management	\$2,000			\$8,000	\$10,000
	PCC	Building Condition Assessment, Arc Flash Study, Infra-red Scanning of Equipment	Study/Plan			\$7,500		\$7,500
		Exterior wall rehabilitation	Asset Management				\$35,000	\$35,000
		Replacement of fire alarm system (fire extinguishers, panels, bells, pullstations, heat & smoke detectors)	Asset Management				\$5,000	\$5,000
	Public Works	Gravel Roads Improvement	Reserve Contribution		\$570,800			\$570,800
		Concession 1 Culvert	Asset Management			\$17,280	\$2,720	\$20,000
		Sideroad 20 North - County Road 34 to Forestell Road	Asset Management	\$438,094		\$94,426	\$397,480	\$930,000
		Concession 4 - Sideroad 20 North to curve in road	Asset Management			\$113,184	\$17,816	\$131,000
		Concession 1 - Transition to Transition	Asset Management			\$531,360	\$83,640	\$615,000
		Tandem Dump Truck- 301	Asset Management	\$25,000		\$375,000		\$400,000
		Concession 1 - Townline Road to Transition	Asset Management			\$319,680	\$50,320	\$370,000
		Concession 1 - Transition to Sideroad 10 South	Asset Management			\$189,216	\$29,784	\$219,000
		Bridge and Culvert Inspections	Study/Plan			\$15,000		\$15,000
<b>Grand Total</b>				<b>\$465,094</b>	<b>\$1,881,250</b>	<b>\$1,877,442</b>	<b>\$644,760</b>	<b>\$4,868,546</b>

## 2030 Capital Plan Summary

Project Cost				Funding Type				Grand Total
Service	Department	Capital Project	Classification	Grant	Levy	Discretionary_Reserves	Restricted_Reserves	
Fire and Rescue								
	Fire and Rescue							
		Structural Firefighter Gear	Asset Management			\$5,922		\$5,922
		Tanker 37 Truck	Asset Management	\$20,000		\$730,000		\$750,000
General Government								
	Corporate							
		Asset Management	Reserve Contribution		\$1,265,700			\$1,265,700
		Corporate Information Technology	Reserve Contribution		\$15,000			\$15,000
		Computer Equipment	Information Technology			\$21,932		\$21,932
		Computer Equipment - New Term of Council	Information Technology			\$9,540		\$9,540
		Tablets - Building, Fire and Health & Safety	Information Technology			\$7,000		\$7,000
		Administrative Studies	Reserve Contribution		\$50,000			\$50,000
Public Works								
	Public Works							
		Storm Sewer Inspections and Cleaning	Study/Plan			\$10,000		\$10,000
		Street Lights - Pole and Arm Inspections	Study/Plan			\$20,000		\$20,000
		Gravel Roads Improvement	Reserve Contribution		\$620,800			\$620,800
		Sideroad 10 North - Forestell Road to Laird Road West	Asset Management			\$260,928	\$41,072	\$302,000
		Victoria Street And Church Street - Calfass Road to Queen Street (Highway 6)	Asset Management			\$111,456	\$17,544	\$129,000
		Deer View Ridge - Hammersley Drive to Fox Run Drive	Asset Management				\$303,000	\$303,000
		Ellis Road Culvert Over Puslinch Lake Irish Creek	Asset Management			\$604,800	\$95,200	\$700,000
		Fox Run Drive - Deer View Ridge to Fox Run Drive transition to curb	Asset Management			\$164,160	\$25,840	\$190,000
		Fox Run Drive to Fox Run Drive	Asset Management			\$256,608	\$40,392	\$297,000

**2030 Capital Plan Summary**

Project Cost				Funding Type				Grand Total
Service	Department	Capital Project	Classification	Grant	Levy	Discretionary_Reserves	Restricted_Reserves	
		Laird Road West - End to Country Road 32	Asset Management			\$108,000	\$17,000	<b>\$125,000</b>
		Old Brock Road - Cockburn Street to End	Asset Management			\$29,376	\$4,624	<b>\$34,000</b>
		Fox Run Drive - Fox Run Drive transition to median to Fox Run Drive transition to curb	Asset Management			\$79,488	\$12,512	<b>\$92,000</b>
		Fox Run Drive - Brock Road North to Fox Run Drive transition to median	Asset Management			\$63,936	\$10,064	<b>\$74,000</b>
		Ellis Road - County Road 32 to 6725 Ellis Road	Asset Management	\$438,094		\$31,922	\$73,984	<b>\$544,000</b>
<b>Grand Total</b>				<b>\$458,094</b>	<b>\$1,951,500</b>	<b>\$2,515,068</b>	<b>\$641,232</b>	<b>\$5,565,894</b>

## 2031 Capital Plan Summary

Project Cost				Funding Type				
Service	Department	Capital Project	Classification	Grant	Levy	Discretionary_ Reserves	Restricted_ Reserves	Grand Total
Fire and Rescue								
	Fire and Rescue							
		Structural Firefighter Gear	Asset Management			\$11,844		\$11,844
General Government								
	Corporate							
		Website Redesign	Information Technology	\$25,000				\$25,000
		Asset Management	Reserve Contribution		\$1,290,700			\$1,290,700
		Corporate Information Technology	Reserve Contribution		\$15,000			\$15,000
		Computer Equipment	Information Technology			\$9,980		\$9,980
		Administrative Studies	Reserve Contribution		\$50,000			\$50,000
Parks and Recreation								
	ORC							
		Drinking Fountain	Asset Management				\$5,000	\$5,000
	Parks							
		Pickup Truck - Trsfr from Public Works	Asset Management	\$6,000			\$0	\$6,000
Public Works								
	Public Works							
		Gravel Roads Improvement	Reserve Contribution		\$670,800			\$670,800
		Storm Water Management Pond Inspections	Study/Plan			\$5,000		\$5,000
		Pickup truck - 3/4 ton - Single Cab	Asset Management			\$42,000		\$42,000
		Gilmour Road - County Road 46 (Brock Road) to Subdivision Entrance	Asset Management			\$63,072	\$9,928	\$73,000

## 2031 Capital Plan Summary

Project Cost			Funding Type					
Service	Department	Capital Project	Classification	Grant	Levy	Discretionary_ Reserves	Restricted_ Reserves	Grand Total
		Smith Road - Concession 7 to County Road 34	Asset Management			\$83,808	\$13,192	\$97,000
		Boreham Drive - County Road 37 (Arkell Road) to County Road 41 (Watson Road South)	Asset Management			\$202,000		\$202,000
		Hume Road - Nassagaweya-Puslinch Townline to Watson Road South	Asset Management	\$438,094			\$244,906	\$683,000
		Settler's Road - Calfass Road to Telfer Glen	Asset Management			\$93,000		\$93,000
		Tandem Dump Truck	Asset Management	\$25,000		\$375,000		\$400,000
		Back Street - Main Street to Badenoch Street East	Asset Management			\$87,264	\$13,736	\$101,000
		Bridge and Culvert Inspections	Study/Plan			\$15,000		\$15,000
<b>Grand Total</b>				<b>\$494,094</b>	<b>\$2,026,500</b>	<b>\$987,968</b>	<b>\$286,762</b>	<b>\$3,795,324</b>

## 2032 Capital Plan Summary

Project Cost				Funding Type				
Service	Department	Capital Project	Classification	Grant	Levy	Discretionary_Reserves	Restricted_Reserves	Grand Total
Building								
	Building	SUV	Asset Management			\$18,012		\$18,012
Fire and Rescue								
	Fire and Rescue	Structural Firefighter Gear	Asset Management			\$8,883		\$8,883
		Pickup Truck - Mid-Size	Asset Management	\$3,000		\$0		\$3,000
		Pumper 32 Truck	Asset Management	\$10,000		\$290,000		\$300,000
		Tanker 38 Truck	Asset Management	\$20,000		\$730,000		\$750,000
General Government								
	Corporate	Asset Management	Reserve Contribution		\$1,275,700			\$1,275,700
		Corporate Information Technology	Reserve Contribution		\$15,000			\$15,000
		Compensation and Benefits Review	Study/Plan			\$25,000		\$25,000
		Computer Equipment	Information Technology			\$7,916		\$7,916
		Administrative Studies	Reserve Contribution		\$50,000			\$50,000
Public Works								
	Public Works	Gravel Roads Improvement	Reserve Contribution		\$720,800			\$720,800
		Beiber Road - Nicholas Beaver Road to private property	Asset Management			\$78,000		\$78,000
		Backhoe - 06	Asset Management	\$53,700		\$101,300		\$155,000
		Telfer Glen - Queen Street (Highway 6) to End	Asset Management	\$318,000				\$318,000
		Main Street - Badenoch Street East to Morriston Ball Park	Asset Management			\$75,000		\$75,000

**2032 Capital Plan Summary**

Project Cost				Funding Type				
Service	Department	Capital Project	Classification	Grant	Levy	Discretionary_Reserves	Restricted_Reserves	Grand Total
		Watson Road South - bridge to bridge	Asset Management				\$211,000	<b>\$211,000</b>
		Daymond Drive - County Road 46 to End	Asset Management			\$201,000		<b>\$201,000</b>
By-law								
	By-law	SUV	Asset Management			\$17,988		<b>\$17,988</b>
<b>Grand Total</b>				<b>\$404,700</b>	<b>\$2,061,500</b>	<b>\$1,553,099</b>	<b>\$211,000</b>	<b>\$4,230,299</b>

**2033 Capital Plan Summary**

Project Cost				Funding Type					
Service	Department	Capital Project	Classification	Grant	Levy	Discretionary_Reserves	Restricted_Reserves	Grand Total	
<b>Building</b>									
	Building								
		Septic Reinspections	Study/Plan	\$16,526					\$16,526
<b>Fire and Rescue</b>									
	Fire and Rescue								
		Structural Firefighter Gear	Asset Management			\$14,805			\$14,805
		Defibrillators Fire & Rescue Service Trucks	Asset Management			\$15,000			\$15,000
		Defibrillators - Municipal Buildings	Asset Management			\$4,500			\$4,500
<b>General Government</b>									
	Corporate								
		Asset Management	Reserve Contribution		\$1,295,700				\$1,295,700
		Corporate Information Technology	Reserve Contribution		\$15,000				\$15,000
		Computer Equipment	Information Technology			\$9,980			\$9,980
		Administrative Studies	Reserve Contribution		\$50,000				\$50,000
		Information Technology Infrastructure Audit	Information Technology			\$10,000			\$10,000
<b>Parks and Recreation</b>									
	Parks								
		Kubota Lawn Tractor	New Asset	\$4,933			\$18,910		\$23,843
	PCC								
		Replacement of Sanitary Pumps and Control System	Asset Management				\$5,000		\$5,000
<b>Public Works</b>									
	Public Works								
		Gravel Roads Improvement	Reserve Contribution		\$770,800				\$770,800
		Victoria Road Culvert Over Galt Creek	Asset Management			\$170,000			\$170,000

**2033 Capital Plan Summary**

Project Cost				Funding Type		Discretionary_Reserves	Restricted_Reserves	Grand Total
Service	Department	Capital Project	Classification	Grant	Levy			
		Victoria Road Culvert North of Leslie	Asset Management			\$200,000		\$200,000
		Victoria Road South - Leslie Road West to County Road 36	Asset Management	\$558,188			\$91,812	\$650,000
		Dump Pickup Truck - 1.5 ton - 305	Asset Management	\$27,755		\$74,245		\$102,000
		Pickup truck - 3/4 ton - Crew Cab	Asset Management	\$6,000		\$49,000		\$55,000
		Bridge and Culvert Inspections	Study/Plan			\$15,000		\$15,000
<b>Grand Total</b>				<b>\$613,402</b>	<b>\$2,131,500</b>	<b>\$562,530</b>	<b>\$115,722</b>	<b>\$3,423,154</b>

## Projects by Year

Project Cost		2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Building																
	Septic Reinspections										\$16,526					\$16,526
	SUV									\$18,012					\$18,012	
<b>Building Total</b>										<b>\$18,012</b>	<b>\$16,526</b>				<b>\$18,012</b>	<b>\$16,526</b>

## Projects by Year

Project Cost		2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Fire and Rescue																
	Fire Master Plan							\$30,000	\$30,000							
	Structural Firefighter Gear						\$17,766	\$17,766	\$11,844	\$14,805	\$8,883	\$14,805	\$5,922	\$11,844	\$8,883	\$14,805
	Community Risk Assessment - Ontario Regulation 378/18					\$25,000										
	Pickup Truck - Mid-Size									\$0					\$3,000	
	Pickup Truck - Mid-Size									\$3,000						
	Defibrillators Fire & Rescue Service Trucks							\$15,000								\$15,000
	Defibrillators - Municipal Buildings							\$4,500								\$4,500
	Pump 31 Truck							\$950,000								
	Portable Pumps								\$15,000							
	Washer/Extractor									\$10,000						
	Gear Dryer									\$6,000						
	Thermal Imaging Camera									\$6,000		\$6,000				
	Aerial 33 Truck										\$1,490,000					
	Aerial 33 Truck										\$10,000					
	Pumper 32 Truck														\$300,000	
	Tanker 38 Truck														\$750,000	
	Wildland Firefighting Equipment						\$12,500									
<b>Fire and Rescue Total</b>						<b>\$25,000</b>	<b>\$30,266</b>	<b>\$1,017,266</b>	<b>\$56,844</b>	<b>\$39,805</b>	<b>\$1,508,883</b>	<b>\$20,805</b>	<b>\$755,922</b>	<b>\$11,844</b>	<b>\$1,061,883</b>	<b>\$34,305</b>



**Projects by Year**

Project Cost		2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Corporate	Other Recommendations from 2023 IT Infrastructure and Services Audit (One-Time Costs)							\$7,240								
	Migration to Microsoft 365 Implementation						\$14,500									
	Server and Network Infrastructure Replacement						\$75,000					\$75,000				
	Information Technology Infrastructure Audit										\$10,000					\$10,000
<b>Corporate Total</b>		<b>\$290,615</b>			<b>\$55,000</b>	<b>\$33,537</b>	<b>\$1,212,566</b>	<b>\$1,331,872</b>	<b>\$1,368,220</b>	<b>\$1,393,616</b>	<b>\$1,073,024</b>	<b>\$1,399,441</b>	<b>\$1,369,172</b>	<b>\$1,390,680</b>	<b>\$1,373,616</b>	<b>\$1,380,680</b>

**Projects by Year**

Project Cost		2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Finance																
	2024 Development Charges Background Study		\$480			\$7,413	\$21,000									
	Asset Management Plan and Policy Updates						\$67,000					\$10,000				
	Parkland Dedication By-law Amendment					\$20,086										
	Community Improvement Plan Amendment and Financial Incentives					\$25,000										
	2024 Conservation and Demand Management Plan						\$7,500									
	2029 Conservation and Demand Management Plan											\$7,500				
<b>Finance Total</b>			<b>\$480</b>			<b>\$52,500</b>	<b>\$95,500</b>					<b>\$17,500</b>				

## Projects by Year

Project Cost		2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Municipal Office																
	Building Condition Assessment, Arc Flash Study, Infra-red Scanning of Equipment											\$20,000				
	Convert Lighting to LED and Install Motion Sensors				\$17,420											
	Emergency Generator										\$170,000					
	Municipal Administration and Operations Facility						\$0									
	Municipal Office HVAC Upgrades -			\$75,599												
	Municipal Office HVAC Upgrades				\$124,099											
	Accessible Washroom Upgrades				\$100,000											
	Power Distribution Equipment (feeders, panels, main disconnect switch)				\$6,000											
	Power Distribution Equipment (feeders, panels, main disconnect switch)				\$14,000											
	Gas Fired Infra-Red Heaters in Public Works Area						\$10,000									
	Replacement of UV Pure Water Treatment System						\$20,000									
	Window and Door Replacement Program and Air Curtain on Front Doors				\$100,000											
	Replacement of metal roofing panels										\$125,000					
	Roads Storage Building Roof Rehabilitation										\$15,000					
	Municipal Complex: Parking Lot										\$162,750					
	Exterior wall rehabilitation											\$25,000				

**Projects by Year**

Project Cost		2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Municipal Office	Replacement of furnaces - Fire area											\$20,000				
	Replacement of fire alarm system (fire extinguishers, panels, bells, pullstations, heat & smoke detectors)											\$15,000				
<b>Municipal Office Total</b>				<b>\$75,599</b>	<b>\$361,519</b>		<b>\$30,000</b>				<b>\$472,750</b>	<b>\$80,000</b>				

**Projects by Year**

Project Cost		2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
ORC																
	Building Condition Assessment, Arc Flash Study, Infra-red Scanning of Equipment		\$5,000									\$7,500				
	Rinkboard Replacement (Interior and Exterior)							\$200,000								
	Drinking Fountain													\$5,000		
	Floor Scrubber											\$15,000				
<b>ORC Total</b>			<b>\$5,000</b>					<b>\$200,000</b>				<b>\$22,500</b>		<b>\$5,000</b>		

**Projects by Year**

Project Cost		2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Parks																
	Recreation and Parks Master Plan							\$25,000	\$25,000							
	Puslinch Community Centre Park Renovation and Upgrade				\$1,344,472											
	Pickup Truck - Trsfr from Public Works								\$6,000					\$6,000		
	Parking Lot & Associated Enhancements (curbing, entrance, and additional lighting) at the front of the Puslinch Community Centre					\$266,720	\$150,000									
	Landscape Trailer											\$10,000				
	Light Poles Replacement at the Puslinch Community Centre Grounds								\$5,200							
	Fencing Replacement at the Badenoch Soccer Field (East Side)								\$14,934							
	Replacement of metal roofing panels in Blue Storage Building Behind PCC										\$30,000					
	Kabota Lawnmower										\$30,000					
	Gravel Road Rehabilitation at Old Morriston Park										\$7,740					
	Kubota Lawn Tractor															\$23,843
	Pickup truck - 1/2 ton - Crew Cab						\$55,000									
<b>Parks Total</b>					<b>\$1,344,472</b>	<b>\$266,720</b>	<b>\$205,000</b>	<b>\$25,000</b>	<b>\$51,134</b>		<b>\$67,740</b>	<b>\$10,000</b>		<b>\$6,000</b>		<b>\$23,843</b>

**Projects by Year**

Project Cost		2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
PCC																
	Building Condition Assessment, Arc Flash Study, Infra-red Scanning of Equipment		\$5,000									\$7,500				
	Emergency Generator							\$170,000								
	Bar Counter, Bar Door, Cosmetic Upgrades							\$100,000								
	Replacement of Ceiling Components					\$35,000										
	Replacement of UV Pure Water Treatment System						\$20,000									
	Replacement of metal roofing panels										\$100,000					
	Exterior wall rehabilitation											\$35,000				
	Replacement of fire alarm system (fire extinguishers, panels, bells, pullstations, heat & smoke detectors)											\$5,000				
	Replacement of Sanitary Pumps and Control System															\$5,000
	Rebalancing of HVAC system									\$5,000						
	Window and Door Replacement Program						\$140,000									
	Electronic Sign Replacement							\$37,500								
<b>PCC Total</b>			<b>\$5,000</b>			<b>\$35,000</b>	<b>\$160,000</b>	<b>\$307,500</b>		<b>\$5,000</b>	<b>\$100,000</b>	<b>\$47,500</b>				<b>\$5,000</b>

Projects by Year

Project Cost		2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Public Works																
	Traffic Count Study										\$30,000					
	Traffic Calming - Streetscaping Morrison - Phase 2										\$100,000					
	Storm Sewer Inspections and Cleaning							\$10,000					\$10,000			
	Street Lights - Pole and Arm Inspections							\$20,000					\$20,000			
	Gravel Roads Improvement						\$320,800	\$370,800	\$420,800	\$470,800	\$520,800	\$570,800	\$620,800	\$670,800	\$720,800	\$770,800
	Roads Condition Index Updates										\$40,000					
	Storm Water Management Pond Inspections							\$5,000			\$5,000			\$5,000		
	Kerr Crescent - Stormwater Management Facility		\$141,062		\$408,938	\$50,000										
	Pickup truck - 3/4 ton - Single Cab								\$42,000					\$42,000		
	Concession 1 Culvert											\$20,000				
	Puslinch Lake Pedestrian Access and Signage					\$7,712										
	Sideroad 10 North - Forestell Road to Laird Road West												\$302,000			
	Puslinch-Flamborough Townline - Leslie Road West to Township Limits							\$88,000								
	Leslie Road West Culvert									\$110,000						
	Roadside Safety Allowances - Bridges and Culverts										\$204,000					
	Watson Road South - County Road 37 (Arkell Road) to Maltby Road East						\$1,075,000									
	Sideroad 20 North - County Road 34 to Forestell Road											\$930,000				

Projects by Year

Project Cost		2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Public Works	Victoria Street And Church Street - Calfass Road to Queen Street (Highway 6)												\$129,000			
	Concession 1 - Leslie Road West to Highway 6							\$160,000								
	Concession 1/Leslie Rd W - Concession 7 to Highway 6							\$684,000								
	Daymond Drive - Stormwater Management Facility							\$300,000								
	Gore Road - Valens Road to Concession 7						\$445,000									
	Gore Road - Sideroad 20 South to Valens Road						\$759,000									
	Gore Road - Concession 7 to Lennon Road										\$280,000					
	Aberfoyle Business Park Block 6 - Stormwater Management Facility							\$200,000								
	Concession 4 - Sideroad 20 North to curve in road											\$131,000				
	Concession 4 - County Road 35 to Sideroad 20 North										\$602,000					
	Concession 1 - Sideroad 10 South to County Road 35										\$602,000					
	Leslie Road West - Victoria Road South to Watson Road South							\$587,000								
	Gilmour Road - County Road 46 (Brock Road) to Subdivision Entrance													\$73,000		
	Smith Road - Concession 7 to County Road 34													\$97,000		
	Deer View Ridge - Hammersley Drive to Fox Run Drive												\$303,000			



## Projects by Year

Project Cost		2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Public Works	Cooks Mill Road - Bridge to County Road 41									\$128,000						
	Settler's Road - Calfass Road to Telfer Glen													\$93,000		
	Tandem Dump Truck													\$400,000		
	Comprehensive Speed Limit Review for Township Roads with a Posted Speed Above 60 km/hr						\$15,000	\$15,000								
	Maple Leaf Lane - County Road 46 to End						\$78,000									
	Winer Road - McLean Road to Nicholas Beaver Road							\$358,000								
	Mason Road - Concession 7 to End							\$65,000								
	Nicholas Beaver Road - Winer Road to Brock Road South							\$436,000								
	Grader - 502								\$70,000							
	Concession 2 - Sideroad 10 South to County Road 35								\$601,000							
	Concession 2 - Country Road 35 to Sideroad 25 South								\$610,000							
	Concession 2 - Sideroad 20 South to Sideroad 25 South								\$933,000							
	Concession 2/2A - Sideroad 25 South to Concession 2								\$291,000							
	Concession 2A - Concession 2 to Concession 7								\$108,000							
	Bridle Path - Bridle Path Split to Brock Road South									\$175,392						
	Bridle Path - Bridle Path Split to Brock Road South									\$27,608						
	Bridle Path									\$508,000						
	Gore Road - County Road 35 to Foreman Road										\$602,000					

## Projects by Year

Project Cost		2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Public Works	Concession 1 - Townline Road to Transition											\$370,000				
	Concession 1 - Transition to Sideroad 10 South											\$219,000				
	Laird Road West - End to Country Road 32												\$125,000			
	Old Brock Road - Cockburn Street to End												\$34,000			
	Fox Run Drive - Fox Run Drive transition to median to Fox Run Drive transition to curb												\$92,000			
	Fox Run Drive - Brock Road North to Fox Run Drive transition to median												\$74,000			
	Ellis Road - County Road 32 to 6725 Ellis Road												\$544,000			
	Back Street - Main Street to Badenoch Street East													\$101,000		
	Backhoe - 06														\$155,000	
	Telfer Glen - Queen Street (Highway 6) to End														\$318,000	
	Main Street - Badenoch Street East to Morriston Ball Park														\$75,000	
	Watson Road South - bridge to bridge														\$211,000	
	Daymond Drive - County Road 46 to End														\$201,000	
	Dump Pickup Truck - 1.5 ton - 305															\$102,000
	Pickup truck - 3/4 ton - Crew Cab							\$55,000								\$55,000
	Bridge and Culvert Inspections							\$15,000		\$15,000		\$15,000		\$15,000		\$15,000
<b>Public Works Total</b>			<b>\$141,062</b>		<b>\$408,938</b>	<b>\$57,712</b>	<b>\$2,692,800</b>	<b>\$3,368,800</b>	<b>\$3,242,800</b>	<b>\$3,528,800</b>	<b>\$3,385,800</b>	<b>\$3,270,800</b>	<b>\$3,440,800</b>	<b>\$2,381,800</b>	<b>\$1,758,800</b>	<b>\$1,962,800</b>

**Projects by Year**

<b>Project Cost</b>	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
By-law															
By-law															
SUV									\$17,988					\$17,988	
<b>By-law Total</b>									<b>\$17,988</b>					<b>\$17,988</b>	
	<b>\$290,615</b>	<b>\$151,542</b>	<b>\$75,599</b>	<b>\$2,169,929</b>	<b>\$470,468</b>	<b>\$4,426,132</b>	<b>\$6,250,438</b>	<b>\$4,718,998</b>	<b>\$5,003,221</b>	<b>\$6,624,723</b>	<b>\$4,868,546</b>	<b>\$5,565,894</b>	<b>\$3,795,324</b>	<b>\$4,230,299</b>	<b>\$3,423,154</b>

## Capital Summary - Funding Sources by Year

	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
<b>Grant</b>															
<b>Building</b>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$16,526	\$0	\$0	\$0	\$0	\$16,526
<b>Corporate</b>	\$0	\$0	\$0	\$25,000	\$0	\$0	\$25,000	\$25,000	\$25,000	\$0	\$0	\$0	\$25,000	\$0	\$0
<b>Fire and Rescue</b>	\$0	\$0	\$0	\$0	\$0	\$0	\$20,000	\$0	\$3,000	\$10,000	\$0	\$20,000	\$0	\$33,000	\$0
<b>Parks</b>	\$0	\$0	\$0	\$691,332	\$45,342	\$25,500	\$0	\$6,000	\$0	\$4,933	\$2,000	\$0	\$6,000	\$0	\$4,933
<b>PCC</b>	\$0	\$0	\$0	\$0	\$0	\$0	\$47,500	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Public Works</b>	\$0	\$0	\$0	\$0	\$0	\$438,094	\$444,094	\$438,094	\$463,094	\$488,094	\$463,094	\$438,094	\$463,094	\$371,700	\$591,943
<b>Municipal Office</b>	\$0	\$0	\$75,599	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Grant Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$75,599</b>	<b>\$716,332</b>	<b>\$45,342</b>	<b>\$463,594</b>	<b>\$536,594</b>	<b>\$469,094</b>	<b>\$491,094</b>	<b>\$519,553</b>	<b>\$465,094</b>	<b>\$458,094</b>	<b>\$494,094</b>	<b>\$404,700</b>	<b>\$613,402</b>
<b>Levy</b>															
<b>Corporate</b>	\$0	\$0	\$0	\$0	\$0	\$1,014,075	\$1,220,700	\$1,323,700	\$1,355,700	\$1,028,044	\$1,310,450	\$1,330,700	\$1,355,700	\$1,340,700	\$1,360,700
<b>Public Works</b>	\$0	\$0	\$0	\$0	\$0	\$320,800	\$370,800	\$420,800	\$470,800	\$758,456	\$570,800	\$620,800	\$670,800	\$720,800	\$770,800
<b>Levy Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,334,875</b>	<b>\$1,591,500</b>	<b>\$1,744,500</b>	<b>\$1,826,500</b>	<b>\$1,786,500</b>	<b>\$1,881,250</b>	<b>\$1,951,500</b>	<b>\$2,026,500</b>	<b>\$2,061,500</b>	<b>\$2,131,500</b>
<b>Discretionary_Reserves</b>															
<b>Building</b>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$18,012	\$0	\$0	\$0	\$0	\$18,012	\$0
<b>Corporate</b>	\$290,615	\$0	\$0	\$30,000	\$33,537	\$198,491	\$86,172	\$19,520	\$12,916	\$44,980	\$88,991	\$38,472	\$9,980	\$32,916	\$19,980
<b>Finance</b>	\$0	\$0	\$0	\$0	\$45,828	\$69,850	\$0	\$0	\$0	\$0	\$17,500	\$0	\$0	\$0	\$0
<b>Fire and Rescue</b>	\$0	\$0	\$0	\$0	\$10,000	\$17,766	\$997,266	\$56,844	\$36,805	\$1,498,883	\$20,805	\$735,922	\$11,844	\$1,028,883	\$34,305
<b>ORC</b>	\$0	\$5,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$7,500	\$0	\$0	\$0	\$0
<b>Parks</b>	\$0	\$0	\$0	\$0	\$221,378	\$0	\$25,000	\$25,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>PCC</b>	\$0	\$5,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$7,500	\$0	\$0	\$0	\$0
<b>Public Works</b>	\$0	\$141,062	\$0	\$408,938	\$50,000	\$1,363,354	\$2,077,616	\$1,778,058	\$1,964,458	\$1,543,210	\$1,655,146	\$1,740,674	\$966,144	\$455,300	\$508,245
<b>Municipal Office</b>	\$0	\$0	\$0	\$361,519	\$0	\$30,000	\$0	\$0	\$0	\$472,750	\$80,000	\$0	\$0	\$0	\$0
<b>By-law</b>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$17,988	\$0	\$0	\$0	\$0	\$17,988	\$0
<b>Discretionary_Reserves 1</b>	<b>\$290,615</b>	<b>\$151,062</b>	<b>\$0</b>	<b>\$800,457</b>	<b>\$360,742</b>	<b>\$1,679,461</b>	<b>\$3,186,054</b>	<b>\$1,879,422</b>	<b>\$2,050,179</b>	<b>\$3,559,823</b>	<b>\$1,877,442</b>	<b>\$2,515,068</b>	<b>\$987,968</b>	<b>\$1,553,099</b>	<b>\$562,530</b>
<b>Restricted_Reserves</b>															
<b>Finance</b>	\$0	\$480	\$0	\$0	\$6,672	\$25,650	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Fire and Rescue</b>	\$0	\$0	\$0	\$0	\$15,000	\$12,500	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>ORC</b>	\$0	\$0	\$0	\$0	\$0	\$0	\$200,000	\$0	\$0	\$0	\$15,000	\$0	\$5,000	\$0	\$0
<b>Parks</b>	\$0	\$0	\$0	\$653,140	\$0	\$179,500	\$0	\$20,134	\$0	\$62,807	\$8,000	\$0	\$0	\$0	\$18,910

**Capital Summary - Funding Sources by Year**

	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
<b>Restric PCC</b>	\$0	\$0	\$0	\$0	\$35,000	\$160,000	\$260,000	\$0	\$5,000	\$100,000	\$40,000	\$0	\$0	\$0	\$5,000
<b>Public Works</b>	\$0	\$0	\$0	\$0	\$7,712	\$570,552	\$476,290	\$605,848	\$630,448	\$596,040	\$581,760	\$641,232	\$281,762	\$211,000	\$91,812
<b>Restricted_Reserves Tot:</b>	\$0	\$480	\$0	\$653,140	\$64,384	\$948,202	\$936,290	\$625,982	\$635,448	\$758,847	\$644,760	\$641,232	\$286,762	\$211,000	\$115,722
<b>Debenture</b>															
<b>Municipal Office</b>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Debenture Total</b>	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Grand Total</b>	<b>\$290,615</b>	<b>\$151,542</b>	<b>\$75,599</b>	<b>\$2,169,929</b>	<b>\$470,468</b>	<b>\$4,426,132</b>	<b>\$6,250,438</b>	<b>\$4,718,998</b>	<b>\$5,003,221</b>	<b>\$6,624,723</b>	<b>\$4,868,546</b>	<b>\$5,565,894</b>	<b>\$3,795,324</b>	<b>\$4,230,299</b>	<b>\$3,423,154</b>

**2024 Proposed Capital Program**

Department	Total	Levy	Canada Community- Building Fund	Discretionary_ Reserves	Restricted_Res erves	Grant
Corporate	1,212,566	1,014,075	-	198,491	-	-
Municipal Office	30,000	-	-	30,000	-	-
Finance	95,500	-	-	69,850	25,650	-
Building	-	-	-	-	-	-
By-law	-	-	-	-	-	-
Planning	-	-	-	-	-	-
Public Works	2,692,800	320,800	250,000	1,363,354	320,552	438,094
Fire and Rescue	30,266	-	-	17,766	12,500	-
Parks	205,000	-	-	-	179,500	25,500
ORC	-	-	-	-	-	-
PCC	160,000	-	-	-	160,000	-
<b>Total</b>	<b>4,426,132</b>	<b>1,334,875</b>	<b>250,000</b>	<b>1,679,461</b>	<b>698,202</b>	<b>463,594</b>

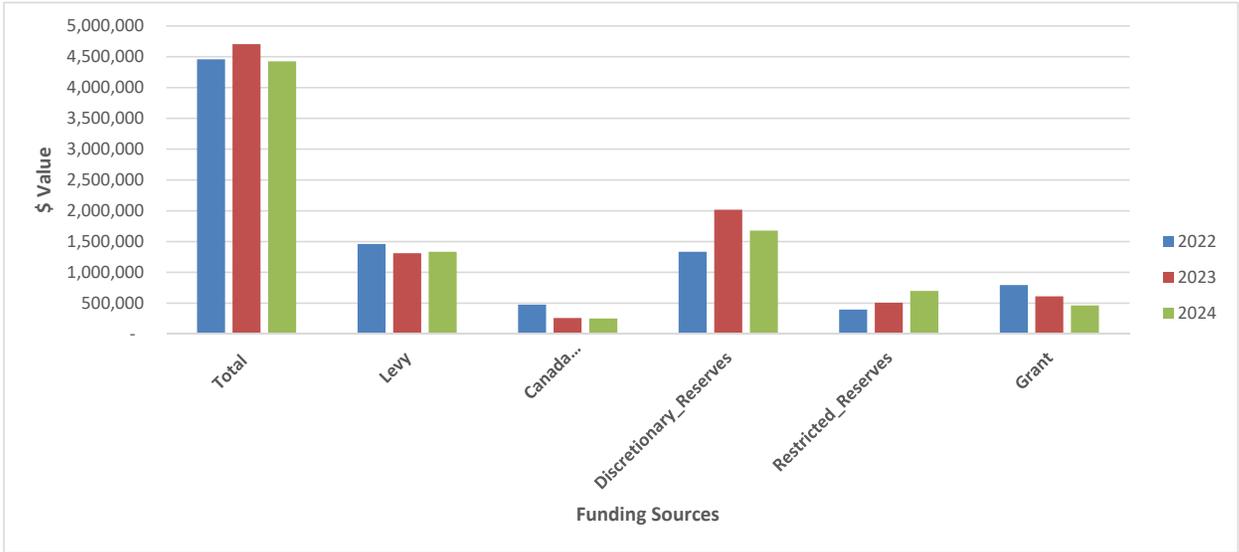
**2023 Approved Capital Program**

Department	Total	Levy	Canada Community- Building Fund	Discretionary_ Reserves	Restricted_Res erves	Grant
Corporate	1,010,484	1,000,792	-	9,692	-	-
Municipal Office	-	-	-	-	-	-
Finance	53,580	21,908	-	-	6,672	25,000
Building	1,526	-	-	-	-	1,526
By-law	5,100	-	-	5,100	-	-
Planning	9,900	-	-	9,900	-	-
Public Works	2,937,220	278,300	259,200	1,709,716	309,053	380,951
Fire and Rescue	39,805	10,000	-	14,805	15,000	-
Parks	591,776	-	-	269,000	119,776	203,000
ORC	15,635	-	-	-	15,635	-
PCC	39,767	-	-	-	39,767	-
<b>Total</b>	<b>4,704,792</b>	<b>1,311,000</b>	<b>259,200</b>	<b>2,018,213</b>	<b>505,903</b>	<b>610,477</b>

**2022 Approved Capital Program**

Department	Total	Levy	Canada Community- Building Fund	Discretionary_ Reserves	Restricted_ Res erves	Grant
Corporate	1,298,822	1,252,300	-	21,522	-	25,000
Municipal Office	361,476	-	-	293,165	-	68,311
Finance	-	-	-	-	-	-
Building	15,000	-	-	15,000	-	-
By-law						
Planning	-	-	-	-	-	-
Public Works	2,187,238	207,800	476,058	898,718	273,400	331,262
Fire and Rescue	56,307	-	-	56,307	-	-
Parks	511,106	-	-	20,000	120,978	370,128
ORC	15,000	-	-	15,000	-	-
PCC	15,000	-	-	15,000	-	-
<b>Total</b>	<b>4,459,949</b>	<b>1,460,100</b>	<b>476,058</b>	<b>1,334,712</b>	<b>394,378</b>	<b>794,701</b>

**2024 Proposed Capital Budget Compared to the 2023 and 2022 Approved Capital Budget Funding Comparisons**



**2024 Proposed Ten Year Plan**

Department	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Corporate	1,384,298	1,252,417	1,298,822	1,010,484	1,212,566	1,331,872	1,368,220	1,393,616	1,073,024	1,399,441	1,369,172	1,390,680	1,373,616	1,380,680
Municipal Office	25,500	4,500	361,476	-	30,000	-	-	-	472,750	80,000	-	-	-	-
Finance	22,500	0	-	53,580	95,500	-	-	-	-	17,500	-	-	-	-
Building	-	0	15,000	1,526	-	-	-	18,012	16,526	-	-	-	18,012	16,526
By-law	-	-	-	5,100	-	-	-	17,988	-	-	-	-	17,988	-
Planning	-	0	-	9,900	-	-	-	-	-	-	-	-	-	-
Public Works	2,987,224	1,564,154	2,187,238	2,937,220	2,692,800	3,368,800	3,242,800	3,528,800	3,385,800	3,270,800	3,440,800	2,381,800	1,758,800	1,962,800
Fire and Rescue	744,113	18,391	56,307	39,805	30,266	1,017,266	56,844	39,805	1,508,883	20,805	755,922	11,844	1,061,883	34,305
Parks	234,963	1,557,411	511,106	591,776	205,000	25,000	51,134	-	67,740	10,000	-	6,000	-	23,843
ORC	5,000	0	15,000	15,635	-	200,000	-	-	-	22,500	-	5,000	-	-
PCC	8,000	100,000	15,000	39,767	160,000	307,500	-	5,000	100,000	47,500	-	-	-	5,000
<b>Total</b>	<b>5,411,598</b>	<b>4,496,873</b>	<b>4,459,949</b>	<b>4,704,792</b>	<b>4,426,132</b>	<b>6,250,438</b>	<b>4,718,998</b>	<b>5,003,221</b>	<b>6,624,723</b>	<b>4,868,546</b>	<b>5,565,894</b>	<b>3,795,324</b>	<b>4,230,299</b>	<b>3,423,154</b>
<b>Change from previous year</b>		<b>(914,725)</b>	<b>(36,924)</b>	<b>244,843</b>	<b>(278,660)</b>	<b>1,824,306</b>	<b>(1,531,440)</b>	<b>284,223</b>	<b>1,621,503</b>	<b>(1,756,177)</b>	<b>697,348</b>	<b>(1,770,569)</b>	<b>434,974</b>	<b>(807,144)</b>
													<b>10 year total</b>	<b>48,906,729</b>
													<b>yearly average</b>	<b>4,890,673</b>

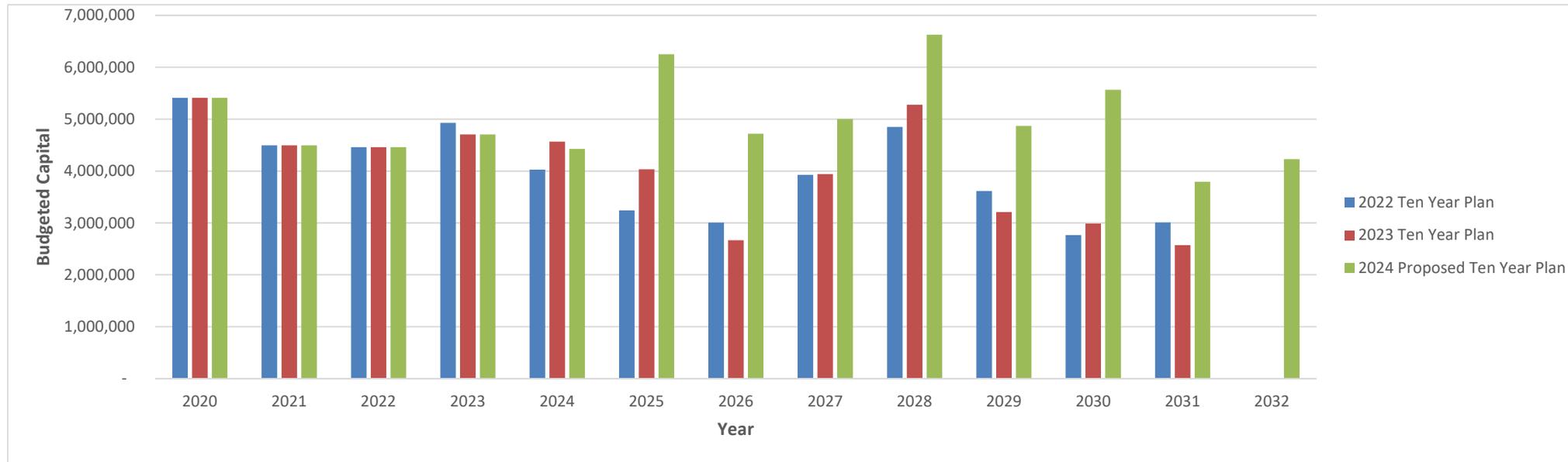
**2023 Ten Year Plan**

Department	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Corporate	1,384,298	1,252,417	1,298,822	1,010,484	1,156,324	960,460	1,230,700	1,282,700	1,170,800	1,388,824	1,392,700	1,472,700	1,487,200	
Municipal Office	25,500	4,500	361,476	0	16,000	0	0	0	422,750	60,000	0	-	-	
Finance	22,500	0	0	53,580	31,000	0	0	0	0	31,000	0	-	-	
Building	-	0	15,000	1,526	0	0	5,000	18,012	16,526	0	0	5,000	18,012	
By-law	0	-	-	5,100	-	-	-	17,988	-	-	-	-	17,988	
Planning	-	0	0	9,900	0	0	0	0	0	0	0	-	-	
Public Works	2,987,224	1,564,154	2,187,238	2,937,220	3,011,463	1,889,489	1,384,359	2,580,909	1,976,751	1,653,173	839,286	1,053,283	505,678	
Fire and Rescue	744,113	18,391	56,307	39,805	40,766	1,047,266	26,844	36,805	1,508,883	20,805	755,922	34,844	1,058,883	
Parks	234,963	1,557,411	511,106	591,776	0	0	20,134	0	67,740	0	0	-	-	
ORC	5,000	0	15,000	15,635	100,000	0	0	0	7,500	15,000	0	5,000	-	
PCC	8,000	100,000	15,000	39,767	212,500	137,500	0	5,000	107,500	40,000	0	-	50,000	
<b>Total</b>	<b>5,411,598</b>	<b>4,496,873</b>	<b>4,459,949</b>	<b>4,704,792</b>	<b>4,568,053</b>	<b>4,034,715</b>	<b>2,667,037</b>	<b>3,941,414</b>	<b>5,278,450</b>	<b>3,208,802</b>	<b>2,987,908</b>	<b>2,570,827</b>	<b>3,137,761</b>	
													<b>10 year total</b>	<b>37,099,759</b>
													<b>yearly average</b>	<b>3,709,976</b>

**2022 Ten Year Plan**

Department	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
Corporate	1,384,298	1,252,417	1,298,822	1,305,700	1,286,584	1,412,700	1,622,700	1,669,700	1,738,300	1,924,824	1,984,700		2,104,700	
Municipal Office	25,500	4,500	361,476	-	16,000	-	-	20,000	302,750	60,000	-	-	-	
Finance	22,500	-	-	-	31,000	-	-	-	-	31,000	-	-	0	
Building	0	-	15,000	-	33,000	-	5,000	15,000	-	-	-	-	38,000	
By-law		-	-	-	-	-	-	-	-	-	-	-	-	
Planning	0	-	-	-	-	-	-	-	-	-	-	-	0	
Public Works	2,987,224	1,564,154	2,187,238	2,886,665	2,512,206	1,097,095	1,324,359	2,167,909	2,133,751	1,520,173	776,286		828,283	
Fire and Rescue	744,113	18,391	56,307	62,691	31,072	582,477	25,762	35,453	508,072	19,453	5,381		33,762	
Parks	234,963	1,557,411	511,106	540,000	6,000	-	29,828	-	67,740	6,000	-		0	
ORC	5,000	-	15,000	100,000	-	-	-	7,500	-	15,000	-		5,000	
PCC	8,000	100,000	15,000	35,000	112,500	150,000	-	12,500	100,000	40,000	-		-	
<b>Total</b>	<b>5,411,598</b>	<b>4,496,873</b>	<b>4,459,949</b>	<b>4,930,056</b>	<b>4,028,362</b>	<b>3,242,271</b>	<b>3,007,649</b>	<b>3,928,062</b>	<b>4,850,613</b>	<b>3,616,450</b>	<b>2,766,367</b>		<b>3,009,745</b>	
											<b>10 year total</b>		<b>37,839,522</b>	
											<b>yearly average</b>		<b>3,783,952</b>	

**2024 Proposed Ten Year Plan Compared to the 2023 and 2022 Ten Year Plans**





## **REPORT ADM-2024-001**

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TO: Mayor and Members of Council

PREPARED BY: Justine Brotherston, Interim Municipal Clerk

PRESENTED BY: Justine Brotherston, Interim Municipal Clerk

MEETING DATE: January 10, 2024

SUBJECT: 2024 Conferences and Delegations

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### **RECOMMENDATION**

**That Report ADM-2024-001 entitled 2024 Conferences and Delegations be received; and**

**That Council direct staff to bring this report back when dates are known in order to determine delegation requests as applicable.**

### **Purpose**

The purpose of this report is to provide Council with information regarding Rural Ontario Municipal Association (ROMA), Ontario Good Roads Association (OGRA), Association of Municipalities of Ontario (AMO), and Federation of Canadian Municipalities (FCM) 2024 Conferences and to provide Council with advanced notice of the opportunities for delegations for applicable conferences.

### **Background**

Council has approved the following Conferences for attendance by Council and specified members of staff. Below is a chart providing details of the date, location, early bird registration and delegation opportunities.

<b><u>Conference</u></b>	<b><u>Date</u></b>	<b><u>Location</u></b>	<b><u>Early Bird Registration</u></b>	<b><u>Delegations</u></b>
ROMA	January 21-23, 2024	Toronto, ON	Closed	Submitted
OGRA	April 21-24, 2024	Toronto, ON	Deadline - February 16, 2024	Deadline - TBD

AMO	August 18-21, 2024	Ottawa, ON	Hotel Early Bird – Opens January 9, 20234  Registration Early Bird Deadline – March 1, 2024	Deadline – TBD
FCM	June 6-9, 2024	Calgary, AB	Registration Early Bird Deadline – TBD	N/A

Staff request that member’s of Council advise as soon as possible if they are interested in attending the OGRA, AMO or FCM conferences in 2024.

For more information regarding the 2024 ORGA, AMO and FCM links have been includes below:

- 1) OGRA - <https://goodroads.ca/courses/goodroadconference/>
- 2) AMO - <https://www.amo.on.ca/2024-amo-conference>
- 3) FCM - <https://fcm.ca/en/events-training/conferences/annual-conference-and-trade-show>

**Financial Implications**

2024 Conference registration fees have been included in the proposed 2024 budget for Council’s consideration.

**Applicable Legislation and Requirements**

None

**Engagement Opportunities**

None

**Attachments**

None

Respectfully submitted,

Reviewed by:

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Justine Brotherston,  
Interim Municipal Clerk

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Courtenay Hoytfox,  
Interim CAO

# Township Site Alteration and Road Activity By- laws: Second Reading

January 10, 2024



# Proposed Site Alteration By-law

## Summary of Feedback and Staff Recommendations:

### Council feedback:

- Replace the title of the permit type "Standard" with "Intermediate" or "Medium".

### Staff Recommendation:

- The Standard permit type heading has been changed to "Intermediate" as noted throughout the draft By-law.

# Proposed Site Alteration By-law

## Summary of Feedback and Staff Recommendations:

### Council feedback:

- Consider reducing the permit requirement for change in grade from 3 metres to a lesser change in grade.

### Staff Recommendation:

- Revise Minor Site Alteration Permit Requirement : Where a change in grade is proposed to be **less** than **1** metre above or below the existing grade;
- Revise Intermediate Site Alteration Permit Requirement: Where a change in grade is proposed to be **less** than **1.5** metres above or below the existing grade;
- Revise Large Site Alteration Permit Requirement : Where a change in grade is proposed to be **less** than **3** metres above or below the existing grade;
- Revise Major Site Alteration Permit Requirement : Where a change in grade is proposed to be **greater** than **3** metres above or below the existing grade.

# Proposed Site Alteration By-law

## Summary of Feedback and Staff Recommendations:

### Council feedback:

- Require that the justification report include the purpose of the project and demonstrate the need for the amount of fill being proposed to be imported.

### Staff Recommendation:

- Clarification under Section 5.1.b(iii) (Normal Farm Practice Waiver) to include the wording “...demonstrating the need for the proposed amount of fill being imported to the site”
- Addition of 5.2.b(v)(vi) (Minor Site Alteration Permit) to include the provision “A justification report prepared by a qualified person may be required to be submitted demonstrating the need for the proposed amount of fill being imported to the site”
- Addition of 5.3.b(v)(vii) (Intermediate Site Alteration Permit) to include the provision “A justification report prepared by a qualified person may be required to be submitted demonstrating the need for the proposed amount of fill being imported to the site”
- Addition of 5.4.b(v)(vii) (Large Site Alteration Permit) to include the provision “A justification report prepared by a qualified person is required to be submitted demonstrating the need for the proposed amount of fill being imported to the site”
- Addition of 5.5.b(v)(vii) (Major Site Alteration Permit) to include the provision “A justification report prepared by a qualified person is required to be submitted demonstrating the need for the proposed amount of fill being imported to the site”

# Proposed Site Alteration By-law

## Summary of Feedback and Staff Recommendations:

### Council feedback:

- That staff utilize Engage Puslinch for general feedback on the proposed by-laws.

### Staff Recommendation:

- Staff are aiming to have the public engagement survey and information tools available on Engage Puslinch by January 10, 2024. The survey and engagement opportunity will remain live for an extended period of time beyond the enactment of the By-law. This will enable staff to continue to engage with the public as the new by-law is being implemented. Staff will monitor the administration of the by-law and bring any suggested amendments to Council for consideration after the by-law has been in place for a period of one year.

# Proposed Site Alteration By-law

## Summary of Feedback and Staff Recommendations:

### Council feedback:

- Revise the by-law so that small scale operations that do not require truck loads of fill do not require a waiver.

### Staff Recommendation:

- Based on the feedback, staff recommend that the Exemption Waiver section be removed and that all exemptions be included in Section 4.1 without the requirement for a Township approval process.

# Proposed Site Alteration By-law

## Summary of Feedback and Staff Recommendations:

### Council feedback:

- Prohibit fill importation on Prime Agricultural Lands.

### Staff Recommendation:

- Staff are in consultation with the Township solicitor regarding this suggested revision and will report back prior to the third reading of the by-law with a recommendation.

# Proposed Site Alteration By-law

## Summary of Feedback and Staff Recommendations:

### Council feedback:

- Prohibit liquid fill importation.

### Staff Recommendation:

- Staff are in consultation with the Township solicitor regarding this suggested revision and will report back prior to the third reading of the by-law with a recommendation.

# Proposed Site Alteration By-law

## Summary of Feedback and Staff Recommendations:

### Council feedback:

- Create a FAQ document to assist residents and applicants to determine when a permit/waiver is required.

### Staff Recommendation:

- Staff are in the process of developing a FAQ to be included on the Township website along with other helpful documentation.

# Proposed Site Alteration By-law

## Summary of Feedback and Staff Recommendations:

### Council feedback:

- Add the definition of 'sand' to fill definition

### Staff Recommendation:

- Staff note that sand is included in the ARA defined term of "Aggregate" which is referenced in Section 2.1.b of the By-law: "Aggregate" means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite or other material; ("agrégats")

# Proposed Site Alteration By-law

## Summary of Feedback and Staff Recommendations:

### Council feedback:

- Consider changing Public Information Centre to Public Information Meeting.

### Staff Recommendation:

- This has been changed in the second draft.

# Proposed Site Alteration By-law

## Summary of Feedback and Staff Recommendations:

### Council feedback:

- Add BRAT to the definitions

### Staff Recommendation:

- Beneficial Reuse Assessment Tool (BRAT) is a defined term under Section 2.1.g. Staff clarified the definition by including the acronym “BRAT” in the defined term.

# Proposed Site Alteration By-law

## Summary of Feedback and Staff Recommendations:

### Council feedback:

- Schedule A you may wish to add County of Wellington Conservation and Sustainable Use of Woodlands By-law.

### Staff Recommendation:

- This has been included in the second draft.

# Proposed Road Activity By-law

## Summary of Feedback and Staff Recommendations:

### Council feedback:

- Should a Haul Route permit be required for anything less than a minor alteration?

### Staff Recommendation:

- Staff recommend that the following be added to Part 4 Section 10 of the Road Activity By-law: “Site Alteration activities exempt from permits and/or legal agreements in accordance with the Site Alteration By-law, may be exempt from the requirement for a Haul Route Permit at the discretion of the Director of Public Works.”

# Engagement Opportunities

- CloudPermit application form;
- Dedicated Township Webpage with visuals and user guide;
- Social Media engagement;
- Online mapping tool;
- Pre-Consultation meetings;
- Circulation to neighbours where required by permit type;
- Public Information Meeting where required by permit type; and
- Advising regulatory agencies of the Township By-law and processes (County, CAs, etc.).

# Timeline

- ❑ First reading: December 20, 2023
- ❑ Second reading: January 10, 2024 (incorporating Council feedback from December 20, 2023 meeting)
- ❑ Third reading and enactment: February 7, 2024 (incorporating any final feedback)

# Questions and Feedback

## THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

### BY-LAW NUMBER 2023-057

A By-law to prohibit and regulate the alteration of property and movement of fill within the Township of Puslinch (Site Alteration By-law) and a By-law to repeal By-laws 2012-31, 2015-11, 2015-45, 2015-49, 2021-01, and 2021-20.

**WHEREAS** Section 142 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, (hereafter referred to as the *Municipal Act*) provides that, the Corporation of the Township of Puslinch (the "Township") may pass a by-law prohibiting or regulating the alteration of property through the movement, placing, or dumping of fill, and/or the alteration of the grade of land;

**AND WHEREAS** Section 142 (2) (d) and (e) of the *Municipal Act* further provides that the Township may require that a permit be obtained for the placing or dumping of fill, or the alteration of the grade of land, and may impose conditions to a permit, including requiring the preparation of plans acceptable to the municipality relating to grading, filling or dumping, the removal of fill and/or the alteration of the grade of land;

**AND WHEREAS** Section 436 of the *Municipal Act* authorizes the Township to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out inspection to determine whether or not an order or condition is being complied with and require the production of documents and information as well as the collection of samples;

**AND WHEREAS** Sections 8, 9 and 11 of the *Municipal Act* permit the Township to pass by-laws necessary or desirable for municipal purposes, and paragraphs 5, 6 and 8 of Subsection 11 (2) authorize by-laws respecting the economic, social, and environmental well-being of the municipality, the health, safety and well-being of persons, and the protection of persons and property;

**AND WHEREAS** Section 23.2 of the *Municipal Act* authorizes the Township to delegate its powers to an officer, employee, or agent of a municipality;

**AND WHEREAS** Subsection 444(1) of the *Municipal Act* permits the Township, if satisfied that a contravention of a by-law of the Township passed under the *Municipal Act*, has occurred, to make an order requiring the person who contravened the by-law or who caused or permitted the contravention, or the owner or occupier of the land on which the contravention occurred, to discontinue the contravening activity;

**AND WHEREAS** Subsection 446 of the *Municipal Act* gives the Township the authority to direct or require a person to do a matter or, thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense. For these purposes, the Township may enter upon land at any reasonable time. The Township may recover the costs of doing a matter or, thing from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes;

**AND WHEREAS** Section 425 of the *Municipal Act* permits the Township to pass by-laws providing that any person who contravenes any by-law the Township passed under the *Municipal Act*, is guilty of an offence;

**AND WHEREAS** Section 426 (4) of the *Municipal Act* deems that any Person that hinders or obstructs, or attempts to hinder or obstruct, any Person who is exercising or performing a duty under this By-law created under the Act is guilty of an offence;

**AND WHEREAS** the Council of the Township deems it to be in the public interest to pass this By-law to regulate the alteration of property through the movement, placing, or dumping of fill, and/or the alteration of the grade of land within the Township to ensure that:

- a) Groundwater and surface water quality is maintained;
- b) Drainage patterns, water courses and water bodies are protected;
- c) Natural heritage features, landforms and archeological resources are protected;
- d) Adverse Effects are minimized;
- e) Impacts to the Township's roads, Highways and infrastructure are minimized;

- f) Disturbances and nuisance impacts to residents and businesses are minimized; and
- g) Costs and liabilities are borne by owners and persons who undertake Site Alteration within the Township;

**NOW THEREFORE** the Council of the Township hereby enacts as follows:

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**1. GENERAL**

**1.1 Short Title**

- (a) This By-law may be referred to as the "Site Alteration By-law".

**1.2 Administration**

- (a) This By-law applies to all Property in the geographical area within the Township, save and except any Property owned by the Township.
- (b) The Chief Building Official in consultation with the Municipal Clerk shall be responsible for the administration of this By-law.

