



THE CORPORATION OF THE TOWNSHIP OF MAPLETON

COUNCIL AGENDA

TUESDAY, AUGUST 11, 2020 @ 7:00 P.M.

PMD ARENA, 68 MAIN STREET W. DRAYTON

1. **Call to Order**
2. **O Canada**
3. **Declaration of Pecuniary Interest**
4. **Confirmation of Minutes**

4.1 Special Meeting of Council dated July 14, 2020

RECOMMENDATION

THAT the minutes of the Township of Mapleton Special Meeting of Council held on July 14, 2020 be confirmed as circulated in the agenda package.

4.2 Council Meeting dated July 14, 2020

RECOMMENDATION

THAT the minutes of the Township of Mapleton Meeting of Council held on July 14, 2020 be confirmed as circulated in the agenda package.

4.3 Special Meeting of Council dated July 30, 2020

RECOMMENDATION

THAT the minutes of the Township of Mapleton Special Meeting of Council held on July 30, 2020 be confirmed as circulated in the agenda package.

5. **Matters arising from Minutes**
6. **Matters under The Planning Act and Matters Arising**

6.1 a) ZBA2020-07 - Notice of Public Meeting, Peel Con 3 & 4, Part Lot 6 RP61R8725 Part 1 RP61R20565 Part 1. Kraemer Randy, Susanne

This is a Public Meeting under the Planning Act to hear comments from the public and agencies and to give consideration to an application for a proposed Zoning By-law Amendment ZBA2020-07.

The subject lands are located at 6610 Sideroad 17.

The proposed purpose and effect is to rezone the subject lands to permit an expansion to the existing woodworking business.

We will now receive info from the CAO regarding Statutory requirements.
Township Planner comments.
Oral presentations or written submissions from those in attendance. Please use the podium and state your name and address for the record. We will first hear from those in support of the amendment, and then we will hear presentations from those opposed. The applicant may speak to any concerns presented. If there are written submissions, these should be filed with the Clerk, as they will form part of the Township's records.
Any questions from Council to applicant.
Would all interested persons, please clearly print their full name, address and postal code on the attendance sheet being circulated.
The Public Meeting is now concluded. Thank you for attending this Public Meeting.

b) Matters arising under The Planning Act (Council Direction)

RECOMMENDATION

THAT Zoning application ZBA2020-07 located at 6610 Sideroad 17, Kraemer, Randy & Susanne be received;
AND FURTHER THAT the draft amending by-law as circulated in the agenda be presented to Council for first, second and third reading.

6.2 County of Wellington Request for Revisions to a Draft Approved Plan of Subdivision, 23T-98003, Riverview Heights Phase 2, Part of Lots 18 & 19, Concession 12, Maryborough Twp.

RECOMMENDATION

THAT Township of Mapleton Council receive County of Wellington Request for Revisions to a Draft Approved Plan of Subdivision, 23T-98003, Riverview Heights Phase 2, Part of Lots 18 & 19, Concession 12, Maryborough dated July 10, 2020;

AND FURTHER support the requested redline amendment as explained in correspondence dated March 5, 2020 from Owner/Applicant Drayton B.G. Inc and from ABEC Engineering & Planning, Masoud Robati dated July 1, 2020 with the following conditions:

- Cash in lieu of parkland as per the Township's fees and charges by-law
- Satisfy all the requirements of the local municipality, financial and otherwise
- Driveway entrance approval
- Safe Driveway access can be provided to the satisfaction of the Township and County
- Taxes Paid in Full
- Service connections to be confirmed
- Official Plan Compliance
- Zoning Compliance
- Lot Grading and Drainage Plan
- Subdivision Agreement
- Digital copies of deposited Subdivision Plan

Also included for your records are comments prepared by R.J. Burnside dated July 27, 2020.

7. Delegations and Matters Arising from Delegations – none

8. Minutes from Committees – none

9. Reports and Updates from Staff

9.1 Building Department

- i) Building Report BD 2020-09
Re: July 2020 Month End & YTD

RECOMMENDATION

THAT Township of Mapleton Council receive Building Department Report BD2020-09 dated August 11, 2020 regarding July Month End and Year to Date (YTD).

9.2 CAO and Clerk's Department

- i) CAO Clerk's Report CL2020-13
Re: Mapleton Water/Wastewater System Upgrades Path Forward

RECOMMENDATION

THAT CAO's Report CL2020-13, dated August 11, 2020 with regards to the Mapleton Water/Wastewater System Upgrades Path Forward be received;

AND FURTHER THAT Council direct staff to begin where we left off and work directly with CIMA+ to address the water and wastewater system needs in Drayton and Moorefield.

- ii) CAO Clerk's Report CL 2020-14
Re: Ontario Bill 197 – Mapleton Procedural By-law

RECOMMENDATION

THAT Township of Mapleton Council receive CAO Clerk's Report CL2020-14 dated August 11, 2020 regarding Bill 197, Municipal Act Section 238, Procedural By-law Revisions;

AND FURTHER THAT staff prepare a revised procedural by-law for the purposes of incorporating the following preferred legislative policy options:

- i) Mapleton Council may elect to utilize an electronic platform for both 'Open to the Public' and 'Closed to the Public' Council meetings.
- ii) Members of Council may not participate electronically in a Council meeting which is not being held on an electronic platform.
- iii) Council members are not allowed to appoint another member of Council to act as their proxy when they are absent.

- iii) CAO Clerk's Report CL2020-15
Re: Economic Development Consulting Services

RECOMMENDATION

THAT Township of Mapleton Council receive CAO Clerk's Report CL2019-15 dated August 11, 2020 regarding Economic Development Consulting Services; AND FURTHER THAT Council approve the Memorandum of Understanding and authorize the Mayor and Clerk;

AND FURTHER THAT Council approve the position of Economic Development Coordinator to work in conjunction with Minto's Economic Development Team.

9.3 Fire Department

- i) Fire Report FR2020-05
Re: Enhanced Fire Services

RECOMMENDATION

THAT Township of Mapleton Council receive Report FR2020-05 dated August 11, 2020 regarding Request for Enhanced Fire Services.

AND FURTHER THAT Mapleton Council approve the additional 3 days per week to the staff of Mapleton Fire/Rescue.

9.4 Public Works Department

- i) Public Works Report PW2020-15
Re: 2020 Capital Program Status Update #2

RECOMMENDATION

THAT Township of Mapleton Council receive Public Works Report PW2020-15 dated August 11, 2020 regarding the 2020 Capital Program Status Update #2 for information.

10. Approval of By-Laws

- 10.1 By-law Number 2020-052 being a by-law to authorize the Mayor and Clerk to execute a Site Plan Agreement between Darren Huber & Stephanie Huber and The Corporation of the Township of Mapleton
- 10.2 By-law Number 2020-053 being a by-law to authorize the Mayor and Clerk to execute a Site Plan Agreement between Glenaviland Development Corporation and The Corporation of the Township of Mapleton
- 10.3 By-law Number 2020-054 being a by-law to appoint a Clerk for the Corporation of the Township of Mapleton
- 10.4 By-law Number 2020-055 being a by-law to appoint a Secretary-Treasurer of the Committee of Adjustment for the Corporation of the Township of Mapleton
- 10.5 By-law Number 2020-056 being a By-law to amend By-law 2010-080, being a Zoning By-law for the Township of Mapleton, Part Lot 6, Concession 4 (Peel), ZBA 2020-07

RECOMMENDATION

THAT By-laws Numbered:

- 2020-052 being a by-law to authorize the Mayor and Clerk to execute a Site Plan Agreement between Darren Huber & Stephanie Huber and The Corporation of the Township of Mapleton
 - 2020-053 being a by-law to authorize the Mayor and Clerk to execute a Site Plan Agreement between Glenaviland Development Corporation and The Corporation of the Township of Mapleton
 - 2020-054 being a by-law to appoint a Clerk for the Corporation of the Township of Mapleton
 - 2020-055 being a by-law to appoint a Secretary-Treasurer of the Committee of Adjustment for the Corporation of the Township of Mapleton
 - 2020-056 being a By-law to amend By-law 2010-080, being a Zoning By-law for the Township of Mapleton, Part Lot 6, Concession 4 (Peel), ZBA 2020-07
- be hereby read a first, second and third time, signed by the Mayor and the Clerk and sealed with the Corporate Seal.

11. Correspondence for Council's Direction – none

12. Correspondence for Council's Information

- 12.1 Ratepayer letter dated July 23, 2020 regarding ZBA 2020-06 Core Fuels
- 12.2 Ratepayer letter dated July 21, 2020 regarding ZBA 2020-06 Core Fuels
- 12.3 Wellington County Land Division - Notice of Decision, B36-20
Re: Concession 13, Part Lot 16 (Peel), Aileen & Teade Wiersma
- 12.4 Wellington County Land Division - Notice of Decision, B34-20
Re: Concession 10, Part Lots 11 & 12 (Peel), Close View Farms Ltd
- 12.5 Ministry of Transportation – Highway Traffic Act guidance regarding recent changes pertaining to off-road vehicles.
- 12.6 Township of Perth South – Letter dated July 9, 2020 to Agricorp regarding accuracy of rural assessment data.
- 12.7 Enbridge Gas Inc – 2021 rate increase application
- 12.8 Township of South Glengarry – Resolution of July 20, 2020 regarding Long Term Care Homes
- 12.9 Town of Gore Bay – Resolution of July 13, 2020 supporting Grey Highlands regarding universal basic income program
- 12.10 Town of Gore Bay - Resolution of July 13, 2020 supporting Orangeville regarding OPP training
- 12.11 Town of Gore Bay – Resolution of July 13, 2020 supporting the Federation of Northern Ontario Municipalities (FONOM) re replacing OPP Detachment Boards
- 12.12 Town of Mono – Letter of July 24, 2020 supporting Town of Orangeville resolution regarding a diversity training program for all police services in Ontario.
- 12.13 AMO Watch File
The link to view the July 16, 2020 issue: <https://tinyurl.com/y5o79enu>
The link to view the July 23, 2020 issue: <https://tinyurl.com/y2xmxfva>
The link to view the July 30, 2020 issue: <https://tinyurl.com/y2mm5yvtv>
The link to view the August 6, 2020 issue: <https://tinyurl.com/y6qsq123>

13. Notices of Motion

14. Notice Provision

14.1 Cemetery Notice – By-law 2020-042 submitted to the Bereavement Authority of Ontario (BAO)

15. Other Business

16. Council Tracking Sheet

17. Closed Session – none

18. Confirmatory By-law Number 2020-057

RECOMMENDATION

THAT By-law Number 2020-057 being a by-law to confirm all actions and proceedings of the Council of the Corporation of The Township of Mapleton be hereby read a first, second and third time signed by the Mayor and the Clerk and sealed with the Corporate Seal.

19. Adjournment

PLEASE NOTE: Alternate Formats and Communication Support

The Township is committed to providing residents with communication support and alternate format of documents upon request. For more information or to make a request, please call the Township of Mapleton office at 519-638-3313.



Township of Mapleton

2020 Calendar

January						
S	M	T	W	T	F	S
			1	2	3	4
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April						
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May						
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31						

June						
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November						
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December						
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- Regular Council 7pm
- Regular Council 1pm
- Council Conference
- Committee of Adjustment
- Parks and Recreation Committee
- Economic Development Committee
- Statutory Holiday (Office Closed)

Note: Council Meeting dates as per Procedure By-law



THE CORPORATION OF THE TOWNSHIP OF MAPLETON

SPECIAL MEETING COUNCIL MINUTES - **DRAFT**

TUESDAY, JULY 14, 2020 @ 5:00 P.M.

COUNCIL MET USING VIRTUAL TECHNOLOGY

1. Call to Order

Mayor Davidson welcomed attendees and called the meeting to order at 5:00 p.m.

2. Roll Call to be taken by the Clerk

PRESENT: IN COUNCIL ADMIN OFFICE
Gregg Davidson, Mayor

VIDEOCONFERENCE CALL
Dennis Craven, Councillor
Paul Douglas, Councillor
Marlene Ottens, Councillor

REGRETS: Michael Martin, Councillor

Clerk Barb Schellenberger stated that quorum had been met and the meeting can commence.

STAFF PRESENT: IN COUNCIL ADMIN OFFICE BY VIDEOCALL
Manny Baron, Chief Administrative Officer
Barb Schellenberger, Municipal Clerk
Larry Wheeler, Deputy Clerk
Rick Richardson, Fire Chief
John Morrison, Director of Finance

VIDEO CALL
Sam Mattina, Director of Public Works

3. Declaration of Pecuniary Interest – none

4. Educational

4.1 Presentation by Director of Finance John Morrison regarding Water and Wastewater Service Review dated July 14, 2020

RESOLUTION 2020-13-01

Moved: Councillor Ottens

Seconded: Councillor Douglas

THAT Director of Finance presentation regarding Water and Wastewater Service Review dated July 14, 2020 be received for information.

CARRIED

5. Confirmatory By-law 2020-043B

RESOLUTION 2020-13-02

Moved: Councillor Craven

Seconded: Councillor Douglas

THAT By-law Number 2020-043B being a by-law to confirm all actions and proceedings of the Council of the Corporation of The Township of Mapleton be hereby read a first, second and third time signed by the Mayor and the Clerk and sealed with the Corporate Seal.

CARRIED

6. Adjournment

There being no further business, the meeting adjourned at 6:01 p.m.

Mayor Gregg Davidson

Clerk Barb Schellenberger

PLEASE NOTE: Alternate Formats and Communication Support

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THE CORPORATION OF THE TOWNSHIP OF MAPLETON

COUNCIL MINUTES DRAFT

TUESDAY, JULY 14, 2020 @ 7:00 P.M.

MAPLETON TOWNSHIP OFFICES

COUNCIL MET USING VIRTUAL TECHNOLOGY

1. Call to Order

Mayor Davidson welcomed attendees and called the meeting to order at 7:00 p.m.

In response to COVID-19 and recommendations by World Health Organization and the Guelph-Dufferin-Wellington Health Unit to exercise social distancing, Township of Mapleton facilities, including the Township Office are currently closed. Members of the public were invited to observe this open meeting electronically by accessing the meeting live-streaming video.

2. a) Roll Call was taken

PRESENT: IN COUNCIL ADMIN OFFICE
Gregg Davidson, Mayor

VIDEOCONFERENCE CALL
Dennis Craven, Councillor
Paul Douglas, Councillor
Marlene Ottens, Councillor

REGRETS: Michael Martin, Councillor

Clerk Barb Schellenberger stated that quorum had been met.

STAFF PRESENT: IN COUNCIL ADMIN OFFICE
Manny Baron, Chief Administrative Officer
Barb Schellenberger, Municipal Clerk
Larry Wheeler, Deputy Clerk
Rick Richardson, Fire Chief

VIDEOCONFERENCE CALL
Sam Mattina, Director of Public Works
John Morrison, Director of Finance
Patty Wright, CBO

b) Acceptance of an Addendum

RESOLUTION 2020-14-01

Moved: Councillor Douglas
Seconded: Councillor Ottens

THAT the Township of Mapleton Council waive the notice requirement for today's council meeting to allow an addendum under the heading of Reports and Updates from Staff (Item 9.2 iii).

CARRIED

3. Declaration of Pecuniary Interest – none stated

4. Confirmation of Minutes

4.1 Special Meeting of Council dated June 11, 2020

RESOLUTION 2020-14-02

Moved: Councillor Douglas
Seconded: Councillor Ottens

THAT the minutes of the Township of Mapleton Special Meeting of Council held on June 11, 2020 be confirmed as circulated in the agenda package.

CARRIED

4.2 Council Meeting dated June 16, 2020

RESOLUTION 2020-14-03

Moved: Councillor Douglas

Seconded: Councillor Ottens

THAT the minutes of the Township of Mapleton Council Meeting held on June 16, 2020 be confirmed as circulated in the agenda package.

CARRIED

5. Matters arising from Minutes

6. Matters under The Planning Act and Matters Arising

6.1 a) ZBA2020-04 - Notice of Public Meeting, Plan 61M74 Lot 37, 83 River Run Road, Drayton. Thompson, Barbara & Richard

The Chairman announced that this is a Public Meeting under the Planning Act to hear comments from the public and agencies and to give consideration to an application for a proposed Zoning By-law Amendment ZBA2020-04. The subject lands are located at 83 River Run Road, Drayton. The proposed purpose and effect is to permit a second dwelling unit within the main building.

Staff confirmed the following:

- Property owners and agencies were provided with the required notice by prepaid first-class mail or by email on June 23, 2020.
- Proper postings were completed on June 23, 2020.
- Public Notice was posted in the July 2nd issue of the Wellington Advertiser.
- Planning Report dated April 3, 2020 prepared by Planner Jessica Rahim was received and included in the agenda package.
- CBO Patty Wright comments dated June 24, 2020 were received and included in the agenda package.
- GRCA comments dated June 22, 2020 state "the property does not contain any features regulated by the GRCA."
- Wellington Source Water Protection – Risk Management Inspector Emily Vandermeulen comments dated June 23, 2020 state, "this property is not located in a vulnerable area" and are included in the agenda package.
- Fire Chief Rick Richardson comments dated June 23, 2020 state "no issues."
- Ratepayer: No concerns or letters of objection were received.

Township Planner Linda Redmond reviewed her planning report that was enclosed with the agenda package.

Barbara & Richard Thompson's daughter Laurie Albright thanked Council for their support in keeping her parents in their home longer as they age.

Oral presentations or written submissions from those who have pre-registered: no one had pre-registered, and no one indicated to the meeting host that they wished to be recognized.

While supporting the applicant, a Councillor queried how this proposal was different than a simple multi-generational living arrangement. The Planner responded that this was a self-contained unit.

Persons in virtual attendance who did not participate in this Zoom hearing, were given the opportunity to state their name and full mailing address if they wished to receive further notifications. No one came forth.

The Public Meeting was then concluded.

RESOLUTION 2020-14-04

Moved: Councillor Douglas

Seconded: Councillor Ottens

THAT Zoning application ZBA2020-04 located at 83 River Run Road, Drayton. Thompson, Barbara & Richard be received;

AND FURTHER THAT the draft amending by-law as circulated in the agenda be presented to Council for first, second, and third reading.

CARRIED

- 6.2 a) ZBA2020-05 - Notice of Public Meeting, Con 13 Pt Lot 14 (Peel) 7452 Wellington Road 7, Alma. Shantz, Ronald & Dana

The Chairman announced that this is a Public Meeting under the Planning Act to hear comments from the public and agencies and to give consideration to an application for a proposed Zoning By-law Amendment ZBA2020-05. The subject lands are located at 7452 Wellington Road 7, Alma. The proposed purpose and effect is a condition of severing the farm equipment sales business from the retained farm parcel.

Staff confirmed the following:

Property owners and agencies were provided with the required notice by prepaid first-class mail or by email on June 23, 2020.

- Proper postings were completed on June 23, 2020.
- Public Notice was posted in the July 2nd issue of the Wellington Advertiser.
- Planning Report dated June 22, 2020 prepared by Planner Jessica Rahim was received and included in the agenda package.
- Grand River Conservation Authority – Resource Planner Laura Warner comments dated June 29, 2020 were received and included in the agenda package.
- CBO Patty Wright comments dated June 24, 2020 state “no concerns”.
- Wellington Source Water Protection – Risk Management Inspector Emily Vandermeulen comments dated June 23 were received and included in the agenda package.
- Ratepayer: No concerns or letters of objection were received.

Township Planner Linda Redmond reviewed her planning report that was enclosed with the agenda package.

Owner Ron & Dana Shantz and Hailey Keast of Van Harten Surveying offered no additional information or further explanation.

Oral presentations or written submissions from those who have pre-registered: no one had pre-registered, and no one indicated to the meeting host that they wished to be recognized.

Council had no comments or questions.

Persons in virtual attendance who did not participate in this Zoom hearing, were given the opportunity to state their name and full mailing address if they wished to receive further notifications. No one came forth.

The Public Meeting was concluded.

- b) Matters arising under The Planning Act (Council Direction)

RESOLUTION 2020-14-05

Moved: Councillor Douglas

Seconded: Councillor Ottens

THAT Zoning application ZBA2020-05 located at 7452 Wellington Road 7, Alma. Shantz, Ronald & Dana be received;

AND FURTHER THAT the draft amending by-law as circulated in the agenda be presented to Council for first, second, and third reading.

CARRIED

6.3 a) ZBA2020-06 - Notice of Public Meeting, Con 1 Pt Lot 2 (Pilkington)
6976 Wellington Road 7, Alma. Core Fuels Ltd.

The Chairman announced that this is a Public Meeting under the Planning Act to hear comments from the public and agencies and to give consideration to an application for a proposed Zoning By-law Amendment ZBA2020-06. The subject lands are located at 6976 Wellington Road 7, Alma. The proposed purpose and effect is to permit underground propane tanks for storage and distribution.

Staff confirmed the following:

Property owners and agencies were provided with the required Notice by prepaid first-class mail or by email on June 23, 2020.

- Proper postings were completed on June 23, 2020.
- Public Notice was posted in the July 2nd issue of the Wellington Advertiser.
- Planning Report dated July 9, 2020 prepared by Planner Linda Redmond was received and included in the agenda package.
- CBO Patty Wright comments dated July 6, 2020 state “no concerns.”
- GRCA – Resource Planner Laura Warner comments dated July 7, 2020 were received and included in the agenda package.
- Wellington Source Water Protection – Risk Management Inspector Emily Vandermeulen comments dated June 23, 2020 were received and included in the agenda package.
- Ratepayer: No concerns or letters of objection were received.

Township Planner Linda Redmond reviewed her planning report that was enclosed with the agenda package.

Megan Gerrity of GSP Group and Alex Beatty of Beatty Petroleum Consulting Inc both made presentations of documentation on record.

Oral presentations or written submissions from those who have pre-registered: no one had pre-registered, and no one indicated to the meeting host that they wished to be recognized.

Council queries and dialogue with Consultant Alex Beatty concerned: scale of the proposed operation, number of similar licensed plants in Ontario, Toronto Sunrise Propane historic incident & any others in North America, potential air pollution, life expectancy of tanks & inspection schedule, ground water contamination, propane not a water pollutant nor a greenhouse gas, effects on proposed Alma Senior’s Development, future planning process upon increase from 2 to 4 tanks, timing of engineering mapping measurements / contours, role of TSSA, benefits of underground storage vs. above ground.

Persons in virtual attendance who did not participate in this Zoom hearing, were given the opportunity to state their name and full mailing address if they wished to receive further notifications. No one came forth.

The Public Meeting was concluded.

b) Matters arising under The Planning Act (Council Direction)

RESOLUTION 2020-14-06

Moved: Councillor Douglas

Seconded: Councillor Ottens

THAT Zoning application ZBA2020-06 located at 6976 Wellington Road 7, Alma. Core Fuels Ltd be received.

CARRIED

The following resolution was introduced.

RESOLUTION 2020-14-07

Moved: Councillor Craven

Seconded: Councillor Douglas

THAT ZBA2020-06 draft amending by-law as circulated in the agenda be presented to Council for first, second, and third reading at the next regular meeting of Council.

The following resolution was introduced to amend Resolution 2020-14-07

VERBAL AMENDING RESOLUTION

Moved: Councillor Douglas

Seconded: Councillor Ottens

THAT Council review the Public Receptor Contours of the 4 tank option prior to implementation of by-law.

CARRIED

Mayor Davidson called the question for Resolution 2020-14-07 as amended. It was **CARRIED**

- 6.4 Consent Application Summary, Land Division File No. B34/20, Part Lots 11 & 12, Concession 10 (P), Close View Farms – c/o Bill Close

RESOLUTION 2020-14-08

Moved: Councillor Craven

Seconded: Councillor Douglas

THAT Township of Mapleton support Consent Application B34/20 as presented for lands described as Part Lots 11 & 12, Concession 10, Township of Mapleton (Peel) with the following conditions:

- THAT payment be made of the fee of \$200 (or whatever fee is applicable at the time of clearance under the Fees and Charges By-law) for a letter of clearance;
- THAT a Parkland dedication fee be paid (\$1,400 in 2020);
- THAT the Owner satisfy all the requirements of the local municipality, financial and otherwise for the proper and orderly development of the subject lands, including but not limited to outstanding taxes;
- THAT safe driveway access can be provided to the severed lot to the satisfaction of the County;
- THAT a copy of the deposited Reference Plan be submitted to the Township (hard copy and digital file);

AND FURTHER THAT Council authorizes the Municipal Clerk to file with the Secretary-Treasurer of the Planning and Land Division Committee at the County of Wellington, a letter of clearance of these conditions on completion of same.

CARRIED

- 6.5 Consent Application Summary, Land Division File No. B36/20, Part Lot 16, Concession 13 (P), Wiersma

RESOLUTION 2020-14-09

Moved: Councillor Craven

Seconded: Councillor Douglas

THAT Township of Mapleton support Consent Application B36/20 as presented for lands described as Part Lot 16, Concession 13, Township of Mapleton (Peel) with the following conditions:

- THAT Payment be made of the fee of \$200 (or whatever fee is applicable at the time of clearance under the Fees and Charges By-law) for a letter of clearance;
- THAT a Parkland dedication fee be paid (\$1,400 in 2020);
- THAT the Owner satisfy all the requirements of the local municipality, financial and otherwise for the proper and orderly development of the subject lands, including but not limited to outstanding taxes;

- THAT the retained lands be rezoned to restrict residential development to the satisfaction of the Local Municipality and the County of Wellington Planning and Development Department;
- THAT zoning compliance be achieved for the severed lands addressing the combined ground floor area of the accessory buildings;
- THAT driveway access to the retained lands can be provided to the satisfaction of the County;
- THAT the manure tank be removed to the satisfaction of the County;
- THAT a copy of the deposited Reference Plan be submitted to the Township (hard copy and digital file);

AND FURTHER THAT Council authorizes the Municipal Clerk to file with the Secretary-Treasurer of the Planning and Land Division Committee at the County of Wellington, a letter of clearance of these conditions on completion of same.

CARRIED

Council expressed concerns with the number and size of the accessory buildings on the severed parcel as well as the proposed use of an RV storage business. Council was satisfied that this matter could be addressed through conditions.

7. Delegations and Matters Arising from Delegations

- 7.1 a) Wellington Federation of Agriculture (WFA) correspondence dated May 22, 2020 regarding the Farm Rebate Program, Janet Harrop (President), and Ben LeFort – Ontario Federation of Agriculture (OFA) Senior Farm Policy Analyst.

RESOLUTION 2020-14-10

Moved: Councillor Craven

Seconded: Councillor Douglas

THAT the Wellington Federation of Agriculture (WFA) correspondence dated May 22, 2020 be received for information.

CARRIED

8. Minutes from Committees – none

9. Reports and Updates from Staff

9.1 Building Department

- i) Building Report BD2020-08
Re: June 2020 Month End & YTD

RESOLUTION 2020-14-11

Moved: Councillor Craven

Seconded: Councillor Douglas

THAT Township of Mapleton Council receive Building Department Report BD2020-08 dated July 14, 2020 regarding June Month End and Year to Date (YTD).

CARRIED

9.2 CAO and Clerk's Department

- i) CAO Clerk's Report CL2020-08
Re: Sale of Un-opened Road Allowance

RESOLUTION 2020-14-12

Moved: Councillor Ottens

Seconded: Councillor Cravens

THAT Township of Mapleton Council receive CAO Clerk's Report CL2020-08 dated July 14, 2020 regarding the east end portion of George Street, Glen Allan; AND FURTHER THAT Notice of the draft bylaw declaring the road portion surplus be given in accordance with the Disposal of Surplus Lands Policy;

AND the Mayor and Clerk be authorized to sign any and all ancillary documents pertaining to the sale / disposal of the said road.

CARRIED

- ii) CAO Clerk's Report CL2020-09
Re: Sale of Land – Martin, Duane, Derrick, Drayton Industrial Drive,
51 & 55 (3.82 ac.)

RESOLUTION 2020-14-13

Moved: Councillor Ottens

Seconded: Councillor Craven

THAT Township of Mapleton Council receive CAO's Report CL2020-09 dated July 14, 2020 regarding the sale of lands identified as a 3.82 acre parcel within lands legally described part of Part Lot 17, Concession 11, Maryborough, 61R21812; Township of Mapleton;

AND FURTHER THAT the Mayor and Clerk be authorized to sign all ancillary documents pertaining to the sale of said lands.

CARRIED

- iii) CAO-Clerk's Report CL2020-10
Re: MTM-2 Contracting Inc.
Request for Noise By-law Exemption, July 7 – July 24, 2020

RESOLUTION 2020-14-14

Moved: Councillor Ottens

Seconded: Councillor Craven

THAT Township of Mapleton Council receive the MTM-2 Contracting Inc. Noise Exemption Request for the Conestogo Dam Downstream Rehabilitation – Phase 2A for lands located at 6580 Wellington County Road 11, Conestogo Lake.

NOW THEREFORE Township of Mapleton Council approve the noise exemption request of 5 a.m. beginning July 15, 2020, until July 24, 2020.

CARRIED

9.3 Finance Department

- i) Finance Report FIN2020-14
Re: Covid-19 Financial Mitigation and Relief Measures Update

RESOLUTION 2020-14-15

Moved: Councillor Ottens

Seconded: Councillor Craven

THAT Township of Mapleton Council receive Finance Report FIN2020-14 regarding COVID-19 Financial Mitigation and Relief Measures; and

1. repeal By-law 2020-031 and replace with By-law 2020-047, a By-law that provides for the relief of interest and penalties on water and wastewater billings and taxes until August 31, 2020; and
2. enact By-law 2020-046, a By-law that amends the Fees and Charges By-law 2019-105 and enables the implementation of the water and wastewater rates previously approved on March 10, 2020

CARRIED

9.4 Public Works Department

- i) Public Works Report PW2020-14
Re: Funding Request for 2020 Unplanned Infrastructure Requirements

RESOLUTION 2020-14-16

Moved: Councillor Ottens

Seconded: Councillor Craven

THAT Township of Mapleton Council receive Public Works Report PW2020-14 dated July 14, 2020 regarding the need for additional funding for various unplanned 2020 infrastructure requirements.

AND THAT Township Council approve funding in the amount of \$274,000 from the Township Capital Reserves to perform this work;
AND FURTHER THAT Township of Mapleton Council allow staff to award the remedial work to the township approved contractor that bids within the approved funding amount.

CARRIED

10. Approval of By-Laws

RESOLUTION 2020-14-17

Moved: Councillor Ottens

Seconded: Councillor Craven

THAT By-laws Numbered:

- 2020-044 being a By-law to authorize the conveyance of a parcel owned by the Township of Mapleton legally described as Part Lot 17, Concession 11, Part 1, Plan 61R21812, Maryborough
- 2020-045 being a By-law to authorize the Conveyance of a Parcel owned by The Township of Mapleton legally described as Part Lots 18 and 19, Concession 12, former Township of Maryborough, as in DN30391
- By-law Number 2020-046 being a By-law to amend By-law 2019-105, being a By-law to establish the fees and charges for various services provided by the municipality.
- 2020-047 being a By-law to provide for financial relief for stipulated penalty and interest for taxes and for water and wastewater billings in default and to repeal By-law 2020-031
- 2020-048 being a By-law to amend By-law 2010-080, being a Zoning By-law for the Township of Mapleton Plan 61M74, Lot 37, 83 River Run Road, Drayton ZBA 2020-04
- 2020-049 being a By-law to amend By-law 2010-080, being a Zoning By-law for the Township of Mapleton Part Lot 14, Concession 13, RP 61R8359 Part 2 & 3 (Peel) ZBA 2020-05

be hereby read a first, second and third time, signed by the Mayor and the Clerk and sealed with the Corporate Seal.

CARRIED

11. Correspondence for Council's Direction - none

12. Correspondence for Council's Information was circulated with the agenda.

12.7 MPP Pettapiece - correspondence supporting Drayton Entertainment

RESOLUTION 2020-14-18

Moved: Councillor Ottens

Seconded: Councillor Craven

THAT Township of Mapleton Council hereby supports MPP Randy Pettapiece (Perth - Wellington) regarding his letter of advocacy for Drayton Entertainment, in that Drayton Entertainment be considered for any COVID-19 related support programs the Ministry may be preparing;

AND FURTHER THAT the Honourable Lisa MacLeod, MPP, Minister of Heritage, Sport, Tourism and Culture Industries be notified of our support;

AND FURTHER THAT Drayton Entertainment be notified of the Township of Mapleton Council's support for any proposed or ongoing fundraising programs in which they are pursuing independently, or from which they wish to receive an allocation.

CARRIED

Discussion took place about the following topic: Rural Ontario Institute (ROI) selection of Mapleton's Alexis Cooper for the Rural Change Makers program. Mayor Davidson affirmed that he would acknowledge this accomplishment by letter on behalf of Council.

13. Notices of Motion – none

14. **Notice Provision** – none
15. **Other Business** – none
16. **Council Tracking Sheet** – no changes requested
17. **Closed Session** – none
18. **Confirmatory By-law Number 2020-050**

RESOLUTION 2020-14-19

Moved: Councillor Ottens

Seconded: Councillor Craven

THAT By-law Number 2020-050 being a by-law to confirm all actions and proceedings of the Council of the Corporation of The Township of Mapleton be hereby read a first, second and third time signed by the Mayor and the Clerk and sealed with the Corporate Seal

CARRIED

19. **Adjournment**

There being no further business, the meeting adjourned at 9:13 p.m.

Mayor Gregg Davidson

Clerk Barb Schellenberger

PLEASE NOTE: Alternate Formats and Communication Support

The Township is committed to providing residents with communication support and alternate format of documents upon request. For more information or to make a request, please call the Township of Mapleton office at 519-638-3313.



THE CORPORATION OF THE TOWNSHIP OF MAPLETON

DRAFT SPECIAL MEETING COUNCIL MINUTES

THURSDAY, JULY 30, 2020 AT 7:00 P.M.

PMD ARENA, 68 MAIN STREET W., DRAYTON

PRESENT: Gregg Davidson, Mayor
Dennis Craven, Councillor
Paul Douglas, Councillor
Michael Martin, Councillor
Marlene Ottens, Councillor

STAFF PRESENT: Manny Baron, Chief Administrative Officer
Barb Schellenberger, Municipal Clerk
Sam Mattina, Director of Public Works
John Morrison, Director of Finance
Larry Wheeler, Deputy Clerk
Rick Richardson, Fire Chief

1. Call to Order

Mayor Davidson welcomed attendees & called the meeting to order at 7:00 p.m.

2. Declaration of Pecuniary Interest - none

3. Reports and Updates from Staff

3.1 CAO Clerk's Report CL2020-12
Re: Mapleton Water/Wastewater RFP

RESOLUTION 2020-15-01

Moved: Councillor Craven

Seconded: Councillor Martin

THAT CAO's Report CL2020-12, dated July 30, 2020 with regards to the Mapleton Water/Wastewater RFP be received and that council direct staff to inform Mark Rodger, Borden Ladner Gervais of the direction it wishes to take. AND THAT Council direct staff to present, at the August 11, 2020 council meeting, their recommended path forward regarding Mapleton's water/wastewater upgrades.

CARRIED

4. Confirmatory By-law Number 2020-051

RESOLUTION 2020-15-02

Moved: Councillor Douglas

Seconded: Councillor Ottens

THAT By-law Number 2020-051 being a by-law to confirm all actions and proceedings of the Council of the Corporation of The Township of Mapleton be hereby read a first, second and third time signed by the Mayor and the Clerk and sealed with the Corporate Seal.

CARRIED

5. Adjournment

There being no further business, the meeting adjourned at 7:21 p.m.

Mayor Gregg Davidson

Clerk Barb Schellenberger

PLEASE NOTE: Alternate Formats and Communication Support

The Township is committed to providing residents with communication support and alternate format of documents upon request. For more information or to make a request, please call the Township of Mapleton office at 519-638-3313.

DRAFT



NOTICE OF A PUBLIC MEETING FOR AN AMENDMENT TO THE MAPLETON ZONING BY-LAW AND NOTICE OF COMPLETE APPLICATION ZBA 2020-07

TAKE NOTICE that the Council of the Corporation of the Township of Mapleton has received a complete application to consider a proposed amendment to the Comprehensive Zoning By-law 2010-80, pursuant to Section 34 of the *Planning Act, R.S.O. 1990*, as amended.

PUBLIC MEETING Mapleton Council will consider this application at their meeting scheduled for:

Thursday, August 11, 2020

PMD Arena

68 Main St. W.

7:00 p.m.

Location of the Subject Land

The property subject to the proposed amendment is located at 6610 - 6626 Sideroad 17. The property is approximately 56.42 ha in size and the location is shown on the map below.

The Purpose and Effect of the Application

The purpose and effect of the proposed amendment is to rezone the property to permit a 288 m² (3,100 ft²) addition to an existing woodworking shop for a total area of 1682 m² (18,100 ft²), permit a maximum of 15 employees on site and to have an 18 m minimum front yard setback for accessory structures. The applicant is proposing to expand their existing woodworking operation.

Oral or Written Submissions

Any person or public body is entitled to attend the public meeting and make written or oral submissions in support of or in opposition to the proposed zoning by-law amendment. Written comments should be submitted to the Township Clerk at the address shown below.

Power of the Tribunal to Dismiss Appeals

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Township of Mapleton to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Mapleton before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Township of Mapleton before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Request for Notice of Decision

If you wish to be notified of the decision in respect of the proposed Township of Mapleton Zoning By-law Amendment, you must make a written request to the Clerk.

Additional Information

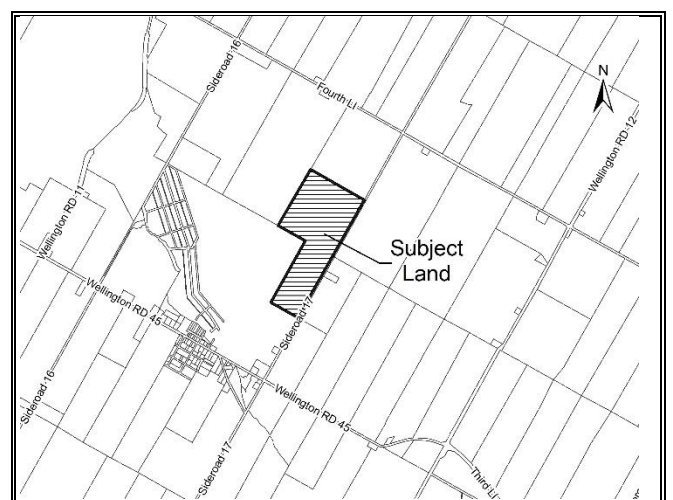
For more information about this matter, including information about appeal rights, please contact or visit the Municipal Office at the address shown below. O. Reg. 470/09, s. 2: 179/16, s. 2

The application and any additional information is available to the public for inspection at the Township of Mapleton Municipal Office during office hours.

Dated at the Township of Mapleton
This 20th day of July 2020

Barb Schellenberger, Clerk
Township of Mapleton
7275 Sideroad 16
Drayton, ON. N0G 1P0
Phone: 519.638.3313 Ext.023
Fax: 519.638.5113

bschellenberger@mapleton.ca





TOWNSHIP OF MAPLETON

7275 Sideroad 16, P.O. Box 160, Drayton, ON. N0G 1P0
 Phone: 519.638.3313, Fax: 519.638.5113, TF: 1.800.385.7248
www.mapleton.ca

Staff Commenting Form

ZBA2020-07	OWNER: Randy & Susanne Kraemer 6626 Sideroad 17 R.R. # 2 Wallenstein, ON. N0B 2S0 APPLICANT: Jeff Buisman Van Harten Surveying Inc. 423 Woolwich St, Guelph N1H 3X3	SUBJECT LAND: Legal: Peel Con 3 and 4, Part Lot 6 RP61R8725 Part 1 RP61R20565 Part 1 Civic Address: 6610 Sideroad 17
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Staff confirmed the following:

- Property owners and agencies were provided with the required Notice by prepaid first-class mail or by email on July 20, 2020.
- Proper postings were completed on July 21, 2020.
- Public Notice was posted in the July 30th issue of the Community News.
- Planning Report dated July 28, 2020 prepared by Planner Matthieu Daoust and Senior Planner Michelle Innocente was received and included in the agenda package.
- CBO Patty Wright comments dated July 24, 2020 state “no concerns.”
- GRCA – Resource Planner Laura Warner comments dated July 23, 2020 were received and included in the agenda package.
- Wellington Source Water Protection – Risk Management Inspector Emily Vandermeulen comments dated July 22, 2020 were received and included in the agenda package.
- Fire Chief Rick Richardson comments dated July 21, 2020 state “no issues.”
- Ratepayer comments dated August 4, 2020 were received and included in the agenda package.

Prepared on August 4, 2020 by:

Larry Wheeler
 Deputy Clerk



PLANNING REPORT for the TOWNSHIP OF MAPLETON

Prepared by the County of Wellington Planning and Development Department

DATE: July 28, 2020
TO: Manny Baron, C.A.O.
Township of Mapleton
FROM: Matthieu Daoust, Planner
Michelle Innocente, Senior Planner
County of Wellington
SUBJECT: **Kraemer Woodworking**
6626 Sideroad 17
Zoning By-law Amendment (ZBA 2020-07)

Planning Opinion

The proposed zoning amendment would permit an expansion to an existing home industry by allowing a 288 m² (3,100 ft²) addition to the existing woodworking shop for a total area of 1,682 m² (18,100 ft²), permitting a maximum of 15 employees on site and maintain the 18 m minimum front yard setback for accessory structures. The proposal would amend the current Site Specific Agricultural (A-31.316) zone.

The home industry criteria provided in the zoning by-law is intended to regulate the size and scale of these types of uses in the Prime Agricultural areas. This criterion was established under the former Provincial Policy requirements for secondary uses in Prime Agricultural areas in which small scale was defined and further regulated through local zoning by-laws. Under the new Provincial Policy State (PPS) criteria, the size and scale is contained by an area of operation that shall not exceed 2% of the area of the farm to a maximum area of 1 ha. This proposal comprises an area of approximately 1 ha or 1.8% of the farm property.

Based on the PPS criteria staff are satisfied that the proposal is in general conformity with the County of Wellington Official Plan and we are supportive of the request to rezone the property. The business remains secondary to the main agricultural use and complies with the other home industry regulations under the Zoning By-law.

INTRODUCTION

The subject property is legally described as Part Lot 6, Concession 4 (Peel) with a civic address of 6626 Sideroad 17. The property is approximately 57 ha (144 ac) in size. The lands are currently occupied by a residence, barn and woodworking shop and the location of the property is shown in Figure 1.

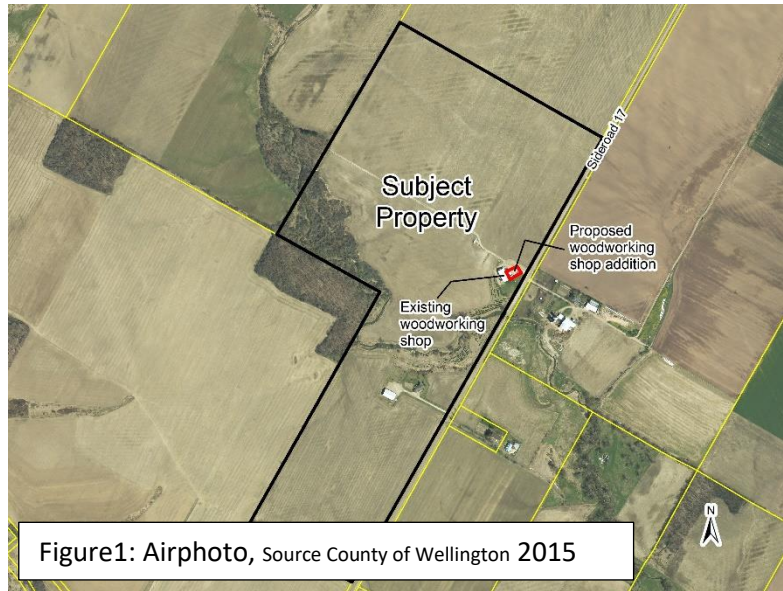
PROPOSAL

The proposed amendment is to rezone the subject lands to permit an expansion to the existing woodworking business by allowing a 288 m² (3,100 ft²) addition to the existing woodworking shop

for a total area of 1,682 m² (18,100 ft²), permitting a maximum of 15 employees on site and maintain the 18 m minimum front yard setback for accessory structures.

PROVINCIAL POLICY STATEMENT (PPS)

The subject property is located within the PRIME AGRICULTURAL area. Under the PPS permitted uses within prime agricultural areas include: agricultural uses, agricultural related uses, and on-farm diversified uses. An on-farm diversified use is defined as: uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.



According to the Province’s *Guidelines on Permitted Uses in Ontario’s prime Agricultural Areas (Publication 851)*, a home industry on a commercial farm is not limited to producing products that are agriculturally related. The guidelines also recommend that such uses not occupy more than 2% of the area of a farm (up to a maximum of 1 hectare in area). Municipalities may set building size limits/caps to regulate building size to a scale deemed appropriate in the prime agricultural area.

WELLINGTON COUNTY OFFICIAL PLAN

The subject lands are designated PRIME AGRICULTURE, GREENLANDS and CORE GREENLANDS. Identified environmental features include a significant wooded area and a GRCA Flood Plain. The proposed addition is beyond the required 30m set back from the environmental features on the subject property.

Under section 6.4.3 of the Plan, secondary uses including home businesses and farm businesses are permitted. Section 6.4.4 further outlines that a home business includes home industries which “are small in scale with a limited number of employees, and minimal off site impacts – examples include minor equipment repair, woodworking, crafts, and welding”.

ZONING BY-LAW

The subject property is zoned Site Specific Agricultural (A-31.316). Home Industries are permitted within the Agricultural zone subject to criteria outlined in Section 6.14. Section 6.14 b) a home industry may include such uses as a woodworking shop.

In 2018, a zoning amendment was approved to implement the following Site Specific Agricultural (A-31.316) zoning on the subject lands:

Notwithstanding Section 6.14 d) of this By-law, a maximum floor area of 4,572 m² (15,000 ft²) for all buildings is permitted for a home industry which shall include but is not limited to; generator room, lunchroom, office, mechanical room, basement area and inside storage areas. Notwithstanding Section 6.14 f) of this By-law, not more than eleven (11) employees shall be engaged in the home industry; Notwithstanding Section 6.14 h) of this By-law, the minimum setback for buildings or structures from a lot line shall be 18.0 m (59.0 ft).

A clerical error occurred when transcribing the above site specific zoning. The maximum floor area should read 1,393.5 m² (15,000 ft²).

The amending bylaw will address areas under the Home Industry criteria and site specific zoning that this use is not in compliance with as follows:

Building size

The applicant is proposing to amend the current site specific zoning to permit a 288 m² (3,100 ft²) addition to an existing woodworking shop for a total area of 1,682 m² (18,100 ft²). Per the Site Specific zoning, the maximum square footage for any or all buildings or structures used for a home industry shall not exceed 1,393.5 m² (15,000 ft²) of floor area which shall include but is not limited to: generator room, lunchroom, office, mechanical room, basement area and inside storage area.

The applicant has indicated that the addition is proposed as additional showroom space and second floor office space.

Number of employees

The current business has 11 employees. The applicant is considering an increase to 15 employees. The by-law currently limits employees to 11 people. The applicant has indicated two employees are installers and would not be on site for the majority of their work hours.

PLANNING DISCUSSION

Home Industry criteria³³

The home industry criteria provided in the zoning by-law is intended to regulate the size and scale of these types of uses in the Prime Agricultural areas. The criteria was established under the former PPS requirements for secondary uses in Prime Agricultural areas in which small scale was defined and further regulated through local zoning by-laws. The current PPS (2020) policies for on-farm diversified uses which replaces secondary uses has broadened the area of operation to reflect the farm size. Under the new PPS criteria, the size and scale is contained by an area of operation that shall not exceed 2% of the area of the farm to a maximum area of 1ha (10,000 m²). In this instance, based on the site plan submitted with the application (Figure 2), the woodworking operation will comprise an area of approximately 1 hectare (approximately 1.8% of total farm parcel).

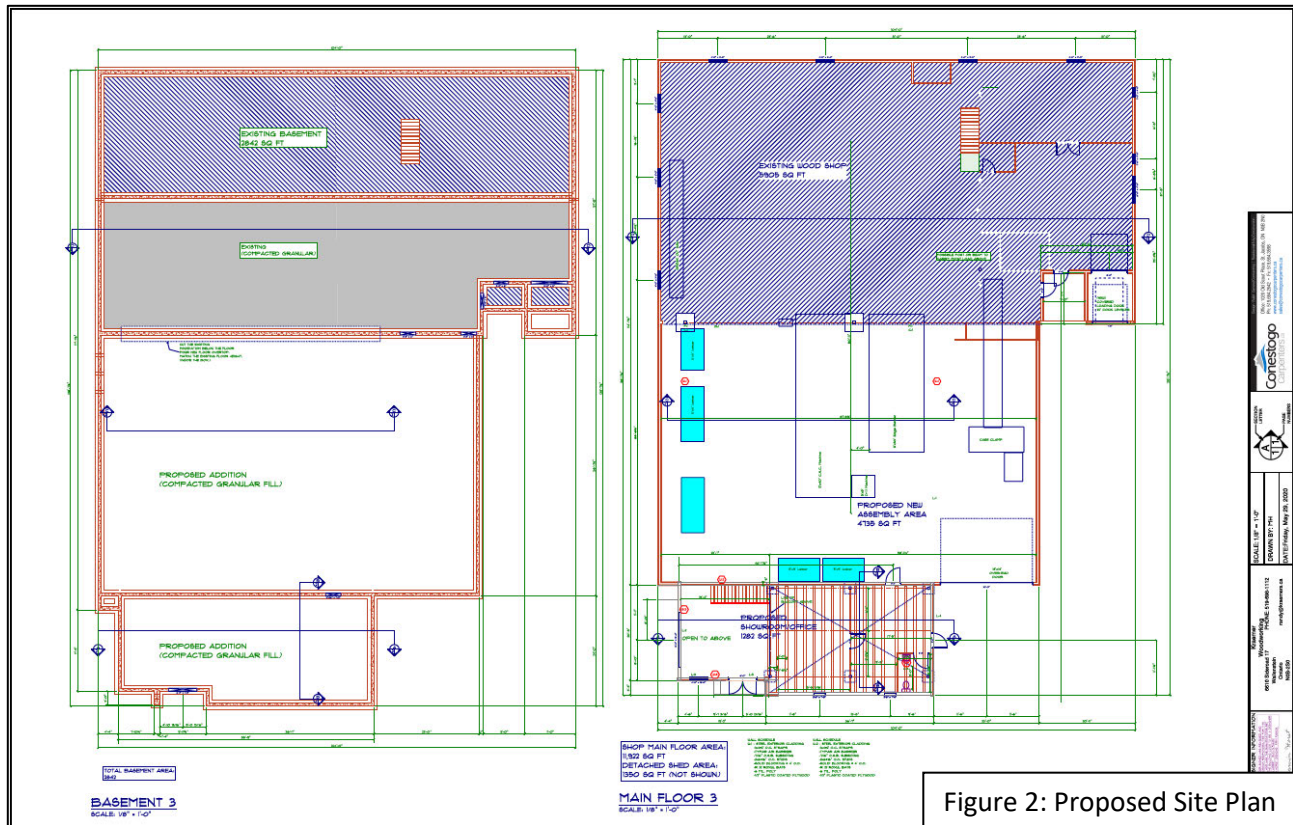


Figure 2: Proposed Site Plan

Site Plan Control

The Township Site Plan Control By-law (2013-079 as amended) is applicable. This proposal will be subject to site plan approval. The applicant has submitted a site plan control application in conjunction with this zone amendment.

Supporting Material

The following technical reports have been prepared in support of the application:

- Planning Report (July 2020) JL Cox Planning Consultants Inc.
- Acoustical Clearance Letter (July 16, 2020) GHD
- Site Concept (May 2020) Conestogo Carpenters

Draft Zoning By-law:

Planning Staff have prepared a draft site specific by-law that permits an expansion to the existing home industry by allowing a 288 m² (3,100 ft²) addition to the existing woodworking shop for a total area of 1,682 m² (18,100 ft²), that permits a maximum of 15 employees on site and that maintains the 18 m minimum front yard setback for accessory structures. The draft by-law is attached to this report for public viewing and Council’s consideration.

We trust these comments will be of assistance to Council in their consideration of this matter.

Respectfully submitted
County of Wellington Planning and Development Department



Matthieu Daoust
Planner



Michelle Innocente
Senior Planner

THE CORPORATION OF THE TOWNSHIP OF MAPLETON
BY-LAW NUMBER _____
Being a By-law to amend By-law 2010-080, being a
Zoning By-law for the Township of Mapleton

Part Lot 6, Concession 4 (Peel)
ZBA 2020-07

WHEREAS the Council of the Corporation of the Township of Mapleton deems it desirable to amend said By-law Number 2010-080, as amended.

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

1. That By-law Number 2010-080, is hereby amended by adjusting the maximum floor area and maximum number of employees permitted under site specific exemption 31.316 on the map forming Schedule 'A-1', as it applies to Part Lot 6, Concession 4 (Peel), 6626 Sideroad 17, as illustrated on Schedule 'A' attached to and forming part of this By-law.
2. That the wording of Site Specific Exception 31.316 be deleted and replaced with the following:

<p>31.316 Part Lot 6, Concession 4 (Peel), 7425 Sideroad 12</p> <p>(Kraemer Woodworking)</p>	<p>Notwithstanding Section 6.14 d) of this By-law, a maximum floor area of 1,682 m² (18,100 ft²) for all buildings is permitted for a home industry which shall include but is not limited to; generator room, lunchroom, office, mechanical room, basement area and inside storage areas.</p> <p>Notwithstanding Section 6.14 f) of this By-law, not more than fifteen (15) employees shall be engaged in the home industry;</p> <p>Notwithstanding Section 6.14 h) of this By-law, the minimum setback for buildings or structures from a lot line shall be 18.0 m (59.0 ft).</p>
---	---

3. That except as amended by this By-law, the subject lands, as shown on Schedule 'A' to this By-law, shall be subject to all other applicable regulations of By-law Number 2010-080, as amended.
4. This By-law shall come into effect on the final passing thereof by the Council of Corporation of the Township of Mapleton, subject to compliance with the provisions of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

READ a first, second and third time and passed this day of , 2020.

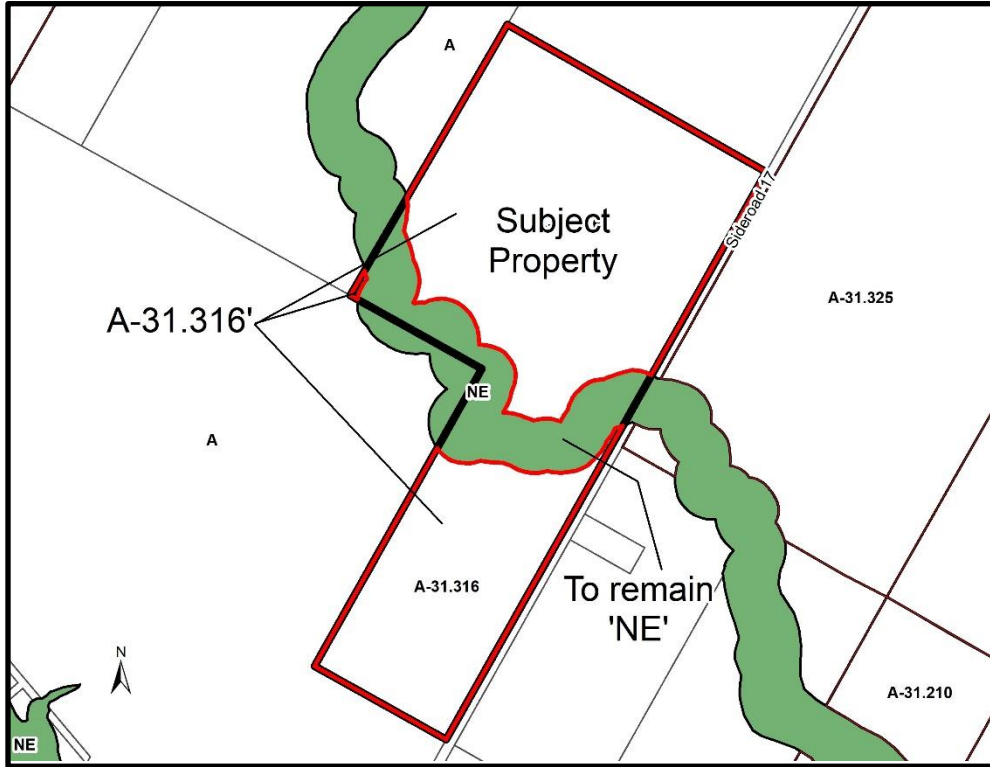
Mayor Gregg Davidson

Clerk Barb Schellenberger

THE TOWNSHIP OF MAPLETON

BY-LAW NO _____.

Schedule "A"



Passed this ___ day of _____ 2020.

Mayor Gregg Davidson

Clerk Barb Schellenberger

EXPLANATORY NOTE

BY-LAW NUMBER _____.

THE SUBJECT LAND is legally described as Part Lot 6, Concession 4 (Peel) with a civic address of 6626 Sideroad 17 (Figure 1). The property is approximately 57 ha (144 ac) in size and is zoned Site Specific Agriculture (A-31.316). The lands are currently occupied by a residence, barn and woodworking shop.

THE PURPOSE AND EFFECT of this amendment is to rezone the property to permit the expansion of a home industry (woodworking shop). The applicant is proposing a 288 m² (3,100 ft²) addition to an existing woodworking shop for a total area of 1,682 m² (18,100 ft²), permit a maximum of 15 employees on site and to have an 18 m minimum front yard setback for accessory structures.

