

**TOWNSHIP OF SOUTH GLENGARRY
REGULAR MEETING OF COUNCIL
Council Chambers, Municipal Office
Monday, March 1, 2021 7:00 PM**

Page

1. CALL TO ORDER	
2. O CANADA	
3. APPROVAL OF AGENDA	
a) Additions, Deletions or Amendments	
All matters listed under For Information Only, are considered to be routine and will be enacted by one motion. Should a Council member wish an alternative action from the proposed recommendation, the Council member shall request that this matter be moved to the appropriate section at this time.	
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8.	UNFINISHED BUSINESS	
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9.	CLOSED SESSION	
a)	BE IT RESOLVED THAT Council convene to Closed Session to discuss the following item(s) under Section 239 (2) of The Municipal Act S.O. 2001	
	(2) A meeting or part of a meeting may be closed to the public if the	

subject matter being considered is,

(b) personal matters about an identifiable individual, including municipal or local board employees;

-Identifiable Individual – Verbal Update

-Identifiable Individual – Memo

(c) a proposed or pending acquisition or disposition of land by the municipality or local board;

-Disposition of Land

(d) labour relations or employee negotiations;

-Verbal Update

(k) 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

-Contract Negotiations

10. CONFIRMING BY-LAW

a) [Confirming By-law 19-2021](#)

186

11. ADJOURNMENT



DECLARATION OF PECUNIARY INTEREST

I, _____, declare a pecuniary interest on Agenda Item(s) for the meeting of _____:

Signature

MINUTES

THE REGULAR MEETING OF THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SOUTH GLENGARRY WAS HELD IN THE EVENING VIRTUALLY ON FEBRUARY 16, 2021.

PRESENT: Mayor Frank Prevost, Deputy Mayor Lyle Warden, Councillor Stephanie Jaworski, Councillor Martin Lang, and Councillor Sam McDonell

STAFF PRESENT: CAO Tim Mills, Director of Corporate Services/Clerk Kelli Campeau, GM Finance Lachlan McDonald, GM Infrastructure Services Ewen MacDonald, GM Planning, Building & Enforcement Joanne Haley, Fire Chief Dave Robertson, Director of Roads Chris Leblanc, Director of Water & Waste Water Dillen Seguin, Deputy Clerk Shauna Baggs, Deputy Treasurer Kaylyn MacDonald and Executive Assistant Crystal Lebrun.

1. CALL TO ORDER

Resolution No. 37-2021

Moved by Councillor Jaworski
Seconded by Councillor McDonell

BE IT RESOLVED THAT the February 16, 2021 Council Meeting of the Township of South Glengarry now be opened at 7:01 pm.

CARRIED

2. O CANADA

Following the playing of O Canada, Mayor Prevost acknowledged the upcoming retirement of General Manager of Infrastructure Ewen MacDonald and thanked Mr. MacDonald for his years of service with the Township.

3. APPROVAL OF AGENDA

Resolution No. 38-2021

Moved by Deputy Warden
Seconded by Councillor Lang

BE IT RESOLVED THAT the Council of the Township of South Glengarry approve the agenda as amended.

-Addition of item 7.b.iii. Support Resolution – Automatic Speed Enforcement

-Items moved to Other Business from Information Only:

-7.d.i. Review – Water Wastewater Bill Mockup

-7.d.xiv. Letter – UCDSB Response, Potential Partnership

-7.d.xv. Letter – EOHU Mass Clinics

-7.d.xvii. – Resolution – MFIPPA Reform

-7.d.xvii. – Resolution – Ontario Fire College Closure

CARRIED

4. DECLARATION OF PECUNIARY INTEREST

- a) Councillor McDonell declared a pecuniary interest on the item in Closed Session relating to an identifiable individual as he is related to the individual.

5. APPROVAL OF MINUTES

- a) Previous Meeting Minutes - February 1, 2021

Resolution No. 39-2021

Moved by Councillor McDonell

Seconded by Councillor Jaworski

BE IT RESOLVED THAT the Minutes of the Regular Meeting of the Council of the Township of South Glengarry held on February 1, 2021, including the Closed Session Minutes, be adopted as circulated.

CARRIED

6. PRESENTATIONS AND DELEGATIONS

7. NEW BUSINESS

- a) Staff Reports

- i) SDG Library Lancaster Branch Updated Evaluation and Feasibility Study Funding

Resolution No. 40-2021

Moved by Councillor Lang

Seconded by Deputy Warden

BE IT RESOLVED THAT Staff Report 19-2021 be received and that Council directs Administration to seek funding for an updated Evaluation and Feasibility study from the United Counties of SDG and proceed once funding is secured.

CARRIED

- ii) Assign Signing Authority

Resolution No. 41-2021

Moved by Councillor Jaworski

Seconded by Deputy Warden

BE IT RESOLVED THAT Staff Report 20-2021 be received and that the Council of the Township of South Glengarry authorize that all cheques of the Corporation drawn on its accounts be signed on its behalf by Mayor Frank Prevost, CAO Tim Mills, GM of Finance/Treasurer Lachlan McDonald, and Deputy Treasurer Kaylyn MacDonald and that they also be authorized to sign all other documents required in this matter.

CARRIED

- iii) Water Rates and Structure

Resolution No. 42-2021

Moved by Deputy Warden

Seconded by Councillor Lang

BE IT RESOLVED THAT Staff Report 21-2021 be received and that the Council of the Corporation of the Township of South Glengarry approve the rates as proposed by EVB at the July 9, 2020 Council meeting and direct Administration to apply a multi-unit multiplier of 80% for subsequent units, effective next billing cycle.

POSTPONED

- iv) Approval of Water & Wastewater Reports

Resolution No. 43-2021

Moved by Councillor McDonell

Seconded by Councillor Jaworski

BE IT RESOLVED THAT Staff Report 22-2021 be received and that the Council of the Township of South Glengarry acknowledge receipt of the 2020 Annual Reports for the Redwood Estates, Lancaster and Glen Walter Water Treatment Plants and the Lancaster, Green Valley and Glen Walter Sewage Treatment Plants.

CARRIED

- v) Public Works Facility Procurement 23-2020
Resolution No. 44-2021 Moved by Councillor Jaworski
Seconded by Councillor Lang
BE IT RESOLVED THAT Staff Report 23-2021 be received and that Tender 23-2020 for the Construction of a Public Works Facility be awarded to Grant Marion Construction as per their Submission of \$1,179,000 plus HST and furthermore, that the Mayor & Clerk be authorized to sign any relevant documents.
CARRIED

- vi) Water Storage Facility - Joint Project with Parks Canada
Resolution No. 45-2021 Moved by Deputy Warden
Seconded by Councillor McDonell
BE IT RESOLVED THAT Staff Report 24-2021 be received and that the Council of the Township of South Glengarry directs Administration to engage Parks Canada and any other applicable federal agencies in an effort to initiate a partnership regarding the proposed water storage system located at the Municipal Maintenance Facility at 19686 William St.
CARRIED

- vii) Private Road Conversion By-law
Resolution No. 46-2021 Moved by Councillor Jaworski
Seconded by Councillor McDonell
BE IT RESOLVED THAT Staff Report 25-2021 be received and that By-law 07-2021, being a by-law to establish a Policy for the Assumption of Private Roads be read a third and final time this 16th Day of February 2021.
CARRIED

- viii) Pickup Truck Tender 01-2021
Resolution No. 47-2021 Moved by Councillor Lang
Seconded by Deputy Warden
BE IT RESOLVED THAT Staff Report 26-2021 be received and that the Council of the Township of South Glengarry award Procurement 01-2021 for the purchase of four pickup trucks to Roy's Pontiac Buick as per their submission of \$33,388 plus HST per unit; and furthermore, that the Mayor and Clerk be authorized to sign any relevant documents
CARRIED

- ix) Granular Materials Tender 02-2021
Resolution No. 48-2021 Moved by Councillor McDonell
Seconded by Councillor Lang
BE IT RESOLVED THAT Staff Report 27-2021 be received and that the Council of the Township of South Glengarry award Tender 02-2021 for the Supply and Placement of Granular Materials to Cornwall Gravel Company Inc. in accordance with their procurement submission in the amount of \$313,500 plus HST for 30,000 tonnes of granular at a cost of \$10.45 per tonne, plus applicable taxes; and furthermore, that the Mayor and Clerk be authorized to sign all appropriate documents.
CARRIED

- x) Utility Vehicle Procurement 04-2021
Resolution No. 49-2021 Moved by Councillor Jaworski
Seconded by Deputy Warden
BE IT RESOLVED THAT Staff Report 28-2021 be received and that the

Council of the Township of South Glengarry award Procurement 04-2021 to Green Valley Kubota for the purchase of one (1) Kubota Diesel Utility Vehicle as per their submission of \$22,663.36 plus HST; and furthermore, that the Mayor and Clerk be authorized to sign any relevant documents
CARRIED

xi) Removal of Holding Zoning By-law Amendment

Resolution No. 50-2021

Moved by Councillor McDonell

Seconded by Councillor Jaworski

BE IT RESOLVED THAT Staff Report 29-2021 be received and By-law 12-2021, being a by-law to amend by-law 38-09, the Comprehensive Zoning By-Law for the Township of South Glengarry, site specific to South Part of Lot 8, Concession 1, in the former Township of Lancaster, now in the Township of South Glengarry, County of Glengarry to remove the holding symbol to permit the residential development of the subject site, be read a first, second, and third time, passed, signed and sealed in Open Council this 16th day of February, 2021.

CARRIED

xii) Tyotown Heights Subdivision Agreement

Resolution No. 51-2021

Moved by Councillor Lang

Seconded by Councillor McDonell

BE IT RESOLVED THAT Staff Report 30-2021 be received and that the Council of the Township of South Glengarry recommends to the United Counties of Stormont, Dundas and Glengarry to issue final subdivision approval for the property legally described as Part of Lots 38 & 39, Registered Plan no. 101, geographic Township of Charlottenburgh, now in the Township of South Glengarry, County of Glengarry, also known as Tyotown Heights Subdivision. Council also authorizes Administration to clear the Township draft plan conditions and authorizes the Mayor and Clerk to execute the Subdivision Agreement. Council permits minor modifications to be made to the Subdivision Agreement by the Clerk without subsequent approval of Council so long the modifications do not change the intent or requirements of the Agreement.

CARRIED

xiii) CIP Agreement - Deco Stop Outdoor Centre

Resolution No. 52-2021

Moved by Councillor Jaworski

Seconded by Councillor Lang

BE IT RESOLVED THAT Staff Report 31-2021 be received and that the Council of the Township of South Glengarry approves By-law 15-2021, being a by-law to enter into a CIP Agreement with Deco Stop Outdoor Centre (Dan Foster) read a first, second and third time, passed, signed and sealed in Open Council this 16th day of February, 2021 and furthermore that the Mayor and Clerk be authorized to sign all relevant documents.

CARRIED

b) Other Business

i) Support Resolution - Small Businesses

Resolution No. 53-2021

Moved by Deputy Warden

Seconded by Councillor McDonell

BE IT RESOLVED THAT the Council of the Township of South Glengarry supports the resolution passed by the Township of Kingsville, attached hereto, and calls upon the Premier of Ontario, Doug Ford, as well as the

Ontario cabinet and health officials, to protect the health of Ontarians and our small businesses by allowing them to remain open to in-store sales and service with limited capacity and increased safety measures.

AND FURTHERMORE that this resolution be forwarded to all Ontario municipalities, Minister of Economic Development, Job Creation and Trade Hon. Victor Fideli; Associate Minister of Small Business and Red Tape Reduction Hon. Prabmeet Singh Sarkaria; Minister of Health Hon. Christine Elliot; Minister of Finance Hon. Peter Bethlenfalvy; Associate Minister of Mental Health and Addictions Hon. Michael A. Tibollo; MPP Jim McDonell and the Eastern Ontario Health Unit Medical Officer of Health.

CARRIED

ii) Support Resolution - Asset Management Extension

Resolution No. 54-2021

Moved by Deputy Warden

Seconded by Councillor Lang

BE IT RESOLVED THAT the Council of the Township of South Glengarry supports the resolution passed by the United Counties of Stormont, Dundas and Glengarry, attached hereto, and the MFOA's letter to the Ministry of Infrastructure requesting a one-year extension on deadlines in O. Reg. 588/17: Asset Management Planning for Municipal Infrastructure under the Infrastructure for Jobs and Prosperity Act, 2015; so that all municipalities can focus on the immediate needs of the pandemic and engage in municipal asset management planning when capacity challenges are resolved.

CARRIED

iii) Support Resolution - Automatic Speed Enforcement

Resolution No. 45-2021

Moved by Councillor Jaworski

Seconded by Deputy Warden

BE IT RESOLVED THAT the Council of the Township of South Glengarry hereby supports the letter by the Township of South-West Oxford, attached hereto, in support of the use of Automatic Speed Enforcement (photo radar) by municipalities and that this resolution be sent to Premier Doug Ford, MPP Ernie Hardeman, AMO and all Ontario municipalities.

CARRIED

iv) Review - Water Wastewater Bill Mock-Up

v) Letter - UCDSB Response Potential Partnership

vi) Letter - EOHU Mass Clinics

vii) Resolution - MFIPPA Reform (Township of Guelph/Eramosa)

Resolution No. 56-2021

Moved by Councillor Lang

Seconded by Deputy Warden

BE IT RESOLVED THAT the Council of the Township of South Glengarry hereby supports the resolution passed by the Township of Guelph/Eramosa, attached hereto, and urges the Ministry of Government and Consumer Services to review the Municipal Freedom of Information and Protection of Privacy Act and consider the recommendations as presented by the Township of Guelph/Eramosa and furthermore that this resolution be forwarded to MPP Jim McDonell, Hon. Lisa Thompson, Minister of Government and Consumer Services, the Information and Privacy Commissioner of Ontario and all Ontario municipalities.

CARRIED

viii) Resolution - Ontario Fire College Closure (Township of Baldwin)

Resolution No. 57-2021

Moved by Councillor McDonell
Seconded by Deputy Warden

BE IT RESOLVED THAT the Council of the Township of South Glengarry accepts the items presented on the agenda as Committee Reports and For Information Only.

CARRIED

c) Committee Reports

- i) Cornwall Regional Airport Commission Meeting Minutes - December 2, 2020
- ii) Environment Committee Meeting - December 10, 2020
- iii) RRCA Board Meeting Highlights - January 21, 2021
- iv) SDG County Council Draft Minutes - February 1, 2021

d) For Information Only

- i) Update - Per Diem & Mileage 2021
- ii) Departmental Update - CAO January 2021
- iii) Departmental Update - Corporate Services - January 2021
- iv) Departmental Update - Infrastructure - January 2021
- v) Departmental Update - Community Services - January 2021
- vi) Departmental Update - Recreation - January 2021
- vii) Departmental Update - Fire Services - January 2021
- viii) Consent Application B-128-20
- ix) Consent Application B-5-21
- x) Consent Applications B-17-21 & B-18-21
- xi) Notice of Decisions for Consents
- xii) Consent Summary 2020 & 2021
- xiii) Letter - EORN Board of Directors
- xiv) Resolution - Negative Impacts of CVA (Perth County)
- xv) Resolution - Universal Paid Sick Days (City of St. Catharines)
- xvi) Resolution - Grant Deadline Extensions (Municipality of Meaford)

8. UNFINISHED BUSINESS

- a) Unfinished Business - February 16, 2021
 - Private Roads By-law Complete (to be removed)
 - Fire Ponds item to be moved to Fire Services

9. CLOSED SESSION

Resolution No. 58-2021

Moved by Councillor Lang
Seconded by Councillor Jaworski

BE IT RESOLVED THAT the Council of the Township of South Glengarry convene to Closed Session at 8:48 pm to discuss the following item(s) under Section 239 (2) of The Municipal Act S.O. 2001:

- (2) A meeting or part of a meeting may be closed to the public if the subject matter being considered is,
 - (b) personal matters about an identifiable individual, including municipal or local board employees;
 - Verbal update
 - (d) labour relations or employee negotiations;
 - Organizational Review
 - (e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

-OMB Update
(k) 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.
-Negotiations, Intergovernmental Agreement
CARRIED

Councillor McDonnell exited the meeting at 10:23 pm.

Resolution No. 59-2021 Moved by Councillor Jaworski
Seconded by Deputy Warden
BE IT RESOLVED THAT the Council of the Township of South Glengarry now rise and reconvene at 10:36 pm without reporting.
CARRIED

Resolution No. 60-2021 Moved by Councillor Lang
Seconded by Councillor Jaworski
BE IT RESOLVED THAT the Council of the Township of South Glengarry direct Administration to carry out all actions as specified in the Closed Session minutes.
CARRIED

Resolution No. 61-2021 Moved by Deputy Warden
Seconded by Councillor Lang
BE IT RESOLVED THAT the Council of the Township of South Glengarry direct solicitor Tony Fleming to carry out all actions as specified in the Closed Session Minutes.
CARRIED

10. CONFIRMING BY-LAW

Resolution No. 62-2021 Moved by Councillor Jaworski
Seconded by Councillor Lang
BE IT RESOLVED THAT By-law No. 13-2021 to adopt, confirm and ratify matters dealt with by resolution, be read a first, second and third time, signed, sealed and passed in Open Council this 16th day February, 2021.
CARRIED

11. ADJOURNMENT

Resolution No. 63-2021 Moved by Councillor Lang
Seconded by Deputy Warden
BE IT RESOLVED THAT the Council of the Township of South Glengarry adjourn to the call of the chair at 10:39 pm.
CARRIED

Mayor

Clerk



Boys & Girls Club of Cornwall/SDG Repaires jeunesse du Cornwall/SDG

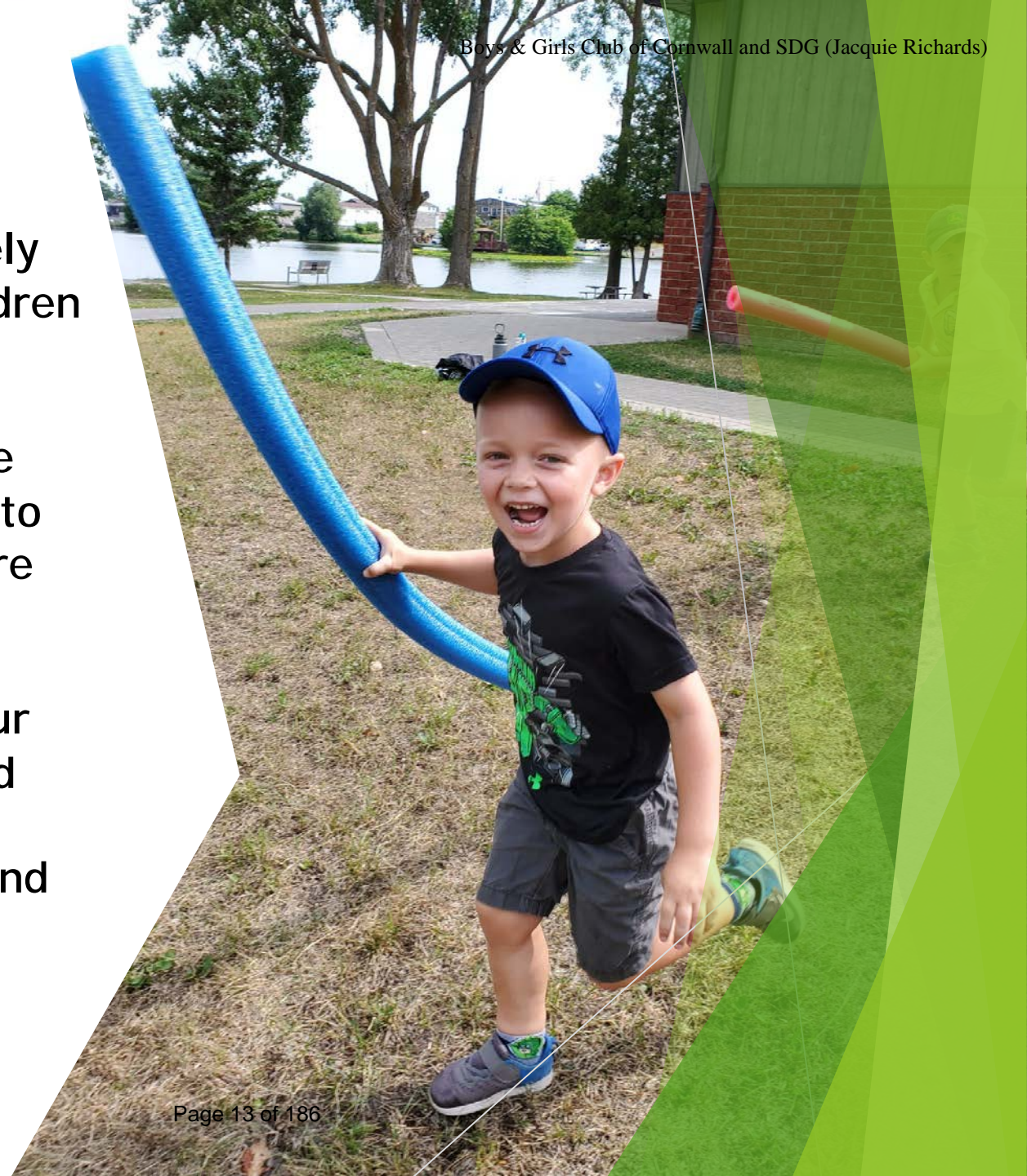
Great futures start here.




Strong Kids - Positively impact the lives of children and youth

Strong Club - Achieve operational excellence to maximize impact; secure resources to excel




Strong Voice - Use our strength, credibility and passion to benefit our community's children and youth






What CLUBS DO




- HEALTHY SNACKS & MEALS
- DANCE
- ARTS
- THEATRE
- MENTORING
- INDIGENOUS INITIATIVES & PROGRAMS
- SCHOLARSHIPS
- JOB READINESS
- BREAKFAST PROGRAMS
- FINANCIAL EDUCATION
- MENTAL HEALTH & WELLNESS
- NUTRITION & FOOD EDUCATION
- CHILD CARE
- DIGITAL LITERACY
- PHYSICAL FITNESS & SPORTS

STEM EDUCATION



- PARENTING EDUCATION & SUPPORT
- YOUTH LEADERSHIP
- SUBSTANCE ABUSE PREVENTION & COUNSELLING
- MUSIC
- VOLUNTEERING
- TRANSPORTATION
- TEEN DATING VIOLENCE PREVENTION
- GARDENING
- SUMMER CAMPS
- AFTER SCHOOL PROGRAMS
- CRIME PREVENTION
- CIVIC ENGAGEMENT
- HOMework HELP
- YOUTH EXCHANGES
- RESTORATIVE JUSTICE

OUR MISSION

All children and youth discover and achieve their dreams and grow up to be healthy, successful and active participants in society.

OUR VISION

To provide a safe, supportive place, where children and youth can experience new opportunities, overcome barriers, build positive relationships and develop confidence and skills for life.

OUR VALUES

BELONGING

We welcome everyone in a safe, accepting environment based on belonging and positive relationships

RESPECT

We ensure that everyone—children, youth, families, volunteers, staff—is heard, valued, and treated fairly

ENCOURAGEMENT AND SUPPORT

We encourage and support every child and youth to play, learn, and grow to achieve their dreams

WORKING TOGETHER

We work together with young people, families, volunteers, our community, and government

SPEAKING OUT

We speak out for children, youth, and families so that we can make our world better



About Us

Boys & Girls Club of Cornwall/SDG was established in 2008 and is part of Boys & Girls Club of Canada and is recognized by the Ministry of Education as a “Authorized Recreation” provider.

BGC is a safe, fun and supervised place where children and youth from all cultural and economic backgrounds, can participate in social, recreational and educational programs that are designed to enhance growth, personal development and potential.

At Boys & Girls Club of Cornwall/SDG we recognize that every child has the ability, potential and skills to fulfill their individual dreams.

Our programs are organized and delivered by qualified staff and volunteers and take a child-focused approach to help develop self-esteem, cultural awareness, confidence, behaviours of healthy living and a desire to become positive members of our community.

Our Staff

The Boys & Girls Club of Cornwall/SDG is proud to offer great staff who are well trained. Our staff is trained in

- ▶ CATCH(Coordinated Approach to Child Health),
- ▶ High Five (Principles of Healthy Childhood Development),
- ▶ Safe Food Handling,
- ▶ First Aid, CPR, and Defibrillator training.
- ▶ Required to completed our onboarding Boys & Girls Club of Canada training program.
- ▶ Trained in new COVID requirements and protocols.





Summer Camp Locations

Cornwall:

- ▶ 506 Clubhouse
- ▶ Henry St. Clubhouse
- ▶ Benson Centre

Counties:

- ▶ Glengarry (Alexandria)
- ▶ Dundas (Winchester)



2020 Summer Camp Information



Boys & Girls Clubs

Summer Camp

Registration NOW OPEN Online Only

Information

Weekly from July 13 2020 - August 28 2020

Locations: 506 First St. E / 499 Henry St.

Ages: 6-12

Time: 8:30 am - 4:30 pm

Language: EN

Price: \$175 per week *Full week registrations only

Camp spots are secured on a first-come/first-serve basis.

Please note that there will be certain guidelines to be followed provided by the Ministry of Health.

How to register

Boys & Girls Club uses an online system to manage registrations and payments.

- Go to bgccornwallsdg.com and click on [Register Online](#)
- Select [Create Account](#) and start with Parent/Guardian names (or login if you already have an account)
- Next, add your child's profile
- Click on [Programs](#) and Select [Summer Camp](#) from the list
- Complete the forms for Membership, including emergency contact info. Once complete, click [I Have Completed All Forms](#)
- At minimum, the first week of camp must be paid as a deposit. Future credit card payments will be arranged by a follow-up call from our office.

Questions? Please call our office at 613-935-9015 or email staff@bgccornwallsdg.com

66,022
HEALTHY
SNACKS SERVED

1149 YOUTH MEMBERS

7904
TOTAL
VOLUNTEER
HOURS

12
SERVICE
LOCATION

\$634,962
IN GRANTS

2019-2020
IN NUMBERS

NATIONAL
PROGRAMS

BASIC NEEDS BRIGHTER
FUTURES
DUNK FOR DIABETES
GET IN THE GAME
KID FOOD NATION
KID TECH NATION
KIDS TENNIS LEAGUE
LET'S TALK DIGITAL
RAISE THE GRADE
SUMMERTIME EAT WELL

6160
MEALS
SERVED

97
ADULT
VOLUNTEERS

49,584
TIMES
CHILDREN CAME
THROUGH OUR
DOORS

57
YOUTH
VOLUNTEERS



GEO-REGISTRY INTEGRATED DATACHAIN (GRID)

Welcome to GRID - LIFE SIMPLIFIED

An Industry Driven Solution To a
Complex Set of Situations and
Requirements



OUR MISSION

Create a decentralized land registry business ecosystem that efficiently connects stakeholders, businesses, and consumers.

GRID offers registry services, data solutions, and e-conveyances, as well as real-time insight by chronicling the evolution of a property and by archiving significant records.

GRID establishes trust in property stewardship through transparency.

GRID is the next generation in land registry.



DOLLARS AT RISK UNDER CURRENT DISPARATE SYSTEM

Real Estate is a significant contributor to Canada's economy.

In Ontario alone the size of this industry is:

- 5.36 million properties, valued at nearly \$3 trillion.

Despite the industry's significance, there are weaknesses in the current systems that lead to inefficiencies and risks. For example:

- Canada ranked a disappointing 64th in the world for efficiency to issue building permits. (Source: World Bank Group: Economy Profile Canada Doing Business 2020)
- Canada's residential construction underground activity was estimated at \$16 billion in 2018, of which \$5.97 billion was in Ontario (Source: Statistics Canada: Residential Construction remained the top contributor to the Underground activity in 2018)



*As of December 31, 2019
Source: MPAC 2019 Annual Report

INDUSTRY STAKEHOLDERS ARE CURRENTLY DISCONNECTED



Primary Stakeholder

Secondary Stakeholder

Tertiary Stakeholder

Custodians

Land Registry
service provider
in Ontario and
Manitoba

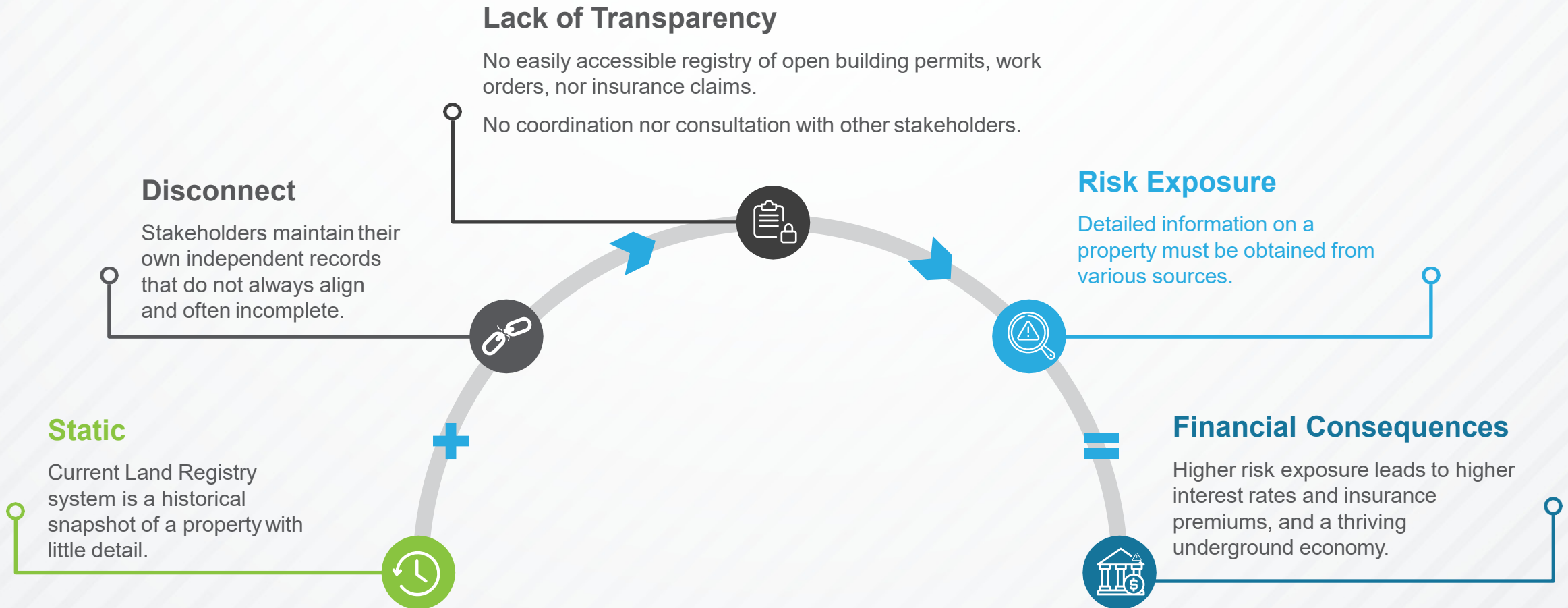
Owner

Municipality,
County, and
Province

Lenders, CMHC,
Insurers,
Easement Holders,
Tarion,
Environmental
Authority, etc

Lawyers acting
for Primary,
Secondary,
and Tertiary
Stakeholders

THE CURRENT SYSTEM IS BROKEN



WHO PAYS THE BILLIONS OF DOLLARS LOST TO THIS BROKEN SYSTEM?

Insurance Industry

- CMHC Credit Risk
- Title Risk
- P&C Insurance Underwriting Risk: Canadian Insurance companies paid out \$7.9 billion in claims in 2019
(Sources: IBC, MSA, SCOR, AMF)



Banking Industry

- Mortgage Fraud



Municipalities

- Unpermitted construction work resulting in lost Permit Fees
- Inefficiencies resulting in higher costs
- Enforcement challenges



Canadian Taxpayer

- \$Billions in Lost Tax Revenue due to the Underground Economy

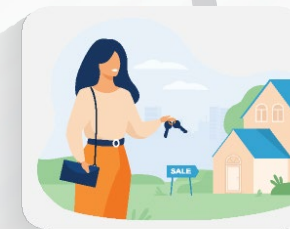


We are spending millions in fees for the current registry system, and then billions for the cost of the errors and omissions.

This system is inviting disruption.

Property Owners

- Avoidable costs to Buyers had complete information been accessible
- Cost of industry shortfalls resulting in higher interest rates, higher insurance rates, higher municipal taxes



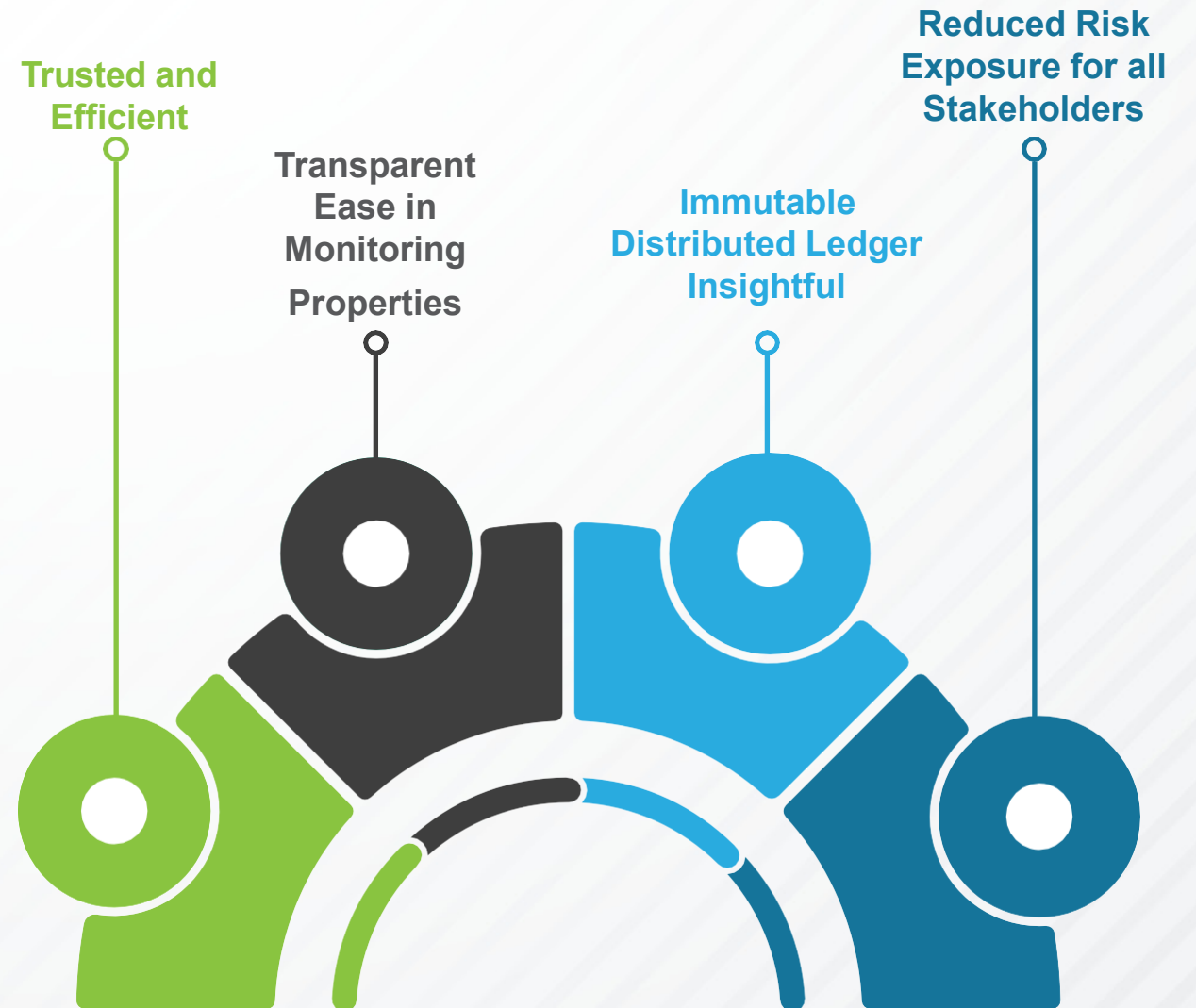
BLOCKCHAIN WILL DISRUPT THE REAL ESTATE INDUSTRY

GRID is a patent pending, **disruptive technology** that uses blockchain technology and will change how real estate is registered and monitored.