**1.3 Delegated Authority**

- (a) The Chief Building Official and/or Municipal Clerk is authorized and has the delegated authority to:
  - (i) Approve, exempt/waive, issue, revoke, extend, renew, amend, or close a Permit and/or grant approvals of Site Alteration and impose Conditions for continuing to hold a Permit depending on the Site Alteration in addition to the requirements under this By-law;
  - (ii) Determine when a Public Information [Centre-Meeting](#) or a Meeting of Council is required or not required;
  - (iii) Determine and deem an Application as abandoned, expired, or closed;
  - (iv) Approve and coordinate any Site Restoration or Site Remediation works;
  - (v) Approve amendments to Site Alteration and Fill Management Plans;
  - (vi) Approve and amend Application forms and Guidelines;
  - (vii) Establish appropriate requirements;
  - (viii) Ensure compliance with section 3.8 of this By-law, including requiring appropriate testing and documentation;

- (ix) Appoint a peer review consultant or other engineering, scientific and technical experts to fulfill the role or duties of an Inspector for purposes of this By-law;
- (x) Require or exempt certain works from provisions of this By-law, as permitted in this By-law; and
- (xi) Authorize and/or hire such agents, contractors, and other Persons to perform the work, as required.

#### 1.4 Conflict

- (a) Where there is a conflict between a provision of this By-law and a provision of any other Township by-law, the provision that establishes the highest standards to protect the health and safety of the public and natural environment shall apply. No agreement shall be deemed to provide an exemption from the requirements of this By-law unless this By-law authorizes such exemption, and the agreement specifically provides for it.

#### 1.5 Severability

- (a) If a court of competent jurisdiction declares any section, or any part of any section, of this By-law to be invalid, or to be of no force or effect, it is the intention of the Township that every other provision of this By-law be applied and enforced in accordance with its terms to the extent possible according to law.

#### 1.6 Compliance with Other Laws

- (a) This By-law, and the provisions contained within, are intended to be complimentary to federal and provincial statutes and regulations, and to other by-laws passed by the Council. If any other applicable law requires a higher standard than this By-law requires, the higher standard shall apply.
- (b) By-laws, statutes, regulations, and guidelines referenced in this By-law, including in Schedule A, include any amendments, replacements, or updates to those by-laws, statutes, regulations, and guidelines.

## 2. DEFINITIONS

### 2.1 Definitions in this By-law:

- (a) "Adverse Effect" shall have the same meaning as in the *Environmental Protection Act*, R.S.O. 1990, c. E.19 and means one or more of:
  - (i) Impairment of the quality of the natural environment for any use that can be made of it;
  - (ii) Injury or damage to Property or to plant or animal life;
  - (iii) Harm or material discomfort to any person;
  - (iv) An adverse effect on the health of any person;
  - (v) Impairment of the safety of any person;
  - (vi) Rendering any Property or plant or animal life unfit for human use;
  - (vii) Loss of enjoyment of normal use of Property; and
  - (viii) Interference with the normal conduct of business.
- (b) "Aggregate" has the same meaning as in the *Aggregate Resources Act*, R.S.O. 1990, c.A.8, as amended ("*Aggregate Resources Act*").
- (c) "Applicant" means the Owner of a Property and includes a Person authorized in writing to act on behalf of the Owner of a Property to apply for a Permit.
- (d) "Application" means a written submission to request or amend a Permit, in a form prescribed by the Township.
- (e) "Artificial Turf" means any surface synthetic fibers made to resemble turf or other grass-like surface and used as a surface cover.
- (f) "Asphalt" means a mixture of dark bituminous pitch with sand or gravel, used for surfacing roads, driveways and paths, which may include, without limitation, loose or recycled material or a contiguous surface.

- (g) "Beneficial Reuse Assessment Tool ([BRAT](#))" has the same meaning as in Ontario Regulation 406/19.
- (h) "Body of Water" means a permanent stream, river or similar watercourse or a pond or lake, but does not include a pond constructed on the property for the purpose of controlling surface water drainage.
- (i) "Chief Building Official" means the Chief Building Official appointed by the Council or his/her designate.
- (j) "Compost" means a mixture of various decaying organic substances, such as dead leaves or manure, used for fertilizing soil.
- (k) "Conservation Authority" includes the Grand River Conservation Authority, Hamilton Conservation Authority, and Halton Conservation Authority.
- (l) "Council" means the Council of the Township.
- (m) "Condition(s)" means the mandatory performance requirements outlined in a Permit or Order and may include the requirement for monetary deposits or Security(s) in connection with the Application.
- (n) "Contaminant" means any solid, liquid, gas, odor, heat, sound, vibration, radiation or combination of any of them resulting directly or indirectly from human activities that causes or may cause an Adverse Effect.
- (o) "Control Plan" means documentation described in Schedule "B" required to be submitted as part of any Application for a Permit under this By-law.
- (p) "Designated Official" means the Chief Building Official, Municipal Clerk, or their designates.
- (q) "Drainage" means the movement of surface water toward a place of disposal, whether by way of the natural characteristics of the ground surface or by artificial means.
- (r) "Dump" means the placing or depositing of Fill in a location other than where the Fill was obtained from or the movement and placing or depositing of Fill from one location on a property to another location on the same property or to a separate property, and "Dumping" has the corresponding meaning.
- (s) "Erosion" means the detachment and movement of Soil, sediment, rock fragments or the like by forces such as but not limited to water, wind, ice, or gravity.
- (t) "Erosion and Dust Control" means measures to control Erosion and dust generated as part of the Site Alteration to the satisfaction of the Township.
- (u) "Excess Soil" has the same meaning as in Ontario Regulation 406/19.
- (v) "Excess Soil Quality Standards" means Part II of the Rules for Soil Management and Excess Soil Quality Standards, as amended, and adopted by reference in Ontario Regulation 406/19.
- (w) "Fill" means any type of material that can be removed from (cut) or placed on (in-fill) land and may include, but is not limited to Soil, Excess Soil., Liquid Soil, Rock, Sod, Compost, Aggregate and Topsoil.
- (x) "Final Surface Material" includes, but is not limited to, concrete, brick, patio pavers (natural or manufactured), block, Asphalt, Artificial Turf that are free of Contaminants, and does not include Fill.
- (y) "Grade" means the elevation of the ground surface and shall be more particularly defined as follows:
  - (i) "Existing Grade" means the elevation of the existing ground surface prior to any Site Alteration and Movement of Fill, including the natural Grade prior to human activities or the Grade previously legally established such as a former approved Grade;
  - (ii) "Finished Grade" means the approved (final) elevation of the ground surface of lands upon which Fill has been Placed or Dumped, the Grade altered, or Topsoil removed, in accordance with this By-law including the Final Surface Material;

- (iii) "Unapproved Grade" means the elevation of the ground surface that is not an Existing Grade or Finished Grade.
- (z) "Guidelines" means the Application requirements, information, documentation and material, including Conditions requirements for a Permit, to be used for the purpose of administrating this By-law. Without limiting the generality of the foregoing, the Guidelines may require the posting of deposits and/or Security(s) in connection with the Application.
- (aa) "Highway" means a common and public highway and includes a street, bridge or other structure forming part of a highway over or across which a highway passes and includes the whole of a road allowance under the jurisdiction of the Township.
- (bb) "Inspector" means any person designated by this or any other By-law of the Township as an Inspector or agent of the Township or any persons appointed for the purposes of enforcing this By-law, and includes the Chief Building Official, Building Inspectors, and By-law Enforcement Officers.
- (cc) "Liquid Soil" has the same meaning as in Ontario Regulation 406/19.
- (dd) "MECP" means the Ontario Ministry of the Environment, Conservation and Parks, as may be renamed from time to time.
- (ee) "Movement of Fill" means any non-natural transfer of Fill from one location to another of any distance.
- (ff) "Municipal Clerk" means the Township's clerk appointed by the Council or their designate.
- (gg) "Normal Farm Practice" means a practice that:
  - (i) is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or
  - (ii) makes use of innovative technology in a manner consistent with proper advanced farm management practices.
- (hh) "Normal Farm Practice Waiver" means a permit waiver authorized by the Designated Official in accordance with Section 5.2 of this By-law.
- (ii) "Officer" means any Person designated by by-law of the Township to enforce this By-law.
- (jj) "*Ontario Regulation 153/04*" means Ontario Regulation 153/04 (Records of Site Condition — Part XV.1 of the Environmental Protection Act), as amended, made under the *Environmental Protection Act*, R.S.O. 1990, c. E.19, as amended ("*Environmental Protection Act*").
- (kk) "*Ontario Regulation 406/19*" means Ontario Regulation 406/19 (On Site and Excess Soil Management), as amended, made under the *Environmental Protection Act*.
- (ll) "Owner" means the registered Owner(s) of the Property.
- (mm) "Permit" means a formal authorization issued by the Township under this By-law.
- (nn) "Person" includes individuals, firms, sole proprietorships, partnerships, associations, trusts, corporations, directors and officers of corporations, trustees, and agents, and the heirs, executors, assigns or other legal representatives of a person to whom the context can apply in law.
- (oo) "Project" has the same meaning as in Ontario Regulation 406/19.
- (pp) "Project Area" has the same meaning as in Ontario Regulation 406/19.
- (qq) "Property" means land including all buildings and structures on the land.
- (rr) "Ponding" means the accumulation of surface water in an area not having Drainage therefrom where the lack of Drainage is caused by the Placing or Dumping of Fill, altering of Grade, or removing of Topsoil.

- (ss) "Proposed Grade" means the proposed elevation of the ground surface of land upon which Fill is proposed to be Placed or Dumped, the Grade altered, or the Topsoil removed.
- (tt) "Public Information Meeting" means an open meeting to which all members of the public are invited, for the purpose of informing the public and receiving comments regarding a proposed Site Alteration.
- (uu) "Qualified Person" means a person who meets the qualifications as set out in Section 5 or 6 of Ontario Regulation 153/04.
- (vv) "Quality Assurance/Quality Control Program" means a program that is designed to meet the requirements of quality assurance and quality control program under Ontario Regulation 153/04.
- (ww) "*Regulation 347*" means Regulation 347 of the Revised Regulations of Ontario, 1990 (General — Waste Management), as amended, made under the *Environmental Protection Act*.
- (xx) "Retaining Wall" means a wall designed to contain and support Fill, which has a Finished Grade higher than that of adjacent lands.
- (yy) "Rock" has the same meaning as in Ontario Regulation 406/19.
- (zz) "RPRA" means the Ontario Resource Productivity and Recovery Authority.
- (aaa) "Sampling and Analysis Plan" means a plan that is designed to meet the requirements of a sampling and analysis plan under Ontario Regulation 153/04 or Ontario Regulation 406/19.
- (bbb) "Security" means funds held by the Township in a form and amount to be determined in accordance with Schedule "C" to this By-law, to secure the performance of the Owner's obligations under this By-law and any Permit; any additional costs associated with or as a result of the Site Alteration including but not limited to Site Restoration or Site Remediation, completion of the project, deficiencies, damage to the Township roads, etc. shall be deducted from the security; further costs associated with the alteration, if incurred by the Township, shall be invoiced to the Property Owner and may be added to the tax roll and collected in the same manner as taxes on the Property.
- (ccc) "Site" means a parcel or parcels of land altered or proposed to be altered by means of a Site Alteration.
- (ddd) "Site Alteration" means any alteration to the existing Grade of land through the removal (cut), placement (filling) or movement (relocation) of Fill.
- (eee) "Site Alteration - Intermediate" or "Intermediate Site Alteration" means the alteration of land where the requirement for a permit is based on: (i) a cumulative volume of fill over a five (5)-year period per property that is in the range of 350 cubic metres to 999 cubic metres of fill, (ii) where a change in Grade is proposed to be less than 1.5 metres above or below the Existing Grade, and (iii) where the proposed Site Alteration area is less than 1 hectare in land size. A Permit and execution of an agreement with the Township is required for a Intermediate Site Alteration.
- ~~(eee)~~(fff) "Site Alteration - Large" or "Large Site Alteration" means the alteration of land based on: (i) a cumulative volume of fill over a five (5)-year period per property that is in the range of 1,000 cubic metres to 9,999 cubic metres of Fill, (ii) where a change in Grade is proposed to be greater-less than 3 metres above or below the Existing Grade, or (iii) where the proposed Site Alteration area is greater than 1 hectare in land size. The approval of a Permit and execution of an agreement with the Township is required for a Large Site Alteration.
- ~~(fff)~~(ggg) "Site Alteration - Major" or "Major Site Alteration" means the alteration of land based on: (i) a cumulative volume of fill over a five (5)-year period per property that is greater than 10,000 cubic metres of fill, or (ii) where a change in Grade is proposed to be greater than 3 metres above or below the Existing Grade. Council is the approval authority for all Major Site Alteration Permits and agreements.
- ~~(ggg)~~(hhh) "Site Alteration - Minor" or "Minor Site Alteration" means the alteration of land based on: (i) a cumulative volume of fill over a five (5)-year period per property, calculated from the area of property suitable for Site Alteration (the Property area

excluding buildings, structures, and fixed features) up to a maximum of 350 cubic metres, (ii) where a change in Grade is proposed to be less than 13 metres above or below the Existing Grade, (iii) where the proposed Site Alteration area is less than 1 hectare in land size, (iv) is setback a minimum of 30 metres from all property boundaries watercourses and drainage swales, (v) does not change or impact any natural drainage patterns, (vi) does not require a retaining wall, (vii) does not have slopes steeper than 3:1, and (viii) is not within an area regulated by the Conservation Authority. A Permit and execution of an agreement with the Township is required for a Minor Site Alteration.

~~(hhh) – “Site Alteration – Standard” or “Standard Site Alteration” means the alteration of land where the requirement for a permit is based on: (i) a cumulative volume of fill over a five (5)-year period per property that is in the range of 350 cubic metres to 999 cubic metres of fill, (ii) where a change in Grade is proposed to be less than 3 metres above or below the Existing Grade, and (iii) where the proposed Site Alteration area is less than 1 hectare in land size. A Permit and execution of an agreement with the Township is required for a Standard Site Alteration.~~

- (iii) “Site Alteration and Fill Management Plan” means a document prepared by, or on behalf of an Owner in accordance with the Guidelines detailing such things as current Site conditions, methodology, Existing Grade, Finished Grade, and impact mitigation measures.
- (jjj) “Site Restoration” or “Site Remediation” means the treatment of land that has been affected by Site Alteration so that the use or condition of the land is restored to its pre-Site Alteration condition.
- (kkk) “Sod” means the upper stratum of soil bound by grass and plant roots into a thick mat (turf).
- (lll) “Soil” has the same meaning as in Ontario Regulation 406/19
- (mmm) “Source Site” means the property or properties from which the Fill originated and includes a “project area” as defined in Ontario Regulation 406/19.
- (nnn) “Swale” means a shallow depression in the ground sloping to a place of disposal of surface water or providing a method of Drainage.
- (ooo) “Topsoil” has the same meaning as in the *Municipal Act*.
- (ppp) “Tree” means any species of woody perennial plant including its root system which has reached or can reach a height of at least 4.5 metres at physiological maturity, provided that where multiple stems grow from the same root system, the number of trees shall be the number of stems with discrete, apical tips.
- (qqq) “Truckload” means 10 cubic metres of Fill.
- (rrr) “Vegetation” includes any woody plant or contiguous cluster of plants, including shrubs, hedgerows, and Trees.
- (sss) “Watercourse” means a natural or constructed channel or Swale in which water flows, either continuously or intermittently with some degree of regularity.
- (ttt) “Zoning By-law” means the Township’s Comprehensive Zoning By-law, as applicable and amended from time to time.

### 3. PROHIBITIONS AND GENERAL PROVISIONS

#### 3.1 Prohibitions in this By-law:

- (a) No Person shall conduct, undertake, cause, permit or carry out a Site Alteration on any Property within the Township without first obtaining approval in accordance with this By-law, unless otherwise exempt as set forth in this By-law.
- (b) No Person shall have, or allow to remain, Fill on that Person’s Property that is not approved through a Permit, whether or not the Fill was placed there while the Person was the Owner of the Property.
- (c) Every person who contravenes any provision of this By-law is guilty of an offence.

#### 3.2 Responsibility for Other Obligations

- (a) Compliance with this By-law does not relieve the Owner from any responsibility to obtain all other approvals as required from any other government or authority, or compliance with any other applicable law.

### 3.3 Trees

- (a) No Person shall conduct, undertake, cause, permit or carry out a Site Alteration that could injure or destroy a Tree except in accordance with the County of Wellington Conservation and Sustainable Use of Woodlands By-law.

### 3.4 Groundwater

- (a) No Person shall conduct, undertake, cause, permit or carry out a Site Alteration that may adversely affect the quality or quantity of any surface water or groundwater however it may exist including all water used for or available as a source of water for agriculture or human consumption.

### 3.5 Drainage / Watercourse

- (a) No Person shall conduct, undertake, cause, permit or carry out a Site Alteration that could adversely affect any Watercourse or Drainage on any Property without prior approval in accordance with this By-law including approval from any other applicable government or authority, or compliance with any other applicable law.

### 3.6 Unapproved Grade

- (a) No Person shall conduct, undertake, cause, permit or carry out a Site Alteration that will result in an Unapproved Grade.

### 3.7 Adverse Effect

- (a) No Person shall conduct, undertake, cause, permit or carry out a Site Alteration that will, or can be reasonably expected to, result in an Adverse Effect.

### 3.8 Applicable Laws and Plans

- (a) No Person shall conduct, undertake, cause, permit or carry out Site Alteration unless it complies with:
  - (i) This By-law;
  - (i) The Township Zoning By-law;
  - (ii) The Township Noise By-law;
  - (iii) The Township Property Standards By-law;
  - (iv) The Township Road Activity By-law;
  - (v) The *Greenbelt Plan*;
  - (vi) The requirements of a Conservation Authority with jurisdiction; and
  - (vii) All other applicable statutes, regulations, policies, and by-laws, including but not limited to Ontario Regulation 406/19, Regulation 347 and the Rules for Soil Management and Excess Soil Quality Standards.

### 3.9 False Information

- (a) No person shall submit or cause or permit an application for a Permit to be submitted to the Township that is misleading or contains false information. Where it is revealed that the application for a Permit contained misleading or false information, the Designated Official may revoke the said Permit and all work, which was the subject of the revoked Permit, shall immediately cease.

## 4. EXEMPTIONS

### 4.1 Exemptions in this By-law:

- (a) Notwithstanding Section 3 of this By-law, this By-law does not apply to:

- (i) Activities or matters undertaken by the Township, the County of Wellington, a Conservation Authority, the provincial government, or the federal government;
  - (ii) The placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land imposed after December 31, 2002, as a condition to the approval of a site plan, a plan of subdivision or consent under section 41, 51 or 53, respectively, of the *Planning Act*, R.S.O. 1990, c. P.13, as amended ("*Planning Act*") or as a requirement of a site plan agreement or subdivision agreement entered into under those sections;
  - (iii) The placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land imposed after December 31, 2002, as a condition to a development permit authorized by regulation made under section 70.2 of the *Planning Act* or as a requirement of an agreement entered into under that regulation;
  - (iv) The placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land undertaken by a transmitter or distributor, as those terms are defined in section 2 of the *Electricity Act, 1998*, S.O. 1998, c. 15, Sched. A, as amended, for the purpose of constructing and maintaining a transmission system or a distribution system, as those terms are defined in that section;
  - (v) The placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land undertaken on land described in a licence for a pit or quarry or a permit for a wayside pit or wayside quarry issued under the *Aggregate Resources Act*;
  - (vi) The placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land undertaken on land in order to lawfully establish and operate or enlarge any pit or quarry on land;
  - (vii) That has not been designated under the *Aggregate Resources Act* or a predecessor of that Act, and
    - i. On which a pit or quarry is a permitted land use under a by-law passed under section 34 of the *Planning Act*.
    - ii. The placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land undertaken as an incidental part of drain construction under the *Drainage Act* or the *Tile Drainage Act*;
  - (viii) The removal of Topsoil as an incidental part of a normal Agricultural practice including such removal as an incidental part of sod-farming, greenhouse operations and nurseries for horticultural products except for the removal of Topsoil for sale, exchange, or other disposition;
  - (ix) The use, operation, establishment, alteration, enlargement, or extension of a Waste Management System or Waste Disposal Site within the meaning of Part V of the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;
  - (x) The construction, extension, alteration, maintenance, or operation of works under Section 26 of the *Public Transportation and Highway Improvement Act*, R.S.O. 1990, c.P.50, as amended;
- (i) A Site Alteration where another legal instrument of the Township, such as a Planning approval, a building permit, a pool permit, or legal agreement with the Township includes a provision specifically waiving the requirement for a Permit, including:
- i. A grading plan or site plan, approved by the Chief Building Official, associated with the construction of a building, accessory structure, addition and/or pool;
  - ii. Any Filling of an excavation to the elevation of Existing Grade following the demolition or removal of a Building for which a demolition permit has been issued by the Chief Building Official of the Township, or for which no demolition permit is required under the Building Code Act, R.S.O. 1992, c. 23;
- (ii) The Site Alteration of land does not exceed a cumulative volume of 20 cubic metres (2 Truckloads) on any one property within a 12-month period and provided that the alteration does not meet the definition of Minor Site Alteration

and provided that it meets all other provisions of this By-law and may include the following activities

- iii. placing of Topsoil on gardens, lawns or other grassed areas;
- iv. cultivation or tilling of garden beds;
- v. excavation of Fill having no significant impact on trees, ground cover, Vegetation, watercourses, or stormwater swales and not altering or creating a slope at greater than 8%;
- vi. minor landscaping works which are at least 0.3 metres from any property line and do not impact Drainage patterns or cause or may cause an Adverse Effect on neighbouring properties; and
- (x)vii. minor grading or regrading or paving of legal and approved parking areas or driveways which are at least 0.3 metres from any property line and do not impact Drainage patterns or cause or may cause an Adverse Effect on neighbouring properties.

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## 5. APPLICATION REQUIREMENTS

### 5.1 Exception Waiver

(a) ~~A Site Alteration Exception Waiver may be applied for where:~~

- (i) ~~Another legal instrument of the Township, such as a Planning approval, a building permit, a pool permit, or legal agreement with the Township includes a provision specifically waiving the requirement for a Permit, including:
 
  - i. ~~A grading plan or site plan, approved by the Chief Building Official, associated with the construction of a building, accessory structure, addition and/or pool;~~
  - ii. ~~Any Filling of an excavation to the elevation of Existing Grade following the demolition or removal of a Building for which a demolition permit has been issued by the Chief Building Official of the Township, or for which no demolition permit is required under the Building Code Act, R.S.O. 1992, c. 23;~~~~

(ii) ~~The Site Alteration of land does not exceed a cumulative volume of 20 cubic metres (2 Truckloads) on any one property within a 12 month period and provided that the alteration does not meet the definition of Minor Site Alteration and provided that it meets all other provisions of this By law and may include the following:~~

- iii. ~~placing of Topsoil on gardens, lawns or other grassed areas;~~
- iv. ~~cultivation or tilling of garden beds;~~
- v. ~~excavation of Fill having no significant impact on trees, ground cover, Vegetation, watercourses, or stormwater swales and not altering or creating a slope at greater than 8%;~~
- vi. ~~minor landscaping works which are at least 0.3 metres from any property line and do not impact Drainage patterns or cause or may cause an Adverse Effect on neighbouring properties; and~~
- vii. ~~minor grading or regrading or paving of legal and approved parking areas or driveways which are at least 0.3 metres from any property line and do not impact Drainage patterns or cause or may cause an Adverse Effect on neighbouring properties.~~

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(b) ~~Application Requirements for a Site Alteration Exception Waiver:~~

- (i) ~~A complete Site Alteration Exception Waiver Application must be submitted to the Township using the prescribed form, as amended from time to time;~~

- ~~(ii) No application fee is required; however, the Owner shall be responsible for any third-party cost and recoveries if an external review is required as determined by the Designated Official;~~
- ~~(iii) Sufficient documentation, to the satisfaction of the Designated Official, must be submitted to demonstrate that the Site Alteration will not cause an Adverse Effect;~~
- ~~(iv) Where the Site Alteration will involve the importation of Fill from off-site, documentation is to be provided to the Township to the satisfaction of the Designated Official which may include:
 
  - ~~i. The amount of Fill being imported from off-site in cubic metres;~~
  - ~~ii. Documentation that the Fill complies with the parameters as set out in Section 3.8 of this By-law; and~~
  - ~~iii. Source Site confirmation;~~~~
- ~~(v) All required permits or approvals by any external agency having jurisdiction are required in order for a Site Alteration Exception Waiver to be issued, including but not limited to the Conservation Authority, Wellington Source Water Protection, and the County of Wellington.~~
- ~~(c) Approval/Refusal Process for a Site Alteration Exception Waiver:
 
  - ~~(i) All Site Alteration Exception Waiver applications are subject to a staff review and comment period. Conditions not described in this By-law may form part of the Waiver;~~
  - ~~(ii)(iii) The Site Alteration Exception Waiver shall be provided to the Owner by the Township's Designated Official in writing and posted on the Township website.~~~~

#### **5.25.1 Normal Farm Practice Waiver**

- (a) A Normal Farm Practice Waiver may be applied for where:
  - (i) The Site Alteration is deemed to be a Normal Farm Practice in accordance with the Ministry of Agriculture, Food and Rural Affairs and to the satisfaction of the Designated Official;
  - (ii) All disputes will follow the Farm Practices Conflict Resolution Process as prescribed by the Ministry of Agriculture, Food and Rural Affairs.
- (b) Application Requirements for a Normal Farm Practice Waiver:
  - (i) A complete Normal Farm Practice Site Alteration Waiver Application must be submitted to the Township using the prescribed form, as amended from time to time;
  - (ii) No application fee is required; however, the Owner shall be responsible for any third-party cost and recoveries if an external review is required as determined by the Designated Official;
  - (iii) A justification report prepared by a qualified person must be submitted demonstrating that the Site Alteration is considered a Normal Farm Practice in accordance with the Ministry of Agriculture, Food and Rural Affairs and to the satisfaction of the Designated Official and demonstrating the need for the proposed amount of fill being imported to the site;
  - (iv) Security shall be provided to the Township in a form and amount to be determined in accordance with Schedule "C" to this By-law;
  - (v) Sufficient documentation must be submitted, to the satisfaction of the Designated Official, to demonstrate that the Site Alteration will not cause an Adverse Effect;
  - (vi) Where the Site Alteration will involve the importation of Fill from off-site, documentation is to be provided to the Township to the satisfaction of the Designated Official including but not limited to:

- i. The amount of Fill being imported from off-site in cubic metres;
  - ii. Documentation that the Fill complies with the parameters as set out in Section 3.8 of this By-law;
  - iii. Documentation pertaining to the collection and laboratory analysis of samples of the Fill;
  - iv. Documentation setting out the evaluation of the Fill sample results;
  - v. Quality Control/Quality Assurance Program; and
  - vi. Source Site confirmation;
- (vii) A Control Plan must be completed per Schedule B, or aspects of the Control Plan as determined by the Designated Official;
- (viii) All required permits or approvals by any external agency having jurisdiction are required in order for a Normal Farm Practice Site Alteration Waiver to be issued, including but not limited to the Conservation Authority, Wellington Source Water Protection, and the County of Wellington;
- (ix) Submission of an approved haul route including road maintenance obligations, in accordance with the Township Road Activity By-law for the importation of Fill to or the removal of Fill from the Property;
- (x) Submission of an approved schedule and timing of the Site Alteration activities such that no activities occur, at a minimum:
- i. Between the hours of 7:00 p.m. and 7:00 a.m.;
  - ii. During any period in which a wind warning has been issued by Environment Canada;
  - iii. During any weather conditions where the ability to mitigate Site Alteration activity impacts is severely compromised (e.g., heavy rain, etc.); and
  - iv. During any situation where Site Alteration activities can unduly impact adjacent landowners (e.g., brush fires, floods, unsuitable road conditions, etc.).
- (c) Approval/Refusal Process for a Normal Farm Practice Waiver:
- (i) All Normal Farm Practice Site Alteration Waiver applications are subject to a staff review and comment period. Conditions not described in this By-law may form part of the Waiver;
  - (ii) The Normal Farm Practice Site Alteration Waiver shall be provided to the Owner by the Township's Designated Official in writing and posted on the Township website.
  - (iii) All Normal Farm Practice Waivers are subject to a staff review and comment period, which may form part of the Site Alteration Agreement and may include conditions not described in this By-law;

#### **5.35.2 Minor Site Alteration Permit Requirements**

- (a) A Minor Site Alteration Permit Application may be applied for where:
- (i) The cumulative volume of Fill over a five (5)-year period per property, does not exceed the maximum of 350 cubic metres (35 Truckloads) subject to the area suitable for alteration;
  - (ii) The maximum volume of Fill is calculated by the area of the property suitable for alteration (the Property area excluding buildings, structures, environmental features, and fixed features to a maximum of 1 hectare) multiplied by the maximum permitted amount of Fill (350 cubic metres). Example:

$$1\text{ha suitable area} \times 350\text{m}^3 = 350\text{m}^3$$

OR

0.4ha suitable area x 350m<sup>3</sup> = 140m<sup>3</sup>

- (iii) A change in Grade is proposed to be less than 13 metres above or below the Existing Grade;
  - (iv) The proposed Site Alteration area is less than 1 hectare in land size;
  - (v) The Site Alteration is setback a minimum of 30 metres from all property boundaries watercourses and drainage swales;
  - (vi) The Site Alteration does not change or impact any natural drainage patterns;
  - (vii) The Site Alteration does not require a retaining wall;
  - (viii) The Site Alteration does not have slopes steeper than 3:1;
  - (ix) The Site Alteration is not within an area regulated by the Conservation Authority; and
  - (x) The Site Alteration of land does not meet the definition of [IntermediateStandard](#) Site Alteration, provided that it meets all other provisions of this By-law.
- (b) Application Requirements for Minor Site Alteration Permit:
- (i) A complete [IntermediateStandard](#) Site Alteration Application must be submitted using the prescribed form, as amended from time to time;
  - (ii) Payment of the prescribed fee as listed in the Township User Fees and Charges By-law;
  - (iii) The Owner shall be responsible for any third-party cost and recoveries if an external review is required as determined by the Designated Official;
  - (iv) Submission of sufficient documentation, to the satisfaction of the Designated Official, to demonstrate that the Site Alteration will not cause an Adverse Effect;
  - (v) Where the Site Alteration will involve the importation of Fill from off-site, documentation is to be provided to the Township to the satisfaction of the Designated Official including but not limited to:
    - i. The amount of Fill being imported from off-site in cubic metres;
    - ii. Documentation that the Fill complies with the parameters as set out in Section 3.8 of this By-law;
    - iii. Documentation pertaining to the collection and laboratory analysis of samples of the Fill;
    - vii. Documentation setting out the evaluation of the Fill sample results;
    - iv. Quality Control/Quality Assurance Program; and
    - v. Source Site confirmation;
    - ~~v.vi.~~ A justification report prepared by a qualified person may be required to be submitted demonstrating the need for the proposed amount of fill being imported to the site;
  - (vi) A Control Plan must be completed per Schedule B, or aspects of the Control Plan as determined by the Designated Official;
  - (vii) A Site Alteration and Fill Management Plan must be prepared by a Qualified Person;
  - (viii) Confirmation from the Owner and Qualified Person must be submitted confirming that the Qualified Person will be present at the Property and be responsible for all activities associated with the Site Alteration at all times while activities are taking place;

- (ix) Additional conditions may be included in the Permit as determined by the Designated Official;
- (x) All required permits or approvals by any external agency having jurisdiction are required, including but not limited to the Conservation Authority, Source Water Protection, and the County of Wellington;
- (xi) Submission of an approved haul route including road maintenance obligations, in accordance with the Township Road Activity By-law for the importation of Fill to or the removal of Fill from the Property;
- (xii) Submission of an approved schedule and timing of the Site Alteration activities such that no activities occur:
  - i. Between the hours of 5:00 p.m. and 8:30 a.m. Monday to Friday;
  - ii. Anytime on a Saturday, Sunday or Statutory Holiday;
  - iii. During any period in which a wind warning has been issued by Environment Canada;
  - iv. During any weather conditions where the ability to mitigate Site Alteration activity impacts is severely compromised (e.g., heavy rain, etc.); and
  - v. During any situation where Site Alteration activities can unduly impact adjacent landowners (e.g., brush fires, floods, unsuitable road conditions, etc.).
- (c) Approval/Refusal Process for a Minor Site Alteration Permit:
  - (i) All Minor Site Alteration Applications are subject to a staff review and comment period, which may form part of the Site Alteration Permit and may include conditions not described in this By-law;
  - (ii) Security shall be provided to the Township in a form and amount to be determined in accordance with Schedule "C" to this By-law;
  - (iii) The Site Alteration Permit shall be provided to the Owner by the Township's Designated Official in writing and posted on the Township website.

#### **5-45.3 IntermediateStandard Site Alteration Permit Requirements**

- (a) A [IntermediateStandard](#) Site Alteration Permit Application may be applied for where:
  - (i) The cumulative volume of Fill over a five (5) year period per property, does not exceed the maximum of 1000 cubic metres (100 Truckloads);
  - (ii) A change in Grade is proposed to be less than [1.5-3](#) metres above or below the Existing Grade;
  - (iii) The proposed Site Alteration area is less than 1 hectare in land size; and
  - (iv) The Site Alteration of land does not meet the definition of Large Site Alteration, provided that it meets all other provisions of this By-law.
- (b) Application Requirements for a [IntermediateStandard](#) Site Alteration Permit:
  - (i) A complete [IntermediateStandard](#) Site Alteration Application must be submitted using the prescribed form, as amended from time to time;
  - (ii) Payment of the prescribed fee as listed in the Township User Fees and Charges By-law;
  - (iii) The Owner shall be responsible for any third-party cost and recoveries if an external review is required as determined by the Designated Official;
  - (iv) Sufficient documentation, to the satisfaction of the Designated Official, must be submitted to demonstrate that the Site Alteration will not cause an Adverse Effect;

- (v) Where the Site Alteration will involve the importation of Fill from off-site, documentation is to be provided to the Township to the satisfaction of the Designated Official including but not limited to:
- i. The amount of Fill being imported from off-site in cubic metres;
  - ii. Documentation that the Fill complies with the parameters as set out in Section 3.8 of this By-law;
  - iii. Documentation pertaining to the collection and laboratory analysis of samples of the Fill;
  - iv. Documentation setting out the evaluation of the Fill sample results;
  - v. Quality Control/Quality Assurance Program; and
  - vi. Source Site confirmation;
  - ~~vii.~~ A justification report prepared by a qualified person may be required to be submitted demonstrating the need for the proposed amount of fill being imported to the site;
- (vi) A Control Plan completed per Schedule B, or aspects of the Control Plan as determined by the Designated Official;
- (vii) If Site-specific standards for Soil quality acceptance have been developed using the MECP's Beneficial Reuse Assessment Tool (BRAT), a copy of the BRAT model input and output and a signed statement by the Qualified Person that prepared the BRAT model must be submitted;
- (viii) If Site-specific standards for Soil quality acceptance have been developed using a risk assessment pursuant to the requirements in the Rules for Soil Management and Excess Soil Quality Standards, a copy of the risk assessment and a signed statement by the Qualified Person that prepared the risk assessment model must be submitted;
- (ix) A Site Alteration and Fill Management Plan must be prepared by a Qualified Person;
- (x) Confirmation from the Owner and Qualified Person must be submitted confirming that the Qualified Person will be present at the Property and be responsible for all activities associated with the Site Alteration at all times while activities are taking place;
- (xi) Additional conditions may be included in the Permit as determined by the Designated Official;
- (xii) All required permits or approvals by any external agency having jurisdiction are required, including but not limited to the Conservation Authority, Source Water Protection, and the County of Wellington;
- (xiii) Submission of an approved haul route including road maintenance obligations, in accordance with the Township Road Activity By-law for the importation of Fill to or the removal of Fill from the Property;
- (xiv) Submission of an approved schedule and timing of the Site Alteration activities such that no activities occur:
- i. Between the hours of 5:00 p.m. and 8:30 a.m. Monday to Friday;
  - ii. Anytime on a Saturday, Sunday or Statutory Holiday;
  - iii. During any period in which a wind warning has been issued by Environment Canada;
  - iv. During any weather conditions where the ability to mitigate Site Alteration activity impacts is severely compromised (e.g., heavy rain, etc.); and

- v. During any situation where Site Alteration activities can unduly impact adjacent landowners (e.g., brush fires, floods, unsuitable road conditions, etc.).
- (c) Approval/Refusal Process for a [Intermediate Standard](#) Site Alteration Permit:
- (i) All [Intermediate Standard](#) Site Alteration Applications are subject to a staff review and comment period, which may form part of the Site Alteration Agreement and may include conditions not described in this By-law;
  - (ii) A legal agreement between the Owner and the Township shall be executed and registered on title and released from title upon successful completion of all required work as outlined in the Permit and at the direction of the Designated Official;
  - (iii) Security shall be provided to the Township in a form and amount to be determined in accordance with Schedule "C" to this By-law;
  - (iv) The Site Alteration Permit shall be provided to the Owner by the Township's Designated Official in writing and posted on the Township website.

#### **5.55.4 Large Site Alteration Permit Requirements**

- (a) A Large Site Alteration Permit Application may be applied for where:
- (i) The cumulative volume of Fill over a five (5) year period per property, does not exceed the maximum of 10,000 cubic metres (1000 Truckloads); or
  - (ii) A change in Grade is proposed to be [greater less](#) than 3 metres above or below the Existing Grade; or
  - (iii) The proposed Site Alteration area is greater than 1 hectare in land size; and
  - (iv) The Site Alteration of land does not meet the definition of Major Site Alteration provided that it meets all other provisions of this By-law.
- (b) Application Requirements for a Large Site Alteration Permit:
- (i) A complete Large Site Alteration Application must be submitted using the prescribed form, as amended from time to time;
  - (ii) Payment of the prescribed fee as listed in the Township User Fees and Charges By-law;
  - (iii) The Owner shall be responsible for any third-party cost and recoveries if an external review is required as determined by the Designated Official;
  - (iv) Sufficient documentation must be submitted, to the satisfaction of the Designated Official, to demonstrate that the Site Alteration will not cause an Adverse Effect;
  - (v) Where the Site Alteration will involve the importation of Fill from off-site, documentation is to be provided to the Township to the satisfaction of the Designated Official including but not limited to:
    - i. The amount of Fill being imported from off-site in cubic metres;
    - ii. Documentation that the Fill complies with the parameters as set out in Section 3.8 of this By-law;
    - iii. Documentation pertaining to the collection and laboratory analysis of samples of the Fill;
    - iv. Documentation setting out the evaluation of the Fill sample results;
    - v. Quality Control/Quality Assurance Program; and
    - [vi.](#) Source Site confirmation;

~~vi.~~vii. [A justification report prepared by a qualified person is required to be submitted demonstrating the need for the proposed amount of fill being imported to the site;](#)

- (vi) A Control Plan must be completed per Schedule B, or aspects of the Control Plan as determined by the Designated Official;
  - (vii) If Site-specific standards for Soil quality acceptance have been developed using the MECP's BRAT, a copy of the BRAT model input and output and a signed statement by the Qualified Person that prepared the BRAT model must be submitted;
  - (viii) If Site-specific standards for Soil quality acceptance have been developed using a risk assessment pursuant to the requirements in the Rules for Soil Management and Excess Soil Quality Standards, a copy of the risk assessment and a signed statement by the Qualified Person that prepared the risk assessment model must be submitted;
  - (ix) A Site Alteration and Fill Management Plan prepared by a Qualified Person;
  - (x) Confirmation from the Owner and Qualified Person must be submitted confirming that the Qualified Person will be present at the Property and be responsible for all activities associated with the Site Alteration at all times while activities are taking place;
  - (xi) Additional conditions may be included in the Permit as determined by the Designated Official;
  - (xii) All required permits or approvals by any external agency having jurisdiction are required, including but not limited to the Conservation Authority, Source Water Protection, and the County of Wellington;
  - (xiii) Submission of an approved haul route including road maintenance obligations, in accordance with the Township Road Activity By-law for the importation of Fill to or for the removal of Fill from the Property;
  - (xiv) Submission of an approved schedule and timing of the Site Alteration activities such that no activities occur:
    - i. Between the hours of 5:00 p.m. and 8:30 a.m. Monday to Friday;
    - ii. Anytime on a Saturday, Sunday, or Statutory Holiday;
    - iii. During any period in which a wind warning has been issued by Environment Canada;
    - iv. During any weather conditions where the ability to mitigate Site Alteration activity impacts is severely compromised (e.g., heavy rain, etc.); and
    - v. During any situation where Site Alteration activities can unduly impact adjacent landowners (e.g., brush fires, floods, unsuitable road conditions, etc.).
- (c) Approval/Refusal Process for a Large Site Alteration Permit:
- (i) Once a complete application has been received, all property owners within a 120-metre radius of the subject property shall be notified of the details of the project;
  - (ii) All Large Site Alteration Applications are subject to a 30-day comment period commencing when neighbour notification takes place;
  - (iii) All Large Site Alteration Applications are subject to a staff review of public comments received which may form part of the Site Alteration Agreement and may include conditions not described in this By-law;
  - (iv) A legal agreement between the Owner and the Township shall be executed and registered on title and released from title upon successful completion of all required work as outlined in the Permit and at the direction of the Designated Official;

- (v) Security shall be provided to the Township in a form and amount to be determined in accordance with Schedule "C" to this By-law;
- (vi) The Site Alteration Permit shall be provided to the Owner by the Township's Designated Official in writing and posted on the Township website;
- (vii) The Township CAO may request that certain Large Site Alteration Applications be considered by the Council prior to final approval.

#### **5.65.5 Major Site Alteration Permit Requirements**

- (a) A Major Site Alteration Permit Application may be applied for where:
  - (i) The cumulative volume of Fill over a five (5) year period per property, exceeds 10,000 cubic metres (1000 Truckloads); or
  - ~~(i)(ii)~~ Where a change in grade is proposed to be greater than 3 metres above or below the existing grade-
- (b) Application Requirements for a Large Site Alteration Permit:
  - (i) A complete Major Site Alteration Application must be submitted using the prescribed form, as amended from time to time;
  - (ii) Payment of the prescribed fee as listed in the Township User Fees and Charges By-law;
  - (iii) The Owner shall be responsible for any third-party cost and recoveries if an external review is required as determined by the Designated Official;
  - (iv) Sufficient documentation must be submitted, to the satisfaction of the Designated Official, to demonstrate that the Site Alteration will not cause an Adverse Effect;
  - (v) Where the Site Alteration will involve the importation of Fill from off-site, documentation is to be provided to the Township to the satisfaction of the Designated Official including but not limited to:
    - i. The amount of Fill being imported from off-site in cubic metres;
    - ii. Documentation that the Fill complies with the parameters as set out in Section 3.8 of this By-law;
    - iii. Documentation pertaining to the collection and laboratory analysis of samples of the Fill;
    - iv. Documentation setting out the evaluation of the Fill sample results;
    - v. Quality Control/Quality Assurance Program; and
    - vi. Source Site confirmation;
    - vi-vii. A justification report prepared by a qualified person is required to be submitted demonstrating the need for the proposed amount of fill being imported to the site;
  - (vi) A Control Plan completed per Schedule B;
  - (vii) If Site-specific standards for Soil quality acceptance have been developed using the MECP's BRAT, a copy of the BRAT model input and output and a signed statement by the Qualified Person that prepared the BRAT model must be submitted;
  - (viii) If Site-specific standards for Soil quality acceptance have been developed using a risk assessment pursuant to the requirements in the Rules for Soil Management and Excess Soil Quality Standards, a copy of the risk assessment and a signed statement by the Qualified Person that prepared the risk assessment model must be submitted;

- (ix) A Site Alteration and Fill Management Plan must be prepared by a Qualified Person;
  - (x) Confirmation from the Owner and Qualified Person that the Qualified Person will be present at the Property and be responsible for all activities associated with the Site Alteration at all times while activities are taking place;
  - (xi) Additional conditions may be included in the Permit as determined by the Designated Official;
  - (xii) All required permits or approvals by any external agency having jurisdiction are required, including but not limited to the Conservation Authority, Source Water Protection, and the County of Wellington;
  - (xiii) Submission of an approved haul route including road maintenance obligations, in accordance with the Township Road Activity By-law for the importation of Fill or for the removal of Fill from the Property;
  - (xiv) Submission of an approved schedule and timing of the Site Alteration activities such that no activities occur:
    - i. Between the hours of 5:00 p.m. and 8:30 a.m. Monday to Friday;
    - ii. Anytime on a Saturday, Sunday, or Statutory Holiday;
    - iii. During any period in which a wind warning has been issued by Environment Canada;
    - iv. During any weather conditions where the ability to mitigate Site Alteration activity impacts is severely compromised (e.g., heavy rain, etc.); and
    - v. During any situation where Site Alteration activities can unduly impact adjacent landowners (e.g., brush fires, floods, unsuitable road conditions, etc.).
- (c) Approval/Refusal Process for a Large Site Alteration Permit:
- (i) Once a complete application has been received, a Public Information Meeting shall be scheduled;
  - (ii) All property owners within a 120-metre radius of the subject property shall be notified of the details of the project and notified of the scheduled Public Information Meeting;
  - (iii) Council approval is required for all Major Site Alteration Applications;
  - (iv) All Major Site Alteration Applications are subject to a 30-day comment period commencing when neighbour notification takes place;
  - (v) All Major Site Alteration Applications are subject to a staff review of public comments received which may form part of the Site Alteration Agreement and may include conditions not described in this By-law;
  - (vi) Subject to Council approval, a legal agreement between the Owner and the Township shall be executed and registered on title and released from title upon successful completion of all required work as outlined in the Permit and at the direction of the Designated Official;
  - (vii) Security shall be provided to the Township in a form and amount to be determined in accordance with Schedule "C" to this By-law;
  - (viii) The Site Alteration Permit shall be provided to the Owner by the Township's Designated Official in writing and posted on the Township website;
  - (ix) A Permit may be refused when the requirements of this By-law have not been met. Where the Designated Official/Council refuses to issue a Site Alteration Permit, the applicant shall be informed in writing of the refusal. The Application may be reconsidered, if additional information or documentation required by the Designated Official is submitted by the applicant.

## **6. ABANDONMENT, EXPIRY, RENEWAL, TRANSFER, REVOCATION, AMENDMENT AND CLOSURE OF PERMITS**

### **6.1 Abandoned Application**

- (a) An Application for a Permit will be deemed abandoned and the Application and respective file will be closed, where a period of twelve (12) months has elapsed during which:
  - (i) The Person applying for a Permit has not provided all information, documents, fees and deposits as required by the Designated Official including any new submissions that may be required;
  - (ii) The Application has been placed on hold or in abeyance; or
  - (iii) The Application has not seen meaningful progress through submissions towards the issuance of a Permit.

### **6.2 Expiry**

- (a) A Permit for all types of Site Alteration will be issued for a period of one year and expires on the date set out in the Permit unless otherwise specified as a condition of the Permit.
- (b) Every Owner shall satisfy all Conditions of the Permit, even if the Permit is expired, and shall also provide the Township with the following at the discretion of the Designated Official:
  - (i) A letter of acknowledgment of the filing of a Record of Site Condition (in accordance with Ontario Regulation 153/04, as amended);
  - (ii) A completed final topographic survey confirming the Approved Grade; and
  - (iii) Proof of completion of all Permit Conditions.

### **6.3 Transfer**

- (a) If title to the Property for which a Permit has been issued is transferred while the Permit is in effect, the Permit shall be automatically revoked unless the new Owner, prior to the time of the transfer, provides the Township with an undertaking, to the satisfaction of the Director, to comply with all Conditions under which the Permit was issued.

### **6.4 Revocation**

- (a) The Designated Official may at any time and without notice revoke a Permit for any of the following reasons:
  - (i) It was obtained based on mistaken, false or incorrect information;
  - (ii) It was issued in error;
  - (iii) The Property Owner and/or Permit holder requests in writing that it be revoked;
  - (iv) The Permit holder has failed to comply with any of the Conditions of the Permit; or
  - (v) The Permit holder is unwilling or unable to comply with the Conditions of an Order.

### **6.5 Amendment**

- (a) An Applicant or Owner may submit a request to the Designated Official for an amendment to a Permit based on proposed changes to the details of the initial Application as reflected in the Conditions.

### **6.6 Renewal**

- (a) An Applicant or Owner may submit a request to the Designated Official for a renewal of a Permit if the only change from the initial Application and Conditions is the timeline and expiry date.

## 6.7 Closure

- (a) A Permit is considered closed when all the Conditions and Orders related to the Permit have been fulfilled to the satisfaction of the Designated Official, at which time all unexpended deposits and securities held by the Township shall be released to the Applicant unless an agreement specifies otherwise.

## 7. ENFORCEMENT

### 7.1 Inspectors and Designated Official

- (a) This By-law may be enforced by Inspectors and/or the Designated Official. Without limiting/restricting any other power, duty or function granted by this By-law, Inspectors and/or the Designated Official may: give direction, issue an Order to discontinue or to perform work and further give verbal or written direction and may enter Property and/or carry out and direct whatever inspections, are reasonably required to determine compliance with this By-law.
- (b) An Inspector and/or the Designated Official may issue an Order under this By-law to any Person believed to be contravening or have contravened any provision of this By-law.
- (c) An Order may include but is not limited to:
  - (i) Immediately desist from the activity constituting or contributing to such contravention; and
  - (ii) Take immediate action to mitigate and/or remediate the impacts of the activity.

### 7.2 Entry and Inspection

- (a) Inspectors and the Designated Official may, at any reasonable time:
  - (i) Enter and inspect Property to determine compliance with the provisions of this By-law, or any Condition of a Permit, or Order issued under this By-law. This power of entry does not allow entry into any dwelling;
  - (ii) Enter the Property to collect information, take photographs, videos, measurements, readings and samples (air, surface water, groundwater, soil, materials, etc.);
  - (iii) Require the production of copies of reports, manifests or other documentation for the purposes of auditing any Site Alteration or compliance with the Conditions of a Permit, agreement or Order; and
  - (iv) Require the production of documents for inspection or things relevant to the inspection, inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts.

### 7.3 Duty to Identify

- (a) Where an Inspector has reasonable grounds to believe that an offence has been committed by a Person, the Inspector may require the name, address, and proof of identity of that Person, and the Person shall supply the required information.

### 7.4 Obstruction

- (a) No Person shall hinder or obstruct or attempt to obstruct the Designated Official Inspector, or person in the discharge of duties under this By-law as required by the Designated Official or Inspector in order to bring a Property into compliance with this By-law or an Order issued under this By-law.
- (b) No person shall provide false information in any statement, whether orally, in writing or otherwise, made to an Inspector or the Designated Official.
- (c) No Person shall hinder or obstruct, or attempt to hinder or obstruct, any Inspector or Designated Official who is exercising a power or performing a duty under this By-law.

### 7.5 Obey Order

- (a) No Person shall fail to obey an Order issued under this By-law.

## 7.6 Presumption

- (a) Where any Site Alteration occurs, is undertaken, caused, or permitted on any Property, the Owner of the Property is presumed to have undertaken, caused, or permitted the Site Alteration to occur, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.

## 8. ORDERS

### 8.1 Contravention

- (a) If an Inspector or the Designated Official is satisfied that a person has undertaken, caused, permitted, allowed, or performed a Site Alteration in contravention of the provisions of this By-law, the Conditions of a Permit, and/or an agreement pursuant to this By-law, the Inspector may issue an Order requiring work to be done to correct the contravention.
- (b) Orders issued shall contain the municipal address and/or the legal description of the Property, and shall set out:
  - (i) Reasonable particulars of the contravention, the work to be done, any work or action required to cease or be undertaken to rectify the contravention, and the period within which there must be compliance with the Order; and
  - (ii) Notification that if the work or action is not done, or ceased, as the case may be, in compliance with the Order within the period specified, the Township may have the work done at the expense of the Owner and seek penalties as set out in this By-law.

### 8.2 Order Served

- (a) Orders issued by an Inspector under this By-law shall be served as follows:
  - (i) Personally, or by prepaid registered mail to the last known address of the Owner, the Permit holder and any other Person to whom the Order is issued; or
  - (ii) If the Township is unable to effect service on the Owner, a placard containing the terms of the Order may be placed in a conspicuous place on the Property and the placing of the placard shall be deemed to be service of the Order.

### 8.3 Order Deemed to be Served

- (a) If an Order is served on a Person by registered mail, it shall be deemed to have been served on the Person on the fifth (5<sup>th</sup>) day after the mailing of the order, which deemed service may be rebutted by the Person proving, on a balance of probabilities, that they did not receive the Order.
- (b) An Order may also be issued to a new Owner in any case where ownership of the Property has changed but the offence continues or remains.

## 9. WORK DONE BY THE TOWNSHIP

### 9.1 Remedial Action

- (a) If the Conditions of an Order made under this By-law are not complied with within the period specified in the Order, in addition to all other remedies it may have, the Township may undertake any activity to fulfill any of the Conditions of a Permit or Order at the Owner's expense and may enter upon Property at any reasonable time for this purpose.

## 10. PENALTY AND OFFENCE

### 10.1 Offence

- (a) Every Person who contravenes: (i) any provision of this By-law, (ii) a Condition of a Permit issued under this By-Law, and/or (iii) an Order issued under this By-law, is guilty of an offence and upon conviction is liable to the penalties provided for in this By-law and provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended.

- (b) If an Order has been issued under this By-law, and the Order has not been complied with, the contravention of the Order shall be deemed to be a continuing offence for each day or part of a day that the Order is not complied with.

**10.2 Penalties**

- (a) Every Person who is guilty of a non-continuing offence under this By-law shall be subject to the following penalties:
  - (i) Upon a first conviction under this By-law, to a fine of not less than \$500 and not more than \$50,000 per offence;
  - (ii) Upon a second or subsequent conviction under this By-law, to a fine of not less than \$500 and not more than \$100,000 per offence;
- (b) Every Person who is guilty of a continuing offence under this By-law shall upon conviction be subject to a fine of not less than \$500 and not more than \$10,000 for each day or part of a day that the offence continues up to a maximum of \$100,000 per continuing offence.
- (c) When a Person has been convicted of an offence under this By-law, the Ontario Court of Justice or any Court of competent jurisdiction thereafter may, in addition to any other penalty or remedy imposed on the Person convicted, make an Order:
  - (i) prohibiting the continuation or repetition of the offence by the Person convicted; and/or
  - (ii) requiring the Person convicted to remove material from, repair or rehabilitate, at the convicted Person's expense, a property or undertaking to achieve compliance with this By-law within such reasonable time as the Court orders.
- (a) The Township may recover its costs of remedying a violation of this By-law by invoicing the Owner, by instituting court proceedings or by adding the cost, including interest, to the tax roll, and the exercise of any other available remedy.

**11. TRANSITION PROVISION**

- (a) Notwithstanding the repeal of By-law 2012-31 and all amendments thereto, that by-law shall continue to apply to any acts, omissions, or occurrences, and to any offences that took place prior to the enactment of this By-law.

**12. EFFECTIVE DATES & REPEAL OF PREDECESSOR BY-LAW**

- (a) This By-law Repeals By-laws 2012-31, 2015-11, 2015-45, 2015-49, 2021-01, and 2021-20.
- (b) This By-law shall come into force and effect upon its passage, at which time By-law 2012-31, and all amendments thereto shall hereby be repealed.

READ a FIRST time this 20 day of DECEMBER, 2023

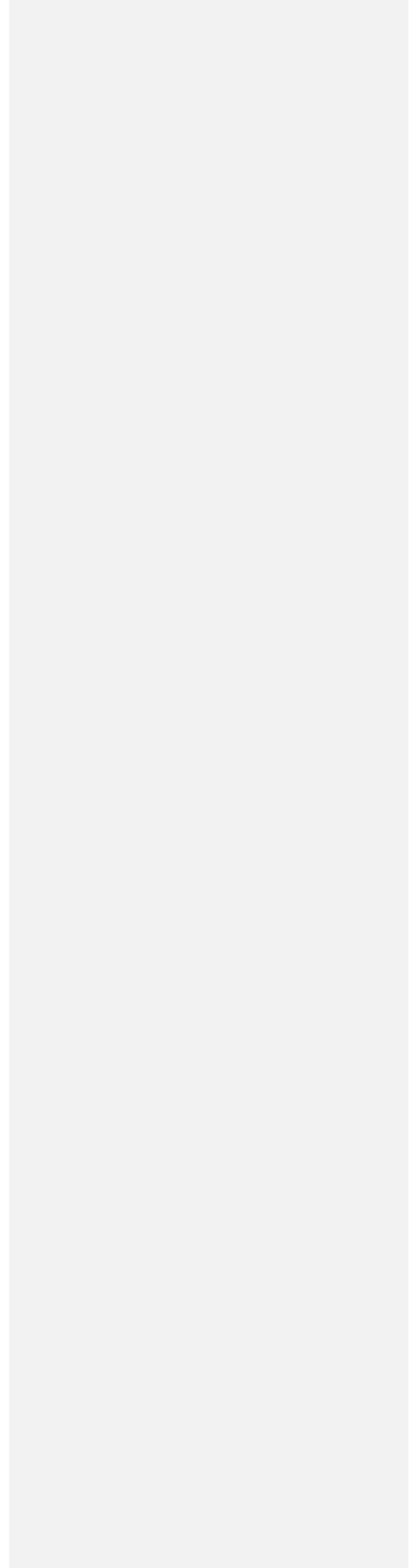
READ a SECOND time this 10 day of JANUARY, 2023

READ a THIRD time and FINALLY PASSED this 7 day of FEBRUARY, 2024.

