THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

- A G E N D A -

Monday May 27, 2019

REGULAR MEETING OF COUNCIL
7:00 p.m., Council Chambers, Fingal

1. CALL TO ORDER

2. ADDENDUM TO AGENDA

3. DISCLOSURE OF PECUNIARY INTEREST

4. ADOPTION OF MINUTES
   (a) Minutes of Regular Council Meeting of May 13th, 2019
   (b) Minutes of the Talbotville Neighbourhood Committee Meeting of April 9th, 2019
   (c) Minutes of the Communities in Bloom Committee meeting of May 8th, 2019

5. DELEGATION

6. DRAINAGE

7. PLANNING
   (a) 7:15 p.m. – Public Meeting ZBA 2019-05, Zoning Housekeeping By-Law Amendment
   (b) 7:30 p.m. – Public Meeting - ZBA 2019-06 L. Webber, 5293 Grand Canyon Road
   (c) Application for Consent E38/19 – Georlin Corp. 38975 Talbot Line
   (d) Application for Consent E39/19 – G and L DeBoer 38965 Talbot Line

8. REPORTS
   (a) Report from the Fire Chief RE: SCBA Upgrades
   (b) Report from the CAO/Clerk RE: Waiving of Facilities Fees
   (c) Report from the CAO/Clerk RE: Request for Sidewalk Extension North of Shedden
   (d) Report from the CAO/Clerk RE: Summary of Bill 108
   (e) Report from the CAO/Clerk RE: Talbotville Gore Road Waste Water Connection Policy Public Meeting and Public Consultation
   (f) Report from the CAO/Clerk RE: Updated By-law for the Elgin Area Water Supply System
   (g) Report from the Mayor RE: County Council Highlights May 21, 2019 Meeting

9. CORRESPONDENCE

Council Agenda – May 27, 2019
(a) Correspondence from I. Chard, Southwold by Tractor RE: Waiving of Fees.

10. **BY-LAWS**

(a) By-law No. 2019-33, being a by-law to establish a levy for the year 2019, to adopt tax rates for 2019 and to provide for penalty and interest in default of payment and the collection thereof.

(b) By-law No. 2019-34, being a by-law to amend By-law No. 2011-14, Zoning Housekeeping By-law

(c) By-law No. 2019-35, being a by-law to amend By-law No. 2011-14, Webber, 5296 Grand Canyon Road

(d) By-law No. 2019-36, being a by-law to confirm the resolutions and motions of the Council of the Township of Southwold, which were adopted on May 27, 2019.

11. **OTHER BUSINESS** *(For Information Only)*

(a) Minutes of the Ska-Nah-Doht Advisory Committee Meeting of April 11, 2019

12. **CLOSED SESSION**

(a) Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board (section 239 (2)(e))

(b) Personal matters about an identifiable individual(s) including municipal employees or local board employees (section 239 (2) (b)) – Administrative Time

13. **ADJOURNMENT:**

**NEXT REGULAR MEETING OF COUNCIL**

**MONDAY JUNE 10, 2019 @ 7:00 P.M.**

Council Chambers, Fingal
Regular Council Meeting
Monday May 13th, 2019
7:00 p.m. Council Chambers, Fingal

PRESENT: Mayor: G. Jones
Deputy Mayor: R. Monteith
Councillors: S. Emons
P. North
J. Pennings

ALSO PRESENT: Lisa Higgs, CAO/Clerk
Paul Van Vaerenbergh, Public Works Superintendent (7:00 p.m.– 8:12 p.m.)
Brent Clutterbuck, Drainage Superintendent (7:00 p.m.– 7:25 p.m.)
Jeff McArthur, Fire Chief (7:00 p.m.– 8:12 p.m.)
Heather James, Planner (7:00 p.m. – 7:18 p.m.)
June McLarty, Administrative Assistant (7:00 p.m.– 9:00 p.m.)

ADDENDUM TO THE AGENDA:

8. REPORTS:
   (k) Report from the Fire Chief RE: Talbotville Fire Station Advisory Committee
   (l) Report from the CAO/Clerk RE: Extension of Waste Collection Services

DISCLOSURES:
There were no declarations

ADOPTION OF MINUTES:

2019-206 Councillor North – Councillor Emons Approval of Minutes

THAT the Minutes of the Regular Council Meeting of April 23rd, 2019 and the
Minutes of the Special Council Meeting of April 24th, 2019 are hereby adopted.
CARRIED

2019-207 Deputy Mayor Monteith – Councillor Emons Southwold Young at
Heart Committee

THAT the minutes of the Southwold Young at Heart Committee Meeting of April 2nd,
2019 are hereby adopted.
CARRIED
DRAINAGE:

2019-208 Deputy Mayor Monteith – Councillor Pennings Wallis Drain – Appointment of Engineer

THAT Council of the Township of Southwold appoint Spriet Associates to prepare the necessary reports to incorporate the alterations of the Wallis Drain within the new development and provide updates to the assessment schedule for future maintenance.

CARRIED

PLANNING:

Consent Application E 34/19 – Cline/Lackey – 36328 Third Line and 11849 Magdala Road

Planner Heather James presented her report to Council.

2019-209 Councillor North – Councillor Emons E34/19 Cline/Lackey

THAT the Council of the Township of Southwold recommend approval to the County of Elgin Land Division Committee of the proposed severance application file E 34/19 subject to the following conditions:

i) That the proposed severed and retained parcels be rezoned;

ii) That a septic system assessment be conducted on the severed and retained parcels to ensure that the lands are suitable for a privately owned and operated septic system;

iii) That the connection to the private water well for the severed parcel, located on the retained parcel be removed to the satisfaction of the Chief Building Official;

iv) That the municipal water connection fee be paid and the house on the severed parcel be connected to the municipal water service;

v) That a mutual drain agreement be provided;

vi) That all financial obligations to the Township of Southwold be paid in full;

vii) That an electronic copy (Adobe PDF) of the registered survey has been provided to the Township; and,

viii) That the solicitor provides an undertaking that a copy of the registered deed for the severed parcel once the transaction has occurred will be provided to the Township.

CARRIED
THAT Council of the Township of Southwold now sits as a public meeting under the Planning Act to consider an application to amend the zoning on a property owned by Dave and Janice Dubyk.

CARRIED

Heather presented her report to Council. No questions were asked from the public or Council.

THAT Council of the Township of Southwold approve the proposed Zoning By-law Amendment ZBA 2019-04 in accordance with the site-specific By-law attached.

CARRIED

THAT the public meeting to consider an application to amend the zoning on a property owned by Dave and Janice Dubyk ends at 7:18 p.m.

CARRIED

REPORTS:

Activity Report - Drainage Superintendent
Drainage Superintendent Brent Clutterbuck also reported that due to the wet weather some of the drainage work has been contracted out as they have different equipment that can handle these conditions.

Activity Report - Fire Chief
Fire Chief Jeff McArthur noted also that live fire training was conducted on the weekend.

Talbotville Station Technical Advisory Committee
THAT the Township of Southwold Council appoints Steve Van Maanen to the Talbotville Station Technical Advisory Committee.

CARRIED
DELEGATIONS:

Fingal Heritage Park

7:25 p.m.- 7:45 p.m.
CAO/Clerk Lisa Higgs presented her report to Council. The report detailed the Committee’s proposed phases and funding, that has been received, to complete this project. The Committee would like to see this park become a gathering place for the hamlet.

2019-214  Deputy Mayor Monteith – Councillor North  Fingal Heritage Park

THAT Council of the Township of Southwold approves the Phase 1 elements of cleaning up brush along south fence, removing of softball backstop, benches and front fence, gazebo with hydro installed, planting of mature trees and benches with gazebo for the Fingal Heritage Park at a cost of $42,018.80

AND THAT we proceed with the design and construction elements.  CARRIED

Central Community Health Centre

7:45 p.m. - 8:07 p.m.
Judith Wiley, Chief Administrative Officer provided a summary of the work that the Central Community Health Centre does for the Township of Southwold, Central Elgin and the City of St. Thomas.

REPORTS:

Activity Report - Public Works Superintendent
Public Works Superintendent reported that due to recent weather conditions some road projects have been put on hold.

Activity Report - Chief Building Official
The monthly activity report was present to Council.

Communities in Bloom – Utilization of Reserve

2019-215  Councillor Emons – Councillor Pennings  CIB Reserve

THAT Council approve the utilization of balances in reserve for the C.I.B. Flower Program and C.I.B. Flag Program as needed in 2019.  CARRIED

Activity Report – CAO/Clerk
CAO/Clerk Lisa Higgs reported that the weather has hampered some projects around the Township.

Water Meter Replacement in Ferndale
CAO/Clerk Lisa Higgs presented her report to Council.
STAFF DIRECTION
Staff was directed by Council to invest the cost to just replace the backflow preventers and the determination it longevity.

Former Fingal Washroom Facilities
CAO/Clerk Lisa Higgs presented her report to Council.

STAFF DIRECTION
Staff was directed by Council to provide a cost to decommission the holding tanks and to remove the washroom stalls but retained the fixtures.

Talbotville Waste Water Connection Charges
CAO/Clerk Lisa Higgs presented her report to Council.

STAFF DIRECTION
Staff was directed by Council to add more definitions for a new sewer system and to provide more clarity on Schedule E.

Waste Management Collection Services

<table>
<thead>
<tr>
<th>2019-216</th>
<th>Councillor North – Councillor Emons</th>
<th>Extension of Waste Management Collection Services</th>
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<tbody>
<tr>
<td><strong>THAT</strong></td>
<td>Council authorize a seven-month extension of the contract with Waste Connections Canada to allow for the temporary continuation of their services, while an RFP can be prepared.</td>
<td><strong>CARRIED</strong></td>
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County Council Highlights – April 23 and May 7, 2019 Meetings
Mayor Jones presented the highlights to Council.

BY-LAWS:

<table>
<thead>
<tr>
<th>2019-217</th>
<th>Councillor North – Councillor Pennings</th>
<th>By-laws</th>
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<tbody>
<tr>
<td><strong>THAT</strong></td>
<td>By-law Nos. 2019-31 and 2019-32 read a first and second time.</td>
<td><strong>CARRIED</strong></td>
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<table>
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<tr>
<th>2019-218</th>
<th>Councillor Emons – Councillor Pennings</th>
<th>By-laws</th>
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<tbody>
<tr>
<td><strong>THAT</strong></td>
<td>By-law Nos. 2019-31 and 2019-32 be read a third time and finally passed.</td>
<td><strong>CARRIED</strong></td>
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OTHER BUSINESS:
Council reviewed the items under other business.
CLOSED SESSION:

THAT Council of the Township of Southwold now moves into a session of the meeting that shall be closed to the public at 9:00 p.m. in accordance with Section 239 (2) of the Municipal Act, S.O. 2001, c. 25 for discussion of the following matters:

- 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 (section 239 (2) (k)) – Talbotville Development
- Personal matters about an identifiable individual(s) including municipal employees or local board employees (section 239 (2) (b)) – Treasurer Recruitment
- Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board (section 239 (2) (e)) By-law Enforcement Matters

CARRIED

STAFF DIRECTION

Staff was given direction from Council on the items that were discussed in the Closed Session.

AJOURNMENT:

THAT Council for the Township of Southwold adjourns this Regular meeting of Council at 9:36 p.m.

_________________________________________  ____________________________
CAO/Clerk                      Mayor
Lisa Higgs                     Grant Jones
Talbotville Neighbourhood Committee Meeting Minutes
April 9th, 2019

Tuesday, April 9th, 2019
Talbotville United Church - 10734 Sunset Drive St. Thomas, ON N5P 3T2
7:00pm

Attendance: Jacques Roy, Dave Nichols, John Horn, Jackie Horn, Scott Fellows, Brad Streib, Maureen Bedek, Councillor Sarah Emons, Ruth Quenneville, Mayor Grant Jones, Joe Daniel, Lisa Higgs (CAO/Clerk – staff resource)

Regrets: Councillor Peter North

1. Call Meeting to Order and Welcome

Chair Grant Jones called the meeting to order at 7:00 PM.

2. Approval of the Agenda

The Committee discussed the agenda items and made no alterations to the agenda.

Resolution No. 1 Moved by Dave Nichols
Seconded by Maureen Bedek

RESOLVED that the agenda be approved as presented.

DISPOSITION: Motion Carried

3. Update on Council approved Terms of Reference

Mayor Jones explained that the Terms of Reference as updated by the Committee were brought before Council at their previous meeting and that Council determined that alternates were to participate in meeting discussions only when the appointed member is not available. Mayor Jones expressed that he would be enforcing this policy during meetings to ensure order.

4. Approval of the Minutes of March 12th, 2019

Resolution No. 2 Moved by Scott Fellows
Seconded by Jacques Roy

RESOLVED that the Talbotville Neighbourhood Committee meeting minutes of March 12th 2019 be approved.

DISPOSITION: Motion Carried
5.0 Building Community Engagement Strategies – Discussion

5.1 Updated Subdivision Environmental Assessment and Grading Plans

The committee discussed the subdivision environmental assessment and its status. The CAO/Clerk explained that she has been notified that it is underway but that these plans have not been submitted to the Township for review. The Committee members expressed their recommendation that the modelling be completed again and that tests be repeated, as the sampling tests were taken in August.

5.2 Street Lights on Sunset and Talbotville Gore Road

The committee discussed the request for Street Lights on Sunset Road and Talbotville Gore Road. It was explained that permits have been submitted to Hydro One and that the work will be completed once permits are issued.

5.3 Review of Plans for Ridge Phase 2 and Farhi Holdings Corporation

The Committee discussed the plans for the Ridge Phase 2 and Farhi Holdings Corporation. The Committee reaffirmed the importance of keeping the entrance one way onto street A up to Street B in the Farhi Holdings Corporation Plan of Subdivision.

5.4 Signage at Talbotville Park

The Committee brought forward a request on moving the signage for the Optimist Club Park. Ruth Quenneville expressed that her preference would be to re-locate the signage towards the highway so that it is more visible. It was delegated to staff to investigate this option.

5.5 Gore Road Construction Update and FAQ’s

Committee members reviewed the most recent Gore Road Construction FAQs which are posted on the Township website. Outstanding concerns from the Committee include the protection of trees and tree canopy. The mandated Bill 68 policies were discussed briefly and it was explained that a Tree Canopy Protection Policy are mandatory for municipalities now. It was suggested that a copy of Elgin County’s policy be presented for discussion at the next meeting.

5.6 Connection and Sewer Use By-law

CAO/Clerk Lisa Higgs explained that a Draft Sewer Connection By-Law will be brought before Council soon. Following this, public circulation before adoption will occur, but that Council will be tasked with making decisions on sewer connections soon, prior to completion of the trunk sewer construction.
5.7 **Community Events**

The Committee discussed a Community BBQ held on August 10th, 2019, which will hopefully include live music (Rif Raf).

6.0 **Budget**

6.1 **Committee Budget**

Sample Committee Budget – Economic Development Committee
- Family Day Committee/Southwold Winterfest

Briefly the Committee’s budget was discussed. It was decided that this be tabled until a future meeting, where it can be more thoroughly talked about.

7.0 **Upcoming Dates and Events in Talbotville**

7.1 **Timeline for Highway #3 Construction**

The committee discussed their apprehension that the new park entrance off of Talbot Line would be constructed in time for park construction, so that there would never be a time when Talbotville was without a baseball park. The CAO/Clerk affirmed that an engineer has been contacted about design for the park and the developer is completing grading survey work which will help inform the design of the park.

7.2 **Development of the new park**

There was a discussion on Committee input into the new park and whether the designer/engineer/landscape architect could attend the Committee’s next meeting. It was explained that the Township uses an engineer, who may not attend the meeting, but that plans could be brought to the Committee. Mayor Jones recommended that Parks concerns and community feedback can be brought forward to the Committee through the Parks Committee representatives (Janice and Brad). In discussing the construction of the new Park, the Committee members emphasized that costs for the new park should not be borne by the residents of Talbotville. The members requested that the minutes explicitly state that Talbotville residents will not be charged for improvements to the new park.

8.0 **Adjournment and Next Meeting**

The next meeting is scheduled for the 14th of May 2019 at 7:00 pm at the Talbotville United Church.
Resolution No. 6  Moved by Ruth Quenneville
Seconded by Maureen Bedek

RESOLVED that the Committee Adjourn at 8:43 pm to meet again on for the 15th of May 2019 at 7:00 pm at the Talbotville United Church.

DISPOSITION: Motion Carried
MINUTES

CIB COMMITTEE
@12 noon
May 8, 2019

Attendees: Valerie Cron  Bill Cron
Brenda Longhurst  Gord Longhurst
Karen Graff  Harvey Graff
Jo-Anne Cummings-Stinson  Jim Hamilton
Cathy Koyle  Sarah Emons
June McLarty Resource

A sign in sheet was circulated.

Meeting called to order at 12:09 pm at the Cron residence.

1. **Budget Review**
   Valerie Cron reminded the Committee that any withdrawals from the flower fund will need Council approval. She also reported that the flower fund has a balance of $2,725.14. In 2018 $1,614.93 was used for flowers and supplies.

2. **To Do list for 2019**
   The flowers for the plant boxes should be ready by the end of May. Everything should be ready for the Rosy Rhubarb weekend. A day will be determined to plant the boxes. Valerie, Joanne and Karen will contact the volunteers. Those who can help with the planting can attend. Pat Pow has volunteered to take over the flower box in Talbotville on Talbot Line.

3. **Plant Sale Saturday, May 25th, 2019 – Keystone Pavilion 9-12 p.m.**
   A wide variety of plants will be available for sale. Set up will begin at 7:00am. Coffee and muffins will also be available for sale. Committee members will supply 1 dozen muffins.
4. **Flags**

The Committee received 200 large and 40 smaller Canada flags. Some of the flags will be erected on the village signs, the same as last year. It was suggested the signs that don’t have planter boxes get flags. Valerie and Brenda will develop a plan for where to put the flags. This may involve moving some of the brackets and relocating them to where the flags will be more visible.

5. **Garden Party – 2019**

Valerie will be hosting the garden party on August 15, 2019. Start time is 5:00pm. Dinner will be served at 6:30pm. Guests will be asked to bring a salad or dessert. Sarah offered to bring a salad.

6. **Next meeting date:** To be determined.

2019-01  **Moved by Sarah Emons – Seconded by Cathy Koyle**

**THAT** the meeting of the Community in Bloom Committee be adjourned at 1:30 pm.

(carried)

____________________________  
Valerie Cron - Chair

____________________________  
June McLarty - Resource
TO: Mayor and Council of the Township of Southwold

FROM: Heather James, MCIP, RPP, Planner

SUBJECT: Housekeeping Amendment to the Township of Southwold Comprehensive Zoning By-law 2011-14

REASONS FOR AND NATURE OF THE APPLICATION:

The proposed Zoning By-law Amendment will update the text of the Zoning By-law as it pertains to the Federal Cannabis Act, Ontario Cannabis Act 2017, and Accessibility for Ontarians with Disabilities Act; as well as add new definitions and regulations; and, correct zone schedules due to mapping errors.

BACKGROUND INFORMATION:

At the January 14, 2019 Council meeting, Council directed staff to bring forward a Zoning By-law Amendment pertaining to cannabis. In particular, the Zoning By-law Amendment was to include definitions and regulations as required by Council in order to permit the use in certain zones. As well, the Zoning By-law Amendment was to permit commercial cannabis cultivation in Agricultural Zones (A1 and A3 Zones); and, permit commercial cannabis processing in Commercial Industrial Zones (CM1 Zone). At this meeting, Council also voted to not make a decision to permit private recreational cannabis retail storefronts in the Township, which means, it is not permitted and therefore, this is reflected in the proposed amendment.

In addition, staff determined the need to add some new definitions, update several regulations that were out of date and/or no longer required due to provincial legislation and fix mapping errors.

