

**TOWNSHIP OF SOUTH GLENGARRY  
REGULAR MEETING OF COUNCIL  
Council Chambers, Municipal Office  
Monday, February 4, 2019 7:00 PM**

Page

<b>1. CALL TO ORDER</b>	
<b>2. O CANADA</b>	
<b>3. APPROVAL OF AGENDA</b>	
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.	
<b>4. DECLARATION OF PECUNIARY INTEREST</b>	
a) <a href="#">Pecuniary Interest Form</a>	4
<b>5. APPROVAL OF MINUTES</b>	
a) <a href="#">Previous Meeting Minutes - January 21, 2019</a>	5 - 10
b) <a href="#">Special Council Meeting Minutes - January 21, 2019</a>	11 - 12
c) <a href="#">Public Meeting Minutes - January 21, 2019</a>	13 - 15
<b>6. PRESENTATIONS AND DELEGATIONS</b>	
a) <a href="#">Compatibility of Roads and Motor Vehicles - Terry Tuppert</a>	16
b) <a href="#">Friends of the Summerstown Trails Update - Vic Leroux</a>	17
<b>7. NEW BUSINESS</b>	
a) <b>Staff Reports</b>	
i. <a href="#">Staff-Council Relations Policy (K. Campeau)</a>	18 - 24
ii. <a href="#">Appointment of Committees (K. Campeau)</a>	25 - 29

iii.	<a href="#"><u>Enabling Accessibility Agreement (E. MacDonald)</u></a>	30 - 40
iv.	<a href="#"><u>1799190 Ontario Inc. Zoning Amendment (J. Haley)</u></a>	41 - 50
v.	<a href="#"><u>Gordon Zoning Amendment (J. Haley)</u></a>	51 - 59
vi.	<a href="#"><u>Grant Marion Construction Ltd. Zoning Amendment (J. Haley)</u></a>	60 - 69
<b>b)</b>	<b>Other Business</b>	
i.	Communications - Garbage & Recycling Collection (Deputy Mayor Warden)	
ii.	<a href="#"><u>Notice of Motion for Consideration at this Meeting (Deputy Mayor Warden)</u></a>	70
iii.	<a href="#"><u>2019 Community Improvement Plan Approval</u></a>	71
iv.	<a href="#"><u>2019 Business &amp; Community Awards Gala</u></a>	72
<b>c)</b>	<b>Committee Reports</b>	
i.	<a href="#"><u>Committee of Adjustment January 21, 2019 Meeting Minutes</u></a>	73 - 75
<b>d)</b>	<b>For Information Only</b>	
i.	<a href="#"><u>2018 Building Permit Activity as of December 30th</u></a>	76
ii.	<a href="#"><u>Website Refresh - Coming Soon!</u></a>	77
iii.	<a href="#"><u>LPAT Decision- Zoning Amendment Application, Glen Walter</u></a>	78 - 90
iv.	<a href="#"><u>2018 Land Use Planning Activity</u></a>	91 - 92
v.	<a href="#"><u>Consent Decisions</u></a>	93 - 97
vi.	<a href="#"><u>Consent Summary</u></a>	98 - 99
vii.	<a href="#"><u>Agricultural Drainage Infrastructure Program</u></a>	100 - 107
viii.	<a href="#"><u>Ontario Trillium Foundation Notice</u></a>	108
ix.	<a href="#"><u>Resolutuions Regarding Voters List</u></a>	109 - 112
x.	<a href="#"><u>Resolutions Regarding Bill 66</u></a>	113 - 118
xi.	<a href="#"><u>Resolution - Retail Cannabis Stores (Niagara Falls)</u></a>	119 - 121

## **8. UNFINISHED BUSINESS**

- a) [Unfinished Business Listing - February 4, 2019](#) 122

## **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,

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

-Staff Report 20-2019 (L. McDonald)

-Litigation Update (K. Campeau)

(3.1) Educational or training sessions

-Planning Roles & Processes (J. Haley)

## **10. CONFIRMING BY-LAW**

- a) [Confirming By-law 13-2019](#) 123

## **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 AT THE TOWNSHIP OFFICE, LANCASTER ON JANUARY 21, 2019.

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

STAFF PRESENT: Clerk Kelli Campeau, GM Community Services Joanne Haley, GM Infrastructure Services Ewen MacDonald, GM Corporate Services Lachlan McDonald, Fire Chief Dave Robertson.

1. CALL TO ORDER

**Resolution No. 09-2019**

Moved by Deputy Warden

Seconded by Councillor McDonell

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

CARRIED

2. O CANADA

3. APPROVAL OF AGENDA

**Resolution No. 10-2019**

Moved by Councillor Lang

Seconded by Councillor Jaworski

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

-Items moved from Information Only to Other Business for discussion:

-7.d.vii. Update – Community Schools Alliance

-7.d.viii. Letter – Martintown & District Horticultural Society

-7.d.xiii. Resolution – Maintaining the Voters List

CARRIED

4. DECLARATION OF PECUNIARY INTEREST

- a) I, Frank Prevost, declare a pecuniary interest on Agenda item(s) for the meeting of January 21, 2019: Staff Report 06-2019, as an agent from a company that I own, Century 21, submitted a proposal.
- b) I, Lyle Warden, declare a pecuniary interest on Agenda item(s) for the meeting of January 21, 2019: Staff Report 06-2019, as I am a Sales Representative at Glengarry Real Estate Brokerage, one of the applicants is the owner of my Brokerage.
- c) I, Stephanie Jaworski, declare a pecuniary interest on Agenda item(s) for the meeting of January 21, 2019: Staff Report 14-2019 (CIP Advisory Committee only), as my husband is an applicant to that committee.
- d) I, Sam McDonell, declare a pecuniary interest on Agenda item(s) for the meeting of January 21, 2019: Staff Report 04-2019, as the applicant is an employee under my care with Maizex Seeds.

5. APPROVAL OF MINUTES

- a) Previous Meeting Minutes - December 17, 2018

**Resolution No. 11-2019**

Moved by Councillor McDonell

Seconded by Deputy Warden

BE IT RESOLVED THAT the Minutes of the Regular Meeting of the Council of the Township of South Glengarry held on December 17, 2018 be adopted as circulated.

CARRIED

6. PRESENTATIONS AND DELEGATIONS

- a) Smithfield Park Redevelopment Phase 2 - Derek Leroux and Anne Donkers
- b) Enhancing Tree Canopy and Natural Vegetation - Jacqueline Milner
- c) Upper Canada Academy Tax Abatement Request - Jesse Ning
- d) CGCC Partnership Proposal - Rick Eamon

7. NEW BUSINESS

- a) Staff Reports

- i) 2019 Borrowing By-law

**Resolution No. 12-2019**

Moved by Councillor Jaworski

Seconded by Councillor Lang

BE IT RESOLVED THAT Staff Report No. 01-2019 be received and that By-law 01-2019, being a By-law to establish borrowing to an upset limit of \$3,000,000 in 2019, be read a first, second and third time, passed, signed, and sealed in Open Council this 21st day of January 2019.

CARRIED

- ii) 2019 Interim Taxation By-law

**Resolution No. 13-2019**

Moved by Councillor Lang

Seconded by Deputy Warden

BE IT RESOLVED THAT Staff Report 02-2019 be received and that By-law 02-2019, being a by-law authorizing the levying of interim taxes be read a first, second, and third time, passed, signed, and sealed in Open Council this 21st day of January 2019.

CARRIED

- iii) 2019 Budget - Choose a Date

**Resolution No. 14-2019**

Moved by Councillor McDonell

Seconded by Councillor Jaworski

BE IT RESOLVED THAT Staff Report 03-2019 be received and that the 2019 Budget Meeting be held on Friday, February 22, 2019 at 9:00 am.

CARRIED

- iv) Approval - Tile Drainage Loan

**Resolution No. 15-2019**

Moved by Deputy Warden

Seconded by Councillor Lang

BE IT RESOLVED THAT Staff Report No. 04-2019 be received and that By-law 03-2019, being a by-law to impose a special annual drainage rate upon land in respect of which money is borrowed under the Tile Drainage Act be read a first, second, and third time, passed, signed, and sealed in Open Council this 21st day of January 2019.

CARRIED

- v) Council Member Pregnancy and Parental Leaves Policy

**Resolution No. 16-2019**

Moved by Councillor Jaworski

Seconded by Councillor McDonell

BE IT RESOLVED THAT Staff Report 05-2019 be received and that By-law 04-2019, being a by-law to adopt a policy for the Pregnancy and Parental Leave of Members of Council be read a first, second and third time, passed, signed and sealed in Open Council this 21st day of January, 2019.  
CARRIED

vi) Request for Proposal for the Supply of Realtors Services

**Resolution No. 17-2019**

Moved by Councillor McDonell

Seconded by Councillor Lang

BE IT RESOLVED THAT Staff Report 06-2019 be received and that Council award RFP 18-20 for the Supply of Realtor's Services for the sale of a surplus lot located at the intersection of SDG 2 and Glen Walter Park Road legally described as Part 1 on 14R-6380 to Century 21 Shield Realty Ltd. as per their submission and furthermore, that the Mayor & Clerk be authorized to sign any relevant documents.

CARRIED

vii) Glen Walter Area Water and Waste Water Servicing Master Plan Study

**Resolution No. 18-2019**

Moved by Councillor Jaworski

Seconded by Councillor McDonell

BE IT RESOLVED THAT Staff Report 07-2019 be received and that Council direct Administration to advise WSP to submit the Draft Master Servicing Plan as "Final" and furthermore that EVB Engineering peer review the Report with the findings to be presented to the Public and submitted to the Ministry of Environment to fulfill the requirements of the Master Plan Process.

POSTPONED

viii) Material Recovery Facility

**Resolution No. 19-2019**

Moved by Deputy Warden

Seconded by Councillor Lang

BE IT RESOLVED THAT Staff Report 08-2019 be received and that By-law 05-2019, being a by-law to enter into an Agreement with the City of Cornwall for the Processing of the Township's Recycling Materials at the City of Cornwall Material Recovery Facility as per the Terms and Conditions of the Recycling and Processing Servicing Agreement be read a first, second and third time, passed, signed and sealed in Open Council this 21st day of January 2019 and furthermore that the Mayor and Clerk be authorized to execute the Recycling and Processing Servicing Agreement.

CARRIED

ix) Public Works Facility

**Resolution No. 20-2019**

Moved by Councillor Jaworski

Seconded by Councillor McDonell

BE IT RESOLVED THAT Staff Report 09-2019 be received and that Council direct Administration to proceed with Design of the new Public Works Facility at the Airport Road Site.

CARRIED

x) Disposal of Used Vehicle

**Resolution No. 21-2019**

Moved by Deputy Warden

Seconded by Councillor Jaworski

BE IT RESOLVED THAT Staff Report 10-2019 be received and that the 1997 GMC Topkick Fire Pumper apparatus be declared surplus pursuant to By-law 36-07, Sections 5.1 and 5.2 and furthermore that the vehicle be posted for

sale.

POSTPONED

b) Other Business

i) Noise Bylaw Exemption Extension Request Dillon Consulting

**Resolution No. 22-2019**

Moved by Councillor Lang

Seconded by Councillor McDonell

BE IT RESOLVED THAT the Council of the Township of South Glengarry approves the application from Dillon Consulting on behalf of the Ministry of Transportation for an extension to the temporary exception to Nuisance By-law 20-16, Schedule 2, Activity 4 to June 30, 2022.

CARRIED

ii) Communications Garbage & Recycling Collection

-Postponed

iii) Update – Community Schools Alliance (S. Jaworski)

iv) Letter – Martintown & District Horticultural Society

v) Resolution – Maintaining the Voters List (City of Hamilton)

**Resolution No. 23-2019**

Moved by Councillor Jaworski

Seconded by Deputy Warden

BE IT RESOLVED THAT the Council of the Township of South Glengarry supports the resolution passed by the City of Hamilton concerning the maintenance of the Voters' List for Municipal Elections and furthermore that a copy of this motion be circulated to the City of Hamilton and the Association of Municipalities of Ontario (AMO).

CARRIED

**Resolution No. 24-2019**

Moved by Councillor Jaworski

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) Glengarry Nor'Westers and Loyalist Museum Minutes December 10, 2018

ii) Committee of Adjustment Minutes - December 18 2018

iii) Committee of Adjustment - Notice of Decision

d) For Information Only

i) Letter - Ontario Woodlot Association SDG Chapter

ii) Update Ministry of Finance OMPF

iii) Consent Application B-110-18

iv) Consent Application B-116-18

v) Consent Decision

vi) Consent Summary

vii) MPAC Year End Assessment Report

viii) OMWA 2017/2018 Chief Drinking Water Inspector Annual Report

ix) Ministry of Agriculture Food and Rural Affairs Agricultural Drainage Infrastructure Program

x) AGCO Cannabis Retail Store Licensing Update

xi) Resolution - Change to Declaration of Office (Municipality of Mattice-Val Cote)

xii) Support Resolution - Paramedic Services (Township of Uxbridge)

xiii) AMO Updates

8. UNFINISHED BUSINESS

9. CLOSED SESSION

Resolution No. 25-2019

Moved by Councillor McDonell

Seconded by Councillor Lang

BE IT RESOLVED THAT the Council of the Township of South Glengarry convene to Closed Session at 9:40 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;

-Staff Report 13-2019

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

-Staff Report 11-2019

-Staff Report 12-2019

CARRIED

**Resolution No. 26-2019**

Moved by Deputy Warden

Seconded by Councillor McDonell

BE IT RESOLVED THAT the Council of the Township of South Glengarry now rise and reconvene at 10:42 without reporting.

CARRIED

**Resolution No. 27-2019**

Moved by Councillor Jaworski

Seconded by Councillor Lang

BE IT RESOLVED THAT Administration be directed to proceed as per the recommendation contained in Staff Report 11-2019.

POSTPONED

**Resolution No. 28-2019**

Moved by Councillor Lang

Seconded by Deputy Warden

BE IT RESOLVED THAT Staff Report 12-2019 be received.

CARRIED

**Resolution No. 29-2019**

Moved by Councillor McDonell

Seconded by Councillor Jaworski

BE IT RESOLVED THAT Staff Report 13-2019 be received and that Council direct Administration to prepare by-laws to appoint each Committee for the February 4, 2019 Council Meeting.

CARRIED

10. CONFIRMING BY-LAW

**Resolution No. 30-2019**

Moved by Councillor Lang

Seconded by Councillor McDonell

BE IT RESOLVED THAT By-law 06-2019 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.

CARRIED

11.ADJOURNMENT

**Resolution No. 31-2019**

Moved by Councillor Jaworski

Seconded by Deputy Warden

BE IT RESOLVED THAT the Council of the Township of South Glengarry  
adjourn to the call of the chair at 10:45 pm.

CARRIED

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

**MINUTES**

THE SPECIAL MEETING OF THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SOUTH GLENGARRY WAS HELD IN THE EVENING AT THE TOWNSHIP OFFICE, LANCASTER ON JANUARY 21, 2019.

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

STAFF PRESENT: Clerk Kelli Campeau

1. CALL TO ORDER

**Resolution No. 01-2019**

Moved by Councillor Jaworski  
Seconded by Councillor McDonell

BE IT RESOLVED THAT the Special Meeting of the Township of South Glengarry now be opened at 5:46 pm.

CARRIED
2. APPROVE AGENDA

**Resolution No. 02-2019**

Moved by Deputy Warden  
Seconded by Councillor Lang

BE IT RESOLVED THAT the Council of the Township of South Glengarry approve the Agenda as circulated.

CARRIED
3. DECLARATION OF PECUNIARY INTEREST - None
4. CLOSED SESSION

**Resolution No. 03-2019**

Moved by Councillor McDonell  
Seconded by Councillor Jaworski

BE IT RESOLVED THAT the Council of the Township of South Glengarry convene to Closed Session at 5:47 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;

CARRIED
- Resolution No. 04-2019**

Moved by Councillor Lang  
Seconded by Deputy Warden

CLOSED SESSION RESOLUTION.

CARRIED
- Resolution No. 05-2019**

Moved by Councillor McDonell  
Seconded by Deputy Warden

CLOSED SESSION RESOLUTION.

CARRIED

**Resolution No. 06-2019**

Moved by Councillor Jaworski  
Seconded by Councillor Lang

BE IT RESOLVED THAT the Council of the Township of South Glengarry now rise and reconvene at 5:49 into Open Session without reporting.

CARRIED

**Resolution No. 07-2019**

Moved by Deputy Warden  
Seconded by Councillor Jaworski

BE IT RESOLVED THAT the Mayor for the Township be directed to carry out all actions as specified in the closed session resolution.

CARRIED

5. ADJOURNMENT

**Resolution No. 08-2019**

Moved by Councillor McDonell  
Seconded by Councillor Lang

BE IT RESOLVED THAT the Council of the Township of South Glengarry adjourn to the call of the chair at 5:50 pm.

CARRIED

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk



## **PUBLIC MEETING MINUTES**

A PUBLIC MEETING OF THE CORPORATION OF THE TOWNSHIP OF SOUTH GLENGARRY WAS HELD IN THE EVENING AT THE TOWNSHIP OFFICE, LANCASTER ON JANUARY 21, 2019 AT 6:00 PM.

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

STAFF PRESENT: Clerk Kelli Campeau, GM Community Services Joanne Haley

MEMBERS OF THE PUBLIC PRESENT: Eric Marion, Millie Prevost, Rose MacCulloch, Will Lang, Larry Gordon, Jacqueline Milner, Anne Donkers, Bob Donkers and Ashley Koggel.

### **1. OPEN PUBLIC MEETING**

The meeting was opened at 6:00 pm.

Ms. Haley provided an overview of the public meeting process and advised that any person may attend and make verbal or written submissions.

### **2. PRESENTATIONS AND DELEGATIONS**

#### **a) Proposed Amendments to Zoning By-law – Grant Marion (Two Applications)**

Ms. Haley advised that the purpose of this zoning amendment is to rezone the subject property, Part of Lot 12, Registered Plan No. 101, being part 2 on Reference Plan 14R 6380 located on Glen Walter Park Road from Residential Two (R2) to Residential Three – Exception 2 (R3-2) to permit the construction of a 3 unit Townhouse and to reduce the rear yard setback from 6 meters to 5.45 meters.

Ms. Haley advised that this proposed amendment to the Zoning By-law will be presented to Council for consideration at a later date and that comments received from the public will be provided to Council before a decision is made. At this time no comments have been received.

Ms. Haley then spoke to the second application by the same applicant, which is a zoning amendment to rezone the subject property, Part of Lot 12, Registered Plan No. 101, being Part 3 on Reference Plan 14R 6380 located on Glen Walter Park Road from Residential Two (R2) to Residential Three Exception 3 (R3-3) to permit the construction of a 3 unit townhouse and to reduce the rear yard setback from 6 meters to 3.4 meters and to increase the lot coverage from 40% to 42%.

Ms. Haley advised that this proposed amendment to the Zoning By-law will be presented to Council for consideration at a later date and that comments received from the public will be provided to Council before a decision is made. At this time no comments have been received.

Following the overview of the proposed Zoning By-law amendments, the applicant explained the purpose for the applications. The applicant purchased the lots from the Township and the zoning amendment was a condition attached to the bid.

Deputy Mayor Warden inquired if the applicant will avoid having to apply for a minor variance by obtaining this rezoning. Ms. Haley advised a minor variance would not be required if the amendment is approved.

Councillor Jaworski inquired if it is typical for a property like to not be zoned for multi-units already. Ms. Haley advised that when there are lots in a tight space like this it is irresponsible to zone higher.

b) Proposed Amendment to Zoning By-law – 1799190 Ontario Inc.

Ms. Haley advised that the purpose of this zoning amendment is to rezone the subject property, Part of Lot 11, Concession 1, Front, Parts 1 & 2 on Reference Plan 14R 2241, also known as 19274 County Rd. 2 from General Commercial (CG) & Flood Plain Holding (FP-H) to Residential Four (R4) & Flood Plain (FP) – Exception 2 to permit an apartment with a maximum of 4 units on private services with a maximum lot coverage of 40%.

Ms. Haley advised that this proposed amendment to the Zoning By-law will be presented to Council for consideration at a later date and that comments received from the public will be provided to Council before a decision is made. At this time no comments have been received.

Deputy Mayor Warden inquired about the definition of coverage and whether or not a veranda would be considered coverage. Ms. Haley advised that yes, anything attached to the structure is considered coverage.

c) Proposed Amendment to Zoning By-law – Gordon

Ms. Haley advised that the purpose of this zoning amendment is to rezone the subject property, Part of Lot C, Concession 1, SSRR, also known as 19984 Loyalist Road, from Agricultural (AG) & Natural Hazard (NZ) to Agricultural (AG) & Natural Hazard (NZ) – Exception 20 to reduce the Natural Hazard Zone and to increase the Agricultural zone on a portion of the subject property to permit a residential addition to the existing detached dwelling.

Ms. Haley advised that this proposed amendment to the Zoning By-law will be presented to Council for consideration at a later date and that comments received from the public will be provided to Council before a decision is made. At this time no comments have been received.

Councillor Jaworski inquired if the elevations would be correct if we had up to date mapping. Ms. Haley advised the answer is yes.