\_\_\_\_\_  
James Seeley, Mayor

\_\_\_\_\_  
Courtenay Hoytfox, Clerk

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## SCHEDULE "A"

### REFERENCES REGULATIONS, STANDARDS AND GUIDELINES

1. Environmental Protection Act, R.S.O. 1990, c. E.19 - <https://www.ontario.ca/laws/statute/90e19>
2. Ontario Ministry of the Environment, Conservation and Parks, Management of Excess Soil – A Guide for Best Management Practices - <https://www.ontario.ca/page/management-excess-soil-guide-best-management-practices>
3. Ontario Ministry of the Environment, Conservation and Parks, Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act (July 1, 2011) - <https://www.ontario.ca/page/soil-ground-water-and-sediment-standards-use-under-part-xv1-environmental-protection-act>
4. Ontario Regulation 153/04: Record of Site Condition - <https://www.ontario.ca/laws/regulation/040153>
5. Regulation 347: General – Waste Management - <https://www.ontario.ca/laws/regulation/900347>
6. Ontario Regulation 406/19: On-site and Excess Soil Management - <https://www.ontario.ca/laws/regulation/190406#BK5>
7. Ontario Ministry of the Environment, Conservation and Parks Rules for Soil Management and Excess Soil Quality Standards - <https://www.ontario.ca/page/rules-soil-management-and-excess-soil-quality-standards>
8. Ontario Ministry of the Environment, Conservation and Parks Excess Soil Beneficial Reuse Assessment Tool (BRAT) - [https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fprod-environmental-registry.s3.amazonaws.com%2F2020-12%2FBeneficial%2520Reuse%2520Assessment%2520Tool\\_BRAT%2520%2528Dated%252008%2520Dec%25202020%2529\\_0.xlsx&wdOrigin=BROWSELINK](https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fprod-environmental-registry.s3.amazonaws.com%2F2020-12%2FBeneficial%2520Reuse%2520Assessment%2520Tool_BRAT%2520%2528Dated%252008%2520Dec%25202020%2529_0.xlsx&wdOrigin=BROWSELINK)
9. Ontario Water Resources Act, R.S.O. 1990, c. O.40 – <https://www.ontario.ca/laws/statute/90o40>
10. Ontario Provincial Water Quality Objectives - <https://www.ontario.ca/page/water-management-policies-guidelines-provincial-water-quality-objectives>
11. [County of Wellington Conservation and Sustainable Use of Woodlands By-law 5115-09](#)
12. [Aggregate Resources Act](#), R.S.O. 1990, c.A.8, - <https://www.ontario.ca/laws/statute/90a08>
13. [Invasive Species Act, 2015](#), S.O. 2015, c.22 - <https://www.ontario.ca/laws/statute/15i22>
14. [Endangered Species Act](#), 2007, S.O. 2007, c. 6 <https://www.ontario.ca/laws/statute/07e06>
15. [Clean Water Act, 2006](#), S.O. 2006, c. 22 <https://www.ontario.ca/laws/statute/06c22>
15. Municipal Act, 2001, S.O. 2001, c. 25 <https://www.ontario.ca/laws/statute/01m25>

**SCHEDULE "B"**  
**CONTROL PLANS**

1. A control plan(s) required to be submitted as part of any Application for a Permit pursuant to this By-law shall include, among other things, the following:
  - (a) a key map showing the location of the Site;
  - (b) the Global Positioning System (GPS) coordinates of the centroid of the Site in terms of easting and northing;
  - (c) the Site boundaries and number of hectares of the Site;
  - (d) the use of the Site and the location and use of the buildings and other structures adjacent to the Site;
  - (e) the location, dimensions and use of existing and proposed buildings and other structures existing or proposed to be erected on the Site;
  - (f) the location of lakes, streams, wetlands, channels, ditches, other watercourses and other bodies of water on the Site and within thirty (30) metres beyond the Site boundary;
  - (g) the location of the predominant Soil types;
  - (h) the location size, species, and condition of all Trees as define in this By-law, including their dripline, and the composite dripline of all other Vegetation;
  - (i) the location of driveways on the lands and all easements and rights-of-way over, under, across or through the Site;
  - (j) the location and dimensions of any existing and proposed stormwater Drainage systems and natural Drainage patterns on the Site and within thirty (30) metres of the Site boundaries;
  - (k) the location and dimensions of utilities, structures, roads, rights-of-ways, easements, highways, and paving;
  - (l) the existing Site topography at a contour interval not to exceed 0.5 metres and to extend a minimum of thirty (30) metres beyond the Site boundaries;
  - (m) the Proposed Grade(s) and Drainage system(s) to be used upon completion of the work which is the subject of the Permit;
  - (n) the location and dimensions of all proposed work which is the subject of the Application for a Permit;
  - (o) the location and dimensions of all proposed temporary Topsoil or Fill stockpiles;
  - (p) the location, dimensions, design details and specifications of all work which is the subject of the Application including all Site Erosion and Dust Control measures or Retaining Walls necessary to meet the requirements of this By-law and the estimated cost of the same;
  - (q) a schedule of the anticipated starting and completion dates of all proposed work which is the subject of the Application for a Permit;
  - (r) a list of the type of equipment and machinery that will be used during the Site Alteration process including the expected days and times of operation in accordance with this By-law;
  - (s) provisions for the maintenance of construction Site Erosion and Dust Control measures during construction and after, as required;

- (t) typical notes on the final rehabilitation plan to indicate the final ground cover materials, type and size of Vegetation to be planted, depth of Topsoil, Tree removals or Tree protection measures;
  - (u) proposed Site access location(s) and haul route(s) to and within the Site;
  - (v) a description of the quality and source of the proposed Fill with confirmation that the Fill meets the applicable Excess Soil Quality Standards for the Site;
    - (i) if Site-specific standards for Soil quality acceptance have been developed using the MECP's Excess Soil Beneficial Reuse Assessment Tool (BRAT), a copy of the BRAT model input and output and a signed statement by the Qualified Person preparing the BRAT model;
    - (ii) If Site-specific standards for Soil quality acceptance have been developed using a risk assessment pursuant to the requirements in the Rules for Soil Management and Excess Soil Quality Standards, a copy of the risk assessment and a signed statement by the Qualified Person that prepared the risk assessment model must be submitted;
  - (w) a Sampling and Analysis Plan for the source of the proposed Fill;
  - (x) a Quality Assurance/Quality Control Program;
  - (y) the scale of drawings, either 1:500 or 1:1000;
  - (z) operational procedures manual;
  - (aa) for Site to receive greater than 10,000m<sup>3</sup>, and where required by the provisions of Ontario Regulation 406/19, as amended, file a notice on the Excess Soil Registry operated by RPRA; and
  - (bb) all other information as deemed necessary or required by the Designated Official.
2. Where a permit from the County of Wellington or the Township is required to use any portion of the proposed haul route, the issuance of, and conformity with such permit(s) shall be deemed to be a condition of the issuance of the Permit under this By-law.
  3. It shall be the responsibility of the Owner to ensure that all Fill which is Placed or Dumped under this By-law shall conform with, and meet the requirements of this By-law and all conditions of the Permit. At any time during the term of the Permit, an Inspector or the Designated Official may require evidence of such conformity, including without limiting the generality of the foregoing a requirement that the Permit Holder provide evidence to the satisfaction of the Designated Official that each Truckload complies with the requirements of this By-law.
  4. Every control plan accompanying an Application for a Permit under this By-law must be stamped by a Qualified Person approved by the Designated Official.
  5. Notwithstanding any other provisions of this By-law, the Designated Official may waive the requirement for a Control Plan or any part thereof, after taking into consideration the proposed works, the anticipated impact on the Site and the surrounding environment.

**SCHEDULE "C"**

**DETERMINATION OF FEES AND FINANCIAL SECURITY**

<b>Type of Revenue/User</b>	<b>Unit/Descr</b>	<b>2023 Rate (No Tax)</b>	<b>Comments</b>
Site Alteration Exception Waiver*	N/A	N/A	Subject to recovery of all actual third party costs.
Site Alteration Normal Farm Practices Waiver*	N/A	N/A	Subject to recovery of all actual third party costs.  May be required to provide a Security Deposit at the discretion of the Designated Official.
Site Alteration Permit Application Fee – Minor*	Administrative Fee	\$1,000	Non-refundable and due at the application submission for the coordination and administration of an application.  Subject to recovery of all actual third party costs.
Site Alteration Permit Security Deposit – Minor**	Security Deposit	\$3,000	Due prior to permit issuance.
Site Alteration Permit Application – Standard*	Administrative Fee	\$2,000	Non-refundable and due at the application submission for the coordination and administration of an application.  Subject to recovery of all actual third party costs.
Site Alteration Permit Security Deposit – Standard**	Security Deposit	\$5,000	Due prior to permit issuance.
Site Alteration Permit Application – Large*	Administrative Fee	\$3,500	Non-refundable and due at the application submission for the coordination and administration of an application.  Subject to recovery of all actual third party costs.
Site Alteration Permit Security Deposit – Large**	Security Deposit	\$10,000	Due prior to permit issuance.
Site Alteration Permit Application – Major*	Administrative Fee	\$5,000	Non-refundable and due at the application submission for the coordination and administration of an application.  Subject to recovery of all actual third party costs.
Site Alteration Permit Security Deposit – Major**	Security Deposit	To be Determined by the Designated Official	Due prior to permit issuance.
Site Alteration Permit Service Fee	Per cubic metre	\$0.24 per cubic metre	Applicable for Minor, Standard, Large, and Major applications.
Violation Fees***	N/A	N/A	Double all application fees.
Inspector Attendance at a property as a result of a verified violation	Per site attendance	\$150	Per site attendance by the Inspector as a result of a verified violation
Permit Renewal Fee	N/A	N/A	50% of the original application fees.

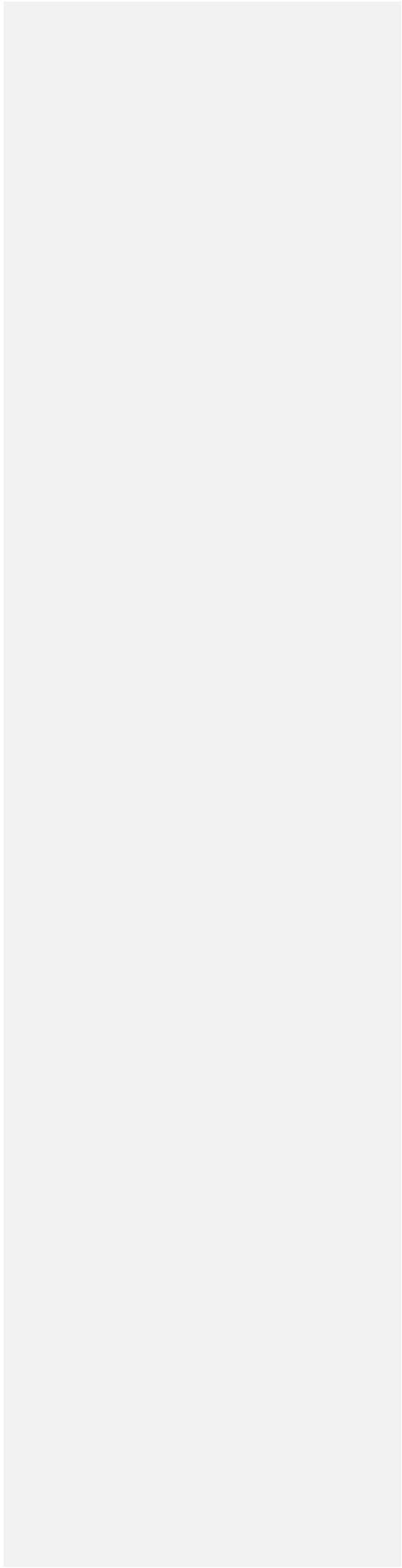
\*The Applicant is responsible for actual third party costs incurred by the Township for processing the application.

\*\* Security Deposit funds are held by the Township and will be returned to the applicant upon fulfillment of all Permit Conditions. Securities may be drawn upon at the direction of the Designated Official, where necessary, to ensure compliance with the conditions of the permit. This includes any

costs incurred by the Township related to enforcement of the permit conditions or the Site Alteration By-law. If the funds are drawn upon, the applicant is required to top of the funds to the amount determined in Schedule "B" or as determined by the Designated Official.

\*\*\* The Township may recover its costs of remedying a violation of this By-law by invoicing the Owner, by instituting court proceedings or by adding the cost, including interest, to the tax roll, and the exercise of any other available remedy.

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## THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

### BY-LAW 2023-058

A by-law to regulate Road Activity.

**WHEREAS** Section 8(1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, (“the Act”) provides the powers of a municipality under any Act shall be interpreted broadly so as to confer broad authority on municipalities to ensure them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues;

**AND WHEREAS** Section 9 of the Act, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act;

**AND WHEREAS** Section 11(3) 1 of the Act, provides that a municipality may pass by-laws within the following sphere of jurisdiction: Highways, including parking and traffic on Highways;

**AND WHEREAS** Section 23.2 (1)(c) and 23.2(5)1 of the Act authorizes a municipality to delegate its powers and duties to an individual who is an officer, employee or agent of the municipality to close a Highway temporarily;

**AND WHEREAS** Section 127 of the Act provides that a municipality may require the owner or occupant of land to clean and clear the land, clear refuse or debris from the land, prohibit the depositing of refuse or debris on land without the consent of the owner or occupant of the land and to define “refuse”;

**AND WHEREAS** Section 128 of the Act provides that a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances;

**AND WHEREAS** Section 444 of the Act, provides that a municipality may make an order to require a person to discontinue contravening a by-law and to do the work required to correct the contravention;

**AND WHEREAS** Section 446 of the Act, provides that a municipality may proceed to do things at a person’s expense which that person is otherwise required to do under a by-law, but has failed to do and the costs incurred by a municipality may be recovered by adding the costs to the tax roll and collecting them in the same manner as taxes;

**WHEREAS** Section 425 of the Act, permits a municipality to pass by-laws providing that any person who contravenes any by-law the municipality passed under the Act, is guilty of an offence; and

**WHEREAS** Section 426 (4) of the Act deems that any Person that hinders or obstructs, or attempts to hinder or obstruct, any Person who is exercising or performing a duty under this By-law created under the Act is guilty of an offence;

**NOW THEREFORE**, the Council of the Corporation of the Township of Puslinch HEREBY ENACTS AS FOLLOWS:

#### **PART 1 – TITLE, INTERPRETATION AND SEVERABILITY**

1. This By-law may be referred to as the “**Road Activity By-law**”.
2. Wherever a word is used in this By-law with its first letter capitalized, the term is being used as it is defined in Part 2 of this By-law. Where any word appears in ordinary case, the commonly applied English language meaning is intended.
3. Wherever a word defined in Part 2 of this By-law is used in the form of a noun, verb, adverb, or adjective, it shall be interpreted as having a corresponding defined meaning even if it is in ordinary case.
4. All words importing the singular shall include the plural, and words imparting the masculine gender shall include the feminine, and the converse of the foregoing also applies, unless the context of the By-law requires otherwise.
5. Headings are for reference purposes and shall not affect in any way the meaning or interpretation of the provisions of this by-law.
6. This By-law applies to all Properties and Highways within the Township.
7. If a court of competent jurisdiction declares any provision or part of a provision of this By-law to be invalid or to be of no force and effect, it is the intention of Council in enacting this By-law that the remainder of this By-law shall continue in force and be applied and enforced in accordance with its terms to the fullest extent possible according to law.

#### **PART 2 – DEFINITIONS**

8. For the purpose of this By-law:

“Applicable Law” means all federal, provincial and municipal by-laws, rules, regulations, orders, approvals, permits, standards and all other governmental requirements applicable to any activity on or occupancy of a Highway;

“Applicant” means the Owner of a Property and includes a Person authorized in writing to act on behalf of the Owner of a Property to apply for a Permit;

"Application" means a written submission to request or amend a Haul Route Permit, in a form prescribed by the Township;

"Boulevard" means that portion of every road allowance which is not used as a Sidewalk, driveway, traveled roadway or shoulder including any area where grass is growing or is seeded, or where an earth surface exists;

"By-law" means this by-law;

"Condition(s)" means the mandatory performance requirements outlined in a Permit or Order and may include the requirement for monetary deposits or Security(s) in connection with the Application;

"Director of Public Works" means the Director of the Township of Puslinch Public Works Department, or authorized representative;

"Fill" means any type of material that can be removed from (cut) or placed on (in-fill) land and may include, but is not limited to Soil, Excess Soil., Liquid Soil, Rock, Sod, Compost, Aggregate and Topsoil.

"Haul Route" means a route designated or approved by the Township for the purposes of ingress or egress to a Site Alteration as a condition of the Permit;

"Haul Route Permit" means a permit issued by the Township pursuant to the provisions of this By-law.

"Highway" " means a common and public highway and includes a street, bridge or other structure forming part of a highway over or across which a highway passes and includes the whole of a road allowance under the jurisdiction of the Township;

"Occupant" means the lessee, tenant, mortgagee in possession or any other Person who appears to have care and control of the Property;

"Officer" means a Person designated by the Township to enforce this By-law;

"Owner" means the registered Owner(s) of the Property;

"Performance Security" means a financial guarantee or assurance provided by an Applicant and/or Permit Holder to the Township.

"Person" includes individuals, firms, sole proprietorships, partnerships, associations, trusts, corporations, directors and officers of corporations, trustees, and agents, and the heirs, executors, assigns or other legal representatives of a person to whom the context can apply in law;

"Property" means lands including all buildings and structures on the land;

“Roadway” means that part of the Highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder or where a Highway includes two or more separate roadways, the term “Roadway” refers to any one roadway separately and not to all of the roadway collectively;

“Refuse” means waste, garbage, litter, rubbish, debris, material, refuse, and any other discarded or abandoned commodities of any kind whatsoever;

“Sidewalk” means that part of a Highway set aside by the Township for the use of pedestrians;

“Site Alteration” means any alteration to the existing grade of land through the removal(cut), placement (filling) or movement (relocation) of Fill;

“Snow Plow Driveway Marker” means a temporary, non-illuminated indicator or guide inserted with a vertical orientation into the ground on private Property or Township right of way that serves to mark the edge of a driveway for a licenced snow plow contractor;

“Township” means the Corporation of the Township of Puslinch or lands within the geographic limits of the Corporation of the Township of Puslinch, as the context requires;

“Vehicle” means a motor vehicle, trailer, traction engine, farm tractor, road building equipment, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or street car.

### **PART 3 – PROHIBITIONS**

9. Any Person that is subject to this By-law is guilty of an offence, if that person
- a. Permits oils, chemicals or substances to be deposited or spilled on a Highway including such substances deposited as a result of car maintenance activities, car rust prevention measures and the spillage of rust protecting substances and the general spillage of substances from vehicles;
  - b. Throws, pushes, plows, dumps or otherwise deposits snow or ice on a Highway;
  - c. Deposits, drops, scatters, stores, spills or throws any Refuse, filth, earth, ashes, manure, leaves, or garbage except as permitted in any Township by-law and except as allowed in the most current County of Wellington Waste By-law, or any amendment or re-enactment thereof, paper, hand bill, advertisement, or any vegetable matter, stone, lime, sand, tin, wood, the carcass of any dead animal, fish or fowl, in or upon a Highway;
  - d. Encumbers or damages a Highway by animals, Vehicles or other means;

- e. Permits or allows any Refuse, paper, hand bill, advertisement or any container, whether made of plastic, cardboard or paper, to be blown from private Property onto a Highway;
- f. Obstructs a drain, gutter or water course along or upon a Highway;
- g. Walks upon, rides, drives, or loads an animal, or moves, drives, runs or propels a vehicle upon, over or across a newly constructed Sidewalk or pavement before it has been opened for use by the public;
- h. Throws, piles, stores or causes any Refuse, material to be thrown or piled upon a Highway, except for the purpose of having it immediately delivered upon adjacent premises, nor shall any Person saw or split any cordwood or firewood upon a Highway or being the Owner of cordwood, firewood or topsoil shall be deposited on any Highway, or permit it to remain thereon for a longer time than is necessary for its immediate removal to the premises adjacent thereto;
- i. Places or exposes, or causes any merchandise or articles of any kind, to be placed or exposed upon a Highway or outside of a building so that the same shall project over any part of the Highway;
- j. Moves, or cause to be moved, a Vehicle equipped with cleats, flanges, or tracks on its wheels, or rollers, or any of them, on or along the traveled portion of the Highway, except by means of a float, trailer, or other similar device, providing that a Vehicle is so equipped including a Vehicle for the digging and backfilling of trenched, may be moved directly across the traveled portion of the Highway, if a preventative mat has first been laid on the surface of the portion of the Highway to be crossed, provided however that this paragraph shall not be applied when a Vehicle is operating with the written permission of the Director of Public Works;
- k. Removes a barricade or notice or enters upon or uses a Highway temporarily closed under the provisions of this or any Township by-law;
- l. Removes or moves a barricade, sign or light placed around any construction on a Highway;
- m. Allows any part of a tree, shrub, sapling, hedge or any other plant to extend over or upon any Highway, so as to interfere, with, impede or endanger Persons using the Highway.
- n. Breaks, digs up, destroys or damages the sod or grass of a boulevard, or a fence, or railing erected and maintained for the protection of the boulevard;

- o. Erects a fence, constructs a wall or plants a hedge, in, over, or upon a Highway.
- p. Pulls down, destroys, or in any way interferes with, any municipal structure, including but not limited to, any post, surveyor's mark, bench mark, traffic sign, Highway name sign, sign board, regulatory sign, traffic signal, traffic cone, or any other traffic control device, affixed, or placed upon a Highway;
- q. Permits any flood light to directly or indirectly illuminate a Highway without the written approval of the Director of Public Works;
- r. Hauls earth, sand, stone, or other substances on a Highway, loads their Vehicle or drives the same as to permit or cause the contents thereof to fall, spill or be deposited on a Highway;
- s. Brings a Vehicle or permits it to be brought upon a Highway with mud, clay, lime and similar material, or any fertilizer or manure attached to the wheels, which is likely if not removed, to cause an obstruction or dangerous condition or nuisance on a Highway or cause damage to the surface of the Highway;
- t. While hauling earth, sand, stone, or other substance, loads or drives their Vehicle so as to permit damage to a Highway;
- u. Fails to obtain a Haul Route Permit;
- v. While undertaking Highway activity associated with a Haul Route Permit, performs work outside of hours of 8:30am to 5:00pm Monday-Friday, or performs work on a weekend or statutory holiday;
- w. Fails to maintain an approved Haul Route in a good state of repair in accordance with the Haul Route Permit.

#### **PART 4 – HAUL ROUTE**

##### **Permit Required**

- 10. No Person shall undertake, or permit to be undertaken, the movement of Fill in connection with any activity regulated by the most current Site Alteration By-law using any Township Highway, without a Haul Route Permit.
- 11. All Highway activity associated with the approved Haul Route Permit shall comply with the Highway Traffic Act, and its regulations.

##### **Application — Minimum Requirements**

12. Every Application shall be completed and submitted on forms prescribed by the Township;
13. Every Application shall include:
  - a. A map showing the proposed Haul Route indicating any barricades or signs; and
  - b. A copy of the most current Site Alteration Application; and
  - c. The date(s) and time(s) that the Haul Route will be utilized; and
  - d. The prescribed fee as listed in the Township User Fees and Charges By-law, described in Section 14;
  - e. A Security Deposit described in Section 15;
  - f. Proof of Insurance described in Section 16;
  - g. Any other information or documentation that the Township deems necessary;

#### **Fees**

14. The Applicant shall:
  - a. Pay a Permit Application Fee in accordance with Schedule "B" to this By-law; and
  - b. Where road activities occur in the absence of Township approval, violation fees shall be charged amounting in double all application fees.

#### **Security Deposit**

15. The Applicant shall provide the Township with securities in the amount to be determined by the Director of Public Works, in the form of cash or an irrevocable Letter of Credit on terms satisfactory to the Township ('Performance Security'). If the Performance Security is less than the amount determined by the Director of Public Works, at any point in time during the Haul Route Permit period, the Permit Holder shall be required to replenish forthwith.

#### **Proof of Insurance and Indemnification**

16. The Applicant shall maintain liability insurance in the minimum amount of \$5,000,000, naming the Township as an additional insured. Such policy shall include a cross-liability provision and 30 days' written notice to the Township prior to cancellation.
17. The Applicant shall indemnify the Township against any claims/action arising out the Highway activity (collisions, vehicle damage or accidents as a result of uncleared debris, lack of maintenance/repair, etc.)

#### **Conditions of Haul Route Permit**

18. In addition to any other Conditions that the Director of Public Works may deem appropriate, all Highway activity associated with the Haul Rout Permit shall be subject to the following conditions:

- a. The Permit Holder shall comply with all Applicable Laws.
- b. Highway activity associated with a Haul Route Permit shall only occur during the hours of 8:30am to 5:00pm Monday-Friday excluding weekends and statutory holidays.
- c. The approved Haul Route shall at all times be maintained by the Permit Holder in a dust/silt/mud/rock free condition, to the satisfaction of the Director of Public Works.
- d. The Permit Holder shall ensure that a street-sweeper or equivalent is utilized on a daily basis to clean the Haul Route of any tracked debris and shall regularly monitor for any larger foreign objects.
- e. The Permit Holder shall be required to maintain the Haul Route in a good state of repair, free from ruts/potholes, etc., to the satisfaction of the Director of Public Works,
- f. The Permit Holder shall be responsible for the cost associated to undertake such repairs/maintenance as the Director of Public Works may direct, within such time frame as the Township may specify, acting reasonably.
- g. The Applicant shall provide the Township with a 24/7 accessible phone number where Township staff can directly reach the Applicant to address any Highway activity concerns.

#### **PART 5 – EXEMPTIONS**

19. The Director of Public Works may grant an exemption to any Person from any provision of this By-law and impose conditions for such exemption as may be considered reasonable and necessary provided such exemption does not interfere with the general integrity of this By-law.
20. [Site Alteration activities exempt from permits and/or legal agreements in accordance with the Site Alteration By-law, may be exempt from the requirement for a Haul Route Permit at the discretion of the Director of Public Works.](#)
210. The provisions of subsection 19 shall not apply to an employee or an agent of the Township who is engaged in moving snow or ice. An exemption is not required by a Person undertaking any works on behalf of the Township or for closures ordered by the Director of Public Works.
224. The provisions of subsection 19 shall not apply to any Person putting sand or salt on the icy portions of a Highway to reduce the danger of pedestrians falling or to enable a Vehicle to use a Roadway.

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232. The provisions of subsection 19 shall not apply to the placement of a snow plow driveway marker.

#### **PART 6 – ADMINISTRATION AND AUTHORITY**

243. The cleaning and repair of all Highways shall be performed under the direction of the Director of Public Works.

254. The Director of Public Works may temporarily close to traffic any Highway by reason of any work or improvement being carried out thereon or by reason of the condition thereof and the Director of Public Works may cause to be erected or kept thereon, any barricade or notice warning the public that the Highway is closed to traffic and no Person shall enter upon or use a Highway so temporarily closed.

265. The Director of Public Works shall be responsible for the administration of PART 4 – Haul Route.

276. The Director of Public Works is authorized and has delegated authority to receive, consider and approve any Application for a Haul Route, including any Conditions, and exempt/waive, issue, extend, renew, amend, a Haul Route Permit.

287. The Director of Public Works is authorized and has delegated authority to revoke a Haul Route Permit at any time without prior notice to the Permit Holder if:

- a. It was issued in error or as a result of false, mistaken, incorrect or misleading information in the Application;
- b. There are reasonable grounds to believe that the continuation of the Highway activity poses an unacceptable risk to the health and safety of any Person or damage to property; or
- c. The Permit Holder is not in compliance with any Haul Route Permit Condition.

#### **PART 7 – RECOVERY OF COSTS**

298. Where an Order is not complied with, the Director of Public Works will do the work or arrange for the work to be done

3029. The Township may recover all costs associated with doing the work, including administrative fees, by action or it may collect them in a like manner as municipal taxes.

319. Failure to pay any invoice associated with Haul Route repair or housekeeping maintenance within 30 days, the costs may be drawn from Securities held by the Township and/or collected in a like manner as municipal taxes.

324. The Township has priority lien status in accordance with section 1(3) of the Act on the Property for the amount spent to do the work (and administrative fees).

#### **PART 8 - ORDERS**

332. If an Officer determines that a Property or Person or Permit Holder is not in compliance with any of the standards or requirements of this By-law, the Officer may issue an order requiring a Person or Permit Holder to comply with standards or requirements of this By-law and to discontinue an activity or action prohibited by this By-law.

343. Every Person who fails to comply with an order made under Section 32 is guilty of an offence.

#### **PART 9 – SERVICE OF DOCUMENTS**

345. Service of any document, including an order, under this By-law shall be given in writing by registered mail and will be deemed served on the 5<sup>th</sup> day after a copy is mailed to the Permit Holder or Person's last known address.

365. In addition, service of any document may be given in any of the following ways and is effective:

- a. When a copy is delivered to the Permit Holder or Person to whom it is addressed;
- b. By email to the last known email address of the Permit Holder or Person to whom service is required to be made.

376. Where service is unable to be done under subsections 35 (a) or (b), notice may be given by placing a placard containing the terms of the document or order in a conspicuous place on the Property to which the document or order relates and shall be deemed to be sufficient service on the Permit Holder or Person..

#### **PART 10 - Enforcement and Penalty Provisions**

387. The enforcement of this By-law shall be conducted by an Officer.

398. (1) Every Person who contravenes any provision of this By-law and every director or officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence and is liable to a fine, and such other penalties, as provided for in the Provincial Offences Act, R.S.O. 1990, c.P.33, as it may be amended from time to time.

(2) In addition to subsection 38(1), any Person who is charged with an offence under this by-law in accordance with Part III of the Provincial Offences Act and is found guilty of the offence, is liable, in addition to any other penalties:

a. On a first offence, to a fine not less than \$500.00 and not more than \$50,000.00; and

b. On a second offence and each subsequent offence, to a fine not less than \$1000.00 and not more than \$100,000.00.

4039. No Person shall hinder or obstruct, or attempt to hinder or obstruct, any Officer exercising a power or performing a duty under this By-law.

4140. Every Person who is alleged to have contravened any of the provisions of this By-law shall identify themselves to an Officer upon request, failure to do so shall be deemed to have hindered or obstructed an Officer in the execution of his or her duties.

424. Upon conviction, any penalty imposed under this By-law may be collected under the authority of the Provincial Offences Act, R.S.O. 1990, c.P.33, as amended.

432. If a Person is convicted of an offence under this By-law, the court in which the conviction has been entered and any court of competent jurisdiction may, in addition to any other remedy and to any penalty imposed, make an order prohibiting the continuation or repetition of the offence by the Person convicted.

#### **PART 11 - SCHEDULES**

443. Schedule "A" (Short Form Wording and Set Fines) attached hereto do not form part of this By-law.

#### **PART 12 – EFFECTIVE DATE**

454. This by-law shall come into effect on ENTER DATE.

READ a FIRST time this 20 day of DECEMBER, 2023

READ a SECOND time this 10 day of JANUARY, 2023

READ a THIRD time and FINALLY PASSED this 7 day of FEBRUARY, 2024.

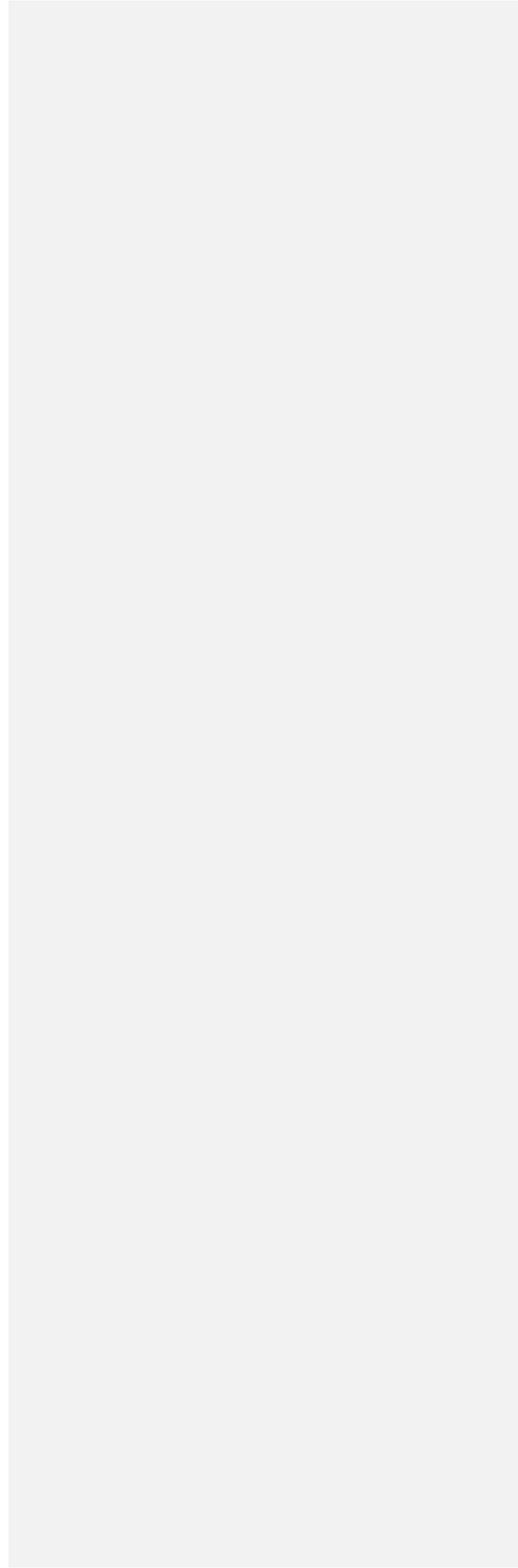
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James Seeley, Mayor

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Courtenay Hoytfox, Clerk

DRAFT



**SCHEDULE "A" TO BY-LAW xx  
TOWNSHIP OF PUSLINCH  
PART 1 PROVINCIAL OFFENCES ACT – BY-LAW xx: ROAD ACTIVITY BY-LAW  
Being a by-law to regulate Road Activity**

ITEM	COLUMN 1 Short Form Wording	COLUMN 2 Provisions Creating or Defining Offence	COLUMN 3 Set Fine
<b>PROHIBITIONS</b>			
1	Permits oils, chemicals or substances to be deposited or spilled on a Highway	9.a.	\$300.00
2	Deposits snow or ice on a Highway	9.b.	\$300.00
3	Deposits Refuse on a Highway	9.c.	\$300.00
4	Encumbers or damages a Highway	9.d.	\$500.00
5	Permits or allows refuse to be blown from private property onto a Highway	9.e.	\$300.00
6	Obstructs a drain, gutter or water course along or upon a Highway	9.f.	\$300.00
7	Walks upon, rides, drives, loads, runs or propels any animal or vehicle on a newly constructed Sidewalk or pavement before it is open for use by the public.	9.g.	\$200.00
8	Cause any Refuse material to be thrown or piled on a Highway, saw or split firewood upon a Highway, or permit it to remain longer than necessary.	9.h.	\$300.00
9	Place any merchandise or article upon a Highway or outside a building so that the same projects over any part of the Highway	9.i.	\$300.00
10	Move a Vehicle with cleats, flanges, tracks or rollers along the traveled portion of the Highway	9.j.	\$500.00
11	Remove a barricade or notice, or enter upon a Highway that is temporarily closed	9.k.	\$500.00
12	Remove a barricade, sign or light placed around any excavation on a Highway	9.l.	\$500.00
13	Allow a trees, shrub, sapling, hedge or any other plant to extend	9.m.	\$300.00

	over or upon a Highway		
14	Breaks, digs up, destroy or damage the sod or grass of a boulevard, fence or railing erected to protect the boulevard	9.n.	\$300.00
15	Erect a fence or wall or plant a hedge upon a Highway	9.o.	\$300.00
16	Interfere with any municipal structure affixed or placed upon a Highway	9.p.	\$500.00
17	Permit any flood light to illuminate the Highway	9.q.	\$200.00
18	Haul earth, sand, stone, or other substance upon a Highway, load a vehicle or drive a vehicle as to permit the contents to fall or spill on the Highway	9.r.	\$500.00
19	Bring a Vehicle upon a Highway with mud, clay, lime, fertilizer, manure attached to the wheels on a Highway	9.s.	\$500.00
20	While hauling earth, sand, stone or other substance, loads or drives so as to damage a Highway	9.t.	\$500.00
21	Owner fails to obtain a Haul Route Permit	9.u.	\$700.00
22	Applicant/Permit Holder fails to maintain a Haul Route in a good state of repair	9.v.	\$700.00
23	Applicant/Permit Holder performs activity associated with a Haul Route Permit outside of the hours of 8:30am-5:00pm, Monday-Friday, or on a statutory holiday	9.w.	\$700.00
<b>ORDERS</b>			
24	Failure to comply with an order issued under Section 32	33.	\$700.00
<b>ENFORCEMENT AND PENALTY PROVISIONS</b>			
25	Hinder or obstruct, or attempt to hinder or obstruct an Officer	93.	\$900.00

**NOTE:**

The general penalty provision for the offences indicated above is Section 38 of By-law XX, a certified copy of which has been filed.



Office of the Auditor General of Ontario

Value-for-Money Audit:  
Management of  
Aggregate Resources



*December 2023*

# Management of Aggregate Resources

## 1.0 Summary

From highways and subway tunnels to hospitals, schools and houses, aggregates—such as sand, gravel, stone and rock—are essential for building much of Ontario’s infrastructure. These natural materials are extracted from the earth’s surface, with loose aggregates dug out from pits, and solid bedrock materials blasted from quarries.

The extraction of aggregates can fundamentally transform landscapes, temporarily or permanently altering features such as woodlands, wetlands and farmland. The ongoing operation of a pit or quarry, as well as the accompanying heavy-duty truck traffic, can also have a number of negative impacts—particularly when close to communities—including noise, vibration (from blasting) and air pollution (such as dust and particulate matter).

The Ministry of Natural Resources and Forestry (Ministry) is responsible for administering the *Aggregate Resources Act* (Act), which was enacted in 1990. Those wishing to extract aggregates must obtain either a licence (to extract on private land) or a permit (to extract on Crown land) from the Ministry. Approval holders must inspect their operations and self-report on their compliance to the Ministry annually, and must pay an annual extraction fee on a per-tonne basis. Approval holders must also fully rehabilitate their sites once they have finished extraction. The Ministry has

delegated a number of responsibilities to The Ontario Aggregate Resources Corporation (TOARC), including collecting production reports and extraction fees from aggregate operators, and rehabilitating legacy pits and quarries that operated before the Act came into effect and were abandoned.

Our audit found that the Ministry is falling short in balancing its competing roles of facilitating the extraction of aggregate resources and minimizing the impacts of aggregate operations, particularly through its role in regulating the industry to ensure approval holders comply with all necessary requirements. The Ministry has made recent progress to streamline and expedite the approvals process, but we found that this improvement has come at a cost to its inspection, enforcement and oversight activities.

The following are some of our most significant observations:

### Inspections

- **The Ministry had a significant shortage of experienced aggregate inspectors, with challenges in recruitment and retention.** Ministry inspections are key to ensuring that aggregate operators are meeting their approved operating conditions, rehabilitating their sites as required, and properly self-reporting any non-compliance issues. Despite the important role aggregate inspectors serve as the Ministry’s “eyes on the ground,” we found that there was a lack of

experienced staff. We determined that, as of May 31, 2023, there was a total of 34 designated aggregate inspectors Ministry-wide, with an average of two aggregate inspectors per district. Seven districts each had a single designated inspector, and two districts had none. A further 19 staff were being trained to be designated inspectors as of November 2023. Furthermore, we found that the inspectors lacked experience. As of May 31, 2023, almost half (41%) of the 34 designated aggregate inspectors had held their designation for less than one year. We heard from environmental, community and resident groups that they have difficulty trying to contact inspectors when they have concerns; similarly, aggregate operators raised concerns about the level of technical knowledge held by inexperienced inspectors when they come on site.

- **The limited number of inspectors has contributed to declining and low inspection rates.** We found that inspection rates decreased by 64% between 2018 and 2022. While some decrease can be attributed to paused activity in 2020 and 2021 during the COVID-19 pandemic, the trend began prior to 2020 and continued in 2022, despite there being no stay-at-home restrictions that year. The four district offices we reviewed in depth had inspected only 35% of the licensed or permitted sites in our sample within the previous five years. Further, based on our analysis of 2022 inspection data, we found that three of the four offices had each inspected less than 5% of operations in their jurisdiction in that year. The Ministry's failure to conduct inspections on a regular basis, or at all, increases the risk that negative social and environmental impacts from non-compliance issues at aggregate sites go unreported and undetected. As well, it signals to both the regulated community and concerned stakeholders that there are few consequences associated with non-compliance.

## Non-Compliance and Enforcement

- **Non-compliance within the aggregate industry remains high.** Over the past five years, the percentage of inspected sites deemed satisfactory by Ministry inspectors has remained low, fluctuating between 36% and 52%. During this period, inspectors filed 1,750 inspection reports that identified operational non-compliances, such as extracting below the approved depth or failing to conduct progressive rehabilitation. As well, TOARC reports certain violations under the Act to the Ministry, including operators' failures to submit annual production reports, pay required annual fees, or comply with extraction limits. At the end of each calendar year, TOARC reports the number of these violations that remained outstanding. The number reported by TOARC increased 74% from 206 in 2018 to 359 in 2022; across the five years, there were 1,654 violations.
- **Despite the high rate of non-compliance, the Ministry rarely pursued charges.** When inspectors identify non-compliance issues they have a range of options, such as education and outreach, to encourage voluntary compliance or issuing a warning. Alternatively, they can take additional steps such as referring a case to the Ministry's Enforcement Branch to investigate and potentially issue a charge. Between 2018 and 2022, inspectors made 26 referrals, representing less than 1% of the over 3,400 violations identified during this time. While not all instances of non-compliance warrant enforcement action, Ministry policy states that charges should be pursued when operators significantly exceed their allowable extraction tonnage. Yet, we noted three companies that exceeded their allowable extraction volume by over 1,000%, but were not referred to the Enforcement Branch, and so were not investigated or charged. We also found that over the past five years, the Ministry issued only two fines, for a combined total of \$1,230, for unpaid fees. This represented 0.4% of the total fees outstanding in December 2022.

- **The Ministry did not enforce self-reporting requirements.** Every year, aggregate approval holders must inspect their operations to assess whether they comply with operating and progressive rehabilitation requirements, and submit a compliance assessment report to the Ministry by September 30. The penalty for failing to do so is an immediate and automatic deemed suspension of their operations. However, we found that these reports were often not submitted on time, and that the Ministry did not enforce the suspension for operators that failed to submit reports on time or at all. We reviewed records from four Ministry offices and found that, as of May 2023, 25% of all 1,030 operators within the offices' jurisdictions had not submitted a 2022 report more than seven months after the due date. Apart from sending a letter notifying non-compliant operators that they were suspended, none of the offices did anything more to enforce the suspension. We found 11 out of a sample of 80 sites continued to produce aggregate in 2021 despite never having submitted a self-assessment report for 2020, which should have resulted in an automatic suspension.
- **Fees to extract aggregates are likely too low to cover the costs needed to effectively administer the program.** The Ministry has a goal of achieving full cost recovery for its aggregate program. However, in 2019, the Ministry estimated that the annual extraction fees paid by operators would result in \$7.96 million in annual revenue, covering approximately 80% of the program's costs at that time. The Ministry restructured the program in 2020, but as of 2023, it still could not determine its current program costs. Stakeholders have expressed concerns about the Ministry's lack of capacity to enforce compliance, with some industry members stating that the Ministry's limited enforcement efforts contribute to a lack of public trust and opposition to aggregates projects. This concern is significant enough that organizations representing both aggregate operators and

municipalities (a key consumer of aggregates) have expressed support for higher aggregate fees to pay for increased enforcement.

### Final Rehabilitation

- **The Ministry did not have processes in place to ensure that sites are promptly rehabilitated, and returned to productive use, after extraction is complete.** Under the Act, aggregate pits and quarries must be rehabilitated after extraction has ceased. While many aggregate operators properly rehabilitate their sites, we found 1,524 sites that have sat dormant (without reporting any aggregate extraction) for at least 10 years. These sites represent more than 25,000 hectares of land, approximately the size of Brampton, Ontario. There may be valid reasons why a site sits dormant for multiple years, other than the fact that the pit or quarry has been fully extracted. However, for sites that have sat dormant for many years, there is a risk that those sites have, in fact, finished extraction and operators are avoiding rehabilitation efforts. Allowing sites to remain dormant for long periods without final rehabilitation violates the notion that aggregate extraction is an interim use of land, one of the key tenets of aggregate management in the Provincial Policy Statement.

### Supply and Demand for Aggregates

- **The Ministry has not provided the public with complete and accurate information on the supply and demand for aggregates.** Absent such information, many stakeholders have concluded, based on the limited available data, that there is an oversupply of aggregates already approved for extraction. This contributes to opposition to proposals for new or expanded pits and quarries. To assist with its understanding of supply and demand, the Ministry has commissioned several studies over the years. The most recent study from 2016 estimated that the Greater Golden Horseshoe region had reserves of 3,337 million tonnes

of unextracted aggregates in licensed pits and quarries, and annual demand of 111 million tonnes. However, the consultant who conducted the study cautioned against viewing the estimates as a realistic indication of supply, noting that the data was based on limited and outdated information. In January 2023, the Ministry commissioned an updated supply and demand study, which uses a voluntary and anonymous survey of industry members for information on their supply of aggregates. However, there is no mechanism to verify the anonymous data, nor a plan to corroborate it through field verification, which could leave the Ministry with potentially inaccurate data. Accurate data is important to inform Ministry decisions on managing the province's aggregate resources, as well as to foster more informed discussions and potentially reduce conflict among stakeholders.

### Recycled Aggregate

- **Low fees for extracting virgin material provide little incentive to use recycled aggregate.** Recycled aggregate can, if of sufficient quality, be used in place of virgin aggregate. Its use can reduce the need for new or expanded pits and quarries and the associated environmental and social impacts of extracting virgin aggregate. Charging fees to extract virgin aggregate can increase its cost, and so help make recycled aggregate more cost-effective by comparison. While Ontario charges fees only for extracting virgin aggregate, and not for producing recycled aggregate, we found that the fees were too low to provide a meaningful financial incentive to use recycled aggregate instead. By contrast, the United Kingdom (UK) has a much higher extraction fee, equivalent to about \$3.20 per tonne for 2023, approximately 14 times higher than what Ontario currently collects (\$0.23 per tonne). The explicit objectives

of the UK fee are to address the environmental costs associated with quarry operations, cut demand for virgin aggregate, and encourage the use of alternative materials where possible. While numerous factors may contribute to the UK's higher recycling rates, it is noteworthy that the use of recycled aggregate in the UK (roughly 25% of total aggregate use) is more than triple Ontario's estimated 7%.

### Databases

- **Outdated information systems made it difficult for Ministry staff to execute their duties and for applicants to track their submissions.** We found the Ministry used paper records, five different information systems, and Excel spreadsheets to deliver various aspects of the aggregate resources program. The outdated databases and lack of digital records made it challenging for Ministry staff to execute their duties. For example, the 30-year-old system that staff used to issue approvals cannot track the progress of applications for licences, permits, or approval amendments. A separate database used by staff at the district level to record inspection reports did not record or track the use of other compliance tools, such as warnings or rehabilitation orders, or the status of compliance. The Ministry did not have a centralized, integrated database that contained all information about each aggregate pit and quarry, including approval documents and compliance and enforcement data.

This report contains 18 recommendations, with 31 action items, to address our audit findings.

### Overall Conclusion

Our audit found that the Ministry did not have effective systems and processes in place to ensure compliance with the *Aggregate Resources Act* and aggregate-related

regulations, policies and approvals, nor to oversee aggregate development and operations in a manner that minimizes adverse impacts on the environment.

The limited number of experienced inspectors who play a front-line compliance role, and the infrequency with which aggregate operations are inspected, raise significant concerns that non-permissible activities will remain unchecked—perhaps for years on end. The intention of the self-compliance approach is to encourage operators to proactively self-identify, disclose and rectify any issues of non-compliance. The success of this approach rests upon the premise that operators who fail to self-disclose issues of non-compliance (that are subsequently identified through complaints or Ministry inspections) will be more harshly penalized than those that do. Through our audit, however, we have found that this was not the case.

We also found that the Ministry was not ensuring that land from which aggregates are fully extracted is rehabilitated effectively and in a timely manner. The number of sites that have remained dormant and unrehabilitated for more than 10 years, and in some cases for over two decades, challenges the notion within the Provincial Policy Statement that aggregate extraction is an interim use of land. This has also given rise to public concerns that more than enough aggregate sites have already been approved, and there is no need to issue more approvals for extraction. Also feeding into these concerns, the Ministry did not have reliable data about supply and demand, further compounding perceptions of an oversupply. Finally, we found that the Ministry was missing opportunities to increase the use of recycled aggregate, which can be an effective way to reduce the need for new or expanded pits and quarries and limit impacts on the environment.

## OVERALL MINISTRY RESPONSE

The Ministry of Natural Resources and Forestry (Ministry) thanks the Auditor General for this report and its recommendations. The Ministry plays an important role in balancing the environmental

impacts with the economic development opportunities created by resource extraction and is committed to working collaboratively with First Nations and Indigenous communities, municipalities, the public and the aggregate industry to ensure that systems are in place to manage and regulate these activities.

The findings of this report align with the path the Ministry is on to modernize and improve aggregate resource management in Ontario. The Ministry made legislative and regulatory changes under the *Aggregate Resources Act* and established four new Aggregate Resources of Ontario Provincial Standards between 2019 and 2022. Approval functions were centralized in 2020, with additional staffing capacity added in 2022, to ensure consistent and efficient delivery of aggregate licensing and permitting functions. The observations and recommendations contained in this audit align with actions under way to renew the Ministry's compliance function and to increase field presence.

## 2.0 Background

### 2.1 Overview of Aggregates in Ontario

Aggregates is a broad term for the group of natural materials—sand, gravel, clay, stone and rock—that are extracted from the earth's surface. They are excavated from either a pit or a quarry, depending on their type: loose aggregates (such as sand and gravel) are dug out from pits; solid bedrock materials (such as granite and limestone) are removed from quarries through blasting (see **Appendix 1** for a glossary).

Aggregates are a core material of many construction products. For example, limestone is used to make cement, which is a key ingredient in concrete. Sand and gravel are also used to make concrete as well as asphalt pavement (see **Figure 1** for information on aggregate types and uses). Aggregates are essential for the construction of almost everything from major public

**Figure 1: Types of Aggregates and Their Common Uses**

Prepared by the Office of the Auditor General of Ontario

Type of Aggregates	Description	Common Uses
<b>Extracted from pits</b>		
<b>Sand</b>	Hard, naturally occurring granular rock material that is finer than gravel and coarser than dust.	To make concrete, asphalt pavement, mortar, plaster and glass.
<b>Gravel</b>	Small, naturally occurring stones and pebbles, or a mixture of sand and small stones.	Directly in driveways, walkways and decorative landscaping, and to make concrete and asphalt pavement.
<b>Clay/Shale</b>	Fine-grained, naturally occurring earthy material.	To make bricks and ceramics; also an ingredient in cement.
<b>Extracted from quarries</b>		
<b>Bedrock</b>	Naturally occurring deposits of hard, solid rock (such as granite, limestone and sandstone).	<p>May be used, as slabs or blocks, for landscaping projects, home countertops and monumental buildings.</p> <p>More commonly used to create crushed stone, which is used to make concrete and asphalt pavement and generally any kind of base for construction, including building foundations, roads and driveways.</p>

infrastructure projects, such as hospitals, schools, highways and subway tunnels, to smaller projects, such as roads, sidewalks, sewer pipes and homes. **Figure 2** provides examples of the amount of aggregates needed for various types of construction projects.

Ontario's growing population and the corresponding growth in new housing and infrastructure has resulted in high demand for aggregates, especially in the Greater Golden Horseshoe region around Toronto. To meet the high demand, Ontario produces the largest volume of aggregates of any Canadian province or territory. The most common types of aggregates produced in Ontario are sand, gravel and crushed stone. In total, 172 million tonnes of aggregates were extracted in Ontario in 2022. Aggregate extraction has increased, on average, by 3.2 million tonnes (2%) per year over the past 10 years (see **Figure 3** for aggregate extraction volumes from 2013 to 2022).

The most recent provincial estimate on the breakdown of how aggregates are used is from a 2016 consultant's report prepared for the Ministry of Natural Resources and Forestry. This report estimated that

the majority (79%) of extracted aggregates from 2010 to 2014 was used for construction (such as for roads, homes and buildings). Another 19% was used for non-construction purposes (such as sand for glass and road ice control). The remaining 2% was exported to other provinces or countries as raw aggregates (see **Figure 4** for a breakdown).

### 2.1.1 Where Are Aggregates Extracted in Ontario?

The location of aggregate extraction is determined by two main factors. First, aggregates are only found where nature has deposited them. While Ontario is generally rich in aggregate resources, the types and quantity of available aggregates varies considerably around the province, depending on the geology and rock formation of the particular area. For example, southern Ontario's geology includes large areas of limestone, formed hundreds of millions of years ago, but the quality of bedrock for aggregate purposes varies by location. Thousands of years ago, retreating

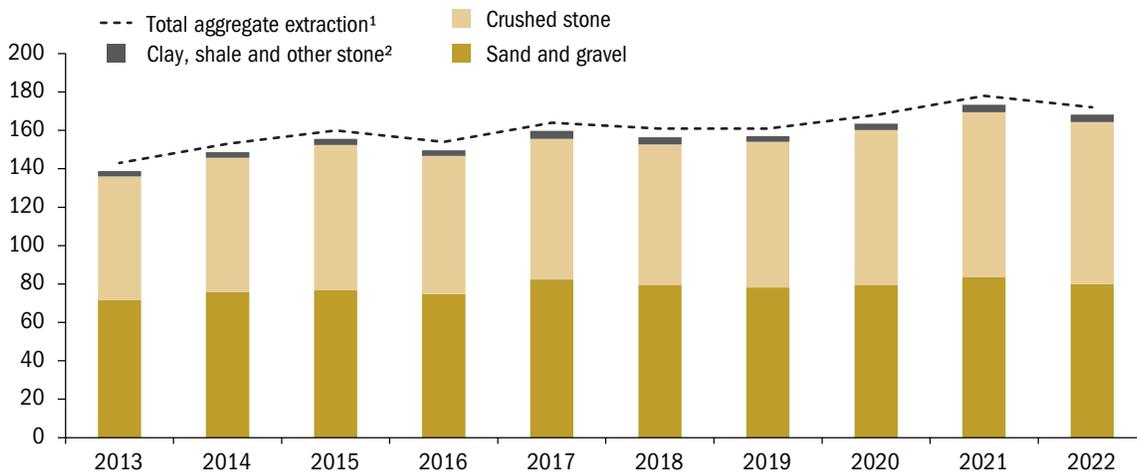
**Figure 2: Examples of the Amount of Aggregates Needed for Various Construction Projects**

Source of data: The Ontario Aggregate Resources Corporation; Ontario Stone, Sand & Gravel Association

Type of Project	Approximate Amount of Aggregates Required	
	Tonnes	Truckloads
Average-sized brick house	250	12
Average-sized school	13,000	650
Average-sized hospital	94,000	3,760
One kilometre of a four-lane highway	36,000	1,760
One kilometre of a subway tunnel	91,200	4,560

**Figure 3: Total Aggregate Extraction<sup>1</sup> Volumes in Ontario, 2013–2022 (million tonnes)**

Source of data: The Ontario Aggregate Resources Corporation



1. Total aggregate extraction includes all aggregates extracted in Ontario pursuant to either an aggregate licence (on private land in designated areas) or an aggregate permit (on Crown land), as well as the small volume (2.5% of total aggregates) that is extracted either on private land in undesignated areas or in forest pits on Crown land, both of which do not require a licence or permit (see **Section 2.2.1**).
2. Other stone includes slabs or blocks of rock/stone (such as granite, limestone, flagstone or marble) for uses such as ornamental surfacing of buildings, landscaping or countertops.

glaciers left behind abundant deposits of sand and gravel across many parts of this region.

Second, the location of aggregate extraction is dictated by where the aggregate product is needed. Aggregates are heavy and therefore expensive to transport long distances; they also contribute to greater pollution the farther they are transported given the dust, noise and vehicle emissions that come from trucking. As a result, the vast majority (90%) of all aggregates extracted in Ontario between 2013 and 2022 came from southern Ontario, close to where population growth and development pressures are greatest. See **Appendix 2** and **Appendix 3** for maps

showing the locations and prevalence of extraction operations across Ontario.

### 2.1.2 Environmental and Social Impacts of Extracting Aggregates

The digging, blasting, processing and transporting of aggregate materials can cause a number of environmental and social impacts.

Aggregate extraction can fundamentally—and irreversibly—transform the landscape, which can affect important natural features on or near extraction sites. For example, aggregate operations can temporarily or

**Figure 4: Estimated Breakdown of End Uses of Raw Aggregates in Ontario, 2010–2014**

Source of data: Supply and Demand Study of Aggregate Resources Supplying the Greater Golden Horseshoe (2016)

End Use	% of Total Use
<b>Construction projects</b>	<b>79</b>
New roads and highways	31
New homes, condominiums and apartments	14
Non-residential buildings	12
Road and other construction repair	12
Other new infrastructure	10
<b>Non-construction purposes (such as sand for road ice control, abrasive cleaners and glass products)</b>	<b>19</b>
<b>Export to other provinces or countries as raw aggregates</b>	<b>2</b>
<b>Total</b>	<b>100</b>

permanently alter or destroy woodlands, grasslands, wetlands or farmland, which each serve important functions, such as providing wildlife habitat, drainage to prevent flooding, or productive soil in which to grow food. Further, while aggregate extraction itself is not a direct threat to water quality, it may pose a risk to local groundwater resources by exposing new pathways for pollutants (such as fuel used onsite) to flow into the groundwater. Aggregate extraction below the natural water line, which typically involves pumping out large volumes of water, may also have localized impacts on groundwater levels and flow patterns.

Although all aggregate sites are required by law to be rehabilitated (both progressively during operation while extraction continues elsewhere on the site, and fully after extraction is complete), some aspects of the landscape may be permanently altered. So, while certain natural features can be restored (such as recreating some wildlife habitat through planting), other features cannot. For example, aggregate extraction often results in a large depression that creates a new pond or lake, which can permanently alter the way water drains and refills the groundwater reserves.

In addition to the environmental impacts caused by the establishment of a pit or quarry, their ongoing operations have other impacts. The majority of

extraction in the province occurs in southern Ontario, often near populated areas. Local residents of communities in proximity to aggregate pits and quarries frequently express strong concerns about noise and vibrations from extraction operations (especially from blasting) and the accompanying heavy-duty truck traffic, and about increased air pollution (such as dust and particulate matter) from both onsite operations and trucking. Siting pits and quarries farther from communities can reduce the impact of site operations on neighbouring residents, but can increase pollution and greenhouse gas emissions, as well as costs, when aggregate materials are transported greater distances to reach those communities.