Blockchain has given us the ability to examine the architecture of the land registry system as we know it and create an entirely new ecosystem founded on existing symbiotic relationships in the real estate industry.

GRID will be the most complete history of a property with a timeline of events, well organized supporting documents, and best of all it is trustworthy.

Every property owner will have access to their complete property records in real-time!



RIGHT TIME FOR A NEW APPROACH



Geo-Registry Integrated Datachain (GRID)

BRINGING THE LAND REGISTRY HOME

Unique

Trademarked and Patent Pending:
PCT International Patent Application
No. PCT/CA2020/0507797

Tremendous Value

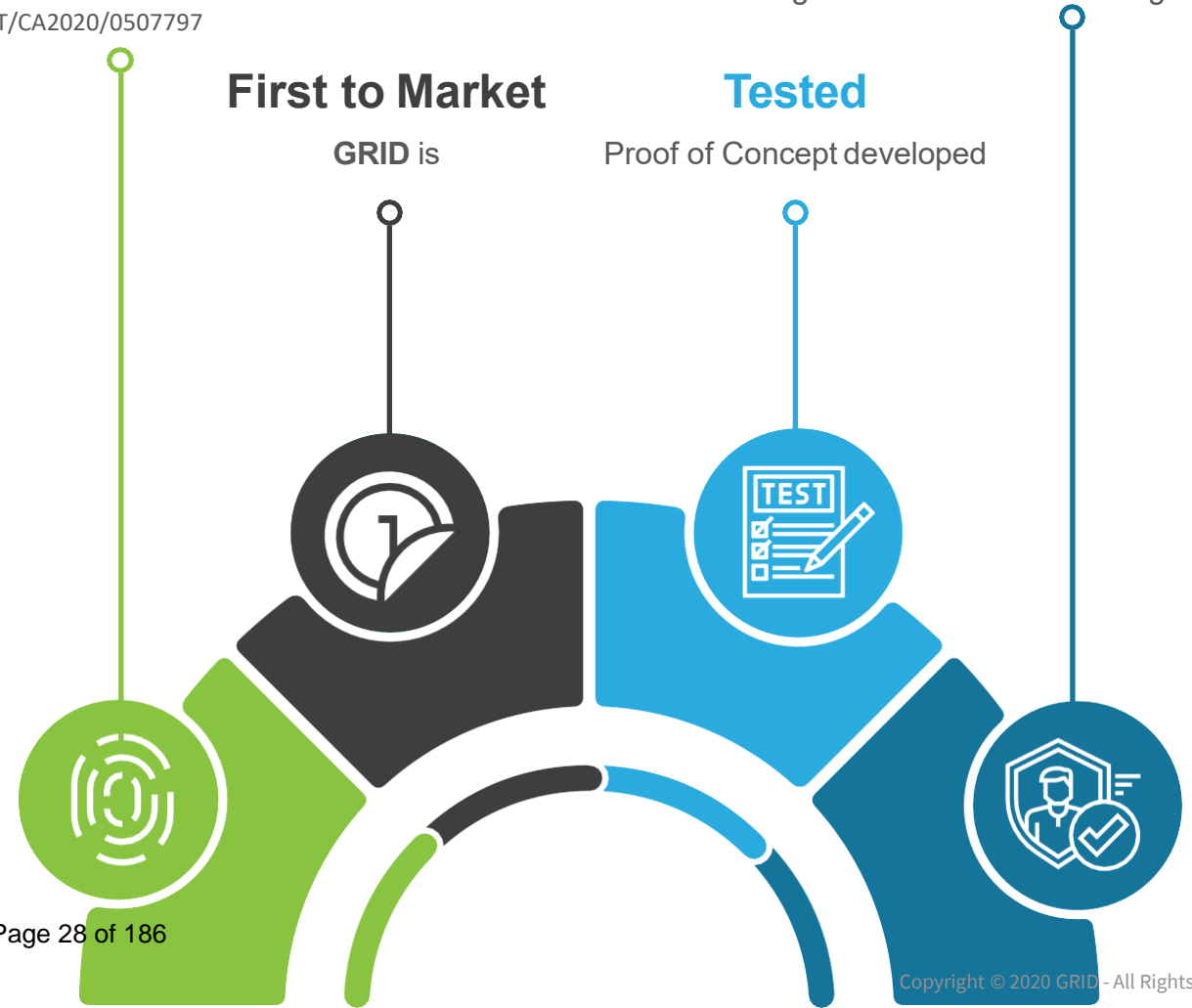
Smart Contracts ensure compliance, and the Distributed Ledger ensures all records align

First to Market

GRID is

Tested

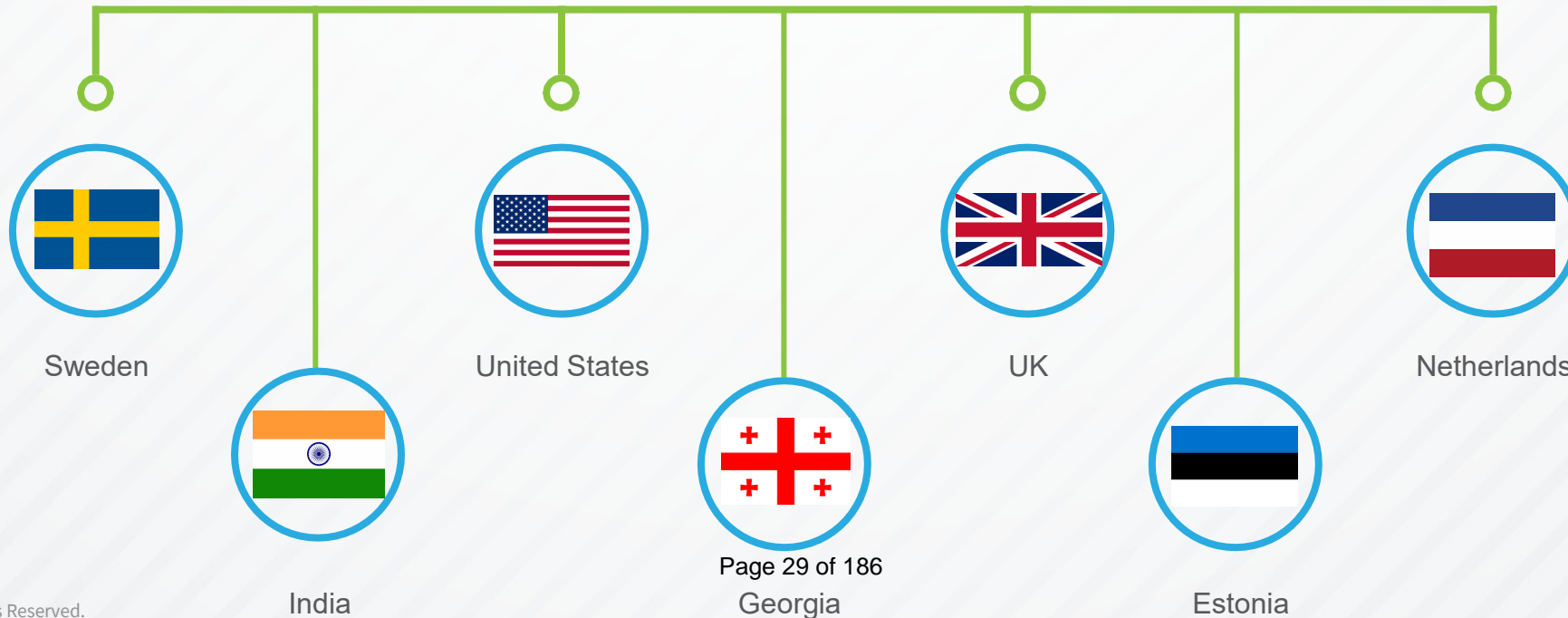
Proof of Concept developed



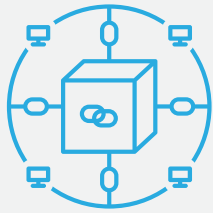
RAPID ADOPTION BY OTHER LEADING COUNTRIES



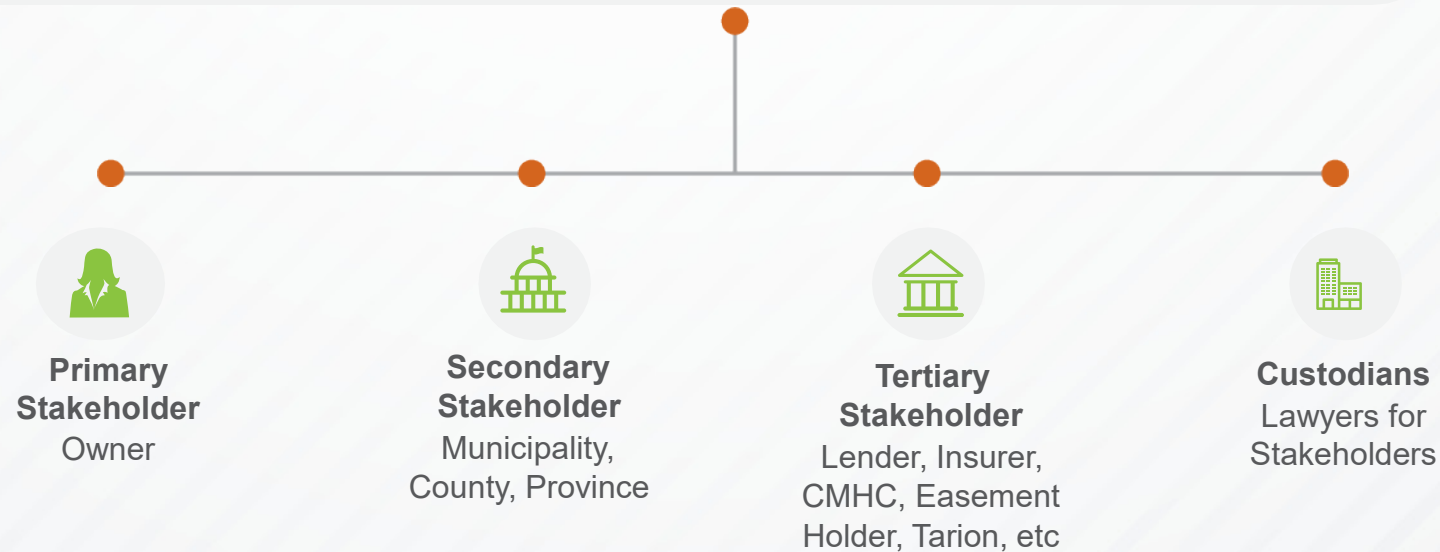
Other countries are moving towards converting their Land Registry to a Blockchain based system; Canada should be next.



A REVOLUTIONARY NEW ECOSYSTEM FOUNDED ON EXISTING SYMBIOTIC RELATIONSHIPS

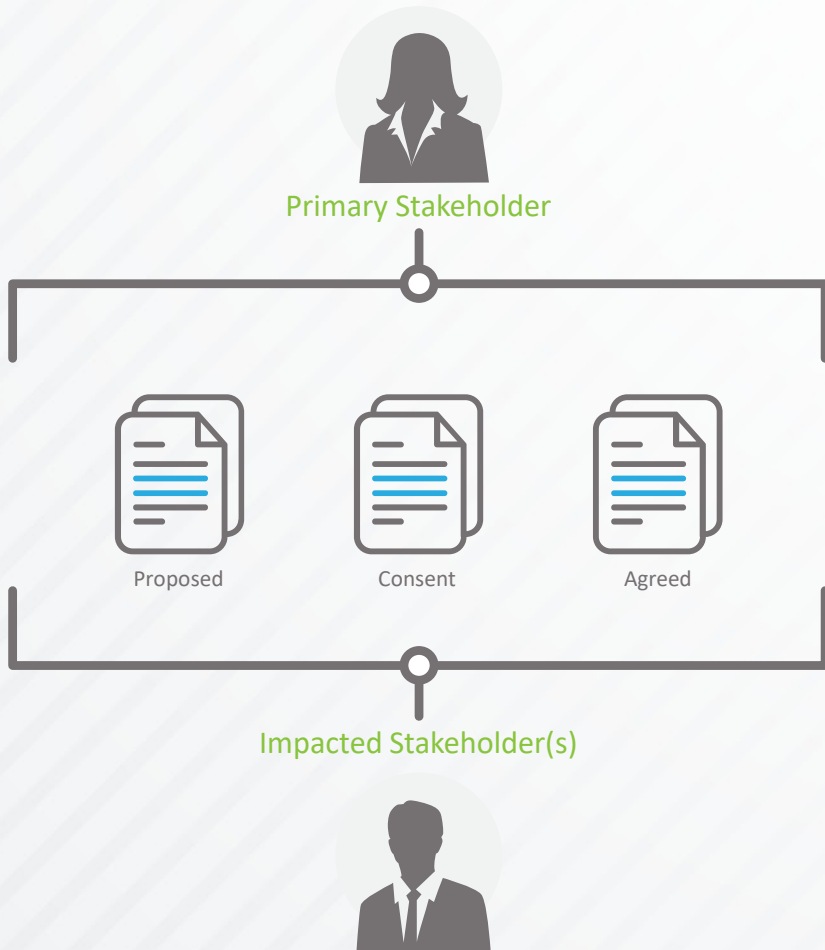


GRID's blockchain based land registry and monitoring system brings these stakeholders together, systemizes their processes, encodes contractual obligations and regulations into its logic, thereby reducing financial risks, all while improving efficiencies and reducing red tape through its shared knowledge and data.

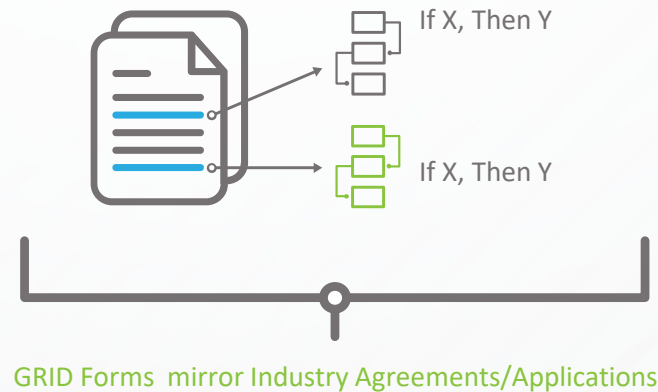


SYSTEMIZED APPROACH USING SMART CONTRACTS TO ENFORCE REGULATIONS, IMPROVE EFFICIENCIES & ACCOUNTABILITY

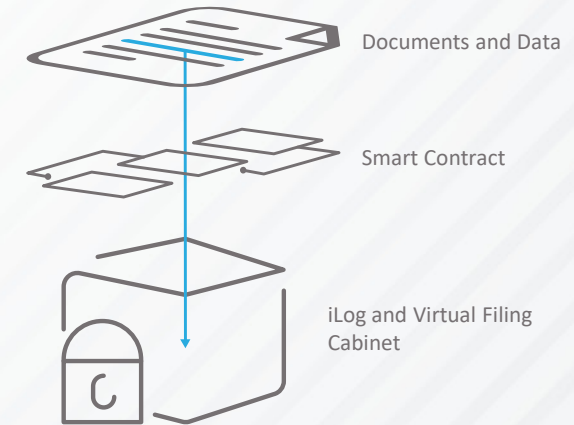
1 Parties reach an agreement for a significant property event triggering the initiation of a workflow in **GRID**



2 Key components of the Agreements/Applications are incorporated into **Smart Contracts**.



3 Completed Smart Contract triggers an **iLog** with a link to documents and data being stored in the **virtual filing cabinet**, and an **email** to alert all registered stakeholders.



GRID ensures Stakeholders stay informed with alerts.



BRINGING THE LAND REGISTRY HOME

Complete property records will be easily accessible for owners on **GRID** giving them trusted insight into their property. This transparency will motivate owners to maintain good Title and to comply with regulations.

COMPLETE PROPERTY RECORDS ON GRID

Transfer
history

Plan of
subdivision
details

Open building
permits

Construction
history + details

Insurance
coverage

Mortgage
details

Easement
details

Warranty
details

Loan
guarantee
details

Property Tax
Arrears

Outstanding
work orders

Condominium
documents

Lien
details

Zoning change
history

Bylaw
details

Insurance Claim
history + details

EVERYONE WINS WITH GRID

Insurance Industry

- CMHC reduced Credit Risk
- Reduced Title Insurance Risk
- Reduced P&C Insurance Underwriting Risk
- Fewer Frivolous Property Insurance Claims
- More likely to have Insurance claims proceeds used in the manner intended
- Improved Efficiencies, tighter Control, and more Premiums generated



Banking Industry

- Fewer incidents of Mortgage Fraud
- Reduced Credit Risk
- Improved Efficiencies
- Tighter Control



Municipalities

- Improved efficiencies both in processing and procedures
- Increased revenue generated through Permit Fees both through more realistic values assigned to work performed, and more permits being applied for



Tighter Regulatory Control

Better lines of communication

Canadian Taxpayer

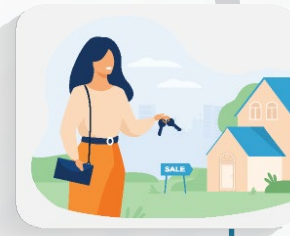
- \$Millions/\$Billions in Tax Revenue generated due to curbing the Underground Economy



With nominal increase in fees to property owners and little change to industry procedures, millions if not billions can be generated through the benefits of GRID not to mention industry wide gains in control and in efficiencies, as well as tremendous insight into each property.

Property Owners

- Better informed Buyers
 - More accountable Sellers
 - Complete Records for a property as well as real time insight
 - Good Stewardship is rewarded
- Property values more aligned with the condition of the property and past stewardship.
- Reduced financing and insurance costs due to reduced industry wide risk
- Fairer Property Taxes as assessments will more accurately align with current values.



GRID: THE SOLUTION WILL BECOME THE STANDARD

GRID™ will mitigate risk, improve efficiencies, and encourage better stewardship of property.



Dynamic

Real time information and record keeping
Improving communication and Industry efficiencies.



Trusted and Transparent

Establishes trust and transparency in
record keeping with smart contracts.



Fostering Accountability

Encourages better stewardship over a
property because of transparency.
Ensures completeness of records and
promotes disclosure of moneys invested.

Geo-Registry Integrated Datachain (GRID) is the intelligent solution

THE GRID TEAM



Irene Cameron
CEO

- Founder
- CPA, CGA
- 10+ years Real Estate Representative
- 25+ years in Land Development



Paul Aussem
Head of Technology and Product

- Co-Founder
- 25+ years experience designing, building and scaling software products.
- 15 years have been spent within the SaaS venture space.
- Unique blend of technical, creative, and personal skills and has worn the many hats it takes to help businesses scale.



Antoni Wisniewski
Adjunct Advisor

C-suite executive leader and entrepreneur with a track record in business transformation and innovation in public sector, fintech, proptech and construction tech.
Stockbridge Innovation, MPAC, Teranet, City of Toronto



Mike Amos
LaunchLab Advisor:
Business Development

- Mentor
- 7+ years Bridge Street, Managing Director
- Empathica, exit to InMoment
- 20+ years in technology

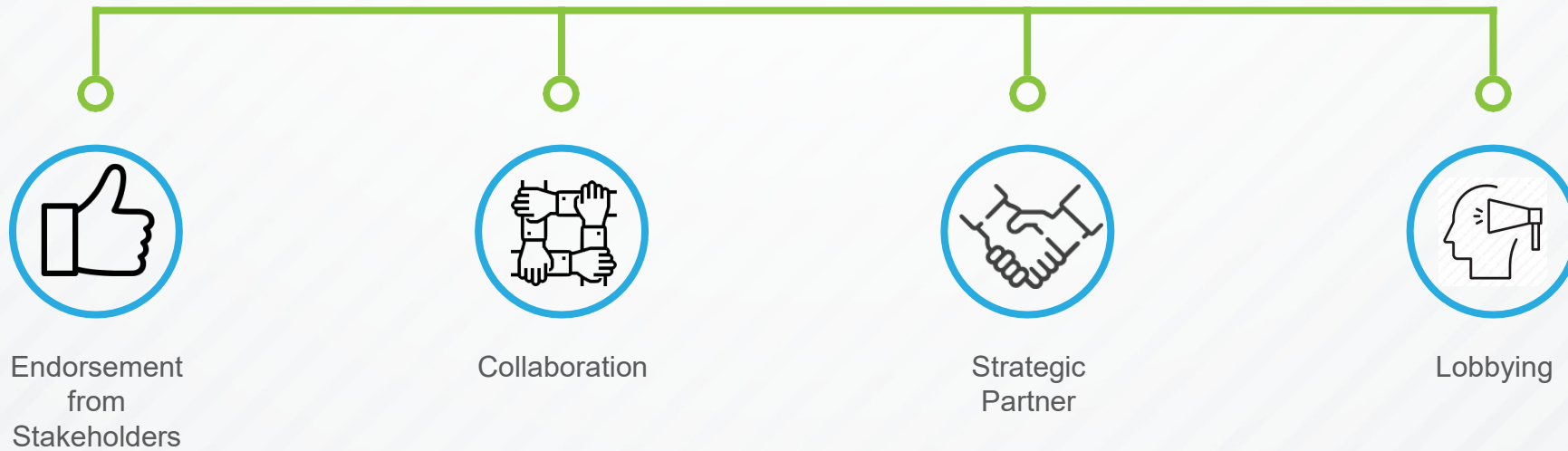
Collaborators
University of Ottawa



Advisors

Jaipreet Bindra, Dr. Umar Ruhi, Conner Cameron, Natalie Rafoull LLB, Peter McGrath

WHERE DO WE GO FROM HERE?





GRID
GEO-REGISTRY INTEGRATED
DATACHAIN

Head Office

19013 County Road 2
Summerstown, Ontario K6H 5R5
1-613-551-1589

BRINGING THE LAND REGISTRY HOME



STAFF REPORT

S.R. No. 32-2021

PREPARED BY: Véronique Brunet, Manager of Municipal Law Enforcement

PREPARED FOR: Council of the Township of South Glengarry

COUNCIL DATE: March 1, 2021

SUBJECT: Mobile Food Premise By-law

BACKGROUND:

Reason

1. The Township of South Glengarry's Mobile Food Premise by-law, also known as the "Chip Stand By-Law" was adopted in 2011 and is heavily restrictive. The by-law regulates the licensing of many itinerant food premises, which focuses on the fee for the licence application, health and safety requirements, and the locations in which they are permitted to operate.
2. The purpose of this by-law is to permit mobile food premises in locations that do not negatively impact existing restaurants and property owners who pay property taxes.

Authority

3. Sections 150 through 153 of the *Municipal Act, 2001* authorizes Council to licence, regulate and govern businesses and events. This authority includes but is not limited to: the power to issue licences, to issue licences on condition, to revoke licences, to suspend licences, to regulate or govern the place used in the carrying on of such businesses, and to prevent the carrying on of such businesses without a licence.
4. A by-law under this section of the *Municipal Act* will allow the Township to review an application, conduct an inspection and issue a licence to all applicable mobile food premises. It will also allow the Township to proactively monitor these premises to ensure they are operating in the appropriate locations.

ANALYSIS:

5. The proposed by-law has multiple additions and alterations to help regulate the location of a mobile food premise on a permitted property. It also describes in



detail the information needed for the application process. Point 6, as seen below, will outline the alterations and additions to the proposed by-law.

Additions/Alterations:

- Please see the current by-law regulations compared to the proposed by-law regulations in the table below:

Current By-Law	Proposed By-Law
Cannot be transferred or assigned	Can be transferred with permission
Permitted Zones: Commercial & Industrial	Permitted Zones: Commercial, Industrial and Open Space
Distance from eating establishment: 200m	Distance from eating establishment: 100m
Distance from Dwelling 90m	Distance from property line : 1.2m (non residential use) : 3m (residential use)
Distance from street allowance 30m	Distance from property line: 1.2m Nothing in a Sight Triangle 1m from sidewalk
Hours of operation: 8am to 9pm	Monday to Saturday: 7am to 11pm Sunday: 8am to 11pm

- The key additions to the Proposed by-law are as follows:

- Requirement for written permission on private property.
- Nothing located within 3.5m of an entrance or exit to a building.
- May only operate on Township-owned land with written permission.
- Minimum of 3m from a driveway.
- Description of site plan/drawing requirements.
- Set Fines & Enforcement measures

- The Township consulted with the United Counties of SDG to ensure the proposed by-law does not conflict with their County Road Setbacks. The Counties responded by indicating they had no concern with a mobile food premise operating within 1m of a sidewalk when abutting a County Road. However, in order to avoid any potential concerns of driveway egress safety a distance of 3m from a driveway is required.

- While keeping safety in mind, Administration also added a distance of 3.5m from an entrance or exit to a building in order to provide enough space for emergency evacuations as well as any emergency vehicles dispatched to the building.



Enforcement

- 10. It is Administration’s position that the proposed by-law provides for clear and consistent administrative process and when necessary, efficient enforcement measures. With the immediate addition to enforcement measures, it provides clear guidance to staff as well as any persons in violation that, if necessary, staff can have a mobile food premise brought into compliance.
- 11. The proposed by-law allows for additional enforcement tools such as undertaking the work and adding the costs to the tax roll or court proceedings if a person or persons fail to comply with an order to remedy. This enforcement includes, when necessary, the use of set fines ranging from \$150-\$500.
- 12. The proposed Mobile Food Premise By-law is intended to maintain a progressive enforcement approach, as outlined below:

Step one:	first contact will be in person, conversation, and education with a plan to meet compliance. Informal notice may be sent detailing the items to be corrected.
Step two:	should no progress be seen within the agreed upon time, an order to comply will be issued requiring the Mobile Food Premise owner to discontinue the contravening activity and/or do work to correct the contravention.
Step three:	property owners who do not comply with the order may not only find themselves subject to charges and fines, but also costs added to their taxes by the Township for work done to correct the contravention.

- 13. The revised by-law is attached and before Council for first and second reading this evening. The current by-law is also attached for comparison. The by-law will come back for a third and final reading at a future meeting to provide Council an opportunity to review the revised by-law and submit feedback.

IMPACT ON 2021 BUDGET:

N/A

ALIGNMENT WITH STRATEGIC PLAN:

Goal 1: Enhance economic growth and prosperity

Goal 3: Strengthen the effectiveness and efficiency of our organization

Goal 4: Improve quality of life in our community

Values: Innovation and Excellence



RECOMMENDATION:

BE IT RESOLVED THAT Staff Report 32-2021 be received and that By-law 16-2021, being a by-law to regulate and govern mobile food premises in the Township of South Glengarry be read a first and second time this first day of March, 2021.

A handwritten signature in black ink, appearing to read "Tim Mills", is written over a horizontal line.

Recommended to Council for
Consideration by:
CAO – TIM MILLS

**SOUTH
GLENGARRY**



Ontario's Celtic Heartland

Proposed Mobile Food Premise By-Law Presentation

By: Véronique Brunet 2021

Township of
South Glengarry

Ontario's Celtic Heartland

Mobile Food Premise By-Law

The Township of South Glengarry's Community Services Staff as well as Council has shown interest in a revised Mobile Food Premises (MFP) By-Law.



The proposed By-Law will replace the current Chip Stand By-Law 23-11.

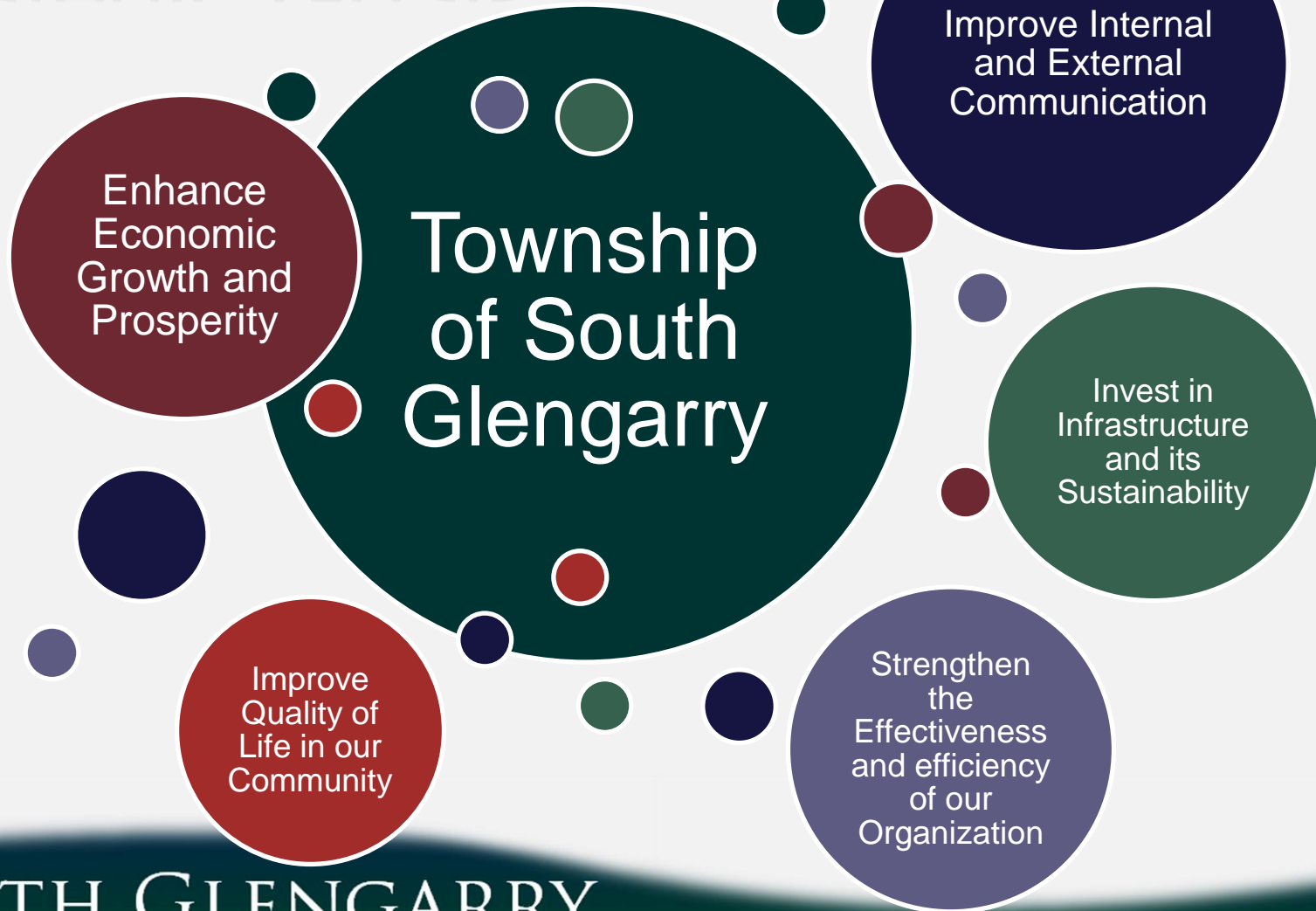


Municipal Act 2001 allows the Township to create, regulate, and govern mobile food premises.

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Ontario's Celtic Heartland



Strategic Goals



SOUTH GLENGARRY

Ontario's Celtic Heartland

Mobile Food Premise By-Law

Reason for New By-law	Alignment with Strategic Plan
Reasonable regulations allowing for opportunity to own a MFP	 <p>#1. Enhance economic growth and prosperity 1.3- Champion a regional approach to an economic development and tourism strategy</p>
Outdated By-law	 <p>Value- Innovation . Pursuing opportunities to improve . Seeking out feedback . Applying best practices . Pursuing opportunities to improve</p>
Officer efficiency	 <p>#3. Strengthen the effectiveness and efficiency of our organization</p>
Allow MFP throughout our Township in more zones.	 <p>#4. Improve quality of life in our community 4.5- Identify and support the closure of commercial and retail gaps in the community</p>
Enforcement	 <p>Value- Excellence . Promoting learning and development . Delivering high quality services on a consistent basis</p>

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Ontario's Celtic Heartland

Mobile Food Premise By-Law

What is a
Mobile
Food
Premise?



New Definition:

a motorized vehicle or a unit so constructed that it may be **towed or drawn** by a motor vehicle equipped for the cartage, storage and preparation of food stuffs, beverages, confections and from which the aforesaid items are offered for sale directly to the public.



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Mobile Food Premise By-Law

Licence cannot be transferred or assigned

Current



Proposed

Licence can be transferred

Permitted Zones:
Commercial & Industrial

Current



Proposed

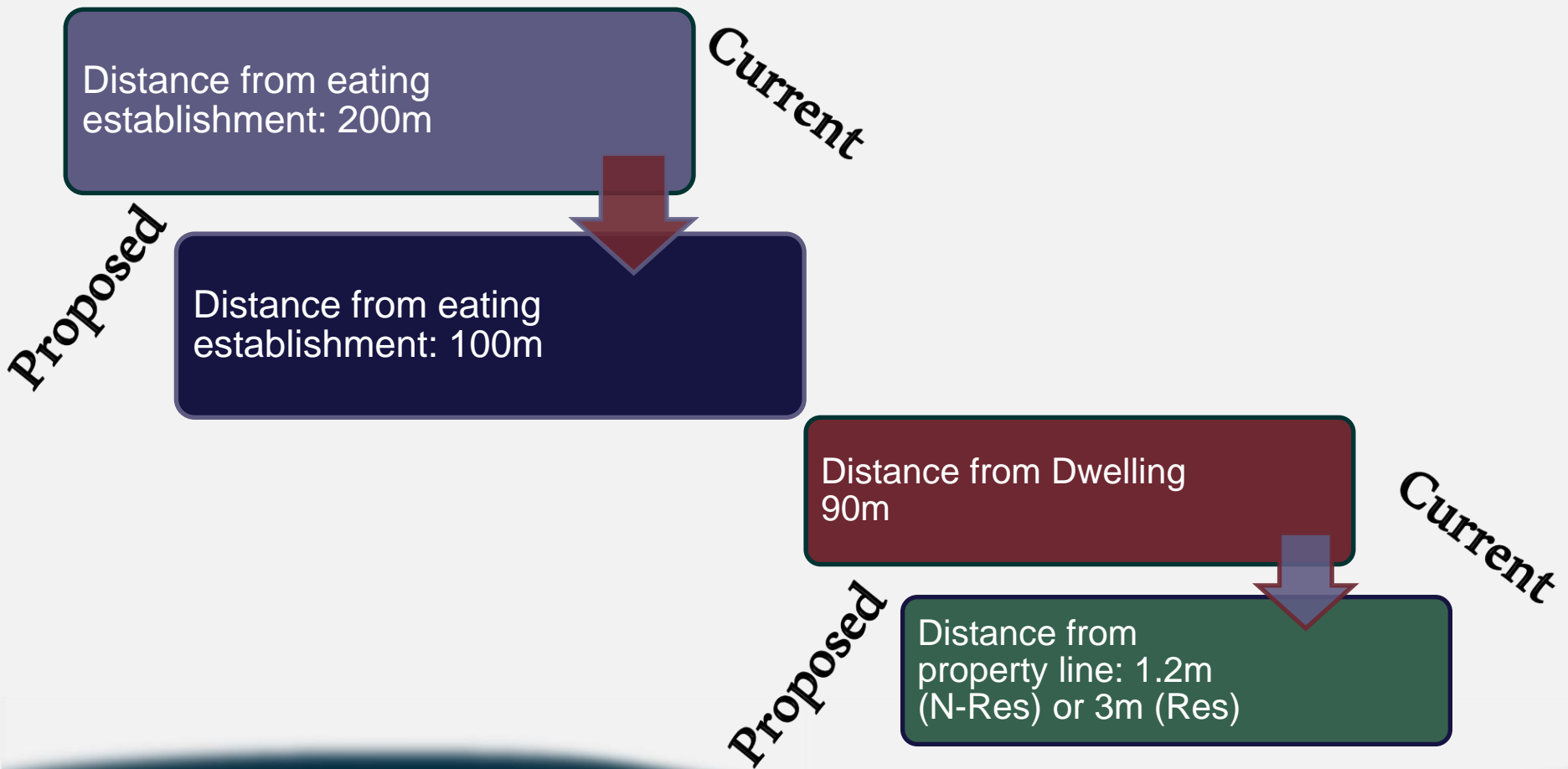
Permitted Zones:
Commercial, Industrial
and Open Space

 Parks!