Deputy Mayor Lyle Warden inquired if this area would be included in the scheduled Flood Plain Mapping project. Ms. Haley advised that yes it is.

3. ADJOURNMENT  
The meeting was adjourned at 6:27 PM.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

## **COMPATIBILITY: ROADS AND MOTOR VEHICLES**

**DELEGATION TO COUNCIL – FEBRUARY 4, 2019**

Presenter: Terry Tuppert

### **Presentation Outline:**

Unpaved roads in rural Canada/South Glengarry are negating the safety advances that are now put in vehicles. I wish to point out how residents of unpaved roads are not benefiting from the new technologies designed to augment road safety. The ongoing research and development in autonomous vehicles is creating a greater gap than ever before. It may be the time to address the issue.

Terry Tuppert  
20920 Concession 8 Road  
South Glengarry

# **FRIENDS OF THE SUMMERSTOWN TRAILS**

## **DELEGATION TO COUNCIL – FEBRUARY 4, 2019**

Presenter: Vic Leroux, FOTST President

Presentation Outline:

- Organizational Review
- Recent Achievements
- New Developments and What's to Come



## **STAFF REPORT**

**S.R. No. 14-2019**

**PREPARED BY:** Kelli Campeau, Clerk

**PREPARED FOR:** Council of the Township of South Glengarry

**COUNCIL DATE:** February 4, 2019

**SUBJECT:** Staff-Council Relations Policy

### **BACKGROUND:**

1. Bill 68: the *Modernizing Ontario's Municipal Legislation Act* brought forward several amendments to the *Municipal Act*.
2. One of these amendments mandates municipalities to adopt a policy regarding relationship between members of Council and the officers and employees of the municipality.
3. This policy should be in place by March 1, 2019.

### **ANALYSIS:**

4. The purpose of this policy is to provide guidance on how the Township of South Glengarry ensures a respectful, tolerant and harassment-free relationship and workplace between Members of Council and the officers and employees of the Township.
5. The Township presently has a number of policies and procedures already in place with sections that address this need (ie. Code of Conduct, Workplace Harassment & Violence Policy, etc.)
6. The attached draft policy therefore consolidates these into one, coherent policy with an over-arching statement.

### **ALIGNMENT WITH STRATEGIC PLAN:**

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

### **IMPACT ON 2018 BUDGET:**

N/A



**RECOMMENDATION:**

BE IT RESOLVED THAT Staff Report 14-2019 be received and that By-law 07-2019, being a by-law to adopt a Staff-Council Relations Policy be read a first and second time this 4th day of February, 2019.

A handwritten signature in black ink, reading 'Kelli Campeau', written over a horizontal line.

Recommended to Council for  
Consideration by:  
**KELLI CAMPEAU - CLERK**

**SG-I-19**

**THE CORPORATION OF THE  
TOWNSHIP OF SOUTH GLENGARRY  
BY-LAW NUMBER 07-2019  
FOR THE YEAR 2019**

***BEING A BY-LAW TO ADOPT A STAFF-COUNCIL RELATIONS POLICY.***

**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** on March 1, 2019, the day named by proclamation of the Lieutenant Governor, subsection 270 (1) of the *Municipal Act, 2001*, c. 25 is amended by adding the following, “A municipality shall adopt and maintain policies with respect to the following matters: the relationship between members of council and the officers and employees of the municipality.”

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


1. **THAT** the Staff-Council Relations Policy, attached hereto as “Schedule A” shall form part of this By-law.
2. **THAT** this by-law shall come into force and take effect on the date of its final passing.

***READ A FIRST AND SECOND TIME THIS 4<sup>TH</sup> DAY OF FEBRUARY, 2019.***

**MAYOR:** **CLERK:**



## Schedule A to By-law 07-2019

South Glengarry				POLICY	
Policy Number:	02-2019		Review Frequency:	4 Years	
Approved By:	Council of the Township of South Glengarry	Date Approved:	February 19, 2019		
		Revision Date:			
Subject:	Staff-Council Relations Policy				

**PURPOSE**

This policy provides guidance on how the Township of South Glengarry will promote a respectful, tolerant and harassment-free relationship and workplace between Members of Council and the officers and employees of the corporation, guided by the Code of Conduct for Members of Council, the Employee Code of Conduct, the Workplace Violence and Harassment Policy and the Procedural By-law.

**APPLICATION**

In accordance with Section 270 of the *Municipal Act, 2001*, this policy applies to all Members of Council and officers and employees of the Corporation.

**POLICY REQUIREMENTS**

The relationship between Members of Council and the officers and employees of the corporation is guided by the following:

1. Code of Conduct for Members of Council

The Code of Conduct for Members of Council establishes the ethical behaviour expected of Members of Council.

Section 4 of the “Interpersonal Behaviour” portion of the Code of Conduct states as follows:

**Relationship with Staff**

Members shall be respectful of the fact that staff work for the Township and make recommendations based on their professional and technical expertise as well as from a corporate perspective. Staff serve Council as a whole and no Member may direct staff absent of a resolution of Council. Council approves policy and the Chief Administrative Officer directs staff to ensure the direction of

## Schedule A to By-law 07-2019

Council is achieved.

Members shall respect the role of staff to provide advice based on political neutrality and objectivity and shall not impose any undue influence on staff.

Many staff members are bound through professional associations to a code of ethics in the delivery of their services, and Members shall respect that staff provide their reports, observations and recommendations objectively and in the best interests of the Township.

Members shall not:

- i) maliciously or falsely injure the professional or ethical reputation of staff;
- ii) compel staff to engage in partisan political activities or be subjected to threats of discrimination for refusing to engage in such activities;
- iii) use their authority or influence for the purpose of intimidating, threatening, coercing, commanding, or influencing any staff member with the intent of interfering with staff duties; and,

Operational inquiries and complaints received from the public will be addressed by members as follows:

- i) Members of Council who are approached by the public with inquiries/complaints regarding operational matters should encourage the party to contact the appropriate department for review/resolution.
- ii) where the member of the public is reluctant to contact the department directly, the member of Council may file a complaint on the member's behalf so long as all the necessary details are provided as per the Township's Complaint Policy 01-18.
- iii) members of the public are encouraged to provide their issue/matters of concern in writing to the appropriate department.
- iv) complaints that cannot be resolved through the Township's complaint process may be submitted to the Provincial Ombudsman's office in accordance with the provisions of Bill 8.

## 2. Employee Code of Conduct

The Employee Code of Conduct is intended to establish and communicate professional standards and guidelines that will assist employees of the Township in the discharge of their duties. The "Political Neutrality" section of the Employee Code of Conduct states:

### **Political Neutrality**

Employees are entitled to exercise their right to support or be involved in the political campaign of a municipal, provincial or federal candidate or party,

## Schedule A to By-law 07-2019

provided they do so on personal time and do not hold themselves out as representatives of the Township. However, employees must be politically neutral in their official employment duties in order to sustain public trust in local government. Employees should obtain approval of senior management prior to speaking publically on a matter where they may be perceived to be representing municipal policy.

Employees are permitted to participate in any campaign or political activity provided they do so outside of normal working hours or during an authorized leave of absence without pay for this purpose. Such activity must be as a citizen and not as a representative of the Township, whether real or perceived.

Employees shall treat all members of Council with professionalism and courtesy but must not favour, nor be seen to favour, the interests of one Councillor or other elected official over the interests of Council as a whole. Employees shall observe the approved processes the Township has implemented for reporting confidential information and other matters to Council.

### 3. Workplace Violence and Harassment Policy

The Workplace Violence and Harassment Policy states as follows:

#### **POLICY STATEMENT**

The Township of South Glengarry ("the Township") is committed to providing a safe and healthy workplace that is based on respect for the dignity and rights of everyone in the organization.

The Township will treat any complaint or instance of workplace harassment or violence as a serious matter.

#### **GOAL**

This goal of this policy is provide a healthy and safe work environment that is as free as possible from any form of violence or harassment. This policy establishes measures and procedures to respond to risks, complaints, and instances of workplace violence and/or harassment and is intended to ensure all complaints are handled in a timely and equitable manner.

### 4. Procedural By-law

Section 15.2 (a) of the Procedural By-law states:

No Member shall use offensive words or un-parliamentary language in or against Council or against any Member, staff or guest.

Schedule A to By-law 07-2019

## **RESPONSIBILITIES**

Members of Council and officers and employees of the corporation are required to adhere to this policy and its governing provisions, including the Code of Conduct for Members of Council, the Employee Code of Conduct, the Workplace Violence and Harassment Policy and the Procedural By-law.

## **MONITORING/CONTRAVENTIONS**

The Clerk shall be responsible for receiving complaints and/or concerns related to this policy. Upon receipt of a complaint and/or concern, the Clerk shall notify:

1. In the case of officers and employees of the corporation, the General Manager responsible for the employee and the Human Resources Advisor.

OR

2. In the case of Council, the Integrity Commissioner.

Where there is a discrepancy between the Council-Staff Relations Policy and the Code of Conduct for Members of Council or the Employee Code of Conduct, the language of the Code prevails.



## **STAFF REPORT**

**S.R. No. 15-2019**

**PREPARED BY:** Kelli Campeau, Clerk

**PREPARED FOR:** Council of the Township of South Glengarry

**COUNCIL DATE:** February 4, 2019

**SUBJECT:** Appointment of Committees

### **BACKGROUND:**

1. There are a number of Committees, Boards, Commissions and Appointed Positions that are appointed by Council at the beginning of each term.
2. During the month of December and early January, the Township received applications for these various Committees/Positions.
3. Council received a report in Closed Session at the January 21, 2019 Council meeting to review the applications and select the individuals to be appointed.

### **ANALYSIS:**

4. The attached by-law will appoint the positions and Committees as per the direction of Council at the January 21st meeting.

### **ALIGNMENT WITH STRATEGIC PLAN:**

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

### **IMPACT ON 2018 BUDGET:**

N/A

### **RECOMMENDATION:**

BE IT RESOLVED THAT Staff Report 15-2019 be received and that By-law 08-2019, being a by-law for the appointment of officers, agents and committees of Council be read a first, second and third time, passed, signed and sealed in open Council this 4th day of February, 2019.



A handwritten signature in black ink that reads "Kelli Campeau". The signature is written in a cursive style and is positioned above a solid horizontal line.

**Recommended to Council for  
Consideration by:  
KELLI CAMPEAU - CLERK**

**SG-I-19**

**THE CORPORATION OF THE  
TOWNSHIP OF SOUTH GLENGARRY  
BY-LAW NUMBER 08-2019  
FOR THE YEAR 2019**

***BEING A BY-LAW FOR THE APPOINTMENT OF OFFICERS, AGENTS AND  
COMMITTEES OF COUNCIL.***

**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** it is necessary for the municipal Council to pass by-laws for the appointment of Municipal Officers, Agents and Committees of Council as referenced in the *Municipal Act 2001*, c. 25.

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

1. **THAT** Council hereby appoints the Officers, Agents and Committee Members contained in "Schedule A" attached hereto, which shall form part of this By-law.
2. **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 4<sup>TH</sup> DAY OF FEBRUARY, 2019.***

**MAYOR:**

**CLERK:**

## Schedule A to By-law 08-2019

**COMMITTEES, OFFICERS AND AGENTS APPOINTED BY COUNCIL**

The Mayor shall be an ex officio Member of all Committees.

<b>Committee, Board, Commission or Position</b>	<b>Appointee(s)</b>
<b>STATUTORY BODIES</b>	
Fence Viewers	<ul style="list-style-type: none"> <li>- Brian Belanger</li> <li>- Blain McMath</li> <li>- Steven Smart</li> <li>- Bernard St. Denis</li> </ul>
Livestock Valuer	<ul style="list-style-type: none"> <li>- Bernard St. Denis</li> </ul>
Committee of Adjustment / Property Standards Committee	<ul style="list-style-type: none"> <li>- Frank Prevost</li> <li>- Lyle Warden</li> <li>- Stephanie Jaworski</li> <li>- Martin Lang</li> <li>- Sam McDonell</li> </ul>
Community Improvement Plan Advisory Committee	<ul style="list-style-type: none"> <li>- Linda Allison</li> <li>- Trevor Bougie</li> <li>- Ron Brennan</li> <li>- Barbara Menard</li> <li>- Lyle Warden</li> <li>- Sam McDonell</li> </ul>
Accessibility Advisory Committee of SDG	<ul style="list-style-type: none"> <li>- Ian MacDonald</li> </ul>
<b>STANDING COMMITTEES</b>	
Heritage Advisory Committee	<ul style="list-style-type: none"> <li>- Penny Cavell</li> <li>- Ian MacDonald</li> <li>- Allan Macdonell</li> <li>- Shannon McDonell</li> <li>- Stephanie Jaworski</li> </ul>
Agricultural Resource Committee	<ul style="list-style-type: none"> <li>- Duncan Ferguson</li> <li>- David Grant</li> <li>- Scott Kinloch</li> <li>- Ian MacDonald</li> <li>- Rob McDonald</li> <li>- Jerome MacDonell</li> <li>- Tony Vogel</li> <li>- Martin Lang</li> <li>- Sam McDonell</li> </ul>
Landfill Advisory Committee	<ul style="list-style-type: none"> <li>- Michael Madden</li> <li>- Angela Parker</li> <li>- Michael Schuler</li> <li>- Stephanie Jaworski</li> </ul>
<b>JOINT COMMITTEES, COMMISSIONS AND BOARDS</b>	
Glengarry Nor'Westers and Loyalist Museum	<ul style="list-style-type: none"> <li>- Frank Prevost</li> </ul>
Raisin Region Conservation Authority	<ul style="list-style-type: none"> <li>- Frank Prevost</li> <li>- Martin Lang</li> </ul>
Cornwall Regional Airport Commission	<ul style="list-style-type: none"> <li>- Frank Prevost</li> </ul>



## Schedule A to By-law 08-2019

	<ul style="list-style-type: none"><li>- Lyle Warden</li><li>- Martin Lang</li></ul>
Glengarry County Archives	<ul style="list-style-type: none"><li>- John Hope</li><li>- Bruce Munro</li><li>- Lyle Warden</li><li>- Sam McDonell</li></ul>



## **STAFF REPORT**

**S.R. No. 16-2019**

**PREPARED BY:** Ewen MacDonald, GM Infrastructure Services

**PREPARED FOR:** Council of the Township of South Glengarry

**COUNCIL DATE:** February 4, 2019

**SUBJECT:** Enabling Accessibility Agreement

### **BACKGROUND:**

1. The Township of South Glengarry submitted an application for an Enabling Accessibility Grant in July 2018 for proposed renovations to the Glengarry Nor'Westers and Loyalist Museum.
2. The Federal Government Enabling Accessibility Fund (EAF) provides funding for eligible capital projects that increase accessibility for people with disabilities in Canadian communities and workplaces, creating more opportunities for people with disabilities to participate in community activities, programs and services, or access employment opportunities.

### **ANALYSIS:**

3. The Glengarry Nor'Westers & Loyalist Museum has not seen any major renovations since the late 1960s. Upgrades are necessary to ensure safety, energy efficiency, efficient use of space and barrier-free accessibility.
4. Barrier-free access has become a major concern over the years. There is no barrier-free washroom on the main floor and the only access to the second floor is a steep staircase.
5. The renovations will provide barrier free access to the Glengarry Nor'Westers & Loyalist Museum that will remove accessibility barriers and increase accessibility and/or safety for people with disabilities.
6. The project proposes to replace the two outdated washrooms with one barrier-free washroom
7. The Township will oversee and supervise the work to ensure that the project is completed on time and within the budget.



8. The Township has received an email notification from Service Canada that the funding request was approved on January 20, 2019 and the attached Agreement was received for execution. The Agreement was to be signed and returned by February 1<sup>st</sup>.
9. Staff have signed and returned the Agreement for the funding.
10. The proposed project with funding from Community Accessibility Stream would improve accessibility and safety for people with disabilities at the Glengarry Nor'Westers & Loyalist Museum and meet the objectives of the Township of South Glengarry's Policy for Accessibility Standards for Customer Service to meet the requirements of Ontario Regulation 429/07 that was created under the Accessibility for Ontarians with Disabilities Act, 2005 (AODA).
11. The Accessibility for Ontarians with Disabilities Act, 2005 (AODA) requires municipalities to achieve accessibility by 2025.
12. The Renovations to the Washrooms at the Glengarry Nor'Westers Museum are identified in the Township's 2013 Accessibility Plan as a strategy to remove a barrier at this facility.

#### **ALIGNMENT WITH STRATEGIC PLAN:**

13. Goal 2: Invest in infrastructure and its sustainability.
14. Goal 3: Strengthen the effectiveness and efficiency of our organization.
15. Goal 4: Improve quality of life in our community.

#### **IMPACT ON 2018 BUDGET:**

16. The total project cost is \$24,500.00. The Enabling Accessibility Grant will cover \$16,510.00 with the Township funding the remaining \$8,890.00.
17. The 2019 Budget will include the cost of the project as a Capital Maintenance item. Council may wish to draw these funds from the Museum Reserve fund as an option.

#### **RECOMMENDATION:**

BE IT RESOLVED THAT Staff Report 16-2019 be received and that Council approve the Agreement between the Township of South Glengarry and the Federal Government of Canada for funding to renovate the washrooms at the Glengarry Nor'Westers and



Loyalist Museum from the Enabling Accessibility Fund and that the 2019 Budget include the Municipal funding for the project.

A handwritten signature in black ink, reading 'Kelli Campeau'. The signature is written in a cursive style and is positioned above a horizontal line.

**Recommended to Council for  
Consideration by:  
KELLI CAMPEAU - CLERK**



## ARTICLES OF AGREEMENT

### BETWEEN

**HER MAJESTY THE QUEEN IN RIGHT OF CANADA**

**(HEREINAFTER REFERRED TO AS "CANADA"), AS REPRESENTED BY**

**THE MINISTER OF EMPLOYMENT AND SOCIAL DEVELOPMENT**

### AND

**Corporation of the Township of South Glengarry**

**(HEREINAFTER REFERRED TO AS "THE RECIPIENT")**

**HEREINAFTER COLLECTIVELY REFERRED TO AS "THE PARTIES"**

Whereas the Recipient has applied to Canada for funding to carry out the project;

Whereas Canada has determined that the Recipient is eligible for a grant under the Program mentioned in Schedule A - Project Description and Signatures and that the Project qualifies for support; and

Whereas Canada has agreed to provide a grant to the Recipient to help it to implement the project;

Now, therefore, the Parties agree as follows:

#### 1.0 AGREEMENT

1.1 The following documents, and any amendments thereto, constitute the entire agreement between the Parties with respect to its subject matter and supersedes all previous understandings, agreements, negotiations and documents collateral, oral or otherwise between them relating to its subject matter:

- (a) These Articles of Agreement
- (b) Schedule A - Project Description and Signatures



## 2.0 INTERPRETATION

2.1 Unless the context requires otherwise, the expressions listed below have the following meanings for the purposes of this Agreement:

**"Eligible Expenditures"** means the expenditures listed in the Project budget in *Schedule A - Project Description and Signatures*;

**"Fiscal Year"** means the period commencing on April 1 in one calendar year and ending on March 31 in the next calendar year;

**"Grant"** means the grant funds provided by Canada under this Agreement;

**"Project"** means the project described in *Schedule A - Project Description and Signatures*;

**"Project Period"** means the period beginning on the Project Start Date and ending on the Project End Date specified in *Schedule A - Project Description and Signatures*; and

**"Working Day"** means Monday through Friday except statutory holidays.

## 3.0 EFFECTIVE DATE AND DURATION

3.1 This Agreement shall come into effect on the date it is signed by both Parties and, subject to section 3.2, shall expire at the end of the Project Period unless the Agreement is terminated on a prior date in accordance with the terms of this Agreement.

3.2 Notwithstanding section 3.1, the rights and obligations of the parties, which by their nature, extend beyond the expiration or termination of this Agreement shall survive such expiration or termination.

## 4.0 PURPOSE OF THE GRANT

4.1 The purpose of the funding granted by Canada according to the terms of this Agreement is to enable the Recipient to carry out the Project. The Recipient shall use the grant for paying the Eligible Expenditures of the Project.

## 5.0 PAYMENT OF THE GRANT

5.1 Canada will pay the Recipient a grant in the amount specified in *Schedule A - Project Description and Signatures*. The grant will be paid in instalments in accordance with the instalment schedule set out under Payment Method *Schedule A - Project Description and Signatures*.

## 6.0 APPROPRIATION

6.1 Any payment under this Agreement is subject to the appropriation of funds by Parliament for the Fiscal Year in which the payment is to be made.

## 7.0 REDUCTION OR TERMINATION OF FUNDING

7.1 Canada may, upon not less than ninety (90) days' notice, reduce its funding under this Agreement or terminate the Agreement as per article 15.0 if:

- (a) the level of funding for the Program named in this Agreement for the Fiscal Year in which the payment is to be made under the Agreement is reduced as a result of a governmental or departmental spending decision, or
- (b) Parliament reduces the appropriation of funds for grants under the Program named in this Agreement.

7.2 Where, Canada gives notice of its intention to reduce its funding pursuant to section 7.1, and the Recipient is of the opinion that it will be unable to complete the Project in the manner desired by the Recipient, the Recipient may terminate the Agreement upon not less than thirty (30) days notice to Canada.