Although the Province considers aggregate extraction an interim use of land, an aggregate site may remain open for decades. In some cases, sites have been operating for over a century. Because aggregate operations and their impacts can be so long-lasting, few people want to live near one. As a result, applications for new or expanded pits and quarries are often highly controversial.

## 2.2 Regulation and Oversight of Aggregate Resources

The Ministry of Natural Resources and Forestry (Ministry) is responsible for regulating aggregate development in Ontario (see **Appendix 4** for an organizational chart of the divisions and branches involved). The Ministry's oversight of aggregates is guided by the *Aggregate Resources Act* (Act) and the general regulation (O. Reg. 244/97) under that Act.

The purposes of the Act are to:

- provide for the management of Ontario's aggregate resources to meet local, regional and provincial demand;
- regulate aggregate operations on both Crown and private land;
- minimize the adverse environmental impacts of aggregate operations; and
- require the rehabilitation of land from which aggregates have been excavated.

In essence, the Act sets out a dual role for the Ministry to support and facilitate aggregate extraction on the one hand, while also regulating the industry so as to minimize the negative impacts of that extraction to the extent possible.

Aggregate development in Ontario is also guided by other provincial laws and land-use plans (see **Appendix 5**). Most notably, according to the Provincial Policy Statement, aggregate extraction has primacy over other land uses, aggregates must be made available as close to market as possible, and demand for these resources does not have to be demonstrated. Similar to the *Aggregate Resources Act*, the Provincial Policy Statement also

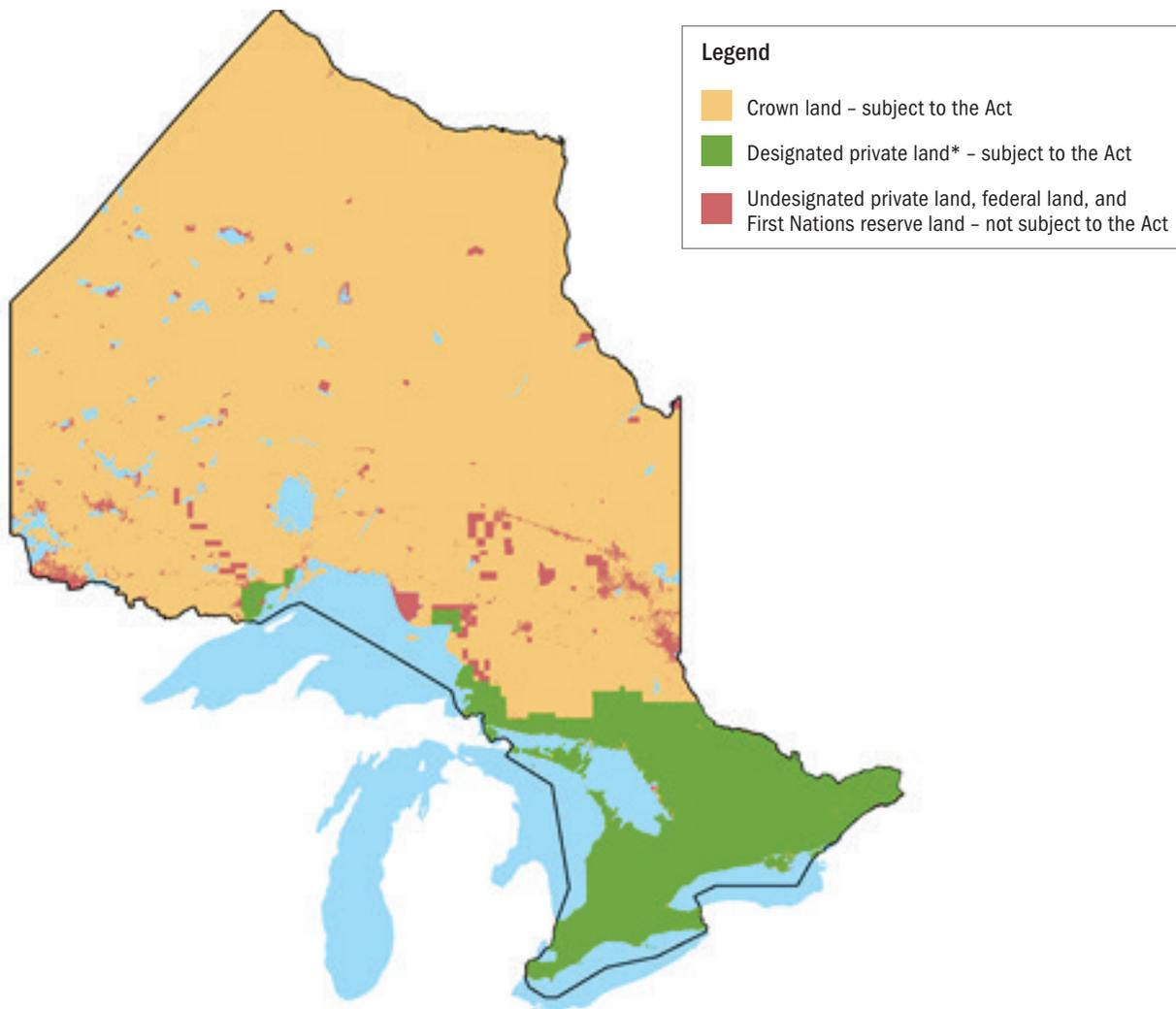
states that extraction should be conducted in a manner that minimizes negative impacts, and that sites must be rehabilitated in order to mitigate negative impacts and allow for future land uses.

### 2.2.1 Approvals for Extracting Aggregates

Subject to a few exceptions, anyone wishing to extract aggregates from land subject to the Act must obtain an approval from the Ministry. As seen in **Figure 5**, the Act applies to all provincial public (Crown) land and most private land except for a few small areas (mostly in Northern Ontario) that have not been designated; the

**Figure 5: Provincial Area Subject to the *Aggregate Resources Act***

Source: Ministry of Natural Resources and Forestry



\* Areas of the province identified under the *Aggregate Resources Act* regulation in which a licence is required to excavate aggregates from private land.

Act also does not apply to either federal or First Nations reserve land. In general, to extract on public land, applicants must obtain an aggregate *permit*; to extract on private land, applicants must obtain an aggregate *licence*. See **Figure 6** for a description of the approval types and the exceptions.

From 2012 to 2022, the Ministry issued an average of 40 new approvals per year, for a total of 261 new licences and 178 new permits issued over this period. By tonnage, 93% of aggregate extracted from 2012 to 2022 was on private land pursuant to a licence, with 4% extracted on Crown land pursuant to a permit; less than 3% was extracted pursuant to one of the exceptions (**Figure 7**). As approvals can remain valid indefinitely (unless revoked or surrendered), at the end of 2022, there were 6,015 valid approvals (3,573 licences and 2,442 permits) authorizing aggregate extraction in Ontario.

To obtain an approval for a new licence or permit, applicants must follow a prescribed process, as set out in **Appendix 6**. In general, this process begins with the applicant submitting a draft site plan and several technical reports to the Ministry (see **Appendix 7**); then, notifying and consulting with the public and relevant ministries, municipalities, conservation authorities, agencies and Indigenous communities; and, finally,

attempting to address all comments and objections received.

Ministry staff then review all information in the application, as well as external comments submitted. The Ministry may also provide its own comments on applications. As part of the review process, Ministry staff also confirm that the applicant has fulfilled its obligations to ensure that the siting of the proposed operation complies with municipal zoning and provincial land-use plans (see **Appendix 5**). As well, staff may identify other approvals that may be required by the Ministry of the Environment, Conservation and Parks (see **Appendix 8**), based on the information provided in the application.

Upon completing their review, Ministry staff either recommend that the Minister issue or refuse the licence application, or, where there are unresolved issues, the Ministry may refer the licence application to the Ontario Land Tribunal for a decision. For permits, a director in the Regional Operations Division has delegated authority to issue or refuse the application.

If an approval holder wishes to later amend its site plan or approval document, the process varies depending on the type and complexity of the change sought (see **Appendix 9**).

## Figure 6: Types of Approvals for Extracting Aggregates

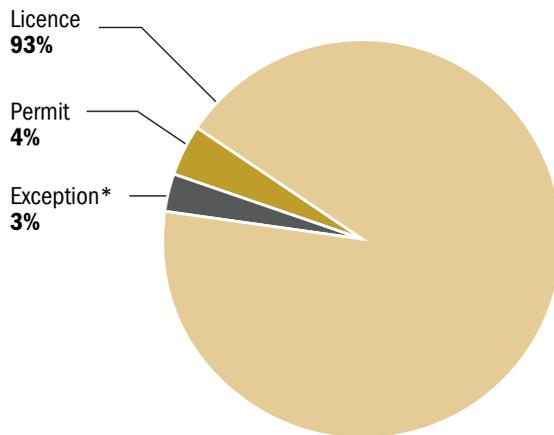
Prepared by the Office of the Auditor General of Ontario

Location	Approval Type	Exceptions (subject to alternative types of approval)*
<b>Crown land</b>	<b>Aggregate Permit</b>	<ul style="list-style-type: none"> <li>Pits used for forest operations are regulated under the <i>Crown Forest Sustainability Act, 1994</i>.</li> </ul>
<b>Private land</b>	<b>Aggregate Licence</b> <ul style="list-style-type: none"> <li><b>Class A</b> authorizes the removal of more than 20,000 tonnes annually</li> <li><b>Class B</b> authorizes the removal of 20,000 tonnes or less annually</li> </ul>	<ul style="list-style-type: none"> <li>Municipalities and the Ministry of Transportation may obtain a wayside permit instead of a licence for short-term (&lt; 18 months) aggregate removal on private land for the sole use of road construction or maintenance. However, wayside permits are rarely used.</li> <li>As of January 2022, farm businesses may excavate up to 3,000 cubic metres from a pit (depending on the type of aggregate) and individuals may excavate up to 300 cubic metres from a pit for personal onsite use without a licence if they register for permit-by-rule. Registrants must meet all pre-conditions (e.g., minimum distance from a well or water body) and follow all operating rules set out in the regulation. As of June 2023, four individuals had registered under the permit-by-rule exception.</li> </ul>

\* By tonnage, 2.5% of total extracted aggregate from 2013 to 2022 was extracted pursuant to one of the exceptions.

**Figure 7: Breakdown of Aggregate Extraction by Approval Type, 2012–2022**

Source of data: The Ontario Aggregate Resources Corporation



\* Subject to alternative types of approval, such as a wayside permit or permit-by-rule.

### 2.2.2 Self-Inspection: Compliance Assessment Reports

All approval holders are required to inspect their operations annually to assess whether they comply with all operating and progressive rehabilitation requirements, and to document this assessment in a compliance assessment report. The report format is a simple checklist that lists all applicable operating and rehabilitation requirements that must be inspected and reported on, by answering yes or no to each item. For example, the form asks whether site entrances and exits are clearly marked and whether fencing has been installed to limit public access to the site. Approval holders must submit the report to the Ministry by September 30 each year.

If a self-report indicates an issue of non-compliance, the approval holder must immediately stop the contravention (if operational) and remedy the situation within 90 days. Under the Act, an approval is deemed to be automatically suspended if the report is not submitted on time, or if it discloses a contravention that is not remedied within 90 days of report submission. The suspended approval is deemed reinstated once the required report has been submitted, or the contravention has been remedied. If the contravention remains

unaddressed, the Ministry may eventually revoke the licence or permit.

### 2.2.3 Ministry Inspection and Enforcement

Ministry inspections of aggregate operations are conducted by staff, called integrated resource management technical specialists (IRMs), who are spread across the Ministry's 36 offices (in 18 districts). Each IRM can work across several program areas (such as lands and waters, fish and wildlife, and forestry) in addition to aggregates. For an IRM to perform onsite aggregate inspections, they must be specifically designated under the Act to serve as an inspector by a district manager. During an aggregate inspection, inspectors are to assess compliance with all operating and progressive rehabilitation requirements as set out in the Act, the regulation, the approval holders' site plans, and any licence or permit conditions.

According to the Ministry, aggregate sites are to be randomly inspected, in accordance with the Ministry's risk-based compliance inspection model. Sites may receive higher priority for inspection if, for example, the site is newly approved, the licensee or permittee has failed a previous inspection, or complaints have been received.

Inspectors have several options to resolve non-compliance issues (see **Appendix 10**). They may begin with education and outreach to encourage voluntary compliance. Depending on various factors, including the type and seriousness of the violation and history of non-compliance, they may take additional steps, such as issue a warning or an order for compliance. Alternatively, inspectors may refer the case to conservation officers at the Ministry's Enforcement Branch to investigate (that is, collect evidence of a violation) and potentially issue a charge. In more serious cases, the Ministry can also revoke a licence.

### 2.2.4 Final Rehabilitation and Surrendering Approvals

Once an approval holder has ceased its extraction operations and deemed the site to be fully rehabilitated,

it submits a request to the Ministry to surrender its approval. The Ministry may accept the surrender only after the site has been inspected and the Ministry inspector is satisfied that the site has, in fact, undergone final rehabilitation, and all fees (and royalties as applicable) have been paid (see **Section 2.2.5**). Once the Ministry accepts the surrender, the approval holder no longer has any obligations for the property under the Act.

Typically, final rehabilitation consists of grading (levelling) the landscape, replacing top soil, and revegetating the land to return it to its former condition, or to a condition that is similar to surrounding land uses. While there is a range of rehabilitation strategies, sites where aggregates have been extracted below the water table are typically converted into ponds and lakes. As of 2023, there were 971 active pits and quarries that were approved to extract below the water table, representing 18% of all active sites in the province. A wider range of options exists for operations above the water table, as these can be naturalized for habitat or converted for agricultural, recreational, residential or commercial use.

### 2.2.5 Fees and Royalties

As required by the Act and regulation, both licence and permit holders must pay an annual extraction fee on a per-tonne basis, or an annual minimum fee, whichever is greater. Permit holders must also pay royalties for the use of Crown-owned resources. Each year, the Ministry adjusts the fees and royalties to account for inflation

and publicly posts the adjusted amounts by January 1 (see **Figure 8** for 2022 and 2023 fee and royalty rates). Using 2023 rates, **Figure 9** illustrates the fees and royalties that would apply to the aggregates used in different construction projects.

The Ministry does not collect or disburse the fees itself, but has delegated this responsibility, and others, to The Ontario Aggregate Resources Corporation (see **Section 2.3**).

## 2.3 The Ontario Aggregate Resources Corporation

The Ontario Aggregate Resources Corporation (TOARC) is a private corporation created in 1997 to act as the trustee of the Aggregate Resources Trust, a trust established under the *Aggregate Resources Act* to hold and disburse aggregate fees and royalties. A Memorandum of Understanding between TOARC and the Ministry sets out the parties' respective roles and processes. TOARC's key responsibilities are outlined below.

### 2.3.1 Collecting Fees, Royalties and Production Reports

By January 31 of each year, aggregate operators must submit production reports to TOARC showing both the quantity and type of aggregates they extracted the previous year. Based on this information, TOARC invoices approval holders for the amounts owing, and approval holders must pay their invoices by March 15 of that year. TOARC sends a report to the Ministry every April

**Figure 8: Annual Fees and Royalty Rates, 2022 and 2023**

Source of data: Ministry of Natural Resources and Forestry

	2022	2023
<b>Fee</b>		
Class A licences and aggregate permits authorized to remove more than 20,000 tonnes annually	21.3 cents/tonne or \$741, whichever is greater	22.7 cents/tonne or \$789, whichever is greater
Class B licences and aggregate permits authorized to remove 20,000 tonnes or less annually	21.3 cents/tonne or \$370, whichever is greater	22.7 cents/tonne or \$394, whichever is greater
<b>Royalty (for use of Crown-owned resources)</b>		
Aggregate permits only	53.9 cents/tonne	57.4 cents/tonne

**Figure 9: Examples of Aggregate Fee and Royalty Costs Generated by Typical Construction Projects\*, 2023**

Prepared by the Office of the Auditor General of Ontario

	Fee (\$0.227/tonne)	Royalty (\$0.574/tonne)
<b>Brick house</b> (250 tonnes)	56.75	143.50
<b>Subway tunnel</b> , 1 km in length (91,200 tonnes)	20,702.40	52,348.80

\* Aggregate fees and royalties are paid by aggregate operators based on their total annual extraction volumes; these examples illustrate the fees and royalties that would be generated by the amount of aggregates needed for two typical construction projects.

of all outstanding production reports and fees that were due for the previous year, and then subsequently sends updated monthly reports.

Since 2000, TOARC has conducted audits of selected approval holders' reported extraction tonnage to confirm that operators are accurately reporting their extraction tonnage and paying fees and royalties based on the tonnes of aggregate extracted. As of December 2022, TOARC had audited 1,334 approval holders, holding a total of 3,598 licences and permits. The audits have resulted in the collection of an additional \$1.8 million in net aggregate fees.

### 2.3.2 Distributing Fees

TOARC distributes the collected fees and royalties among the Province and the municipal and regional governments with pits or quarries within their boundaries, in accordance with the formula set out in the regulation. Fee revenues are distributed as follows:

- 61% to the local municipality in which a pit or quarry is located;
- 15% to the county or regional municipality in which the site is located;
- 21% to the Province (paid into the Consolidated Revenue Fund); and
- 3% to a fund for rehabilitating legacy sites (**Section 2.3.3**) and related research.

Royalties, which are paid by permit holders only, are paid to the Province for the use of Crown-owned aggregate. In 2022, \$39.6 million was collected in fees and royalties, of which \$28.4 million was disbursed to local and regional municipal governments, and \$10.1 million was disbursed to the Province (see **Figure 10**).

### 2.3.3 Rehabilitating Legacy Sites

TOARC rehabilitates legacy sites through its Management of Abandoned Aggregate Properties (MAAP) program, a program that was originally run by the Ministry. Legacy sites are abandoned pits and quarries that operated before the Act came into effect in 1990, and that were left unrehabilitated. Once a site is added to TOARC's work plan, it surveys the site, designs a rehabilitation plan, and then publicly tenders the rehabilitation work to contractors. TOARC visits the site for the next two to five years to monitor the effectiveness of the rehabilitation. These legacy sites are typically small, as the aggregate was often extracted only to construct nearby roads. An average of \$1 million per year has been directed to the MAAP program over the past five years from the annual fees paid by operators.

According to TOARC's database, there are 8,237 legacy sites across Ontario, but as of October 2023, TOARC has closed the files for 6,578 of these sites because they are no longer candidates for rehabilitation through the MAAP program. Files are closed for various reasons, including that the site has been rehabilitated, the site has re-naturalized, or the current landowner has declined rehabilitation (see **Figure 11** for the reasons for file closure). For details on TOARC's rehabilitation work see **Section 4.5.3**.

### 2.3.4 Rehabilitating Sites with Revoked Approvals

Prior to 1997, security deposits were collected from pit and quarry operators to guarantee funding for post-extraction rehabilitation. In 1997, however, the

**Figure 10: Distribution of Fees and Royalties, 2018–2022 (\$ million)**

Source of data: The Ontario Aggregate Resources Corporation

Disbursement	2018	2019	2020	2021	2022
Local municipalities	9.4	19.4	20.0	21.4	22.8
Counties and regional municipalities	2.4	4.8	5.0	5.3	5.6
Province (from licence fees)	5.5	6.7	7.0	7.5	7.9
Province (from royalties and permit fees)	1.7	1.8	1.7	1.9	2.2
Abandoned Pits and Quarries Rehabilitation Fund for the Management of Abandoned Aggregate Properties program	0.8	1.0	1.0	1.1	1.1
<b>Total</b>	<b>19.8</b>	<b>33.7</b>	<b>34.7</b>	<b>37.2</b>	<b>39.6</b>

**Figure 11: Reasons for File Closures in the Management of Abandoned Aggregate Properties (MAAP) Database, as of October 2023**

Source of data: The Ontario Aggregate Resources Corporation

Reason File Closed	# of Files
<b>Site rehabilitated</b>	
Site rehabilitated by MAAP program and the Ministry	643
Site rehabilitated by owner	796
<b>Site no longer requires rehabilitation</b>	
Site developed	766
Site naturalized	2,650
No historical extraction on site <sup>1</sup>	396
<b>Other</b>	
Site now licensed	355
Site situated on Crown land <sup>2</sup>	268
Landowner declined rehabilitation <sup>3</sup>	704
<b>Total files closed</b>	<b>6,578</b>

1. Either no land disturbances could be found on site, or it was determined the site disturbance was not a result of aggregate extraction, or the extracted aggregates were not used off site.
2. These sites have been closed because The Ontario Aggregate Resources Corporation does not currently have explicit responsibility for them (see **Section 4.5.3**).
3. These files are not formally closed and could be reopened in the future if landowner changes their mind or if land changes ownership.

Province eliminated security deposits, and operators who had already paid securities received partial refunds based on a formula established by the Ministry. The remaining balance of approximately \$10.6 million was transferred to TOARC when it was established.

Through investments, TOARC has increased this amount to \$16 million in 2022. TOARC uses these monies to both pay for its operational expenses and rehabilitate sites with revoked approvals where rehabilitation is still required. Since 1997, TOARC has rehabilitated 18 formerly licensed sites and 10 formerly permitted sites using these monies.

### 3.0 Audit Objective and Scope

Our audit objective was to assess whether the Ministry of Natural Resources and Forestry (Ministry) had effective systems and processes to:

- regulate aggregate development and operations on Crown and private land in a manner that minimizes adverse impacts on the environment;
- ensure compliance with the *Aggregate Resources Act*, and regulations, policies, permits and licences related to aggregate operations;
- ensure the land from which aggregates have been excavated is effectively rehabilitated; and
- measure and publicly report on the state of Ontario's aggregate resources and the delivery of the Province's aggregate resource program.

In planning for our work, we identified the audit criteria we would use to address our audit objective. These criteria were established based on a review of applicable legislation, policies and procedures, internal and external studies, and best practices. Senior

management reviewed and agreed with the suitability of our objectives and associated criteria as listed in **Appendix 11**.

Our audit scope focused on the Ministry's oversight, licensing and permitting of aggregate extraction operations on both Crown and designated private land. Aspects of aggregate operations that are regulated by other ministries (such as air emissions, which are regulated by the Ministry of the Environment, Conservation and Parks, and workplace safety, which is regulated by the Ministry of Labour, Immigration, Training and Skills Development) were not part of the scope of this audit.

We conducted our audit between January 2023 and August 2023. We obtained written representation from Ministry management that, effective November 21, 2023, they had provided us with all the information they were aware of that could significantly affect the findings or the conclusion of this report.

Our audit work was conducted primarily at the Ministry's office in Peterborough. We also obtained compliance information from the Ministry district offices in Aurora, Bancroft, Guelph and Thunder Bay. We selected Aurora because of its proximity to the Greater Golden Horseshoe region, an area with significant development and high aggregate demand; Bancroft as it has a mix of permits and licences; Guelph because of the high number of licences and volume of aggregate produced within its jurisdiction; and Thunder Bay as a northern office.

As part of our audit work, we:

- interviewed Ministry staff responsible for approvals, inspections and enforcement to understand their practices to issue approvals and inspect and enforce compliance with the *Aggregate Resources Act*, regulation and other requirements;
- reviewed Ministry documents, including a sample of new and amended aggregate approvals, to assess the timeliness and completeness of the Ministry's review and approval processes;
- analyzed data on production reporting and outstanding fee payments to determine non-compliance trends;

- reviewed a sample of inspection reports and compliance assessment reports from the four Ministry offices to determine timeliness of submission, completeness and Ministry verification practices;
- reviewed Ministry-wide enforcement data to analyze enforcement trends; and
- attended inspections (planned, follow-up, and surrender) to observe how Ministry inspections are conducted.

We also met with external stakeholders, including those representing:

- The Ontario Aggregates Resources Corporation;
- the Ministry of Transportation and the Ministry of the Environment, Conservation and Parks;
- industry, including representatives of the Ontario Stone, Sand & Gravel Association, as well as individual operators and consultants; and
- other relevant stakeholder groups, such as Gravel Watch Ontario, Environmental Defence, Reform Gravel Mining Coalition, the Canadian Environmental Law Association, the Toronto and Area Road Builders Association, and the Top Aggregate Producing Municipalities in Ontario.

We conducted our work and reported on the results of our examination in accordance with the applicable Canadian Standards on Assurance Engagements—Direct Engagements issued by the Auditing and Assurance Standards Board of the Chartered Professional Accountants of Canada. This included obtaining a reasonable level of assurance.

The Office of the Auditor General of Ontario applies Canadian Standards on Quality Management and, as a result, maintains a comprehensive system of quality management that includes documented policies and procedures with respect to compliance with rules of professional conduct, professional standards and applicable legal and regulatory requirements.

We have complied with the independence and other ethical requirements of the Code of Professional Conduct of the Chartered Professional Accountants of Ontario, which are founded on fundamental principles

of integrity, objectivity, professional competence and due care, confidentiality and professional behaviour.

## 4.0 Detailed Audit Observations

### 4.1 Ministry Inspections

#### 4.1.1 Ministry Lacked Experienced Inspectors

Ministry inspections are a key mechanism for ensuring that aggregate approval holders comply with all operating and progressive rehabilitation requirements. Despite the important role inspectors play as the Ministry’s “eyes on the ground,” we found that there was a significant shortage of experienced individuals performing this function.

Each of the Ministry’s 18 district offices is responsible for filling its own staffing needs. We determined that, as of May 31, 2023, a total of 34 integrated resource management technical specialists (IRMs) had been designated as aggregate inspectors Ministry-wide, up from 22 designated inspectors in 2022. Further, an additional 19 IRMs had been hired and/or were being trained to be designated aggregate inspectors as of November 2023. Despite the increased staffing, some district offices continued to experience vacancies and staff turnover. As of May 31, 2023, the Ministry had an average of two designated aggregate inspectors per district. Seven districts each had a single designated inspector, and two districts had none. Furthermore, only 16 inspectors conducted field inspections in 2022, with a single inspector responsible for 27% of all inspections conducted that year.

Moreover, we found that the inspectors lacked experience, having been in their positions for only a short time. As of May 2023, almost half (41%) of the 34 designated aggregate inspectors had held their designation for less than one year.

This lack of experience limits staff’s ability to respond to public complaints in a thorough and informed manner and to address potential issues of non-compliance. Aggregate inspections entail checking a variety of technical operational and safety

requirements, which requires training and expertise. For example, inspectors must check that operators are not extracting below the allowable depth, that blasting activities are being properly monitored, and that land is being progressively rehabilitated according to the site plan.

We heard from stakeholders, such as environmental, community and resident groups, that not only did they have difficulties identifying which inspectors to contact about their concerns, they also felt that inspectors were slow to respond, and were not fully informed. Two large aggregate operators also told us they felt the inspectors who inspected their operations were inexperienced. The industry association has also raised concerns with the Ministry about inspectors’ technical and safety knowledge that seemed to show inadequate training.

To understand the Ministry’s challenges in attracting and retaining aggregate inspectors, we spoke with 16 Ministry staff who currently hold, formerly held, or supervise this position. We learned that the aggregate inspector role can be more demanding and challenging than other similar positions in several ways. First, compliance work can require inspectors to interact with the public and operators in a difficult conflict-resolution capacity. Several Ministry staff told us the work is highly stressful for an entry-level position, and there are more attractive options to work in less stressful positions at the same pay grade. Second, several inspectors told us they did not feel sufficiently experienced, and lacked training and mentorship for their inspection role.

In speaking with aggregate inspectors we learned that, in contrast to other program areas within the Ministry (such as fish and wildlife), the aggregate program does not have a regional contact who can support inexperienced staff if they have questions. This role existed before, but was lost when the Ministry reorganized in spring 2020. Before then, all approvals for aggregate pits and quarries were handled by district offices across the three regions, alongside inspection activities. In April 2020, the Ministry centralized all aggregate licence and permit approvals into an integrated Aggregates Section under the Divisional Delivery Branch; staff in district offices are

no longer responsible for reviewing applications (see **Appendix 4**). Many staff members who had previously worked as aggregate inspectors moved into the Aggregates Section to focus solely on processing applications. These employees already had experience with the approvals process (which was within their responsibilities when they worked in district offices) and their new positions provided better financial compensation. The Ministry centralized the approvals process to improve efficiency, decrease wait times and provide consistency; however, this restructuring resulted in a significant loss of inspection expertise in the field.

In April 2023, the Ministry launched a new formalized training program that requires inspectors to participate in onsite training. As part of this, the Ministry adopted a mentorship approach with a goal of improving the knowledge and capacity of inspection staff. However, the lack of experienced mentors in the district offices could make this goal difficult to achieve.

## RECOMMENDATION 1

To provide proper inspection coverage for aggregate pits and quarries, and ensure compliance with the *Aggregate Resources Act*, we recommend that the Ministry of Natural Resources and Forestry:

- develop and implement processes to address the challenges identified in recruiting, training, and retaining staff serving as aggregate inspectors, and
- provide on-the-ground training and mentorship in district offices.

## MINISTRY RESPONSE

The Ministry of Natural Resources and Forestry (Ministry) acknowledges the challenges in recruiting, and retaining trained staff, and that these challenges are not unique to the aggregate program.

In early 2021, the Ministry launched an internal review of the Regional Operations Division organizational structure. Outcomes of the review included adjusting the structure of the division to improve

client service and build flexibility into delivery approaches, and creation of the integrated resource management technical specialist positions. The Ministry has invested in significant and ongoing recruitment efforts to fill vacancies in these positions across the province.

The Ministry recognizes there is more work to be done to ensure the attraction, recruitment, training and retention of these critical positions that deliver the aggregates and other resource management programs. Several initiatives are already under way, including compliance training initiatives, outreach to students and new professionals, exit interviews and development of recruitment tools and streamlined processes.

The Ministry will continue to develop and provide training as well as promote mentoring of integrated resource management technical specialists, to ensure staff have the required knowledge to perform their duties.

### 4.1.2 Ministry Inspected Aggregate Operations Infrequently

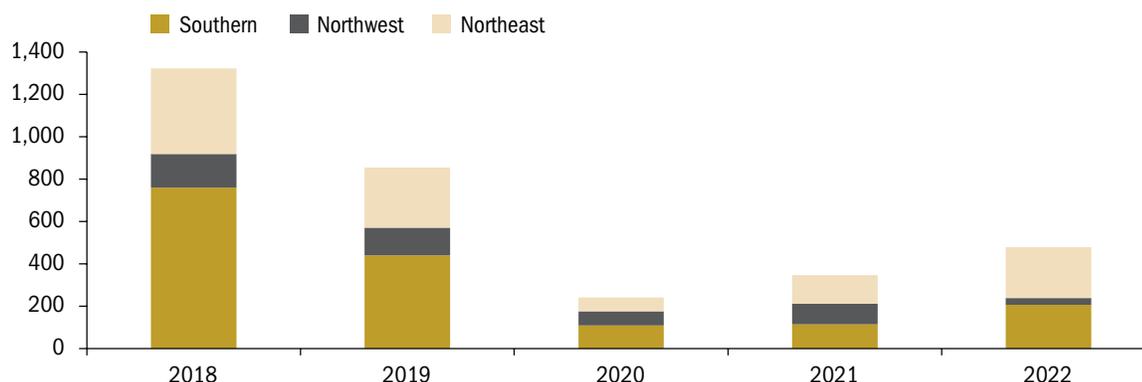
We found that the number of inspections across the province was low, and has decreased over the past five years.

Aggregate approvals can contain various conditions intended to minimize impacts on neighbours (such as noise, dust and vibrations) and to protect the environment (such as water resources and species at risk). Regular and thorough inspections help to ensure compliance with these conditions, as well as maintain a level playing field across the industry, and increase community support for operations. Without regular inspections, the Ministry cannot verify that aggregate pits and quarries are complying with their operating conditions. This leads to complaints from the public and an overall negative perception of the industry.

We reviewed the Ministry's inspections data between 2018 and 2022, and found that inspection rates decreased by 64%, from 1,322 inspections in 2018 to 479 in 2022 (see **Figure 12**). Some of this decrease, particularly in 2020 and 2021, can be attributed

**Figure 12: Number of Aggregate Inspections Per Year, By Ministry Region, 2018–2022**

Prepared by the Office of the Auditor General of Ontario



to a pause in activity due to lockdowns during the COVID-19 pandemic. However, the decreasing trend began prior to the pandemic and continued through 2022, despite there being no stay-at-home order during that year's inspection season. Our audit found that the primary reason for the decrease was a shortage of Ministry inspectors (see **Section 4.1.1**).

We reviewed the inspection records from the past five years for 80 licensed or permitted sites that we randomly selected from four Ministry offices across the province, with 20 sites selected from each. As shown in **Figure 13**, only 35% of the sites had been inspected within the previous five years. Recognizing that the most recent five-year period is an anomaly on account of the pandemic, we also analyzed the inspection data from just 2022 (when inspection activity should have returned to normal). Based on this analysis, we found that the Aurora office had inspected 22% of operations within its jurisdiction in 2022, while the other three offices had each inspected less than 5% of operations that year (see **Figure 14**).

In the absence of regular inspections, the Ministry cannot verify that pit and quarry operators are meeting all of their operating conditions, rehabilitating their sites as required, and properly self-reporting any non-compliance issues. Indeed, we found the lack of inspections was frequently raised as a concern. Community groups and neighbours of aggregate operations complained to us of dust, noise and vibration impacts going unchecked by the Ministry. Members of the

**Figure 13: Percentage of Sites Inspected within the Past Five Years (2018–2022)\***

Prepared by the Office of the Auditor General of Ontario

Ministry Office	# of sites in sample	# of sites inspected in 2018–2022	% of sites inspected in 2018–2022
Aurora	20	8	40
Bancroft	20	3	15
Guelph	20	6	30
Thunder Bay	20	11	55
<b>Total</b>	<b>80</b>	<b>28</b>	<b>35</b>

\* Based on a sample of 20 randomly selected sites (including licensed and permitted sites) from each of four Ministry offices from four different districts.

**Figure 14: Percentage of Aggregate Sites Inspected, by Ministry Office, 2022**

Prepared by the Office of the Auditor General of Ontario

Ministry Office*	% of operations inspected in 2022
Aurora	22
Bancroft	1
Guelph	4
Thunder Bay	2

\* The four Ministry offices were selected to represent a range of geographic areas and levels of aggregate activity and demand, on both private and Crown land.

aggregate industry also expressed concerns about how the lack of inspections of poorly run aggregate operations hurts the image of the entire industry.

### 4.1.3 Ministry Did Not Properly Plan its Annual Inspections

Inspection planning is an important process for identifying aggregate pits and quarries that are a high priority for inspection and for determining inspection schedules. However, we found that Ministry offices were not properly planning their annual inspections, which increases the risk that non-compliance issues go undetected and unresolved.

Each aggregate inspector's workload consists of both planned and unplanned inspections. Unplanned inspections (generally conducted in response to complaints) make up a small percentage of the workload. Between 2012 and 2023, the Ministry conducted 438 unplanned inspections, representing 4% of all inspections. This leaves the bulk of inspectors' time for planned inspections. Since aggregate extraction is a seasonal activity, generally running from spring to fall, Ministry inspections are conducted during the same period. Precise timing depends on the weather and area of the province (for example, aggregate extraction may begin in April in southern Ontario, but in June in Northern Ontario), but each district has a reasonably predictable season for inspections, and is responsible for developing its own annual plan for carrying them out.

The Ministry provides a prioritization matrix to help inspectors identify which sites are a higher priority for inspection. For example, the Ministry considers newly approved sites to be a high priority for inspection so that it can set a baseline of compliance. Operators with a history of non-compliance or operations with major site plan amendments are also considered high priorities for inspection. Prioritizing sites for annual inspections is especially important when staffing resources are limited.

We requested the inspection plans for the Aurora, Bancroft, Guelph and Thunder Bay offices. As of July 2023, only Aurora and Thunder Bay were able to provide us with documented plans. Aurora indicated eight planned inspections for the 2023 season and Thunder Bay indicated 38 planned inspections. We were advised that the other offices did not have

inspection plans for various reasons, including not having the staff capacity to conduct planned inspections or staff lacking experience or training.

## RECOMMENDATION 2

To maximize inspection resources for higher-priority aggregate pits and quarries, and better ensure compliance with the *Aggregate Resources Act*, we recommend that the Ministry of Natural Resources and Forestry require every district office to develop an inspection plan before the start of each inspection season that sets out a sufficient number of planned inspections according to priority level, and to follow the plan when conducting inspections for that season.

## MINISTRY RESPONSE

The Ministry of Natural Resources and Forestry (Ministry) acknowledges the Auditor General's recommendation and recognizes the importance of a strategic approach to guiding inspection effort and assessing compliance outcomes. Through its Compliance Renewal Initiative, the Ministry is reviewing its approach to annual compliance planning and reporting for multiple programs, including aggregates. This includes consideration of a clear process and criteria to identify the number of inspections needed in each district based on priorities, defined accountabilities for completing inspections, and modern tools to document inspection effort and track results. Implementation is planned to begin in 2024/25.

### 4.1.4 Inspection Reports Often Incomplete or of Poor Quality

Ministry inspectors must complete a report every time they inspect an aggregate pit or quarry. Our review of these inspection reports from 2012 to 2022 reveals that many of them are incomplete or of poor quality.

Inspection reports are divided into six sections, and a final section for additional notes. Each of the

six sections contain items for an inspector to review (see **Figure 15**). For each item being reviewed, there is a checkbox for the inspector to indicate whether the operations are compliant, non-compliant, not applicable or not inspected for that particular item.

We requested inspection reports for all planned inspections conducted between 2012 and 2022 for 80 randomly selected aggregate operations across four offices (20 operations from each). Three of the four offices were unable to provide us with inspection reports for all of the selected sites (see **Figure 16**). Of the inspection reports we received, we found a number of issues with the quality and completeness of the reports. We found that, overall:

- 39% of the reports did not provide evidence that all key items had been inspected. While not every item on the list would need to be inspected during every inspection, our Office identified several key items that one would expect to be inspected in all cases (such as boundary markers and gates), but which were not consistently marked as inspected. We note that the digital inspection form has a default setting of “not inspected” for each item. As such, it is not possible for our Office, Ministry staff reviewing the reports, or any member of the public that requests a report, to be able to verify that all key items have indeed been inspected.

**Figure 15: Items Listed for Inspection on an Aggregate Inspection Template\***

Prepared by the Office of the Auditor General of Ontario

Section	Items to be Inspected
<b>General</b>	• Identification signs, gates, entrance/exit.
<b>Operational</b>	• Berms, setbacks, stockpile location, excavation face heights, trees within five metres of extraction face, extraction depth, buildings, stripping, progressive rehabilitation, inert fill, undercutting of excavation face, global positioning system corners, boundary demarcation.
<b>Equipment</b>	• Asphalt plant, concrete plant, portable crusher, permanent crusher, wash plant, screening plant.
<b>Environmental</b>	• Pumping and discharging of water, ditching, Permit to Take Water, Environmental Compliance Approval for noise, discharges and wastes, scrap, dust, fuel storage, <i>Endangered Species Act</i> agreement or permit. • Setbacks for Provincially Significant Wetlands, woodlands, or Areas of Natural and Scientific Interest.
<b>Recycling</b>	• Asphalt (reclaimed asphalt paving), concrete, glass, bricks, slag, asphalt shingles.
<b>Monitoring reports</b>	• Water monitoring, noise monitoring, blast monitoring, adaptive management plan.
<b>Other/notes</b>	• Any other item deemed necessary to achieve compliance. A space for recording general comments.

\* Not all items are applicable to all aggregate operations.

**Figure 16: Issues Identified by our Office in a Sample\* of Ministry Inspection Reports, 2012–2022**

Prepared by the Office of the Auditor General of Ontario

Issue	Ministry Office				Overall
	Aurora	Bancroft	Guelph	Thunder Bay	
% of sites for which reports could not be provided to our Office	0	55	10	25	<b>23</b>
<b>Of reports provided:</b>					
% missing key items	40	64	50	17	<b>39</b>
% with no notes	27	0	8	25	<b>20</b>
% with no photographs (where corrective action was required)	65	67	42	37	<b>50</b>

\* Our sample included 80 randomly selected sites, including 20 from each of four Ministry offices from four different districts.

- 20% of the reports had no notes attached, making the purpose or outcome of the inspection difficult to determine. Without notes, it is also difficult to understand why certain elements of an operation were not inspected.
- 50% of inspection reports that required corrective actions did not include photographs, as required by Ministry procedures. Taking photos of an inspected site is important for recording the state of an operation at the time and for proving conditions of non-compliance. Without photos, it is also difficult to track progress over time, especially if the inspector changes between inspections. In the absence of photos, a subsequent inspector would have difficulty confirming any non-compliance and determining whether conditions have worsened or improved.

In addition, we found that for one office, 45% of the inspection reports provided an overall assessment that the site was “in compliance,” even though they showed some of the individual items as being non-compliant and noted remedial actions that were required.

### RECOMMENDATION 3

So that the Ministry of Natural Resources and Forestry has accurate and reliable inspection records to inform compliance activities and program improvements, we recommend that the Ministry develop and implement processes to ensure that inspection records are filled out consistently, completely, and properly.

### MINISTRY RESPONSE

The Ministry of Natural Resources and Forestry (Ministry) agrees with the recommendation and acknowledges the importance of ensuring operational staff are continually learning and collaborating so that aggregate inspections and compliance efforts across all districts are undertaken consistently and completely and are properly documented. The Ministry will review training materials and update as needed to ensure staff are equipped to conduct inspections and complete inspection records properly.

## 4.2 Enforcement of Non-Compliance

### 4.2.1 High Rates of Non-Compliance at Aggregate Sites

We found that the aggregate sector has a high rate of non-compliance, considerably higher than other Ministry program areas.

Up until 2017/18, the Ministry tracked the annual compliance rate of its various program areas. In 2018, the Ministry published its last Performance Measures Annual Report covering the period from April 1, 2017, to March 31, 2018. That report indicated that, based on 1,693 inspections conducted in 2017/18, the compliance rate for aggregate pits and quarries was 38%, similar to the rate from the three previous years. In comparison, the Ministry found that this compliance rate was considerably lower than the compliance rate achieved by other Ministry program areas, including forestry (91%) and petroleum exploration, extraction and production (67%).

The Ministry stopped tracking overall annual compliance rates for program areas in 2018, as it ceased to be a Ministry priority. In the absence of Ministry tracking and reporting, we compiled data from all inspections conducted on aggregate pits and quarries across the Ministry from 2018 to 2022. Using this data, we calculated the compliance rate (the percentage of inspected sites that were deemed satisfactory by the Ministry) over these five years, and found that it has remained low, fluctuating between 36% and 52%. Over the five-year period, inspectors filed 1,750 inspection reports identifying non-compliances.

In addition to violations identified through inspections, violations of the Act may also be identified by TOARC. All approval holders are required to submit production reports to TOARC by January 31 each year, and to pay fees by March 15 based on the volumes reported or the set minimum fee, whichever is higher. A failure by an approval holder to provide a production report (which is required even if no aggregate was produced), to pay annual fees, or to comply with the annual extraction limits set out in its approval, are all violations under the Act. TOARC is responsible for providing the Ministry with reports on operators’

compliance with these requirements, but the Ministry is responsible for enforcement.

As outlined in **Section 2.3.1**, TOARC provides the Ministry with a monthly report of operators that have either outstanding production reports or annual fees. TOARC also reports annually to the Ministry on operators that report extraction volumes that exceed their authorized amounts. TOARC reported that there were 206 instances of these three types of non-compliance remaining at the end of 2018; in 2022, this number increased 74% to 359 (see **Figure 17**). Between 2018 and 2022, TOARC reported a total of 1,654 of these types of violations.

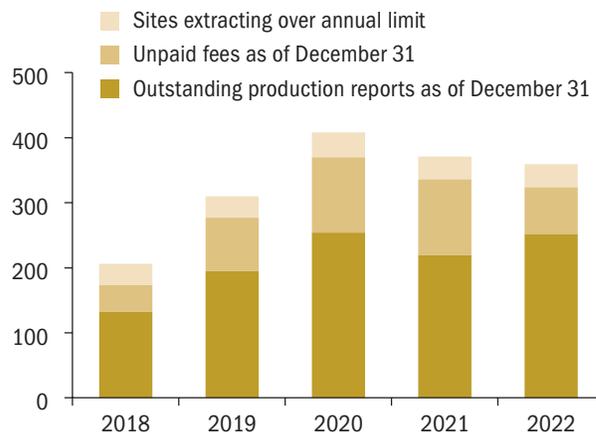
#### 4.2.2 Ministry Rarely Pursued Charges Despite High Rates of Non-Compliance

Despite the high rates of non-compliance repeatedly identified by Ministry inspectors and reported by TOARC (see **Section 4.2.1**), we found that inspectors rarely made use of a key compliance tool: referrals to the Enforcement Branch to pursue charges and, ultimately, fines. For minor offences, charges can be in the form of a ticket up to \$750. For more serious offences, charges can be in the form of a court summons, which can result in a prosecution and fines of up to \$1,000,000. While not all violations merit action by the Enforcement Branch, and many violations may be best addressed through measures like education, the lack of a reasonable threat of enforcement could encourage non-compliance. Indeed, the continuing high rate of non-compliance among aggregate operators suggests that they may not fear any repercussions for failing to comply with the Act, regulation and other requirements. A lack of enforcement not only undermines the Act's purpose "to control and regulate aggregate operations," it also increases the risk of negative impacts on nearby communities and the environment.

Although the Ministry has a variety of compliance tools available (see **Appendix 10**), we specifically examined referrals the Ministry's aggregate inspectors made to the Enforcement Branch to pursue charges as a key tool to encourage and enforce compliance. Inspectors from across all district offices made a total

**Figure 17: Number of Cases of Non-Compliance Reported to the Ministry of Natural Resources and Forestry by The Ontario Aggregate Resources Corporation, 2018–2022**

Source of data: The Ontario Aggregate Resources Corporation



of 26 referrals to the Enforcement Branch from 2018 to 2022. These referrals, averaging five per year, represent less than 1% of the 3,404 violations identified at aggregate pits and quarries by either the Ministry's inspection reports (1,750) or TOARC reports (1,654) during this time period.

Although, as noted above, not all instances of non-compliance necessarily require enforcement action, the Ministry's internal policy explicitly states that the Ministry should pursue charges (which can lead to fines) if an operator significantly exceeds its allowable extraction tonnage. However, we examined the 2018–2022 records as reported by TOARC to the Ministry and found that three companies had exceeded their annual extraction limit by over 1,000%, with one up to 1,800%. We found that, in all three cases, the Ministry had not made an enforcement referral, and therefore the Ministry did not investigate or charge these companies for these violations.

As discussed in **Section 4.1.1**, external stakeholders have expressed concern about the Ministry's lack of capacity to enforce compliance. Although the Ministry's Enforcement Branch includes 209 field conservation officers (after successfully filling 25 new positions in 2022), the district offices responsible for inspecting aggregate pits and quarries have high staff turnover rates and unfilled inspector positions. Therefore, the

Enforcement Branch's ability to enforce requirements at aggregate sites is constrained, in part, by the capacity for district offices to identify and refer cases of non-compliance.

### 4.2.3 Enforcement Tools and Practices Too Weak to Deter Violations

We found that the Ministry's enforcement tools and practices can be ineffective at compelling aggregate operators to comply with the Act, and provide little incentive to fix violations.

For example, the Ministry has acknowledged in internal documents that it has a particular challenge in collecting unpaid aggregate fees and that its existing enforcement tools are not always the most effective to address overdue accounts. We analyzed TOARC data on unpaid aggregate fees from 2018 to 2022, and found that, as of December 31, 2022, 432 sites had not paid their annual aggregate fee, as required by the Act, for at least one of the last five years; of these, 41 had not paid their annual aggregate fees for all five years. We also analyzed the fines issued over the past five years for overdue fees and found that the Ministry issued only two fines for this offence, for a combined total of \$1,230 in fines. The total fines levied represent just 0.4% of the \$327,676 unpaid aggregate fees that TOARC calculated as remaining outstanding as of December 31, 2022. The total amount of unpaid fees is even higher; there were 649 production reports due in the past five years that remained outstanding at the end of 2022, meaning that TOARC could not calculate the fees owed by these operators.

Not only does the Ministry rarely pursue charges as a means to collect unpaid fees, the Ministry also does not charge interest on overdue aggregate fees, although the Act gives it the legislative authority to do so. Charging interest on unpaid fees is a commonly used mechanism across financial fields to encourage prompt payment of fees, and is used by the Ministry itself for overdue Crown timber charges.

Further, TOARC also audits operators' record keeping and reporting, and provides copies of its audit assessment to the Ministry. We found, however, that

the Ministry did not have a procedure to systematically follow up on deficiencies identified in TOARC's assessments. TOARC has raised concerns that the Ministry does not follow up with operators, especially those who do not comply with the Act by keeping proper and detailed records. A lack of Ministry oversight and enforcement of proper record-keeping and reporting creates a risk that operators may be underreporting their extraction rates and therefore underpaying their fees.

In 2022, the Ministry introduced tickets as a more efficient means to fine violators of the Act, without resorting to resource-intensive court prosecutions. While it is too soon to evaluate its effectiveness, we noted that the maximum ticket fine is relatively low, and so provides only a small penalty for failing to comply with the annual fee requirements. A ticket for failing to pay the annual aggregate fee (which is a minimum of \$394) carries a \$300 fine, and operating without a licence or permit carries a \$750 fine. By comparison, the maximum fine for traveling on GO Transit without paying a \$3.70 fare is \$200, which is over 50 times the cost of complying with the fare rules.

Administrative monetary penalties are another type of enforcement tool that can be used to discourage non-compliance and, like tickets, do not involve a resource-intensive court prosecution. For example, the Ministry issues administrative monetary penalties for violations by the forestry sector of the *Crown Forest Sustainability Act, 1994*, but does not use them for violations of the *Aggregate Resources Act*. Unlike the low maximum fine limit for tickets, the Ministry can issue much higher fines through the administrative monetary penalties for forestry violations. For example, whereas a ticket for operating without an aggregate licence or permit has a fine of \$750, the administrative penalty for harvesting timber without a licence is either \$15,000 or five times the value of forest resources harvested, whichever is greater. Also, unlike tickets, the fines imposed through an administrative monetary penalty cannot be appealed in court, which can make them a more efficient compliance tool. As noted in **Section 4.2.1**, the Ministry has found that the compliance rate for its forestry program has been much higher than for its aggregate program.

#### 4.2.4 Ministry Does Not Enforce Payment of All Fines

When regulators impose substantial fines for non-compliance, it not only penalizes illegal activity, it also communicates to the regulated industry that non-compliance will not be tolerated, which can help deter future non-compliance. However, these benefits are lost if payments are not actually enforced. We found cases of unpaid fines for violations at aggregate pits and quarries, and noted that the Ministry did not have a mechanism to enforce the payment of fines.

Fines issued for violations of the Act, a provincial statute, are collected along with all other provincial offences, and not by the Ministry. Since 2002, Ontario municipalities have been responsible for collecting fines levied for provincial offences. In 2011, the Ontario Association of Police Services Boards (Association) noted that municipalities were not prepared or resourced to collect unpaid fines and that the amount of unpaid fines had grown considerably. The Association did report success, however, in collecting parking ticket and red-light camera fines, as well as Highway 407 tolls and fees. This success was due to the fact that the Ministry of Transportation has a process for municipalities to report these unpaid fines to it so that it can deny validation of a vehicle licence plate. The Association also reported some success when the Ministry of Transportation suspends driver's licences, which it does for other violations such as speeding. By contrast, the Ministry of Natural Resources and Forestry does not have a mechanism by which municipalities can report unpaid fines to it so that the Ministry can suspend or deny aggregate permits and licences.

We analyzed data provided by the Ministry of the Attorney General on defaulted fines for aggregate pits and quarries. The data included \$217,940 in fines issued under the Act that were in default as of December 2022, and were issued as far back as 1991. The data also indicated that \$81,000 is owed by three businesses that each hold an active aggregate licence or permit; these fines were issued between 2011 and 2013.

### RECOMMENDATION 4

So that compliance with the *Aggregate Resources Act* is effectively encouraged and enforced, we recommend the Ministry of Natural Resources and Forestry:

- centrally track annual compliance data based on the results of Ministry inspections and the reports from The Ontario Aggregate Resources Corporation;
- review the Ministry's processes and practices for district office staff to make referrals to the Enforcement Branch and, based on the outcome of the review, implement any changes to its compliance and enforcement policies and practices;
- charge interest for overdue annual fees and royalties;
- review and adopt additional enforcement tools needed to address non-compliance; and
- determine options to further improve fine payments to municipalities.

### MINISTRY RESPONSE

The Ministry of Natural Resources and Forestry (Ministry) acknowledges that centralized tracking of compliance data would help support efforts to achieve compliance with the *Aggregates Resources Act*. The Ministry has initiated a review of the internal systems being used to track existing aggregate compliance and enforcement activities and outcomes.

The Ministry will undertake a review of *Aggregates Resources Act* compliance tools and processes and explore opportunities for enhancement. Guidance to staff on the enforcement referral process will be developed to further support decision-making related to non-compliance.

The Ministry acknowledges the recommendation to charge interest on overdue fees and royalties and, with government direction, will work with The Ontario Aggregate Resources Corporation to explore potential options.

The Ministry will explore options to further influence fine payments to municipalities.

## 4.3 Self-Inspection and Self-Reporting by Operators

### 4.3.1. Ministry Not Enforcing Compliance Assessment Report Requirements

Ministry staff advised our Office that the self-compliance approach (see **Section 2.2.2**) is intended to encourage operators to proactively self-identify, disclose and rectify any issues of non-compliance. The Ministry seeks to encourage operators to self-disclose non-compliance on the basis that they will be rewarded through leniency by the Ministry, whereas operators who fail to self-disclose issues that are later found through complaints or Ministry inspections will, in theory, be more harshly penalized. However, we found that the Ministry did not have processes in place to ensure that this approach is meeting its intended goal of encouraging operators to properly self-report.

We found that the Ministry did not have a centralized database or standardized mechanism in place to track late or improperly completed reports. The Ministry encourages approval holders to submit their reports through the centralized online Natural Resources Information Portal; however, the reports can also be submitted to Ministry offices via email, fax, or by dropping off or mailing a hard copy. As such, we found that each office has developed its own internal processes for receiving and tracking these reports. While staff in some offices we visited have developed very detailed databases that effectively track which reports they have received and the content of the self-reported information, other offices use basic spreadsheets with varying levels of functionality.

We reviewed records from 2022 at four Ministry offices and found that these reports were not consistently received on time. (We focused exclusively on reports from 2022 because three of the four offices were unable to confirm receipt of all reports submitted in 2020 and 2021 due to staffing and technology challenges during the COVID-19 pandemic.) Overall, as of May 2023, we found that 25% of all 1,030 operators within the four offices' jurisdictions had not submitted a 2022 report more than seven months after the due date (September 30, 2022). The Bancroft office was

missing 46% of the required reports, while the Guelph, Thunder Bay and Aurora offices were missing 32%, 3% and 2%, respectively.

We also reviewed all reports received by the Ministry over the past three years from 20 randomly selected active operations from four Ministry offices to assess their completeness. We found that 15% of the reports were incomplete or of poor quality. For example, some reports had sections that were left blank. Others appeared to be exact copies of reports submitted from previous years, while others did not include the sketches required when remedial actions were identified or rehabilitation was conducted.

Furthermore, the compliance assessment report does not require operators to confirm that they have filed their annual production report with TOARC and paid their annual fees. As noted in **Section 4.2.1**, there are high rates of non-compliance with these requirements and the Ministry relies on TOARC to identify those operators that are not compliant. Including this requirement in the compliance assessment report could serve as a further incentive to submit reports and pay fees in a timely fashion.

Finally, we found the Ministry did not enforce suspensions for operators that did not submit reports on time or at all. In reviewing the procedures that Ministry staff used to address late or incomplete reports, we found inconsistencies among the four offices. In particular, the offices differed as to when they would send letters to operators with outstanding reports to notify them that they are suspended. For the 2022 reporting year, one office started sending letters as early as October 14, two weeks after the reports were due. Two other offices started in February and May 2023—four and seven months, respectively, after they were due.

The Act stipulates that a failure to submit a report by the due date will result in an immediate and automatic deemed suspension to operate. However, none of these four offices did anything more to enforce the suspension beyond sending a letter, such as conducting a site visit to confirm operations were halted. Furthermore, we found that deemed suspensions were not documented in the Ministry's central databases. This raises a risk that sites that hold licences deemed

to have been suspended continue to operate. In our review of 80 sites from four district offices, we found 11 sites continued to produce aggregate in 2021 despite never having submitted a self-assessment report for 2020, which should have resulted in an automatic suspension.

## RECOMMENDATION 5

So that annual compliance assessment reports serve as an effective tool for ensuring compliance with the *Aggregate Resources Act*, we recommend that the Ministry of Natural Resources and Forestry implement and standardize processes across all districts to:

- consistently track when compliance assessment reports are received;
- review compliance assessment reports in a timely and thorough manner to identify reports that are late, incomplete or improperly completed; and
- enforce suspensions of operators who do not comply with the reporting requirements, and reflect that status in internal Ministry systems.

## MINISTRY RESPONSE

The Ministry of Natural Resources and Forestry (Ministry) acknowledges the recommendation and agrees that a consistent, standardized approach to the delivery of the aggregate program across all regions and districts is important.

The Ministry will explore options to track the submission rates and quality of annual compliance assessment reports and leverage existing Ministry systems to collect and track information submitted by the regulated community.

The Ministry will consider training opportunities that will further educate staff on the appropriate compliance options for aggregate licensees and permittees who fail to submit, or improperly complete a compliance assessment report.

The Ministry will review existing procedures with respect to automatic suspensions of licensees and permittees who fail to submit an annual

compliance assessment report and explore options to improve Ministry follow-up and internal tracking.

## 4.4 Fees to Extract Aggregates Likely Too Low to Cover Program Costs

The Ministry has a goal of achieving full cost recovery for its aggregate program. In other words, the Ministry aims to recover the full cost of all services it provides for the aggregate program—including reviewing approvals and inspecting and enforcing compliance—from aggregate-related fees. However, we found that the Ministry's fee structure for extracting aggregates was likely not enough to cover the costs of administering the existing program, let alone to cover additional costs needed to effectively deliver the mandate of the Act.