TOWNSHIP OF MAPLETON

7275 Sideroad 16, P.O. Box 160, Drayton, Ontario N0G 1P0
Phone (519) 638-3313 / Fax (519) 638-5113

FOR OFFICE USE ONLY

DATE RECEIVED: _____

FILE NO. _____

APPLICATION for ZONING BY-LAW AMENDMENT

1. Name of Owner(s) Randy & Susanna KRAEMER

4. Description of the lands subject to this application:

Legal Description (lot and concession / Registered Plan and Lot Number):

Part of Lot 6, Concession 3, Part of Lot 6, Concession 4

Further Legal Description (if applicable i.e. Reference Plan and Part Numbers):

Part 1, 61R-8725; Part 1, 61R-11037; Part 1, 61R-20565

Municipal Address (street or fire number): 6626 Sideroad 17, Wallenstein

Please circle the appropriate measurement:

Frontage: 1,297m feet / metres

Depth: 593m feet / metres

Area: 57±ha acres / hectares

5. Detail the rezoning of the subject lands that is being requested by this application:

This Zoning By-law Amendment application is being made to allow for a slightly larger building and more employees than the current By-law for this property. Section 31.316 of the Zoning By-law permits 4572m² (15,000 ft²) and 11 employees, and the request is for a total area for all accessory buildings to be 1682m² (18,100 ft²), 15 employees and to have a minimum front yard setback for accessory buildings to be 18.0m. See covering letter for more details.

6. Explain why the rezoning is being requested:

The Zoning By-law Amendment is required in order to rectify the previous zoning by-law oversight and allow for additional building area and additional employees. Please see our covering letter for more details.

7. If this application for rezoning is located in the rural area of the municipality please detail the Minimum Distance Separation requirements below and attach the completed calculation form to this application.

Proposed Structure: Proposed addition to wood working shop - MDS is N/A
(i.e. new/addition to livestock facility, manure storage area, new/addition to dwelling)

Required Distance	Actual Distance
<u>N/A</u>	<u>N/A</u>
_____	_____
_____	_____
_____	_____
_____	_____

8. How is access provided to the subject lands:

- Provincial Highway
- Municipal Road (yearly maintenance)
- Right-of-way
- Other _____
- County Road
- Municipal Road (seasonal maintenance)
- Water (see next question)

If access to the land is by water only, detail the parking and docking facilities used and the approximate distance of these facilities from the subject land to the nearest public road.

N/A

9. Water is supplied to the subject property by the following:

- Publicly owned and operated piped water system
- Private well
- Communal well
- Lake or other water body
- Other _____

10. Sewage disposal is provided to the subject property by the following:

- Publicly owned and operated sewage disposal system
- Private septic system
- Communal septic system
- Privy
- Other _____

11. Storm drainage is provided to the subject property by the following:

- Sewers
- Ditches
- Swales
- Other _____

12. Detail the existing use of the subject lands:

Agricultural & Home Industry (woodworking shop)

13. How long has the above use continued on the subject lands? Many years

14. Detail all buildings or structures that are currently located on the subject lands (this information may be supplied on a site plan drawn to scale of the property locating all existing and proposed structures). Please advise whether measurements are imperial or metric.

See Site Plan and Building Plans for more details.

Type (building or structure)	Existing Woodworking Shop
Setback from Front Lot Line	29m
Setback from Rear Lot Line	563m
Setback from Side Lot Lines	400m
Height of Building	One storey
Dimensions or Floor Area	Existing - 1,101m² or 11,854 ft²
Date Constructed	2001

Type (building or structure)	
Setback from Front Lot Line	
Setback from Rear Lot Line	
Setback from Side Lot Lines	
Height of Building	
Dimensions or Floor Area	
Date Constructed	

Type (building or structure)	
Setback from Front Lot Line	
Setback from Rear Lot Line	
Setback from Side Lot Lines	
Height of Building	
Dimensions or Floor Area	
Date Constructed	

Type (building or structure)	
Setback from Front Lot Line	
Setback from Rear Lot Line	
Setback from Side Lot Lines	
Height of Building	
Dimensions or Floor Area	
Date Constructed	

Type (building or structure)	
Setback from Front Lot Line	
Setback from Rear Lot Line	
Setback from Side Lot Lines	
Height of Building	
Dimensions or Floor Area	
Date Constructed	

If you require additional space for buildings, please detail the information on a separate sheet.

15. Detail the proposed use of the subject lands:

No Change - The application is for the expansion of the existing building and to permit more employees.

16. Are any buildings or structures proposed to be built on the subject lands? Please check one.

The building exists but an addition is proposed.

Yes No.

17. If Yes, please detail all proposed structures below (this information may be supplied on a site plan drawn to scale of the property locating all existing and proposed structures). Please advise whether measurements are imperial or metric.

See Site Plan and Building Plans for more details.

Type (proposed structure)	Addition to Wood Working Shop
Setback from Front Lot Line	18.1m
Setback from Rear Lot Line	545m
Setback from Side Lot Lines	399m
Height of Building	One storey with proposed second floor mezzanine area above the office

Dimensions or Floor Area	Proposed - 18,100 ft² or 1,682m²
--------------------------	---

Type (proposed structure)	
Setback from Front Lot Line	
Setback from Rear Lot Line	
Setback from Side Lot Lines	
Height of Building	
Dimensions or Floor Area	

Type (proposed structure)	
Setback from Front Lot Line	
Setback from Rear Lot Line	
Setback from Side Lot Lines	
Height of Building	
Dimensions or Floor Area	

18. What date did you acquire the subject lands? May 2001

19. Current designation of the subject land in the County of Wellington Official Plan is:
Prime Agricultural, Core Greenlands and Greenlands

20. How does the proposed zoning amendment application conform with the Official Plan?
The uses already exist and the zoning amendment is to allow for an increased floor area and employees.

21. How is the proposed zoning amendment application consistent with policy statements issued under subsection 3 (1) of the Planning Act?
The uses already exist and the zoning amendment is to allow for an increased floor area and employees.

22. Is the subject land within an area of land designated under any provincial plans? (i.e Growth Plan, Greenbelt Plan, etc.)
 Yes No.

If YES, how does the application conform or does not conflict with the provincial plans?

23. The current zoning of the subject land is:

Agricultural (A-31.316) & Natural Environment

24. Have the subject lands ever been subject to any of the following applications?

	YES	NO
Official Plan Amendment	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Zoning By-law Amendment	<input checked="" type="checkbox"/>	<input type="checkbox"/> ZBA 2018-02
Minor Variance	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Severance	<input checked="" type="checkbox"/>	<input type="checkbox"/> B23/01 & B119/14 - Approved
Plan of Subdivision	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Site Plan Control	<input checked="" type="checkbox"/>	<input type="checkbox"/> Submitting simultaneously with this application

If yes to any of the above, please provide the file number and status:

AUTHORIZATION OF AGENT (COMPLETE ONLY IF THE OWNER IS NOT THE APPLICANT)

I, Randy & Susanna KRAEMER hereby authorize Jeff Buisman of Van Harten Surveying

To act on my behalf in regard to the above application for Zoning By-law amendment.

Dated at the Township of Mapleton this 2 day
of July, 20 20.

X [Signature]
Witness's Signature

X [Signature]
Signature of Owner(s)

X [Signature]
Witness's Signature

X [Signature]
Signature of Owner(s)

AFFIDAVIT (To be completed by the Owner or agent if appointed above)

I, Jeff Buisman of Van Harten Surveying of the City of Guelph
(Township / City)

In the County of Wellington do
(County/Region)

Solemnly declare that all statements contained in this application are true, and I, (we) make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act..

DECLARED before me at the City of Guelph in the County
(Township/City) (County/Region)

of Wellington, this 3 day of July, 20 20.

Signature of Applicant(s)
(Owner or Authorized Agent)

[Signature]
Signature of Applicant (s)
(Owner or Authorized Agent)

[Signature]
A Commissioner, etc

James Michael Laws,
a Commissioner, etc.,
Province of Ontario,
for Van Harten Surveying Inc.
Expires May 11, 2021.



LAND SURVEYORS and ENGINEERS

July 3, 2020

27698-19

Jeff.Buisman@vanharten.com

Township of Mapleton
7275 Sideroad 16
PO Box 160
Drayton, ON
N0G 1P0

Attention: Barb Schellenberger, Municipal Clerk

Dear Ms. Schellenberger,

**Re: Zoning By-Law Amendment & Site Plan Application
Proposed Addition, Kraemer Woodworking
6626 Sideroad 17
Part of Lot 6, Concessions 3 & 4
PIN 71453-0530
Geographic Township of Peel
Township of Mapleton**

Please find enclosed an application for a Zoning By-law Amendment and Site Plan for the above-mentioned property. Included with this submission are copies of a Site Plan, completed application forms, the required deeds, PIN Report, Noise Study by GHD and Building Plans. The owner will be mailing in a cheque of \$9,150.00 directly to the Township of Mapleton office for the Zone Change application fee. The owner previously submitted payment of \$3,500 to the Township of Mapleton in December 2019 for the Site Plan fee.

Proposal

This Zoning By-law Amendment application is being made to allow for a slightly larger building and more employees than the current By-law for this property. Section 31.316 of the Zoning By-law permits 4572m² (15,000 ft²) and 11 employees, and the request is for a total area for all accessory buildings to be 1682m² (18,100 ft²), 15 employees and for the minimum setback for accessory buildings to the front lot line to be 18.0m.

572 Weber Street North, Unit 7
Waterloo ON N2L 5C6
519-742-8371

Elmira, ON:
519-669-5070

423 Woolwich Street
Guelph, ON N1H 3X3
519-821-2763

660 Riddell Road, Unit 1
Orangeville, ON L9W 5G5
519-940-4110

Collingwood, ON:
249-499-8359

www.vanharten.com

Background and History

Kraemer Woodworking started in 1966 making furniture as part of the livelihood for the Mennonite owners of the property. The furniture has grown over the years and the focus has been much more towards kitchen cupboards. The family constructed the existing shop in 2001/2002 and constructed the storage shed in 2018 after the Zoning By-law was amended with By-law No. 2018-054 in June 2018 to include special section 31.316.

There appears to have been some confusion with the application, intention and final outcome of By-law 2018-054 including the following:

1. The maximum area of floor area for all buildings is 3.28 times greater in metric than in imperial. The imperial amount of 15,000 ft² is actually 1393.5m². It appears that someone converted 15,000 (as a linear value) to the metric equivalent. (15,000 ft = 4,572'). I understand that the proposal was to have 15,000 ft².
2. My understanding is that the application associated with the 2018 zone change did not include the existing second floor area. The application assumed the following:
 - a. 5905 ft² for the existing main floor.
 - b. 2842 ft² for the existing basement.
 - c. 1350 ft² for a proposed new storage building (built in 2018).
 - d. 4650 ft² for future addition.
 - e. Total of 14,747 ft² and thus an application for 15,000 ft².
 - f. The existing second floor of 1111 ft² was not accounted for in the request for 15,000 ft². We are not sure if this was an error in the application or if an assumption was made that the second floor did not have to be accounted for.
 - g. An existing storage area of 646 ft² (to be removed) was not accounted for in the request for 15,000 ft².
 - h. The owner and construction company were surprised to find out that the By-law would not allow for 4650 ft² of main floor expansion.

The request is to allow for 18,100 ft² (1682m²) which includes a) through d) as mentioned above, plus:

1. 1111 ft² for the existing second floor
2. 868 ft² for the proposed second floor
3. 1,367 ft² of additional main floor expansion for;
 - a) showroom purposes,
 - b) 646 ft² to replace the existing floor area that needs to be removed to allow for the addition

The request is also to allow for 15 employees instead of 11 employees and to keep the minimum front yard setback for accessory buildings to be 18.0m.



LAND SURVEYORS and ENGINEERS

Please note that the showroom operates more of an “appointment only” type of environment where a customer can visit the facility to select models and colours. A person from the public might just drop in, but due to the very rural location, this happens maybe once per month at the most. The expectation is to have one customer and possibly 2 customers at any one time. The show room would be open to the public during working hours.

The staff request is for up to 15 people. Two of these people are installers and would typically be on the subject property only at the beginning and end of the day as installations are at the customers’ homes.

The Zone Change Application of 2018 required a noise study and a re-design of the dust control system to ensure that the existing and expanding operations will address any noise and dust concerns. The report from GHD prepared in 2018 is included. The author of this report, Michael Masschaele, is reviewing the most recent building design to confirm whether the 2018 report is still valid in light of the minor changes in building size. We expect this review to be completed shortly.

In summary, the Zone Change Application addresses the confusion and error associated with By-law 2018-054 as well as address the owner’s desire for additional showroom space and second floor office space.

The enclosed Site Plan presents proposed expansion with a design based on the above described By-law amendment being approved. This Plan combines the Site Plan, Grading Plan and Servicing Plan into one plan.

Please call me if you or the Planning Staff have any questions.

Very truly yours,
Van Harten Surveying Inc.

A handwritten signature in black ink, appearing to read "Jeffrey E. Buisman".

Jeffrey E. Buisman B.E.S, B.Sc.
Ontario Land Surveyor

cc Randy & Susanna Kraemer
cc Jeremy Martin, Conestogo Carpenters



July 16, 2020

Reference No. 11215899

Mr. Randy Kraemer
Kraemer Woodworking
6626 Side Road 17
Wallenstein, Ontario
N0B 2S0

Dear Mr. Kraemer:

**Re: Acoustical Clearance Letter for Zone Change Application
Kraemer Woodworking Shop Expansion Plans
6626 Side Road 17, Wallenstein, Ontario**

GHD Limited (GHD) was retained by Kraemer Woodworking Shop (Kraemer) to complete an Acoustical Clearance Letter to support a zone change application for the proposed changes to the Facility as part of an expansion to the existing building located at 6626 Sideroad 17 in Wallenstein, Ontario (Site). The purpose of the evaluation was to determine if the proposed equipment as part of this building expansion would create an adverse effect with respect to noise emissions in combination with the existing Facility. The purpose of the expansion is to create more space for the existing wood shop, new office space and new show room.

The following attachments are included in support of this Review:

- Attachment A – Conestoga Carpenters Concept Drawing of the existing Facility and expansion (May 29, 2020)
- Attachment B – Van Harten Surveying Inc. Proposed Site Plan of the property (June 26, 2020)
- Attachment C – GHD's Follow Up Noise Impact Study (June 19, 2018)

The proposed expansion to the existing building as presented as Attachment A shows that the new building will be adjacent to existing agricultural and residential land uses on 6626 Sideroad 17. GHD has reviewed the proposed site plan and identified the following potential noise sources associated with the expansion:

1. (1) Internally vented Dust Collector
2. (1) Wood Shop Router
3. (1) Wood Shop Edge Bander
4. (2) Rooftop HVAC units

GHD has determined that the indoor noise generating equipment will have an insignificant noise impact to the off-site residential areas based on the fact that equipment will be located inside the building behind an exterior wall constructed with 2 x 6 wood framed insulated dry wall partitions which provide significant noise reduction and the equipment will be vented internally with no building penetrations.



As the wood shop only operates during the daytime period in which the ambient noise in the area is higher due to road traffic on Sideroad 17 it is expected that this indoor equipment will be inaudible based on low noise levels with the building construction at the 145 metre separation distance to the nearest residential home.

The only proposed exterior noise sources for new building will be two (2) rooftop air-handling HVAC units for office/show room and wood shop. GHD has estimated that if an HVAC unit with a maximum sound power level of 95 dBA (81 dbA @ 1.5m) is installed then the estimated worst case noise impact for these 2 units during 100% loading at the nearest residential points-of-reception along 6626 Sideroad 17 will be ~40 dBA well below the daytime noise limit of 50 dBA. GHD recommends that this maximum allowable sound level be used during the detailed design and equipment tender stage to ensure proper equipment selection.

As part of this evaluation GHD has also reviewed the findings of the previous Noise Impact Assessment (Assessment) completed by GHD in 2018 which detailed the noise impact of the 2 existing outdoor dust collectors which were retro fitted with acoustical enclosures and silencers and then subsequently documented to be in compliance with provincial noise limits at all residential receivers. The Assessment confirmed that the sound levels from the Kraemer Facility were up to 32 dBA during the daytime at the worst-case residence on Sideroad 17 (daytime noise limit is 50 dBA). GHD confirms this 2018 Assessment is still valid and this proposed expansion is not expected to add to that noise profile or exceed the provincial noise limits based on the recommendations above.

Based on this evaluation and review GHD has determined that this building addition is expected to be acceptable for noise impacts relative to provincial noise limits and that the predicted sound levels are considered an insignificant increase and well below the ambient noise in the area.

Should you have any questions on the above, please do not hesitate to contact us.

Yours truly,

GHD



**Professional Engineers
Ontario**

Limited Engineering Licensee

Name: M. P. MASSCHAELE July 16, 2020
Number: 100508855 *Michael Masschaele*

Limitations: Evaluate (non-technical only), specify controls audit and supervise acoustical impact studies, reports and assessments as they relate to industrial, commercial and municipal work, excluding industrial hygiene and vibration

Association of Professional Engineers of Ontario

Michael Masschaele, BES, LEL

MM/cb/1

Encl.

Attachment A

Kraemer

Kitchen & Bath

Wood shop & Show room/office addition



Design: 1000 Old Scout Place, St. Jacobs, ON N0B 2N0
Ph: 519.664.2642 • Fx: 519.664.3598
www.conestogocarpenters.ca
sales@conestogocarpenters.ca

conestogo
Carpenters

SECTION LETTER	PAGE NUMBERS
A	11

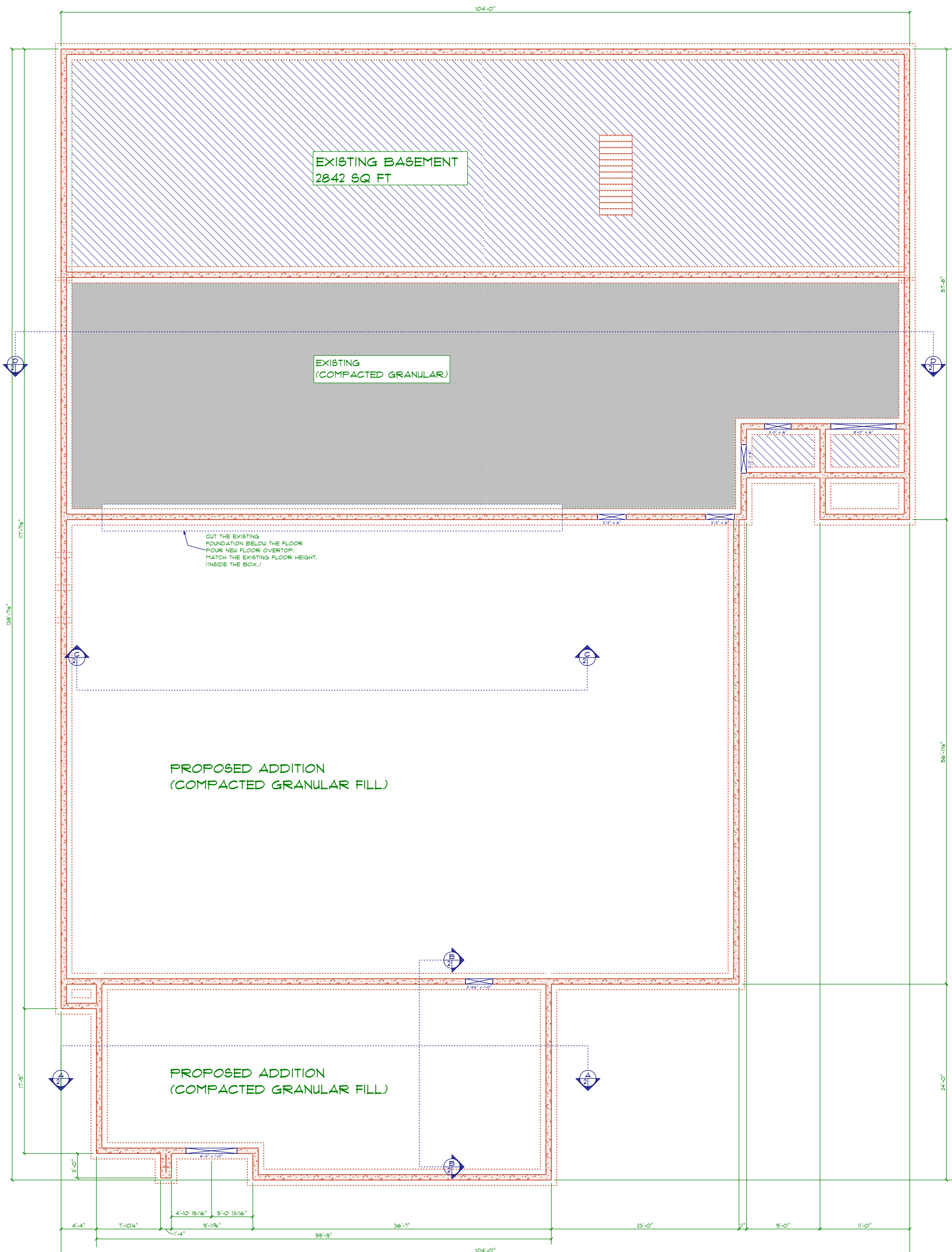
SCALE: As Noted
DRAWN BY: MH
DATE: Friday, May 29, 2020

Kraemer
Woodworking
6610 Sideroad 17
Wallerstein
Ontario
N0B-2S0
PHONE: 519-698-1112
randy@kraemers.ca

DESIGNER INFORMATION
The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The designer is not responsible for any such permits and approvals. The designer is not responsible for any construction or other work not shown on these drawings. The designer is not responsible for any construction or other work not shown on these drawings. The designer is not responsible for any construction or other work not shown on these drawings.

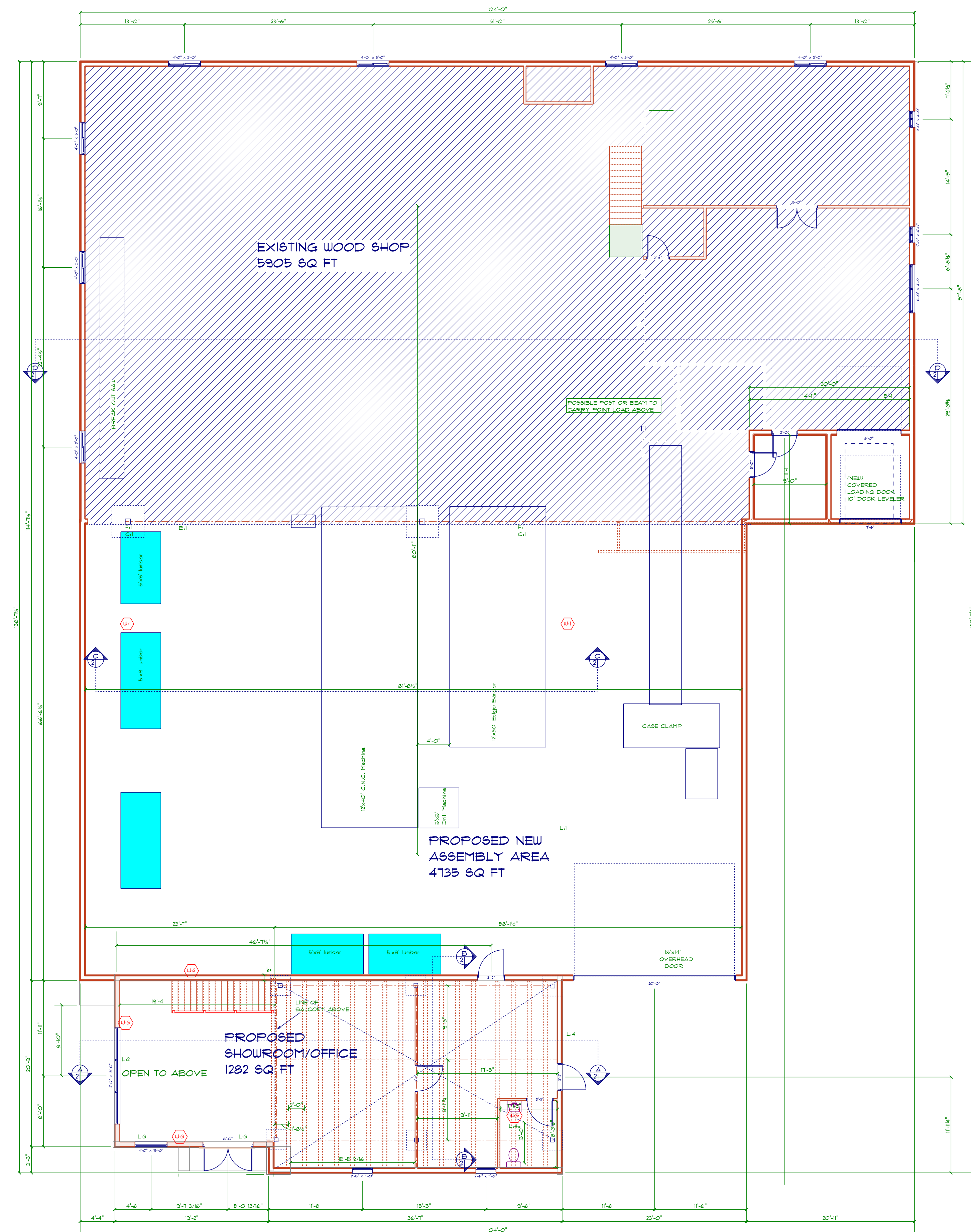
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PAGE:
1 / 4



TOTAL BASEMENT AREA:
2842

BASEMENT 3
SCALE: 1/8" = 1'-0"

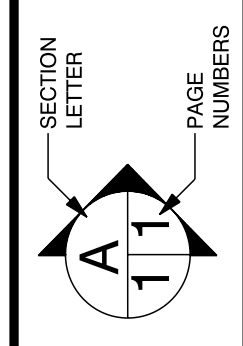


SHOP MAIN FLOOR AREA:
11,922 SQ FT
DETACHED SHED AREA:
1350 SQ FT (NOT SHOWN)

MAIN FLOOR 3
SCALE: 1/8" = 1'-0"

- | | |
|---|---|
| <p>WALL SCHEDULE
 W1 - STEEL EXTERIOR CLADDING
 1/4" G.C. STRAPS
 1" TYPAR AIR BARRIER
 1/2" O.S.B. SUBSIDIARY
 2" QUARTZ G.C. STUDS
 SOLID BLOCKING # 4" O.C.
 # 2 RIGID BATS
 # 4 MIL POLY
 1/2" PLASTIC COATED PLYWOOD</p> | <p>WALL SCHEDULE
 W2 - STEEL EXTERIOR CLADDING
 1/4" G.C. STRAPS
 1" TYPAR AIR BARRIER
 1/2" O.S.B. SUBSIDIARY
 2" QUARTZ G.C. STUDS
 SOLID BLOCKING # 4" O.C.
 # 2 RIGID BATS
 # 4 MIL POLY
 1/2" PLASTIC COATED PLYWOOD</p> |
|---|---|

Design: 3041 - General Contracting / Residential/Full Construction
 Office: 1020 Old Scot Place, St. Jacobs, ON N0B 2N0
 Ph: 519.664.2642 • Fax: 519.664.3398
 www.conestogocarpenters.ca
 sales@conestogocarpenters.ca

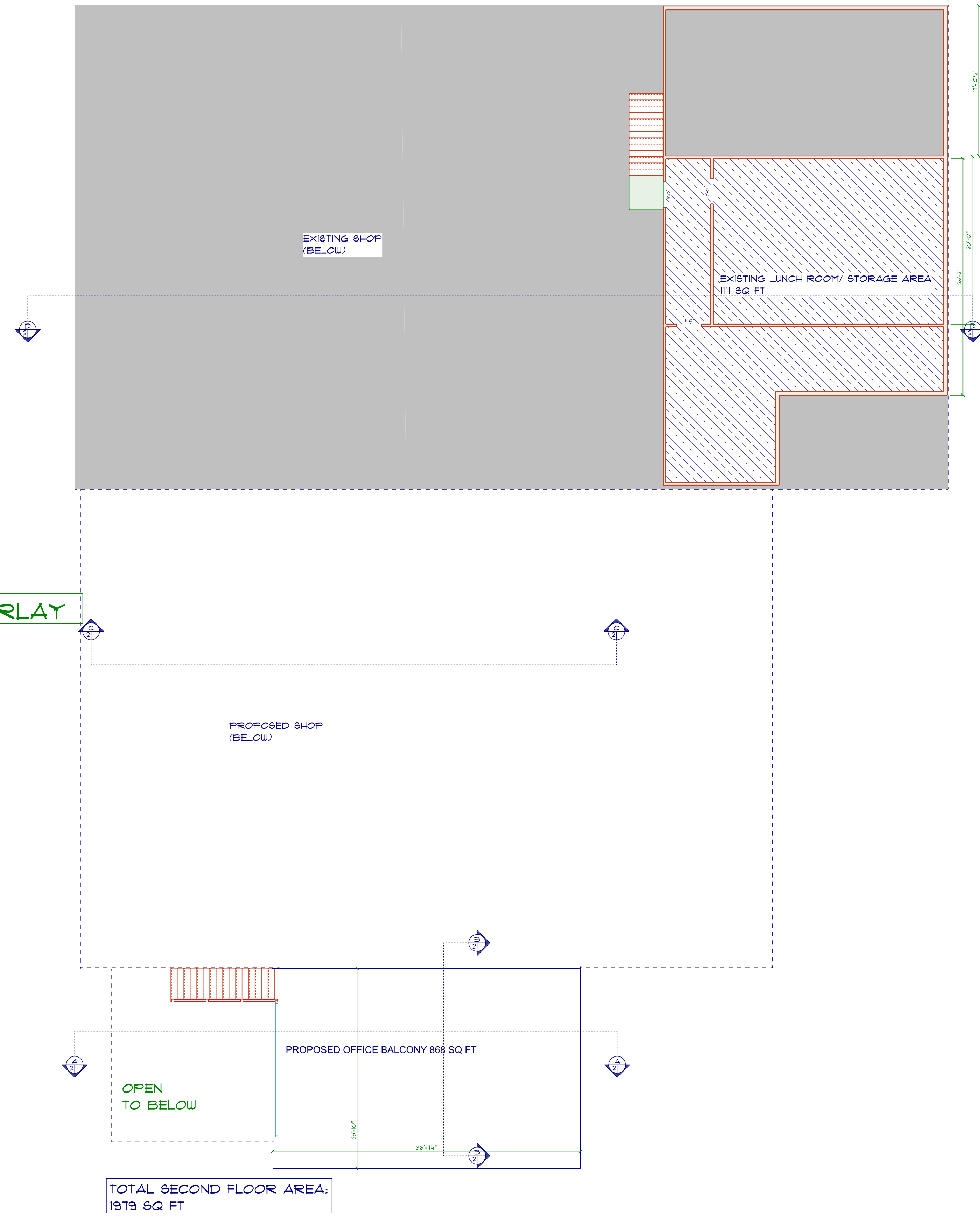


SCALE: 1/8" = 1'-0"
 DRAWN BY: MH
 DATE: Friday, May 29, 2020

Kraemer Woodworking
 6610 Sideroad 17
 Wallenstein
 Ontario
 N0B-2S0
 PHONE: 519-698-1112
 randy@kraemers.ca

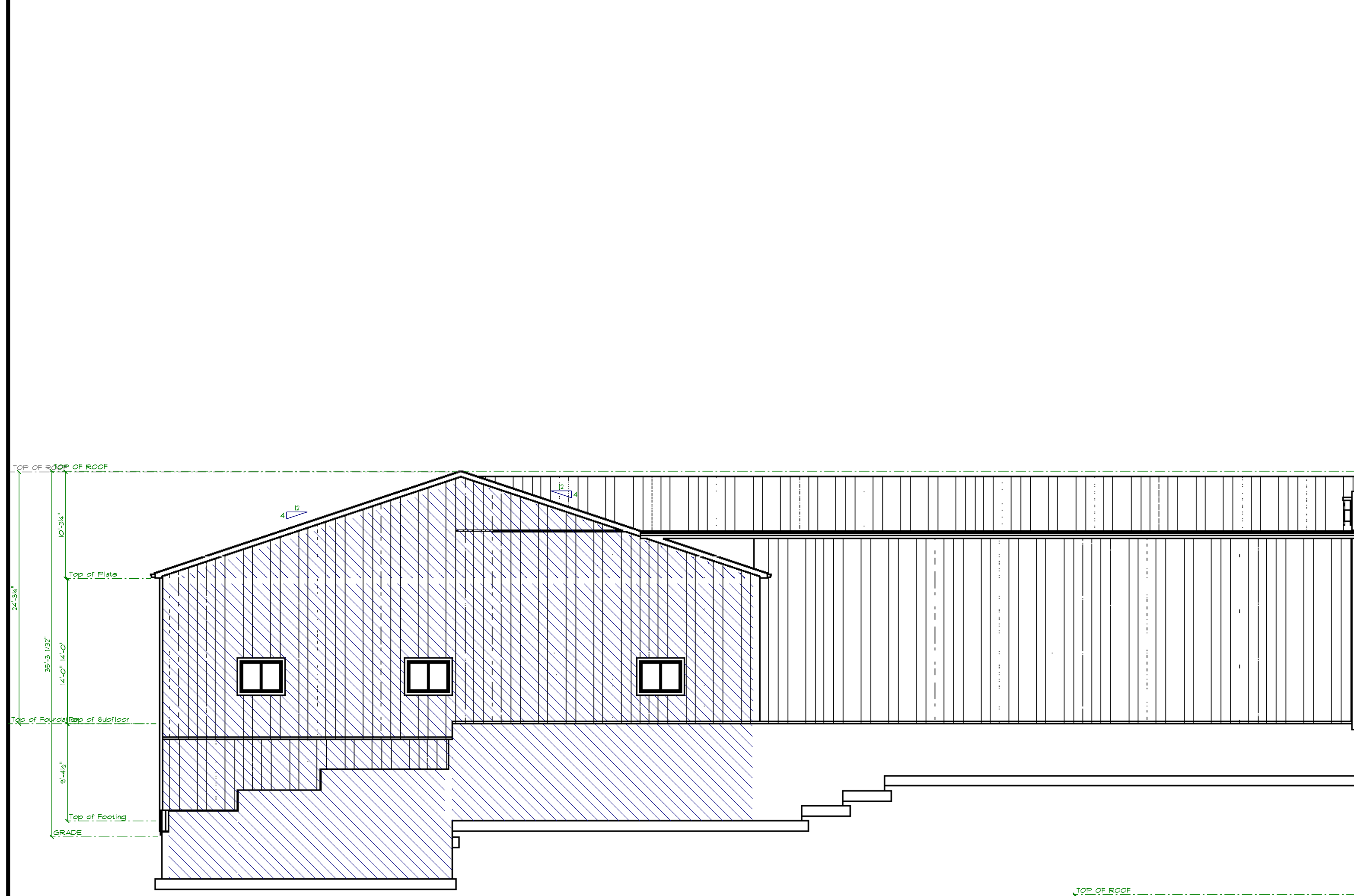
DESIGNER INFORMATION
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DOTTED LINES DEPICT MAIN FLOOR OVERLAY

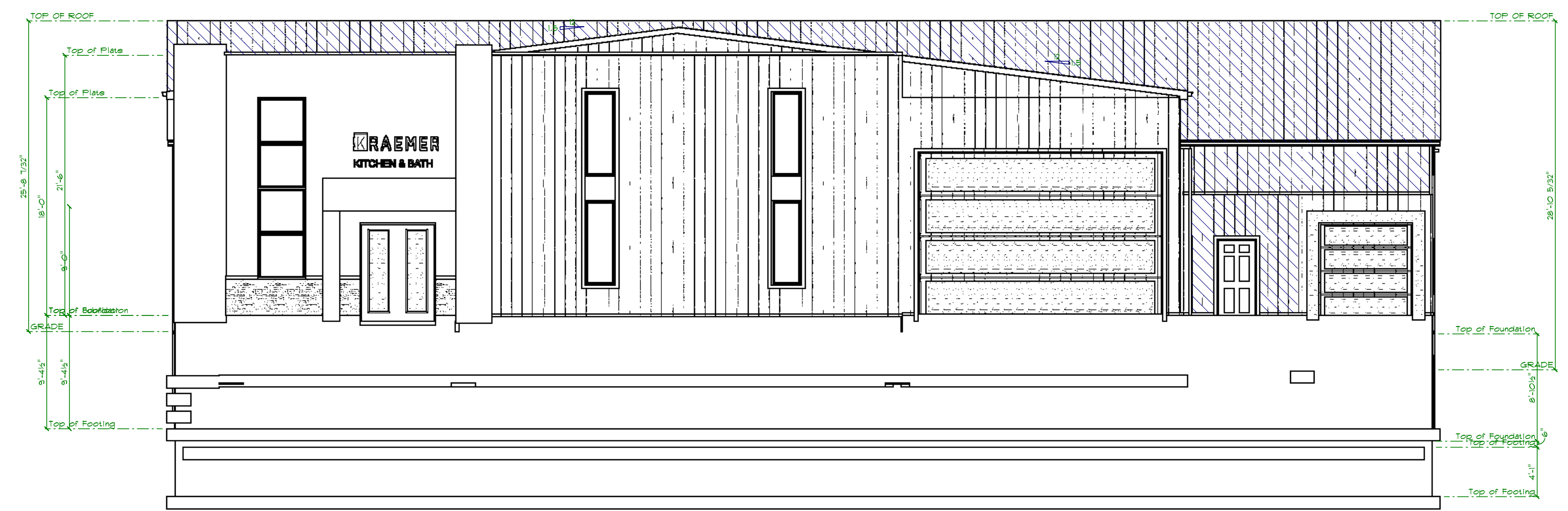


Second Floor
SCALE: 1/8" = 1'-0"

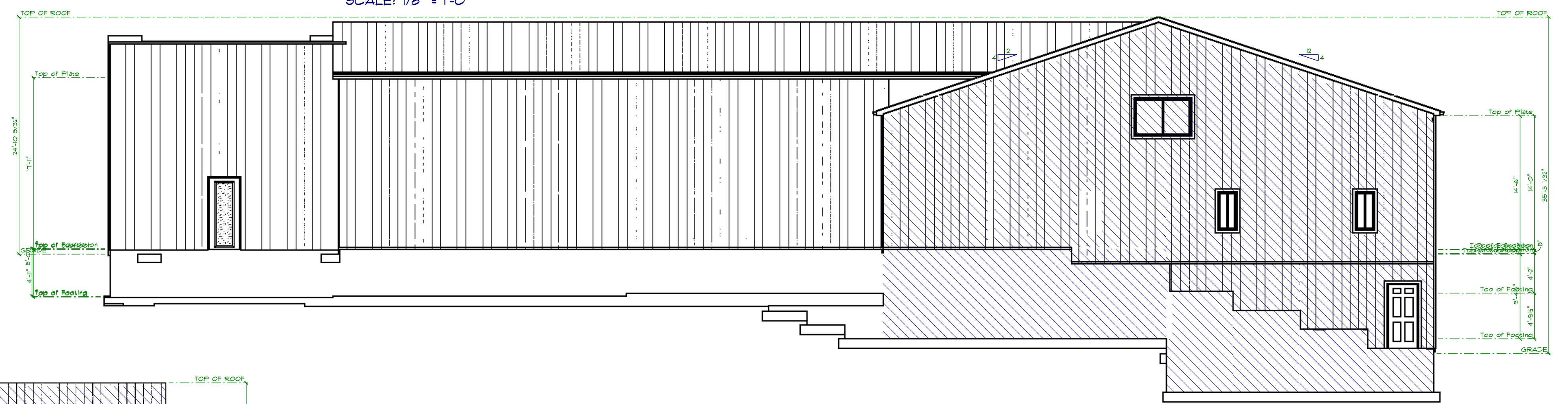
	Design: 1000 Old Scout Place, St. Jacobs, ON N0B 2N0 Ph: 519.664.2642 • Fax: 519.664.3398 www.conestogocarpenters.ca sales@conestogocarpenters.ca
	SCALE: 1/8" = 1'-0" DRAWN BY: MH DATE: Friday, May 29, 2020
SECTION LETTER: A PAGE NUMBER: 11	Kraemer Woodworking 6610 Sideroad 17 Wallenstein Ontario N0B-2S0 PHONE: 519-698-1112 randy@kraemers.ca
DESIGNER INFORMATION THE ABOVE IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE WRITTEN APPROVAL OF THE ARCHITECT. DATE: 2020-05-29 DRAWN BY: MH CHECKED BY: MH DESIGNED BY: MH PROJECT NO.: 2020-05-29	M. Kraemer
PAGE: 3 / 4	47 of 367



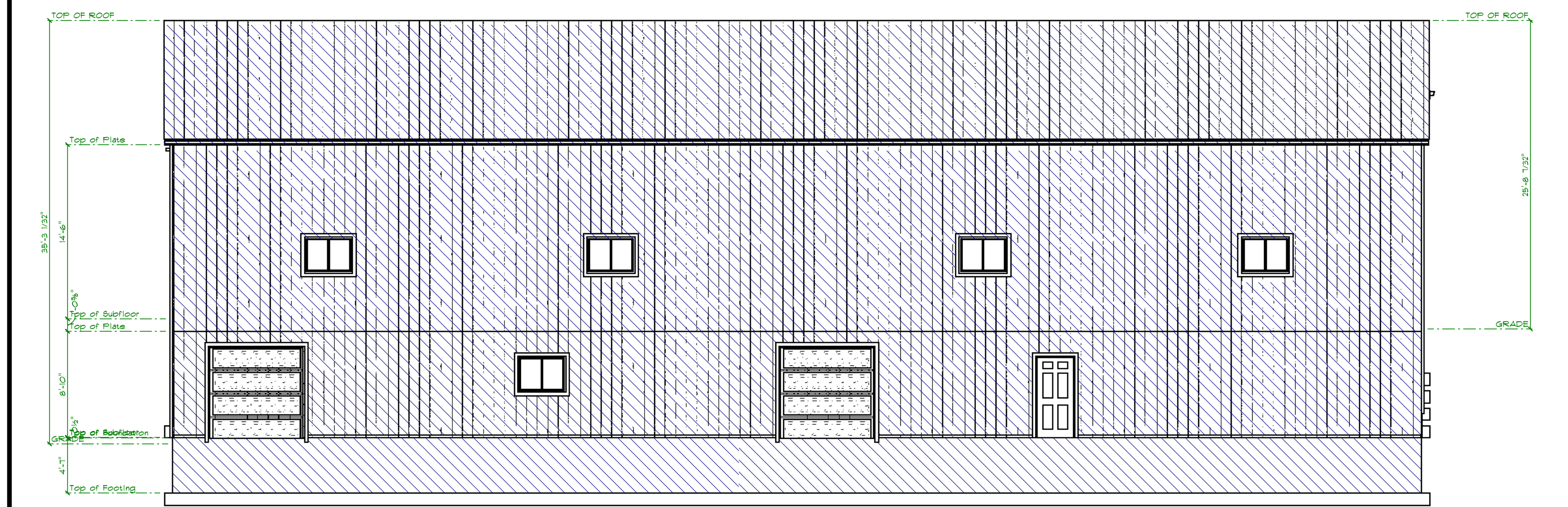
WEST ELEVATION
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

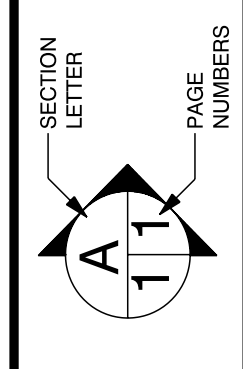


EAST ELEVATION
SCALE: 1/8" = 1'-0"



NORTH ELEVATION
SCALE: 1/8" = 1'-0"

Design: 1000 Old South Place, St. Jacobs, ON N0B 2N0
 Ph: 519.664.2642 • Fax: 519.664.3398
 www.conestogocarpenters.ca
 sales@conestogocarpenters.ca

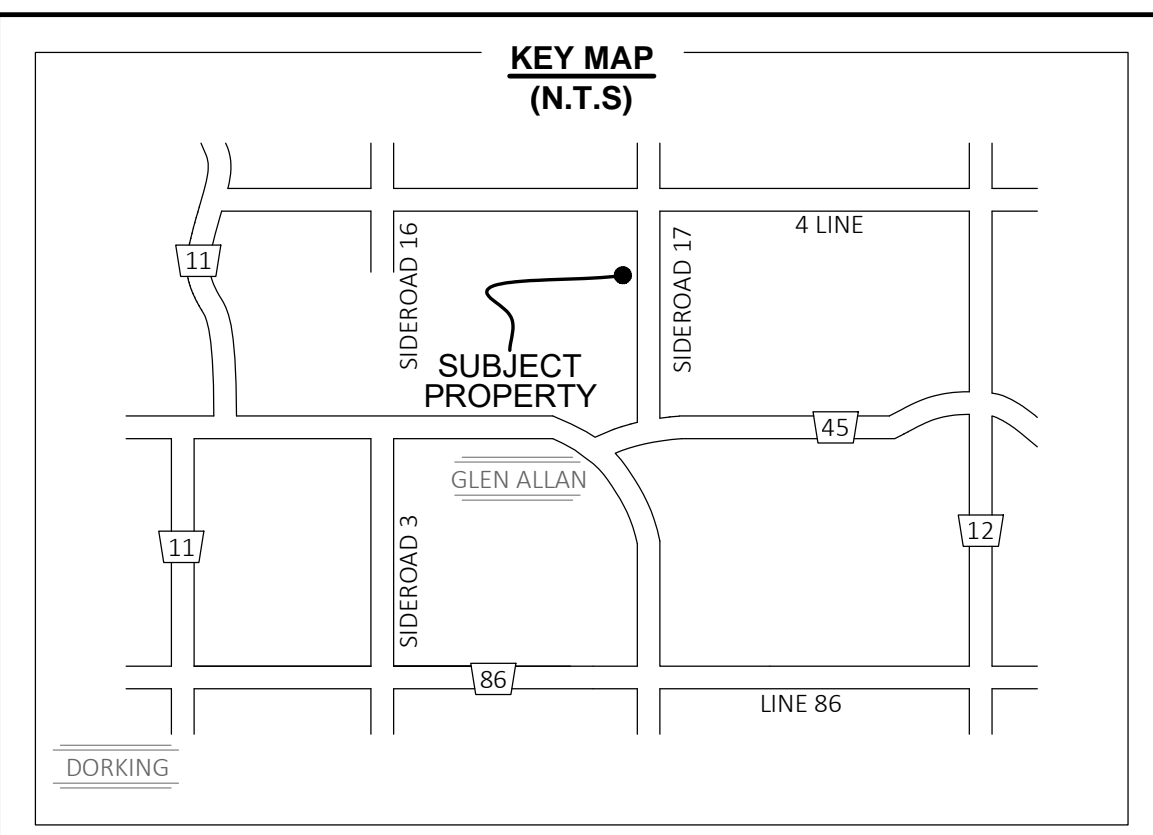
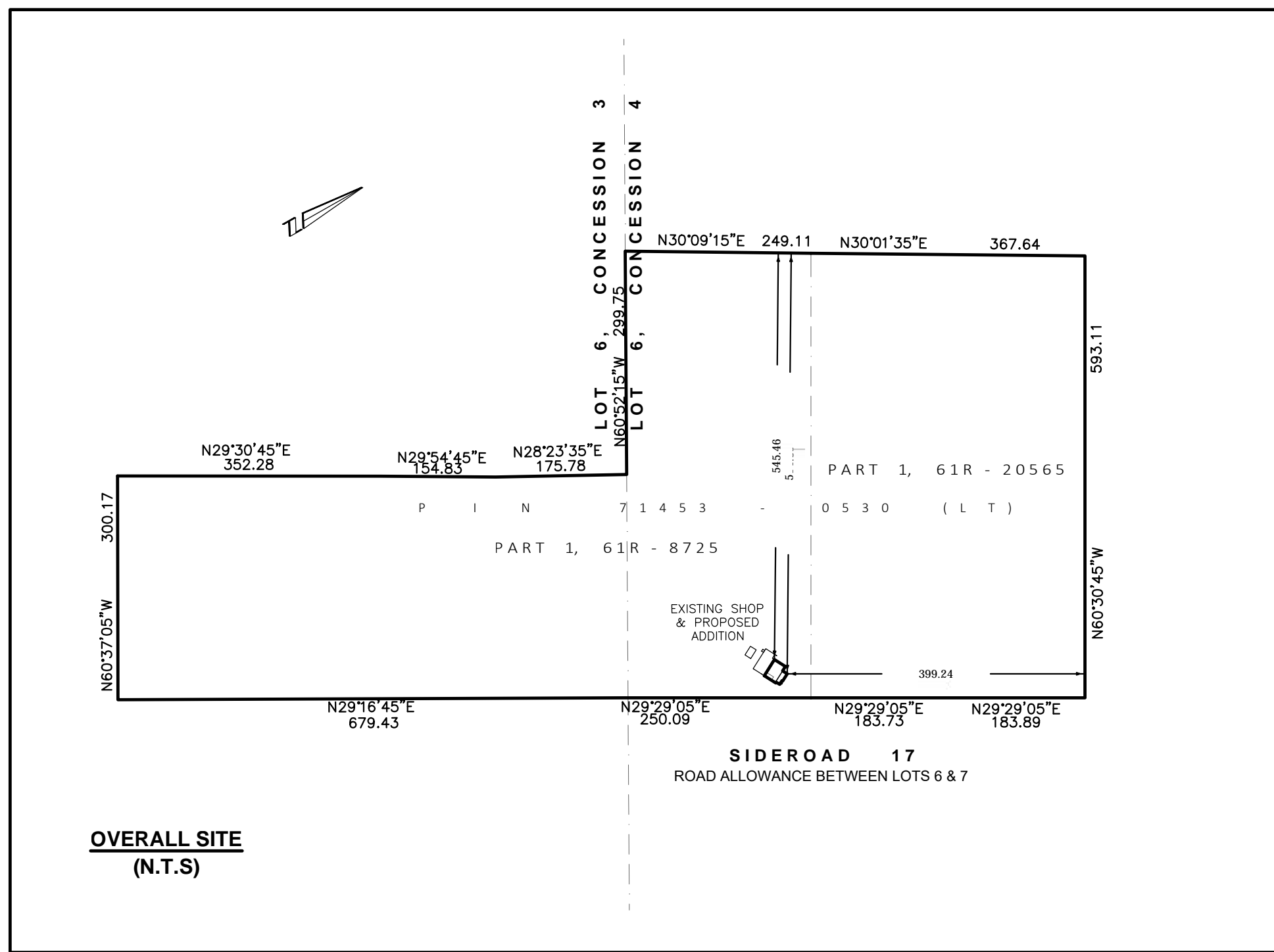


SECTION LETTER	PAGE NUMBERS
A	11

SCALE: 1/8" = 1'-0"
 DRAWN BY: MH
 DATE: Friday, May 29, 2020

DESIGNER INFORMATION
 Kraemer Woodworking
 6610 Sideroad 17
 Wallenstein
 Ontario
 N0B-2S0
 randy@kraemers.ca
 PHONE: 519-698-1112

Attachment B



LEGEND:

(395.70)	- PROPOSED ELEVATION	⊗	- WELL
394.82	- EXISTING ELEVATION	⊠	- CATCH BASIN
▬▬▬▬	- SLOPE (3:1 MAX)	CB	- TO BE REMOVED
→	- DIRECTION OF FLOW	T.B.R.	- TREE
- - -	- PERFORATED PIPE	○	- TREELINE
TP1	- TEST PIT		

CALL BEFORE YOU DIG

THE LOCATION OF SERVICES ON THIS DRAWING ARE ONLY APPROXIMATE AND BASED ON SURFACE FEATURES LOCATED AT THE TIME OF THE TOPOGRAPHIC SURVEY. PRIOR TO ANY CONSTRUCTION IT IS THE RESPONSIBILITY OF THE CONTRACTOR/BUILDER TO ENSURE THE EXACT LOCATION OF ALL UTILITIES.

EXISTING ZONING: (A) AGRICULTURAL "31.316"

	REQUIRED	PROPOSED
MAXIMUM FLOOR AREA	15,000 sq. ft. (1,393m ²)	18,100 sq. ft. (1,681m ²)
MAXIMUM OCCUPANCY	11 EMPLOYEES	15 EMPLOYEES
MINIMUM BUILDING/STRUCTURE SETBACK	18.0m	18.1m
MINIMUM LOT AREA	35 ha	57 ha
MINIMUM LOT FRONTAGE	121.9m	1,297.1m
MINIMUM FRONT YARD	18.3m	18.1m
MINIMUM SIDE YARD	3.0m	399.2m
MINIMUM REAR YARD	3.0m	545.5m

- NOTES:**
- ALL EXTERIOR LIGHTING TO BE DOWNWARD FACING AND DARK SKY COMPLIANT. FIXTURES ARE TO BE AIMED AWAY FROM ABUTTING PROPERTIES TO AVOID ENCROACHMENT OR GLARE.
 - HARD SURFACE (i.e. ASPHALT OR CONCRETE) REQUIRED FOR ACCESSIBLE PARKING, ACCESS ISLE AND ENTRANCE.

SEWAGE SYSTEM DESIGN NOTES:

(Refer to letter by Van Harten Surveying Inc.)

Q = 825 L/Day
 T = 20 min/cm
 Existing Septic Tank Size = 4,500 L (Effluent Filter Required)
 Existing Distribution Pipe Length = 90 m

SITE PLAN, SITE GRADING & SERVICING PLAN FOR:

**PROPOSED ADDITION
 KRAEMER WOODWORKING
 6626 SIDEROAD 17
 PART OF LOT 6, CONCESSIONS 3 & 4
 GEOGRAPHIC TOWNSHIP OF PEEL
 TOWNSHIP OF MAPLETON
 COUNTY OF WELLINGTON**



NO.	REVISION	BY	DATE
DRAWING REVISION SCHEDULE			
PREPARED FOR: CONESTOGO CARPENTERS LTD.			
PROJECT No. 27698-19			
DRAWING SCALE 1 : 300			

CAUTION:

- THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES.
- IT IS THE BUILDER'S RESPONSIBILITY TO ENSURE THE PROPOSED FOOTING ELEVATION AND PLUMBING ALLOWS GRAVITY CONNECTION TO THE SEWAGE SYSTEM.
- THIS SKETCH IS PROTECTED BY COPYRIGHT

Van Harten
 SURVEYING INC.
 LAND SURVEYORS and ENGINEERS

Kitchener Ph: 519-742-8371 Guelph Ph: 519-821-2763 Orangeville Ph: 519-940-4110

www.vanharten.com info@vanharten.com

DRAWN BY: JIM/SAP CHECKED BY: JMD PROJECT No. 27698-18

Jun 26, 2020-1:59:09 PM
 G:\PEEL\CON4\ACAD\SITE & SERVICING PTLOT 6
 (CONESTOGO) UTM-2010NR.dwg

Attachment C



June 19, 2018

Reference No. 11156734

Mr. Randy Kraemer
Kraemer Woodworking
6626 Side Road 17
Wallenstein, Ontario
N0B 2S0

Dear Mr. Kraemer:

**Re: Follow-Up Noise Impact Study
626 Side Road 17, Wallenstein, Ontario**

1. Introduction

GHD Ltd. (GHD) was retained to conduct a follow-up Noise Impact Study (Study) for the Kraemer Woodworking Shop (Site) located at 6626 Sideroad 17 in Wallenstein, Ontario. The purpose of this Study was to measure the existing noise sources following the implementation of noise abatement measures on Dust Collector 1 and to determine the noise impacts at the nearest off-site residential receiver locations.

GHD visited the Site to collect noise measurements on June 12, 2018.

2. Noise Source Summary & Site Conditions

The significant noise sources on the Site, one on the south side of the building (Dust Collector 1) and on the north west side (Dust Collector 2). Dust Collector 1 was identified as the likely source of the noise complaints due to exhaust and motor noise. Based on conversations with Site personnel the Site operates during the daytime hours of 07:00 to 20:00. The Site is located in a Class 3 (Rural) acoustic environment where the background is dominated by natural sounds. There are significant elevations changes from the Site to the surrounding PORs.

Since the initial evaluation completed by GHD the Site has installed an acoustical silencer to Dust Collector 1's exhaust system and completely enclosed the associated blower fan/motor assembly in a wood construction building.



Figure 1 – Dust Collector 1 with Silencer and Enclosure Installed.

3. Point-of-Reception Summary

GHD identified two residential properties within 500 m of the Site. The noise sensitive points of reception (PORs) are identified as:

POR1 – A two storey house to the east of the Site on Side Road 17

POR2 – A single storey house to the southeast of the Site on Side Road 17

POR3 – A single storey house to the south of the Site on Side Road 17

4. Sound Level Data

Short-term sound level measurements were necessary in order to assess the worst-case potential noise impact at the PORs.

Short term sound level measurements were taken using a Larson Davis LXT System on June 12, 2018. The Larson Davis LXT System includes a Type 1 Precision Sound Level Meter (SLM), Model LXT (Serial



Number 0001181); a pre amplifier, Model PRMXT1 (Serial Number 0229); and a 1/2 inch free field condenser microphone Model 377M05 (Serial Number 100881). The SLM was calibrated before and after the measurements period.

Meteorological conditions consisted of low winds and no precipitation.

GHD completed short-term steady state measurements of Dust collector 1 with the noise abatement equipment installed at various reference distances and directions to determine the sound power of the unit to input into the acoustical model.

5. Assessment Criteria

Assessment criteria may be determined for a POR based on the MOECC's minimum exclusionary sound level limits, as presented in Table B.1 of NPC 300, in comparison to the background sound levels experienced in the area. The "background sound level" is defined as the sound level present in the environment that is produced by noise sources other than those from the Facility, and would include traffic sound levels and sound from neighboring industrial/commercial activity. The higher of the two assessment criteria is selected for purpose of assessment.