In particular, the proposed Zoning By-law Amendment includes the following:

- Revision to the “Agricultural Use” definition to exclude the retail sale of cannabis;
- Definitions for “Cannabis”, “Cannabis Cultivation”, “Cannabis Cultivation and Processing” and “Cannabis Processing”;
- Revision “Lot Coverage” definition;
- Definition for “Shipping Container”;
- Revision to Accessory Uses provisions;
- Revision to minimum floor area for single detached dwelling and semi-detached dwelling;
- Revision to Outdoor Pools and Related Structures provisions;
- Revision to Accessible Parking provisions;
- Revision to the Prohibited Uses provisions to prohibit the sale of Cannabis;
- New regulations for Shipping Containers;
- Revision to the Agricultural 1 (A1) Zone for Reduced Lot Requirements;
• Addition of “Cannabis Cultivation and Processing” as a permitted use in the CM1 Zone with a separation distance between buildings and any Residential, Institutional or Open Space building or structure; and,
• Correction of zoning maps for three properties.

PUBLIC MEETING NOTICE:

The public meeting notice was published in the West Elgin Chronicle on May 2, 2019 and in The Echo on May 7, 2019. Both notices meet the requirements under the Planning Act, which states the notice of a public meeting for a zoning by-law must be circulated no less than 20 days prior to the public meeting. The notice along with the proposed zoning by-law amendment was also posted on the Township’s website for the public’s review.

CIRCULATION OF THE APPLICATION:

The application was circulated to the applicable commenting agencies 20 days prior to the public meeting. No comments were received from commenting agencies. No comments were received from staff. No comments were received from neighboring property owners.

PLANNING POLICY REVIEW:

Provincial Policy Statement (PPS)
Under Section 3(5) of the Planning Act, the Township “shall be consistent with” matters of provincial interest as set out in the Provincial Policy Statements (PPS).

Conclusion: The proposed zoning by-law amendment application is consistent with the PPS.

County of Elgin Official Plan
A zoning by-law amendment is required to be in conformity with the upper tier Official Plan.

Comment: The proposed zoning by-law amendment conforms to the policies of the County of Elgin Official Plan and an amendment the County’s Official Plan is not required.

Conclusion: The proposed zoning by-law amendment application conforms with the County of Elgin Official Plan.

Township of Southwold Official Plan
The Zoning By-law is the major legal document that implements the policies of the Official Plan by regulating the use, location, density and design of development in the Township. A zoning by-law amendment must conform to the lower tier Official Plan.

Comment: The proposed zoning by-law amendment conforms to the policies of the Township of Southwold Official Plan and an amendment to the Township’s Official Plan is not required.

Conclusion: The proposed zoning by-law amendment application conforms to the Township of Southwold Official Plan.

Township of Southwold Comprehensive Zoning By-Law 2011-14
The proposed zoning by-law amendment will update the text of the Zoning By-law as it pertains to the Federal Cannabis Act, Ontario Cannabis Act 2017, and Accessibility for Ontarians with Disabilities Act; as well as add new definitions and regulations; and, correct zone schedules due to mapping errors.
SUMMARY/CONCLUSION:

The proposed Zoning By-law Amendment application is consistent with the Provincial Policy Statement and conforms to the County of Elgin Official Plan and the Township of Southwold Official Plan.

RECOMMENDATION:

Subject to review of objections and submissions arising at the Public Meeting, I recommend:

That Council of the Township of Southwold APPROVE the proposed Zoning By-law Amendment ZBA 2019-05 in accordance with the site-specific By-law attached.

Respectfully submitted by:

Heather James, MCIP, RPP
Planner
TO: Mayor and Council of the Township of Southwold

FROM: Heather James, MCIP, RPP, Planner

SUBJECT: Amendment to the Residential 1 (R1) Zone of the Township of Southwold Comprehensive Zoning By-law 2011-14 by Lindsey Webber to permit the conversion of an accessory building to a bachelor dwelling unit, to be used for seasonal residential use with a reduced front yard setback.

REASONS FOR AND NATURE OF THE APPLICATION:

The property is legally described as Part of Lots 49 and 50, Plan 229, Township of Southwold and described municipally as 5293 Grand Canyon Road (shown on Figure 1, Location of Subject Lands). The owner is proposing to rezone the subject lands from Residential 1 (R1) to Special Provision Residential 1 (R1-29) to permit the conversion of an existing accessory building to a bachelor dwelling unit, to be used for seasonal residential use and to reduce the front yard setback. In the R1 Zone, the minimum front yard setback is 15.0 m (49 ft.); the owner is proposing a front yard setback of 3.0 m (9.84 ft.).

Figure 1: Location of Subject Lands

BACKGROUND INFORMATION:

The subject lands (outlined in red on Figure 1) have a lot area of 728.0 m² (7,836.13 ft.²), an irregular depth and a frontage of 30.48 m (100.0 ft.) along Grand Canyon Road. The subject lands will be used for seasonal residential use and contain an accessory building that will be converted into a bachelor dwelling unit. The subject lands will be serviced with municipal water.
and a private septic system (holding tank). There was originally a cottage on the lands; however, in December 2018, due to damage sustained from bluff erosion, the cottage was deemed uninhabitable.

Figure 2: Sketch Submitted by Owner/Applicant

CIRCULATION OF THE APPLICATION:

The application was circulated to the applicable commenting agencies and neighboring property owners within 120 meters of the subject lands 20 days prior to the public meeting.

The Township’s Chief Building Official provided the following comment:

‘A building permit will be required for the renovations to the accessory structure. Kettle Creek Conservation Authority has already granted a permit.

No further comments were received from staff. No comments were received from neighboring property owners.
PLANNING POLICY REVIEW:

Provincial Policy Statement (PPS)
Under Section 3(5) of the Planning Act, the Township “shall be consistent with” matters of provincial interest as set out in the Provincial Policy Statements (PPS). Section 2.3 Agriculture and Section 3.1 Natural Hazards policies were reviewed.

Comment: The subject lands been existence for many years. There is an existing accessory building on the property that is being converted to provide seasonal residential use. The subject lands are located directly on north shore of Lake Erie and are classified as hazardous lands. Section 3.1 a) states development shall generally be directed to areas outside of hazardous lands adjacent to the shorelines of the Great Lakes – St. Lawrence River System. Minor excavation work to connect required utilities including connection to an existing septic tank is proposed as a result of this application.

Conclusion: The proposed zoning by-law amendment application is consistent with the PPS.

County of Elgin Official Plan
The subject lands are designated Agricultural Area on Schedule ‘A’ Land Use in the County of Elgin Official Plan. Section D3.2 Shoreline of Lake Erie states development along the shoreline is to follow the Shoreline Management Plan for Elgin County and that the shoreline hazard lands are be delineated in lower tier Official Plans and zoning by-laws.

Comment: The conversion of the accessory building to a bachelor dwelling unit for seasonal residential use will not require any further development on the property. Kettle Creek Conservation Authority has indicated they will provide a permit for the proposed conversion.

Conclusion: The proposed zoning by-law amendment application conforms to the County of Elgin Official Plan.

Township of Southwold Official Plan
The subject lands are designated Agricultural on Schedule ‘A’ Land Use with the entire parcel subject to Hazard Lands on Schedule ‘B-1’ Hazard Lands in the Township of Southwold Official Plan.

Section 2.4 Lakeshore Area states no new building or structure shall be permitted within the 1:100 year bluff erosion setback. Further, nothing shall prevent the relocation of a dwelling provided the dwelling is relocated outside the hazard or as far from it as possible and there is no increase in size or structural alteration other than a new foundation. Reductions in required yard setbacks shall be permitted for the purpose of increasing the setback from a hazard. The degree of reduction shall take into consideration the character of the area, setbacks from utilities and hazards related to proximity to the street.

Comment: A dwelling for residential use is permitted in the Agricultural designation. No development that would aggravate an existing hazard or create a new hazard is proposed. Interior renovations and minor excavation work to connect required utilities including connection to an existing septic tank is proposed as a result of this application. The proposed reduced front yard setback of 3.0 m (9.84 ft.) will increase the setback from the shoreline, and will not negatively impact the character of the area, setbacks from utilities and hazards related to proximity to the street as the property is at the end of Grand Canyon Road.

Conclusion: The proposed zoning by-law amendment application conforms to the Township of Southwold Official Plan.
Township of Southwold Comprehensive Zoning By-Law 2011-14

The subject lands are zoned Residential 1 (R1) and subject to Kettle Creek Conservation Authority Regulated Areas in the Township of Southwold Zoning By-Law as shown on Schedule ‘A’ Map 9.

The R1 Zone permits a single detached dwelling; however, it does not permit a bachelor dwelling unit and therefore a zoning by-law amendment is required. As well, in the R1 Zone, the minimum front yard setback is 15.0 m (49 ft.); the owner is proposing a front yard setback of 3.0 m (9.84 ft.). The bachelor dwelling unit is appropriate, as it will permit the conversion

**Comment:** The subject lands are located in the Lake Erie lakeshore area. The original cottage was deemed uninhabitable due to damage from bluff erosion. The existing accessory building has the ability to meet the Ontario Building Code requirements for a bachelor dwelling unit and therefore can be converted, through a building permit. The reduced front yard setback is appropriate as it increases the setback from the shoreline hazard and will not negatively affect the character of the area, setbacks from utilities and hazards related to proximity to the street. The R1-29 Zone is recommended to be applied to the subject lands.

Section 3.11 Hazard Lands states no permanent buildings or structures with the exception of those designated, used or intended for flood or erosion control purposes shall be erected or used on lands which exhibit a hazardous condition unless a permit has been obtained by the applicable Conservation Authority.

**Comment:** A development permit has been approved by the Kettle Creek Conservation Authority Hearing Board for the proposed interior renovations and minor excavation work.

**SUMMARY/CONCLUSION:**

The proposed Zoning By-law Amendment application is consistent with the Provincial Policy Statement and conforms to the County of Elgin Official Plan and the Township of Southwold Official Plan.

**RECOMMENDATION:**

Subject to review of objections and submissions arising at the Public Meeting, I recommend:

That Council of the Township of Southwold APPROVE the proposed Zoning By-law Amendment ZBA 2019-06 in accordance with the site-specific By-law attached

Respectfully submitted by:

Heather James, MCIP, RPP
Planner
TO: Mayor and Council of the Township of Southwold

FROM: Heather James, MCIP, RPP, Planner

SUBJECT: Proposed Severance Application by Georlin Corp., to permit a residential lot addition.

REASONS FOR AND NATURE OF THE APPLICATION:

The subject lands, shown on Figure 1, are legally described as Part of Lot 34, Concession SNBTR (being Parts 1 and 2 on RP 11R-7065) and known municipally as 38975 Talbot Line. They are located on the south side of Talbot Line. The approximate 1.037 ha (2.56 ac.) commercial parcel has one commercial building and is serviced with private water well and private septic system. There is a driveway onto Talbot Line. The lands are used for a machine shop. The predominant land uses in the area are hamlet commercial/industrial, residential and agricultural. A former railway corridor is located directly south of the subject lands.

Figure 1: Location of Subject Lands
BACKGROUND INFORMATION:

Figure 2, Proposed Severance, shows the proposal to sever 0.303 ha (0.75 ac.) in area, with an irregular depth of 28.91 m (94.85 ft.) along the east lot line and a frontage of 1.91 m (6.27 ft.) parcel to be added to an abutting residential parcel, 38965 Talbot Line with a lot area of 2.985 ha (7.38 ac.) to be used for residential use. The parcel to be added to has been the retained parcel in previous severances, E 99/98 and E 116/03.

The retained parcel will have an area of 0.734 ha (1.81 ac.) with an irregular depth of 127.0 m (416.67 ft.) and a frontage of 55.44 m (181.89 ft.) and will continue to be used for commercial use.

Figure 2: Proposed Severed Parcel Sketch, Submitted by Owners/Applicants

An existing driveway provides access to Talbot Line for the retained parcel.

STAFF COMMENTS:

The proposed severance application was circulated to Township staff for comment. Comments submitted from staff are listed below:

Drainage Superintendent
'No municipal drains in the area. Mutual agreement drain is required.'
Comment: Mutual agreement drain has been included as conditions of severance.

Chief Building Official
‘A site plan for the septic system showing distances to property lines is required.’

Comment: This request from the CBO has been included as a condition of severance.

PLANNING POLICY REVIEW:

Provincial Policy Statement (PPS)
Under Section 3(5) of the Planning Act, the Township “shall be consistent with” matters of provincial interest as set out in the Provincial Policy Statements (PPS). In particular, Section 1.1.3 Settlement Areas, Section 1.6.6 Sewage, Water and Stormwater, Section 2.3 Agriculture, and Section 3.1 Natural Hazard policies were evaluated.

Comment: The proposed severed parcel is within the Hamlet Area for Paynes Mills and is designated Hamlet. A lot addition within the settlement area is permitted. The balance of the proposed retained parcel will continue to be used for commercial use.

Colonial Policy Statement (PPS)
The subject lands are designated Tier Two Settlement Area on Schedule ‘A’ Land Use in the County of Elgin Official Plan.

Section E1.2.3.2 permits severances for the purposes of modifying lot boundaries, provided no new building lot will be created. In reviewing a boundary adjustment, the approval authority shall be satisfied that the boundary adjustment will not affect the long-term use of the properties affected and as well the viability of the parcels affected.

Comment: The proposed severed parcel will be merged with an adjacent residential parcel and no new building lot will be created. The lot addition will not negatively affect the use of the residential parcel, or the use of the commercial parcel.

Conclusion: The proposed severance application conforms to the County of Elgin Official Plan.
Comment: Severances to adjust lot boundaries or to increase the size of existing undersized lots is permitted provided no new lot will be created. The balance of the proposed retained parcel will continue to be used for hamlet commercial use.

Conclusion: The proposed severance application conforms to the Township of Southwold Official Plan.

Township of Southwold Comprehensive Zoning By-Law 2011-14
The subject lands are zoned Special Provision Commercial/Industrial 3 (CM3-3), with a portion of the lands subject to Natural Areas and Adjacent Lands constraint as shown in the Township of Southwold Zoning By-Law on Schedule ‘A’ Map 15.

The CM3-3 permits a machine shop as an additional use, as well as all permitted uses in the CM3 Zone.

Comment: A zoning by-law amendment is required to rezone the severed parcel from CM3-3 to Residential 1 (R1). The retained parcel complies with all CM3-3 Zone provisions.

Section 3.4 Environmental Protection Zones, Natural Areas and Adjacent Lands states no new buildings or structures are permitted in the Natural Area and Adjacent Lands constraint area without the completion of an Environmental Impact Study, prepared by a qualified environmental consultant that states no negative impacts will occur to the Natural Areas.

Comment: Since no development is proposed as a result of this severance, I recommend that an E.I.S. is not required.

SUMMARY/CONCLUSION:

The proposed severance application is consistent with the Provincial Policy Statement and conforms to the County of Elgin Official Plan and the Township of Southwold Official Plan.

RECOMMENDATION:

1) THAT Council of the Township of Southwold with regard to the proposed severance application file E 38/19 for a lot addition hereby waives the requirement for an Environmental Impact Study on the proposed severed and retained parcels.

2) THAT the Council of the Township of Southwold recommend approval to the County of Elgin Land Division Committee of the proposed severance application file E 38/19 subject to the following conditions:

i) That the proposed severed parcel be rezoned;
ii) That a septic system assessment be conducted on the retained parcel to ensure that the lands are suitable for a privately owned and operated septic system;
iii) That a site plan for the septic system has been prepared showing distances to property lines for the retained parcel, to the satisfaction of the Chief Building Official;
iv) That an assessment on the private water well be conducted on the retained parcel to ensure the drinking water source is safe for human consumption;
v) That the lands to be severed be merged on title with the lands to be added to, 38965 Talbot Line;
vi) That all financial obligations to the Township of Southwold be paid in full;
vii) That an electronic copy (Adobe PDF) of the registered survey has been provided to the Township; and,
viii) That the solicitor provides an undertaking that a copy of the registered deed for the severed parcel once the transaction has occurred will be provided to the Township.

Respectfully submitted by:

Heather James, MCIP, RPP
Planner
TO: Mayor and Council of the Township of Southwold

FROM: Heather James, MCIP, RPP, Planner

SUBJECT: Proposed Severance Application by George and Linda DeBoer, to permit the severance of a residential dwelling.

REASONS FOR AND NATURE OF THE APPLICATION:

The subject lands, shown on Figure 1, are legally described as Part of Lot 34, Concession SNBTR (being Parts 1 and 2 on RP 11R-3902) and known municipally as 38965 Talbot Line. They are located on the south side of Talbot Line. The approximate 2.99 ha (7.38 ac.) parcel has a habitable residence with two sheds and two grain bins and is serviced with a private water well and private septic system. The residence on the proposed severed parcel is currently serviced with a shared private well and a privately owned and operated individual septic system; disconnection of shared well and new municipal water connection is proposed as a condition of severance. There is a driveway onto Talbot Line. The lands are used for residential use. The predominant land uses in the area are hamlet commercial/industrial, residential and agricultural. A former railway corridor is located directly south of the subject lands. A ravine system is located in the southwest corner of the subject lands.

Figure 1: Location of Subject Lands
BACKGROUND INFORMATION:

Figure 2, Proposed Severance, shows the proposal to sever 0.182 ha (0.45 ac.) in area, with a depth of 75.07 m (246.29 ft.) along the west lot line and a depth of 74.32 m (243.83 ft.) along the east lot line and a frontage of 27.43 m (89.99 ft.) with a habitable residence with proposed municipal water and private septic system.

The retained parcel will have an area of 2.803 ha (6.93 ac.) with an irregular depth of 164.14 m (538.52 ft.) along the west lot line and a frontage of 18.2 m (59.71 ft.) and will be used for residential use. This parcel is associated with severance file E 38/19, which is a lot addition. Once severance file E 38/19 is completed, the retailed parcel will have an area of 3.106 ha (7.68 ac.) and a frontage of 20.12 m (66.0 ft.) This parcel has also been the retained parcel in previous severances, E 99/98 and E 116/03.

Figure 2: Proposed Severed Parcel Sketch, Submitted by Owners/Applicants

An existing driveway provides access to Talbot Line for the severed parcel. An existing driveway also provides access to Talbot Line for the retained parcel.

STAFF COMMENTS:

The proposed severance application was circulated to Township staff for comment. Comments submitted from staff are listed below:
Drainage Superintendent
‘No municipal drains. Mutual agreement drain is required.’

Comment: Mutual agreement drain has been included as condition of severance.

Chief Building Official
‘A site plan for the septic system showing distances to property lines is required.’

Comment: This request from the CBO has been included as condition of severance.

PLANNING POLICY REVIEW:

Provincial Policy Statement (PPS)
Under Section 3(5) of the Planning Act, the Township “shall be consistent with” matters of provincial interest as set out in the Provincial Policy Statements (PPS). In particular, Section 1.1.3 Settlement Areas, Section 1.6.6 Sewage, Water and Stormwater, Section 2.3 Agriculture, and Section 3.1 Natural Hazard policies were evaluated.

Comment: The proposed severed parcel is within the Hamlet Area for Paynes Mills and is designated Hamlet. Limited lot creation within the settlement area is permitted. The balance of the proposed retained parcel will continue to be used for residential use.

Portions of the proposed severed and retained parcels are within a significant valleyland. Development and site alteration in a significant valleyland or on adjacent lands is not permitted unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions, generally through an Environmental Impact Study (E.I.S.).

Comment: The owners intend to construct a new single detached dwelling on the retained parcel once the severance application has been completed. A further review of the requirement for the E.I.S. will be completed during the zoning by-law amendment application process.

Conclusion: The proposed severance application is consistent with the PPS.

County of Elgin Official Plan
The subject lands are designated Tier Two Settlement Area on Schedule ‘A’ Land Use in the County of Elgin Official Plan.

Section E1.2.3.1 permits the severance of land provided specific criteria of the policy section have been met.