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Mobile Food Premise By-Law



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Ontario's Celtic Heartland

Mobile Food Premise By-Law

Distance from street allowance
30m

Current



Proposed

- Distance from property line:
1.2m
- Nothing in a Sight Triangle
- 1m from sidewalk

Hours of operation: 8am
to 9pm

Current



Proposed

Monday to Saturday:
7am to 11pm
Sunday: 8am to 11pm

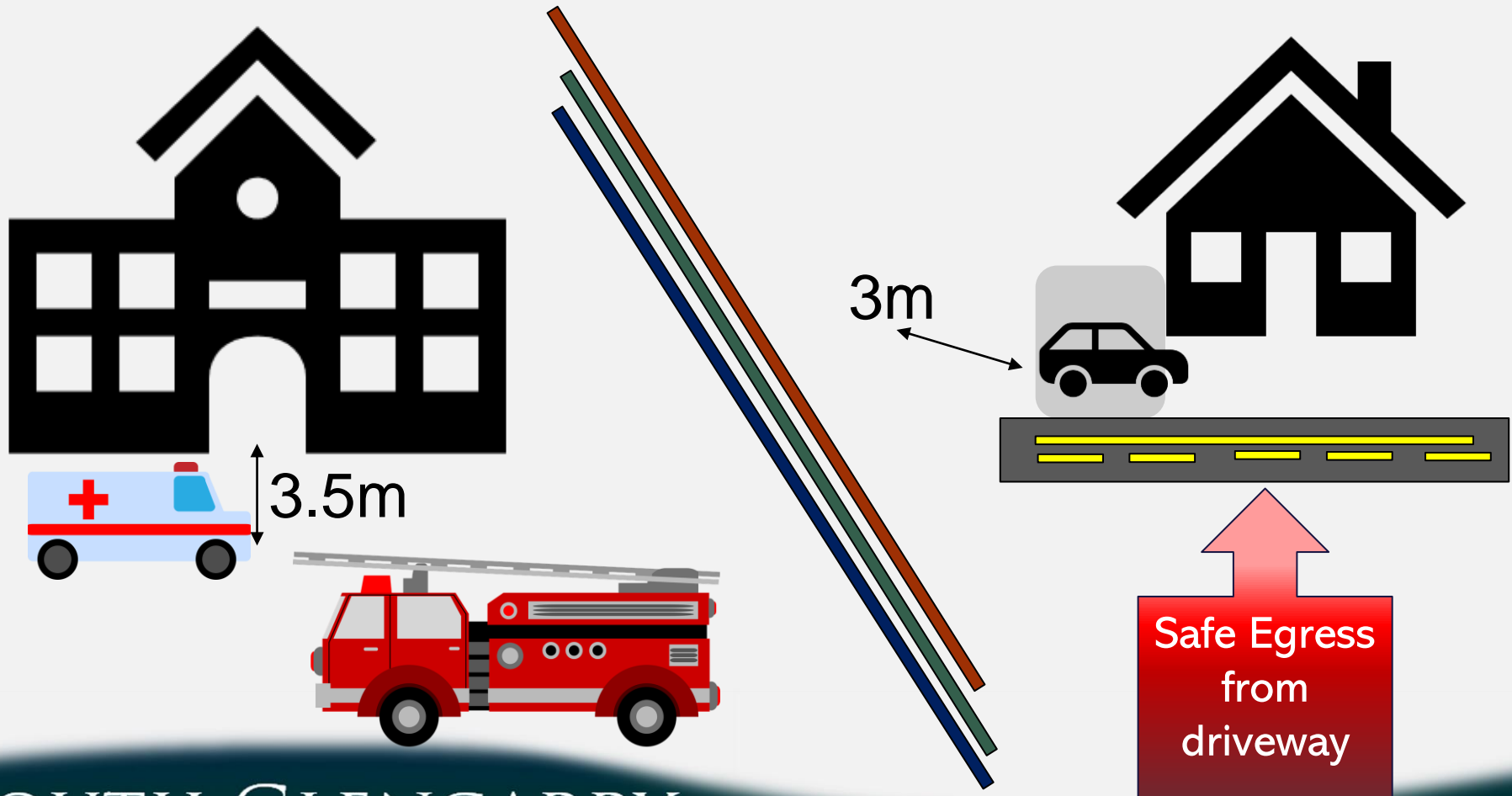
Same as
Nuisance
By-Law



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Mobile Food Premise By-Law



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Mobile Food Premise By-Law Using Private Property

 Determine permitted zone

Private
Property

Commercial

Industrial

Open
Space

SOUTH GLENGARRY

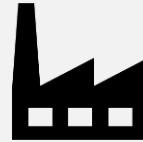
Ontario's Celtic Heartland

Mobile Food Premise By-Law

Using Private Property



Commercial



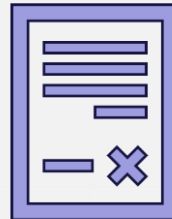
Industrial



Open Space



Obtain Written Permission



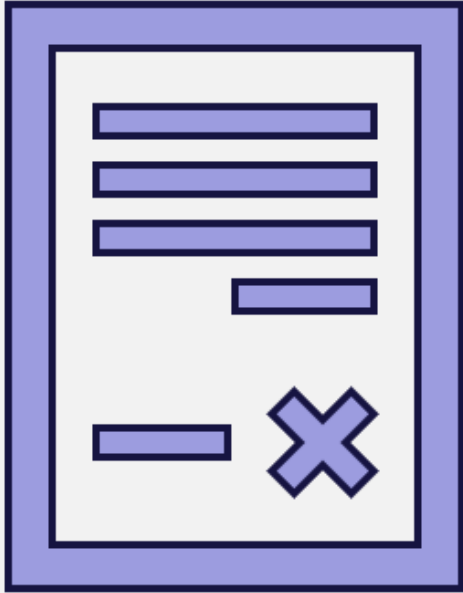
Complete Township Application

SOUTH GLENGARRY

Ontario's Celtic Heartland

Mobile Food Premise By-Law

Requirements



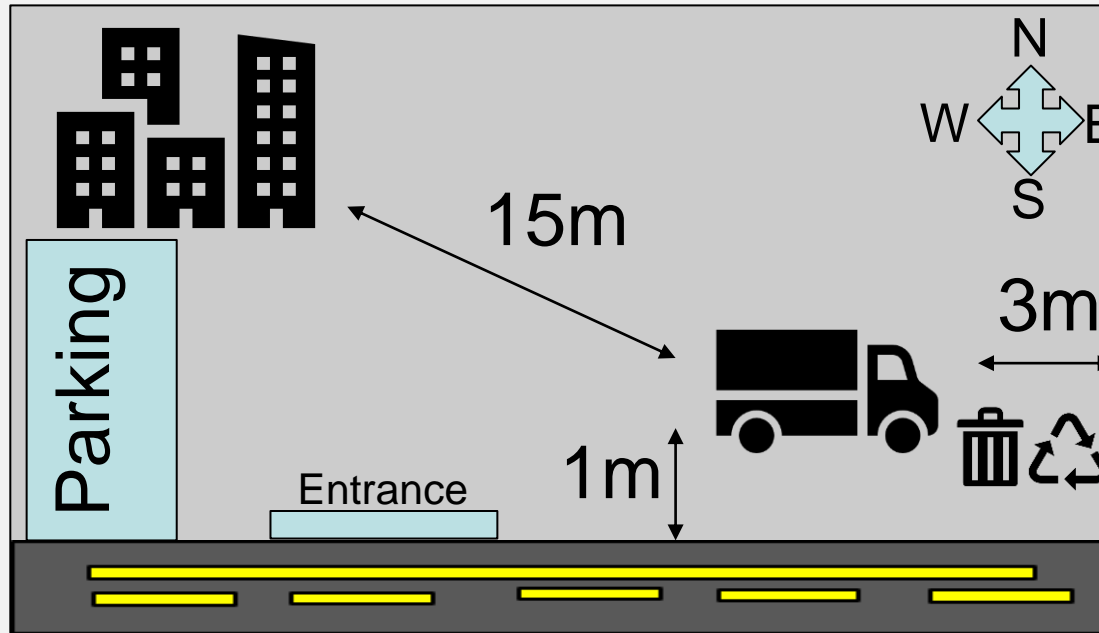
- Proof of **Public Health Unit** approval;
- Proof of compliance with **TSSA regulations** (where applicable);
- Certificate from a provincially certified propane contractor attesting to the fact that the equipment used in relation to the consumption of propane or natural gas, conforms to the **Ontario Propane Storage, Handling and Utilization Code** (where applicable);
- A copy of the applicants' valid **driver's licence** (where applicable);
- A copy of the mobile food **premise ownership** (where applicable);
- A copy of **automobile insurance** (where applicable);
- A **photo** of the mobile food premise;
- Proof of **liability insurance** (see Section 3.2);
- A plan for the **containment and disposal** of grey water, grease, and garbage;
- **Written permission** from the *owner* of the private property on which the *Mobile food premise* will be situated;
- **The fee** for a *mobile food premise* Licence as per Schedule B.
- A **site plan** depicting the location of the following from the *mobile food premise*;
 - any buildings on the property;
 - distance to neighbouring properties;
 - roadways abutting the property;
 - all access to property from roadway;
 - available parking areas; and
 - garbage receptacles.

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Mobile Food Premise By-Law

Example of Site Plan



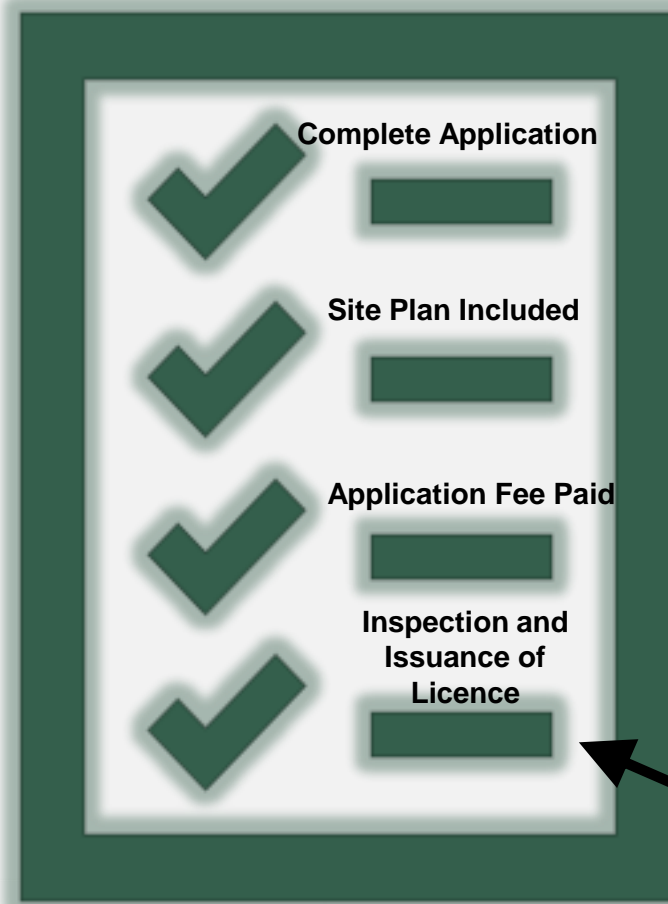
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Mobile Food Premise By-Law

Mobile Food Premise By-law

Applications
Remain
Simple



As easy as;

1

2

3

...

4



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Ontario's Celtic Heartland

Mobile Food Premise By-Law

Municipal Comparisons;

Municipality	Special Events	Food Establishment	Cost	Permitted Zones	Other Agencies	Insurance
North Dundas	n/a	n/a	\$250 to \$300	As per Zoning	PHU & Fire	1M
South Dundas	Exempt	100m	\$550	Commercial	PHU & Fire	n/a
North Glengarry	n/a	500ft	\$400 to \$1500	Residential Hamlet	PHU & Fire	n/a
South Stormont	Municipality	n/a	Fee By-Law	Commercial, Industrial, Open Space	PHU & Fire	n/a
Wellesley	Clerk	90m	Fee By-Law	Urban Commercial, Urban Industrial, Dry Industrial, or Settlement Commercial	PHU & Fire	2M
Prince Edward County	48hrs	n/a	\$200 Refreshment \$400 Chip Wagon	Highway Commercial, Tourist Commercial or Trailer Park Commercial, Rural U1, U2, U3	PHU & Fire	500,000
Lambton Shores	4 days	100m	\$500	Commercial	PHU & Fire	2M

4

100

300

C,I,OS

PU&F

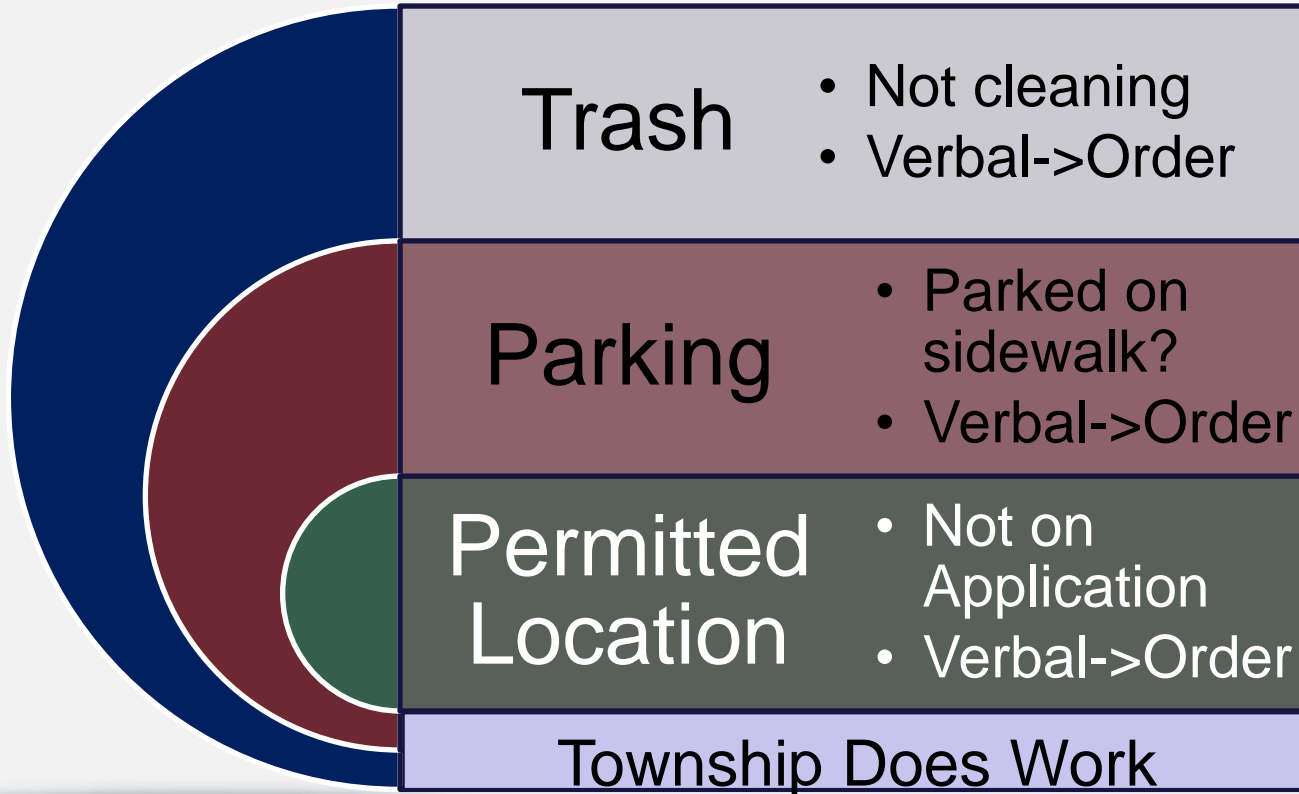
2M

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Ontario's Celtic Heartland

Mobile Food Premise By-Law

Why would the Township
need to do the work?



SOUTH GLENGARRY

Ontario's Celtic Heartland

Mobile Food Premise By-Law

Mobile Food Premise By-law

This By-law...

Allows for new regulations with more flexibility regarding the location of a mobile food premise.



Does not require a complaint to address non-conformance to this regulation.



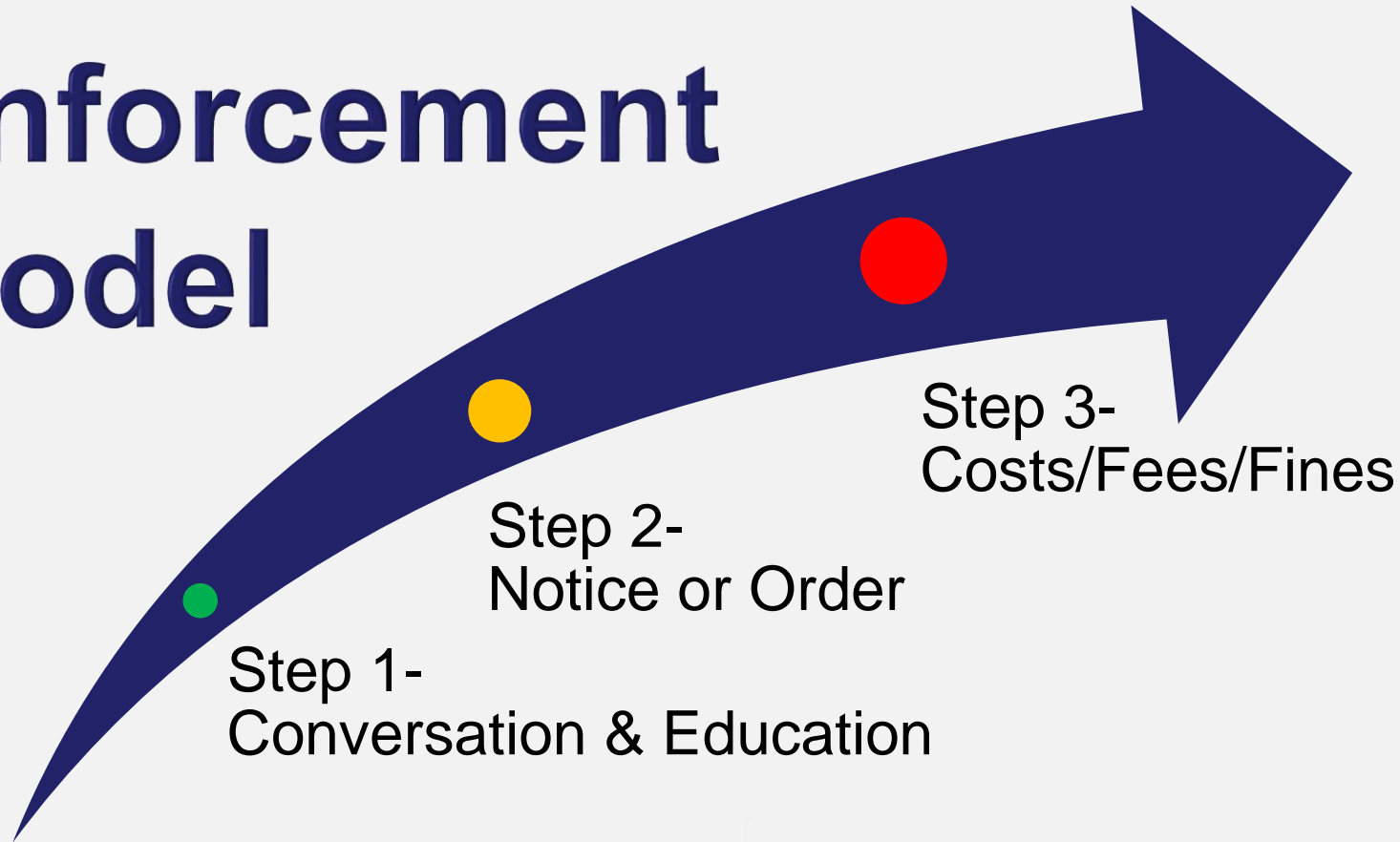
Continues to ensure any permitted location will not adversely affect the local restaurants and taxpayers.

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Mobile Food Premise By-Law

Enforcement Model



SOUTH GLENGARRY

Ontario's Celtic Heartland

Mobile Food Premise By-Law

The proposed by-law will allow for more opportunities for operators to pursue the chance to operate a mobile food premise within our community.



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SOUTH GLENGARRY

Ontario's Celtic Heartland

SG-I-21

**THE CORPORATION OF THE
TOWNSHIP OF SOUTH GLENGARRY
BY-LAW 16-2021
FOR THE YEAR 2021**

**BEING A BY-LAW A BY-LAW TO REGULATE AND GOVERN MOBILE FOOD
PREMISES IN THE TOWNSHIP OF SOUTH GLENGARRY.**

WHEREAS the *Municipal Act 2001*, c.25 S 5 (1) provides that the powers of a municipal corporation are to be exercised by its council;

AND WHEREAS the *Municipal Act 2001*, c. 25 S 5 (3) provides that the powers of every council are to be exercised by by-law;

AND WHEREAS Pursuant to the provisions of Part IV of the *Municipal Act*, a municipality may pass by-laws for licensing, regulating and governing businesses;

AND WHEREAS Sections 150 through 153 of the *Municipal Act*, authorizes Council to license, regulate and govern businesses and events and that this authority includes but is not limited to: the power to issue licences, to issue licences on condition, to revoke licences, to suspend licences, to regulate or govern the place used in the carrying on of such businesses, and to prevent the carrying on of such businesses without a licence; and

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

AND WHEREAS pursuant to Section 426 of the *Municipal Act*, no person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this Act or under a by-law passed under this Act;

AND WHEREAS pursuant to Section 446(1) of the *Municipal Act*, a municipality may direct or require a person to do a matter or thing and that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE
TOWNSHIP OF SOUTH GLENGARRY ENACTS AS FOLLOWS:**

SHORT TITLE

This by-law may be referred to as the "Mobile Food Premise By-Law".

PART 1 – DEFINITIONS

1.1 In this by-law:

- a)** "Commercial zones": means all areas as defined by the Township's Comprehensive Zoning By-law.
- b)** "Council": means the Council of the Corporation of the Township of South Glengarry.

- c) “Eating establishment”: means a building, or part of a building, where food is offered for sale and/or sold to the public for immediate consumption and includes such uses as a restaurant, dining room, cafe, ice cream parlour, dairy bar, and/or coffee shop.
- d) “Fire Department Chief”: means the Township’s Fire Chief and his or her designate or successor.
- e) “Highway”: means a common and public highway, street, avenue, parkway, driveway, square, place, bridge, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof
- f) “Industrial Zones”: means all areas as defined by the Township’s Comprehensive Zoning By-law.
- g) “Manager”: means the Township’s Manager of Municipal Law Enforcement and his or her designate or successor.
- h) “Mobile food premise”: means a motorized vehicle or a unit so constructed that it may be towed or drawn by a motor vehicle equipped for the cartage, storage and preparation of food stuffs, beverages, confections and from which the aforesaid items are offered for sale directly to the public.
- i) “Officer”: means an officer of the Township responsible for enforcement of by-laws.
- j) “Owner”: means the registered owner of land, the owner in trust, a mortgagee in possession and includes a person, firm, partnership, corporation, company, association or organization of any kind and its principal(s).
- k) “Open Space Zone”: means all areas as defined by the Township’s Comprehensive Zoning By-law.
- l) “Private property”: means any land within the Township of South Glengarry including yards and vacant lots that do not belong to the owner.
- m) “Sidewalk”: means a path for pedestrians at the side of a road.
- n) “Sight Triangle”: means a triangular space, free of buildings, structures, and obstructions, formed by the street lines abutting a corner lot and a third line drawn from a point on a street line to another point on a street line, each such point being the required sight distance from the point of intersection of the street lines as specified in this by-law.
- o) “Special Event”: means a one-time or infrequently occurring event outside normal programs or activities of the sponsoring or organizing body. Special Events include:
 - i. Williamstown Fair
 - ii. Raisin River Canoe Race
 - iii. Local July 1st Canada Day Events (not including private gatherings)
 - iv. Annual Santa Claus Parades
- p) “Township”: means the corporation of the Township of South Glengarry.

PART 2- GENERAL PROVISIONS

- 2.1 No person shall operate a mobile food premise in the Township of South Glengarry without first obtaining a valid licence from the Manager.
- 2.2 No person shall operate a *Mobile food premises* in any zone except for a

commercial zone, industrial zone, or open space zone.

2.3 Notwithstanding section 2.2, no person shall operate a *mobile food premise* on *private property*, except if the following provisions are met:

- a) The *private property* is zoned in accordance with section 2.2 of this by-law.
- b) The *owner* of the *private property* has provided written consent permitting the operation of the *mobile food premise* on their property.

2.4 No person shall operate a *mobile food premise* within 100m of any *eating establishment*.

2.5 No person shall operate a *mobile food premise* on any *highway*.

2.6 No person shall operate a *mobile food premise* within 1m of a *sidewalk*.

2.7 No person shall operate a *mobile food premise* on a *sidewalk*.

2.8 No person shall operate a *mobile food premise* on a shoulder of any *highway*.

2.9 No portion of the *mobile food premise* shall be located within 3.5m of an entrance or exit from a building.

2.10 No person shall operate a *mobile food premise* on any *Township* owned land without the written consent from the *Manager*.

2.11 No person shall operate a *mobile food premise* within 1.2m of all *property lines* abutting any non-residential use.

2.12 No person operating a *mobile food premise* shall store anything deriving from the *mobile food premise* operation within 1.2m of the property lines abutting any non-residential use.

2.13 No person shall operate a *mobile food premise* within 3m of all *property lines* abutting any residential use.

2.14 No person operating a *mobile food premise* shall store anything deriving from the *mobile food premise* operation within 3m of the property lines abutting any residential use.

2.15 No person shall operate a *mobile food premise* within a *sight triangle*.

2.16 No person shall operate a *mobile food premise* within 3m of a driveway.

2.17 No person shall operate a *mobile food premise* in any location, other than the one permitted by the *mobile food premise* licence.

2.18 No person shall operate a *mobile food premise* outside of the following hours;

- a) Monday to Saturday: 7am to 11pm
- b) Sunday: 8am to 11pm

Exceptions

2.19 Notwithstanding section 2.1 of this by-law, any mobile food premise that is to be erected for a period of less than 4 days, not on municipal property, and used in conjunction with a special event, is not subject to obtain a mobile food premise licence.

2.20 Notwithstanding subsection 3.1 k) the Council may authorize the issuance

of a mobile food premise licence to non-profit or volunteer organizations subject to any regulations or rules Council deems appropriate; and the mobile food premise applicant shall be exempt from paying the mobile food premise licence fee.

PART 3 - APPLICATION FOR LICENCE

- 3.1** Every person who applies for a *mobile food premise* licence shall include the following in the application;
- a) Proof of Public Health Unit approval;
 - b) Proof of compliance with TSSA regulations (where applicable);
 - c) Certificate from a provincially certified propane contractor attesting to the fact that the equipment used in relation to the consumption of propane or natural gas, conforms to the Ontario Propane Storage, Handling and Utilization Code (where applicable);
 - d) A copy of the applicants' valid driver's licence (where applicable);
 - e) A copy of the mobile food premise ownership (where applicable);
 - f) A copy of automobile insurance (where applicable);
 - g) A photo of the mobile food premise;
 - h) Proof of liability insurance (see Section 3.2);
 - i) A plan for the containment and disposal of grey water, grease, and garbage;
 - j) Written permission from the *owner* of the private property on which the *Mobile food premise* will be situated;
 - k) The fee for a *mobile food premise* Licence as per Schedule B.
 - l) A site plan depicting the location of the following from the *mobile food premise*;
 - i any buildings on the property;
 - ii distance to neighbouring properties;
 - iii roadways abutting the property;
 - iv all access to property from roadway;
 - v available parking areas; and
 - vi garbage receptacles.
- 3.2** Every person applying for a *mobile food premise* licence shall be required to obtain liability insurance of not less than \$2,000,000.00.
- 3.3** Every person applying for a *mobile food premise* licence shall be required to provide proof of approval from the *Fire Department Chief*.

PART 4 - GARBAGE

- 4.1** Every person operating a *mobile food premise* shall ensure there is sufficient garbage receptacles to maintain a clean and clear environment.
- 4.2** Every person operating a *mobile food premise* shall ensure the garbage receptacles are emptied at the end of every day of operation.
- 4.3** Every person operating a *mobile food premise* shall maintain the area surrounding the mobile food premise in a clean and clear condition of all garbage deriving from the operation of the *mobile food premise*.

PART 5- RENEWAL, REVOCATION, AND TRANSFERS

Renewal

- 5.1 Every *mobile food premise* licence shall be valid for one calendar year.
- 5.2 Every person operating a *mobile food premise* shall ensure that their licence is renewed prior to May 1st every year.
- 5.3 Every person renewing a *mobile food premise* Licence shall pay the Mobile Food Premise Licence Fee, as per Schedule 'B'.

Revocation

- 5.4 A *mobile food premise* licence is considered automatically revoked if a complete licence renewal application is not submitted to the *Township* prior to March 1st of that calendar year.
- 5.5 The *Township's Manager* may, at any point, revoke a person's *mobile food premise* licence where:
 - a) a contravention of any section of this By-Law occurs; or
 - b) the licence was issued in error; or
 - c) continuation of the operation poses an immediate danger to the health or safety of any person or property.

Transfers

- 5.6 Every person who operates a mobile food premise shall only transfer a *mobile food premise* licence following written approval from the *Manager*.

PART 6 - ADMINISTRATION AND ENFORCEMENT

- 6.1 This by-law shall be enforced on a proactive basis. If the *Manager* notes any infraction of this by-law the *Manager* or any *Officer* as assigned shall address the contravention as is appropriate.
- 6.2 The *Manager* may assign *Officers* to enforce this By-law and *Officers* so assigned or appointed by *Council* to enforce this By-law shall have the authority to:
 - a) carry out inspections;
 - b) make orders or other requirements as authorized under this By-law; and
 - c) give immediate effect to any orders or other requirements made under this By-law.
- 6.3 The *Manager* may assign duties or delegate tasks under this By-law to be carried out in the *Manager's* absence or otherwise.

Entry and Inspections

- 6.4 An *Officer* may enter on land at any reasonable time and in accordance with the conditions set out in sections 435 and 437 of the *Municipal Act, 2001* for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
 - a) this By-law;
 - b) a direction or order made under this By-law;
 - c) an order made under s. 431 of the *Municipal Act, 2001*.

- 6.5** An *Officer* may, for the purposes of the inspection under Section 6.4 and in accordance with the conditions set out in section 436 of the *Municipal Act, 2001*:
- a) require the production for inspection of documents or things relevant to the inspection;
 - b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - c) require information in writing or otherwise as required by the Officer from any person concerning a matter related to the inspection; or
 - d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.
- 6.6** An *Officer* may undertake an inspection pursuant to an order issued by a provincial judge or justice of the peace under Section 438 of the *Municipal Act, 2001*, in accordance with the conditions set out in that section, where he or she has been prevented or is likely to be prevented from carrying out an inspection under Sections 6.4 and 6.5.
- 6.7** No Person shall interfere with or obstruct an *Officer* while performing their duties under this by-law.

Orders including Delivery

- 6.8** If an *Officer* is satisfied that a contravention of this By-law has occurred, he or she may make an order requiring the person who contravened the By-law or who caused or permitted the contravention or the *owner* or occupier of the property on which the contravention occurred to do work to correct the contravention.
- 6.9** An order under Section 6.8 shall set out:
- a) reasonable particulars of the contravention adequate to identify the contravention and the location of property on which the contravention occurred;
 - b) the work to be completed;
 - c) the date or dates by which the work must be completed; and
 - d) notice that if the order is not complied with, then the work may be done at the expense of the *owner*;
 - e) notice that if the cost of work plus administration fees are not paid in time, they may be recovered by adding the amount to the tax roll for the Property.
- 6.10** Delivery of an order to discontinue a contravening activity made under Section 6.8 or an order to do work made under Section 6.9 may be given personally or by registered mail to the last known address of;
- a) the *owner*; and
 - b) such other persons affected by the order as an *Officer* determines.
- 6.11** In addition to delivery in accordance with Section 6.10, an order to discontinue contravening activity made under Section 6.8 or an order to do work made under Section 6.6 may be delivered by an *Officer* placing a placard containing the order in a conspicuous place on the property where the contravention occurred.
- 6.12** Where a time frame is set out in an order for carrying out any action, an *Officer* may extend the time for compliance beyond the established time

frame provided such extension is required and is acceptable to the *Officer*.

Township Carrying Out Work

- 6.13** Where a person does not comply with a direction or a requirement within an order, under this By-law to do a matter or thing, the *Manager*, in addition to all other remedies, may cause the Property to be brought into compliance with this by-law. For this purpose, the *Manager* with such assistance by others as may be required, may enter onto the Property at any reasonable time without further notice to the *owner* in order to do such work necessary to achieve compliance with this by-law at the person's expense.
- 6.14** The Township may recover the costs of doing a matter or thing under this by-law by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes and such costs shall include an administration fee of 30 per cent (30%). The amount of the Township's costs, including interest to the date payment is made in full, constitutes a lien upon the land, upon the registration of a notice of lien upon the land.

Penalties

- 6.15** Every person who contravenes any provision of this by-law is guilty of an offence and, upon conviction, is liable to:
- a) a set fine as set out in Schedule "A"; or
 - b) a fine as provided for in section 61 of the Provincial Offences Act, R.S.O 1990, c. P.33.
- 6.16** Where a person is convicted of an offence under this by-law, the Ontario court of Justice or any court of competent jurisdiction thereafter may, in addition to any other penalty imposed on the person convicted, make an order prohibiting the continuation or repetition of the offence by the person convicted.

Validity and Severability

- 6.17** If a court of competent jurisdiction should declare any section or part of a section of this by-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced *Council* to pass the remainder of the by-law, and it is hereby declared that the remainder of the by-law shall be valid and shall remain in force.
- 6.18** Where a provision of this by-law conflicts with the provision of another by-law in force within the *Township*, the provisions that establish the higher standards to protect the health, safety and welfare of the general public shall prevail.

Repeal

- 6.19** On the date this by-law comes into effect, By-Law 23-11 as amended shall be hereby repealed.
- 6.20** This By-law shall come into force upon the date of passing by *Council*.

READ A FIRST AND SECOND TIME THIS 1ST DAY OF MARCH, 2021.