Table 1: MOECC Noise Limits

Time of Day	Minimum Sound Level	
	Plane of Window	Outdoor Point of Reception
07:00 – 19:00	45 dBA	45 dBA
19:00 – 23:00	45 dBA	40 dBA
23:00 – 07:00	40 dBA	-

6. Noise Impact Assessment

The worst case assessment of steady state noise sources at the selected points of reception was based on measured sound pressure levels. CadnaA Acoustical Modelling Software (CadnaA) was used to model the potential impacts of the significant noise sources. CadnaA calculates sound level emissions based on the ISO 9613-2 standard "Acoustics – Attenuation of Sound during Propagation Outdoors".

The current cumulative modelled noise impacts based on measurements of the Dust Collector System with silencer and enclosure installed are summarized below:

Table 2: Attenuated Noise Impacts

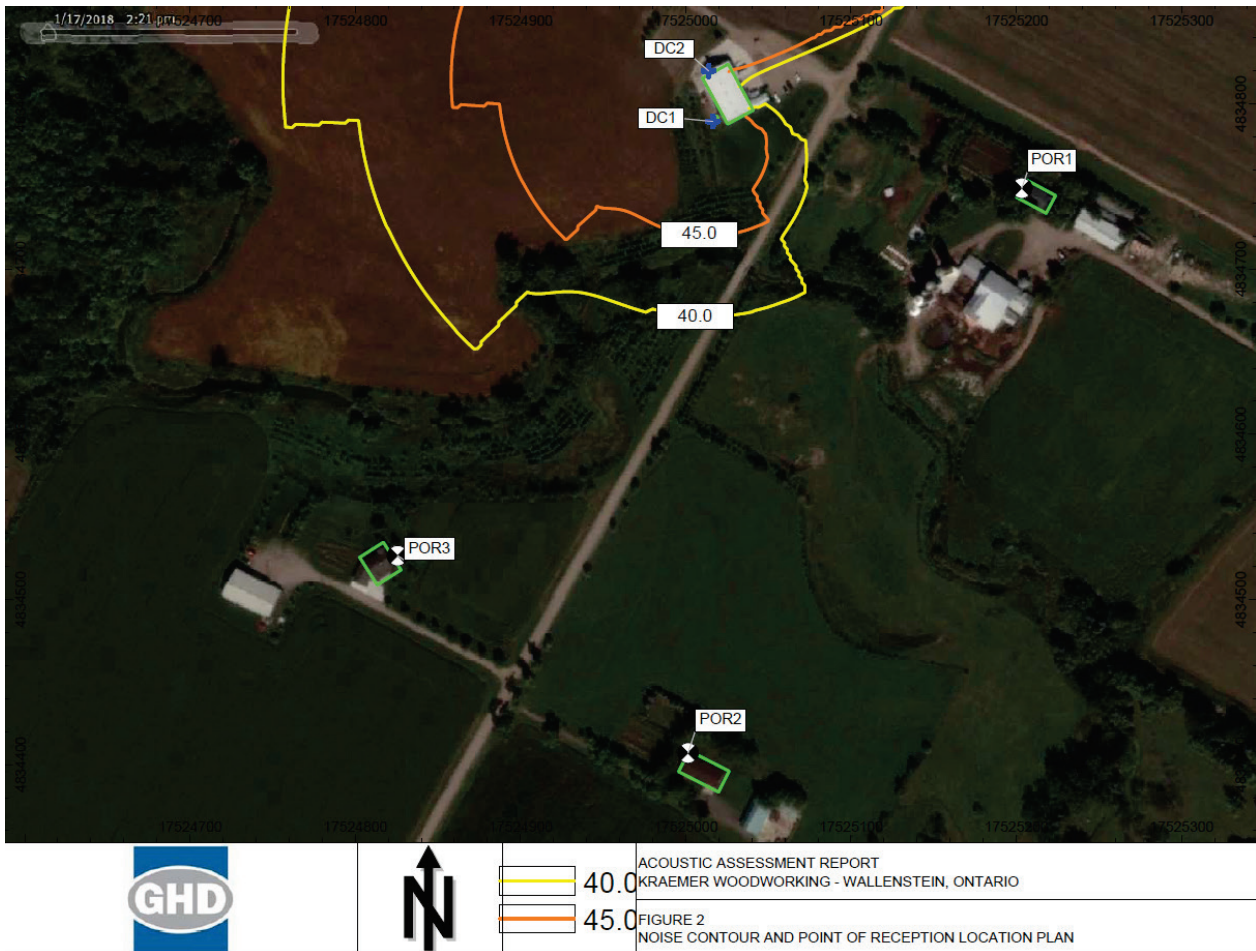
Point of Reception	Post Silencer Noise Impacts
POR1 – Residence East of the Site on Side Road 17	29 dBA



Table 2: Attenuated Noise Impacts

Point of Reception	Post Silencer Noise Impacts
POR2 - Residence South-East of the Site on Side Road 17	28 dBA
POR3 - Residence South of the Site on Side Road 17	32 dBA

As shown, the modelling indicates that Site is operating in compliance with the 45 dBA daytime and 40 nighttime sound level limit when Dust Collector 1 operating with the installed controls. The following Figure 2 shows the attenuated noise contour plot detailing the POR locations and the associated noise levels:





7. Conclusion

Based on GHD's measurements, the Site is in compliance with applicable noise limits with the installed noise controls on Dust Collector 1. Should you have any questions on the above, please do not hesitate to contact us.

Yours truly,

GHD

A handwritten signature in black ink, appearing to read "Michael Masschaele". The signature is written in a cursive, flowing style.

Michael Masschaele, BES LEL

MB/lj/2

Planning Justification Report

**In Support of
Zoning Amendment
for
Part of Lot 6, Concessions 3 & 4
Township of Mapleton**

July 2020

Prepared By:
JL Cox Planning Consultants Inc.
Guelph ON



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1. Introduction

1.1. Background

This planning justification report (PJR) has been prepared in support of a zoning amendment in the Township of Mapleton. The intent of the proposed amendment is to permit a minor expansion of an existing woodworking operation known as Kraemer Woodworking. The PJR will review the proposal in terms of applicable Provincial, County and Township policies and regulations; as well as other planning considerations.

2. Site Context

2.1. Property Description

The subject lands consist of Part of Lot 6, Concessions 3 and 4, Township of Mapleton (former Peel Township), County of Wellington, known municipally as 6626 and 6610 Sideroad 17. The subject lands have a total area of approximately 57 ha (141 ac.) and 1297 m. of frontage on Sideroad 17.

2.2. Existing Land Use

The subject lands contain the woodworking shop and the house and barn/shop attached to the balance of the agricultural lands. The surrounding land uses are all agricultural.

3. The Proposed Amendment

3.1. Background and History of Woodworking Operation

The zoning amendment application made by Van Harten Surveying Inc. provides the following background in the covering letter dated July 3, 2020:

“Kraemer Woodworking started in 1966 making furniture as part of the livelihood for the Mennonite owners of the property. The furniture has grown over the years and the focus has been much more towards kitchen cupboards. The family constructed the existing shop in 2001/2002 and constructed the storage shed in 2018 after the Zoning By-law was amended with By-law 2018-054 in June 2018 to include special section 31.316.

There appears to have been some confusion with the application, intention and final outcome of By-law 2018=054 including the following:

- 1. The maximum area of floor area for all buildings is 3.28 times greater in metric than in imperial. The imperial amount of 15,000 ft² is actually 1,393 m². It appears that someone converted 15,000 (as a linear value) to the metric equivalent. (15,000 ft = 4,572'). I understand that the proposal was to have been 15,000 ft².*

2. *My understanding is that the application associated with the 2018 zone change did not include the existing second floor area. The application assumed the following:*
 - a. *5905 ft² for the existing main floor.*
 - b. *2842 ft² for the existing basement.*
 - c. *1350 ft² for a proposed new storage building (built in 2018).*
 - d. *4650 ft² for future addition.*
 - e. *Total of 14,747 ft² and thus an application for 15,000 ft².*
 - f. *The existing second floor of 1111 ft² was not accounted for in the request for 15,000 ft². We are not sure if this was an error in the application or if an assumption was made that the second floor did not have to be accounted for.*
 - g. *An existing storage area of 646 ft² (to be removed) was not accounted for in the request for 15,000 ft².*
 - h. *The owner and construction company were surprised to find out that the By-law would not allow for 4650 ft² of main floor expansion.*

The request to allow for 18,000 ft² (1682 m²) which includes a) through d) as mentioned above, plus:

1. *1111 ft² for the existing second floor*
2. *868 ft² for the proposed second floor*
3. *1,267 ft² of additional main floor expansion for;*
 - a) *Showroom purposes,*
 - b) *646 ft² to replace the existing floor area that needs to be removed to allow for the addition*

The request is also to allow for 15 employees instead of 11 employees and to keep the minimum front yard setback for accessory buildings to be 18.0 m.”

The zoning amendment application referenced by Van Harten Surveying Inc. included a Site Plan, Site Grading and Servicing Plan dated July 3, 2020 for the subject property which shows the details of the proposed on-site changes.

3.2. Associated Agricultural Operations

The balance of the subject property is farmed by the owner as a cash crop for corn, beans and wheat. The farm operation rents an additional 32 ha (80 ac.) of land. The extended family operates a further 165 ha. (408 ac.) of agricultural land including cash crop and dairy operations in the immediate area which are separately owned but tilling and harvesting operations are done together. The family also provides custom farming services; and the barn on the subject property contains sheep.

4. Planning Policy and Regulatory Context

4.1. Provincial Policy Statement 2020

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The Provincial Policy Statement is issued under the authority of Section 3 of the Planning Act and the current PPS came into effect May 1, 2020. Section 3 requires that *“the decisions affecting planning matters shall be consistent with policy statements issued under the Act.”*

4.1.1. Relevant Policies

Applicable policies in the PPS 2020 which should be considered include:

- Section 1.1.4 Rural Areas in Municipalities:

“Rural areas are important to the economic success of the Province and our quality of life. Rural areas are a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas. Rural areas and urban areas are interdependent in terms of markets, resources and amenities. It is important to leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy.”
- Section 1.1.4.1 *“Healthy, integrated and viable rural areas should be supported by:*
 - f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;*
 - i) providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3”*
- Section 1.1.2 *“On rural lands located in municipalities, permitted uses are:*
 - d) Agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;”*
- Section 1.1.3 *“Recreational, tourism and other economic opportunities should be promoted.”*
- Section 1.1.4 *“Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.”*

- Section 1.1.7 *“Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.”*
- Section 1.3.1: *“Planning authorities shall promote economic development and competitiveness by:

 - b) *providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;”**
- Section 2.3.3.1 *“In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses.*

Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.”

The definition set out in Section 6.0 of the PPS 2020 includes the following:

“On-farm diversified uses: means uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products. Ground-mounted solar facilities are permitted in prime agricultural areas, including specialty crop areas, only as on-farm diversified uses.”

4.1.2. Summary of the Relevant Policies

- i. the PPS 2020 encourages opportunities for employment opportunities in rural areas, including on-farm diversified uses.
- ii. the PPS 2020 states that on rural lands development that is compatible with the rural landscape and sustained by rural service levels should be promoted.
- iii. the PPS 2020 states that planning authorities shall promote economic development and competitiveness and take into account the needs of existing and future businesses.
- iv. the PPS 2020 permits on-farm diversified uses in prime agricultural areas which are secondary to the principal agricultural use and are limited in area, including home industries.

4.2. Growth Plan for the Greater Horseshoe (Growth Plan)

The Ministry of Public Infrastructure and Renewal released the Growth Plan for the Greater Golden Horseshoe to manage growth in Ontario under the authority of the Places to Grow Act 2005. An update of the Growth Plan came into effect on May 16, 2019 and any decisions made after that date that affect a planning matter must conform to the plan.

The Growth Plan provides an overall growth strategy for the Greater Golden Horseshoe region that complements the Provincial Policy Statement and is implemented by municipal planning documents. The key elements of the Growth Plan are guiding principles of building compact, vibrant and complete communities; planning and managing growth to support a strong, competitive economy; and optimizing the use of existing or planned infrastructure to support growth in a compact and efficient form. As such, these policies are primarily directed at settlement areas rather than rural lands, but also include policies directed at protection of agricultural resources:

4.2.1. Relevant Policies of the Growth Plan

- Section 2.2.9 Rural areas states:
 - “3. *Subject to the policies in Section 4, development outside of settlement areas may be permitted on rural lands for:*
 - a) *The management or use of resources;*
 - b) *Resource-based recreational uses; and*
 - c) *Other rural land uses that are not appropriate in settlement areas provided they:*
 - i. *are compatible with the rural landscape and surrounding local land uses;*
 - ii. *will be sustained by rural service levels; and*
 - iii. *will not adversely affect the protection of agricultural uses and other resource-based uses such as mineral aggregate operations.”*
- Section 4.2.6 Agricultural system states:
 - “2. *Prime agricultural areas, including specialty crop areas, will be designated in accordance with mapping identified by the Province and these areas will be protected for long-term use for agriculture.”*

4.2.2. Summary of Relevant Growth Plan Policies

- i. the policies of the Growth Plan are primarily directed to guiding new development particularly within settlement areas.

- ii. the Growth Plan permits rural land uses that are compatible with the rural landscape and surrounding local land use, supported by rural service levels, does not affect the protection of agricultural uses, and protects prime agricultural areas for long-term use for agriculture.

4.3. Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas

This document is issued by the Ministry of Agriculture, Food and Rural Affairs (Publication 851) in 2016. It indicates that the criteria for the uses permitted in prime agricultural areas are specifically derived from PPS policies and definitions. The two key objectives are maintaining the land base for agriculture and supporting a thriving agricultural industry and rural economy.

4.3.1. Principles of Permitted Uses

- Section 5.1.4 of the guidelines states:

“The intent of the PPS and these guidelines is to allow uses in prime agricultural areas that ensure settlement areas remain the focus of growth and development and:

- *agriculture remains the principal use in prime agricultural areas*
- *prime agricultural areas are protected for future generations*
- *land taken out of agricultural production , if any, is minimal*
- *regard is given to the long-term (multi-generational) impact on prime agricultural areas*
- *normal farm practices are able to continue unhindered*
- *agricultural and rural character and heritage are maintained as much as possible*
- *uses are compatible with agricultural uses*
- *they make a positive contribution to the agricultural industry, either directly or indirectly*
- *servicing requirement (e.g., water and wastewater, road access, fire service, policing) fit with the agricultural context”*

4.3.2. Permitted Uses in Prime Agricultural Areas

Permitted uses in prime agricultural areas include agricultural uses, agriculture-related uses and on-farm diversified uses. The proposed expansion of Kraemer Woodworking would be considered as an on-farm diversified use.

4.3.3. PPS Criteria for On-Farm Diversified Uses

Section 2.3.1 of the guideline sets out the following criteria for on-farm diversified uses, and states that all of the criteria must be met:

- 1) *“Located on a farm that is actively in agricultural use;”*

The existing 57 ha. farm is actively farmed by the owners of Kraemer Woodworking. Additional details are provided in Section 3.2 of this PJR.

- 2) *“Secondary to the principal agricultural use of the property in spatial or temporal terms;”*

The woodworking operation, while significant in size, is secondary to the principal agricultural use of the property. In spatial terms the expanded use will only occupy 1.03 ha. of land which is approximately 1.8% of the entire property. The maximum lot coverage for an on-farm diversified use is recommended in the guideline as 2%, so the proposal is within that criteria.

- 3) *“Limited in area, minimized the amount of land taken out of agricultural production and limited off-site impacts;”*

As noted above, the proposed addition is limited in area (an increase of approximately 20% in total building floor area) and will be located on lands already occupied by the woodworking use and not useable for agriculture due to the sloping natural grade and disturbed soils. It will not occupy any lands currently used for agricultural purposes. No significant off-site impacts are anticipated with the expansion.

- 4) *“Including, but not limited to, home occupations, home industries, agritourism uses and uses that produce value-added agricultural production;”*

A woodworking operation, such as Kraemer Woodworking, would typically be considered a home industry type of use.

- 5) *“Shall be compatible with, and not hinder, surrounding agricultural operations.”*

The proposed expansion will not have any anticipated impact on surrounding agricultural operations.

4.3.4. Examples of On-Farm Diversified Uses

Section 2.3.2 of the guidelines provides examples of uses that could be considered as on-farm diversified uses if they meet the foregoing PPS criteria. Examples given is a home industry including a woodworking shop and manufacturing/fabrication.

Section 2.4 Categories of Permitted Uses further indicates on Table 2 of the guideline that industrial uses that are appropriate in prime-agricultural areas are an example of a permitted on-farm diversified use.

4.3.5. Summary of Relevant Guidelines

- i. the proposed expansion of Kraemer Woodworking is consistent with the OMAFRA guidelines criteria for on-farm diversified uses
- ii. woodworking shops are an example of an on-farm diversified use with the guidelines.

5. Local Planning Context

5.1. Wellington County Official Plan (County OP)

The Wellington County Official Plan came into effect on May 6, 1999. The Plan has subsequently been amended several times, including a comprehensive 5 Year Review (OPA 81) which was approved by MMAH on April 24, 2014, appealed to the Ontario Municipal Board and approved by the Board on December 19, 2014.

The subject lands are designated Prime Agricultural Area, Greenlands and Core Greenlands on Schedule A4. The area of the existing building envelope on the property is located within the Prime Agricultural Area designation.

5.1.1. Relevant Policies of County OP

The relevant policies of the Plan include:

- Section 4.2.6 states:

“In the Rural System, home businesses similar to those allowed in the Urban System are encouraged. Additionally, the following uses may be considered:

- *sales outlets for agricultural products produced on the farm;*
- *home industries which are small in scale with limited employees, and minimal off site impact;*
- *bed and breakfast establishments*
- *farm vacation enterprises”*

- Section 6.4.3 Permitted Uses states:

“Permitted uses and activities in Prime Agricultural Areas may include:

- a) *Agricultural uses*

- b) *Secondary uses including home businesses and farm businesses*
- c) *Agriculture-related uses*
- d) *Existing uses*”

- Section 6.4.4 Home Businesses and Farm Businesses states:

“Home businesses are home occupations and home industries that are secondary to the principal use of the property and may be allowed, subject to zoning provisions, as a means of supplementing farm incomes and providing services in agricultural areas and may include;

- *home industries which are small in scale with a limited number of employees, and minimal off-site impacts – examples include minor equipment repair, woodworking, crafts, and welding:”*

- Section 13.8 of the OP provides further clarification on the status of existing uses recognized by the local zoning bylaw:

“A legally established use which does not conform with the policies of an Official Plan may be recognized as a permitted use in the Zoning By-law in accordance with its current use and performance standards. A Council may also consider zoning the property to allow a similar or more compatible use or to provide for a limited expansion of the current use. Council shall have regard for the following:

- a) *the need for the change or extension of use;*
- b) *the proposed use is not offensive with regard to noise, vibration, smoke, dust, fumes, odour, lighting and complies with the Health Protection and Promotions Act;*
- c) *compatibility;*
- d) *the need for landscaping, screening, buffering and setbacks;*
- e) *traffic impacts and parking;*

5.1.2. Summary of Relevant County OP Policies

- i. the Plan encourages home businesses which are small in scale with limited employees and minimal off-site impacts
- ii. permitted uses in the Prime Agricultural Area designation include home businesses and existing uses. Home businesses include home industries, and an example given is woodworking
- iii. the Plan further provides that if a legally established use does not conform with the policies of the Official Plan it may be recognized as a permitted use in the Zoning By-law and also sets out criteria to provide for a limited expansion of the existing use.

5.2. Mapleton Township Zoning Bylaw 2010-080

5.2.1. Background

Mapleton Township Zoning Bylaw 2010-080 was adopted in October, 2010. It is noted that the A-Agricultural Zone provisions list Home Industry as a permitted use in the A zone, subject to specific zoning criteria. The subject property is primarily zoned A, as are surrounding agricultural operations.

5.2.2. Site Specific Zoning

A portion of the overall subject property has site-specific zoning which recognizes the Kraemer Woodworking use. This zoning is set out in Section 37.316 of the Bylaw as adopted by Bylaw 2018-054 and is set out below:

“31.316 Notwithstanding Section 6.14 d) of this By-law, a maximum floor area of 4,572 m² (15,000 ft²) for all buildings is permitted for a home industry which shall include but is not limited to; generator room, lunchroom, office, mechanical room, basement area and inside storage areas.

Notwithstanding Section 6.14 f) of this By-law, not more than eleven (11) employees shall be engaged in the home industry;

Notwithstanding Section 6.14 h) of this By-law, the minimum setback for buildings or structures from a lot line shall be 18.0 m (59.0 ft).”

Section 3.1 of this By-law notes the error in the metric conversion set out in the amending bylaw.

5.2.3. Required Changes to Zoning

- i. the current zoning was intended to permit a maximum floor area of 1393.5 m² (15,000 ft²) instead of the 4,572 m² stated in the amendment. The proposed amendment is to permit a maximum of 1682 m² (18,100 ft²) of floor area, which is an increase of approximately 20%
- ii. the number of employees permitted is proposed to increase from 11 to 15. It is noted that 2 of the employees are installers who primarily work off-site
- iii. the minimum setback for the building or structure will remain at 18.0 m. as currently permitted

The proposed changes are minor increase to the use currently permitted on the site and will correct the error in the 2018 zoning amendment.

6. Summary Conclusions

The conclusions of this planning justification report are:

- i. Kraemer Woodworking has existed on the subject property since 1966 and has operated in the current shop since 2002.
- ii. The proposed zoning amendment is consistent with the PPS 2020, and conforms to the Growth Plan 2019.
- iii. The proposed woodworking use and its proposed expansion meets the criteria for on-farm diversified uses as set out in the OMAFRA document Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas.
- iv. The proposed expansion generally conforms to the policies of the County OP related to a home business; and further, were the application considered not to conform to the OP, the status zoning provisions of the Plan provide for a potential limited expansion of the current use.
- v. Amendments to the current zoning are required to permit the expanded floor area and number of employees permitted. The proposed amendments are minor and will also correct a current error in the By-law.

In conclusion, it is my opinion that the proposed zoning amendment for the property proposes minor changes in the permitted use of the property and is therefore appropriate and represents good planning.

Respectfully submitted

JL Cox Planning Consultants Inc.

A handwritten signature in black ink that reads "John Cox". The signature is written in a cursive, slightly slanted style.

John L Cox, BES, RPP

From: Patty Wright <PWright@mapleton.ca>

Sent: July 24, 2020 8:11 AM

To: Larry Wheeler <LWheeler@mapleton.ca>

Subject: RE: ZBA2020-07 Randy & Susanna Kraemer / Jeff Buisman of Van Harten Surveying Inc.

The building department has no concerns in regard to the above noted site plan application.



Patty Wright CBCO, CPSO, CMM III
Chief Building Official

Township of Mapleton
7275 Sideroad 16, Drayton, ON
519.638.3313 x 036

www.mapleton.ca





**PLAN REVIEW REPORT: Township of Mapleton
Larry Wheeler, Deputy Clerk**

DATE: July 23, 2020 **YOUR FILE:** ZBA 2020-07

RE: **Application for Zoning Bylaw Amendment**
6626 Sideroad 17, Township of Mapleton

GRCA COMMENT:*

The Grand River Conservation Authority (GRCA) has no objection to the proposed zoning bylaw amendment.

BACKGROUND:

1. Resource Issues:

Information currently available at this office indicates that the subject lands contain a watercourse, floodplain, valley slopes and the adjacent allowance to these features.

2. Legislative/Policy Requirements and Implications:

Portions of the subject property contain natural hazard and natural heritage features as identified by the Provincial Policy Statement (PPS, 2020) and the Greenlands System in accordance to the County of Wellington Official Plan (2019). Since the proposed development will be located outside the natural hazard and natural heritage features identified above, GRCA staff do not anticipate any negative impact on these features as a result of this application.

Due to the presence of the above-noted features, a portion of the subject property are regulated by the GRCA under Ontario Regulation 150/06 - Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation. Since development is proposed to be located outside the areas regulated by the GRCA, no permit from our office will be required.

3. Additional Information/Suggestions provided in an advisory capacity:

This application is a 'minor' zoning bylaw amendment application and the applicable review fee is required for our review of this application. With a copy of this letter, the applicant will be invoiced in the amount of \$420.00.

Should you have any questions or require further information, please contact the undersigned at 519-621-2763 ext. 2231, or lwarner@grandriver.ca

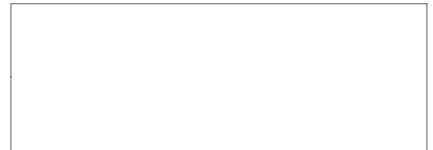
Sincerely,



Laura Warner
Resource Planner
Grand River Conservation Authority
LW

cc: Randy and Susanna Kraemer, 6626 Sideroad 17, R.R. #2, Wallenstein, ON N0B 2S0
Jeff Buisman, Van Harten Surveying Inc, 423 Woolwich Street, Guelph, ON N1H 3X3

- ***These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.***

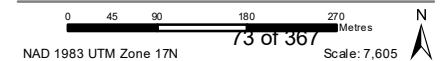


Legend

- Regulation Limit (GRCA)
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Floodplain (GRCA)
 - Engineered
 - Estimated
 - Approximate
 - Special Policy Area
- Slope Valley (GRCA)
 - Steep
 - Oversteep
 - Steep
- Slope Erosion (GRCA)
 - Oversteep
 - Toe
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)

This legend is static and may not fully reflect the layers shown on the map. The text of Ontario Regulation 150/06 supercedes the mapping as represented by these layers.

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From: Emily Vandermeulen <EVandermeulen@centrewellington.ca>
Sent: July 22, 2020 6:12 PM
To: Larry Wheeler <LWheeler@mapleton.ca>
Cc: Source Water <sourcewater@centrewellington.ca>
Subject: RE: ZBA2020-07 Randy & Susanna Kraemer / Jeff Buisman of Van Harten Surveying Inc.

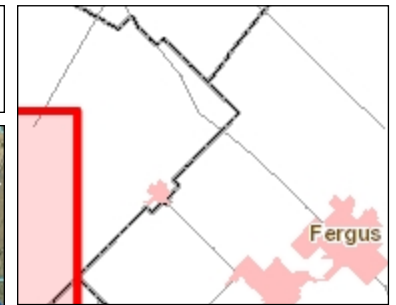
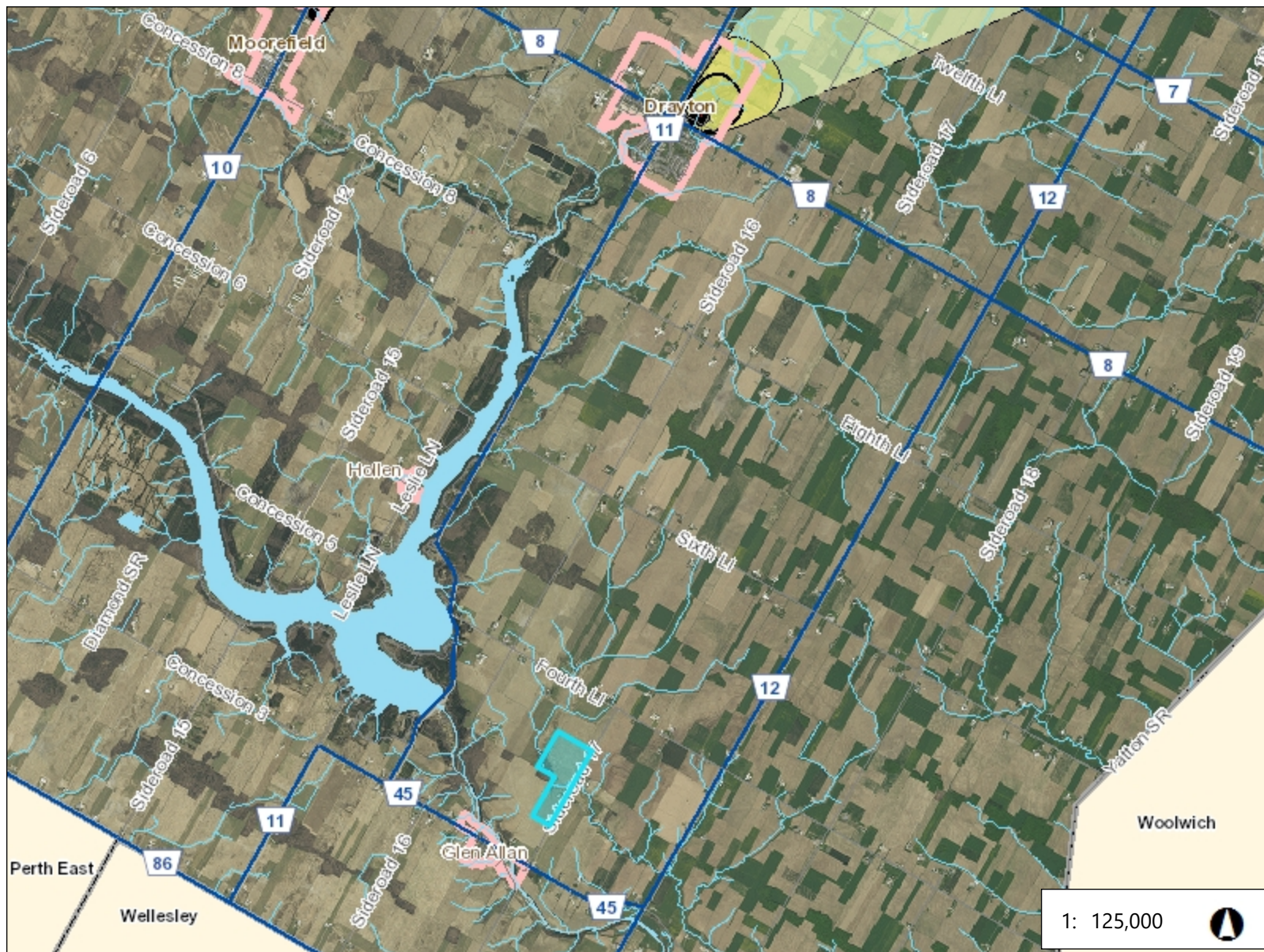
Thank you for providing the above referenced application for review. Since this property is **not** located in a vulnerable area (wellhead protection area, issues contributing area, intake protection zone etc.), the application can be screened out and it does not require a Section 59 notice under the *Clean Water Act*.

I have attached a map showing the property and Wellhead Protection Areas for your reference.

If you have any further questions regarding this application, or in the event of any technical problem with the email or attachments, please contact me.

Emily Vandermeulen | Risk Management Inspector / Source Protection Coordinator

Wellington Source Water Protection | 7444 Wellington Road 21, Elora, ON, N0B 1S0
519.846.9691 x365 | evandermeulen@centrewellington.ca | www.wellingtonwater.ca
Toll free: 1.844.383.9800



Legend

- Roads - Small Scale
 - Local Road
 - County Road
 - Highway
- Waterbodies
- Watercourses
- Urban Centres and Hamlets
- Ontario - Municipalities
- Well Locations
- Wellhead Protection Area Boundaries
 - A
 - B
 - C
 - D
- Vulnerability Score
 - 10
 - 8
 - 2, 4, 6 (A, B or C)
 - 2, 4, 6 (D)
- RoadsLookup

1: 125,000



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Notes

From: Rick Richardson <RRichardson@mapleton.ca>
Sent: July 21, 2020 1:42 PM
To: Larry Wheeler <LWheeler@mapleton.ca>
Subject: RE: ZBA2020-07 Randy & Susanna Kraemer / Jeff Buisman of Van Harten Surveying Inc.

The Fire Department have no issues with this application.



Rick Richardson
Fire Chief

Township of Mapleton
7275 Sideroad 16, Drayton, ON
519.638.3313 x 020

www.mapleton.ca



August 4, 2020

TOWNSHIP of MAPLETON

Re – proposed amendment to Zoning By -Law 2010 -80 located at 6610 - 6626 S.R. 17

I have no problem with the above mentioned proposed Zoning amendment,

Providing that noise level does not exceed current emissions.

Richard & Fay Walter



- 6.2 County of Wellington Request for Revisions to a Draft Approved Plan of Subdivision, 23T-98003, Riverview Heights Phase 2, Part of Lots 18 & 19, Concession 12, Maryborough Twp.

RECOMMENDATION

THAT Township of Mapleton Council receive County of Wellington Request for Revisions to a Draft Approved Plan of Subdivision, 23T-98003, Riverview Heights Phase 2, Part of Lots 18 & 19, Concession 12, Maryborough dated July 10, 2020;

AND MAPLETON COUNCIL support the requested redline amendment as explained in correspondence dated March 5, 2020 from Owner/Applicant Drayton B.G. Inc and from ABEC Engineering & Planning, Masoud Robati dated July 1, 2020 with the following conditions:

- Cash in lieu of parkland as per the Township's fees and charges by-law
- Satisfy all the requirements of the local municipality, financial and otherwise
- Driveway entrance approval
- Safe Driveway access can be provided to the satisfaction of the Township and County
- Taxes Paid in Full
- Service connections to be confirmed
- Official Plan Compliance
- Zoning Compliance
- Lot Grading and Drainage Plan
- Subdivision Agreement
- Digital copies of deposited Subdivision Plan

Also included for your records are comments prepared by R.J. Burnside dated July 27, 2020.

Prepared by
Barb Schellenberger
Municipal Clerk

Dated July 31, 2020



July 27, 2020

Via: Email

Ms. Barb Schellenberger
Municipal Clerk
Township of Mapleton
7275 Sideroad 16
Drayton ON N0G 1P0

Dear Mrs. Schellenberger:

**Re: Riverview Heights, Phase 2
23T-98003
Project No.: TBD**

We are responding to your circulation of July 10, 2020. I was unable to find any previous Burnside file providing background information, so our comments are limited to the information that was circulated. Our comments are as follow:

- The application indicates that the stormwater management pond was designed to the satisfaction of GRCA in 2010. Prior to finalizing this red line approval to the draft plan, it should be confirmed that the pond area is satisfactory to meet current requirements.
- The pond access is proposed via a 6.0 m easement. The Township will have maintenance obligations for cleaning the pond and will need to deploy dump trunks, excavators etc. Easements are no longer considered appropriate for such access. The draft plan should be revised to show it as a municipal property.
- The 45 degree bends make for an odd road alignment. We would prefer a long, gentle curve. If pulled inside, such that it cuts into lots 19 & 20, there would be a little more area added to lots a12-15 that would compensate for revising the stormwater easement to a block of land.

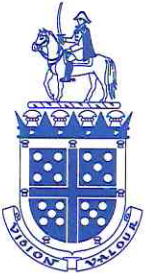
Please let us know if further discussion is required.

Yours truly,

R.J. Burnside & Associates Limited

Gord Feniak
GF:js

Drayton BG
27/07/2020 12:09 PM



PLANNING AND DEVELOPMENT DEPARTMENT
ALDO L. SALIS, BES, MSc, RPP, MCIP, DIRECTOR
T 519.837.2600
T 1.800.663.0750
F 519.823.1694

ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH ON N1H 3T9

July 10, 2020

**REQUEST FOR REVISIONS TO
A DRAFT APPROVED PLAN OF SUBDIVISION**

To: Commenting Authorities and Agencies
Re: Proposed Revisions to Draft Approved Plan of Subdivision – File 23T-98003
Owner: Riverview Heights Phase 2
Location: Township of Mapleton - Part of Lots 18 and 19, Concession 12 - Maryborough

The County of Wellington has received a request to revise the previously draft approved plan of subdivision file 23T-98003 (granted by the County of Wellington on May 15, 2000) in respect of the land described as Part of Lots 18 and 19, Concession 12 geographic Township of Maryborough, now Township of Mapleton, County of Wellington.

The proposed changes are explained in the attached correspondence from the Owner/applicant Drayton B.G. Inc and from ABEC Engineering & Planning, Masoud Robati, P.Eng., Ph. D.

The redlined revisions are identified on the attached plans.

Inquiries regarding this application can be made to the County of Wellington's Planning and Development Department, attention Linda Redmond, email lindar@wellington.ca Telephone 519-837-2600 x2380; or sent to the above address

Your comments on the proposed Revised Draft Approved Plan of Subdivision would be appreciated. Please submit your comments by **August 14, 2020**. If you require more time for your review of this matter, please let us know prior to this deadline.

Please also send a copy of all responses to the local municipality, Township of Mapleton, Clerk – 7275 Sideroad 16, P.O. Box 160, Drayton ON N0G 1P0 and the applicant Drayton B.G. Inc., 3100 Steeles Avenue, Suite 500, Vaughan, ON L4K 4Y4 .

Sincerely,

xr / Aldo Salis, MCIP, RPP
Director of Planning and Development

cc—Drayton B.G. Inc.
Masoud Robati – ABEC Engineering & Planning
Sarah Wilhelm, Manager Policy Planning

Drayton B.G. Inc.
3100 Steeles Avenue, Suite 500
Vaughan, ON L4K 4Y4
O: 905 695-1953 x.227 F: 905 695-1954

March 5, 2020

The County of Wellington
Planning Dept.

Ms Deborah Turchet, Coordinator
Planning and Development Department
County of Wellington
74 Woolwich Street
Guelph, ON N1H 3T9

MAR 06 2020

Re: Planning Rationale and Redline Application for Riverview Heights Subdivision 23T-98003

Drayton B.G. Inc. is applying for the redlining of the Riverview Heights draft plan of subdivision. This subdivision was originally approved in May 2000, and at that time it was proposed that the subdivision would be serviced with communal sewer and water.

Engineering studies were completed in support of the draft plan and submitted to the County. Over the intervening years, the property has been acquired by Drayton B.G. Inc., and development policies have changed that precluded the communal servicing of the subdivision.

An effort to amend the draft Lot layout in 2010 by increasing the number of Lots and relocating the Storm Water Management Pond to another location required additional studies to confirm that the proposed storm water servicing changes would meet with approval with the Grand River Conservation Authority.

What was also not addressed in that 2010 amendment effort was the size of individual Lots to accommodate the preferred individual servicing of Lots with well and septic systems.

Drayton B.G. Inc. proposes with this Redline Application to return the storm water management servicing to the original approved location and has resized and reduced the number of Lots from 29 to 28 to ensure that the resulting subdivision Lots can be individually serviced.

The attached Redline exercise shows the original draft plan approved layout and the proposed new layout. Geotechnical studies indicate that the Lots can be individually serviced with septic systems that address the soil conditions and proposed house sewage daily discharge rate. Drayton B.G. Inc. will provide a suitably engineered sewage system design that will meet OBC standards for each Lot with each building permit application.

This proposal has been provided to Ms Linda Redmond, Manager of Planning and Environment at the County and to Ms Patty Wright, Chief Building Official at the Township of Mapleton for their review. This application follows based on their comments and recommendations.

It is also respectfully requested that the remaining draft plan conditions be reviewed as a number of conditions have been fulfilled or require minor wording amendment to incorporate the change from communal servicing to individual Lot servicing.

Drayton B.G. Inc.
3100 Steeles Avenue, Suite 500
Vaughan, ON L4K 4Y4
O: 905 695-1953 x.227 F: 905 695-1954

Planning Notes:

The original draft plan of subdivision had 29 Lots, a Storm Water Management Block, a Park Block, and two remainder land Blocks. Of the 29 Lots, 1 was 0.8 acres in size, and 1 was 0.71 acres in size, and 10 ranged from 0.62 acres to 0.49 acres in size (see Lot Size Chart).

As the soil conditions have a 'T' rate of 40 min/cm, any Lot under 0.7 acres in size would require tertiary treatment process and the even smaller Lots may require holding tanks with a regular pump-out service. To ensure the servicing feasibility and long-term operation of the subdivision, a reduction and resizing of the remaining Lots is proposed.

The County advised that they are amenable to the use of the proposed Park Block for inclusion into the Lot fabric. Drayton B.G. Inc. will provide a payment in lieu for the parkland. Together with the remainder land Blocks and a slight realignment of the Road right-of way, it was able to provide a 28 Lot subdivision with every Lot is at least 0.94 acres in size.

The Storm Water Management Block remains in the same location, size and with the same discharge outlet as originally approved.

The application base fee for this Redline application is \$3,470, plus \$150 per Lot, for a total of \$7,670 (attached).

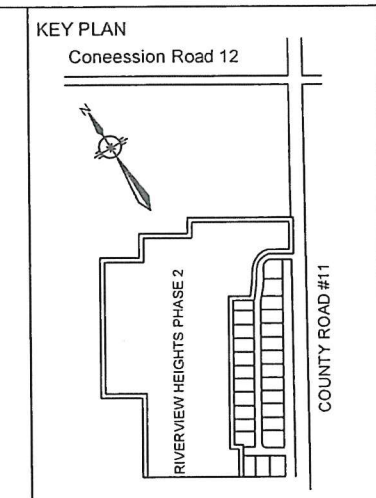
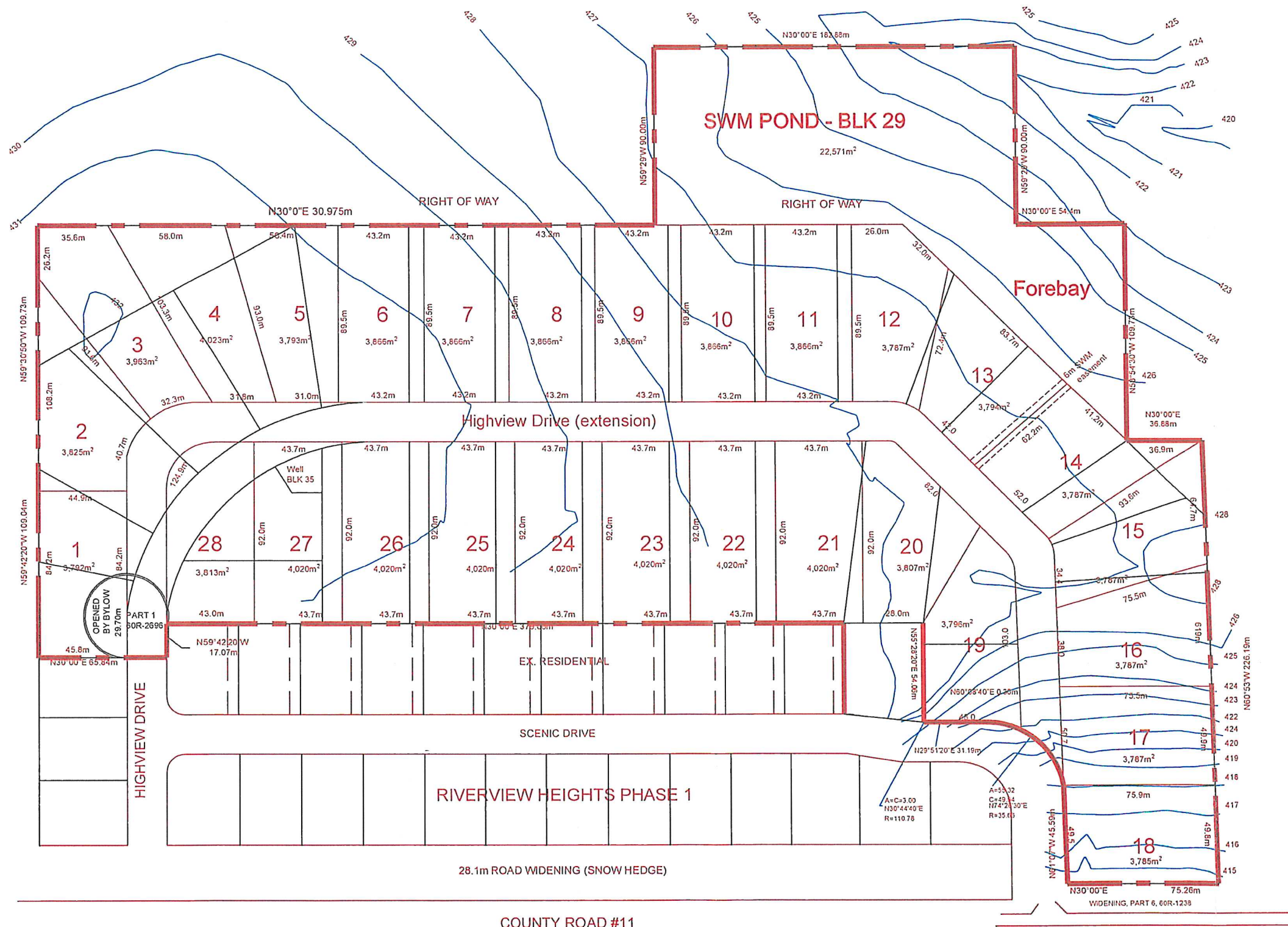
Feel free to contact me to address any questions or requirements for further information. Thanking you in advance for your consideration of this application.

Regards,



Berardo Mascioli, APA – Planner
C: 416 938-5092
E: berardo@bgshomes.com

REDLINED DRAFT PLAN



LAND USE SCHEDULE		
Lot	Area	% of
1	3792	84%
2	3625	85%
3	3953	89%
4	4023	99%
5	3793	84%
6	3656	89%
7	3656	89%
8	3656	89%
9	3656	89%
10	3556	95%
11	3556	95%
12	3787	94%
13	3794	94%
14	3787	94%
15	3787	94%
16	3787	94%
17	3787	94%
18	3765	94%
19	3795	94%
20	3807	94%
21	4020	99%
22	4020	99%
23	4020	99%
24	4020	99%
25	4020	99%
26	4020	99%
27	4020	99%
28	3813	94%
SWM BLK 29	22571	558%
ROW	13510	
TOTAL	144743	sm
Hectares	1447	ha
Acres	34.74	ac

Note: Subject to Survey Confirmation

RIVERVIEW HEIGHTS
TOWNSHIP OF MAPLETON
WELLINGTON COUNTY

PROPOSED RED LINE REVISION
TO DRAFT PLAN No. 23T-98003

LEGAL DESCRIPTION
Part of Lots 18 & 19, Concession 12,
Former Township of Mayborough,
now Township of Mapleton, County of Wellington

DRAYTON B.G. INC.

3100 SHEPPARD AVENUE EAST, SUITE 300
VICTORIA, ONTARIO
Tel: 519-834-1111
Fax: 519-834-1114

REVISIONS				
No	Revision	Date	By	Rev.
1	ISSUED FOR REVISION COMMENTS		B.M.	B.M.
2	ISSUED FOR REVISION APPROVAL		B.M.	B.M.
3				
4				

OWNER'S CERTIFICATE
I HEREBY CERTIFY THAT I AM THE PROPRIETOR AND I HAVE
READ AND APPROVED THIS DRAFT PLAN FOR SUBMISSION NO. 23T-98003

DATE: APRIL 17, 2020
APPROVED BY: [Signature]
DRAYTON B.G. INC.

ADDITIONAL INFORMATION (UNDER SECTION 51(17) OF THE PLANNING ACT R.S.O. 1990)
CLAUSES b.e.f.g.j. AND I ARE AS SHOWN ON REDLINE PLAN

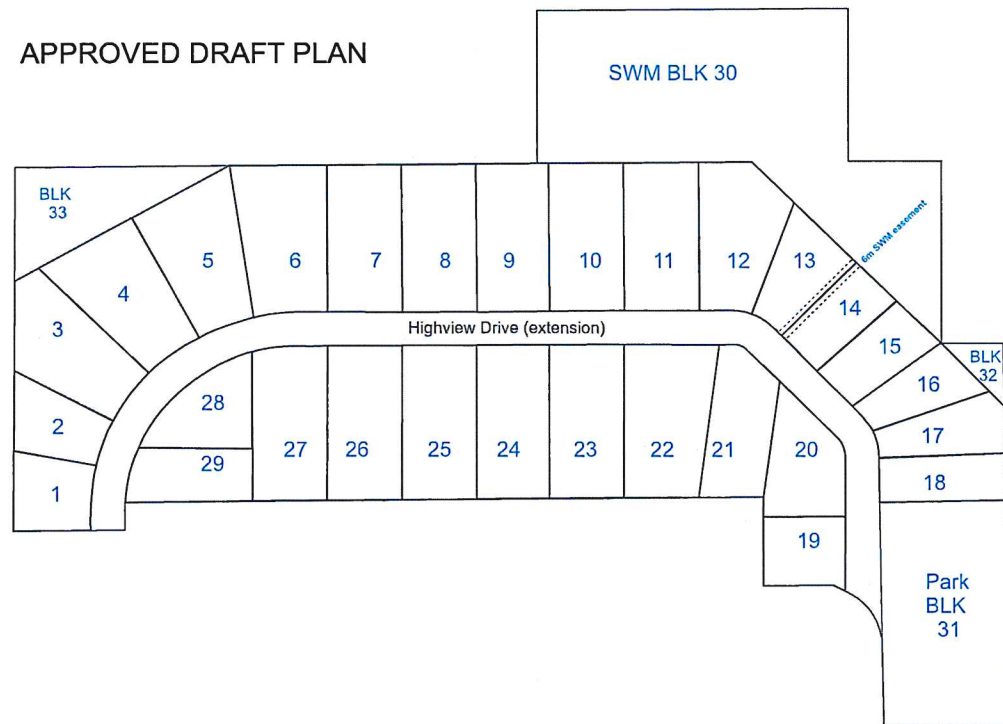
(a) Land boundary details as per draft plan of subdivision certified by J. David McLeod, O.L.S. on May 1, 2008, and attached as drawing #374-202 to this redlining plan
(b) single family, open space
(c) not applicable
(d) sand, gravel, loam
(e) agricultural, residential
(f) individual lots
(g) no municipal services

Scale: METERS
1:1000

Stratega Consulting
3100 SHEPPARD AVENUE EAST, SUITE 300
VICTORIA, ONTARIO
Tel: 519-834-1111
Fax: 519-834-1114

PROJECT No: 903-2B
DRAWN BY: B.M.
CHECKED BY: B.M.
DATE: June 2020
DRAWING No: DP-R2

APPROVED DRAFT PLAN



Lot	Draft Plan Approved DP Approved	% of Acre
1	2010	50%
2	2054	51%
3	3900	98%
4	4113	103%
5	4164	104%
6	4476	112%
7	3844	96%
8	3894	97%
9	3821	96%
10	3911	98%
11	3912	98%
12	3897	97%
13	2320	58%
14	1956	49%
15	2061	52%
16	1957	49%
17	2099	52%
18	2054	51%
19	2006	50%
20	2827	71%
21	3188	80%
22	4549	114%
23	4043	101%
24	3975	99%
25	4046	101%
26	4053	101%
27	4024	101%
28	2483	62%
29	2266	57%
SWM BLK 30	29800	
Park BLK 31	10270	
BLK 32	699	
BLK 33	4255	
ROW	12881	
	151808	sm
	15.18	ha
	36.43	ac

Note: Subject to Survey Confirmation

Planning Notes:

Original Draft Plan of Subdivision has 29 Lots.

13 of those Lots are less than 0.8 acres in size.

Block 30 is designated as Stormwater Management Block.
Block 31 is designated as a Park.
Blocks 32 & 33 are designated as surplus Agriculture lands.

Proposed Redlined Plan of Subdivision has 28 Lots.

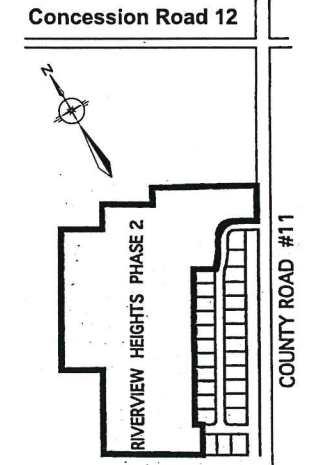
No Lot is less than 0.94 acres in size.

Block 29 (former DP Block 30) is designated as Stormwater Management Block - no change in area or dimensions.

DP Block 31 (former Park) has been redistributed to Lots.
DP Blocks 32 & 33 have been redistributed to Lots.

Lots 1, 19 & 28 flank Road ROW and may require zoning relief from S.8.2.3 - Front Yard, minimum setback 18.3m (60'), Proposed 12.2m (40').

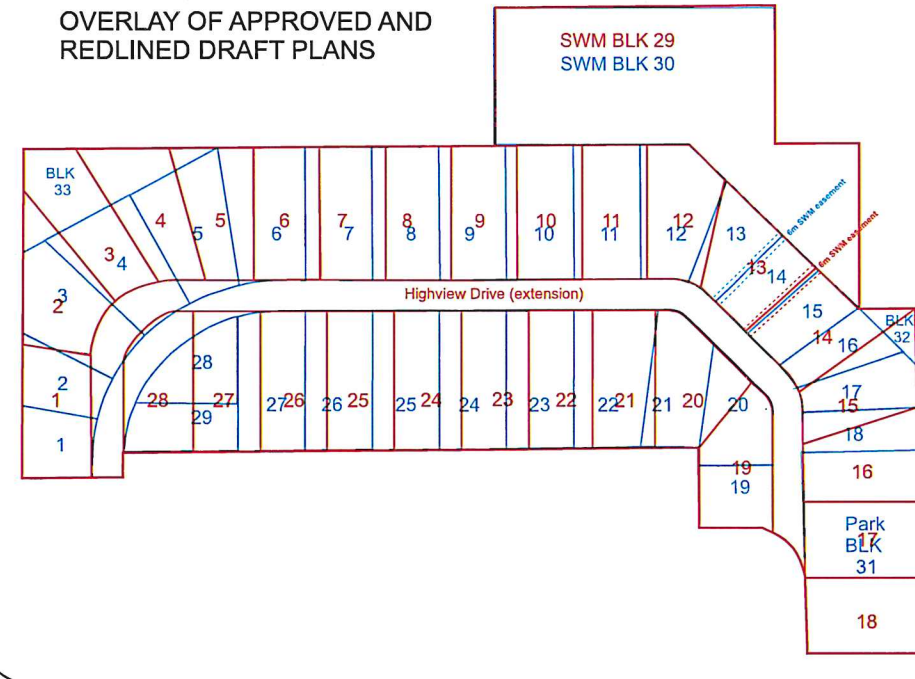
KEY PLAN



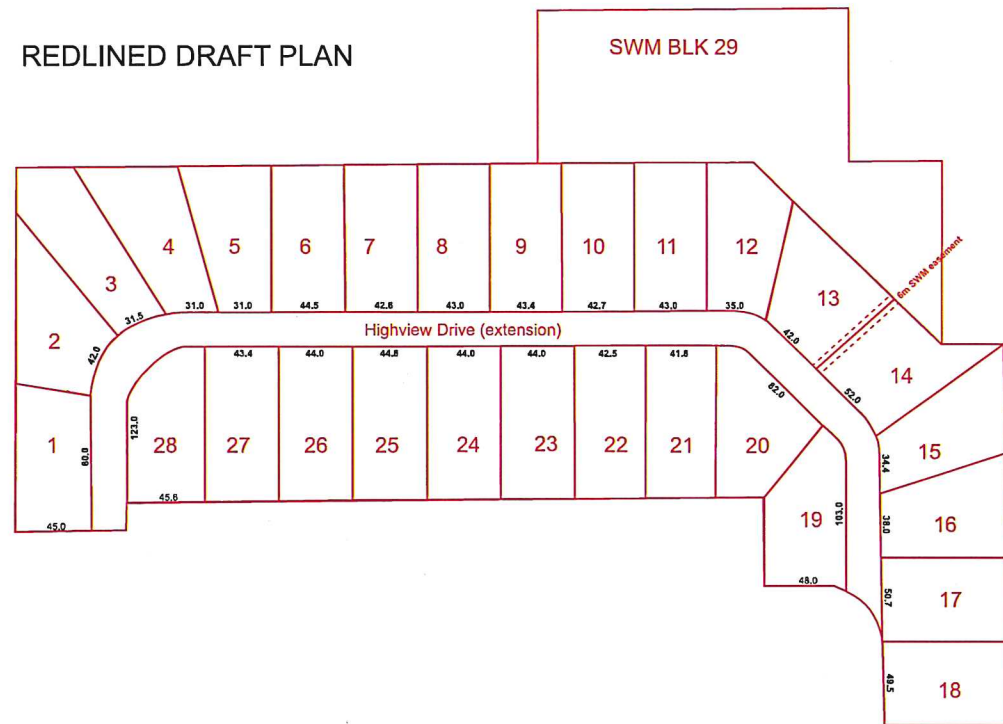
LEGEND

- STORM SEWER DIRECTION OF FLOW
- EX. OVERLAND FLOW
- EX. STORM MANHOLE
- CB EX. STORM CATCHBASIN
- RLCB EX. STORM REAR LOT CATCHBASIN
- EX. STORM CATCHBASIN MANHOLE
- ⊕ EX. STORM DOUBLE CATCHBASIN MANHOLE
- ⊕ EX. STORM DOUBLE CATCHBASIN
- SL EX. STORM LATERAL PIPE
- SANITARY SEWER DIRECTION OF FLOW
- PROPOSED OVERLAND FLOW
- EX. SANITARY MANHOLE
- SS EX. SANITARY LATERAL PIPE
- WM WATERMAIN DISTRIBUTION
- HYD EX. HYDRANT
- V&B EX. VALVE & BOX
- WB EX. WATER DISTRIBUTION LATERAL PIPE
- PHASE LIMITS
- ⊕ EX. TRANSFORMER
- ⊕ EX. STREET LIGHT
- ▬ PROP. 1.5m CONCRETE SIDEWALK
- ▬ EX. STORM PIPE & STRUCTURE
- ▬ EX. SANITARY PIPE & STRUCTURE

OVERLAY OF APPROVED AND REDLINED DRAFT PLANS



REDLINED DRAFT PLAN



Lot	Proposed Redline Area	% of Acre
1	3764	94%
2	3771	94%
3	4028	101%
4	4004	100%
5	3769	94%
6	3789	95%
7	3788	95%
8	3800	95%
9	3804	95%
10	3792	95%
11	3786	95%
12	3784	95%
13	3876	97%
14	3884	97%
15	3778	94%
16	3765	94%
17	3765	94%
18	3762	94%
19	3784	95%
20	3806	95%
21	3769	94%
22	3843	96%
23	4032	101%
24	4019	100%
25	4034	101%
26	4013	100%
27	4015	100%
28	3848	96%
SWM BLK 29	29800	745%
ROW	14136	
	151808	sm
	15.18	ha
	36.43	ac

Note: Subject to Survey Confirmation

TOWNSHIP OF MAPLETON
WELLINGTON COUNTY

RIVERVIEW HEIGHTS
DRAFT PLAN OF SUBDIVISION
Part of Lots 18 & 19, Concession 12,
former Township of Maryborough
now Township of Mapleton, County of Wellington

DRAYTON B.G. INC.

