



February 8, 2023 Regular Council Meeting

February 8, 2023

**Addition to the Agenda Questions received from Council seeking additional information and the corresponding responses provided by staff regarding the February 8, 2023 Council agenda items.**

Responses Appreciated Prior to Meeting

6.12 – Boreham Park Letter

- Can staff confirm that the playground upgrade and picnic pavilion will meet all requirements in terms of accessibility?

*Yes, this was confirmed by the architect who prepared and signed the design drawings. This was confirmed previously when the same question was posed.*

- This letter suggests that the entirety of the park is required to be AODA compliant including open green space. Is this something staff can advise on or would it be more appropriate to ask for a report to come back at a future date?

*When this question was posed previously, staff did review this with the Township's landscape architect as well as the County who has AODA responsibilities. No it is not required. There are many parks across the country where the entirety of the park is not accessible. The requirements pertain to certain aspects /equipment / facilities (if present) but do not apply as mandatory to the entire park.*

- The playground/picnic pavilion project has been approved by council and grant funding has been secured. If council wanted to look at installing buried pipe throughout the parks in the future, would this be able to take place without affecting the newly constructed playground/pavilion.

*Absolutely. This could be done at any time should council decide to proceed with the undertaking and allocate the necessary funds. The playground/pavilion being installed in no way precludes this whatsoever.*



6.13 ERO Posting 0196196 Proposed Changes to the Heritage Act and its regulation Bill 23  
Decision Transition

ONTARIO REGULATION 9/06 CRITERIA FOR DETERMINING CULTURAL HERITAGE VALUE OR INTEREST states “ 2. This Regulation does not apply in respect of a property if notice of intention to designate it was given under [subsection 29 \(1.1\)](#) of the [Act](#) on or before January 24, 2006. O. Reg. 9/06, s. 2.”;

does this clause help us reduce the number of properties we have to designate?

*Staff are not aware of Township Council issuing any intentions to designate properties in the past, (aside from 82 Queen Street) and so the Township would not benefit from this provision.*

9.2.2 Report FIN-2023-004 - Balances in Discretionary and Restricted Reserves

-p.5 of report re “The withdrawals entered are based on the Capital Budget and Forecast. A municipality is permitted to have a negative balance in a DC restricted reserve only if the municipality is able to obtain sufficient DC’s in the future to repay the negative balance.”; how do we determine we have sufficient DC’s in the future to eventually have a positive balance for Admin. studies ?

*This will be reviewed in detail in 2023 with the County-wide municipalities and the Township’s Development Charges consultant. Bill 23 may impact the Administration Studies DC.*

-re Schedule E - Discretionary Reserves - Projected Balances from 2023 to 2032;

what is the \$103.9k operating withdrawal in 2023 for Bldg. Reserve?

*It is the projected utilization of the Building Surplus reserve based on the 2023 proposed operating budget (ie. budgeted revenues of \$539K and budgeted expenditures of \$643K).*

*Expenditures in the Building Department include the following:*

*direct costs of the administration and enforcement of the Building Code Act including the review of applications for permits and inspection of buildings.*

*Indirect costs of administration and enforcement of the Building Code Act, including support and overhead costs.*



*The only impact to the Township's property tax revenues related to building permit activity is the recovery from the Building Department for indirect costs such as human resources, finance/accounting, customer service, information technology, facility space, etc..*

*Based on the current actuals in the system for 2022, it appears that the building department will have a 2022 surplus which will be allocated to the building surplus reserve as part of our year-end audit procedures. Finance staff will be reporting on the 2022 Annual Building Permit report at an upcoming Council Meeting as part of our annual legislative reporting requirements.*

what is the \$10k operating withdrawal in 2023 for Corp. Insur. Conting.?

*It is the projected deductibles to be paid in 2023 which will be funded by this discretionary reserve. There is also an expenditure in the administration department insurance account of \$10K should there be a requirement to pay deductibles in 2023. The net tax levy impact is \$0.*

what is the \$10k operating withdrawal in 2023 for Asset Management?

*It is the projected maintenance expenditures to be paid in 2023 related to any potential Railway Maintenance (\$5K) or Sidewalk Repairs (5K) which will be funded by this discretionary reserve. There is also an expenditure in the Public Works department in the Railway Maintenance (\$5K) and Sidewalk Repairs (5K) accounts should there be a requirement to pay for such maintenance activities in 2023. The net tax levy impact is \$0.*

#### 9.2.4 2023 Budget Report

Questions from the Engage Puslinch platform from residents:

1. What is the Puslinch Township share of the Wellington County contribution to Long term Care Home? What proportion of LTC beds in the County are at that Home? Do any former Puslinch Residents reside there?
2. Request for more free skate/shinny available to residents in the evenings, more open gym times on weeknights and PD days.



3. Environmental protection – what is the follow up on having an environmental sustainability impact statement on reports?
4. Suggestion to have recreational programming.

Because these questions were asked by anonymous users, what is a recommended way to respond to these questions or suggestions to where the responses should be posted?

*Given that LTC is a service under the responsibility of the county, these questions might be better posed to the County. Given confidentiality requirements the County may not be able to disclose where current residents resided previously. It is noted that the residential population in LTC often changes so if a response is available, it may only represent a specific point in time.*

*The remaining questions point to service level changes and potential budget implications so should council wish to address these questions it would be best to do during the service level discussions in the upcoming 2024 budget process. Once we have that determination from Council staff could look at options for providing responses to budget questions received. Perhaps responses could be provided on a Budget FAQ section on the Township's website.*

#### 9.2.5 Shop Local Gift Card program

I would like to continue to show support to our local businesses in some way. Is this something the WC Economic Development can help facilitate with our local businesses? When are they coming to council?