In 2014, the Ministry began a process to update its fee structure to try to achieve full cost recovery for the future delivery of the program. The Ministry determined it would need to assess the program capacity required to effectively and efficiently deliver the mandate of the Act. Following stakeholder consultations, the Ministry brought in a new fee structure in 2019 that would increase revenue and index all fees going forward to account for inflation.

At that time, the Ministry estimated these changes would result in \$7.96 million in annual revenue for the Province. It also estimated that the Province would receive approximately \$100,000 per year in additional application and related fees. By contrast, using 2015/16 fiscal data, the Ministry estimated that the Province spent approximately \$9.91 million each year on activities related to managing aggregate resources, excluding the aggregate-related costs of other ministries. The increased revenue would therefore cover only about 80% of its program costs. The Ministry acknowledged that, while the annual fee increase would not achieve full cost recovery, it would be a step toward that goal.

Moreover, the Ministry also recognized that the expenses associated with delivering the aggregate program would increase after implementing other policy changes proposed at the time. Three years later,

however, the Ministry was unable to provide our Office with the annual cost of delivering its program.

As noted in **Section 4.1** and **Section 4.2**, many stakeholders, including from the aggregate industry, have expressed concerns about the Ministry's lack of capacity to inspect and enforce compliance. Some industry members have stated that the Ministry's limited enforcement has contributed to a lack of public trust and opposition to aggregate pits and quarries. This concern is significant enough for organizations representing both operators and municipalities, a key consumer of aggregates, to call for higher aggregate fees to pay for increased enforcement. In 2012, the Ontario Stone, Sand & Gravel Association and the Top Aggregate Producing Municipalities of Ontario formed a committee to advocate for increased Ministry enforcement paid for by higher aggregate fees, among other issues. In 2021, despite the 2019 increase in fees, both groups reiterated their continued support to the Ministry for this approach.

In addition to these concerns that aggregate fees are too low to support the Ministry's inspection and enforcement activities, the fees may also be too low to support other program goals, including to conserve aggregate resources and encourage aggregate recycling, as set out in the Provincial Policy Statement (see **Section 4.7.2**).

## RECOMMENDATION 6

To effectively deliver the mandate of the *Aggregate Resources Act*, we recommend that the Ministry of Natural Resources and Forestry:

- assess the Province's full cost of operating its current aggregate program, as well as the additional resources necessary to adequately enforce aggregate policies; and
- explore options to recover the full program costs, including those related to enhanced enforcement.

## MINISTRY RESPONSE

The Ministry of Natural Resources and Forestry (Ministry) acknowledges this recommendation

and recognizes the importance of having sufficient resources to implement the aggregate program. The Ministry will assess the full program costs and consider options to recover those costs in future modernization of the aggregate program.

## 4.5 Final Rehabilitation

### 4.5.1 Ministry Did Not Have Processes to Ensure Aggregate Sites are Promptly Rehabilitated After Extraction is Complete

Ontario's Provincial Policy Statement states that, "to recognize the interim nature of extraction," aggregate pits and quarries must be rehabilitated to allow for future land uses. However, we found that the Ministry did not have mechanisms in place to ensure that aggregate extraction is, in practice, a temporary land use and that sites are promptly returned to productive use after extraction is fully completed.

While final rehabilitation is required under the Act once extraction is complete, it is up to the approval holder to determine when extraction is finished. As such, there is no clear time frame for the Ministry to begin enforcing the requirement for an approval holder to undertake final rehabilitation of the site.

Furthermore, there is some incentive for an approval holder to retain its aggregate licence or permit, even if it is no longer actively extracting aggregate, rather than complete rehabilitation and surrender its approval. Rehabilitation can entail considerable costs, depending on the particular property and the site plan requirements. For example, in 2022, The Ontario Aggregates Resources Corporation (TOARC) spent an average of \$37,549 per hectare to rehabilitate sites to the baseline requirements of regrading and revegetating. By contrast, the annual fee to maintain a permit or licence for a dormant aggregate site is less than \$800.

While many aggregate operators properly rehabilitate their sites and promptly return the land to productive use after extraction is complete, we found numerous sites across the province that have not been surrendered, even though extraction was no longer taking place on them. We analyzed extraction

data provided by TOARC and found that 1,524 sites reported zero aggregate extraction in at least the past 10 years (see **Figure 18**). Of these, 257 sites reported zero aggregate extraction for at least the past 25 years (since 1998). The sites that have sat dormant for at least 10 years represent more than 25,000 hectares of land, approximately the size of Brampton, Ontario.

There may be valid reasons why a site sits dormant for multiple years, other than the fact that the pit or quarry has been fully extracted. A site may sit dormant because it does not have the specific type or quality of aggregate in demand by the local market at a point in time (and shipping heavy aggregates to farther markets can be prohibitive), but may still have reserves of other aggregates that can potentially be used for future projects. However, for sites that have sat dormant for many years, there is a risk that those sites have, in fact, finished extraction and are avoiding rehabilitation efforts. Allowing sites to remain dormant for long periods without final rehabilitation violates the notion that aggregate extraction is an interim land use, one of the key tenets of aggregate management in the Provincial Policy Statement.

## RECOMMENDATION 7

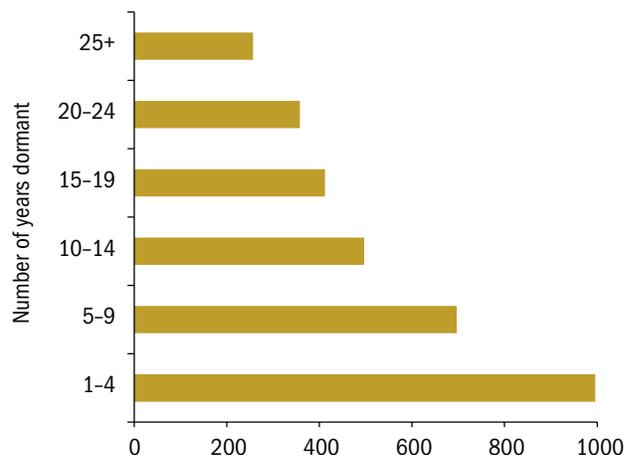
To give credence to the Provincial Policy Statement's recognition that aggregate extraction is an interim land use, and to ensure that disturbed land is returned to productive use in a timely manner that accommodates subsequent land uses, we recommend that the Ministry of Natural Resources and Forestry develop and implement a strategy to assess sites that have been dormant for more than 10 years and ensure that sites that have completed extraction are rehabilitated and surrendered.

## MINISTRY RESPONSE

The Ministry of Natural Resources and Forestry (Ministry) agrees with this recommendation and is currently undertaking an analysis of rehabilitation and dormant aggregate sites in Ontario. The Ministry notes that progressive and final rehabilitation are legal requirements of any approval pursuant

**Figure 18: Number of Dormant Aggregate Sites**

Source of data: The Ontario Aggregate Resources Corporation



to the *Aggregate Resources Act*. Between 2013 and 2022, roughly 8,000 hectares have been rehabilitated and surrendered. Depletion rates of individual aggregate operations will vary based on market conditions, proximity to larger population centres and demand for certain aggregate products.

### 4.5.2 Ministry Does Not Require Long-Term Monitoring to Ensure Final Rehabilitation of Aggregate Sites Is Successful

Once the Ministry accepts the surrender of an aggregate licence or permit, the approval holder no longer has any obligations under the Act for that property. However, in some cases, it cannot be immediately determined whether measures to rehabilitate the land have been fully effective. As such, long-term monitoring is considered a best practice to ensure that rehabilitation has been successful. However, we found that the Ministry does not require approval holders to monitor their rehabilitation measures over a longer term before it approves surrender requests.

As discussed in **Section 2.2.4**, an approval holder may apply to surrender its licence or permit after it deems a site's rehabilitation to be complete. Complete rehabilitation means the site has been regraded and the soil has been replaced and revegetated, so that the land is restored to its former condition, or to a

condition that is similar to surrounding land uses. For sites where below-the-water-table extraction has occurred, complete rehabilitation typically involves creating a lake or pond, and revegetating the surrounding area. If rehabilitation meets the specifications stated in the Act, the regulation and the approval holder's site plan, an aggregate inspector may accept the surrender request.

There are a number of examples across Ontario of former aggregate pits and quarries that have been successfully rehabilitated back to a former land use or to a new productive use. For example, after the completion of extraction on a gravel pit in Fonthill, new techniques used during progressive and final rehabilitation led to the successful growth of specialty crops, including peaches, cherries and pears, on the site. In another example, a former gravel pit in Hamilton was rehabilitated to become part of the horticultural rock garden collection at the Royal Botanical Gardens. During our audit, we visited several successfully rehabilitated sites, including a former gravel pit near Cambridge that has been converted into an aquaculture operation that raises rainbow trout. However, rehabilitation measures require both time and money, and not all operators exercise the same level of care and diligence in these efforts.

As such, long-term site monitoring is important to fully assess the effectiveness of rehabilitation. For example, monitoring species population numbers may be needed to assess whether wildlife habitat is being re-established; monitoring soil productivity levels may be needed to assess whether a former agricultural site is being effectively returned to farmland. Long-term monitoring can also detect any unintended impacts that become apparent only later—for example, if revegetation efforts do not succeed, or if regrading results in unwanted changes in water drainage patterns.

TOARC, which is responsible for rehabilitating legacy pits and quarries in Ontario (see **Section 4.5.3**), monitors and revisits the sites that it rehabilitates for another two to five years (depending on the site and landowner access) to check on soil development and

ensure that the site remains vegetated and rehabilitation has been successful.

In 2008, TOARC, which is also responsible for providing education and training on rehabilitation to interested parties, released best practice guidelines for rehabilitating aggregate pits and quarries. These best practices indicated that monitoring and reporting should be included as part of all rehabilitation plans, even if it is not required by law. Similarly, the Ministry's 2010 State of the Aggregate Resource in Ontario report identified long-term monitoring of rehabilitated sites as a best practice. Despite this guidance, long-term monitoring is not required in Ontario. As part of regulatory changes made in 2020, however, the Ministry may require that applicants seeking to extract aggregate within a prime agricultural area continue monitoring after final rehabilitation has been completed. While this is a positive step, it is too recent to evaluate whether it is being effectively implemented.

## RECOMMENDATION 8

To help ensure that final rehabilitation measures at aggregate pits and quarries have been effective, we recommend that the Ministry of Natural Resources and Forestry develop and implement procedures for confirming, at the time of surrender of approvals, that final rehabilitation measures have been successful and have not resulted in any unintended consequences.

## MINISTRY RESPONSE

The Ministry of Natural Resources and Forestry (Ministry) acknowledges the importance of ensuring the successful and effective rehabilitation of pits and quarries. The Ministry will review current policy and procedures with respect to the inspection and decision on the surrender of an aggregate site. The Ministry will consider measures to improve how staff determine that final rehabilitation has been completed in accordance with the licensee or permittee's site plan.

### 4.5.3 TOARC Progressing with Rehabilitation of Legacy Sites on Private Land, but Ministry Not Ensuring Crown Land Legacy Sites Are Rehabilitated

After almost 30 years of the Ministry's and TOARC's work rehabilitating legacy sites, most high-priority legacy sites on private land have been rehabilitated (with the exception of sites where TOARC was not permitted access). By comparison, we found that the Ministry was not ensuring that legacy sites on Crown land have been, or are being, rehabilitated. This does not instil public confidence that the Ministry is effectively fulfilling its role in managing Crown land, which is meant to be used and accessed by all Ontarians.

From 1990—when the Act came into effect—until 1997, the Ministry was responsible for rehabilitating legacy sites. The Ministry created an inventory of sites, and developed a rating system to prioritize sites for rehabilitation, considering public access and safety, environmental risks, size and visibility. For example, high-priority sites might contain unstable slopes, deep water, vertical cliffs and easy public access, while low-priority sites might have more gradual slopes and less public access. In 1997, the Management of Abandoned Aggregate Properties program was created, with TOARC taking over responsibility for rehabilitating legacy sites (see **Section 2.3.3**).

Since the program's creation, 643 legacy sites on over 905 hectares of private land have been rehabilitated. This includes 25 high-priority, 508 medium-priority and 72 low-priority sites, and 20 with no priority rating. As of October 2023, 1,659 files remained open in TOARC's database. This included 22 high-priority, 1,161 medium-priority and 374 low-priority sites, and 102 sites categorized as unknown priority. Despite their priority status, TOARC has stated that it is unable to conduct rehabilitation work on the remaining 22 high-priority sites because the current private land-owners refuse to grant TOARC access to the sites.

The Act assigns TOARC responsibility for rehabilitating legacy pits and quarries, but it does not explicitly state that legacy sites on both private and Crown land

are included. To date, TOARC has only rehabilitated legacy sites on private land.

In 2018, the regulation under the Act, which sets out how to distribute aggregate fees, was changed to allow a portion of the annual aggregate fees for permittees (for extraction on Crown land) to be put toward the program. Previously, only a portion of the annual aggregate fees for licensees (for extraction on private land) were contributed to this program. However, the Ministry never directed TOARC to expand its efforts, and the Ministry has made no final decision to formally add legacy sites on Crown land to TOARC's rehabilitation responsibilities.

Under the *Public Lands Act*, the Ministry is responsible for managing public, or Crown, land. However, the Ministry has limited records of where legacy sites on Crown land are and has made no attempt to categorize the risk these sites pose to public safety. As noted above, TOARC has an extensive database, which includes some limited information on legacy sites located on Crown land (acquired through both its own work and historical information provided by the Ministry). We were advised by the Ministry that because 30 years have passed since the *Aggregate Resources Act* came into effect, it has assumed that many sites have naturalized and that district offices had previously addressed any safety risks in their areas.

## RECOMMENDATION 9

So that risks associated with legacy aggregate sites on Crown land are addressed, we recommend that the Ministry of Natural Resources and Forestry work with The Ontario Aggregate Resources Corporation to:

- update and clarify responsibility for rehabilitating legacy sites on Crown land; and
- identify and assess legacy sites on Crown land, including the level of risk to public safety, and undertake the rehabilitation of any high-risk sites where feasible.

## MINISTRY RESPONSE

The Ministry of Natural Resources and Forestry acknowledges the recommendation and, with government direction, will work with The Ontario Aggregate Resources Corporation to clarify roles and responsibilities with respect to identifying and rehabilitating any potentially high-risk abandoned aggregate sites on Crown land.

## 4.6 Supply and Demand for Aggregates

### 4.6.1 Ministry Not Verifying Accuracy of Supply Data

We found issues with the quality of the underlying data that is used in studies commissioned by the Ministry to estimate the supply of aggregates in Ontario. We also found that the Ministry did not have a process to verify the accuracy of this data. Having an accurate understanding of the availability of aggregate reserves (unextracted supply), as well as demand and consumption trends for such resources, at the local and regional level is important so that the Ontario government can make informed decisions about how it manages its aggregate resources.

The Act states that the Ministry may, in administering the Act, initiate various studies relating to the supply and demand for aggregates. To assist with gathering this important information, the Ministry previously commissioned five supply and demand studies for aggregates, with the most recent study completed in 2016. The 2016 study focused on the Greater Golden Horseshoe region. Comparing both supply and demand in a particular region, as opposed to the entire province, is important because aggregates are generally sought out as close as possible to where they are needed, which minimizes the impacts of transporting heavy aggregates long distances. The study focused on the Greater Golden Horseshoe region because it has the greatest need for aggregates in the province.

The 2016 study estimated that the region would consume 111 million tonnes of aggregates per year over the next 20 years. It also estimated that the region had

reserves of 3,337 million tonnes (545 million tonnes in licensed quarries and 2,792 million tonnes in licensed pits). The estimates in the study appeared to suggest that total available reserves were more than sufficient to meet future demand for the next two decades (2,220 million tonnes).

However, the consultant who conducted the study cautioned against viewing these high-level estimates as a realistic indication of available supply. The consultant noted a high degree of uncertainty with the supply data because of limitations with the information used to estimate the quantity, quality and type of below-ground aggregate resources.

The 2016 study used site plans (which outline the allowable extraction areas and depths of licensed pits and quarries), aerial photos from 2002 (the most recent available at the time), digital elevation data and basic geological information to roughly estimate the amounts and types of aggregate reserves. However, aggregate operators did not participate in the study, which limited the study's ability to fill data gaps with specific site assessments of the types and quality of available reserves at operators' sites. The study also did not involve any field verification (such as taking samples of open site sections or from boreholes drilled in unextracted areas) to evaluate the type and quality of the unextracted aggregate reserves.

The consultant therefore recommended that, in addition to updating estimates with newer information as it becomes available, field verification should be conducted to improve data quality. In January 2023, the Ministry commissioned an updated supply and demand study for the Greater Golden Horseshoe region, to be completed by December 2023. The contract includes plans to use more up-to-date aerial photos and to survey industry members on the different types, amounts and quality of aggregates in their individual reserves. In contrast to the previous study, the Ministry has proactively sought to gain industry support for this study, which has the potential to improve the information it collects about aggregate reserves.

However, we noted that the industry survey was voluntary and, with a goal of providing confidentiality to aggregate operators, anonymous. A voluntary,

anonymous survey with no mechanism to verify the data creates a high risk of incomplete and inaccurate reporting. Instead, there are other ways to obtain higher-quality data while still addressing industry's confidentiality concerns. For example, the Ministry already requires aggregate approval holders to provide TOARC with confidential data on aggregate extraction, which is audited by TOARC and publicly reported at the municipal level, rather than by site. However, the Ministry does not require industry to similarly report data on the unextracted reserves remaining on aggregate sites. Moreover, the contract for the 2023 study also did not include field verification for quality control.

#### 4.6.2 Lack of Publicly Available Supply and Demand Information Contributes to Public Concern

We found that the Ministry was not providing the public and stakeholders with information to create a detailed and accurate picture of aggregate supply and demand. Ontario's Provincial Policy Statement is clear that there is no requirement that demand for more aggregate resources be shown before making more supply available. However, absent information on supply and demand, many stakeholders have concluded that there is an oversupply of aggregates already approved for extraction. This contributes to frequent opposition to proposals for new or expanded pits and quarries. By publishing more detailed and accurate information about aggregate supply and demand, the Ministry could help foster more informed discussions and potentially reduce conflict among industry, community groups, municipalities and other stakeholders.

As discussed in **Section 4.6.1**, the Ministry's most recent (2016) supply and demand study appeared to suggest that available supply in the Greater Golden Horseshoe region (3,337 million tonnes) was more than adequate to meet demand for the next two decades (2,220 million tonnes). However, the study also estimated that only 1,470 million tonnes (44%) of the total reserves were high-quality, but the Ministry did not publish this information online. Ministry staff

deemed the full report to be long and very technical, so the Ministry ultimately published only a summary of the report, which did not include an estimate or description of high-quality reserves.

Detailed information about the type and quality of aggregates that are available relative to those in demand is important context. Aggregate materials come in different sizes, shapes and chemical compositions. Different end uses require different types and qualities of aggregate. For example, high-rise developments and highway construction typically only use high-quality concrete and asphalt pavement, which can reduce future maintenance and repair costs. Lower-quality aggregates can be used as base (below the surface) material for roads, and even lower-quality material can be used to backfill holes.

In the absence of detailed supply and demand information, stakeholders turn to other forms of available information. For example, publicly available data on annual extraction tonnage shows that approval holders typically extract less than their maximum allowable annual tonnage limits. This information may be seen to indicate that approved aggregate supply exceeds demand. However, the maximum-allowable annual tonnage is included in a licence or permit to mitigate the impacts of aggregate operations, particularly by limiting local truck traffic; it does not indicate the amount of aggregates available at a site.

In 2022, a coalition of environmental organizations (comprising Environmental Defence, the Council of Canadians, Water Watchers and the Wilderness Committee) called for a moratorium on the approval of new aggregate sites in Ontario, arguing that the Ministry had already approved the extraction of 13 times more aggregate than is actually removed each year and, therefore, that no more pits or quarries are needed. Several municipalities, including those with the highest volume of aggregate extraction in Ontario within their borders (for example, Caledon, Halton Hills and Milton) have also expressed support for a moratorium. The coalition dismisses industry's claim that there is a shortage of high-quality aggregate reserves, pointing to a lack of publicly released data to support it.

## RECOMMENDATION 10

To improve public trust, better inform government decision-making, and support more informed discussions with and among stakeholders, we recommend that the Ministry of Natural Resources and Forestry:

- implement processes to obtain accurate and complete data, including on the amounts, types and quality of available supply of aggregates;
- establish a regular interval for updating supply and demand data; and
- regularly publish all non-confidential aggregate supply and demand data online, including information on estimated amounts, types and quality of supply.

## MINISTRY RESPONSE

The Ministry of Natural Resources and Forestry (Ministry) agrees with this recommendation. Going forward, the Ministry will retain leading industry engineering consultants, working with the Ministry and industry to implement modern technologies to provide more accurate and complete data on supply. Estimates for the upcoming study have been made using the best available satellite imagery and LiDAR data (laser-derived elevation data) to create reserve estimates for several hundred sites in the Greater Golden Horseshoe. The upcoming supply and demand study is augmented by quality surveys of over 100 individual operations and expands on existing information and data gathered from earlier comprehensive studies.

The Ministry also acknowledges the importance of undertaking regular review of the availability of aggregate resources to meet market demand.

Related to current market demand for aggregate, each aggregate licence and permit is required to report annual production so annual demand is well documented and understood.

The Ministry does undertake supply and demand updates on a regular basis and will

continue to do so. In recent years, studies reviewing supply of aggregate and related issues have been published in 2009 and 2016, with another to be completed in 2023. The 2023 study will include a more detailed assessment of aggregate availability on a geographic basis.

The Ministry strives to make all non-confidential information publicly available. The Ministry will generally make all non-proprietary information, including on estimated amounts, types and quality of available supply, available on its website or upon request.

## 4.7 Recycled Aggregate

Recycled aggregate includes crushed concrete and asphalt pavement that is processed and reused in other building projects. Aggregate recycling can occur within pits and quarries, which are regulated by the Ministry. Recycling can also occur in separate aggregate recycling facilities, which are outside the Ministry's jurisdiction.

Recycled aggregate can, if of sufficient quality, be used in place of virgin aggregate. Its use can reduce the need for new or expanded pits and quarries, and the associated environmental and social impacts of extracting virgin aggregate. Recycling aggregates also diverts construction waste from landfill. However, recycling aggregates within a pit or quarry may also extend the life of an aggregate site, and may result in impacts on neighbours and the environment.

Ontario's Provincial Policy Statement states that aggregate resources must be conserved, including through aggregate recycling, where feasible. While the Ministry does not have the power to increase the use of recycled aggregate in Ontario on its own, it has the lead role in managing the province's aggregates. Accordingly, the Ministry developed a policy in 2007 in which it committed to "encourage the reduction, reuse and recycling of aggregate materials in all facets of its partnerships" with the industry, ministries and others.

### 4.7.1 Ministry Lacked Accurate Estimates for Recycled Aggregate Use

The Ministry's most recent estimate is that 13 million tonnes of recycled aggregate is used annually, which is equivalent to 7% of Ontario's total aggregate use. However, the Ministry's estimate is for the year 2006, almost two decades ago. The lack of recent data limits the Ministry's ability to assess trends on recycled aggregate supply and use, and its ability to make informed aggregate management decisions.

The consultant that provided the 2006 estimate to the Ministry warned that Ontario lacked a methodology or system to effectively track the use of recycled materials. The consultant recommended an approach for the government that included developing guidelines on how and what materials to track, creating an online database for public agencies (such as municipal governments) to input information on their recycled aggregate use, and reporting annually to promote the benefits of aggregate recycling.

In 2018, the Ministry developed a plan to survey aggregate operators to gather data on recycled aggregate imported and exported from their sites. However, that work did not proceed after a change in government in 2018.

In April 2021, the Ministry started to require approval holders with new aggregate recycling operations to report on the amount of recycled material leaving their sites. However, this reporting requirement excludes the vast majority of sites where aggregate recycling actually occurs. The requirement does not apply to sites that were approved to recycle aggregates before April 2021, or to sites where aggregates are recycled external to a pit or quarry. As a result, only 1,000 tonnes of recycled material were reported in 2022. This reported value is 0.01% of the Ministry's 2006 (most recent) estimate of annual recycled aggregate use in Ontario.

At the time of our audit, the Ministry was commissioning a supply and demand study update (see **Section 4.6**). However, the contract for this study did not include work to update data on recycled aggregate as a source of supply. This omission reflects

the Ministry's focus on meeting Ontario's aggregate demand through approvals of new pits and quarries, rather than through alternatives such as recycling.

#### RECOMMENDATION 11

To make informed decisions regarding recycled aggregate, we recommend that the Ministry of Natural Resources and Forestry work with other relevant ministries to:

- implement a system to track major sources of recycled aggregate supply and use in Ontario; and
- regularly report publicly on summarized results.

#### MINISTRY RESPONSE

The Ministry of Natural Resources and Forestry (Ministry) acknowledges the recommendation and will share it with the other ministries that are involved in the usage of recycled aggregate off a licensed aggregate pit or quarry. It is important to note that recycling of aggregate does not need approval under the *Aggregate Resources Act* to occur outside of a pit or quarry (e.g., sites with municipal approval to recycle).

The Ministry will explore the feasibility of tracking recycled aggregate on pits or quarries. However, requiring operators to undertake reporting of recycled material at each site would result in additional regulatory burden to the industry, and would only report on a portion of aggregate recycling that occurs in Ontario.

### 4.7.2 Low Fees for Extracting Virgin Material Provide Little Incentive to Use Recycled Aggregate

In some jurisdictions, governments charge fees for the extraction of virgin aggregate but not for the production of recycled aggregate, which can help make the use of recycled aggregate more cost-effective by comparison. While Ontario does charge fees only on virgin aggregate extraction, we found that the fees were not

high enough to provide a significant financial incentive to use recycled aggregate instead.

Multiple factors influence the cost of recycled aggregate, and therefore its economic competitiveness compared to virgin aggregate. For example, purchasing recycled aggregate from a source close to where it will be used can reduce transportation costs compared to trucking virgin aggregate from a distant pit or quarry. Conversely, rigorous processes to remove contaminants and ensure quality control can render recycled aggregate more expensive than virgin materials.

A 2022 study commissioned by the Toronto and Area Road Builders Association analyzed the potential benefits of using recycled aggregate in infrastructure projects. The study estimated that the cost to deliver virgin “Granular A” aggregate to make roads and parking lots in four sites in the Greater Toronto Area would be \$22–\$24 per tonne. It also estimated that recycled aggregate could potentially be \$8 per tonne cheaper (that is, cost \$14–\$16 per tonne) if transportation costs could be reduced by sourcing these materials closer to the project rather than using virgin material from pits or quarries farther away. Although the avoidance of paying aggregate fees could be considered another benefit of using recycled aggregate, the study’s authors did not even mention this potential benefit. Ontario’s aggregate fees comprised only about 1%–3% of the estimated purchase cost of virgin aggregate in the study.

The United Kingdom (UK), by contrast, has a much higher extraction fee to encourage the use of recycled, rather than virgin, aggregate. The 2023 UK fee for virgin aggregate is equivalent to about \$3.20 per tonne, approximately 14 times higher than what Ontario collected for extracting virgin aggregate in 2023 (\$0.23 per tonne). The explicit objectives of the UK fee are to address the environmental costs associated with quarry operations, cut demand for virgin aggregate, and encourage the use of alternative materials where possible. While a number of factors may contribute to the UK’s higher recycling rates, it is noteworthy that the use of recycled aggregate in the UK (making up roughly

25% of total aggregate use) is more than three times higher than Ontario’s estimated 7%.

### 4.7.3 Ministry Has Made Little Progress in Addressing Barriers to Recycled Aggregate

Despite Ministry commitments to encourage the use of recycled aggregate, we found that the Ministry had made little progress addressing the barriers preventing a greater uptake of recycled aggregate among consumers.

There are several barriers that limit the use of recycled aggregate, including technical ones. For example, virgin aggregate is typically preferred for high-performance applications, such as rut-resistant asphalt, because it provides greater assurance that high-quality standards will be met. There are also concerns that recycled aggregate can be contaminated with foreign materials, which can affect the safety and performance of the recycled aggregate. For example, metal rebar and other demolition waste can be mixed in with the crushed concrete.

Another barrier is resistance by some users of aggregate that stems from a lack of information or education. Several studies have highlighted a need for more education and promotion in this area. For example, in 2009, a Ministry consultant found little support for the use of recycled aggregate by municipalities and recommended continuing education on the benefits of recycled aggregate. In 2018, the Toronto and Area Road Builders Association commissioned a survey of 25 municipalities and found that municipal policies often prohibit or severely limit the use of recycled aggregate in construction projects. The survey found that performance and reliability were the municipalities’ main considerations. The Association concluded that there is an opportunity to encourage municipalities to realize the benefits of using more recycled aggregate. The Association suggested that municipalities can learn from each other and the Ministry of Transportation, which uses recycled aggregate for highways.

A further barrier relates to concerns raised by some stakeholders about the process of recycling aggregates within pits and quarries. A lack of data that evaluates the risks of recycling within aggregate sites, and an absence of best practices to address any such risks, contributes to these concerns.

Despite past commitments to encourage aggregate recycling and provide education, the Ministry has made very little progress. In 2007, the Ministry committed to “encourage the reduction, reuse, and recycling of aggregate materials in all facets of its partnerships with the public, the aggregate industry and other key ministries.” In 2014, the Ministry reaffirmed that education and information are the strongest tools to increase the acceptance and use of recycled aggregate materials. However, in 2019, the Ministry’s internal review of its aggregate recycling policy noted that “no guidance documents or other records [from the Ministry were] found that would indicate any initiative by the ministry to educate stakeholders or to promote the benefits of recycling aggregates.”

In May 2023, during the course of our audit, the Ministry established a multi-stakeholder working group to share information on recycled aggregate. As part of its role, the group is to help identify barriers and inform the development of best practices and policies to support access to, and the use of, recycled aggregate in Ontario. The group plans to meet four times over six months; it first met in June 2023 and identified issues to discuss at the three future meetings. Although these meetings are an important first step, further action will be required to remove barriers identified by the working group.

## RECOMMENDATION 12

To support the increased use of recycled aggregate and responsible recycling processes, we recommend that the Ministry of Natural Resources and Forestry work with stakeholders to develop and implement a plan to reduce educational, informational and financial barriers and establish best practices for the production and use of recycled aggregate.

## MINISTRY RESPONSE

The Ministry of Natural Resources and Forestry (Ministry) acknowledges this recommendation and is working with the Ministry of Transportation, the Ministry of the Environment Conservation and Parks, and the Ministry of Municipal Affairs and Housing to explore barriers to recycled aggregate usage in Ontario. Based on the outcome of this, the Ministry will work with other relevant ministries and stakeholders to develop a plan to reduce barriers and establish best practices.

## 4.8 Approvals for Aggregate Licences and Permits

### 4.8.1 Late or Absent External Technical Reviews Mean Some Important Factors May Not Be Considered

An important part of the application process is the external review of the application and associated technical reports by other agencies with specialized expertise to assess and comment on the potential impacts of the proposed new pit or quarry. Many agencies (such as the local municipality, conservation authority and partner ministries) are sent the application, and their comments can provide valuable input for the Ministry. In particular, the Ministry relies on the expertise of the Ministry of the Environment, Conservation and Parks (Environment Ministry) on protecting species at risk, and the expertise of the Ministry of Agriculture, Food and Rural Affairs (Agriculture Ministry) on conserving agricultural land. We reviewed a sample of applications and found, however, that these expert reviews were not done consistently. Without a consistent approach, important factors included in the technical reports, such as protecting species at risk and preserving agricultural land, may not be reviewed and commented upon by the appropriate agencies for all approvals.

The external review process begins with applicants sending their application, including the relevant technical reports (see **Appendix 7**), to all applicable

agencies for review and comment. Any agency that wishes to comment on the application must do so within the prescribed 60-day consultation time frame. The applicant must then work to address these comments, including revising the application and site plan. Comments that are not submitted within the prescribed time frame do not have to be addressed by the applicant (unless the application is ultimately forwarded to the Ontario Land Tribunal, which has discretion to consider comments made outside the formal comment period). The applicant then submits a final information package to the Ministry that indicates how it has attempted to address all comments received.

We reviewed a sample of 15 final information packages from applications that were approved in 2022, and examined whether the Environment Ministry (Species at Risk Branch) and the Agriculture Ministry (Policy Division) reviewed and provided comments within the prescribed consultation period. We found, however, that these expert reviews were not done consistently, and important factors were not properly considered or addressed in some approvals.

### Species at Risk Considerations

We found that in four (or 27%) of the 15 information packages, the Environment Ministry did not respond at all to the applicant's request to review the application for concerns about species at risk, such as endangered or threatened species. In another six (or 40%) packages, the Environment Ministry responded to the request after the 60-day consultation deadline. In these six cases, the Environment Ministry responded an average of 184 days (six months) after the consultation deadline, ranging from 26 to 455 days late.

In addition to the request for the Environment Ministry's review through the aggregate application process, every site that identifies habitat of threatened or endangered species also triggers a review by the Environment Ministry under the *Endangered Species Act, 2007* to ensure that proposed operations do not harm the species or their habitat. While operations will therefore still be reviewed by the Environment Ministry through the *Endangered Species Act, 2007* process, many concerns about species at risk can be

addressed by modifying the site plan conditions during the aggregate application process. When comments are not provided on the application, or are provided long after the legislated deadline and well into the period in which applicants are making changes to address the feedback received, the opportunity to improve a proposed application and site plan based on expert input is more likely to be missed.

### Agricultural Considerations

Similarly, applicants must circulate their aggregate application to the Agriculture Ministry where the applicant has either submitted an Agricultural Impact Assessment report, or has proposed aggregate operations on prime agricultural land (having the highest quality and capability for agriculture) and does not intend to restore the land to the previous soil quality. We reviewed all five final information packages from 2022 that were sent to the Agriculture Ministry for comment. We found that in two (or 40%) of the five packages, the Agriculture Ministry did not respond to the request for comments at all, and in one (20%) of the packages, the Agriculture Ministry commented 123 days (four months) after the consultation period ended.

Unlike the review of species at risk, which is triggered for all applications that identify habitat of threatened or endangered species, the only time an applicant must attempt to address agricultural comments is if they are raised during the consultation period. Therefore, if the Agriculture Ministry misses the consultation deadline or does not respond to application review requests, applications for operations that will degrade agricultural land may be approved without any conditions to minimize impacts.

## RECOMMENDATION 13

So that important expert input from other agencies is incorporated into aggregate licences and permits to mitigate the negative impacts from proposed new aggregate pits and quarries, we recommend that the Ministry of Natural Resources and Forestry work with the Ministry of the Environment,

Conservation and Parks; the Ministry of Agriculture, Food, and Rural Affairs; and any other commenting agencies to ensure a full review of aggregate licence and permit applications within the prescribed timelines.

## MINISTRY RESPONSE

The Ministry of Natural Resources and Forestry (Ministry) agrees that expert input from reviewing agencies is an important input to the development of a new aggregate authorization. Earlier this year, the Ministry engaged with staff from both the Ministry of the Environment, Conservation and Parks and the Ministry of Agriculture, Food and Rural Affairs to explain the aggregate approval process in detail and outline the importance of commenting within the required timelines. The Ministry is committed to exploring further opportunities with these ministries, as well as any other commenting agencies who express an interest in better understanding how to participate in the approvals process, to ensure a full review of aggregate licence and permit applications within prescribed timelines.

### 4.8.2 Cumulative Impacts Not Taken into Consideration in Approvals

Some areas in Ontario—such as the Townships of North Dumfries and Puslinch and the Town of Caledon—are naturally rich in aggregate deposits and therefore have multiple licensed pits and quarries in close proximity. For example, we visited an area in Cambridge during our audit that had 11 pits located within 2.8 kilometres of one another. The siting of multiple pits and quarries together can have cumulative (or combined) negative impacts on surrounding communities, local roads, and ecosystems (such as a loss of local natural areas) beyond the individual impacts of any one site alone. We found, however, that the Ministry does not have guidelines or processes for staff to consider the cumulative impact of multiple nearby aggregate operations when issuing approvals for new aggregate licences or permits.

British Columbia, by contrast, takes cumulative effects into consideration before approving new aggregate pits and quarries. British Columbia has a framework on cumulative impacts that provincial staff use to assess each new project across the natural resource sector—including aggregate operations—in the context of its combined or additive environmental, social and economic effects.

While the Ministry has not developed a provincial framework for assessing the cumulative impacts of aggregate operations, it has worked on developing two site-specific guidelines:

- In 2010, the Ministry collaborated with the Grand River Conservation Authority and the Ontario Stone, Sand & Gravel Association to develop best practice guidelines for addressing cumulative effects of new below-water aggregate operations in priority areas within the Grand River watershed. However, these guidelines are geographically limited to the cumulative effects of aggregate operations on water quality and quantity in this particular area. Moreover, as they are only best practices and not required as part of the approval considerations, Ministry staff do not take them into consideration when issuing aggregate approvals in this watershed.
- In December 2022, the Ministry formed a working group to develop a framework on cumulative impacts that Ministry staff can use to assess applications for new aggregate pits and quarries on the Saugeen Peninsula (also known as the Bruce Peninsula). As part of this, the Ministry has been working with the Saugeen Ojibway Nation to determine whether aggregate operations are having a cumulative adverse impact on traditional values and treaty rights. At the time of our audit, the Ministry was working on an internal draft report on the status of black bears on the peninsula and how they are affected by various development activities, including aggregates. The Ministry told our Office that this report will inform future discussions on how to consider the cumulative impacts of aggregate development on black bear populations.

A provincial cumulative impacts framework could provide guidance and processes for Ministry staff to consider the additive impacts of an additional aggregate operation within an area (beyond the regular consideration of impacts on an individual site basis) when issuing a licence or permit. Such a framework could provide the Ministry with a fair and defensible approach for working with applicants to incorporate, as needed, more stringent conditions or restrictions in site plans and licences or permits—such as lower daily maximum tonnages to limit truck traffic, reduced extraction depths, or increased dust control or noise mitigation measures—to address the cumulative impacts imposed by a new or expanding operation on the environment and neighbours in an already heavily burdened area.

### RECOMMENDATION 14

To minimize the cumulative impacts of aggregate pits and quarries on the environment and nearby communities, we recommend that the Ministry of Natural Resources and Forestry develop a framework to incorporate consideration of cumulative impacts of aggregate operations when making decisions on new or amended approvals.

### MINISTRY RESPONSE

The Ministry of Natural Resources and Forestry (Ministry) acknowledges the recommendation and will continue exploring approaches, including the development of a framework, to consider cumulative impacts in decision-making.

The Ministry will continue its work to understand the cumulative impacts of aggregate extraction activities on Aboriginal and Treaty rights in the review of permit and licence applications.

The Ministry also acknowledges that land-use planning conducted by municipalities is an effective way to address the cumulative impacts of various development activities, including aggregates, on the environment and nearby communities and First Nations. The Ministry will continue to encourage

interested parties to participate in municipal planning processes to guide where aggregate resource development may be permitted to occur.

As part of the application process under the *Aggregate Resources Act*, there are technical reports, prepared by qualified professionals, that must support an application. These reports look at potential impacts to the environment and the community. These include planning and land-use considerations, haulage routes and truck traffic, a cultural heritage report, noise assessment, natural environment impact assessment and a hydrogeological report, which includes an impact assessment when the potential for impacts exist.

The Ministry has made regulatory changes under the *Aggregate Resources Act* to strengthen environmental protections through enhanced studies and source water protection, and require additional reporting for site rehabilitation, which help assess cumulative impacts.

### 4.8.3 Better Ministry Oversight of Self-Filed Amendments Needed

In September 2020, Ontario Regulation 244/97 under the Act was amended to allow applicants to amend their site plans or licences without Ministry approval for six different types of lower-risk changes (such as changing the type of fencing or updating contact information following the transfer of an approval to a new holder) provided that certain eligibility criteria are met and specified conditions are followed. The self-filed amendment process provides an opportunity to increase efficiencies and reduce administrative burdens for both industry and Ministry approvals staff. However, we identified gaps in the Ministry's oversight, which needs to be improved before the self-filed amendment process is further expanded.

Self-filed amendments can be submitted via a designated Ministry email address or the Natural Resources Information Portal. They do not require Ministerial approval, as long as the change is within the list of permitted activities. We found that self-filed amendments

submitted to the Ministry were only periodically monitored by Ministry staff and were not consistently reviewed to ensure they met the permitted list of changes set out in the regulation. We reviewed all self-filed amendments submitted to the Ministry in 2022, and found that 35 (or 48%) of the 73 submissions were not permissible. For example, impermissible self-filed amendments that were submitted included changes to the setback distance (the distance extraction will occur from the licence boundary), alterations to the rehabilitation plan, and a request for a licence surrender. Each of these proposed amendments were not permissible for the self-filed process, and should have undergone staff review and approval. According to the Ministry, it does not take any steps to verify self-filed amendments, and instead relies on the attestations of applicants that their submissions comply with the regulation. As such, the Ministry has neither confirmed whether operators implemented any of their self-filed changes, nor taken steps to prevent them from doing so.

Additionally, we found that another three (or 4%) of the 74 submissions did not contain required information—a completed self-filed amendment form and an updated site plan. This means that Ministry staff were unable to conclude whether the proposed activity qualified as a self-filed amendment. The Ministry internally identified that self-filed amendments should be reviewed to prevent impermissible activities from being submitted as self-filed amendments. However, the Ministry had not yet implemented any such process, and told us it believes the attestation process is sufficient.

The Ministry initiated the self-filed amendments approach in September 2020 in an effort to improve the efficiency of its approvals program. Prior to the regulatory amendment, the Ministry had 292 amendment applications waiting to be processed in June 2020. However, an internal Ministry review in 2022 found that the initial list of six allowable types of self-filed amendments did not yield significant efficiencies.

Ministry staff therefore recommended that additional lower-risk activities be added to the regulation to reduce burden on staff and improve efficiencies for operators. In August 2023, the Ministry changed O. Reg. 244/97 to expand the list of self-filed amendments to include the following five additional site plan changes: import materials for recycling where processing facilities have already been approved; change the location of entrances and exits; add, remove or change the location of above-ground fuel storage tanks; allow portable processing equipment on site; and allow portable concrete or asphalt plants on site for public road authority projects.

### RECOMMENDATION 15

To ensure compliance with Ontario Regulation 244/97 under the *Aggregate Resources Act*, we recommend that the Ministry of Natural Resources and Forestry create and implement a system to review all submitted self-filed amendments to ensure the proposed activities are permissible.

### MINISTRY RESPONSE

The Ministry of Natural Resources and Forestry (Ministry) acknowledges the recommendation and will explore options to develop and implement a process to audit the submissions and quality of amendments without approvals (self-filed amendments) submitted by the regulated community.

To ensure a consistent approach across all districts with respect to the receipt of amendment without approval submissions, the Ministry will continue to develop and provide training to ensure staff have the required knowledge to perform their duties and initiate appropriate compliance actions and follow up on aggregate licensees and permittees who submit an ineligible or improperly completed amendment without approval form.

## 4.9 Information Systems and Policies

### 4.9.1 Ministry's Outdated Information Systems Make It Difficult for Staff to Execute Duties and for Applicants to Track Submissions

The Ministry uses paper records, five different information systems (see **Figure 19**) and Excel spreadsheets to deliver different aspects of the aggregate resources program. The databases are limited in their ability to share information, which makes it challenging for Ministry staff to execute their duties.

The existing Aggregate Licence and Permit System (ALPS), which contains basic information about

individual sites, lacks the ability to track the progress of applications for new licences or permits, amendments, transfers and surrenders. The system is more than 30 years old and does not offer the functionality that the current approvals program requires. Because of the limitations of ALPS, Ministry approvals staff currently rely on four different non-integrated spreadsheets to track the progress of applications.

The Aggregate Site Inspection Application (ASIA) database, which has been in use since 2012, is primarily used by staff at the district level to record inspection reports. It also includes digital site plans. However, it does not record or track the use of other compliance

**Figure 19: Ministry of Natural Resources and Forestry Aggregate-Related Information Systems**

Prepared by the Office of the Auditor General of Ontario

Information System	Details
<b>Aggregate Licence and Permit System (ALPS)</b> Implemented in 1992	<ul style="list-style-type: none"> <li>Internal database used by Ministry to manage approved licences and permits. Includes:               <ul style="list-style-type: none"> <li>contact information of approval holders;</li> <li>site locations; and</li> <li>some compliance activities (e.g., suspended and revoked sites).</li> </ul> </li> <li>Ministry can perform queries internally for information on existing and historical sites.</li> </ul>
<b>Aggregate Site Inspection Application (ASIA)</b> Implemented in 2012	<ul style="list-style-type: none"> <li>Internal database used by site inspectors in district offices to store compliance and inspection records for aggregate operations. Ministry staff use it to:               <ul style="list-style-type: none"> <li>generate inspection reports;</li> <li>generate province-wide inspection summary reports; and</li> <li>store digital site plans.</li> </ul> </li> <li>Ministry can filter/prioritize sites for inspection based on risk categories (e.g., extraction depth, berms and setbacks).</li> </ul>
<b>Natural Resources Information Portal (NRIP)</b> Implemented in 2021	<ul style="list-style-type: none"> <li>Publicly accessible online application system.</li> <li>Aggregate operators use it to submit compliance assessment reports. The goal is to eventually allow them to:               <ul style="list-style-type: none"> <li>submit a new approval application or amend an existing approval; and</li> <li>monitor the status of their submission.</li> </ul> </li> <li>Ministry uses Excel spreadsheets to track applications internally, but is working to move this function, and all other functions, to NRIP for internal use.</li> </ul>
<b>NICHE Records Management System</b>	<ul style="list-style-type: none"> <li>Used by the Enforcement Branch to manage cases of non-compliance referred to it by documenting:               <ul style="list-style-type: none"> <li>occurrences of non-compliance;</li> <li>progress of investigations; and</li> <li>outcomes of prosecutions.</li> </ul> </li> </ul>
<b>Pits and Quarries Online</b>	<ul style="list-style-type: none"> <li>Publicly accessible online tool that provides information on licensed and permitted pits and quarries, including:               <ul style="list-style-type: none"> <li>licensee/permittee name;</li> <li>location;</li> <li>type of operation (i.e., pit or quarry); and</li> <li>maximum allowable annual tonnage.</li> </ul> </li> </ul>

tools, such as warnings or rehabilitation orders, or the status of compliance.

Furthermore, these databases are not integrated. In fact, the Ministry does not have any centralized database that contains all information about each aggregate pit and quarry, including site plan and approval documentation, as well as compliance and enforcement data. Until recently, aggregate approvals (and all supporting documentation such as site plans) were paper-based and stored at district offices. As of September 2023, the information relating to 26% of active licences and permits has been scanned and digitized. This means, for example, that when approvals staff review applications for an amendment, they must request paper records from district offices and search shared folders for digitized documents, including email correspondence. They must also review ASIA to see an applicant's most recent site plan.

In January 2021, the Ministry made a commitment to issue all approvals, including those for aggregates, through the Natural Resources Information Portal (NRIP), a publicly accessible online application system that was implemented that year. The Ministry started integrating elements of the aggregate approvals process into NRIP in 2021. At the time of our audit, however, aggregate approval holders were able to use NRIP only to submit their annual compliance assessment reports. The Ministry plans to integrate other aggregate program functions, including the information contained in both ALPS and ASIA, into NRIP and aims to complete the integration by 2026/27.

Ideally, Ministry staff and applicants would be able to log into NRIP and view application details and transaction history, and applicants would also be able to submit the documentation required for each approval. Currently, applicants submit the required documentation by email and the only notification they receive is an automatic reply that the documents have been received, with no information provided on next steps or timelines.

## RECOMMENDATION 16

To deliver the services of its aggregate program more efficiently, we recommend that the Ministry of Natural Resources and Forestry integrate all existing approval information, as well as compliance information, into the Natural Resources Information Portal in a timely manner.

## MINISTRY RESPONSE

The Ministry of Natural Resources and Forestry agrees and is prioritizing the integration of aggregate approval and compliance information in future development of the Natural Resources Information Portal.

### 4.9.2 Out-of-date Policies Cause Confusion and Delays in the Approvals Process

The Ministry's out-of-date policies and procedures manual has contributed to delays in issuing aggregate approvals, and has left stakeholders confused about the applicable rules.

The Ministry's Aggregate Resources Policies and Procedures Manual (manual), which is posted on the Ministry's website, provides guidance to Ministry staff on how the Act is to be implemented. As well, aggregate operators, members of the public, and other stakeholders rely on this manual—along with information on the Ministry's website—to understand the regulatory framework.

Despite its importance, however, the manual has not been updated as a whole in almost 20 years. In most cases, individual policies and procedures date back to 2006 and do not include the recent regulatory changes made in September 2020, April 2021, and January 2022. Significantly, some of these changes, such as allowing applicants to self-file some types of amendments, are not included in the manual.

Internally, the Ministry has identified that the manual is one of the most important resources applicants use during the application process, but that it

is currently failing to meet applicants' needs because it lacks clear and up-to-date information. This outdated information increases the amount of time that aggregate specialists—the Ministry staff that process approvals—spend addressing applicants' questions during the approvals process. The Ministry is currently updating the manual with an expected completion date of 2025, although the Ministry has noted that this timeline may change as Ministry priorities evolve.

### RECOMMENDATION 17

To provide clearer guidance to staff about how to implement the *Aggregate Resources Act*, and to applicants about their obligations during the application process, we recommend that the Ministry of Natural Resources and Forestry update all sections of the *Aggregate Resources Policies and Procedures Manual* by 2025, and release updated sections as completed.

### MINISTRY RESPONSE

The Ministry of Natural Resources and Forestry (Ministry) agrees with this recommendation and has identified a number of priority policies to be updated in a phased approach. The first batch of these policies will be released in the near future for public and industry comment and review before finalizing. Other policies have been identified by the Ministry for update in subsequent stages of the manual update. Updated policies will be released once the consultation process is completed. Given the number of policies requiring revision due to program and legislative change, the review and update of the *Policies and Procedures Manual* may extend beyond March 2025.

## 4.10 Ministry Lacked Performance Measurement Framework for Aggregate Program

We found that the Ministry had not developed a performance measurement framework for its aggregate

program. These frameworks outline processes to collect, analyze and report on a program's performance and whether it is achieving its intended outcomes. Without such a framework, decision-makers and the public cannot determine how effectively the Ministry is managing aggregate resources.

The Treasury Board Secretariat has provided guidance to all ministries emphasizing the importance of developing key performance indicators and targets to track performance, report on progress and drive continuous improvement. For over a decade, the Secretariat has encouraged ministries to develop performance measurement frameworks.

It is a best practice to establish and collect information on performance measures that show whether current actions are working and targets are being met. For Ontario's aggregate resources program, such measures would help inform what corrective actions need to be taken to deliver the program in an efficient and effective manner, while at the same time minimizing the impact of aggregate operations on the environment and nearby communities.

Our audit found that, since the 2019/20 fiscal year, the Ministry has had one key performance indicator that pertains to a service standard of determining, within 20 calendar days of receipt, whether application requirements have been met for aggregate licence applications. Apart from this one key performance indicator, the Ministry had not established a performance measurement framework or any other performance indicators to measure outcomes of the aggregate program as they relate to the purposes of the Act. These could include indicators that measure the effectiveness of the Ministry's regulation of aggregate operations (such as overall compliance rates), the rehabilitation status of excavated land, and the frequency of adverse impacts on the environment.

### RECOMMENDATION 18

To assess the effectiveness of its aggregate program at achieving intended objectives, improve public transparency about the impacts of aggregate

operations on the environment and nearby communities, and to drive continuous improvement, we recommend that the Ministry of Natural Resources and Forestry:

- develop a performance measurement framework for its aggregate program, including meaningful, measurable, and outcome-based performance indicators with targets and timelines; and
- regularly report to the public on the status of these performance indicators and targets.

## MINISTRY RESPONSE

The Ministry of Natural Resources and Forestry (Ministry) agrees that a performance measurement framework would be helpful to assess and report on the effectiveness of the aggregate program. As a first step, the Ministry is committed to updating our policies and procedures and the information management systems that will improve how we collect and evaluate aggregate program data. As progress is made to implement **Recommendations 16 and 17**, the Ministry will explore opportunities to develop performance measures that include targets, timelines and a mechanism to provide status reports to the public.

## Appendix 1: Glossary

Prepared by the Office of the Auditor General of Ontario

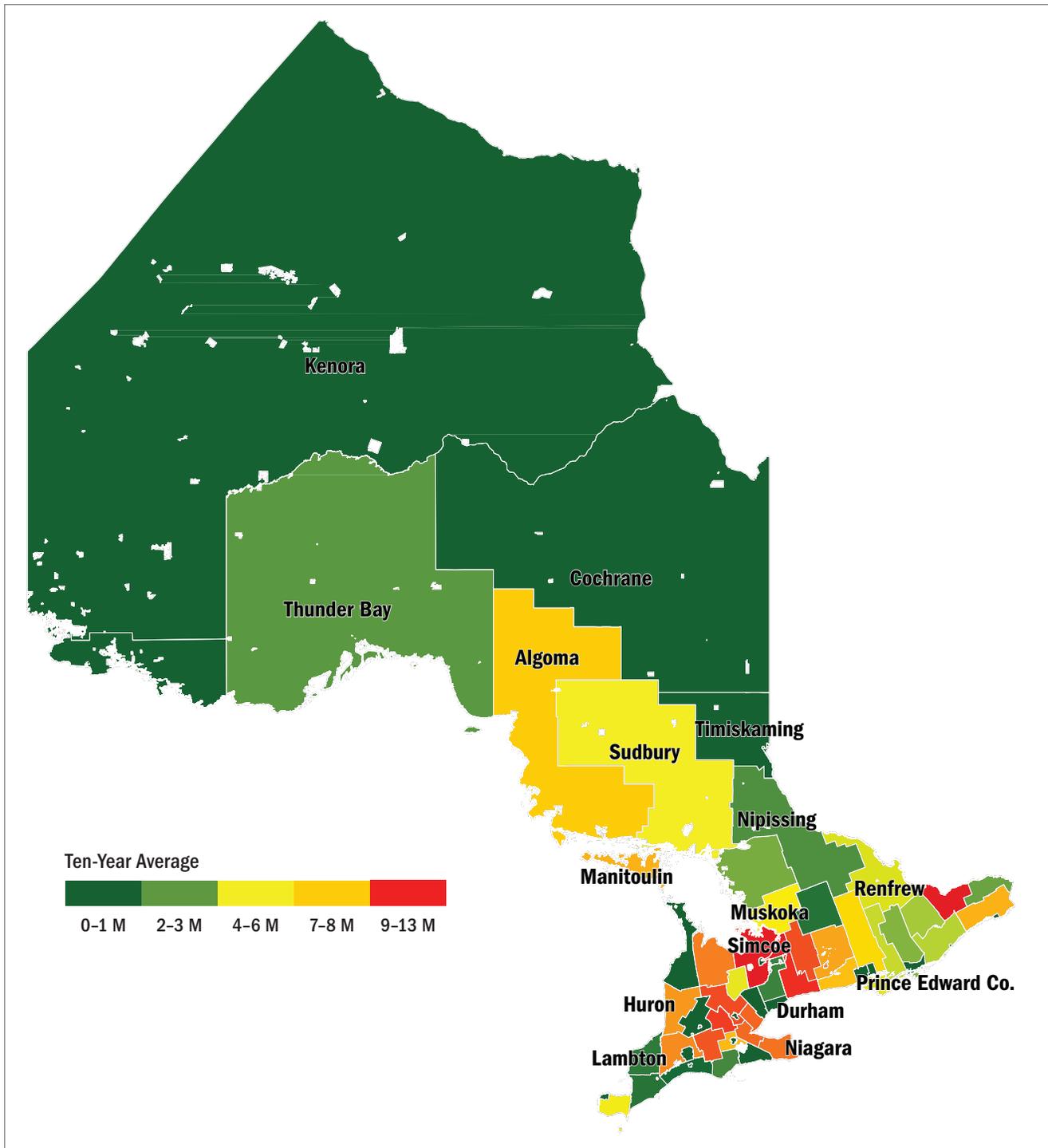
<b>Aggregates</b>	Gravel, sand, limestone, granite, or other rock that is excavated with the purpose of building things such as roads, highways, schools and hospitals, as well as making other products such as toothpaste and glass.
<b>Aggregate approvals</b>	The umbrella term for aggregate licences and aggregate permits.
<b>Aggregate licence</b>	An approval for a pit or quarry issued under the <i>Aggregate Resources Act</i> allowing for the excavation of aggregates on privately owned property. Licences are broken out into either Class A (for removal of more than 20,000 tonnes of aggregates annually) or Class B (for removal of 20,000 tonnes or less of aggregates annually).
<b>Aggregate permit</b>	An approval for a pit or quarry issued under the <i>Aggregate Resources Act</i> allowing for the excavation of aggregates that are Crown property, on land where the surface rights are Crown property, or from land under water.
<b>Aggregate Licence and Permit System</b>	A Ministry database that contains information relating to the management of aggregate extraction, and is used for issuing licences and permits across the province.
<b>Compliance assessment report</b>	An annual report that aggregate operators must submit to the Ministry that assesses their compliance with the <i>Aggregate Resources Act</i> , regulation, their site plan and the conditions of their approval.
<b>Cement</b>	Product made by heating various aggregates, such as limestone, shale, clay and crushed rock, at extremely high temperatures and then grinding the resulting substance to a fine powder. When mixed with water, it creates a paste, which is the primary ingredient to make concrete.
<b>Concrete</b>	Product made by combining aggregates (usually sand and gravel or crushed stone) with a paste made from water and cement. When the cement/water mixture hardens, it binds the aggregates into a rock-like mass. Concrete is the most widely used building material in the world.
<b>Dormant site</b>	A pit or quarry that is still subject to a valid licence or permit under the <i>Aggregate Resources Act</i> (i.e., the approval has not been revoked or surrendered), but where extraction is no longer occurring.
<b>Legacy site</b>	A pit or quarry where operations stopped before the <i>Aggregate Resources Act</i> , which requires a licence or permit, came into effect. These sites were abandoned and left unrehabilitated.
<b>Pit</b>	A location where loose aggregates such as sand or gravel are being or have been excavated. Excavation from pits occurs through digging.
<b>Production report</b>	An annual report that aggregate operators must submit to The Ontario Aggregate Resources Corporation that sets out the quantity and type of aggregate extracted and removed from a site in each month during the previous year. Approval holders that received their approval after April 1, 2021, must also report the amount of recycled aggregate removed.
<b>Progressive rehabilitation</b>	The rehabilitation of disturbed land in phases as extraction continues elsewhere within a site. Progressive rehabilitation is required by the Act, and the phases and order in which they are to be completed must be set out in the site plan. Licence or permit conditions may also outline further requirements.
<b>Quarry</b>	A location where solid aggregates such as limestone or granite are being or have been excavated. Quarries are located at the surface of the land (rather than underground) and are rarely deeper than 30 metres. Excavation from quarries occurs through blasting.
<b>Recycled aggregate</b>	Used cement, concrete or asphalt, or construction or demolition waste, debris or by-products, that has been reclaimed and processed for reuse in other building projects, in place of virgin aggregates. Recycled aggregates are used to make various new construction materials, such as asphalt and concrete for roads and sidewalks.