## 8.0 RECIPIENT DECLARATIONS

### 8.1 The Recipient

- (a) declares that it has provided Canada with a true and accurate list of all amounts owing to the Government of Canada under legislation or funding agreements which were past due and in arrears at the time of the Recipient's Application for Funding under the Program named in this Agreement;
- (b) agrees to declare any amounts owing to the Government of Canada under legislation or funding agreements which have become past due and in arrears following the date of its Application for Funding;
- (c) recognizes that Canada may recover any amounts referred to in paragraph (a) or (b) that are owing by deducting or setting off such amounts from any sum of money that may be due or payable to the Recipient under this Agreement; and
- (d) declares to use a fair, accountable and transparent process when procuring goods and/or for services in relation to the Project.

8.2 The Recipient declares that any person who has been lobbying on its behalf to obtain the grant that is the subject of this Agreement was in compliance with the provisions of the *Lobbying Act* (R.S.C., 1985, c. 44 (4th Supp.)), as amended from time to time, at the time the lobbying occurred and that any such person to whom the Lobbying Act applies has received, or will receive, no payment, directly or indirectly, from the Recipient that is in whole or in part contingent on obtaining this Agreement.

## 9.0 PROJECT RECORDS

9.1 The Recipient shall keep proper books and records of the grant received and of all expenditures made using the grant relating to the Project.

9.2 The Recipient shall retain the books and records referred to in section 9.1 for a period of three (3) years following the Project Period.

9.3 During the period of the project as well as the period referred to in section 9.2, the Recipient shall give access to its files, books and records related to the project, upon request and within a reasonable time, to representatives of Canada for the purpose of verifying the use of the grant and compliance with the terms and conditions of this Agreement. The Recipient shall permit Canada's representatives to take copies and extracts from such books and records. The Recipient shall also provide Canada with such additional information as Canada may require with reference to such books and records.

## 10.0 INQUIRY BY THE AUDITOR GENERAL OF CANADA

10.1 If, during the Project Period or within the period referred to in 9.2, the Auditor General of Canada, in relation to an inquiry conducted under subsection 7.1(1) of the *Auditor General Act* (R.S.C., 1985, c. A-17), requests that the Recipient provide him or her with any records, documents or other information pertaining to the utilization of the funding provided under this Agreement, the Recipient shall provide the records, documents or other information within such period of time as may be reasonably requested in writing by the Auditor General of Canada. (Not applicable to municipalities or other recipients excluded by the application of the Act)

## 11.0 REPORTING

11.1 The Recipient shall submit to Canada, a complete final report acceptable to Canada that outlines the results of the Project within thirty (30) days following the Project Period.

## 12.0 CONTINUOUS ELIGIBILITY

12.1 The Recipient must, during the Project Period, continue to meet the eligibility requirements of the Program named in this Agreement which were effective upon signature of the agreement. As such, the Recipient agrees to promptly notify Canada should a change in the Recipient's status or a change in Project activities result in the Project no longer meeting the eligibility criteria of the Program which were effective upon signature of this Agreement.

## 13.0 EVALUATION

13.1 The Recipient recognizes that Canada is responsible for the evaluation of the Program named in this Agreement. The Recipient agrees to cooperate with Canada for the duration of the Project and within a period of three (3) years thereafter by providing access to the information required to carry out the evaluation.



## 14.0 TERMINATION OF AGREEMENT

### *Termination for Default*

14.1 (1) The following constitute Events of Default:

- (a) the Recipient becomes bankrupt, has a receiving order made against it, makes an assignment for the benefit of creditors, takes the benefit of a statute relating to bankrupt or insolvent debtors or an order is made or resolution passed for the winding up of the Recipient (section 14.1(1)(a) not applicable to municipalities or school boards);
- (b) the Recipient ceases to operate (section 14.1(1)(a) not applicable to municipalities or school boards);
- (c) the Recipient is in breach of the performance of, or compliance with, any provision of this Agreement;
- (d) the Recipient, in support of its Agreement, has made materially false or misleading representations, statements or declarations, or provided materially false or misleading information to Canada; or
- (e) in the opinion of Canada, the risk in the Recipient's ability to complete the Project has changed substantially and unfavorably.

(2) If

- (a) an Event of Default specified in paragraph (1)(a) or (b) occurs (section 14.1(1)(a) not applicable to municipalities or school boards); or
- (b) an Event of Default specified in paragraphs (1)(c), (d) or (e) occurs and has not been remedied within thirty (30) days of receipt by the Recipient of written notice of default or within such longer period as Canada may specify, or a plan satisfactory to Canada to remedy such Event of Default has not been put into place within such time period

Canada may terminate the Agreement immediately by written notice. Effective on that date, Canada has no more obligations to pay any remaining instalments of the grant as specified in the Agreement.

(3) Pursuant to paragraph 14.1 (2)(b), Canada may suspend payment of any further instalment of the grant under this Agreement.

(4) The fact that Canada refrains from exercising a remedy it is entitled to exercise under this Agreement shall not be considered to be a waiver of such right and, furthermore, partial or limited exercise of a right conferred upon Canada shall not prevent Canada in any way from later exercising any other right or remedy under this Agreement or other applicable law.

14.2 Either Parties may also terminate this Agreement at any time without cause upon not less than ninety (90) days written notice of intention to terminate.

## 15.0 REPAYMENT REQUIREMENTS

15.1 (1) When a written notice is provided by either one of the Parties pursuant to section 7 or section 14:

- (a) the Recipient must not make any new commitment related to the project which may generate eligible expenditures and must cancel any ongoing commitments, or where possible, reduce the amount of such expenditures arising from any commitment; and
- (b) all eligible expenditures incurred by the Recipient up to the date of termination will be paid by Canada, including direct costs and incidentals related to the cancellation of obligations of the Recipient for the termination of the agreement; a payment or a reimbursement will be made under this paragraph only if it has been demonstrated to the satisfaction of Canada that the Recipient has actually incurred the expenses and they are reasonable and related to the termination of the agreement.

(2) If this Agreement is terminated by the Recipient in accordance with section 14.2, the latter shall reimburse Canada the unused grant funds in its possession or under its control within thirty (30) days.

15.2 Notwithstanding section 15.1, if the Agreement is terminated under section 14.1 by Canada because the Recipient uses the grant for a purpose or expenditures not agreed upon under this Agreement, Canada may in addition to the rights conferred upon it under this Agreement or in law or in equity, demand from the Recipient the repayment of the grant funds that were used by the Recipient for purposes other than the Project or used for costs that were not Eligible Expenditures.

15.3 If Canada demands the repayment of any part of the grant pursuant to section 15.1 or section 15.2, the amount demanded shall be deemed to be a debt due and owing to Canada and the Recipient shall pay the amount to Canada immediately unless Canada directs otherwise.





15.4 Interest shall be charged on overdue repayments owing under this Agreement in accordance with the *Interest and Administrative Charges Regulations (SOR/96-188)* (the "Regulations") made pursuant to the *Financial Administration Act (R.S.C., 1985, c. F-11)*. Interest is calculated and compounded monthly at the "average bank rate", within the meaning of such expression as contained in the Regulations, plus three per cent (3%) during the period beginning on the due date specified in the notice to repay and ending on the day before the day on which payment is received by Canada.

## 16.0 INDEMNIFICATION

16.1 The Recipient shall, both during and following the Project Period, indemnify and save Canada harmless from and against all claims, losses, damages, costs, expenses and other actions made, sustained, brought, threatened to be brought or prosecuted, in any manner based upon, occasioned by or attributable to any injury or death of a person, or loss or damage to property caused or alleged to be caused by any wilful or negligent act, omission or delay on the part of the Recipient or its employees or agents in connection with anything purported to be or required to be provided by or done by the Recipient pursuant to this Agreement or done otherwise in connection with the implementation of the Project. It is understood that Canada cannot claim compensation under this section in case of accident, loss or damage caused by Canada or its employees.

## 17.0 RELATIONSHIP BETWEEN THE PARTIES AND NON-LIABILITY OF CANADA

17.1 The management and supervision of the Project are the sole and absolute responsibility of the Recipient. The Recipient is not in any way authorized to make a promise, agreement or contract on behalf of Canada. This Agreement is a funding agreement only, not a contract obtaining services or a contract of service or employment. Canada's responsibility is limited to providing financial assistance to the Recipient in support of the Project. The parties hereto declare that nothing in this Agreement shall be construed as creating a partnership, an employer-employee, or agency relationship between them. The Recipient shall not represent itself as an agent, employee or partner of Canada.

17.2 Nothing in this Agreement creates any undertaking, commitment or obligation by Canada respecting additional or future funding of the Project beyond the Project Period, or that exceeds the amount of Canada's funding as indicated in the Agreement. Canada shall not be liable for any loan, capital lease or other long-term obligation which the Recipient may enter into in relation to carrying out its responsibilities under this Agreement or for any obligation incurred by the Recipient toward another party in relation to the Project.

## 18.0 CONFLICT OF INTEREST

18.1 No current or former public servant or public office holder to whom the *Conflict of Interest Act (S.C. 2006, c. 9, s. 2)*, the *Policy on Conflict of Interest and Post-Employment* or the *Values and Ethics Code for the Public Sector* applies shall derive a direct benefit from the Agreement unless the provision or receipt of such benefit is in compliance with the said legislation or codes.

18.2 No member of the Senate or the House of Commons shall be admitted to any share or part of the Agreement or to any benefit arising from it that is not otherwise available to the general public.

## 19.0 INFORMING CANADIANS OF THE GOVERNMENT OF CANADA'S FUNDING

19.1 The Recipient shall allow Canada sixty (60) days from the date of signature of the Agreement to announce the Project. The parties will collaborate for the first public announcement of the project, including all communication, event or ceremony used to promote the project. The time, place and agenda for such communication activities must be appropriate for Canada.

19.2 To enable Canada's participation in any subsequent communications activities about the project the Recipient will inform Canada no later than twenty (20) calendar days preceding such communication activities.

19.3 The Recipient shall ensure that all communication activities, publications and advertising (including on social media or websites) relating to the project include the recognition of Canada's financial assistance to the satisfaction of Canada.

## 20.0 ACCESS TO INFORMATION

20.1 The Recipient acknowledges that Canada is subject to the *Access to Information Act (R.S.C., 1985, c. A-1)*, and information obtained by Canada pertaining to this Agreement may be disclosed by Canada to the public upon request under the aforementioned act.

## 21.0 PROACTIVE DISCLOSURE

21.1 The Recipient acknowledges that the name of the Recipient, the amount of Canada's funding and the general nature of the Project may be made publicly available by Canada in accordance with the Government of Canada's commitment to proactively disclose the awarding of grants and contributions.



## 22.0 NOTICES

22.1 Any notices to be given and all reports, information, correspondence and other documents to be provided by either party under this Agreement shall be given or provided by personal delivery, mail, courier service, fax or email to the postal address, fax number or email address, as the case may be, of the receiving party. If there is any change to the postal address, fax number or email address or contact person of a party, the party concerned shall notify the other in writing of the change as soon as possible.

22.2 Notices, reports, information, correspondence and other documents that are delivered personally or by courier service shall be deemed to have been received upon delivery, or if sent by mail five (5) working days after the date of mailing, or in the case of notices and documents sent by fax or email, one (1) working day after they are sent.

## 23.0 ASSIGNMENT OF THE AGREEMENT

23.1 The Recipient shall not assign this Agreement or any part thereof without the prior written consent of Canada.

## 24.0 SUCCESSORS AND ASSIGNS

24.1 This Agreement is binding upon the parties and their respective successors and assigns.

## 25.0 COMPLIANCE WITH LAWS

25.1 This Agreement shall be governed by and interpreted in accordance with the applicable laws of the province or territory where the Project will be performed. The parties agree that the Court of the province or territory where the Project will be performed is competent to hear any dispute arising out of this agreement.

25.2 The Recipient shall carry out the Project in compliance with all applicable laws, by-laws and regulations, including any environmental legislation and any legislation regarding protection of information and privacy. The Recipient shall obtain, prior to the commencement of the Project, all permits, licenses, consents and other authorizations that are necessary to the carrying out of the Project.

## 26.0 AMENDMENT

26.1 This Agreement may be amended, with respect to applicable laws, by mutual consent of the parties. To be valid, any amendment to this Agreement shall be in writing and signed by the parties.

## 27.0 UNINCORPORATED ASSOCIATION

27.1 If the Recipient is an unincorporated association, it is understood and agreed by the persons signing this Agreement on behalf of the Recipient that in addition to signing this Agreement in their representative capacities on behalf of the members of the Recipient, they shall be personally, jointly and severally liable for the obligations of the Recipient under this Agreement, including the obligation to pay any debt that may become owing to Canada under this Agreement.

## 28.0 COMMUNICATION WITH THE PUBLIC

28.1 The Recipient shall clearly identify the project's clientele, and shall take the appropriate steps to communicate with the target audience

## 29.0 AGREEMENT WITHOUT PREJUDICE [clause applicable only in Québec]

29.1 This Agreement is without prejudice to discussions underway between the Quebec Government and Canada for the purpose of establishing new standard agreements for the application of *An Act respecting the Ministère du Conseil exécutif* (CQLR, chapter M-30) in regards to Funding Agreements related to the programs of the Department of Employment and Social Development.

### SECTION C Schedule A - Project Description and Signatures (to be completed by ESDC)

Common System for Grants and Contributions (CSGC) File Number: 1592224

Project Title: Renovations to improve accessibility at the Glengarry Nor Wester's &

Program Name: Enabling Accessibility Fund - Grants

This Application is: ☒ Approved ☐ Not Approved

Grant Amount:



Amount Requested: \$ 55000

Amount Approved: \$ 16510

**Project description and Budget adjustments:**

**Activities:**

The project consists of building an accessible washroom.

**Budget:**

The amount recommended and approved was reduced to match the estimate provided.

**Other Conditions:**

Does not apply to this project

**Specific Obligations Related to the Project:**

i.e.: publication or research, or other tool printed or published in both languages.

**Project Period:**

From: 2019/02/01

To: 2020/01/31

**Payment Method:**

Number of Installment(s): 1

1<sup>st</sup> Installment Amount: \$ 16510

1<sup>st</sup> Installment Date: 2019/02/01

Date of Approval: 2018/12/12

**Canada signing authority on behalf of the Minister of Employment and Social Development**

 2019-01-17  
\_\_\_\_\_  
CANADA



**FOR THE RECIPIENT (to be completed by the recipient)**

- I certify that I have the capacity and that I am authorized to sign the Articles of Agreement of this grant on behalf of the "Recipient" organization;
- I have read, understand and agree to these Articles of Agreement and I agree that once approved and signed by both parties, these Articles of Agreement will be effective immediately and shall constitute a legally binding agreement.

\_\_\_\_\_  
Signatory Name (please print)

\_\_\_\_\_  
Title (please print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date (yyyy-mm-dd)

\_\_\_\_\_  
Signatory Name (please print)

\_\_\_\_\_  
Title (please print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date (yyyy-mm-dd)

\_\_\_\_\_  
Signatory Name (please print)

\_\_\_\_\_  
Title (please print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date (yyyy-mm-dd)



## **STAFF REPORT**

**S.R. No. 17-2019**

**PREPARED BY:** Joanne Haley, GM Community Services

**PREPARED FOR:** Council of the Township of South Glengarry

**COUNCIL DATE:** February 4, 2019

**SUBJECT:** 1799190 Ontario Inc. Zoning Amendment

### **BACKGROUND:**

#### **Site Location:**

1. Part of Lot 11, Concession 1, Front, Parts 1 & 2 on Reference Plan 14R2241 in the geographic Township of Charlottenburgh, now in the Township of South Glengarry, County of Glengarry also known as 19274 County Road 2.

#### **Owner/Applicant:**

2. 1799190 Ontario Inc. – William Lang

#### **Description of Site and Surroundings:**

3. The subject property is located on south side of County Road 2. It is 0.31 acres in size and serviced by a holding tank.
4. The site is currently developed and contains a structure that was previously used as a restaurant on the main floor with 2 residential apartment units on the upper floor and western end of the structure.
5. The surrounding lands are characterized as single family homes to the north, east and the west with the St. Lawrence River on the south side.

#### **Summary of Requested Zoning Proposal:**

6. On November 26, 2018 the Township accepted the zoning amendment application. The application was deemed complete on December 4th, 2018. The purpose of this Amendment is to rezone the subject property from General Commercial (CG) & Flood Plain-Holding (FP-H) to Residential Four (R4) & Flood



Plain (FP) - Exception 2 to permit an Apartment with a maximum of 4 units on private services with a maximum lot coverage of 40%.

7. The Building Department reviewed the information pertaining to the existing holding tank that currently services the site. This information was provided to the Township with a building permit application. Following the review it was determined that the holding tank can adequately service the proposed use.

## **ANALYSIS:**

### **Planning Rationale:**

#### **Provincial Policy Statement**

8. The Planning Act requires that all Township planning decisions be consistent with the Provincial Policy Statement (PPS) 2014, a document that provides further policies on matters of Provincial interest related to land use development. This recommended Zoning By-law Amendment is considered to be consistent with the matters of Provincial interest as outlined in the Planning Act and is in keeping with the PPS, specifically section 1.0 Building Strong and Healthy Communities, subsection 1.1.3. Settlement Areas and 1.4 Housing. The PPS encourages municipalities to provide an appropriate range and mix of housing types.

### **Official Plan Designation:**

9. The subject property is designated Rural Settlement Area.
10. Section 3.5 of the Official Plan permits low and medium density housing in keeping with the character and scale of the area. This proposed zoning amendment conforms to this section; however, the subject property is located within a Natural Hazard area.
11. Section 6.2 of the Official Plan – Natural Hazards, requires development to be directed away from lands or areas that are hazardous or susceptible to hazards including flooding, erosion, slope failure, unstable soils or unstable bedrock. The subject property is located within the flood erosion hazard.
12. Table 6.1 of the Official Plan identifies prohibited uses within a Natural Hazard area. A change in land use where development cannot be accommodated outside of the hazardous area is prohibited. The subject property is currently



being used only for residential purposes despite the General Commercial zone. Residential units have been located within the existing structure for many years, therefore a new land use is not being proposed, it is being expanded, and the commercial use is proposed to be eliminated.

### **Zoning By-law:**

13. The subject property is currently zoned General Commercial and Flood Plain Holding in the Township's Zoning By-Law 38-09.
14. The Township's Zoning By-Law 38-09 conforms to the United Counties Official Plan and is consistent with the Provincial Policy Statement (PPS), 2014.

### **Public Consultation:**

15. The proposed Amendment was circulated to the neighbouring property owners within 120 metres of the proposed site and the Raisin Region Conservation Authority (RRCA); it was also advertised in the Glengarry News. A public meeting was held on January 21, 2019. There were members of the public in attendance at the meeting but no verbal comments were provided nor were any written comments from the public received before or after the public meeting. The RRCA provided written comments dated January 21, 2019 (see attached). The RRCA does not support the requested zoning by-law amendment.
16. The Ontario Planning Act requires all complete zoning Amendment applications to be processed and a decision to be made within 150 days of receipt of a complete application. This process will be completed within the prescribed timeframe as a decision will be made on day 48.
17. This proposed Zoning By-law amendment is being recommended to be approved by Council, as it is consistent with the PPS, 2014 and it conforms to the United Counties Official Plan.
18. Council also has the option to defer the application. Applications may be deferred if Council requires additional information, further staff review, or for other reasons. Should Council wish to defer the application, reasons for the deferral and direction to Staff will be required so that Staff can prepare an updated Staff Report for future consideration.
19. 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.

**ALIGNMENT WITH STRATEGIC PLAN:**

N/A

**IMPACT ON 2019 BUDGET:**

N/A

**RECOMMENDATION:**

BE IT RESOLVED THAT Staff Report 17-2019 be received and By-law 09-2019, being 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 11, Concession 1, Front, Parts 1 & 2 on Reference Plan 14R-2241 in the geographic Township of Charlottenburgh, now in the Township of South Glengarry, County of Glengarry also known as 19274 County Road 2 be rezoned from General Commercial (CG) & Flood Plain-Holding (FP-H) to Residential Four (R4) & Flood Plain (FP) - Exception 2 to permit an apartment with a maximum of 4 units on private services with a maximum lot coverage of 40%. The Council of the Township of South Glengarry confirms that the agency comments received on this application were carefully reviewed and considered, however there was no effect on the decision.

Recommended to Council for  
Consideration by:  
KELLI CAMPEAU - CLERK



**SG-G-19**

**THE CORPORATION OF THE  
TOWNSHIP OF SOUTH GLENGARRY  
BY-LAW 09-2019  
FOR THE YEAR 2019**

***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, the 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 11, Concession 1, Front, Parts 1 & 2 on Reference Plan 14R2241 in the geographic Township of Charlottenburgh, now in the Township of South Glengarry, County of Glengarry also known as 19274 County Road 2, as indicated on Schedule "A" attached hereto and forming part of this by-law.
2. **THAT** the property located at Part of Lot 11, Concession 1, Front, Parts 1 & 2 on Reference Plan 14R2241 in the geographic Township of Charlottenburgh, now in the Township of South Glengarry, County of Glengarry also known as 19274 County Road 2 be rezoned from General Commercial (CG) & Flood Plain-Holding (FP-H) to Residential Four (R4) & Flood Plain (FP) - Exception 2 to permit an Apartment with a maximum of 4 units on private services with a maximum lot coverage of 40%.
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 4TH DAY OF FEBRUARY, 2019.***

**MAYOR:**

**CLERK:**

**BY-LAW 09-2019**  
**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 General Commercial (CG) & Flood Plain-Holding (FP-H) to Residential Four (R4) & Flood Plain (FP) - Exception 2 to permit an Apartment with a maximum of 4 units on private services with a maximum lot coverage of 40%.