*Yes, this is something that WC Ec Dev may possibly be able to help with. Staff are still in the process of working on getting visits to Puslinch Council scheduled. Staff are also working with our partner member municipalities to see what successful alternatives they have implemented or options which may be available. Staff hope to have a report to Council within the next 1-2 months on this issue.*

#### 9.3.2 Badger zoning amendment update

Given the concerns outlined in the report by XCG regarding environmental impacts, what can we (the municipality) put in place now to protect the neighbours from soil and ground water contamination while this permit application process is happening? What options do we have?

*Staff would need to consult XCG, and potentially other Township's consultants, on what interim measures could be put in place. Staff are planning to have a Planning*



*recommendation Report presented to Council in March for Council to consider and make a final decision on the zoning amendment.*

### 9.3.3 Report ADM-2023-007 - Fox Run Phase 2 Condominium Plan Revision

-p. 278 who will be the peer reviewers?

*Staff would request that the Township engineer (GM BluePlan), Township hydrogeologist (Harden Environmental), and the Township ecologist be circulated for review in addition to Township staff.*

### 9.3.3 Fox Run Phase 2

Does this revision to the condominium plan impact the agreement with the Township in any way?

*Yes. The existing condo agreement would need to be amended. The extent of the amendments are outlined in more detail within the staff report and would require consultation with Township consultants.*

### 9.4.1 Report PD-2023-001 – Wellington Motor Freight Zoning By-law Amendment Application – Request to deem application complete

-p.322

re” It should be noted that the County planners have advised that a Noise Study was not requested in the preconsultation comments and therefore, wasn’t submitted as part of the required documents for the zoning amendment, however they further note that application can still be deemed complete and recommend that the Noise Study be completed prior to zoning approval.”;

does Council need to request the noise study or will this be done by staff?

*This can be requested by staff.*

-p.329

re”It has been noted that an MECP ECA will be required for the wastewater treatment system as the estimated wastewater flows will exceed 10000 L/day. The Township and MECP will need to review and approve the detailed design of the wastewater treatment system when available.”;

what amount of effluent and/or criteria would identify a development as a non-dry industry?

-p.333



*The threshold for a dry-industrial use is the requirement for a permit to take water (PTTW). This is 50,000 L/day of water taking or 10,000 L/day of effluent. For further clarity, the definition of dry industrial use from the Township's Zoning by-law is below:*

*Industrial Use, Dry: any premises used for manufacturing, processing, fabrication and assembly of raw materials or repair, servicing, distribution and storage of materials, where:*

- a. No significant water requirements are necessary as part of the assembly, manufacture, fabrication, repair, packaging and storage activities; and;*
- b. No significant sewage disposal requirements are necessary as part of the assembly, manufacture, fabrication, repair, packaging and storage activities; and,*
- c. For the purpose of this definition, significant water requirements are defined as water use requiring a Permit to Take Water and/or greater than 50,000 litres of water per day.*
- d. For the purpose of this definition, significant sewage disposal requirements are defined as sewage disposal systems that exceed 10,000 litres per day of discharge.*

re "There is no indication whether the Terms of Reference for the Scoped EIS were reviewed or approved by any reviewing agencies." and "The EIS concludes that there will be no negative impacts on natural features onsite or adjacent lands, however this conclusion is likely premature; adequate field studies have not been carried out to support the EIS."; can the application be deemed complete with these deficiencies and those noted in Table 1 of the D&A report?

*Field studies will need to be carried out in the summer months in order for impacts on flora, fauna etc. to be evaluated. This field work would be required as part of the site plan control process. Council does have the ability to deem the application incomplete until the summer months in order for the filed work to be completed. It is important to note that Council's decision would be subject to appeal at the OLT. Staff are confident that these studies can be adequately prepared and reviewed during the site plan control process and have the ability to deem the site plan application incomplete until this requirement is satisfied.*

Can you direct me to a concept plan? (Can concept plans be regularly included in our packages?)



*Staff will include this information with future reports. The information has been made available to Council within their share folder. This information is also available to the public upon request.*

Report indicates “prior to any development, site plan approval would be required detailing a specific design of the site.

- Bill 23 has made changes to the planning act to remove site plan control for projects with fewer than 10 residential units. Is there any elimination of site plan control for industrial or commercial development?

*Staff are not aware of any elimination of the requirement for site plan control for industrial/commercial properties. The Township’s recent mandatory pre-consultation by-law now makes it a requirement for properties subject to the Township’s site plan control by-law to consult with the municipality prior to submitting a formal application.*

- Bill 23 also made amendments to limit ability to dictate exterior design, scale and appearance. Does those limitations apply to this development or is that amendment strictly for residential.

*The Township has reviewed this amendment with County planning staff. The Township will continue to require design standards within site plan agreements as these requirements are set out in the Township’s Zoning By-law (Industrial Design Zone Overlay and with the Landscaping provisions) and within the Township’s Design Guidelines.*

- Is it appropriate to request a draft site plan be provided for the public at the statutory public meeting so that public can visualize what is being proposed and provide more informed comments?

*This information has been submitted with the application and is available to the public upon request. Staff can request the applicant to include this information in their presentation material at the public meeting. This information has also been added to Council’s share folder.*

## 10.2 CBM Aggregates - Roszell Pit (625189) - 2022 Ecological and Aquatic Monitoring Report Peer Review



-both our and pit owner's consultant make reference to the dam still being in place and causing silting; has the GRCA indicated that they will take any action?

*Staff are unaware of any action taken by the GRCA but can follow up and report back at a future meeting.*

12.1.3 BL2023-011 – Being a By-law to appoint Fence Viewers for the Corporation of the Township of Puslinch

-how many fence viewers will we now have?

*Three primary fence viewers and 4 back up fence viewers.*