3100 Steeles Ave West, Suite 500
Vaughan, ON L4K 3R1
Tel: 905-695-1953
Fax: 905-695-1954



No.	Revision	Date	By	Rev.
1.	ISSUED FOR REDLINE COMMENTS	13/12/2019	B.M.	B.M.
2.				
3.				
4.				

HIGHVIEW DRIVE
LOT PLAN REDLINE

Designed by:
Stratega Consulting
Berardo Mascioli, APA
59 Lake Shore Drive, Toronto, ON M8V1Z5
Phone: 416 938-5092 Email: berardo@mascioli.ca

SCALE: HORIZONTAL 1:500 VERTICAL 1:80	PROJECT No. 903-2B
DRAWN BY: B.M.	CHECKED BY: B.M.
DATE: December 2019	DRAWING No. DP-R1

Drayton B.G. Inc.
3100 Steeles Avenue, Suite 500
Vaughan, ON L4K 4Y4
O: 905 695-1953 x.227 F: 905 695-1954

Lot Size Chart

Draft Plan Approved Lots			Proposed Redline Lots		
Lot	DP Approved	% of Acre	Lot	Area	% of Acre
1	2010	50%			
2	2054	51%	1	3764	94%
3	3900	98%	2	3771	94%
4	4113	103%	3	4028	101%
5	4164	104%	4	4004	100%
6	4476	112%	5	3769	94%
7	3844	96%	6	3789	95%
8	3894	97%	7	3788	95%
9	3821	96%	8	3800	95%
10	3911	98%	9	3804	95%
11	3912	98%	10	3792	95%
12	3897	97%	11	3786	95%
13	2320	58%	12	3784	95%
14	1956	49%	13	3876	97%
15	2061	52%	14	3884	97%
16	1957	49%	15	3778	94%
17	2099	52%	16	3765	94%
18	2054	51%	17	3765	94%
19	2006	50%	18	3762	94%
20	2827	71%	19	3784	95%
21	3188	80%	20	3806	95%
22	4549	114%	21	3769	94%
23	4043	101%	22	3843	96%
24	3975	99%	23	4032	101%
25	4046	101%	24	4019	100%
26	4053	101%	25	4034	101%
27	4024	101%	26	4013	100%
28	2483	62%	27	4015	100%
29	2266	57%	28	3848	96%
SWM BLK 30	29800		SWM BLK 29	29800	745%
Park BLK 31	10270				
BLK 32	699				
BLK 33	4255				
ROW	12881		ROW	14136	
	151808	sm		151808	sm
	15.18	ha		15.18	ha
	36.43	ac		36.43	ac

Note: Subject to Survey Confirmation

Note: Subject to Survey Confirmation



ABEC Engineering & Planning
607 – 9205 Yonge Street, Richmond Hill, ON L4C 6Z2
O: 905 695-1953 F: 905 695-1954

July 1, 2020

Linda Redmond
Manager of Planning & Environment
County of Wellington Planning Dept.
74 Woolwich Street
Guelph ON
N1H 3T9
T: 519.837.2600 x 2380
E: lindar@wellington.ca

The County of Wellington
Planning Dept.

JUL 02 2020

**Re: Letter to Specify Redlined Changes to Approved Draft Plan No. 23T-98003
Riverview Heights Subdivision, Mapleton, ON**

Dear Ms Redmond:

We have reviewed the approved draft plan of "Riverview Height" subdivision, file no. 23T-98003. We have changed the road layout and lot configuration in order to comply with the minimum lot area of 0.4 ha. A redlined revised draft plan which is attached to this letter is submitted to you that shows the following changes:

1. Highview Dr. road layout is modified in order to increase the area of lot nos. 27 and 28 to minimum 0.4 ha;
2. The surplus Block 32 with the area of 0.069 ha was added to the lot nos. 14 and 15;
3. The surplus agricultural Block 33 with the area of 0.42 ha was added to the lot nos. 2, 3, 4 and 5 in order to increase the lot areas to minimum 0.4 ha;
4. Park block 31 was converted to three (3) new residential lot nos. 16, 17 and 18;

We trust this satisfies your immediate requirement. Please, do not hesitate to contact this office if you have any questions or concerns.

Regards,

Masoud Robati, P.Eng., Ph. D.



THE CORPORATION OF THE TOWNSHIP OF MAPLETON
BUILDING REPORT BD2020-09

TO: Mayor Davidson and Members of Council
FROM: Patty Wright, Chief Building Official
RE: Report for July Month End and Year to Date (YTD)
DATE: August 11, 2020

RECOMMENDATION:

THAT Township of Mapleton Council receive Building Department Report BD2020-09 dated August 11, 2020 regarding July Month End and Year to Date (YTD).

BACKGROUND:

Attached you will find a report showing the following:

- Permits issued in July 2020
- Permits issued YTD in 2020
- Total value for permits issued for July 2020
- Total value for permits issued YTD 2020
- Fees collected in July 2020
- Fees collected in YTD 2020
- Comparable totals from previous years

PREVIOUS PERTINENT REPORTS: None.

DISCUSSION:

The 3-year average of fees collected by the Building Department for the month of July is \$50,542.52 therefore the current month is above the 3-year average. Year to date numbers range from \$255,380.30 to \$394,100.03 over the past 3 years and the average of fees collected to date from 2017-2019 is \$308,216.41. The current year to date is within the 3-year range and below the 3-year average.

CONSULTATION: None.

FINANCIAL IMPLICATIONS:

As this report is primarily for permit activity, financial implications are not addressed at this time.

SUMMARY: The building department has no concerns at this time.

COMMUNICATONS: None.

STRATEGIC PLAN:

Municipal Infrastructure: Building activity is indicative of demand for services within the town limits.

The Local Economy: Provides an indicator of the current building climate and what areas of the economy are growing.

Recreation: N/A

Municipal Administration: N/A

Financial Responsibility: The building department strives to support building in the Township while remaining a net zero cost to the tax base.

Prepared By:
Patty Wright, CBCO, CPSO, CMMIII
Chief Building Official

Reviewed By:
Manny Baron
CAO

Attachment A: Monthly Summary

<S:\Mapleton\C-COUNCIL, BOARD & BY-LAWS\C11 Reports to Council & followup correspondence\Building Reports\Building Department- 2020 Council Reports\2020 Council Report Spread Sheet.xlsx>

TOWNSHIP OF MAPLETON

July 2020

Description	Permits	YTD	Value	Value YTD	Fees	Fees YTD
Single Family Dwelling	3	18	\$ 880,000.00	\$ 7,030,000.00	\$ 8,349.15	\$ 59,582.45
SFD Additions/Renovations	5	14	\$ 320,000.00	\$ 1,217,000.00	\$ 2,598.90	\$ 9,055.90
SFD Accessories	6	18	\$ 205,500.00	\$ 836,500.00	\$ 3,946.00	\$ 11,321.20
Decks	5	16	\$ 35,850.00	\$ 113,850.00	\$ 853.50	\$ 2,772.20
Agricultural	17	83	\$ 2,674,750.00	\$15,844,250.00	\$ 28,108.84	\$162,850.89
Agricultural Commercial		0		\$ -		\$ -
Agricultural Industrial		0		\$ -		\$ -
Septic Systems	6	25	\$ 124,500.00	\$ 537,000.00	\$ 2,500.00	\$ 11,250.00
Industrial		3		\$ 299,000.00		\$ 3,100.20
Institutional		1		\$ 613,800.00		\$ 682.00
Commercial	1	5	\$ 55,000.00	\$ 1,220,000.00	\$ 1,781.00	\$ 13,986.30
Cottages - New/Additions/Renovations	3	6	\$ 397,000.00	\$ 737,000.00	\$ 4,224.45	\$ 6,532.80
Designated Structures	3	7	\$ 66,900.00	\$ 98,500.00	\$ 325.00	\$ 800.00
Assembly Building		1		\$ 1,800,000.00		\$ 8,550.70
Demolition	3	7	\$ 3,000.00	\$ 72,000.00	\$ 450.00	\$ 1,050.00
Multi Units		0		\$ -		\$ -
TOTAL JULY 2020	52		\$ 4,762,500.00		\$ 53,136.84	
TOTALS YEAR TO DATE 2020	204		\$30,418,900.00		\$ 291,534.64	
TOTAL JULY 2019	38		\$ 4,074,770.00		\$ 39,611.75	
TOTALS YEAR TO DATE 2019	211		\$30,420,370.00		\$ 255,380.30	
TOTAL JULY 2018	40		\$ 5,110,200.00		\$ 56,641.50	
TOTALS YEAR TO DATE 2018	234		\$64,240,181.00		\$ 394,099.03	

THE CORPORATION OF THE TOWNSHIP OF MAPLETON

CAO CLERK'S REPORT CL2020-13

TO: Mayor Davidson and Members of Council

FROM: Manny Baron, CAO
Sam Mattina, Director of Public Works

RE: Mapleton Water/Wastewater System Upgrades Path Forward

DATE: August 11, 2020

RECOMMENDATION:

THAT CAO's Report CL2020-13, dated August 11, 2020 with regards to the Mapleton Water/Wastewater System Upgrades Path Forward be received.

AND FURTHER THAT council direct staff to begin where we left off and work directly with CIMA+ to address the water and wastewater system needs in Drayton and Moorefield.

BACKGROUND:

In April of 2019, The Township of Mapleton, through process administered by Mr. Mark Rodger of Borden Ladner Gervais, LLP., issued a Request for Qualification, based on a regulated model, dealing specifically with Municipal Water/wastewater systems in Ontario. This was a very interesting concept as it shifted the financial risk on to proponents and also created a way for Mapleton to finance the infrastructure needed to help Drayton and Moorefield meet the current upgrade demands and help plan for future growth.

Prior to our discussion with Mr. Rodger, Mapleton had engaged CIMA+ as our consulting engineer. They were the lead on the water/wastewater project since early 2018. In fact, it was the Township who put a hold on CIMA+ so that we could further explore the regulated utility model being proposed.

Up to that point, CIMA+ had provided the following:

- *Performed a peer review of the water/wastewater upgrade and re-rating process which was initiated by EXP Engineering Ltd., which resulted in the construction of the newly constructed alum building and dosing system.*
- *Provided a detailed overview and proposal of water tower options which would best fit the current and long term needs of Mapleton.*
- *Provided a proposal for Mapleton Water Pollution Control Plant upgrades.*
- *Was the lead on completing the ICIP funding application to upgrade the existing Drayton Sewage Pumping Station.*
- *Was the lead on the implementation, completion and reporting of MBBR Pilot Project successes.*
- *Applied for and received approval for the FCM Green Municipal Fund on behalf of Mapleton Township.*

- *Partnered with the Township of Mapleton at the ROMA (Rural Ontario Municipal Association) conference as a delegation to Ernie Hardeman, MPP, to present the proposed water/wastewater upgrade concepts.*
- *Presented a case study at the WEAO (Water Environment Association of Ontario) conference regarding the success of the MBBR pilot project.*

With the accumulated technical knowledge CIMA+ has of our water/wastewater system and based on the work already completed by their highly qualified technical team, Staff recommends that CIMA+ continue to be the consulting engineer to address the current and growth related water/wastewater needs of Mapleton Township.

CONSULTATION:

Attachments:

ROMA Presentation
WWTP Pilot Presentation
CIMA Water Tower Overview

COMMUNICATION:

If approved by Council, Staff would ask CIMA+ to attend a council meeting or education session to recap their water/wastewater system needs findings and describe the path forward they recommend taking, along with associated timelines and a financial recap.

STRATEGIC PLAN:

Municipal Infrastructure: Looking to move forward to address the servicing needs of Mapleton

The Local Economy: Addressing the servicing needs will allow staff to go out and seek new businesses without the fear of limited allocation.

Recreation: N/A

Municipal Administration: N/A

Financial Responsibility: Following the financial analysis done by the Director of Finance we are moving forward in such a way that is best for the end users.

Prepared by
Manny Baron
CAO

And

Sam Mattina
Director of Public Works



Mapleton Wastewater Servicing Needs Assessment

ROMA Conference 2019

Presented by

Tom Montgomery, P.Eng., Partner / Regional Vice President, Ontario, CIMA+

Manny Baron, CAO, Township of Mapleton

January 28, 2019



Agenda

1. Introduction

2. Mapleton
Wastewater
Servicing Class
EA Overview

3. Capital Needs
Assessment

4. Funding Needs
Assessment

5. Financial
Outlook

01

Introduction

Township of Mapleton

- The Township located in the County of Wellington supports a mostly agricultural and rural population of approximately 11,000 residents
- Drayton, and Moorefield are part of this community which has significant environmental features, including Conestogo Lake

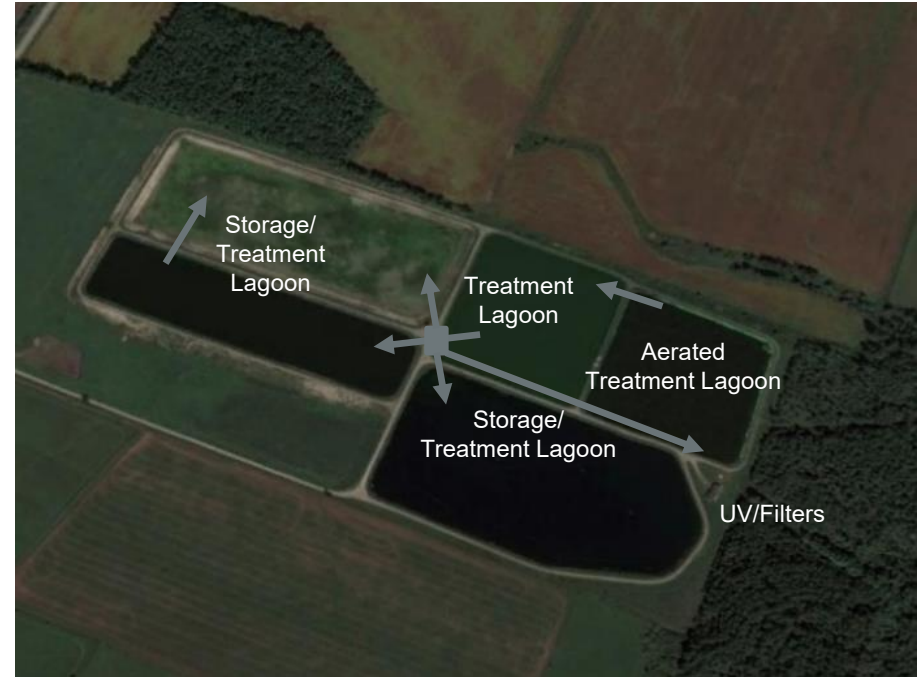
Rooted in tradition, growing for the future!



Township of Mapleton

Mapleton Water Pollution Control Plant (WPCP)

- Mapleton WPCP
 - Seasonal discharge lagoons,
 - Chemical phosphorus removal,
 - Tertiary sand filters, and
 - UV disinfection
- Operated on average at 85% in the past 3 years of its rated capacity of 750 m³/d
- Difficulty meeting effluent Total Ammonia Nitrogen limits in cold weather
- A significant capital investment is required to upgrade the WPCP



Mapleton WPCP Lagoon Aerial

Wastewater Servicing Class Environmental Assessment

- The Township initiated a Class EA to review options to address capacity constraints at the Mapleton WPCP
- An Environmental Study Report (ESR) was produced by EXP
- A peer review of the ESR was completed by CIMA+ to review the alternatives, constructability, and cost saving alternatives



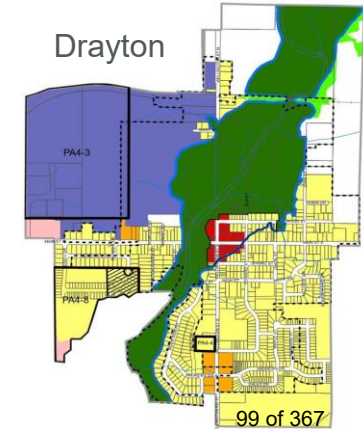
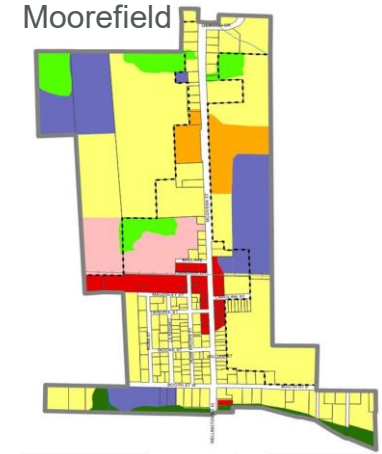
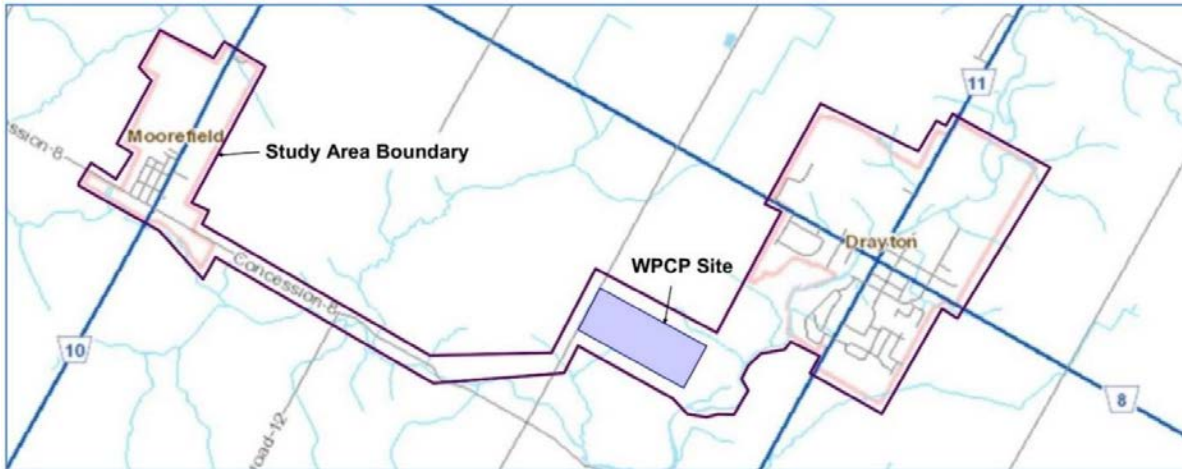
Mapleton WPCP Lagoon

02

Mapleton Wastewater Servicing Class EA Overview

Population and Flow Projections

Mapleton WPCP	Class EA Projections (2017)		Updated Projections (Watson & Associates, 2015)	
	2016	2031	2016	2038 (20-Year Design Period)
Service Population	2,300	5,509	2,810	5,622
Rated Capacity	750 m ³ /d	1,300 m ³ /d	750 m ³ /d	1,687 m ³ /d

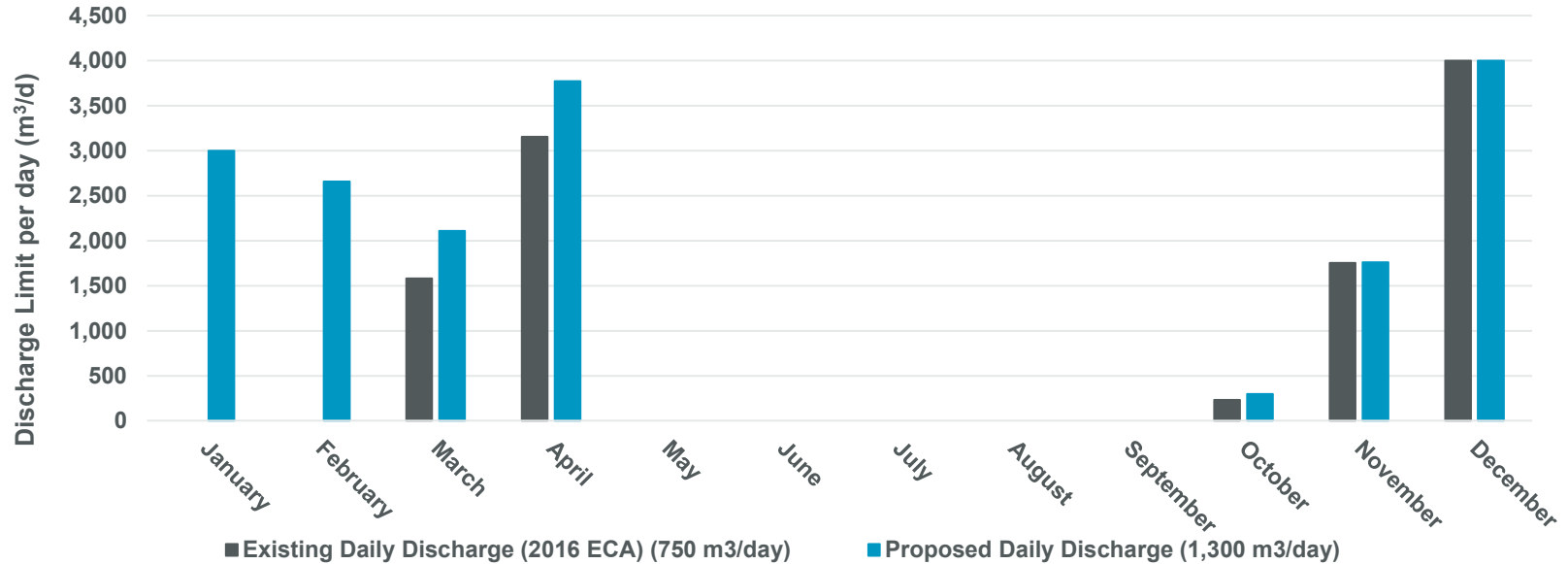


Class EA Recommendations (EXP Services Inc., 2017)

Expand and upgrade existing Mapleton WPCP over two phases:

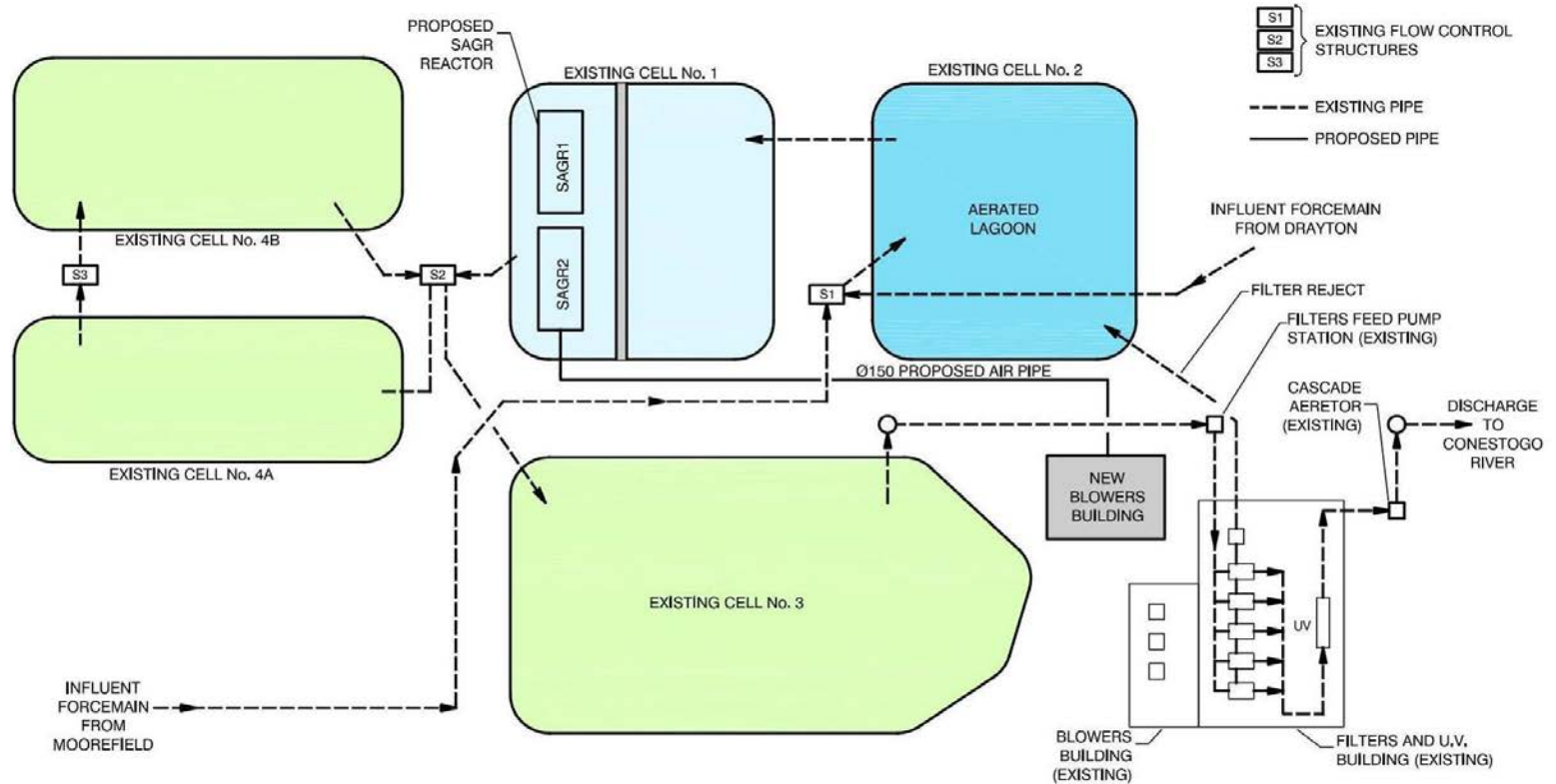
- Phase I – 750 m³/d to 900 m³/d (completed 2018)
 - Interim treatment optimization
 - Additional alum dosing point for Total Phosphorus (TP) removal
 - Discharge to be managed through the ECA “10:1 discharge” provision and updated plant Standard Operating Procedure
- Phase II – 900 m³/d to 1,300 m³/d
 - Recommended Phase II treatment upgrades
 - Post-lagoon nitrification with a submerged attached growth reactor (SAGR system)
 - New alum mixing tank, optimize the dosing of alum and TP removal
 - Expand seasonal effluent discharge window

Figure: Mapleton WPCP Discharge Per Day



1. MOECC and GRCA require additional monitoring before agreeing to the new discharge window.
2. Discharge is only allowed in the months specified. However discharges in excess of the daily discharges is allowed if the minimum 10:1 of the streamflow to daily discharge rate for the applicable period of that design streamflow occurs, based on actual measurements of flow rate in the Conestoga River.

EA Preferred WW Treatment Design Concept

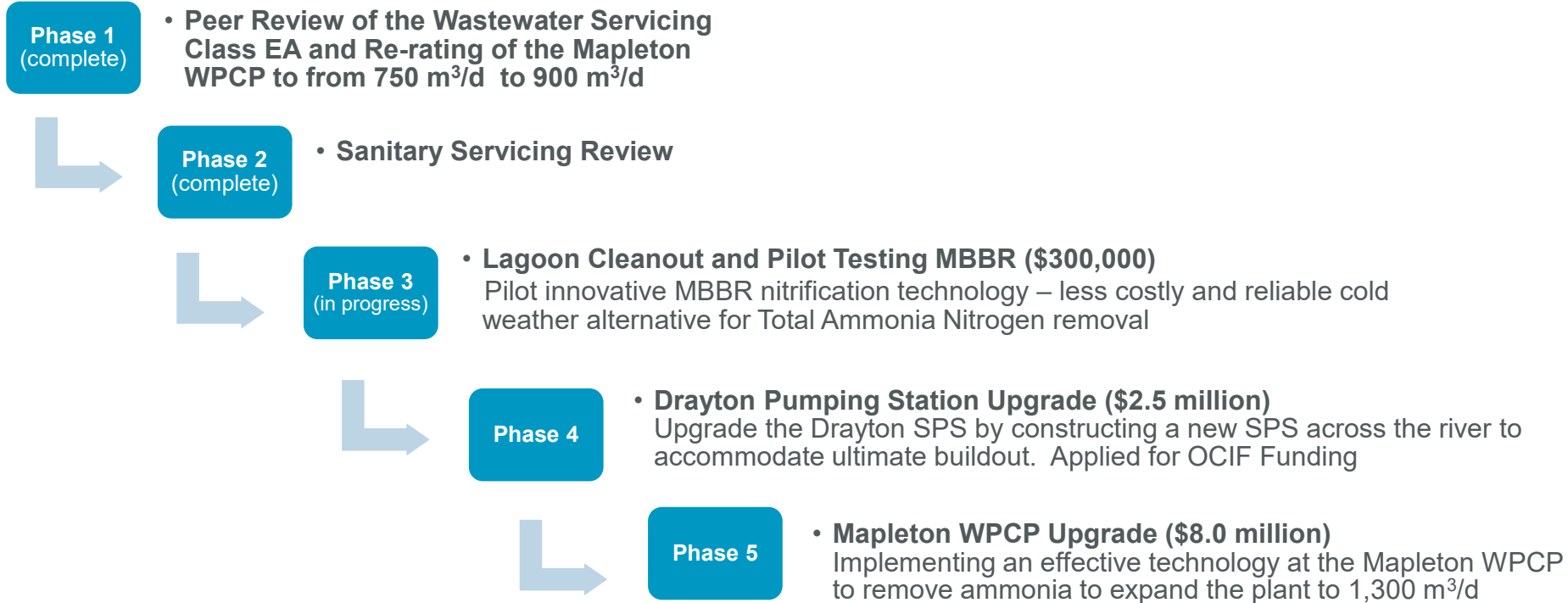


Source: Mapleton Wastewater Servicing Class EA, November 2017 (EXP) 102 of 367

03

Capital Needs Assessment

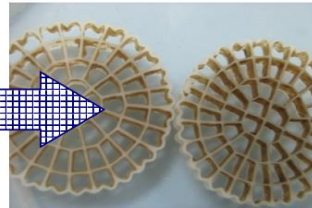
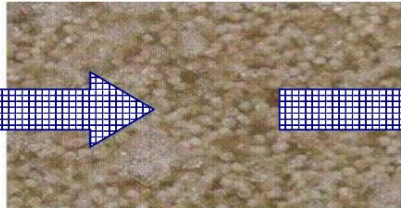
Proposed Approach



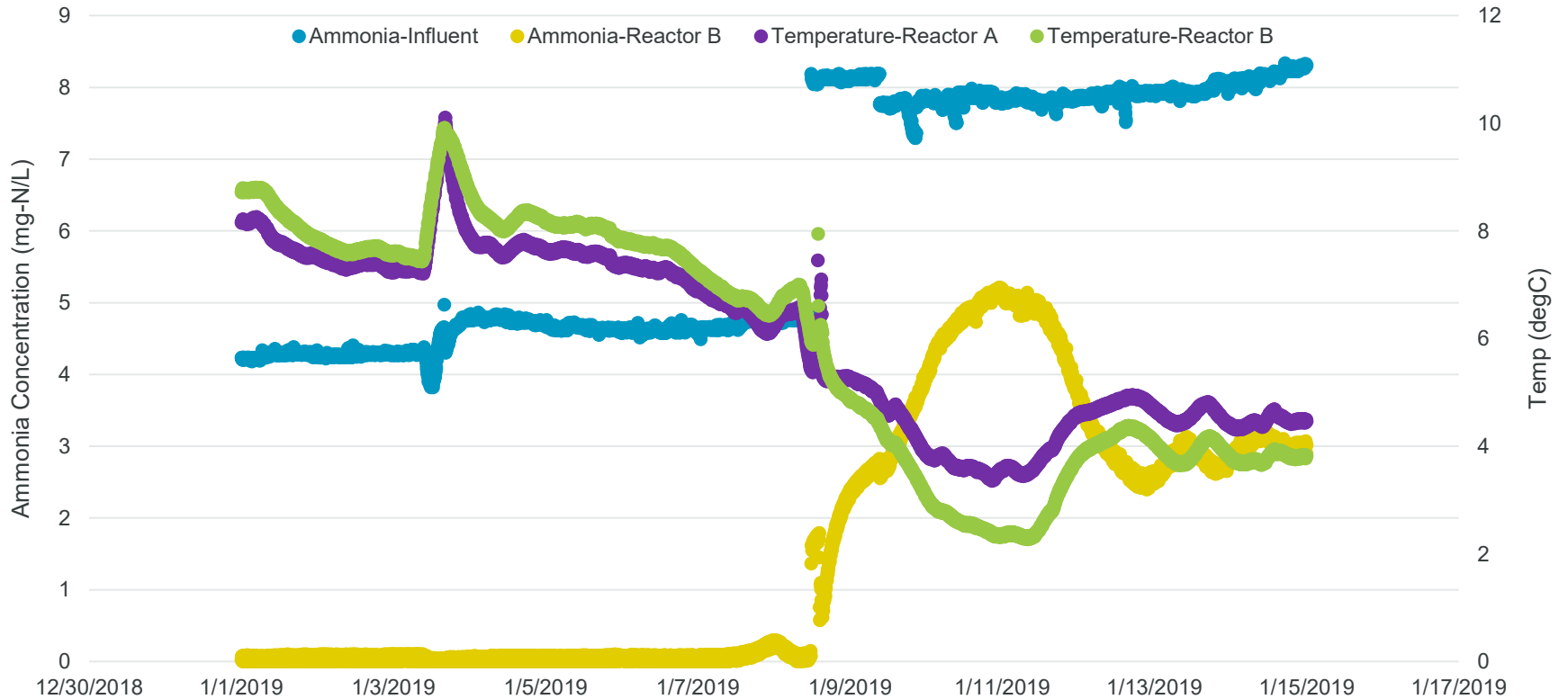
Pilot Project: Moving Bed Biofilm Reactor (MBBR)

Phase 3 (In Progress) – Lagoon Cleanout and Pilot Testing MBBR (\$300,000)

- Innovative MBBR nitrification technology – less costly and reliable cold weather alternative for Total Ammonia Nitrogen removal
 - Township installed MBBR Pilot in December 2018 to collect cold weather nitrification data until April 2019
 - Cylindrical plastic carriers float in the tank to provide a surface on which bacteria can grow
 - Full-scale MBBR installation may reduce space requirements, costs, and construction timeframe compared to SAGR



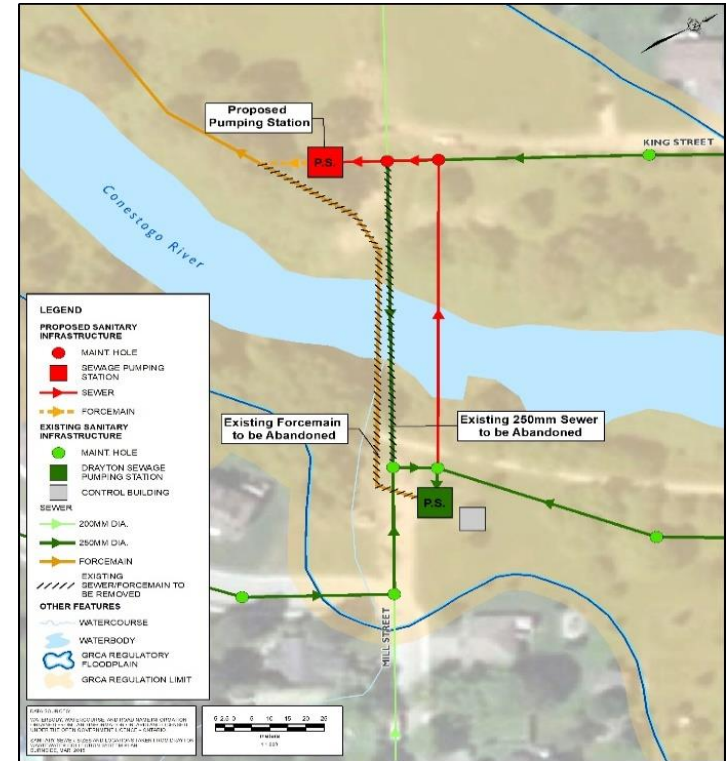
MBBR Pilot Project – Preliminary Results



Status of OCIF Application

Phase 4 – Drayton Pumping Station Upgrade (\$2.5 million)

- Upgrade the Drayton SPS by constructing a new SPS across the river to accommodate ultimate buildout
- The new wet well and building will be appropriately sized to accommodate ultimate buildout while equipment will be sized for 20-year design projections
- The new sewage pumping station proposed will mitigate health and safety concerns for operations staff and environmental concerns



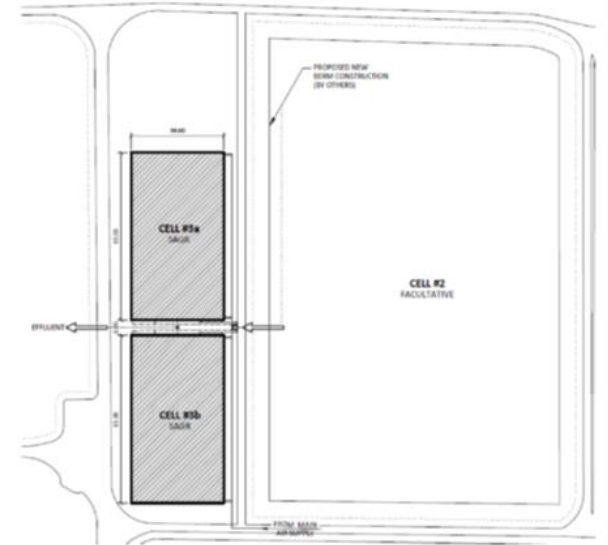
Next Round of Funding for WWTP Upgrades

Phase 5 – Mapleton WPCP Upgrade (\$8.0 million)

- Implementing an effective technology at Mapleton WPCP to remove ammonia

Option 1 - Submerged Attached Growth Reactor (SAGR)

- Recommended ultimate servicing strategy in the ESR
- Strong track record for cold climate nitrification in conjunction with lagoon treatment
- Requires low operational and maintenance effort
- Regular desludging of Cell 1 and 2 should be practiced to keep SAGR in good working order

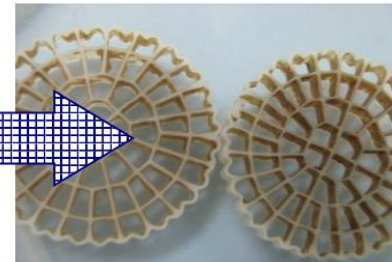
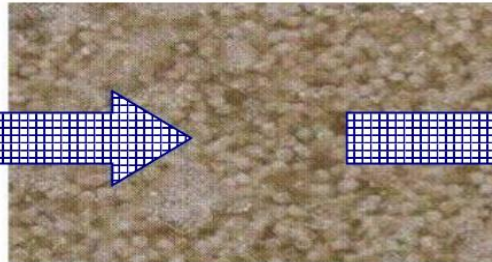


Next Round of Funding for WWTP Upgrades

Phase 5 – Mapleton WPCP Upgrade (\$8.0 million)

Option 2 - Polishing Moving Bed Biofilm Reactor (MBBR)

- Direct discharge from MBBR should be considered to reduce effluent ammonia concentrations
- Reduced space requirements, costs and construction timeframe



Alternatives Review

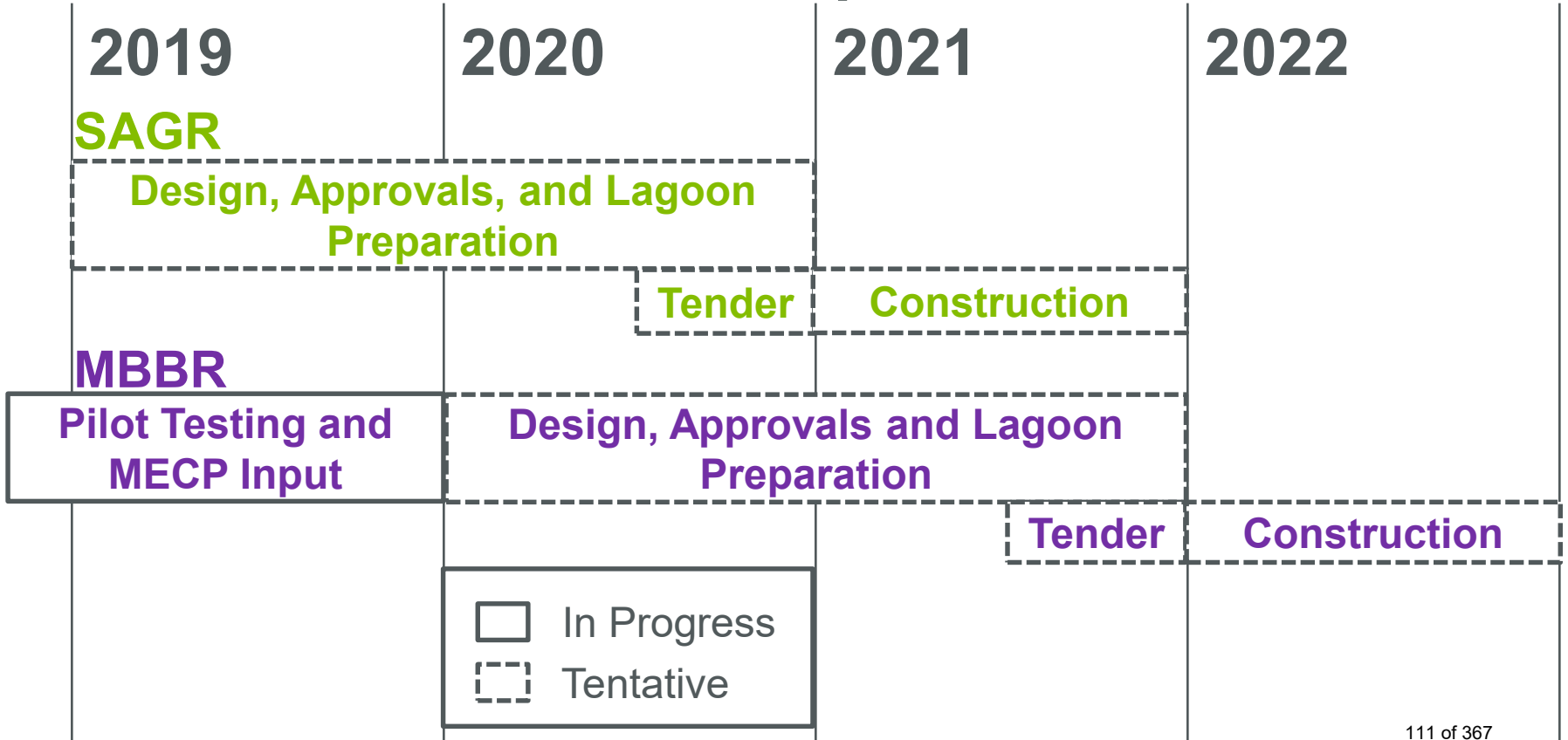
SAGR

- Strong track record for cold climate nitrification in conjunction with lagoon treatment in Ontario
- Regulatory approval and timelines for implementation may be longer for MBBR compared to SAGR

MBBR

- Offers a lower Capital and 20 year NPV cost compared to SAGR
- Requires less space

Alternatives Review – Implementation Timelines



In Progress
 Tentative

Preliminary Capital Cost Estimate & Constructability Review

	SAGR System Capital Cost	Total Price
1.01	SAGR Equipment	\$1.0M
1.02	Construction Materials and Installation	\$3.0M
	Sub-Total – Construction and Equipment	\$4.0M
	Engineering and Contingency (@30%)	\$1.2M
	Capital Cost	\$5.2M

	MBBR System Capital Cost	Total Price
1.01	MBBR Equipment	\$0.5M
1.02	Construction Materials and Installation	\$1.5M
	Sub-Total – Construction and Equipment	\$2.0M
	Engineering and Contingency (@30%)	\$0.6M
	Capital Cost	\$2.6M

04

Funding Needs Assessment

Rationale for Funding Assistance

- Expanding and upgrading the Mapleton WWTP is a large and complicated project that may take 3 to 4 years to complete
- Given preference to complete this project in a shorter timeframe than possible by the Township alone and the demonstrated need, the Township is requesting external funding



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05

Financial Outlook

Cost Summary

- Township has budget for **\$5.2 million** of upgrades to implement reliable ammonia removal using the SAGR or MBBR system
- Additional costs for diffuser replacement (estimated at \$200,000), sludge removal (\$150,000), and tertiary filter upgrades are also considered in the full capital outlay of **\$11.3 million**
- The Town is struggling to budget for other capital works projects needed to maintain the current level of service

Cost Summary

- The Mapleton WPCP requires significant upgrading, estimated at \$11.3 million
 - Implementing effective technology at the Mapleton WPCP to remove ammonia removal in cold weather
 - Replacing plant equipment at the end of its service life
- The Township does not have adequate debt capacity to proceed without funding assistance
 - Even with grant funding of capital, an annual wastewater rate increase will be required for years to come

Questions?





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- + **Phase 1 (completed) – Peer Review of the Wastewater Servicing Class EA and Re-rating of the Mapleton WPCP to from 750 m³/d to 900 m³/d**

- + **Phase 2 (completed) – Sanitary Servicing Review**

- + **Phase 3 (in progress) – Pilot Testing MBBR and Lagoon Cleanout (\$300,000)**

Test innovative MBBR nitrification technology as a less costly and reliable cold weather alternative for nitrification treatment.



MBBR Pilot Testing Equipment

- + **Phase 4 – Drayton Sewage Pumping Station Upgrade (\$2.5 million)**

Upgrade the Drayton SPS by constructing a new SPS across the river to accommodate ultimate buildout while equipment will be sized for 20-year design projections. The Township has applied for OCIF funding.

- + **Phase 5 – Mapleton WPCP Upgrade (\$8.0 million)**

Implementing an effective technology at the Mapleton WPCP to remove total ammonia nitrogen in cold weather.

Summary

The Mapleton WPCP has experienced significant challenges achieving effluent objectives and discharging sufficient flow. Major upgrades to the Mapleton WPCP and Drayton SPS are critical to the well-being of the residents, businesses and farming operations in the Township. This project also helps to protect Conestogo River and Lake, within the Grand River Watershed - reducing nutrient input further downstream and ultimately into Lake Erie.

Impact

Without Municipal Joint Funding, the full capital outlay of **\$11.3 million** will need to be financed solely by the Township. The high capital cost of the proposed upgrades would leave the Township in a substantial debt position that would require significant increases in user rates across the service area for years to come.

About us

CIMA+ is a multidisciplinary Canadian firm specializing in consulting engineering, project management, urban planning, and the environment, with a full range of services in urban infrastructure, transportation, buildings, energy, telecommunications and geomatics.



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WASTEWATER SERVICING NEEDS ASSESSMENT





Township of Mapleton

Introduction

The Township of Mapleton located in Mennonite Country, has a vibrant agricultural community and significant environmental features, including Conestogo Lake. Drayton and Moorefield are two urban centers within the Township and the wastewater infrastructure shared by both communities is owned by the Township of Mapleton and operated by the Ontario Clean Water Agency (OCWA).

The existing Mapleton Water Pollution Control Plant (WPCP) discharges to a swale, which flows overland to a wetland and then drains to the Conestogo River. Treated effluent from the WPCP is discharged seasonally in the spring and fall.

A significant capital investment is required to upgrade the Mapleton WPCP and Drayton Sewage Pumping Station (SPS) that will protect the environment, address health and safety concerns and support urban development and the local farming communities.

Past Studies and Projects

In 2010, a Schedule B Class EA was initiated due to problems with poor effluent quality in the WPCP facility during spring discharge periods. With ammonia concentrations above the effluent discharge criteria limits, a sufficient amount of effluent could not be discharged in spring 2011. In September 2011, the wastewater volume rose to a critical level in advance of the fall discharge period.

As a result, the Township implemented the preferred Class EA solution to install two additional lagoon cells in 2013, providing additional storage capacity. However, in 2015, the facility exceeded the safe storage limits of the lagoon. To address this, a provincial order (IBXVN3) was signed to allow the facility to extend its discharge until April 30, 2015 and increase the discharge flow rate.

A Class EA was subsequently initiated in 2015 and completed in 2017 to review long-term wastewater servicing strategies since the WPCP was operating very close to its rated capacity of 750 m³/day. The need to upgrade the Drayton SPS was also identified. Successfully re-rating the WPCP to 900 m³/d helped meet immediate capacity constraints and has given the Township more time to address the long-term solution but is not sufficient to achieve reliable ammonia removal in the winter/spring discharge periods.



Mapleton WPCP Lagoon

Capital Needs Assessment

The Mapleton WPCP has experienced significant challenges achieving effluent objectives and discharging sufficient flow in the spring discharge period. This is a common problem of seasonal discharge lagoons which need to meet ammonia nitrogen limits. The plant requires implementation of an effective technology to remove ammonia in cold weather and meet the anticipated lower MECF discharge criteria in the long term.

In addition, the Drayton SPS is in need of upgrades to match the short-term WPCP re-rating, while minimize environmental risk. The preferred upgrade option is to construct a new SPS across the river from the existing station. The new wet well and building will be appropriately sized to accommodate ultimate buildout.

The Township developed a phased approach to strategically implement the required upgrades at the Mapleton WPCP and Drayton SPS.



Mapleton Wastewater Servicing Needs Assessment

MBBR Pilot Seminar 2019

Presented by

Kelly Frensch, M.Eng, P.Eng, Associate Partner / Senior Project Manager / Water and Wastewater
Amy Langford, B.Eng, E.I.T. / Water and Wastewater

March 28, 2019



Agenda

1. Introduction

2. Overview of
Existing Plant

3. Review of
Ammonia
Treatment
Systems

4. MBBR Pilot
Results

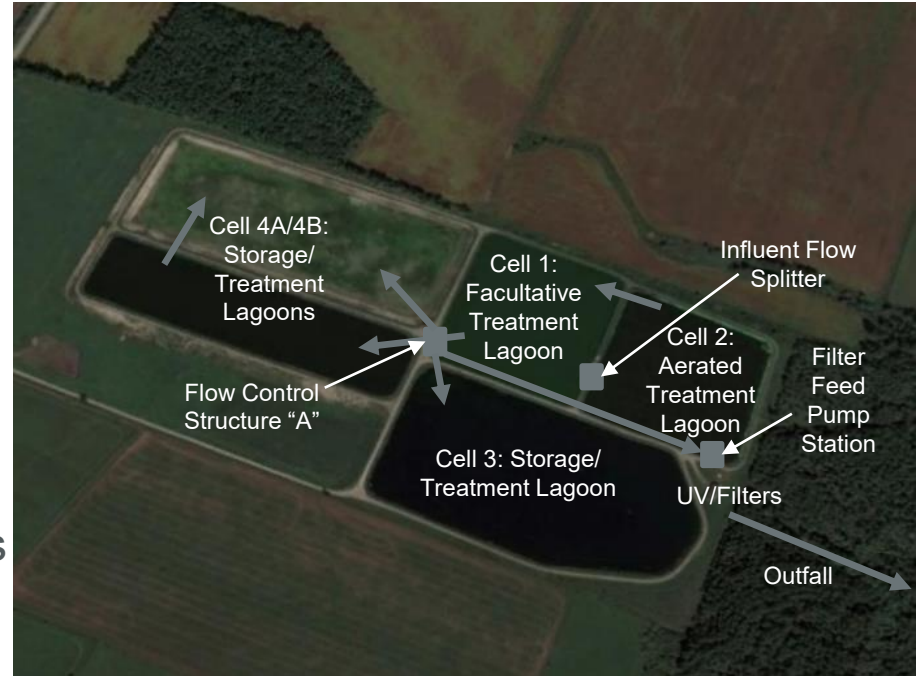
5. Question
Period

01

Introduction

Mapleton Water Pollution Control Plant (WPCP)

- Mapleton WPCP
 - Seasonal discharge lagoons,
 - Chemical phosphorus removal,
 - Tertiary sand filters, and
 - UV disinfection
- Operated on average at 85% in the past 3 years of its rated capacity of 750 m³/d
- Historically has had difficulty meeting effluent Total Ammonia Nitrogen limits in cold weather
- A significant capital investment is required to upgrade the WPCP



Mapleton WPCP Lagoon Aerial

Wastewater Servicing Class Environmental Assessment

- The Township initiated a Class EA to review options to address capacity constraints at the Mapleton WPCP
- An Environmental Study Report (ESR) was produced by EXP. Recommended re-rating to 900 m³/d.
- Recommended expand plant's rated capacity to 1,300 m³/d by installing a Submerged Attached Growth Reactor (SAGR) system in Cell 1. Approximately \$5M construction cost.



Mapleton WPCP Lagoon

Peer Review of Class EA

- CIMA+ was retained by Township to complete a peer review of the ESR

Purpose:

- Review the WWTP alternatives available, constructability, and cost saving alternatives
- Review and identify capacity constraints in the Drayton Collection System
- Support the Township in identifying and applying for funding opportunities
- Support the Township and EXP in answering GRCA questions about the proposed re-rating

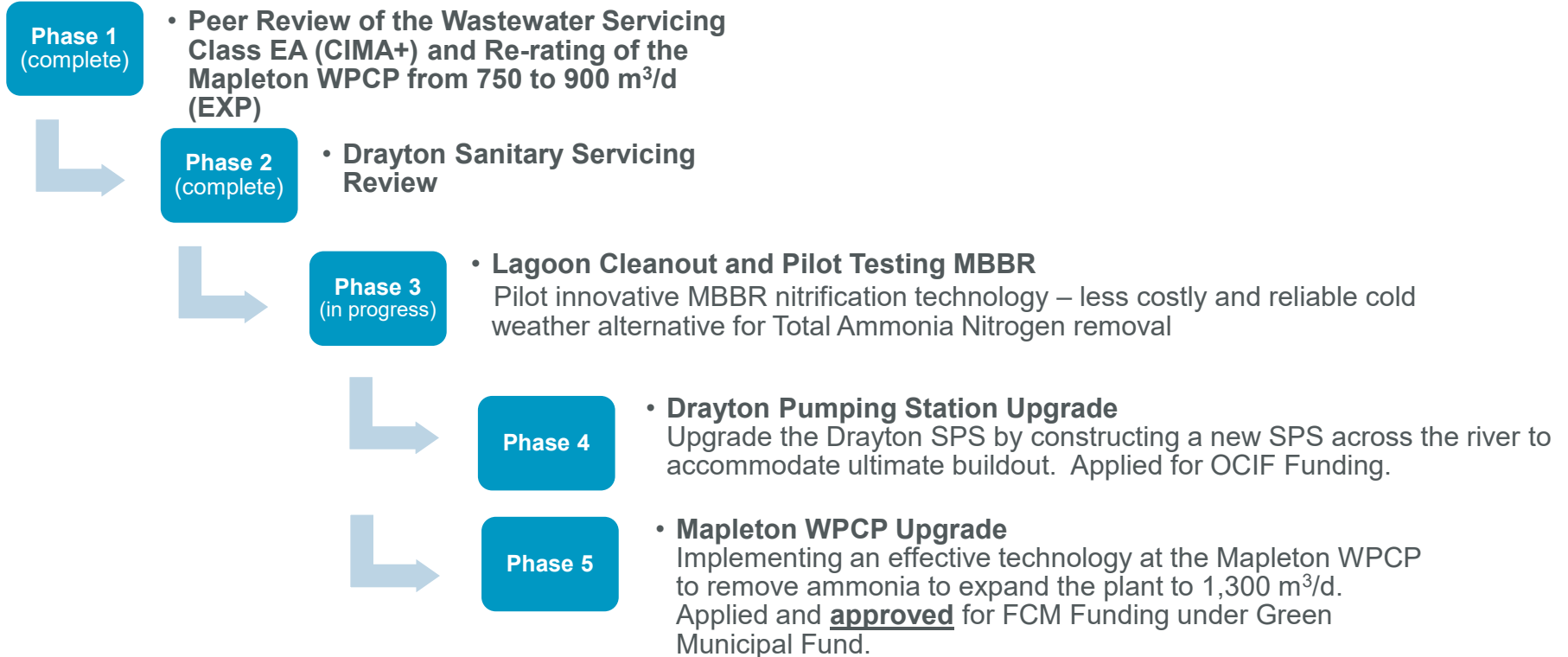


Mapleton WPCP Lagoon

Wastewater Servicing Class Environmental Assessment

- Preferred treatment strategy recommended in the 2017 Class EA was,
 - Expand plant's rated capacity to 1,300 m³/d by installing a Submerged Attached Growth Reactor (SAGR) system in Cell 1 for improved ammonia removal
 - SAGR – Established treatment technology in Ontario for cold weather nitrification at lagoon-based treatment plants
- CIMA+ peer review of the 2017 Class EA and identified,
 - Moving Bed Biofilm Reactor (MBBR) as a potential polishing option for nitrification after utilizing the existing lagoons for BOD₅ removal
 - MBBR – Offers lower capital investment, but may require a longer implementation timeline since there are no full scale systems operating in Ontario. CIMA+ recommended piloting to confirm the design basis and support approvals.