**Schedule “A”**



Lands to be zoned to  
Residential Four (R-4) and  
Flood Plain (FP) Exception  
2.

**This is Schedule “A” to By-law 09-2019  
Adopted this 4th day of February, 2019**

**Township of  
South Glengarry**

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Clerk**



## Raisin Region Conservation Authority

18045 County Road 2, P.O. Box 429, Cornwall, ON K6H 5T2

Tel: 613-938-3611 Fax: 613-938-3221 [www.rrca.on.ca](http://www.rrca.on.ca)

January 21, 2019

Joanne Haley  
Secretary-Treasurer,  
Committee of Adjustment  
Township of South Glengarry  
6 Oak Street  
P.O. Box 220  
Lancaster, ON K0C 1N0

**SUBJECT:     Zoning Amendment  
                 19274 County Road 2  
                 Pt Lot 11, Concession 1 Front  
                 Township of South Glengarry  
                 (Formerly Charlottenburgh)  
                 RRCA File No. Z-08-18**

Dear Ms. Haley,

The Raisin Region Conservation Authority (RRCA) has reviewed the above noted file. The applicant proposes to rezone Parts 1 & 2 on Reference Plan 14R-2241, Geographic Township of Charlottenburgh, in the Township of South Glengarry, formerly known as the Dimitri's Restaurant property.

The following information is known:

- The entire parcel of property is located within an erosion hazard area and partially within a flood hazard area.
- The intent is to rezone from General Commercial (CG) and Floodplain Holding (FP-H) to Residential Four (R4) and Floodplain Exception 2 to permit an apartment with a maximum of 4 residential units on private services with a maximum lot coverage of 40%.



**Raisin Region  
Conservation Authority**

- The existing zoning of General Commercial does allow for one residential use within the existing structure (upper floor or rear dwelling unit).
- According to the Official Plan for the United Counties of Stormont, Dundas and Glengarry Section 6.2 Natural Hazard, 6.2.1 Scope of Uses, *"Table 6.1 shall be used to determine the scope of prohibited uses in hazardous lands adjacent to listed waterways. Generally, no development will be permitted within the Natural Hazard Limit except for flood or erosion control structures, shoreline stabilization, water intake facilities and marine structures such as docks and boathouses. Legally existing buildings or structures will be encouraged to relocate outside of the flood plain or away from other hazardous lands wherever feasible. In the case of land redevelopment, structures may be required to relocate outside of the hazard area. Redevelopment may be required to locate outside of the flood plain in some cases."*
  - According to the Official Plan for the United Counties of Stormont, Dundas and Glengarry Official Plan, Table 6.1 Natural Hazards & Development Standards, **under Prohibited Uses, "a change in land use where development cannot be accommodated outside the natural hazard (s)" is prohibited.** Furthermore, Table 6.1 indicates that the natural hazard limit is *"30 m setback from a stable slope allowance or the regulatory flood elevation (47.7 m-47.3 m GSC) whichever is greater."*
  - A Zoning Amendment is specifically a change in land use.
- The subject property has historically been serviced by a holding tank.
  - According to the Township of South Glengarry, the applicant has submitted updated information by Goulet Septic Pumping & Design Inc. examining the feasibility and the capacity of the tanks for multi-residential use.
  - Holding Tanks are not ideal from an environmental standpoint, especially within a reduced natural hazard setback. Historically holding tanks have been known to overflow and/or have disconnected overflow alarms. In addition, intentional punctures and unintentional holes to the tank have historically created direct discharge and environmental degradation to local watersheds.
- The objective of the Authority in regulating reconstruction projects is to allow for the continued use of existing buildings in hazard susceptible areas, while ensuring that the risk of flood and erosion damage to buildings and their contents and the risk to public safety are not increased. Public safety risk is a function of the occupancy of structures in flood and erosion susceptibility areas. Risk are generally controlled by limiting the size (and thereby limiting the occupancy) of additions or reconstruction projects in dangerous or inaccessible portions of the natural hazard area. In short, increasing the residential units is deemed as aggravating or increasing the hazard.
  - As well as coinciding with the SDG official Plan natural hazard policies, the RRCA Policies coincide with Section 3.0 (Protecting Public Health and Safety) of the 2014 Provincial



**Raisin Region  
Conservation Authority**

*Policy Statement. "Ontario's long-term prosperity, environmental health and social well-being depend on reducing the potential for public cost or risk to Ontario's residents from natural or humanmade hazards. Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards".*

The applicant is proposing not only a new residential zone on an undersized lot completely located within a hazard area, but several residential units in a hazard area.

In conclusion, the RRCA respectfully requests that the subject property remain General Commercial. The change in land use is not permissible according the Official Plan for SDG, the 2014 PPS, and the natural hazard policies of the RRCA.

Should you have any question, please feel free to contact the undersigned.

Sincerely,

**RAISIN REGION CONSERVATION AUTHORITY**

A handwritten signature in blue ink, appearing to read 'Kim MacDonald', written over the printed name.

Kimberley MacDonald  
Watershed Planner



## **STAFF REPORT**

**S.R. No. 18-2019**

**PREPARED BY:** Joanne Haley, GM Community Services

**PREPARED FOR:** Council of the Township of South Glengarry

**COUNCIL DATE:** February 4, 2019

**SUBJECT:** Gordon Zoning Amendment

### **BACKGROUND:**

#### **Site Location:**

1. The subject property is legally described as Part of Lot C, Concession 1, SSRR in the former Township of Charlottenburgh, now in the Township of South Glengarry, County of Glengarry also known as 19984 Loyalist Road.

#### **Owner/Applicant:**

2. Larry & Pamela Gordon.

#### **Description of Site and Surroundings:**

3. The subject property is located on the south side of Loyalist Road. It is 0.8 acres in size and serviced by a septic system and a well.
4. The site is currently developed and contains a single detached dwelling and a detached garage. The surrounding lands are characterized as single family homes to the east and the west fronting on Loyalist Road with large agricultural parcels of land to the south and Loyalist Road and the Raisin River to the north.

#### **Summary of Requested Zoning Proposal:**

5. On December 18, 2018 the Township accepted the zoning amendment application. The application was deemed complete on December 19, 2018. The purpose of this application is to rezone the subject property from Agriculture (AG) & Natural Hazard (NZ) to Agriculture (AG) & Natural Hazard (NZ) - Exception 20 to reduce the Natural Hazard Zone and to increase the Agriculture zone on a





portion of the subject property to permit a residential addition to the existing detached dwelling. Dwellings are not permitted in a Natural Hazard zone therefore an addition to an existing dwelling would not be permitted.

6. Prior to submitting the Zoning Amendment application, the property owner pre-consulted with the Raisin Region Conservation Authority (RRCA) and the Township to determine what area of the subject property was zoned Natural Hazard.
7. In order to determine the elevation of the property and, if it is in fact located within the Natural Hazard (floodplain) area, the property owner commissioned a topographical survey from a qualified Ontario Land Surveyor (OLS).
8. The survey was submitted to the RRCA for review and it revealed that a significant portion of the subject property was not within the Natural Hazard Area, therefore a Zoning Amendment application could be supported to reduce the Natural Hazard zone and increase the Agricultural zoning on the property which permits a residential use.

## **ANALYSIS:**

### **Planning Rationale:**

#### **Provincial Policy Statement**

9. The Planning Act requires that all Township planning decisions be consistent with the Provincial Policy Statement (PPS), 2014, a document that provides further policies on matters of Provincial interest related to land use development.
10. This recommended Zoning By-law amendment is considered to be consistent with the matters of Provincial interest as outlined in the Planning Act and is in keeping with the PPS, 2014, specifically section 3.0 Protecting Public Health and Safety, subsection 3.1. Natural Hazard Area.
11. The PPS directs development outside of hazardous land and hazardous site. Because the topographical survey revealed that the portion of the subject property with the proposed additional is no longer located within the Natural Hazard area, this application is consistent with the PPS.





## Official Plan Designation

12. The subject property is located within the Agricultural Resource designation. This property is an existing lot of record.
13. This zoning amendment application conforms to the Official Plan and conforms to the Agricultural Resource Lands. Section 5.2 of the Official Plan permits existing dwellings and dwellings on lots that were created by Consent.

## Zoning By-Law:

14. The subject property is currently zoned Agriculture and Natural Hazard in the Township's Zoning By-Law 38-09.
15. The Township's Zoning By-Law 38-09 conforms to the United Counties Official Plan and is consistent with the PPS, 2014.

## Public Consultation:

16. The proposed amendment was circulated to the neighbouring property owners within 120 metres of the proposed site and the RRCA. It was also advertised in the Glengarry News.
17. A public meeting was held on January 21, 2019. There were members of the public in attendance at the meeting but no verbal comments were provided nor were any written comments from the public received before or after the public meeting. The RRCA provided written comments dated January 22, 2019. The comments can be summarized as they have no objection to the proposed zoning amendment and addition to the existing dwelling (see attached).
18. The Ontario Planning Act requires all complete Zoning Amendment applications to be processed and a decision to be made within 150 days of receipt of a complete application. This process will be completed within the prescribed timeframe as a decision will be made on day 48.
19. This proposed Zoning By-law amendment is being recommended to be approved by Council as it is consistent with the PPS, 2014 and it conforms to the United Counties Official Plan. The proposed amendment is appropriate for the subject property as the proposed addition will not be negatively impacted by the Natural Hazard area.



20. Council also has the option to defer the application. Applications may be deferred if Council requires additional information, further staff review, or for other reasons. Should Council wish to defer the application, reasons for the deferral and direction to Staff will be required so that Staff can prepare an updated Staff Report for future consideration.

21. 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.

**ALIGNMENT WITH STRATEGIC PLAN:**

N/A

**IMPACT ON 2019 BUDGET:**

N/A

**RECOMMENDATION:**

BE IT RESOLVED THAT Staff Report 18-2019 be received and By-law 10-2019 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 C, Concession 1, SSRR in the former Township of Charlottenburgh, now in the Township of South Glengarry, County of Glengarry also known as 19984 Loyalist Road be rezoned from Agricultural (AG) & Natural Hazard (NZ) to Agricultural (AG) & Natural Hazard (NZ) - Exception 20 to reduce the Natural Hazard Zone and to increase the Agriculture zone on a portion of the subject property to permit a residential addition to the existing single detached dwelling. 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.

Recommended to Council for  
Consideration by:  
KELLI CAMPEAU - CLERK

**SG-G-19**

**THE CORPORATION OF THE  
TOWNSHIP OF SOUTH GLENGARRY  
BY-LAW 10-2019  
FOR THE YEAR 2019**

***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, the 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 C, Concession 1, SSRR in the former Township of Charlottenburgh, now in the Township of South Glengarry, County of Glengarry also known as 19984 Loyalist Road, as indicated on Schedule “A” attached hereto and forming part of this by-law.
2. **THAT** the property located at Part of Lot C, Concession 1, SSRR in the former Township of Charlottenburgh, now in the Township of South Glengarry, County of Glengarry also known as 19984 Loyalist Road be rezoned from Agriculture (AG) & Natural Hazard (NZ) to Agriculture (AG) & Natural Hazard (NZ) - Exception 20 to reduce the Natural Hazard Zone and to increase the Agriculture zone on a portion of the subject property to permit a residential addition to the existing detached dwelling.
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 4TH DAY OF FEBRUARY, 2019.***

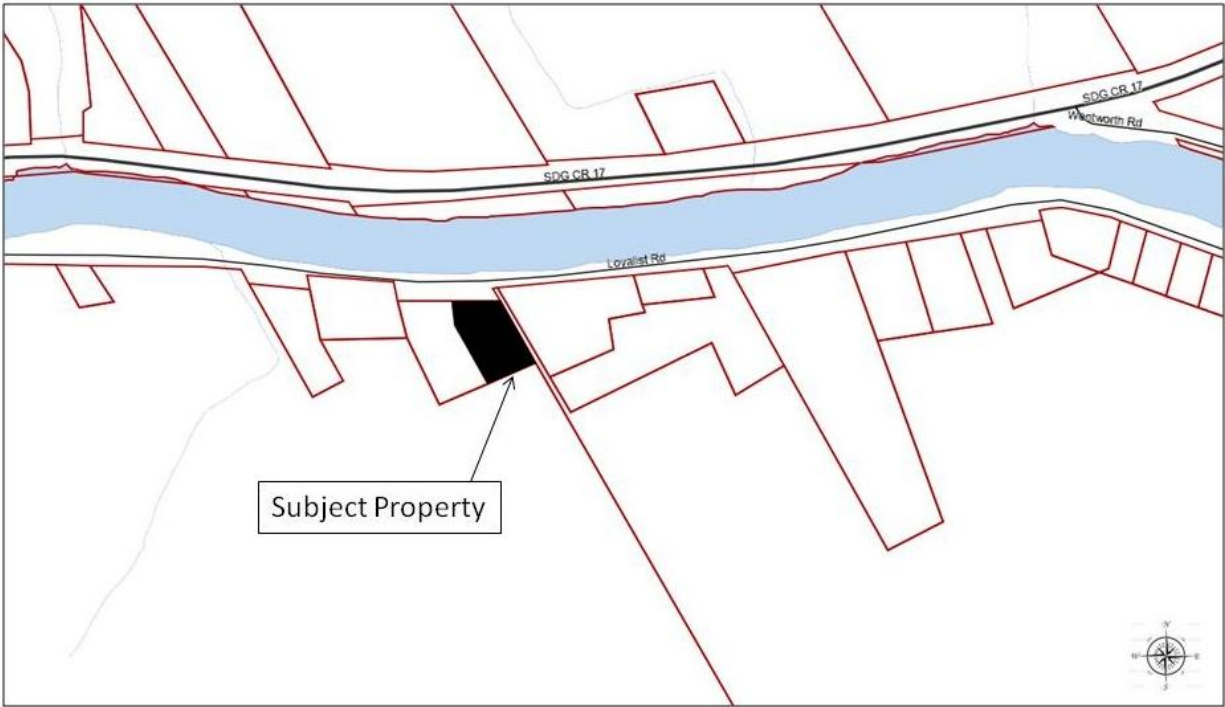
**MAYOR: CLERK:**

**BY-LAW 10-2019**

**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 Agricultural (AG) & Natural Hazard (NZ) to Agricultural (AG) & Natural Hazard (NZ) - Exception 20 to reduce the Natural Hazard Zone and to increase the Agricultural zone on a portion of the subject property to permit a residential addition to the existing detached dwelling.

**Schedule “A”**



Lands to be zoned to  
Agriculture (AG) & Natural  
Hazard (NZ)-Exception 20

**This is Schedule “A” to By-law 10-2019  
Adopted this 4th day of February, 2019**

**Township of  
South Glengarry**

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Clerk**



## Raisin Region Conservation Authority

18045 County Road 2, P.O. Box 429, Cornwall, ON K6H 5T2

Tel: 613-938-3611 Fax: 613-938-3221 [www.rrca.on.ca](http://www.rrca.on.ca)

January 22, 2019

Joanne Haley  
Secretary-Treasurer,  
Committee of Adjustment  
Township of South Glengarry  
6 Oak Street  
P.O. Box 220  
Lancaster, ON K0C 1N0

**SUBJECT:     Zoning Amendment  
                 19984 Loyalist Road  
                 Pt Lot C, Concession 1 SSRR  
                 Township of South Glengarry  
                 (Formerly Charlottenburgh)  
                 RRCA File No. Z-09-2018**

Dear Ms. Haley,

The Raisin Region Conservation Authority (RRCA) has reviewed the above noted file proposing to rezone the subject property from Agricultural (AG) & Natural hazard (NZ), to Agricultural (AG) & Natural Hazard (NZ) – Exception 20. The intent of the application is to reduce the Natural Hazard Zone and increase the Agricultural zone on a portion of the subject property to permit a residential addition to an existing detached dwelling.

The following information is known:

- Raisin Region Conservation Authority Floodline Mapping of the Raisin River (lake St. Francis to St. Andrews) dated May 1981, Map 18 of 25 indicates that historically the majority of the subject property was located below the 1:100-year geodetic flood elevation of 48.8 m.





**Raisin Region  
Conservation Authority**

- The applicant, the Township of South Glengarry, and the RRCA pre-consulted on the above noted proposal. As a result, the applicant also provided up-to-date geodetic elevations by a qualified Ontario Land Surveyor (OLS) to determine the feasibility of rezoning the floodplain.
  - Plan of Survey of Part of East ½ of Lot C Concession 1 S.S.R.R., Geographic Township of Charlottenburgh, Township of South Glengarry, County of Glengarry by Ron M. Jason Surveying Ltd. dated November 20, 2018 was submitted to the RRCA and the Township of South Glengarry for consideration.

Based on the above noted Plan of Survey, the RRCA does not object to the proposed addition and rezoning of the subject property. The existing dwelling, proposed addition, and the access/egress to the subject property are located outside of the 1:100-year geodetic flood elevation.

Please advise the applicant that RRCA Invoice No. INV-287-18, Reference No. 00252-18 dated December 31, 2018 has been forwarded to his attention.

As a final though, please consider the following:

- It is the RRCA's understanding that the existing structure does not have a full basement, whereas the proposed addition located adjacent to the floodplain includes a basement. The RRCA respectfully recommends that the final plans be reviewed and approved by our office for adequate floodproofing measures (i.e. lowest openings, electrical and heating equipment, etc.).
- Section 3.1.3 of the 2014 provincial Policy Statement; Planning *authorities shall consider the potential impacts of climate change that may increase the risk associated with natural hazards.*

Sincerely,

**RAISIN REGION CONSERVATION AUTHORITY**

A handwritten signature in blue ink, appearing to read 'Kimberley MacDonald', written over the printed name.

Kimberley MacDonald  
Watershed Planner



## **STAFF REPORT**

**S.R. No. 19-2019**

**PREPARED BY:** Joanne Haley, GM Community Services

**PREPARED FOR:** Council of the Township of South Glengarry

**COUNCIL DATE:** February 4, 2019

**SUBJECT:** Grant Marion Construction Ltd. Zoning Amendment

### **BACKGROUND:**

1. This staff report supports two Zoning Amendment applications for two properties that are located adjacent to one another in the Glen Walter Urban Settlement Area. File numbers: ZBLW-10-18 & ZBLW-11-18.

### **Site Location:**

2. The two properties now referred to as the subject properties are legally described as Part of Lot 12, Registered Plan No. 101; being Parts 2 and 3 on Reference Plan 14R 6380 located on Glen Walter Park Road, in the geographic Township of Charlottenburgh, now in the Township of South Glengarry, County of Glengarry.

### **Owner/Applicant:**

3. Township of South Glengarry/Grant Marion Construction Ltd.

### **Description of Site and Surroundings:**

4. The subject properties are located on the west side of the newly constructed Glen Walter Park Road. Part 2 on Reference Plan 14R-6380 is 837 square meters in size and Part 3 on the same Reference Plan is 725 square meters in size.
5. The sites are currently vacant, however residential construction is proposed. The surrounding lands are characterized as a combination of semi detached dwellings to the east on Bray Street, a 4-plex located on County Road 2 to the





east, Glen Walter Fire Station to the north, vacant land and the St. Lawrence River to the south and vacant land to the west.

### **Summary of Requested Zoning Proposal:**

6. On December 10, 2018 the Township accepted two Zoning Amendment applications. The applications were deemed complete on December 19, 2018. The purpose of these applications is to rezone the property located on Part 2 of Reference Plan 14R-6380 from Residential Two (R2) to Residential Three Exception 2 (R3-2) to permit the construction of a 3-unit Townhouse and to reduce the rear yard setback from 6 meters to 5.45 meters and to rezone the property located on Part 3 from Residential Two (R2) to Residential Three Exception 3 (R3-3) to permit the construction of a 3-unit Townhouse and to reduce the rear yard setback from 6 meters to 3.4 meters and to increase the lot coverage from 40% to 42%.

### **ANALYSIS:**

#### **Planning Rationale:**

#### **Provincial Policy Statement**

7. The Planning Act requires that all Township planning decisions be consistent with the Provincial Policy Statement (PPS), 2014, a document that provides further policies on matters of Provincial interest related to land use development.
8. These recommended Zoning By-law amendments are considered to be consistent with the matters of Provincial interest as outlined in the Planning Act and with the PPS, 2014, specifically section 1.0 Building Strong Healthy Communities, subsection 1.1.3. Settlement Areas and 1.4 Housing.

#### **Official Plan Designation**

9. The subject property is located within the Urban Settlement Area of Glen Walter and is designated Residential District in the United Counties Official Plan.