SCHEDULE 'A'
CORPORATION OF THE TOWNSHIP OF SOUTH GLENGARRY
Set Fine Schedule
Part 1 Provincial Offences Act

By-Law No.16-2021: Mobile Food Premise Licence

Item	Short Form Wording	Provision Creating or Defining of Offence	Set Fine
1	Fail to obtain a mobile food premise licence.	2.1	\$500.00
2	Fail to operate mobile food premise in permitted zone.	2.2	\$150.00
3	Fail to obtain written consent to operate on private property.	2.3 b)	\$150.00
4	Fail to operate mobile food premise at least 100m of an eating establishment.	2.4	\$150.00
5	Operate mobile food premise on a highway.	2.5	\$150.00
6	Operate mobile food premise within 1m of a sidewalk.	2.6	\$150.00
7	Operate mobile food premise on a sidewalk.	2.7	\$150.00
8	Operate mobile food premise on a shoulder of highway.	2.8	\$150.00
9	Fail to operate mobile food premise at least 3.5m of an entrance or exit of building.	2.9	\$150.00
10	Operate mobile food premise on municipal land without written consent.	2.10	\$150.00
11	Fail to operate at least 1.2m from all property lines abutting any non-residential use.	2.11	\$150.00
12	Fail to keep 1.2m of the property line clear of any storage.	2.12	\$150.00
13	Fail to operate at least 3m from all property lines abutting any residential use.	2.13	\$150.00
14	Fail to keep 1.2m of the property line clear of any storage.	2.14	\$150.00
15	Fail to operate outside a sight triangle.	2.15	\$150.00
16	Fail to operate at least 3m from a driveway.	2.16	\$150.00
17	Fail to operate in licences' permitted location.	2.17	\$150.00
18	Fail to operate during permitted hours.	2.18	\$150.00
19	Fail to empty garbage receptacle.	4.2	\$150.00
20	Fail to maintain clean and clear surrounding.	4.3	\$150.00
21	Obstructing an Officer.	6.7	\$350.00

Note: The general penalty provision for the offences listed above is Section 3.16 of By-law no. 11-2020, a certified copy of which has been filed and s. 61 of the Provincial Offences Act, R.S.O. 1990, c.P.33

SCHEDULE 'B'
CORPORATION OF THE TOWNSHIP OF SOUTH GLENGARRY
By-Law No.16-2021: Mobile Food Premise Licence

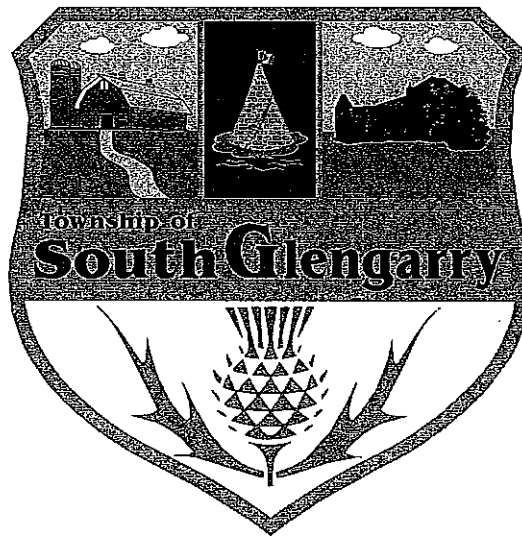
Service Use and Activity Charges

Item	Service or Activity Fee	Fee
1.	Mobile Food Premise Licence. Where an application for a mobile food premise is submitted the fee indicated must be paid in full.	300.00
2.	1st Order. Where the informal notice has not been complied with, for the first Order issued in respect to any property.	\$ 50.00
3.	Subsequent Orders. Where there has been a previous Order issued, each subsequent Order issued thereafter.	\$ 350.00
4.	Township undertakes to complete the work. Where the Township undertakes to complete the work required to comply with any final order.	Cost of the work performed plus an administrative fee of 30%
5.	Certificate of Compliance. Where after inspecting a property, an Officer, may on the request of the Owner, issue the Owner a certificate of compliance.	\$25.00

THE CORPORATION OF THE TOWNSHIP OF SOUTH GLENGARRY

MOBILE FOOD PREMISE BY-LAW

BY-LAW NO. 23-11



5G-I-11

**THE CORPORATION OF THE
TOWNSHIP OF SOUTH GLENGARRY
BY-LAW 23-11
FOR THE YEAR 2011**

BEING A BY-LAW FOR LICENSING, REGULATING AND GOVERNING VEHICLES FROM WHICH REFRESHMENTS AND SUSTENANCE ARE SOLD FOR CONSUMPTION BY THE PUBLIC WITHIN THE CORPORATION OF THE TOWNSHIP OF SOUTH GLENGARRY.

WHEREAS section 151.(1) of the *Municipal Act*, S.O. 2001, as amended, authorizes councils of local municipalities to pass by-laws for the licensing, regulating and governing any business carried on within the municipality;

WHEREAS, pursuant to section 151.(2) of the *Municipal Act*, S.O. 2001, as amended, Council deems it expedient to pass a by-law to licence, regulate and govern vehicles from which refreshments are sold for consumption by the public and for revoking any such licence in order to provide for the health and safety of the public;

WHEREAS Council deems such a system of licences appropriate to address health and safety, well-being of persons, consumer protection and nuisance control;

WHEREAS Sections 390 to 400 of the *Municipal Act* authorize a municipality to pass by-laws imposing fees or charges for services or activities provided or done by them; and

WHEREAS pursuant to Section 15.1(1)(g) of the *Municipal Act*, Council considers it desirable to provide for a system of administrative penalties and fees as an additional means of encouraging compliance with this By-law;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SOUTH GLENGARRY ENACTS AS FOLLOWS:

SECTION 1 - TITLE

1.1 That this By-law may be referred as "Chip Stand By-law".

SECTION 2 - DEFINITIONS

In this by law:

- 2.1 "*By-law Enforcement Officer*" shall mean the person or persons appointed by the Township of South Glengarry to enforce this by-law and any servant or agent of such person or persons employed for such purposes;
- 2.2 "*Clerk*" means the Clerk for the Corporation of the Township of South Glengarry.
- 2.3 "*Commercial Zone*" means a designated area of land use shown on the Zone Schedules of the *Township's Zoning By-law*.
- 2.4 "*Council*" means the Council of the Corporation of the Township of South Glengarry;
- 2.5 "*Dwelling*" means a detached building occupied or capable of being occupied as the home, residence, or sleeping place by one or more persons, and containing one or more dwelling units but shall not include a mobile home, a tent, bus, boat, vessel, motor vehicle, recreational vehicle, camper, or commercial trailer but shall include a factory built home.
- 2.6 "*General Manager of Community Services*" means the General Manager of Community Services for the Corporation of the Township of South Glengarry.

- 2.7 "General Manager of Corporate Services" means the General Manager of Corporate Services for the Corporation of the Township of South Glengarry.
- 2.8 "Industrial Zone" means a *designated* area of land use shown on the Zone Schedules of the *Township's Zoning By-law*
- 2.9 "Licencee" means the person licensed under this by-law or the person required to be licensed under this by-law;
- 2.10 "Medical Officer of Health" means the Medical Officer of Health for the Eastern Ontario Health Unit or his or her designate;
- 2.11 "Mobile Food Premise" shall mean a vehicle or other itinerant food preparation premise from which food prepared is offered for sale to the public. A mobile food premise does not include any vehicle which is stationary but does include the following:
- a) ice cream vehicle
 - b) mobile canteen
 - c) catering vehicle, French fry vehicle
 - d) hot dog cart; and any other mobile food premise not mentioned.
- 2.12 "Operate" shall mean the selling or offering for sale of food products or refreshments from such vehicle but shall not preclude the delivery of food products or refreshments
- 2.13 "Sidewalk" shall mean all such parts of the street allowance as are set aside by the *Township* for the use of pedestrians or used by the general public for the passage of pedestrians and includes boulevard and a pedestrian walkway.
- 2.14 "Street Allowance" shall mean the entire right-of-way of a common and public highway, street, avenue, driveway, square, place, bridge, viaduct, or trestle, designed and intended for or used by the general public for the passage of vehicles.
- 2.15 "Township" means the Corporation of the Township of South Glengarry

SECTION 3 - GENERAL REQUIREMENTS

- 3.1 No person or persons (which terms shall include a partnership or corporation) shall *operate a mobile food premise* in the *Township* without first having been issued a licence to do so as hereinafter provided.
- 3.2 A completed application for a licence or for renewal of a licence shall delivered to the *Clerk* and shall be accompanied by:
- a) the fee in the appropriate amount as set out in the attached Schedule "A";
 - b) if other than a sole proprietorship, a copy of incorporating documents or the names and addresses of all partners;
 - c) where the *mobile food premise* contains equipment fuelled by propane or natural gas, a current certificate issued within thirty (30) days of the application by a provincially certified propane contractor attesting to the fact that such equipment has been inspected and found to conform to the *Ontario Propane Storage, Handling and Utilization Code*, as may be amended or replaced from time to time;
 - d) a letter from the *Medical Officer of Health* stating that the vehicle has been inspected and including the licence number and the serial number of the vehicle inspected;

- e) proof that the licensee is insured against personal, public liability and property damage in a minimum amount of \$2,000,000.00 (two million dollars);
 - f) proof that the Class 'A' vehicle is licensed as a commercial vehicle as defined under the Highway Traffic Act; and proof of ownership of the vehicle.
- 3.3 After the *Clerk* has issued a licence, the *licensee* shall ensure that no modifications are made to *mobile food premise*, or equipment placed therein, without the prior approval of the *Clerk*.
- 3.4 Notwithstanding Section 3.1 and 3.2, the *Council* may authorize the issuance of a *mobile food premise* licence to non-profit or volunteer organizations subject to any regulations or rules *Council* deems appropriate. *Mobile food premise* licences for non-profit or volunteer organizations shall be exempt from paying licence fees. Licenced *mobile food premise* may be used for this purpose at the request of non-profit or volunteer organizations for special events.
- 3.5 The *General Manager of Community Services* or the *General Manager of Corporate Services* shall be jointly authorized to raise the fees set out in the attached Schedule "A" by the rate of inflation on January 1st of each year and may round these amounts to the nearest dollar.

SECTION 4 - CONDITIONS OF PERMIT ISSUANCE

- 4.1 A licence shall be valid for the calendar year in which it is issued and may not be transferred or assigned.
- 4.2 A licence shall be issued with respect to one vehicle only and shall be at all times affixed to the vehicle for which it has been issued.
- 4.3 *Mobile food premises* shall be permitted to *operate* in a *commercial zone* or *industrial zone* only.
- 4.4 Notwithstanding any provisions of parking of vehicles within the *Township*, a *mobile food premise* shall not *operate* on any portion of a *street allowance*.
- 4.5 The minimum distance between a *mobile food premise* and any other eating establishment shall be 200 meters.
- 4.6 Notwithstanding paragraph 4.5 the minimum distance between a *mobile food premise* and any other eating establishment maybe less than 200 meters provided that the *mobile food premise* has been traditionally established at such a location.
- 4.7 The minimum distance between a *mobile food premise* and any *dwelling* shall be 90 meters.
- 4.8 The minimum distance between a *mobile food premise* and the street allowance shall be 30 meters.
- 4.9 A *licensee* shall ensure the *mobile food premise* conforms to all other provisions of the Zoning By-law.
- 4.10 The issued licence shall be prominently and permanently displayed in the *mobile food premise*.
- 4.11 No *licensee* shall sell or permit the selling of food from a *mobile food premise* unless:
- a) the food has been prepared, assembled and wrapped in accordance with the Public Health Protection and Promotion Act and regulations thereto; and

- b) the persons engaged in the handling and selling of food comply with the Public Health Protection and Promotion Act and regulations thereto;
- 4.12 No *licencee* shall *operate a mobile food premise* prior to 8:00 a.m. or after 9:00 p.m.
- 4.13 A *licencee* shall keep his or her vehicle and equipment and the place where food is prepared in a clean, sanitary and satisfactory condition and shall at all times permit the *Medical Officer of Health* to inspect the vehicle.
- 4.14 Every *licencee of a mobile food premise* shall ensure that the garbage or litter resulting from his or her vending activity is collected for recycling or disposal, and shall provide receptacles for such purposes. In addition, every *licencee of a mobile food premise* shall ensure that such garbage and litter is removed from the area of operation.

SECTION 5 - REVOCATION AND SUSPENSION

- 5.1 The *Clerk* shall provide notice of intention to revoke or suspend a licence where:
- a) the *licencee* would be disentitled to a licence or a renewal of a licence for the reasons set out in this By-law; or
 - b) the licence was issued in error.
- 5.2 Notwithstanding subsection 5.1, the *Clerk*, if satisfied that the continuation of business poses an immediate danger to the health or safety of any person or to any property, may, for the time and on such conditions as it considers appropriate and without a hearing, suspend a licence for not more than 14 days and prior to suspending the licence, shall provide the *licencee* with the reasons for the suspension, either orally or in writing, and an opportunity to respond to them.

SECTION 6 – OFFENCES AND ENFORCEMENT

- 6.1 Every person who contravenes any provision of this By-Law is guilty of an offence and, upon conviction, is liable to:
- a) a set fine as set out in Schedule "C"; or
 - b) a fine as provided for in the Provincial Offences Act, R.S.O. 1990, c. P.33.
- 6.2 Where a person is convicted of an offence under this By-Law, the Ontario Court of Justice or any court of competent jurisdiction thereafter may, in addition to any other penalty imposed on the person convicted, make an order prohibiting the continuation or repetition of the offence by the person convicted.
- 6.3 Unless otherwise provided in the by-law, the By-law shall be enforced by the *By-law Enforcement Officers of the Township*.
- 6.4 At its own discretion, the *Township* may choose to enforce the provisions of the by-law on a complaint basis only, not enforce it, or enforce it on a proactive basis.
- 6.5 If there is a conflict between the provisions of this by-law and the provisions of another municipal by-law the most restrictive provisions prevails.
- 6.6 If an article in this By-law is for any reason held to be invalid, the remaining articles shall remain in effect until repealed.

SECTION 7 – SPECIAL EVENTS

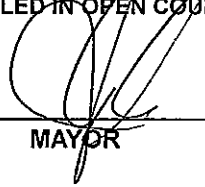
7.1 Notwithstanding anything in this by-law, a permit shall be considered issued for a *mobile food premise* located at special events approved by the Administration for the duration of the special event. Such special events shall include those outlined in Schedule "B" and these shall thereafter be considered approved by Administration.

SECTION 8 - COMING INTO FORCE

8.1 By-Law 04-82 of the former Corporation of the Village of Lancaster is hereby repealed.

8.2 This By-Law comes into force upon its enactment.

READ A FIRST, SECOND AND THIRD TIME AND PASSED, SIGNED AND SEALED IN OPEN COUNCIL THIS 25 DAY OF APRIL, 2011.



MAYOR



CLERK

SCHEDULE A

Corporation of the Township of South Glengarry

By-Law 23-11: Mobile Food Premise By-Law

MOBILE FOOD PREMISE LICENCE FEE

Annual Licence Fee	\$300.00
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SCHEDULE B

Corporation of the Township of South Glengarry

By-Law 23-11: Mobile Food Premise By-Law

SPECIAL EVENTS APPROVED BY COUNCIL

1. Williamstown Fair
2. Raisin River Canoe Race
3. Local July 1st Canada Day events
4. Annual Santa Claus Parade

SCHEDULE C

Township of the Township of South Glengarry

By-Law 23-11: Mobile Food Premise By-Law

Set Fine Schedule

Part 1 Provincial Offences Act

Item	Short Form Wording	Provision Creating or Defining Offence	Set Fine
1.	Failed to obtain a licence to operate a <i>mobile food premise</i> .	3.1	500.00

Note: The general penalty provision for the offences listed above is Section 6 of By-Law No. 23-11.



Municipality of the Township of South Glengarry
6 Oak Street, Lancaster, Ontario K0C 1N0
Phone: 613-347-1166 Fax: 613-347-3411

MOBILE FOOD PREMISE LICENCE APPLICATION

Name of Applicant: _____

Address of Applicant:

Number and Street : _____ Postal Code: _____

Telephone: _____ Email: _____

If the applicant is a partnership or corporation, the name and address of the partnership or corporation.

Name of partnership or corporation: _____

Number and Street : _____ Postal Code: _____

Telephone: _____ Email: _____

Description of the Vehicle

Vehicle Make	Vehicle Model	Vehicle Licence Plate Number
_____	_____	_____

List of all equipment to be used in the preparation, storage and dispensing of refreshments

I _____ hereby certify that all of the information supplied above, together with the plan submitted (if applicable), is accurate and true.

Name (Print): _____

Signature: _____

Date: _____

Licence Fee: \$300.00

NOTE: License will not be issued until approval from the Medical Officer of Health has been received.

FOR OFFICE USE ONLY

Fee \$300.00 Receipt _____ License # _____

Date Issued: _____ Expiry: December 31st _____



Municipality of the Township of South Glengarry
 6 Oak Street, Lancaster, Ontario K0C 1N0
 Phone: 613-347-1166 Fax: 613-347-3411

MOBILE FOOD PREMISE LICENCE

Date Issued:

License Number:

Name(s) of Owner: _____

Location of Mobile Food Premise

Number and Street : _____

Description of the Vehicle

Vehicle Make	Vehicle Model	Vehicle Licence Plate Number
_____	_____	_____

Mobile Food Premise Operator Responsibilities

- 1 Every *licencee* or operator of a *Mobile Food Premise*, shall, upon receipt of an inspection request, grant the *By-law Enforcement Officer* access to the *Mobile Food Premise*.
- 2 No *licencee* shall operate a *mobile food premise* prior to 8:00 a.m. or after 9:00 p.m.
- 3 A *licencee* shall keep his or her vehicle and equipment and the place where food is prepared in a clean, sanitary and satisfactory condition and shall at all times permit the *Medical Officer of Health* to inspect the vehicle.
- 4 Every *licencee* of a *mobile food premise* shall ensure that the garbage or litter resulting from his or her vending activity is collected for recycling or disposal, and shall provide receptacles for such purposes. In addition, every *licencee* of a *mobile food premise* shall ensure that such garbage and litter is removed from the area of operation.
- 5 A licence shall be valid for the calendar year in which it is issued and may not be transferred or assigned

 Marilyn LeBrun – Clerk

POST THIS IN A CONSPICUOUS PLACE IN YOUR VEHICLE



STAFF REPORT

S.R. No. 33-2021

PREPARED BY: Joanne Haley, GM Planning, Building and Enforcement

PREPARED FOR: Council of the Township of South Glengarry

COUNCIL DATE: March 1, 2021

SUBJECT: Employment District Lands - South Lancaster

BACKGROUND:

1. Council received a request from a taxpayer in the fall of 2020 to remove lands from the Employment District Designation in the United Counties of Stormont, Dundas and Glengarry (SDG) Official Plan (OP) located at 20361 County Road 2 to provide more flexibility of types of uses for future development.
2. Administration recommended converting all or most of the properties within the Employment District to the Commercial District as this designation is more compatible to the existing surrounding land uses and provides for residential development opportunities as the Employment District does not permit any residential uses.
3. In order to remove the subject property from this designation, an Official Plan Amendment (OPA) is required. Prior to an OPA being applied for; the following requirements of the Provincial Policy Statement must be met:

1.3.2 Employment Areas:

“1.3.2.5 Notwithstanding policy 1.3.2.4, and until the official plan review or update in policy 1.3.2.4 is undertaken and completed, lands within existing employment areas may be converted to a designation that permits non-employment uses provided the area has not been identified as provincially significant through a provincial plan exercise or as regionally significant by a regional economic development corporation working together with affected upper and single-tier municipalities and subject to the following:

- a) there is an identified need for the conversion and the land is not required for employment purposes over the long term;
- b) the proposed uses would not adversely affect the overall viability of the employment area; and
- c) existing or planned infrastructure and public service facilities are available to accommodate the proposed uses.”



ANALYSIS:

4. At the December 21, 2020 Council Meeting, Council considered the request to convert Employment District Lands in South Lancaster and directed Administration to proceed with the process.
5. A company by the name of Hemson Consulting Ltd. (Hemson), which specializes in developing strategies for the future, addresses issues of urban structure, growth management, planning policy implementation and the effects of economic and social trends, was contacted to conduct research and to prepare a report to support the OPA. This company was chosen due to the previous studies completed for SDG.
6. At the December 21, 2020 Council meeting, Administration committed to bring Hemson’s report to council for review prior to proceeding with the OPA. On January 7, 2021, Hemson was officially retained by the Township and the report was received on February 18, 2021.
7. The map below identifies the properties within South Lancaster that are currently designated Employment District. The report will support the employment lands conversion in this location to a Commercial District Designation.





8. Administration recommends converting all of the properties within the Employment District to the Commercial District as this designation is more compatible to the existing surrounding land uses and provides for mixed use residential and commercial development opportunities as the Employment District does not permit any residential uses.

9. The Commercial District Designation permits the following:

Commercial Districts may include mixed uses such as commercial, residential, public service facilities and institutional uses. The use of commercially designated lands for standalone residential shall be strongly discouraged.

Table 3.5 of the Official Plan provides examples of the permitted uses in the Commercial District Designation:

Commercial District	- Full range of retail, service commercial, automotive, recreational and resort commercial and personal service uses-Residential uses (mixed or standalone)
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10. SDG will be proceeding with a Housekeeping Official Plan Amendment in the near future that will not permit standalone residential uses but will recognize existing ones.

11. The next step in this process that a requirement that an OPA be applied for to redesignate the identified lands from Employment District to Commercial District. If the municipality commences this process there is no application fee; however, there are costs to complete this process for advertising and staff time. The Ontario Planning Act allocates 120 days to complete the OPA. Prior to commencing this process, a report will be brought to Council to seek direction to proceed with the OPA.

12. If the OPA is approved, then a Zoning By-law amendment may be applied for by any property owner should they wish to proceed with a development providing it conforms to the Official Plan. This cost should be paid for by the applicant as per all Zoning By-law amendments

13. In summary, Administration is requesting Council to direct staff to proceed with an Official Plan Amendment process to redesignate the subject area to Commercial District.



IMPACT ON 2021 BUDGET:

14. It is anticipated that the process outlined above will cost approximately \$8,000 to \$10,000 exclusive of staff time. This will cover the costs of the study and the public meetings. This cost has not been budgeted for in the 2021 budget.

ALIGNMENT WITH STRATEGIC PLAN:

Goal # 1. Enhance economic growth and prosperity
Goal # 4. Improve quality of life in our community

RECOMMENDATION:

BE IT RESOLVED THAT Staff Report 33-2021 be received and that the Council of the Township of South Glengarry receives the "Proposed Conversion of Employment Lands Report" prepared by Hemson Consulting Ltd. and directs Administration to proceed with an Official Plan Amendment to redesignate the Employment District lands to Commercial District in the South Lancaster area.

A handwritten signature in black ink, appearing to read "Tim Mills", is written over a horizontal line.

Recommended to Council for
Consideration by:
CAO – TIM MILLS



Hemson Consulting Ltd

1000 – 30 St. Patrick Street, Toronto, ON M5T 3A3

416-593-5090 | hemson@hemson.com | www.hemson.com

MEMORANDUM

To: Joanne Haley, General Manager, Planning, Building & Enforcement, Township of South Glengarry

From: Stefan Krzeczunowicz and Russell Mathew

Date: February 11, 2021

Re: Review of Proposed Conversion of Employment Lands

This memorandum contains a scoped review of a proposal to convert lands in Lancaster, in the Township of South Glengarry, from their current Employment District designation to a Commercial District designation. The effect of the conversion would be to allow a greater range and mix of land uses, including residential uses, on the lands. Although the review has been triggered by a site-specific request, it covers all of the lands in Lancaster that are currently designated Employment District.

This scoped review builds on Hemson's *SDG – Updated Official Plan Section 2 Report* and *Employment Land Needs Analysis* prepared for the United Counties of Stormont, Dundas and Glengarry (SDG) in 2016.

A. PROPOSAL IN CONTEXT

9865560 Canada Inc. is seeking to develop a property at 20361 County Road 2. The property, previously the site of the Impala Motel, is located west of County Road 2 and south of Highway 401, in Lancaster, in the Township of South Glengarry. A preliminary concept for the proposed development includes 180 condominium/apartment housing units in 6 buildings geared towards retirees, as well as 12 commercial spaces.

The site forms part of a strip of properties fronting County Road 2 and extending south of Highway 401 to the Raisin River that are designated Employment District in the SDG Official Plan (see Map 1).

Map 1 – Employment District in Lancaster



i. Current Land Use Designation

The Employment District designation in Lancaster was implemented through the SDG Official Plan in 2006. The designation permits a range of industrial land uses, manufacturing, construction, warehousing, offices, employment supportive commercial uses including associated retail and ancillary facilities, public service facilities and institutional uses. Residential uses are prohibited.

Table 3.5 of the Official Pan provides examples of the permitted uses in Employment Districts:

Designation	Permitted Uses
Employment District	<ul style="list-style-type: none"> • Class I, II, and III industrial uses • Transportation and distribution industries near transportation corridors • Other associated retail and ancillary facilities, including limited employment supportive commercial uses serving the employment area (e.g. hotels, restaurants, fitness centres, financial institutions, convention centres, service commercial uses) as defined in the implementing Township Zoning by-law or through a site-specific zoning amendment.

ii. Current Land Use

Most of the lands designated as Employment District in Map 1 are occupied by commercial activities, including:

- a home and kitchenware store at the south-east intersection of County Road 2 and Highway 401;
- a McDonald's takeout, Subway takeout, Tim Horton's takeout, Circle K convenience store, Esso gas station, and small gift shop, extending south of Highway 401 on either side of County Road 2;
- a jeweler, just south of Cannon Street; and
- the Raisin River Marina, on the shore of where the Raisin River meets the St. Lawrence.

A significant portion of the Employment District—about 10 hectares, including the site of the proposed mixed use development—is currently vacant. The subject site itself is generally surrounded by residential uses to the south, east, and north-west (where there is a recently constructed subdivision), the Raisin River Marina to the south-west, and the above-mentioned jeweler on Cannon Street to the north. Additional residential uses are being proposed to the south (within the Cairnview Estates Subdivision).

iii. Proposed Land Use Designation

The SDG Official Plan includes a Commercial District land use designation, which permits mixed uses such as commercial, residential, public service facilities and institutional uses. Table 3.5 in the Official Plan provides examples of permitted commercial uses: the full range of retail, service commercial, automotive, recreation and resort commercial and personal service uses. Mixed or standalone residential uses are also permitted, though standalone residential uses are strongly discouraged.

B. PROPOSED CONVERSION IS CONSISTENT WITH PROVINCIAL POLICY STATEMENT

A conversion of some or all of the Employment District in Lancaster to Commercial District designation requires SDG Council to approve an amendment to the SDG Official Plan. Under the *Planning Act*, such a decision must be consistent with the 2020 Provincial Policy Statement (PPS). In our view, the “PPS consistency” test would be met because the

conversion would address the need to build healthy and liveable communities as well as the need to protect employment lands.

i. Building Healthy and Liveable Communities

The conversion would contribute to a more efficient and resilient pattern of development and land use pattern by promoting the kinds of uses that already prevail in the district and affording greater opportunity to develop vacant lands. As well,

- The conversion would take place within the boundaries of an existing settlement area. The PPS Section 1.1.3 indicates that settlement areas “are to be the focus of growth” and “are critical to the long-term prosperity of communities”.
- The population in SDG is aging. The conversion would promote a healthy and liveable community in Lancaster by facilitating the development of a broader range and mix of housing, including higher density apartment forms and housing forms that are geared towards older adults.
- The conversion would encourage mixed-use development that incorporates compatible employment uses to support a liveable and resilient community.

ii. Meeting Long-Term Housing Needs

The conversion would support the Counties’ obligation to make sufficient land available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years,

Hemson’s *SDG – Updated Official Plan Section 2* report (2016) identified nearly 1,400 gross hectares of vacant residential land supply across the Counties, enough capacity to accommodate between 2,700 and 16,000 additional housing units based on range of densities (anywhere between 2 and 12 units per gross hectare). The Counties had also, at the time of the report, identified significant potential for intensification.

On the demand side, the report forecast housing growth in the Counties to be 2,600 units between 2016 and 2036, or roughly 77 units per year over the thirty-year period. Housing growth was anticipated to be focused in South Dundas, North Dundas, South Stormont, and South Glengarry.

As such, the report concluded that the residential land supply was sufficient to accommodate long-term growth.

Recent data from Statistics Canada and the Canadian Housing Mortgage Corporation (CMHC) indicate that:

- the Counties' population is growing more rapidly than anticipated by the 2016 forecasts. Indeed, about 61% of all population growth forecast to 2036 has taken place to mid-year 2020. The higher-than-expected growth is particularly prevalent in North Stormont, South Stormont, and South Glengarry.
- housing growth has similarly been faster than forecast in 2016. While data is incomplete for all lower-tiers, including South Glengarry, CMHC data show that about 60 new housing units were completed in South Stormont between 2016 and 2020. This represents almost 5 times the rate of housing growth anticipated for this municipality in 2016.

While we have not updated either the Counties growth forecasts or land budget analysis from 2016, we conclude that the recent pattern of high growth in the Counties, particularly in the southern municipalities, would not jeopardise the Counties' ability to provide sufficient land for long-term housing needs. However, if the current rate of housing growth persists, the number of sites available to provide the full range of housing in the Counties may become constrained over time.

As such, given the recent high rate of housing development, the conversion would expand the opportunities in one of faster growing areas of SDG to provide an appropriate range and mix of housing to meet the needs of long-term growth.

iii. Protection of Employment Lands

Notwithstanding the entirely commercial character of the Lancaster Employment District, the permitted uses in the district under the SDG Official Plan generally reflect the PPS definition of "employment areas". Policy 1.3.2.1 of the PPS addresses the preservation of employment areas and states that:

"Planning authorities shall plan for, protect and preserve employment areas for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs."

In this way, economic development and competitiveness is promoted and maintained.

Prior to 2020, employment areas could only be converted to non-employment uses through a comprehensive review (i.e. formal official plan review). PPS policy 1.3.2.5 now permits discrete employment area conversions provided an area has not been identified as

provincially significant through a provincial plan exercise or as regionally significant by a regional economic development corporation, and subject to the following:

- there is an identified need for the conversion and the land is not required for employment purposes over the long term;
- the proposed uses would not adversely affect the overall viability of the employment area; and
- existing or planned infrastructure and public service facilities are available to accommodate the proposed uses.

The Lancaster Employment District is neither provincially significant nor regionally significant.

Hemson's 2016 *Employment Land Needs Analysis* for the Counties was prepared in advance of the release of employment data from the 2016 Census. However, while the report's distribution of employment overestimated the number of jobs in South Dundas, North Dundas, and South Glengarry, and underestimated the number of jobs in North Glengarry, North Stormont, and South Stormont, the estimate of the overall Counties employment base (20,400 jobs) proved to be almost exactly correct. Moreover, the report concluded that:

- though there would be a moderate decline in employment overall in the Counties to 2036, mainly due to an aging population, employment land would still be required to meet non-residential development needs;
- the Counties' 450 hectare supply of employment land was more than sufficient to accommodate the long-term needs;
- most available supply was concentrated along the Highway 401 corridor—in South Dundas and South Stormont—and this supply had significant capacity to accommodate employment growth; and therefore
- *there was no need for additional employment lands.*

The approximately 10 hectares of vacant land in the Employment District in Lancaster represents less than 2% of the Counties' total vacant employment land supply. It is not required for to meet the Counties' long-term employment purposes. Moreover, its conversion to a mixed use designation would not adversely affect the overall viability of lands elsewhere in the Counties that are better suited to meeting long-term needs.

C. LANDS NOT SUITED AS LONG-TERM EMPLOYMENT AREA

The PPS requires that the Counties maintain a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take account the needs of existing and future businesses. The Lancaster Employment District does not contribute to achieving this policy as the physical character of the lands and their market viability are generally not compatible with their land use designation. This is particularly true of the lands to the west of County Road 2.

- The Employment District designation is intended to promote industrial, transportation, and distribution uses. While such uses benefit from easy access to Highway 401, they require large sites for storage, parking, and truck turning. The small size and configuration of most existing properties restricts the number of potential users. The exceptions are the two relatively large properties, 2.5 hectares and 4.9 hectares, to the east of County Road 2 due south of Highway 401 (see Map 1).
- The close proximity of existing and planned residential uses to the district effectively precludes any Class II and Class III industrial activity, where the scale of operations is more intensive and greater separation is required in order to mitigate noise, dust, vibrations, and other adverse impacts. This is especially true of the two large properties noted above, which adjoin existing and planned residential uses to the east (see Map 1).
- While retail uses are permitted, they are limited to ancillary uses. The existing retail and service commercial activity in the district is evidence of greater potential for commercial development.

D. CONCLUSIONS

Based on the above analysis, the following conclusions can be made:

- With no history of industrial uses, there is no discernable reason why lands in Lancaster occupied almost entirely by service commercial and commercial retail uses were designated as Employment District in the 2006 SDG Official Plan.
- As such, conversion of all or most of the properties within the Lancaster Employment District to a Commercial District designation under the SDG Official Plan would better reflect the retail, service commercial, and automotive uses that

currently prevail in the district. Moreover, it would encourage similar activities in the area and promote the expansion of existing uses.

- The conversion would facilitate a mixed use development that incorporates compatible employment uses to support a livable and resilient community.
- We understand from Township staff that there are existing municipal infrastructure and public services facilities available to service the converted lands.
- The Counties do not need this Employment District to meet the needs of long-term employment. There is an ample supply of employment land in SDG. Moreover, there are employment lands better suited to supporting the uses intended for Employment Districts under the SDG Official Plan.
- The physical character of the lands in the Employment District, as well as their proximity to existing and planned residential uses, restricts their ability to accommodate future industrial, transportation and warehousing uses. *The lands are generally not suited to their designation.* As such, they are not viable as an Employment District over the long-term.
 - The two large land parcels east of County Road 2, and due south of Highway 401, are slight exceptions to this rule. However, while these sites provide good access to the highway corridor for Employment District uses, they adjoin existing and planned residential uses to the east and would be further constrained by their isolation if left as Employment District. Conversely, these sites provide excellent visibility from the highway for commercial retail uses and represent one of the last opportunities to get gas, food and beverages on the eastbound 401 before the Quebec border. In our view, there are opportunities to expand existing highway commercial activities on these lands.

In short, it is our opinion that the conversion of all of the Lancaster Employment District to a Commercial District designation is consistent with the PPS and represents good planning.



STAFF REPORT

S.R. No. 34-2021

PREPARED BY: Joanne Haley, GM Planning, Building and Enforcement

PREPARED FOR: Council of the Township of South Glengarry

COUNCIL DATE: March 1, 2021

SUBJECT: Benjamin Zoning By-law Amendment

BACKGROUND:

Site Location:

1. The subject property is legally described as Part of Lot 24 Concession 9, in the geographic Township of Lancaster, now in the Township of South Glengarry, County of Glengarry.

Owner/Applicant:

2. Alice Benjamin.

Description of Site and Surroundings:

3. The subject site is located on the east side of Second Line Road south side of the Delisle River. The subject site is 13.35 hectares in size. A consent was recently granted to dispose of the surplus dwelling from the farming operation. This property is vacant and is currently being farmed. The surrounding lands are characterized as primarily farmland with some residential uses.

Summary of Requested Zoning Proposal:

4. On December 14, 2020, the Township accepted a zoning amendment application; said application was deemed complete on December 18, 2020. The purpose of this application is to reduce the minimum lot area from 20 hectares to 13.35 hectares and to prohibit residential construction.