<b>Rehabilitation</b>	Treatment of land from which aggregates have been excavated so that the use or condition of the land is restored to its pre-excavation condition or use, or to a condition compatible with the use of adjacent land.
<b>Reserves</b>	In-ground aggregate resources that can be readily accessed.
<b>Revoked licence or permit</b>	An approval that has been rescinded by the Minister of Natural Resources and Forestry. Under the <i>Aggregate Resources Act</i> the Minister may revoke an approval for various reasons, including: a contravention by the approval holder of the Act, regulation, site plan or condition; or the insolvency of the approval holder.
<b>Royalty</b>	A payment made to the Crown in recognition of the extraction of aggregates owned by the Crown. Under the <i>Aggregate Resources Act</i> , the minimum royalty is set at 50 cents/tonne, and increased annually to account for inflation. The Minister of Natural Resources and Forestry may set a higher rate or may allow exemptions.
<b>Site plan</b>	<p>A legally binding document that contains the applicant's contact information, geographic information for the site, maps, and details relating to:</p> <ul style="list-style-type: none"> <li>• existing site features;</li> <li>• site operations;</li> <li>• rehabilitation plans; and</li> <li>• cross sections of the site.</li> </ul> <p>The Ministry of Natural Resources and Forestry has established standards that outline all required information.</p>
<b>Surrendered licence or permit</b>	An approval that has been voluntarily relinquished by an approval holder. The Minister of Natural Resources and Forestry may accept the surrender if satisfied that the approval holder has paid all required annual fees, and has completed final rehabilitation of the site.
<b>The Ontario Aggregate Resources Corporation</b>	A corporation that performs several duties on behalf of the Ministry of Natural Resources and Forestry as outlined in an indenture between itself and the Ministry, including collecting and disbursing aggregate fees, rehabilitating legacy pits and quarries, and collecting and reporting extraction statistics.



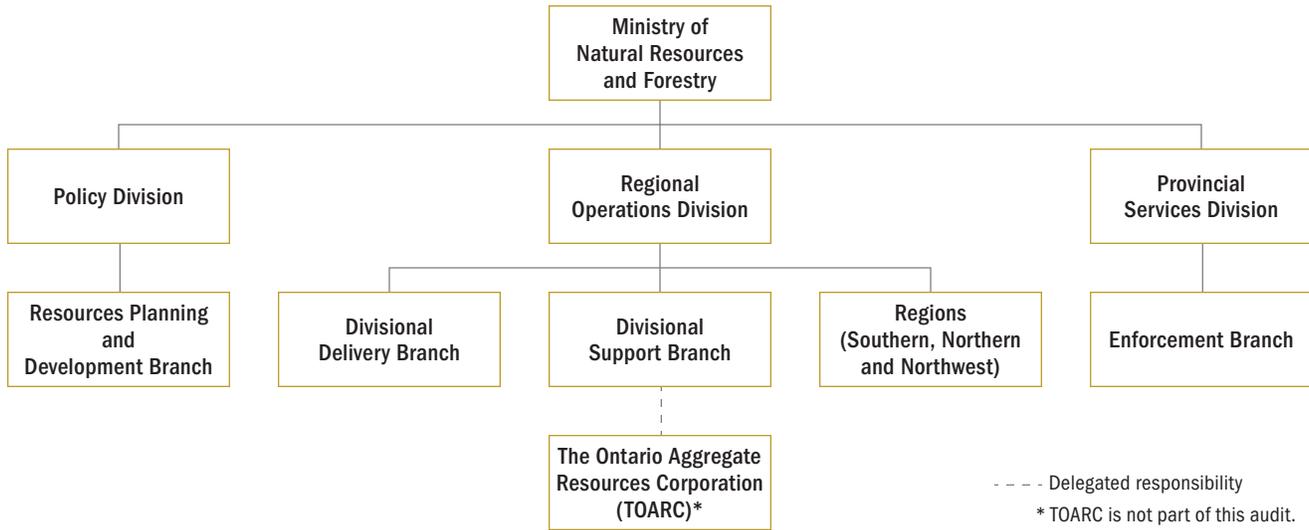
## Appendix 3: Ten-Year Average of Annual Extraction by Licensed Operators, by Upper Tier Municipality, 2013-2022 (millions of tonnes)

Source of data: The Ontario Aggregate Resources Corporation



## Appendix 4: Entities Involved in the Oversight of Aggregate Resources

Prepared by the Office of the Auditor General of Ontario



<b>Policy Division</b>	Develops policies, programs, regulations and legislation to manage Ontario’s natural resources, including aggregates.
Resources Planning and Development Branch	Resources Development Section provides policy analysis, advice, and interpretation related to aggregates management.
<b>Regional Operations Division</b>	Implements policies and delivers programs related to natural resources, including aggregates, across Ontario.
Divisional Delivery Branch	Aggregates Section reviews and approves new aggregate licences and permits, and authorizes changes to existing approvals and surrenders of approvals.
Divisional Support Branch	Provides support for other branches, including data collection, digital services and program co-ordination.
Regions	District offices across the three regions inspect and oversee compliance at licensed and permitted sites, and refer cases of non-compliance to the Enforcement Branch, as necessary.
<b>Provincial Services Division</b>	Oversees a range of province-wide services, including: aviation, forest fire and emergency services; fish and wildlife services; and enforcement.
Enforcement Branch	Investigates cases of non-compliance and pursues charges and convictions.
<b>The Ontario Aggregate Resources Corporation</b>	<ul style="list-style-type: none"> <li>• Acts as trustee of the Aggregate Resources Trust.</li> <li>• Rehabilitates legacy aggregate sites and unrehabilitated sites where the approval has been revoked.</li> <li>• Collects and disburses aggregate fees and royalties.</li> <li>• Collects and publishes statistics on aggregate extraction.</li> <li>• Conducts research and education on aggregates.</li> </ul>

## Appendix 5: Laws and Land-Use Plans that Provide Additional Direction\* for Siting Aggregate Operations

Prepared by the Office of the Auditor General of Ontario

### **Planning Act (Provincial Policy Statement, 2020)**

To establish a legislative framework for provincial land-use planning, with which all municipalities and other approval authorities must comply. The Provincial Policy Statement provides specific policy direction on matters related to land-use planning and development, including the siting of aggregate pits and quarries.

States that aggregate resources are to be:

- identified and protected for long-term use;
- made available as close to market as possible, and that a demonstration of need for aggregates (including any type of supply/demand analysis) shall not be required, regardless of the availability of other local aggregate resources;
- extracted in a manner that minimizes social, economic and environmental impacts; and
- conserved, including through aggregate recycling, where feasible.

Requires progressive and final rehabilitation in order to recognize the interim nature of extraction, allow for subsequent land uses, and mitigate negative impacts.

### **Greenbelt Act, 2005 (Greenbelt Plan, 2017)**

To permanently protect land around the Greater Golden Horseshoe, including to protect against the loss and fragmentation of agricultural land, and give permanent protection to the natural heritage and water resources that sustain ecological and human health.

- Prohibits new aggregate pits and quarries in significant wetlands, significant woodlands, or in the habitat of endangered or threatened species, in the Greenbelt's Natural Heritage System (with exceptions). Sets out enhanced final rehabilitation requirements for pre-existing aggregate operations.
- Sets out a maximum allowable disturbed area limit for new aggregate operations in the Greenbelt's Protected Countryside, and requires pre-existing operations to rehabilitate any disturbed area that exceeds this limit.
- Sets out additional criteria for applications for new aggregate operations in the Greenbelt (e.g., requires applicants to demonstrate how the connectivity between key natural heritage features and key hydrologic features will be maintained).

### **Niagara Escarpment Planning and Development Act (Niagara Escarpment Plan, 2017)**

To provide for the maintenance of the Niagara Escarpment and land in its vicinity as a continuous natural environment, and to ensure only such development occurs as is compatible with that natural environment.

- Prohibits aggregate pits and quarries in 76% of the area covered by the Niagara Escarpment Plan.
- In the two areas where pits and quarries are allowed—the Escarpment Rural Area (23%) and the Mineral Resource Extraction Area (1%)—requires an additional development permit and plan amendment (for operations extracting more than 20,000 tonnes annually) from the Niagara Escarpment Commission.

### **Oak Ridges Moraine Conservation Act, 2001 (Oak Ridges Moraine Conservation Plan, 2017)**

To protect the ecological and hydrological integrity of the Oak Ridges Moraine Area.

- Prohibits new aggregate pits and quarries in 46% of the area covered by the Oak Ridges Moraine Conservation Plan (Natural Core Areas and Settlement Areas).
- Allows aggregate extraction in 24% of the area (the Natural Linkage Areas), but not below the water table.
- Allows aggregate extraction below the water table in the remaining 30% of the area (Countryside Areas).
- Sets out strict rehabilitation requirements for the allowed aggregate operations.

***Places to Grow Act, 2005 (A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020)***

To support the development of complete communities with access to transit, employment, and a variety of housing.

- Establishes policies restricting the location of new and expanded aggregate operations, and policies affecting the rehabilitation of aggregate sites within the Greater Golden Horseshoe.

***Provincial Parks and Conservation Reserves Act, 2006***

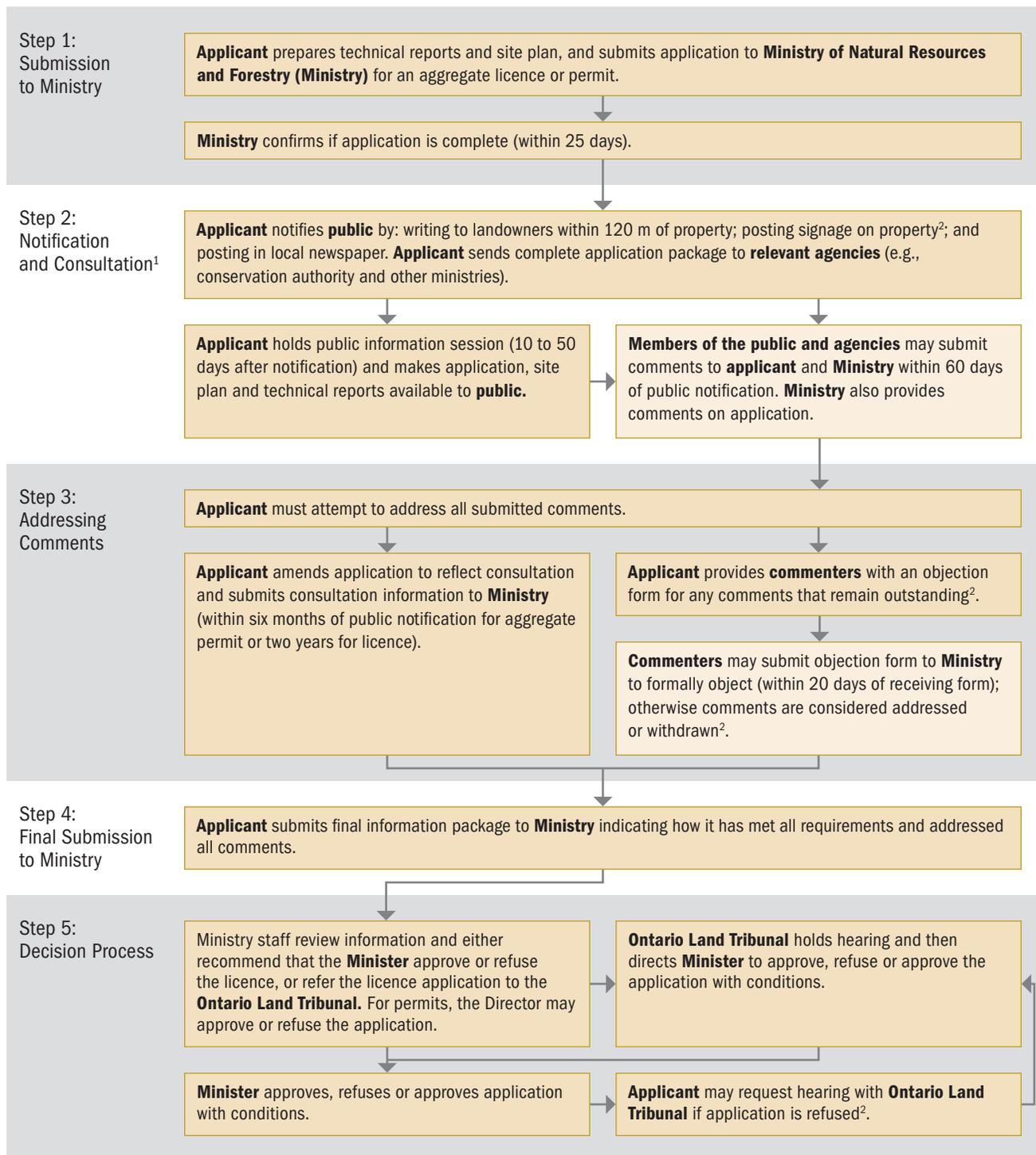
To permanently protect a system of provincial parks and conservation reserves.

- Prohibits aggregate extraction in any provincial park or conservation reserve.

\* Prohibitions and restrictions in legislation (and supporting land-use plans) that limit the siting of aggregate operations are implemented through the adoption of municipal official plans.

## Appendix 6: Process to Obtain a New Aggregate Licence or Permit

Prepared by the Office of the Auditor General of Ontario



1. As licences and permits are prescribed instruments under the *Environmental Bill of Rights, 1993*, the Ministry is also required to conduct a separate consultation process pursuant to that law.

2. These steps apply to aggregate licences only (not to aggregate permits).

## Appendix 7: Site Plan and Technical Report Requirements for Applications for New or Amended Aggregate Approvals

Prepared by the Office of the Auditor General of Ontario, based on the requirements set out in the Ministry of Natural Resources and Forestry's Aggregate Resources of Ontario Standards

### Applications for New Approvals

**Site plan:** Gives background information about existing site features prior to extraction, operational information about the proposed site, and information about how a site is to be extracted (such as phasing, depth and types of equipment). It is the primary instrument used for administering the *Aggregate Resources Act*. Must include:

- mitigation measures to be taken, where potential impacts have been identified;
- monitoring programs to be followed, where recommended by technical reports or to address concerns raised;
- areas to be avoided and protected;
- map of the proposed location; and
- proposed progressive and final rehabilitation plans.

**Summary statement:** Depending on the application type, the summary statement may include background and operational information, rehabilitation plans, and hauling routes to/from the site.

**Technical reports and information:** Gives technical and operational information to help assess the environmental and social impacts on the proposed site area. Depending on the proposed application, may require technical reports on the following:

- maximum predicted water table;
- natural environment (including impacts on habitat of endangered or threatened species);
- cultural heritage;
- agricultural impact assessment;
- water report (for extraction below the water table);
- noise assessment; and/or
- blast design.

### Applications for Prescribed Significant Amendments to Approvals (see Appendix 9)

**Technical reports and information:** Gives technical information to help assess the environmental and social impacts of the proposed significant amendment.

- Applicants seeking to lower the depth of extraction below the water table must submit:
  - a water assessment;
  - a natural environment assessment;
  - planning and land use considerations; and
  - source water considerations.
- Applicants seeking to expand into an adjacent road allowance must submit:
  - a water assessment (if extracting below the water table);
  - a natural environment assessment;
  - a cultural heritage assessment;
  - an agricultural assessment;
  - planning and land-use considerations; and
  - source water considerations.

## Appendix 8: Ministry of the Environment, Conservation and Parks Approvals that May be Required for Aggregate Operations

Prepared by the Office of the Auditor General of Ontario

### ***Endangered Species Act, 2007***

To identify and protect species at risk (e.g., endangered and threatened species) and their habitats, and promote the recovery of species that are at risk.

- Aggregate operators must meet conditions to mitigate the impacts of pits and quarries on endangered and threatened species (e.g., prepare and implement a mitigation plan; prepare and provide an annual report on the operation's effects on identified species at risk).
- For certain endangered species (named in regulation under the Act), the Environment Ministry may require a permit if an aggregate project or activity is expected to have an impact on the species or its habitat.

### ***Environmental Protection Act***

To provide for the protection and conservation of the natural environment.

- Aggregate operators must obtain an Environmental Compliance Approval for any air and noise emissions.
- Establishes guidelines for excess soil brought into aggregate operations.

### ***Ontario Water Resources Act***

To provide for the conservation, protection and management of Ontario's waters and for their efficient and sustainable use.

- Aggregate operators wishing to take or remove more than 50,000 litres of water per day (e.g., to pump water out of a quarry) must obtain a Permit to Take Water.
- Aggregate operators must obtain an Environmental Compliance Approval if discharging any wastewater back into the environment.

## Appendix 9: Types of Aggregate Approval Amendments

Prepared by the Office of the Auditor General of Ontario

Type of Amendment	Description	Examples	Amendment Process
<b>Prescribed significant amendments</b>	Two specific types of major changes as set out in the <i>Aggregate Resources Act</i> .	<ul style="list-style-type: none"> <li>Lowering the extraction from above to below the water table.</li> <li>Expanding a licence boundary into an adjacent road allowance.</li> </ul>	<ul style="list-style-type: none"> <li>Applicants must follow the same application process as for new approvals (see <b>Appendix 6</b>).</li> <li>Applicants must submit additional technical reports (see <b>Appendix 7</b>).</li> </ul>
<b>Other significant amendments</b>	Major changes to a site plan or approval document that would significantly alter the operation or rehabilitation of a site, other than the two prescribed significant amendments.	<ul style="list-style-type: none"> <li>A change in maximum annual tonnage.</li> <li>A significant change to the progressive or final rehabilitation plans.</li> <li>A change that will increase potential negative impacts to natural heritage features.</li> </ul>	<ul style="list-style-type: none"> <li>Approval from the Ministry is required.</li> <li>Applicants must first notify and consult with other ministries, agencies and municipalities that have a direct interest in the proposed change. Must also notify neighbouring landowners if they are potentially affected by the proposed change.</li> <li>Technical reports may need to be submitted to support proposed changes.</li> </ul>
<b>Non-significant amendments</b>	Changes to a site plan or approval document that would not significantly alter the operation or rehabilitation of the site.	<ul style="list-style-type: none"> <li>Changes to location of gates and fencing.</li> <li>Changes to final slopes or grading during rehabilitation.</li> </ul>	<ul style="list-style-type: none"> <li>Ministry approval is required.</li> <li>Notification and consultation procedures are not required (however, the Ministry may require notification and consultation if it determines the change is significant).</li> </ul>
<b>Self-filed amendments</b>	Small or routine types of changes to a site plan only (as set out in the regulation).	<ul style="list-style-type: none"> <li>Updating the name and contact information of an approval holder following the transfer of an approval.</li> <li>Changing the type of fencing.</li> </ul>	<ul style="list-style-type: none"> <li>Does not require review or approval by the Ministry, provided specific conditions are met (e.g., annual fees are up to date).</li> <li>Approval holder must provide a copy of the amended site plan to the Ministry.</li> </ul>

## Appendix 10: Compliance and Enforcement Options

Source of data: Ministry of Natural Resources and Forestry's Aggregate Compliance Handbook

	Description/Features	Issued By	Best Used For
<b>Warning</b>	<ul style="list-style-type: none"> <li>More informal process; can be written or verbal</li> </ul>	Aggregate inspector	<ul style="list-style-type: none"> <li>Very minor infractions (e.g., minor over-tonnage)</li> <li>First-time offence</li> </ul>
<b>Inspection report</b>	<ul style="list-style-type: none"> <li>Issued after a site inspection</li> <li>Lists non-compliance issues identified by inspector, with remedial action dates</li> </ul>	Aggregate inspector	<ul style="list-style-type: none"> <li>Minor violations</li> <li>No immediate need to cease activities</li> </ul>
<b>Rehabilitation order</b>	<ul style="list-style-type: none"> <li>Outlines specific rehabilitation work to be done within specified time frame</li> </ul>	Aggregate inspector	<ul style="list-style-type: none"> <li>Where progressive or final rehabilitation has not been performed in accordance with site plan</li> </ul>
<b>Inspector's order for compliance</b>	<ul style="list-style-type: none"> <li>Written direction ordering an operator to rectify a violation within specified time frame, or to stop extraction from an illegal site and require rehabilitation</li> </ul>	Aggregate inspector	<ul style="list-style-type: none"> <li>Illegal operations</li> <li>Moderate violations, or violations that have not been rectified following a warning or inspection report</li> </ul>
<b>Notice of suspension</b>	<ul style="list-style-type: none"> <li>Requires operator to stop operations, effective immediately</li> <li>Creates strong incentive to correct a violation</li> </ul>	Aggregate inspector	<ul style="list-style-type: none"> <li>Any serious violation where there is an immediate need to stop the activity or obtain compliance on site</li> </ul>
<b>Charge</b>	<ul style="list-style-type: none"> <li>Charges for minor offences can be in the form of a ticket with a fine of up to \$750</li> <li>Charges for more significant offences can result in a court prosecution and, if found guilty, a fine of up to \$1,000,000 plus \$100,000 for each day the offence occurs or continues</li> <li>Court prosecutions can also result in a court order to rectify a violation</li> </ul>	Conservation officer	<ul style="list-style-type: none"> <li>Illegal operations</li> <li>When there has been non-compliance with previous notices or orders</li> <li>Serious violations that warrant "an overall message to the industry"</li> </ul>
<b>Notice of revocation</b>	<ul style="list-style-type: none"> <li>Order that revokes a licence or permit</li> <li>Provides a final resolution</li> </ul>	Minister (licences) or District manager (permits)	<ul style="list-style-type: none"> <li>When pit or quarry has been abandoned or owner/operator declares bankruptcy</li> <li>Violations where past charges and enforcement tools have had no effect</li> <li>When rehabilitation is not the primary concern</li> </ul>

## Appendix 11: Audit Criteria

Prepared by the Office of the Auditor General of Ontario

1. The Ministry of Natural Resources and Forestry (Ministry) reviews applications for new and amended aggregate approvals and makes approval decisions in an efficient and effective manner and in accordance with the requirements and purposes of the *Aggregate Resources Act*, regulation, standards and policies.
2. The Ministry's operating requirements are sufficient to minimize the local impacts of aggregate operations on surrounding communities and the environment.
3. The Ministry has effective inspection and enforcement processes in place to ensure compliance by aggregate operators with the *Aggregate Resources Act*, and relevant regulations, policies, permits and licences.
4. The Ministry has timely, complete and accurate information about Ontario's aggregate resources to inform decision-making related to managing aggregate resources sustainably. The Ministry publicly reports on such information.
5. The Ministry has processes to ensure that The Ontario Aggregate Resources Corporation complies with, and performs, all responsibilities in an effective and efficient manner as outlined in the Act, the regulation, the Indenture Agreement and its Memorandum of Understanding.
6. Through its own operations and oversight of The Ontario Aggregate Resources Corporation, the Ministry ensures that land from which aggregates have been excavated is effectively restored to its former use or condition, or is changed to another use or condition that is or will be compatible with the use of adjacent land.
7. The Ministry encourages the environmentally and socially responsible production and use of recycled aggregate.
8. The Ministry establishes meaningful performance targets related to the delivery and effectiveness of its aggregate resource program, and measures and publicly reports on progress toward targets.



## Office of the Auditor General of Ontario

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December 22, 2023

Courtenay Hoytfox, Municipal Clerk  
Township of Puslinch  
7404 Wellington Road 34  
Puslinch, ON N0B 2J0

Dear Courtenay Hoytfox

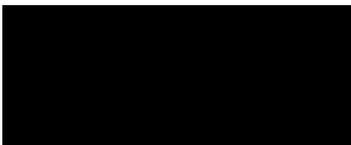
**Re: 2024 Grand River Conservation Authority Municipal Apportionment and Budget Vote Meetings**

Please be advised that the General Membership Meeting of the Grand River Conservation Authority (GRCA) will be held on January 26, 2024, at 9:30 a.m., to consider approval of the 2024 Municipal Apportionment. In addition, the Annual General Meeting of the GRCA will be held on Friday, February 23, 2024, at 9:30 a.m., to consider approval of the 2024 Budget.

Attached is the most recent draft of the 2024 Budget, which was presented to the GRCA General Membership on October 27, 2023. Based on board direction to staff, this draft budget includes a Total Municipal Apportionment of \$13,292,000 which represents a 2.5% increase over 2023. The Municipal Apportionment, if approved, will be apportioned to watershed municipalities on the basis of "Modified Current Value Assessment" as defined in Ontario Regulation 402/22: Budget and Apportionment.

The attached draft 2024 Budget outlines the programs and services of the Grand River Conservation Authority and how those programs are expected to be funded in 2024. Also included is a calculation of the 2024 Municipal Apportionment for participating municipalities. Should you have any questions concerning the draft Budget or the Municipal Apportionment, please contact the undersigned.

Yours truly,



Karen Armstrong,  
Deputy CAO and Secretary-Treasurer

# Grand River Conservation Authority

**Report number:** GM-10-23-80

**Date:** October 27, 2023

**To:** Members of the Grand River Conservation Authority

**Subject:** Budget 2024 – Draft #1

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## Recommendation:

THAT Report Number GM-10-23-80 - Budget 2024 - Draft #1 be approved for consultation purposes, circulated to all participating municipalities, and posted to the GRCA website.

## Summary:

This report summarizes the first draft of the 2024 Budget. The final budget for 2024 will be presented for approval at the February 24, 2024 Annual General Meeting. See Attachment A “Budget 2024 Timetable” for additional details on budget timelines.

Budget 2024- Draft #1 reflects the continuation of programs and services delivered in 2023 and maintains breakeven results. Total draft expenditures for 2024 are \$34,442,188. For context, the October 2022 draft budget for 2023 included expenditures of \$33,279,188. Preliminary budget financial figures are outlined in Attachment G which includes the Statement of Operations and detailed Program and Services statements. The individual programs and services budgets have been categorized as Operating, Capital Maintenance, and Special projects.

Grand River Conservation Authority (GRCA) programs and services are funded by:

- Municipal Apportionment (in prior years referred to as Municipal General Levy)
- Municipal Funding as per Memorandum of Understandings (MOUs)
- Other Municipal Funding (by special agreements)
- Provincial and Federal Grants
- Self-Generated Revenue
- Funding from Reserves

Overall, the municipal funding request has been increased by 2.5% (or \$324,000) to \$13,292,000 in 2024. For a breakdown of municipal funding by Category 1, 2, and general operating expenses see Attachment C “Budget 2024 Municipal funding breakdown”.

As required under *O.Reg.687/21 Transition Plans and Agreements for Programs and Services Under Section 21.2.2 of the Act*, the GRCA has developed an Inventory of Programs and Services based on the categories identified in the Regulation. These categories include: (1) Mandatory, (2) Municipally requested, (3) Other (Authority determines are advisable), and General Operating Expenses.

Attachment B “Programs & Services Inventory” outlines the expenditures and funding sources applicable to each category, along with the reallocation of program surplus between programs and services.

Appendix D “Summary of Municipal Apportionment” details the municipal apportionment and MOU funding requests by participating municipalities.

**TABLE A -BUDGET 2024 EXPENDITURES**

	2024	2023 (Oct draft)	Increase/(decrease)
<b><u>EXPENDITURES</u></b>			
Operating Expenses	\$29,066,688	\$28,148,688	\$918,000
Capital Expenses	\$4,419,000	\$4,104,000	\$315,000
Special Projects	\$840,000	\$840,000	\$0
Funding to Reserve (hydro)	\$116,500	\$116,500	\$0
<b>TOTAL</b>	<b>\$34,442,188</b>	<b>\$33,209,188</b>	<b>\$1,233,000</b>

Note: Use of the term capital expenses for spending that is funded with municipal apportionment refers to major maintenance, water control structure studies, or water management equipment.

## Report:

### A. CONSERVATION AUTHORITIES ACT - NEW REGULATIONS

The Conservation Authorities Act (CA Act) outlines three categories of programs and services: (1) Mandatory, (2) Municipally requested, and (3) Other (Authority determines are advisable).

*O. Reg. 402/22 - Budget and Apportionment* also defines “general operating expense or capital cost” as an operating expense or capital cost that is not related to the provision of a program or service that an authority provides. The regulations require that these costs be identified separately, and municipal funding be apportioned using Modified Current Value Assessment (MCVA).

*O. Reg. 402/22* requirements came into force for the 2024 budget process. See Attachment A – Budget 2024 Timetable for timeline details. This regulation outlines Four Phases to the budget process

- Phase 1: Categorizing revenue and expenses as per the categories listed above, and amounts of municipal apportionment
- Phase 2: Board approval of draft budget for consultation (vote required), distribution to participating municipalities, and posting on the GRCA’s Governance section on the website. Consultation with municipalities will occur as required.
- Phase 3: Board apportionment approval process (weighted vote required)
- Phase 4: Final budget approval process (vote required)

### B. OPERATING BUDGET

In general, the 2024 budget assumes the same level of program and service delivery as provided in 2023. Any exceptions to specific program areas are included in the commentary below as applicable.

#### (a) Resource Planning

- Resource Planning fee revenue declined in 2023 and therefore this draft of the budget reduced revenue by \$100,000.
- Compensation and benefits costs reduced by \$50,000 to recognize vacancy and/or rate savings which have resulted historically (budget assumes no change in staffing complement).

#### (b) Residential Property Rental Program

- The Residential Property Rental Program is in the process of winding down. The budgeted 2023 revenue of \$110,000 assumes no decrease in occupancy during 2024.
- The budgeted net result for this program is a \$25,000 deficit.

(c) Outdoor Environmental Education

- Negotiations with school boards for 2023/24 contracts have been completed. The first draft of the budget assumes that 2023/24 school contracts will be extended for the 2024/25 school year. This draft does not include any community or day camp program delivery. Decisions regarding the future format and scope of the Outdoor Environmental Education program will be incorporated into future budget drafts as applicable.

(d) Conservation Areas

- Conservation Area 2024 budgeted revenue of \$10,500,000 is approximately \$1,000,000 less than projected revenue of \$11,500,000 for 2023.
- Operating expenses are being increased by \$350,000.
- Conservation Area program and services expenses have been expanded to include 100% of Manager of Conservation Area Operations, 50% of Luther Marsh operations, and 100% of hazard tree management in the Conservation Areas. The funding for these three additional components is being funded with surplus from other Category 3 programs.
- The Conservation Areas budget excludes any allocation for corporate services overhead expenses.
- The revenue and cost assumptions will be revisited once actuals for the full 2023 season are available. Any adjustments to operating revenue or expenses will be the transfer to/from the Conservation Areas Reserve.

(e) Investment Income

- Income increased \$50,000 due to higher interest being earned on cash balances.

(f) Section 39 Funding

- It is assumed that there will no further cutbacks in the provincial Section 39 grant for the period April 1, 2023 to March 31, 2024 and therefore the Section 39 grant amount is anticipated to remain at \$449,688.

(g) Municipal Funding

- The 2024 Budget includes \$12,275,000 of funding for Category 1 Mandatory Programs and General Operating Expenses along with \$1,017,000 for Category 2 MOU Programs for a total of \$13,292,000 which is a \$324,000 (or 2.5%) increase over the 2023 General Municipal Levy of \$12,968,000.

(h) Surplus Assumption

- The draft budget assumes a \$100,000 surplus carry forward from 2023. If additional surplus is applicable, staff will recommend that it be incorporated in the final budget and used for non-recurring expense demands (i.e. consulting, professional development, and other administrative costs).

(i) Transition Reserve (created in 2021)

- The purpose of the reserve is to fund expenditures related to the transitioning of the GRCA to new provincial regulations requirements and/or fund costs related to managing expenses impacted by COVID-19 or revenue losses due to COVID-19. As at December 31, 2022, the reserve balance is approximately \$2.0 million.
- The strategy for Budget 2024 draft #1 is to utilize the transition reserve to fund one staff position (\$100,000) to assist with some of the deliverables required by the new regulations and to fund the Outdoor Environmental Education program deficit (\$312,000).

(j) Compensation and Benefits and Staffing Comments:

- The 2024 draft budget includes a 3% increase for compensation and benefits which allows for a general wage increase, grid steps within wage scales, and benefit cost increases. In addition, one administrative position is being added to the budget.
- Non-union salary adjustments are required to be approved by the General Membership which is typically presented in November or December for the subsequent year.
- Union wage adjustments have been incorporated into the budget in accordance with the Collective Agreement which is effective until December 31, 2025.

(k) Source Protection Program

- The province has identified that this program is considered a Category 1 mandatory program that is required to be delivered by Conservation Authorities. Funding until March 2024 was secured. The province, which currently fully funds this program, has not guaranteed funding for future years, nor has it announced an end to program funding.

## C. CAPITAL & MAJOR MAINTENANCE BUDGET

(a) Major Maintenance Spending Water Control Structures

- The budget is set at \$1,500,000. Any demands that arise more than that amount can be funded with the Water Control Structures reserve and/or the Land Sale Proceeds reserve. Staff continue to seek funding to repair and update the water control infrastructure from provincial and federal government. Government funding included in budget 2024 relates to provincial Water and Erosion Control Infrastructure (WECI) funding which is subject to provincial approval of projects. Changes to this budget line will not impact the request for municipal funding. Any additional spending will be funded with WECI funding or reserves.

(b) Capital Spending Conservation Areas

- The budget is set at \$2,000,000. This spending is budgeted to be funded with \$1,650,000 of fee revenue and \$350,000 from the conservation area reserve. Future budget drafts will be revised as capital projects are prioritized. Any increases in budgeted spending will be facilitated by either increased revenue or use of the conservation area reserve. Any decrease in budgeted expenses would be offset by a transfer to the conservation reserve.

(c) Water Monitoring Equipment and Flood Forecasting and Warning Expenses

- The budget is being held constant at \$300,000. The gauge reserve will be used to fund \$100,000 of total costs and the remaining costs will be funded with Category 1 Municipal Apportionment funding.

(d) Information Systems and Motor Pool

- Costs of \$379,000 for Information Systems and \$240,000 for Motor Pool represent the costs not funded through internal cost allocations to programs and services and are funded through the IS reserve and MP reserve respectively. See Attachment G 'P&S #16 - Supplemental Information – IS and MP' for detailed expense information.

## D. SPECIAL PROJECTS

(a) Special projects do not rely on Municipal Apportionment funding.

(b) This draft of the budget only includes items that are known or highly likely to be undertaken and a cost can be estimated. At present, the budget includes \$840,000 in spending. By the time the 2024 budget is finalized, special project spending, along with

matching revenue, is expected to increase as projects are approved and carryover amounts are confirmed.

(c) The \$840,000 in special projects included in this draft budget are:

- \$800,000 Rural Water Quality Capital Grants
- \$40,000 Species at Risk Program

(d) New Guelph Lake Nature Centre Building

To date, the purchasing process for this project has not commenced, therefore, a reliable cost estimate is not available. The final budget draft will incorporate this project as applicable with funding to be provided via donations and potentially using GRCA reserves.

## **E. RESERVES**

For 2024, reserves are budgeted to decrease by \$331,500. Significant budgeted drawdowns to reserves include \$350,000 for Conservation Area capital projects, \$315,000 to fund the Environmental Education deficit, \$100,000 to fund one staff position, \$379,000 for Information Systems, and \$240,000 for Motor Pool. See Attachment E 'Summary of Reserves' for details of reserve movements budgeted for 2024. The use of reserves is integral to GRCA operations. The GRCA sets aside certain funds to reserves (i.e. Land Sale Proceeds, Hydro Revenue, Interest Earned on Reserves) in order to be able to draw upon these reserves at a later date in accordance with either legislative mandates and/or board-approved use

Reserves can be viewed as:

- Planned savings set aside for future capital projects (facilitates smoothing of funding requests)
- Surpluses set aside for future operating or capital needs (i.e. Conservation Area revenue in excess of budget)
- Contingency funds for unplanned expenditures
- Legislated amounts to be used in accordance with regulations (i.e. land sale proceeds)

A detailed report on reserves will be presented at the November 24, 2023 meeting.

## **F. CATEGORY 2 – WATERSHED SERVICES**

The programs and services included under watershed services are:

- Subwatershed Studies
- Conservation Services
- Water Quality
- Wastewater Optimization Program
- Groundwater Resources
- Watershed Services

See Attachment F 'Budget 2024 Category 2 - Watershed Services Program Breakdown'

This budget assumes that all participating municipalities will enter into a Memorandum of Agreement with the GRCA and agree to apportioning the funding requirements using MCVA, the same as Category 1 apportionment and the same method that was used in prior years.

## **G. MUNICIPAL APPORTIONMENT (referred to as General Municipal Levy in prior years)**

Where municipal funding is applicable, namely, Category 1, 2, and General Operating Expenses, the methodology of apportionment used is Modified Current Value Assessment (MCVA) on the basis that there is a watershed benefit for all participating municipalities from the programs and services. See Attachment D 'Budget 2024 Summary of Municipal Apportionment' for details.

The methodology for calculating the MCVA and distributing apportionment is outlined *in O. Reg. 402/22 Section (7)*. Agreements with participating municipalities for Category 2 programs and services have not been finalized therefore the funding allocation is subject to change and would be communicated and agreed to accordingly if applicable.

#### **OTHER MAJOR ASSUMPTIONS**

- (a) Cottage Lot Rental Program revenue increased by 2.5% or \$57,000 in accordance with the Residential Tenancy Act.
- (b) Total Insurance expense increased by 5% or \$24,000 to reflect 2023 rate increases and projected 2024 rate increases.
- (c) Total Property Tax expense increased \$20,000.
- (d) Admin Operating expense held constant.
- (e) Other Operating expenses increased between 0% and 5% as applicable.
- (f) Motor Pool charge-out rates held constant.
- (g) Computer charge-out rates held constant.

#### **H. SIGNIFICANT OUTSTANDING BUDGET ITEMS**

- (a) Year 2023 Carry forward Adjustments  
2023 Surplus carry forward - this draft of the 2024 Budget assumes a \$100,000 surplus carryover from year 2023. The actual "2023 Net Surplus" will be incorporated into the 2024 budget.
- (b) 2023 Special Projects carry forward  
Any projects commenced in year 2023 and not completed by December 31, 2023 will be carried forward and added to Budget 2023 (i.e. both the funding and the expense will be added to Budget 2023 and therefore these adjustments will have no impact on the breakeven net result).
- (c) Water Control Structures Major Maintenance Expenditures  
A final determination of the amount of spending to be added to the Budget 2024 (i.e. unspent amounts from 2023, new projects) will be made, including use of reserves for 2024 projects. Any decisions to increase spending should not impact the general municipal apportionment request but would be funded with reserves, WECI funding, and/or new funding sources, as applicable.
- (d) Conservation Area Revenue and Expenses  
Final revenue, operating, and capital expense figures are to be determined following the year-end actuals review.
- (e) Environmental Education  
Final revenue and operating expense figures are to be determined following further information on program delivery developments.

The following are attached:

- Attachment A: Budget 2024 Timetable
- Attachment B: Budget 2024 Program and Services Inventory
- Attachment C: Budget 2024 Municipal Funding Breakdown
- Attachment D: Budget 2024 Summary of Municipal Apportionment
- Attachment E: Budget 2024 Summary of Reserves
- Attachment F: Budget 2024 Category 2 - Watershed Services Program breakdown
- Attachment G: Statement of Operations & Detailed Program and Services Statements

## **Financial Implications:**

Budgeted spending for 2024 is \$34,442,188 (2023: \$33,279,188) which includes transfers of \$116,500 to reserves. This first draft of the budget includes a municipal general levy increase of \$324,000 (or 2.5%).

The main budgetary challenges faced by the GRCA are:

- Cost pressures created by the economic environment including inflation, supply chain issues, and labour force shortages.
- Conservation Area operating revenue is impacted by fluctuations in consumer demand and weather conditions which are difficult to predict.
- An aging infrastructure in the Conservation Areas and aging Nature Centre facilities.
- Increased demands on managing passive lands (i.e. land use decisions, hazard tree management, trespassing, infrastructure).
- Keeping pace with digital innovation and technological advancements.
- Meeting new regulation reporting requirements (Conservation Area Strategy, etc.)

## **Other Department Considerations:**

None

### **Prepared by:**

Sonja Radoja  
Manager of Corporate Services

### **Approved by:**

Samantha Lawson  
Chief Administrative Officer

Karen Armstrong  
Deputy CAO/Secretary-Treasurer

ATTACHMENT A  
Grand River Conservation Authority  
Budget 2024 Timetable  
October 27, 2023

- Oct 27, 2022: Draft Budget #1 to General Meeting and Board approval of the draft budget for consultation purposes
- November 2023: Distribute Draft Budget #1 to Participating Municipalities and post it on the GRCA website in the Governance section
- Nov & Dec 2023: Consultation with Participating Municipalities as requested
- December 15, 2023: Board Motion to send 30 days' notice to Participating Municipalities of Municipal Apportionment Vote at January 26, 2024 General Meeting
- December 22, 2023: Send Notice to Participating Municipalities of Municipal Apportionment Vote and include apportionment amounts and most recent draft Budget
- Jan 26, 2024: Draft Budget #2 to General Meeting and Municipal Apportionment Vote – weighted majority and recorded. Once approved, distribute to Participating Municipalities.
- Feb 23, 2024: Final 2024 Budget Vote – weighted majority (as per by-law) and recorded. Once approved, distribute to Participating Municipalities, post on the GRCA website, and send to MNRF

Grand River Conservation Authority  
**PROGRAMS AND SERVICES INVENTORY**  
**BUDGET 2024**

to General Meeting October 27th, 2023

**ATTACHMENT B**

Programs & Services Inventory		TOTAL EXPENDITURES (includes transfers to reserves)	MUNICIPAL APPORTIONMENT/ Cat 2-MOA FUNDING	MUNICIPAL- OTHER	SELF-GENERATED REVENUE	PROVINCIAL & FEDERAL GRANTS	Funding from RESERVES	Programs & Services SURPLUS allocation	TOTAL REVENUE (after P&S surplus allocation)	NET RESULT
CATEGORY 1	Watershed Resources-Planning	1,416,100	1,303,600			37,500	75,000		1,416,100	-
	FFW & Flood Plain Mapping	1,101,000	911,662			164,338	25,000		1,101,000	-
	Water Control Structures	3,628,700	2,593,350			985,350	50,000		3,628,700	-
	Resource Planning	2,609,600	1,525,600		1,044,000	40,000			2,609,600	-
	Conservation Lands Mgmt	2,871,900	2,629,900		42,000		200,000		2,871,900	-
	Source Protection Planning	640,000	-			640,000			640,000	-
	<b>Total Category 1</b>	<b>12,267,300</b>	<b>8,964,112</b>		<b>1,086,000</b>	<b>1,867,188</b>	<b>350,000</b>	<b>-</b>	<b>12,267,300</b>	<b>-</b>
			73%	0%	9%	15%	3%	0%	100%	
General Operating	<b>General Operating Expenses (note 5)</b>	<b>4,449,188</b>	<b>3,310,888</b>		<b>250,000</b>		<b>684,000</b>	<b>204,300</b>	<b>4,449,188</b>	<b>-</b>
			74%	0%	6%	0%	15%	5%	100%	
CATEGORY 2	<b>CATEGORY 2 Watershed Services</b>	<b>1,868,000</b>	<b>1,017,000</b>	<b>850,000</b>			<b>1,000</b>		<b>1,868,000</b>	<b>-</b>
			54%	46%	0%	0%	0%	0%	100%	
CATEGORY 3	Tree Planting/Nursery Program	892,900			580,000			312,900	892,900	-
	Conservation Services	82,200				30,000		52,200	82,200	-
	Environmental Education	912,000			600,000		312,000		912,000	-
	Property Rentals	1,109,200			3,038,000			(1,928,800)	1,109,200	-
	Hydro Production	212,000			580,000			(368,000)	212,000	-
	Conservation Areas	11,432,000			10,571,000		351,000	510,000	11,432,000	-
	Administrative Support (note 6)	1,217,400						1,217,400	1,217,400	-
<b>Total Category 3</b>	<b>15,857,700</b>	<b>-</b>	<b>-</b>	<b>15,369,000</b>	<b>30,000</b>	<b>663,000</b>	<b>(204,300)</b>	<b>15,857,700</b>	<b>-</b>	
			0%	0%	97%	0%	4%	-1%	100%	
<b>TOTAL Programs &amp; Services</b>		<b>34,442,188</b>	<b>13,292,000</b>	<b>850,000</b>	<b>16,705,000</b>	<b>1,897,188</b>	<b>1,698,000</b>	<b>-</b>	<b>34,442,188</b>	<b>-</b>
			39%	2%	49%	6%	5%	0%	100%	

NOTE 1, NOTE 4

NOTE 2

NOTE 3

**COMMENTARY:**

- NOTE 1 Total Programs & Services expenditures (includes transfers to reserves) is funded 39% by the combined total of mandatory municipal apportionment and Category 2 MOA municipal funding.
- NOTE 2 Almost 50% of total expenses is funded with self-generated revenue.
- NOTE 3 Category 3 'Property Rentals' and 'Hydro Production' generate a surplus which is allocated to Category 3 programs and General Operating expenses to achieve breakeven results for each P&S.
- NOTE 4 In 2023 General Municipal Levy funding totalled \$12,968,000. Therefore Municipal funding is increasing by \$324,000 (or 2.5%) to \$13,292,000 in 2024 compared to 2023.  
**General Operating Expenses** include administrative expenses related to Office of the CAO, communications, capital support, finance, payroll, human resources, Health and Safety, head Office facility, and other administrative expenses that support the provision of programs and services.
- NOTE 5 **Administrative Support** include administrative expenses related to finance, communications, capital support and other administrative expenses that support category 3 programs and services.
- NOTE 6 **Administrative Support** include administrative expenses related to finance, communications, capital support and other administrative expenses that support category 3 programs and services.

Grand River Conservation Authority  
**MUNICIPAL FUNDING BREAKDOWN (note 1)**

**ATTACHMENT C**

**BUDGET 2024**

to General Meeting October 27th, 2023

	2024	2023
	Municipal Apportionment	Municipal Levy
CATEGORY 1 - Mandatory	8,964,112	
General Operating Expenses	3,310,888	
CATEGORY 2 - Municipally Requested MOU's (note 2)	1,017,000	
Matching Admin & Mtce Levy		449,688
Non-Matching Admin & Mtce Levy		11,568,312
Capital Maintenance Levy		950,000
	<b>13,292,000</b>	<b>12,968,000</b>
	<i>dollar Increase</i>	324,000
	<i>percentage Increase</i>	2.5%

**Note 1**  
**Funding under special agreements with Municipalities is not included in above municipal funding breakdown (i.e. RWQP, Subwatershed studies)**

**Note 2**  
 Participation of all member municipalities for Category 2 programs and services has not been confirmed as at Oct 27/23. Adjustments may be applicable.

## Grand River Conservation Authority Summary of Municipal Apportionment - 2024 Budget

*DRAFT - October 27th, 2023*

	% CVA in Watershed	2023 CVA (Modified)	CVA in Watershed	CVA-Based Apportionment	2024 Budget General Operating Expenses*	2024 Budget Category 1 Operating Expenses*	2024 Budget Category 2 Operating Expenses*	2024 Budget Total Apportionment	Actual 2023	% Change
Brant County	82.9%	7,651,609,216	6,343,184,040	2.98%	98,549	266,819	30,271	395,639	378,509	4.5%
Brantford C	100.0%	15,830,835,062	15,830,835,062	7.43%	245,952	665,906	75,549	987,407	959,163	2.9%
Amaranth Twp	82.0%	836,304,475	685,769,670	0.32%	10,654	28,846	3,273	42,773	41,929	2.0%
East Garafraxa Twp	80.0%	659,250,495	527,400,396	0.25%	8,194	22,184	2,517	32,895	32,145	2.3%
Town of Grand Valley	100.0%	629,306,057	629,306,057	0.30%	9,777	26,471	3,003	39,251	37,414	4.9%
Melancthon Twp	56.0%	621,036,905	347,780,667	0.16%	5,403	14,629	1,660	21,692	21,055	3.0%
Southgate Twp	6.0%	1,171,985,196	70,319,112	0.03%	1,092	2,958	336	4,386	4,082	7.4%
Haldimand County	41.0%	7,540,022,556	3,091,409,248	1.45%	48,029	130,037	14,753	192,819	188,187	2.5%
Norfolk County	5.0%	9,936,265,436	496,813,272	0.23%	7,719	20,898	2,371	30,988	30,398	1.9%
Halton Region	10.6%	49,388,040,845	5,220,626,448	2.45%	81,109	219,600	24,914	325,623	317,066	2.7%
Hamilton City	26.7%	98,248,255,488	26,281,408,343	12.33%	408,315	1,105,497	125,421	1,639,233	1,605,656	2.1%
Oxford County	36.1%	4,704,097,710	1,696,921,269	0.80%	26,364	71,379	8,098	105,841	103,618	2.1%
North Perth T	2.0%	2,497,940,188	49,958,804	0.02%	776	2,101	238	3,115	2,933	6.2%
Perth East Twp	40.0%	2,108,636,244	843,454,498	0.40%	13,104	35,479	4,025	52,608	51,654	1.8%
Waterloo Region	100.0%	107,591,348,898	107,591,348,898	50.49%	1,671,568	4,525,707	513,453	6,710,728	6,542,324	2.6%
Centre Wellington Twp	100.0%	5,519,221,813	5,519,221,813	2.59%	85,748	232,160	26,339	344,247	335,603	2.6%
Erin T	49.0%	2,632,734,184	1,290,039,750	0.61%	20,042	54,264	6,156	80,462	79,394	1.3%
Guelph C	100.0%	28,678,588,984	28,678,588,984	13.46%	445,558	1,206,332	136,861	1,788,751	1,757,601	1.8%
Guelph Eramosa Twp	100.0%	2,990,332,288	2,990,332,288	1.40%	46,459	125,785	14,271	186,515	182,089	2.4%
Mapleton Twp	95.0%	1,936,823,480	1,839,982,306	0.86%	28,586	77,397	8,781	114,764	111,066	3.3%
Wellington North Twp	51.0%	1,842,795,052	939,825,477	0.44%	14,601	39,533	4,485	58,619	57,083	2.7%
Puslinch Twp	75.0%	2,856,920,480	2,142,690,360	1.01%	33,289	90,130	10,225	133,644	129,031	3.6%
<b>Total</b>		<b>355,872,351,049</b>	<b>213,107,216,762</b>	<b>100.00%</b>	<b>3,310,888</b>	<b>8,964,112</b>	<b>1,017,000</b>	<b>13,292,000</b>	<b>12,968,000</b>	<b>2.5%</b>

\*Operating Expenses include maintenance of capital infrastructure, studies, and/or equipment.