10. This zoning amendment application conforms to the Official Plan as Section 3.5 of the Official Plan permits a full range of low, medium and high density residential development in the Residential District.

### **Zoning By-Law:**

11. The subject property is currently zoned Residential Two (R-2) in the Township's Zoning By-Law 38-09.
12. The Township's Zoning By-Law 38-09 conforms to the United Counties Official Plan and is consistent with the PPS, 2014.

### **Public Consultation:**

13. 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.
14. A public meeting was held on January 21, 2019. There were members of the public in attendance at the meeting but no verbal comments were provided nor were any written comments received before or after the public meeting.
15. The Ontario Planning Act requires all complete Zoning Amendment applications to be processed and a decision to be made within 150 days of receipt of a complete application. This process will be completed within the prescribed timeframe as a decision will be made on day 56.
16. These proposed Zoning By-law amendments are being recommended to be approved by Council as it is consistent with the PPS, 2014 and it conforms to the United Counties Official Plan. The proposed amendments are appropriate for the subject properties as the proposed use is compatible with the surrounding land uses and will add a new mix of housing that is currently not available within the Glen Walter area.
17. 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 Staff Report for future consideration.



18. Council also has the option to refuse the applications. Should Council wish to refuse the applications, 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

**ALIGNMENT WITH STRATEGIC PLAN:**

N/A

**IMPACT ON 2019 BUDGET:**

N/A

**RECOMMENDATION:**

BE IT RESOLVED THAT Staff Report 19-2019 be received and By-laws 11-2019 and 12-2019, being by-laws to amend By-law 38-09, the comprehensive Zoning By-Law for the Township of South Glengarry for the properties legally described as Part of Lot 12, Registered Plan No. 101, being Parts 2 and 3 on Reference Plan 14R-6380 located on Glen Walter Park Road, in the geographic Township of Charlottenburgh, now in the Township of South Glengarry, County of Glengarry. The property located on Part 2 of Reference Plan 14R-6380 will be rezoned from Residential Two (R2) to Residential Three Exception 2 (R3-2) to permit the construction of a 3-unit Townhouse and to reduce the rear yard setback from 6 meters to 5.45 meters and the property located on Part 3 will be rezoned from Residential Two (R2) to Residential Three Exception 3 (R3-3) to permit the construction of a 3-unit Townhouse and to reduce the rear yard setback from 6 meters to 3.4 meters and to increase the lot coverage from 40% to 42%. 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.

Recommended to Council for  
Consideration by:  
KELLI CAMPEAU - CLERK

**SG-G-19**

**THE CORPORATION OF THE  
TOWNSHIP OF SOUTH GLENGARRY  
BY-LAW 11-2019  
FOR THE YEAR 2019**

***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, the 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 12, Registered Plan No. 101, being Part 2 on Reference Plan 14R 6380 located on Glen Walter Park Road, in the geographic Township of Charlottenburgh, 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 12, Registered Plan No. 101, being Part 2 on Reference Plan 14R 6380 located on Glen Walter Park Road, in the geographic Township of Charlottenburgh, now in the Township of South Glengarry, County of Glengarry, be rezoned from Residential Two (R2) to Residential Three Exception 2 (R3-2) to permit the construction of a 3 unit Townhouse and to reduce the rear yard setback from 6 meters to 5.45 meters.
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 4th DAY OF FEBRUARY, 2019.***

**MAYOR:**

**CLERK:**

**BY-LAW 11-2019**

**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 Residential Two (R2) to Residential Three- Exception 2 (R3-2) to permit the construction of a 3 unit Townhouse and to reduce the rear yard setback from 6 meters to 5.45meters.

.

**Schedule “A”**



Lands to be zoned to  
Residential Two (R2) to  
Residential Three -  
Exception 2 (R3-2)

**This is Schedule “A” to By-law 11-2019  
Adopted this 4th day of February, 2019**

**Township of  
South Glengarry**

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Clerk**

**SG-G-19**

**THE CORPORATION OF THE  
TOWNSHIP OF SOUTH GLENGARRY  
BY-LAW 12-2019  
FOR THE YEAR 2019**

***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, the 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 12, Registered Plan No. 101, being Part 3 on Reference Plan 14R 6380 located on Glen Walter Park Road, in the geographic Township of Charlottenburgh, 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 12, Registered Plan No. 101, being Part 3 on Reference Plan 14R 6380 located on Glen Walter Park Road, in the geographic Township of Charlottenburgh, now in the Township of South Glengarry, County of Glengarry, be rezoned from subject property from Residential Two (R2) to Residential Three Exception 3 (R3-3) to permit the construction of a 3 unit Townhouse and to reduce the rear yard setback from 6 meters to 3.4 meters and to increase the lot coverage from 40% to 42%.
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 4th DAY OF FEBRUARY, 2019.***

**MAYOR:**

**CLERK:**

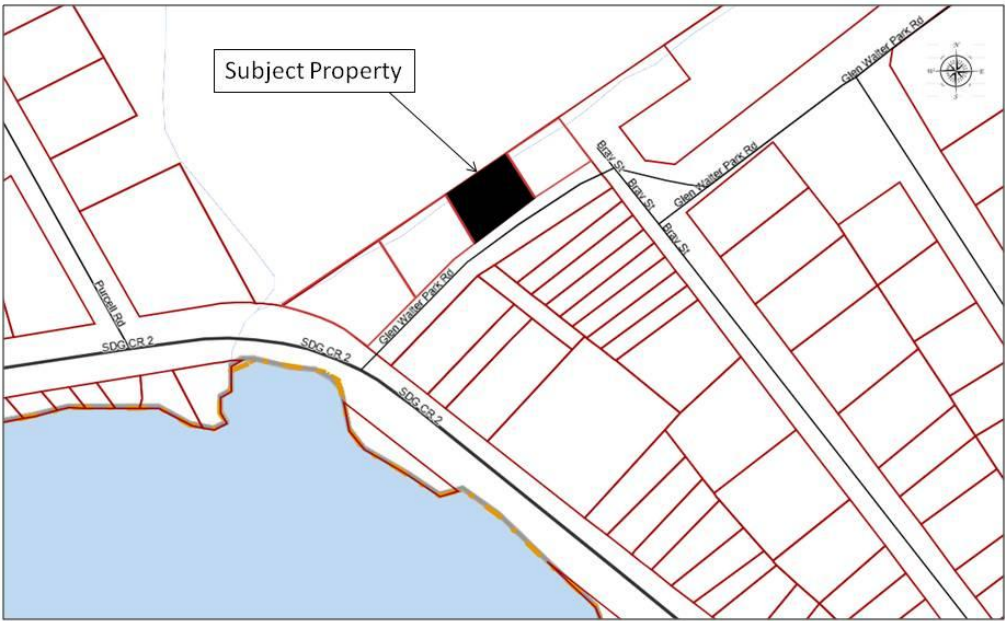
## **BY-LAW 12-2019**

### **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 Residential Two (R2) to Residential Three Exception 3 (R3-3) to permit the construction of a 3 unit Townhouse and to reduce the rear yard setback from 6 meters to 3.4 meters and to increase the lot coverage from 40% to 42%.



**Schedule “A”**



Lands to be zoned to  
Residential Two (R2) to  
Residential Three -  
Exception 3 (R3-3)

**This is Schedule “A” to By-law 12-2019  
Adopted this 4th day of February, 2019**

**Township of  
South Glengarry**

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Clerk**



**CORPORATION OF THE TOWNSHIP OF SOUTH GLENGARRY**

**MOVED BY:** Lyle Warden

**RESOLUTION NO** \_\_\_\_\_

**SECONDED BY** \_\_\_\_\_

**DATE** February 4, 2019

BE IT RESOLVED THAT Council direct Administration to have the median island at the Andrea Drive entrance into Cairn View Estates removed and furthermore, that Administration be directed to prepare a report proposing alternate options for traffic in this area that will accommodate commercial vehicles.

☐ CARRIED

☐ DEFEATED

☐ POSTPONED

\_\_\_\_\_  
Mayor Frank Prevost

Recorded Vote:	Yes	No
Mayor Prevost	_____	_____
Deputy Mayor Warden	_____	_____
Councillor Lang	_____	_____
Councillor Jaworski	_____	_____
Councillor McDonell	_____	_____

## INFORMATION REPORT



**REPORT TO:** Council of the Township of South Glengarry

**MEETING DATE:** February 4, 2019

**SUBJECT:** 2019 Community Improvement Plan Approval

**PREPARED BY:** Shauna Baggs, Economic Development & Tourism Coordinator

The Community Improvement Plan (CIP) program had a successful start in 2018 with the first round of applications. The 2018 budget included \$25,000 for the initial implementation of the CIP program.

Administration is seeking Council direction to start promoting the CIP program prior to the 2019 budget approval. Staff will be requesting \$60,000 total grant funds be available for qualifying applicants in 2019. There will be three application intakes: March 29, June 28 and September 27. If there are remaining funds available a final intake will be announced in November.

## INFORMATION REPORT



**REPORT TO:** Council of the Township of South Glengarry

**MEETING DATE:** February 4, 2019

**SUBJECT:** 2019 Business & Community Awards Gala

**PREPARED BY:** Shauna Baggs, Economic Development & Tourism Coordinator

The Township of South Glengarry hosts a Business & Community Awards Gala to honour individuals, businesses and community groups in the following categories:

- Citizen of the Year
- Business of the Year
- Entrepreneur of the Year
- Excellence in Agriculture
- Community Service Award
- Youth Merit Award

Historically, this event was held on an annual basis during the month of April. However, late in late 2016 it was decided that the event would be held biannually moving forward.

In 2018, the event was re-scheduled to the month of September as the month of April presented challenges with scheduling the event around the Raisin River Canoe Races and Easter holidays.

Administration is seeking Council direction whether to re-instate the annual award ceremony in April/May or keep the event as a bi-annual celebration.



**January 21, 2019**

**MINUTES OF**  
**COMMITTEE OF ADJUSTMENT**

**Township of South Glengarry**

A meeting of the Committee of Adjustment was held at 5:30 pm on January 21, 2019 in the Council Chambers at the municipal building in Lancaster, Ontario.

**Committee Members present were:** Mayor Frank Prevost, Deputy Mayor Lyle Warden, Councillor Stephanie Jaworski, Councillor Martin Lang, Councillor Sam McDonell, Secretary-Treasurer Joanne Haley and Director of Development/CBO- Kevin Lalonde.

**MOVED BY:** Martin Lang

**SECONDED BY:** Frank Prevost

**BE IT RESOLVED THAT** the Committee of Adjustment meeting of January 21, 2019 is hereby called to order.

**CARRIED**

**Meeting was called to order at 5:34 pm**

**Approval of Agenda**

**MOVED BY:** Frank Prevost

**SECONDED BY:** Martin Lang

**BE IT RESOLVED THAT** the Agenda be approved as presented.

**CARRIED**

**Approval of Minutes**

**MOVED BY:** Frank Prevost

**SECONDED BY:** Stephanie Jaworski

**BE IT RESOLVED THAT** the Minutes of the December 18, 2018 be approved as presented.



## **CARRIED**

Members of the public at this meeting were as follows:

Eric Marion- Agent of Applicant- A-28-19

Millie Prevost- Member of the public – A- 28-19

### **No Pecuniary Interest was declared**

#### **Review of Application:**

#### **Application A-28-18 Grant Marion Construction Ltd.**

J Haley provided to the Committee the following information:

- Subject Property:
  - Part of Lot 12, Registered Plan No. 101, being Part 4 on Reference Plan 14R-6380, in the former Township of Charlottenburgh, now in the Township of South Glengarry, County of Glengarry
- Proposed Minor Variance:
  - Part 6.2 - to reduce the Rear Yard Setback from 6 meters to 3.6 meters to construct a semi-detached dwelling.
  - The property is designated Urban Settlement Area- Residential District in the County Official Plan. This application conforms to the general intent of the Official Plan
  - The property is zoned Residential Two- R2. This application conforms to the general intent of the Township's zoning By-Law
  - This application was circulated to applicable municipal staff, Planning and Building have no concerns with this application
  - I have received no formal comments from the public to date

## **Discussion**

There were no questions from the members of the public however Chair Lyle Warden provided comments that the proposed development of a semi detached dwelling is fitting with the surrounding development. Mr. Marion explained the configuration of the lot and the difficulty to create an adequate building envelope therefore a minor variance was inevitably required to accommodate any dwelling due to the lot being very shallow.





**MOVED BY:** Frank Prevost  
**SECONDED BY:** Martin Lang

This application has been **Approved** as the variance is considered minor in nature and desirable for the use of the land. No negative public or agency comments were received on this application, which resulted in a decision to approve the application.

**CARRIED**

Next Meeting date: February 4, 2019 at 6:30 pm

**Adjournment**

**BE IT RESOLVED THAT** the meeting of January 21, 2019 be adjourned to the call of the Chair @ 5:43pm.

**INFORMATION REPORT****REPORT TO: Council of the Township of South Glengarry****MEETING DATE:** February 4, 2019**SUBJECT:** 2018 Building Permit Activity as of December 30th**PREPARED BY: Kevin Lalonde, Director of Development & Chief Building Official**

This report is intended to provide an update in regards to permit activity for the fourth quarter of 2018.

The table below shows issued permits from January 1<sup>st</sup> to December 30<sup>th</sup> for the current year and a comparison to the previous 3 years for the same period.

For Period Ending December 30 Construction Class	Issued Permits			
	2015	2016	2017	2018
Institutional	8	10	8	4
Commercial	10	7	8	8
Agricultural	15	17	22	16
Residential				
New Dwelling	30	43	23	26
Addition/Renovation	59	67	71	63
Accessory Buildings & Other	26	32	49	31
Wood Stove	1	7	5	4
Demolition	15	22	18	29
On-Site Sewage Systems	40	52	32	32
Temporary Buildings / Tents	0	*	*	15
Swimming Pool	11	19	16	18
<b>TOTAL</b>	215	276	252	246
<b>Total Construction Value</b>	\$20,709,790	\$17,550,581	\$21,078,836	\$18,474,989
<b>Total Permit Fees</b>	\$241,109	\$237,547	**\$268,407	\$218,485
<b>Total Permit Applications</b>	296	318	282	263
<b>Building Code Act Orders Issued</b>	37	43	55	45

\* Issued Tent Permits for 2016 & 2017 are included in applicable other Construction Class for the respective year.

\*\*Revised total due to correction made by Corporate Services subsequent to 2017 Community Services Annual Report on Permit Revenues, Expenses & Stabilization Reserve Fund.

As always, I would be willing to present further information if requested to do so.



## INFORMATION REPORT

**REPORT TO:** Council of the Township of South Glengarry



**MEETING DATE:** February 4, 2019

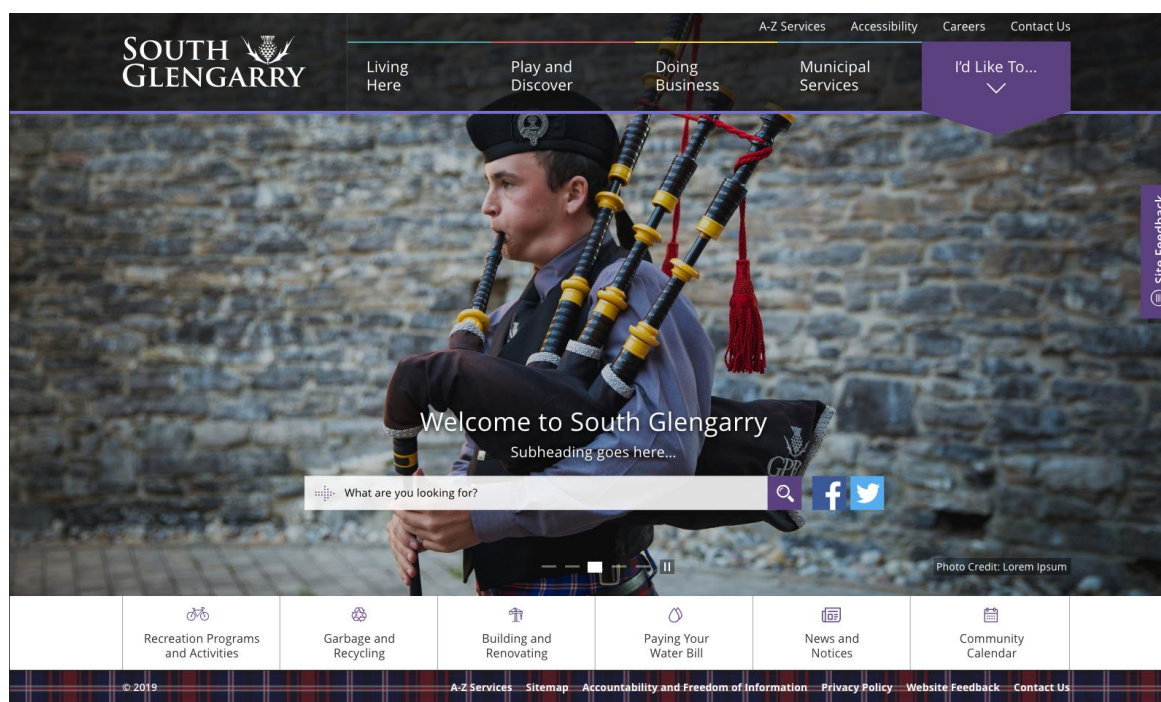
**SUBJECT:** Website Refresh - Coming Soon!

**PREPARED BY:** Kelli Campeau, Clerk

In the Fall of 2018 Administration recognized a need to improve the accessibility of our website during an audit of our compliance with related legislation. Additionally, it was determined that an overall 'refresh' of the website was necessary, as it has been at least 5 years since there have been any significant upgrades to our website and its overall look/design.

It was determined that our current website provider could undertake such a project in the most cost-effective and timely manner by upgrading our current website as opposed to starting from scratch with a new site. The City of Cornwall and Township of North Glengarry have both recently taken this approach to updating their respective websites over the last year with the same web provider.

We are working closely with the web team in developing what will be a sharp, clear and mobile-friendly upgrade to our site, which we anticipate will be ready to launch in April. Stay tuned!



## INFORMATION REPORT

**REPORT TO:** Council of the Township of South Glengarry



**MEETING DATE:** February 4, 2019

**SUBJECT:** LPAT Decision- Zoning Amendment Application,  
Glen Walter

**PREPARED BY:** Joanne Haley, GM Community Services

On July 25<sup>th</sup>, 2018, an LPAT hearing was held in the office of the Township of South Glengarry to hear a zoning amendment application for a vacant property located in Glen Walter along the south side of County Road 2.

The zoning amendment was approved in part by the LPAT. The subject property is now zoned Residential One- Exception 11- Holding. The purpose of the Holding Symbol is to require the developer to obtain permits and approvals from any agency with jurisdiction including without limitation the Ministry of Natural Resources and Forestry, Raisin Region Conservation Authority and the Department of Fisheries and Oceans. Once this has been achieved, the developer can apply to the Remove the Holding so development can proceed. The decision is attached to this memo.

If you have any questions regarding the attached, please contact me at your convenience.

**Local Planning Appeal Tribunal**  
Tribunal d'appel de l'aménagement  
local



**ISSUE DATE:** November 28, 2018

**CASE NO(S):** PL171064

The Ontario Municipal Board (the “OMB”) is continued under the name Local Planning Appeal Tribunal (the “Tribunal”), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

**PROCEEDING COMMENCED UNDER** subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	Claudette Benson
Subject:	Application to amend Zoning By-law No 38-09 - Refusal or neglect of the Township of South Glengarry to make a decision
Existing Zoning:	Residential One (R1)
Proposed Zoning:	Residential One Special Exception 13 (R1-13)
Purpose:	To permit the construction of a single detached dwelling & attached garage. The proposed zoning will reduce the front yard setback from 6 m to 3 m, reduce the County Rd. centre line setback from 30 m to 16 m and reduce the watercourse setback from 30 m to 0 m.
Property Address/Description:	18296 County Road 2
Municipality:	South Glengarry
Municipality File No.:	ZBLW-04-2015
OMB Case No.:	PL171064
OMB File No.:	PL171064
OMB Case Name:	Benson v. South Glengarry (Township)

**Heard:** July 25, 2018 in South Glengarry, Ontario

**APPEARANCES:**

**Parties**

Claudette Benson

**Counsel**

R. Aburto

Township of South Glengarry

A.E. Fleming

## **DECISION DELIVERED BY C. CONTI AND ORDER OF THE TRIBUNAL**

### **INTRODUCTION**

[1] This is the decision for an appeal by Claudette Benson (“Appellant”) against the failure of the Township of South Glengarry (“Township”) to make a decision regarding an application for a Zoning By-law Amendment (“ZBA”) to permit the construction of a dwelling on a property at 18296 County Road 2 (“subject property”).

[2] The subject property is located just to the east of the City of Cornwall in a highly developed area of the St. Lawrence River shoreline. The area has predominantly residential uses with some commercial uses also located along County Road No. 2.

[3] The subject property consists of a residential lot located on the south side of County Road No. 2 adjacent to the shoreline of the St. Lawrence River. The property has frontage on County Road No. 2 of approximately 44.02 metres (“m”). The southerly portion of the lot extends over the top of bank of the river and beyond the water’s edge.