ANALYSIS:

5. The United Counties of SDG recently adopted a new Official Plan (OP) in 2017 which was approved by the Ministry of Municipal Affairs and Housing with modifications in February 2018 and was appealed by both the United Counties and the Township of South Glengarry therefore some of the schedules of the former Official Plan are still in effect. The subject property is designated Agricultural Resource in the former and the new Official Plan and is subject to policies in the new Official Plan. The former OP and the current OP serve as the Township's OP.

Planning Rationale:

Provincial Policy Statement

6. The Planning Act requires that all Township planning decisions be consistent with the Provincial Policy Statement (PPS), 2020, a document that provides further policies on matters of Provincial interest related to land use development. The recommended Zoning By-law amendment is consistent with the matters of Provincial interest as outlined in the Planning Act and is in keeping with the PPS, 2020, specifically section 2.3, subsection 2.3.4.1. c) 2. by prohibiting residential construction.

Official Plan Designation

7. The subject property is designated Agriculture Resource in the United Counties Official Plan. This zoning amendment application conforms to the Agricultural Resource Lands section 5.3 and to section 8.12.13.3.7 iii. in the United Counties Official Plan.

Zoning By-Law:

8. The subject property is currently zoned Agricultural and Natural Hazard in the Township's Zoning By-law 38-09. Agricultural uses are permitted.
9. The Township's Zoning By-law 38-09 conforms to the United Counties Official Plan and is consistent with the Provincial Policy Statement (PPS), 2020.



Public Consultation

10. The proposed amendment was circulated to the neighbouring property owners within 120 metres of the proposed site; it was also advertised in the Glengarry News. A public meeting was held on January 18, 2021, no members of the public spoke in opposition or support of this proposed amendment nor were any written comments received. The United Counties were circulated on this application; they had no comments.
11. The Ontario Planning Act requires all zoning amendment applications to be processed and a decision made within 90 days of receipt of a complete application. A decision will be made on day 73.
12. This proposed Zoning By-law amendment is being recommended to be approved by Council as it is consistent with the PPS 2020 and it conforms to the United Counties Official Plan. The proposed amendment is appropriate for the site as the subject property is large enough to accommodate an agricultural operation and residential construction is prohibited.
13. Council also has the option to defer the application. Applications may be deferred if Council requires additional information, further staff review, or other reasons. Should Council wish to defer the applications, reasons for the deferral and direction to Staff will be required so that Staff can prepare an updated Planning Report for future consideration.
14. Council also has the option to refuse the application. Should Council wish to refuse the application, reasons for the refusal are required including a written explanation of the refusal. If the decision of Council is appealed, the Local Planning Appeal Tribunal (LPAT) must have consideration to the decision of Council.

IMPACT ON 2021 BUDGET:

N/A

ALIGNMENT WITH STRATEGIC PLAN:

N/A

**RECOMMENDATION:**

BE IT RESOLVED THAT Staff Report 34-2021 be received and by-law 17-2021, being a by-law to amend By-law 38-09, the Comprehensive Zoning By-law for the Township of South Glengarry for the property legally described as Part of Lot 24, Concession 9, in the geographic Township of Lancaster, now in the Township of South Glengarry, County of Glengarry be rezoned from Agriculture (AG) and Natural Hazard to Agriculture – Exception Twenty-Eight (AG-28) and Natural Hazard (NZ) to reduce the Minimum Lot Area from 20 hectares to 13.35 hectares and to prohibit residential construction, be read a first, second and third time, passed, signed and sealed in Open Council this 1st day of March 2021. The Council of the Township of South Glengarry confirms that no public comments were received on this application therefore there was no effect on the decision.

A handwritten signature in black ink, appearing to read "Tim Mills", is written over a horizontal line.

Recommended to Council for
Consideration by:
CAO – TIM MILLS

SG-G-21

**THE CORPORATION OF THE
TOWNSHIP OF SOUTH GLENGARRY
BY-LAW 17-2021
FOR THE YEAR 2021**

***BEING A BY-LAW TO AMEND BY-LAW 38-09, THE COMPREHENSIVE
ZONING BY-LAW FOR THE TOWNSHIP OF SOUTH GLENGARRY***

WHEREAS, the *Municipal Act, 2001*, c.25 S 5 (1) provides that the powers of a municipal corporation are to be exercised by its council;

AND WHEREAS the *Municipal Act 2001*, c. 25 S. 5(3) provides that the powers of every council are to be exercised by by-law;

AND WHEREAS pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990, as amended, Council of the Municipality may enact by-laws regulating the use of lands and the erection of buildings and structures thereon;

AND WHEREAS the Council of the Township of South Glengarry deems it advisable to amend by-law 38-09, a by-law that regulates the use of land and the use and erection of buildings and structures, as thereafter set forth;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE
TOWNSHIP OF SOUTH GLENGARRY ENACTS AS FOLLOWS:**

1. **THAT** the area affected by this by-law is legally described as Part of Lot 24 Concession 9, in the geographic Township of Lancaster, now in the Township of South Glengarry, County of Glengarry as indicated on Schedule "A" attached hereto and forming part of this by-law.
2. **THAT** the property located at Part of Lot 24 Concession 9, in the geographic Township of Lancaster, now in the Township of South Glengarry, County of Glengarry be rezoned from Agriculture (AG) and Natural Hazard (NZ) to Agriculture – Exception Twenty-Eight (AG-28) and Natural Hazard (NZ) to reduce the Minimum Lot Area from 20 hectares to 13.35 hectares and to prohibit residential construction.
3. **THAT** all other applicable provisions of by-law 38-09, as amended, shall continue to apply.
4. **THAT** this by-law shall come into force and effect and take effect pursuant to the provisions of the *Planning Act*, R.S.O. 1990, as amended.

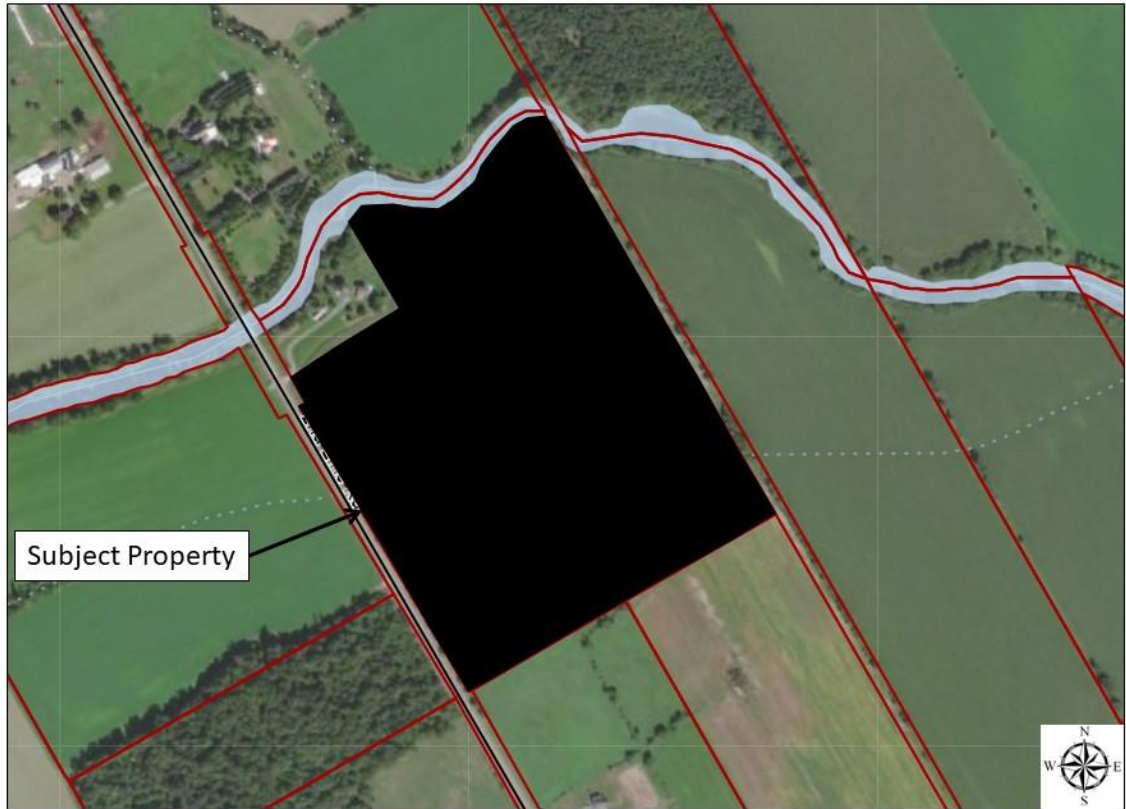
***READ A FIRST, SECOND AND THIRD TIME, PASSED, SIGNED AND SEALED
IN OPEN COUNCIL THIS 1ST DAY OF MARCH, 2021.***

MAYOR: _____ CLERK: _____

BY-LAW 17-2021
EXPLANATORY NOTE

This is an amendment to zoning By-law 38-09, which is the zoning by-law of the Township of South Glengarry. The purpose of this Amendment is to rezone the subject property from Agriculture (AG) and Natural Hazard (NZ) to Agriculture – Exception Twenty-Eight (AG-28) and Natural Hazard (NZ) to reduce the Minimum Lot Area from 20 hectares to 13.35 hectares and to prohibit residential construction.

Schedule "A"



Lands to be zoned to
Agricultural - Exception
Twenty-Eight (AG-28) &
Natural Hazard (NZ)

**This is Schedule "A" to By-law 17-2021
Adopted this 1st day of March, 2021**

**Township of
South Glengarry**

Mayor

Clerk



STAFF REPORT

S.R. No. 35-2021

PREPARED BY: Joanne Haley, GM Planning, Building and Enforcement

PREPARED FOR: Council of the Township of South Glengarry

COUNCIL DATE: March 1, 2021

SUBJECT: Tyotown Heights Development Agreement for Drainage Purposes

BACKGROUND:

1. On April 3, 2020, the Township of South Glengarry received a Draft Plan of Subdivision Application from the United Counties of Stormont, Dundas and Glengarry (SDG) for the property legally described as Part of Lots 38 & 39, Registered Plan no. 101, geographic Township of Charlottenburgh, now in the Township of South Glengarry, County of Glengarry, also known as Tyotown Heights Subdivision. The purpose of this Draft Plan of Subdivision Application was to create 5 residential building lots that will be accessed directly off of Tyotown Road.
2. On July 14, 2020, SDG issued Draft Plan Approval for the proposed subdivision. Administration worked with the property owner on the draft plan conditions and prepared a subdivision agreement. The agreement was approved by Council on February 16, 2021.

ANALYSIS:

3. The subdivision design includes a grading and drainage plan. The 5 lots have been designed as such that the properties will drain to the rear of the lots onto the abutting property to the south currently owned by the developer/property owner.
4. An easement in favour of the Township of South Glengarry will be established at the rear of the lots which will permit the Township to maintain this drain and will prevent the property owners from altering the drain.



5. A Development Agreement has been prepared between the Township of South Glengarry and the developer/property owner for the lands to the south to establish the right for this subdivision to drain to this property. This agreement will be registered on title and shall be binding upon the owner and his respective heirs, executors, administrators, successors and assigns of the owner and all future purchasers of this land.
6. If and when this land is developed in the future, a grading plan will be established to continue to accept the drainage of the subdivision lands.

IMPACT ON 2021 BUDGET:

N/A

ALIGNMENT WITH STRATEGIC PLAN:

N/A

RECOMMENDATION:

BE IT RESOLVED THAT Staff Report 35-2021 be received and that By-law 18-2021, being a by-law to authorize the Mayor and Clerk to enter into a Development Agreement between the Township of South Glengarry and David Rothwell Grant for the purposes of drainage for the property legally described as Part of Lots 37-39, Registered Plan No. 101, in the Geographic Township of Charlottenburgh, Township of South Glengarry, County of Glengarry be read a first, second and third time, passed, signed and sealed in Open Council this 1st day of March, 2021.

A handwritten signature in black ink, appearing to read "Tim Mills", is written over a horizontal line.

Recommended to Council for
Consideration by:
CAO – TIM MILLS

SG-D-21

**THE CORPORATION OF THE
TOWNSHIP OF SOUTH GLENGARRY
BY-LAW 18-2021
FOR THE YEAR 2021**

***BEING A DEVELOPMENT AGREEMENT BY-LAW AND A BY-LAW TO
AUTHORIZE THE MAYOR AND CLERK TO ENTER INTO A DEVELOPMENT
AGREEMENT BETWEEN THE TOWNSHIP OF SOUTH GLENGARRY AND
DAVID ROTHWELL GRANT***

WHEREAS the *Municipal Act 2001*, c.25 S 5 (1) provides that the powers of a municipal corporation are to be exercised by its council;

AND WHEREAS the *Municipal Act 2001*, c. 25 S 5 (3) provides that the powers of every council are to be exercised by by-law;

AND WHEREAS Section 51 (26) of the Planning Act, R.S.O. 1990 provides that a municipality or approval authority, or both, may enter into agreements imposed as a condition to the approval of a plan of subdivision and the agreements may be registered against the land to which it applies and the municipality or the approval authority, as the case may be, is entitled to enforce the provisions of it against the owner and, subject to the Registry Act and the Land Titles Act, any and all subsequent owners of the land;

AND WHEREAS David Grant wishes to enter into a Development Agreement with the Township of South Glengarry to provide for the control of drainage for a Plan of Subdivision located in the geographic Township of Charlottenburgh, now in the Township of South Glengarry, County of Glengarry, known as Tyotown Heights Subdivision.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE
TOWNSHIP OF SOUTH GLENGARRY ENACTS AS FOLLOWS:**

1. **THAT** the Council of the Township of South Glengarry hereby authorizes the entering into of a Development Agreement with David Rothwell Grant, for the purposes of controlling drainage from a development of a Subdivision located at Part of Lots 38 & 39, Registered Plan 101, now designated as lots 1 through 5, and in the Geographic Township of Charlottenburgh, Township of South Glengarry, County of Glengarry, a copy of which is attached as Schedule "A" hereto and forms part of this By-Law;
2. **THAT** the Mayor and Clerk are hereby authorized and directed to fully execute the Development Agreement attached hereto and forming a part of this By-law.
3. **THAT** this by-law shall come into force and take effect on the date of its final passing.

**READ A FIRST, SECOND AND THIRD TIME, PASSED SIGNED AND SEALED
IN OPEN COUNCIL THIS 1ST DAY OF MARCH, 2021.**

MAYOR:

CLERK:

TOWNSHIP OF SOUTH GLENGARRY

DEVELOPMENT AGREEMENT

THIS AGREEMENT made in QUADRUPPLICATE on the _____ day of 2021.

BETWEEN:

David Rothwell Grant

Hereinafter called the "owner"

(OF THE FIRST PART)

AND

THE CORPORATION OF THE TOWNSHIP OF SOUTH GLENGARRY

Hereinafter called the "TOWNSHIP"

(OF THE SECOND PART)

WHEREAS the owner is the owner of certain lands and premises in the Township of South Glengarry, described in Schedule "A" to this agreement;

AND WHEREAS the owner intends to enter into a subdivision agreement for the creation of 5 lots ("Subject Area"), described in Schedule "B" to this agreement;

NOW THEREFORE THIS AGREEMENT WITNESSED that in consideration of the sum of two (\$2.00) Dollars of lawful money of Canada paid by the Township of South Glengarry, the receipt whereof is hereby acknowledged, covenant, promise and agree with the Township as follows:

1. The Owner covenants that he is the owner in fee simple of the lands more particularly described in Schedule "A" (the "Retained Lands").

2. The Owner covenants and agrees with the Municipality as follows:

That the lands described Part of Lots 38 & 39, Registered Plan 101 now designated as Lots 1 through 5 and in the Geographic Township of Charlottenburgh, Township of South Glengarry, County of Glengarry, also known as Tyotown Heights-

- a) may drain on the retained lands as detailed on the Tyotown Heights Subdivision Lot Grading Plan drawing - C1.1 prepared by EVB Engineering and dated 2020/04/01 revised on 2021/10/29 and included in Schedule "C".
- b) The Subject Area will discharge into the existing tile drain system on the retained lands.
- c) Any future upgrades or replacement of the tile drain system on the Retained Lands must consider the discharge from the Subject Area.
- d) In the event that the land use of the retained lands changes, and the tile drain system is removed, the Owner of the Retained Lands will be responsible to establish a new outlet for the subject property drainage.

SCHEDULE "A" – DESCRIPTION OF RETAINED LANDS

Part of Lots 37-39, Registered Plan No. 101, in the Geographic Township of Charlottenburgh, Township of South Glengarry, County of Glengarry.

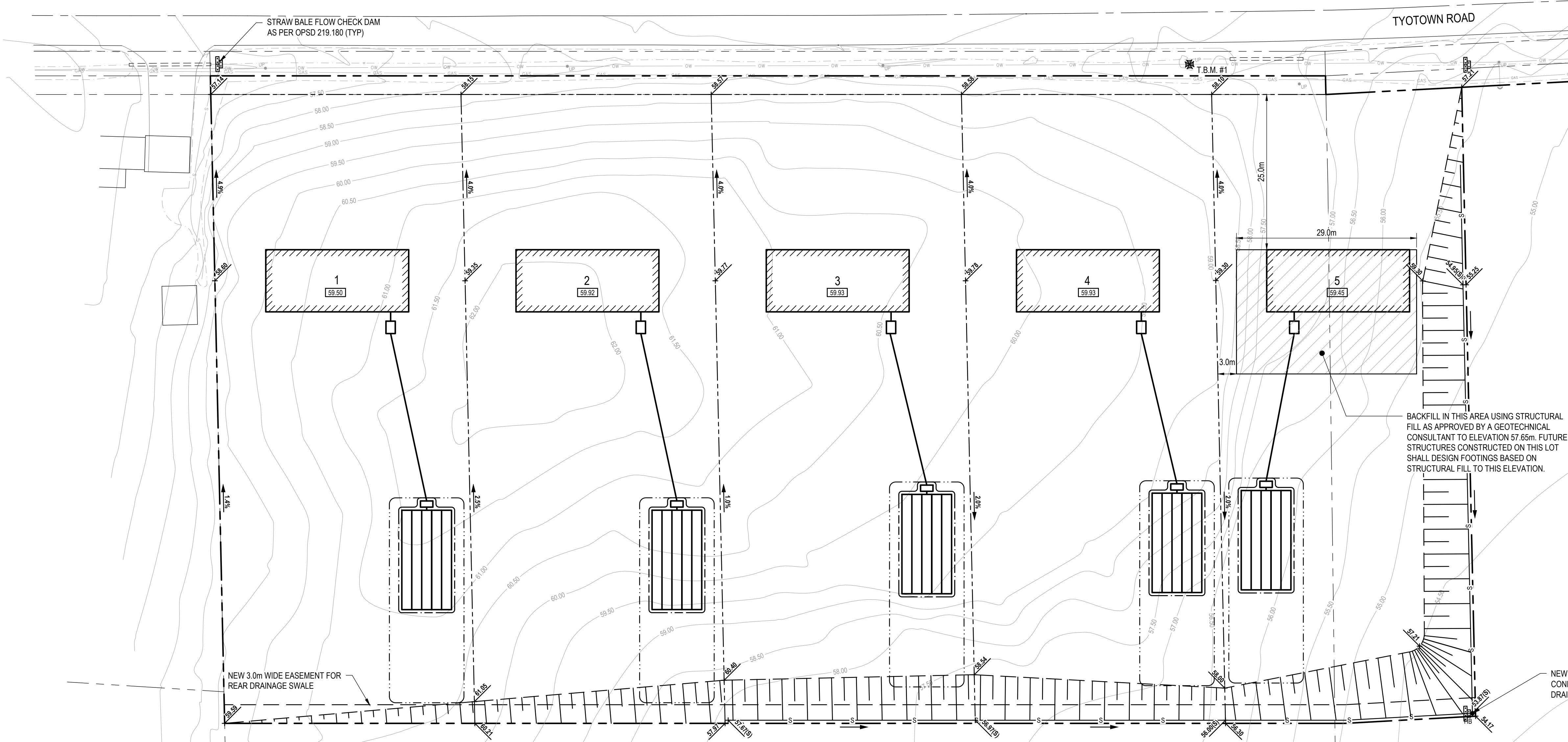
SCHEDULE "B" – DESCRIPTION OF NEW SUBDIVISION LANDS (SUBJECT AREA)

Part of Lots 38 & 39, Registered Plan 101 now designated as Lots 1 through 5 and in the Geographic Township of Charlottenburgh, Township of South Glengarry, County of Glengarry.

SCHEDULE “C” – TYOTOWN HEIGHTS GRADING PLAN

This drawing forms part and parcel of this agreement:

Drawing Name	Drawing No.	Revision No.	Drawing Date	Revision Date
Lot Grading Plan	C1-1	3	20/04/01	2020/01/29



- NOTES:**
- CONTRACTOR TO VERIFY LOCATION OF ALL BURIED SERVICES PRIOR TO START OF CONSTRUCTION.
 - TOPOGRAPHIC INFORMATION PROVIDED BY RON M. JASON SURVEYING LTD.
 - ELEVATIONS SHOWN ON THIS PLAN ARE GEODETIC.
 - ALL DISTURBED AREAS OF TO BE REINSTATED WITH 150mm TOPSOIL AND SOD UNLESS OTHERWISE NOTED.
 - FINAL GRADING OF LOTS SHALL BE COMPLETED TO MEET THE DESIGN INTENT OF THE GRADING PLAN AND FINAL ELEVATIONS SHALL BE WITHIN ±100mm OF THE DESIGN ELEVATION.
 - SIDE YARD SWALES SHALL BE CONSTRUCTED WITH:
 - MINIMUM GRADIENT OF 1%
 - PREFERRED MAX. SIDE SLOPE 4H:1V MAX. SIDE SLOPE 3H:1V
 - MINIMUM DEPTH 200mm
 - MAXIMUM DEPTH 600mm
 - SEDIMENT AND EROSION CONTROL MEASURES (I.E. STRAW BALE FLOW CHECKS) SHALL BE REGULARLY INSPECTED AND MAINTAINED BY THE CONTRACTOR UNTIL THE SITE IS RE-VEGETATED TO PRE-CONDITIONS OR BETTER.

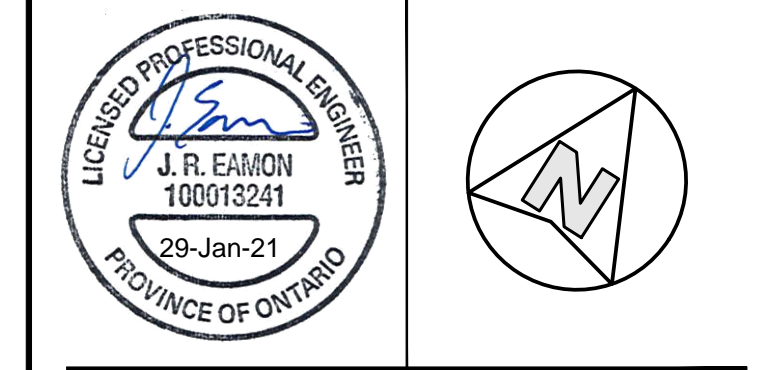
TEMPORARY BENCH MARKS

T.B.M. No.	ELEV. (m)	T.B.M. DESCRIPTION
T.B.M. #1	57.974	SPIKE IN SOUTHERLY FACE OF HYDRO POLE (0.4m ABOVE GROUND)

- LEGEND:**
- EXISTING PROPERTY LINE
 - NEW PROPERTY LINE
 - NEW LOT LINE
 - NEW EASEMENT LINE
 - NEW CENTERLINE OF ROAD
 - NEW EDGE OF ASPHALT
 - EXISTING EDGE OF ASPHALT
 - NEW CURB
 - NEW DEPRESSED CURB
 - NEW DITCH CENTERLINE
 - EXISTING DITCH CENTERLINE
 - NEW SWALE
 - NEW TOP OF SLOPE
 - EXISTING TOP OF SLOPE
 - NEW BOTTOM OF SLOPE
 - EXISTING BOTTOM OF SLOPE
 - FINISHED GROUND ELEVATION
 - FINISHED TOP OF GRATE ELEVATION
 - FINISHED TOP OF CONCRETE ELEVATION
 - FINISHED SWALE ELEVATION
 - EXISTING GROUND ELEVATION
 - EXISTING FINISHED GRADE ELEVATION
 - EXISTING SANITARY MANHOLE
 - EXISTING STORM MANHOLE
 - EXISTING HYDRANT
 - EXISTING VALVE
 - SITE TEMPORARY BENCH MARK
 - LOT NUMBERING AND HOUSE OUTLINE

DATE	No.	REVISION
2021/01/29	3	ISSUED FOR SUBDIVISION AGREEMENT
2020/12/18	2	ISSUED FOR REVIEW
2020/08/26	1	ISSUED FOR REVIEW

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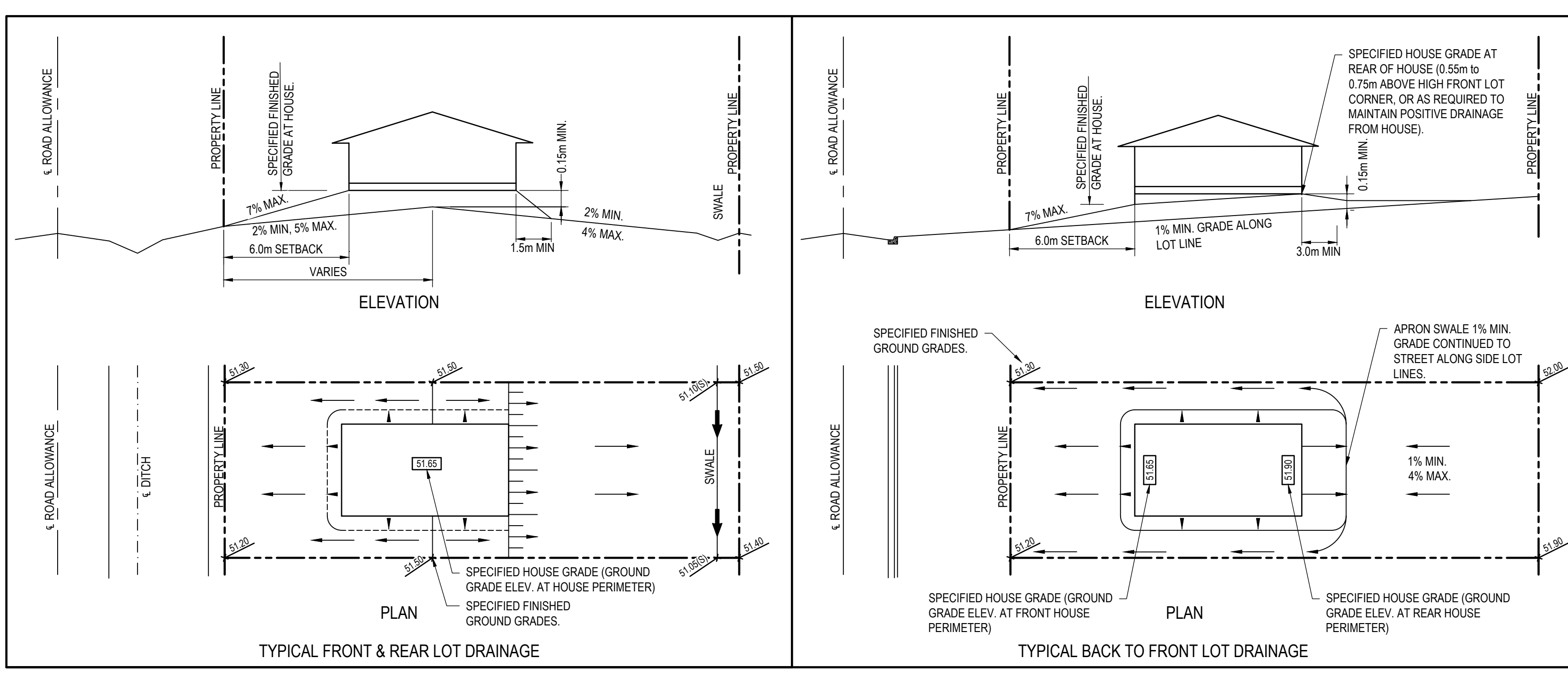
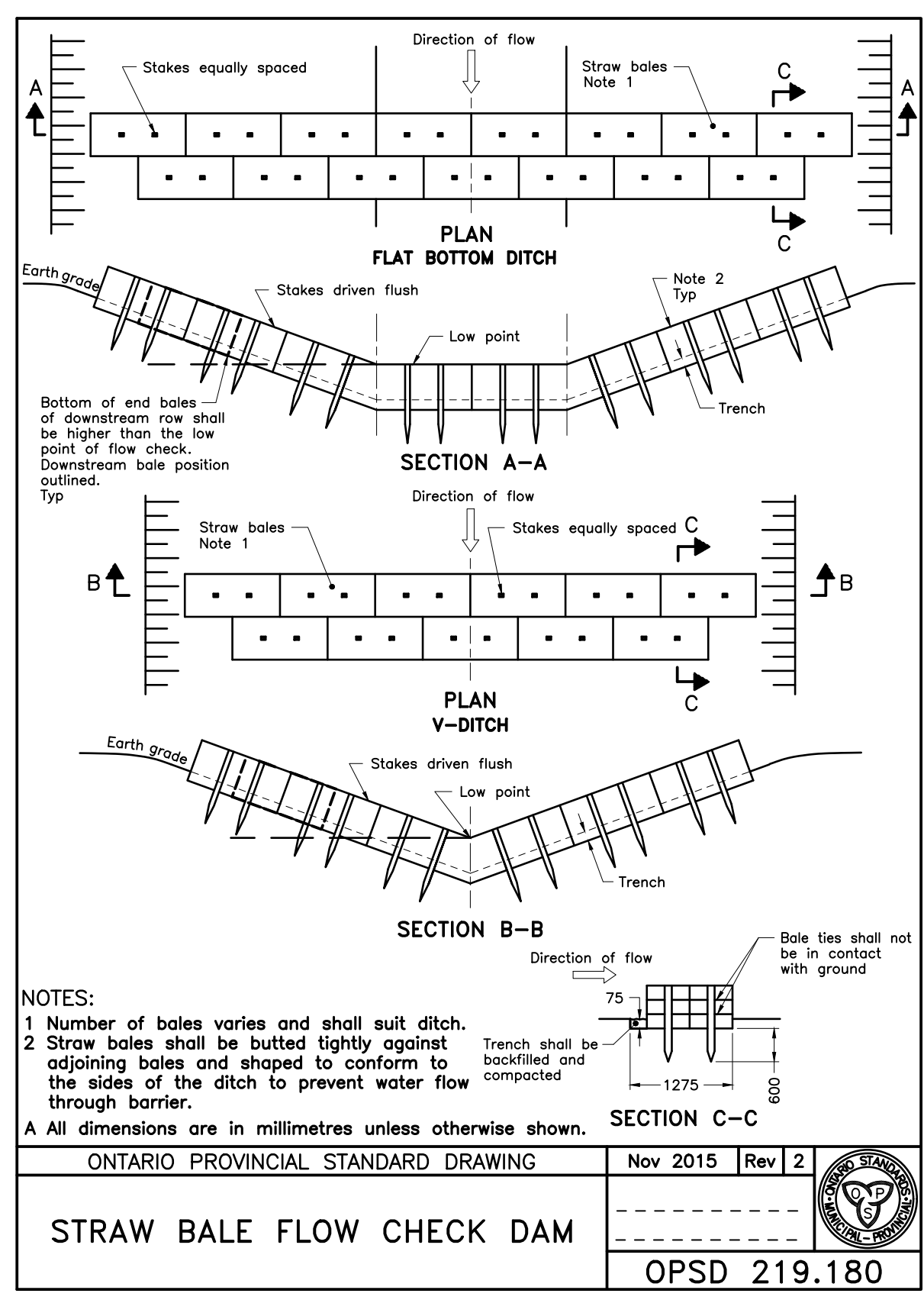


CLIENT: GRANT'S DAIRY Inc.

PROJECT: TYOTOWN HEIGHTS SUBDIVISION

TITLE: LOT GRADING PLAN

SCALE: 1:400	JOB NO: 19126
DESIGNED BY: J.E.	DATE: 2020/04/01
DRAWN BY: M.K.	DRAWING NO.
CHECKED BY: J.E.	C1.1



M:\2019\19126 - Grant's Dairy Tyotown Heights\03_Dwg\02_Civil\Production\19126-C1.1.dwg Jan 29, 2021 2:48pm BY: John Eamon



STAFF REPORT

S.R. No. 36-2021

PREPARED BY: Kelli Campeau, Director of Corporate Services/Clerk

PREPARED FOR: Council of the Township of South Glengarry

COUNCIL DATE: March 1, 2021

SUBJECT: Municipal Modernization Program Application

BACKGROUND:

1. In 2019 the Province of Ontario provided small and rural municipalities with funding through the Municipal Modernization Program (MMP) to help support the delivery of modern and efficient services.
2. A second intake for applications to this program has now opened under two streams – a review stream and an implementation stream.

ANALYSIS:

3. One of the priorities of the Corporate Services department for the foreseeable future is the modernization and digitization of our current records management practices. This project aligns with the eligibility criteria of the MMP, which identifies 'digital modernization' as a type of priority project.
4. Administration is seeking Council support to submit an application to the MMP in order to obtain funding to complete a third-party Current State Assessment Review of our current records management practices, which will result in a comprehensive report identifying opportunities to increase efficiency, decrease long term costs and identify opportunities for record digitization.

IMPACT ON 2021 BUDGET:

5. There is no impact on the 2021 budget. Should our application be successful, we may receive funding to cover the total project cost.
6. If we receive partial funding for the project, there are sufficient funds to cover any remaining cost in the 2021 budget allocated to records management.



ALIGNMENT WITH STRATEGIC PLAN:

Goal 3: Strengthen the effectiveness and efficiency of our organization.

Goal 5: Improve internal and external communications.

RECOMMENDATION:

BE IT RESOLVED THAT the Council of the Township of South Glengarry hereby supports the submission of an application to the Municipal Modernization Program Review Stream for a proposed Records Management Current State Assessment project.

A handwritten signature in black ink, appearing to read "Tim Mills", is written over a horizontal line.

Recommended to Council for
Consideration by:
CAO – TIM MILLS

INFORMATION REPORT



REPORT TO: Council of the Township of South Glengarry

MEETING DATE: March 1, 2021

SUBJECT: Municipal Reserves Structure and Policy

PREPARED BY: Lachlan McDonald, GM Finance/Treasurer

The Township of South Glengarry currently has legislated reserve funds for Parkland, Development Charges (1998) and Gas, as well as numerous discretionary reserves.

The discretionary reserves are departmentally orientated. Administration believes they should be organized by asset so that Township-wide priorities are considered with every reserve transaction (vs. departmentally focused).

Example (numbers are fictitious):

- Fire Reserve = \$1,000,000
 - Includes amounts for SCBA, Communications, Fleet, and Buildings
- Roads Equipment Reserve = \$800,000
 - Includes amounts for Fleet
- Roads Buildings Reserves = \$0
 - Includes amounts for Buildings
- Administration Building Reserves = \$200,000
 - Includes amounts for Buildings

With a focus on Asset Management Planning, it makes sense to save by assets:

Example (numbers are fictitious):

- Fleet Reserve = \$1,200,000
- Building Reserve = \$600,000
- Technology Reserve = \$200,000

Focusing on assets will facilitate departmental discussions that will lead to the greatest Township-wide decisions. Administration is recommending a review of our reserve structure and is seeking feedback and approval from Council to proceed with the development of a Reserve Funds Policy.

MINUTES

A virtual meeting of the Council of the Corporation of the United Counties of Stormont, Dundas and Glengarry was held at 9:00 a.m., February 16, 2021 with Warden Prevost in the Chair.