Comment: The proposed severed parcel meets the criteria of Section E1.2.3.1 for severance. The balance of the retained parcel will be used for residential use.

Conclusion: The proposed severance application conforms to the County of Elgin Official Plan.

Township of Southwold Official Plan
The subject lands are designed Hamlet on Schedule ‘A’ Land Use in the Township of Southwold Official Plan. In particular, Section 4.2 Hamlets and Section 6.8.2 Consent Guidelines policies were reviewed.
**Comment:** Residential lot severances with an existing residence is permitted in accordance with Section 6.8.2. The balance of the proposed retained parcel will continue to be used for residential use.

**Conclusion:** The proposed severance application conforms to the Township of Southwold Official Plan.

**Township of Southwold Comprehensive Zoning By-Law 2011-14**

The subject lands are zoned Commercial/Industrial 3 (CM3), with a portion of the lands subject to Natural Areas and Adjacent Lands constraint as shown in the Township of Southwold Zoning By-Law on Schedule ‘A’ Map 15.

The CM3 permits commercial and industrial uses traditionally located in a hamlet.

**Comment:** A zoning by-law amendment is required to rezone the severed and retained parcels for residential use. The minimum lot area for the R1 Zone is 1,858.0 m², 0.1858 ha (0.459 ac.). The proposed severed parcel will have an area of 1,820.0 m² (0.45 ac.). The proposed severed parcel area is slightly undersized; however, it is still an appropriate size for the lot and will not affect the viability of the septic system. The proposed severed parcel complies with all remaining R1 Zone provisions. The proposed retained parcel complies with all R1 Zone provisions. It is recommended that a zoning by-law amendment is required to rezone the severed parcel to Special Provision Residential 1 (R1-x) to permit residential use and an undersized lot area. It is also recommended that a zoning by-law amendment is required to rezone the retained parcel to Residential 1 (R1).

Section 3.4 Environmental Protection Zones, Natural Areas and Adjacent Lands states no new buildings or structures are permitted in the Natural Area and Adjacent Lands constraint area without the completion of an Environmental Impact Study, prepared by a qualified environmental consultant that states no negative impacts will occur to the Natural Areas.

**Comment:** Since no development is proposed as a result of this severance, I recommend that an E.I.S. is not required.

**SUMMARY/CONCLUSION:**

The proposed severance application is consistent with the Provincial Policy Statement and conforms to the County of Elgin Official Plan and the Township of Southwold Official Plan.

**RECOMMENDATION:**

1) THAT Council of the Township of Southwold with regard to the proposed severance application file E 39/19 for residential lot creation hereby waives the requirement for an Environmental Impact Study on the proposed severed and retained parcels.

2) THAT the Council of the Township of Southwold recommend approval to the County of Elgin Land Division Committee of the proposed severance application file E 39/19 subject to the following conditions:

   i) That the proposed severed and retained parcels be rezoned;
ii) That a septic system assessment be conducted on the severed parcel to ensure that the lands are suitable for a privately owned and operated septic system;

iii) That a site plan for the septic system has been prepared showing distances to property lines for the severed parcel, to the satisfaction of the Chief Building Official;

iv) That an assessment on the private water well be conducted on the severed parcel to ensure the drinking water source is safe for human consumption;

v) That all financial obligations to the Township of Southwold be paid in full;

vi) That an electronic copy (Adobe PDF) of the registered survey has been provided to the Township; and,

vii) That the solicitor provides an undertaking that a copy of the registered deed for the severed parcel once the transaction has occurred will be provided to the Township.

Respectfully submitted by:

Heather James, MCIP, RPP
Planner
DATE: May 27, 2019

PREPARED BY: Jeff McArthur, Fire Chief

REPORT NO.: FIR-13

REPORT SUBJECT: SCBA Upgrade

Recommendation

THAT the Township of Southwold Council authorizes staff to: proceed with upgrading existing SCBAs to 4500 psi; proceed with purchasing used ‘AP75’ SCBAs; and proceeding with purchase carbon fibre air cylinders;

AND THAT Council authorizes staff to utilize the 2019 SCBA Budget of $18,000.00.

AND THAT Council approve the utilization of $97,540.00 in the Fire Equipment reserve for the SCBA Upgrades.

Background

The Southwold Fire Department (SFD) currently has 28 SCOTT SCBA (Self Contained Breathing Apparatus) air packs. They have been purchased sporadically over the years and are all 2216 psi. SCBAs are also available in 4500 psi, providing a valuable extra 1/3 of breathing duration (45 mins vs 30 mins) per bottle.

Only 12 of existing SFD’s SCBAs have integrated PASS (Personal Alert Safety System) alarms on them. Integrated PASS alarms activate automatically as soon as the air supply (bottle) is turned on. The remainder of the SCBA packs have PASS alarms, which need to be manually turned on. This step of activating the PASS alaram can easily be missed on the fireground, therefore posing a serious risk to firefighter safety, as we rely on SCBA/PASS alarms at calls including fires and carbon monoxide alarms and at training. The PASS device sends a loud, audible alert to notify others in the area that the firefighter is in distress. On a fireground, the sound of an activated PASS device
indicates a true emergency and results in an immediate response to rescue the firefighter in distress.

SFD is one of a small percentage of departments that have all aluminum air cylinders. Many fire departments are or have been phasing out aluminum bottles for lighter carbon fibre bottles. A full aluminum air cylinder weighs approximately 21 pounds. A full carbon fibre cylinder weighs approximately 12 pounds. This greatly reduces the strain on the firefighter while wearing an SCBA and allows for easier cylinder handling on scene and at the fire stations.

Comment
While the purchase of SCBA’s was not proposed in the 2019 budget, staff recently became aware of an opportunity to purchase used SCBAs at a discounted rate based on forthcoming changes to the NFPA standards. To fulfill a justified SCBA upgrade and to ensure firefighter safety, staff recommends an upgrade to 4500 psi SCBAs. Approximately 10 of our current SCBA can be upgraded to 4500 psi at a cost of $1,000 each. Staff recommends purchasing at least 10 additional SCBA to replace the non-integrated SCBA.

Options for Purchase of 10 SCBA (including cylinder):
1. Purchase new ‘AP75’ SCBA at $7,470 each
2. Purchase used ‘AP75’ SCBA at $4,564 each
3. Purchase new ‘X3 Pro’ SCBA at $8,843 each

As staff has recently become aware of an opportunity to purchase used SCBA with a two-year warranty from a SCOTT authorized supplier, staff recommends Option 2 and purchasing 10 used AP75 SCBA along with 40 new carbon fibre air cylinders at $1,495 each.

Financial Implications:
Below is the estimated total cost to proceeding with Staff’s recommendation:

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Unit Cost</th>
<th>Units Required</th>
<th>Subtotal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Upgrade of 10 SCBAs to 4500 psi</td>
<td>$1,000</td>
<td>10</td>
<td>$10,000</td>
</tr>
<tr>
<td>Purchase used ‘AP75’ SCBA</td>
<td>$4,574</td>
<td>10</td>
<td>$45,740</td>
</tr>
<tr>
<td>Description</td>
<td>Quantity</td>
<td>Unit Cost</td>
<td>Total Cost</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>----------</td>
<td>-----------</td>
<td>------------</td>
</tr>
<tr>
<td>Purchase carbon fibre air cylinders</td>
<td>40</td>
<td>$1,495</td>
<td>$59,800</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td></td>
<td><strong>$115,540</strong></td>
</tr>
</tbody>
</table>

While the request for SCBAs in the report require a significant depletion of the municipality’s reserves, the opportunity to upgrade SCBAs at a preferred rate can be capitalized on, with Council approval. Staff does not anticipate requiring significant equipment reserves for the remainder of 2019, or into the immediate future. Alternatively, equipment purchases can be presented to the Green Lane Community Trust for financing, if the need arrives. Staff is further suggesting that instead of moving forward with a transfer to reserve of $18,000 per year for SCBA, future budget years may only require a $10,000 annual transfer to reserve, as staff are recommending that replacement of a single SCBA unit be scheduled each year to ensure the equipment is maintained and current.

**Respectively Submitted by:**

Jeff McArthur, Fire Chief  
“Submitted electronically”

**Approved by:**

Lisa Higgs  
CAO/Clerk
TOWNSHIP OF SOUTHWOLD
Report to Council

DATE: May 27th, 2019

PREPARED BY: Lisa Higgs, CAO/Clerk

REPORT NO.: CAO 2019-66

SUBJECT MATTER: Request for Waiver of Keystone Fees

Recommendation:
THAT Council authorize the waiver of fees for the rentals detailed in Report CAO 2019-66.

Purpose:
To provide Council a detailed listing of existing rentals, with anticipated 2019 rental frequencies, at the Keystone Complex and Pavilion with waiver of fees.

Background:
At the October 23, 2017 meeting of Council, the Tariff of Fee by-law was changed, effective November 1, 2017 to include that written submission to Council to request the waiver or reduction of fees is required.

On July 9, 2018, Report FIN 2018-37 was brought before Council requesting a waiver of fees for the 2018 calendar year. Below is a chart of requests for the 2019 calendar year. Requests for 2019 from this point forward, will come to Council at the next available meeting. Moving into 2020, organizations will be required to submit their requests for Council consideration in January.

Community Groups and Organizations:

<table>
<thead>
<tr>
<th>Group</th>
<th>Dates</th>
<th>Fee</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scouts</td>
<td>Wednesday Evening – Jan. to June</td>
<td>39 evenings x $265</td>
<td>$10,335</td>
</tr>
<tr>
<td></td>
<td>Wednesday Evening – Sept. to Dec.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shedden Soccer</td>
<td>Registration – Sat. Feb. 9 &amp; Tues. Mar. 5</td>
<td>$330 + $450 = $780</td>
<td>$1,055</td>
</tr>
<tr>
<td></td>
<td>Exec. Meeting – April 18</td>
<td>$55</td>
<td></td>
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<tr>
<td></td>
<td>Coach Training – Sun. Apr. 28</td>
<td>$55</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Referee Clinic – Sun. May 5</td>
<td>$55</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Meet the Coach – Mon. May 6</td>
<td>$55</td>
<td></td>
</tr>
<tr>
<td>VON Exercise</td>
<td>Weekly – Tues. &amp; Thurs. AM Luncheon – 2nd</td>
<td>100 x $265</td>
<td>$26,500</td>
</tr>
<tr>
<td></td>
<td>Tues. Mar-June</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2nd Tues. Sept. – Dec. (none booked as of yet)</td>
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</tr>
<tr>
<td>Shedden Agricultural</td>
<td>AGM – Sat. Jan. 19, 2019</td>
<td>$450</td>
<td>$450</td>
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<tr>
<td>Society</td>
<td>Monthly Mtg – 2nd Monday</td>
<td>7 x $55</td>
<td>$385</td>
</tr>
<tr>
<td></td>
<td></td>
<td>$1,070</td>
<td>$1,070</td>
</tr>
</tbody>
</table>
### Annual Fair
- **Dates:** Wed. to Mon., 4th Sat. in August
- **Volunteer Potluck:** Oct. 26
- **Bi-Annual Quilt Show (not in 2019):** $600

### Southwold Community Policing Association
- **Bi-Annual Trivia Night:** April 13, 2019
- **Fee:** $600

### Rosy Rhubarb
- **Meeting Dates:** Jan. 15, April 16, May 21, June 4, June 25, Oct. 15, Nov. 19
- **Monday Before Rosy Rhubarb Festival:** sauce making
- **Festival Dates:** June 7-9
- **Remembrance Day:** S/U Nov. 9, Service Nov. 10
- **Festival Fee:** $1,070
- **Monday Fee:** $270 + $450
- **Total Fees:** $1,070 + $720

### Tractor Pull Committee
- **Father’s Day Weekend:** June 13-16
- **Occasional evening meetings:**
- **BBQ Fee:** $90
- **Total Fees:** $1,070

### Fingal/Shedden Optimist Club
- **Halloween Party:** Friday, Oct. 25, 2019
- **Fee:** $600

### Dutton Sparks Meeting
- **Meeting Dates:** Sat. May 5 to Sun. May 6, 2019 – 8 AM to 11:30 (Sunday)
- **Fee:** $600 + $330 (until 11:30 on Sunday AM)
- **Total Fees:** $930

### TOTAL
- **Total Fees:** $46,035.00

### Township and Committee of Council Rentals:

<table>
<thead>
<tr>
<th>Group</th>
<th>Dates</th>
<th>Fee</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Southwold Fire Department</td>
<td>Firefighter’s Dance – June 25 BBQ – Sept. 8 – Picnic Pavilion</td>
<td>$600, $90</td>
<td>$690</td>
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<tr>
<td>Keystone Committee</td>
<td>Quarterly Meeting (Jan. 11, May 9, Sept., Dec)</td>
<td>4 x $55</td>
<td>$220</td>
</tr>
<tr>
<td>Family Day Committee</td>
<td>Winterfest – Feb. 8, 2019</td>
<td>$1,070 ($470 grounds, $600 hall)</td>
<td>$1,070</td>
</tr>
<tr>
<td>Southwold Economic Development Committee</td>
<td>Southwold By Tractor – Sat. July 6, 2019, Livestock barn, Fingal Pavilion</td>
<td>$120 + $80</td>
<td>$200</td>
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<tr>
<td>Township Volunteer Recognition Award Night</td>
<td>Thurs. Nov. 14, 2019</td>
<td>$265</td>
<td>$265</td>
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<tr>
<td>Southwold Young @ Heart</td>
<td>March 28, April 25, May 9, May 23, June 13, June 27, July 11, July 25, Aug. 7, Aug. 20, Sept. 12, Sept. 26</td>
<td>$265 x 12</td>
<td>$3,180</td>
</tr>
</tbody>
</table>

### TOTAL
- **Total Fees:** $5,980
Financial Implications:
The financial impact to provide the aforementioned rentals free of charge to Community Groups and Organizations for 2019 is estimated at $46,035.00.

Internal usage for the Township (both for the corporation and for Committees of council) is estimated at approximately $5,980.

In accordance with the Tariff of Fees By-law, any new or renewed rental agreements for Groups or Organizations looking for a waiver of fees will include a written request to Council.

The total estimated cost of waiving fees to the groups listed is $52,015.00.

Respectfully Submitted by:

Lisa Higgs, CAO/Clerk
DATE: May 27th, 2019

PREPARED BY: Lisa Higgs, CAO/Clerk

REPORT NO.: CAO 2019-67

SUBJECT MATTER: Request for Extension of Sidewalk North of Shedden

Recommendation:
THAT Council receive the report on the Request for Sidewalk Extensions North of Shedden as information;

AND THAT Council directs staff to proceed with soliciting quotations for a Township wide Sidewalk strategy for consideration in 2020 budget.

Purpose:
To provide Council with information relating from a request received from a resident related to extending sidewalks north of Shedden.

Background:
At the end of April 2019, members of Council were contacted by a resident who lives North of Shedden on Union Road, requesting that sidewalks be installed on the road to:
help remind motorists that the area is a settlement area and reduce their speed; to
provide families with a safe area to walk; and to address concerns from residents about the possible increase in traffic intensity related to the growing village of Port Stanley.
The resident also suggested that in the meantime, while waiting for sidewalks, warning “children playing” signs be installed along with electronic speed radars.

Following receipt of this e-mail, staff was instructed to bring forward a staff report to outline the issues requested.

Comment:
Staff has investigated the request and can offer the following commentary.

Request for Sidewalk Extension:
Presently, the Township does not have a sidewalk master plan or guiding document to address responding to these types of requests or to coordinate the installation of sidewalks on existing Township roadways.

The Township’s Strategic Plan contains the following:
3.2.C “Confirm that new subdivisions in growth communities include sidewalks and active transportation networks to encourage safety. Ensure all new parks are fenced.”

The Strategic Plan does not otherwise address sidewalks.

The current Union Road sidewalks North of Shedden consist of approximately 272 meters of sidewalk which are 1.5 meters in length on the East Side of the Road. There are also paved boulevards that extend approximately 100 meters further north of where
the sidewalk ends. To extend the existing sidewalk to the limits of the Northern boundary of Shedden would be an approximate distance of 660 meters. AODA standards require this sidewalk to be 1.5 meters in width.

All sidewalks in the municipality are owned and maintained by the Township. Even though this sidewalk would be on a County road, all costs are the responsibility of the Township. Using the same rate for sidewalk installation recently paid by the municipality in a Township park project ($6.00/sq foot), the total estimated cost would be $76,725.36.

Staff has conferred with the County of Elgin to enquire about the replacement schedule proposed for Union Road, and the engineering department confirmed that the road was resurfaced relatively recently. Additional capital works from the County of Elgin are estimated to be within the 5 year to 10 year time frame. Another concern raised by the County of Elgin was that the possible sidewalk extension requires crossing of Hydro One and Entegrus Lands, which can provide challenges in terms of approvals.

Given that there is no guiding document for when the Township receives these types of requests, it may be prudent to initiate a strategic investigation into how to manage the Township’s sidewalks. The sidewalk inspection is proposed for the summer of 2019 and contributions to reserves for sidewalks were recently increased as a result of increased provincial funding. Staff are recommending that they be directed to compile all data and approach consultants about completing a sidewalk master plan/strategy to serve as a guiding document for Council decisions in the future. These quotations could be included in the 2020 budget.

Warning Signs/Speed Signs:

In January of 2019, staff brought forward report CAO 2019-25, which was provided to seek Council policy direction on signage that are not legal road signs, but that are used for information or warning purposes. At that time, Council directed staff to proceed with drafting a waiver to be completed by residents requesting the signs and then to continue to install the warning sign as requested. In this instance, staff can circulate the waiver to residents and solicit signatures and then proceed with installation, if directed by Council.

As for electronic speed signs, this is a concern that can be raised with the Southwold Community Policing, who liaise with the OPP to coordinate electronic signage and focused patrols.

Financial Implications:
If Council directs staff to proceed with requested sidewalk works, these are not included in the 2019 budget. A consultant for a sidewalk plan is not included in the 2019 budget, so it is recommended that this be debated as part of the 2020 budget.

Respectfully Submitted by:

Lisa Higgs, CAO/Clerk
DATE: May 27th, 2019

PREPARED BY: Lisa Higgs, CAO/Clerk

REPORT NO.: CAO 2019-68

SUBJECT MATTER: Summary of Bill 108

Recommendation:
THAT Council receive the report on the Province’s Bill 108 as information.

Purpose:
To provide Council with information relating to Bill 108, the “More Homes, More Choices Act”.

Background:
In the first week of May 2019, the Government introduced Bill 108, More Homes, More Choice Act, which aims to increase affordable housing in Ontario. The Bill affects 13 Acts and has several municipal implications, which are briefly summarized below. The following is taken from the Association of Municipal Clerk’s and Treasurer’s of Ontario circulation on the Act. Attached also to this report is correspondence from AMO, Watson and Associates, local Conservation Authorities, and other municipalities.

Comment:
Below is a summary of the various schedules of Bill 108:

Schedule 1 – Cannabis Control Act
- Repeal the legislation that prohibits police from shutting down illegal dispensaries if the premise is being used as a residence. With this reversal, the police could exercise the same authority they already have to lock down commercial, industrial or institutional properties in the course of laying cannabis-related charges.

Schedule 2 – Conservation Authorities Act
- Change Conservation Authorities (CA) main mandate to be:
  - Natural hazard protection and management (i.e. floods);
  - Conservation and management of conservation authority lands; and
  - Protecting drinking water sources under the Clean Water Act, 2006
- CAs’ current mandate is to "undertake watershed-based programs to protect people and property from flooding and other natural hazards, and to conserve natural resources for economic, social, and environment benefits."
- Lake Simcoe Conservation Authorities has specific responsibilities relating to the Lake Simcoe Protection Act, 2008 where standards and expectations for its core services will be set out in regulations.
- Provide municipalities the ability to determine how conservation authorities spend the levy they receive from property tax bills.
- Streamline and standardize CAs’ authority in municipal planning by requiring CAs to enter into a memorandum of understanding.