**Grand River Conservation Authority**  
**BUDGET 2024 - SUMMARY of RESERVES**

ATTACHMENT E

General Meeting - October 27th, 2023

	BUDGET 2023	"NET CHANGE" INCREASE/(DECREASE) 2023 VS 2024	DETAILS OF "NET CHANGE" BUDGET 2023			BUDGET 2024
			Transfer In (Interest Income)	Transfer In	Transfer Out Description of Transfer	
<b>Type A: GRCA Controlled</b>						
<b>Operating Reserves (designated)</b>						
Property & Liability Insurance	270,383	0	0			270,383
Building & Mechanical Equipment	1,231,833	0	0			1,231,833
Small Office Equipment	8,013	0	0			8,013
Personnel	1,039,112	(65,000)	0		(65,000) OUT- Vacation Accrual, Wages	974,112
Transition	2,003,704	(357,000)	55,000		(412,000) OUT-\$100K Staff Position, \$312,000 Environmental Education	1,646,704
Forestry	1,347,640	35,000	35,000			1,382,640
Information Systems and Technology	1,063,602	(344,000)	35,000	1,437,000	(1,816,000) IN-Chargebacks; OUT-Operating/Capital costs	719,602
Cottage Operations	1,215,650	35,000	35,000			1,250,650
Grand River Watershed Management Plan	116,939	3,000	3,000			119,939
Planning Enforcement	542,179	16,000	16,000			558,179
Property Rental Expenses	757,976	20,000	20,000			777,976
Watershed Restoration	276,275	8,000	8,000			284,275
Master Planning	439,958	15,000	15,000			454,958
Water Management Operating NEW-2022	850,000	25,000	25,000			875,000
Motor Pool Equipment	1,445,368	(185,000)	55,000	1,300,000	(1,540,000) IN-Chargebacks;OUT-Operating/Capital costs	1,260,368
Motor Pool Insurance	95,064	3,000	3,000			98,064
<b>Capital Reserves (designated)</b>						
Water Control Structures	2,759,473	25,000	75,000		(50,000) OUT-Water Control Structures major repairs	2,784,473
Cambridge Desiltation Pond	4,709	(1,000)	0		(1,000) OUT-Cambridge Desiltation Pond costs	3,709
Completion of Capital Projects	162,000	0	0			162,000
Conservation Areas-Stabilization/Capital	7,049,262	(140,000)	210,000		(350,000) OUT-Cons Area Capital costs	6,909,262
Gauges	901,275	(70,000)	30,000		(100,000) OUT-Gauge costs	831,275
<b>Capital Reserves (undesignated)</b>						
General Capital Reserve	1,314,608	151,500	35,000	116,500	IN-Hydro Generation Revenue	1,466,108
<b>Total Type A: GRCA Controlled</b>	<b>24,895,023</b>	<b>(825,500)</b>	<b>655,000</b>	<b>2,853,500</b>	<b>(4,334,000)</b>	<b>24,069,523</b>
<b>Type B: Reserves with Outside Control/Interest</b>						
<b>With MNRF Interest (Capital Reserves)</b>						
Gravel	263,716	4,000	5,000		(1,000) OUT-Gravel Pit License	267,716
Land Sale Proceeds Reserve	22,606,367	479,000	579,000		(100,000) OUT-\$100K Demolition costs	23,085,367
<b>With School Board Interest (Operating Reserves)</b>						
App's Nature Centre	75,501	2,000	2,000			77,501
Laurel Creek Nature Centre	123,611	3,000	3,000			126,611
Guelph Lake Nature Centre	142,487	3,000	3,000			145,487
Taquanyah Nature Centre	23,197	1,000	1,000			24,197
Shade's Mills Nature Centre	79,836	2,000	2,000			81,836
<b>Total Type B: Outside Control/Interest</b>	<b>23,314,715</b>	<b>494,000</b>	<b>595,000</b>	<b>0</b>	<b>(101,000)</b>	<b>23,808,715</b>
<b>TOTAL</b>	<b>\$48,209,738</b>	<b>(331,500)</b>	<b>\$1,250,000</b>	<b>\$2,853,500</b>	<b>(\$4,435,000)</b>	<b>\$47,878,238</b>

**BUDGET 2024 - CATEGORY 2 - WATERSHED SERVICES PROGRAM BREAKDOWN**

*Draft October 27, 2023 to General Meeting*

Programs & Services	Cost	Offsetting Funding	NET COST	Description of Funding
Sub-watershed Services	\$ 285,000	\$ (50,000)	\$ 235,000	Municipal Funding
Conservation Services	\$ 1,339,000	\$ (800,000)	\$ 539,000	Municipal Funding
Water Quality	\$ 148,000	\$ (1,000)	\$ 147,000	
Water Quality - Waste Water Optimization Program	\$ 87,600		\$ 87,600	
Water Quality - Groundwater Resources	\$ 8,400	\$ -	\$ 8,400	
Watershed Sciences & Collaborative Planning *				
<b>TOTAL</b>	<b>\$ 1,868,000</b>	<b>\$ (851,000)</b>	<b>\$ 1,017,000</b>	

*\* Costs related to this activity integrated in the above listed programs and services.*

**GRAND RIVER CONSERVATION AUTHORITY  
STATEMENT OF OPERATIONS  
BUDGET 2024**

	<b>New Regulations</b>		<b>NEW REGS Budget 2023 (draft Oct version)</b>	<b>NEW REGS Budget 2024</b>
	<b>Category</b>	<b>P&amp;S Ref #</b>		
<b><u>REVENUE</u></b>				
<b><u>Municipal</u></b>				
Municipal Apportionment	Category 1	various	11,976,000	12,275,000
Memorandums of Understanding Apportionment	Category 2	various	992,000	1,017,000
Other	Category 2	8	850,000	850,000
			<b>13,818,000</b>	<b>14,142,000</b>
<b><u>Government Grants</u></b>				
MNRF Transfer Payments	Category 1	various	449,688	449,688
Source Protection Program-Provincial	Category 1	various	640,000	640,000
Other Provincial	Category 1	various	737,500	737,500
Other Provincial	Category 3	various	30,000	30,000
Federal	Category 1	various	40,000	40,000
			<b>1,897,188</b>	<b>1,897,188</b>
<b><u>Self Generated</u></b>				
User Fees and Sales				
<i>Resource Planning</i>	Category 1	4	1,144,000	1,044,000
<i>Tree Planting</i>	Category 3	9	580,000	580,000
<i>Conservation Lands Income</i>	Category 3	14	71,000	71,000
<i>Conservation Lands Income</i>	Category 1	5	15,000	15,000
<i>Conservation Areas User Fees</i>	Category 3	14	10,000,000	10,500,000
<i>Environmental Education</i>	Category 3	11	500,000	600,000
Property Rentals	Category 3	12	2,981,000	3,038,000
Hydro Generation	Category 3	13	580,000	580,000
Grand River Conservation Foundation	Category 1,2,3	various	27,000	27,000
Investment Income	General Operating	7	1,350,000	1,400,000
			<b>17,248,000</b>	<b>17,855,000</b>
<b>Total Self-Generated Revenue</b>			<b>17,248,000</b>	<b>17,855,000</b>
<b>TOTAL REVENUE</b>			<b>32,963,188</b>	<b>33,894,188</b>

**GRAND RIVER CONSERVATION AUTHORITY  
STATEMENT OF OPERATIONS  
BUDGET 2024**

	<b>New Regulations</b>		<b>NEW REGS Budget 2023</b>	<b>NEW REGS Budget</b>
	<b>Category</b>	<b>P&amp;S Ref #</b>	<b>(draft Oct version)</b>	<b>2024</b>
<b><u>EXPENSES</u></b>				
<b>OPERATING</b>				
Watershed Management	Category 1	1	1,276,000	1,306,100
Flood Forecasting and Warning	Category 1	2	895,000	911,000
Water Control Structures	Category 1	3	2,143,200	2,128,700
Resource Planning	Category 1	4	2,551,800	2,569,600
Conservation Lands Management	Category 1	5	2,954,600	2,871,900
Source Protection Program	Category 1	6	640,000	640,000
General Operating Expenses	General Operating	7	3,495,788	3,830,188
Watershed Services	Category 2	8	1,043,000	1,068,000
Tree Planting	Category 3	9	867,300	892,900
Conservation Services	Category 3	10	81,200	82,200
Environmental Education	Category 3	11	775,100	912,000
Property Rentals	Category 3	12	1,095,200	1,109,200
Hydro Production	Category 3	13	95,500	95,500
Conservation Areas	Category 3	14	9,037,000	9,432,000
Administrative Support	Category 3	15	1,198,000	1,217,400
<b>Total OPERATING Expenses</b>			<b>28,148,688</b>	<b>29,066,688</b>
<b>CAPITAL</b>				
Watershed Management	Category 1	1	110,000	110,000
Flood Forecasting and Warning	Category 1	2	190,000	190,000
Water Control Structures	Category 1	3	1,500,000	1,500,000
Conservation Areas	Category 3	13	2,000,000	2,000,000
Information Systems	General Operating	16	290,000	379,000
Motor Pool	General Operating	16	14,000	240,000
<b>Total Capital Expenses</b>			<b>4,104,000</b>	<b>4,419,000</b>
<b>SPECIAL</b>				
Resource Planning	Category 1	4	40,000	40,000
Conservation Services	Category 2	8	800,000	800,000
<b>Total SPECIAL PROJECTS Expenses</b>			<b>840,000</b>	<b>840,000</b>
<b>Total Expenses</b>			<b>33,092,688</b>	<b>34,325,688</b>
<b>Gross Surplus</b>			<b>(129,500)</b>	<b>(431,500)</b>
<b>Prior Year Surplus Carryforward</b>			<b>100,000</b>	<b>100,000</b>
<b>Net Funding FROM/(TO) Reserves</b>			<b>29,500</b>	<b>331,500</b>
<b>NET SURPLUS</b>			<b>0</b>	<b>0</b>

GRAND RIVER CONSERVATION AUTHORITY  
P&S #1 - Watershed Management  
BUDGET 2024

NEW REGS Budget 2023	NEW REGS Budget 2024
(draft Oct version)	

**How much does it cost, and who pays for it?**

draft Bud 2023(Oct)

**Expenditures and Funding to Reserves**

Compensation and Benefits	1,013,900	1,044,000
Administration Expenses	197,000	197,000
Other Operating Expenses	65,100	65,100
<b>Total OPERATING Expenditures</b>	<b>1,276,000</b>	<b>1,306,100</b>
Instrumentation	60,000	60,000
Water Quality Monitoring Equipment	50,000	50,000
<b>Total CAPITAL Expenditures</b>	<b>110,000</b>	<b>110,000</b>
<b>TOTAL EXPENDITURES AND FUNDING TO RESERVES</b>	<b>1,386,000</b>	<b>1,416,100</b>

**Funding**

**Municipal**

Municipal Apportionment (levy)	1,273,500	1,303,600
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**Government Grants**

Other Provincial	37,500	37,500
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**Funding From Reserves**

Gauges	75,000	75,000
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<b>TOTAL FUNDING</b>	<b>1,386,000</b>	<b>1,416,100</b>
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<b>Net Surplus/(Deficit)</b>	<b>0</b>	<b>0</b>
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**GRAND RIVER CONSERVATION AUTHORITY  
P&S #2 - Flood Forecasting and Warning  
BUDGET 2024**

NEW REGS Budget 2023	NEW REGS Budget 2024
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(draft Oct version)

**How much does it cost, and who pays for it?**

**Expenditures and Funding to Reserves**

Compensation and Benefits	551,000	567,000
Administration Expenses	236,000	236,000
Other Operating Expenses	108,000	108,000
<b>Total OPERATING Expenditures</b>	<b>895,000</b>	<b>911,000</b>
Hardware	88,000	88,000
Stream Gauges	102,000	102,000
<b>Total CAPITAL Expenditures</b>	<b>190,000</b>	<b>190,000</b>

<b>TOTAL EXPENDITURES AND FUNDING TO RESERVES</b>	<b>1,085,000</b>	<b>1,101,000</b>
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**Funding**

**Municipal**

Municipal Apportionment (levy)	835,662	911,662
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**Government Grants**

MNRF Transfer Payments	164,338	164,338
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**Funding From Reserves**

Floodplain Mapping Projects & Gauges	25,000	25,000
Water Management Operating	60,000	0

<b>TOTAL REVENUE</b>	<b>1,085,000</b>	<b>1,101,000</b>
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<b>Net Surplus/(Deficit)</b>	<b>0</b>	<b>0</b>
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**GRAND RIVER CONSERVATION AUTHORITY  
P&S #3 - Water Control Structures  
BUDGET 2024**

<b>NEW REGS Budget 2023</b>	<b>NEW REGS Budget 2024</b>
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(draft Oct version)

**How much does it cost, and who pays for it?**

**Expenditures and Funding to Reserves**

Compensation and Benefits	1,399,500	1,441,000
Administration Expenses	29,200	29,200
Insurance	199,000	143,000
Property Taxes	170,700	170,700
Other Operating Expenses	344,800	344,800
<b>Total OPERATING Expenditures</b>	<b>2,143,200</b>	<b>2,128,700</b>
<b>Total CAPITAL Expenditures</b>	<b>1,500,000</b>	<b>1,500,000</b>
<b>TOTAL EXPENDITURES AND FUNDING TO RESERVES</b>	<b>3,643,200</b>	<b>3,628,700</b>

**Funding**

**Municipal**

Municipal Apportionment (levy)	2,537,850	2,593,350
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**Government Grants**

MNRF Transfer Payments	285,350	285,350
Provincial	700,000	700,000

**Funding From Reserves**

Water Control Structures/Water Mgmt Operating Reserve	120,000	50,000
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<b>TOTAL REVENUE AND FUNDING FROM RESERVES</b>	<b>3,643,200</b>	<b>3,628,700</b>
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<b>Net Surplus/(Deficit)</b>	<b>0</b>	<b>0</b>
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**GRAND RIVER CONSERVATION AUTHORITY  
P&S #4 - Resource Planning  
BUDGET 2024**

NEW REGS Budget 2023	NEW REGS Budget 2024
(draft Oct version)	

**How much does it cost, and who pays for it?**

**Expenditures and Funding to Reserves**

Compensation and Benefits	2,275,200	2,293,000
Administration Expenses	221,900	221,900
Other Operating Expenses	54,700	54,700
<b>Total OPERATING Expenditures</b>	<b>2,551,800</b>	<b>2,569,600</b>
Species at Risk	40,000	40,000
<b>Total SPECIAL PROJECT Expenditures</b>	<b>40,000</b>	<b>40,000</b>
<b>TOTAL EXPENDITURES AND FUNDING TO RESERVES</b>	<b>2,591,800</b>	<b>2,609,600</b>

**Funding**

**Municipal**

Municipal Apportionment (levy)	1,362,800	1,525,600
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**Government Grants**

Federal	40,000	40,000
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**Self Generated**

Solicitor Enquiry Fees	90,000	80,000
Permit Fees	500,000	470,000
Plan Review Fees	554,000	494,000

**Funding from Reserves**

Water Management Operating Reserve	45,000	-
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<b>TOTAL REVENUE</b>	<b>2,591,800</b>	<b>2,609,600</b>
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<b>Net Surplus/(Deficit)</b>	<b>0</b>	<b>0</b>
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**GRAND RIVER CONSERVATION AUTHORITY  
P&S #5 - Conservation Lands Management  
BUDGET 2024**

NEW REGS	NEW REGS
Budget 2023	Budget 2024

(draft Oct version)

**How much does it cost, and who pays for it?**

**Expenditures and Funding to Reserves**

Compensation and Benefits	1,789,700	1,813,000
Administration Expenses	165,100	165,100
Insurance	201,000	60,000
Property Taxes	285,200	305,200
Other Operating Expenses	513,600	528,600
<b>Total OPERATING Expenditures</b>	<b>2,954,600</b>	<b>2,871,900</b>

<b>TOTAL EXPENDITURES AND FUNDING TO RESERVES</b>	<b>2,954,600</b>	<b>2,871,900</b>
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**Funding**

**Municipal**

Municipal Apportionment (levy)	2,712,600	2,629,900
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**Self Generated**

Timber Sales	15,000	15,000
Donations - Foundation	27,000	27,000

**Funding From Reserves**

Land (Demolitions)	100,000	100,000
Transition Reserve (Staffing)	100,000	100,000

<b>TOTAL REVENUE</b>	<b>2,954,600</b>	<b>2,871,900</b>
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<b>Net Surplus/(Deficit)</b>	<b>0</b>	<b>0</b>
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**GRAND RIVER CONSERVATION AUTHORITY  
P&S #6 - Source Protection Program  
BUDGET 2024**

NEW REGS Budget 2023	NEW REGS Budget 2024
(draft Oct version)	

**How much does it cost, and who pays for it?**

**Expenditures**

Compensation and Benefits	490,000	490,000
Administration Expenses	50,000	50,000
Other Operating Expenses	90,000	90,000
Water Budget - Technical Studies	10,000	10,000
<b>TOTAL EXPENDITURES</b>	<b>640,000</b>	<b>640,000</b>

**Funding**

**Government Grants**

Provincial	640,000	640,000
<b>TOTAL FUNDING</b>	<b>640,000</b>	<b>640,000</b>

**GRAND RIVER CONSERVATION AUTHORITY  
P&S #7 General Operating Expense  
BUDGET 2024**

<b>NEW REGS Budget 2023</b>	<b>NEW REGS Budget 2024</b>
(draft Oct version)	

How much does it cost, and who pays for it?

**Expenditures and Funding to Reserves**

Compensation and Benefits	2,327,500	2,441,000
Administration Expenses	370,000	370,000
Insurance	63,500	284,500
Other Operating Expenses	804,788	804,688
LESS: Recovery of Corporate Services Expenses	(70,000)	(70,000)
<b>Total OPERATING Expenditures</b>	<b>3,495,788</b>	<b>3,830,188</b>
Interest Income	1,250,000	1,250,000
<b>Total FUNDING to RESERVES</b>	<b>1,250,000</b>	<b>1,250,000</b>
<b>TOTAL EXPENDITURES AND FUNDING TO RESERVES</b>	<b>4,745,788</b>	<b>5,080,188</b>

**Funding**

**Municipal**

Municipal Apportionment (levy)	3,253,588	3,310,888
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**Self Generated**

Investment Income	1,350,000	1,400,000
Personnel	65,000	65,000

<b>TOTAL REVENUE</b>	<b>4,668,588</b>	<b>4,775,888</b>
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<b>Net Surplus/(Deficit)</b>	<b>(77,200)</b>	<b>(304,300)</b>
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**GRAND RIVER CONSERVATION AUTHORITY  
P&S #8 - Watershed Services - CAT 2  
BUDGET 2024**

NEW REGS Budget 2023 (draft Oct version)	NEW REGS Budget 2024
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**How much does it cost, and who pays for it?**

**Expenditures and Funding to Reserves**

Compensation and Benefits	825,100	850,000
Administration Expenses	117,900	118,000
Other Operating Expenses	100,000	100,000
<b>Total OPERATING Expenditures</b>	<b>1,043,000</b>	<b>1,068,000</b>
RWQP Grants	800,000	800,000
<b>Total SPECIAL PROJECT Expenditures</b>	<b>800,000</b>	<b>800,000</b>
<b>TOTAL EXPENDITURES AND FUNDING TO RESERVES</b>	<b>1,843,000</b>	<b>1,868,000</b>

**Funding**

**Municipal**

Memorandums of Understanding Apportionment	992,000	1,017,000
Municipal Other	850,000	850,000

**Funding From Reserves**

Cambridge Desiltation Pond	1,000	1,000
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<b>TOTAL REVENUE</b>	<b>1,843,000</b>	<b>1,868,000</b>
<b>Net Surplus/(Deficit)</b>	<b>0</b>	<b>0</b>

**GRAND RIVER CONSERVATION AUTHORITY  
P&S #9 Tree Planting Program  
BUDGET 2024**

NEW REGS Budget 2023	NEW REGS Budget 2024
(draft Oct version)	

How much does it cost, and who pays for it?

**Expenditures and Funding to Reserves**

Compensation and Benefits	278,000	287,000
Administration Expenses	30,900	30,900
Other Operating Expenses	558,400	575,000
<b>Total OPERATING Expenditures</b>	<b>867,300</b>	<b>892,900</b>

<b>TOTAL EXPENDITURES AND FUNDING TO RESERVES</b>	<b>867,300</b>	<b>892,900</b>
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**Funding**

**Self Generated**

Nursery	400,000	400,000
Landowner Contributions (Tree Planting)	180,000	180,000

<b>TOTAL REVENUE</b>	<b>580,000</b>	<b>580,000</b>
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<b>Net Surplus/(Deficit)</b>	<b>(287,300)</b>	<b>(312,900)</b>
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**GRAND RIVER CONSERVATION AUTHORITY  
P&S #10 - Conservation Services  
BUDGET 2024**

NEW REGS Budget 2023	NEW REGS Budget 2024
(draft Oct version)	

**How much does it cost, and who pays for it?**

**Expenditures and Funding to Reserves**

Compensation and Benefits	26,000	27,000
Administration Expenses	33,200	33,200
Other Operating Expenses	22,000	22,000
<b>Total OPERATING Expenditures</b>	<b>81,200</b>	<b>82,200</b>
<b>TOTAL EXPENDITURES AND FUNDING TO RESERVES</b>	<b>81,200</b>	<b>82,200</b>

**Funding**

**Government Grants**

Other Provincial	30,000	30,000
<b>TOTAL REVENUE</b>	<b>30,000</b>	<b>30,000</b>
<b>Net Surplus/(Deficit)</b>	<b>(51,200)</b>	<b>(52,200)</b>

**GRAND RIVER CONSERVATION AUTHORITY  
P&S #11 - Environmental Education  
BUDGET 2024**

NEW REGS Budget 2023	NEW REGS Budget 2024
(draft Oct version)	

**How much does it cost, and who pays for it?**

**Expenditures and Funding to Reserves**

Compensation & Benefits	574,500	642,000
Administration Expenses	57,000	57,000
Other Operating Expenses	143,600	213,000
<b>Total OPERATING Expenditures</b>	<b>775,100</b>	<b>912,000</b>
 Guelph Lake Nature Centre		
<b>Total SPECIAL PROJECT Expenditures</b>	<b>0</b>	<b>0</b>

<b>TOTAL EXPENDITURES AND FUNDING TO RESERVES</b>	<b>775,100</b>	<b>912,000</b>
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**Funding**

**Self Generated**

Nature Centre Revenue - Schools	500,000	600,000
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**Funding from Reserves**

Transition Reserve		312,000
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<b>TOTAL REVENUE</b>	<b>500,000</b>	<b>912,000</b>
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<b>Net Surplus/(Deficit)</b>	<b>(275,100)</b>	<b>0</b>
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**GRAND RIVER CONSERVATION AUTHORITY  
P&S #12 - Property Rentals  
BUDGET 2024**

NEW REGS Budget 2023	NEW REGS Budget 2024
(draft Oct version)	

**How much does it cost, and who pays for it?**

**Expenditures and Funding to Reserves**

Compensation and Benefits	456,000	470,000
Administration Expenses	37,500	37,500
Other Operating Expenses	601,700	601,700
<b>Total OPERATING Expenditures</b>	<b>1,095,200</b>	<b>1,109,200</b>

<b>TOTAL EXPENDITURES AND FUNDING TO RESERVES</b>	<b>1,095,200</b>	<b>1,109,200</b>
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**Funding**

**Self Generated**

Belwood	1,040,000	1,066,000
Conestogo	1,245,000	1,276,000
Agricultural	250,000	250,000
Residential	110,000	110,000
Miscellaneous	336,000	336,000

<b>TOTAL REVENUE</b>	<b>2,981,000</b>	<b>3,038,000</b>
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<b>Net Surplus/(Deficit)</b>	<b>1,885,800</b>	<b>1,928,800</b>
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**GRAND RIVER CONSERVATION AUTHORITY  
P&S #13 - Hydro Production  
BUDGET 2024**

<b>NEW REGS</b>	<b>NEW REGS</b>
<b>Budget 2023</b>	<b>Budget 2024</b>
(draft Oct version)	

**How much does it cost, and who pays for it?**

**Expenditures and Funding to Reserves**

Compensation and Benefits	70,000	70,000
Other Operating Expenses	25,500	25,500
<b>Total OPERATING Expenditures</b>	<b>95,500</b>	<b>95,500</b>
General Capital/Land Sale Proceeds	116,500	116,500
<b>Total FUNDING to RESERVES</b>	<b>116,500</b>	<b>116,500</b>
<b>TOTAL EXPENDITURES AND FUNDING TO RESERVES</b>	<b>212,000</b>	<b>212,000</b>

**Revenue**

**Government Grants**

Provincial	0	0
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**Self Generated**

Hydro Production-Belwood	265,000	265,000
Hydro Production-Conestogo	260,000	260,000
Hydro Production-Guelph	40,000	40,000
Hydro Production-Elora	15,000	15,000
Miscellaneous Income	0	0

**Funding from Reserves**

Land Sale Proceeds	0	0
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<b>TOTAL REVENUE</b>	<b>580,000</b>	<b>580,000</b>
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<b>Net Surplus/(Deficit)</b>	<b>368,000</b>	<b>368,000</b>
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**GRAND RIVER CONSERVATION AUTHORITY  
P&S #14 - Conservation Areas  
BUDGET 2024**

<b>NEW REGS Budget 2023</b>	<b>NEW REGS Budget 2024</b>
(draft Oct version)	

**How much does it cost, and who pays for it?**

**Expenditures and Funding to Reserves**

Compensation and Benefits	5,033,000	5,224,000
Administration Expenses	215,000	220,000
Property Tax	65,000	65,000
Other Operating Expenses	3,724,000	3,923,000
<b>Total OPERATING Expenditures</b>	<b>9,037,000</b>	<b>9,432,000</b>
<b>Total CAPITAL Expenditures</b>	<b>2,000,000</b>	<b>2,000,000</b>
<b>TOTAL EXPENDITURES AND FUNDING TO RESERVES</b>	<b>11,037,000</b>	<b>11,432,000</b>

**Funding**

**Self Generated**

Brant	1,100,000	1,175,000
Byng Island	1,000,000	1,100,000
Belwood Lake	400,000	375,000
Conestogo Lake	550,000	600,000
Elora Gorge	2,000,000	2,100,000
Elora Quarry	450,000	450,000
Guelph Lake	1,300,000	1,400,000
Laurel Creek	650,000	650,000
Pinehurst Lake	850,000	900,000
Rockwood	1,250,000	1,300,000
Shade's Mills	450,000	450,000
<b>Total Fee Revenue</b>	<b>10,000,000</b>	<b>10,500,000</b>

Miscellaneous Income (Luther)	71,000	71,000
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**Funding From Reserves**

Gravel	1,000	1,000
Conservation Areas - Capital Projects	500,000	350,000

<b>TOTAL REVENUE</b>	<b>10,572,000</b>	<b>10,922,000</b>
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<b>Net Surplus/(Deficit)</b>	<b>(465,000)</b>	<b>(510,000)</b>
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**GRAND RIVER CONSERVATION AUTHORITY  
P&S #15 - Administrative Support - CATEGORY 3  
BUDGET 2024**

<b>NEW REGS Budget 2023</b>	<b>NEW REGS Budget 2024</b>
(draft Oct version)	

How much does it cost, and who pays for it?

**Expenditures and Funding to Reserves**

Compensation and Benefits	648,600	668,000
Administration Expenses	100,900	100,900
Insurance	208,500	208,500
Other Operating Expenses	240,000	240,000
LESS: Recovery of Corporate Services Expenses		
<b>Total OPERATING Expenditures</b>	<b>1,198,000</b>	<b>1,217,400</b>

<b>TOTAL EXPENDITURES AND FUNDING TO RESERVES</b>	<b>1,198,000</b>	<b>1,217,400</b>
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**Funding**

<b>TOTAL REVENUE</b>	<b>0</b>	<b>0</b>
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<b>Net Surplus/(Deficit)</b>	<b>(1,198,000)</b>	<b>(1,217,400)</b>
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**GRAND RIVER CONSERVATION AUTHORITY**  
**P&S #16 - Supplemental Information - Information Systems and Motor Pool**  
**BUDGET 2024**

<b>NEW REGS</b>	<b>NEW REGS</b>
<b>Budget</b>	<b>Budget</b>
<b>2023</b>	<b>2024</b>
(draft Oct version)	

**How much does it cost, and who pays for it?**

**Expenditures**

**Information Systems**

Compensation and Benefits	1,290,000	1,329,000
Administrative Expenses	25,500	25,500
Software and Hardware Maintenance	187,500	187,500
Supplies and Services	54,000	54,000
<b>Total OPERATING Expenditures</b>	<b>1,557,000</b>	<b>1,596,000</b>
 <b>Capital Expenses</b>	 <b>170,000</b>	 <b>220,000</b>
 <b>LESS Internal Charges</b>	 <b>(1,437,000)</b>	 <b>(1,437,000)</b>
 <b>NET Unallocated Expenses</b>	 <b>290,000</b>	 <b>379,000</b>

**Motor Pool**

Compensation and Benefits	312,000	321,000
Administrative Expenses	26,000	26,000
Insurance	50,600	63,000
Motor Pool Building and Grounds Maintenance	10,400	10,000
Equipment, Repairs and Supplies	286,000	336,000
Fuel	254,000	284,000
<b>Total OPERATING Expenditures</b>	<b>939,000</b>	<b>1,040,000</b>
 <b>Capital Expenses</b>	 <b>375,000</b>	 <b>500,000</b>
 <b>LESS Internal Charges</b>	 <b>(1,300,000)</b>	 <b>(1,300,000)</b>
 <b>NET Unallocated Expenses</b>	 <b>14,000</b>	 <b>240,000</b>

<b>TOTAL EXPENDITURES</b>	<b>304,000</b>	<b>619,000</b>
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**Funding**

<b>TOTAL REVENUE</b>	<b>0</b>	<b>0</b>
Gross Surplus (Deficit)	(304,000)	(619,000)
Funding From Reserves	3,041,000	3,356,000
Funding to Reserves	(2,737,000)	(2,737,000)
<b>Net Surplus/(Deficit)</b>	<b>0</b>	<b>0</b>

## THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

### BY-LAW NUMBER 2023-057

A By-law to prohibit and regulate the alteration of property and movement of fill within the Township of Puslinch (Site Alteration By-law) and a By-law to repeal By-laws 2012-31, 2015-11, 2015-45, 2015-49, 2021-01, and 2021-20.

**WHEREAS** Section 142 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, (hereafter referred to as the *Municipal Act*) provides that, the Corporation of the Township of Puslinch (the "Township") may pass a by-law prohibiting or regulating the alteration of property through the movement, placing, or dumping of fill, and/or the alteration of the grade of land;

**AND WHEREAS** Section 142 (2) (d) and (e) of the *Municipal Act* further provides that the Township may require that a permit be obtained for the placing or dumping of fill, or the alteration of the grade of land, and may impose conditions to a permit, including requiring the preparation of plans acceptable to the municipality relating to grading, filling or dumping, the removal of fill and/or the alteration of the grade of land;

**AND WHEREAS** Section 436 of the *Municipal Act* authorizes the Township to pass by-laws providing that the municipality may enter on land at any reasonable time for the purpose of carrying out inspection to determine whether or not an order or condition is being complied with and require the production of documents and information as well as the collection of samples;

**AND WHEREAS** Sections 8, 9 and 11 of the *Municipal Act* permit the Township to pass by-laws necessary or desirable for municipal purposes, and paragraphs 5, 6 and 8 of Subsection 11 (2) authorize by-laws respecting the economic, social, and environmental well-being of the municipality, the health, safety and well-being of persons, and the protection of persons and property;

**AND WHEREAS** Section 23.2 of the *Municipal Act* authorizes the Township to delegate its powers to an officer, employee, or agent of a municipality;

**AND WHEREAS** Subsection 444(1) of the *Municipal Act* permits the Township, if satisfied that a contravention of a by-law of the Township passed under the *Municipal Act*, has occurred, to make an order requiring the person who contravened the by-law or who caused or permitted the contravention, or the owner or occupier of the land on which the contravention occurred, to discontinue the contravening activity;

**AND WHEREAS** Subsection 446 of the *Municipal Act* gives the Township the authority to direct or require a person to do a matter or, thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense. For these purposes, the Township may enter upon land at any reasonable time. The Township may recover the costs of doing a matter or, thing from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes;

**AND WHEREAS** Section 425 of the *Municipal Act* permits the Township to pass by-laws providing that any person who contravenes any by-law the Township passed under the *Municipal Act*, is guilty of an offence;

**AND WHEREAS** Section 426 (4) of the *Municipal Act* deems that any Person that hinders or obstructs, or attempts to hinder or obstruct, any Person who is exercising or performing a duty under this By-law created under the Act is guilty of an offence;

**AND WHEREAS** the Council of the Township deems it to be in the public interest to pass this By-law to regulate the alteration of property through the movement, placing, or dumping of fill, and/or the alteration of the grade of land within the Township to ensure that:

- a) Groundwater and surface water quality is maintained;
- b) Drainage patterns, water courses and water bodies are protected;
- c) Natural heritage features, landforms and archeological resources are protected;
- d) Adverse Effects are minimized;
- e) Impacts to the Township's roads, Highways and infrastructure are minimized;

- f) Disturbances and nuisance impacts to residents and businesses are minimized; and
- g) Costs and liabilities are borne by owners and persons who undertake Site Alteration within the Township;

**NOW THEREFORE** the Council of the Township hereby enacts as follows:

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## **1. GENERAL**

### **1.1 Short Title**

- (a) This By-law may be referred to as the "Site Alteration By-law".

### **1.2 Administration**

- (a) This By-law applies to all Property in the geographical area within the Township, save and except any Property owned by the Township.
- (b) The Chief Building Official in consultation with the Municipal Clerk shall be responsible for the administration of this By-law.

### **1.3 Delegated Authority**

- (a) The Chief Building Official and/or Municipal Clerk is authorized and has the delegated authority to:
- (i) Approve, exempt/waive, issue, revoke, extend, renew, amend, or close a Permit and/or grant approvals of Site Alteration and impose Conditions for continuing to hold a Permit depending on the Site Alteration in addition to the requirements under this By-law;
  - (ii) Determine when a Public Information Meeting or a Meeting of Council is required or not required;
  - (iii) Determine and deem an Application as abandoned, expired, or closed;
  - (iv) Approve and coordinate any Site Restoration or Site Remediation works;
  - (v) Approve amendments to Site Alteration and Fill Management Plans;
  - (vi) Approve and amend Application forms and Guidelines;
  - (vii) Establish appropriate requirements;
  - (viii) Ensure compliance with section 3.8 of this By-law, including requiring appropriate testing and documentation;

- (ix) Appoint a peer review consultant or other engineering, scientific and technical experts to fulfill the role or duties of an Inspector for purposes of this By-law;
- (x) Require or exempt certain works from provisions of this By-law, as permitted in this By-law; and
- (xi) Authorize and/or hire such agents, contractors, and other Persons to perform the work, as required.

#### 1.4 Conflict

- (a) Where there is a conflict between a provision of this By-law and a provision of any other Township by-law, the provision that establishes the highest standards to protect the health and safety of the public and natural environment shall apply. No agreement shall be deemed to provide an exemption from the requirements of this By-law unless this By-law authorizes such exemption, and the agreement specifically provides for it.

#### 1.5 Severability

- (a) If a court of competent jurisdiction declares any section, or any part of any section, of this By-law to be invalid, or to be of no force or effect, it is the intention of the Township that every other provision of this By-law be applied and enforced in accordance with its terms to the extent possible according to law.

#### 1.6 Compliance with Other Laws

- (a) This By-law, and the provisions contained within, are intended to be complimentary to federal and provincial statutes and regulations, and to other by-laws passed by the Council. If any other applicable law requires a higher standard than this By-law requires, the higher standard shall apply.
- (b) By-laws, statutes, regulations, and guidelines referenced in this By-law, including in Schedule A, include any amendments, replacements, or updates to those by-laws, statutes, regulations, and guidelines.

## 2. DEFINITIONS

### 2.1 Definitions in this By-law:

- (a) "Adverse Effect" shall have the same meaning as in the *Environmental Protection Act*, R.S.O. 1990, c. E.19 and means one or more of:
  - (i) Impairment of the quality of the natural environment for any use that can be made of it;
  - (ii) Injury or damage to Property or to plant or animal life;
  - (iii) Harm or material discomfort to any person;
  - (iv) An adverse effect on the health of any person;
  - (v) Impairment of the safety of any person;
  - (vi) Rendering any Property or plant or animal life unfit for human use;
  - (vii) Loss of enjoyment of normal use of Property; and
  - (viii) Interference with the normal conduct of business.
- (b) "Aggregate" has the same meaning as in the *Aggregate Resources Act*, R.S.O. 1990, c.A.8, as amended ("*Aggregate Resources Act*").
- (c) "Applicant" means the Owner of a Property and includes a Person authorized in writing to act on behalf of the Owner of a Property to apply for a Permit.
- (d) "Application" means a written submission to request or amend a Permit, in a form prescribed by the Township.
- (e) "Artificial Turf" means any surface synthetic fibers made to resemble turf or other grass-like surface and used as a surface cover.
- (f) "Asphalt" means a mixture of dark bituminous pitch with sand or gravel, used for surfacing roads, driveways and paths, which may include, without limitation, loose or recycled material or a contiguous surface.

- (g) "Beneficial Reuse Assessment Tool (BRAT)" has the same meaning as in Ontario Regulation 406/19.
- (h) "Body of Water" means a permanent stream, river or similar watercourse or a pond or lake, but does not include a pond constructed on the property for the purpose of controlling surface water drainage.
- (i) "Chief Building Official" means the Chief Building Official appointed by the Council or his/her designate.
- (j) "Compost" means a mixture of various decaying organic substances, such as dead leaves or manure, used for fertilizing soil.
- (k) "Conservation Authority" includes the Grand River Conservation Authority, Hamilton Conservation Authority, and Halton Conservation Authority.
- (l) "Council" means the Council of the Township.
- (m) "Condition(s)" means the mandatory performance requirements outlined in a Permit or Order and may include the requirement for monetary deposits or Security(s) in connection with the Application.
- (n) "Contaminant" means any solid, liquid, gas, odor, heat, sound, vibration, radiation or combination of any of them resulting directly or indirectly from human activities that causes or may cause an Adverse Effect.
- (o) "Control Plan" means documentation described in Schedule "B" required to be submitted as part of any Application for a Permit under this By-law.
- (p) "Designated Official" means the Chief Building Official, Municipal Clerk, or their designates.
- (q) "Drainage" means the movement of surface water toward a place of disposal, whether by way of the natural characteristics of the ground surface or by artificial means.
- (r) "Dump" means the placing or depositing of Fill in a location other than where the Fill was obtained from or the movement and placing or depositing of Fill from one location on a property to another location on the same property or to a separate property, and "Dumping" has the corresponding meaning.
- (s) "Erosion" means the detachment and movement of Soil, sediment, rock fragments or the like by forces such as but not limited to water, wind, ice, or gravity.
- (t) "Erosion and Dust Control" means measures to control Erosion and dust generated as part of the Site Alteration to the satisfaction of the Township.
- (u) "Excess Soil" has the same meaning as in Ontario Regulation 406/19.
- (v) "Excess Soil Quality Standards" means Part II of the Rules for Soil Management and Excess Soil Quality Standards, as amended, and adopted by reference in Ontario Regulation 406/19.
- (w) "Fill" means any type of material that can be removed from (cut) or placed on (in-fill) land and may include, but is not limited to Soil, Excess Soil., Liquid Soil, Rock, Sod, Compost, Aggregate and Topsoil.
- (x) "Final Surface Material" includes, but is not limited to, concrete, brick, patio pavers (natural or manufactured), block, Asphalt, Artificial Turf that are free of Contaminants, and does not include Fill.
- (y) "Grade" means the elevation of the ground surface and shall be more particularly defined as follows:
  - (i) "Existing Grade" means the elevation of the existing ground surface prior to any Site Alteration and Movement of Fill, including the natural Grade prior to human activities or the Grade previously legally established such as a former approved Grade;
  - (ii) "Finished Grade" means the approved (final) elevation of the ground surface of lands upon which Fill has been Placed or Dumped, the Grade altered, or Topsoil removed, in accordance with this By-law including the Final Surface Material;

- (iii) "Unapproved Grade" means the elevation of the ground surface that is not an Existing Grade or Finished Grade.
- (z) "Guidelines" means the Application requirements, information, documentation and material, including Conditions requirements for a Permit, to be used for the purpose of administrating this By-law. Without limiting the generality of the foregoing, the Guidelines may require the posting of deposits and/or Security(s) in connection with the Application.
- (aa) "Highway" means a common and public highway and includes a street, bridge or other structure forming part of a highway over or across which a highway passes and includes the whole of a road allowance under the jurisdiction of the Township.
- (bb) "Inspector" means any person designated by this or any other By-law of the Township as an Inspector or agent of the Township or any persons appointed for the purposes of enforcing this By-law, and includes the Chief Building Official, Building Inspectors, and By-law Enforcement Officers.
- (cc) "Liquid Soil" has the same meaning as in Ontario Regulation 406/19.
- (dd) "MECP" means the Ontario Ministry of the Environment, Conservation and Parks, as may be renamed from time to time.
- (ee) "Movement of Fill" means any non-natural transfer of Fill from one location to another of any distance.
- (ff) "Municipal Clerk" means the Township's clerk appointed by the Council or their designate.
- (gg) "Normal Farm Practice" means a practice that:
  - (i) is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or
  - (ii) makes use of innovative technology in a manner consistent with proper advanced farm management practices.
- (hh) "Normal Farm Practice Waiver" means a permit waiver authorized by the Designated Official in accordance with Section 5.2 of this By-law.
- (ii) "Officer" means any Person designated by by-law of the Township to enforce this By-law.
- (jj) "*Ontario Regulation 153/04*" means Ontario Regulation 153/04 (Records of Site Condition — Part XV.1 of the Environmental Protection Act), as amended, made under the *Environmental Protection Act*, R.S.O. 1990, c. E.19, as amended ("*Environmental Protection Act*").
- (kk) "*Ontario Regulation 406/19*" means Ontario Regulation 406/19 (On Site and Excess Soil Management), as amended, made under the *Environmental Protection Act*.
- (ll) "Owner" means the registered Owner(s) of the Property.
- (mm) "Permit" means a formal authorization issued by the Township under this By-law.
- (nn) "Person" includes individuals, firms, sole proprietorships, partnerships, associations, trusts, corporations, directors and officers of corporations, trustees, and agents, and the heirs, executors, assigns or other legal representatives of a person to whom the context can apply in law.
- (oo) "Project" has the same meaning as in Ontario Regulation 406/19.
- (pp) "Project Area" has the same meaning as in Ontario Regulation 406/19.
- (qq) "Property" means land including all buildings and structures on the land.
- (rr) "Ponding" means the accumulation of surface water in an area not having Drainage therefrom where the lack of Drainage is caused by the Placing or Dumping of Fill, altering of Grade, or removing of Topsoil.

- (ss) "Proposed Grade" means the proposed elevation of the ground surface of land upon which Fill is proposed to be Placed or Dumped, the Grade altered, or the Topsoil removed.
- (tt) "Public Information Meeting" means an open meeting to which all members of the public are invited, for the purpose of informing the public and receiving comments regarding a proposed Site Alteration.
- (uu) "Qualified Person" means a person who meets the qualifications as set out in Section 5 or 6 of Ontario Regulation 153/04.
- (vv) "Quality Assurance/Quality Control Program" means a program that is designed to meet the requirements of quality assurance and quality control program under Ontario Regulation 153/04.
- (ww) "*Regulation 347*" means Regulation 347 of the Revised Regulations of Ontario, 1990 (General — Waste Management), as amended, made under the *Environmental Protection Act*.
- (xx) "Retaining Wall" means a wall designed to contain and support Fill, which has a Finished Grade higher than that of adjacent lands.
- (yy) "Rock" has the same meaning as in Ontario Regulation 406/19.
- (zz) "RPRA" means the Ontario Resource Productivity and Recovery Authority.
- (aaa) "Sampling and Analysis Plan" means a plan that is designed to meet the requirements of a sampling and analysis plan under Ontario Regulation 153/04 or Ontario Regulation 406/19.
- (bbb) "Security" means funds held by the Township in a form and amount to be determined in accordance with Schedule "C" to this By-law, to secure the performance of the Owner's obligations under this By-law and any Permit; any additional costs associated with or as a result of the Site Alteration including but not limited to Site Restoration or Site Remediation, completion of the project, deficiencies, damage to the Township roads, etc. shall be deducted from the security; further costs associated with the alteration, if incurred by the Township, shall be invoiced to the Property Owner and may be added to the tax roll and collected in the same manner as taxes on the Property.
- (ccc) "Site" means a parcel or parcels of land altered or proposed to be altered by means of a Site Alteration.
- (ddd) "Site Alteration" means any alteration to the existing Grade of land through the removal (cut), placement (filling) or movement (relocation) of Fill.
- (eee) "Site Alteration - Intermediate" or "Intermediate Site Alteration" means the alteration of land where the requirement for a permit is based on: (i) a cumulative volume of fill over a five (5)-year period per property that is in the range of 350 cubic metres to 999 cubic metres of fill, (ii) where a change in Grade is proposed to be less than 1.5 metres above or below the Existing Grade, and (iii) where the proposed Site Alteration area is less than 1 hectare in land size. A Permit and execution of an agreement with the Township is required for a Intermediate Site Alteration.
- (fff) "Site Alteration - Large" or "Large Site Alteration" means the alteration of land based on: (i) a cumulative volume of fill over a five (5)-year period per property that is in the range of 1,000 cubic metres to 9,999 cubic metres of Fill, (ii) where a change in Grade is proposed to be less than 3 metres above or below the Existing Grade, or (iii) where the proposed Site Alteration area is greater than 1 hectare in land size. The approval of a Permit and execution of an agreement with the Township is required for a Large Site Alteration.
- (ggg) "Site Alteration - Major" or "Major Site Alteration" means the alteration of land based on: (i) a cumulative volume of fill over a five (5)-year period per property that is greater than 10,000 cubic metres of fill, or (ii) where a change in Grade is proposed to be greater than 3 metres above or below the Existing Grade. Council is the approval authority for all Major Site Alteration Permits and agreements.
- (hhh) "Site Alteration - Minor" or "Minor Site Alteration" means the alteration of land based on: (i) a cumulative volume of fill over a five (5)-year period per property, calculated from the area of property suitable for Site Alteration (the Property area excluding

buildings, structures, and fixed features) up to a maximum of 350 cubic metres, (ii) where a change in Grade is proposed to be less than 1 metres above or below the Existing Grade, (iii) where the proposed Site Alteration area is less than 1 hectare in land size, (iv) is setback a minimum of 30 metres from all property boundaries watercourses and drainage swales, (v) does not change or impact any natural drainage patterns, (vi) does not require a retaining wall, (vii) does not have slopes steeper than 3:1, and (viii) is not within an area regulated by the Conservation Authority. A Permit and execution of an agreement with the Township is required for a Minor Site Alteration.

- (iii) "Site Alteration and Fill Management Plan" means a document prepared by, or on behalf of an Owner in accordance with the Guidelines detailing such things as current Site conditions, methodology, Existing Grade, Finished Grade, and impact mitigation measures.
- (jjj) "Site Restoration" or "Site Remediation" means the treatment of land that has been affected by Site Alteration so that the use or condition of the land is restored to its pre-Site Alteration condition.
- (kkk) "Sod" means the upper stratum of soil bound by grass and plant roots into a thick mat (turf).
- (lll) "Soil" has the same meaning as in Ontario Regulation 406/19
- (mmm) "Source Site" means the property or properties from which the Fill originated and includes a "project area" as defined in Ontario Regulation 406/19.
- (nnn) "Swale" means a shallow depression in the ground sloping to a place of disposal of surface water or providing a method of Drainage.
- (ooo) "Topsoil" has the same meaning as in the *Municipal Act*.
- (ppp) "Tree" means any species of woody perennial plant including its root system which has reached or can reach a height of at least 4.5 metres at physiological maturity, provided that where multiple stems grow from the same root system, the number of trees shall be the number of stems with discrete, apical tips.
- (qqq) "Truckload" means 10 cubic metres of Fill.
- (rrr) "Vegetation" includes any woody plant or contiguous cluster of plants, including shrubs, hedgerows, and Trees.
- (sss) "Watercourse" means a natural or constructed channel or Swale in which water flows, either continuously or intermittently with some degree of regularity.
- (ttt) "Zoning By-law" means the Township's Comprehensive Zoning By-law, as applicable and amended from time to time.

### **3. PROHIBITIONS AND GENERAL PROVISIONS**

#### **3.1 Prohibitions in this By-law:**

- (a) No Person shall conduct, undertake, cause, permit or carry out a Site Alteration on any Property within the Township without first obtaining approval in accordance with this By-law, unless otherwise exempt as set forth in this By-law.
- (b) No Person shall have, or allow to remain, Fill on that Person's Property that is not approved through a Permit, whether or not the Fill was placed there while the Person was the Owner of the Property.
- (c) Every person who contravenes any provision of this By-law is guilty of an offence.

#### **3.2 Responsibility for Other Obligations**

- (a) Compliance with this By-law does not relieve the Owner from any responsibility to obtain all other approvals as required from any other government or authority, or compliance with any other applicable law.

#### **3.3 Trees**

- (a) No Person shall conduct, undertake, cause, permit or carry out a Site Alteration that could injure or destroy a Tree except in accordance with the County of Wellington Conservation and Sustainable Use of Woodlands By-law.

### **3.4 Groundwater**

- (a) No Person shall conduct, undertake, cause, permit or carry out a Site Alteration that may adversely affect the quality or quantity of any surface water or groundwater however it may exist including all water used for or available as a source of water for agriculture or human consumption.

### **3.5 Drainage / Watercourse**

- (a) No Person shall conduct, undertake, cause, permit or carry out a Site Alteration that could adversely affect any Watercourse or Drainage on any Property without prior approval in accordance with this By-law including approval from any other applicable government or authority, or compliance with any other applicable law.

### **3.6 Unapproved Grade**

- (a) No Person shall conduct, undertake, cause, permit or carry out a Site Alteration that will result in an Unapproved Grade.

### **3.7 Adverse Effect**

- (a) No Person shall conduct, undertake, cause, permit or carry out a Site Alteration that will, or can be reasonably expected to, result in an Adverse Effect.

### **3.8 Applicable Laws and Plans**

- (a) No Person shall conduct, undertake, cause, permit or carry out Site Alteration unless it complies with:
  - (i) This By-law;
  - (i) The Township Zoning By-law;
  - (ii) The Township Noise By-law;
  - (iii) The Township Property Standards By-law;
  - (iv) The Township Road Activity By-law;
  - (v) The *Greenbelt Plan*;
  - (vi) The requirements of a Conservation Authority with jurisdiction; and
  - (vii) All other applicable statutes, regulations, policies, and by-laws, including but not limited to Ontario Regulation 406/19, Regulation 347 and the Rules for Soil Management and Excess Soil Quality Standards.

### **3.9 False Information**

- (a) No person shall submit or cause or permit an application for a Permit to be submitted to the Township that is misleading or contains false information. Where it is revealed that the application for a Permit contained misleading or false information, the Designated Official may revoke the said Permit and all work, which was the subject of the revoked Permit, shall immediately cease.

## **4. EXEMPTIONS**

### **4.1 Exemptions in this By-law:**

- (a) Notwithstanding Section 3 of this By-law, this By-law does not apply to:
  - (i) Activities or matters undertaken by the Township, the County of Wellington, a Conservation Authority, the provincial government, or the federal government;
  - (ii) The placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land imposed after December 31, 2002, as a condition to the approval of a site plan, a plan of subdivision or consent under section 41, 51 or 53, respectively,

of the *Planning Act*, R.S.O. 1990, c. P.13, as amended ("*Planning Act*") or as a requirement of a site plan agreement or subdivision agreement entered into under those sections;

- (iii) The placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land imposed after December 31, 2002, as a condition to a development permit authorized by regulation made under section 70.2 of the *Planning Act* or as a requirement of an agreement entered into under that regulation;
- (iv) The placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land undertaken by a transmitter or distributor, as those terms are defined in section 2 of the *Electricity Act, 1998*, S.O. 1998, c. 15, Sched. A, as amended, for the purpose of constructing and maintaining a transmission system or a distribution system, as those terms are defined in that section;
- (v) The placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land undertaken on land described in a licence for a pit or quarry or a permit for a wayside pit or wayside quarry issued under the *Aggregate Resources Act*;
- (vi) The placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land undertaken on land in order to lawfully establish and operate or enlarge any pit or quarry on land;
- (vii) That has not been designated under the *Aggregate Resources Act* or a predecessor of that Act, and
  - i. On which a pit or quarry is a permitted land use under a by-law passed under section 34 of the *Planning Act*.
  - ii. The placing or Dumping of Fill, removal of Topsoil or alteration of the Grade of land undertaken as an incidental part of drain construction under the *Drainage Act* or the *Tile Drainage Act*;
- (viii) The removal of Topsoil as an incidental part of a normal Agricultural practice including such removal as an incidental part of sod-farming, greenhouse operations and nurseries for horticultural products except for the removal of Topsoil for sale, exchange, or other disposition;
- (ix) The use, operation, establishment, alteration, enlargement, or extension of a Waste Management System or Waste Disposal Site within the meaning of Part V of the *Environmental Protection Act*, R.S.O. 1990, c.E.19, as amended;
- (x) The construction, extension, alteration, maintenance, or operation of works under Section 26 of the *Public Transportation and Highway Improvement Act*, R.S.O. 1990, c.P.50, as amended;
- (i) A Site Alteration where another legal instrument of the Township, such as a Planning approval, a building permit, a pool permit, or legal agreement with the Township includes a provision specifically waiving the requirement for a Permit, including:
  - i. A grading plan or site plan, approved by the Chief Building Official, associated with the construction of a building, accessory structure, addition and/or pool;
  - ii. Any Filling of an excavation to the elevation of Existing Grade following the demolition or removal of a Building for which a demolition permit has been issued by the Chief Building Official of the Township, or for which no demolition permit is required under the *Building Code Act*, R.S.O. 1992, c. 23;
- (ii) The Site Alteration of land does not exceed a cumulative volume of 20 cubic metres (2 Truckloads) on any one property within a 12-month period and provided that the alteration does not meet the definition of Minor Site Alteration and provided that it meets all other provisions of this By-law and may include the following activities
  - iii. placing of Topsoil on gardens, lawns or other grassed areas;
  - iv. cultivation or tilling of garden beds;

- v. excavation of Fill having no significant impact on trees, ground cover, Vegetation, watercourses, or stormwater swales and not altering or creating a slope at greater than 8%;
- vi. minor landscaping works which are at least 0.3 metres from any property line and do not impact Drainage patterns or cause or may cause an Adverse Effect on neighbouring properties; and
- vii. minor grading or regrading or paving of legal and approved parking areas or driveways which are at least 0.3 metres from any property line and do not impact Drainage patterns or cause or may cause an Adverse Effect on neighbouring properties.

## 5. APPLICATION REQUIREMENTS

### 5.1 Normal Farm Practice Waiver

- (a) A Normal Farm Practice Waiver may be applied for where:
  - (i) The Site Alteration is deemed to be a Normal Farm Practice in accordance with the Ministry of Agriculture, Food and Rural Affairs and to the satisfaction of the Designated Official;
  - (ii) All disputes will follow the Farm Practices Conflict Resolution Process as prescribed by the Ministry of Agriculture, Food and Rural Affairs.
- (b) Application Requirements for a Normal Farm Practice Waiver:
  - (i) A complete Normal Farm Practice Site Alteration Waiver Application must be submitted to the Township using the prescribed form, as amended from time to time;
  - (ii) No application fee is required; however, the Owner shall be responsible for any third-party cost and recoveries if an external review is required as determined by the Designated Official;
  - (iii) A justification report prepared by a qualified person must be submitted demonstrating that the Site Alteration is considered a Normal Farm Practice in accordance with the Ministry of Agriculture, Food and Rural Affairs and to the satisfaction of the Designated Official and demonstrating the need for the proposed amount of fill being imported to the site;
  - (iv) Security shall be provided to the Township in a form and amount to be determined in accordance with Schedule "C" to this By-law;
  - (v) Sufficient documentation must be submitted, to the satisfaction of the Designated Official, to demonstrate that the Site Alteration will not cause an Adverse Effect;
  - (vi) Where the Site Alteration will involve the importation of Fill from off-site, documentation is to be provided to the Township to the satisfaction of the Designated Official including but not limited to:
    - i. The amount of Fill being imported from off-site in cubic metres;
    - ii. Documentation that the Fill complies with the parameters as set out in Section 3.8 of this By-law;
    - iii. Documentation pertaining to the collection and laboratory analysis of samples of the Fill;
    - iv. Documentation setting out the evaluation of the Fill sample results;
    - v. Quality Control/Quality Assurance Program; and
    - vi. Source Site confirmation;
  - (vii) A Control Plan must be completed per Schedule B, or aspects of the Control Plan as determined by the Designated Official;

- (viii) All required permits or approvals by any external agency having jurisdiction are required in order for a Normal Farm Practice Site Alteration Waiver to be issued, including but not limited to the Conservation Authority, Wellington Source Water Protection, and the County of Wellington;
  - (ix) Submission of an approved haul route including road maintenance obligations, in accordance with the Township Road Activity By-law for the importation of Fill to or the removal of Fill from the Property;
  - (x) Submission of an approved schedule and timing of the Site Alteration activities such that no activities occur, at a minimum:
    - i. Between the hours of 7:00 p.m. and 7:00 a.m.;
    - ii. During any period in which a wind warning has been issued by Environment Canada;
    - iii. During any weather conditions where the ability to mitigate Site Alteration activity impacts is severely compromised (e.g., heavy rain, etc.); and
    - iv. During any situation where Site Alteration activities can unduly impact adjacent landowners (e.g., brush fires, floods, unsuitable road conditions, etc.).
- (c) Approval/Refusal Process for a Normal Farm Practice Waiver:
- (i) All Normal Farm Practice Site Alteration Waiver applications are subject to a staff review and comment period. Conditions not described in this By-law may form part of the Waiver;
  - (ii) The Normal Farm Practice Site Alteration Waiver shall be provided to the Owner by the Township's Designated Official in writing and posted on the Township website.
  - (iii) All Normal Farm Practice Waivers are subject to a staff review and comment period, which may form part of the Site Alteration Agreement and may include conditions not described in this By-law;

## 5.2 Minor Site Alteration Permit Requirements

- (a) A Minor Site Alteration Permit Application may be applied for where:
- (i) The cumulative volume of Fill over a five (5)-year period per property, does not exceed the maximum of 350 cubic metres (35 Truckloads) subject to the area suitable for alteration;
  - (ii) The maximum volume of Fill is calculated by the area of the property suitable for alteration (the Property area excluding buildings, structures, environmental features, and fixed features to a maximum of 1 hectare) multiplied by the maximum permitted amount of Fill (350 cubic metres). Example:
 

1ha suitable area x 350m<sup>3</sup> = 350m<sup>3</sup>

OR

0.4ha suitable area x 350m<sup>3</sup> = 140m<sup>3</sup>
  - (iii) A change in Grade is proposed to be less than 1 metres above or below the Existing Grade;
  - (iv) The proposed Site Alteration area is less than 1 hectare in land size;
  - (v) The Site Alteration is setback a minimum of 30 metres from all property boundaries watercourses and drainage swales;
  - (vi) The Site Alteration does not change or impact any natural drainage patterns;
  - (vii) The Site Alteration does not require a retaining wall;
  - (viii) The Site Alteration does not have slopes steeper than 3:1;

- (ix) The Site Alteration is not within an area regulated by the Conservation Authority; and
  - (x) The Site Alteration of land does not meet the definition of Intermediate Site Alteration, provided that it meets all other provisions of this By-law.
- (b) Application Requirements for Minor Site Alteration Permit:
- (i) A complete Intermediate Site Alteration Application must be submitted using the prescribed form, as amended from time to time;
  - (ii) Payment of the prescribed fee as listed in the Township User Fees and Charges By-law;
  - (iii) The Owner shall be responsible for any third-party cost and recoveries if an external review is required as determined by the Designated Official;
  - (iv) Submission of sufficient documentation, to the satisfaction of the Designated Official, to demonstrate that the Site Alteration will not cause an Adverse Effect;
  - (v) Where the Site Alteration will involve the importation of Fill from off-site, documentation is to be provided to the Township to the satisfaction of the Designated Official including but not limited to:
    - i. The amount of Fill being imported from off-site in cubic metres;
    - ii. Documentation that the Fill complies with the parameters as set out in Section 3.8 of this By-law;
    - iii. Documentation pertaining to the collection and laboratory analysis of samples of the Fill;
    - vii. Documentation setting out the evaluation of the Fill sample results;
    - iv. Quality Control/Quality Assurance Program; and
    - v. Source Site confirmation;
    - vi. A justification report prepared by a qualified person may be required to be submitted demonstrating the need for the proposed amount of fill being imported to the site;
  - (vi) A Control Plan must be completed per Schedule B, or aspects of the Control Plan as determined by the Designated Official;
  - (vii) A Site Alteration and Fill Management Plan must be prepared by a Qualified Person;
  - (viii) Confirmation from the Owner and Qualified Person must be submitted confirming that the Qualified Person will be present at the Property and be responsible for all activities associated with the Site Alteration at all times while activities are taking place;
  - (ix) Additional conditions may be included in the Permit as determined by the Designated Official;
  - (x) All required permits or approvals by any external agency having jurisdiction are required, including but not limited to the Conservation Authority, Source Water Protection, and the County of Wellington;
  - (xi) Submission of an approved haul route including road maintenance obligations, in accordance with the Township Road Activity By-law for the importation of Fill to or the removal of Fill from the Property;
  - (xii) Submission of an approved schedule and timing of the Site Alteration activities such that no activities occur:
    - i. Between the hours of 5:00 p.m. and 8:30 a.m. Monday to Friday;
    - ii. Anytime on a Saturday, Sunday or Statutory Holiday;

- iii. During any period in which a wind warning has been issued by Environment Canada;
  - iv. During any weather conditions where the ability to mitigate Site Alteration activity impacts is severely compromised (e.g., heavy rain, etc.); and
  - v. During any situation where Site Alteration activities can unduly impact adjacent landowners (e.g., brush fires, floods, unsuitable road conditions, etc.).
- (c) Approval/Refusal Process for a Minor Site Alteration Permit:
- (i) All Minor Site Alteration Applications are subject to a staff review and comment period, which may form part of the Site Alteration Permit and may include conditions not described in this By-law;
  - (ii) Security shall be provided to the Township in a form and amount to be determined in accordance with Schedule "C" to this By-law;
  - (iii) The Site Alteration Permit shall be provided to the Owner by the Township's Designated Official in writing and posted on the Township website.