Present: Warden Prevost

Councillors: Armstrong, Byvelds, Fraser, Gardner, Landry,
MacDonald, McGillis, Smith, Warden, Wert, Williams

CAO: Simpson

Clerk: Casselman

1. Call Meeting to Order by Resolution
Resolution No. 2021-21

Moved by Councillor MacDonald
Seconded by Councillor Warden

THAT the meeting of the Council of the United Counties of Stormont, Dundas and Glengarry be hereby called to order.

CARRIED

Roll call was taken with all members of Council present.

2. Adoption of Agenda
Resolution No. 2021-22

Moved by Councillor Smith
Seconded by Councillor Landry

THAT Council approve the agenda as presented.

CARRIED

3. Disclosure of Pecuniary Interest and General Nature Thereof

4. Adoption of Minutes

Resolution No. 2021-23

Moved by Councillor Wert
Seconded by Councillor Byvelds

THAT the minutes of the meeting, including the In-Camera minutes, of the Council of the United Counties of Stormont, Dundas and Glengarry, held January 18, 2021, be adopted as circulated.

CARRIED

5. Delegations

Simon Hardy, Acting Detachment Commander, and Sgt. Jim Blanchette, SD&G OPP, spoke to a presentation on the Mobile Crisis Response Team and the 2021 budget request for the program.

6. Action Requests

a) Corporate Services

Resolution No. 2021-24

Moved by Councillor Warden

Seconded by Councillor MacDonald

THAT the Council of the United Counties of Stormont, Dundas and Glengarry appoint Mr. Alexander MacIsaac as a member of the SDG Library Board for the remainder of the Council term.

CARRIED

b) Financial Services

Resolution No. 2021-25

Moved by Councillor Gardner

Seconded by Councillor McGillis

THAT the Council of the United Counties of Stormont, Dundas and Glengarry approve the 2020 reserve transactions up to the following amounts:

- \$80,000 be allocated to the Forestry Reserve
- \$80,000 be allocated to the Council Reserve
- \$20,069 be allocated to the Tourism Reserve
- \$1,420 be allocated to the Library Specific Donations Reserve
- \$20,698 be allocated to the Library Reserve
- \$274,328 be allocated to the Regional Incentive Program Reserve
- \$973,000 be allocated to the Bridge Reserve
- \$1,500,000 be allocated to the Roads Resurfacing Reserve
- \$1,258,000 be allocated to the Roads Projects Reserve
- \$300,000 be allocated to the Salt Stabilization Reserve
- \$40,000 be allocated to the Roads Building Reserve
- \$1,251,900 be allocated to the Long Term Care Reserve
- \$4,210 to the Alarm Reserve
- \$1,257,068 to the COVID-19 Reserve

Any accumulated General Surplus as at December 31, 2020, will be allocated to the Long Term Care Reserve up to a maximum of \$541,862. Any surplus over \$541,862 to be allocated to the Working Reserve.

CARRIED

- c) Transportation
Resolution No. 2021-26

Moved by Councillor Fraser
Seconded by Councillor Armstrong

THAT the Council of the United Counties of Stormont, Dundas and Glengarry approve a setback of up to 0m from the property line at 10598 County Road Road 3 (Main St.), South Mountain, to facilitate the construction of a wheelchair ramp and authorize the Director of Transportation and Planning to issue a setback permit to recognize the same;

AND THAT Council authorize the Director to waive any fees associated with this approval.

CARRIED

- d) Planning
- e) Court Services
- f) County Library
Resolution No. 2021-27

Moved by Councillor Warden
Seconded by Councillor MacDonald

THAT the Council of the United Counties of Stormont, Dundas and Glengarry authorize an expenditure of \$20,000 from the 'Safe Restart' funding reserve for an updated Architectural Evaluation and Feasibility Study to address the current needs of the Library at its Lancaster Branch location, with various options relevant to the increased space challenges faced at this facility due to the COVID-19 pandemic.

CARRIED

- g) IT Services

7. Tenders and Quotations
Resolution No. 2021-28

Moved by Councillor Smith
Seconded by Councillor Williams

THAT the Council of the United Counties of Stormont, Dundas and Glengarry accept the joint tender from Provincial Road Markings Inc. for centerline pavement marking, at their unit prices totaling \$367,752.00 plus H.S.T. for 2021;

The joint tender includes the following:

- United Counties (\$336,000.00)
- Municipality of South Dundas (\$6,048.00)
- Township of South Stormont (\$7,224.00)
- Township of North Glengarry (\$5,040.00)
- Township of South Glengarry (\$13,440.00)

AND THAT the term of the contract with this company include an option to renew for one additional one-year term (2022);

AND THAT the Director of Transportation and Planning be authorized to sign all necessary documents to give effect to this contract.

CARRIED

Resolution No. 2021-29

Moved by Councillor Wert

Seconded by Councillor McGillis

THAT the Council of the United Counties of Stormont, Dundas and Glengarry accept the joint tender from Crossroads Pavement Markings Inc. for specialty paint markings, at their unit prices totaling \$57,331.45 plus H.S.T. for 2021;

The joint tender includes the following:

- United Counties (\$41,889.00)
- Township of North Dundas (\$275.00)
- Municipality of South Dundas (\$7,508.45)
- Township of North Stormont (\$325.00)
- Township of South Stormont (\$325.00)
- Township of North Glengarry (\$700.00)
- Township of South Glengarry (\$6,309.00)

AND THAT the term of the contract with this company include an option to renew for one additional one-year term (2022);

AND THAT the Director of Transportation and Planning be authorized to sign all necessary documents to give effect to this contract.

CARRIED

8. By-laws

Resolution No. 2021-30

Moved by Councillor Gardner

Seconded by Councillor Byvelds

THAT By-law No. 5281, being a By-law for the purpose of establishing an encroachment agreement for the property located at the southeast corner of the intersection of County Road 1 and Hulbert Road, Municipality of South Dundas, be read and passed in Open Council, signed and sealed.

CARRIED

9. Consent Agenda
Resolution No. 2021-31

Moved by Councillor Williams
Seconded by Councillor Landry

THAT all items listed under the Consent Agenda section of the Agenda be approved as recommended.

CARRIED

10. Boards and Committees

Various members of Council provided updates on Committee meetings and activities.

11. Key Information

CAO Simpson provided information on the 2021 ROMA Conference and the Educational Consultant RFP.

Director of Library Services Franklin provided information on the additional purchase of a self-checkout system.

12. Motions and Notices of Motions

Councillor Williams spoke to a proposed regulation under the *Ontario Heritage Act* (Bill 108) and to supporting the resolution received from the City of Port Colborne and Town of Grimsby on the matter.

Resolution No. 2021-32

Moved by Councillor Williams
Seconded by Councillor Warden

THAT the Council of the United Counties of Stormont, Dundas and Glengarry support the resolutions received from the City of Port Colborne and the Town of Grimsby regarding the proposed regulation under the *Ontario Heritage Act* (Bill 108);

AND THAT a copy of this resolution be sent to the Premier of Ontario, the Minister of Heritage, Sport, Tourism and Culture Industries, MPP Jim McDonell, and circulated to local municipalities in the United Counties of Stormont, Dundas and Glengarry.

CARRIED

13. Petitions

14. Miscellaneous Business

CAO Simpson spoke to nominations for the Eastern Ontario Regional Network Board of Directors.

Resolution No. 2021-33

Moved by Councillor Byvelds
Seconded by Councillor Smith

THAT the Council of the United Counties of Stormont, Dundas and Glengarry nominate Councillor Jamie MacDonald and Councillor Bryan McGillis to sit on the Board of Directors for the Eastern Ontario Regional Network, under such terms and conditions as prescribed by the Board.

CARRIED

15. Unfinished Business Summary

16. Closed Session

Resolution No. 2021-34

Moved by Councillor Fraser
Seconded by Councillor McGillis

THAT Council proceed in Camera pursuant to Section 239 (2) (f) of the *Municipal Act* - advice that is subject to solicitor-client privilege, including communications necessary for that purpose necessary for that purpose – Official Plan Appeal.

CARRIED

Resolution No. 2021-35

Moved by Councillor Armstrong
Seconded by Councillor Byvelds

THAT Council now rise and reconvene without reporting.

CARRIED

17. Ratification By-law

Resolution No. 2021-36

Moved by Councillor McGillis
Seconded by Councillor Wert

THAT By-Law No.5282, being a by-law to adopt, confirm and ratify matters dealt with by resolution, be read and passed in Open Council, signed and sealed.

CARRIED

18. Adjournment by Resolution

Resolution No. 2021-37

Moved by Councillor Warden
Seconded by Councillor Gardner

THAT Council adjourn to the call of the chair.

CARRIED

Warden

Clerk

INFORMATION REPORT

REPORT TO: Council of the Township of South Glengarry



MEETING DATE: March 1, 2021

SUBJECT: Disposition of Assets - North Lancaster
Optimist Chairs

PREPARED BY: Dave Robertson, Acting Director of Recreation
and Facilities

BACKGROUND:

Members of the North Lancaster Optimist Club have approached the Township of South Glengarry with a proposal to divest unused chairs.

These assets are no longer needed by the Municipality as they have recently been replaced.

ANALYSIS:

Forty-eight (48) folding chairs were donated to the Township approximately 20 years ago by the North Lancaster Optimist Club. This community group is no longer an organized club but many of its members continue to assist the municipality as active volunteers and with the operations of the North Lancaster Optimist Hall.

New chairs were purchased by the Township in 2020 to replace the older items. The members have proposed that the unused chairs be left to their choice of disposal and have various not-for profit organizations who are interested in them. This method of disposition meets the requirements of By-Law 36-07 Disposition of Assets, Section 5.1.3. donate to another non-profit/charitable organization.

IMPACT ON 2021 BUDGET:

There is no impact on the 2021 budget. The unused chairs will be donated back to the members of the former club who originally fundraised for their purchase.

INFORMATION REPORT

REPORT TO: Council of the Township of South Glengarry



MEETING DATE: March 1, 2021

SUBJECT: Notice of Consent Decision

PREPARED BY: B-5-21

RE: Notice of Consent Decision

Please find attached One "Notice of Decision" letter from the United Counties of Stormont, Dundas, and Glengarry as well as the memo for the application recommending approval. The recommendations and conditions requested have been included in the decisions as requested.



UNITED COUNTIES OF
STORMONT, DUNDAS AND GLENGARRY
DECISION

The Approval Authority for the United Counties of Stormont, Dundas and Glengarry did, on **Thursday, February 18, 2021**, decide that **PROVISIONAL CONSENT WILL BE GIVEN** to:

APPLICATION NO. B-5-21

OWNER: Ingrid Degen & Rainer Degen

MUNICIPALITY: South Glengarry

The Approval Authority considered all oral and written submissions made on this application, the effect of which helped the Approval Authority make an informed decision. Conditions are the result of public and agency comments.

Provided that the following conditions are fulfilled to the satisfaction of the Administrative Assistant-Planning:

1. A review fee of \$200.00 must be paid to the Township of South Glengarry. The Township of South Glengarry will clear the condition with the Administrative Assistant-Planning.
2. An agreement must be entered into with the Township of South Glengarry to prohibit residential construction on the retained lands. This restriction will be included in a housekeeping amendment of the Township's Zoning By-law at a future date. The cost to enter into the agreement is \$1,000.00. The Township of South Glengarry will clear the condition with the Administrative Assistant-Planning.
3. The landowner shall obtain entrance permits from Transportation Services to reclassify the existing entrance to residential and install a new field entrance to access the field. The County Engineer will clear the condition with the Administrative Assistant-Planning.
4. The landowner will provide a written acknowledgement that they understand no new and or additional entrances (beyond the new entrance required to access the field) will be issued by the County, unless the requested entrance complies with current policies. The County Engineer will clear the condition with the Administrative Assistant-Planning.
5. The retained (field) be rezoned in a manner that prohibits future residential development or confirmation that the existing zoning prohibits residential development shall be provided. The County Engineer will clear the condition with the Administrative Assistant-Planning.
6. That the Administrative Assistant-Planning be provided with a description of the land to be conveyed that is consistent with the application and sufficient and equal to that required for the registration of a deed or other conveyance of land under the provisions of the Registry Act. Three (3) copies of the new deed for the severed parcel are to be provided to the Administrative Assistant-Planning for the issuance of the certificate of the Secretary, and the stamping fee of \$220.00 must accompany the deeds. Upon providing a paper copy of the Deposited Reference Plan to the Administrative Assistant-Planning, a digital copy, which can be emailed, in a PDF or TIF format must also be submitted.

OFFICIAL RENDERING THE ABOVE DECISION:

Benjamin de Haan, P.Eng
Approval Authority

I, Megan Boudens, Administrative Assistant-Planning, do hereby certify that the above is a true copy of the **Decision** of the Approval Authority with respect to the application recorded herein.

Megan Boudens, Administrative Assistant

NOTE: The Planning Act provides that where conditions are imposed and the applicant(s) has/have not fulfilled the conditions to the satisfaction of the Administrative Assistant-Planning **WITHIN ONE YEAR** after notice was given, the application for consent shall thereupon be deemed to be refused. **THE LAST DAY TO SUBMIT DOCUMENTS TO THE ADMINISTRATIVE ASSISTANT-PLANNING TO SHOW THAT THE CONDITIONS HAVE BEEN FULFILLED IS:**

February 18, 2022

Page 122 of 186

THE LAST DAY TO SUBMIT AN APPEAL AGAINST THIS DECISION IS: **MARCH 10, 2021**



**DEPARTMENT OF TRANSPORTATION
AND PLANNING SERVICES**

26 Pitt Street, Suite 223, Cornwall, Ontario K6J 3P2

Tel: 613-932-1515 • Fax: 613-936-2913 • Email info@sdgcounties.ca • www.sdgcounties.ca

NOTICE OF DECISION

APPLICATION NO. B-5-21

NAME: Ingrid & Degen & Rainer Degen

MUNICIPALITY: Township of South Glengarry (Former Geographic Lancaster Twp.)

Attached is a copy of the Decision with respect to the above noted Application for Consent.

You may be entitled to receive notice of any changes to the conditions of the provisional consent if you have made either a written request to be notified of the Decision or a written request to be notified of changes to the conditions.

The applicant and every agency or other person to whom Notice of Decision is sent, may, within **twenty (20) days** of the date of giving the Notice of Decision, appeal to the Local Planning Appeal Tribunal:

- a) the Decision of the Approval Authority; and/or
- b) any or all of the conditions imposed by the Approval Authority.

Any appeal to the Local Planning Appeal Tribunal must be made on the proper Appellant Form (A1), which can be obtained from this office. You must enclose the appeal fee of \$400.00 for each application appealed, paid by certified cheque or money order, made payable to the Minister of Finance. The completed Appellant Form and payment are to be returned to the Administrative Assistant-Planning, United Counties of S. D. & G. who will forward all documents to the Local Planning Appeal Tribunal.

Only individuals, corporations and public bodies may appeal decisions in respect of applications for consent to the Local Planning Appeal Tribunal. A notice of appeal may not be filed in the name of an individual who is a member of the association or group.

Additional information regarding this application and decision is available during business hours at the office of the Administrative Assistant - Planning, at the above address or by calling the office at **932-1515, Extension 218**.

LAST DATE TO SUBMIT AN APPEAL ON THIS DECISION IS: March 10, 2021

Date of giving of this notice is: February 18, 2021

Megan Boudens
Administrative Assistant-Planning
Email: mboudens@sdgcounties.ca

INFORMATION REPORT

REPORT TO: Council



MEETING DATE: February 16, 2020

SUBJECT: Consent Application B- 5-21

PREPARED BY: Joanne Haley

RE: B-5-21

Part Lot 29, Concession 9

Former Township of Lancaster

Degen

Type of Consent: To dispose of a surplus dwelling to a farming operation.

Subject:

The subject property is located on part of lot 29, Concession 9, on the north side of County Road 15. The purpose of this application is to sever approximately 2.55 acres of developed land that is surplus to the farming operation and to retain approximately 270 acres of agricultural land.

Official Plan Designations: The subject property is designated Agriculture in the County Official Plan. In Section 8.14.13 II of the County Official Plan there are strict policies for consents in an Agricultural Designation. Section 8.14.13.II.1.2 indicates that “a consent may be granted on lands designated as Agricultural Resource Land as shown on the Land Use Plan Schedules for a residence surplus to a farming operation”. This proposed consent conforms to the Official Plan. Section 8.14.13.II.7 indicates that “where a consent is granted for a residence surplus to a farming operation, a local Municipality shall through a Zoning By-law or other municipal approach prohibit further dwellings on the vacant retained lands created by the subject consent.”

Zoning By-law: The subject property is zoned Agriculture in the Township of South Glengarry Zoning By-law. This proposed consent conforms to the Township’s Zoning By-Law.

Proposed Recommendation:

That the United Counties of SDG Director of Transportation and Planning approves this application for consent as it conforms to the Official Plan, the general intent to the Zoning By-Law and the PPS. This consent will be subject to the following conditions:

1. A review fee of \$200.00 must be paid to the Township.
2. An agreement must be entered into with the Township of South Glengarry to prohibit residential construction on the retained lands. This restriction will be included in a housekeeping amendment of the Township's Zoning By-law at a future date. The cost to enter into the agreement is \$1,000.00.

Respectfully submitted by: Joanne Haley

Date: February 9, 2021

TITLE:

Good afternoon,

As committed to in our Made-In-Ontario Environment Plan, the Ministry of Environment, Conservation and Parks is moving forward with transitioning waste diversion programs to a producer responsibility model. This involves developing new regulations under the Resource Recovery and Circular Economy Act, 2016 (RRCEA), to make producers responsible for their products at end-of-life.

Today, the ministry has posted the draft Hazardous and Special Products (HSP) regulation under the RRCEA to transition the Municipal Hazardous or Special Waste (MHSW) program to full producer responsibility. The draft regulation is available on the Environmental Registry of Ontario for a 45-day public consultation period, from February 11, 2021 to March 28, 2021, and can be found under registry number 019-2836 at www.ero.ontario.ca/notice/019-2836.

It is also posted on the Regulatory Registry at <https://www.ontariocanada.com/registry/>.

The proposed HSP regulation would require producers to:

- Establish a robust network of collection locations where consumers can drop off their HSP for free.
- Manage all collected materials properly, including meeting procedures for managing their end-of-life products by recycling where possible, or proper disposal.
- Provide promotion and education materials to increase consumer awareness
- Register, report and keep records and meet other requirements to ensure there is an equitable compliance and enforcement framework.

In addition, the ministry will be hosting webinars to consult on the proposed regulation. Your input will be key to ensuring that the transitioning of the MHSW Program is effective, efficient and accessible for all. If you are interested in participating, please register with Allison Deng at Allison.Deng@ontario.ca. We will provide further meeting details for those who confirm their participation.

We look forward to your feedback and appreciate your continued engagement throughout the consultation process. If you have any questions regarding the proposed Hazardous and Special Products regulation please contact Allison Deng, Senior Policy Advisor, Resource Recovery Policy Branch, at Allison.Deng@ontario.ca or 437-772-1899.

Sincerely,

Charles O'Hara
Director, Resource Recovery Policy Branch
Environmental Policy Division
Ministry of the Environment, Conservation and Parks

Caution:

This draft regulation is provided solely to facilitate public consultation under section 16 of the Environmental Bill of Rights, 1993. Should the decision be made to proceed with the proposal, the comments received during consultation will be considered during the final preparation of the regulation. The content, structure, form and wording of the draft regulation are subject to change as a result of the consultation process and as a result of review, editing and correction by the Office of Legislative Counsel.

CONSULTATION DRAFT

ONTARIO REGULATION

to be made under the

RESOURCE RECOVERY AND CIRCULAR ECONOMY ACT, 2016

HAZARDOUS AND SPECIAL PRODUCTS

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7. Volunteer organizations
8. Exemptions

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COLLECTION OF HSP

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10. Collection, large producers
11. Call-in collection
12. Collection, small producers
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MANAGEMENT OF HSP

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17. Calculation of management requirement, Category A Products
18. Management of Category A Products
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**PART I
DEFINITIONS**

Definitions

1. In this Regulation,

“antifreeze” means a product containing ethylene or propylene glycol that is used or intended for use as a vehicle engine coolant, including factory fill initial charge of vehicle antifreeze, but does not include antifreeze that is supplied in a container that has a capacity greater than 30 litres;

“barometer” means a barometer that contains mercury and may contain electronic components;

“Category A Products” means, subject to any exceptions set out in the HSP Verification and Audit Procedure, any of the following hazardous and special products:

1. Non-refillable pressurized containers.
2. Oil filters;

“Category B Products” means, subject to any exceptions set out in the HSP Verification and Audit Procedure, any of the following hazardous and special products:

1. Antifreeze.
2. Paints and coatings.
3. Pesticides.

4. Solvents.
5. Oil containers.
6. Refillable pressurized containers;

“Category C Products” means, subject to any exceptions set out in the HSP Verification and Audit Procedure, any of the following hazardous and special products:

1. Barometers.
2. Thermometers.
3. Thermostats;

“Category D Products” means, subject to any exceptions set out in the HSP Verification and Audit Procedure, any of the following hazardous and special products:

1. Fertilizers;

“fertilizer” means any substance or mixture of substances containing nitrogen, phosphorus, potassium or other plant food, manufactured, sold or represented for use as a plant nutrient and regulated under the *Fertilizers Act* (Canada), but does not include the following:

1. Fertilizer that is used for commercial or agricultural purposes.
2. Fertilizer that is supplied in a container that has a capacity greater than 30 litres or 30 kilograms;

“hazardous and special products” or “HSP” means, subject to any exceptions set out in the HSP Verification and Audit Procedure, any of the following products:

1. Antifreeze.
2. Barometers.
3. Fertilizers.
4. Non-refillable pressurized containers.
5. Oil containers.
6. Oil filters.

7. Paints and coatings.
8. Pesticides.
9. Refillable pressurized containers.
10. Solvents.
11. Thermometers.
12. Thermostats;

“HSP collection event” means an event where HSP used by a consumer in Ontario is collected for the purpose of resource recovery or disposal;

“HSP Collection, Processing and Disposal Procedure” means the document entitled “Hazardous and Special Products Collection, Processing and Disposal Procedure” published by the Authority, as amended from time to time, and available on the Registry;

“HSP collection site” means a site where HSP used by a consumer in Ontario is collected for the purpose of resource recovery or disposal;

“HSP disposal facility” means a facility at which HSP is disposed of;

“HSP hauler” means a person who transports HSP that is used by a consumer in Ontario and is destined for processing or disposal;

“HSP processor” means a person who processes, for the purpose of resource recovery, HSP used by a consumer in Ontario;

“HSP return to retail collection site” means a retail location where HSP that is used by a consumer in Ontario is received for collection at no charge;

“HSP Verification and Audit Procedure” means the document entitled “Hazardous and Special Products Verification and Audit Procedure” published by the Authority, as amended from time to time, and available on the Registry;

“land disposed” has the same meaning as “land disposal” in Regulation 347 of the Revised Regulations of Ontario, 1990 (General — Waste Management) made under the *Environmental Protection Act*;

“large producer” means a producer to whom section 10 applies;

“lubricating oil” means petroleum-derived or synthetic crankcase oil, engine oil, hydraulic fluid, transmission fluid, gear oil, heat transfer fluid or other oil or fluid used for lubricating machinery or equipment, but does not include lubricating oil that is supplied in a container that has a capacity greater than 30 litres or 30 kilograms;

“management requirement” means the minimum amount of HSP, determined under section 17, that a producer of Category A Products is required to manage;

“non-refillable pressurized container” means a pressurized container that cannot be refilled, but does not include the following:

1. An aerosol container.
2. A fire extinguisher.
3. A pressurized container that has a capacity greater than 30 litres;

“oil container” means a container that is used or intended to be used for the storage of lubricating oil, but does not include a container that has a capacity greater than 30 litres;

“oil filter” means a spin-on filter or element-style filter that is used to filter lubricating oil;

“paints and coatings” means latex, oil or solvent-based coatings, including paints and stains, whether tinted or untinted, but does not include paints and coatings supplied in containers that have a capacity greater than 30 litres;

“performance period” means the applicable time period, set out under section 4, during which a producer is responsible for collecting or managing HSP;

“permanent establishment”,

- (a) has the meaning assigned by subsection 400 (2) of the *Income Tax Regulations* (Canada) in the case of a corporation, and
- (b) has the meaning assigned by subsection 2600 (2) of the *Income Tax Regulations* (Canada) in the case of an individual;

“pesticide” means pesticide, including fungicide, herbicide and insecticide, that is registered under the *Pest Control Products Act* (Canada), but does not include the following:

1. Insect repellents intended for personal use.
2. Sanitizers, disinfectants and antimicrobial products.

3. Pool chemicals.
4. Diatomaceous earth.
5. Pesticide supplied in a container that has a capacity greater than 30 litres or 30 kilograms;

“producer” means a person who is required to carry out responsibilities relating to HSP, as determined in accordance with section 5;

“producer responsibility organization” means a person retained by a producer for the purpose of carrying out one or more of the following producer responsibilities relating to HSP, but does not include an HSP processor retained solely for the purposes of processing HSP:

1. Arranging for the establishment or operation of a collection or management system.
2. Establishing or operating a collection or management system.
3. Arranging for the disposal of HSP.
4. Preparing and submitting reports;

“recycling efficiency rate” means the ratio of the weight of recovered resources from HSP received by an HSP processor to the weight of HSP received by that HSP processor;

“refillable pressurized container” means a pressurized container that can be refilled, but does not include the following:

1. A pressurized container that is used or intended to be used for the storage of propane.
2. A fire extinguisher.
3. A pressurized container that has a capacity greater than 30 litres;

“reserve” means a reserve as defined in the *Indian Act* (Canada);

“resident in Canada” means a person having a permanent establishment in Canada;

“resident in Ontario” means a person having a permanent establishment in Ontario;

“small producer” means a producer to whom section 12 applies;

“solvent” means a liquid that is intended to be used to dissolve or thin a compatible substance, but does not include,

- (a) water, or
- (b) a solvent supplied in a container that has a capacity greater than 30 litres or 30 kilograms;

“territorial district” means a geographic area, other than a municipality, named and described in Schedule 2 to Ontario Regulation 180/03 (Division of Ontario into Geographic Areas) made under the *Territorial Division Act, 2002*;

“thermometer” means a thermometer that measures body or air temperature and that,

- (a) contains mercury, and
- (b) may contain electronic components;

“thermostat” means a thermostat that contains mercury and may contain electronic components;

“volunteer organization” means a person who meets the requirements set out in section 7.

PART II GENERAL

Designated class

2. For the purposes of section 60 of the Act, hazardous and special products are a designated class of material.

Application

3. (1) This Regulation applies to the following categories of HSP and a reference to a category of HSP is a reference to one of the following categories:

1. Category A Products.
2. Category B Products.
3. Category C Products.
4. Category D Products.

(2) This Regulation does not apply to the following products, regardless of whether or not they would fall into one or more categories of HSP:

1. Subject to subsection (3), blue box materials, as defined in subsection 2 (1) of the proposed Blue Box regulation (posted on the Environmental Registry of Ontario as ERO number 019-2579) to be made under the Act.
2. Packaging, including but not limited to corrugated boxes, boxboard boxes, plastic film, shrink wrap or printed materials.

(3) Despite subsection (2), empty containers that no longer contain Category B Products and that are also blue box materials, as defined in subsection 2 (1) of the proposed Blue Box regulation, except for empty oil containers and refillable pressurized containers, may be collected and managed under either this Regulation or the proposed Blue Box regulation.

(4) In this Regulation, a reference to Category A Products or Category B Products includes a reference to the containers, including aerosol containers, within which they are supplied or packaged, that have a capacity of 30 litres or less and that are used or intended to be used for their storage, whether they contain HSP or are empty, including but not limited to,

- (a) containers for paints and coatings, including metal or plastic;
- (b) containers for solvents;
- (c) containers for antifreeze; and
- (d) oil containers.

Performance periods

4. The following performance periods apply for the purposes of collecting or managing Category A Products or Category B Products under Parts III and IV:

1. July 1, 2021 to December 31, 2022.
2. Every calendar year, starting on January 1, 2023.

Producers

5. (1) For the purposes of the definition of “producer” in section 1, with respect to Category A Products or Category B Products marketed to consumers in Ontario, the producer is,

- (a) subject to subsections (2), (3), (4) and (5), if the brand holder of the HSP is resident in Canada, the brand holder;
- (b) if there is no person described in clause (a) and the HSP is imported into Ontario by a person resident in Ontario, the importer;

- (c) if there is no person described in clause (a) or (b) and the HSP is marketed by a person resident in Ontario, the first person who marketed the HSP; or
- (d) if there is no person described in clause (a), (b) or (c) and the HSP is marketed by a person not resident in Ontario, the person who marketed the HSP.

(2) For the purposes of the definition of “producer” in section 1, with respect to Category C Products or Category D Products marketed to consumers in Ontario, if the brand holder of the HSP is resident in Canada, the brand holder is the producer.

(3) For the purposes of clause (1) (a) and subsection (2), if there are two or more brand holders of the HSP marketed to consumers in Ontario who are resident in Canada, the producer is the brand holder most directly connected to the production of the HSP.

(4) For the purposes of subsection (2), a brand holder who markets products that are similar to Category C products, but do not contain mercury, is also a producer for the purposes of sections 21, 22, 23, 25 and 26, subsections 29 (2), (3) and (4), section 30, subsections 31 (1) and (3) and sections 35, 36, 37 and 39.

(5) For the purposes of clause (1) (a) and subsection (2), if more than one item of HSP produced by different brand holders are marketed as a single package, the producer is the brand holder who is more directly connected to the primary product in the package.

(6) For the purposes of clause 61 (6) (c) of the Act, a person referred to in clause (1) (b) of this section is required to carry out the responsibilities of a producer under Part IV of the Act with respect to HSP if they market HSP to a consumer in Ontario or supply the HSP to another person in Ontario who will then market that HSP in Ontario.

Producer agreements, etc.

6. (1) After submitting the information referred to in paragraphs 1, 2, 3 and 4 of subsection 26 (2) to the Authority, a producer may enter into a written agreement with one or more other persons in order to carry out and complete, on behalf of the producer, all or part of the producer’s requirements, responsibilities, activities or obligations under this Regulation, including direct reporting of or submission of information to the Authority.

(2) A producer who enters into an agreement described in subsection (1) is, subject to subsection (3), relieved from having to carry out and complete those requirements, responsibilities, activities or obligations, including, if applicable, submitting the information referred to in paragraphs 5 and 6 of subsection 26 (2) to the Authority, so long as the requirements, responsibilities, activities or obligations are duly carried out and completed on the producer’s behalf in accordance with this Regulation.

(3) An agreement referred to in subsection (1) does not have the effect of removing from a producer the responsibility to fulfil any requirements, responsibilities, activities or obligations

under this Regulation, and the producer shall be required to carry out and complete the requirement, responsibility, activity or obligation if the person with whom the producer has entered into an agreement fails to carry out and complete the requirement, responsibility, activity or obligation, or fails to do so within the time required by this Regulation.

(4) If an agreement referred to in subsection (1) relates to a producer responsibility organization completing any requirements, responsibilities, activities or obligations on behalf of more than one producer, the agreement must include provisions that allocate or that provide for a means of determining or assigning responsibility to each individual producer, including a means for determining or allocating a share of any total number, total value, total volume or total number of obligations completed by the producer responsibility organization on behalf of each producer.

(5) A copy of each agreement referred to in subsection (1) must be submitted to the Authority within 30 days after the date the agreement begins to apply to the producer in respect of the obligations to be carried out under this Regulation.

Volunteer organizations

7. A volunteer organization is a person who,

- (a) is a brand holder who owns a brand that is used in respect of HSP;
- (b) is not resident in Canada;
- (c) has registered in the Registry in accordance with subsection 26 (5); and
- (d) has entered into a written agreement with a producer for the purpose of carrying out one or more producer responsibilities relating to HSP under section 26, 29, 30 or 31.

Exemptions

8. If the weight of the following Category A Products, Category B Products or Category C Products, as the case may be, that is supplied by the producer in Ontario in the previous calendar year is not more than the following, the producer is exempt from the application of Parts III and IV and sections 26, 29, 30, 31 and 38 with respect to that particular product for that performance period:

- 1. Category A Products:
 - i. Non-refillable pressurized containers: 3 tonnes.
 - ii. Oil filters: 3.5 tonnes.
- 2. Category B Products:

- i. Antifreeze: 20 tonnes.
- ii. Paints and coatings: 10 tonnes.
- iii. Pesticides: 1 tonne.
- iv. Solvents: 3 tonnes.
- v. Oil containers: 2 tonnes.
- vi. Refillable pressurized containers: 8 tonnes.

PART III COLLECTION OF HSP

Producer requirements

Category A Products and Category B Products

9. (1) Subject to section 8, every producer of Category A Products shall establish and operate a collection system for each applicable hazardous and special product in that category in accordance with the requirements set out in sections 10 to 13.

(2) Subject to section 8, every producer of Category B Products shall establish and operate a collection system for each applicable hazardous and special product in that category in accordance with the requirements set out in sections 10 to 13.

(3) Producers of Category B Products shall, for the purposes of paragraph 2 of subsection 10 (1) and paragraph 2 of subsection 12 (1), determine the average weight of each applicable hazardous and special product supplied in Ontario in a calendar year using the following formula:

$$(Y1 + Y2 + Y3)/3$$

in which,

“Y1” is the calculated weight of the hazardous and special product supplied in Ontario by the producer in the calendar year one year prior to the applicable performance period,

“Y2” is the calculated weight of the hazardous and special product supplied in Ontario by the producer in the calendar year two years prior to the applicable performance period,
and

“Y3” is the calculated weight of the hazardous and special product supplied in Ontario by the producer in the calendar year three years prior to the applicable performance period.

(4) With respect to the data used to calculate an average weight under subsection (3), every producer referred to in subsection (2) shall use data determined in accordance with the HSP Verification and Audit Procedure and shall,

- (a) submit the data to the Authority at the time or times provided for in the HSP Verification and Audit Procedure; and
- (b) ensure that, before the data is submitted under clause (a), the data is also verified in accordance with the HSP Verification and Audit Procedure, beginning with respect to data relating to the 2018 calendar year and with respect to each subsequent calendar year.

Collection, large producers

10. (1) The following producers shall establish and operate a collection system in accordance with this section during each applicable performance period:

- 1. Producers of Category A Products who are required under section 17 to manage 100 tonnes or more of non-refillable pressurized containers or oil filters, as the case may be.
- 2. Producers of Category B Products who supply the following average weight, or more, of an applicable hazardous and special product in Ontario in a calendar year, calculated in accordance with subsection 9 (3):
 - i. Antifreeze: 300 tonnes or more.
 - ii. Paints and coatings: 1,000 tonnes or more.
 - iii. Pesticides: 9 tonnes or more.
 - iv. Solvents: 70 tonnes or more.
 - v. Oil containers: 55 tonnes or more.
 - vi. Refillable pressurized containers: 100 tonnes or more.