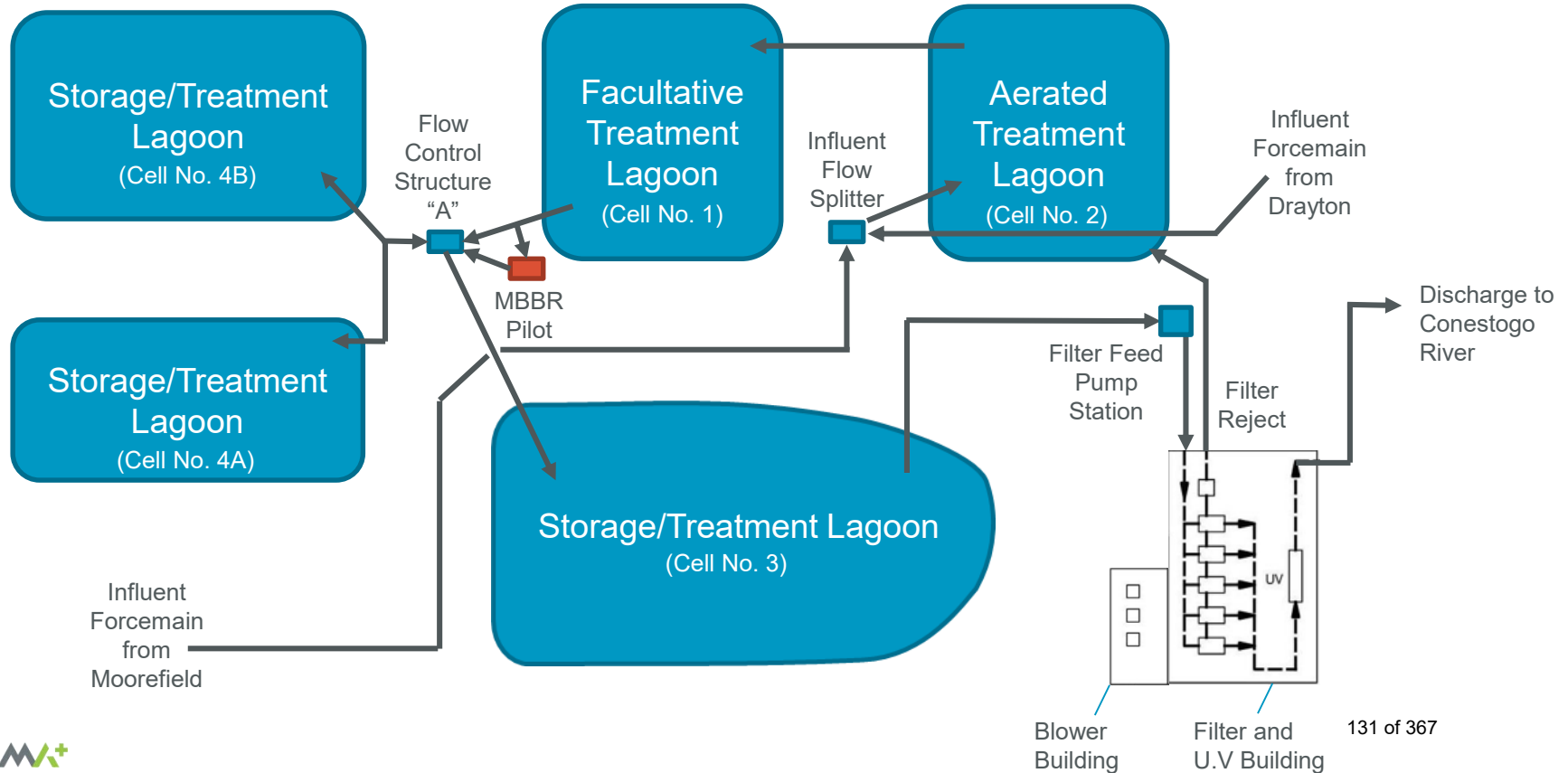
Proposed Approach



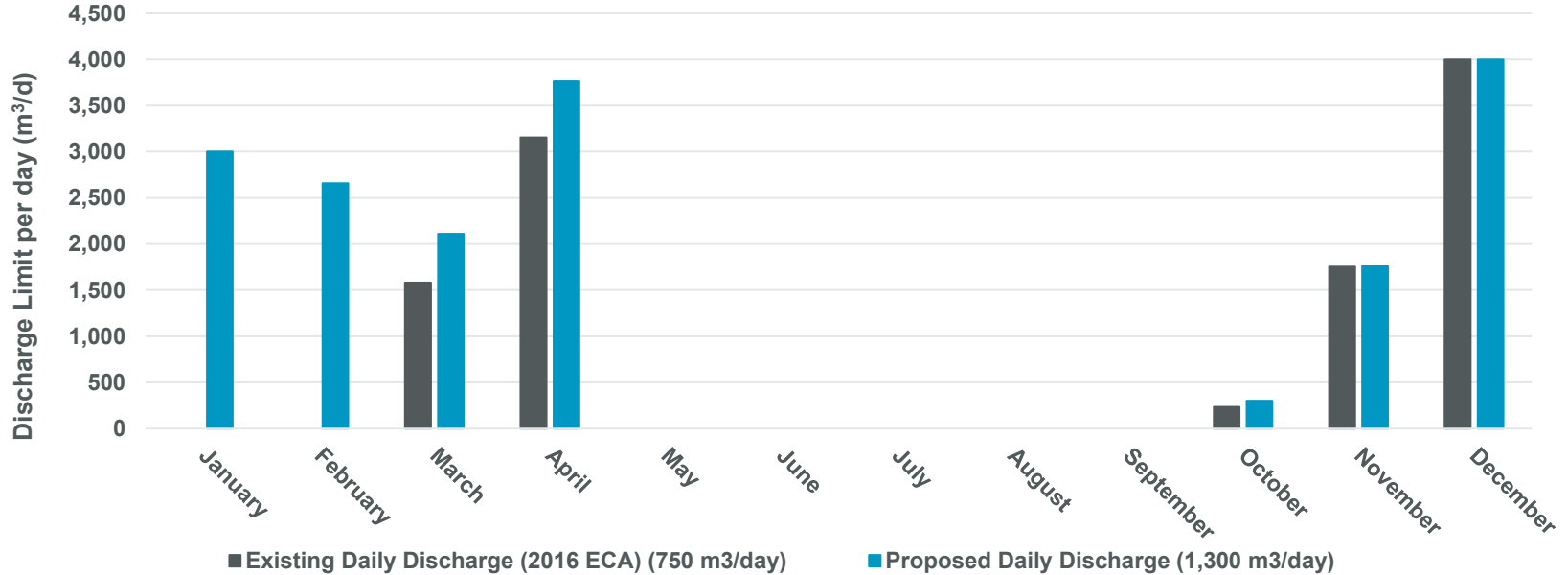
02

Overview of Existing Plant

Process Flow Diagram of Mapleton WPCP



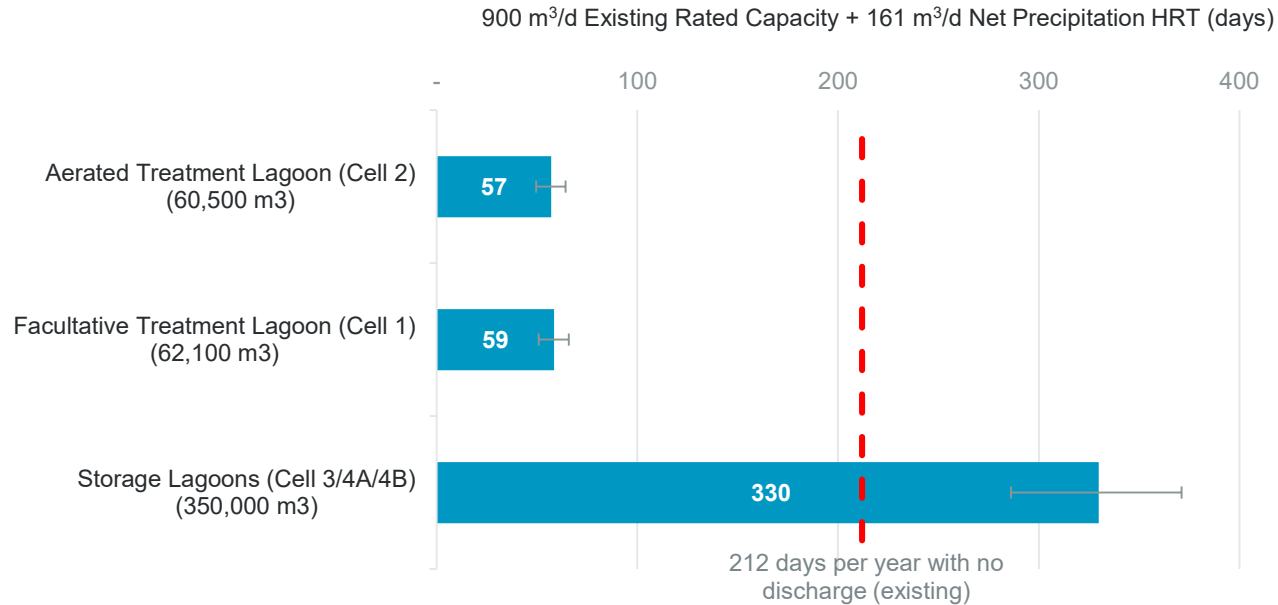
Mapleton WPCP Discharge Per Day



1. MOECC and GRCA require additional monitoring before agreeing to the new discharge window.
2. Discharge is only allowed in the months specified. However discharges in excess of the daily discharges is allowed if the minimum 10:1 of the streamflow to daily discharge rate for the applicable period of that design streamflow occurs, based on actual measurements of flow rate in the Conestogo River.

Process Capacity Assessment

- Hydraulic Retention Time (HRT) = 212 days



Design Raw Wastewater Loading

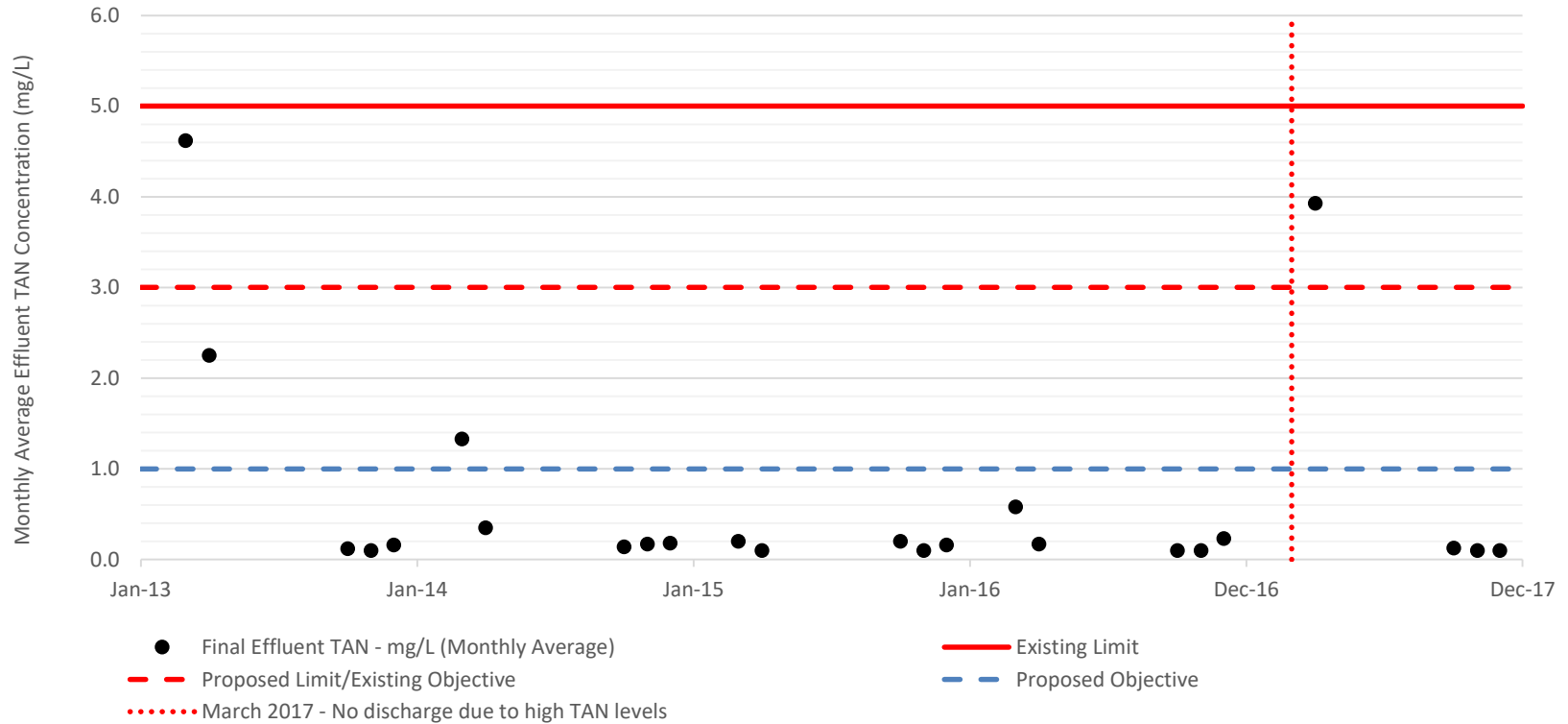
- Mapleton WPCP receives primarily domestic wastewater with medium to high strength BOD₅ and TSS, and low strength TP, compared to MECP Design Guidelines
- Per capita loadings slightly lower than typical values (Metcalf & Eddy).

Parameter	Average Concentration (mg/L)		Average Per Capita Loading (g/Person/d)	
	Monthly Average ⁽¹⁾	MECP Guidelines ⁽²⁾	Monthly Average ⁽¹⁾	Metcalf & Eddy ⁽³⁾
BOD ₅	236	155 – 286	54	76.0
TSS	222	155 – 330	51	74.0
TP	5.6	6 – 12	1.3	2.1
TKN	48	–	11	13.2

Monthly Average Effluent Concentrations

Parameter	Plant Data		Existing ECA		Proposed	
	Monthly Average	Peak Month	Obj.	Limit	Obj.	Limit
cBOD ₅ (mg/L)	2.8	5.3	5.0	7.5 (Summer) 10.0 (Winter)	5.0	7.5 (Summer) 10.0 (Winter)
TSS (mg/L)	4.5	13	15	25	15	25
TAN (NH ₄ +NH ₃) (mg/L)	0.65	4.6	3.0	5.0	1.0	3.0
TP (mg/L)	0.14	0.34	0.25	0.42	0.17	0.3
E. Coli (CFU/100 mL)	2.5	7.1	100	200	100	200
pH	7.9	9.3	6.5 – 8.5	6.0 – 9.5	6.5 – 8.5	6.0 – 9.5
Temp (°C)	7.8	2.6 (min)	-	-	-	-

Mapleton WPCP Monthly Average Effluent TAN Concentration



03

Review of Ammonia Treatment Systems

Mapleton WPCP Preliminary Nitrification Design Basis

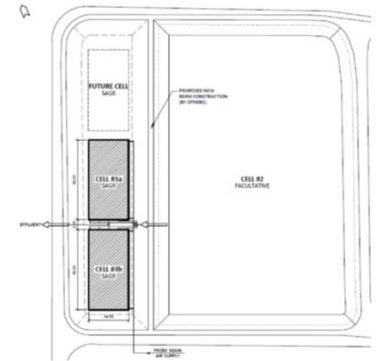
Parameter	Influent	Effluent
Wastewater Temperature	Summer – 15C Winter – 0.5C	-
Flow	1300 + 50 m ³ /d rain	1300 + 50 m ³ /d rain
BOD ₅	52 kg/d (40 mg/L)	6.5 kg/d (5.0 mg/L)
TKN	62.4 kg/d (48 mg/L)	-
TAN	-	1.3 kg/d (1.0 mg/L)
TSS	52 kg/d (40 mg/L)	-



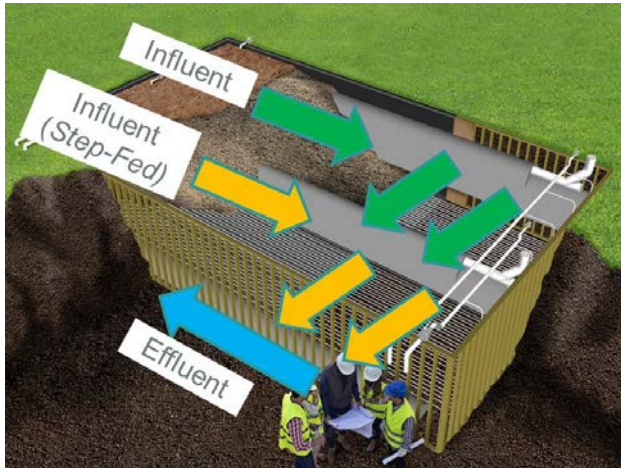
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Submerged Attached Growth Reactor (SAGR)

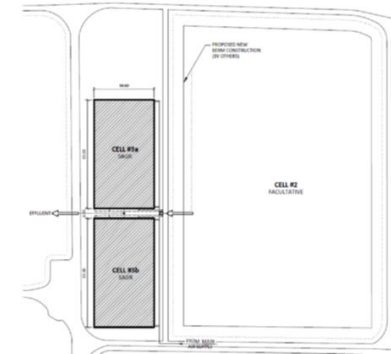
Advantages	Disadvantages
<ul style="list-style-type: none"> Established technology in Ontario Ammonia removal performance guarantee from the vendor Low operational and maintenance effort required 	<ul style="list-style-type: none"> Higher capital cost (Approx. \$5.2M) High additional headloss – will decrease the available storage in the downstream storage lagoons Large space requirement (Approx. 9,800 m³ for two SAGR cells)



EXP SAGR Size



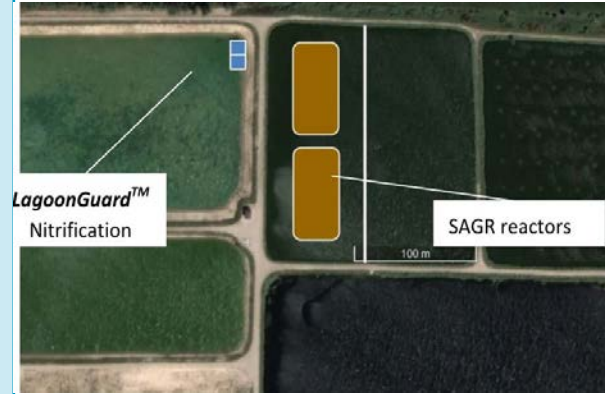
Glencoe, ON (Nexom 2018)



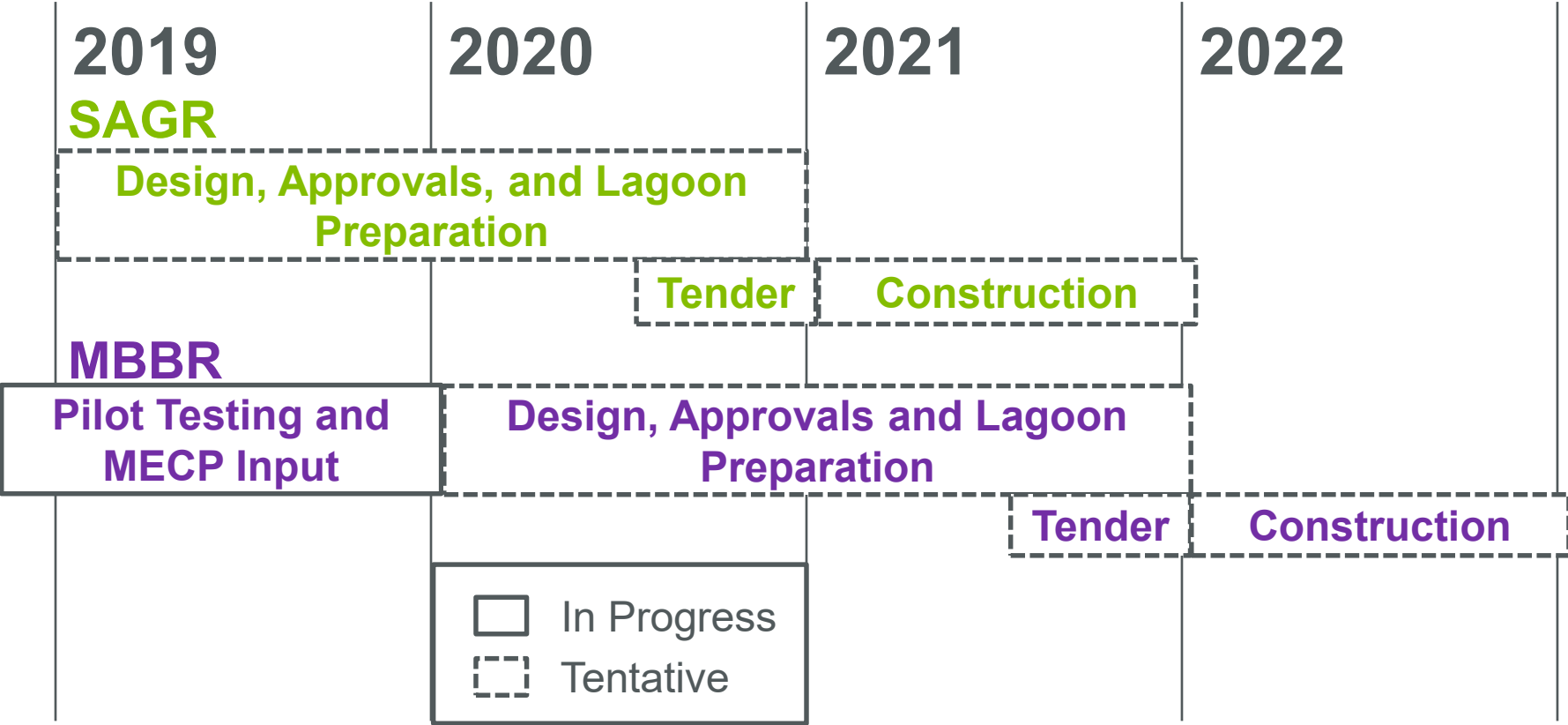
CIMA SAGR Size

Moving Bed Biofilm Reactor (MBBR)

Advantages	Disadvantages
<ul style="list-style-type: none">• Lower capital cost (Approx. \$2.6M)• Low additional headloss• Ammonia removal performance guarantee from the vendor• Low space requirement (Approx. 400 m³ for two MBBR tanks)• Highly modular – capabilities for future expansion	<ul style="list-style-type: none">• Newer technology in Ontario – potentially longer approval timelines with requirement for pilot scale testing• Additional operational costs (including energy use) and operator oversight will be required if MBBR is implemented.



Alternatives Review – Implementation Timelines



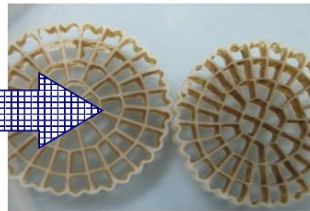
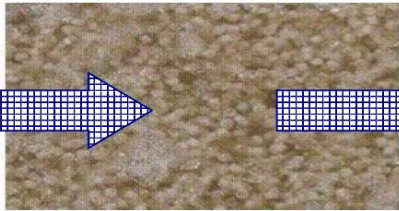
04

MBBR Pilot Results

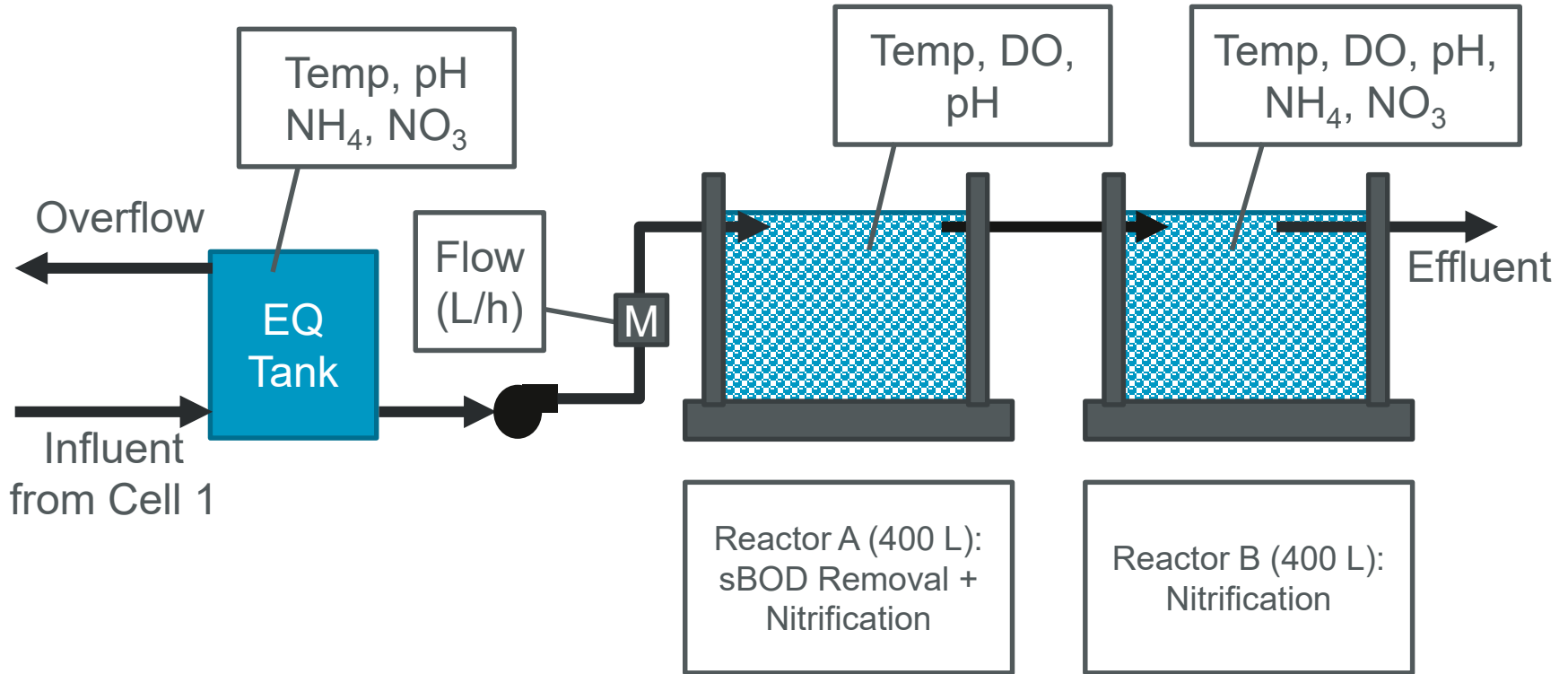
Pilot Project: Moving Bed Biofilm Reactor (MBBR)

Phase 3 (In Progress) – Pilot Testing MBBR

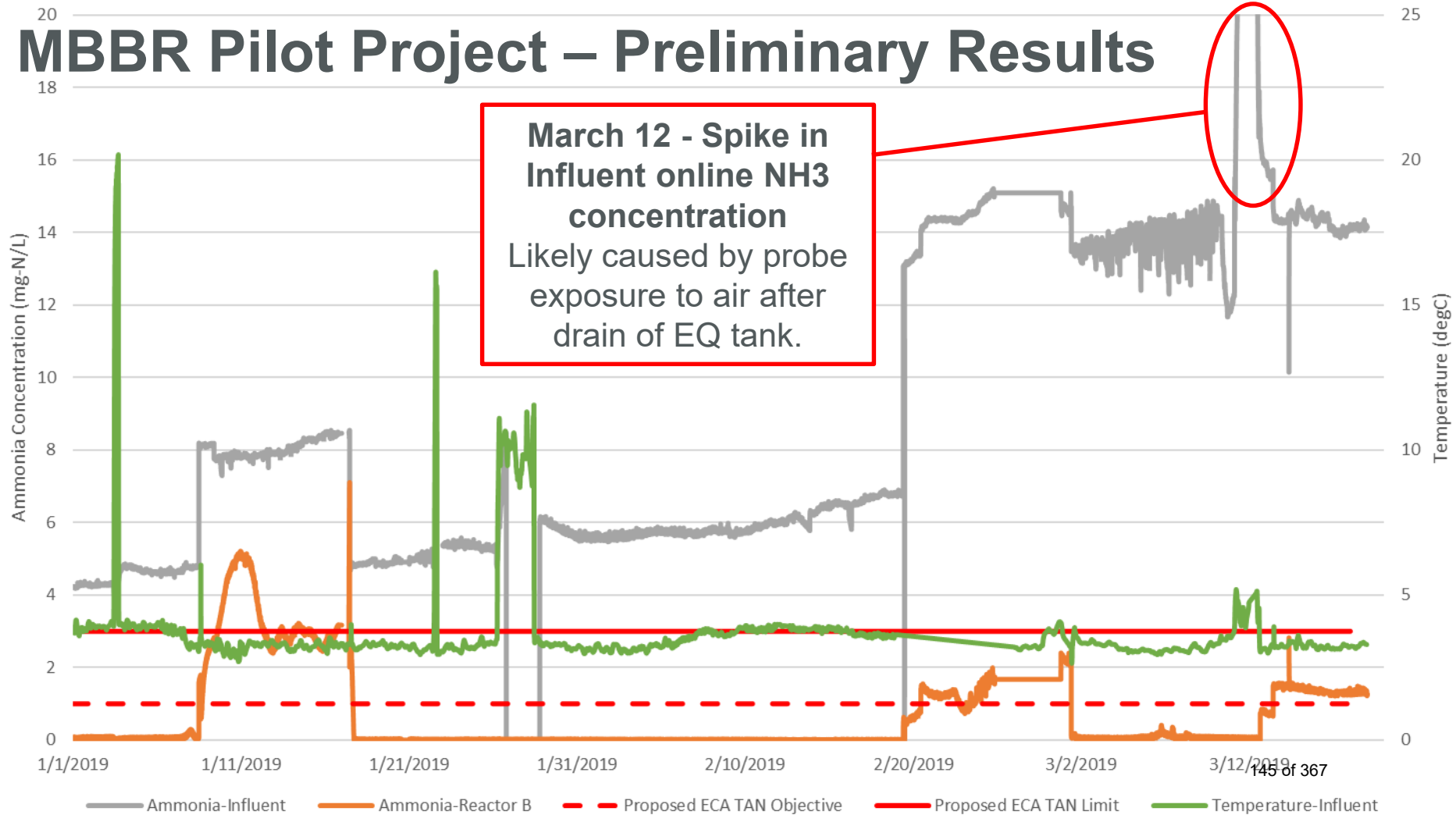
- Innovative MBBR nitrification technology – Reliable cold weather alternative for Total Ammonia Nitrogen removal
 - Township installed MBBR Pilot in December 2018 to collect cold weather nitrification data until April 2019
 - Cylindrical plastic carriers float in the tank to provide a surface on which bacteria can grow



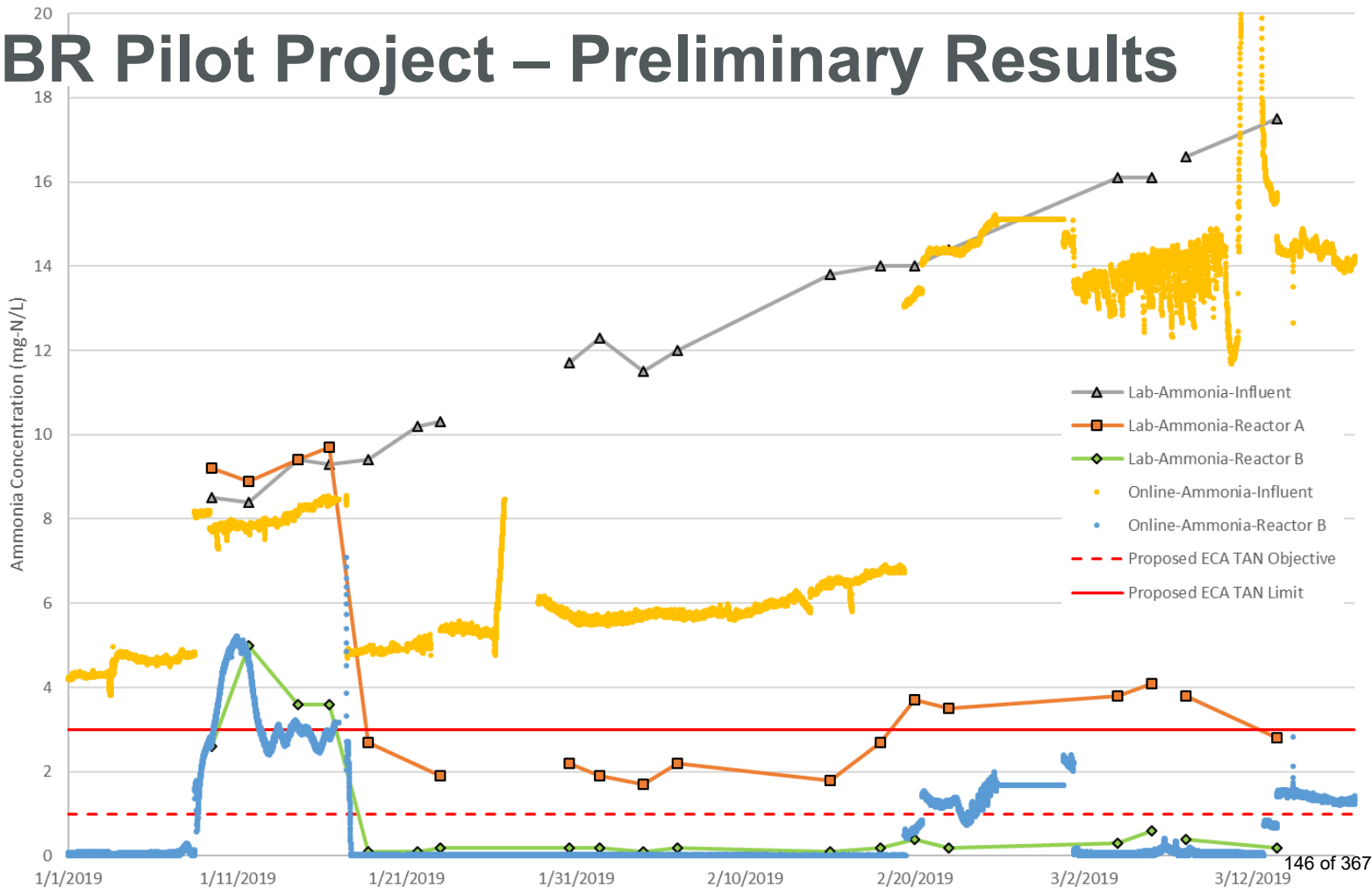
Pilot Setup and Sampling



MBBR Pilot Project – Preliminary Results



MBBR Pilot Project – Preliminary Results



05

Questions Period



Kelly Frensch, M.Eng, P.Eng., Associate Partner / Senior Project Manager

Kelly.Frensch@cima.ca

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900-101 Frederick Street, Kitchener, ON N2H 6R3

To: Manny Baron, CAO
cc: Sam Mattina, Tom Montgomery, P.Eng.
From: Mike Elliott, P.Eng.
Subject: **Drayton Elevated Potable Water Tank Options**
Date: May 14, 2018

1. INTRODUCTION

In 2016, the Township of Mapleton completed the Drayton Water Servicing Needs Municipal Class Environmental Assessment (Class EA) Study for the community of Drayton. The recommended preferred alternative included the design and construction of a new watermain across the river on Main Street West and a new water tower at site 3B located in the Drayton Industrial park.

CIMA Canada Inc. was retained by the Township of Mapleton to provide an objective review of the elevated potable water storage tank options in the marketplace. The objective of this technical memorandum is to provide information about three different potable water tank structures that could be implemented in Drayton and the advantages and disadvantages of each.

2. DRAYTON POTABLE WATER STORAGE TANK

The Class EA reviewed alternative water storage design alternatives and the preferred alternative was a 2.85ML elevated storage tank located at site 3B in the Drayton Industrial park. The Class EA report indicated that locating the elevated storage tank on the North side of the river would provide adequate pressures in all demand scenarios, adequate fire flows, as well as an increased security of supply should an issue arise with the watermain crossing the river.

3. POTABLE WATER STORAGE TANK OPTIONS

CIMA+ has significant experience in potable water storage tanks, and the various alternatives in the marketplace have their advantages and disadvantages. The Class EA recommended an elevated water storage tank of which there are three types of configurations as follows:

- Option 1 – Glass Fused Bolted Elevated Tank (GF-BET)
- Option 2 - Composite Elevated Tank Modified Configuration (CET-MOD)
- Option 3 – Composite Elevated Tank Traditional Configuration (CET)

The following sections provide a more detailed description of each option.

3.1. OPTION 1 – GLASS FUSED BOLTED ELEVATED TANK (GF-BET)

Option 1 involves a relatively new structure that combines the use of a concrete pedestal to elevate and support a glass-fused-bolted steel tank and minimize dead storage in the tank typically associated with standpipes. The reinforced concrete support column provides a cost effective, structurally robust pedestal with minimal maintenance.

The erection time of a bolted tank is approximately 1/3 less than the time required to construct a similar size welded steel tank. In addition, the pre-coated steel plates eliminate the need to sandblast and paint on site. As the tanks only need to be assembled, they can be erected in various weather conditions and are resistant to adverse weather delays which can help with schedule.

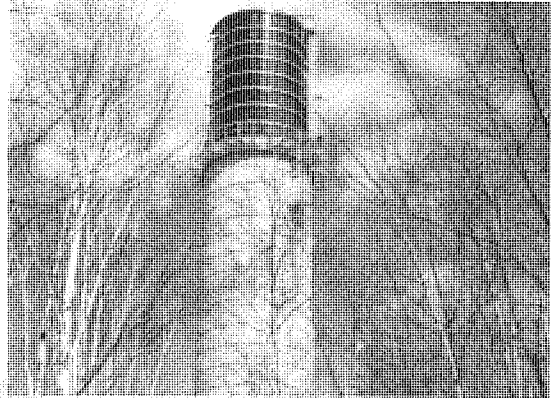


Figure 1: Glass Fused Bolted Elevated Tank

Guidelines/Standards

- There is no AWWA standard for this type of structure. It is a hybrid of two different types of structures for which there are no design guidelines.
- AWWA D107-10 is the standard for Composite Elevated Tanks for Water Storage (foundation and pedestal)

Design

- Typically completed as a traditional design-tender-construct contract. The foundation and steel portion of the tank is typically a performance (design-build) specification with the final design being completed by the Contractors.
- Surface preparation and coatings take place in a controlled shop environment.
- Tanks can be designed for future expansion by adding rings of plates.
- Can be fitted with GFB steel roof or an aluminum dome roof depending on the diameter. Roof is not typically designed to carry additional loads.
- Steel plate thicknesses on a GFB tank are typically half of a welded steel tank. Bolted tanks offer limited geometries (i.e. diameters and steel plate thicknesses) because of their fabrication process.
- Can be designed to include optional accessories such as exterior ladders, access hatches, external lighting, telemetry, lightning protection, and mixing system piping and valving.
- Decorative features, such as special colors or logos can be provided on the exterior but are limited.
- It is anticipated that a valve room could be housed in the base of the concrete pedestal to provide isolation valving for the tank, future top-up chlorination and re-circulation equipment and instruments to monitor water level and chlorine residual in the tank.
- Would need to confirm that a 2.8ML GFS bolted elevated tank has been fabricated in the past

Construction and Maintenance

- An elevated tank foundation is typically a reinforced ring footing for average soil bearing conditions. Deep piles or caisson supports may be required in locations with poor soil bearing conditions.
- From the footing, the concrete pedestal wall forms are erected. Form systems are usually proprietary to the tank constructor. The forms typically have strips fastened to the formwork that create rustications in the concrete that hide construction joints.

- Steel plates are bolted together on site. This would have to be done in the air at the top of the pedestal causing health and safety risks for workers.
- Shorter installation timeframe compared to welded tanks if schedule is a concern.
- If the glass coating becomes damaged it cannot be replaced in the field. Suppliers claim that a damaged sheet can be replaced in-situ with minimal impact on the existing structure.
- GFB tanks require regular inspection of seams to inspect for signs of deterioration of the caulking and torquing of bolts to maintain watertightness

Life Cycle Comments

- See comments in Table 1.
- Caulking may need to be replaced every 20 years.
- Tank will need to be taken out of service. Water supply will need to be able to function without tank.

3.2. OPTION 2 - COMPOSITE ELEVATED TANK MODIFIED CONFIGURATION (CET-MOD)

Option 2 is a modified version of a traditional composite elevated tank to be similar to a bolted steel tank on a concrete pedestal. Essentially Option 2 is a welded steel standpipe on a concrete pedestal, to elevate the storage tank and minimize dead storage typically associated with standpipes. The reinforced concrete support column provides a cost effective, structurally robust pedestal with minimal maintenance. The geometry and configuration is similar to that of Option 1.

Guidelines/Standards

- AWWA D-100 is the standard for welded steel water storage vessels.
- AWWA D-102 is the standard for field applied coatings used in D-100 water storage vessels.
- AWWA D107-10 is the standard for Composite Elevated Tanks for Water Storage (foundation and pedestal)

Design

- Typically completed as a traditional design-tender-construct contract. The foundation and steel portion of the tank is typically a performance (design-build) specification with the final design being completed by the Contractors
- Design similar to Option 1 but the steel tank is welded and coated rather than bolted. Welded steel tanks offer greater variation in geometries (i.e. diameters and steel plate thicknesses) because of their custom design and fabrication process.
- Typically has thicker steel plates than bolted steel tanks.
- Typically fitted with an interior access tube and a welded and painted steel roof. Roof can be designed to accommodate an antenna support structure.
- Can be designed to include optional accessories such external lighting, telemetry, lightning protection, and mixing system piping and valving.
- Decorative features, such as special colors or logos can be provided on the exterior.
- It is anticipated that a valve room could be housed in the base of the concrete pedestal to provide isolation valving for the tank, future top-up chlorination and re-circulation equipment and instruments to monitor water level and chlorine residual in the tank.

Construction and Maintenance

- Construction of concrete pedestal similar to Option 1.
- Steel plates are pre-fabricated in the shop and shipped to site. The steel tank can be welded and painted at-grade concurrently with the concrete pedestal work and lifted into place once complete, thereby compressing schedule tasks, if schedule is a concern.
- Field applied coating systems - interior and exterior are coated for corrosion protection.
- Increased field installation timeframe due to on-site welding and application of coatings.
- Requires regular inspection of interior and exterior coatings.

Life Cycle Comments

- See comments in Table 1.
- Typically needs to be recoated every 15-20 years depending on the coating system applied
- Tank will need to be taken out of service. Water supply will need to be able to function without tank

3.3. OPTION 3 – COMPOSITE ELEVATED TANK STANDARD CONFIGURATION (CET)

The tensile strength of steel has long been recognized as a characteristic most effective in producing leak-free water-retaining vessels. Reinforced concrete is one of the most efficient and economical materials to carry compressive loads. A Composite Elevated Tank (CET) combines these materials to produce an efficient, long lasting structure.

The roof of a composite elevated tank is typically supported in the centre by a steel access tube, and this load is transferred down the access tube to the concrete pedestal below. The concrete support structure exterior is enhanced by an architectural pattern that blends with surrounding structures and the exterior coating and logo on the steel tank can be custom designed.

Guidelines/Standards

- AWWA D-100 is the standard for welded steel water storage vessels.
- AWWA D-102 is the standard for field applied coatings used in D-100 water storage vessels.
- AWWA D107-10 is the standard for Composite Elevated Tanks for Water Storage.

Design

- Typically completed as a traditional design-tender-construct contract. The foundation and steel portion of the tank is typically a performance (design-build) specification with the final design being completed by the Contractors
- Typically has thicker steel plates than bolted steel tanks.
- Typically fitted with an interior access tube and a welded and painted steel roof. Roof can be designed to accommodate an antenna support structure.
- Can be designed to include optional accessories such as external lighting, telemetry, lightning protection, and mixing system piping and valving.
- Decorative features, such as special colors or logos can be provided on the exterior.

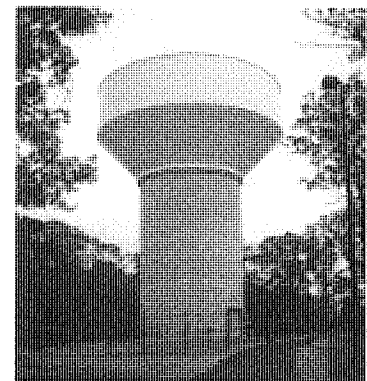


Figure 2: Composite Elevated Tank

- It is anticipated that a valve room could be housed in the base of the concrete pedestal to provide isolation valving for the tank, future top-up chlorination and re-circulation equipment and instruments to monitor water level and chlorine residual in the tank.

Construction and Maintenance

- Construction of foundation and concrete pedestal similar to Option 1 and Option 2.
- The steel portion of the tank is typically welded together and painted on the exterior at-grade and then hoisted with hydraulic jacks onto the top of the concrete pedestal. The roof is then welded in place, handrail and hatches installed, and the entire interior and exterior roof coatings are completed.
- Field applied coating systems - interior and exterior are coated for corrosion protection.
- Increased field installation timeframe due to on-site welding and application of coatings. Some construction tasks could be completed concurrently.
- Requires regular inspection of interior and exterior coatings.

Life Cycle Comments

- See comments in Table 1.
- CET can be a cost effective solution for large-capacity tanks.
- Typically needs to be recoated every 15-20 years depending on the coating system applied
- Tank will need to be taken out of service. Water supply will need to be able to function without tank

4. EVALUATION OF OPTIONS

The key features, advantages and disadvantages of each potable water storage tank option are presented in Table 1.

The selection of the preferred potable water tank should consider:

- Capital and O&M Costs
- Facility type and assumed lifespan
- Construction duration and related impacts
- Potential operational challenges such as access and water quality
- Aesthetics
- Future maintenance and replacement
- Future demolition and disposal

Table 1 Summary of Potable Water Tank Alternatives

	1 – GF-BET	2 – GET-MOD	3 – GET
Life Cycle Cost	Moderate to high initial costs Low to moderate maintenance costs	Moderate initial costs Moderate to high maintenance costs	High initial costs Moderate to high maintenance costs
Design	Traditional with Design-Build Component	Traditional with Design-Build Component	Traditional with Design-Build Component
Construction	<ul style="list-style-type: none"> Steel tank is made of individual glass coated steel panels bolted together and sealed with a flexible sealant Steel sheets are generally half the thickness of a welded steel tank Foundation is a cast-in-place ring footing and structural floor slab Pedestal is cast-in-place. Formwork either preassembled and delivered or assembled on site. Roof is typically GFB panels similar to the walls but an aluminum truss type structure can be provided Shortest construction time frame for the steel tank but similar overall project duration to other options. Can be constructed in moderate inclement weather 	<ul style="list-style-type: none"> Steel plates are pre-fabricated, then transported and welded together on-site. Steel sheets are generally twice the thickness of a bolted steel tank Foundation is a cast-in-place ring footing and structural floor slab Pedestal is cast-in-place. Formwork either preassembled and delivered or assembled on site. Interior and exterior walls are typically shop primed, then brush blasted on site and field coated to prevent corrosion. Concrete pedestal and steel tank can be constructed on site concurrently resulting in schedule savings Construction can be impacted by inclement weather 	<ul style="list-style-type: none"> Steel plates are pre-fabricated, then transported and welded together on-site. Steel sheets are generally twice the thickness of a bolted steel tank Foundation is a cast-in-place ring footing and structural floor slab Pedestal is cast-in-place. Formwork either preassembled and delivered or assembled on site. Interior and exterior walls are typically shop primed, then brush blasted on site and field coated to prevent corrosion. Longest tank construction duration due to linear construction methodology Construction can be impacted by inclement weather
Construction Duration	<ul style="list-style-type: none"> 8 – 10 months 	<ul style="list-style-type: none"> 8 – 10 months 	<ul style="list-style-type: none"> 10 - 12 months
Maintenance	<ul style="list-style-type: none"> Concrete pedestal is essentially maintenance free Regularly scheduled assessments of the caulking are recommended. Replacement of sealant may be required after approximately 20 years. Tank can be accessed through side hatch at top of concrete pedestal or roof hatch Repair of panels is not possible, however suppliers claim panels can be replaced in-situ without impacting the remaining structure. Few Contractors knowledgeable in maintenance or repair of bolted steel tanks. 	<ul style="list-style-type: none"> Regularly scheduled assessments of the coatings are recommended. Concrete pedestal is essentially maintenance free Re-coating of interior and exterior surfaces will be required after approximately 15-20 years. Tank can be accessed through submarine hatch in access tube or roof hatch Periodic coating repairs may be required. Repairs require special knowledge and care, however, there are various Contractors that are knowledgeable in painted steel. 	<ul style="list-style-type: none"> Regularly scheduled assessments of the coatings are recommended. Concrete pedestal is essentially maintenance free Re-coating of interior and exterior surfaces will be required after approximately 15-20 years. Tank can be accessed through submarine hatch in dome floor or roof hatch Periodic coating repairs may be required. Repairs require special knowledge and care, however, there are various Contractors that are knowledgeable in painted steel.
Structural Life	40-50 years – GFB tank 75-100 years – concrete pedestal	75-100 years – steel tank and concrete pedestal	75-100 years – steel tank and concrete pedestal
Advantages	<ul style="list-style-type: none"> Reduces amount of dead storage A valve room can be designed in the base of the pedestal 	<ul style="list-style-type: none"> Reduces amount of dead storage A valve room can be designed in the base of the pedestal Can accommodate many accessories on the steel tank 	<ul style="list-style-type: none"> Reduces amount of dead storage A valve room can be designed in the base of the pedestal Shorter operating range means better pressures in the distribution system



	1 - GF-BET	2 - GET-MOD	3 - GET
	<ul style="list-style-type: none"> • Pre-fabricated steel sheets can easily be shipped to site. • Proven technology with a decent service life and warranty • Concrete pedestal is essentially maintenance free • Accessories can be installed during or after construction of tank. • Alternative roof types available. • Some heavy machinery required to construct pedestal • Relatively short construction timeframe, even in inclement weather • Although not common, the modular design of the GFB tank allows for future increase in height of steel tank. 	<ul style="list-style-type: none"> • Concrete pedestal is essentially maintenance free • Durable and proven design with a long lasting structure and service life • Welded steel tanks are more robust and have fewer potential points of failure even if coatings fail. • Access to tank roof is from the interior, minimizing unauthorized access and facilitates climbing in inclement weather. • Concrete pedestal and steel tank can be constructed on site concurrently resulting in lower overall project duration • Although not common, the design of the steel tank can allow for future increase in height of steel tank. • More Contractors with expertise in welded steel potable water tanks, and coatings for potable water tanks. • Inspections can be reduced to 3-5 year intervals and can be completed by submersible ROV 	<ul style="list-style-type: none"> • Can accommodate many accessories on the steel tank • Concrete pedestal is essentially maintenance free • Durable and proven design with a long lasting structure and service life • Welded steel tanks are more robust and have fewer potential points of failure even if coatings fail. • More aesthetically pleasing structure • Access to tank roof is from the interior, minimizing unauthorized access, and facilitates climbing in inclement weather. • More Contractors with expertise in welded steel potable water tanks, and coatings for potable water tanks. • Inspections can be reduced to 3-5 year intervals and can be completed by submersible ROV
Disadvantages	<ul style="list-style-type: none"> • No AWWA standard for this type of structure. Increased risk to Mapleton. • Few of these types of structures have been constructed in Ontario so there is limited history of their long-term performance. • Not an aesthetically pleasing structure • If not properly constructed and maintained each bolt location is a potential point of weakness, corrosion and failure. • Requires regular inspection of all bolt connections on the interior and exterior. Inspections could be annual. • Cannot accommodate as many accessories as a welded tank. Accessories must line up with bolts. • The glass finish can be damaged easily by impact if not handled properly during transport or construction. Cracks in glass coating are a potential point of corrosion attack and future failure. • Access to tank roof is on exterior • Limited geometries (i.e. diameters and steel plate thicknesses) because of their fabrication process and diameter of concrete support pedestal. • Few Contractors knowledgeable in maintenance or repair of bolted steel tanks. 	<ul style="list-style-type: none"> • Few of this modified type of structure have been constructed in Ontario. • Not an aesthetically pleasing structure • More labour intensive to construct and progress can be affected by inclement weather • Cannot accommodate accessories after the tank has been constructed without damage to coatings • Limited geometries (i.e. diameters) due to diameter of concrete support pedestal. • More expensive maintenance costs but on a +/- 20 year cycle. 	<ul style="list-style-type: none"> • More labour intensive to construct • Longer construction schedule due to linear construction methodology and progress can be affected by inclement weather. • Cannot accommodate accessories after the tank has been constructed without damage to coatings • Cannot typically accommodate an increase in height of steel tank • More expensive maintenance costs but on a +/- 20 year cycle.

THE CORPORATION OF THE TOWNSHIP OF MAPLETON

CAO CLERK'S REPORT CL2020-14

TO: Mayor Davidson and Members of Council

FROM: CAO Manny Baron

RE: Bill 197, Municipal Act Section 238
Procedural By-law Revisions

DATE: August 11, 2020

RECOMMENDATION:

THAT Township of Mapleton Council receive CAO Clerk's Report CL2020-14 dated August 11, 2020 regarding Bill 197, Municipal Act Section 238, Procedural By-law Revisions;

AND FURTHER THAT staff prepare a revised procedural by-law for the purposes of incorporating the following preferred legislative policy options:

- i) Mapleton Council may elect to utilize an electronic platform for both 'Open to the Public' and 'Closed to the Public' Council meetings.
- ii) Members of Council may not participate electronically in a Council meeting which is not being held on an electronic platform.
- iii) Council members are not allowed to appoint another member of Council to act as their proxy when they are absent.

BACKGROUND:

On July 8, 2020, Bill 197 - The COVID-19 Economic Recovery Act received first reading in the Ontario Legislature. Second and third reading followed by Royal Assent took place July 21, 2020.

While Bill 197 includes 20 schedules which amend multiple Acts, this report only speaks to the Municipal Act, Section 12. Currently, virtual meetings may only be held during a Declaration of Emergency made by either the Province or the municipality under the Emergency Management and Civil Protection Act. The proposed legislation would allow for meetings to occur electronically outside of an emergency. The legislation also proposes a provision to allow members of council to vote by proxy if included in a municipality's procedural by-law.

The policy options recommended above would require updates to the Township of Mapleton Procedural By-law (effective in 2015, revised in 2018, 2019, & 2020).

All revisions are shown highlighted in the attached draft by-law. Once finalized, a new Procedural By-law will be presented to Council for adoption.

PREVIOUS PERTINENT REPORTS:

None

DISCUSSION:

None necessary

CONSULTATION:

CAO, Clerk and Deputy Clerk reviewed and discussed the new legislation and the policy options available.

FINANCIAL IMPLICATIONS:

No financial implications

SUMMARY:

Bill 197 provides three major opportunities to alter Municipal Council Meeting procedures:

- a) Allowing electronic / virtual platforms & participation for Council Meetings
- b) Allowing electronic participants to be counted towards quorum
- c) Allowing members of Council to vote by proxy

COMMUNICATION:

As per Notice By-law 2008-024, Public Notice will be published in the Wellington Advertiser, plus social media streams including the Township website.

STRATEGIC PLAN:

Municipal Infrastructure: N/A

The Local Economy: N/A

Recreation: N/A

Municipal Administration: Modernizing our Council Meeting procedure

Financial Responsibility: N/A

Prepared By:
Manny Baron
CAO

Attachments:

1. Bill 197
2. Draft procedural by-law

Legislative
Assembly
of Ontario



Assemblée
législative
de l'Ontario

1ST SESSION, 42ND LEGISLATURE, ONTARIO
69 ELIZABETH II, 2020

Bill 197

(Chapter 18 of the Statutes of Ontario, 2020)

An Act to amend various statutes in response to COVID-19 and to enact, amend and repeal various statutes

The Hon. S. Clark

Minister of Municipal Affairs and Housing

1st Reading	July 8, 2020
2nd Reading	July 21, 2020
3rd Reading	July 21, 2020
Royal Assent	July 21, 2020



EXPLANATORY NOTE

This Explanatory Note was written as a reader's aid to Bill 197 and does not form part of the law. Bill 197 has been enacted as Chapter 18 of the Statutes of Ontario, 2020.

SCHEDULE 1 BUILDING CODE ACT, 1992

The Schedule amends several provisions of the *Building Code Act, 1992* to change regulation-making authority from the Lieutenant Governor in Council to the Minister of Municipal Affairs and Housing. It also clarifies the scope of certain regulation-making authorities, including the authority to make regulations by adopting certain documents by reference.

SCHEDULE 2 CITY OF TORONTO ACT, 2006

The Schedule amends several provisions of the *City of Toronto Act, 2006* to allow the procedure by-law to provide for electronic participation in meetings and to provide for proxy voting.

SCHEDULE 3 DEVELOPMENT CHARGES ACT, 1997

The Schedule amends the *Development Charges Act, 1997*. The amendments repeal and replace certain amendments made by the *More Homes, More Choice Act, 2019* that are not yet in force and make changes to other provisions that were enacted in that Act. Elements of those amendments are retained, but the following changes and additions are made.

The list of services in subsection 2 (4) of the Act for which a development charge can be imposed is expanded from the list that was included in the *More Homes, More Choice Act, 2019*. A new subsection 2 (4.1) sets out the relationship between development charges and the community benefits charges that can be imposed by by-law under the *Planning Act*.

Section 7 of the Act currently provides for services to be grouped into categories within a development charge by-law. The Schedule repeals and replaces section 7 to provide for services to be included in classes which can be composed of any number or combination of services, including parts or portions of the services listed in subsection 2 (4) of the Act or parts or portions of the capital costs listed in subsection 5 (3) in respect of those services. A class set out in a by-law is deemed to be a single service for the purposes of the Act in relation to reserve funds, the use of money from reserve funds and credits.

Transitional rules that were added as section 9.1 of the Act by the *More Homes, More Choice Act, 2019* with respect to the duration of development charge by-laws are repealed and replaced. Related changes are made to transitional rules in section 26.2 of the Act with respect to the determination of the amount of a development charge.

A new section 33.1 provides transitional rules with respect to reserve funds established by upper-tier municipalities for services for which a development charge can no longer be imposed.

Regulation-making powers are added with respect to transitional matters.

SCHEDULE 4 DRAINAGE ACT

The Schedule amends the *Drainage Act*. The majority of the amendments relate to the service of documents and to the processes involved in amending engineers' reports, approving improvement projects and requesting environmental appraisals.

Other technical amendments are made.

SCHEDULE 5 EDUCATION ACT

The *Education Act* is amended in respect of various issues.