Schedule 3 – Development Charges Act, 1997
- Exempt development charges (DCs) for secondary units like basement suites that are built in new homes.
- Allow developers who are building rental or non-profit housing to delay paying DCs for up to five years.
- Allow municipalities to fully charge for waste diversion costs (currently, capital costs for waste diversion must be reduced by 10% when determining development charges).
- Amend rules for when DCs are payable if the development is rental housing, institutional, industrial, commercial, and non-profit housing. Unless certain exceptions apply, the charge is payable in six annual installments when occupancy takes effect. Local governments may charge interest from when a building permit is issued with the interest rate determined by regulation. Front-ending payment agreements reached before the Act coming into force will be exempt from this.

Schedule 4 – Education Act
- Amend Schedule 195 to require a school board to give notice to the Education Minister if it plans to acquire or expropriate land and to allow the Minister to reject the board’s plans.
- Allow school boards to impose education development charges on all development and redevelopment of land which will be a source of funding for school boards for growth-related education and land costs.

Schedule 5 – Endangered Species Act, 2007
- Change criteria and requirements for Ontario’s at-risk animals and plants, including:
  - Extend the time it takes for a species to be listed and protected from three months to twelve months;
  - Remove an automatic protection for species at risk. As it currently stands, even if a review is submitted to the Environment Minister by the Committee on the Status of Species at Risk in Ontario (COSSARO) involving "credible scientific information" that suggests a species’ protection classification is wrong, the species will automatically remain to be protected. The Minister can also ask for a delay in a protection classification for up to three years based on social and economic considerations;
• De-list an animal that is endangered if it safely exists in another nearby jurisdiction;
• Indefinitely delay the release of Government Response Statements about species at risk and remove requirements that currently directs the government to post notices of any delays in implementing recovery or management strategies; and
• Remove the requirement for the Minister to consider an expert opinion on whether an activity will jeopardize the survival or recovery of a species

• Create a new fund that would allow developers, municipalities, and others to pay fees in lieu of taking certain actions to protect and recover species at risk.
• Give broad approval to development projects for developers who seek to build multiple projects in one area.

Schedule 6 – *Environmental Assessment Act*

• Increase exemptions for low risk activities from having to undergo an EA process, including snow plowing, constructing roadside parks and adding bike lanes.
• Provincial exemption from a number of EA requirements relating to transit, mines, parks and real estate.

Schedule 9 – *The Local Planning Appeal Tribunal Act*

• Reinstate the rules of the Ontario Municipal Board (OMB) but under the name of its replacement the Local Planning Appeal Tribunal (LPAT).
• The former LPAT made appeal rules that compelled adjudicators to test if a council’s decision conformed to local and planning policies. The new rules will award the tribunal the ability to override municipal decisions regardless of the council’s position on the development file.
• Other proposals include:
  • Limits to third party appeals of subdivision;
  • Promote mediation to resolve appeals;
  • New limits on the extent of testimony; and
  • Increase the number of staff to reduce the existing LPAT case backlog from the OMB process and transition

Schedule 11 – *Ontario Heritage Act*

• Municipalities are required to notify owners if their properties are on a cultural heritage value list. If owners believe their lands should not designated as a heritage property, they can appeal to the municipality to remove their property from the list and challenge the designation further at the LPAT.
• Timeframes for notices and decisions are also proposed, such as a requirement for municipalities to respond to an objection from an owner within 90 days.

Schedule 12 – Planning Act

• Introduce a community benefits charge to replace Section 37, which would allow municipalities to impose community benefits charges against land to pay for facilities, services, and matters required to develop or re-develop the area. This would replace the parkland dedication provisions in some cases. The province will have the authority to exempt certain types of development from this charge. Before a municipality passes a community benefits charge, local governments will be required to develop a strategy and identify the facilities, services, and matters that will be funded. The amount charged will be capped as a percentage of land values.

• Reduce the time for councils to make a decision on official plan and zoning bylaw matters before an applicant can go to the tribunal for a decision. With official plan decisions, the timeline would be reduced from 210 days to 120 days and 150 days to 90 days for zoning.

• Allow a municipality or the Minister to initiate the use of a Community Planning Permit System (CPPS) in areas central for housing growth.

• Change the conditions under which local governments can establish inclusionary zoning by-laws and policies including limiting inclusionary zoning areas around protected major transit stations or areas with a development permit system in place. Under this proposal, the Minister of Municipal Affairs and Housing to exercise authority to order an area to be subject to inclusionary zoning.

• Require municipalities to authorize additional residential units for detached, semi-detached and row houses in primary dwellings and ancillary buildings or structures.

Financial Implications:
The changes proposed in Bill 108 affect multiple pieces of provincial legislation which may have long term financial impacts on the Township of Southwold. Quantifying or attempting to predict this impact is beyond the scope of this report.

Respectfully Submitted by:

Lisa Higgs, CAO/Clerk
AMO’s Initial Review of Bill 107, the Getting Ontario Moving Act, 2019 and Bill 108, the More Homes, More Choices Act, 2019

On May 2\textsuperscript{nd}, 2019, two Bills of key interest to municipal governments were introduced. Bill 108, \textit{the More Homes, More Choices Act, 2019} addresses the shortage of affordable housing across the province by finding faster ways of getting a greater mix of housing supply on the ground. Bill 107, \textit{the Getting Ontario Moving Act, 2019} updates numerous road safety rules and allows the province to assume ownership over Toronto’s subway infrastructure.

This update will focus on schedules of primary importance to municipal governments. We will continue to analyze the legislation and keep you updated as further information becomes available. A number of changes will require regulations.


The Bill contains numerous amendments to many pieces of legislation. Considering the pressure on the Ontario government, Bill 108 contains some positives for municipal governments. Other aspects of the Bill may result in financial and service impacts that need to be determined. We have put the Schedules in order of primary importance.

**Schedule 3 – Amendments to the \textit{Development Charges Act}**

The Housing Supply Action Plan reflects the long-standing idea that growth should pay for growth but brings some changes that will alter Development Charges (DCs). These include:

- The separation of DCs and a new Community Benefits Charge (CBC) regime to pay for as yet unspecified municipal services. Greater clarity is needed and will be provided through anticipated regulations. CBCs are discussed under Schedule 12.
- Municipal governments may now charge the full capital costs of waste diversion services in the calculation of development charges (not including landfill sites, landfill services, or incineration). This is a positive development.
Proposed changes also affect rules on when development charge are payable if the development is rental housing, institutional, commercial, industrial or non-profit housing. In these cases, development charge payments to the municipality will now be made as six annual instalments commencing upon occupancy. Municipal governments may charge interest from the time of building permit issue and the interest rate will be determined by regulation. Notably, front-ending payment agreements reached prior to the Act coming into force will be preserved.

- Against municipal advice, second dwellings or dwelling units will be exempt from development charges.
- Public library material (for reference or circulation) will also be excluded from development charge calculations.

A deeper analysis of Schedule 3 and its potential impacts is underway. Once completed, we will provide members with this information.

**Schedule 9 – Amendments to the Local Planning Appeal Tribunal Act**

The LPAT remains but will no longer evaluate appeals based on compliance with official plans and consistency with provincial plans and policy. Instead, it will return to a “best planning outcome” approach. This means a return to de novo hearings. This is very disappointing for municipal governments as it will again take final planning decisions out of elected councils' hands. Historically, the use of a de novo approach to appeals has drawn out hearings. It is unclear how this reversal will speed up housing development.

On the positive side, the Bill proposes limits to third party appeals of subdivisions and promotes increased mediation to resolve appeals. There will also be new limits on the extent of testimony. As well, the province has committed to hiring additional staff to help deal with the existing LPAT case backlog that arose from the OMB process and transition. It may be that current land use applications at Council tables are withdrawn to come in after Bill 108 rules take effect. AMO will consult with the Ministry as transition rules and accompanying regulations are considered.

**Schedule 12 – Amendments to the Planning Act**

The proposed Bill touches on numerous land use planning policies. Overall, these changes may have the desired effect of increasing the mix of housing and speeding up the process.

To facilitate housing mix, the Bill would allow the creation of second units in ancillary buildings. It also reduces timelines for making decisions related to official plans from 210 to 120 days and from 150 to 90 days for zoning by-law amendments. It also proposes to shelter plans of subdivision from third party appeals.

The schedule also proposes to change the conditions under which municipal governments can establish inclusionary zoning by-laws and policies to facilitate affordable housing development. Inclusionary zoning would be limited to areas around protected major transit stations or areas with a development permit system in place. The Bill would also allow the Minister of Municipal Affairs and Housing to exercise
authority to order an area to be subject to inclusionary zoning. These proposed changes will continue to allow municipal governments the ability to enact inclusionary zoning but will restrict the application of this affordable housing tool.

Another change is that either the municipality or the Minister can initiate the use of a Community Planning Permit System (CPPS) in areas strategic for housing growth.

The proposed legislation also introduces a new Community Benefits Charge (CBC) regime to address the costs of providing services to new residents as a result of growth. This is a change to Section 37 allowing a municipality, through a by-law defining an area, to impose community benefits charges against land to pay for capital costs of facilities, services and matters required because of development or redevelopment in the area. Notably, costs of growth eligible for development charges are excluded from the new Community Benefits framework.

The CBC by-law will be based on a strategy produced by the municipality which identifies the costs of growth not covered by development charges. As well, the Ministry of Municipal Affairs and Housing will be preparing a list of eligible items for the charge, methodology for calculating the charge and any caps they may deem necessary. AMO has discussed with the province the need for a transparent transition to this new means of recuperating the cost of growth.

It should be noted that the CBC will be held in a special account and these funds must be spent in keeping with the Act and regulations. Specifically, each year a municipality will have to spend or allocate at least 60 per cent of the monies that are in the special account at the beginning of the year. Certain lands (i.e. hospitals) will be exempted from the new Community Benefits regime. These exemptions will be listed in a future regulation.

Another proposed change relates to parkland. Parkland costs can be included in the Community Benefits Charge or they can be charged under subsection 42 (1). However, there will be changes to the methodology.

AMO will continue to monitor additional details as they become available. If Bill 108 becomes law, many regulations would be required for implementation.

**Schedule 2 – Amendments to the Conservation Authorities Act**

Schedule 2 introduces a new concept of Conservation Authority (CA) ‘core services.’ Core services’ includes programs and services related to natural hazard risks, land management and conservation of lands owned or controlled by the authority, source water protection under the Clear Water Act, 2006, and other CA responsibilities under legislation as prescribed in regulations. As well, the Lake Simcoe Conservation Authority has specific responsibilities related to the Lake Simcoe Act. Expectations on the standards and expectations for these core services will be set out in regulations.

The draft amendments will also require CAs to enter into memoranda of understanding with municipal governments on service delivery to avoid duplication, especially where planning and development are concerned. Knowing what CAs are
required to do, what is discretionary and how this impacts the levy as part of a municipal agreement is welcomed.

This schedule also includes governance and oversight-related provisions such as CA board member training and Minister oversight. Assurances that Conservation Authority Board members have training about their responsibilities is good governance.

AMO will participate in discussions with the Ministry of Natural Resources and Forestry and the Ministry of Environment, Conservation and Parks on the implementation of these changes, including draft regulations, in the months ahead.

Schedule 6 – Amendments to the Environmental Assessment Act

The province is proposing to increase the exemptions for low risk activities within the municipal class EA. These could include speed bumps, de-icing, and streetscaping. As well, the province has exempted itself from a number of EA requirements related to transit, mines, parks and real estate. A consultation paper has been released and AMO will be providing comment.

While greater information around Duty to Consult, the sale of provincial brownfields and the bump up process is being sought by AMO, these proposed changes reflect long term requests from the municipal sector.

Schedule 5 – Amendments to the Endangered Species Act

The suite of changes contained in this schedule is intended to streamline development while protecting endangered species. The proposals remain science-based and seek to balance both species-at-risk protections and human endeavours in a new way.

The proposed changes would require that species at risk be considered in the broader geographic context (both inside and outside Ontario) when determining species’ status. The role of the Committee on the Status of Species at Risk in Ontario (COSSARO) will remain the same. However, to increase predictability, their reports will now be due each year in January. Bill 108 also creates more realistic timelines, enables the phasing in of protection implementation and gives the Minister discretion to consider social and economic realities when determining a government response to species at risk.

A key change is that the Minister will be able to enter into ‘landscape agreements.’ A landscape agreement authorizes activities that would otherwise be prohibited with respect to one or more listed species. Agreements will include requirements to execute specified beneficial actions that will assist in the protection or recovery of species.

Bill 108 also establishes a Species at Risk Conservation Fund and an agency to manage and administer the Fund. The purpose of the Fund is to provide funding for activities that are reasonably likely to protect or recover species at risk. Where a municipal work or a development damages a habitat, a charge in lieu of meeting certain imposed conditions would be possible with a permit. The municipality or
developer would still have to minimize impacts and seek alternatives. This creates an alternative path for development where protection of onsite habitat is problematic.

AMO continues to work with the Ministry as they formulate policy, draft regulations and programming to implement these proposed changes.

**Schedule 11 – Amendments to the Ontario Heritage Act**

The Bill proposes changes that would improve heritage register maintenance and transparency. The legislative amendments would require a municipal council to notify the property owner if the property is not formally designated but has been included in the register due to cultural heritage value or interest.

The proposed legislation also includes new timelines for a number of notices and decisions that are currently open-ended under the existing regime. The amendments also provide additional clarity to the meaning of 'alteration' and 'demolition.' All of these changes should add more certainty to the process and make it more transparent and efficient.

**Schedule 1- Amendments to the Cannabis Control Act**

Schedule 1 clarifies provisions for interim closure orders for illegal dispensaries and creates exemptions allowing police and other emergency responders to enter the premises for 'exigent circumstances.' The schedule also repeals a provision that exempted residences from interim closure orders. This is to deal with the tactic of putting a residency within an illegal dispensary.

**Bill 107, The Getting Ontario Moving Act, 2019**

Bill 107 focuses on making roads safer for Ontario residents. The draft legislation also creates authorities for the provincial government to upload subway infrastructure.

**Schedule 1 – Amendments to the Highway Traffic Act (HTA)**

Bill 107 would amend the HTA to align sections related to driving under the influence to correspond with updates to the *Criminal Code of Canada*. This is necessary to ensure charges are consistent and defensible in court.

Another proposed change of key interest to municipal governments is the creation of an Administrative Monetary Penalty (AMP) regime for municipal governments to charge drivers that pass an extended school bus stop arm outfitted with a camera. The province will be putting forward regulations to allow the evidence from these cameras to be used in court. Municipal governments are keen to introduce school bus stop arm enforcement cameras to help keep children safe. Along with the anticipated deployment of Automated Speed Enforcement (ASE) technology in School and Community Safety Zones, these measures should provide the ability for local governments to more efficiently enforce road safety in communities.

A concern for municipal governments relates to fine collection. Section 21.1 (13) of the Bill provides that an AMP that is not paid in accordance with the terms of the order is a debt to the Crown. AMO recommends that the legislation be amended to consider it a
debt to the Crown or a municipal government, depending on its nature, as provided through a new regulation.

Bill 107, if passed, would also amend the rules to automatically allow off-road vehicles on municipal roads in all areas of the province. This amendment reverses the onus as these vehicles are currently prohibited unless a municipal government passes a by-law to allow them.

Another change is the anticipated alignment of Ontario's rules for commercial vehicles with other jurisdictions. This includes allowing the use of wide-based single tires for trucks and aligning the rules with other jurisdictions for charter bus operations in the province.

Penalty increases are also proposed for drivers that endanger workers such as construction personnel or tow truck drivers on highways and for drivers that drive too slowly in the left-hand lane. Bill 107, if passed, will also introduce new penalties for impaired driving instructors, for removing or defacing traffic signs and prohibiting vehicles from entering bicycle lanes and bus terminals.

The province will also review the rules of the road for bicycles, e-scooters and e-bikes as well as consult on raising highway speed limits.

**Schedule 3 – Amendments to the Metrolinx Act**

The legislation creates the mechanism for the Ontario government to prescribe rapid transit project design, development or construction as the sole responsibility of Metrolinx through regulation and to prohibit further action on that project by the City of Toronto. The proposed amendments would allow the Minister to issue directives to the City of Toronto and its agencies.

The changes in this legislation are limited to the City of Toronto and its agencies as defined under the *City of Toronto Act*, specifically the Toronto Transit Commission (TTC). However section 47 (1) of the legislation allows the province to assume assets "with or without" compensation or recourse to the City. The Act further stipulates that this transfer would not constitute a breach of by-laws, rights or contracts nor is it an expropriation. Section 51 (3) limits proceedings for remedies or restitution.

AMO notes that these proposed provisions could set precedents for changes beyond the TTC subway where the provincial government assumes municipal assets without fair compensation. AMO will review this further given its potential application in other municipal-provincial contexts.

**Schedule 5 – Amendments to the Public Transportation and Highways Improvement Act (PTHIA)**

Bill 107 proposes to update the PTHIA to recognize activities such as grading of land and broadens the definition of infrastructure to include "structures" in addition to bridge and underpass construction in the Ministry permit zone.

**Schedule 6 – Amendments to the Shortline Railways Act**
The Bill updates the Act to define a railway as a rail service to encompass its operations, to allow the registrar to more easily add, amend or revoke conditions on licenses and to provide processes for doing so, including by electronic means. Railways are required to provide operational information on a regular basis and to notify the registrar of changes to corporate officers or to the services provided. The Bill also proposes to abolish the current requirement for a shortline rail service that will discontinue operations to offer to sell to the Government of Ontario at salvage value.

Contacts:

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Bill 108:

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May 6, 2019

To Our Development Charge Clients:

Re: Proposed Changes to the Development Charges Act

The letter is to advise that on May 2, 2019, the Province introduced Bill 108 which proposes changes to the Development Charges Act, 1997 (D.C.A.). The Bill has been introduced as part of the Province’s “More Homes, More Choice: Ontario’s Housing Supply Action Plan.” The Bill has been given first reading and is expected to be debated over the coming months.

The Act proposes that any development charge (D.C.) by-laws passed after May 2, 2019 will be affected by these proposed changes. Any by-laws that were passed prior to this date will remain in effect until the by-law either is repealed or expires. A summary of the proposed changes to the D.C.A. is provided below.

Changes to Eligible Services – The Bill will remove “soft services” from the D.C.A. These services will be considered as part of a new Community Benefit Charge (discussed below) imposed under the Planning Act. Eligible services that will remain under the D.C.A. are as follows:

- Water supply services, including distribution and treatment services;
- Wastewater services, including sewers and treatment services;
- Stormwater drainage and control services;
- Services related to a highway as defined in subsection 1 (1) of the Municipal Act, 2001 or subsection 3 (1) of the City of Toronto Act, 2006, as the case may be;
- Electrical power services;
- Policing services;
- Fire protection services;
- Toronto-York subway extension, as defined in subsection 5.1 (1);
- Transit services other than the Toronto-York subway extension;
- Waste diversion services; and
- Other services as prescribed.

Waste Diversion – The Bill will remove the mandatory 10% deduction for this service.

Payment in Installments Over Six Years – The Bill proposes that rental housing, non-profit housing and commercial/industrial/institutional developments pay their D.C.s in six equal annual payments commencing the date of issuance of an occupancy permit or occupancy of the building, whichever is earlier. The municipality may elect to charge interest (at a prescribed rate) for each payment, commencing the date of the first
payment. If payments are not made, interest may continue to be charged and may be added to the property and collected as taxes.

**When D.C. Amount is Determined** – The Bill proposes that the D.C. amount for all developments proceeding by site plan or requiring a zoning amendment shall be determined based on the D.C. charge in effect on the day of the application for site plan or zoning amendment. If the development is not proceeding via these planning approvals, then the amount is determined at the earlier of the date of issuance of a building permit or occupancy.