(2) Producers of oil filters referred to in paragraph 1 of subsection (1) and producers of antifreeze or oil containers referred to in paragraph 2 of subsection (1) shall satisfy the requirements set out under either paragraph 1 or 2 of this subsection and shall satisfy all of the requirements set out under paragraphs 3 and 4 of this subsection:

- 1. Subject to section 15, the producer shall establish and operate HSP collection sites at which the applicable hazardous and special product is collected as follows:

- i. In local municipalities with one or more retail locations that supplied the applicable hazardous and special product to consumers in the previous calendar year, the producer shall establish and operate as many HSP collection sites in the subsequent calendar year as are equal to or greater than 75 per cent of the number of retail locations in the municipality, rounding up to the nearest whole number, that were operating in the previous calendar year and had supplied more than 500 kilograms of calculated weight in that year.
 - ii. In local municipalities with a population of 1,000 or more, as reported by Statistics Canada in the most recent official census, but without a retail location that supplies the applicable HSP to consumers, the producer shall establish and operate at least one HSP collection site.
 - iii. In territorial districts with one or more retail locations that supplied the applicable hazardous and special product to consumers in the previous calendar year, the producer shall establish and operate at least one HSP collection site within 30 kilometres of each retail location.
 - iv. In territorial districts with a population of 1,000 or more, as reported by Statistics Canada in the most recent official census, but without a retail location that supplies the applicable hazardous and special product to consumers, the producer shall establish and operate at least one HSP collection site or hold at least one HSP collection event each calendar year.
2. Subject to section 15, the producer shall establish and operate HSP collection sites at which the applicable hazardous and special product is collected as follows:
- i. In each local municipality with a population of 1,000 or more, as reported by Statistics Canada in the most recent official census,
 - A. if the population is 500,000 or less, the producer shall establish and operate at least one HSP collection site for every 1,000 people or portion thereof, or
 - B. if the population is more than 500,000, the producer shall establish and operate at least 500 HSP collection sites for the first 500,000 people, and at least one HSP collection site for every 2,000 people or portion thereof for the portion that surpasses 500,000.
 - ii. In each territorial district with a population of 1,000 or more, as reported by Statistics Canada in the most recent official census, at least one HSP collection site.

3. In each local municipality with one or more retail locations, the producer shall establish and operate HSP return to retail collection sites at which the applicable hazardous and special waste is collected as follows:
 - i. In each local municipality with 10 or more retail locations, the producer shall establish and operate the number of HSP return to retail collection sites that is equivalent to 10 per cent of the HSP collection sites, rounding up to the nearest whole number, that are located and operated at retail or automotive service centres located in that municipality.
 - ii. In each local municipality with nine or fewer retail locations, the producer shall establish and operate at least one HSP return to retail collection site to be located within that municipality.

4. In each local municipality with a population of 5,000 or more, as reported by Statistics Canada in the most recent official census, the producer shall establish and operate HSP collection events at which the applicable hazardous and special product is collected, as follows:
 - i. If the population is 500,000 or less, the producer shall establish and operate at least one HSP collection event for every 75,000 people or portion thereof.
 - ii. If the population is more than 500,000, the producer shall establish and operate at least seven HSP collection events for the first 500,000 people, and at least one HSP collection event for every 150,000 people or portion thereof for the portion that surpasses 500,000.

(3) Producers of paints and coatings referred to in paragraph 2 of subsection (1) shall satisfy the following requirements:

1. Subject to section 15, in each local municipality with a population of 5,000 or more, as reported by Statistics Canada in the most recent official census, the producer shall establish and operate HSP collection sites at which the applicable hazardous and special product is collected as follows:
 - i. If the population is 500,000 or less, the producer shall establish and operate at least one HSP collection site for every 40,000 people or portion thereof.
 - ii. If the population is more than 500,000, the producer shall establish and operate at least 15 HSP collection sites for the first 500,000 people, and at least one HSP collection site for every 150,000 people or portion thereof for the portion that surpasses 500,000.

2. Subject to section 15, in each territorial district with a population of 1,000 or more, as reported by Statistics Canada in the most recent official census, the producer shall establish and operate at least one HSP collection site at which the applicable hazardous and special product is collected.
3. In each local municipality with a population of 5,000 or more, as reported by Statistics Canada in the most recent official census, the producer shall establish and operate HSP collection events at which the applicable hazardous and special product is collected, as follows:
 - i. If the population is 500,000 or less, the producer shall establish and operate at least one HSP collection event for every 75,000 people or portion thereof.
 - ii. If the population is more than 500,000, the producer shall establish and operate at least seven HSP collection events for the first 500,000 people, and at least one HSP collection event for every 150,000 people or portion thereof for the portion that surpasses 500,000.

(4) Subject to subsection (5), producers of non-refillable pressurized containers referred to in paragraph 1 of subsection (1) and producers of pesticides, refillable pressurized containers or solvents referred to in paragraph 2 of subsection (1) shall satisfy the following requirements:

1. Subject to section 15, in each local municipality with a population of 10,000 or more, as reported by Statistics Canada in the most recent official census, the producer shall establish and operate HSP collection sites at which the applicable hazardous and special product is collected as follows:
 - i. If the population is 500,000 or less, the producer shall establish and operate at least one HSP collection site for every 250,000 people or portion thereof.
 - ii. If the population is more than 500,000, the producer shall establish and operate at least two HSP collection sites for the first 500,000 people, and at least one HSP collection site for every 300,000 people or portion thereof for the portion that surpasses 500,000.
2. Subject to section 15, in each territorial district with a population of 1,000 or more, as reported by Statistics Canada in the most recent official census, the producer shall establish and operate at least one HSP collection site at which the applicable hazardous and special product is collected.
3. In each local municipality with a population of 5,000 or more, as reported by Statistics Canada in the most recent official census, the producer shall establish and operate HSP collection events at which the applicable hazardous and special product is collected, as follows:

- i. If the population is 500,000 or less, the producer shall establish and operate at least one HSP collection event for every 75,000 people or portion thereof.
- ii. If the population is more than 500,000, the producer shall establish and operate at least seven HSP collection events for the first 500,000 people, and at least one HSP collection event for every 150,000 people or portion thereof for the portion that surpasses 500,000.

(5) Producers of non-refillable pressurized containers referred to in paragraph 1 of subsection (1) shall, in accordance with any conditions or requirements set out in the HSP Collection, Processing and Disposal Procedure, collect non-refillable pressurized containers from parks, campgrounds or other recreational areas that are operated by an organization, authority or entity established by the Government of Canada or the Province of Ontario or by a private campground if a representative or employee who has operational or maintenance responsibilities in respect of the park, campground or recreational area makes a request, in writing or in an electronic form, to the producer or the relevant producer responsibility organization, indicating that collection should be undertaken and the time at which such collection should be undertaken.

(6) For the purposes of subsection (5), the producer shall ensure that appropriately labelled collection containers suitable for visitors and patrons to place spent non-refillable pressurized containers for collection and storage are provided.

Call-in collection

11. (1) Every producer who is required to establish or operate one or more collection sites under section 10 in a municipality or territorial district, and every producer who establishes or operates one or more collection sites on a reserve, shall collect, or retain a producer responsibility organization registered under section 27 to collect, if contacted by the municipality, territorial district or reserve, the hazardous and special products from the collection site within three months of the producer having been contacted.

(2) Subsection (1) applies to an HSP collection site that is located on a reserve in the Far North, as defined under the *Far North Act, 2010*.

(3) If a producer of Category C Products is contacted by a municipality, territorial district or reserve that has collected a Category C Product that is similar to the Category C Product supplied by the producer, the producer shall collect the HSP from the municipality, territorial district or reserve within three months of being contacted.

Collection, small producers

12. (1) The following producers shall establish and operate a collection system in accordance with this section during each applicable performance period:

1. Producers of Category A Products who are required under section 17 to manage more than three and less than 100 tonnes of non-refillable pressurized containers or more than three and a half and less than 100 tonnes of oil filters, as the case may be.
2. Producers of Category B Products who supply the following average weight, or more, of an applicable hazardous and special product in Ontario in a calendar year, calculated in accordance with subsection 9 (3):
 - i. Antifreeze: more than 20 and less than 300 tonnes.
 - ii. Paints and coatings: more than 10 and less than 1,000 tonnes.
 - iii. Pesticides: more than one and less than 9 tonnes.
 - iv. Solvents: more than three and less than 70 tonnes.
 - v. Oil containers: more than two and less than 55 tonnes.
 - vi. Refillable pressurized containers: more than eight and less than 100 tonnes.

(2) Subject to section 15, producers of oil filters referred to in paragraph 1 of subsection (1) and producers of antifreeze or oil containers referred to in paragraph 2 of subsection (1) shall satisfy one of the following requirements:

1. In each local municipality or territorial district with one or more retail locations that supply the applicable hazardous and special product, the producer shall establish and operate as many HSP collection sites at which the applicable hazardous and special product is collected as are equal to or greater than 75 per cent of the number of retail locations in the municipality or territorial district, rounding up to the nearest whole number, that were operating in the previous calendar year.
2. The producer shall establish and operate HSP collection sites at which the applicable hazardous and special product is collected as follows:
 - i. In each local municipality with a population of 1,000 or more, as reported by Statistics Canada in the most recent official census,
 - A. if the population is 500,000 or less, the producer shall establish and operate at least two HSP collection sites for every 2,500 people or portion thereof, or
 - B. if the population is more than 500,000, the producer shall establish and operate at least 400 HSP collection sites for the first 500,000

people, and at least one HSP collection site for every 5,000 people or portion thereof for the portion that surpasses 500,000.

- ii. In each territorial district with a population of 1,000 or more, as reported by Statistics Canada in the most recent official census, at least one HSP collection site.

(3) Subject to section 15, producers of paints and coatings referred to in paragraph 2 of subsection (1) shall satisfy one of the following requirements:

1. In each local municipality or territorial district with one or more retail locations that supply the producer's paints and coatings, the producer shall establish and operate as many HSP collection sites at which paints and coatings are collected as are equal to or greater than 75 per cent of the number of retail locations in the municipality or territorial district, rounding up to the nearest whole number, that were operating in the previous calendar year.
2. The producer shall establish and operate HSP collection sites at which paints and coatings are collected as follows:
 - i. In each local municipality with a population of 13,000 or more, as reported by Statistics Canada in the most recent official census,
 - A. if the population is 500,000 or less, the producer shall establish and operate at least one HSP collection site for every 40,000 people or portion thereof, or
 - B. if the population is more than 500,000, the producer shall establish and operate at least 15 HSP collection sites for the first 500,000 people, and at least one HSP collection site for every 150,000 people or portion thereof for the portion that surpasses 500,000.
 - ii. In each territorial district with a population of 1,000 or more, as reported by Statistics Canada in the most recent official census, at least one HSP collection site.

(4) Subject to section 15, producers of non-refillable pressurized containers referred to in paragraph 1 of subsection (1) and producers of pesticides, refillable pressurized containers or solvents referred to in paragraph 2 of subsection (1) shall satisfy one of the following requirements:

1. In each local municipality or territorial district with one or more retail locations that supply the applicable hazardous and special product, the producer shall establish and operate as many HSP collection sites at which the applicable hazardous and special

product is collected as are equal to or greater than 75 per cent of the number of retail locations in the municipality or territorial district, rounding up to the nearest whole number, that were operating in the previous calendar year.

2. The producer shall establish and operate HSP collection sites at which the applicable hazardous and special product is collected as follows:
 - i. In each local municipality with a population of 15,000 or more, as reported by Statistics Canada in the most recent official census,
 - A. if the population is 500,000 or less, the producer shall establish and operate at least one HSP collection site for every 250,000 people or portion thereof, or
 - B. if the population is more than 500,000, the producer shall establish and operate at least two HSP collection sites for the first 500,000 people, and at least one HSP collection site for every 300,000 people or portion thereof for the portion that surpasses 500,000.
 - ii. In each territorial district with a population of 1,000 or more, as reported by Statistics Canada in the most recent official census, at least one HSP collection site.

HSP collection sites

13. (1) Every producer who establishes and operates an HSP collection site shall ensure that, with respect to each HSP collection site that is part of the producer's collection system, the following requirements are satisfied:

1. If the HSP collection site is not part of a retail location, the site must accept all Category A Products or Category B Products, as the case may be.
2. If the HSP collection site is part of a retail location, the site must accept, at a minimum, all Category A Products or Category B Products, as the case may be,
 - i. that are similar in use or application to the hazardous and special products supplied by the producer at that location, and
 - ii. that are returned in the original container in which the HSP was originally supplied.
3. The HSP collection site must accept containers that contained HSP, regardless of whether they are empty or still contain HSP.

4. The HSP collection site must be readily accessible to the public and must be operated to accept the applicable hazardous and special products during normal business hours throughout the performance period.
5. The HSP collection site must accept, at a minimum, up to 25 kilograms of the applicable hazardous and special product per day from any person.
6. If an HSP collection site is not part of a retail location and accepts more than the minimum amount of hazardous and special products set out in paragraph 5 from a person on a single day, the operator of the site shall record the person's name, contact information, any unique identifier assigned by the Registrar and the weight of hazardous and special products accepted.

(2) For greater certainty, an HSP collection site may be operated by or on behalf of one or more producers and may be relied on by one or more producers to satisfy the requirements set out in sections 10 and 12.

(3) Subject to subsection (4), if the operator of one of the following sites collects more than 100 kilograms of Category A Products or Category B Products, as the case may be, and notifies a large producer of HSP that falls into the same category collected at the site, or a producer responsibility organization retained by that producer with respect to that category of HSP, the producer or producer responsibility organization shall collect all of the HSP of which they were notified from the site within three months from the day they were notified:

1. An HSP collection site owned and operated by the Crown in right of Ontario.
2. An HSP collection site owned and operated by a municipality or territorial district with a population of less than 1,000, as reported by Statistics Canada in the most recent official census.
3. An HSP collection site owned and operated by and on a reserve.

(4) Subsection (3) does not apply to an HSP collection site that is located in the Far North, as defined under the *Far North Act, 2010*.

HSP collection events

14. Every producer who establishes and operates an HSP collection event shall ensure that, with respect to each HSP collection event that is part of the producer's collection system, the following requirements are satisfied:

1. The HSP collection event must operate for a minimum of four consecutive hours.
2. If the HSP collection event operates consecutively for more than one day, it must be considered a single HSP collection event.

3. If the HSP collection event is held in respect of a hazardous and special product in a municipality, it must be held at least 30 days after the last day of the previous HSP collection event that was held in that municipality in respect of that hazardous and special product.
4. The producer must promote the HSP collection event in accordance with the HSP Collection, Processing and Disposal Procedure in the local community within the local municipality, territorial district or reserve where the HSP collection event is being held.
5. At the HSP collection event, the producer must accept containers that have a capacity of less than 30 litres and that contain or contained HSP, regardless of whether they are empty or still contain HSP.
6. The producer shall make reasonable efforts to ensure that the majority of the collection events held by the producer during each applicable performance period are held on a Saturday or Sunday.

Reduction in HSP collection sites

15. (1) Subject to subsection (5), a producer of Category A Products or Category B Products may reduce the number of HSP collection sites the producer is required to establish and operate in a local municipality or territorial district under section 10 or 12, as the case may be, by the percentage of residences in the municipality or territorial district, including residences in multi-unit residential buildings,

- (a) from which the producer collects that category of HSP, at least four times during the applicable performance period; and
- (b) to which the producer distributes adequate containers, where appropriate, for the collection of the HSP, at no charge.

(2) Subject to subsections (3) and (5), a producer may reduce the number of HSP collection sites they are required to establish and operate in a local municipality or territorial district under section 10 or 12, as the case may be, by no more than 50 per cent if one or more of the following services are provided by the producer:

1. The producer provides an accessible call-in service for consumers to schedule a pick-up of 10 to 50 litres or 10 to 50 kilograms of Category A Products or Category B Products, as the case may be, from residences in the municipality or territorial district, including residences in multi-unit residential buildings, in order to arrange for the safe, curbside pickup of the products from consumers.

2. The producer arranges for and provides curbside pickup of Category A Products or Category B Products, as the case may be, from consumers referred to in paragraph 1 in accordance with the HSP Collection, Processing and Disposal Procedure.

(3) For the purposes of subsection (2), the producer shall ensure that consumers are able to communicate with the producer in order to arrange for the provision of any of the services referred to in paragraphs 1 and 2 of that subsection in accordance with the HSP Collection, Processing and Disposal Procedure and by,

- (a) telephone, email or facsimile;
- (b) texting and other electronic instant communications services; and
- (c) any other means provided for in the HSP Collection, Processing and Disposal Procedure.

(4) Subject to subsection (5), a producer of Category A Products or Category B Products may replace up to 25 per cent of the total number of HSP collection sites the producer is required to establish and operate in a local municipality or territorial district under section 10 or 12, as the case may be, with HSP collection events in accordance with the following rules:

1. At least one HSP collection event must be provided in place of each HSP collection site.
2. An HSP collection event must be readily accessible to the public, must operate for at least four consecutive hours on the day it is held and must accept all Category A Products or Category B Products, as the case may be.

(5) Despite subsections (1), (2) and (4), the number of HSP collection sites the producer is required to establish and operate shall not be reduced below one HSP collection site or one HSP collection event in a local municipality or territorial district with a population of 1,000 or more, as reported by Statistics Canada in the most recent official census, in which the producer supplied HSP at a retail location in the previous calendar year.

PART IV MANAGEMENT OF HSP

Producer requirements, Category A Products

16. Subject to section 8, every producer of Category A Products shall establish and operate a system for managing each applicable hazardous and special product in that category by determining and satisfying their management requirement in accordance with sections 17 to 19.

Calculation of management requirement, Category A Products

17. (1) In each performance period, every producer of Category A Products shall manage a minimum amount of materials from each applicable hazardous and special product in that category and shall determine the amount using the formulas set out in subsection (2).

(2) The formula referred to in subsection (1) is the following:

$$(Y1 + Y2 + Y3) / 3 \times MP$$

in which,

“Y1” is the weight of Category A Products, of which the person is a producer, that was supplied in Ontario in the calendar year one year prior to the relevant performance period,

“Y2” is the weight of Category A Products, of which the person is a producer, that was supplied in Ontario in the calendar year two years prior to the relevant performance period,

“Y3” is the weight of Category A Products, of which the person is a producer, that was supplied in Ontario in the calendar year three years prior to the relevant performance period, and

“MP” is the management percentage for the relevant performance period, which is,

- i. with respect to oil filters, excluding oil residue contained in the used oil filter as well as any oil which is captured, recaptured, extracted, collected or diverted during processing, 100 per cent for each performance period, and
- ii. with respect to non-refillable pressurized containers, 20 per cent for the July 1, 2021 to December 31, 2022 performance period and for the 2022 calendar year, 25 per cent for the 2023 and 2024 calendar years, 30 per cent for the 2025 calendar year and for every subsequent calendar year.

(3) With respect to the data used to calculate a management requirement under subsection (2), every producer referred to in subsection (1) shall use data determined in accordance with the HSP Verification and Audit Procedure and shall,

- (a) submit the data to the Authority at the time or times provided for in the HSP Verification and Audit Procedure; and
- (b) ensure that, before the data is submitted under clause (a), the data is also verified in accordance with the HSP Verification and Audit Procedure, beginning with respect to data relating to the 2018 calendar year and with respect to each subsequent calendar year.

Management of Category A Products

18. Every producer of Category A Products who is required under section 17 to manage Category A Products shall ensure that all Category A Products collected at an HSP collection site by the producer or a producer responsibility organization under Part III is, within three months from the date the HSP is picked up from the collection site, processed in accordance with the HSP Collection, Processing and Disposal Procedure by an HSP processor who is registered under section 28.

Managed Category A Products criteria

19. The following conditions apply for the purposes of satisfying a management requirement under section 17:

1. The weight of recovered resources that may be counted toward the management requirement must be from either oil filters or non-refillable pressurized containers, as the case may be, that were used by a consumer in Ontario and that were used to calculate the management requirement under section 17.
2. The oil filters and non-refillable pressurized containers referred to in paragraph 1 must have been, by the end of the management period,
 - i. managed in accordance with the HSP Collection, Processing and Disposal Procedure, and
 - ii. processed in accordance with the HSP Collection, Processing and Disposal Procedure by a processor who is required to register under section 28.
3. The weight of Category A Products, including recovered resources from that HSP, may only be counted once, by one producer, for the purpose of meeting a management requirement.
4. The following must not be counted toward the management requirement:
 - i. The weight of materials that are land disposed.
 - ii. The weight of materials that are incinerated.
 - iii. The weight of materials that are used as a fuel or a fuel supplement.
 - iv. The weight of materials that are stored, stockpiled, used as daily landfill cover or otherwise deposited on land.

Management of Category B Products

20. (1) If a producer of Category B Products collects Category B Products, the producer shall ensure that the weight of recovered resources from the collected HSP has been, by the end of the calendar year in which the HSP was collected,

- (a) managed in accordance with the HSP Collection, Processing and Disposal Procedure; and
- (b) processed in accordance with the HSP Collection, Processing and Disposal Procedure by a processor,
 - (i) who is registered under section 28, and
 - (ii) who has an average recycling efficiency rate of at least,
 - (A) 100 per cent, with respect to antifreeze, oil containers and refillable pressurized containers, beginning in the 2023 calendar year,
 - (B) 70 per cent, with respect to paints and coatings, beginning in the 2022 calendar year, and
 - (C) 10 per cent, with respect to solvents, beginning in the 2022 calendar year.

(2) For the purposes of the recycling efficiency rates referred to in subclause (1) (b) (ii), the producer shall ensure that the values are verified in accordance with the HSP Verification and Audit Procedure.

Management of Category C Products

21. (1) Subject to subsection (2), if a producer of Category C Products collects Category C Products, the producer shall ensure that the weight of recovered resources from the collected HSP has been, by the end of the calendar year in which the HSP was collected,

- (a) managed in accordance with the HSP Collection, Processing and Disposal Procedure; and
- (b) processed in accordance with the HSP Collection, Processing and Disposal Procedure by a processor,
 - (i) who is registered under section 28, and
 - (ii) who has an average recycling efficiency rate of at least 100 per cent, with respect to mercury from mercury containing barometers, thermometers or thermostats, beginning in the 2023 calendar year.

(2) For the purposes of the recycling efficiency rates referred to in subclause (1) (b) (ii), the producer shall ensure that the values are verified in accordance with the HSP Verification and Audit Procedure.

PART V PROMOTION AND EDUCATION

Promotion and education

Producers of Category A Products and Category B Products

22. (1) On or before July 1, 2021, the following producers shall implement a promotion and education program during each applicable performance period in accordance with subsection (2):

1. Producers of Category A Products who are required under section 9 to establish and operate a collection system for Category A Products and under section 17 to establish and operate a system for managing Category A Products.
2. Producers of Category B Products who are required under section 9 to establish and operate a collection system for Category B Products.

(2) Every producer referred to in subsection (1) shall implement a promotion and education program during each applicable performance period by, at a minimum,

- (a) making reasonable efforts to raise public awareness of the producer's efforts to,
 - (i) collect and recover HSP,
 - (ii) reduce, reuse and recycle HSP, if applicable, and
 - (iii) encourage public participation in those efforts; and
- (b) publishing and clearly displaying the information set out under subsection (3) on their website on or before July 1, 2021, if the producer marketed HSP in Ontario between January 1, 2018 and December 31, 2020.

(3) The information referred to in clause (2) (b) is the following:

1. The location of each HSP collection site that is part of the producer's collection system, for each applicable category of HSP, where consumers may return the HSP at no charge.
2. A description of any collection services provided by the producer that are available other than at an HSP collection site.

3. A description of the resource recovery activities engaged in by the producer for each applicable category of HSP in the course of managing the HSP.

(4) In addition to the requirements set out in subsections (2) and (3), every producer referred to in subsection (1) who markets HSP to consumers at one or more retail locations shall, when implementing a promotion and education program during each applicable performance period,

- (a) produce and make available promotional and educational materials, including signs, posters or brochures, which market, promote or describe the HSP for consumers in retail locations and which describe the producer's collection activities and, if applicable, recycling activities, including,
 - (i) the producer's available collection activities,
 - (ii) any upcoming HSP collection events being offered by the producer or a producer responsibility organization engaged by the producer, and
 - (iii) any other activities or events which are authorized under the Act or this Regulation and which are designed to promote resource recovery or proper disposal, including collection, recycling or disposal;
- (b) make available the location and hours of operation of each of the producer's HSP collection sites;
- (c) provide a description of how consumers should safely store and handle the applicable HSP before bringing it to an HSP collection site; and
- (d) take reasonable steps to ensure that the materials referred to in clause (a) are displayed by retailers in a conspicuous location in close proximity to the HSP being marketed or advertised at the retail location.

(5) Every producer and every person who markets Category A Products or Category B Products to consumers in Ontario through a retail location which is situated within 60 kilometres of a reserve or which is located on a reserve, shall develop, in conjunction with Indigenous communities, specific promotional and education materials that are designed to promote the producer's activities referred to in subsections (2), (3) and (4).

(6) In addition to the requirements set out in section 14, every producer referred to in subsection (1) of this section who holds an HSP collection event shall ensure that,

- (a) each HSP collection event is promoted to the local community where the event is being held for at least one week prior to the event; and

- (b) a combination of two or more forms of media are used to promote the event, including but not limited to,
 - (i) local print publications,
 - (ii) local print media,
 - (iii) local radio,
 - (iv) local signage, or
 - (v) social media.

Producers of Category C Products

23. (1) Every producer of Category C Products shall implement a promotion and education program during each performance period, beginning July 1, 2021, by, at a minimum, producing and making available promotional and educational materials, including signs, posters or brochures, which provide consumers with the following information, guidance or instruction:

1. That mercury-containing devices must be provided for collection to the municipality through municipal depots provided by the municipality, as well as at specified HSP collection sites that are not part of a retail location and at specified HSP collection events.
2. The location and hours of operation of each municipal depot, HSP collection site and HSP collection event referred to in paragraph 1.

(2) Every producer referred to in subsection (1) who markets HSP to consumers at one or more retail locations shall, when implementing a promotion and education program during each applicable performance period, take reasonable steps to ensure that the promotional and educational materials referred to in subsection (1) are displayed in a conspicuous location in close proximity to the HSP being marketed or advertised at the retail location.

(3) Every producer who markets Category C Products to consumers in Ontario through a retail location which is situated within 60 kilometres of a reserve or which is located on a reserve, shall develop, in conjunction with Indigenous communities, specific promotional and education materials that are designed to promote the producer’s activities referred to in subsection (1).

Producers of Category D Products

24. (1) Every producer of Category D Products shall implement a promotion and education program during each performance period, beginning July 1, 2021, by, at a minimum, producing and making available promotion and educational materials, including signs, posters or brochures, which provide consumers with the following guidance and instruction:

1. That consumers are encouraged to use up, share or otherwise dispose of unused fertilizer.
 2. That consumers are encouraged to refrain from dropping off or delivering any fertilizers to municipal depots or to any other events referred to in this Regulation.
- (2) Producers of Category D Products shall take reasonable steps to,
- (a) engage with other industry organizations in order to meet the requirements set out in subsection (1); and
 - (b) assist municipalities with managing fertilizers received from consumers.

Resource recovery charges

25. Every producer and every person who markets HSP to consumers in Ontario and who identifies, in an advertisement, invoice, receipt or similar record in connection with the supply of HSP, a separate charge that relates to resource recovery or waste reduction of HSP shall, as part of the producer's promotion and education program, provide the following information at the time the charge is identified and in the same manner in which the charge is communicated:

1. The person responsible for imposing the charge.
2. How the charge will be used to collect, reduce, reuse, recycle and recover HSP.

PART VI REGISTRATION

Registration, producers and volunteer organizations

26. (1) Subject to subsection (4), every producer who markets HSP in Ontario shall register with the Authority, through the Registry, by submitting the information set out under subsection (2),

- (a) on or before May 31, 2021, if the producer marketed HSP between January 1, 2018 and May 31, 2021; or
 - (b) within 30 days of marketing HSP, if the producer markets the HSP after May 31, 2021.
- (2) The information referred to in subsection (1) is the following:
1. The producer's name, contact information and any unique identifier assigned by the Registrar.

2. The category or categories to which the HSP referred to in subsection (1) belongs and the type of HSP in each category.
3. The name, contact information and any unique identifier assigned by the Registrar of any producer responsibility organization retained by the producer.
4. The name and contact information of an employee of the producer who has authority to bind the corporation or entity and who is responsible for having the registration complete and up to date.
5. For producers to whom clause (1) (a) applies, the total weight of each applicable hazardous and special product within each applicable category of HSP supplied in Ontario in 2018, 2019 and 2020.
6. For producers to whom clause (1) (b) applies, the date they first marketed the applicable category of HSP in Ontario.

(3) The producer shall submit updated information within 15 days after any change to the information required under subsection (2).

(4) Subsection (1) does not apply to a producer referred to in clause 5 (1) (b), (c) or (d) with respect to a brand of HSP owned by a volunteer organization if,

- (a) the producer has entered into an agreement described in clause 7 (d) with the volunteer organization for the purpose of carrying out the producer's responsibilities relating to registration under this section; and
- (b) the volunteer organization has registered under subsection (5),
 - (i) on or before May 31, 2021, with respect to a producer referred to in clause (1) (a), or
 - (ii) within 30 days of the producer marketing HSP, with respect to a producer referred to in clause (1) (b).

(5) The volunteer organization may register with the Authority, through the Registry, by submitting the following information:

1. The volunteer organization's name, contact information and any unique identifier assigned by the Registrar.
2. The name, contact information and any unique identifier assigned by the Registrar of any producer responsibility organization retained by the volunteer organization.

3. The name and contact information of an employee of the volunteer organization who has authority to bind the corporation or entity and who is responsible for ensuring the registration is complete and up to date.
4. The brand and categories of HSP in respect of which the volunteer organization is a brand holder who owns the brand and in respect of which the registration relates.
5. With respect to each producer referred to in clause (1) (a) who has entered into an agreement described in clause 7 (d) with the volunteer organization for the purpose of registration and to whom the registration relates,
 - i. the producer's name, contact information and any unique identifier assigned by the Registrar,
 - ii. the total weight of each type of HSP within each applicable category of HSP supplied in Ontario in 2018, 2019 and 2020, and
 - iii. a signed attestation provided by the producer and the volunteer organization stating that an agreement described in clause 7 (d) has been entered into between them.
6. With respect to each producer referred to in clause (1) (b) who entered into an agreement described in clause 7 (d) with the volunteer organization for the purpose of registration and to whom the registration relates,
 - i. the producer's name, contact information and any unique identifier assigned by the Registrar,
 - ii. the date each producer first marketed the applicable category of HSP in Ontario, and
 - iii. a signed attestation provided by the producer and the volunteer organization stating that an agreement described in clause 7 (d) has been entered into between them.

(6) The volunteer organization shall submit updated information within 15 days after any change to the information required under subsection (5).

Registration, producer responsibility organizations

27. (1) Every producer responsibility organization shall, within 30 days of being retained by a producer, register with the Authority, through the Registry, by submitting the following information:

1. The producer responsibility organization's name, contact information and any unique identifier assigned by the Registrar.
2. The category of HSP in respect of which the producer responsibility organization is retained.
3. With respect to each producer who has retained the producer responsibility organization,
 - i. the name, contact information and any unique identifier assigned by the Registrar, and
 - ii. a description of the producer responsibilities relating to HSP that the producer responsibility organization has been retained to carry out.
4. The name and contact information of an employee of the producer responsibility organization who has authority to bind the corporation or entity and who is responsible for ensuring the registration is complete and up to date.

(2) The producer responsibility organization shall submit updated information within 15 days of any change to the information required under subsection (1).

Registration, HSP haulers and processors

28. (1) Every HSP hauler who arranges for the transport of Category A Products, Category B Products or Category C Products and every HSP processor who processes Category A Products, Category B Products or Category C Products shall register with the Authority, through the Registry, by submitting the information set out under subsection (2),

- (a) on or before April 30, 2021, if the HSP hauler or HSP processor arranges for the transport of or processes the HSP on or before April 30, 2021; or
- (b) if the HSP hauler or HSP processor arranges for the transport of or processes the HSP after April 30, 2021, within 30 days of the HSP being transported or processed.

(2) The information referred to in subsection (1) is the following:

1. The name, contact information and any unique identifier assigned by the Registrar of the HSP hauler or HSP processor, as the case may be.
2. The name and contact information of an employee of the HSP hauler or HSP processor, as the case may be, who has authority to bind the corporation or entity and who is responsible for ensuring the registration is complete and up to date.

3. If the person is an HSP hauler, each type of HSP for which the person arranges transport.
4. If the person is an HSP processor, each type of HSP the person processes, the location of each site where the person receives and processes HSP and the types of processed materials that result from the processing.

(3) The HSP hauler or HSP processor, as the case may be, shall submit updated information within 15 days of any change to the information required under subsection (2).

PART VII REPORTING, AUDITING AND RECORD KEEPING

Initial report, collection and management

29. (1) Subject to subsection (3), on or before May 31, 2021, every producer of HSP who is required to register under clause 26 (1) (a) shall submit a report to the Authority, through the Registry, that complies with subsection (2).

(2) The report referred to in subsection (1) must contain a description of how the producer is fulfilling or plans to fulfil their responsibilities relating to each applicable category of HSP, including the following:

1. If the producer has a collection system, the location of each HSP collection site that is part of the producer's collection system and the name and contact information of the operator of the site.
2. The name, contact information and any unique identifier assigned by the Registrar of each HSP hauler, each HSP processor and each HSP disposal facility that is part of the producer's collection or management system.
3. A description of any collection services provided by the producer that are available other than at an HSP collection site, including the name and contact information of the person who owns, operates or provides the service.

(3) Subsection (1) does not apply to a producer referred to in clause 5 (1) (b), (c) or (d) if,

- (a) a volunteer organization has submitted a registration with respect to the producer under subsection 26 (5);
- (b) the producer has entered into an agreement described in clause 7 (d) with the volunteer organization for the purpose of carrying out the producer's responsibilities relating to reporting under this section; and

- (c) on or before April 1, 2021, the volunteer organization has submitted a report to the Authority, through the Registry, that complies with subsection (4).

(4) The report referred to in clause (3) (c) must contain the following information with respect to the producer:

1. If the producer has a collection system, the location of each HSP collection site that is part of the producer's collection system, for each applicable category of HSP, and the name and contact information of the operator of the site.
2. The name, contact information and any unique identifier assigned by the Registrar of each HSP hauler, each HSP processor and each HSP disposal facility that is part of the producer's collection or management system.
3. A description of any collection services provided by the producer or by the volunteer organization that are available other than at an HSP collection site, including the name and contact information of the person who owns, operates or provides the service.

Initial report, producers and volunteer organizations

30. (1) Subject to subsection (2), on or before May 31, 2021, every producer who supplied HSP in Ontario in 2018, 2019 and 2020 and who is required to register under clause 26 (1) (a) shall submit a report to the Authority, through the Registry, that contains the [total?] weight of each applicable HSP within each applicable category of HSP that the producer supplied in Ontario in 2018, 2019 and 2020.

(2) Subsection (1) does not apply to a producer referred to in clause 5 (1) (b), (c) or (d) if,

- (a) a volunteer organization has submitted a registration with respect to the producer under subsection 26 (5);
- (b) the producer has entered into an agreement described in clause 7 (d) with the volunteer organization for the purpose of carrying out the producer's responsibilities relating to reporting under this section; and
- (c) on or before May 31, 2021, the volunteer organization has provided the total weight of each applicable hazardous and special product within each applicable category of HSP identified by the volunteer organization under paragraph 4 of subsection 26 (5) in their registration that was supplied in Ontario by the producer in 2018, 2019 and 2020.

Annual report, producers and volunteer organizations

31. (1) Subject to subsection (4), on or before April 1, 2023 and on or before January 1 in each subsequent year, every producer of HSP who is required to register under subsection 26 (1) shall submit a report to the Authority, through the Registry, that complies with subsection (2) of this section.