An amendment is made to remove the requirement that directors of education must be supervisory officers that are qualified as teachers. The Act is also amended to provide that if regulations prescribe qualifications for directors of education, boards shall not appoint or employ a person as a director of education unless the person holds those qualifications. Related amendments are made to regulation-making powers under the Act.

The Act is amended to provide that the Minister may, in response to the outbreak of the coronavirus (COVID-19), operate one or more demonstration schools for exceptional pupils in either a residential or non-residential setting for the 2020-2021 school year.

Sections 185 and 188 of the Act are amended to allow persons, other than parents or guardians of pupils or prescribed persons, to be prescribed for the purpose of providing written notice to a board that a pupil or prescribed person intends to attend a prescribed school under section 185 or a school of the board under section 188, as the case may be. Sections 185 and 188 are also amended to add regulation-making powers relating to prescribing the persons who may provide notice, governing the

conditions under which that notice may be provided by such persons and authorizing the collection of personal information in the process of providing that notice.

Finally, the Act is amended to authorize regulations providing that pupils in specified grades of elementary school shall not be suspended, or that such suspensions may only occur in the prescribed circumstances. Related amendments are made.

SCHEDULE 6 ENVIRONMENTAL ASSESSMENT ACT

The Schedule amends the *Environmental Assessment Act* in order to modernize environmental assessment requirements under the Act. The amendments in the Schedule will come into force in three phases in order to transition gradually to a more modern approach to environmental assessments. The most significant amendments are outlined below.

Currently the Act applies to enterprises and activities and proposals, plans and programs in respect of those enterprises and activities, both public and private, that are set out in section 3 and referred to in the Act as undertakings. This approach has required that many undertakings be exempted from the Act by regulation, by order or otherwise under the Act. The amendments remove references to undertakings from the Act and give the Lieutenant Governor in Council the power to make regulations designating enterprises and activities, and proposals, plans and programs in respect of enterprises and activities, as projects to which the Act applies. Environmental assessments will only be required for projects that are designated. The projects could be designated as Part II.3 projects or Part II.4 projects.

The amendments repeal Parts II and II.1 of the Act and replace them with Parts II.3 and II.4. Currently, Part II of the Act requires persons to obtain the approval of the Minister or of the Tribunal before proceeding with an undertaking. The Part outlines the environmental assessment process that the person must complete in order to obtain the approval. The new Part II.3 continues the requirements and environmental assessment process that applied to undertakings under Part II so that they apply, with some modifications, to Part II.3 projects. An undertaking that was approved by the Minister under Part II is deemed to be a Part II.3 project when that Part comes into force.

The existing Part II.1 allows a person to obtain the approval of the Minister or the Tribunal for a class environmental assessment in respect of a class of undertakings. The proponents of undertakings under an approved class environmental assessment are entitled to follow an environmental assessment process described in the approval that is less onerous than the Part II process. As of the day the Bill receives Royal Assent, no further class environmental assessments will be approved. When Part II.4 is eventually proclaimed into force, it will replace the approved class environmental assessments under Part II.1 with a streamlined environmental assessment process that will be set out in the regulations. The streamlined environmental assessments will apply to projects that are designated as Part II.4 projects. The 10 approved class environmental assessments that currently exist shall continue to apply to undertakings in each class until all 10 are revoked and replaced, where appropriate, by regulations designating Part II.4 projects and setting out the prescribed requirements, including the streamlined environmental assessment, for those projects.

Section 16 of Part II.1 currently allows the Minister to make orders with respect to undertakings under an approved class environmental assessment to require the proponents of such undertakings to comply with the environmental assessment process in Part II instead of following the approved class environmental assessment. The Minister may also, by order, impose conditions on such undertakings. The amendments limit the Minister's authority to make orders on the Minister's own initiative to a time period determined in accordance with new section 16.1. This new time limit will take effect when the Bill receives Royal Assent.

When Part II.4 comes into force, new section 17.31 will give the Minister the power to make orders with respect to Part II.4 projects that are similar to orders made under section 16 with respect to undertakings in approved class environmental assessments. Under section 17.31, the Minister may make an order declaring Part II.4 projects to be Part II.3 projects and thus requiring proponents of Part II.4 projects to comply with the environmental assessment process in Part II.3 instead of the streamlined environmental assessment set out in the regulations. The Minister will also have the ability to make orders imposing requirements on Part II.4 projects. The Minister's power to make orders under section 17.31 on his or her own initiative will be subject to time limits set out in the regulations.

Other important amendments to the *Environmental Assessment Act* include the following:

1. New section 2.1 is a non-derogation provision to preserve existing aboriginal and treaty rights of the aboriginal peoples of Canada as recognized and affirmed in section 35 of the *Constitution Act, 1982*.
2. New section 6.0.1 in Part II requires a proponent of an undertaking to establish a landfilling site to obtain municipal support for the undertaking in accordance with that section. An equivalent section is included in Part II.3 with respect to projects to establish landfilling sites.
3. Section 9 is amended to allow the Minister to include in the approval of an undertaking a process governing changes that may be made to the undertaking after the approval is given. These amendments are reflected in Part II.3 with respect to the approval of Part II.3 projects.

4. New section 11.5 in Part II provides a 10-year expiry date for approvals that were given before the section comes into force if they did not specify an expiry date. The Minister is given the power to exempt undertakings from this section by regulation. An equivalent section is included in Part II.3 with respect to Part II.3 projects.
5. Part II.2, which currently deals with undertakings to dispose of waste proposed or carried out by municipalities, is repealed.
6. Many amendments to various provisions throughout the Act are required to transition from environmental assessments of undertakings under Parts II and II.1 to environmental assessments of designated projects under Parts II.3 and II.4. A new Part V.1 is enacted to provide for various transitional matters. It includes new regulation-making powers in respect of transitional matters.
7. The regulation-making powers under Part VI are amended. New regulation-making powers governing Part II.4 projects are included.

The Schedule includes consequential amendments to several other Acts.

SCHEDULE 7 FARM REGISTRATION AND FARM ORGANIZATIONS FUNDING ACT, 1993

The *Farm Registration and Farm Organizations Funding Act, 1993* is amended. The amendments relate to the following matters:

1. The process by which a person who has been denied a farming business registration number may appeal to the Agriculture, Food and Rural Affairs Appeal Tribunal.
2. The eligibility of a francophone organization to continue to receive special funding under the Act.
3. The power to make regulations governing how documents are to be given or served under the Act.

SCHEDULE 8 JUSTICES OF THE PEACE ACT

The Schedule amends the *Justices of the Peace Act*. The major elements are set out below.

The Act is amended with respect to the composition and functions of the Justices of the Peace Appointments Advisory Committee. The qualifications that are currently in section 2.1 of the Act are moved to section 2 of the Act. The composition of the Committee is changed to have three core members and fewer regional members. Certain records and other information collected, prepared, maintained or used by the Committee are to be kept in confidence. The amendment to section 2 of the Act requires the Attorney General to keep information in relation to the appointment or consideration of an individual as a justice of the peace confidential. The Committee is required to include statistics about the sex, gender, race and other characteristics of all candidates who volunteer that information in its annual report.

The functions of the Committee are amended. The Committee shall continue to classify all candidates for a justice of the peace position, although the wording of the classification has changed to “Not Recommended”, “Recommended” and “Highly Recommended”. The Committee submits a list of all candidates and their classifications to the Attorney General. The Attorney General may only recommend a candidate who has been classified as “Recommended” or “Highly Recommended” to fill a justice of the peace position.

The Attorney General may reject the Committee’s recommendations and require that a new list be prepared.

The Attorney General may recommend criteria to be included in the criteria the Committee establishes for the advertising, review and evaluation process.

New section 2.3 deals with transition issues. It authorizes the Attorney General to terminate the appointment of members of the Committee for the purpose of transitioning the Committee’s composition to the new composition specified in the re-enacted section 2.1. It limits compensation and damages and bars certain causes of action and proceedings.

SCHEDULE 9 MARRIAGE ACT

Currently, the *Marriage Act* provides that a marriage licence is valid for three months. The Schedule amends the Act to provide that if the three-month validity period includes a period in which there is an emergency declared throughout Ontario, the licence remains valid throughout the period of emergency and until 24 months after the emergency ends, if particular conditions are met.

SCHEDULE 10 MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING ACT

The Schedule adds section 12 to the *Ministry of Municipal Affairs and Housing Act*. Section 12 establishes the Provincial Land and Development Facilitator. Section 12 also sets out the functions of the Facilitator. The Facilitator shall, at the direction of

the Minister, advise and make recommendations to the Minister in respect of growth, land use and other matters, including Provincial interests. The Facilitator shall perform such other functions as the Minister may specify.

**SCHEDULE 11
MODERNIZING ONTARIO FOR PEOPLE AND BUSINESSES ACT, 2020**

The Schedule enacts the *Modernizing Ontario for People and Businesses Act, 2020* and repeals the *Burden Reduction Reporting Act, 2014* and the *Reducing Regulatory Costs for Business Act, 2017*. The new Act enacts many of the provisions currently in the *Burden Reduction Reporting Act, 2014* and the *Reducing Regulatory Costs for Business Act, 2017*. The most significant difference is that the requirements under the *Reducing Regulatory Costs for Business Act, 2017* relating to regulations would also apply to draft bills under the new Act.

The Act provides various measures in the interest of reducing regulatory costs for business.

When certain instruments governed by the Act are made or approved and have the effect of creating or increasing administrative costs to business, an offset must be made within a prescribed time.

An analysis that assesses the potential impact of what is proposed must be conducted where instruments governed by the Act are made or approved, and the analysis must be published.

When developing instruments governed by the Act, every minister shall have regard to various principles such as adopting recognized standards; applying less onerous requirements on small businesses; providing digital services to stakeholders and reducing unnecessary reporting.

Businesses required to provide documents to ministries as a result of an instrument will have the option to transmit those documents electronically.

Businesses that demonstrate excellent compliance with regulatory requirements are to be recognized by the Government.

The Minister is required to publish an annual report with respect to actions taken by the Government of Ontario to reduce burdens.

**SCHEDULE 12
MUNICIPAL ACT, 2001**

The Schedule amends several provisions of the *Municipal Act, 2001* to allow the procedure by-law to provide for electronic participation in meetings and to provide for proxy voting.

**SCHEDULE 13
OCCUPATIONAL HEALTH AND SAFETY ACT**

Currently, subsection 70 (2) of the *Occupational Health and Safety Act* includes the authority to make regulations that adopt by reference certain codes, standards, criteria and guides. An amendment is made to provide that the power to adopt codes, standards, criteria and guides includes the power to adopt them as they may be amended from time to time.

**SCHEDULE 14
ONTARIO EDUCATIONAL COMMUNICATIONS AUTHORITY ACT**

The Schedule amends the *Ontario Educational Communications Authority Act* to provide that its objects include supporting the establishment, administration and coordination of distance education programs by or with prescribed persons or entities and discharging any prescribed duties. Related regulation-making powers are added.

**SCHEDULE 15
ONTARIO FRENCH-LANGUAGE EDUCATIONAL COMMUNICATIONS AUTHORITY ACT, 2008**

The Schedule amends the *Ontario French-language Educational Communications Authority Act, 2008* to provide that its objects include supporting the establishment, administration and coordination of distance education programs by or with prescribed persons or entities and discharging any prescribed duties. Related regulation-making powers are added.

**SCHEDULE 16
PAYDAY LOANS ACT, 2008**

The Schedule amends the *Payday Loans Act, 2008* to add section 32.1. Section 32.1 sets a maximum interest rate of 2.5 per cent per month (not to be compounded) on the outstanding principal under a payday loan agreement if the advance under the agreement is \$1,500 or less and the term of the agreement is 62 days or less. The amount of the advance and the term of the agreement required for section 32.1 to apply can be changed by regulation, as can the maximum interest rate that may be charged.

Section 33 of the Act is also amended so that, unless the regulations provide otherwise, a fee no greater than \$25 may be charged for a dishonoured cheque, pre-authorized debit or other instrument of payment. A lender cannot impose such a fee more than once with respect to each payday loan agreement.

The Schedule also adds subsection 44 (1.1) to the Act, which provides that a payment referred to in subsection 44 (1) includes interest or a default charge received by a licensee from a borrower to which the licensee is not entitled under the Act or that the borrower is not liable to pay under the Act.

SCHEDULE 17 PLANNING ACT

The Schedule amends the *Planning Act*.

Amendments related to community benefits charges

Amendments in the Schedule repeal and replace certain amendments made by the *More Homes, More Choice Act, 2019* and the *Plan to Build Ontario Together Act, 2019* that are not yet in force. Elements of those amendments are retained, other elements are changed and new elements are added.

Sections 37 and 37.1 of the Act are replaced. The re-enacted section 37 permits the council of a local municipality to impose community benefits charges against land to pay for the capital costs of facilities, services and matters required because of development or redevelopment in the area to which the by-law applies. Subsection 37 (4) provides that a community benefits charge may not be imposed with respect to development or redevelopment of fewer than 10 residential units or in respect of buildings or structures with fewer than five storeys.

Subsection 37 (5) sets out the relationship between community benefits charges and the development charges that can be imposed by by-law under the *Development Charges Act, 1997* and those that can be funded from the special account used for the acquisition of land to be used for park or other public recreational purposes.

Other provisions in the re-enacted section 37 continue to set out various procedural matters related to the making of a community benefits charge by-law, the process for appealing the by-law to the Local Planning Appeal Tribunal and the resolution of disputes in cases where the landowner is of the view that the charge exceeds the maximum allowable charge.

Transitional matters continue to be provided for, both in the re-enacted section 37 and in the re-enacted section 37.1.

Section 42 of the Act is amended with respect to the alternative parkland rate that can be imposed by by-law. The amendments set out various procedural matters related to the passing of a by-law with respect to the alternative parkland rate and the process for appealing the by-law to the Local Planning Appeal Tribunal. Limitations are imposed with respect to the powers of the Local Planning Appeal Tribunal on an appeal of a by-law under section 42. Rules are included with respect to refunds after a successful appeal.

Amendments related to Minister's zoning orders

Currently, under section 47 of the *Planning Act*, the Minister may make orders exercising zoning powers. The Schedule amends section 47 of the Act to give the Minister enhanced order-making powers relating to specified land. "Specified land" is defined as land other than land in the Greenbelt Area within the meaning of the *Greenbelt Act, 2005* (which includes areas covered by the Oak Ridges Moraine Conservation Plan, areas covered by the Niagara Escarpment Plan and areas described in the regulations made under the *Greenbelt Act, 2005*).

The enhanced order-making powers include powers in relation to site plan control and inclusionary zoning. Among other things, this provides the Minister with the ability to require the inclusion of affordable housing units in the development or redevelopment of specified lands, buildings or structures.

Also, among other things, a Minister's order relating to specified land may require that the owner of the specified land enter into an agreement with the relevant municipality respecting specified matters related to development on the land and conditions required for the approval of plans and drawings in a site plan control area. The amendments provide that the Minister may give direction to the parties concerning the agreement. An agreement is of no effect to the extent that it does not comply with the Minister's direction, whether the Minister's direction is given before or after the agreement has been entered into.

SCHEDULE 18 PROVINCIAL OFFENCES ACT

The Schedule makes various amendments, including the following amendments, to the *Provincial Offences Act*.

Under section 5 of the Act, a notice of intention to appear that is included in an offence notice is in some cases required to be filed in person. The section is amended in the first instance to permit notices of intention to appear to be given by mail or in another manner. Subsequent amendments to the section remove reference to a requirement to file a notice of intention to appear in person.

Section 5.1 of the Act is amended so that if an offence notice indicates that an option of a meeting with the prosecutor to discuss the resolution of the offence is available, the meeting may be held by electronic method under section 83.1 of the Act. In particular, the amendments remove a precondition to a meeting by electronic method that either the defendant or the prosecutor be unable to attend the meeting because of remoteness. Complementary amendments are made to section 11 of the Act.

Section 17.1 of the Act applies if a parking infraction notice requires a notice of intention to appear to be filed in person. Amendments are made to the section to permit the filing requirement to be met without personal attendance. Similarly, section

18.1.1 of the Act applies if a notice of impending conviction requires a notice of intention to appear to be filed in person, and amendments are made to that section to permit the filing requirement to be met without personal attendance.

Section 26 of the Act is amended to permit the Lieutenant Governor in Council to make regulations specifying additional methods by which a summons may be served by a provincial offences officer.

Section 45 of the Act is amended to add additional criteria to be met before a court can accept a plea of guilty from a defendant who is making the plea by electronic method under section 83.1 of the Act.

Section 83.1 of the Act is re-enacted in order to expand the circumstances in which a person may participate in a proceeding under the Act, or in a step in a proceeding, by electronic method, as defined in that section.

Section 158.1 of the Act is amended to replace telewarrants — an information given by a means of telecommunication that produces a writing — with electronic warrants, to reflect other electronic communication technologies.

Finally, the French versions of various provisions of the Act are amended to update terminology and correct errors.

SCHEDULE 19 PUBLIC TRANSPORTATION AND HIGHWAY IMPROVEMENT ACT

The Schedule eliminates hearings of necessity for expropriations of property under the Act and provides that the Minister may establish a process for receiving comments from property owners about such expropriations.

SCHEDULE 20 TRANSIT-ORIENTED COMMUNITIES ACT, 2020

The Schedule enacts a new *Transit-Oriented Communities Act, 2020*, which also amends the *Ministry of Infrastructure Act, 2011*.

Transit-Oriented Communities Act, 2020

The *Transit-Oriented Communities Act, 2020* permits the Lieutenant Governor in Council to designate land as transit-oriented community land if specified conditions apply. The Act defines “transit-oriented community project” for the purpose.

The Act provides that if land, any part of which is transit-oriented community land, is expropriated in specified circumstances, a related hearings process under the *Expropriations Act* does not apply in relation to the expropriation. The Act permits the establishment of a process for receiving and considering comments from property owners respecting a proposed expropriation of such land.

Ministry of Infrastructure Act, 2011

The *Ministry of Infrastructure Act, 2011* is amended to permit the Minister to make investments supporting or developing transit-oriented community projects related to priority transit projects.

**An Act to amend various statutes in response to COVID-19
and to enact, amend and repeal various statutes**

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Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

Contents of this Act

1 This Act consists of this section, sections 2 and 3 and the Schedules to this Act.

Commencement

2 (1) Subject to subsections (2) and (3), this Act comes into force on the day it receives Royal Assent.

(2) The Schedules to this Act come into force as provided in each Schedule.

(3) If a Schedule to this Act provides that any provisions are to come into force on a day to be named by proclamation of the Lieutenant Governor, a proclamation may apply to one or more of those provisions, and proclamations may be issued at different times with respect to any of those provisions.

Short title

3 The short title of this Act is the *COVID-19 Economic Recovery Act, 2020*.

**SCHEDULE 1
BUILDING CODE ACT, 1992**

1 The French version of subsection 4.1 (3) of the *Building Code Act, 1992* is amended by striking out “assortir celle-ci” and substituting “assortir la délégation”.

2 Subsection 7 (1) of the Act is amended by striking out “Lieutenant Governor in Council” in the portion before clause (a) and substituting “Minister”.

3 (1) Section 34 of the Act is amended by adding the following subsection:

Regulations

(0.1) The Minister may make such regulations as are desirable governing standards for the construction and demolition of buildings.

(2) Subsection 34 (1) of the Act is amended by striking out the portion before paragraph 1 and substituting the following:

Same

(1) Without limiting the generality of subsection (0.1), the Minister may make regulations,

(3) Paragraph 9 of subsection 34 (1) of the Act is repealed.

(4) Section 34 of the Act is amended by adding the following subsection:

Adoption by reference

(1.1) The Minister may make regulations adopting by reference any of the following documents, in whole or in part, with such changes as the Minister considers necessary, and requiring compliance with any provision of a document so adopted:

1. The National Building Code of Canada 2015, the National Plumbing Code of Canada 2015, the National Energy Code of Canada for Buildings 2017, the National Farm Building Code of Canada 1995 or any subsequent versions of those codes.
2. A code, formula, standard, guideline, protocol or procedure that requires any part of the construction of a building to be designed by an architect or a professional engineer or a combination of both.
3. Any other code, formula, standard, guideline, protocol or procedure.

(5) Subsections 34 (2) to (2.3) of the Act are amended by striking out “Lieutenant Governor in Council” wherever it appears and substituting in each case “Minister”.

(6) Clause 34 (2) (a) of the Act is amended by striking out “subsection (1)” and substituting “subsections (0.1) and (1)”.

Commencement

4 This Schedule comes into force on the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

**SCHEDULE 2
CITY OF TORONTO ACT, 2006**

1 (1) Subsection 189 (4) of the *City of Toronto Act, 2006* is repealed and the following substituted:

Electronic participation

(4) The applicable procedure by-law may provide that a member of city council, of a local board of the City or of a committee of either of them, can participate electronically in a meeting to the extent and in the manner set out in the by-law.

(2) Subsection 189 (4.1) of the Act is repealed.

(3) Subsection 189 (4.2) of the Act is repealed and the following substituted:

Same

(4.2) The applicable procedure by-law may provide that,

- (a) a member of city council, of a local board of the City or of a committee of either of them who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time; and
- (b) a member of city council, of a local board of the City or of a committee of either of them can participate electronically in a meeting that is open or closed to the public.

(4) Subsection 189 (4.3) of the Act is repealed and the following substituted:

Same, procedure by-law

(4.3) The city council or a local board of the City may hold a special meeting to amend an applicable procedure by-law for the purposes of subsection (4.2).

(4.3.1) A member participating electronically in such a special meeting described in subsection (4.3) may be counted in determining whether or not a quorum of members is present at any time during the meeting.

2 The Act is amended by adding the following section:

Proxy votes

194.1 (1) The procedure by-law passed under section 189 may provide that, in accordance with a process to be established by the clerk, a member of city council may appoint another member of city council as a proxy to act in their place when they are absent.

Rules re proxy votes

(2) The following rules apply with respect to the appointment of another member of city council to act as a proxy under subsection (1):

1. A member shall not act as a proxy for more than one member of city council at any one time.
2. The member appointing the proxy shall notify the clerk of the appointment in accordance with the process established by the clerk.
3. For the purpose of determining whether or not a quorum of members is present at any point in time, a proxyholder shall be counted as one member and shall not be counted as both the appointing member and the proxyholder.
4. A proxy shall be revoked if the appointing member or the proxyholder requests that the proxy be revoked and complies with the proxy revocation process established by the clerk.
5. Where a recorded vote is requested under subsection 194 (4), the clerk shall record the name of each proxyholder, the name of the member of city council for whom the proxyholder is voting and the vote cast on behalf of that member.
6. A member who appoints a proxy for a meeting shall be considered absent from the meeting for the purposes of determining whether the office of the member is vacant under clause 204 (1) (c).

Pecuniary interest

(3) A member who has a pecuniary interest described in subsection 5 (1) of the *Municipal Conflict of Interest Act* in a matter to be considered at a meeting shall not, if the interest is known to the member, appoint a proxy in respect of the matter.

Same, pre-meeting discovery

(4) If, after appointing a proxy, a member discovers that they have a pecuniary interest described in subsection 5(1) of the *Municipal Conflict of Interest Act* in a matter to be considered at a meeting that is to be attended by the proxyholder, the member shall, as soon as possible,

- (a) notify the proxyholder of the interest in the matter and indicate that the proxy will be revoked in respect of the matter; and

- (b) request that the clerk revoke the proxy with respect to the matter in accordance with the proxy revocation process established by the clerk.

Same, post-meeting discovery

- (5) For greater certainty, if, after appointing a proxy, a member discovers that they have a pecuniary interest described in subsection 5(1) of the *Municipal Conflict of Interest Act* in a matter that was considered at a meeting attended by the proxyholder, the appointing member shall comply with subsection 5 (3) of the *Municipal Conflict of Interest Act* with respect to the interest at the next meeting attended by the appointing member after they discover the interest.

Conflict etc., proxyholder

- (6) For greater certainty, nothing in this section authorizes a proxyholder who is disabled from participating in a meeting under the *Municipal Conflict of Interest Act* from participating in the meeting in the place of an appointing member.

Regulations, proxy votes

- (7) The Minister may make regulations providing for any matters which, in the Minister's opinion, are necessary or desirable for the purposes of this section.

Commencement

3 This Schedule comes into force on the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

**SCHEDULE 3
DEVELOPMENT CHARGES ACT, 1997**

1 (1) Subsection 2 (3) of the *Development Charges Act, 1997* is repealed and the following substituted:

Same

(3) An action mentioned in clauses (2) (a) to (g) does not satisfy the requirements of subsection (2) if the only effect of the action is to,

- (a) permit the enlargement of an existing dwelling unit; or
- (b) permit the creation of additional dwelling units as prescribed, subject to the prescribed restrictions, in prescribed classes of existing residential buildings or prescribed structures ancillary to existing residential buildings.

Exemption for second dwelling units in new residential buildings

(3.1) The creation of a second dwelling unit in prescribed classes of proposed new residential buildings, including structures ancillary to dwellings, is, subject to the prescribed restrictions, exempt from development charges.

(2) Subsection 2 (4) of the Act is repealed and the following substituted:

What services can be charged for

(4) A development charge by-law may impose development charges to pay for increased capital costs required because of increased needs for the following services only:

1. Water supply services, including distribution and treatment services.
2. Waste water services, including sewers and treatment services.
3. Storm water drainage and control services.
4. Services related to a highway as defined in subsection 1 (1) of the *Municipal Act, 2001* or subsection 3 (1) of the *City of Toronto Act, 2006*, as the case may be.
5. Electrical power services.
6. Toronto-York subway extension, as defined in subsection 5.1 (1).
7. Transit services other than the Toronto-York subway extension.
8. Waste diversion services.
9. Policing services.
10. Fire protection services.
11. Ambulance services.
12. Services provided by a board within the meaning of the *Public Libraries Act*.
13. Services related to long-term care.
14. Parks and recreation services, but not the acquisition of land for parks.
15. Services related to public health.
16. Child care and early years programs and services within the meaning of Part VI of the *Child Care and Early Years Act, 2014* and any related services.
17. Housing services.
18. Services related to proceedings under the *Provincial Offences Act*, including by-law enforcement services and municipally administered court services.
19. Services related to emergency preparedness.
20. Services related to airports, but only in the Regional Municipality of Waterloo.
21. Additional services as prescribed.

Development charge — relationship to community benefits charge

(4.1) For greater certainty, nothing in this Act prevents a community benefits charge under section 37 of the *Planning Act* from being imposed with respect to the services listed in subsection (4), provided that the capital costs that are intended to be funded by the community benefits charge are not capital costs that are intended to be funded under a development charge by-law.

2 Subparagraph 4 iii of subsection 5 (3) of the Act is amended by striking out “library board as defined in the *Public Libraries Act*” and substituting “board within the meaning of the *Public Libraries Act*”.

3 Section 7 of the Act is repealed and the following substituted:

Class of services

7(1) A development charge by-law may provide for any service listed in subsection 2 (4) or the capital costs listed in subsection 5 (3) in respect of those services to be included in a class set out in the by-law.

Composition of class

(2) A class may be composed of any number or combination of services and may include parts or portions of the services listed in subsection 2 (4) or parts or portions of the capital costs listed in subsection 5 (3) in respect of those services.

Studies

(3) For greater certainty, a development charge by-law may provide for a class consisting of studies in respect of any service listed in subsection 2 (4) whose capital costs are described in paragraphs 5 and 6 of subsection 5 (3).

Effect of class

(4) A class of service set out in a development charge by-law is deemed to be a single service for the purposes of this Act in relation to reserve funds, the use of money from reserve funds and credits.

4 Section 9.1 of the Act is repealed and the following substituted:

Same, transitional matters

9.1 (1) In this section,

“specified date” means the day that is two years after the day subsection 1 (2) of Schedule 3 to the *COVID-19 Economic Recovery Act, 2020* comes into force.

By-law — expiry before specified date

(2) Despite subsections 2 (4) and 9 (1), a development charge by-law that would expire on or after May 2, 2019 and before the specified date remains in force as it relates to any service other than the services described in paragraphs 1 to 10 of subsection 2 (4) until the earliest of,

- (a) the day it is repealed;
- (b) the day the municipality passes a community benefits charge by-law under subsection 37 (2) of the *Planning Act*; and
- (c) the specified date.

By-law — expiry on or after specified date

(3) If a development charge by-law would expire on or after the specified date, the following rules apply in respect of the by-law as it relates to any service other than the services described in paragraphs 1 to 20 of subsection 2 (4):

1. Despite subsection 2 (4), the by-law continues to apply, even as it relates to the service, until the earliest of the days described in paragraph 2.
2. The days referred to in paragraph 1 are the following:
 - i. The day the by-law is repealed.
 - ii. In the case of a development charge by-law of a local municipality, the earlier of,
 - A. the day the municipality passes a community benefits charge by-law under subsection 37 (2) of the *Planning Act*; or
 - B. the specified date.
 - iii. In the case of a development charge by-law of an upper-tier municipality, the specified date.
3. The by-law is deemed to have expired, as it relates to the service, on the earliest of the dates mentioned in paragraph 2.

Services prescribed under para. 21 of subs. 2 (4)

(4) Subsection (3) does not apply in respect of the by-law as it relates to a service that is prescribed for the purposes of paragraph 21 of subsection 2 (4) if the service is prescribed before the day referred to in subparagraph 2 ii or iii of subsection (3), as the case may be.

5 Subsection 9.2 (3) of the Act is amended by striking out “9.1 (1) or (2)” and substituting “9.1 (2)”.

6 The English version of subsection 18 (3) of the Act is amended by striking out “the time” wherever it appears and substituting in each case “the day”.

7 The English version of subsection 25 (2) of the Act is amended by striking out “the time” wherever it appears and substituting in each case “the day”.

8 Section 26.2 of the Act is amended by adding the following subsections:

Transition, eligible services

(6.1) Beginning on the day described in subsection (6.2), the total amount of a municipality's development charge for the purposes of subsection (1) shall not include the amount of a development charge in respect of a service unless the service is listed in subsection 2 (4).

Same

(6.2) The day referred to in subsection (6.1) is,

- (a) in the case of a local municipality, the earlier of,
 - (i) the day the municipality passes a community benefits charge by-law under subsection 37 (2) of the *Planning Act*, and
 - (ii) the specified date for the purposes of section 9.1; and
- (b) in the case of an upper-tier municipality, the specified date for the purposes of section 9.1.

9 The Act is amended by adding the following section:

Reserve funds — transition, upper-tier municipalities

33.1 (1) This section applies with respect to a reserve fund established by an upper-tier municipality in accordance with section 33 before the day subsection 1 (2) of Schedule 3 to the *COVID-19 Economic Recovery Act, 2020* comes into force for any services other than those described in paragraphs 1 to 20 of subsection 2 (4).

Non-application, reserve fund re services prescribed under para. 21 of subs. 2 (4)

(2) Despite subsection (1), this section does not apply with respect to a reserve fund established for a service that is prescribed for the purposes of paragraph 21 of subsection 2 (4) if the service is prescribed before the specified date for the purposes of section 9.1.

Deemed general capital reserve

(3) The following rules apply with respect to a reserve fund to which this section applies:

- 1. On the specified date for the purposes of section 9.1, the reserve fund is deemed to be a general capital reserve fund for the same purposes for which the money in the reserve fund was collected.
- 2. Despite paragraph 1, subsection 417 (4) of the *Municipal Act, 2001* and any equivalent provision of, or made under, the *City of Toronto Act, 2006* do not apply with respect to the general capital reserve fund referred to in paragraph 1.

10 Clause 60 (1) (c) of the Act is repealed and the following substituted:

- (c) clarifying or defining terms used in subsection 2 (4) that are not already defined in or under this Act;
- (c.1) prescribing services for the purposes of paragraph 21 of subsection 2 (4);
- (c.2) governing transitional matters arising from additional services being prescribed under clause (c.1);

11 Section 60.1 of the Act is amended by adding the following clauses:

- (c) setting out transitional rules dealing with matters not specifically dealt with in the amendments to this Act made by Schedule 3 to the *COVID-19 Economic Recovery Act, 2020*;
- (d) clarifying the transitional rules set out in the amendments to this Act made by Schedule 3 to the *COVID-19 Economic Recovery Act, 2020*.

AMENDMENTS TO OTHER ACT

More Homes, More Choice Act, 2019

12 Section 2, subsection 3 (3), section 4 and subsections 5 (2) and (3), 8 (2) and 13 (3) of Schedule 3 to the *More Homes, More Choice Act, 2019* are repealed.

COMMENCEMENT

Commencement

13 (1) Subject to subsection (2), this Schedule comes into force on the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

(2) Sections 1 to 11 come into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 4
DRAINAGE ACT**

1 (1) The definition of “Minister” in section 1 of the *Drainage Act* is repealed and the following substituted:

“Minister” means the Minister of Agriculture, Food and Rural Affairs or any other member of the Executive Council to whom responsibility for the administration of this Act is assigned or transferred under the *Executive Council Act*; (“ministre”)

(2) Section 1 of the Act is amended by adding the following definitions:

“prescribed” means prescribed by the regulations; (“prescrit”)

“regulations” means the regulations made under this Act; (“règlements”)

2 Clause 5 (1) (b) of the Act is repealed and the following substituted:

(b) if it decides to proceed with the drainage works, send notice of the petition and of its decision to the prescribed persons.

3 Subsection 6 (1) of the Act is repealed and the following substituted:

Notice that environmental appraisal is required

(1) A person who is prescribed by the regulations and who has received notice of the petition under clause 5 (1) (b) may, within 30 days after receiving the notice, send to the council of the initiating municipality a notice that an environmental appraisal of the effects of the drainage works on the area is required.

Cost

(1.1) The cost of an environmental appraisal required under subsection (1) shall be paid by the person who sends the notice requiring it.

4 Clause 8 (1) (e) of the Act is amended by adding “prescribed or” before “provided”.

5 (1) Subsection 10 (2) of the Act is repealed and the following substituted:

Consideration of report

(2) Upon the filing of the preliminary report, the council of the initiating municipality shall cause the clerk to send the prescribed persons a copy of the preliminary report and a notice of the date of the council meeting at which the preliminary report will be considered.

(2) Subsection 10 (7) of the Act is amended by striking out “clause (2) (a), (b) or (c)” and substituting “subsection (2)”.

(3) Subsection 10 (8) of the Act is repealed and the following substituted:

Referral to Tribunal

(8) The following persons may refer the environmental appraisal to the Tribunal:

1. If lands used for agricultural purposes are included in the area to be drained, the Minister.
2. In any other case, the prescribed persons.

6 Subsection 41 (1) of the Act is repealed and the following substituted:

Notice of drainage works

(1) Upon the filing of the engineer’s report, the council of the initiating municipality, if it intends to proceed with the drainage works, shall, within 30 days after the filing of the report, cause the clerk of the initiating municipality to send the prescribed persons a copy of the report and a notice stating,

- (a) the date on which the report was filed;
- (b) the name or other designation of the drainage works; and
- (c) the date of the council meeting at which the report will be considered.

7 Subsection 58 (4) of the Act is repealed.

8 Section 77 of the Act is repealed.

9 (1) Subsection 78 (1) of the Act is amended by striking out “projects listed in subsection (1.1)” and substituting “major improvement projects listed in subsection (1.1)”.

(2) Subsection 78 (1.1) of the Act is amended by striking out “projects” in the portion before paragraph 1 and substituting “major improvement projects”.

(3) Paragraph 5 of subsection 78 (1.1) of the Act is repealed and the following substituted:

5. Extending the drainage works to an outlet.

5.1 Improving or altering the drainage works if the drainage works is located on more than one property.

(4) Subsection 78 (1.1) of the Act is amended by adding the following paragraph:

8. Any other activity to improve the drainage works, other than an activity prescribed by the Minister as a minor improvement.

(5) Subsection 78 (2) of the Act is repealed and the following substituted:

Notice

(2) An engineer shall not be appointed under subsection (1) until 30 days after a notice has been sent to the following persons advising them of the municipality's intent to undertake the major improvement project:

1. The secretary-treasurer of each conservation authority that has jurisdiction over any lands that would be affected by the project.
2. The prescribed persons.

(6) Section 78 of the Act is amended by adding the following subsection:

Minor improvements to drainage works

(5) Despite subsections (2) to (4), the Minister may prescribe the process for approving minor improvements to a drainage works mentioned in paragraph 8 of subsection (1.1).

10 The Act is amended by adding the following section:

AMENDMENTS TO ENGINEER'S REPORT

Amendments to engineer's report

84.1 (1) This section applies with respect to engineer's reports that are prepared for the purpose of a petition under section 4 or for the purpose of section 78 and that are adopted by a municipal by-law.

Approval process

(2) The Minister may, by regulation, set out the process by which the engineer's report may be amended and the process by which those amendments are to be approved.

11 Section 105 of the Act is amended by striking out "constables".

12 (1) Section 125 of the Act is amended by adding the following clause:

(c) prescribing any matter this Act describes as being prescribed or dealt with in the regulations.

(2) Section 125 of the Act is amended by adding the following subsections:

Adoption of guidelines, etc.

(2) A regulation may adopt by reference, in whole or in part, with the changes that the Minister considers necessary, any guideline, protocol or procedure, including a guideline, protocol or procedure established by the Minister, and may require compliance with any guideline, protocol or procedure so adopted.

Amendments to guidelines, etc.

(3) The power to adopt by reference and require compliance with a guideline, protocol or procedure in subsection (2) includes the power to adopt a guideline, protocol or procedure as it may be amended from time to time.

When effective

(4) The adoption of an amendment to a guideline, protocol or procedure that has been adopted by reference comes into effect upon the Ministry publishing notice of the amendment in *The Ontario Gazette* or in the registry under the *Environmental Bill of Rights, 1993*.

Commencement

13 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 5
EDUCATION ACT**

**1 Paragraph 26 of subsection 11 (1) of the *Education Act* is repealed and the following substituted:
powers and duties of teachers, etc.**

26. prescribing the powers, duties and qualifications, and governing the appointment of teachers, designated early childhood educators, supervisors, supervisory officers, heads of departments, principals, superintendents, residence counsellors, school attendance counsellors and other officials;

powers and duties of directors of education

26.0.1 prescribing the powers and duties and governing the appointment of directors of education;

2 Section 13 of the Act is amended by adding the following subsection:

Exception, COVID-19

(5.0.1) Despite subsection (5), for the 2020-2021 school year, the Minister may, in response to the outbreak of the coronavirus (COVID-19), operate one or more demonstration schools for exceptional pupils described in that subsection in either a residential or non-residential setting.

3 (1) Paragraph 3 of subsection 185 (1) of the Act is amended by striking out “or” at the end of subparagraph ii, by adding “or” at the end of subparagraph iii and by adding the following subparagraph:

- iv. a person who is prescribed for the purpose of giving written notice in respect of a pupil or person.

(2) Subsection 185 (10) of the Act is amended by adding the following clauses:

- (c.1) prescribing persons for the purposes of subparagraph 3 iv of subsection (1) who may provide written notice in respect of a pupil or person and governing the conditions under which notice may be provided by such a person;
- (c.2) authorizing personal information within the meaning of section 28 of the *Municipal Freedom of Information and Protection of Privacy Act* to be collected by boards, for the purpose of administering and implementing this section, in a manner other than directly from the individual to whom the information relates and regulating the manner in which the information is collected;

4 (1) Paragraph 2 of subsection 188 (1) of the Act is amended by striking out “or” at the end of subparagraph ii, by adding “or” at the end of subparagraph iii and by adding the following subparagraph:

- iv. a person who is prescribed for the purpose of giving written notice in respect of a pupil.

(2) Subsection 188 (1.11) of the Act is amended by adding the following clauses:

- (a.1) prescribing persons for the purposes of subparagraph 2 iv of subsection (1) who may provide written notice in respect of a pupil and governing the conditions under which notice may be provided by such a person;
- (a.2) authorizing personal information within the meaning of section 28 of the *Municipal Freedom of Information and Protection of Privacy Act* to be collected by boards, for the purpose of administering and implementing this section, in a manner other than directly from the individual to whom the information relates and regulating the manner in which the information is collected;

5 The heading to Part XI of the Act is repealed and the following substituted:

**PART XI
DIRECTORS OF EDUCATION AND SUPERVISORY OFFICERS**

6 Sections 279 and 280 of the Act are repealed and the following substituted:

Qualifications of director of education

279 (1) If qualifications for a director of education are required by the regulations, a board shall not appoint or employ a person as a director of education unless the person holds those qualifications.

Regulations

(2) The Minister may make regulations prescribing the qualifications for directors of education.

Director of education and supervisory officers: district school boards

280 Every district school board shall, subject to the regulations, employ a director of education and such supervisory officers as it considers necessary to supervise all aspects of the programs under its jurisdiction.

Appointment of director of education: school authorities

281 (1) Two or more public school authorities may, with the approval of the Minister, agree to appoint a director of education to supervise all aspects of the programs under their jurisdictions.

Same

(2) Two or more Roman Catholic school authorities may, with the approval of the Minister, agree to appoint a director of education to supervise all aspects of the programs under their jurisdictions.

Abolition of position

(3) A school authority that appoints a director of education with the approval of the Minister shall not abolish the position of director of education without the approval of the Minister.

If no director of education

(4) If a school authority does not appoint a director of education, then a supervisory officer shall act as the director of education and perform all the duties of the director of education.

7 Subsection 283 (1) of the Act is repealed.

8 Subsection 306 (1) of the Act is amended by adding “Subject to a regulation made under clause 316 (1.1) (a)” at the beginning of the portion before paragraph 1.

9 Subsection 310 (1) of the Act is amended by adding “Subject to a regulation made under clause 316 (1.1) (a)” at the beginning of the portion before paragraph 1.

10 (1) Section 316 of the Act is amended by adding the following subsection:

Same

(1.1) The Lieutenant Governor in Council may make regulations,

- (a) providing that pupils in specified grades in elementary school shall not be suspended under section 306 or 310, or that such suspensions may only occur in the prescribed circumstances;
- (b) providing for transitional matters that are necessary or desirable in connection with a suspension that occurred under this Part before the day subsection 10 (1) of Schedule 5 to the *COVID-19 Economic Recovery Act, 2020* came into force.

(2) Subsection 316 (2) of the Act is amended by adding “or (1.1)” after “subsection (1)”.

(3) Subsection 316 (3) of the Act is amended by adding “or (1.1)” after “subsection (1)”.

Commencement

11 This Schedule comes into force on the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

**SCHEDULE 6
ENVIRONMENTAL ASSESSMENT ACT**

1 (1) Subsection 1 (1) of the *Environmental Assessment Act* is amended by adding the following definition:

“designated project” means a Part II.3 project or a Part II.4 project; (“projet désigné”)

(2) The definition of “municipality” in subsection 1 (1) of the Act is amended by adding “subject to subsection 6.0.1 (2)” before “includes”.

(3) The definition of “municipality” in subsection 1 (1) of the Act, as amended by subsection (2), is amended by striking out “subsection 6.0.1 (2)” and substituting “subsection 17.5 (2)”.

(4) Subsection 1 (1) of the Act is amended by adding the following definitions:

“Part II.3 project” means a project that has been designated by the regulations as a project to which Part II.3 applies or that has been declared by the Minister to be a Part II.3 project by order made under subsection 16 (1) or 17.31 (1); (“projet visé par la partie II.3”)

“Part II.4 project” means a project that has been designated by the regulations as a project to which Part II.4 applies and in respect of which an order has not been made under subsection 16 (1) or 17.31 (1); (“projet visé par la partie II.4”)

“project” means one or more enterprises or activities or a proposal, plan or program in respect of an enterprise or activity; (“projet”)

(5) The definition of “Part II.3 project” in subsection 1 (1) of the Act, as enacted by subsection (4), is amended by striking out “subsection 16 (1) or 17.31 (1)” at the end and substituting “subsection 17.31 (1)”.

(6) The definition of “Part II.4 project” in subsection 1 (1) of the Act, as enacted by subsection (4), is amended by striking out “subsection 16 (1) or 17.31 (1)” at the end and substituting “subsection 17.31 (1)”.

(7) The definition of “proponent” in subsection 1 (1) of the Act is repealed and the following substituted:

“proponent” means a person who,

- (a) carries out or proposes to carry out an undertaking or a project, or
- (b) is the owner or person having charge, management or control of an undertaking or a project; (“promoteur”)

(8) The definition of “proponent” in subsection 1 (1) of the Act, as re-enacted by subsection (7), is repealed and the following substituted:

“proponent” means a person who,

- (a) carries out or proposes to carry out a project, or
- (b) is the owner or person having charge, management or control of a project; (“promoteur”)

(9) The French version of the definition of “undertaking” in subsection 1 (1) of the Act is amended,

- (a) by striking out “d’un projet” wherever it appears and substituting in each case “d’une proposition”; and
- (b) by striking out “du projet” in clause (c) and substituting “de la proposition”.

(10) The definition of “undertaking” in subsection 1 (1) of the Act, as amended by subsection (9), is repealed.

2 The Act is amended by adding the following section:

Existing aboriginal and treaty rights

2.1 For greater certainty, nothing in this Act shall be construed so as to abrogate or derogate from the protection provided for the existing aboriginal and treaty rights of the aboriginal peoples of Canada as recognized and affirmed in section 35 of the *Constitution Act, 1982*.

3 (1) The French version of section 3 of the Act is amended by,

- (a) striking out “projets” wherever it appears in clauses (a) and (b) and substituting in each case “propositions”;
- (b) striking out “au projet, plan ou programme” in clause (c) and substituting “à la proposition, au plan ou au programme”; and
- (c) striking out “du projet” in clause (c) and substituting “de la proposition”.

(2) Section 3 of the Act, as amended by subsection (1), is repealed and the following substituted:

Designation of projects

3 (1) The Lieutenant Governor in Council may make regulations designating projects as projects to which Part II.3 or II.4 apply.

Same

(2) A regulation under subsection (1) may designate a project or a class of projects. It may also describe a designated project with reference to a proponent or a class of proponents.

Same, ancillary activities

(3) A project that is designated under subsection (1) includes any enterprise or activity that is ancillary to that project.

Same, ancillary project

(4) A project that is designated as a Part II.3 project includes any Part II.4 project that is ancillary to the Part II.3 project and that has the same proponent as the Part II.3 project. The Part II.4 project shall be deemed not to be a Part II.4 project for the purposes of this Act.

4 (1) The French version of section 3.0.1 of the Act is amended by,

- (a) striking out “à une activité ou un projet” and substituting “une activité ou une proposition”; and
- (b) striking out “au projet” and substituting “à la proposition”.

(2) Section 3.0.1 of the Act, as amended by subsection (1), is repealed and the following substituted:**Agreement for application of Act**

3.0.1 (1) A person who carries out, proposes to carry out or is the owner or person having charge, management or control of a project that is not a designated project may enter into a written agreement with the Minister to have all or part of this Act and of the regulations apply to the project.

Deemed Part II.3 or Part II.4 projects

(2) If an agreement is entered into under subsection (1) with respect to a project and the agreement provides for Part II.3 or Part II.4 of this Act to apply with respect to the project, that project is deemed to be a Part II.3 project or a Part II.4 project, as the case may be.

Deemed Part II.1 projects

(3) If an agreement is entered into under subsection (1) with respect to a project and the agreement provides for Part II.1 of this Act to apply with respect to the project, that project is deemed to be an undertaking to which the approved class environmental assessment identified in the agreement applies.

Transition, previous agreements

- (4) An enterprise or activity or a proposal, plan or program is deemed to be a Part II.3 project if,
- (a) this Act applied to it by virtue of an agreement made before the day subsection 4 (2) of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* comes into force; and
 - (b) on the day Part II.3 comes into force, no approval had been given under section 9 or 9.1 to proceed with the enterprise or activity or the proposal, plan or program.

(3) Subsection 3.0.1 (3) of the Act, as enacted by subsection (2), is repealed.**5 (1) Subsections 3.1 (2) and (3) of the Act are repealed and the following substituted:****Order to vary or dispense**

- (2) The Minister may by order vary or dispense with a requirement imposed under this Act with respect to the undertaking if,
- (a) both jurisdictions have agreed to harmonization or substitution of requirements in relation to the undertaking; or
 - (b) there is an agreement with respect to harmonization or substitutions between the jurisdictions.

Order to impose additional requirements

(3) The Minister may by order impose requirements in addition to those imposed under this Act with respect to the undertaking if the condition set out in clause (2) (a) or (b) is satisfied and the additional requirements are being imposed to provide for harmonization or substitution.

Declaration of non-application

(3.1) The Minister may by order declare that this Act does not apply with respect to the undertaking and may make the order subject to such conditions as the Minister considers appropriate.

(2) The French version of subsection 3.1 (4) of the Act is amended by striking out “du projet d’arrêté” and substituting “de l’arrêté proposé”.**(3) Section 3.1 of the Act, as amended by subsections (1) and (2), is repealed and the following substituted:**

Harmonization, substitution

3.1 (1) This section applies if,

- (a) another jurisdiction imposes requirements with respect to an undertaking to which this Act applies or with respect to a designated project; and
- (b) the Minister considers the requirements imposed by the other jurisdiction to be equivalent to the requirements imposed by this Act.

Order to vary or dispense

(2) The Minister may by order vary or dispense with a requirement imposed under this Act with respect to the undertaking or designated project if,

- (a) both jurisdictions have agreed to harmonization or substitution of requirements in relation to the undertaking or project; or
- (b) there is an agreement with respect to harmonization or substitution between the jurisdictions.

Order to impose additional requirements

(3) The Minister may by order impose requirements in addition to those imposed under this Act with respect to the undertaking or designated project if the condition set out in clause (2) (a) or (b) is satisfied and the additional requirements are being imposed to provide for harmonization or substitution.

Declaration of non-application

(4) The Minister may by order declare that this Act does not apply with respect to the undertaking or designated project and may make the order subject to such conditions as the Minister considers appropriate.

Notice and comment

(5) When the Minister proposes to make an order under this section, the Minister shall give adequate public notice of the proposed order and shall ensure that members of the public have an opportunity to comment on it.

Reasons

(6) When making an order, the Minister shall give written reasons.

(4) Clause 3.1 (1) (a) of the Act, as re-enacted by subsection (3), is amended by striking out “with respect to an undertaking to which this Act applies or”.

(5) Subsection 3.1 (2) of the Act, as re-enacted by subsection (3), is amended by striking out “undertaking or” wherever it appears.

(6) Subsection 3.1 (3) of the Act, as re-enacted by subsection (3), is amended by striking out “undertaking or”.

(7) Subsection 3.1 (4) of the Act, as re-enacted by subsection (3), is amended by striking out “undertaking or”.

6 (1) Subsection 3.2 (1) of the Act is repealed and the following substituted:

Declaration

(1) Subject to subsection (1.1), the Minister may by order, with the approval of the Lieutenant Governor in Council or of such ministers of the Crown as the Lieutenant Governor in Council may designate,

- (a) declare that this Act, the regulations, any provision of this Act or the regulations or any matter provided for under this Act does not apply with respect to an undertaking, class of undertakings, designated project, class of designated projects, person or class of persons;
- (b) suspend or revoke the declaration;
- (c) impose conditions on the declaration; or
- (d) amend or revoke conditions imposed on the declaration.

Same

(1.1) The Minister shall make an order under subsection (1) only if the Minister considers that it is in the public interest to do so having regard to the purpose of this Act and weighing it against the injury, damage or interference that might be caused to any person or property by the application of this Act to the undertaking, class of undertakings, designated project, class of designated projects, person or class of persons.

(2) Clause 3.2 (1) (a) of the Act, as re-enacted by subsection (1), is amended by striking out “an undertaking, class of undertakings, designated project” and substituting “a designated project”.

(3) Subsection 3.2 (1.1), as enacted by subsection (1), is amended by striking out “undertaking, class of undertakings”.

7 Section 3.3 of the Act is repealed.

8 The Act is amended by adding the following sections before the heading to Part II:

Non-application

4.1 Section 21.2 (power to review) of the *Statutory Powers Procedure Act* does not apply with respect to decisions made under this Act.

Validity of decisions

4.2 A decision of the Minister or Director under this Act is not invalid solely on the ground that the decision was not made before the applicable deadline.

9 Section 5 of the Act is amended by adding the following subsection:

Form, manner of application

(2.1) An application shall be submitted to the Minister in the form and manner specified by the Director.

10 The Act is amended by adding the following section:

Landfilling site, municipal support required

Definitions

6.0.1 (1) In this section,

“area of settlement” has the same meaning as in subsection 1 (1) of the *Planning Act*; (“zone de peuplement”)

“landfilling site” means a waste disposal site where landfilling occurs; (“lieu d’enfouissement”)

“parcel of land” has the same meaning as in subsection 46 (1) of the *Planning Act*; (“parcelle de terrain”)

“waste disposal site” has the same meaning as in Part V of the *Environmental Protection Act*. (“lieu d’élimination des déchets”)

Same

(2) For the purposes of this section, the following terms have the meaning assigned to them under subsection 1 (1) of the *Municipal Act, 2001*:

1. Local municipality.
2. Municipality.

Application

(3) This section applies in respect of a proponent who wishes to proceed with an undertaking to establish a waste disposal site that,

- (a) is a landfilling site; and
- (b) is subject to this Part.

Local municipalities whose support is required

(4) A proponent mentioned in subsection (3) shall, in accordance with subsection (5), obtain municipal support for the undertaking from each local municipality,

- (a) in which the landfilling site would be situated; and
- (b) in which there is, as of the day on which the proponent gives public notice of the proposed terms of reference under subsection 6 (3.1), a parcel of land,
 - (i) on which residential uses, other than residential uses that are ancillary to other uses, are authorized by the official plan of the municipality,
 - (ii) that is within an area of settlement, and
 - (iii) that is located within a 3.5 kilometre distance, or such other distance as may be prescribed, perpendicular at each point from the property boundary of the property on which the proposed landfilling site would be situated.

Evidence of support

(5) For the purposes of subsection (4), the proponent shall provide to the Ministry,

- (a) a copy of a municipal council resolution for each local municipality in respect of which municipal support is required under subsection (4), indicating the municipality supports the undertaking to establish a waste disposal site that is a landfilling site;

- (b) a well-marked and legible map showing the location of the landfilling site, the boundaries of each local municipality mentioned in clause (a) and markings to illustrate the characteristics of a municipality under clause (4) (b); and
- (c) a description of the process used to identify the local municipalities whose support for the undertaking is required under subsection (4).

Resolution

(6) For greater certainty, a municipal council resolution described in clause (5) (a) is not a matter that falls within the waste management sphere of jurisdiction under subsection 11 (3) of the *Municipal Act, 2001*.

Evidence to be included in environmental assessment

(7) Subject to subsection (9), the information mentioned in subsection (5) shall be included in the environmental assessment submitted to the Ministry under subsection 6.2 (1).

Transition, terms of reference already submitted or approved

(8) For greater certainty, if a proponent mentioned in subsection (3) has given the Ministry proposed terms of reference under subsection 6 (1) or has received approval for a terms of reference under subsection 6 (4) before the day section 10 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* comes into force, this section applies.

Transition, environmental assessment already submitted

(9) If a proponent mentioned in subsection (3) has, before the day section 10 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* comes into force, already submitted an environmental assessment in respect of the undertaking and no decision has been made in respect of the application under section 9 or 9.1, the following rules apply:

1. Subsection (4) applies to the proponent and the information required under subsection (5) shall be submitted separately from the environmental assessment.
2. If the Ministry has not completed its review of the environmental assessment under section 7 before the day section 10 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* comes into force,
 - i. the Director shall not provide notice of completion under section 7.1 until the requirements set out in subsections (4) and (5) have been satisfied and the Director has provided the written confirmation described in subsection (10), and
 - ii. the deadline referred to in subsection 7 (2) does not apply to the review of the environmental assessment.
3. If the Ministry has provided a notice of completion of the review under section 7.1 before the day section 10 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* comes into force,
 - i. no decision shall be made under section 9 or 9.1 until the requirements set out in subsections (4) and (5) have been satisfied and the Director has provided the written confirmation described in subsection (10), and
 - ii. the deadlines referred to in subsections 10 (1) and (2) do not apply to the application.

Confirmation

(10) With respect to an environmental assessment submitted by a proponent mentioned in subsection (3), until the date the Director has confirmed in writing to the proponent that the requirements set out in subsections (4) and (5) have been satisfied with respect to the undertaking,

- (a) the environmental assessment is deemed not to have been received by the Ministry under subsection 6.2 (1); and
- (b) the proponent shall not give public notice of the submission of the environmental assessment under subsection 6.3 (1).

Exceptions

- (11) This section does not apply,
- (a) in respect of a waste disposal site that is a landfilling site established by the Minister under clause 4 (1) (k) of the *Environmental Protection Act*; or
 - (b) to a proponent seeking an approval under this Part if the approval is required pursuant to a regulation made under clause 176 (4) (o) of the *Environmental Protection Act* with respect to a waste disposal site that is a landfilling site.

11 The Act is amended by adding the following section:

Information to be made available

6.5 In addition to complying with any requirements under this Act with respect to public notice, a proponent shall make available such information as the Director may require with respect to the application and the undertaking in such form and manner as the Director may require.

12 (1) Subsection 7 (3) of the Act is repealed and the following substituted:

Extension

(3) The deadline for completing the review may be extended by the Director for a prescribed reason or for an unusual, unexpected or urgent reason that the Director considers compelling. The Director shall notify such persons as he or she considers appropriate if the deadline is extended.

(2) Subsection 7 (5) of the Act is amended by adding “or such other period as the Director may specify in the statement given under subsection (4)” at the end.

(3) Subsection 7 (6) of the Act is amended by adding “or such other period as the Director may specify in the statement given under subsection (4)” at the end.