**Soft Services to be Included in a New Community Benefit Charge Under the Planning Act** – It is proposed that a municipality may, by by-law, impose community benefits charges against land to pay for the capital costs of facilities, services and matters required because of development or redevelopment in the area to which the by-law applies. These services may not include services authorized by the D.C.A. Various provisions are provided as follows:

- Before passing a community benefits charge by-law, the municipality shall prepare a community benefits charge strategy that (a) identifies the facilities, services and matters that will be funded with community benefits charges; and (b) complies with any prescribed requirements.
- The amount of a community benefits charge payable shall not exceed an amount equal to the prescribed percentage of the value of the land as of the valuation date.
- The valuation date is the day before building permit issuance.
- Valuations will be based on appraised value of land. Various requirements are set out in this regard.
- All money received by the municipality under a community benefits charge by-law shall be paid into a special account.
- In each calendar year, a municipality shall spend or allocate at least 60 percent of the monies that are in the special account at the beginning of the year.
- Requirements for annual reporting shall be prescribed.
- Transitional provisions are set out regarding the D.C. reserve funds and D.C. credits.

**Remarks**

The proposed legislative changes noted above will require a more detailed review to consider the impact to the D.C. and Planning Act matters including methodology, collection policies and transition policies. As we have done in the past, our firm will be engaging with legal advisors to further consider the full implications of the Bill and potential Regulations. We will be providing a submission on the Bill to the Province on behalf of our D.C. clients. A few direct comments are made at this time for consideration of the reader, as follows:
Payment in Installments Over Six Years

- The delay in receiving the D.C. revenue will impact the D.C. cashflow. As most of these “hard services” must be provided in advance of development occurring, it will require increased debt borrowing. Added debt interest will have upward pressure on the D.C. quantum.
- As the proposed changes to the Act are to facilitate the Province’s housing agenda, it is unclear why these installment payments are to be provided to commercial, industrial and institutional developments.
- The requirement to manage multiple-year collections for each building permit issued for each rental housing, non-profit housing and commercial/industrial/institutional development building permit will cause a tremendous administrative burden on municipalities. This will add to staffing requirements and be reflected in higher planning and building permit fees.

When D.C. Amount is Determined

- Locking in the D.C. rates well in advance of the building permit issuance would produce a shortfall in D.C. revenue, as the chargeable rates will not reflect the current rate as of the time the development proceeds to be built.
- There should be a time limit on how long the development takes to move from site plan approval, or zoning change, to the issuance of a building permit. There is no financial incentive for the development to move quickly to building permit. This may induce speculation to change the land use and then market the lands. (Note: There is an opportunity for a time limit to be prescribed by regulation; however, there are a number of references currently in the D.C.A. that “the Minister may prescribe” which have not been acted upon.)

Soft Services to be Included in a New Community Benefit Charge Under the Planning Act

- More information is needed, as there are several key items to be included as part of the regulations. That is, what items are to be included in the community benefits charge strategy and what percentage of the “value of land” is to be eligible for collection?
- Depending on what is to be included in the community benefits charge strategy, this may be undertaken at a similar time as the D.C. background study. As noted, however, it is unclear as to the prescribed items to be included along with the process required to adopt the strategy and the by-law.
- Concern is raised regarding what prescribed percentage of the land value will be allocated for the charge. If the same percentage is provided for all Ontario, then a single-family lot in Toronto valued at $2 million will yield 20 times the revenue of a $100,000 lot in eastern Ontario. Given that building costs for the same
facilities may only vary by, say, 15%, the community benefits charge could yield nominal funds to pay for required services for municipalities outside the G.T.A.

- It is unclear how the community benefits charge will be implemented in a two-tier municipal system. Given that both the upper and lower tiers will have needs, there is no guidance on how the percentage of the land value will be allocated, or how the process for allocating this would occur. Obviously, land values will vary significantly in urban vs. semi-urban communities (e.g. in York Region, land value in Markham is significantly higher than in Georgina), so the upper-tier needs may only take, say, 30% of the allotted value in the urban areas but 75%-90% of the allotted semi-urban or rural values.

- Given the need for appraisals and the ability of the applicant to challenge the appraisal, a charging system based on land values will be extremely cumbersome and expensive. It is unclear how appraisal costs are recovered, and the appraisals may become a significant cost on each individual property.

We trust that the above information is helpful. For those clients who are in the midst of a background study process, we would be pleased to further discuss this with you and Council shortly. For our other clients, we would be pleased to arrange a time to discuss this further. As noted above, we will be providing further feedback to the Province during this legislative process.

Yours very truly,

WATSON & ASSOCIATES ECONOMISTS LTD.

Gary D. Scandlan, BA, PLE
Director

Andrew Grunda, MBA, CPA, CMA
Principal
May 16, 2019

Ms. Lisa Higgs, CAO/Clerk
Township of Southwold
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Dear Ms. Higgs:

On April 5th two provincial consultations about proposed changes to the Conservation Authorities Act and Regulations were posted to the Environmental Registry of Ontario: “Modernizing Conservation Authority Operations – Conservation Authorities Act” (Posting 013-5018) and “Focusing Conservation Authority Development Permits on the Protection of People and Property” (Posting 013-4992). Comments are due by May 20, 2019.

In the interim, Bill 108 the More Homes, More Choices Act, 2019 was released on May 2nd with its first reading in the legislature without the benefit of the consultation input of these ERO postings. Schedule 2 of the Bill pertains specifically to the Conservation Authorities Act.

Kettle Creek Conservation Authority (KCCA) considered all of these matters at its May 15, 2019 Full Authority meeting. Together with the reduction in the Natural Hazard Management Grant, the proposed changes in Bill 108 to the Conservation Authorities Act and discussed on ERO Posting 013-5018 Modernizing Conservation Authority Operation, represent significant changes to the programs and services that the Authority delivers and potentially significant financial pressures for KCCA and its member municipalities.

The ERO postings 45 day comment period and the introduction of amendments to the Conservation Authorities Act as part of the Housing Supply Action Plan is not conducive to KCCA’s ability to adequately communicate with its member municipalities in a meaningful way.

Consequently, KCCA is joining Conservation Ontario in recommending that Schedule 2 of Bill 108 be deferred from enactment to provide conservation authorities with an adequate opportunity to consult with their member municipalities.

To this end, please find attached KCCA’s responses to the ERO postings as well as Conservation Ontario’s Key Recommendations for Modernization of Conservation Authority Operations and Schedule 2 of Bill 108.

The government’s “Made-in-Ontario Environment Plan” identified an action to work in collaboration with municipalities and stakeholders to ensure that conservation authorities “focus and deliver on their
core mandate” of protecting people and property from flooding and other natural hazards, and conserving natural resources. It is hoped that deferring the enactment of Schedule 2 of Bill 108 would provide an opportunity to begin that collaboration.

Sincerely,

Stephen Harvey
Chair

Digitally Signed

cc: Conservation Ontario
Dear Ms. O’Neil

RE: Modernizing Conservation Authority Operations – CA Act ERO # 013-5018

Thank you for the opportunity to provide comment on the Ministry of the Environment Conservation and Parks’ proposal to amend the Conservation Authorities Act (CA Act). It is understood that the anticipated amendments presented in the ERO Posting were to inform amendments to improve the ability of conservation authorities (CAs) to modernize and improve delivery of their core programs and services – consistent with the government of Ontario’s ‘Made-in-Ontario Environment Plan.’

It is also understood that on May 2, 2019 Bill 108 the More Homes, More Choice Act, 2019 was released with its first reading in the legislature that enacts the proposed changes to the CA Act without the benefit of the consultation input of this ERO posting.

KCCA was not afforded the time to review this ERO posting in relations to Bill 108’s Schedule 2, in a wholesome and meaningful way either with its member municipalities or board members.

The Board of Directors met on May 15, 2019 and resolved to provide these comments as information for modifications to the Act and associated regulations. However, it should be noted that further comments, concerns may be forthcoming after a more comprehensive review of Bill 108 is undertaken.

At its May 15, 2019 meeting the Board of Directors also endorsed by motion, Conservation Ontario’s Key Recommendations for Modernization of Conservation Authority Operations and Schedule 2 of Bill 108 dated May 10, 2019 and would encourage the Province’s consideration of these recommendations.

The Province is proposing to make amendments to the Conservation Authorities Act (CA Act) to help conservation authorities focus and deliver on their core mandate and improve governance. The summary of the proposed changes in the ERO posting include five points:
1. Clearly define the core mandatory programs and services provided by conservation authorities to be: Natural Hazard Protection and Management; conservation and management of conservation authority lands; drinking water source protection (as prescribed under the Clean Water Act); and protection of the Lake Simcoe watershed (as prescribed under the Lake Simcoe Protection Act)

KCCA Response:

- While KCCA respects and supports the province’s continued efforts to more clearly define conservation authority core mandatory programs and services, the Authority strongly believes that all of its current programs and services support the purpose statement of the Conservation Authority Act being, “to provide for the organization and delivery of programs and services that further the conservation, restoration, development and management of natural resources” in the area over which it has jurisdiction. All of the programs and services that KCCA currently provides support delivery of hazard management, natural resource management and conservation and management of CA lands.

- Reference to terms, natural resources, watershed and monitoring are missing from the core mandatory programs and services and should be included. To handle flood control, monitoring and warning in a complete and rationale manner programs and services such as tree planting and restoration programs, environmental monitoring and data collection, land acquisition and protection are all necessary on a watershed-scale. These are in keeping with the objects of an Authority as stated in the CA Act.

- KCCA supports the management of conservation authority land being identified as a core mandate. KCCA operates two campgrounds, manages three day-use facilities, 25 km of hiking trails and currently owns 528 hectares of land. Staff members from the conservation areas assist with core program areas such as the maintenance and operation of the flood forecasting and warning resulting in increased efficiencies. With population growth in the watershed and a mounting interest in healthy-active living, there is additional pressures on KCCA’s landholdings. Health and Safety concerns, increased and more diverse access requests and user conflicts are more prevalent. Resources are required to manage these landholdings.

- Administration of the authority operations is also a core program and service and should be added. Currently, the Policies and Procedures for Determining Eligibility for Provincial Grant Funding to Conservation Authorities includes the overhead and support costs of the Conservation Authority which are not directly related to the delivery of a specific program and which typically include general management, clerical, financial and board staffing and expenses; office equipment and supplies; main office occupancy costs; etc. are listed as eligible expenses. These functions need to be adequately resourced to ensure accountability, good governance and compliance with health and safety requirements.

- The inclusion of Drinking Water Source Protection (as prescribed under the Clean Water Act) may be warranted as CAs have been engaged with this program since 2006.
However, it is anticipated that this area is being added as a core mandated program so that costs associated with the program can be shifted to municipalities.

KCCA is part of the Lake Erie Source Protection Region consisting of four conservation authorities with the lead CA being the Grand River Conservation Authority (GRCA). Since 2006, GRCA has conducted work on behalf of the Kettle Creek Source Protection Authority and the rest of the region. This work has been fully funded by the Province. This funding arrangement recognizes the cross boundary benefits of such work. The Province should maintain the current funding to the lead CA to avoid increases to municipal taxes and continue to benefit from cross boundary program development and capacity.

- Protection of the Lake Simcoe Watershed (as prescribed under the Lake Simcoe Protection Act) does not impact KCCA.

2. *Increase transparency in how conservation authorities levy municipalities for mandatory and non-mandatory programs and services.* Update the Conservation Authorities Act, and Act introduced in 1946, to conform with modern transparency standards by ensuring municipalities and conservation authorities review levies for non-core programs after a certain period (e.g. 4 to 8 years).

**KCCA Response:**
- Increasing transparency and clarity in how conservation authorities levy municipalities for programs and services is an important step in ensuring a continuing collaborative working relationship between conservation authorities and municipalities.
- It should be noted that KCCA’s current levy is reviewed on an annual basis, a process that is led by each member municipality with a final budget approval by the KCCA Board of Directors. KCCA’s full budget, levy apportionment and audited financial statements are available publicly.

3. *Establish a transition period (e.g. 18 to 24 months) and process for conservation authorities and municipalities to enter into agreements for the delivery of non-mandatory programs and services and meet these transparency standards.*

**KCCA response:**
- While the accepted timeline for implementation of 18 to 24 months is acceptable, it would be advantageous to align the transition period to align with the municipal term of council (December 2022).
- Modern transparency standards such as levy review and service agreements/memorandum of understandings for programs and services that the CA is undertaking on behalf of a municipality are supported. However, KCCA is concerned that the effort to increase transparency may unintentionally lead to financial inefficiencies and poor management of watershed resources.

As mentioned above, KCCA’s program areas often share staff and resources for cost and program efficiencies. In 2018 municipal levy accounted for 34% of the overall revenue of
the Authority with the majority, 61% being self-generated (i.e. user fees, grants). As proposed in Bill 108 Appendix 2, KCCA would not be able to undertake non mandated programs and services with municipal levy in the absence of a service agreement with a member municipality. This could mean that programs and services that benefit the entire watershed are only available within certain areas of the watershed – possibly, resulting in one or two member municipalities bearing a greater expense, or some watershed residents not being serviced while others are.

4. **Enable the Minister to appoint an investigator to investigate or undertake and audit and report on a conservation authority.**

   **KCCA response:**
   
   - KCCA is not opposed with the province’s proposal to amend the CA Act to appoint an investigator to undertake audit of CAs. However, it should be noted that KCCA currently prepares annual audited financial statement that are shared publicly. Additionally, KCCA’s Board of Directors retain their right to request additional audits or investigations as deemed necessary in accordance with their fiduciary duties to the organization.
   
   - It is hoped that because the costs of such audits are to be borne by the Authority that some measures would be established to determine the reasons why an audit may be initiated and whether or not concerns can be first addressed through a Board process.

5. **Clarify that the duty of conservation authority board members is to act in the best interest of the conservation authority, similar to not-for-profit organizations.**

   **KCCA response:**
   
   - KCCA supports the province’s proposal to amend the CA Act to clarify the duty of CA Board members – particularly to act in the best interest of the CA.

6. **We (the ‘Province’) are also proposing to proclaim un-proclaimed provisions of the Conservation Authorities Act related to: fees for programs and services; transparency and accountability; approval of projects with provincial grants; recovery of capital costs and operating expenses for municipalities (municipal levies); regulation of areas over which conservation authorities have jurisdiction (e.g. development permitting); enforcement and offences; and additional regulations.**

   **KCCA response:**
   
   - KCCA generally supports the initiative of the province to proclaim previously unproclaimed provisions in the CA Act. However, some of the unproclaimed provisions lack sufficient detail to comment. Of particular concern is detail around fee programs and services, entering into agreements with member municipalities for non-mandatory programs, definition of capital versus operating and maintenance costs and apportionment of levy among municipalities. More detail and consultation on these items is requested.
In conclusion, KCCA generally supports the province’s initiatives to increase the ability of conservation authorities (CAs) to modernize and improve delivery of their core programs and services. However, the timing of the ERO posting and corresponding Bill 108 has severely limited the Authority’s ability to communicate and consult on the proposed changes with member municipalities. These comments are respectfully submitted in that context.

Sincerely,

[Signature]

Stephen Harvey
Chair

Digitally Signed

cc: Conservation Ontario
Key Recommendations for Modernization of Conservation Authority Operations and Schedule 2 of Bill 108
(ERO 013-5018)
Submitted May 10, 2019

The following are recommendations submitted by Conservation Ontario to Environmental Registry Posting 013-5018, Modernization of Conservation Authority Operations and to Schedule 2 Bill 108.

Recommendation #1: THAT Schedule 2 Conservation Authorities Act (CAA) of Bill 108 be deferred from enactment to provide CAs with an adequate opportunity to consult with their member municipalities

The ERO 45 day comment period and the introduction of amendments to the CAA as part of the Housing Supply Action Plan is not conducive to the conservation authorities’ (CAs) abilities to explain or seek comment back from Boards of Directors or adequately communicate with member municipalities in a meaningful way. Especially not during operational pressures of the flood season and with the additional pressure of an in-year provincial funding cut of 50% to the flood management program. The conservation authorities are still trying to adapt to the loss of funding (and the ripple effects of other reductions such as the 50 million tree program) and how that will impact the member municipalities. Additionally, CAs have not had the opportunity to discuss the posting and proposed legislation as a collective (i.e. Conservation Ontario Council).

Recommendation #2: THAT the mandatory programs and services [proposed Section 21.1 (1)], to be prescribed in regulation, be supported and include the addition of: Conserving natural resources

Conservation authorities are concerned about defining and limiting a CA’s core mandatory program to the items listed in the ERO and Bill 108 (i.e. natural hazards, conservation-owned lands, source water protection, Lake Simcoe watershed). While these are supported as core mandatory programs and services, they fail to recognize the critical role that CAs play as a watershed and natural resource management agencies. As outlined in the Conservation Authorities Act (CAA), the objects of an authority are to “provide, in the area over which it has jurisdiction, programs and services designed to further the conservation, restoration, development and management of natural resources...” (Sec. 20(1)). Further, for the purposes of accomplishing its objects, an authority has the power to “study and investigate the watershed and to determine programs and services whereby the natural resources of the watershed may be conserved, restored, developed and managed” (Sec. 21(1)(a)). Watershed management has been the foundation for all CA programs and services since the inception of conservation authorities.

Residents of all watersheds rely on clean and sustainable drinking water, breathable air, green spaces and healthy rivers and streams for recreation, healthy soils, forests and wetlands that provide habitat for wildlife, as well as public health and many other benefits. Being in nature restores people and helps
them to stay active and healthy. The Conservation Authorities Act established in 1946 was predicated on responding to local issues on a watershed basis.

Including “conserving natural resources” as a mandatory program and eligible for municipal levy would recognize the important role that CAs play in protecting the function and resilience of natural resources at the watershed level. This would be consistent with the “Made-in-Ontario Environment Plan”, which states that conserving natural resources is part of a CA’s core mandate. CAs can assist the Province and local municipalities in addressing climate change and natural resource related issues at the watershed scale which is most cost efficient.

This role of CAs in undertaking programs on a watershed scale would be covered by mandatory programs and services under “conserving natural resources”. It would basically include the key elements of watershed management such as water quality and water quantity and vegetative cover monitoring and modelling on a watershed basis to support multiple objectives that are relevant to the watershed jurisdiction, including improvements to Great Lakes water quality, watershed resilience to climate change (e.g. flooding, biodiversity) and land use change (e.g. urbanization, agricultural intensification). In addition to education programs and community engagement, and land acquisition considerations, it would also include other watershed scale programs such as rural and urban stewardship with local landowners and agencies that improves and protects water quality and quantity and watershed biodiversity through restoration, rehabilitation and green infrastructure.

**NOTE: In the absence of implementing the above mandatory program and service** then it is imperative that the watershed management activities that advise or reinforce the ability to deliver on the mandatory programs (i.e. natural hazards, source water protection (including Great Lakes) and management of CA conservation areas/lands), be included in the prescribed regulations. These are further described in Recommendation #3 re: Standards and Requirements. In effect, as currently proposed, this would mean that watershed management programs and services related to biodiversity (e.g. management of fish and wildlife habitat, studies and advice on natural heritage, invasive species and endangered species management) and associated education programming would not be eligible for watershed-wide municipal levy support without the agreement of each individual municipality.

**Recommendation #3**: THAT the scope of standards and requirements to be prescribed in regulations capture all key elements of the mandatory program and service area, as well as, foundational watershed management and climate change adaptation activities required to support a CA’s ability to deliver on the mandatory program and service while respecting the fact that all eligible activities may not be relevant for every watershed

AND THAT these be developed in consultation with conservation authorities, municipalities, and other stakeholders.