[4] The lot was created by severance in 1990. Due to the proximity of the lot to the St. Lawrence River and a number of requirements for the development of the property, the lot has remained vacant. The application for the current proposal was submitted in 2015. Since that time the Appellant has been in discussions with the Township and the relevant agencies to resolve concerns for the proposal.

[5] At the beginning of the hearing, the Local Planning Appeal Tribunal (“Tribunal”) was informed that the parties had reached a settlement. The Tribunal heard a request for participant status from Shari Larkin who lives in the vicinity of the subject property and has concerns for the proposal. Participant status was granted on consent. The hearing continued to hear the evidence about the settlement and the evidence of the

participant.

## **ISSUE**

[6] The main issue in this appeal is whether the proposed ZBA will permit a development that satisfactorily meets the requirements for development of a shoreline property in close proximity to County Road 2 and conforms to the relevant Official Plan.

## **EVIDENCE**

[7] The Tribunal heard evidence in support of the settlement from Adam Thompson, Land Use Planner with Novatech Engineering Consultants Ltd. Mr. Thompson is a Registered Professional Planner with approximately 18 years of experience. He was qualified as an expert in land use planning.

[8] The Tribunal also heard evidence in support of the settlement from Joanne McDonald-Haley, General Manager, Community Services with the Township. Ms. McDonald-Haley has more than 20 years of experience in land use planning. The Tribunal qualified her as an expert in land use planning.

[9] The Tribunal heard evidence in opposition to the settlement from the participant, Shari Larkin.

[10] The Appellant submitted a document book which includes Minutes of Settlement (Exhibit 1, Tab 13) and the proposed ZBA (Exhibit 1, Tab 14). The Tribunal heard that the Appellant prepared a revised plan for the development of the property in consultation with the Township and the Raisin River Conservation Authority. The revised plan (Exhibit 1, Tab 7) identifies a building envelop for a proposed dwelling with a footprint of 113 square metres ("sq. m.") and an associated garage with a footprint of 31 sq. m. The building envelopes are located above the top of bank of the river.

[11] Through the proposed ZBA the property will be zoned Residential One,

Exception 11 – Holding (R1-11-H). A number of provisions have been incorporated into the proposed ZBA which represent changes from the By-law's requirements and reflect the settlement. These include the following:

- Despite the provisions of s. 3.10 and s. 6.2 the front yard setback shall be 1.5 m.,
- Despite s. 3.39 (1) (b) the setback from the centreline of County Road 2 is 14.6 m.,
- Despite s. 3.39 (1) (c) the setback from from the limit of County Road No. 2 Right-of-Way shall be 1.5 m.,
- Despite s. 3.39 (7) (c) development and site alteration shall be permitted within 0.98 m. of fish habitat,
- Despite s. 3.39 (7) (d) the setback from the top of bank shall be a minimum of 0.98 m.

[12] Mr. Thompson indicated that number of studies had been completed for the proposed development of the property. They included a slope stability analysis which considered erosion potential and stability of the river bank (Exhibit 4). He stated that the study had recommended two potential options for erosion protection that is, protecting the slope with riprap or constructing a concrete retaining wall.

[13] Mr. Thompson also indicated that a coastal impact assessment had been undertaken which considered the impacts of St. Lawrence River ice flows (Exhibit 2).

[14] Mr. Thompson noted that an environmental study was completed by McKinley Environmental Solutions which found a threatened species, the Cutlip Minnow in the river adjacent to the property (Exhibit 6). He indicated that measures will be taken to ensure that the Cutlip Minnow is not affected by the proposed development of the lot and that stabilization of the river bank could provide benefits by reducing sediment.

[15] Mr. Thompson's opinion was that the proposed ZBA is consistent with the Provincial Policy Statement ("PPS"). He noted that the subject property is within the Glen Walter/Tyotown urban settlement area and has municipal services. Mr. Thompson indicated that there are no habitat features on the site. The only significant natural heritage feature is the Cutlip Minnow habitat in the river which will be protected and potentially improved.

[16] Mr. Thompson indicated that the subject property is designated as Residential District in the Official Plan for the United Counties of Stormont, Dundas and Glengarry (Exhibit 1, Tab 10). Mr. Thompson's opinion was that the ZBA complies with the Official Plan. The subject property is a vacant lot within a settlement area. The Official Plan identifies urban settlement areas as being the primary locations for new development. As an existing lot of record the subject property is a candidate for development. Mr. Thompson's evidence indicated that s. 3.06.13 of the Official Plan contains policies for the development of existing lots of record and that the matters in policy 2 of s. 3.06.13 must be satisfied before a building permit can be issued. Mr. Thompson indicated that the proposal will satisfy these requirements.

[17] The Official Plan also contains policies regarding the protection of natural heritage features and to ensure that development is protected from natural hazards. He indicated that the only significant natural heritage feature identified on the property is the Cutlip Minnow habitat and measures have been incorporated into the proposal to protect it. Furthermore, he indicated that the proposed ZBA establishes a building envelope on the property above the natural hazard limit. Mr. Thompson stated that the ZBA will ensure that detailed design of the development complies with the requirements of other agencies.

[18] Mr. Thompson indicated that the subject property is zoned Residential, R1 in the Township Zoning By-law (Exhibit 1, Tab 12) which permits the proposed single-family residential use. A small area along the southwest edge of the property adjacent to the river is zoned Floodplain Holding Zone (FP-H) which includes the area identified as

being prone to the 1:100 year flood hazard. Mr. Thompson indicated that the proposed ZBA includes relief from five provisions of the By-law. The proposal complies with the other provisions.

[19] Mr. Thompson indicated that a Holding provision is included in the proposed ZBA which can only be removed when work permits have been issued by agencies with jurisdiction over the proposal. Mr. Thompson's opinion was that the ZBA and Holding provision are appropriate.

[20] Mr. Thompson indicated that the Ministry of Natural Resources and Forestry and the Conservation Authority have provided comments on the ZBA and further discussions with the agencies are required. However, he expected that their issues can be resolved. He noted that floodplain issues have been addressed through the Coastal Engineering Assessment. Also, he recognized that the setback from County Road No. 2 is small, but it is consistent with the setback of the adjacent property.

[21] Ms. Larkin expressed concern about the proposal indicating that the area where the subject property is located is very busy and contains a church and a popular restaurant. She stated that there is a great deal of traffic in the area, particularly during the summer. She indicated that there are issues in the winter because of snow and snow banks piled adjacent to County Road No. 2. Ms. Larkin indicated that the proposed reduced setbacks to County Road No. 2 will create safety issues. She noted that there is an on-line petition about the proposal.

[22] Ms. McDonald-Haley addressed the safety and traffic issues identified by Ms. Larkin. She indicated that the subject property is within a settlement area along a busy stretch of County Road No. 2. However, she stated that there is a reduced speed limit on this portion of County Road No. 2. Furthermore, she testified that the reduced setback from the road is common in the area.

[23] Ms. McDonald-Haley stated that a permit for the proposed setback from County Road No. 2 had been approved by County Council. She stated that the proposed



setback is a common occurrence and that the Township had no concerns. Ms. McDonald-Haley indicated that the proposed development can accommodate two parking spaces and that it will not significantly affect traffic in the area.

[24] In Ms. McDonald-Haley's opinion the proposed ZBA is consistent with the PPS, it complies with the Official Plan and it represents good planning.

## **ANALYSIS AND FINDINGS**

[25] The Tribunal has carefully considered the evidence provided by the parties and the participants. The planning opinion evidence provided by Mr. Thompson and Ms. McDonald-Haley is uncontradicted.

[26] The Tribunal acknowledges that some of the proposed setback distances in the ZBA represent substantial reductions from the By-law's standards. The required front yard setback in the By-law in s. 6.2 is 6.0 m. which will be reduced to 1.5 m. through the proposal. The By-law's requirement in s. 3.39 1(b) is a 30 m. setback from the centreline of County Road No. 2. Section 3.39 1 c) requires a minimum 3 m. setback from the nearest limit of County Road No. 2. In addition the proposed 0.98 m. setback from fish habitat and the Top of Bank is substantially less than the minimum 15 m. setback required through the By-law.

[27] However, the evidence of the planning witnesses was that the reduced setback distances from fish habitat and top of bank were supported through the required technical studies. The provisions of the PPS regarding potential hazards from the river and regarding natural heritage features have been addressed through appropriate studies. It was Mr. Thompson's opinion that the reduced setbacks would likely be accepted by the relevant agencies. Through the Holding provisions, the property cannot be developed unless the agencies are satisfied.

[28] Ms. McDonald-Haley's evidence was that the proposed setbacks from the road are common in the area and that the proposal will not cause traffic issues. Furthermore,

the Tribunal expects that the reduced speed limit will help to mitigate safety concerns.

[29] Based upon the evidence the Tribunal concludes that the Holding provision of the By-law will ensure that any outstanding issues of approval agencies will be dealt with appropriately. Otherwise the proposed zoning will not take effect. It may have been preferable to have those issues resolved in advance of approval of the ZBA. However, Ms. McDonald-Haley indicated that the agencies' permits are time limited and it wasn't clear that the approvals would coincide with the Tribunal's consideration of this matter. Therefore, the Township determined that the Holding provision would be appropriate.

[30] In view of the above, the Tribunal accepts and agrees with the uncontradicted opinion evidence provided by Mr. Thompson and Ms. McDonald-Haley. The Tribunal finds that the proposed ZBA is consistent with the PPS and conforms to the Official Plan. The requirements of other agencies will be addressed through studies that have been completed and through the Holding provision.

[31] Based upon the above, the Tribunal will allow the appeal in part and approve the ZBA. The appropriate order is provided below.

## **ORDER**

[32] The Tribunal orders that the appeal is allowed in part and Zoning By-law No. 38-09 of the Township of South Glengarry is amended as set out in Attachment 1.

*"C. Conti"*

C. CONTI  
VICE-CHAIR

If there is an attachment referred to in this document,  
please visit [www.elto.gov.on.ca](http://www.elto.gov.on.ca) to view the attachment in PDF format.

**Local Planning Appeal Tribunal**

A constituent tribunal of Environment and Land Tribunals Ontario

Website: [www.elto.gov.on.ca](http://www.elto.gov.on.ca) Telephone: 416-212-6349 Toll Free: 1-866-448-2248

PL171064  
Attachment 1

**THE CORPORATION OF THE  
TOWNSHIP OF SOUTH GLENGARRY  
BY-LAW 37-18  
FOR THE YEAR 2018**

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

**THAT** the area affected by this by-law is legally described as Part of Lot 8, Concession 1, Broken Front, Indian Lands and further described as Part 1 on Reference Plan 14R-3507 in the in the former Township of Charlottenburgh, now in the Township of South Glengarry, County of Glengarry as indicated on Schedule "A" attached hereto and forming part of this by-law.

**THAT** Section 6.2 of By-law 38-09, as amended, is further amended to add a new Exception as follows:

- a) That area shown on Schedule "A" of this by-law shall henceforth be zoned Residential One, Exception 11 - Holding (R1-11-H) and all provisions listed below shall apply:
  - i. Despite the provisions in Sections 3.10 and 6.2, the front yard setback shall be 1.5 metres.
  - ii. Despite Section 3.39 Subsection 1 (b), the setback from the Centreline of County Road 2 is 14.6 metres.
  - iii. Despite Section 3.39 Subsection 1 (c), the setback from the limit of County Road 2 ROW shall be 1.5 metres.
  - iv. Despite Section 3.39 Subsection 7 (c), development and site alteration shall be permitted within 0.98 meters of fish habitat.
  - v. Despite Section 3.39 Subsection 7 (d), the setback from the Top of Bank shall be a minimum of 0.98 metres.

- b) The 'Holding' provision for the subject property may be removed upon confirmation that all required work permits are issued by any agency with jurisdiction over the work, including without limitation the Ministry of Natural Resources and Forestry, Raisin River Conservation Authority and the Department of Fisheries and Oceans, for the purposes of shoreline stability and erosion protection. Required work permits may include, but are not limited to, an Overall Benefit Permit (MNR), a Public Lands Act work permit (MNR), permits issued by RRCA under Section 28 of the Conservation Authorities Act (Development Permit and Alteration to Watercourse Permit).
  - c) Schedule S-1 ("St. Lawrence Shoreline Part 1") to By-law 38-09, as amended, is hereby further amended in accordance with Schedule "A" of this By-law.
- 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.

**APPROVED BY THE ONTARIO MUNICIPAL BOARD THIS \_\_\_\_ DAY OF \_\_\_\_  
2018**

## **Schedule “A”**



---

Lands to be zoned to  
Residential One,  
Exception 11 - Holding  
(R1-11-H)

**This is Schedule “A” to By-law 37-18**  
***Approved By the Ontario Municipal Board This \_\_\_\_ Day of \_\_\_\_ 2018***

**INFORMATION REPORT****REPORT TO: Council of the Township of South Glengarry****MEETING DATE:** February 4, 2019**SUBJECT:** 2018 Land Use Planning Activity**PREPARED BY:** Joanne Haley, GM Community Services

Please see below a summary of the planning applications and files that were processed in 2018.

<b>PROCESSES</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
<b>Consent Applications</b>	49	40	44	43	25	43	33	32	23
<b>Zoning Amendments</b>	13	12	8	10	7	8	4	6	14
<b>Official Plan Amendments</b>	1	0	0	1	1	0	1	0	0
<b>Minor Variances</b>	14	19	15	22	18	22	20	23	28
<b>OMB Hearings</b>	0	2	2	1	0	0	1	2	2
<b>Site Plan Control Agreements</b>	2	3	12	13	5	6	16	6	14
<b>Part Lot Control</b>	0	0	0	0	1	1	0	1	1
<b>Removal of Holding</b>	0	4	2	3	0	1	0	1	3
<b>Temporary Use By-law</b>	0	0	0	0	0	1	1	1	0
<b>Deeming By-law</b>	0	1	0	1	1	0	0	0	0

**Draft Plan Approved and Registered Subdivisions**

<b>Name</b>	<b>Number of Lots</b>	<b>Status</b>
Place St. Laurent Subdivision	13	Registered



**INFORMATION REPORT****REPORT TO:** Council of the Township of South Glengarry**MEETING DATE:** February 4, 2019**SUBJECT:** Consent Decisions**PREPARED BY:** Joanne Haley, GM Community Services**RE: Notice of Consent Decisions**

Please find attached two "Notice of Decision" letters from the United Counties of Stormont, Dundas, and Glengarry. The recommendations and conditions requested have been included in the decisions as requested. If you have any questions regarding the attached please do not hesitate to contact me at your convenience.



UNITED COUNTIES OF  
STORMONT, DUNDAS AND GLENGARRY  
***DECISION***



The Approval Authority for the United Counties of Stormont, Dundas and Glengarry did, on **Wednesday, January 16, 2019**, decide that **PROVISIONAL CONSENT WILL BE GIVEN** to:

**APPLICATION NO. B-108-18**

**OWNER: Randy Tieman & Liane Beauchemin- Tieman**

**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. The Township of South Glengarry will clear the condition with the Administrative Assistant-Planning.
2. The Township of South Glengarry will complete a site visit of the severed lands to confirm that there are no issues with the existing septic system. Further information may be required from the applicant once the site visit is completed. The applicant will be required to attend to the Township office to apply for a site visit and to file a fee of \$170.00. The Township of South Glengarry will clear the condition with the Administrative Assistant-Planning.
3. A site specific zoning amendment must be applied for and approved to reduce the minimum lot area for the proposed retained parcel as the Zoning By-law requires 20 hectares. The prohibition of residential construction will also be included in this amendment. The Zoning Amendment Application Fee is \$1,200.00. The Township of South Glengarry will clear the condition with the Administrative Assistant-Planning.
4. Road widening must be deeded to the Township on both the severed and retained parcels. The Township of South Glengarry will clear the condition with the Administrative Assistant-Planning.
5. 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:**

January 16, 2020

THE LAST DAY TO SUBMIT AN APPEAL AGAINST THIS DECISION IS: **FEBRUARY 05, 2019**



**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](mailto:info@sdgcounties.ca) • [www.sdgcounties.ca](http://www.sdgcounties.ca)

## NOTICE OF DECISION

### **APPLICATION NO. B-108-18**

**NAME:** Randy Tieman & Liane Beauchemin-Tieman

**MUNICIPALITY:** Township of South Glengarry (Geographic Charlottenburgh 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 \$300.00 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:** February 5, 2019

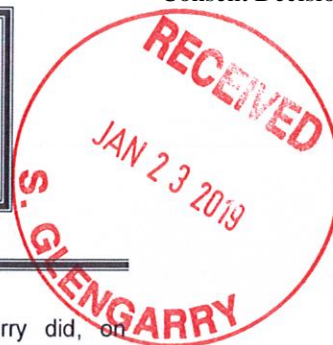
**Date of giving of this notice is:** January 16, 2019

Megan Boudens  
Administrative Assistant-Planning  
Email: [mboudens@sdgcounties.ca](mailto:mboudens@sdgcounties.ca)





UNITED COUNTIES OF  
STORMONT, DUNDAS AND GLENGARRY  
***DECISION***



The Approval Authority for the United Counties of Stormont, Dundas and Glengarry did, on **Wednesday, January 16, 2019**, decide that **PROVISIONAL CONSENT WILL BE GIVEN** to:

**APPLICATION NO. B-110-18**

**OWNER: Geoffrey & Edna Powell**

**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. The Township of South Glengarry will clear the condition with the Administrative Assistant-Planning.
2. The Township of South Glengarry will complete a site visit of the severed lands to confirm that there are no issues with the existing septic system. Further information may be required from the applicant once the site visit is completed. The applicant will be required to attend to the Township office to apply for a site visit and to file a fee of \$170.00. The Township of South Glengarry will clear the condition with the Administrative Assistant-Planning.
3. The landowner shall submit a formal written acknowledgment that no new and/or additional entrances will be permitted to access County Road 17 from either the severed or retained portion. The County Engineer will clear the condition with the Administrative Assistant-Planning.
4. That the land being severed by this consent shall be conveyed as an addition to abutting property and shall be held in identical ownership as said abutting property and the Administrative Assistant-Planning shall be provided with a copy of the abutting property owner's deed for verification. The provisions of Subsections 3 or 5 of Section 50 of the Planning Act, R.S.O., 1990, as amended, shall apply to any subsequent conveyance relating to the said lot.
5. 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:**

**January 16, 2020**

**THE LAST DAY TO SUBMIT AN APPEAL AGAINST THIS DECISION IS: FEBRUARY 05, 2019**



**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](mailto:info@sdgcounties.ca) • [www.sdgcounties.ca](http://www.sdgcounties.ca)

## NOTICE OF DECISION

### APPLICATION NO. B-110-18

**NAME:** Geoffrey & Edna Powell

**MUNICIPALITY:** Township of South Glengarry (Geographic Charlottenburgh 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 \$300.00 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:** February 5, 2019

**Date of giving of this notice is:** January 16, 2019

Megan Boudens  
Administrative Assistant-Planning  
Email: [mboudens@sdgcounties.ca](mailto:mboudens@sdgcounties.ca)

**INFORMATION REPORT****REPORT TO:** Council of the Township of South Glengarry**MEETING DATE:** February 4, 2019**SUBJECT:** Consent Summary**PREPARED BY:** Joanne Haley, GM Community Services**CONSENT APPLICATIONS SUMMARY- 2015**

<b>Application #</b>	<b>Recommendation</b>	<b>Decision</b>
B-113-15	On Hold- Waiting on Information	
B-121-15	Recommended	

**CONSENT APPLICATIONS SUMMARY- 2018**

<b># of Applications</b>	<b>Application #</b>	<b>Recommendation</b>	<b>Decision</b>
1	B-01-18	Recommended	Approved
2	B-10-18	Recommended	Approved
3	B-15-18	Recommended	Approved
4	B-16-18	Recommended	Approved
5	B-32-18	Recommended	Approved
6	B-36-18	Recommended	Approved
7	B-37-18	Recommended	Approved
8	B-38-18	Recommended	Approved
9	B-41-18	Recommended	Approved

10	B-51-18	Recommended	Approved
11	B-53-18	Recommended	Approved
12	B-54-18	Recommended	Approved
13	B-69-18	Recommended	Approved
14	B-76-18	On Hold	
15	B-81-18	Recommended	Approved
16	B-84-18	Recommended	Approved
17	B-90-18	Recommended	Approved
18	B-91-18	Recommended	Approved
19	B-94-18	Recommended	Approved
20	B-95-18	Recommended	Approved
21	B-108-18	Recommended	Approved
22	B-110-18	Recommended	Approved
23	B-116-18		



**Ministry of Agriculture,  
Food and Rural Affairs**

3rd Floor  
1 Stone Road West  
Guelph, Ontario N1G 4Y2  
Tel: (519) 826-3552  
Fax: (519) 826-3259

**Ministère de l'Agriculture,  
de l'Alimentation et  
des Affaires rurales**

3<sup>e</sup> étage  
1, rue Stone ouest  
Guelph (Ontario) N1G 4Y2  
Tél.: (519) 826-3552  
Télééc.: (519) 826-3259



**Environmental Management Branch**

Date: January 11, 2019  
To: Council, Clerk and Drainage Superintendent  
From: Tim Brook, Drainage Program Coordinator

---

Subject: **Agricultural Drainage Infrastructure Program**

---

**Please ensure that all those named above are made aware of this letter.**

***a) Status of Processing of Grant Applications:***

- All grant applications for the municipal cost of employing a **drainage superintendent** have been processed.
- There are a small number of **drain maintenance/repair** grant applications that have been processed. We have recently hired Kaleta Ataw, Drainage Analyst to assist with the backlog.
- **Drain construction/improvement** grant applications:
  - Most applications received before April 1, 2018 have been review and are in queue to be paid. This process should be completed by early March.
  - The review and processing of applications received after April 1, 2018 is expected to begin in late February.