13 (1) Clause 9 (1) (b) of the Act is amended by adding the following subclauses:

(iv.1) a process to be followed in respect of any changes to the undertaking that the proponent may wish to make after the approval is given, which process may include granting authority to the Director or Minister to,

(A) require the proponent to engage in additional consultation, and to provide additional information, in respect of proposed changes, and

(B) give approval, attach conditions to the approval or refuse to give approval to proceed with the changes,

(iv.2) that the process referred to in subclause (iv.1) is only available for specified changes or classes of changes to the undertaking,

(2) Section 9 of the Act is amended by adding the following subsections:

Subs. (1) (b) (iv.1), process to make changes

(1.1) A process mentioned in subclause (1) (b) (iv.1) may be set out in an approval or incorporated by reference into the approval.

Subs. (1) (b) (iv.1), application

(1.2) Subclause (1) (b) (iv.1) applies in respect of approval given under subsection (1) either before or after the day section 13 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* comes into force.

14 Subsection 10 (4) of the Act is repealed

15 Section 11.2 of the Act is amended by adding the following subsection:

Same

(2.1) If the Minister reviews under subsection (1) a decision of the Tribunal made under section 9.1 and then, with the approval of the Lieutenant Governor in Council or of such ministers of the Crown as the Lieutenant Governor in Council may designate, makes an order under clause (2) (a) or (b), the varied or substituted decision is deemed to be the decision made by the Minister, with the necessary approval, under section 9.

16 (1) The French version of subsection 11.4 (3.1) of the Act is amended by striking out “des épreuves ou des expériences relatives” and substituting “des tests, des analyses ou des expériences relatifs”.

(2) Subsection 11.4 (5) of the Act is repealed.

17 The Act is amended by adding the following section:

Expiry of approval

Application of section

11.5 (1) Subject to subsection (5), this section applies in respect of an approval to proceed with an undertaking if,

(a) approval has been given under this Part or a predecessor to this Part; and

(b) the approval does not specify a period of time following the giving of the approval after which the approval expires or a date after which a proponent cannot proceed under the approval.

Expiry

(2) If the undertaking has not been substantially commenced by the 10th anniversary of the day approval to proceed with the undertaking was given under this Act or by the end of any extension to that period granted by the Minister under subsection (3), the approval expires on the later of,

(a) the 10th anniversary or the end of the extended period, as the case may be; or

(b) the day section 17 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* comes into force.

Extension

(3) The Minister may, by notice to the proponent, grant an extension of the period within which an undertaking is to be substantially commenced beyond the 10th anniversary of the day approval to proceed with the undertaking was given and may grant such an extension subject to any conditions specified in the notice.

Same

(4) An extension under subsection (3) may be granted at any time, including after the 10th anniversary of the approval being given has passed.

Exception, regulations

(5) The Minister may make regulations exempting undertakings from this section.

Minister may include date

(6) If an undertaking is exempted from this section by a regulation under subsection (5), the Minister may amend the approval to proceed with that undertaking to include a date on which the approval will expire.

18 Section 12 of the Act is repealed and the following substituted:**Proposed change to an undertaking**

12 If a proponent wishes to change an undertaking after receiving approval to proceed with it, other than a change in the undertaking that is addressed in a condition mentioned in subclause 9 (1) (b) (iv.1), the proposed change to the undertaking shall be deemed to be an undertaking for the purposes of this Act.

19 (1) Subsection 12.2 (4) of the Act is amended by striking out “give or approve a loan” and substituting “give a loan”.

(2) Subsection 12.2 (5) of the Act is amended by striking out “may be given or approved” and substituting “may be given”

20 Part II of the Act is repealed.**21 (1) Sections 13 to 15.1 of the Act are repealed and the following substituted:****No applications**

13 On and after the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent, no application for approval of a class environmental assessment shall be submitted and any application in respect of which no approval has been given under this Part before that day shall be terminated.

Definition, change to undertaking

14 In this Part,

“change to an undertaking” means a change to an undertaking that is proposed after the undertaking is authorized to proceed under an approved class environmental assessment and is provided for in the approved class environmental assessment.

Application of Part

15 Sections 15.1 to 17 apply in respect of undertakings to which one of the following approved class environmental assessments, as amended or renamed from time to time, applies:

1. GO Transit Class Environmental Assessment Document approved by the Lieutenant Governor in Council on December 13, 1995 under Order in Council 2316/1995.
2. Class Environmental Assessment for Provincial Transportation Facilities approved by the Lieutenant Governor in Council on October 6, 1999 under Order in Council 1653/1999.
3. Municipal Class Environmental Assessment approved by the Lieutenant Governor in Council on October 4, 2000 under Order in Council 1923/2000.
4. Class Environmental Assessment for MNR Resource Stewardship and Facility Development Projects approved by the Lieutenant Governor in Council on December 11, 2002 under Order in Council 2211/2002.
5. Class Environmental Assessment for Remedial Flood and Erosion Control Projects approved by the Lieutenant Governor in Council on June 26, 2002 under Order in Council 1381/2002.
6. Class Environmental Assessment Process for Management Board Secretariat and Ontario Realty Corporation approved by the Lieutenant Governor in Council on April 28, 2004 under Order in Council 913/2004.
7. Class Environmental Assessment for Provincial Parks and Conservation Reserves approved by the Lieutenant Governor in Council on September 23, 2004 under Order in Council 1900/2004.
8. Class Environmental Assessment for Waterpower Projects approved by the Lieutenant Governor in Council on September 24, 2008 under Order in Council 1623/2008.

9. Class Environmental Assessment for Activities of the Ministry of Northern Development and Mines under the Mining Act approved by the Lieutenant Governor in Council on December 12, 2012 under Order in Council 1952/2012.
10. Class Environmental Assessment for Minor Transmission Facilities of Hydro One approved by the Lieutenant Governor in Council on November 16, 2016 under Order in Council 1726/2016.

Director to receive certain notices

15.1 (1) The proponent of an undertaking referred to in section 15 who issues a notice of completion or a notice of addendum under an approved class environmental assessment shall submit a copy of the notice to the Director in the manner specified by the Director.

Same, transition

(2) If a notice of completion or notice of addendum is issued under an approved class environmental assessment during the 30 days before the day subsection 21 (1) of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* came into force, the copy of the notice that is required to be submitted to the Director under subsection (1) shall be submitted no later than 5 days following the day that section came into force.

Extension of comment period

(3) If a proponent of an undertaking referred to in section 15 extends the comment period provided for in a notice of completion or a notice of addendum in accordance with the approved class environmental assessment, the proponent shall give the Director notice of the extension.

Prohibitions, proceeding with undertaking

15.1.1 (1) No person shall proceed with an undertaking referred to in section 15 unless the person does so in accordance with the approved class environmental assessment and with subsections (5) to (9). The prohibitions in subsections 5 (3) and (4) do not apply with respect to such an undertaking.

Exception

(2) Despite subsection (1), a proponent of an undertaking referred to in section 15 may apply under subsection 5 (1) to the Minister for approval to proceed with the undertaking under Part II. Subsection (1) and subsections (5) to (9) do not apply with respect to such an undertaking and the prohibitions in subsections 5 (3) and (4) apply.

Same

(3) Subsection (2) ceases to apply if the application for approval to proceed with the undertaking under Part II is withdrawn by the proponent.

Same

(4) Despite subsection (1), a proponent shall apply to the Minister for approval to proceed with an undertaking referred to in section 15 in accordance with Part II if the Minister makes an order under subsection 16 (1) requiring the proponent to comply with Part II. Subsection (1) and subsections (5) to (9) do not apply with respect to such an undertaking and the prohibitions in subsections 5 (3) and (4) apply.

Limitation on proceeding

(5) Despite anything in an approved class environmental assessment, no person shall proceed with an undertaking referred to in section 15 until at least 30 days, or such other number of days as may be prescribed, after the end of the comment period provided for in a notice of completion issued under the approved class environmental assessment, as that comment period may be extended in accordance with the approved class environmental assessment.

Same

(6) Despite subsection (5), if a notice of a proposed order is given to a proponent by the Director under subsection 16.1 (2), subsection (5) does not apply and no person shall proceed with the undertaking until at least 30 days, or such other number of days as may be prescribed, after the day the notice of the proposed order was given, subject to subsection (7).

Same

(7) If a notice of a proposed order includes a request for information made by the Director under subsection 16.1 (4), subsections (5) and (6) do not apply and the proponent shall not proceed with the undertaking until,

- (a) if the proponent provides all the requested information on or before the deadline specified in the notice of a proposed order and receives a notice of satisfactory response from the Director under clause 16.1 (6) (a), at least 30 days, or such other number of days as may be prescribed, after the Director gives the proponent a notice of satisfactory response under clause 16.1 (6) (a); or
- (b) if the proponent fails to provide all the requested information on or before the deadline specified in the notice of a proposed order and receives a notice of unsatisfactory response from the Director under clause 16.1 (7) (a), at least 30 days, or such other number of days as may be prescribed, that follows the comment period provided for in,

- (i) a new notice of completion that the proponent is required to issue under clause 16.1 (7) (c), or
- (ii) any further notice of completion that may be required of the proponent under subsection 16.1 (9), until such time as the Director is satisfied that all the information requested in the notice of the proposed order has been provided by the proponent in the notice of completion.

Same, transition

(8) For greater certainty, the limitations in subsections (5) to (7) apply with respect to an undertaking referred to in section 15 where the notice of completion was issued under the approved class environmental assessment during the 30 days before the day subsection 21 (1) of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* came into force and a copy of the notice is required to be submitted to the Director under subsection 15.1 (2).

Same, application for s. 16 order

(9) Despite anything in an approved class environmental assessment, if a request is made under subsection 16 (6) for the Minister to make an order under section 16 in respect of an undertaking that is proceeding under the approved class environmental assessment, no person shall proceed with the undertaking while the Minister's decision with respect to the request is still pending.

Change to undertaking

(10) This section applies with necessary modifications to a change to an undertaking that has been authorized to proceed in accordance with an approved class environmental assessment and, for the purposes of the application of subsections (5) to (9) to such a change, any reference in those subsections to a notice of completion shall be deemed to be a reference to a notice of addendum issued with respect to the change to the undertaking under the approved class environmental assessment.

Activities permitted before authorization to proceed

15.1.2 (1) Before a proponent is authorized to proceed with an undertaking referred to in section 15, a person may,

- (a) take any action in connection with the undertaking that may be necessary to comply with this Act;
- (b) acquire property or rights in property in connection with the undertaking;
- (c) prepare a feasibility study and engage in research in connection with the undertaking; or
- (d) establish a reserve fund or another financing mechanism in connection with the undertaking.

Restriction on issuing certain documents

(2) No person shall issue a document evidencing that an authorization required at law to proceed with the undertaking has been given until the proponent is authorized to proceed with the undertaking under an approved class environmental assessment.

Exception

(3) Despite subsection (2), a document described in that subsection may be issued with respect to an activity permitted by subsection (1) before the proponent is authorized to proceed with the undertaking under an approved class environmental assessment.

Restriction on provincial funding

(4) The Crown or a Crown agency shall not give a loan, grant, subsidy or guarantee with respect to the undertaking until the proponent is authorized to proceed with the undertaking under an approved class environmental assessment.

Exception

(5) Despite subsection (4), a loan, grant, subsidy or guarantee described in that subsection may be given with respect to an activity permitted by subsection (1) before the proponent is authorized to proceed with the undertaking under an approved class environmental assessment.

Prohibition following approval

(6) No person shall issue a document described in subsection (2) or give a loan, grant, subsidy or guarantee described in subsection (4) with respect to an undertaking if it would be inconsistent with the approved class environmental assessment.

Reconsideration of approval

15.1.3 (1) If there is a change in circumstances or new information concerning the approval of a class environmental assessment listed in section 15 and if the Minister considers it appropriate to do so, he or she may reconsider the approval under this section.

Same

(2) The Minister may request the Tribunal to determine whether it is appropriate to reconsider the approval.

Same

(3) The Minister may refer the reconsideration of the approval of a class environmental assessment under this section to the Tribunal and, in that case, the Tribunal may conduct the reconsideration instead of the Minister.

Minister may require plans, etc.

(4) For the purposes of making a decision under this section, the Minister or the Tribunal may, by order, require a person given approval in respect of a class environmental assessment to provide plans, specifications, technical reports or other information and to carry out and report on tests or experiments.

Amendment, revocation

(5) After reconsidering an approval under this section, the Minister or Tribunal may amend or revoke the approval.

Rules, etc.

(6) A decision under this section shall be made in accordance with any rules and subject to any restrictions as may be prescribed.

(2) Subsection 15.1.1 (1) of the Act, as enacted by subsection (1), is amended by striking out “The prohibitions in subsections 5 (3) and (4) do not apply with respect to such an undertaking” at the end.

(3) Subsections 15.1.1 (2) and (3) of the Act, as enacted by subsection (1), are repealed and the following substituted:

Exception

(2) Despite subsection (1), a proponent of an undertaking referred to in section 15 may apply under subsection 17.2 (1) to the Minister for approval to proceed with the undertaking as a Part II.3 project. On and after the day the proponent applies under subsection 17.2 (1), the undertaking shall be deemed to be a Part II.3 project and Part II.3 applies in respect of it instead of this section.

Same

(3) Subsection (2) ceases to apply if the application for approval to proceed with the undertaking as a Part II.3 project is withdrawn by the proponent.

(4) Subsection 15.1.1 (4) of the Act, as enacted by subsection (1), is repealed and the following substituted:

Same

(4) Despite subsection (1), if the Minister makes an order under subsection 16 (1) declaring an undertaking referred to in section 15 to be a Part II.3 project for the purposes of this Act, subsection (1) ceases to apply with respect to the project and Part II.3 applies.

22 The Act is amended by adding the following section:**Amendment, etc. by regulation**

15.1.4 The Lieutenant Governor in Council may by regulation amend or revoke an approval of a class environmental assessment or amend an approved class environmental assessment.

23 (1) Paragraph 1 of subsection 15.3 (3) of the Act is repealed and the following substituted:

1. Class Environmental Assessment for MNR Resource Stewardship and Facility Development Projects approved by the Lieutenant Governor in Council on December 11, 2002 under Order in Council 2211/2002.

(2) Paragraph 4 of subsection 15.3 (4) of the Act is repealed and the following substituted:

4. Category A of the Class Environmental Assessment for MNR Resource Stewardship and Facility Development Projects approved by the Lieutenant Governor in Council on December 11, 2002 under Order in Council 2211/2002.

24 The French version of subsection 15.4 (2) of the Act is amended by striking out “du projet de modification” and substituting “de la modification proposée”.

25 (1) Section 16 of the Act is repealed and the following substituted:**Order to comply with Part II**

16 (1) The Minister may by order require a proponent to comply with Part II before proceeding with a proposed undertaking referred to in section 15.

Same

(2) In an order under subsection (1), the Minister may do the following:

1. Set out directions with respect to the terms of reference governing the preparation of an environmental assessment for the undertaking.

2. Declare that the proponent has satisfied such requirements for the preparation of an environmental assessment as are specified in the order.

Order imposing additional conditions

(3) The Minister may by order impose conditions on an undertaking referred to in section 15, in addition to the conditions that were imposed upon the approval of the class environmental assessment.

Same

(4) An order under subsection (1) or (3) may be made on the initiative of the Minister or on the request of a person under subsection (6).

Basis for order

(5) The Minister shall consider the following matters when making an order under subsection (1) or (3):

1. The purpose of this Act.
2. The factors suggesting that the proposed undertaking differs from other undertakings in the class to which the class environmental assessment applies.
3. The significance of the factors and of the differences mentioned in paragraph 2.
4. If a request for the order was made by a person under subsection (6), any ground for making the request that is given by that person and permitted under subsection (6).
5. The mediators' report, if any, following a referral under subsection (7).
6. Such other matters as may be prescribed.
7. Such other matters as the Minister considers appropriate.

Request for order

(6) A person may request the Minister to make an order under this section only on the grounds that the order may prevent, mitigate or remedy adverse impacts on the existing aboriginal and treaty rights of the aboriginal peoples of Canada as recognized and affirmed in section 35 of the *Constitution Act, 1982*.

Mediation

(7) The Minister may refer a matter in connection with a request made under subsection (6) to mediation and section 8 applies with necessary modifications.

Order after request

(8) For the purpose of considering a request made by a person under subsection (6), the Director may require the proponent to undertake such consultations and to provide such information as the Director may specify.

Refusal after request

(9) If, after receiving a request under subsection (6), the Minister refuses to make an order, the Minister shall give the person who made the request and the proponent notice of his or her decision together with the reasons for the decision.

Notice of order

(10) The Minister shall give a copy of an order made under this section, together with the reasons for it, to the proponent, to the person who requested the order, if any and to such other persons as the Minister considers advisable.

Change to undertaking

(11) The Minister may make an order under this section with respect to a change to an undertaking and this section shall apply with necessary modifications to such an order.

Conflict

(12) This section prevails over anything to the contrary that may be provided for in an approved class environmental assessment.

Amendment of s. 16 (3) order

(13) The Minister may, in accordance with the regulations, if any, amend any order made under subsection 16 (3), regardless of whether the order was made before or after subsection 25 (1) of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* came into force.

Time limit for orders

16.1 (1) The Minister shall not make an order under subsection 16 (1) or (3) on his or her own initiative if more than 30 days, or such other number of days as may be prescribed, has elapsed after the end of the comment period provided for in a notice of

completion issued under the approved class environmental assessment, as that comment period may be extended in accordance with the approved class environmental assessment.

Notice of proposed order

(2) Despite subsection (1), the Minister may make an order under subsection 16 (1) or (3) on his or her own initiative after the time limit described in subsection (1) if before the time limit has elapsed the Director gives the proponent notice that the Minister is considering making the order.

New time limit

(3) If notice of a proposed order is given by the Director under subsection (2), the Minister may make the order under subsection 16 (1) or (3) only if he or she does so,

- (a) before the end of the 30-day period, or such other time period as may be prescribed, that follows the giving of the notice of the proposed order; or
- (b) if the Director includes in the notice of the proposed order a request for information under subsection (4), before the end of the 30-day period, or such other time period as may be prescribed, that follows the day the Director gives the proponent a notice of satisfactory response under clause (6) (a), subject to subsections (7) to (12).

Request for information

(4) In a notice of a proposed order, the Director may request that the proponent provide such information as the Director believes is necessary to assist the Minister in determining whether to make the order and that the information be provided on or before the specified deadline.

Compliance with request

(5) The proponent shall give the Director the information specified in the notice of the proposed order on or before the deadline specified in the notice.

Same

(6) If the Director is satisfied that the proponent has provided all the information requested in the notice of the proposed order within the specified deadline,

- (a) the Director shall give the proponent a notice of satisfactory response; and
- (b) the Minister may make the order within the time limit set out in clause (3) (b).

Failure to comply with request

(7) If a proponent fails to provide all the information requested in the notice of the proposed order within the specified deadline or if, upon review of the information provided, the Director is not satisfied that all the information requested has been provided,

- (a) the Director shall give the proponent a notice of unsatisfactory response;
- (b) the time limits under subsections (1) and (3) that applied with respect to the comment period provided for in the notice of completion previously issued by the proponent cease to apply;
- (c) the proponent shall issue a new notice of completion in accordance with subsection (9); and
- (d) the time limits under subsections (1) and (3) shall apply with respect to the comment period provided for in the new notice of completion.

Notice of unsatisfactory response

(8) A notice of unsatisfactory response issued by the Director under clause (7) (a) shall,

- (a) specify the information that the proponent must provide in order to satisfy the request for information that was made by the Director in the notice of the proposed order; and
- (b) advise the proponent that a new notice of completion must be issued by the proponent within the time period specified by the Director.

New notice of completion

(9) On or before the end of the time period specified by the Director in the notice of unsatisfactory response, the proponent shall,

- (a) issue a new notice of completion in accordance with such directions as may be specified by the Director; and
- (b) provide to the Director all of the information specified by the Director in the notice of unsatisfactory response.

New comment period

(10) The notice of completion issued under clause (9) (a) shall provide for a new comment period which shall be at least 30 days in duration.

Further failure to comply

(11) If a proponent fails to comply with subsections (9) and (10), subsections (7), (8), (9) and (10) shall apply with necessary modifications to that failure.

Same

(12) Subsection (11) shall apply to successive failures to comply with subsections (9) and (10) until the Director is satisfied that the proponent has provided all the requested information and issues a notice of satisfactory response in accordance with subsection (6) and, when the Director issues a notice of satisfactory response, the time limit set out in clause (6) (b) shall apply with respect to any order to be made by the Minister under subsection 16 (1) or (3) on his or her own initiative.

Change to undertaking

(13) This section applies if the Minister is considering making an order under subsection 16 (1) or (3) with respect to a change to an undertaking and, for the purpose of that application, any reference in this section to a notice of completion shall be deemed to be a reference to a notice of addendum.

Same, transition

(14) For greater certainty, the time limits in this section apply with respect to an undertaking referred to in section 15 where the notice of completion was issued under the approved class environmental assessment during the 30 days before the day subsection 21 (1) of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* came into force and a copy of the notice is required to be submitted to the Director under subsection 15.1 (2).

(2) Subsection 16 (1), as re-enacted by subsection (1), is repealed and the following substituted:

Order to comply with Part II.3

(1) The Minister may make an order declaring a proposed undertaking referred to in section 15 to be a Part II.3 project.

(3) Paragraph 1 of subsection 16 (2) of the Act, as re-enacted by subsection (1), is amended by striking out “undertaking” at the end and substituting “project”.

26 Part II.1 of the Act is repealed.

27 The French version of clause 17.1 (4) (b) of the Act is amended by striking out “tout projet, plan ou programme” at the beginning and substituting “toute proposition, tout plan ou tout programme”.

28 Part II.2 of the Act is repealed.

29 The Act is amended by adding the following Part:

**PART II.3
COMPREHENSIVE ENVIRONMENTAL ASSESSMENTS**

Approval for project

17.2 (1) Every proponent who wishes to proceed with a Part II.3 project shall apply to the Minister for approval to do so.

Application

(2) The application consists of the proposed terms of reference submitted under subsection 17.4 (1) and the environmental assessment subsequently submitted under subsection 17.7 (1).

Form, manner of application

(3) An application shall be submitted to the Minister in the form and manner specified by the Director.

Prohibition

(4) No person shall proceed with a Part II.3 project unless the Minister gives his or her approval to proceed under section 17.15 or the Tribunal gives its approval under section 17.16.

Same

(5) No person shall proceed with a Part II.3 project in a manner inconsistent with a condition imposed by the Minister or the Tribunal for proceeding with it.

Potential non-compliance

(6) A proponent who has received approval to proceed with a Part II.3 project shall promptly notify the Minister if the proponent may not be able to comply with the approval as a result of a change in circumstances.

Obligation to consult

17.3 When preparing proposed terms of reference and an environmental assessment, the proponent shall consult with such persons as may be interested.

Terms of reference

17.4 (1) The proponent shall give the Ministry proposed terms of reference governing the preparation of an environmental assessment for the Part II.3 project.

Same

(2) The proposed terms of reference must,

- (a) indicate that the environmental assessment will be prepared in accordance with the requirements set out in subsection 17.6 (2);
- (b) indicate that the environmental assessment will be prepared in accordance with such requirements as may be prescribed for the class of Part II.3 project the proponent wishes to proceed with, which may include requirements to provide information that is greater than or less than what is required under subsection 17.6 (2); or
- (c) specify in detail the requirements for the preparation of the environmental assessment, which may include requirements to provide information that is greater than or less than what is required under subsection 17.6 (2).

Same

(3) The proposed terms of reference must be accompanied by a description of the consultations by the proponent and the results of the consultations.

Public notice

(4) The proponent shall give public notice of the proposed terms of reference and shall do so by the prescribed deadline and in the form and manner required by the Director.

Same

(5) The public notice must indicate where and when members of the public may inspect the proposed terms of reference, state that they may give their comments about the proposed terms of reference to the Ministry and contain such other information as may be prescribed or as the Director may require.

Notice to clerk of a municipality

(6) The proponent shall give the information contained in the public notice to the clerk of each municipality in which the Part II.3 project is to be carried out and shall do so by the deadline for giving the public notice.

Notice to other persons

(7) The proponent shall give the information contained in the public notice to such other persons as the Director may require and shall do so by the deadline for giving the public notice.

Public inspection

(8) Any person may inspect the proposed terms of reference in the places and at the times set out in the public notice.

Comments

(9) Any person may comment in writing on the proposed terms of reference to the Ministry and, if the person wishes the comments to be considered by the Minister in deciding whether to approve the proposed terms of reference, shall submit the comments by the prescribed deadline.

Approval

(10) The Minister shall approve the proposed terms of reference, with any amendments that he or she considers necessary, if he or she is satisfied that an environmental assessment prepared in accordance with the approved terms of reference will be consistent with the purpose of this Act and the public interest.

Same

(11) The amendments made by the Minister under subsection (10) may include amendments to impose requirements that are greater than or less than the requirements of the regulations if the Minister is of the opinion that in the circumstances, the amendments are necessary in order to ensure that an environmental assessment prepared in accordance with the approved terms of reference will be consistent with the purpose of this Act and the public interest.

Mediation

(12) Before approving proposed terms of reference, the Minister may refer a matter in connection with them to mediation, and section 17.14 applies with necessary modifications.

Deadline, Minister's decision

(13) The Minister shall notify the proponent whether or not the proposed terms of reference are approved and shall do so by the prescribed deadline.

Same

(14) If the Minister has not notified the proponent under subsection (13) by the prescribed deadline, the Minister shall provide written reasons to the proponent indicating why a decision was not made and when a decision is expected to be made.

Landfilling site, municipal support required**Definitions**

17.5 (1) In this section,

“area of settlement” has the same meaning as in subsection 1 (1) of the *Planning Act*; (“zone de peuplement”)

“landfilling site” means a waste disposal site where landfilling occurs; (“lieu d’enfouissement”)

“parcel of land” has the same meaning as in subsection 46 (1) of the *Planning Act*; (“parcelle de terrain”)

“waste disposal site” has the same meaning as in Part V of the *Environmental Protection Act*. (“lieu d’élimination des déchets”)

Same

(2) For the purposes of this section, the following terms have the meaning assigned to them under subsection 1 (1) of the *Municipal Act, 2001*:

1. Local municipality.
2. Municipality.

Application

(3) This section applies in respect of a proponent who wishes to proceed with a Part II.3 project to establish a waste disposal site that is a landfilling site.

Local municipalities whose support is required

(4) A proponent mentioned in subsection (3) shall, in accordance with subsection (5), obtain municipal support for the project from each local municipality,

- (a) in which the landfilling site would be situated; and
- (b) in which there is, as of the day on which the proponent gives public notice of the proposed terms of reference under subsection 17.4 (4), a parcel of land,
 - (i) on which residential uses, other than residential uses that are ancillary to other uses, are authorized by the official plan of the municipality,
 - (ii) that is within an area of settlement, and
 - (iii) that is located within a 3.5 kilometre distance, or such other distance as may be prescribed, perpendicular at each point from the property boundary of the property on which the proposed landfilling site would be situated.

Evidence of support

(5) For the purposes of subsection (4), the proponent shall provide to the Ministry,

- (a) a copy of a municipal council resolution for each local municipality in respect of which municipal support is required under subsection (4), indicating the municipality supports the project to establish a waste disposal site that is a landfilling site;
- (b) a well-marked and legible map showing the location of the landfilling site, the boundaries of each local municipality mentioned in clause (a) and markings to illustrate the characteristics of a municipality under clause (4) (b); and
- (c) a description of the process used to identify the local municipalities whose support for the project is required under subsection (4).

Resolution

(6) For greater certainty, a municipal council resolution described in clause (5) (a) is not a matter that falls within the waste management sphere of jurisdiction under subsection 11 (3) of the *Municipal Act, 2001*.

Evidence to be included in environmental assessment

(7) The information mentioned in subsection (5) shall be included in the environmental assessment submitted to the Ministry under subsection 17.7 (1).

Confirmation

(8) With respect to an environmental assessment submitted by a proponent mentioned in subsection (3), until the date the Director has confirmed in writing to the proponent that the requirements set out in subsections (4) and (5) have been satisfied with respect to the project,

- (a) the environmental assessment is deemed not to have been received by the Ministry under subsection 17.7 (1); and
- (b) the proponent shall not give public notice of the submission of the environmental assessment under subsection 17.8 (1).

Exceptions

- (9) This section does not apply,
 - (a) in respect of a waste disposal site that is a landfilling site established by the Minister under clause 4 (1) (k) of the *Environmental Protection Act*; or
 - (b) to a proponent seeking an approval under this Part if the approval is required pursuant to a regulation made under clause 176 (4) (o) of the *Environmental Protection Act* with respect to a waste disposal site that is a landfilling site.

Preparation of environmental assessment

17.6 (1) The proponent shall prepare an environmental assessment for a Part II.3 project in accordance with the approved terms of reference.

Contents

- (2) Subject to clauses 17.4 (2) (b) and (c), the environmental assessment must consist of,
 - (a) a description of the purpose of the project;
 - (b) a description of and a statement of the rationale for,
 - (i) the Part II.3 project,
 - (ii) the alternative methods of carrying out the Part II.3 project, and
 - (iii) the alternatives to the Part II.3 project;
 - (c) a description of,
 - (i) the environment that will be affected or that might reasonably be expected to be affected, directly or indirectly,
 - (ii) the effects that will be caused or that might reasonably be expected to be caused to the environment, and
 - (iii) the actions necessary or that may reasonably be expected to be necessary to prevent, change, mitigate or remedy the effects upon or the effects that might reasonably be expected upon the environment, by the Part II.3 project, the alternative methods of carrying out the Part II.3 project and the alternatives to the Part II.3 project;
 - (d) an evaluation of the advantages and disadvantages to the environment of the Part II.3 project, the alternative methods of carrying out the Part II.3 project and the alternatives to the Part II.3 project; and
 - (e) a description of any consultation about the Part II.3 project by the proponent and the results of the consultation.

Submission of environmental assessment

17.7 (1) After receiving notice that the terms of reference of a Part II.3 project are approved by the Minister, the proponent shall submit an environmental assessment for the project to the Ministry.

Time limits

- (2) A time period within which a proponent must submit an environmental assessment for a Part II.3 project to the Ministry may be set out in the approved terms of reference or may be prescribed.

Compliance with time limits

- (3) A proponent of a Part II.3 project shall submit the environmental assessment for the project,
 - (a) within the time period set out in the approved terms of reference, if any; or
 - (b) if no time period is set out in the approved terms of reference, within any prescribed time period.

Extension of deadline

- (4) Any time period for the submission of an environmental assessment that is prescribed in accordance with subsection (2) may be extended by the Minister by such further time period as the Minister considers appropriate, but the extension shall not exceed any prescribed maximum time period.

Termination, missed deadline

- (5) If a proponent does not submit an environmental assessment for a Part II.3 project by the end of the applicable time period, the application shall be terminated.

Replacement terms of reference

(6) If an application for approval of a Part II.3 project is terminated under subsection (5), the proponent may give the Minister a second proposed terms of reference with respect to the Part II.3 project under subsection 17.4 (1) and the second proposed terms of reference may be the same as the terms of reference previously given and approved.

Amendment or withdrawal

(7) After it is submitted to the Ministry, the proponent may amend or withdraw the environmental assessment at any time before the deadline for completion of the Ministry review of the environmental assessment.

Same

(8) The proponent may amend or withdraw the environmental assessment after the deadline for completion of the Ministry review only upon such conditions as the Minister may by order impose.

Same

(9) The Minister may by order amend or revoke conditions imposed under this section.

Public notice of submission

17.8 (1) The proponent shall give public notice of the submission of the environmental assessment and shall do so by the prescribed deadline and in the form and manner as the Director may require.

Same

(2) The public notice must indicate where and when members of the public may inspect the environmental assessment, state that they may give their comments about it to the Ministry and contain such other information as the Director may require.

Notice to clerk of a municipality

(3) The proponent shall give the information contained in the public notice to the clerk of each municipality in which the Part II.3 project is to be carried out and shall do so by the deadline for giving the public notice.

Notice to other persons

(4) The proponent shall give the information contained in the public notice to such other persons as the Director may require and shall do so by the deadline for giving the public notice.

Public inspection of environmental assessment

17.9 (1) Any person may inspect the environmental assessment in the places and at the times set out in the public notice.

Comments

(2) Any person may comment in writing on the Part II.3 project or on the environmental assessment to the Ministry and, if the person wishes the comments to be considered during the preparation of the Ministry review, shall submit the comments by the prescribed deadline.

Information to be made available

17.10 In addition to complying with any requirements under this Act with respect to public notice, a proponent shall make available such information as the Director may require with respect to the application and the Part II.3 project in such form and manner as the Director may require.

MINISTRY REVIEW**Ministry review of environmental assessment**

17.11 (1) The Ministry shall prepare a review of the environmental assessment and shall take into account any comments received from members of the public by the deadline prescribed under subsection 17.9 (2).

Completion date

(2) The review must be completed by the prescribed deadline.

Extension

(3) The deadline for completing the review may be extended by the Director for a prescribed reason or for an unusual, unexpected or urgent reason that the Director considers compelling. The Director shall notify such persons as he or she considers appropriate if the deadline is extended.

Deficient environmental assessment

(4) If the Director considers that the environmental assessment is deficient in relation to the approved terms of reference and the purpose of this Act, the Director may give the proponent a statement describing the deficiencies and shall do so at least 14 days before the deadline for completing the review.

Remedying deficiencies

(5) The proponent may take such steps as are necessary to remedy the deficiencies described in the statement and shall do so within seven days after receiving the statement or such other period as the Director may specify in the statement given under subsection (4).

Rejection of environmental assessment

(6) The Minister may reject the environmental assessment if the Director is not satisfied that the deficiencies have been remedied within the seven-day period or such other period as the Director may specify in the statement given under subsection (4).

Notice of rejection

(7) The Director shall notify the proponent, the clerk of each municipality in which the Part II.3 project is to be carried out and the public if the Minister rejects the environmental assessment, and shall do so before the deadline for completing the review.

Notice of completion of Ministry review

17.12 (1) The Director shall notify the proponent and the clerk of each municipality in which the Part II.3 project is to be carried out when the Ministry review is completed.

Public notice

(2) The Director shall give public notice of the completion of the review in such form and manner as the Director considers suitable.

Same

(3) The public notice must indicate where and when members of the public may inspect the review and state that they may give their comments about it to the Ministry. It must also contain such other information as may be prescribed.

Public inspection of Ministry review

17.13 (1) Any person may inspect the Ministry review in the places and at the times set out in the public notice.

Comments

(2) Any person may comment in writing on the Part II.3 project, the environmental assessment and the review to the Ministry and, if the person wishes the comments to be considered when the Minister decides the proponent's application, shall submit the comments by the prescribed deadline.

Request for hearing

(3) Any person may request that the Minister refer the proponent's application or a matter that relates to it to the Tribunal for hearing and decision.

Same

(4) A request under subsection (3) must be made in writing to the Ministry before the deadline for submitting comments on the review.

DECISIONS ON THE APPLICATION

Mediation

17.14 (1) Before the application is decided, the Minister may appoint one or more persons to act as mediators who shall endeavour to resolve such matters as may be identified by the Minister as being in dispute or of concern in connection with the Part II.3 project.

Same

(2) The Minister may appoint the Tribunal to act as mediator.

Notice of mediation

(3) The Minister shall notify the following persons of his or her decision to refer certain matters to mediation and shall give them written reasons for the decision:

1. The proponent.
2. The clerk of each municipality in which the Part II.3 project is to be carried out.
3. Every person who submitted comments under subsection 17.9 (2) or 17.13 (2).
4. Such other persons as the Minister considers appropriate.

Parties

(4) The parties to the mediation are the proponent and such other persons as the Minister may identify. Instead of identifying parties by name, the Minister may determine the manner in which they are to be identified and invited to participate.

Closed proceedings

(5) Unless the mediators decide otherwise, the mediation is not open to the public.

Report

(6) The mediators shall give the Minister a written report on the conduct and results of the mediation.

Deadline

(7) The mediators shall give their report to the Minister within 60 days after their appointment or by such earlier deadline as the Minister may specify.

Confidentiality

(8) No person except the Minister shall make public any portion of the report.

Disclosure

(9) The Minister shall make the report public promptly after the Minister makes his or her decision under section 17.15 or the decision of the Tribunal under section 17.16 becomes effective. The Minister may make all or part of the report public before then only with the consent of the parties to the mediation.

Fees and expenses

(10) The proponent shall pay the fees and reasonable expenses of the mediators.

Decision by Minister

17.15 (1) The Minister may decide an application and, with the approval of the Lieutenant Governor in Council or of such ministers of the Crown as the Lieutenant Governor in Council may designate, the Minister may,

- (a) give approval to proceed with the Part II.3 project;
- (b) give approval to proceed with the Part II.3 project subject to such conditions as the Minister considers necessary to carry out the purpose of this Act and in particular requiring or specifying,
 - (i) the methods and phasing of the carrying out of the Part II.3 project,
 - (ii) the works or actions to prevent, mitigate or remedy effects of the Part II.3 project on the environment,
 - (iii) such research, investigations, studies and monitoring programs related to the Part II.3 project, and reports thereof, as the Minister considers necessary,
 - (iv) such changes in the Part II.3 project as the Minister considers necessary,
 - (v) a process to be followed in respect of any changes to the project that the proponent may wish to make after the approval is given, which may include granting authority to the Director or Minister to,
 - (A) require the proponent to engage in additional consultation, and to provide additional information, in respect of proposed changes, and
 - (B) give approval, attach conditions to the approval or refuse to give approval to proceed with the changes,
 - (vi) that the process referred to in subclause (v) is only available for specified changes or classes of changes to the projects,
 - (vii) that the proponent enter into one or more agreements related to the Part II.3 project with any person with respect to such matters as the Minister considers necessary,
 - (viii) that the proponent comply with all or any of the provisions of the environmental assessment that may be incorporated by reference in the approval,
 - (ix) the period of time during which the Part II.3 project or any part thereof shall be commenced or carried out; or
- (c) refuse to give approval to proceed with the Part II.3 project.

Subs. (1) (b) (v), process to make changes

(2) A process mentioned in subclause (1) (b) (v) may be set out in an approval or may be incorporated by reference into an approval.

Basis for decision

(3) The Minister shall consider the following matters when deciding an application:

1. The purpose of this Act.
2. The approved terms of reference for the environmental assessment.
3. The environmental assessment.
4. The Ministry review of the environmental assessment.
5. The comments submitted under subsections 17.9 (2) and 17.13 (2).
6. The mediator's report, if any, given to the Minister under section 17.14.
7. Such other matters as the Minister considers relevant to the application.

Notice to proponent

(4) The Minister shall notify the proponent of the decision and shall give the proponent written reasons for it.

Notice to others

(5) The Minister shall notify every person who submitted comments to the Ministry under subsection 17.13 (2) of the decision.

Referral to Tribunal

17.16 (1) The Minister may refer an application to the Tribunal for a decision.

Powers of Tribunal

(2) The Tribunal may make any decision the Minister is permitted to make under subsection 17.15 (1).

Basis for decision

(3) The Tribunal shall consider the following things when deciding an application:

1. The purpose of this Act.
2. The approved terms of reference for the environmental assessment.
3. The environmental assessment.
4. The Ministry review of the environmental assessment.
5. The comments submitted under subsections 17.9 (2) and 17.13 (2).
6. If a mediators' report has been given to the Minister under section 17.14, any portion of the report that has been made public.

Same

(4) The decision of the Tribunal must be consistent with the approved terms of reference for the environmental assessment.

Deadline

(5) The Tribunal shall make its decision by the deadline the Minister specifies or by such later date as the Minister may permit if he or she considers that there is a sufficient reason (which is unusual, urgent or compassionate) for doing so.

Referral to Tribunal of part of a decision

17.17 (1) The Minister may refer to the Tribunal for hearing and decision a matter that relates to an application.

Restrictions

(2) The Minister may give such directions or impose such conditions on the referral as the Minister considers appropriate and may amend the referral.

Proposed decision

(3) The Minister shall inform the Tribunal of decisions that the Minister proposes to make on matters not referred to the Tribunal in connection with the application.

Notice of referral

(4) The Minister shall give notice of the referral to the proponent and to every person who submitted comments to the Ministry under subsection 17.13 (2) and shall give them the information given to the Tribunal under subsection (3).

Basis for decision

(5) The Tribunal shall observe any directions given and conditions imposed by the Minister when referring the matter to the Tribunal and shall consider the following things to the extent that the Tribunal considers them relevant:

1. The purpose of this Act.
2. The approved terms of reference for the environmental assessment.

3. The Ministry review of the environmental assessment.
4. The comments submitted under subsections 17.9 (2) and 17.13 (2).
5. If a mediators' report has been given to the Minister under section 17.14, any portion of the report that has been made public.
6. The decisions the Minister proposes to make on matters not referred to the Tribunal in connection with the application.

Deadline for deciding

(6) The Tribunal shall make its decision by the deadline the Minister specifies or by such later date as the Minister may permit if he or she considers that there is a sufficient reason (which is unusual, urgent or compassionate) for doing so.

Request for referral to Tribunal

17.18 (1) This section applies if under subsection 17.13 (3) a person requests the Minister to refer an application or a matter that relates to one to the Tribunal for hearing and decision.

Referral of application

(2) If referral of the application is requested, the Minister shall refer the application to the Tribunal under section 17.16 unless in his or her absolute discretion,

- (a) the Minister considers the request to be frivolous or vexatious;
- (b) the Minister considers a hearing to be unnecessary; or
- (c) the Minister considers that a hearing may cause undue delay in determining the application.

Same, related matter

(3) If referral of a matter that relates to the application is requested, the Minister shall refer the matter to the Tribunal under section 17.17 except in the circumstances described in subsection (2).

Referral in part

(4) Despite subsection (2) or (3), if referral of an application or of matters relating to the application is requested but the Minister considers a hearing to be appropriate in respect of only some matters, the Minister shall refer those matters to the Tribunal under section 17.17.

Deadline, Minister's decisions

17.19 (1) Once the deadline has passed for submitting comments on the Ministry review of an environmental assessment, the Minister shall determine by the prescribed deadline whether to refer a matter in connection with the application to mediation or to the Tribunal under section 17.17.

Same

(2) By the prescribed deadline, the Minister shall decide the application under section 17.15 or refer it to the Tribunal for a decision under section 17.16.

Different deadlines

(3) For the purpose of subsection (2), different deadlines may be prescribed for applications in which a matter is referred to mediation or to the Tribunal under section 17.17 and for applications in which no referral is made.

Same

(4) If the Minister has not made a decision under subsection (2) by the prescribed deadline, the Minister shall provide written reasons to the proponent indicating why a decision was not made and when a decision is expected to be made:

Referral to other tribunal, entity

17.20 (1) The Minister may refer to a tribunal (other than the Environmental Review Tribunal) or an entity for decision a matter that relates to an application if the Minister considers it appropriate in the circumstances.

Deadline for referring

(2) The Minister shall make any decision to refer a matter to the tribunal or entity by the deadline by which the application must otherwise be decided.

Restrictions

(3) The Minister may give such directions or impose such conditions on the referral as the Minister considers appropriate and may direct that the matter be decided without a hearing, whether or not a hearing on the matter is otherwise required.

Same

(4) If the Minister refers a matter under this section, the Minister shall refer it to the tribunal or entity, if any, that is authorized under another Act to decide such matters. However, the Minister is not required to select that tribunal or entity if the Minister has a reason not to.

Amendment

(5) The Minister may amend a referral to the tribunal or entity.

Deemed decision

(6) A decision of the tribunal or entity under this section shall be deemed to be a decision of the Minister.

Referral by Tribunal

(7) The Tribunal may refer to another tribunal or entity for decision a matter that relates to an application, and subsections (1) to (6) apply with necessary modifications with respect to the referral.

Deferral of part of a decision

17.21 (1) The Minister may defer deciding a matter that relates to an application if the Minister considers it appropriate to do so because the matter is being considered in another forum or for scientific, technical or other reasons.

Same, Tribunal

(2) The Tribunal may defer deciding a matter that relates to an application if the Tribunal considers it appropriate to do so because the matter is being considered in another forum or for scientific, technical or other reasons.

Deadline

(3) The Minister or the Tribunal shall make any decision to defer deciding a matter by the deadline by which the application must otherwise be decided.

Notice of deferral

(4) The Minister or the Tribunal shall give notice of the deferral to the proponent and to every person who submitted comments to the Ministry under subsection 17.13 (2).

Reasons

(5) The Minister or the Tribunal shall give written reasons for a deferral, indicating why the deferral is appropriate in the circumstances.

Review of Tribunal decision

17.22 (1) The Minister may review a decision of the Tribunal under section 17.16 and may make an order or give a notice described in subsection (3) within 28 days after receiving a copy of the decision or within such longer period as the Minister may determine within that 28-day period.

Same; s. 17.17

(2) The Minister may review a decision of the Tribunal under section 17.17 and may make an order or give a notice described in subsection (3) at any time before the Minister decides the application under section 17.15.

Order

(3) With the approval of the Lieutenant Governor in Council or such ministers of the Crown as the Lieutenant Governor in Council may designate, the Minister may,

- (a) by order, vary the decision of the Tribunal;
- (b) by order, substitute his or her decision for the decision of the Tribunal; or
- (c) by a notice to the Tribunal,
 - (i) require the Tribunal to hold a new hearing respecting all or part of the application and reconsider its decision, if the notice is given under subsection (1), or
 - (ii) require the Tribunal to hold a new hearing respecting all or part of the matter referred to the Tribunal under section 17.17 and reconsider its decision, if the notice is given under subsection (2).

Same

(4) If the Minister reviews under subsection (1) a decision of the Tribunal made under section 17.16 and then, with the approval of the Lieutenant Governor in Council or of such ministers of the Crown as the Lieutenant Governor in Council may designate, makes an order under clause (3) (a) or (b), the varied or substituted decision is deemed to be the decision made by the Minister, with the necessary approval, under section 17.15.

Notice of order, etc.

- (5) The Minister shall notify the persons who were given a copy of the Tribunal's decision,
- (a) that the Minister has made an order or given a notice described in subsection (3); or
 - (b) that the Minister intends to do so within the period specified in the notice.

Copy of order, etc.

- (6) The Minister shall give a copy of his or her order or notice under subsection (3), together with the reasons for it, to the persons who were given a copy of the Tribunal's decision.

When Tribunal decision is effective

17.23 A decision of the Tribunal is effective only after the expiry of the period under section 17.22 during which the Minister may review it and make an order or give a notice in respect of it.

Reconsideration of decisions

17.24 (1) If there is a change in circumstances or new information concerning an application and if the Minister considers it appropriate to do so, he or she may reconsider an approval given by the Minister or the Tribunal to proceed with a Part II.3 project.

Same

- (2) The Minister may request the Tribunal to determine whether it is appropriate to reconsider an approval.

Same

- (3) The Minister may request the Tribunal to reconsider an approval given by the Minister or the Tribunal.

Minister may require plans, etc.

(4) For the purposes of making a decision under this section, the Minister or the Tribunal may, by order, require the proponent of the Part II.3 project to provide plans, specifications, technical reports or other information and to carry out and report on tests or experiments relating to the Part II.3 project.

Amendment, revocation

- (5) Where the Minister or the Tribunal reconsiders an approval under this section, that approval may be amended or revoked.

Rules, etc.

(6) A decision under this section shall be made in accordance with any rules and subject to any restrictions as may be prescribed.

Expiry of approval**Application of section**

17.25 (1) Subject to subsection (5), this section applies in respect of an approval to proceed with a Part II.3 project if the approval does not specify a period of time following the giving of the approval after which the approval expires or a date after which a proponent cannot proceed under the approval.

Expiry

(2) If the Part II.3 project has not been substantially commenced by the 10th anniversary of the day approval to proceed with the project was given under this Act or by the end of any extension to that 10-year period granted by the Minister under subsection (3), the approval expires on the later of,

- (a) the 10th anniversary or the end of the extended period, as the case may be; or
- (b) the day section 29 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* comes into force.

Extension

(3) The Minister may, by notice to the proponent, grant an extension of the period within which a Part II.3 project is to be substantially commenced beyond the 10th anniversary of the day approval to proceed with the project was given and may grant such an extension subject to any conditions specified in the notice.

Same

- (4) An extension under subsection (3) may be granted at any time, including after the approval has expired.

Exception, regulations

- (5) The Minister may make regulations exempting projects from this section.

Minister may include date

(6) If a Part II.3 project is exempted from this section by regulations, the Minister may amend the approval to proceed with that project to include a date on which the approval will expire.

OTHER MATTERS**Replacement of environmental assessment**

17.26 (1) A proponent may submit a second environmental assessment to replace an environmental assessment withdrawn by the proponent or rejected by the Minister.

Same

(2) The second environmental assessment must be prepared in accordance with the approved terms of reference.

Activities permitted before approval

17.27 (1) Before a proponent receives approval to proceed with a Part II.3 project, a person may,

- (a) take any action in connection with the Part II.3 project that may be necessary to comply with this Act;
- (b) acquire property or rights in property in connection with the Part II.3 project;
- (c) prepare a feasibility study and engage in research in connection with the Part II.3 project;
- (d) establish a reserve fund or another financing mechanism in connection with the Part II.3 project.

Restriction on issuing certain documents

(2) No person shall issue a document evidencing that an authorization required at law to proceed with the Part II.3 project has been given until the proponent receives approval under this Act to proceed with the Part II.3 project.

Exception

(3) Despite subsection (2), a document described in that subsection may be issued with respect to an activity permitted by subsection (1) before the proponent receives the approval.

Restriction on provincial funding

(4) The Crown or a Crown agency shall not give a loan, grant, subsidy or guarantee with respect to the Part II.3 project until the proponent receives approval to proceed with the Part II.3 project.

Exception

(5) Despite subsection (4), a loan, grant, subsidy or guarantee described in that subsection may be given with respect to an activity permitted by subsection (1) before the proponent receives the approval.

Prohibition following approval

(6) No person shall issue a document described in subsection (2) or give a loan, grant, subsidy or guarantee described in subsection (4) with respect to a Part II.3 project if it would be inconsistent with a condition imposed upon the approval to proceed with the Part II.3 project.

Application of s. 17.24

17.28 Section 17.24 applies in respect of an environmental assessment to which all or part of Part II or a predecessor to that Part applied, and such an environmental assessment is deemed to be an application for the purpose of section 17.24.

30 The Act is amended by adding the following Part:

**PART II.4
STREAMLINED ENVIRONMENTAL ASSESSMENTS**

Prohibition

17.29 (1) No person shall proceed with a Part II.4 project until the person has satisfied the prescribed requirements for commencing the project, including the completion of a prescribed environmental assessment process.

Exception

(2) Despite subsection (1), a proponent of a Part II.4 project may apply under subsection 17.2 (1) to the Minister for approval to proceed with the Part II.4 project as a Part II.3 project. On and after the day the proponent applies under subsection 17.2 (1), the project shall be deemed to be a Part II.3 project and Part II.3 applies in respect of it instead of this section.

Same

(3) Subsection (2) ceases to apply if the application for approval to proceed with a project as a Part II.3 project is withdrawn by the proponent.

Same

(4) Despite subsection (1), if the Minister makes an order under subsection 17.31 (1) declaring the Part II.4 project to be a Part II.3 project for the purposes of this Act, this section ceases to apply with respect to the project and Part II.3 applies.

Proceeding with project

(5) After the prescribed requirements for commencing a Part II.4 project have been satisfied, a person may proceed with the project but shall do so only in accordance with the prescribed requirements for proceeding with the project.

Activities permitted before proceeding

17.30 (1) Before the proponent of a Part II.4 project has satisfied the prescribed requirements for commencing the project, a person may,

- (a) take any action in connection with the project that may be necessary to comply with this Act;
- (b) acquire property or rights in property in connection with the project;
- (c) prepare a feasibility study and engage in research in connection with the project; or
- (d) establish a reserve fund or another financing mechanism in connection with the project.

Restriction on issuing certain documents

(2) No person shall issue a document evidencing that an authorization required at law to proceed with the project has been given until the proponent has satisfied the prescribed requirements for commencing the project.

Exception

(3) Despite subsection (2), a document described in that subsection may be issued with respect to an activity permitted by subsection (1) before the proponent has satisfied the prescribed requirements for commencing the project.

Restriction on provincial funding

(4) The Crown or a Crown agency shall not give a loan, grant, subsidy or guarantee with respect to the project until the proponent has satisfied the prescribed requirements for commencing the project.

Exception

(5) Despite subsection (4), a loan, grant, subsidy or guarantee described in that subsection may be given with respect to an activity permitted by subsection (1) before the proponent has satisfied the prescribed requirements for commencing the project.

Prohibition on projects that are proceeding

(6) No person shall issue a document described in subsection (2) or give a loan, grant, subsidy or guarantee described in subsection (4) with respect to a Part II.4 project after the prescribed requirements for commencing the project have been satisfied if doing so would be contrary to,

- (a) a prescribed requirement for proceeding with the project; or
- (b) a requirement imposed in an order of the Minister under subsection 17.31 (3).

Order to comply with Part II.3

17.31 (1) The Minister may make an order declaring a Part II.4 project to be a Part II.3 project for the purposes of this Act.

Same

(2) In an order under subsection (1), the Minister may do the following:

1. Set out directions with respect to the terms of reference governing the preparation of an environmental assessment under Part II.3 for the project.
2. Declare that the proponent has satisfied such requirements for the preparation of an environmental assessment under Part II.3 as are specified in the order.

Same, additional requirements

(3) The Minister may by order impose requirements on a Part II.4 project in addition to any prescribed requirements for commencing or proceeding with the project.

Same

(4) An order under subsection (1) or (3) may be made on the initiative of the Minister or on the request of a person under subsection (7).

Prescribed limits

(5) The Minister shall not make an order under subsection (1) or (3) on his or her own initiative after the prescribed deadline.

Basis for order

- (6) The Minister shall consider the following matters when making an order under this section:
1. The purpose of this Act.
 2. The factors suggesting that the proposed Part II.4 project differs from other Part II.4 projects of the same type.
 3. The significance of the factors and of the differences mentioned in paragraph 2.
 4. If a request for the order was made by a person under subsection (7), any ground for making the request that is given by that person and permitted under subsection (7).
 5. The mediators' report, if any, following a referral under subsection (10).
 6. Such other matters as may be prescribed.
 7. Such other matters as the Minister considers appropriate.

Request for order

(7) A person may request the Minister to make an order under this section only on the grounds that the order may prevent, mitigate or remedy adverse impacts on the existing aboriginal and treaty rights of the aboriginal peoples of Canada as recognized and affirmed in section 35 of the *Constitution Act, 1982*.

Same

(8) A request under subsection (7) shall be made in the form and manner that may be specified by the Director and shall include such information as may be specified by the Director.

Same

- (9) If a request is made under subsection (7) with respect to a project, no person shall proceed with the project until such time as,
- (a) the Minister has made a decision with respect to the request; or
 - (b) the Minister has given a notice to the proponent stating that the proponent may proceed with the project.

Mediation

(10) The Minister may refer a matter in connection with a request to mediation and section 17.14 applies with necessary modifications.

Order after request

(11) For the purpose of considering a request made by a person under subsection (7), the Director may require the proponent to undertake such consultations and to provide such information as the Director may specify.

Refusal after request

(12) If, after receiving a request under subsection (7), the Minister refuses to make an order, the Minister shall notify the person who made the request of his or her decision and shall give the person reasons for the decision.

Notice of order

(13) The Minister shall give a copy of an order under this section, together with the reasons for it, to the proponent, to the person, if any, who requested an order and to such other persons as the Minister considers advisable.

Change to project

(14) If a proponent of a Part II.4 project wishes to make a change to the project after it has satisfied the prescribed requirements for commencing the project, the Minister may make an order under this section with respect to the change and this section shall apply with necessary modifications to such an order.

Amendment of subs. (3) order

(15) The Minister may, in accordance with the regulations, if any, amend any order made under subsection (3), regardless of whether the order was made before or after section 30 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* came into force.

31 Subsection 19 (1) of the Act is amended by striking out “subsection 7.2 (3)” and substituting “subsection 17.13 (3)”.

32 Section 22 of the Act is amended,

- (a) by striking out “subsection 7.2 (2)” and substituting “subsection 17.13 (2)”; and
- (b) by striking out “undertaking” and substituting “project”.

33 Section 23.1 of the Act is amended by striking out “Subject to section 11.2” at the beginning and substituting “Subject to section 17.22”.

34 The French version of subsection 25 (1) of the Act is amended by striking out “études, examens, enquêtes, épreuves et recherches” and substituting “arpentages, examens, enquêtes, tests, analyses et recherches”.

35 (1) Clause 28 (a) of the Act is amended by striking out “an undertaking” and substituting “an undertaking or a designated project”.

(2) Clause 28 (a) of the Act, as amended by subsection (1), is amended by striking out “an undertaking or”.

(3) Clause 28 (b) of the Act is amended by striking out “subsection 12.2 (2) or (6)” at the end and substituting “subsection 12.2 (2) or (6) or 15.1.2 (2) or (6)”.

(4) Clause 28 (b) of the Act, as amended by subsection (3), is amended by striking out “subsection 12.2 (2) or (6) or 15.1.2 (2) or (6)” at the end and substituting “subsection 15.1.2 (2) or (6), 17.27 (2) or (6) or 17.30 (2) or (6)”.

(5) Clause 28 (b) of the Act, as amended by subsection (4), is amended by striking out “15.1.2 (2) or (6)”.

36 (1) Subsection 30 (1) of the Act is amended by striking out “and for every application submitted under Part II.1” at the end.

(2) Subsection 30 (1) of the Act, as amended by subsection (1), is repealed and the following substituted:

Record

(1) The Director shall maintain a record for every project in respect of which an application is submitted under Part II.3.

(3) Paragraphs 2 and 3 of subsection 30 (1.1) of the Act are amended by striking out “or the class environmental assessment, as the case may be” wherever it appears.

(4) Paragraph 4 of subsection 30 (1.1) of the Act is amended by striking out “subsections 6.4 (2) and 7.2 (2)” at the end and substituting “subsections 17.9 (2) and 17.13 (2)”.