Of critical importance will be the development of standards and requirements for each of the core mandatory program areas and what constitutes eligible activities within each of the mandated areas.
The core mandatory programs and services are supported and should include the following key elements:

1. **Natural hazards (management)** - Natural Hazard Information and Management Actions; Flood Forecast and Warning; Ice Management; Section 28 Regulation under the *Conservation Authorities Act*; Plan Review and EA Review for Natural Hazards; Low Water Response; and, Flood and Erosion Control and Low Flow Augmentation Infrastructure

2. **Conservation and management of conservation authority lands** - Conservation Land Information and Management Plans; Section 29 Regulation under the *Conservation Authorities Act*; and, Recreation Water Control Infrastructure

3. **Drinking water source protection** - Administering Source Protection Committees (SPCs); Assisting the SPC in the latter’s powers and duties to be carried out under the *Clean Water Act*; Assisting partner SP Authorities in the source protection region (SPR); Updating Source Protection Plans; Delivering annual progress reports; and, Policy implementation and integration

4. **Protection of the Lake Simcoe watershed** - that which is identified by the Lake Simcoe Region Conservation Authority.

The standards and requirements need to be framed to allow the specifics of each CA’s jurisdiction to dictate the relevance/applicability of each. For example, each CA has different natural hazards with different levels of risk based upon the specific geography of their jurisdiction and, as a further example, some CAs do not have flood and erosion control infrastructure (e.g. dams) to maintain or operate.

If “conserving natural resources” (see Recommendation 2) is not identified as a core program area to reflect the strong watershed management perspective of CAs, then foundational watershed management activities should be identified in the implementation regulations as key components required to carry out the proposed core program areas. As well, the activities described in regulation for each of these core mandatory programs and services should enable our ability to support climate change adaptation as per Ontario’s Environment Plan. It is critical that the Ministry consult with conservation authorities, municipalities, and other stakeholders on the development of the regulations outlining the requirements for all mandatory program areas (listed above).

The following paragraphs summarize the relevance of the foundational watershed management activities to the proposed mandatory programs and services:

Watershed management provides the necessary understanding and knowledge of watershed natural resources to effectively make informed decisions and carry out natural hazard protection and management, conservation and management of conservation authority lands and source water protection. Watershed management involves examining the environment and human activities within a watershed area and assesses the relationships between these activities to determine how the natural hazards, conservation areas and water resources of the watershed should be managed to ensure the health and safety of people and the protection of property, that conservation lands retain and enhance their ecological integrity and source water is protected.
Natural Hazards - By applying a holistic approach to watershed management, a range of factors are taken into consideration such as water quality/quantity, significant water features, precipitation, climate water balance, water budgets and the hydraulic cycle. This work provides the foundation upon which natural hazards (e.g. flood and erosion) can be evaluated. Watershed management provides the necessary understanding of the overall system and subsequently guides management actions needed to reduce the risks of natural hazards.

Conservation and management of conservation authority lands - Conservation authority lands often include a watershed’s most ecologically sensitive and robust areas. These areas support flood resiliency, filter air and water contaminants, and protect drinking water resources. Watershed management provides the necessary understanding of the overall health of the watershed and subsequently guides conservation and management actions needed to ensure the health of conservation areas.

Source Water Protection - The scientific work, modelling and data collection that is conducted through watershed management supports the science of source water protection. The water budgets, continued monitoring of water quality and water quantity as well as the modelling of surface water, groundwater and climate factors all provide the data and detail necessary to identify threats, risks and opportunities with respect to our drinking water resources. This information, consolidated with land use information, climate modelling and watershed stressors can identify potential future risks and threats to our drinking water resources and guides management actions needed to reduce the risks.

Recommendation 4: THAT the government remove the requirements for individual Municipal Council budget agreement for watershed-based programs called “other programs and services”/ non-mandatory

AND THAT updates to the municipal levy regulation and training be developed in collaboration with conservation authorities and municipalities

The ERO posting and Bill 108 propose to fundamentally change the CA/municipal funding relationship. As a general comment, it is agreed that CAs should be transparent in how they levy municipalities for both mandatory and non-mandatory programs and services. It is further agreed that CA budgets should be presented to their municipalities on an annual basis and distinguish levy funded programs from those that are not. Modern transparency standards for levy review and service agreements/memorandum of understandings for programs and services that the CA is undertaking on behalf of an individual municipality are supported.

The creation of conservation authorities recognized that water does not stop flowing at political boundaries and that there are economies of scale through cost sharing. Members of the Board of Directors are appointed by all involved municipalities, and this watershed management governance provides an essential multi-municipality perspective on which program investments will most benefit a watershed and should be supported by a municipal levy. The provincial proposal limits use of municipal levy to “mandatory programs and services” (standards and requirements to be prescribed in regulation) related to Natural Hazards, Conservation-owned Lands, Drinking Water Protection, and to Lake Simcoe
watershed protection. “Other programs and services”/non-mandatory identified by a CA Board for their watershed would need individual Municipal Council agreement on budget for them (21.1.2(2)) and accounting with each municipality that participates in order for a municipal levy to be applied. The proposal will consume resources and may unintentionally lead to financial inefficiencies and poor management of watershed resources. In effect it undermines the mandate, premise and value of the multi-municipality/watershed governance of conservation authorities.

The provision of a transition period and the ability to request an extension that has been provided in the proposed legislation is appreciated; however, this new administrative instrument appears cumbersome at best and prone to definitional challenges. It transfers components of budget decision making to municipal councils rather than with the Board of Directors. Instead we encourage a review of current training for CA Boards and municipalities with an emphasis on member roles, powers and responsibilities, as a reminder that program and budget control is already fully within their power. The existing governance structure was designed for this level of control; it seems more efficient to maximize the effectiveness of the existing governance structure through training than to create a new administrative tool that will greatly complicate the process, as well as create an additional administrative burden. It is unclear why a government that wants to reduce red tape and improve efficiencies is creating such a complicated and time consuming process for watershed management programs and services CA Boards deem necessary to provide.

NOTE: If Recommendation 2 is adopted then the administrative burden is reduced and this section could be retained to capture the rare circumstances when municipal levy is proposed to be used for “other programs and services”.

Recommendation 5: THAT the Province continue to invest in the core mandatory programs and services to be delivered by conservation authorities and support CA eligibility for other provincial funding programs

There are currently provincial transfer payments to all CAs for natural hazards (Ministry of Natural Resources and Forestry) and source water protection (Ministry of Environment, Conservation and Parks). The Province’s ‘Made-in-Ontario Environment Plan’ recognizes how issues such as climate change can impact and threaten Ontario’s economic prosperity and the well-being of its people; and states that addressing these challenges is a shared responsibility. However, the 2019 Ontario budget cut 50% of the natural hazards program funding to conservation authorities. This seems to be a contradiction to the Environment Plan commitments and is a concerning signal that the Province is on a path to reducing the remainder of its natural hazards financial support responsibilities to municipalities who, themselves, have also seen a reduction in their own provincial transfer payments as well as cuts to public health and other shared cross sector programs. This is unfair and the province is encouraged to continue its investment in these core mandatory programs and services.

Additionally, individual CAs are important on-the-ground delivery agents for numerous provincial programs through special contracts for example and it should be ensured that the eligibility of CAs for
these other provincial funding opportunities is not negatively affected and in fact, is improved. This would include provincial funding programs such as the Trillium Fund and the Canada-Ontario Agreement for Great Lakes Water Quality.

**Recommendation 6:** THAT core mandatory programs may be applied to municipal levy or could utilize other sources of revenue.

Given the instability of provincial transfer payments and additional pressures on municipal budgets from provincial cuts, the CA/municipal budget relationship should retain the CA Board’s ability to charge and use fee revenues. It is our request that these core mandatory programs may be applied to municipal levy or could utilize other sources of revenue. For example, CAs want the option of using self-generated revenue to support conservation (owned) land management, in addition to, or rather than, municipal levy.

**Other Proposals – Appointment of an Investigator (proposed Section 23.1 (4 – 8)); Duty of Members (proposed Section 14.1)**

These proposals are supported. With regard to investigations, it is assumed that given the costs of an investigation are to be borne by the Authority that some measures would be established to determine the reasons why an investigation may be initiated and whether or not concerns can be first addressed through a Board process.

Any questions regarding this submission can be directed to Bonnie Fox (Manager of Policy and Planning) at bfox@conservationontario.ca or 905-895-0716 ext 223.
May 16, 2019

Alex McLeod
Ministry of Natural Resources and Forestry
Policy Division
Natural Resources Conservation Policy Branch
300 Water Street
Peterborough, ON K9J 8M5

Dear Mr. McLeod

RE: Focusing Conservation Authority Development Permits on the Protection of People and Property
ERO # 013-4992

Thank you for the opportunity to provide comment on the Ministry of Natural Resources and Forestry’s (MNRF) proposal to create an updated regulation further defining the ability of Conservation Authorities (CAs) to regulate prohibited development and other activities for impacts to flooding and other natural hazards. It is understood the intention of the anticipated regulation will be to make rules for development in hazardous areas more consistent across Ontario, to support faster, more predictable and less costly approvals. These comments were endorsed by the Kettle Creek Conservation Authority Board of Directors at its meeting of May 15, 2019.

The Ministry proposals and Kettle Creek Conservation Authority (KCCA) responses are included below:

1. Consolidating and harmonizing the existing 36 individual conservation authority-approved regulations into 1 Minister of Natural Resources and Forestry approved regulation will help to ensure consistency in requirements across all conservation authorities while still allowing for local flexibility based on differences in risks posed by flooding and other natural hazards.
   
   **KCCA Response:**
   
   • KCCA is supportive of the proposal to consolidate and harmonize the existing 36 individual conservation authority regulations into one Minister of Natural Resources and Forestry approved regulation.
   
   • The updated regulation should include schedules which outline the appropriate regulatory storm for all 36 watersheds and the ability to incorporate shoreline management plans where they have been established.

2. Update definitions for key regulatory terms to better align with other provincial policy, including: “wetland”, “watercourse” and “pollution”;
   
   **KCCA Response:**
   
   • KCCA supports this proposal. Conservation Authorities through Conservation Ontario have encouraged the province to define these terms in relation to natural hazards to provide clarity and minimize variation across the province. In order to achieve a consistent interpretation of these terms and to assist in future legal matters that may
challenge these definitions, the MNRF should also consider providing supporting documentation in the future e.g. fact sheets or implementation guidelines.

3. **Defining undefined terms including: “interference” and “conservation of land” as consistent with the natural hazard management intent of the regulation;**
   
   **KCCA response:**
   
   - KCCA supports this proposal. These terms are integral to the implementation of a new regulation and the evaluation of an activity that requires a permit. Definitions for these terms and future implementation guidelines or fact sheets would provide clarity for conservation authorities, applicants and legal matters.

   A portion of the Conservation Authorities Act (CAA) is not proclaimed at this time. The province has indicated that it is proposing to proclaim sections of the CAA following the approval of the proposed Regulation. This includes: “S28.1 (1) An authority may issue a permit to a person to engage in an activity specified in the permit that would otherwise be prohibited by section 28, if, in the opinion of the authority, ... (b) the activity is not likely to create conditions or circumstances that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property.”

   - KCCA requests that the province also provide guidance on the interpretation and implementation of this clause to assist in the review of permit applications where this test may apply. Factors that may be considered include, but are not limited to:
     - safe ingress and egress of people and vehicles during a flood event
     - health and safety of emergency responders entering hazardous lands, such as flood waters and erosion prone areas;
     - floodproofing requirements
     - damage to structures on the site or to other landowners (offsite impacts)
     - future costs to protect property or manage risk to people and property due to climate change

4. **Reduce regulatory restrictions between 30m and 120m of a wetland and where a hydrological connection has been severed;**
   
   **KCCA response:**
   
   - The KCCA supports the reduction of regulatory restrictions between 30m and 120m from a wetland for low risk activities that would not impact the hydrologic function or public safety.

   - It’s important to note that there are activities that should not be considered low risk activities such as large scale excess soil/fill placement and grading activities, major infrastructure (e.g. roads, servicing or utility corridor).
5. **Exempt low-risk development activities from requiring a permit including certain alterations and repairs to existing municipal drains subject to the Drainage Act provided they are undertaken in accordance with the Drainage Act and Conservation Authorities Act Protocol;**

**KCCA response:**
- The KCCA supports the inclusion of this provision to enable the explicit exemption of some low risk activities. In some regulated areas, there are low risk activities that currently require a permit that could be considered for exemption. KCCA policies currently include Site Clearances for activities of this nature that occur outside of a wetland or some hazard areas such as minor landscaping or grading, replacement of service connections, small non-habitable accessory structures e.g. shed. KCCA would be pleased to work with MNRF and other stakeholders to review activities that may be included for exemption.
- KCCA is also supportive of including the low risk activities outlined in the Drainage Act and Conservation Authorities Act protocol.
- It is recognized that this proposed exemption would require an update to the DART protocol and it is recommended that the DART be re-convened for this purpose. When considering exemptions, the Province should contemplate the full range of tools embedded in the new S. 28 regulation, including opportunities for permit-by-rule, adopting a document by reference and registration. For example, as drainage works have the potential to impact flood control, it is essential that CAs be notified of the proposed work in advance.

6. **Allow conservation authorities to further exempt low-risk development activities from requiring a permit provided in accordance with conservation authority policies;**

**KCCA response:**
- KCCA supports this initiative to allow individual conservation authorities to identify low risk activities in limited parts of natural hazard areas where there is current technical information and mapping. Exemption of low risk activities includes two options: outright exemption and a permit by rule system. Permit by rule is used in other provincial legislation where the applicant agrees to a specific set of rules before they start a specific regulated activity in a defined area. The applicant may be required to register their activity with the KCCA and inspections may be required.
- The MNRF should consider the requirements that will need to be in place for the implementation of this provision such as regulation maps that are current and a regular maintenance process is in place. Provincial investment in updating components of the natural hazard maps may be necessary e.g. floodplain and wetland mapping. Current and reliable maps are a key part of the successful implementation of this option so the public can use the conservation authority regulation maps to identify where an exemption may or may not be applicable and avoid enforcement issues. KCCA regulation policies would need to be updated and approved by the Board in order to be clear on the type of activities and what type of an exemption may apply.
• It is recommended that the MNRF should also provide implementation support materials to provide the policy framework for exempting low-risk development activities.

• Finally, it should be acknowledged that any exemptions put an unfunded compliance burden on conservation authorities. Conservation authorities will have to give consideration to this issue when developing policies for low-risk development activities.

7. **Require conservation authorities to develop, consult on, make publicly available and periodically review internal policies that guide permitting decisions;**

   **KCCA response:**
   
   • KCCA supports this proposal. KCCA permit policies are available on our web site: [http://www.kettlecreekconservation.on.ca/planning-regulations/planning-services/](http://www.kettlecreekconservation.on.ca/planning-regulations/planning-services/)
   
   • To ensure greater consistency across the province, it is recommended that the MNRF should provide implementation support materials for CAs to base their internal policies upon.
   
   • KCCA would support an update to the 2002 Provincial Natural Hazard Guideline including new information to address climate change.

8. **Require conservation authorities to notify the public of changes to mapped regulated areas such as floodplains or wetland boundaries; and**

   **KCCA response:**
   
   • KCCA supports this proposal.
   
   • Where a municipality is undertaking a land use planning approval such as a secondary or community plan or environmental assessment and new or updated natural hazard mapping is available, the KCCA considers the public to be notified of these changes through the municipal consultation process. This avoids duplicate public processes.
   
   • Many updates to mapping are the result of site specific planning or permit applications and the landowner is notified as part of the process. These are considered minor housekeeping updates and are undertaken from time to time. Since effected parties are involved and aware of the changes, additional public notification is not undertaken.
   
   • Guidance on acceptable public notification processes would be helpful to outline options available to conservation authorities. The guidelines should consider factors such as the scale and scope of changes, alternative public notification opportunities to avoid duplication as well as the size of the watershed for comprehensive update.

9. **Require conservation authorities to establish, monitor and report on service delivery standards including requirements and timelines for determination of complete applications and timelines for permit decisions.**

   **KCCA response:**
KCCA supports this proposal. KCCA has been monitoring performance for permit approvals using the MNRF guidelines which include: 21 days to determine if an application is complete application and a decision within 30 days for minor applications or within the 90 days for major applications. CA staff concentrate on providing timely and clear pre-consultation criteria to encourage complete and thorough technical submissions. This effort to address complete applications and complex issues at the beginning of the land use planning or permit process has resulted in the KCCA achieving a very high compliance rate with MNRF guidelines for permit approvals.

10. Once a Regulation is established, the province is also proposing to bring into force unproclaimed sections of the Conservation Authorities Act associated with conservation authority permitting decisions and regulatory enforcement.

KCCA response:

- The KCCA supports proclaiming S.28 and S.30 of the Conservation Authorities Act. These sections of the Act outline the conservation authority regulation of areas where KCCA has jurisdiction i.e. natural hazards and enforcement and offences. The Act was updated to include modern approaches to the compliance and enforcement requirements including the ability to use tools such as a ‘Stop Order’ for work started without approval. There are also substantial increases in fines that may be a deterrent to illegal activities.

Thank you for the opportunity to comment.

Sincerely,

Stephen Harvey
Chair

Digitally Signed

cc: Conservation Ontario
May 15, 2019

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

Dear Premier Ford:

Re: Town of Aurora Council Resolution of Tuesday, May 14, 2019
Re: Motion (a) Mayor Mrakas; Re: Response to Bill 108, the More Homes, More Choice Act

Please be advised that this matter was considered by Council at its meeting held on Tuesday, May 14, 2019, and in this regard Council adopted the following resolution:

Whereas the legislation that abolished the Ontario Municipal Board (OMB) and replaced it with the Local Planning Appeal Tribunal (LPAT) received unanimous, all-party support; and

Whereas all parties recognized that local governments should have the authority to uphold their provincially-approved Official Plans, to uphold their community-driven planning; and

Whereas Bill 108 will once again allow an unelected, unaccountable body to make decisions on how our communities evolve and grow; and

Whereas on August 21, 2018, Minister Clark once again signed the Memorandum of Understanding (MOU) with the Association of Municipalities of Ontario and entered into “...a legally binding agreement recognizing Ontario Municipalities as a mature, accountable order of government.”; and

Whereas this MOU is “enshrined in law as part of the Municipal Act’ and recognizes that as “…public policy issues are complex and thus require
coordinated responses...the Province endorses the principle of regular consultation between Ontario and municipalities in relation to matters of mutual interest”; and

Whereas by signing this agreement, the Province made “...a commitment to cooperating with its municipal governments in considering new legislation or regulations that will have a municipal impact”; and

Whereas Bill 108 will impact 15 different Acts: Cannabis Control Act, 2017; Conservation Authorities Act; Development Charges Act; Education Act; Endangered Species Act, 2007; Environmental Assessment Act; Environmental Protection Act; Labour Relations Act, 1995; Local Planning Appeal Tribunal Act, 2017; Municipal Act, 2001; Occupational Health and Safety Act; Ontario Heritage Act; Ontario Water Resources Act; Planning Act; and Workplace Safety and Insurance Act, 1997;

1. Now Therefore Be it Hereby Resolved That the Town of Aurora oppose Bill 108, which in its current state will have negative consequences on community building and proper planning; and

2. Be It Further Resolved That the Town of Aurora call upon the Government of Ontario to halt the legislative advancement of Bill 108 to enable fulsome consultation with Municipalities to ensure that its objectives for sound decision-making for housing growth that meets local needs will be reasonably achieved; and

3. Be It Further Resolved That a copy of this Motion be sent to The Honourable Doug Ford, Premier of Ontario, The Honourable Christine Elliott, Deputy Premier, The Honourable Steve Clark, Minister of Municipal Affairs and Housing, Andrea Horwath, Leader of the New Democratic Party, and all MPPs in the Province of Ontario; and

4. Be It Further Resolved That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

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

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

McR/lb

Copy: Hon. Christine Elliott, Deputy Premier
     Hon. Steve Clark, Minister of Municipal Affairs and Housing
     Andrea Horwath, Leader of the New Democratic Party
     All MPPs in the Province of Ontario
     Association of Municipalities of Ontario
     All Ontario Municipalities
RE: Bill 108, the More Homes, More Choice Act, 2019

WHEREAS, the Government of Ontario has introduced Bill 108, The More Homes, More Choice Act, which amends 13 different Acts with the stated objective of stimulating the supply of housing in the Province of Ontario;

AND WHEREAS, Schedule 9 of the proposed legislation would amend the Local Planning Appeal Tribunal Act, reverting many of the practices and procedures of the tribunal to those of the former Ontario Municipal Board, thereby allowing an un-elected, unaccountable body to make important planning decision for our community;

AND WHEREAS, Schedule 12 of the proposed legislation would make multiple amendments to the Planning Act and, specifically, would reduce the timelines for making decision related to official plans, zoning by-laws and plans of subdivision, further impeding a municipalities ability to make important planning decision at the local level and reducing appeals to the Local Planning Appeals Tribunal;

AND WHEREAS, Schedule 5 of the proposed legislation would amend the Endangered Species Act, thereby establishing a Species at Risk Conservation Fund, enabling a charge in lieu of meeting requirements to adequately protect species at risk and their habitat;

AND WHEREAS the government of Ontario has not adequately consulted with the municipalities with respect to this proposed legislation, and;

NOW THEREFORE BE IT RESOLVED that Council for the Township of The Archipelago opposes Schedules 9, 12, and 5 of the proposed legislation highlighted above, as they will have a negative impact on our community and therefore call for their removal from the Bill;

AND NOW THEREFORE FURTHER BE IT RESOLVED that Council for the Township of The Archipelago request the Government of Ontario to halt the legislation and properly engage and consult with Municipalities before further considering the proposed legislation.
BE IT FURTHER RESOLVED that a copy of this resolution be sent to The Honourable Doug Ford, Premier of Ontario, The Honourable Christine Elliott, Deputy Premier, The Honourable Steve Clark, Minister of Municipal Affairs and Housing, Andrea Horwath, Leader of the New Democratic Party, Norm Miller, Parry Sound Muskoka MPP, Association of Municipalities of Ontario, and all Ontario Municipalities.