***b) Planning for the 2019/2020 Drainage Act Grants Program***

i) Grants Ontario System: A new computer system is being introduced to apply for Grants for the Cost of Employing a Drainage Superintendent and Construction/Improvement Projects. We will be rolling out superintendent allocation requests and queue notifications in January.

All municipalities are strongly encouraged to attend one (1) of the following webinar based training sessions:

- Monday January 28: 10:30 am – 12:00 pm
- Monday January 28: 1:30 – 3 pm
- Tuesday January 29: 1:30 – 3 pm
- Friday February 1: 1:30 – 3pm



Register online at:

<https://www.eventbrite.ca/e/omafra-grants-ontario-webinar-tickets-54712997047>.

Password: GrantsOntario

For additional details refer to the attached “Grants Ontario System Training Schedule.pdf”.

ii) Grants for the Cost of Employing a Drainage Superintendent: If your municipality employs an approved drainage superintendent and intends to apply for the superintendent grants in the upcoming fiscal year, you will need to complete an Allocation Request through Grants Ontario. Your allocation request must be received by our ministry on or before February 28, 2019. You are advised to attend one of the training sessions and read ADIP policy 4.1 prior to completing the request.

iii) Construction/Improvement Projects: Please read Section 2.7 of the ADIP policies. Once your municipality has given third reading to a by-law adopting an engineer’s report for the construction or improvement of a municipal drain, you are encouraged to complete and submit a Queue Notification through Grants Ontario. Please note that if your project is confirmed for funding in one fiscal year and you do not proceed with the project, you must notify the Ministry to queue the project for the following year.

**c) *Claiming Grants for 2018/19 activities:***

The provision of grants for Drainage Act activities are governed by the Drainage Act and by the policies of the Agricultural Drainage Infrastructure Program (ADIP). These documents can be accessed through the OMAFRA website: [www.ontario.ca/drainage](http://www.ontario.ca/drainage)

If earlier in 2018, your municipality submitted a budget allocation request for the cost of employing a drainage superintendent, in general the grant allocation amount was accepted as submitted. This is your budget for the cost of employing a drainage superintendent; if you submit a higher grant claim than your budget, grant payment will be capped to the allocation amount.

The following is an overview of the requirements for claiming these grants:

<i><b>Grant Type</b></i>	<i><b>Submission Deadline</b></i>	<i><b>For Information on Claiming Grant</b></i>
Cost of Employing a Drainage Superintendent	Jan. 31, 2019 @ 5:00 p.m.	See Attachment 1: “Claiming Grants for Cost of Employing a Drainage Superintendent”
Drain Construction or Improvement	Feb. 15, 2019 @ 5:00 p.m.	See Attachment 2: “Claiming Grants for Drain Construction or Improvement Projects”
Drain Maintenance or Repair	April 30, 2019 @5:00 p.m.	See Attachment 3: “Claiming Grants for Drain Maintenance”

Attachment 4 provides a summary of the requirements for all three components of the program.

**INQUIRIES TO OMAFRA**

Please direct inquiries about grant eligibility, interpretation of the ADIP policies or the Drainage Act to me at 519-766-3651 or [timothy.brook@ontario.ca](mailto:timothy.brook@ontario.ca). Inquiries about specific grant applications should be directed to Andy Kester at 519-826-3551 or [andy.kester@ontario.ca](mailto:andy.kester@ontario.ca).

Yours truly,

A handwritten signature in black ink, appearing to be 'Tim Brook', with a long horizontal stroke extending to the right.

Tim Brook, P. Eng.  
Drainage Program Coordinator

**Attachments:**

- 1) Claiming Grants for the Cost of Employing a Drainage Superintendent
- 2) Claiming Grants for Drain Maintenance
- 3) Claiming Grants For Drain Construction Or Improvement Projects
- 4) Agricultural Drainage Infrastructure Program (ADIP) Policy Summary

**ATTACHMENT 1*****Claiming Grants for the Cost of Employing a Drainage Superintendent*****PREQUALIFICATION:**

Your municipality is eligible to receive grants for the municipal cost of employing a drainage superintendent(s) if your municipality:

- Employs a drainage superintendent who has been approved by OMAFRA and
- Has received a superintendent budget allocation from our Ministry (see covering letter).

**APPLICATION & CLAIM PERIOD:**

- Read and comply with Section 4.0 of the ADIP policies.
- A claim for an approved drainage superintendent may be made for costs incurred from January 1 to December 31, 2018. The claim cannot exceed the budget allocation provided to your municipality.
- Claims must be submitted on the applicable OMAFRA grant application form. To obtain a Microsoft Excel electronic copy of these forms, contact Becky Curran at 519-826-4049 or [becky.curran@ontario.ca](mailto:becky.curran@ontario.ca).

**REQUIRED SUPPORTING DOCUMENTATION:**

In accordance with ADIP Policy 4.3, each drainage superintendent grant application form must be accompanied with records of the time spent performing drainage superintendent duties.

**APPLICATION DEADLINE: 5:00 p.m. on Thursday, January 31, 2019**

- Grant applications, complete with all supporting documentation, must be received on or before Thursday, January 31, 2019 on the application forms provided by our Ministry.
- Emailed grant application packages will be accepted until the end of the deadline date. The grant application with original signatures and all supporting documentation must be received within one week of the deadline. If the original documents are not received, the application is deemed incomplete and will not be processed.
- **Faxed applications will no longer be accepted.**
- If, at the deadline your submitted application is not complete, it will not be processed even if supporting documentation is submitted later.

**NOTES:**

1. The grant claim for drainage superintendent services provided by engineering firms must be based on the date the service was provided, not the date of the invoice (e.g. invoice dated January 4, 2019 for services provide from October 1 to December 31, 2018 cannot be claimed as part of the 2019 drainage superintendent grant application).
2. If your municipality employed more than one drainage superintendent in 2018, separate grant applications must be submitted for each individual and signed by that individual.

## DRAINAGE SUPERINTENDENT CLAIM GUIDE

### PURPOSE

To provide clarification for reimbursement of expenses incurred by the municipality in the employment of drainage superintendents, in accordance with the administrative policies of the Agricultural Drainage Infrastructure Program and Section 85(b) of the *Drainage Act*.

This guide is strictly a supplemental aide to the ADIP policies and is for informational purposes only. Please note it is the responsibility of the superintendent and treasurer to ensure the correctness and completeness of any grant application submitted. Please contact the Drainage Coordinator if any further uncertainty regarding expense claims exists.

### ANNUAL HOURS WORKED (AS NOTED ON THE SUPERINTENDENT TIME SHEETS)

To accurately determine the correct percentage of time being used for drainage superintendent activities, note that "annual hours worked" refers to the total of all **work**, both as drainage superintendent and other, but **excludes** any vacation time, statutory holidays, sick leave, etc. This figure is to be used to determine the percentage of time spent performing the duties of the drainage superintendent.

### TOTAL ANNUAL SALARY

The year-end summary calculates the percentage of time spent performing drainage superintendent activities. Both the total annual salary and annual hours worked are to be provided for this calculation, rather than just the drainage superintendent portion of the salary. By providing the total annual salary, the cost of vacation time, statutory holidays, sick leave and lieu time is calculated and included on the grant application.

### OVERTIME HOURS WORKED

The cost of overtime worked must be shared proportionally between the drainage superintendent activities and non-drainage superintendent activities. If overtime hours are worked while performing superintendent duties, these hours should be included in the superintendent time sheets or log as the actual hours worked.

*Overtime Paid:* Overtime payments are to be included in the total annual salary within the year end summary calculations. Since the cost of the overtime is included in the total annual salary and the percentage of drainage superintendent activities is used to calculate the salary, the percentage of overtime costs is included on the grant application.

*Payment For Time Take in Lieu:* Hours taken in lieu are **not** to be included in the superintendent time sheets or log. Similar to vacation time, stat holidays and sick leave, time taken in lieu is not included in the calculation of the percentage of time spent performing superintendent duties. The cost of time taken in lieu is included in the total annual salary and therefore a percentage of this time will be included on the grant application.

### BENEFITS

The cost of benefits for the superintendent grant application are to be proportional to the time spent doing drainage superintendent activities. Please include benefits as the actual dollar amount and not as a percentage. Any superintendent that approaches the 35% cap is required to provide a list of expenses that were included within their benefit calculation.

Benefits that **can** be included on the grant application are the employer's share of:

- CPP      • WSIB      • EI      • Health Tax      • OMERS or RRSP
- Group insurances (LTIP, dental, life, health, vision, etc.)

Benefits that should **not** be included on the grant application:

- Any benefits that would be already included in the 18% expense grant:
  - Personal use of company vehicle and any associated costs
  - Clothing or boot allowance
  - Cell phone fees and any associated costs
- Vacation time, statutory holidays and sick time taken (these costs are already included in the annual salary calculation as a percentage of drainage superintendent activities)

Please consult with the Drainage Coordinator regarding the eligibility of any other additional benefits.

**ATTACHMENT 2*****Claiming Grants for Drain Construction or Improvement Projects*****PREQUALIFICATION:**

- Your municipality is eligible to receive grants for drain construction or improvement projects if the work has been completed in compliance with the petition drain procedures of the Drainage Act and in compliance with all applicable regulations.
- All grant applications for drain construction or improvement projects will be reviewed for compliance with Sections 1 and Sections 2.1 to 2.6 of the ADIP policies.

**APPLICATION & CLAIM PERIOD:**

- Read and comply with Section 2.8 of the ADIP policies.
- Claims can be submitted for all drain construction/improvement work completed before February 15, 2019.
- A separate claim must be submitted for each drain construction/improvement project.
- Claims must be submitted on the applicable OMAFRA grant application form. To obtain a Microsoft Excel electronic copy of these forms, contact Becky Curran at 519-826-4049 or [becky.curran@ontario.ca](mailto:becky.curran@ontario.ca).

**REQUIRED SUPPORTING DOCUMENTATION:**

In accordance with ADIP Policy 2.8, supporting documentation must be provided for each drain construction/improvement grant claim. The supporting documentation includes:

- A copy of the final by-law authorizing the construction or improvement project. If this by-law has been provided to OMAFRA previously, an additional copy need not be sent. A provisionally adopted by-law is not acceptable.
- A copy of the engineer's report for the project. If, through the *Drainage Act* process, a copy of the report had previously been provided to the Ministry, another copy need not be sent.
- Copies of all decisions affecting the report (Court of Revision, Tribunal, Referee).
- Submission of an electronic copy of the drain plan, preferably in a data format that can be imported into the Land Information Ontario data warehouse.

**APPLICATION DEADLINE: 5:00 p.m. on Friday, February 15, 2019**

- Grant applications for drain construction or improvement work, complete with all supporting documentation, must be received on or before Friday, February 15, 2019 on the application forms provided by our Ministry.
- **Faxed applications will no longer be accepted.**
- If the deadline is missed or the application is incomplete, a grant application for the work will still be considered up to one year from the date of the completion of the project.

**NOTES:**

Consult with Ministry staff if you have any questions about the requirement for submitting the following types of grant applications:

- Preliminary reports
- Interim and/or final grant applications
- Adjustments (within one year of the completion of the project)

**ATTACHMENT 3*****Claiming Grants for Drain Maintenance*****PREQUALIFICATION:**

Your municipality is eligible to receive grants for drain maintenance, repair and operational costs if the work was completed under the direction of a municipally appointed drainage superintendent, approved by OMAFRA.

**APPLICATION & CLAIM PERIOD:**

- Read and comply with Section 1.0 and 3.0 of the ADIP policies.
- A grant claim can be submitted for this work completed between Jan. 1 and Dec. 31, 2018.
- Claims must be submitted on the applicable OMAFRA grant application form. To obtain a Microsoft Excel electronic copy of these forms, contact Becky Curran at 519-826-4049 or [becky.curran@ontario.ca](mailto:becky.curran@ontario.ca).

**REQUIRED SUPPORTING DOCUMENTATION:**

In accordance with ADIP Policy 3.2, supporting documentation must be provided for one of the listed drain maintenance projects on each drain maintenance grant application form. This supporting documentation includes:

- A copy of the drain plan (from the engineer's report) showing the complete watershed. The plan must also clearly indicate where the project work was performed.
- A copy of the maintenance and repair instructions and the assessment schedule from the current engineer's report, as adopted by the last by-law. You should also include a list of all properties assessed for the maintenance/repair work along with their share of assessed cost and also indicate those properties eligible for the Farm Property Class Tax Rate.

Your municipality must also provide a list of all maintenance, repair, minor improvement and operational projects performed during the year, including projects where a grant application is not being submitted (ADIP Policy 3.2(d)). Spot maintenance and repair work (e.g. tile repair or beaver dam removal) does not need to be listed. The list must include the drain name, description of work and total cost of the work performed. If no maintenance work was done, you must indicate this in your covering letter or on the superintendent grant application form.

**APPLICATION DEADLINE: 5:00 p.m. on Tuesday, April 30, 2019**

- Grant applications, complete with all supporting documentation, must be received on or before Tuesday, April 30, 2019 on the application forms provided by our Ministry.
- Emailed grant application packages will be accepted until the end of the deadline date. However, the grant application with original signatures and all supporting documentation must be received within one week of the deadline. If the original documents are not received, the application is deemed incomplete and will not be processed.
- **Faxed applications will no longer be accepted.**
- If, at the deadline your submitted application(s) are not complete, the application(s) will not be processed even if supporting documentation is submitted later.

**NOTES:**

1. The Drainage Act requires municipalities to update maintenance assessment schedules to reflect any land severances, land use changes and additions to the watershed prior to undertaking the drain maintenance work. This information is checked in the review of the drain maintenance grant application.
2. If your municipality employed more than one drainage superintendent in 2018, separate grant applications must be submitted for maintenance projects completed by each individual.

**ATTACHMENT 4**  
***Agricultural Drainage Infrastructure Program (ADIP) Policy Summary***

	<b>SUPERINTENDENT</b>	<b>CONSTRUCTION/IMPROVEMENT</b>	<b>MAINTENANCE/REPAIR</b>
	See ADIP Policy Section 1.0 and 4.0	See ADIP Policy Section 1.0 & 2.0	See ADIP Policy Section 1.0 and 3.0
<b>Grant Application Deadline</b>	<b>January 31, 2019 at 5:00 p.m.</b>	<b>February 15, 2019 at 5:00 p.m.</b>	<b>April 30, 2019 at 5:00 p.m.</b>
<b>Period Covering:</b>	January 1 to December 31, 2018	All construction and improvement projects completed by Feb. 15, 2019	All maintenance/repair and operational work <u>completed</u> in 2018
<b>Ineligible Claims</b>	<ul style="list-style-type: none"> <li>Costs incurred before Jan. 1, 2018</li> <li>Any cost not related to employing a drainage superintendent.</li> </ul>	<ul style="list-style-type: none"> <li>Projects completed more than a year before the submission of the grant application.</li> <li>See ADIP Policy section 2.3</li> </ul>	<ul style="list-style-type: none"> <li>Work completed prior to January 1, 2018</li> <li>Projects less than \$500</li> <li>Interest charges</li> <li>Administrative &amp; engineering costs</li> </ul>
<b>Budget Allocation</b>	<ul style="list-style-type: none"> <li>Complete an Allocation Request through Grants Ontario (see ADIP policy section 4.1)</li> </ul>	<ul style="list-style-type: none"> <li>Complete a Queue Notification through Grants Ontario (see ADIP Policy section 2.7)</li> </ul>	<ul style="list-style-type: none"> <li>Allocation not required</li> </ul>
<b>Required Supporting Documentation</b>	<ul style="list-style-type: none"> <li>Must submit time records that support the grant claim.</li> </ul>	<ul style="list-style-type: none"> <li>Copy of engineer's report, final by-law, decisions of court of revision, tribunal and referee.</li> <li>Electronic copy of plan</li> </ul>	<ul style="list-style-type: none"> <li>For one project on the grant application form, provide the following:               <ul style="list-style-type: none"> <li>- copy of drain plan showing complete watershed and where the work was done.</li> <li>- maintenance instructions &amp; assessments from engineer's report</li> </ul> </li> </ul>
<b>Other Policy Items</b>	<ul style="list-style-type: none"> <li>Municipal employees receive expenses = 18% of salary</li> <li>Municipal employees receive benefits ≤ 35% of salary</li> <li>Consultants receive actual expenses, not exceeding 18% and may not claim benefits.</li> <li>Net HST may be claimed on consulting superintendent costs</li> </ul>	<ul style="list-style-type: none"> <li>See ADIP Policy Sections:               <ul style="list-style-type: none"> <li>- 2.1</li> <li>- 2.2</li> <li>- 2.4</li> <li>- 2.5</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>Provide a list of all maintenance/repair projects completed in 2018.</li> <li>To be eligible for grant, properties must be assessed at the Farm Property Class Tax Rate in 2018 or 2019.</li> </ul>

**\*\*\*\*\* Faxed applications will no longer be accepted.**

**From:** [donotreply@otf.ca](mailto:donotreply@otf.ca) [<mailto:donotreply@otf.ca>]  
**Sent:** Friday, January 18, 2019 4:14 PM  
**To:** Ewen MacDonald  
**Cc:** [23-1117df-6e144-otfmonarch-28d14508@smartsimple.com](mailto:23-1117df-6e144-otfmonarch-28d14508@smartsimple.com)  
**Subject:** We are unable to fund the project for Township of South Glengarry

Please note: Do not reply directly to this message, as is routed to an unmonitored mailbox.

**Re: OTF Application ID# CP104619**

Thank you for submitting an application for funding to the Ontario Trillium Foundation (OTF). We appreciate the time and effort that went into the application, and we understand the commitment you have to the success of your mission.

After careful consideration of your application, we regret to advise you that we will not be able to fund your proposal.

All applications were assessed on set criteria, and reviewed by the local Grant Review Team.

Your Capital stream grant application was scored in [five assessment areas](#). Based on our criteria for each of these assessment areas, your application could have more clearly:

- Demonstrated that the infrastructure design and/or equipment is appropriate for achieving the Grant Result. (INFRASTRUCTURE)
- Demonstrated how the cost per output is appropriate to the size or scope of the project and reasonable for achieving the Grant Result. (VALUE FOR MONEY)

For more information about how applications are reviewed and assessed, or for other information about how, why, and when OTF invests, please visit [www.otf.ca](http://www.otf.ca).

Should you have any questions, we invite you to contact the OTF Support Centre at [otf@otf.ca](mailto:otf@otf.ca) or 1.800.263.2887. Knowledgeable staff will be available to provide you with additional information or connect you with a Program Manager for more in-depth support.

Thank you for applying to the Ontario Trillium Foundation.

Sincerely,

Beth Puddicombe  
Vice-President, Community Investments





January 22, 2019

Hon. Sylvia Jones  
MPP, Dufferin-Caledon  
244 Broadway Ave.  
Orangeville, ON L9W 1K5

Sylvia,

During the recent municipal election, Mono staff once again experienced significant problems with the quality of the voters' list provided by MPAC. This has been an ongoing issue; for not just Mono, but most municipalities in Ontario. Concerns raised by the Town's Deputy Clerk, who oversaw the management of the voter's list for the 2018 municipal election, include confusion with Elections Ontario's voters' list; adult children either not being on the list, or on it when they had not lived at home in years; and renters and other non-property owners not on the list. You may have even heard of the case in Mono, which made it to at least two television networks, where a deceased dog was on our voters' list.

Like many municipalities, Mono used an alternate method of voting, in our case Internet and telephone voting. As a mostly rural community and without public transit, where travelling to voting locations can pose a hardship to a significant segment of the population, these alternate means of casting one's vote is seen as an important way to engage with the electorate. Internet and telephone voting have shown itself to be particularly useful to those that find it difficult to physically get to voting locations.

The benefits of these alternate methods; however, are seriously impaired when the voters' list is of such questionable quality as is the case with the product that Mono received from MPAC. And it is not just the issues that I have so far outline. Mailing addresses that mysteriously differ from our tax records without any plausible explanation is a perennial problem. Combined, the voters' list as presently maintained by MPAC is wholly insufficient to the task and not up to the quality that citizens demand from their governments. The impact of a poorly maintained voters' list will only get worse as more municipalities adopt alternate means of voting.

In an effort to find a better method of maintaining the municipal voters' list, Mono Council passed the following resolution at our January 8, 2019 session:

Resolution #12-1-2019

*Moved by Manktelow, Seconded by Martin*

*BE IT RESOLVED THAT Council for the Town of Mono endorse and support the attached resolution of the Town of Kearney regarding Voters' List for Municipal Elections and supports the re-establishment of the multi-stakeholder working group between the parties outlined in the resolution to identify ways to create and maintain the Voters' List for Municipal Elections;*

*AND THAT a copy of this resolution be sent to AMCTO and MPP Sylvia Jones.*

The Town of Mono looks forward to working with municipalities, AMCTO, MPAC and provincial representatives to find a workable solution to the problem of maintaining the municipal election voters' list.