### 5.3 Intermediate Site Alteration Permit Requirements

- (a) A Intermediate Site Alteration Permit Application may be applied for where:
- (i) The cumulative volume of Fill over a five (5) year period per property, does not exceed the maximum of 1000 cubic metres (100 Truckloads);
  - (ii) A change in Grade is proposed to be less than 1.5 metres above or below the Existing Grade;
  - (iii) The proposed Site Alteration area is less than 1 hectare in land size; and
  - (iv) The Site Alteration of land does not meet the definition of Large Site Alteration, provided that it meets all other provisions of this By-law.
- (b) Application Requirements for a Intermediate Site Alteration Permit:
- (i) A complete Intermediate Site Alteration Application must be submitted using the prescribed form, as amended from time to time;
  - (ii) Payment of the prescribed fee as listed in the Township User Fees and Charges By-law;
  - (iii) The Owner shall be responsible for any third-party cost and recoveries if an external review is required as determined by the Designated Official;
  - (iv) Sufficient documentation, to the satisfaction of the Designated Official, must be submitted to demonstrate that the Site Alteration will not cause an Adverse Effect;
  - (v) Where the Site Alteration will involve the importation of Fill from off-site, documentation is to be provided to the Township to the satisfaction of the Designated Official including but not limited to:
    - i. The amount of Fill being imported from off-site in cubic metres;
    - ii. Documentation that the Fill complies with the parameters as set out in Section 3.8 of this By-law;
    - iii. Documentation pertaining to the collection and laboratory analysis of samples of the Fill;
    - iv. Documentation setting out the evaluation of the Fill sample results;
    - v. Quality Control/Quality Assurance Program; and
    - vi. Source Site confirmation;

- vii. A justification report prepared by a qualified person may be required to be submitted demonstrating the need for the proposed amount of fill being imported to the site;
  - (vi) A Control Plan completed per Schedule B, or aspects of the Control Plan as determined by the Designated Official;
  - (vii) If Site-specific standards for Soil quality acceptance have been developed using the MECP's Beneficial Reuse Assessment Tool (BRAT), a copy of the BRAT model input and output and a signed statement by the Qualified Person that prepared the BRAT model must be submitted;
  - (viii) If Site-specific standards for Soil quality acceptance have been developed using a risk assessment pursuant to the requirements in the Rules for Soil Management and Excess Soil Quality Standards, a copy of the risk assessment and a signed statement by the Qualified Person that prepared the risk assessment model must be submitted;
  - (ix) A Site Alteration and Fill Management Plan must be prepared by a Qualified Person;
  - (x) Confirmation from the Owner and Qualified Person must be submitted confirming that the Qualified Person will be present at the Property and be responsible for all activities associated with the Site Alteration at all times while activities are taking place;
  - (xi) Additional conditions may be included in the Permit as determined by the Designated Official;
  - (xii) All required permits or approvals by any external agency having jurisdiction are required, including but not limited to the Conservation Authority, Source Water Protection, and the County of Wellington;
  - (xiii) Submission of an approved haul route including road maintenance obligations, in accordance with the Township Road Activity By-law for the importation of Fill to or the removal of Fill from the Property;
  - (xiv) Submission of an approved schedule and timing of the Site Alteration activities such that no activities occur:
    - i. Between the hours of 5:00 p.m. and 8:30 a.m. Monday to Friday;
    - ii. Anytime on a Saturday, Sunday or Statutory Holiday;
    - iii. During any period in which a wind warning has been issued by Environment Canada;
    - iv. During any weather conditions where the ability to mitigate Site Alteration activity impacts is severely compromised (e.g., heavy rain, etc.); and
    - v. During any situation where Site Alteration activities can unduly impact adjacent landowners (e.g., brush fires, floods, unsuitable road conditions, etc.).
- (c) Approval/Refusal Process for a Intermediate Site Alteration Permit:
- (i) All Intermediate Site Alteration Applications are subject to a staff review and comment period, which may form part of the Site Alteration Agreement and may include conditions not described in this By-law;
  - (ii) A legal agreement between the Owner and the Township shall be executed and registered on title and released from title upon successful completion of all required work as outlined in the Permit and at the direction of the Designated Official;
  - (iii) Security shall be provided to the Township in a form and amount to be determined in accordance with Schedule "C" to this By-law;
  - (iv) The Site Alteration Permit shall be provided to the Owner by the Township's Designated Official in writing and posted on the Township website.

#### 5.4 Large Site Alteration Permit Requirements

- (a) A Large Site Alteration Permit Application may be applied for where:
- (i) The cumulative volume of Fill over a five (5) year period per property, does not exceed the maximum of 10,000 cubic metres (1000 Truckloads); or
  - (ii) A change in Grade is proposed to be less than 3 metres above or below the Existing Grade; or
  - (iii) The proposed Site Alteration area is greater than 1 hectare in land size; and
  - (iv) The Site Alteration of land does not meet the definition of Major Site Alteration provided that it meets all other provisions of this By-law.
- (b) Application Requirements for a Large Site Alteration Permit:
- (i) A complete Large Site Alteration Application must be submitted using the prescribed form, as amended from time to time;
  - (ii) Payment of the prescribed fee as listed in the Township User Fees and Charges By-law;
  - (iii) The Owner shall be responsible for any third-party cost and recoveries if an external review is required as determined by the Designated Official;
  - (iv) Sufficient documentation must be submitted, to the satisfaction of the Designated Official, to demonstrate that the Site Alteration will not cause an Adverse Effect;
  - (v) Where the Site Alteration will involve the importation of Fill from off-site, documentation is to be provided to the Township to the satisfaction of the Designated Official including but not limited to:
    - i. The amount of Fill being imported from off-site in cubic metres;
    - ii. Documentation that the Fill complies with the parameters as set out in Section 3.8 of this By-law;
    - iii. Documentation pertaining to the collection and laboratory analysis of samples of the Fill;
    - iv. Documentation setting out the evaluation of the Fill sample results;
    - v. Quality Control/Quality Assurance Program; and
    - vi. Source Site confirmation;
    - vii. A justification report prepared by a qualified person is required to be submitted demonstrating the need for the proposed amount of fill being imported to the site;
  - (vi) A Control Plan must be completed per Schedule B, or aspects of the Control Plan as determined by the Designated Official;
  - (vii) If Site-specific standards for Soil quality acceptance have been developed using the MECP's BRAT, a copy of the BRAT model input and output and a signed statement by the Qualified Person that prepared the BRAT model must be submitted;
  - (viii) If Site-specific standards for Soil quality acceptance have been developed using a risk assessment pursuant to the requirements in the Rules for Soil Management and Excess Soil Quality Standards, a copy of the risk assessment and a signed statement by the Qualified Person that prepared the risk assessment model must be submitted;
  - (ix) A Site Alteration and Fill Management Plan prepared by a Qualified Person;
  - (x) Confirmation from the Owner and Qualified Person must be submitted confirming that the Qualified Person will be present at the Property and be

responsible for all activities associated with the Site Alteration at all times while activities are taking place;

- (xi) Additional conditions may be included in the Permit as determined by the Designated Official;
  - (xii) All required permits or approvals by any external agency having jurisdiction are required, including but not limited to the Conservation Authority, Source Water Protection, and the County of Wellington;
  - (xiii) Submission of an approved haul route including road maintenance obligations, in accordance with the Township Road Activity By-law for the importation of Fill to or for the removal of Fill from the Property;
  - (xiv) Submission of an approved schedule and timing of the Site Alteration activities such that no activities occur:
    - i. Between the hours of 5:00 p.m. and 8:30 a.m. Monday to Friday;
    - ii. Anytime on a Saturday, Sunday, or Statutory Holiday;
    - iii. During any period in which a wind warning has been issued by Environment Canada;
    - iv. During any weather conditions where the ability to mitigate Site Alteration activity impacts is severely compromised (e.g., heavy rain, etc.); and
    - v. During any situation where Site Alteration activities can unduly impact adjacent landowners (e.g., brush fires, floods, unsuitable road conditions, etc.).
- (c) Approval/Refusal Process for a Large Site Alteration Permit:
- (i) Once a complete application has been received, all property owners within a 120-metre radius of the subject property shall be notified of the details of the project;
  - (ii) All Large Site Alteration Applications are subject to a 30-day comment period commencing when neighbour notification takes place;
  - (iii) All Large Site Alteration Applications are subject to a staff review of public comments received which may form part of the Site Alteration Agreement and may include conditions not described in this By-law;
  - (iv) A legal agreement between the Owner and the Township shall be executed and registered on title and released from title upon successful completion of all required work as outlined in the Permit and at the direction of the Designated Official;
  - (v) Security shall be provided to the Township in a form and amount to be determined in accordance with Schedule "C" to this By-law;
  - (vi) The Site Alteration Permit shall be provided to the Owner by the Township's Designated Official in writing and posted on the Township website;
  - (vii) The Township CAO may request that certain Large Site Alteration Applications be considered by the Council prior to final approval.

## 5.5 Major Site Alteration Permit Requirements

- (a) A Major Site Alteration Permit Application may be applied for where:
  - (i) The cumulative volume of Fill over a five (5) year period per property, exceeds 10,000 cubic metres (1000 Truckloads); or
  - (ii) Where a change in grade is proposed to be greater than 3 metres above or below the existing grade
- (b) Application Requirements for a Large Site Alteration Permit:

- (i) A complete Major Site Alteration Application must be submitted using the prescribed form, as amended from time to time;
- (ii) Payment of the prescribed fee as listed in the Township User Fees and Charges By-law;
- (iii) The Owner shall be responsible for any third-party cost and recoveries if an external review is required as determined by the Designated Official;
- (iv) Sufficient documentation must be submitted, to the satisfaction of the Designated Official, to demonstrate that the Site Alteration will not cause an Adverse Effect;
- (v) Where the Site Alteration will involve the importation of Fill from off-site, documentation is to be provided to the Township to the satisfaction of the Designated Official including but not limited to:
  - i. The amount of Fill being imported from off-site in cubic metres;
  - ii. Documentation that the Fill complies with the parameters as set out in Section 3.8 of this By-law;
  - iii. Documentation pertaining to the collection and laboratory analysis of samples of the Fill;
  - iv. Documentation setting out the evaluation of the Fill sample results;
  - v. Quality Control/Quality Assurance Program; and
  - vi. Source Site confirmation;
  - vii. A justification report prepared by a qualified person is required to be submitted demonstrating the need for the proposed amount of fill being imported to the site;
- (vi) A Control Plan completed per Schedule B;
- (vii) If Site-specific standards for Soil quality acceptance have been developed using the MECP's BRAT, a copy of the BRAT model input and output and a signed statement by the Qualified Person that prepared the BRAT model must be submitted;
- (viii) If Site-specific standards for Soil quality acceptance have been developed using a risk assessment pursuant to the requirements in the Rules for Soil Management and Excess Soil Quality Standards, a copy of the risk assessment and a signed statement by the Qualified Person that prepared the risk assessment model must be submitted;
- (ix) A Site Alteration and Fill Management Plan must be prepared by a Qualified Person;
- (x) Confirmation from the Owner and Qualified Person that the Qualified Person will be present at the Property and be responsible for all activities associated with the Site Alteration at all times while activities are taking place;
- (xi) Additional conditions may be included in the Permit as determined by the Designated Official;
- (xii) All required permits or approvals by any external agency having jurisdiction are required, including but not limited to the Conservation Authority, Source Water Protection, and the County of Wellington;
- (xiii) Submission of an approved haul route including road maintenance obligations, in accordance with the Township Road Activity By-law for the importation of Fill or for the removal of Fill from the Property;
- (xiv) Submission of an approved schedule and timing of the Site Alteration activities such that no activities occur:
  - i. Between the hours of 5:00 p.m. and 8:30 a.m. Monday to Friday;

- ii. Anytime on a Saturday, Sunday, or Statutory Holiday;
  - iii. During any period in which a wind warning has been issued by Environment Canada;
  - iv. During any weather conditions where the ability to mitigate Site Alteration activity impacts is severely compromised (e.g., heavy rain, etc.); and
  - v. During any situation where Site Alteration activities can unduly impact adjacent landowners (e.g., brush fires, floods, unsuitable road conditions, etc.).
- (c) Approval/Refusal Process for a Large Site Alteration Permit:
- (i) Once a complete application has been received, a Public Information Meeting shall be scheduled;
  - (ii) All property owners within a 120-metre radius of the subject property shall be notified of the details of the project and notified of the scheduled Public Information Meeting;
  - (iii) Council approval is required for all Major Site Alteration Applications;
  - (iv) All Major Site Alteration Applications are subject to a 30-day comment period commencing when neighbour notification takes place;
  - (v) All Major Site Alteration Applications are subject to a staff review of public comments received which may form part of the Site Alteration Agreement and may include conditions not described in this By-law;
  - (vi) Subject to Council approval, a legal agreement between the Owner and the Township shall be executed and registered on title and released from title upon successful completion of all required work as outlined in the Permit and at the direction of the Designated Official;
  - (vii) Security shall be provided to the Township in a form and amount to be determined in accordance with Schedule "C" to this By-law;
  - (viii) The Site Alteration Permit shall be provided to the Owner by the Township's Designated Official in writing and posted on the Township website;
  - (ix) A Permit may be refused when the requirements of this By-law have not been met. Where the Designated Official/Council refuses to issue a Site Alteration Permit, the applicant shall be informed in writing of the refusal. The Application may be reconsidered, if additional information or documentation required by the Designated Official is submitted by the applicant.

## **6. ABANDONMENT, EXPIRY, RENEWAL, TRANSFER, REVOCATION, AMENDMENT AND CLOSURE OF PERMITS**

### **6.1 Abandoned Application**

- (a) An Application for a Permit will be deemed abandoned and the Application and respective file will be closed, where a period of twelve (12) months has elapsed during which:
  - (i) The Person applying for a Permit has not provided all information, documents, fees and deposits as required by the Designated Official including any new submissions that may be required;
  - (ii) The Application has been placed on hold or in abeyance; or
  - (iii) The Application has not seen meaningful progress through submissions towards the issuance of a Permit.

### **6.2 Expiry**

- (a) A Permit for all types of Site Alteration will be issued for a period of one year and expires on the date set out in the Permit unless otherwise specified as a condition of the Permit.

- (b) Every Owner shall satisfy all Conditions of the Permit, even if the Permit is expired, and shall also provide the Township with the following at the discretion of the Designated Official:
  - (i) A letter of acknowledgment of the filing of a Record of Site Condition (in accordance with Ontario Regulation 153/04, as amended);
  - (ii) A completed final topographic survey confirming the Approved Grade; and
  - (iii) Proof of completion of all Permit Conditions.

### **6.3 Transfer**

- (a) If title to the Property for which a Permit has been issued is transferred while the Permit is in effect, the Permit shall be automatically revoked unless the new Owner, prior to the time of the transfer, provides the Township with an undertaking, to the satisfaction of the Director, to comply with all Conditions under which the Permit was issued.

### **6.4 Revocation**

- (a) The Designated Official may at any time and without notice revoke a Permit for any of the following reasons:
  - (i) It was obtained based on mistaken, false or incorrect information;
  - (ii) It was issued in error;
  - (iii) The Property Owner and/or Permit holder requests in writing that it be revoked;
  - (iv) The Permit holder has failed to comply with any of the Conditions of the Permit; or
  - (v) The Permit holder is unwilling or unable to comply with the Conditions of an Order.

### **6.5 Amendment**

- (a) An Applicant or Owner may submit a request to the Designated Official for an amendment to a Permit based on proposed changes to the details of the initial Application as reflected in the Conditions.

### **6.6 Renewal**

- (a) An Applicant or Owner may submit a request to the Designated Official for a renewal of a Permit if the only change from the initial Application and Conditions is the timeline and expiry date.

### **6.7 Closure**

- (a) A Permit is considered closed when all the Conditions and Orders related to the Permit have been fulfilled to the satisfaction of the Designated Official, at which time all unexpended deposits and securities held by the Township shall be released to the Applicant unless an agreement specifies otherwise.

## **7. ENFORCEMENT**

### **7.1 Inspectors and Designated Official**

- (a) This By-law may be enforced by Inspectors and/or the Designated Official. Without limiting/restricting any other power, duty or function granted by this By-law, Inspectors and/or the Designated Official may: give direction, issue an Order to discontinue or to perform work and further give verbal or written direction and may enter Property and/or carry out and direct whatever inspections, are reasonably required to determine compliance with this By-law.
- (b) An Inspector and/or the Designated Official may issue an Order under this By-law to any Person believed to be contravening or have contravened any provision of this By-law.
- (c) An Order may include but is not limited to:

- (i) Immediately desist from the activity constituting or contributing to such contravention; and
- (ii) Take immediate action to mitigate and/or remediate the impacts of the activity.

## **7.2 Entry and Inspection**

- (a) Inspectors and the Designated Official may, at any reasonable time:
  - (i) Enter and inspect Property to determine compliance with the provisions of this By-law, or any Condition of a Permit, or Order issued under this By-law. This power of entry does not allow entry into any dwelling;
  - (ii) Enter the Property to collect information, take photographs, videos, measurements, readings and samples (air, surface water, groundwater, soil, materials, etc.);
  - (iii) Require the production of copies of reports, manifests or other documentation for the purposes of auditing any Site Alteration or compliance with the Conditions of a Permit, agreement or Order; and
  - (iv) Require the production of documents for inspection or things relevant to the inspection, inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts.

## **7.3 Duty to Identify**

- (a) Where an Inspector has reasonable grounds to believe that an offence has been committed by a Person, the Inspector may require the name, address, and proof of identity of that Person, and the Person shall supply the required information.

## **7.4 Obstruction**

- (a) No Person shall hinder or obstruct or attempt to obstruct the Designated Official Inspector, or person in the discharge of duties under this By-law as required by the Designated Official or Inspector in order to bring a Property into compliance with this By-law or an Order issued under this By-law.
- (b) No person shall provide false information in any statement, whether orally, in writing or otherwise, made to an Inspector or the Designated Official.
- (c) No Person shall hinder or obstruct, or attempt to hinder or obstruct, any Inspector or Designated Official who is exercising a power or performing a duty under this By-law.

## **7.5 Obey Order**

- (a) No Person shall fail to obey an Order issued under this By-law.

## **7.6 Presumption**

- (a) Where any Site Alteration occurs, is undertaken, caused, or permitted on any Property, the Owner of the Property is presumed to have undertaken, caused, or permitted the Site Alteration to occur, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.

# **8. ORDERS**

## **8.1 Contravention**

- (a) If an Inspector or the Designated Official is satisfied that a person has undertaken, caused, permitted, allowed, or performed a Site Alteration in contravention of the provisions of this By-law, the Conditions of a Permit, and/or an agreement pursuant to this By-law, the Inspector may issue an Order requiring work to be done to correct the contravention.
- (b) Orders issued shall contain the municipal address and/or the legal description of the Property, and shall set out:

- (i) Reasonable particulars of the contravention, the work to be done, any work or action required to cease or be undertaken to rectify the contravention, and the period within which there must be compliance with the Order; and
- (ii) Notification that if the work or action is not done, or ceased, as the case may be, in compliance with the Order within the period specified, the Township may have the work done at the expense of the Owner and seek penalties as set out in this By-law.

## 8.2 Order Served

- (a) Orders issued by an Inspector under this By-law shall be served as follows:
  - (i) Personally, or by prepaid registered mail to the last known address of the Owner, the Permit holder and any other Person to whom the Order is issued; or
  - (ii) If the Township is unable to effect service on the Owner, a placard containing the terms of the Order may be placed in a conspicuous place on the Property and the placing of the placard shall be deemed to be service of the Order.

## 8.3 Order Deemed to be Served

- (a) If an Order is served on a Person by registered mail, it shall be deemed to have been served on the Person on the fifth (5<sup>th</sup>) day after the mailing of the order, which deemed service may be rebutted by the Person proving, on a balance of probabilities, that they did not receive the Order.
- (b) An Order may also be issued to a new Owner in any case where ownership of the Property has changed but the offence continues or remains.

## 9. WORK DONE BY THE TOWNSHIP

### 9.1 Remedial Action

- (a) If the Conditions of an Order made under this By-law are not complied with within the period specified in the Order, in addition to all other remedies it may have, the Township may undertake any activity to fulfill any of the Conditions of a Permit or Order at the Owner's expense and may enter upon Property at any reasonable time for this purpose.

## 10. PENALTY AND OFFENCE

### 10.1 Offence

- (a) Every Person who contravenes: (i) any provision of this By-law, (ii) a Condition of a Permit issued under this By-Law, and/or (iii) an Order issued under this By-law, is guilty of an offence and upon conviction is liable to the penalties provided for in this By-law and provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended.
- (b) If an Order has been issued under this By-law, and the Order has not been complied with, the contravention of the Order shall be deemed to be a continuing offence for each day or part of a day that the Order is not complied with.

### 10.2 Penalties

- (a) Every Person who is guilty of a non-continuing offence under this By-law shall be subject to the following penalties:
  - (i) Upon a first conviction under this By-law, to a fine of not less than \$500 and not more than \$50,000 per offence;
  - (ii) Upon a second or subsequent conviction under this By-law, to a fine of not less than \$500 and not more than \$100,000 per offence;
- (b) Every Person who is guilty of a continuing offence under this By-law shall upon conviction be subject to a fine of not less than \$500 and not more than \$10,000 for each day or part of a day that the offence continues up to a maximum of \$100,000 per continuing offence.

- (c) When a Person has been convicted of an offence under this By-law, the Ontario Court of Justice or any Court of competent jurisdiction thereafter may, in addition to any other penalty or remedy imposed on the Person convicted, make an Order:
  - (i) prohibiting the continuation or repetition of the offence by the Person convicted; and/or
  - (ii) requiring the Person convicted to remove material from, repair or rehabilitate, at the convicted Person's expense, a property or undertaking to achieve compliance with this By-law within such reasonable time as the Court orders.
- (a) The Township may recover its costs of remedying a violation of this By-law by invoicing the Owner, by instituting court proceedings or by adding the cost, including interest, to the tax roll, and the exercise of any other available remedy.

**11. TRANSITION PROVISION**

- (a) Notwithstanding the repeal of By-law 2012-31 and all amendments thereto, that by-law shall continue to apply to any acts, omissions, or occurrences, and to any offences that took place prior to the enactment of this By-law.

**12. EFFECTIVE DATES & REPEAL OF PREDECESSOR BY-LAW**

- (a) This By-law Repeals By-laws 2012-31, 2015-11, 2015-45, 2015-49, 2021-01, and 2021-20.
- (b) This By-law shall come into force and effect upon its passage, at which time By-law 2012-31, and all amendments thereto shall hereby be repealed.

READ a FIRST time this 20 day of DECEMBER, 2023

READ a SECOND time this 10 day of JANUARY, 2023

READ a THIRD time and FINALLY PASSED this 7 day of FEBRUARY, 2024.

\_\_\_\_\_  
James Seeley, Mayor

\_\_\_\_\_  
Courtenay Hoytfox, Clerk

## SCHEDULE “A”

### REFERENCES REGULATIONS, STANDARDS AND GUIDELINES

1. Environmental Protection Act, R.S.O. 1990, c. E.19 - <https://www.ontario.ca/laws/statute/90e19>
2. Ontario Ministry of the Environment, Conservation and Parks, Management of Excess Soil – A Guide for Best Management Practices - <https://www.ontario.ca/page/management-excess-soil-guide-best-management-practices>
3. Ontario Ministry of the Environment, Conservation and Parks, Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act (July 1, 2011) - <https://www.ontario.ca/page/soil-ground-water-and-sediment-standards-use-under-part-xv1-environmental-protection-act>
4. Ontario Regulation 153/04: Record of Site Condition - <https://www.ontario.ca/laws/regulation/040153>
5. Regulation 347: General – Waste Management - <https://www.ontario.ca/laws/regulation/900347>
6. Ontario Regulation 406/19: On-site and Excess Soil Management - <https://www.ontario.ca/laws/regulation/190406#BK5>
7. Ontario Ministry of the Environment, Conservation and Parks Rules for Soil Management and Excess Soil Quality Standards - <https://www.ontario.ca/page/rules-soil-management-and-excess-soil-quality-standards>
8. Ontario Ministry of the Environment, Conservation and Parks Excess Soil Beneficial Reuse Assessment Tool (BRAT) - <https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fprod-environmental-registry.s3.amazonaws.com%2F2020-12%2FBeneficial%2520Reuse%2520Assessment%2520Tool%20BRAT%2520%2528Dated%252008%2520Dec%25202020%2529%20.xlsx&wdOrigin=BROWSELINK>
9. Ontario Water Resources Act, R.S.O. 1990, c. O.40 – <https://www.ontario.ca/laws/statute/90o40>
10. Ontario Provincial Water Quality Objectives - <https://www.ontario.ca/page/water-management-policies-guidelines-provincial-water-quality-objectives>
11. County of Wellington Conservation and Sustainable Use of Woodlands By-law 5115-09
12. Aggregate Resources Act R.S.O. 1990, c.A.8, - <https://www.ontario.ca/laws/statute/90a08>
13. Invasive Species Act, 2015, S.O.2015, c.22 - <https://www.ontario.ca/laws/statute/15i22>
14. Endangered Species Act, 2007, S.O. 2007, c. 6 <https://www.ontario.ca/laws/statute/07e06>
15. Clean Water Act, 2006, S.O. 2006, c. 22 <https://www.ontario.ca/laws/statute/06c22>
15. Municipal Act, 2001, S.O. 2001, c. 25 <https://www.ontario.ca/laws/statute/01m25>

**SCHEDULE "B"**  
**CONTROL PLANS**

1. A control plan(s) required to be submitted as part of any Application for a Permit pursuant to this By-law shall include, among other things, the following:
  - (a) a key map showing the location of the Site;
  - (b) the Global Positioning System (GPS) coordinates of the centroid of the Site in terms of easting and northing;
  - (c) the Site boundaries and number of hectares of the Site;
  - (d) the use of the Site and the location and use of the buildings and other structures adjacent to the Site;
  - (e) the location, dimensions and use of existing and proposed buildings and other structures existing or proposed to be erected on the Site;
  - (f) the location of lakes, streams, wetlands, channels, ditches, other watercourses and other bodies of water on the Site and within thirty (30) metres beyond the Site boundary;
  - (g) the location of the predominant Soil types;
  - (h) the location size, species, and condition of all Trees as define in this By-law, including their dripline, and the composite dripline of all other Vegetation;
  - (i) the location of driveways on the lands and all easements and rights-of-way over, under, across or through the Site;
  - (j) the location and dimensions of any existing and proposed stormwater Drainage systems and natural Drainage patterns on the Site and within thirty (30) metres of the Site boundaries;
  - (k) the location and dimensions of utilities, structures, roads, rights-of-ways, easements, highways, and paving;
  - (l) the existing Site topography at a contour interval not to exceed 0.5 metres and to extend a minimum of thirty (30) metres beyond the Site boundaries;
  - (m) the Proposed Grade(s) and Drainage system(s) to be used upon completion of the work which is the subject of the Permit;
  - (n) the location and dimensions of all proposed work which is the subject of the Application for a Permit;
  - (o) the location and dimensions of all proposed temporary Topsoil or Fill stockpiles;
  - (p) the location, dimensions, design details and specifications of all work which is the subject of the Application including all Site Erosion and Dust Control measures or Retaining Walls necessary to meet the requirements of this By-law and the estimated cost of the same;
  - (q) a schedule of the anticipated starting and completion dates of all proposed work which is the subject of the Application for a Permit;
  - (r) a list of the type of equipment and machinery that will be used during the Site Alteration process including the expected days and times of operation in accordance with this By-law;
  - (s) provisions for the maintenance of construction Site Erosion and Dust Control measures during construction and after, as required;
  - (t) typical notes on the final rehabilitation plan to indicate the final ground cover materials, type and size of Vegetation to be planted, depth of Topsoil, Tree removals or Tree protection measures;
  - (u) proposed Site access location(s) and haul route(s) to and within the Site;

- (v) a description of the quality and source of the proposed Fill with confirmation that the Fill meets the applicable Excess Soil Quality Standards for the Site;
    - (i) if Site-specific standards for Soil quality acceptance have been developed using the MECP's Excess Soil Beneficial Reuse Assessment Tool (BRAT), a copy of the BRAT model input and output and a signed statement by the Qualified Person preparing the BRAT model;
    - (ii) If Site-specific standards for Soil quality acceptance have been developed using a risk assessment pursuant to the requirements in the Rules for Soil Management and Excess Soil Quality Standards, a copy of the risk assessment and a signed statement by the Qualified Person that prepared the risk assessment model must be submitted;
  - (w) a Sampling and Analysis Plan for the source of the proposed Fill;
  - (x) a Quality Assurance/Quality Control Program;
  - (y) the scale of drawings, either 1:500 or 1:1000;
  - (z) operational procedures manual;
  - (aa) for Site to receive greater than 10,000m<sup>3</sup>, and where required by the provisions of Ontario Regulation 406/19, as amended, file a notice on the Excess Soil Registry operated by RPRA; and
  - (bb) all other information as deemed necessary or required by the Designated Official.
2. Where a permit from the County of Wellington or the Township is required to use any portion of the proposed haul route, the issuance of, and conformity with such permit(s) shall be deemed to be a condition of the issuance of the Permit under this By-law.
  3. It shall be the responsibility of the Owner to ensure that all Fill which is Placed or Dumped under this By-law shall conform with, and meet the requirements of this By-law and all conditions of the Permit. At any time during the term of the Permit, an Inspector or the Designated Official may require evidence of such conformity, including without limiting the generality of the foregoing a requirement that the Permit Holder provide evidence to the satisfaction of the Designated Official that each Truckload complies with the requirements of this By-law.
  4. Every control plan accompanying an Application for a Permit under this By-law must be stamped by a Qualified Person approved by the Designated Official.
  5. Notwithstanding any other provisions of this By-law, the Designated Official may waive the requirement for a Control Plan or any part thereof, after taking into consideration the proposed works, the anticipated impact on the Site and the surrounding environment.

**SCHEDULE "C"****DETERMINATION OF FEES AND FINANCIAL SECURITY**

<b>Type of Revenue/User</b>	<b>Unit/Descr</b>	<b>2023 Rate (No Tax)</b>	<b>Comments</b>
Site Alteration Exception Waiver*	N/A	N/A	Subject to recovery of all actual third party costs.
Site Alteration Normal Farm Practices Waiver*	N/A	N/A	Subject to recovery of all actual third party costs.  May be required to provide a Security Deposit at the discretion of the Designated Official.
Site Alteration Permit Application Fee – Minor*	Administrative Fee	\$1,000	Non-refundable and due at the application submission for the coordination and administration of an application.  Subject to recovery of all actual third party costs.
Site Alteration Permit Security Deposit – Minor**	Security Deposit	\$3,000	Due prior to permit issuance.
Site Alteration Permit Application – Standard*	Administrative Fee	\$2,000	Non-refundable and due at the application submission for the coordination and administration of an application.  Subject to recovery of all actual third party costs.
Site Alteration Permit Security Deposit – Standard**	Security Deposit	\$5,000	Due prior to permit issuance.
Site Alteration Permit Application – Large*	Administrative Fee	\$3,500	Non-refundable and due at the application submission for the coordination and administration of an application.  Subject to recovery of all actual third party costs.
Site Alteration Permit Security Deposit – Large**	Security Deposit	\$10,000	Due prior to permit issuance.
Site Alteration Permit Application – Major*	Administrative Fee	\$5,000	Non-refundable and due at the application submission for the coordination and administration of an application.  Subject to recovery of all actual third party costs.
Site Alteration Permit Security Deposit – Major**	Security Deposit	To be Determined by the Designated Official	Due prior to permit issuance.
Site Alteration Permit Service Fee	Per cubic metre	\$0.24 per cubic metre	Applicable for Minor, Standard, Large, and Major applications.
Violation Fees***	N/A	N/A	Double all application fees.
Inspector Attendance at a property as a result of a verified violation	Per site attendance	\$150	Per site attendance by the Inspector as a result of a verified violation
Permit Renewal Fee	N/A	N/A	50% of the original application fees.

\*The Applicant is responsible for actual third party costs incurred by the Township for processing the application.

\*\* Security Deposit funds are held by the Township and will be returned to the applicant upon fulfilment of all Permit Conditions. Securities may be drawn upon at the direction of the Designated Official, where necessary, to ensure compliance with the conditions of the permit. This includes any costs incurred by the Township related to enforcement of the permit conditions or the Site Alteration By-law. If the funds are drawn upon, the applicant is required to top of the funds to the amount determined in Schedule "B" or as determined by the Designated Official.

\*\*\* The Township may recover its costs of remedying a violation of this By-law by invoicing the Owner, by instituting court proceedings or by adding the cost, including interest, to the tax roll, and the exercise of any other available remedy.

DRAFT

# THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

## BY-LAW 2023-058

A by-law to regulate Road Activity.

**WHEREAS** Section 8(1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, (“the Act”) provides the powers of a municipality under any Act shall be interpreted broadly so as to confer broad authority on municipalities to ensure them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues;

**AND WHEREAS** Section 9 of the Act, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act;

**AND WHEREAS** Section 11(3) 1 of the Act, provides that a municipality may pass by-laws within the following sphere of jurisdiction: Highways, including parking and traffic on Highways;

**AND WHEREAS** Section 23.2 (1)(c) and 23.2(5)1 of the Act authorizes a municipality to delegate its powers and duties to an individual who is an officer, employee or agent of the municipality to close a Highway temporarily;

**AND WHEREAS** Section 127 of the Act provides that a municipality may require the owner or occupant of land to clean and clear the land, clear refuse or debris from the land, prohibit the depositing of refuse or debris on land without the consent of the owner or occupant of the land and to define “refuse”;

**AND WHEREAS** Section 128 of the Act provides that a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council, are or could become or cause public nuisances;

**AND WHEREAS** Section 444 of the Act, provides that a municipality may make an order to require a person to discontinue contravening a by-law and to do the work required to correct the contravention;

**AND WHEREAS** Section 446 of the Act, provides that a municipality may proceed to do things at a person’s expense which that person is otherwise required to do under a by-law, but has failed to do and the costs incurred by a municipality may be recovered by adding the costs to the tax roll and collecting them in the same manner as taxes;

**WHEREAS** Section 425 of the Act, permits a municipality to pass by-laws providing that any person who contravenes any by-law the municipality passed under the Act, is guilty of an offence; and

**WHEREAS** Section 426 (4) of the Act deems that any Person that hinders or obstructs, or attempts to hinder or obstruct, any Person who is exercising or performing a duty under this By-law created under the Act is guilty of an offence;

**NOW THEREFORE**, the Council of the Corporation of the Township of Puslinch HEREBY ENACTS AS FOLLOWS:

## **PART 1 – TITLE, INTERPRETATION AND SEVERABILITY**

1. This By-law may be referred to as the “**Road Activity By-law**”.
2. Wherever a word is used in this By-law with its first letter capitalized, the term is being used as it is defined in Part 2 of this By-law. Where any word appears in ordinary case, the commonly applied English language meaning is intended.
3. Wherever a word defined in Part 2 of this By-law is used in the form of a noun, verb, adverb, or adjective, it shall be interpreted as having a corresponding defined meaning even if it is in ordinary case.
4. All words importing the singular shall include the plural, and words imparting the masculine gender shall include the feminine, and the converse of the foregoing also applies, unless the context of the By-law requires otherwise.
5. Headings are for reference purposes and shall not affect in any way the meaning or interpretation of the provisions of this by-law.
6. This By-law applies to all Properties and Highways within the Township.
7. If a court of competent jurisdiction declares any provision or part of a provision of this By-law to be invalid or to be of no force and effect, it is the intention of Council in enacting this By-law that the remainder of this By-law shall continue in force and be applied and enforced in accordance with its terms to the fullest extent possible according to law.

## **PART 2 – DEFINITIONS**

8. For the purpose of this By-law:

“Applicable Law” means all federal, provincial and municipal by-laws, rules, regulations, orders, approvals, permits, standards and all other governmental requirements applicable to any activity on or occupancy of a Highway;

“Applicant” means the Owner of a Property and includes a Person authorized in writing to act on behalf of the Owner of a Property to apply for a Permit;

"Application" means a written submission to request or amend a Haul Route Permit, in a form prescribed by the Township;

"Boulevard" means that portion of every road allowance which is not used as a Sidewalk, driveway, traveled roadway or shoulder including any area where grass is growing or is seeded, or where an earth surface exists;

"By-law" means this by-law;

"Condition(s)" means the mandatory performance requirements outlined in a Permit or Order and may include the requirement for monetary deposits or Security(s) in connection with the Application;

"Director of Public Works" means the Director of the Township of Puslinch Public Works Department, or authorized representative;

"Fill" means any type of material that can be removed from (cut) or placed on (in-fill) land and may include, but is not limited to Soil, Excess Soil., Liquid Soil, Rock, Sod, Compost, Aggregate and Topsoil.

"Haul Route" means a route designated or approved by the Township for the purposes of ingress or egress to a Site Alteration as a condition of the Permit;

"Haul Route Permit" means a permit issued by the Township pursuant to the provisions of this By-law.

"Highway" " means a common and public highway and includes a street, bridge or other structure forming part of a highway over or across which a highway passes and includes the whole of a road allowance under the jurisdiction of the Township;

"Occupant" means the lessee, tenant, mortgagee in possession or any other Person who appears to have care and control of the Property;

"Officer" means a Person designated by the Township to enforce this By-law;

"Owner" means the registered Owner(s) of the Property;

"Performance Security" means a financial guarantee or assurance provided by an Applicant and/or Permit Holder to the Township.

"Person" includes individuals, firms, sole proprietorships, partnerships, associations, trusts, corporations, directors and officers of corporations, trustees, and agents, and the heirs, executors, assigns or other legal representatives of a person to whom the context can apply in law;

"Property" means lands including all buildings and structures on the land;

“Roadway” means that part of the Highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder or where a Highway includes two or more separate roadways, the term “Roadway” refers to any one roadway separately and not to all of the roadway collectively;

“Refuse” means waste, garbage, litter, rubbish, debris, material, refuse, and any other discarded or abandoned commodities of any kind whatsoever;

“Sidewalk” means that part of a Highway set aside by the Township for the use of pedestrians;

“Site Alteration” means any alteration to the existing grade of land through the removal (cut), placement (filling) or movement (relocation) of Fill;

“Snow Plow Driveway Marker” means a temporary, non-illuminated indicator or guide inserted with a vertical orientation into the ground on private Property or Township right of way that serves to mark the edge of a driveway for a licenced snow plow contractor;

“Township” means the Corporation of the Township of Puslinch or lands within the geographic limits of the Corporation of the Township of Puslinch, as the context requires;

“Vehicle” means a motor vehicle, trailer, traction engine, farm tractor, road building equipment, bicycle and any vehicle drawn, propelled or driven by any kind of power, including muscular power, but does not include a motorized snow vehicle or street car.

### **PART 3 – PROHIBITIONS**

9. Any Person that is subject to this By-law is guilty of an offence, if that person
  - a. Permits oils, chemicals or substances to be deposited or spilled on a Highway including such substances deposited as a result of car maintenance activities, car rust prevention measures and the spillage of rust protecting substances and the general spillage of substances from vehicles;
  - b. Throws, pushes, plows, dumps or otherwise deposits snow or ice on a Highway;
  - c. Deposits, drops, scatters, stores, spills or throws any Refuse, filth, earth, ashes, manure, leaves, or garbage except as permitted in any Township by-law and except as allowed in the most current County of Wellington Waste By-law, or any amendment or re-enactment thereof, paper, hand bill, advertisement, or any vegetable matter, stone, lime, sand, tin, wood, the carcass of any dead animal, fish or fowl, in or upon a Highway;
  - d. Encumbers or damages a Highway by animals, Vehicles or other means;

- e. Permits or allows any Refuse, paper, hand bill, advertisement or any container, whether made of plastic, cardboard or paper, to be blown from private Property onto a Highway;
- f. Obstructs a drain, gutter or water course along or upon a Highway;
- g. Walks upon, rides, drives, or loads an animal, or moves, drives, runs or propels a vehicle upon, over or across a newly constructed Sidewalk or pavement before it has been opened for use by the public;
- h. Throws, piles, stores or causes any Refuse, material to be thrown or piled upon a Highway, except for the purpose of having it immediately delivered upon adjacent premises, nor shall any Person saw or split any cordwood or firewood upon a Highway or being the Owner of cordwood, firewood or topsoil shall be deposited on any Highway, or permit it to remain thereon for a longer time than is necessary for its immediate removal to the premises adjacent thereto;
- i. Places or exposes, or causes any merchandise or articles of any kind, to be placed or exposed upon a Highway or outside of a building so that the same shall project over any part of the Highway;
- j. Moves, or cause to be moved, a Vehicle equipped with cleats, flanges, or tracks on its wheels, or rollers, or any of them, on or along the traveled portion of the Highway, except by means of a float, trailer, or other similar device, providing that a Vehicle is so equipped including a Vehicle for the digging and backfilling of trenched, may be moved directly across the traveled portion of the Highway, if a preventative mat has first been laid on the surface of the portion of the Highway to be crossed, provided however that this paragraph shall not be applied when a Vehicle is operating with the written permission of the Director of Public Works;
- k. Removes a barricade or notice or enters upon or uses a Highway temporarily closed under the provisions of this or any Township by-law;
- l. Removes or moves a barricade, sign or light placed around any construction on a Highway;
- m. Allows any part of a tree, shrub, sapling, hedge or any other plant to extend over or upon any Highway, so as to interfere, with, impede or endanger Persons using the Highway.
- n. Breaks, digs up, destroys or damages the sod or grass of a boulevard, or a fence, or railing erected and maintained for the protection of the boulevard;

- o. Erects a fence, constructs a wall or plants a hedge, in, over, or upon a Highway.
- p. Pulls down, destroys, or in any way interferes with, any municipal structure, including but not limited to, any post, surveyor's mark, bench mark, traffic sign, Highway name sign, sign board, regulatory sign, traffic signal, traffic cone, or any other traffic control device, affixed, or placed upon a Highway;
- q. Permits any flood light to directly or indirectly illuminate a Highway without the written approval of the Director of Public Works;
- r. Hauls earth, sand, stone, or other substances on a Highway, loads their Vehicle or drives the same as to permit or cause the contents thereof to fall, spill or be deposited on a Highway;
- s. Brings a Vehicle or permits it to be brought upon a Highway with mud, clay, lime and similar material, or any fertilizer or manure attached to the wheels, which is likely if not removed, to cause an obstruction or dangerous condition or nuisance on a Highway or cause damage to the surface of the Highway;
- t. While hauling earth, sand, stone, or other substance, loads or drives their Vehicle so as to permit damage to a Highway;
- u. Fails to obtain a Haul Route Permit;
- v. While undertaking Highway activity associated with a Haul Route Permit, performs work outside of hours of 8:30am to 5:00pm Monday-Friday, or performs work on a weekend or statutory holiday;
- w. Fails to maintain an approved Haul Route in a good state of repair in accordance with the Haul Route Permit.

## **PART 4 – HAUL ROUTE**

### **Permit Required**

- 10. No Person shall undertake, or permit to be undertaken, the movement of Fill in connection with any activity regulated by the most current Site Alteration By-law using any Township Highway, without a Haul Route Permit.
- 11. All Highway activity associated with the approved Haul Route Permit shall comply with the Highway Traffic Act, and its regulations.

### **Application — Minimum Requirements**

12. Every Application shall be completed and submitted on forms prescribed by the Township;
13. Every Application shall include:
  - a. A map showing the proposed Haul Route indicating any barricades or signs; and
  - b. A copy of the most current Site Alteration Application; and
  - c. The date(s) and time(s) that the Haul Route will be utilized; and
  - d. The prescribed fee as listed in the Township User Fees and Charges By-law, described in Section 14;
  - e. A Security Deposit described in Section 15;
  - f. Proof of Insurance described in Section 16;
  - g. Any other information or documentation that the Township deems necessary;

### **Fees**

14. The Applicant shall:
  - a. Pay a Permit Application Fee in accordance with Schedule "B" to this By-law; and
  - b. Where road activities occur in the absence of Township approval, violation fees shall be charged amounting in double all application fees.

### **Security Deposit**

15. The Applicant shall provide the Township with securities in the amount to be determined by the Director of Public Works, in the form of cash or an irrevocable Letter of Credit on terms satisfactory to the Township ('Performance Security'). If the Performance Security is less than the amount determined by the Director of Public Works, at any point in time during the Haul Route Permit period, the Permit Holder shall be required to replenish forthwith.

### **Proof of Insurance and Indemnification**

16. The Applicant shall maintain liability insurance in the minimum amount of \$5,000,000, naming the Township as an additional insured. Such policy shall include a cross-liability provision and 30 days' written notice to the Township prior to cancellation.
17. The Applicant shall indemnify the Township against any claims/action arising out the Highway activity (collisions, vehicle damage or accidents as a result of uncleared debris, lack of maintenance/repair, etc.)

### **Conditions of Haul Route Permit**

18. In addition to any other Conditions that the Director of Public Works may deem appropriate, all Highway activity associated with the Haul Rout Permit shall be subject to the following conditions:

- a. The Permit Holder shall comply with all Applicable Laws.
- b. Highway activity associated with a Haul Route Permit shall only occur during the hours of 8:30am to 5:00pm Monday-Friday excluding weekends and statutory holidays.
- c. The approved Haul Route shall at all times be maintained by the Permit Holder in a dust/silt/mud/rock free condition, to the satisfaction of the Director of Public Works.
- d. The Permit Holder shall ensure that a street-sweeper or equivalent is utilized on a daily basis to clean the Haul Route of any tracked debris and shall regularly monitor for any larger foreign objects.
- e. The Permit Holder shall be required to maintain the Haul Route in a good state of repair, free from ruts/potholes, etc., to the satisfaction of the Director of Public Works,
- f. The Permit Holder shall be responsible for the cost associated to undertake such repairs/maintenance as the Director of Public Works may direct, within such time frame as the Township may specify, acting reasonably.
- g. The Applicant shall provide the Township with a 24/7 accessible phone number where Township staff can directly reach the Applicant to address any Highway activity concerns.

## **PART 5 – EXEMPTIONS**

19. The Director of Public Works may grant an exemption to any Person from any provision of this By-law and impose conditions for such exemption as may be considered reasonable and necessary provided such exemption does not interfere with the general integrity of this By-law.
20. Site Alteration activities exempt from permits and/or legal agreements in accordance with the Site Alteration By-law, may be exempt from the requirement for a Haul Route Permit at the discretion of the Director of Public Works.
21. The provisions of subsection 19 shall not apply to an employee or an agent of the Township who is engaged in moving snow or ice. An exemption is not required by a Person undertaking any works on behalf of the Township or for closures ordered by the Director of Public Works.
22. The provisions of subsection 19 shall not apply to any Person putting sand or salt on the icy portions of a Highway to reduce the danger of pedestrians falling or to enable a Vehicle to use a Roadway.

23. The provisions of subsection 19 shall not apply to the placement of a snow plow driveway marker.

## **PART 6 – ADMINISTRATION AND AUTHORITY**

24. The cleaning and repair of all Highways shall be performed under the direction of the Director of Public Works.
25. The Director of Public Works may temporarily close to traffic any Highway by reason of any work or improvement being carried out thereon or by reason of the condition thereof and the Director of Public Works may cause to be erected or kept thereon, any barricade or notice warning the public that the Highway is closed to traffic and no Person shall enter upon or use a Highway so temporarily closed.
26. The Director of Public Works shall be responsible for the administration of PART 4 – Haul Route.
27. The Director of Public Works is authorized and has delegated authority to receive, consider and approve any Application for a Haul Route, including any Conditions, and exempt/waive, issue, extend, renew, amend, a Haul Route Permit.
28. The Director of Public Works is authorized and has delegated authority to revoke a Haul Route Permit at any time without prior notice to the Permit Holder if:
  - a. It was issued in error or as a result of false, mistaken, incorrect or misleading information in the Application;
  - b. There are reasonable grounds to believe that the continuation of the Highway activity poses an unacceptable risk to the health and safety of any Person or damage to property; or
  - c. The Permit Holder is not in compliance with any Haul Route Permit Condition.

## **PART 7 – RECOVERY OF COSTS**

29. Where an Order is not complied with, the Director of Public Works will do the work or arrange for the work to be done
30. The Township may recover all costs associated with doing the work, including administrative fees, by action or it may collect them in a like manner as municipal taxes.

31. Failure to pay any invoice associated with Haul Route repair or housekeeping maintenance within 30 days, the costs may be drawn from Securities held by the Township and/or collected in a like manner as municipal taxes.
32. The Township has priority lien status in accordance with section 1(3) of the Act on the Property for the amount spent to do the work (and administrative fees).

#### **PART 8 - ORDERS**

33. If an Officer determines that a Property or Person or Permit Holder is not in compliance with any of the standards or requirements of this By-law, the Officer may issue an order requiring a Person or Permit Holder to comply with standards or requirements of this By-law and to discontinue an activity or action prohibited by this By-law.
34. Every Person who fails to comply with an order made under Section 32 is guilty of an offence.

#### **PART 9 – SERVICE OF DOCUMENTS**

35. Service of any document, including an order, under this By-law shall be given in writing by registered mail and will be deemed served on the 5<sup>th</sup> day after a copy is mailed to the Permit Holder or Person's last known address.
36. In addition, service of any document may be given in any of the following ways and is effective:
  - a. When a copy is delivered to the Permit Holder or Person to whom it is addressed;
  - b. By email to the last known email address of the Permit Holder or Person to whom service is required to be made.
37. Where service is unable to be done under subsections 35 (a) or (b), notice may be given by placing a placard containing the terms of the document or order in a conspicuous place on the Property to which the document or order relates and shall be deemed to be sufficient service on the Permit Holder or Person..

#### **PART 10 - Enforcement and Penalty Provisions**

38. The enforcement of this By-law shall be conducted by an Officer.

39. (1) Every Person who contravenes any provision of this By-law and every director or officer of a corporation who concurs in such contravention by the corporation, is guilty of an offence and is liable to a fine, and such other penalties, as provided for in the Provincial Offences Act, R.S.O. 1990, c.P.33, as it may be amended from time to time.
- (2) In addition to subsection 38(1), any Person who is charged with an offence under this by-law in accordance with Part III of the Provincial Offences Act and is found guilty of the offence, is liable, in addition to any other penalties:
- a. On a first offence, to a fine not less than \$500.00 and not more than \$50,000.00; and
  - b. On a second offence and each subsequent offence, to a fine not less than \$1000.00 and not more than \$100,000.00.
40. No Person shall hinder or obstruct, or attempt to hinder or obstruct, any Officer exercising a power or performing a duty under this By-law.
41. Every Person who is alleged to have contravened any of the provisions of this By-law shall identify themselves to an Officer upon request, failure to do so shall be deemed to have hindered or obstructed an Officer in the execution of his or her duties.
42. Upon conviction, any penalty imposed under this By-law may be collected under the authority of the Provincial Offences Act, R.S.O. 1990, c.P.33, as amended.
43. If a Person is convicted of an offence under this By-law, the court in which the conviction has been entered and any court of competent jurisdiction may, in addition to any other remedy and to any penalty imposed, make an order prohibiting the continuation or repetition of the offence by the Person convicted.

## **PART 11 - SCHEDULES**

44. Schedule "A" (Short Form Wording and Set Fines) attached hereto do not form part of this By-law.

## **PART 12 – EFFECTIVE DATE**

45. This by-law shall come into effect on ENTER DATE.

READ a FIRST time this 20 day of DECEMBER, 2023

READ a SECOND time this 10 day of JANUARY, 2023

READ a THIRD time and FINALLY PASSED this 7 day of FEBRUARY, 2024.

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James Seeley, Mayor

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Courtenay Hoytfox, Clerk

DRAFT

**SCHEDULE "A" TO BY-LAW xx  
TOWNSHIP OF PUSLINCH  
PART 1 PROVINCIAL OFFENCES ACT – BY-LAW xx: ROAD ACTIVITY BY-LAW  
Being a by-law to regulate Road Activity**

<b>ITEM</b>	<b>COLUMN 1 Short Form Wording</b>	<b>COLUMN 2 Provisions Creating or Defining Offence</b>	<b>COLUMN 3 Set Fine</b>
<b>PROHIBITIONS</b>			
1	Permits oils, chemicals or substances to be deposited or spilled on a Highway	9.a.	\$300.00
2	Deposits snow or ice on a Highway	9.b.	\$300.00
3	Deposits Refuse on a Highway	9.c.	\$300.00
4	Encumbers or damages a Highway	9.d.	\$500.00
5	Permits or allows refuse to be blown from private property onto a Highway	9.e.	\$300.00
6	Obstructs a drain, gutter or water course along or upon a Highway	9.f.	\$300.00
7	Walks upon, rides, drives, loads, runs or propels any animal or vehicle on a newly constructed Sidewalk or pavement before it is open for use by the public.	9.g.	\$200.00
8	Cause any Refuse material to be thrown or piled on a Highway, saw or split firewood upon a Highway, or permit it to remain longer than necessary.	9.h.	\$300.00
9	Place any merchandise or article upon a Highway or outside a building so that the same projects over any part of the Highway	9.i.	\$300.00
10	Move a Vehicle with cleats, flanges, tracks or rollers along the traveled portion of the Highway	9.j.	\$500.00
11	Remove a barricade or notice, or enter upon a Highway that is temporarily closed	9.k.	\$500.00
12	Remove a barricade, sign or light placed around any excavation on a Highway	9.l.	\$500.00
13	Allow a trees, shrub, sapling, hedge or any other plant to extend	9.m.	\$300.00

	over or upon a Highway		
14	Breaks, digs up, destroy or damage the sod or grass of a boulevard, fence or railing erected to protect the boulevard	9.n.	\$300.00
15	Erect a fence or wall or plant a hedge upon a Highway	9.o.	\$300.00
16	Interfere with any municipal structure affixed or placed upon a Highway	9.p.	\$500.00
17	Permit any flood light to illuminate the Highway	9.q.	\$200.00
18	Haul earth, sand, stone, or other substance upon a Highway, load a vehicle or drive a vehicle as to permit the contents to fall or spill on the Highway	9.r.	\$500.00
19	Bring a Vehicle upon a Highway with mud, clay, lime, fertilizer, manure attached to the wheels on a Highway	9.s.	\$500.00
20	While hauling earth, sand, stone or other substance, loads or drives so as to damage a Highway	9.t.	\$500.00
21	Owner fails to obtain a Haul Route Permit	9.u.	\$700.00
22	Applicant/Permit Holder fails to maintain a Haul Route in a good state of repair	9.v.	\$700.00
23	Applicant/Permit Holder performs activity associated with a Haul Route Permit outside of the hours of 8:30am-5:00pm, Monday-Friday, or on a statutory holiday	9.w.	\$700.00
<b>ORDERS</b>			
24	Failure to comply with an order issued under Section 32	33.	\$700.00
<b>ENFORCEMENT AND PENALTY PROVISIONS</b>			
25	Hinder or obstruct, or attempt to hinder or obstruct an Officer	93.	\$900.00

**NOTE:**

The general penalty provision for the offences indicated above is Section 38 of By-law XX, a certified copy of which has been filed.

# THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

## BY-LAW NUMBER 2024-001

A by-law to provide for an interim tax levy for 2024 and the collection thereof

**WHEREAS** pursuant to Section 317 of the Municipal Act, S.O. 2001, c. 25, as amended, the Council of a local municipality, before the adoption of estimates for the year, may pass a by-law levying amounts on the assessment of property in the local municipality rateable for local municipality purposes; and

**WHEREAS** the County of Wellington has not adopted estimates of all sums required by the County of Wellington for the 2024 year, and the 2024 tax rates for school purposes for all property classes have not been finalized; and

**WHEREAS** Section 317 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended provides for an interim levy on the assessment of real property in the municipality rateable for local municipality purposes, of a sum not exceeding fifty (50) percent of the total amount of taxes for municipal and school purposes levied on a property for the previous year; and

**WHEREAS** Section 317 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, provides for the adjustment in the calculation of the taxes for the previous year for the purposes of calculating an interim levy; and

**WHEREAS** Section 317 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended provides for an interim levy on the assessment for real property added to the tax roll for the current year that was not on the assessment roll in the previous year; and

**WHEREAS** The Council of the Corporation of the Township of Puslinch deems it appropriate to provide for such interim levy on the assessment of property in this municipality; and

**WHEREAS** pursuant to Section 342 of the Municipal Act, S.O. 2001, c. 25, as amended, Council is authorized to pass by-laws providing for the payment of taxes by installments and the date or dates in the year for which the taxes are imposed on which the taxes or installments are due; and

**WHEREAS** pursuant to Section 345 of the Municipal Act, S.O. 2001, c. 25, as amended, a local municipality is authorized to pass by-laws to impose late payment charges for the non-payment of taxes or any installment by the due date.

**NOW THEREFORE** the Council of the Corporation of the Township of Puslinch enacts as follows:

1. That an amount shall be levied on the assessment as per the 2023 final assessment roll for 2024 taxation purposes equal to 50% of the total amount of taxes for municipal and school purposes levied for the previous year.
2. For the purposes of calculating the amount of total taxes for the year 2023 under Section 1 of this by-law, if any taxes for municipal and school purposes were levied on a property for only part of 2023 because assessment was added to the tax roll during 2023, an amount shall be calculated as equal to the 2023 taxes that would have been levied on the property if taxes for municipal and school purposes had been levied for the entire year.
3. All taxes levied under this by-law shall be payable into the hands of the Treasurer in accordance with the provisions of this by-law.
4.
  - (1) The Treasurer shall add a percentage as a penalty for default of payment of the installments in accordance with By-law No. 001/14, as amended;
  - (2) The Treasurer shall also add a percentage charge as interest for default of payment of the installments in accordance with By-law No. 001/14, as amended.

5. The levies imposed under Section 1 of this by-law shall be due and payable in two installments as follows:
  - (1) The 29<sup>th</sup> day of February, 2024; and
  - (2) The 30<sup>th</sup> day of April, 2024
6. The Treasurer is hereby authorized to mail every tax notice or cause the same to be mailed to the address of the residence or place of business of each person taxed unless directed otherwise by the taxpayer or agent of the taxpayer, as provided by the Municipal Act, 2001, as amended.
7. The subsequent levy for the year 2024 made under the Municipal Act, 2001, as amended, shall be reduced by the amount raised by the interim levy imposed pursuant to this by-law.
8. The Treasurer is hereby authorized to accept part payment from time to time on account of any taxes due and to give a receipt for such a part payment, provided that acceptance of any such part payment does not affect the collection of any percentage charge imposed and collectable under the provision of By-law No. 001/14, as amended, in respect of non-payment of any taxes or any class of taxes or of any installment thereof.
9. There may be added to the tax roll all or any arrears of charges, fees, costs or other expenses as may be permitted by Provincial legislation and such arrears of charges, fees, costs or other expenses shall be deemed to be taxes, collected as taxes, or collected in the same manner as municipal taxes, or dealt with in such fashion as may be specifically authorized by applicable statute.
10. Where current realty taxes being levied are paid pursuant to the Township's pre-authorized tax payment plan, such taxes shall be payable in accordance with the pre-authorized tax payment plan and shall, under the terms of that payment plan, be exempt from any penalty incurred pursuant to Section 4 of this by-law, provided that payment is being made pursuant to the terms of the payment plan.
11. Nothing in this by-law shall prevent the Treasurer from proceeding at any time with the collection of any tax, or any part thereof, in accordance with the provisions of the applicable statutes and bylaws governing the collection of taxes.
12. If any section or portion of this by-law is found by a court of competent jurisdiction to be invalid, it is the intent of Council for the Township that all remaining sections and portions of this by-law continue in force and effect.

**READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 10<sup>th</sup> DAY OF JANUARY 2024.**

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James Seeley, Mayor

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Courtenay Hoytfox, Municipal Clerk

**THE CORPORATION OF THE TOWNSHIP OF PUSLINCH**

**BY-LAW NUMBER 002-2024**

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 JANUARY 10, 2024.

**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 JANUARY 10, 2024 be confirmed and adopted by By-law;

**NOW THEREFORE** the Council of the Corporation of the Township of Puslinch hereby enacts as follows:

- 1) 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.
- 3) 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 10 DAY OF JANUARY, 2024.**

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James Seeley, Mayor

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Courtenay Hoytfox, Municipal Clerk