Carried.
DATE: May 27th, 2019

PREPARED BY: Lisa Higgs, CAO/Clerk

REPORT NO.: CAO 2019-69

SUBJECT MATTER: Talbotville Gore Road Waste Water Connection Policy Public Meeting and Public Consultation

Recommendation:
THAT Council receive the report on Talbotville Gore Road Waste Water Connection Policy Open House and Public Consultation as information.

AND THAT Council confirm the format for the Public Consultation and Public Meeting for the Talbotville Gore Road Waste Water Connection Policy.

Purpose:
To provide Council with information relating to the public consultation for the waste water connection policy.

Background:
In two reports to Council (CAO 2019-51 and CAO 2019-62), a discussion was facilitated on a possible connection policy and draft By-Law. The reports recommended that the public be notified about the pending By-Law. At a subsequent Talbotville Neighbourhood Committee meeting, it was suggested that a public meeting be scheduled to help explain the recommended policy and to hear resident concerns. An online survey was also discussed by the committee as an option to hear from citizens.

Comment:
Staff are suggesting that if Council is interested in hosting a Public Meeting, it would consist of a 20-30 minute presentation from staff providing an overview on the costing, By-Law and timing. Staff would focus on the financial position of the municipality, the purposes of reserves, the methodology for compiling the waste connection fee, the regulations requiring a user-pay system, and the process for connections.

Following this, the floor would be open to questions and comments from the residents.

In terms of those to include in the meeting, a notice and invitation will be circulated to all of those residents on Talbotville Gore Road, Shady Lane Crescent and Greenpark Drive.

Looking at the calendar, I am thinking either the second or third week of June. I would suggest that we rent the Talbotville United Church, as the residents of Talbotville have expressed this as their preferred venue.

On top of a public meeting, an online survey can be created to ask general information questions from residents (i.e. how old is your Septic System, would you benefit from
multiple connections to your lot, would you consider severing your lot for future infill, etc) and then ask questions about the public’s expectations for the sewer connection (i.e. at what Septic System age should connection be mandatory, how much notice would be reasonable to require connection, how long should payments be extended, etc). There would also be some general fields for residents to write their general comments. This data could be collected prior to the meeting and for anyone who can’t make the meeting to express their concerns.

Financial Implications:
There are limited financial implications of hosting the public meeting; the cost to rent the hall and staff time.

Respectfully Submitted by:

Lisa Higgs, CAO/Clerk
DATE: May 27th, 2019

PREPARED BY: Lisa Higgs, CAO/Clerk

REPORT NO.: CAO 2019-70

SUBJECT MATTER: Updated By-Law for the Elgin Area Water Supply System

Recommendation:
THAT Council review the Updated By-Law for the Elgin Area Water Supply System and provide any comments to be forwarded to the administrator prior to the Board’s meeting on June 6th.

Purpose:
To provide Council with a draft of the Updated By-Law and forward any comments to the Board.

Background:
The attached By-Law was circulated to the municipality by Huron and Elgin Area Water Supply System Director Andrew Henry for comments. Comments are requested prior to the June 6th meeting of the board. Previously, amendments to these By-Laws and representation on the Board was discussed at the joint Council meeting with Dutton Dunwich in February.

Comment:
The proposed bylaw maintains all other aspects of the voting and membership structure of the Board, and continues to be approximately in proportion to the water supplied to each benefiting municipality. Other than the joint consideration and appointment of one Member (and corresponding Alternate Member) between Central Elgin, Southwold and Dutton Dunwich, no other changes are proposed at this time.

Current Appointment Process
The appointment of members to the Board are undertaken through the benefiting municipalities of the system, and the makeup of the Board is roughly proportional to the volumes of water supplied to each municipality. A benefiting municipality may also appoint an Alternate Member to the Board for each Member that the municipality is entitled to appoint. An Alternate Member may participate in meetings of the Board, but may only vote in the absence of the Member.

In the case of the Town of Aylmer, the Township of Malahide, and the Municipality of Bayham, one Member is entitled to be appointed by the municipalities acting jointly. The municipalities may also appoint one Alternate Member to the Board, again acting jointly.

In the case of the Township of Southwold and the Municipality of Central Elgin, one Member is entitled to be appointed by the municipalities acting jointly. The municipalities may also appoint one Alternate Member to the Board, again acting jointly.
Accordingly, the current appointments to the Board of Management for the Elgin Area Water Supply System are as follows:

<table>
<thead>
<tr>
<th>Benefiting Municipality</th>
<th>Entitlement of Member Appointment</th>
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</thead>
<tbody>
<tr>
<td>London</td>
<td>3 Members</td>
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<tr>
<td>St. Thomas</td>
<td>2 Members</td>
</tr>
<tr>
<td>Aylmer, Malahide, Bayham</td>
<td>1 Member</td>
</tr>
<tr>
<td>Central Elgin, Southwold</td>
<td>1 Member</td>
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</tbody>
</table>

**Proposed Appointment Process**

The proposed process maintains the member appointments in approximate proportion to water volumes supplied to the benefiting municipalities, but accounts for the Municipality of Dutton-Dunwich as a benefiting municipality. Because of the nature of the previous (limited) water supply agreement to the Tri-County Management Committee and the West Elgin water system, the volumes that were previously supplied to the West Elgin water system (Dutton-Dunwich) were accounted for within Southwold’s proportion of water supply volumes. Accordingly, the net total volume within the Elgin Area water supply system and its benefiting municipalities remain unchanged; however the apportionment of volumes is adjusted between Southwold and Dutton-Dunwich.

The proposed process and attached bylaw recommends that the joint appointment of a Member for Central Elgin and Southwold be adjusted to be a joint appointment of a Member for Central Elgin, Southwold and Dutton-Dunwich.

Accordingly, the proposed appointments to the Board of Management for the Elgin Area Water Supply System would be as follows:

<table>
<thead>
<tr>
<th>Benefiting Municipality</th>
<th>Entitlement of Member Appointment</th>
</tr>
</thead>
<tbody>
<tr>
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<tr>
<td>Aylmer, Malahide, Bayham</td>
<td>1 Member</td>
</tr>
<tr>
<td>Central Elgin, Southwold, Dutton-Dunwich</td>
<td>1 Member</td>
</tr>
</tbody>
</table>

The draft By-Law is attached to this report.

**Financial Implications:**
There are no financial implications at this time.

**Respectfully Submitted by:**

Lisa Higgs, CAO/Clerk
BYLAW No. __

A by-law relating to the appointment of Members and Alternate Members to the Joint Board of Management for the Elgin Area Primary Water Supply System.

WHEREAS the Joint Board of Management for the Elgin Area Primary Water Supply System was established pursuant to a Transfer Order issued under the Municipal Water and Sewage transfer Act, 1997;

AND WHEREAS the Transfer Order provided that the composition of the Board of Management could be altered as determined by the Board of Management;

AND WHEREAS it is deemed expedient to alter the composition of the Board of Management as herein provided;

NOW THEREFORE the Joint Board of Management for the Elgin Area Primary Water Supply System enacts as follows:

DEFINITIONS

1.0 In this By-law, unless the context otherwise requires:

“Board of Management” means the Joint Board of Management for the Elgin Area Primary Water Supply System;

“Board Member” means a person appointed by the Council(s) of a benefiting municipality of the Elgin Area Water Primary Supply in accordance with this Bylaw;

“Alternate Board Member” means a person appointed by the Council(s) of a benefiting municipality of the Elgin Area Primary Water Supply system in accordance with this Bylaw.

COMPOSITION OF THE BOARD OF MANAGEMENT

2.1 APPOINTMENT OF BOARD MEMBERS

The Board of Management shall be comprised of up to seven (7) Members:

(a) The Council of the Corporation of the City of London may appoint up to three (3) Board Members;
(b) The Council of the Corporation of the City of St. Thomas may appoint up to two (2) Board Members;

(c) Acting jointly, the Councils of the Corporation of the Municipality of Bayham, the Corporation of the Township of Malahide, and the Corporation of the Town of Aylmer together may appoint one (1) Board Member;

(d) Acting jointly, the Councils of the Corporation of the Municipality of Central Elgin, the Corporation of the Township of Southwold, and the Corporation of the Municipality of Dutton Dunwich may appoint one (1) Board Member.

2.2 APPOINTMENT OF ALTERNATE MEMBERS.
For each Board Member, the respective Council or Councils may appoint one (1) Alternate Board Member. An Alternate Board Member is entitled to attend and participate in all meetings of the Board, but may only vote in the absence of the Board Member(s) appointed by the respective Council or Councils.

2.3 TERM.
Board Members and Alternate Board Members will serve at the pleasure of the appointing municipal Council(s).

2.4 REMUNERATION.
Board Members and/or Alternate Members will not receive any remuneration, other than for direct expenses incurred by the Member or Alternate Member in the performance of their duties as a Member or Alternate Member that is not otherwise reimbursed by their appointing Council(s) or benefiting municipality.

ENACTED this ____ day of __________, 20__.  

______________________________________________
Board Chair

______________________________________________
Board Secretary
Registered Nurses’ Association of Ontario Best Practice Spotlight Organization

The Registered Nurses’ Association of Ontario (RNAO) has developed a Long-Term Care Best Practice Spotlight Organization (BPSO) designation program and process where Long-Term Care Homes partner with RNAO to implement multiple best practice guidelines over a three (3) year period. In February 2019, County of Elgin Homes were successful in achieving acceptance into the program.

The goals of the County of Elgin Homes are:
1. To increase nursing capacity and leadership across the organization and ensure compliance with legislation;
2. To enhance the quality of life of residents and families through the implementation of the Best Practice Guidelines chosen by the Homes (reduce the number of falls resulting in injury, reduction of physical restraints, and prevention of new/worsening pressure ulcers);
3. To streamline processes and minimize duplication for staff; and
4. To support the Homes in achieving ongoing “good standing” performance ratings with the Ministry of Health and Long-Term Care.

The overall goal for the County of Elgin Homes is to become “The Home where residents want to live, and the Home where staff want to work”.

Excellence in Resident Centred Care (ERCC)

In August 2018, two of Elgin County’s Long-Term Care Homes, Elgin Manor and Bobier Villa, received funding from the Ministry of Health and Long-Term Care for the Personal Support Worker Excellence in Resident Centred Care Education program. Through this program, staff have access to a number of courses and training programs including palliative care, safety and mobility, continence, infection prevention and control, oral care, nutrition and hydration, and pain and comfort. This program empowers residents to have a voice and participate in all levels of their care.

Terrace Lodge Redevelopment Project Update

The design phase of the Terrace Lodge Redevelopment Project is well underway. The Construction Manager Request for Proposal has been issued and interviews will take place in early June. Two public consultations, to be conducted by staff and the architect, have been scheduled for June 20, 2019 at 3:00 p.m. and 6:45 p.m. The public consultations are open to all staff, residents, families, visitors, contracted service providers, and neighbours. Click here for the full update report.
2019/2020 Ambulance Funding

The Ontario Government recently announced that funding for Land Ambulance Services will be frozen at 2018/2019 rates in an effort to find savings as they plan to regionalize this service. The County is anticipating more information from the province about how this service will be delivered in the future. To view the full report, please click here.

Elgin Manor Wastewater Treatment Plant Train #1 Rehabilitation

Immediate rehabilitation work is required on the Elgin Manor Wastewater Treatment Plant. County Council awarded the contract to Dielco Industrial Contractors Ltd. in the amount of $73,900 plus H.S.T. and approved bringing forward $85,000 from the 2021 capital budget to complete the project. Click here for more details.

Traffic Impact Study Funding

Traffic Impact Studies (TIS) are used to assess the potential impact of traffic generated by a proposed development or redevelopment and to identify the roadway improvements required to ensure the road network will operate safely and efficiently upon completion of the development. Studies initiated by Elgin’s partner municipalities may also be of value to the County for its own planning decisions. The County is interested in developing an equal funding partnership with Elgin’s partner municipalities for TIS that are mutually beneficial to both the County and the requesting municipality. For more information, click here to view the full report.

Healthy Communities Partnership - Elgin County Trails Study

Representatives from the Healthy Communities Partnership shared the Elgin County Trails Study with County Council. County Council supports trail development as part of an integrated approach to promoting healthy communities and will continue to support the work of the Healthy Communities Partnership and local municipal partners as well; County Council is committed to considering the recommendations in the report as part of their strategic planning process in the fall of 2019.

The complete May 21, 2019 County Council Agenda package can be found here.
Dear Council members:

We are currently planning the fourth annual “Southwold by Tractor” road run. This event was originally conceived to recognize our Townships farming heritage and a way to increase tourism in Southwold. Several of you have participated in the previous runs and we have also seen an increase in the numbers of tractors and spectators each year.

While most of our entrants are from Southwold, we have noticed that we are getting more entrants from other areas. For example, the 2018 event attracted several new participants from Kent County.

Once the construction of the new park in Talbotville is completed, we plan to rotate the start/finish each year between Shedden, Fingal and Talbotville to give as many residents as possible the opportunity to check us out. We will begin the road run in Fingal this year. As you are aware, Rosy Rhubarb is kind enough to provide us with the use of their “People Mover” so that those that don’t have a tractor can still go on the road run or you could simply borrow a tractor. Our Fire Department has also been kind enough to provide their Talbotville rescue vehicle and 2 firefighters to aid along the route.

The road run is not just simply driving around the Township. We also try to visit a local business and points of interest. This year we will be touring the Salmon and Trout Farm on Thomas Line and Ontario Plants on John Wise Line.

We have been able to pay our own expenses thanks to local business sponsorship, registration fees and hardworking volunteers. We hope this year to donate to a worthwhile cause in the Township. We are open to suggestions.

A key factor in terms of financial viability has been Council’s permission to use the Township Parks, the Fire Department rescue vehicle and two firefighters at no cost. I am asking that Council wave the fees for the use of the Fingal park, the fire rescue vehicle and firefighters. Thank you for your consideration.

Ian Chard, Chair Southwold By Tractor.
THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

BY-LAW NO. 2019-33

Being a By-law to establish a levy for the year 2019, to adopt tax rates for 2019 and to provide for penalty and interest in default of payment and the collection thereof.

WHEREAS it is necessary for the Council of the Township of Southwold, pursuant to the Municipal Act, 2001, S.O. 2001, c. 25, as amended, to levy a separate tax rate on the assessment in each property class in the local municipality rateable for local municipal purposes;

AND WHEREAS the Council of the Corporation of the County of Elgin, pursuant to the Municipal Act, 2001, S.O. 2001, c. 25, as amended, has established the tax ratios for the year for the upper-tier municipality and its lower-tier municipalities;

AND WHEREAS it is necessary for the Council of the Township of Southwold, pursuant to the Municipal Act, 2001, S.O. 2001, c. 25, as amended, to levy the tax rates specified in the upper-tier rating by-law passed for that year and further these tax rates are set out in Schedule “A” to this By-Law;

AND WHEREAS the Province of Ontario has, by regulation, specified certain tax rates for school purposes be levied and further these rates are set out in Schedule “A” to this By-Law;

AND WHEREAS the Municipal Act 2001, S.O. 2001, c. 25, as amended, requires tax adjustments to certain properties within the commercial and industrial assessment classes or subclasses;

NOW THEREFORE the Council of the Corporation of the Township of Southwold enacts as follows:

1. THAT the assessment contained in the assessment roll of the Township of Southwold as made pursuant to Province of Ontario Regulations and dated October 31, 2018 be
hereby adopted and confirmed as the assessment on which the rate of taxation for the year 2019 shall be levied.

2. THAT the said assessment roll be hereby adopted and confirmed as the last revised assessment roll for the said Municipality.

3. For the purposes of providing for the Corporation’s general municipal purposes, the tax rates set out in Schedule “A” be hereby adopted and levied for the year 2019 upon the whole of the said assessment of the Corporation according to the last revised assessment roll.

4. For the purposes of providing for the County of Elgin general levy, the tax rates set out in the County of Elgin by-law 19-05, as amended, be hereby levied for the year 2019 upon the whole of the said assessment of the Corporation according to the last revised assessment roll.

5. For the purposes of providing for the public and separate school education purposes, the tax rates set out by the Minister of Finance under O. Reg. 400/98, as amended, of the Education Act be hereby levied for the year 2019 upon the respective portions of the said assessment of the School supporters of the Corporation according to the last revised assessment roll.


7. All taxes and other special rates shall be paid into the office of the Tax Collector or Treasurer of the Township of Southwold.

8. The said final tax levy shall become due and payable one-half on or before August 30, 2019 and one-half on or before October 31, 2019 and non-payment of the amount, as noted, on the dates stated in accordance with this section shall constitute default.
9. For payments-in-lieu of taxes due to the Township of Southwold, the actual amount due and payable shall be based on the last revised assessment roll and the tax rates for the year 2019.

10. For railway rights-of-way and electrical corridors, taxes due to the Township of Southwold shall be calculated in accordance with the regulations established by the Minister of Finance and shall be based on the last revised assessment roll.

11. On all taxes which are in default on the 1st day following the above-noted due dates, a penalty of 1.25% shall be added and thereafter a penalty of 1.25% per month shall be added on the 1st day of each and every month the default continues, until December 31, 2019.

12. On all taxes in default on January 1, 2019, interest shall be added at the rate of 1.25% per month for each month or fraction thereof in which the default continues.

13. Penalties and interest added on all taxes of the final tax levy in default shall become due and payable and shall be collected forthwith as if the same had originally been imposed and formed part of such unpaid tax levy.

14. The Collector shall cause the same to be mailed, or emailed with permission, to the residence or place of business or of such person indicated on the last revised assessment roll, a written or printed notice specifying the amount of taxes payable.