(2) With respect to producers of Category A Products, Category B Products and Category D Products referred to in subsection (1), the report must contain the following information:

1. A description of the actions taken by the producer in the previous performance period or calendar year, as the case may be, to fulfil any responsibilities relating to the requirements set out under Parts III and IV and sections 22 and 24.
2. The following information with respect to the previous performance period, including:
 - i. The total weight of Category A Products or Category B Products collected, as the case may be.
 - ii. The total weight of processed materials that resulted from the processing of the HSP referred to in subparagraph i and a list of the types of products and packaging that were made with the processed materials.
 - iii. The total weight of processed materials from HSP referred to in subparagraph ii that were,
 - A. land disposed,
 - B. incinerated,
 - C. used as a fuel or a fuel supplement, or
 - D. stored, stockpiled, used as daily landfill cover or otherwise deposited on land.
 - iv. Any other information or data requested by the Authority.

(3) With respect to producers of Category C Products referred to in subsection (1), the report must contain the following information:

1. The total weight of mercury-containing barometers collected or received from all collection locations.
2. The total weight of mercury-containing thermometers collected or received from all collection locations.
3. The total weight of mercury-containing thermostats collected or received from all collection locations.

4. The amount of mercury collected from each type of HSP referred to in paragraphs 1, 2 and 3.
5. A description of and information related to how the mercury-containing devices that the producer collected were processed.
6. A description of and information related to how the producer complied with the requirements under subsection 11 (3).
7. A description of and information related to the activities the producer undertook to comply with the requirements under section 23.
8. Any other information or data specified in the HSP Collection, Processing and Disposal Procedure or the HSP Verification and Audit Procedure in respect of the HSP.

(4) Subsection (1) does not apply to a producer referred to in clause 5 (1) (b), (c) or (d) if,

- (a) a volunteer organization has submitted a registration with respect to the producer under subsection 26 (5);
- (b) the producer has entered into an agreement described in clause 7 (d) with the volunteer organization for the purpose of carrying out the producer's responsibilities relating to reporting under this section; and
- (c) on or before April 15 in the year in which the report under subsection (1) is required to be submitted, the volunteer organization has submitted a report to the Authority, through the Registry, that complies with subsection (3).

(5) The report referred to in clause (4) (c) must contain the following information with respect to the producer:

1. A description of the actions taken by the volunteer organization in the previous performance period to carry out the responsibilities of the producer.
2. With respect to satisfying the responsibilities of a producer of Category A Products or Category B Products, a description of any actions taken in the previous performance period by the volunteer organization and any producer responsibility organization retained by the volunteer organization in relation to satisfying the producer's obligations, including the following information:
 - i The total weight of processed materials that resulted from the processing of HSP that was provided to a person for the making of new products or packaging.

- ii. The total weight of each applicable hazardous and special product within each applicable category of HSP and the weight of processed materials from the HSP that were,
 - A. land disposed,
 - B. incinerated,
 - C. used as a fuel or a fuel supplement, or
 - D. stored, stockpiled, used as daily landfill cover or otherwise deposited on land.

Annual report, producer responsibility organizations

32. (1) On or before April 30, 2023 and on or before April 30 in each subsequent year, every producer responsibility organization that is retained with respect to Category A Products or Category B Products and is required to register under section 27 shall submit a report to the Authority, through the Registry, that complies with subsection (2) of this section.

(2) The report referred to in subsection (1) must contain the following information with respect to Category A Products or Category B Products, as the case may be, in the previous performance period:

1. The weight of HSP collected by the producer responsibility organization.
2. A list of every HSP processor or HSP disposal facility that the producer responsibility organization retains to process or dispose of HSP, including any unique identifier assigned by the Registrar, and the weight of HSP materials processed, disposed of or otherwise managed by each HSP processor or HSP disposal facility.
3. The weight of processed materials allocated to each producer who retained the producer responsibility organization’s services.
4. The number and location of HSP collection sites, HSP return to retail collection sites or HSP collection events, and a description of any collection services, arranged, established or operated on behalf of each producer by the producer responsibility organization.
5. With respect to each producer referred to in paragraph 4, the producer’s name, contact information and,
 - i. any unique identifier assigned by the Registrar, and

- ii. any unique identifier assigned by the producer responsibility organization pursuant to subsection 6 (4).

Annual report, HSP haulers

33. (1) On or before April 30, 2023 and on or before April 30 in each subsequent year, every HSP hauler who is retained with respect to Category A Products or Category B Products and who is required to register under section 28 shall submit a report to the Authority, through the Registry, that complies with subsection (2) of this section.

(2) The report referred to in subsection (1) must contain the following information with respect to Category A Products or Category B Products, as the case may be, in the previous performance period:

1. The weight of each type of HSP picked up from an HSP collection site or from a person and the name and contact information of the operator of the site or person.
2. For each HSP processor or HSP disposal facility to whom the HSP hauler provided HSP referred to in paragraph 1, the weight of each type of HSP provided and the HSP processor's or the HSP disposal facility's name, contact information and any unique identifier assigned by the Registrar.
3. If the HSP hauler is part of a producer's collection system, the name, contact information and any unique identifier assigned by the Registrar of the producer or of the producer responsibility organization retained by the producer.
4. If any of the HSP referred to in paragraph 1 was collected from outside of Ontario, the weight of each type of HSP.

Annual report, HSP processors

34. (1) On or before April 30, 2023 and on or before April 30 in each subsequent year, every HSP processor who is retained with respect to Category A Products or Category B Products and who is required to register under section 28 shall submit a report to the Authority, through the Registry, that complies with subsection (2) of this section.

(2) Subject to subsection (3), the report referred to in subsection (1) must contain the following information with respect to Category A Products or Category B Products, as the case may be, in the previous performance period:

1. The weight of each type of HSP and the weight of processed materials derived from each type of HSP received from an HSP hauler or any other person at each site where the HSP processor receives and processes HSP and the HSP hauler's or the other person's name, contact information and any unique identifier assigned by the Registrar.

2. The weight of each type of HSP referred to in paragraph 1 that the HSP processor sold.
3. A description of the processing activities undertaken by the HSP processor, including the weight of each type of HSP referred to in paragraph 1 that was processed and the weight of the processed materials, by material type.
4. With respect to the processed materials referred to in paragraph 3,
 - i. a list of any types of products that were made by the HSP processor and the weight of any processed materials that were used in the making of such products, and
 - ii. the weight of any processed materials that were sent by the HSP processor to another person for the purpose of making products and any types of products that were made by the other person with the processed materials.
5. The weight of each type of HSP referred to in paragraph 1 and the weight of processed materials referred to in paragraph 3 that were,
 - i. land disposed,
 - ii. incinerated,
 - iii. used as a fuel or a fuel supplement, or
 - iv. stored, stockpiled, used as daily landfill cover or otherwise deposited on land.
6. If the HSP processor is part of a producer's management system, the name, contact information and any unique identifier assigned by the Registrar of the producer or of the producer responsibility organization retained by the producer.
7. The recycling efficiency rate, verified in accordance with the HSP Verification and Audit Procedure, of the HSP processor for each category of HSP processed at the facility and a description of the methodology and information used to calculate and verify the recycling efficiency rate.

(3) The information provided under paragraphs 1 to 5 of subsection (2) must include information with respect to each applicable HSP, and any processed materials derived from HSP, collected in Ontario as well as outside of Ontario.

Report, resource recovery charges

35. On or before April 30, 2023 and on or before April 30 in each subsequent year, every person who implements a promotion and education program under section 25 shall create and

submit a report to the Authority, through the Registry, that contains the following information with respect to the previous calendar year:

1. How the charge imposed with respect to HSP that relates to resource recovery or waste reduction has been used to increase collection, reuse, recycling or disposal, if at all.
2. An audit, conducted by an independent auditor who is licensed or holds a certificate of authorization under the *Public Accounting Act, 2004*, verifying the charge imposed accurately reflects the costs incurred in relation to any collection, reuse, recycling or disposal of HSP.

Records

36. Every producer, producer responsibility organization, HSP hauler, HSP processor and volunteer organization shall keep the following applicable records in a paper or electronic format that can be examined or accessed in Ontario for a period of five years from the date of creation:

1. Records related to arranging for the establishment or operation of a collection or management system for the purpose of fulfilling their responsibilities relating to HSP.
2. Records related to establishing or operating a collection or management system for the purposes of fulfilling their responsibilities relating to HSP.
3. Records related to information required to be submitted to the Authority, through the Registry.
4. Records related to implementing a promotion and education program required under this Regulation.
5. Records related to the weight of each type of HSP within each applicable category of HSP supplied in Ontario, regardless of whether registration is required by the producer.
6. Any agreements that relate to paragraph 1, 2, 3, 4 or 5.

Records, HSP collection sites

37. (1) Every operator of an HSP collection site at which Category A Products or Category B Products are collected shall keep the following records with respect to each applicable category of HSP collected at each site, if there is more than one, in a paper or electronic format that can be examined or accessed in Ontario for a period of five years from the date of creation:

1. The weight of each type of HSP within each applicable category of HSP that was collected.

2. The weight of each type of HSP referred to in paragraph 1 that the operator provided for reuse or sent for processing or disposal.
3. For each HSP hauler to whom the operator provided HSP referred to in paragraph 1, the weight of each type of HSP provided and the HSP hauler's name, contact information and any unique identifier assigned by the Registrar.
4. If any of the HSP referred to in paragraph 1 was collected from outside of Ontario, the weight of each type of HSP.

(2) If an HSP processor or the operator of an HSP collection site that is not part of a retail location collects more than 25 kilograms of HSP from a person on a single day, the HSP processor or operator of the HSP collection site, as the case may be, shall keep the following records in a paper or electronic format that can be examined or accessed in Ontario for a period of five years from the date of creation:

1. The person's name, contact information and any unique identifier assigned by the Registrar.
2. The weight of HSP accepted on that day from that person.

Audit

Category A Products and Category B Products

38. (1) Every producer of Category A Products and every producer of Category B Products shall cause an audit to be undertaken of the practices and procedures the producer implemented in order to comply with sections 16 to 20,

- (a) on or before April 30, 2023, with respect to the Category A Products or Category B Products that the producer was responsible for from July 1, 2021 to December 31, 2022; and
- (b) on or before April 30, 2026, and on or before April 30 in every third calendar year after that, with respect to each category of HSP referred to in clause (a) that the producer was responsible for in the three immediately preceding calendar years.

(2) On or before April 30 in any year in which an audit is required under subsection (1), the producer shall prepare and submit a copy of a report on the audit to the Authority, through the Registry, that includes the following with respect to Category A Products or Category B Products, as the case may be:

1. The weight of processed materials, by materials type, that resulted from the processing of HSP.

2. The weight of processed materials referred to in paragraph 1 that were provided to a person for the making of new products or packaging and a list of the types of products and packaging that were made with the processed materials.
3. The weight of each type of HSP and the weight of processed materials referred to in paragraph 1 that were,
 - i. land disposed,
 - ii. incinerated,
 - iii. used as a fuel or a fuel supplement, or
 - iv. stored, stockpiled, used as daily landfill cover or otherwise deposited on land.
4. For producers of Category A Products, a statement confirming whether the producer satisfied their management requirement.

(3) The audit referred to in subsection (1) must be conducted by an independent auditor who is licensed or holds a certificate of authorization under the *Public Accounting Act, 2004* and in accordance with the procedures set out in the HSP Verification and Audit Procedure.

Audit

Category C Products

39. (1) Every producer of Category C Products shall cause an audit to be undertaken of the practices and procedures the producer implemented in order to comply with subsection 11 (3) and section 21,

- (a) on or before April 30, 2023, with respect to the Category C Products that the producer was responsible for from July 1, 2021 to December 31, 2022; and
- (b) on or before April 30, 2026, and on or before April 30 in every third calendar year after that, with respect to Category C Products that the producer was responsible for in the three immediately preceding calendar years.

(2) On or before April 30 in any year in which an audit is required under subsection (1), the producer shall prepare and submit a copy of a report on the audit to the Authority, through the Registry, that includes the following with respect to Category C Products:

1. The total weight or amount of each type of Category C Products collected by the producer under subsection 11 (3).
2. The total weight or amount of each type of Category C Products that were processed under section 21.

Access to information and privacy

40. (1) Subject to subsection (2), information and data submitted under this Regulation to the Authority through the Registry shall not be posted on the Registry, unless it is posted in a manner that is consistent with the “Access and Privacy Code” published by the Authority and dated December 14, 2017, as amended from time to time, and available on the website of the Registry.

- (2) For greater certainty, the Authority shall not post information, including data, that is,
- (a) provided by or on behalf of a producer and that relates to the producer’s supply of, or management of, HSP; or
 - (b) classified as “commercially sensitive information”, “confidential information” or “personal information”, as those terms are defined in the “Access and Privacy Code” referred to in subsection (1), as amended from time to time.

**PART VIII
CONTINUATION OF EXISTING MUNICIPAL HAZARDOUS OR SPECIAL WASTE
COLLECTION SITES**

Transition, collection sites continued

41. (1) On or before June 30, 2021, every producer of Category A Products and every producer of Category B Products shall, in accordance with subsection (2), provide for the orderly transition to the collection and management of HSP under this Regulation on and after July 1, 2021 from the collection and management of products in the following programs:

1. The collection and management of products by Stewardship Ontario, pursuant to the Consolidated Municipal Hazardous or Special Waste Program, dated July 30, 2009.
2. The collection and management of products in accordance with the Municipal and Hazardous or Special Waste Wind-up Plan, as amended on December 19, 2019 and approved by the Authority on December 31, 2019.
3. The collection and management of products in accordance with Ontario Regulation 387/16 (Municipal Hazardous or Special Waste) made under the *Waste Diversion and Transition Act, 2016*.

- (2) The producers referred to in subsection (1) shall take all necessary steps to ensure the continuation of the collection of HSP, including,
- (a) establishing, re-establishing, developing or holding, as the case may be, the number of HSP collection sites and HSP collection events that are equivalent to the number of

sites or events operated by each municipality, territorial district or reserve at which the producer's products were collected prior to July 1, 2021;

- (b) working with one or more other producers or producer responsibility organizations to establish, re-establish, develop or hold, as the case may be, the sites and events referred to in clause (a);
- (c) registering the sites and events referred to in clause (a) in accordance with the HSP Verification and Audit Procedure on or before July 1, 2021; and
- (d) taking any additional steps or engaging in any additional activities in respect of the sites and events referred to in clause (a) outlined in the HSP Collection, Processing and Disposal Procedure or the HSP Verification and Audit Procedure.

Revocation

42. Part VIII is revoked.

**PART IX
COMMENCEMENT**

Commencement

43. [Commencement]

February 18, 2021



AN OPEN LETTER TO ONTARIO MUNICIPAL COUNCILS

Dear Council,

As a vital municipal association with membership roots that reach deep into each and every part of Ontario, we know the challenges you have faced in continuing to provide essential municipal services within your community during the COVID-19 pandemic.

As elected officials, we know that you recognize the contribution made by your municipal staff, many of whom are members of AMCTO. Municipal professionals across this entire province have been at the forefront of service delivery, applying their knowledge and skills to innovate processes and procedures to meet the evolving needs of residents and businesses.

One key point that is often overlooked in this pandemic is that many municipal staff were prepared to act and innovate BECAUSE of the professional municipal training and development they receive from organizations like AMCTO. The leadership skills, education and technical training prepare your staff in getting ahead of immediate community needs, reacting and responding to new challenges brought on by COVID-19. This unique and sought-after skillset has allowed your staff to provide council with options and solutions for keeping your municipality running.

In these challenging financial times, there will be temptation to divert operational funding away from staff training budgets. Now more than ever, it is crucial that municipalities continue to invest in your most valuable resource – your staff.

In addition to increased levels of employee retention, engagement and empowerment, investments in staff professional development strengthens your council's ability to provide reliable, effective and efficient services to your community, both today and in the future. The question is no longer "if" you innovate but "when". Innovation comes with knowledge, training, and exposing municipal staff to new opportunities to grow and develop professionally.

On behalf of AMCTO and its over 2,200 members, please accept my heartfelt thank you for your service during these difficult times. As "Municipal Experts", AMCTO will continue to be at your service to help you and your staff meet the needs of your community.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Tremblay', with a large, stylized loop at the end.

Robert Tremblay, MPA, CMO, AOMC
President
AMCTO

CC: Graydon Smith, President, AMO

###

February 19, 2021

Mr. Graydon Smith, President
The Association of Municipalities of Ontario
200 University Ave., Suite 801
Toronto, Ontario M5H 3C6

Dear Mr. Smith:

Re: Closure of the Ontario Fire College in Gravenhurst

The Township of Tiny Council recently reviewed correspondence dated January 14, 2021, from the Office of the Fire Marshal regarding the pending closure of the Ontario Fire College in Gravenhurst, Ontario.

The Ontario Fire College provided fire service training to hundreds of municipal fire departments, like ours, who do not have the capacity or resources to provide their own in-house training for specialized programs.

Should the Office of the Fire Marshal continue to develop fire fighter training curriculum, municipalities will now bear the cost for its use and delivery. The alternative use of Regional Training Centres, for specialized training, will be at a significant cost to municipal fire departments, including room and boarding expenses.

With the closure of the Ontario Fire College and the lack of provincial or federal funding for volunteer fire departments for much needed training, it puts municipalities at risk.

We ask that reconsideration be given to the closure of the Ontario Fire College, at the very least, until a plan is in place to support municipalities with the resources and funding that is required to adequately train and support its fire fighters.

The Corporation of the Township of Tiny



George Cornell
Mayor

cc. The Hon. Sylvia Jones, Minister of Community Safety and Correctional Services
Ontario Municipalities
Jill Dunlop, MPP, Simcoe North



Corporation of the Township of Perth South

3191 Road 122
St. Pauls, ON N0K 1V0
Telephone 519-271-0619
Fax 519-271-0647
mayor@perthsouth.ca

February 2, 2021

Via Email: minister.mecp@ontario.ca

Honourable Jeff Yurek
Minister of Environment, Conservation, and Parks
777 Bay Street
College Park - 5th Floor
Toronto, ON M7A 2J3

**Re: ONTARIO ANNOUNCES WORKING GROUP TO BETTER FOCUS
CONSERVATION AUTHORITIES**

Dear Minister,

The Municipality of Perth South (“Perth South”) is pleased to see your Ministry’s development of regulations for the *Conservation Authorities Act*, 1990 R.S.O. 1990, c. C.27 (the “Act”). Perth South supports the proposed changes your government passed respecting conservation authorities in schedule 6 of Bill 229, the *Protect, Support and Recover from COVID-19 Act* (Budget Measures), 2020 (“Bill 229”). I expressed this support in my email to you on November 5, 2020.

Our municipality, like many others across Ontario, has encountered longstanding conflicts regarding operational scope and costs with our principal conservation authority the Upper Thames River Conservation Authority (“UTRCA”). Despite requests made in writing and through delegations at annual Board Budget meetings no resolution has been found. It is for this reason that Perth South was pleased to see the changes made through Bill 229; however, we were disappointed when the Working Group composition was announced as it is dominated by conservation authorities who are tasked with recommending the very regulations that govern them. I am sure you can agree that the initial optics of the governed designing the governance of themselves is concerning. Conservation authorities, most of whom opposed your reforms, should not be relied upon to develop fair and objective recommendations on their own.

Further to my email of January 12, 2021, I am writing to you to confirm and clarify your full intent and scope for the Working Group your Ministry announced on December 16, 2020 to develop updated regulations. We are hopeful that you will direct this Working Group with clear, limited, and specific instructions that will focus on the intent of changes included in Bill 229.

Perth South seeks your clarity that this Working Group's tasks will be built on the following principles in the areas of focus highlighted:

1. *Mandatory core programs and services conservation authorities would be required to provide.*
 - (a) That 'mandatory' core programs are limited to the changes included in schedule 6 of Bill 229: conservation lands solely owned by conservation authorities, flood-control, erosion, and natural hazards;
 - (b) That conservation authorities are not permitted any discretion via regulations to exit those defined and strict categories; and
 - (c) That 'services' must be concise, limited, and have obvious direct need to fulfil core mandates not merely 'link' or 'complement' the same.
2. *The agreements between municipalities and conservation authorities and the transition period associated with non-mandatory programs and services*
 - (a) That the regulations establish a clear, consistent, and template pro-forma for these agreements that includes at a minimum:
 - i. a specified time limitation to prevent perpetuity;
 - ii. clear intent and objectives;
 - iii. clear definitions, terms, and conditions;
 - iv. the identified necessity for it/them;
 - v. accurate, evidence-supported budget forecasting;
 - vi. the impact of items (i-iv) on each participating municipality;
 - vii. supporting science-based evidence that meets or exceeds the standard(s)/threshold(s) applied to any third party deemed an applicant and/or subject to an

agreement's provisions including on any items requiring peer review;

- viii. municipal and public input mechanisms and timelines;
- ix. dispute resolution processes that adhere to the legislation and the timelines proscribed therein; and
- x. municipal refusal/opt-out clause(s) where proposals do not have the support of the participating municipality and/or do not reasonably benefit a participating municipality or municipalities given their geographical extent or limit within the watershed of the conservation authority in question.

- (b) That the "transition period," associated cannot be greater than one (1) fiscal year from the date of Bill 229's passage in the case of any pre-existing agreement and no more than two (2) years from the date of Bill 229's passage; and
- (c) That the Working Group must understand the principle that one "cannot do by regulation what one cannot do in law."

3. *How local members of the community can participate in their conservation authorities through community advisory boards*

- (a) That these advisory boards and the conservation authorities that they 'advise' are not delegated responsibilities or tasks that are a normative function of a conservation authority's operations and not delegation(s) or devolution(s) of a conservation authority's board and its committees' obligations and normal work;
- (b) That voluntarily submitted proposals for programs, projects, and services cannot be for activities either not contemplated or permitted under either conservation authorities' mandated functions or approved non-mandatory agreements;
- (c) That advisory committee's recommendations and work are neither binding nor required under a conservation authority's administrative by-laws;
- (d) That any aspect of an advisory committee's work that requires public consultation becomes a function of the conservation authority's board or its approved board-fulfilled committees not the advisory committee/group;
- (e) That membership on any advisory committee or group must be balanced and reflect its composition to watershed citizens who are

resident and contributing ratepayers in participant municipalities of the conservation authority in question;

- (f) That conservation authorities' obligations to conduct deliberate, regular, thorough, and transparent public consultation on matters of policies, programs, and services cannot be delegated to an 'advisory' committee or group. That such functions remain a core and mandatory function of a conservation authority's board; and
- (g) That community advisory boards neither relieve nor substitute a conservation authority's obligation to incorporate citizens into consultative and/or input processes that are board-led or directed.

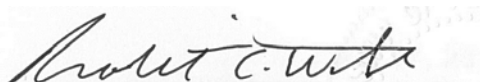
We understand and agree that partnerships and collaboration are critical but want to ensure that there is balance in the parties that will represent the Working Group.

Perth South also looks forward to greater clarity from the Ministry with respect to conservation authority budget and levy processes in the regulation updates. We are very pleased with the avenues of appeal Bill 229 will now provide, after recently exploring the costly and difficult appeal process that previously existed.

As you work to reach the final outcome on these long overdue changes, Perth South and its residents are relying on you to ensure that the development of regulations will align with the spirit of the changes requested by Perth South and other municipalities across the province during the consultations that occurred in early 2020.

I thank you for the work you are undertaking and trust our comments will be received and conveyed with your support to this Working Group. I am confident many more municipalities in this province would echo our points of view.

Yours sincerely,



Robert Wilhelm
Mayor
Township of Perth South

cc: All municipalities in Ontario

Ministry of Environment, Conservation, and Parks Working Group members on Proposed Regulations under the Conservation Authorities Act.

Randy Pettapiece, MPP Perth-Wellington



La Corporation de la Municipalité de / The Corporation of the Municipality of
ST.CHARLES

C.P. / Box 70, 2 King Street East St.-Charles ON
Tel: 705-867-2032 Fax: 705-867-5789

P0M 2W0
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MOVED BY: Councillor Monica Loftus

SECONDED BY: Councillor Richard Lemieux

RESOLUTION NO. 2020-255

BE IT RESOLVED THAT Council for the Corporation of the Municipality of St.-Charles hereby supports the Resolution passed by the Municipality of Tweed on August 25, 2020 regarding Cannabis Production Facilities, the *Cannabis Act*, and Health Canada Guideline.

CARRIED

I, Tammy Godden, Clerk of the Municipality of St.-Charles, do certify the foregoing to be a true copy of Resolution No. 2020-255 passed in a Regular Meeting of Council of The Corporation of the Municipality of St.-Charles on the 9th day of December 2021.

Tammy Godden
Clerk
Municipality of St.-Charles

Dated this 22nd day of February 2021.



Resolution No.

343.

Title:

County of Hastings and County of Lennox & Addington

Date:

Tuesday, August 25, 2020

Moved by

J. Flieler

Seconded by

J. Palmateer

WHEREAS the Government of Canada passed the *Cannabis Act S.C. 2018, c. 16* legislation legalizing properties to grow a maximum of 4 plants without a licence; and

WHEREAS Health Canada issues licences for medicinal cannabis production that are specific to set properties without municipal consultation and regardless of land use zoning by-laws; and

WHEREAS pharmaceutical companies and industries are required to follow strict regulations and governing legislation to produce medicinal products including *Narcotic Control Regulations C.R.C., c 1041* and *Controlled Drugs and Substances Act (Police Enforcement) Regulations SOR/9-234*; and

WHEREAS Municipalities are authorized under the *Planning Act, R.S.O. 1990, C. P 13* to pass a comprehensive zoning by-law that is in compliance with the appropriate County Official Plan which must be in compliance with the Provincial Policy Statement, Under *The Planning Act, 2020*; and

WHEREAS the Provincial Policy Statement, Official Plan and Zoning By-Law in effect for each area is designed to secure the long-term safety and best use of the land, water and other natural resources found in that area's natural landscape; and

WHEREAS the Municipality of Tweed has passed *Comprehensive Zoning By-Law 2012-30* and further amended it by the *Cannabis Production By-Law 2018-42*, limiting cannabis production facilities to rural industrial zoned lands with required setbacks from residential zoned properties; and

WHEREAS the Municipality of Tweed has not been consulted by Health Canada prior to the issuance of licences for properties not in compliance with the Municipal zoning by-laws for a cannabis production facility; and

WHEREAS the Province needs to amend legislation to establish a new Provincial Offence Act fine regime that creates an offence(s) when unlicensed cannabis operations break planning and environmental regulations, ignore Building Code requirements and build without a permit at a fine of at least \$100,000 per offence;

NOW THEREFORE BE IT RESOLVED THAT the Municipality of Tweed requests that immediate action be taken by all levels of government for medical cannabis licencing to follow similar regulations and guidelines as all other pharmaceutical industries;

AND FURTHER, that the Association of Municipalities of Ontario advocate with the Federation of Canadian Municipalities for advocacy to the Government of Canada for similar regulations and guidelines for medical cannabis licencing in alignment with other pharmaceutical industries;

AND FURTHER, that the distribution of medical cannabis be controlled through pharmacies in consistency of all other medications;

AND FURTHER, that Health Canada withhold licencing until the potential licence holder can provide evidence of acceptable zoning of the intended property in question;

AND FURTHER, that licenced locations be disclosed in advance to the municipalities hosting the licenced locations; and

AND FURTHER, that this resolution be circulated to the Prime Minister of Canada, Health Canada, the Premier of the Province of Ontario, the Minister of Municipal Affairs and Housing, the Ontario Provincial Police, the Association of Municipalities of Ontario, and all upper, lower and single tier municipalities within the Province of Ontario.

Carried

Defeated by a Tie

Defeated

Johanne Allard

Mayor



Township of Perry

PO Box 70, 1695 Emsdale Road, Emsdale, ON POA 1J0

PHONE: (705)636-5941

FAX: (705)636-5759

www.townshipofperry.ca

February 19, 2021

Via Email: sylvia.jones@pc.ola.org

The Honourable Sylvia Jones
Solicitor General
18th Floor – 25 Grosvenor St.
Toronto, ON M7A 1Y6

Dear Solicitor General Jones,

RE: Community Safety & Well-Being Plan – Extension Request

Please be advised that at their last regular meeting on February 17, 2021, the Council of the Corporation of the Township of Perry supported the following resolution:

"Resolution #2021-67

Moved by: Margaret Ann MacPhail
Seconded by: Paul Sowrey

Be it resolved that the Council of the Township of Perry hereby support the efforts being taken seeking an extension of the July 1, 2021 deadline to the Solicitor General for the submission of the Community Safety and Well-Being Plan.

Carried."

We appreciate your attention to this matter.

Sincerely,

Beth Morton
Clerk-Administrator

cc: Ministry of Community Safety and Correctional Services
All Ontario Municipalities

BM/ec

C-032-2021

**THE TOWNSHIP OF GEORGIAN BAY
Council**

DATE: 9 February 2021

	<u>YEA</u>	<u>NAY</u>	
Councillor Bochek	_____	_____	MOVED BY: <u>Hazelton</u>
Councillor Cooper	_____	_____	
Councillor Douglas	_____	_____	SECONDED BY: <u>Jarvis</u>
Councillor Hazelton	_____	_____	
Councillor Jarvis	_____	_____	
Councillor Wiancko	_____	_____	
Mayor Koetsier	_____	_____	

DEFERRED _____ **CARRIED** X _____ **DEFEATED** _____ **REFERRED** _____

BE IT RESOLVED THAT Council send a letter of support to the Municipality of Charleton and Dack to immediately review the recommendations to investigate the unethical practice of preferred vendors who are paid substantial amounts over industry standards, despite COVID-19 delays, as insurance premiums will soon be out of reach for many communities;

AND THAT this motion be provided to the Honourable Doug Ford, Premier of Ontario, the Honourable Peter Bethlenfalvy, Minister of Finance, the Honourable Doug Downey, Attorney General of Ontario and all other Ontario municipalities.

Peter Koetsier
Mayor



19 Holland Rd W. RR.#1
Kakabeka Falls, ON POT 1W0

www.conmee.com

The following resolution was passed by the Council of the Township of Conmee at its regular meeting on January 26th 2021:

Resolution No. 2021-022

Moved by: Councillor Arnold

Seconded by: Councillor MacMaster

WHEREAS duly elected Officials of a Municipality, or a Township are expected to be above reproach and to conduct themselves with integrity, truth, justice, honesty, transparency and courtesy.

AND WHEREAS there are people of dubious character who have a Criminal Record, having been convicted of a Federal Offence of any of the Federal Statutes of Canada, but not limited to the Criminal Code or Narcotic Control Act, who are currently on Council of a Municipality or have let their name stand for election for Mayor, Reeve or Councillor as a municipal candidate.

NOT WITHSTANDING the provisions of the Ontario Human Rights Code

THEREFORE BE IT RESOLVED that the Township of Conmee lobby the Provincial Government to amend The Municipal Act and Municipal Elections Act, as may be, so that people with a criminal record who have not had their record cleared from the RCMP Data Base by order of the Governor General of Canada, be prohibited from becoming a candidate in municipal elections.

AND THAT an elected local government official be disqualified from office upon conviction of a serious criminal offense and must resign

AND THAT Council of the Township of Conmee direct the Clerk to send a copy of this resolution to the Ontario Premier Doug Ford, Attorney General Doug Downey, Solicitor-General Sylvia Jones, Minister of Municipal Affairs Steve Clark, Association of Municipalities of Ontario, Rural Ontario Municipal Association, Northern Ontario Municipal Association, Thunder Bay District Municipal League, MPP Judith Monteith-Farrell, and all Ontario municipalities

CARRIED



Township of The Archipelago

9 James Street, Parry Sound ON P2A 1T4

Tel: 705-746-4243/Fax: 705-746-7301

www.thearchipelago.on.ca

February 19, 2021

21-033

Moved by Councillor Manners
Seconded by Councillor Andrews

RE: Request that Minister Clark review the Municipal Elections Act and provide amendments to provide clearer, stronger wording to assist Municipal Clerks in addressing issues to allow for a more definitive decision to be made when adding names to the voters' list

WHEREAS the Township of The Archipelago recognizes that the current language in the Municipal Elections Act with regards to non-resident electors, is weak and ambiguous;

AND WHEREAS the Township of The Archipelago wishes to ensure the integrity of the election process;

NOW THEREFORE BE IT RESOLVED that Council of the Corporation of the Township of The Archipelago hereby request that the Minister of Municipal Affairs and Housing, the Honourable Steve Clark, initiate a review of the Municipal Elections Act and make amendments to provide such clearer, stronger wording, to assist Municipal Clerks in addressing issues related to non-resident electors, and to allow for a more definitive decision to be made when adding names to the voters' list;

AND FURTHER BE IT RESOLVED that Council of the Corporation of the Township of The Archipelago request that the Minister of Municipal Affairs and Housing, the Honourable Steve Clark, ensure that there is a clear and accessible way to enforce the rules described in the Municipal Elections Act;

AND FURTHER BE IT RESOLVED that this resolution be sent to the Premier of Ontario, the Minister of Municipal Affairs and Housing, Norm Miller MPP, all Ontario Municipalities and the Association of Municipalities of Ontario.

Carried.

UNFINISHED BUSINESS REPORT
Presented to Council March 1, 2021

CORPORATE SERVICES					
No.	Item	Date Added	Expected Completion	Status	Update
1.	Docks on Township Property	JAN 2016	2021	Ongoing	-Sales complete for all but 2 parts. -Options for remaining parts to be reviewed in the spring.
2.	Municipal Servicing from City of Cornwall	MAY 2016	2021	Ongoing	-Letter has been sent to Boundary Road property owners to advise of potential costs for services based on terms of draft agreement with the City of Cornwall.
3.	LED Streetlights (Glen Walter)	MAR 2019	2021	Ongoing	-CAO Mills to provide verbal update
COMMUNITY SERVICES					
FINANCE SERVICES					
4.	Water Rates	OCT 2019	FEB 2021	Ongoing	-Report will be brought to Council on March 15, 2021
5.	Water Bill Design	OCT 2019	FEB 2021	Ongoing	-Awaiting response from Vadim.
FIRE SERVICES					
6.	Fire Protection Ponds	MAY 2016	2021	Ongoing	-Will develop agreement to formalize the provision of the service for Middle Street Pond and establish roles, responsibilities, deliverables and the recovery of costs.

SG-M-21

**THE CORPORATION OF THE
TOWNSHIP OF SOUTH GLENGARRY
BY-LAW NUMBER 19-2021
FOR THE YEAR 2021**

***BEING A BY-LAW A BY-LAW TO ADOPT, CONFIRM AND RATIFY
MATTERS DEALT WITH BY RESOLUTION.***

WHEREAS s.5 (3) of the *Municipal Act, 2001*, provides that the powers of municipal corporation are to be exercised by its Council by by-law; and

AND WHEREAS it is deemed expedient that the proceedings, decisions and votes of the Council of the Corporation of the Township of South Glengarry at this meeting be confirmed and adopted by by-law;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE
TOWNSHIP OF SOUTH GLENGARRY ENACTS AS FOLLOWS:**

1. **THAT** the action of the Council at its regular meeting of March 1st, 2021 in respect to each motion 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; and;
2. **THAT** the Mayor and the proper officers of the Township of South Glengarry are hereby authorized and directed to do all things necessary to give effect to the said action, or to 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 to all such documents.
3. **THAT** if due to the inclusion of a particular resolution or resolutions this By-law would be deemed invalid by a court of competent jurisdiction then Section 1 to this By-law shall be deemed to apply to all motions passed except those that would make this By-law invalid.
4. **THAT** where a "Confirming By-law" conflicts with other by-laws the other by-laws shall take precedence. Where a "Confirming By-law" conflicts with another "Confirming By-law" the most recent by-law shall take precedence.

***READ A FIRST, SECOND AND THIRD TIME, PASSED, SIGNED AND
SEALED IN OPEN COUNCIL THIS 1st DAY OF MARCH, 2021.***

MAYOR: _____ **CLERK:** _____