Best Regards,

Original signed by:

Laura Ryan, Mayor

Laura Ryan  
Mayor

cc: AMCTO  
All Ontario Municipalities

Good afternoon,

In light of the recent municipal election, the Council of the Corporation of the Town of Kearney passed the following resolution in regard to the creation, maintenance and general quality of the Municipal Voters' List:

**Resolution #**

**10.(d)(iii)/21/11/2018**

**WHEREAS** concern over the quality of the Municipal Voters' List is not a new phenomenon;  
**AND WHEREAS** in 2012, the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) published a "Voters' List Position Paper" and since that time has been advocating for transformational changes to the way that Ontario creates and maintains the Voters' List for municipal elections;

**AND WHEREAS** the Preliminary List of Electors which forms the Voters' List in Ontario is supplied by data from the Municipal Property Assessment Corporation (MPAC);

**AND WHEREAS** despite the incremental changes made by MPAC, MPAC has a limited ability to fix the currency and accuracy issues that impairs the current process and the Voters' List continues to be flawed with data inaccuracies and outdated information;

**AND WHEREAS** a transformational solution to the way that the Voters' List is created and managed is required;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Corporation of the Town of Kearney supports the re-establishment of the multi-stakeholder working group between the Ministry of

Municipal Affairs, Ministry of Finance, AMCTO, MPAC and Elections Ontario in exploring and identifying ways to create and maintain the Voters' List for Municipal Elections;

**AND FURTHER** Council requests an update be provided from this 'Voters' List Working Group' on the transformational solutions being discussed;

**AND FURTHER** that this resolution be circulated to all Ontario Municipalities for their consideration and support.

**CARRIED**

We hope that this resolution will be of interest to your Municipality, and that you will support this endeavour moving forward.

Sincerely,

*Cindy Filmore*

Senior Office Assistant  
Town of Kearney  
Ph# (705) 636-7752  
Fax (705) 636-0527



TOWN OF SHELburne  
COUNCIL RESOLUTION

No. 8

Date: January 14, 2019

Moved by: 

Seconded by: 

**BE IT RESOLVED THAT** the Council of the Town of Shelburne receives the resolutions and correspondence from the Township of Melancthon, Town of Kearney, City of Hamilton and Municipality of Northern Bruce Peninsula regarding the Voters' List for Municipal Elections;

**AND THAT** Council endorses and supports the re-establishment of the multi-stakeholder working group between the Ministry of Municipal Affairs, Ministry of Finance, AMCTO, MPAC and Elections Ontario in exploring and identifying ways to create and maintain the Voters' List for Municipal Elections;

**AND FURTHER THAT** this resolution be circulated to all Ontario Municipalities for their consideration and support.

**CARRIED:** 

Requested Vote to be recorded                      ☐ Yes                      ☐ No

	Yea	Nay
Mayor Mills	<input type="checkbox"/>	<input type="checkbox"/>
Deputy Mayor Anderson	<input type="checkbox"/>	<input type="checkbox"/>
Councillor Benotto	<input type="checkbox"/>	<input type="checkbox"/>
Councillor Buffett	<input type="checkbox"/>	<input type="checkbox"/>
Councillor Fegan	<input type="checkbox"/>	<input type="checkbox"/>
Councillor Hall	<input type="checkbox"/>	<input type="checkbox"/>
Councillor Wegener	<input type="checkbox"/>	<input type="checkbox"/>

## Town of Orangeville

87 Broadway, Orangeville, Ontario, Canada L9W 1K1  
Tel: 519-941-0440 Fax: 519-941-9569 Toll Free: 1-800-941-0440

---

### Corporate Services

January 17, 2019

Via Email

The Honourable Doug Ford, M.P.P., Premier of Ontario, [doug.ford@pc.ola.org](mailto:doug.ford@pc.ola.org)  
 The Honourable Christine Elliott, M.P.P., Deputy Premier of Ontario, Minister of Health and Long Term Care, [christine.elliott@pc.ola.org](mailto:christine.elliott@pc.ola.org)  
 The Honourable Steve Clark, M.P.P., Minister of Municipal Affairs and Housing, [steve.clark@pc.ola.org](mailto:steve.clark@pc.ola.org)  
 The Honourable Sylvia Jones, M.P.P., Minister of Community Safety and Correctional Services, [sylvia.jones@pc.ola.org](mailto:sylvia.jones@pc.ola.org)  
 Andrea Horwath, M.P.P., [ahorwath-q@ndp.on.ca](mailto:ahorwath-q@ndp.on.ca)

Dear Sir/Madam:

At the Town of Orangeville Council Meeting on January 14, 2019 Council passed the following resolution:

*Whereas the protection of the integrity of the Green Belt is a paramount concern for our residents;*

*And whereas the continued legislative protection of our water – groundwater, surface water and waterways – is vitally important for the current and future environmental health of our community;*

*And whereas significant concerns have been raised by residents, community leaders and environmental organizations such as the Canadian Environmental Law Association (CELA), that provisions within Bill 66 will weaken environmental protections as it "...will enable municipalities to pass "open-for business" zoning by-laws that do not have to comply with..." important provincial environmental statutes;*

*And whereas an "Open for Business" by-law may be approved without public consultation;*

*And whereas provisions within Bill 66 may allow exemptions from municipal Official Plans;*

And whereas the Town of Orangeville's Official Plan represents not only a significant investment of taxpayer resources but reflects our community's collective vision for current and future planning;

And whereas our Official Plan clearly designates land that is environmentally protected;

And whereas our Official Plan also provides clearly designated land to meet future employment land needs;

Now therefore be it hereby resolved:

1. That Orangeville Town Council opposes planned changes to the Planning Act in the proposed Bill 66 that may allow for an "open for business" planning by-law.
2. That the Government of Ontario be requested to reconsider the proposed changes to the Planning Act included in Bill 66 which speak to the creation of the open-for- business planning by-law.
3. That notwithstanding the future adoption of Bill 66, the Town of Orangeville will not exercise the powers granted to it in Schedule 10 or any successor sections or schedules to pass open-for-business planning by-laws.
4. That a copy of this resolution be sent to the Honourable Doug Ford, Premier of Ontario, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Honourable Christine Elliott, Deputy Premier of Ontario, the Honourable Sylvia Jones, Minister of Community Safety and Correctional Services, MPP Dufferin-Caledon and Andrea Horwath, MPP, Leader of the New Democratic Party.
5. That a copy of this resolution be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

Yours truly,



**Susan Greatrix | Clerk**

**Town of Orangeville** | 87 Broadway | Orangeville, ON L9W 1K1

519-941-0440 Ext. 2242 | Toll Free 1-866-941-0440 Ext 2242 | Cell 519-278-4948

[sgreatrix@orangeville.ca](mailto:sgreatrix@orangeville.ca) | [www.orangeville.ca](http://www.orangeville.ca)

TM

cc The Honourable François-Philippe Champagne, M.P., Minister of Infrastructure and Communities,  
[Francois-Philippe.Champagne@parl.gc.ca](mailto:Francois-Philippe.Champagne@parl.gc.ca)  
 The Honourable Patricia A. Hajdu, M.P., Minister of Employment, Workforce Development and Labour,  
[Patty.Hajdu@parl.gc.ca](mailto:Patty.Hajdu@parl.gc.ca)  
 The Honourable Lawrence MacAulay, M.P., Minister of Agriculture and Agri-Food,  
[lawrence.macaulay@parl.gc.ca](mailto:lawrence.macaulay@parl.gc.ca)  
 The Honourable Catherine McKenna, M.P., Minister of Environment and Climate Change,  
[Catherine.McKenna@parl.gc.ca](mailto:Catherine.McKenna@parl.gc.ca)  
 The Honourable Amarjeet Sohi, M.P., Minister of Natural Resources, [Amarjeet.Sohi@parl.gc.ca](mailto:Amarjeet.Sohi@parl.gc.ca)  
 David Tilson, M.P., Dufferin-Caledon, [david.tilson.c1@parl.gc.ca](mailto:david.tilson.c1@parl.gc.ca)  
 Association of Municipalities of Ontario (AMO)  
 All Ontario Municipalities



# GEORGINA

## Council Resolution January 16, 2019

Moved by Councillor Neeson, Seconded by Councillor Harding

### **RESOLUTION NO. C-2019-0021**

WHEREAS the Provincial Government introduced Bill 66 entitled “Restoring Ontario’s Competitiveness Act” on the final day of sitting in the 2018 Ontario Legislature, December 6<sup>th</sup>, 2018 and;

WHEREAS significant concerns have been communicated regarding schedule 10, among other schedules contained therein by residents, community leaders, legal and environmental organizations such as the Canadian Environmental Law Association (CELA), EcoJustice, Environmental Defence Canada, Ontario Nature, South Lake Simcoe Naturalists, The Simcoe County Greenbelt Coalition, The David Suzuki Foundation, AWARE-Simcoe, Lake Simcoe Watch and the North Gwillimbury Forest Alliance that provisions within Bill 66 will weaken environmental protection, undermine democratic processes and potentially endanger public health and;

WHEREAS provisions of Bill 66 allow for an “Open for Business” bylaw, which may be approved without any public consultation of the citizens of the Town of Georgina and;

WHEREAS provisions of Bill 66 allow an “Open for Business Bylaw” which would permit major development in the Town of Georgina which most notably would no longer have to have any legislative regard for certain sections of:

- *The Planning Act*
- *The Provincial Policy Statement*
- *The Clean Water Act*
- *The Great Lakes Protection Act*
- *The Greenbelt Act*
- *The Lake Simcoe Protection Act*
- *The Oak Ridges Moraine Conservation Act and;*

WHEREAS the Town of Georgina remains committed to source water protection, *The Lake Simcoe Protection Act*, the integrity of the Greenbelt and it understands the benefits for protecting these features in support of our local economy and quality of life, and

WHEREAS notwithstanding the potential future adoption of Bill 66, that the Town of Georgina will continue to remain committed to making sound decision regarding resource and environmental preservation that remain consistent with the Clean Water Act, 2006, the Provincial Policy Statement and other legislative tools which provide for good planning, while balancing the need for economic development and providing environmental and public health protection;

NOW THEREFORE BE IT RESOLVED THAT the Town of Georgina strongly recommends that schedule 10 of Bill 66 be immediately abandoned or withdrawn by the Ontario Government and;

BE IT FURTHER RESOLVED THAT The Town of Georgina declares that notwithstanding the potential future adoption of Bill 66, the Town of Georgina's Council will not exercise the powers granted to it in schedule 10 or any successor schedules or sections to pass an "open for business planning bylaw" without a minimum of two (02) public meetings which shall be advertised twenty (20) days in advance in the Georgina Advocate or its successor, and also shall be advertised in any other local media resource that is widely available to the public in the Town of Georgina, by way of bylaw and;

BE IT FURTHER RESOLVED THAT staff be directed to draft such a bylaw for Council's consideration should Bill 66 be given royal assent and be given force and effect and;

BE IT FURTHER RESOLVED THAT the Town of Georgina requests the Province of Ontario to release draft criteria and draft regulations, and to provide a commenting period in advance of consideration by the legislature, and;

BE IT FURTHER RESOLVED THAT a copy of this motion be sent to the Honourable Doug Ford, Premier of Ontario, the Honourable Steve Clark, Minister of Municipal Affairs, Andrea Horwath, MPP and Leader of the Official Opposition and the Ontario NDP Party, MPP John Fraser, Interim Leader of the Ontario Liberal Party, MPP and Leader of the Green Party of Ontario, Mike Schreiner, the Honourable Caroline Mulroney, MPP York-Simcoe, Attorney General and Minister Responsible for Francophone Affairs and;

BE IT FURTHER RESOLVED THAT a copy of this motion be sent to the Association of Municipalities Ontario (AMO), all MPP's in the Province of Ontario and all Municipalities in Ontario for their consideration.

A recorded vote was requested; the Deputy Clerk recorded the vote as follows:

	<u>YEA</u>	<u>NAY</u>
Mayor Quirk	X	
Councillor Waddington		X
Councillor Neeson	X	
Councillor Sebo	X	
Councillor Harding	X	
Regional Councillor Grossi		X
Councillor Fellini	X	

Yea – 5    Nay - 2

**Carried.**





The Corporation of the  
**Township of Wilmot** 60 Snyder's Road West, Baden, Ontario N3A 1A1

Clerk's Services Department  
 t. 519-634-8444  
 f. 519-634-5522

Reply to: Tracey Murray  
[tracey.murray@wilmot.ca](mailto:tracey.murray@wilmot.ca)

January 16, 2019

Hon. Doug Ford  
 Premier's Office  
 Room 281  
 Legislative Building, Queen's Park  
 Toronto, ON M7A 1A1

Dear Hon. Doug Ford,

In addition to the staff report and resolution sent to the Ministry of Municipal Affairs and Housing, at its regular meeting on January 14, 2019, the Council of The Corporation of The Township of Wilmot adopted the following additional resolution:

**BE IT RESOLVED:**

1. **Whereas, Report DS2019-01 has given us ample logic and evidence to oppose schedule 10 of Bill 66,**
2. **Therefore be it resolved that, we send this report along with notification to the provincial government that Wilmot Township opposes this schedule in its entirety and request that the government removes this in its entirety before it passes.**
3. **Furthermore be it resolved that, a copy of this motion be sent to the Honourable Doug Ford, Premier of Ontario, the Honourable Steve Clark, Minister of Municipal Affairs, The Honourable Andrea Horwath, Leader of the Opposition and New Democratic Party and all MPP's in the Province of Ontario; and**
4. **Be it resolved that, a copy of this motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration; and**
5. **Be it resolved that, notwithstanding the future adoption of Bill 66, The Township of Wilmot commits to adhering to continued open consultations and proven land use strategies based on science. And respect for environmental protections within all applicable Planning Land Use and Environmental Acts**
6. **Be it further resolved that, as input into re-consideration, the Township of Wilmot reaffirms its support for the principles of the Countryside Line and the Protected**

**Countryside designation to appropriately manage growth through comprehensive planning review, analysis and community consultation.**

**CARRIED.**

Sincerely,

A handwritten signature in black ink, appearing to be 'Tracey Murray', with a long horizontal stroke extending to the right.

Tracey Murray  
Deputy Clerk



January 22, 2019

Ministry of Municipal Affairs and Housing  
Office of the Minister  
777 Bay Street, 17<sup>th</sup> Floor  
Toronto, ON M5G 2E5

Minister Steve Clark:

Sent via E-mail

**Re: Opting In to Allow Retail Cannabis Stores**

Please be advised that at the January 15, 2019 meeting of Niagara Falls City Council, the following motion was passed:

- ORDERED** on the motion of Councillor Ioannoni, seconded by Councillor Campbell, that Council opt in to the Provincial Retail Cannabis Store program;
- AND ALSO**, that Council adopt the attached Municipal Policy Statement on Cannabis for the purpose of reviewing and commenting on licence applications;
- AND ALSO**, that City Council harmonize its anti-smoking by-law with amendments to the Regional anti-smoking by-law and work with Regional Health in public consultation regarding additional public areas where tobacco, cannabis and related products can be smoked or consumed;
- AND ALSO**, that City Council send a resolution to the Province requesting that municipalities in Ontario be given greater regulatory controls over the location, distance separations and numbers of Retail Cannabis Stores within a municipality;
- AND ALSO**, that a copy of this motion of Council be sent to all municipalities in Ontario.

If you have any questions, please contact me directly.

Attach.

c. The Honourable Doug Ford, Premier of Ontario  
All Municipalities in Ontario

Sincerely,

Bill Matson  
Acting City Clerk

***Working Together to Serve Our Community***

Clerks  
Ext 4342 Fax 905-356-9083  
billmatson@niagarafalls.ca

## **APPENDIX 2**

<b>CORPORATE POLICY</b>  <b>PLANNING, BUILDING &amp; DEVELOPMENT</b>	<b>DATE EFFECTED</b> December 11, 2018 <b>DATE OF REVISION</b>	<b>PROCEDURE 500.22</b> Municipal Policy Statement on Cannabis Report: PBD-2018-76
--	--	--

### **1.0 Purpose & Vision**

- a) The purpose of this policy statement is to provide a format for the City of Niagara Falls to provide input to the Alcohol and Gaming Commission of Ontario (AGCO), as well as help prospective recreational cannabis retailers in their consideration of location of cannabis retail stores in Niagara Falls.
- b) It is recognized the AGCO is the provincial authority responsible for licensing cannabis retail operators, authorizing cannabis retail locations and licensing senior store staff. Municipal governments have no licensing authority. The AGCO regulates and reviews all aspects of the retail operation including municipal and public input, that the proposed store location is consistent with the public interest as defined in the regulations.
- c) The City of Niagara Falls has chosen to allow retail sales of recreational cannabis within commercial zones.

### **2.0 Principles for Cannabis Retail Store Locations**

- a) For the purposes of this policy statement, a cannabis retail store shall mean a store licensed or under application to be licensed by the AGCO.
- b) Land Use Planning: The provincial licensing process does not remove the requirement to comply with the zoning by-law and other municipal planning documents. The definitions within the municipality's Official Plan and Zoning By-law are applicable to all retail, including cannabis retail stores. Retail sale of cannabis from a provincially licensed store is legal and is a permitted use in the retail zones.
- c) Municipal Building Inspections: The Ontario Building Code applies to cannabis retail store locations. Therefore, where a building or sign permit is required, applications together with appropriate fees shall be submitted to the Niagara Falls Building Division. The building inspector will undertake duties as usual. Fire Code compliance is mandatory.

### **3.0 Cannabis Retail Stores and Sensitive Activities**

- a) The goal is to help ensure public health and safety, protect of youth and reduce illegal sales, retail cannabis stores are discouraged where nearby

properties are designed to serve youth, or the potential for illegal sales or health risk exist. It is recommended that a 150m distance be maintained from:

- i) Schools as outlined in O. Reg 468.18;
  - ii) Facilities such as nursery schools, day care centres and municipal libraries, parks, trailheads and recreational facilities including community centres and arenas; and
  - iii) Facilities that serve persons with mental health or addiction challenges.
- b) Attached is a map showing the retail/commercial zones of the municipality and the activities identified in i), ii) and iii) above.

#### **4.0 Comment Preparation & Submission**

- a) Planning Staff when preparing comments to be submitted to the AGCO, shall have regard for:
- i) ensuring zoning allows a retail use as a permitted use and whether the zone provisions and regulations of the zone can be satisfied;
  - ii) the separation distances listed for uses in 3.0 i), ii) and iii) of this Policy are met; and
  - iii) the goal of 3.0 is met.
- b) Where time limits do not allow a report to be brought before City Council, the Director of Planning, Building & Development is delegated the responsibility to submit comments to the AGCO on behalf of the Corporation.

**UNFINISHED BUSINESS REPORT**  
**Presented to Council February 4, 2019**

<b>No.</b>	<b>Item</b>	<b>Department</b>	<b>Date Added</b>	<b>Current Status</b> <i>(as of January 30, 2019)</i>	<b>Expected Completion</b>
1.	Fairview Rd Extension	Infrastructure (Ewen)	Jan 2016	-Will look at options and report back this spring.	Spring 2019
2.	Docks on Township Property	Infrastructure (Ewen)	Jan 2016	-Report received by Council on January 21 <sup>st</sup> . -File transferred to Infrastructure Department for follow up.	TBD
3.	Fire Protection Ponds	Infrastructure (Ewen)	May 2016	-Consultant working on design for well water source at Richmond Road. -No update for Midway Pump House.	Spring 2019
4.	Municipal Servicing from City of Cornwall	Infrastructure (Ewen)	May 2016	-Letter sent to Administration in response to Draft Agreement.	Spring 2019
5.	Private Roads – Develop a working document for private roads	Infrastructure (Ewen)	Feb 2017	-Will review this item and develop a document this year.	2019
6.	Glen Walter Surplus Lots	Infrastructure (Ewen)	May 2018	-RFP for Realtor Services awarded at January 21 <sup>st</sup> Meeting.	Winter 2019
7.	Williamstown Garage & Fire Hall	Infrastructure Fire (Ewen/Dave)	May 2018	-Design for Airport Road Facility ongoing -Design for Williamstown Fire Hall completed -Tenders to be issued this spring	2019
8.	Parking Issues - Village of Lancaster	Community Services (Shauna)	May 2018 (updated Sept 2018)	-Options presented to Council will be implemented in the Spring.	Spring 2019
9.	Lancaster Fire Hall Generator Purchase	Fire Services (Dave)	December 2018	-To be included in 2019 budget.	Winter/Spring 2019

**SG-M-19**

**THE CORPORATION OF THE  
TOWNSHIP OF SOUTH GLENGARRY  
BY-LAW 13-2019  
FOR THE YEAR 2019**

***BEING 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

**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;

**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 February 4, 2019 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 4<sup>TH</sup> DAY OF FEBRUARY, 2019.***

**MAYOR: CLERK:**