15. All by-laws inconsistent with the provisions of this by-law are hereby repealed.


Clerk
Lisa Higgs

Mayor
Grant Jones
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<tr>
<th>Tax Class</th>
<th>Description</th>
<th>Municipal Tax Rate</th>
<th>County Tax Rate</th>
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<th>Total Tax Rate</th>
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THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

BY-LAW NO. 2019-34

A By-law to Amend By-law No. 2011-14

THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD HEREBY

ENACTS AS FOLLOWS:

1. That Section 2.0 DEFINITIONS, of By-law No. 2011-14, as amended, be amended by:

   1.1 Adding the following words “agricultural research” after the word “apiary”; deleting
       the word “on-farm” prior to the word “buildings”; and, adding the following sentence
       at the end of “AGRICULTURAL USE” definition:

       “This definition does not include the retail sale of Cannabis.”

   1.2 Adding the following definition “CANNABIS”:

       “CANNABIS” means a genus of flowering plants in the family Cannabaceae. Synonyms
       include but are not limited to marijuana and marihuana. This definition
       does not include the industrial or agricultural production of hemp (a source of food
       stuffs (hemp milk, hemp seed, hemp oil), fiber, and biofuels).

   1.3 Adding the following definition “CANNABIS CULTIVATION”:

       “CANNABIS CULTIVATION” means lands, buildings or structures registered with,
       or licensed by, Health Canada to undertake cultivation, planting, growing and
       harvesting of Cannabis, pursuant to the Cannabis Regulations under the Cannabis
       Act, or successor legislation. Notwithstanding any other regulations in this By-
       law, the processing, packaging, retail sale and any other accessory use associated with
       cannabis cultivation is prohibited.

   1.4 Adding the following definition “CANNABIS CULTIVATION AND PROCESSING”:

       “CANNABIS CULTIVATION AND PROCESSING” means lands, buildings or
       structures registered with, or licensed by, Health Canada to undertake cultivation,
       planting, growing and harvesting of Cannabis and the processing, manufacturing,
       synthesis, analytical testing, research, destroying, packaging and shipping of
       cannabis, pursuant to the Cannabis Regulations under the Cannabis Act, or
       successor legislation. Notwithstanding any other regulations in this By-law, retail
sale and any other accessory use associated with cannabis cultivation or processing is prohibited.

1.5 Adding the following definition “CANNABIS PROCESSING”:

“CANNABIS PROCESSING” means lands, buildings or structures registered with, or licensed by, Health Canada to undertake processing, manufacturing, synthesis, analytical testing, research, destroying, packaging and shipping of cannabis, pursuant to the Cannabis Regulations under the Cannabis Act, or successor legislation. Notwithstanding any other regulations in this By-law, retail sale and any other accessory use associated with cannabis processing is prohibited.

1.6 Deleting the words “…, and all accessory buildings excluding detached garages,” in the “LOT COVERAGE” definition.

1.7 Adding the following definition “SHIPPING CONTAINER”:

“SHIPPING CONTAINER” means a container designed and constructed in accordance with the International Organization for Standardization (ISO) or similar organization intended for and used in the transportation and shipping industry which may be used for the storage of goods, wares, merchandise, substances, articles or things accessory to an agricultural, commercial or industrial use.”

2.0 That Section 3.1 ACCESSORY USES, of By-law No. 2011-14, as amended, be further amended, by adding the following sentence at the end of subsection (b) OTHER ZONES:

“One (1) accessory building or structure, not exceeding 10.0 m² (107.6 ft.²) in floor area, may be excluded from the calculation of total lot coverage.”

3.0 That Section 3.20, MINIMUM DISTANCE SEPARATION FORMULAE (MDS I & II), of By-law No. 2011-14, as amended, be amended by removing subsections (a), (b) and (c).

4.0 That Section 3.21 MINIMUM FLOOR AREA, of By-law No. 2011-14, as amended, be further amended by:

“4.1 Deleting Section 3.21

(a) Minimum Floor Area

(i) single detached dwelling, 109.0m² (1175 ft.²) per dwelling unit;
Semi-detached dwelling, 109.0m² (1175 ft²) per dwelling unit

AND replacing with Section 3.21

(a) Minimum Floor Area

(i) single detached dwelling, 83.6m² (900 ft²) per dwelling unit;
semi-detached dwelling, 83.6m² (900 ft²) per dwelling unit.”
5.0 That Section 3.37 OUTDOOR SWIMMING POOLS AND RELATED STRUCTURES, of By-law No. 2011-14, as amended, be amended by deleting subsection (b) in its entirety and replacing with the following:

(b) no swimming pool or related structure shall be located closer than 1.5 m (4.9 ft.) to an interior lot line or a rear lot line.

6.0 That Section 3.38 PARKING AND LOADING SPACE REGULATIONS, of By-law No. 2011-14, as amended, be further amended, by:

6.1 Deleting subsection (d) Required Parking for the Disabled in its entirety, AND replacing with the following:

(d) Required Parking for Accessibility

The minimum number of accessible parking spaces shall be calculated as:

<table>
<thead>
<tr>
<th>REQUIRED SPACES</th>
<th>MINIMUM REQUIRED SPACES FOR ACCESSIBLE PARKING</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>TYPE A</td>
</tr>
<tr>
<td>1-50</td>
<td>1</td>
</tr>
<tr>
<td>51-75</td>
<td>1</td>
</tr>
<tr>
<td>76-100</td>
<td>2</td>
</tr>
</tbody>
</table>

6.2 Deleting subsection (e) (ii) in its entirety and, replacing with the following:

(ii) accessible parking spaces shall, in the case of a Type A, have a minimum width of 3.4 m (11.16 ft.) and, in the case of a Type B, have a minimum width of 2.4 m (7.87 ft.).

6.3 Deleting the word “handicapped” in subsection (f) (ii) and replacing with the word “accessible”.

6.4 Adding “…and clearly signed or marked as Accessible Parking Spaces.” in subsection (f) (ii) at the end of the sentence.

6.5 Adding subsection (iv) to Section 3.38 (f):

(iv) all designated accessible parking spaces shall be signed or marked in accordance with the Integrated Accessibility Standards Regulations and the Highway Traffic Act and in the case of Type A spaces signed or marked as “Van Accessible”.

6.6 Adding subsection (viii) to Section 3.38 (h):

(viii) every accessible parking space shall have a minimum unobstructed access aisle width of 1.5 m (4.9 ft.), extending the full length of the parking space
and be clearly identifiable by high tonal contrast diagonal lines, concrete or other hard distinguishing surface treatment to discourage parking on or within them which access aisle may be shared by two accessible parking spaces.

7.0 That By-law No. 2011-14, as amended, be amended, by adding subsection (g) to Section 3.39 PROHIBITED USES:

(g) the use of any land, building or structure for the purposes of the sale of Cannabis.

8.0 That By-law No. 2011-14, as amended, be further amended, by adding Section 3.46 SHIPPING CONTAINERS:

3.46 SHIPPING CONTAINERS

Notwithstanding any other provisions of this By-law, the following shall apply to shipping containers:

(a) Shipping containers shall be deemed to be a permitted use in all Agricultural (A1, A2), Commercial (VC, HC), Commercial/Industrial (CM1, CM2, CM3), Waste Management (WM) and Settlement Reserve (SR) Zones; and,

(b) Accessory Use regulations that apply for the Zone in which said shipping container is located shall apply.

Notwithstanding the foregoing to the contrary, a shipping container may be temporarily located in any Residential Zone for up to thirty (30) consecutive days for the purpose of storing items being moved from and to a dwelling unit. The shipping container may not be placed on any public street for that purpose.

9.0 That Section 5.2 REGULATIONS of the AGRICULTURAL 1 (A1) ZONE, of By-law No. 2011-14, as amended, be amended, by adding subsection (iv) to Section 5.2 (g) Reduced Lot Requirements:

(g) Reduced Lot Requirements

(iv) Minimum Front Yard for All Buildings shall be no closer than the established front yard for a single detached dwelling.

(v) Minimum Side Yard for an Accessory Use

1. Exterior Yard  6.0 m (20 ft.)
2. Interior Yard  1.2 m (4.0 ft.)

10.0 That Section 13.0 COMMERCIAL/INDUSTRIAL 1 (CM1) ZONE, of By-law No. 2011-14, as amended, be further amended, by:
10.1 Adding the following to Section 13.1 PERMITTED USES:

“CANNABIS CULTIVATION AND PROCESSING”; and,

10.2 Adding the following to subsection to Section 13.2 REGULATIONS:

(j) Minimum Separation Distance Between Any Building and Structure to Any Residential, Institutional or Open Space Building or Structure

75.0 m (246.0 ft.)

11.0 By-Law No. 2011-14, as amended, is amended by amending Schedule ‘A’ to change the zone symbol applying to lands legally described as North Part of Lot 39, Concession STRE (being Parts 1 and 2 on RP 11R-4406), as shown on Schedule “A-1”, attached hereto and forming part of this By-law, from Agricultural 1 “A1” Zone to Institutional “I” Zone.

12.0 By-law No. 2011-14, as amended, is further amended by amending Schedule “A” to change the zone symbol applying to lands legally described as North Part of Lot 39, Concession STRE (being Part 1 on RP 11R-752), as shown on Schedule “A-1”, attached hereto and forming part of this By-law, from Institutional “I” Zone to Agricultural 1 “A1” Zone.

13.0 By-law No. 2011-14, as amended, is amended by amending Schedule ‘A’ to change the zone symbol applying to lands legally described as Part of Lot 43, Concession ENBTR (being Part 13 on RP 11R-286 and Parts 1 to 3 on RP 11R-7155), as shown on Schedule “A-2”, attached hereto and forming part of this By-law, from Agricultural 1 “A1” Zone and Commercial/Industrial 1 “CM1” Zone to Commercial/Industrial 2 “CM2” Zone.

14.0 (a) If no notice of appeal to this By-law is filed with the Clerk of the Corporation of the Township of Southwold within the time prescribed by the regulations, this By-law shall thereupon come into force and shall take effect from the date of its final passing.

(b) If notice of appeal to this By-law is filed with the Clerk of the Corporation of the Township of Southwold within the time prescribed by the regulations, the By-law does not come into force until approved by the Local Planning Appeal Tribunal, or as otherwise provided by the Planning Act R.S.O., 1990.


Administrator/Clerk
Lisa Higgs

Mayor
Grant Jones
This is Schedule "A-1" to By-law No. 2019-34 passed on the 27th day of May 2019

MAYOR

CLERK

LYLE ROAD

FINGAL LINE

Lands to be zoned A1

Lands to be zoned I
This is Schedule "A-2" to By-law No. 2019-34 passed on the 27th day of May 2019

MAYOR

CLERK

TOWNSHIP OF SOUTHWOLD
COMPREHENSIVE ZONING BY-LAW 2011-14
SCHEDULE 'A' MAP 4
THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

BY-LAW NO. 2019-35

A By-law to Amend By-law No. 2011-14

THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD HEREBY ENACTS AS FOLLOWS:

1. By-Law No. 2011-14, as amended, is further amended by amending Schedule 'A' to change the zone symbol applying to lands legally described as Part of Lots 49 and 50, Plan 229, as shown on Schedule “A-1”, attached hereto and forming part of this By-law, from Residential 1 Zone “R1” to Special Provision Residential 1 Zone “R1-29”.

2. Subsection 8.3 Special Provisions of the By-law is amended by adding the following new Clause as 8.3 (ac):

“(ac) R1-29 As Shown on Schedule A, Map 9

(i) Permitted Use Only

- “Bachelor Dwelling Unit”

(ii) Regulation

- Minimum Front Yard 3.0 m (9.84 ft.).”

2. (a) If no notice of appeal to this By-law is filed with the Clerk of the Corporation of the Township of Southwold within the time prescribed by the regulations, this By-law shall thereupon come into force and shall take effect from the date of its final passing.

(b) If notice of appeal to this By-law is filed with the Clerk of the Corporation of the Township of Southwold within the time prescribed by the regulations, the By-law does not come into force until approved by the Local Planning Appeal Tribunal, or as otherwise provided by the Planning Act R.S.O., 1990.

READ A FIRST AND SECOND TIME, CONSIDERED READ A THIRD TIME AND FINALLY PASSED THIS 27th day of MAY, 2019.

________________________________________________________________________
Administrator/Clerk
Lisa Higgs

________________________________________________________________________
Mayor
Grant Jones
This is Schedule "A" to By-law No. 2019-35
passed on the 27th day of May 2019

__________________________  __________________________
MAYOR                        CLERK

TOWNSHIP OF SOUTHWOLD
COMPREHENSIVE ZONING BY-LAW 2011-14
SCHEDULE 'A' MAP 9

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Meters
Ska-Nah-Doht Advisory Committee

MINUTES

A meeting of the Ska-Nah-Doht Advisory Committee was held at the Resource Centre in Longwoods Road Conservation Area at 2:00 P.M. on Thursday, April 11, 2019. The following members were in attendance: Don Fairbairn, Bill Bruinink, Darcy Fallon, Gayle Bogart, Ron Doane, Jeannie Frawley, Sarah Emons and Mark Peacock. Also in attendance: K. Mattila, B. Carey and A. Vriends.

At 1:30 Committee Members toured the Ska-Nah-Doht Village site.

1. Minutes of the Last Meeting

   1. G. Bogart - R. Doane
      Moved that the minutes of the November 22, 2018 meeting be approved.
      CARRIED

2. Business for Approval

   2.1) Election of Chair and Vice-Chair

      M. Peacock assumed the chair for the elections and declared 2 positions vacant and outlined the voting procedure.

      a) Chair

      M. Peacock called for nominations for Chair of the Ska-Nah-Doht Advisory Committee.

      D. Fallon nominated D. Fairbairn

      M. Peacock called twice more for nominations. There being no further nominations,

      2. R. Doane - S. Emons
      Moved that nominations be closed.
      CARRIED

      Mr. Don Fairbairn was declared to be elected as Chair.

      b) Vice-Chair

      M. Peacock called for nominations for Vice-Chair of the Ska-Nah-Doht Advisory Committee.

      D. Fairbairn nominated D. Fallon

      D. Fallon nominated B. Bruinink
D. Fallon declined the nomination.

M. Peacock called twice more for nominations. There being no further nominations,

3. S. Emons - G. Bogart
   Moved that nominations be closed.
   CARRIED

Mr. Bill Bruinink was declared to be elected as Vice-Chair.

2.2) Appointment of Sub-Committees*

a) Education (2 members) - G. Bogart and S. Emons

b) Village Build (2 members) - D. Fairbairn and D. Fallon

c) Policy (1-2 members) - B. Bruinink and M. Peacock - reviewer

d) Events/Fundraising (2 members) - R. Doane and J. Frawley

*Note: the Curator is included on all Sub-Committees

4. S. Emons - J. Frawley
   Moved that the above appointments to Sub-Committees be accepted.
   CARRIED

2.3) Policy Review

There is interest from local First Nations to be represented on the Ska-Nah-Doht Advisory Committee. The Constitution would need to be updated to allow for additional members. Currently the Constitution states:

3. Selection, Composition and Conduct of the Advisory Committee:
   i. The committee shall not exceed 9 members, the makeup of which shall be:
      ▪ 3 members from the Board of Lower Thames Valley Conservation Authority, appointed by the Board;
      ▪ General Manager/Secretary-Treasurer of the Lower Thames Valley Conservation Authority (ex officio with voting privileges);
      ▪ 5 members from the community at large.

5. B. Bruinink - R. Doane
   Moved that the committee recommends to the LTVCA Board that Section 3 i. of the Ska-Nah-Doht Constitution be revised to add 4 community positions to include representation of the First Nations Communities present in the watershed, the total to be 9 members from the community at large.
   CARRIED

The Policy Sub-Committee will review all policies before the next Committee meeting.

6. S. Emons - G. Bogart
   Moved that the policy review be deferred to the May meeting.
2.4) 2019 Committee Meeting Schedule

    7. S. Emons - J. Frawley

    Moved that the Ska-Nah-Doht Committee Meeting Schedule be as follows:
    Thursday, May 30 at 6:00 p.m.
    Thursday, September 19 at 6:00 p.m.
    Thursday, November 21 at 2:00 p.m.

3. Business for Information

    3.1) Advisory Committee Applications 2019

    Two applications were received for consideration as Community Members to the Village Advisory Committee. Only one position is available. Ron Doane was selected to join the Committee as a Community Member.

    3.2) Brief summary of 2018

    2018 was a busy year. Education staff and programs were blended between Conservation and Ska-Nah-Doht departments. Staff was visible in the community at a variety of events throughout the year.

    3.3) 2018 Audited Statements

    Committee Members reviewed the 2018 audited statements.

    3.4) Summer Student Employment Applications

    An application has been submitted to Canada Summer Jobs (CSJ) for 3 students. Outreach Assistants will be responsible for creating a traveling display with hands-on interaction that will be taken into the community to specific events/locations throughout the summer.

    3.5) Ska-Nah-Doht Fund

    Currently the balance of the Ska-Nah-Doht fund is -2,434.17.

    3.6) Community Museum Operation Grant (CMOG) 2019\2020

    The CMOG grant is due by June 30, 2019. The focus for review this year is the Strategic Plan.

    3.7) Ska-Nah-Doht Recognition Program

    The sign for this program will have a list of:
    Founding Members - Glenn Stott and Ron Watts
    First Educator - Andy Chisholm
    Volunteer Contributor - Individual - Don Fairbairn
    Volunteer Contributor - Group - Forest City Checkers
3.8) Volunteer Awards 2018

Nominations for Ontario Volunteer Awards were submitted and received for 2018 volunteer candidates: Don Fairbairn (40 year), Darcy Fallon (5 year), Catherine Simmons (20 year), Mala Murty (10 year) and Doug Nixon (5 year).

There have been no details of when and where the event will be held.

3.9) Upcoming 2019 Events:

1) Go Wild Grow Wild - Look for LTVCA display at Western Fair, Saturday, April 13
2) Longwoods Native Plants Workshop – Sunday, April 28, Noon
3) Longwoods Heritage Weekend – May 4 & 5 with Education Day on May 3

8. S. Emons - D. Fallon
   Moved that the committee receive reports 3.1 through 3.9 for information.

CARRIED

4. Other Business

4.1) Longwoods Feasibility Study

F.J. Galloway & Associates Inc. has been hired as the Consultant for the study.

4.2) School Fees for 2019-2020

The education program fee is currently $8.00/student for Half-Day (minimum fee of $120.00) and $14.00/student for Full-Day (minimum fee of $210.00). This rate took effect for the 2017-2018 school year.

9. G. Bogart - R. Doane
   Moved that the school fees remain at current rate for the 2019-2020 school year.

CARRIED

5. Adjournment

10. D. Fallon
    Moved that the meeting be adjourned.

CARRIED

_____________________________________
Don Fairbairn
Chair
THE CORPORATION OF THE TOWNSHIP OF SOUTHWOLD

BY- LAW NO. 2019-36

Being a by-law to confirm the resolutions and motions of the Council of the Township of Southwold, which were adopted on May 27th, 2019.

WHEREAS Section 5(3) of the Municipal Act, 2001, Chapter 25, provides that 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.

WHEREAS it has been expedient that from time to time, the Council of the Corporation of the Township of Southwold should enact by resolution or motion of Council;

AND WHEREAS it is deemed advisable that all such actions that have been adopted by a resolution or motion of Council only should be authorized by By-law;

NOW THEREFORE the Council of the Corporation of the Township of Southwold enacts as follows:

1. That the actions of the Council of the Township of Southwold at the Regular Meeting of Council held on May 27th, 2019; in respect to each report, motion, resolution or other action passed and taken by the Council at its meetings, is hereby adopted, ratified and confirmed, as if each resolution or other action was adopted, ratified and confirmed by its separate by-law.

2. That the Mayor and the proper officers of the Corporation are hereby authorized and directed to do all things necessary to give effect to the said action, or obtain approvals, where required, and, except where otherwise provided, the Mayor and the Clerk are hereby directed to execute all documents necessary in that behalf and to affix the Corporate Seal of the Township of Southwold to all such documents.


Grant Jones
Mayor

Lisa Higgs
Clerk

By-law No. 2019-36