(5) Paragraph 3 of subsection 30 (2) of the Act is repealed and the following substituted:

3. An undertaking in respect of which an order under section 16 is proposed or a Part II.4 project in respect of which an order under section 17.31 is proposed.

(6) Paragraph 3 of subsection 30 (2) of the Act, as re-enacted by subsection (5), is repealed and the following substituted:

3. A Part II.4 project in respect of which an order under section 17.31 is proposed.

(7) Subsection 30 (3) of the Act is repealed and the following substituted:

Inspection

(3) Upon request, the Director shall make available on a website or in such other manner as the Director considers appropriate any record referred to in this section including any document that forms part of the record and shall make a document available as soon as practicable after a document is issued or received.

37 (1) The French version of clause 31 (1) (h) of the Act is repealed and the following substituted:

h) prendre les arrangements qu’il estime nécessaires, y compris faire des enquêtes, des arpentages, des examens, des tests ou des analyses;

(2) Paragraph 2 of subsection 31 (3) of the Act is amended by striking out “subsection 9 (1)” at the end and substituting “subsection 17.15 (1)”.

(3) Subsection 31 (3) of the Act is amended by adding the following paragraph:

3.1 The power to review decisions of the Tribunal under subsections 11.2 (1) and (1.1).

(4) Paragraph 3.1 of subsection 31 (3) of the Act, as enacted by subsection (3), is repealed and the following substituted:

3.1 The power to review decisions of the Tribunal under subsections 17.22 (1) and (2).

(5) Paragraph 4 of subsection 31 (3) of the Act is repealed and the following substituted:

4. The power under section 17.24 to reconsider a decision. However, the Minister may make a delegation to the Tribunal as provided in that section or in respect of the power to issue an order under subsection 17.24 (4).

(6) Paragraph 5 of subsection 31 (3) of the Act is repealed.

38 Paragraphs 2 to 4 of subsection 32 (1) of the Act are repealed and the following substituted:

1. Any current or former member of the Executive Council.

2. Any current or former officer, employee or agent of or adviser to the Crown.

3. Any current or former mediator appointed under this Act.

39 The Act is amended by adding the following Part:

**PART V.1
TRANSITION**

Regulations re transitional matters

38.1 (1) The Lieutenant Governor in Council may make regulations governing transitional matters that, in the opinion of the Lieutenant Governor in Council, are necessary or advisable to deal with issues arising out of the amendments to this Act made by Schedule 6 to the *COVID-19 Economic Recovery Act, 2020*.

Same

(2) A regulation made under subsection (1) may, without limitation,

- (a) provide that specified provisions of this Act or regulations as they read immediately before specified provisions of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* came into force continue to apply to a project despite amendments made by Schedule 6 to the *COVID-19 Economic Recovery Act, 2020*;
- (b) provide that all or part of an approved class environmental assessment continues to apply to a project after the day the approval of the class environmental assessment is revoked;
- (c) exempt a designated project from any provision of this Act or the regulations.

Conflict

(3) A regulation made under this section prevails over any provision of this Act specifically mentioned in the regulation.

Retroactive effect

(4) A regulation made under this section is, if it so provides, effective with reference to a period before it is filed.

Termination of request for s. 16 order

38.2 (1) Subject to subsection (2), any request for the Minister to make an order under section 16 of Part II.1 that was made before the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent and in respect of which no decision has been made as of that day shall be terminated on that day.

Exception

(2) Subsection (1) does not apply in respect of a request for the Minister to make an order under section 16 of Part II.1 on the grounds that the order may prevent, mitigate or remedy adverse impacts on the existing aboriginal and treaty rights of the aboriginal peoples of Canada as recognized and affirmed in section 35 of the *Constitution Act, 1982*.

40 Part V.1 of the Act, as enacted by section 39, is amended by adding the following section:

Deemed Part II.3 projects, approval

38.3 If approval was given to proceed with an undertaking under Part II as it read before the day section 20 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* comes into force or under the predecessor to that Part and the approval was in effect immediately before that day,

- (a) the undertaking is deemed to be a Part II.3 project; and
- (b) the approval is deemed to be an approval under Part II.3.

41 Part V.1 of the Act, as enacted by section 39, is amended by adding the following sections:

Amendment, etc., by order, transition to Part II.4

38.4 (1) If the Minister considers it appropriate to amend or revoke an approval of a class environmental assessment or amend an approved class environmental assessment in order to facilitate the transition of some or all of the activities covered by the approved class environmental assessment from Part II.1 to Part II.4, the Minister may amend or revoke the approval or amend the approved class environmental assessment.

Same

(2) Section 15.4 does not apply in respect of an amendment under subsection (1).

Deemed Part II.4 projects

38.5 If a proponent was authorized to proceed with an undertaking in accordance with an approved class environmental assessment under Part II.1 on or before the day the approval of the class environmental assessment was revoked, then after that day,

- (a) the undertaking is deemed to be a Part II.4 project; and

- (b) the proponent is deemed to have satisfied all the prescribed requirements for commencing a Part II.4 project.

Orders under s.16

38.6 (1) If, before the day Part II.1 is repealed by section 26 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020*, an order was made under subsection 16 (1) of that Part requiring the proponent of an undertaking to comply with Part II before proceeding with the undertaking, then, on and after the day Part II.1 is repealed,

- (a) the order is deemed to be an order made under subsection 17.31 (1) of Part II.4 declaring the undertaking to be a Part II.3 project;
- (b) the undertaking is deemed to be a Part II.3 project; and
- (c) Part II.3 applies with respect to the project.

Same

(2) If, before the day Part II.1 is repealed by section 26 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020*, an order was made under subsection 16 (3) of that Part imposing conditions on an undertaking referred to in section 15 that is deemed to be a Part II.4 project under section 38.5, then, on and after the day Part II.1 is repealed, the conditions imposed in the order made under subsection 16 (3) shall continue to apply with respect to the deemed Part II.4 project.

42 (1) The French version of clause 39 (e) of the Act is amended,

- (a) by striking out “un projet” and substituting “une proposition”; and
- (b) by striking out “de projets” and substituting “de propositions”.

(2) Clause 39 (f) of the Act is repealed and the following substituted:

- (f) exempting any person, class of persons, undertaking or class of undertakings from this Act, the regulations, any provision of this Act or the regulations or any matter provided for under this Act, and imposing conditions with respect to the exemptions;

(3) Section 39 of the Act is amended by adding the following clause:

- (f.1) defining “substantially commenced” for the purposes of subsection 11.5 (2);

(4) The French version of subclause 39 (g) (iii) of the Act is amended by striking out “un projet” at the beginning and substituting “une proposition”.

(5) Section 39 of the Act is amended by adding the following clause:

- (g.1) providing that Part II of this Act or specific provisions of an approved class environmental assessment apply in respect of an undertaking designated in a regulation made pursuant to clause (g) and requiring compliance with a Part or process;

(6) Section 39 of the Act, as amended by subsections (1) to (5), is repealed and the following substituted:

Regulations, general

39 The Lieutenant Governor in Council may make regulations,

- (a) governing anything that is required or permitted to be prescribed or that is required or permitted to be done by, or in accordance with, the regulations or as authorized, specified or provided in the regulations;
- (b) defining any body as a public body for the purposes of this Act;
- (c) defining “ancillary” for the purposes of subsections 3 (3) and (4);
- (d) defining “substantially commenced” for the purposes of subsection 17.25 (2);
- (e) exempting any person, class of persons, undertaking, class of undertakings, project or class of project from this Act, the regulations, any provision of this Act or the regulations or any matter provided for under this Act, and imposing conditions with respect to the exemptions;
- (f) authorizing the Director to extend any deadline or period of time established under this Act, other than a deadline or period of time established under section 16.1 or subsection 17.31 (5), in such circumstance as may be prescribed or in such circumstances as the Director considers appropriate, whether or not the deadline has passed or the period has expired;
- (g) providing that an approved class environmental assessment or a specific provision of an approved class environmental assessment applies in respect of an undertaking, class or undertakings proponent or class of proponents;
- (h) prescribing the method of determining any deadline that is to be prescribed under this Act;
- (i) respecting anything that the Lieutenant Governor in Council considers necessary or advisable for the purposes of this Act.

(7) Clause 39 (e) of the Act, as re-enacted by subsection (6), is amended by striking out “undertaking, class of undertakings”.

(8) Clause 39 (g) of the Act, as re-enacted by subsection (6), is repealed.

43 The Act is amended by adding the following section:

Regulations, Part II.4

40 (1) The Lieutenant Governor in Council may make regulations governing Part II.4 projects, including regulations,

- (a) governing the prescribed requirements for commencing a Part II.4 project that are referred to in subsection 17.29 (1), including the environmental assessment process that must be completed before proceeding with the project;
- (b) respecting the commencement of Part II.4 projects and defining “commencing” for the purposes of subsection 17.29 (1);
- (c) specifying a time period that a person must wait before proceeding with a Part II.4 project after the prescribed requirements for commencing the project have been satisfied;
- (d) specifying a deadline for substantially commencing a Part II.4 project;
- (e) governing the prescribed requirements for proceeding with a Part II.4 project that are referred to in subsection 17.29 (5);
- (f) requiring studies and consultations to be carried out in relation to Part II.4 projects and respecting the manner in which the studies and consultations are to be carried out;
- (g) requiring information in relation to Part II.4 projects and in relation to the studies and consultations referred to in clause (f) to be made available to the public;
- (h) requiring proponents of a Part II.4 project to maintain records and documents in relation to the project;
- (i) requiring persons to satisfy prescribed conditions in order to mitigate any adverse effects of a Part II.4 project;
- (j) specifying changes that may be made to a Part II.4 project after the prescribed requirements for commencing the project have been satisfied and specifying rules and procedures that persons must follow in order to make the changes, including complying with such conditions as may be specified by the Director;
- (k) governing orders that may be made by the Minister under section 17.31, including prescribing deadlines for the making of such orders and respecting amendments that may be made under subsection 17.31 (15) to an order made under subsection 17.31 (3);
- (l) respecting any other matter that the Lieutenant Governor may consider necessary or advisable for the purposes of this Part.

Same

(2) A regulation under clause (1) (a) respecting the environmental assessment process that must be completed before proceeding with a Part II.4 project may require persons to,

- (a) consider alternatives to a proposed project and alternative methods of carrying out a project;
- (b) conduct studies as part of an environmental assessment;
- (c) carry out consultations with the public, aboriginal communities, government bodies and municipalities;
- (d) give notice to the public or to specified persons and make information available to the public with respect to a proposed project, the studies referred to in clause (b) or the consultations required under clause (c);
- (e) maintain records and documents in relation to an environmental assessment.

44 Section 43 of the Act is repealed.

CONSEQUENTIAL AMENDMENTS

Cap and Trade Cancellation Act, 2018

45 Subsection 4 (4) of the *Cap and Trade Cancellation Act, 2018* is repealed.

Capital Investment Plan Act, 1993

46 (1) Paragraph 2 of subsection 2 (1) of the *Capital Investment Plan Act, 1993* is repealed.

(2) Subsection 2 (5) of the Act is amended by striking out “three corporations” and substituting “two corporations”.

(3) Subsection 3 (2) of the Act is repealed.

(4) Part III of the Act is repealed.

(5) Sections 55 and 56 of the Act are repealed.

City of Toronto Act, 2006

47 (1) Subsection 411.1 (7) of the *City of Toronto Act, 2006* is repealed and the following substituted:

Activities deemed not to be undertaking

(7) An enterprise, proposal, plan, activity or program of the corporation or of the City as it relates to the corporation is deemed not to be an undertaking or designated project to which the *Environmental Assessment Act* applies unless it is specifically designated as a designated project under section 3 of that Act or it is an undertaking to which a class environmental assessment applies pursuant to a regulation made under clause 39 (g) of that Act.

(2) Subsection 411.1 (7) of the Act, as re-enacted by subsection (1), is repealed and the following substituted:

Activities deemed not to be undertaking

(7) An enterprise, proposal, plan, activity or program of the corporation or of the City as it relates to the corporation is deemed not to be a designated project to which the *Environmental Assessment Act* applies unless it is specifically designated as a designated project under section 3 of that Act.

Clean Water Act, 2006

48 Subsection 95 (2) of the *Clean Water Act, 2006* is repealed.

Electricity Act, 1998

49 Section 25.32.1 of the *Electricity Act, 1998* is repealed.

Endangered Species Act, 2007

50 Subsection 20.8 (6) of the *Endangered Species Act, 2007* is repealed.

Environmental Bill of Rights, 1993

51 (1) Subsection 32 (2) of the *Environmental Bill of Rights, 1993* is repealed and the following substituted:

Same

(2) Section 22 does not apply where, in the minister's opinion, the issuance, amendment or revocation of an instrument would be a step towards implementing an undertaking that has been exempted from the *Environmental Assessment Act*,

- (a) by a regulation made under that Act; or
- (b) under section 15.3 of that Act.

(2) Section 32 of the Act, as amended by subsection (1), is repealed and the following substituted:

Exception: instruments in accordance with statutory decisions

32 (1) Section 22 does not apply to a proposal to issue, amend or revoke an instrument where, in the minister's opinion, the issuance, amendment or revocation of the instrument would be a step towards implementing an undertaking or a project that,

- (a) has been approved by a decision made by a tribunal under an Act after affording an opportunity for public participation;
- (b) has been approved to proceed by a decision made under the *Environmental Assessment Act*; or
- (c) has satisfied the prescribed requirements for commencing the Part II.4 project under Part II.4 of the *Environmental Assessment Act*.

Same

(2) Section 22 does not apply to a proposal to issue, amend or revoke an instrument where, in the minister's opinion, the issuance, amendment or revocation of the instrument would be a step towards implementing an undertaking or a project,

- (a) that has been exempted from the *Environmental Assessment Act* by a regulation made under that Act; or
- (b) that has been exempted from the *Environmental Assessment Act* pursuant to section 15.3 of that Act.

Same

(3) A decision about a class of undertakings or a class of projects is a decision about each undertaking or project in the class for the purposes of clause (1) (a) or (b).

Same

(4) An exemption of a class of undertakings or class of projects under the *Environmental Assessment Act* is an exemption of each undertaking or project in the class for the purposes of subsection (2).

(3) Subsection 32 (1) of the Act, as re-enacted by subsection (2), is amended by striking out "an undertaking or" in the portion before clause (a).

(4) Subsection 32 (2) of the Act, as re-enacted by subsection (2), is repealed and the following substituted:

Same

(2) Section 22 does not apply to a proposal to issue, amend or revoke an instrument where, in the minister's opinion, the issuance, amendment or revocation of the instrument would be a step towards implementing a project that has been exempted from the *Environmental Assessment Act* by a regulation made under that Act.

(5) Subsection 32 (3) of the Act, as re-enacted by subsection (2), is repealed and the following substituted:

Same

(3) A decision about a class of projects is a decision about each project in the class for the purposes of clause (1) (a).

(6) Subsection 32 (4) of the Act, as enacted by subsection (2), is repealed and the following substituted:

Same

(4) An exemption of a class of projects under the *Environmental Assessment Act* is an exemption of each project in the class for the purposes of subsection (2).

Transition

(5) Subsection (2), as it read on the day before the day subsection 51 (4) of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* came into force, continues to apply to a proposal to issue, amend or revoke an instrument on or after that day where, in the Minister's opinion, the issuance, amendment or revocation of the instrument would be a step in implementing an undertaking that, before the day Part II.1 of the *Environmental Assessment Act* was repealed by section 26 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020*,

- (a) was an undertaking within the meaning of the *Environmental Assessment Act*;
- (b) was exempted from the *Environmental Assessment Act* by a regulation made under that Act or pursuant to section 15.3 of that Act; and
- (c) had commenced proceeding.

(7) The Act is amended by adding the following section immediately before the heading "Ministerial Role after Giving Notice of a Proposal":

Exception: COVID-19 Economic Recovery Act, 2020

33.1 The requirements of this Part are deemed not to have applied with respect to the amendments made by Schedule 6 to the *COVID-19 Economic Recovery Act, 2020*.

(8) Section 33.1 of the Act, as enacted by subsection (7), is repealed.

Environmental Protection Act

52 (1) Subsection 20.6 (3) of the *Environmental Protection Act* is amended by striking out "Subsection 12.2 (2)" at the beginning and substituting "Subsections 12.2 (2) and 15.1.2 (2)".

(2) Subsection 20.6 (3) of the Act, as amended by subsection (1), is amended by striking out "Subsections 12.2 (2) and 15.1.2 (2)" at the beginning and substituting "Subsections 15.1.2 (2) , 17.27 (2) and 17.30 (2)".

(3) Subsection 20.6 (3) of the Act, as amended by subsection (2), is amended by striking out "15.1.2 (2)".

(4) Subclause 176 (9.1) (b) (i) of the Act is amended by adding "as those Parts read before the day the *COVID-19 Economic Recovery Act, 2020* received Royal Assent" after "*Environmental Assessment Act*".

Far North Act, 2010

53 Subsections 7 (8), 8 (4), 9 (19) and 13 (5) of the *Far North Act, 2010* are repealed.

Great Lakes Protection Act, 2015

54 Subsection 35 (2) of the *Great Lakes Protection Act, 2015* is repealed.

Highway 407 Act, 1998

55 (1) Paragraph 1 of subsection 1 (2) of the *Highway 407 Act, 1998* is repealed and the following substituted:

1. The lands must not exceed a width sufficient to accommodate 10 highway lanes, a median, and the additional lands required for infrastructure that is essential to the design, construction, use and safety of the highway constructed along the route that was, on October 19, 1998, exempt or approved under the *Environmental Assessment Act* between,
 - i. the intersection of Highway 407 and the Queen Elizabeth Way in the City of Burlington, and
 - ii. Highway 7 east of Brock Road in the Town of Pickering.

(2) Subsection 47 (1) of the Act is repealed.

(3) Section 47 of the Act is amended by adding the following subsection:

Same

(1.1) Part II.3 of the *Environmental Assessment Act* applies to any part of the Highway 407 undertaking that is a Part II.3 project.

(4) Subsection 47 (1.1) of the Act, as enacted by subsection (3), is repealed.

(5) Subsection 47 (2) of the Act is repealed and the following substituted:

Same

(2) Despite subsection (1), the Ministry of Transportation may elect to be a proponent or co-proponent of any part of the undertaking, including a Part II.3 project under the *Environmental Assessment Act* that is part of the undertaking.

(6) Subsection 47 (2) of the Act, as re-enacted by subsection (5), is repealed and the following substituted:

Minister as proponent

(2) If a designated project under the *Environmental Assessment Act* relates to the management of Highway 407, the Ministry of Transportation may elect to be a proponent or co-proponent of any part of the designated project.

(7) Subsection 47 (3) of the Act is repealed.

(8) Paragraph 2 of subsection 47 (4) of the Act is repealed.

(9) Subsections 47 (4), (5) and (6) of the Act are repealed.

Housing Services Act, 2011

56 Paragraph 3 of subsection 167 (1) of the *Housing Services Act, 2011* is repealed.

Kawartha Highlands Signature Site Park Act, 2003

57 (1) Subsection 10 (7) of the *Kawartha Highlands Signature Site Park Act, 2003* is amended by striking out “the requirements” and substituting “any requirements”.

(2) Subsection 17 (2) of the Act is amended by striking out “the requirements” and substituting “any requirements”.

(3) Section 21 of the Act is repealed.

Lake Simcoe Protection Act, 2008

58 Subsection 22 (2) of the *Lake Simcoe Protection Act, 2008* is repealed.

Metrolinx Act, 2006

59 (1) Subsection 31.1 (18) of the *Metrolinx Act, 2006* is repealed.

(2) Subsection 39 (1) of the Act is repealed.

(3) Subsection 39 (2) of the Act is repealed.

(4) Subsection 39 (3) of the Act is repealed.

More Homes, More Choice Act, 2019

60 (1) Section 6 of Schedule 6 to the *More Homes, More Choice Act, 2019* is repealed.

(2) Subsection 7 (2) of Schedule 6 to the Act is repealed.

(3) Subsection 9 (2) of Schedule 6 to the Act is repealed.

Places to Grow Act, 2005

61 Subsection 17 (2) of the *Places to Grow Act, 2005* is repealed.

Planning Act

62 (1) Subsection 62 (1) of the *Planning Act* is repealed and the following substituted:

Not subject to Act

(1) An undertaking or Part II.3 project of Hydro One Inc. (as defined in subsection 2 (1) of the *Electricity Act, 1998*) or Ontario Power Generation Inc. (as defined in subsection 2 (1) of that Act) that has been approved under the *Environmental Assessment Act* is not subject to this Act or to section 113 or 114 of the *City of Toronto Act, 2006*.

(2) Subsection 62 (1) of the Act, as amended by subsection (1), is repealed and the following substituted:

Not subject to Act

(1) A Part II.3 project of Hydro One Inc. (as defined in subsection 2 (1) of the *Electricity Act, 1998*) or Ontario Power Generation Inc. (as defined in subsection 2 (1) of that Act) that has been approved under the *Environmental Assessment Act* is not subject to this Act or to section 113 or 114 of the *City of Toronto Act, 2006*.

(3) Section 62 of the Act is amended by adding the following subsection:

Transition

(3) Subsection (1), as it read on the day before the day subsection 62 (2) of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* came into force, continues to apply to an undertaking approved under Part II.1 of the *Environmental Assessment Act* before the day Part II.1 of that Act was repealed by section 26 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020*.

(4) Subsection 62.0.1 (1) of the Act is repealed and the following substituted:

Exempt projects, undertakings, etc.

(1) Any project, class of projects, undertaking or class of undertakings within the meaning of the *Environmental Assessment Act* that relates to energy is not subject to this Act or to section 113 or 114 of the *City of Toronto Act, 2006* if,

- (a) any of the following applies with respect to the project, class of projects, undertaking or class or undertakings:
 - (i) it is approved under Part II.1 or Part II.3 of the *Environmental Assessment Act*,
 - (ii) the prescribed requirements for commencing a project under Part II.4 of the *Environmental Assessment Act* have been satisfied,
 - (iii) it is the subject of an order under section 3.1 of the *Environmental Assessment Act* or a declaration under section 3.2 of that Act, or
 - (iv) it is exempted from the *Environmental Assessment Act* by a regulation made under that Act; and
- (b) a regulation made under clause 70 (h) prescribing the project, class of projects, undertaking or class of undertakings for the purposes of this subsection is in effect.

(5) Subsection 62.0.1 (1) of the Act, as re-enacted by subsection (4), is repealed and the following substituted:

Exempt projects

(1) Any project or class of projects within the meaning of the *Environmental Assessment Act* that relates to energy is not subject to this Act or to section 113 or 114 of the *City of Toronto Act, 2006* if,

- (a) any of the following applies with respect to the project or class of projects:
 - (i) it is approved under Part II.3 of the *Environmental Assessment Act*,
 - (ii) the prescribed requirements for commencing a project under Part II.4 of the *Environmental Assessment Act* have been satisfied,
 - (iii) it is the subject of an order under section 3.1 of the *Environmental Assessment Act* or a declaration under section 3.2 of that Act, or
 - (iv) it is exempted from the *Environmental Assessment Act* by a regulation made under that Act; and
- (b) a regulation made under clause 70 (h) prescribing the project or class of projects for the purposes of this subsection is in effect.

(6) Subsection 62.0.1 (2) of the Act is repealed.

(7) Section 62.0.1 of the Act is amended by adding the following subsections:

Transition

(2) Subsection (1), as it read on the day before the day subsection 62 (5) of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020* came into force, continues to apply to an undertaking or class of undertakings that, before the day Part II.1 of the *Environmental Assessment Act* was repealed by section 26 of Schedule 6 to the *COVID-19 Economic Recovery Act, 2020*,

- (a) was approved under Part II.1 of the *Environmental Assessment Act*;
- (b) was the subject of an order under section 3.1 of the *Environmental Assessment Act* or of a declaration under section 3.2 of that Act; or
- (c) was exempted from the *Environmental Assessment Act* by a regulation made under that Act.

Same, regulations

(3) For the purposes of the continued application of subsection (1) under subsection (2),

- (a) the Lieutenant Governor in Council may make regulations prescribing undertakings or classes of undertakings that relate to energy and are referred to in subsection (2); and
- (b) a regulation made under clause (a) is deemed to be a regulation made under clause 70 (h) for the purposes of the continued application of clause (1) (b).

(8) Clause 70 (h) of the Act is repealed and the following substituted:

- (h) for the purposes of section 62.0.1, prescribing a project, class of projects, an undertaking or class of undertakings that relates to energy.

(9) Clause 70 (h) of the Act, as re-enacted by subsection (8), is repealed and the following substituted:

- (h) for the purposes of section 62.0.1, prescribing a project or class of projects that relates to energy.

Public Lands Act

63 Subsection 12.2 (5) of the *Public Lands Act* is repealed.

Resource Recovery and Circular Economy Act, 2016

64 (1) Section 7 of the *Resource Recovery and Circular Economy Act, 2016* is repealed.

(2) Subsection 11 (10) of the Act is repealed.

Safe Drinking Water Act, 2002

65 (1) Subsection 37 (3) of the *Safe Drinking Water Act, 2002* is amended by striking out “Subsection 12.2 (2)” at the beginning and substituting “Subsections 12.2 (2) and 15.1.2 (2)”.

(2) Subsection 37 (3) of the Act, as amended by subsection (1), is amended by striking out “Subsections 12.2 (2) and 15.1.2 (2)” at the beginning and substituting “Subsections 15.1.2 (2), 17.27 (2) and 17.30 (2)”.

(3) Subsection 37 (3) of the Act, as amended by subsection (2), is amended by striking out “15.1.2 (2)”.

(4) Subsection 41 (3) of the Act is amended by striking out “Subsection 12.2 (2)” at the beginning and substituting “Subsections 12.2 (2) and 15.1.2 (2)”.

(5) Subsection 41 (3) of the Act, as amended by subsection (4), is amended by striking out “Subsections 12.2 (2) and 15.1.2 (2)” at the beginning and substituting “Subsections 15.1.2 (2), 17.27 (2) and 17.30 (2)”.

(6) Subsection 41 (3) of the Act, as amended by subsection (5), is amended by striking out “15.1.2 (2)”.

COMMENCEMENT**Commencement**

66 (1) Subject to subsections (2) and (3), this Schedule comes into force on the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

(2) Subsection 51 (8) comes into force 30 days after the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

(3) The following provisions of this Schedule come into force on a day to be named by proclamation of the Lieutenant Governor:

1. Subsections 1 (1), (3) to (8) and (10), 3 (2), 4 (2) and (3) and 5 (3) to (7).
2. Sections 6, 7, 17 and 20.
3. Subsections 21 (2) to (4),
4. Section 22.
5. Subsections 25 (2) and (3).
6. Sections 26 and 28 to 33.
7. Subsections 35 (1), (2), (4) and (5), 36 (2) and (4) to (6), 37 (2) and (4) to (6).
8. Sections 40 and 41.
9. Subsections 42 (3) and (6) to (8).
10. Sections 43 to 45.
11. Subsection 46 (5).
12. Sections 47 to 50.
13. Subsections 51 (2) to (6) and 52 (2) and (3).
14. Sections 53 and 54.
15. Subsections 55 (2) to (9).
16. Sections 56 to 59 and 61 to 64.

17. Subsections 65 (2), (3), (5) and (6).

**SCHEDULE 7
FARM REGISTRATION AND FARM ORGANIZATIONS FUNDING ACT, 1993**

1 The *Farm Registration and Farm Organizations Funding Act, 1993* is amended by adding the following section:

Appeal to Tribunal

2.1 (1) A person who has been denied a farming business registration number may appeal to the Tribunal by providing written notice to the Tribunal and the Director within 30 days after receiving notice of the Director's decision respecting the denial.

Extension of time

(2) The Tribunal may extend the time for providing the notice of appeal, either before or after the expiry of that time, if it is satisfied that there are apparent grounds for appeal and that there are reasonable grounds for applying for the extension.

Record

(3) As soon as reasonably possible in the circumstances after receiving notice of the appeal, the Director shall provide the Tribunal with a copy of,

- (a) all materials the appellant provided when making the request for a farming business registration number; and
- (b) the Director's decision to deny the farming business registration number.

Parties

(4) The parties to an appeal under this section are the appellant and the Director.

Powers of Tribunal

(5) The Tribunal shall review the Director's determination and,

- (a) if the Tribunal finds that the Director's determination was reasonable, it shall confirm the decision; and
- (b) if the Tribunal finds that the Director's determination was not reasonable, it shall alter the Director's decision or direct the Director to do any act that the Director is authorized to do under this Act and that the Tribunal considers proper.

2 The Act is amended by adding the following section:

Continued eligibility to receive special funding

17.1 (1) If the Tribunal determines that the francophone organization continues to meet the conditions for eligibility set out in subsection 12 (1), the Tribunal shall, by order, declare that it continues to be eligible for special funding.

Term of eligibility

(2) The francophone organization shall receive special funding under this section for the prescribed period of time.

3 Subsection 33 (2) of the Act is amended by adding the following clause:

- (p.1) governing how documents are to be given or served under this Act, including providing rules for when they are deemed to be received;

COMPLEMENTARY AMENDMENT AND COMMENCEMENT

Restoring Ontario's Competitiveness Act, 2019

4 Section 11 of Schedule 1 to the *Restoring Ontario's Competitiveness Act, 2019* is repealed.

Commencement

5 (1) Subject to subsections (2) and (3), this Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

(2) Section 3 comes into force on the later of the day section 35 of Schedule 3 to the *Better for People, Smarter for Business Act, 2019* comes into force and the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

(3) Section 4 comes into force on the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

**SCHEDULE 8
JUSTICES OF THE PEACE ACT**

1 (1) Section 2 of the *Justices of the Peace Act* is amended by adding the following subsections:

Qualifications

(1.1) No person shall be appointed as a justice of the peace under subsection (1) unless he or she has performed paid or volunteer work equivalent to at least 10 years of full-time experience and,

- (a) has a university degree;
- (b) has a diploma or advanced diploma granted by a college of applied arts and technology or a community college following completion of a program that is the equivalent in class hours of a full-time program of at least four academic semesters;
- (c) has a degree from an institution, other than a university, that is authorized to grant the degree,
 - (i) under the *Post-secondary Education Choice and Excellence Act, 2000*,
 - (ii) under a special Act of the Assembly that establishes or governs the institution, or
 - (iii) under legislation of another province or territory of Canada;
- (d) has successfully completed a program designated as an equivalency under subsection (1.2); or
- (e) meets the equivalency requirement set out in subsection (1.3).

Equivalency programs

(1.2) For the purposes of clause (1.1) (d), the Attorney General may designate programs that involve training in the justice system, including programs designed to enhance diversity in the justice system, as programs that meet the educational equivalency requirement, and shall make the list of programs so designated public.

Exceptional qualifications

(1.3) For the purposes of clause (1.1) (e), a candidate may be considered to have met the equivalency requirement if he or she clearly demonstrates exceptional qualifications, including life experience, but does not have the educational requirements set out in clauses (1.1) (a) to (d).

(2) Section 2 of the Act is amended by adding the following subsections:

Information to be maintained in confidence

(5) Any records or other information collected, prepared, maintained or used by the Attorney General in relation to the appointment or consideration of an individual as a justice of the peace, including any such records or other information provided to the Attorney General by the Justices of the Peace Appointments Advisory Committee, shall be maintained in confidence and shall not be disclosed except as authorized by the Attorney General.

Prevails over FIPPA

(6) Subsection (5) prevails over the *Freedom of Information and Protection of Privacy Act*.

2 Section 2.1 of the Act is repealed and the following substituted:

Justices of the Peace Appointments Advisory Committee

Composition and governance

2.1 (1) The committee known as the Justices of the Peace Appointments Advisory Committee in English and Comité consultatif sur la nomination des juges de paix in French is continued.

Composition

(2) The Committee is composed of three core members as follows:

1. A judge of the Ontario Court of Justice, or a justice of the peace, appointed by the Chief Justice of the Ontario Court of Justice.
2. A justice of the peace appointed by the Chief Justice of the Ontario Court of Justice who is either the Senior Indigenous Justice of the Peace or another justice of the peace familiar with Indigenous issues or, when the justice of the peace so appointed is not available to act as a member of the Committee, another justice of the peace familiar with Indigenous issues who is designated by the Chief Justice of the Ontario Court of Justice.
3. One person appointed by the Attorney General.

Regional members

(3) In addition to the core members appointed under subsection (2), the Committee shall include the following regional members in respect of its functions in a particular region:

1. The regional senior justice of the peace for the region or, when he or she is not available to act as a member of the Committee, another justice of the peace from the same region who is designated by the regional senior judge.
2. Up to three persons appointed by the Attorney General.
3. A licensee within the meaning of the *Law Society Act* in the region appointed by the Attorney General from a list of three names submitted to the Attorney General by the Law Society of Ontario.

Criteria

(4) In the appointment of members under paragraph 3 of subsection (2) and paragraph 2 of subsection (3), the importance of reflecting, in the composition of the Committee as a whole, Ontario's linguistic duality and the diversity of its population and ensuring overall gender balance shall be recognized.

Regional leads

(5) The Attorney General shall designate a regional lead for each region from among the regional members for that region.

Term of office

(6) The members appointed under paragraph 3 of subsection (2) and under paragraphs 2 and 3 of subsection (3) hold office for three-year terms and may be reappointed.

Chair

(7) The Attorney General shall designate one of the core members to chair the Committee for a term of up to three years.

Term of office

(8) The same person may serve as chair for two or more terms.

Chair votes

(9) The chair is entitled to vote and may cast a second, deciding vote if there is a tie.

Meetings

(10) The Committee may hold its meetings and conduct interviews in person or through electronic means, including telephone conferencing and video conferencing.

Employees

(11) Such employees as are considered necessary for the proper conduct of the affairs of the Committee may be appointed under Part III of the *Public Service of Ontario Act, 2006*.

Annual report

(12) The Committee shall prepare an annual report, provide it to the Attorney General and make it available to the public.

Same

(13) The annual report must include,

- (a) statistics about the sex, gender, gender identity, sexual orientation, race, ethnicity, cultural identity, disability status and ability to speak French of candidates who volunteer that information, including whether the candidates identify as Indigenous or as a member of a Francophone community, at each stage of the process, as specified by the Attorney General; and
- (b) such other content as the Attorney General may require.

Tabling of annual report

(14) The Attorney General shall table the Committee's annual report in the Assembly.

Information to be maintained in confidence

(15) Any records or other information collected, prepared, maintained or used by the Committee in relation to the consideration of an individual for appointment as a justice of the peace shall be maintained in confidence and shall not be disclosed except as authorized by the chair of the Committee.

Personal liability

(16) No action or other proceeding for damages shall be instituted against any member or former member of the Committee for any act done in good faith in the execution or intended execution of any power or duty that he or she has or had as a member of the Committee, or for any neglect or default in the exercise or performance in good faith of such power or duty.

Crown liability

(17) Subsection (16) does not, by reason of subsection 8 (3) of the *Crown Liability and Proceedings Act, 2019*, relieve the Crown of liability in respect of a tort committed by a person mentioned in subsection (16) to which it would otherwise be subject.

Justices of the Peace Appointments Advisory Committee

Functions and manner of operating

2.2 (1) The functions of the Justices of the Peace Appointments Advisory Committee are to,

- (a) classify candidates for appointment as justices of the peace;
- (b) report on the classifications to the Attorney General; and
- (c) provide advice to the Attorney General respecting the process for appointing justices of the peace in accordance with this Act.

Manner of operating

(2) The Committee shall perform its functions in the following manner:

1. It shall determine the skills, abilities and personal characteristics that are desired in a justice of the peace and make them available to the public.
2. It shall develop a candidate application form that specifies what supporting material is required, and it shall make the form available to the public.
3. It shall develop the application procedure and make information about it available to the public.
4. On the request of the Attorney General, it shall advertise for applications for vacant justice of the peace positions.
5. It shall review and evaluate all applications received in response to the advertisement.
6. It may interview any of the candidates in conducting its review and evaluation.
7. It shall conduct the advertising, review and evaluation process in accordance with the criteria it establishes, which must, at minimum, provide for an assessment that,
 - i. assesses the candidates' professional excellence, community awareness and personal characteristics, and
 - ii. recognizes the desirability of reflecting the diversity of Ontario society in appointments of justices of the peace.
8. It shall make the criteria it established under paragraph 7 available to the public.
9. It shall classify the candidates as "Not Recommended", "Recommended" or "Highly Recommended" and provide a list of the classified candidates to the Attorney General, with brief supporting reasons for the candidates classified as "Recommended" or "Highly Recommended".

Qualifications

(3) The Committee shall not consider an application by a candidate,

- (a) who does not meet the qualifications set out in subsection 2 (1.1); or
- (b) who is or was a member of the Committee within the previous three years.

Chair consent required re interview, classification

(4) The interview of a candidate shall not be conducted, and a meeting for the making of a decision under paragraph 9 of subsection (2) shall not be held, without the consent of the chair of the Committee.

Quorum for interview

(5) If the Committee interviews a candidate, the interview must be conducted by at least three members of the Committee, at least two of whom are regional members referred to in paragraph 2 or 3 of subsection 2.1 (3) from the region for which an appointment is considered and another of whom is a core member under subsection 2.1 (2).

Quorum re classification

(6) The quorum for decisions under paragraph 9 of subsection (2) is three members of the Committee, at least two of whom are regional members referred to in paragraph 2 or 3 of subsection 2.1 (3) from the region for which an appointment is considered and another of whom is a core member under subsection 2.1 (2).

Information to be provided to Attorney General on request

(7) The Committee shall provide the Attorney General with any information about the application, review and evaluation process that the Attorney General requests, other than information collected or prepared by the Committee through a discreet inquiry.

Meaning of discreet inquiry

(8) For the purposes of subsection (7), a discreet inquiry is a confidential inquiry conducted by the Committee into the views or opinions of individuals with knowledge of a candidate's suitability for appointment.

Recommendation of criteria

(9) The Attorney General may recommend criteria to be included in the criteria the Committee establishes under paragraph 7 of subsection (2), and the Committee shall consider whether to include those criteria in the criteria it has established.

Rejection of list

(10) The Attorney General may reject the list of classified candidates provided by the Committee under subsection (2).

Reconsideration or re-advertisement

(11) If the Attorney General rejects the list of classified candidates provided by the Committee, or if there are not enough candidates who are classified as "Recommended" or "Highly Recommended" for the number of vacant justice of the peace positions, the Committee shall either reconsider the applicants and provide a new list to the Attorney General in accordance with paragraph 9 of subsection (2) or re-advertise for applications, as the chair of the Committee considers appropriate.

Recommendation by Attorney General

(12) The Attorney General shall only recommend a candidate who has been classified as "Recommended" or "Highly Recommended" to the Lieutenant Governor in Council to fill a justice of the peace vacancy.

Transition

(13) Despite this section, subsections 2.1 (2) and (12) to (18) of this Act, as they read immediately before the day section 2 of Schedule 8 to the *COVID-19 Economic Recovery Act, 2020* came into force, continue to apply to any vacancy that was advertised by the Committee before that day.

Transitional matters re Justices of the Peace Appointments Advisory Committee

Appointments continued

2.3 (1) Subject to subsection (2), the appointment of every person who was a member of the Justices of the Peace Appointments Advisory Committee on the day before the day section 2 of Schedule 8 to the *COVID-19 Economic Recovery Act, 2020* came into force is continued.

Termination without cause

(2) The Attorney General may terminate the appointment of any member of the Committee whose appointment was continued by subsection (1), without cause, for the purpose of transitioning the Committee's composition to the composition specified in subsections 2.1 (2) and (3).

No compensation or damages

(3) No person is entitled to any compensation or damages for any loss related, directly or indirectly, to the enactment of section 1 or 2 of Schedule 8 to the *COVID-19 Economic Recovery Act, 2020*.

No cause of action

(4) No cause of action arises against the Crown or any current or former member of the Executive Council or any current or former employee or agent of or advisor to the Crown as a direct or indirect result of the enactment of section 1 or 2 of Schedule 8 to the *COVID-19 Economic Recovery Act, 2020*.

Proceedings barred

(5) No proceeding, including but not limited to any proceeding for a remedy in contract, restitution, unjust enrichment, tort, misfeasance, bad faith, trust or fiduciary obligation and any remedy under any statute, that is directly or indirectly based on or related to the enactment of section 1 or 2 of Schedule 8 to the *COVID-19 Economic Recovery Act, 2020* may be brought or maintained against the Crown or any current or former member of the Executive Council or any current or former employee or agent of or advisor to the Crown.

Application

(6) Subsection (5) applies to any action or other proceeding claiming any remedy or relief, including specific performance, injunction, declaratory relief, any form of compensation or damages or any other remedy or relief, and includes any arbitral, administrative or court proceedings.

Retrospective effect

(7) Subsections (5) and (6) apply regardless of whether the claim on which the proceeding is purportedly based arose before, on or after the day section 2 of Schedule 8 to the *COVID-19 Economic Recovery Act, 2020* came into force.

Proceedings set aside

(8) Any proceeding referred to in subsection (5) or (6) commenced before the day section 2 of Schedule 8 to the *COVID-19 Economic Recovery Act, 2020* came into force shall be deemed to have been dismissed, without costs, on the day section 2 of Schedule 8 to the *COVID-19 Economic Recovery Act, 2020* came into force.

Commencement

3 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 9
MARRIAGE ACT**

1 Section 27 of the *Marriage Act* is amended by adding the following subsection:

Extension — declaration of emergency

(4) Despite subsection (3), the period in which a marriage may be solemnized under the authority of a licence is extended in accordance with Schedule 1 (Extension — Declaration of Emergency) if Schedule 1 applies.

2 The Act is amended by adding the following Schedule:

**SCHEDULE 1
EXTENSION — DECLARATION OF EMERGENCY**

With respect to a licence issued during the period described in paragraph 1, if all of the conditions listed in paragraph 2 are met, the period in which a marriage may be solemnized under the authority of the licence is extended to the period described in paragraph 3:

1. The period in which the licence was issued is the period,
 - i. beginning on the first day of a month that is three months prior to a month in which a declaration was made under the *Emergency Management and Civil Protection Act* that an emergency exists throughout Ontario, and
 - ii. ending on the first day following the declaration of emergency on which there is not a period of emergency throughout Ontario under the *Emergency Management and Civil Protection Act*.

For greater certainty, this includes the period beginning on December 1, 2019 in respect of the emergency that was declared on March 17, 2020 under the *Emergency Management and Civil Protection Act*.

2. The conditions that must be met are:
 - i. The parties to the marriage have not married each other since the licence was issued.
 - ii. Neither party to the marriage has married anyone else since the licence was issued.
 - iii. Neither party to the marriage has legally changed their name since the licence was issued.
3. The period in which a marriage may be solemnized under the authority of the licence is the period beginning on the day the licence was issued and ending 24 months after the day described in subparagraph 1 ii.

Commencement

3 This Schedule comes into force on the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

SCHEDULE 10
MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING ACT

1 The *Ministry of Municipal Affairs and Housing Act* is amended by adding the following section:

Provincial Land and Development Facilitator

12 (1) The office to be known as the Provincial Land and Development Facilitator in English and Facilitateur provincial de l'aménagement in French is established.

Same

(2) The Minister may appoint the Facilitator and fix their terms of reference.

Functions

(3) The Facilitator shall, at the direction of the Minister,

- (a) advise and make recommendations to the Minister in respect of growth, land use and other matters, including Provincial interests; and
- (b) perform such other functions as the Minister may specify.

Remuneration and expenses

(4) The Lieutenant Governor in Council may determine the remuneration and expenses of any person appointed under subsection (2).

Commencement

2 This Schedule comes into force on the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

SCHEDULE 11
MODERNIZING ONTARIO FOR PEOPLE AND BUSINESSES ACT, 2020

Preamble

Ontario is committed to fostering a strong business climate that supports growth while ensuring appropriate regulatory oversights that protect the public, workers and the environment.

Ontario recognizes that modern regulations protect the public interest, including health, safety and the environment, while enabling economic growth, prosperity and a competitive business climate.

As a part of Ontario's regulatory modernization efforts, the province is committed to reducing unnecessary red tape and regulatory burdens while also ensuring the public interest is protected, and to supporting business needs and ensuring that interactions with government are efficient and straightforward.

Ontario is dedicated to a regulatory environment that considers both costs and benefits as part of the evidence, utilizes recognized standards, considers the unique needs of small businesses, provides digital options and recognizes businesses with excellent compliance records.

INTERPRETATION

Definitions

1 (1) In this Act,

“administrative cost” means a cost that is imposed on a regulated entity as a consequence of complying with a regulation, policy or form and that is prescribed for the purposes of this definition; (“frais administratifs”)

“burden” means a cost that may be measured in terms of money, time or resources and is considered by the Minister in consultation with other members of the Government of Ontario to be unnecessary to achieve the purpose of the statutory, regulatory, procedural, administrative or other requirement that creates the cost; (“fardeau administratif”)

“instrument governed by this Act” means,

- (a) subject to any prescribed exceptions, a draft bill before its introduction in the Legislature,
- (b) subject to any prescribed exceptions, a regulation made or approved by a minister or the Lieutenant Governor in Council,
- (c) subject to any prescribed exceptions, any policy or form made by a minister, and
- (d) any other instrument that may be prescribed; (“acte régi par la présente loi”)

“Minister” means the Minister of Economic Development, Job Creation and Trade or any other member of the Executive Council to whom responsibility for the administration of this Act is assigned or transferred under the *Executive Council Act*; (“ministre”)

“prescribed” means prescribed by regulations made under this Act; (“prescrit”)

“recognized standards” means requirements that have been set by standard development organizations that have been accredited by the Standards Council of Canada, or by similar standard development organizations; (“normes reconnues”)

“regulated entity”, subject to the regulations, includes every business, trade, occupation, profession, service or venture, whether or not carried on with a view to profit; (“entité réglementée”)

Making or proposing an instrument

(2) For greater certainty, a reference in this Act to proposing an instrument governed by this Act includes both proposing a new instrument and proposing an amendment to an existing instrument.

CONTROL OF ADMINISTRATIVE COSTS

Offset of administrative costs

2 (1) Where an instrument governed by this Act that is a regulation, policy or form is made or approved for use and has the effect of creating or increasing one or more administrative costs, a prescribed offset must be made within a prescribed time after the regulation, policy or form is made or approved for use.

Public interest

(2) If an offset required under subsection (1) is proposed to be made or approved for use, the Lieutenant Governor in Council or responsible minister shall, before making or approving the regulation, policy or form, review it to take into account the protection of the public interest, including health, safety and the environment.

Analysis of regulatory impact

3 Where an instrument governed by this Act is proposed, the minister responsible for the administration of the instrument shall ensure that,

- (a) in the prescribed circumstances, an analysis of the potential regulatory impact is conducted, including the prescribed administrative costs; and
- (b) the analysis is published in the prescribed manner.

Development of instruments

4 (1) When developing an instrument governed by this Act, every minister shall have regard to the following principles:

1. Recognized industry standards or international best practices should be adopted.
2. Less onerous compliance requirements should apply to small businesses than to larger businesses.
3. Digital services that are accessible to stakeholders should be provided.
4. Regulated entities that demonstrate excellent compliance should be recognized.
5. Unnecessary reporting should be reduced, and steps should be taken to avoid requiring stakeholders to provide the same information to government repeatedly.
6. An instrument should focus on the user by communicating clearly, providing for reasonable response timelines and creating a single point of contact.
7. An instrument should specify the desired result that regulated entities must meet, rather than the means by which the result must be achieved.

(2) If the minister responsible for developing the instrument believes that it is not possible or appropriate to comply with subsection (1), a rationale must be provided to the Minister.

ELECTRONIC TRANSMISSION OF DOCUMENTS

Electronic transmission of documents

5 A business that is required, for any reason, to submit documents to a Ministry of the Government of Ontario in order to comply with an instrument governed by this Act may, at the option of the business, submit the documents electronically.

RECOGNITION OF EXCELLENT COMPLIANCE

Recognition of excellent compliance

6 Every Ministry of the Government of Ontario that administers regulatory programs shall develop a plan to recognize businesses that demonstrate excellent compliance with regulatory requirements.

REPORTING

Annual report on burden reduction

- 7 (1) The Minister shall make available to the public an annual report with respect to,
- (a) actions taken by the Government of Ontario to reduce burdens; and
 - (b) the Government of Ontario's future burden reduction goals.

Publication of report

- (2) The Minister shall ensure that the report is,
- (a) published on a Government of Ontario website or in such other manner as the Minister considers advisable; and
 - (b) available to the public on or before September 30 in each year or, if the regulations prescribe another date, on or before the prescribed date in each year.

Tabling

- (3) The Minister shall table the annual report in the Legislative Assembly as soon as possible after it is published.

IMMUNITY

Immunity

8 (1) No action or other proceeding shall be commenced against the Crown or any of its agencies with respect to anything done or omitted to be done, or purported to be done or omitted to be done, under this Act.

Validity of instrument

- (2) No instrument governed by this Act is invalid by reason only of a failure to comply with any provision of this Act.

REGULATIONS

Regulations, Minister

9 The Minister may make regulations,

- (a) providing for exemptions from any requirement under section 5 or 6, and may make such an exemption subject to conditions or limitations;
- (b) respecting the report required under section 7, which may include regulations,
 - (i) specifying any actions to reduce burdens that must be referred to in the report,
 - (ii) prescribing the manner in which the Minister must evaluate, quantify or describe actions of the Government of Ontario in the report,
 - (iii) prescribing a date for the purpose of clause 7 (2) (b).

Regulations, LG in C

10 (1) Subject to section 9, the Lieutenant Governor in Council may make regulations respecting anything provided for in this Act and for carrying out the purposes, provisions and intent of this Act.

Same

(2) Without restricting the generality of subsection (1), the Lieutenant Governor in Council may make regulations,

- (a) respecting anything that may be prescribed under this Act;
- (b) defining words and expressions used in this Act that are not otherwise defined in this Act;
- (c) prescribing costs for the purposes of the definition of “administrative cost” in subsection 1 (1);
- (d) further defining or clarifying the definition of “regulated entity” in subsection 1 (1) and providing for exemptions from that definition;
- (e) governing how administrative costs are to be measured and offset under section 2, prescribing offsets and setting requirements and formulas for offsets, and establishing time periods for when offsets must be made;
- (f) governing the analysis required under section 3, including governing the circumstances when an analysis of the regulatory impact is to be conducted, the scope of the administrative costs to be considered in the analysis of the regulatory impact, and the manner in which the analysis is to be published;
- (g) governing the application and interpretation of the principles set out in subsection 4 (1) and when the requirement in that subsection to have regard to a principle has been satisfied;
- (h) providing for exemptions from anything under this Act that are not provided for in section 9 and making any such exemption subject to conditions or limitations.

AMENDMENTS TO OTHER ACTS

Burden Reduction Reporting Act, 2014

11 The *Burden Reduction Reporting Act, 2014* is repealed.

Reducing Regulatory Costs for Business Act, 2017

12 The *Reducing Regulatory Costs for Business Act, 2017* is repealed.

COMMENCEMENT AND SHORT TITLE

Commencement

13 The Act set out in this Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

Short title

14 The short title of the Act set out in this Schedule is the *Modernizing Ontario for People and Businesses Act, 2020*.

**SCHEDULE 12
MUNICIPAL ACT, 2001**

1 (1) Subsection 238 (3.1) of the *Municipal Act, 2001* is repealed and the following substituted:

Electronic participation

(3.1) The applicable procedure by-law may provide that a member of council, of a local board or of a committee of either of them, can participate electronically in a meeting to the extent and in the manner set out in the by-law.

(2) Subsection 238 (3.2) of the Act is repealed.

(3) Subsection 238 (3.3) of the Act is repealed and the following substituted:

Same

(3.3) The applicable procedure by-law may provide that,

- (a) a member of a council, of a local board or of a committee of either of them who is participating electronically in a meeting may be counted in determining whether or not a quorum of members is present at any point in time; and
- (b) a member of a council, of a local board or of a committee of either of them can participate electronically in a meeting that is open or closed to the public.

(4) Subsection 238 (3.4) of the Act is repealed and the following substituted:

Special meeting, amend procedure by-law re electronic participation

(3.4) A municipality or local board may hold a special meeting to amend an applicable procedure by-law for the purposes of subsection (3.3).

Same, quorum

(3.5) A member participating electronically in a special meeting described in subsection (3.4) may be counted in determining whether or not a quorum of members is present at any time during the meeting.

2 The Act is amended by adding the following section:

Proxy vote

243.1 (1) The procedure by-law may provide that, in accordance with a process to be established by the clerk, a member of council may appoint another member of council as a proxy to act in their place when they are absent subject to the following rules:

1. A member of a local council appointed as an alternate member of the upper-tier council under section 267 may appoint a member of the upper-tier council as a proxy to act in their place when they are absent from the upper-tier council.
2. A member who is unable to attend a meeting of the upper-tier council and for whom an alternate member is appointed under section 267 shall not appoint a proxy.
3. A member appointed as an alternate member of the upper-tier council under section 268 shall not appoint a proxy.
4. A member who is unable to attend a meeting of the upper-tier council and for whom an alternate member is appointed under section 268 shall not appoint a proxy if the appointed member is acting on their behalf at the meeting.

Rules re proxy votes

(2) The following rules apply with respect to the appointment of another member of council to act as a proxy under subsection (1):

1. A member shall not appoint a proxy unless the proxyholder is a member of the same council as the appointing member.
2. A member shall not act as a proxy for more than one member of council at any one time.
3. The member appointing the proxy shall notify the clerk of the appointment in accordance with the process established by the clerk.
4. For the purpose of determining whether or not a quorum of members is present at any point in time, a proxyholder shall be counted as one member and shall not be counted as both the appointing member and the proxyholder.
5. A proxy shall be revoked if the appointing member or the proxyholder requests that the proxy be revoked and complies with the proxy revocation process established by the clerk.
6. Where a recorded vote is requested under section 246, the clerk shall record the name of each proxyholder, the name of the member of council for whom the proxyholder is voting and the vote cast on behalf of that member.
7. A member who appoints a proxy for a meeting shall be considered absent from the meeting for the purposes of determining whether the office of the member is vacant under clause 259 (1) (c).

Pecuniary interest

(3) A member who has a pecuniary interest described in subsection 5 (1) of the *Municipal Conflict of Interest Act* in a matter to be considered at a meeting shall not, if the interest is known to the member, appoint a proxy in respect of the matter.

Same, pre-meeting discovery

(4) If, after appointing a proxy, a member discovers that they have a pecuniary interest described in subsection 5 (1) of the *Municipal Conflict of Interest Act* in a matter to be considered at a meeting that is to be attended by the proxyholder, the member shall, as soon as possible,

- (a) notify the proxyholder of the interest in the matter and indicate that the proxy will be revoked in respect of the matter; and
- (b) request that the clerk revoke the proxy with respect to the matter in accordance with the proxy revocation process established by the clerk.

Same, post-meeting discovery

(5) For greater certainty, if, after appointing a proxy, a member discovers that they have a pecuniary interest described in subsection 5 (1) of the *Municipal Conflict of Interest Act* in a matter that was considered at a meeting attended by the proxyholder, the appointing member shall comply with subsection 5 (3) of the *Municipal Conflict of Interest Act* with respect to the interest at the next meeting attended by the appointing member after they discover the interest.

Conflict, etc., proxyholder

(6) For greater certainty, nothing in this section authorizes a proxyholder who is disabled from participating in a meeting under the *Municipal Conflict of Interest Act* from participating in the meeting in the place of an appointing member.

Regulations, proxy votes

(7) The Minister may make regulations providing for any matters which, in the Minister's opinion, are necessary or desirable for the purposes of this section.

Commencement

3 This Schedule comes into force on the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

**SCHEDULE 13
OCCUPATIONAL HEALTH AND SAFETY ACT**

1 Section 70 of the *Occupational Health and Safety Act* is amended by adding the following subsection:

Rolling incorporation by reference

(3) The power to adopt by reference and require compliance with a code or standard in paragraph 25 of subsection (2) and to adopt by reference any criteria or guide in relation to the exposure of a worker to any biological, chemical or physical agent or combination thereof in paragraph 26 of subsection (2) includes the power to adopt a code, standard, criteria or guide as it may be amended from time to time.

Commencement

2 This Schedule comes into force on the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

SCHEDULE 14
ONTARIO EDUCATIONAL COMMUNICATIONS AUTHORITY ACT

1 The definition of “distance education programs” in section 1 of the *Ontario Educational Communications Authority Act* is repealed and the following substituted:

“distance education programs” means programs to provide courses of study online, through correspondence, or by other means that do not require the physical attendance by the student at a school and that are prescribed under paragraph 2 of subsection 8 (1) of the Education Act or are approved by the Minister of Education; (“programme d’enseignement à distance”)

2 Section 3 of the Act is amended by striking out “and” at the end of clause (c) and by adding the following clauses:

- (e) to support the establishment, administration and coordination of distance education programs by or with prescribed persons or entities; and
- (f) to discharge any prescribed duties.

3 The Act is amended by adding the following section:

Support of distance education programs

16.1 The Authority has the prescribed duties and responsibilities to support the establishment, administration and coordination of distance education programs by or with prescribed persons or entities.

4 (1) Section 17 of the Act is amended by adding the following clauses:

- (0.a) prescribing persons or entities for the purposes of clause 3 (e);
- (0.a.1) prescribing duties for the purposes of clause 3 (f);

(2) Clause 17 (b) of the Act is repealed and the following substituted:

- (b) prescribing and governing the duties and responsibilities of the Authority in relation to the operation of distance education programs;
- (b.1) prescribing and governing the duties and responsibilities of the Authority in relation to supporting the establishment, administration and coordination of distance education programs by or with prescribed persons or entities;

(3) Section 17 of the Act is amended by adding the following clause:

- (f) defining any word or expression used in this Act that is not already defined and further defining any word or expression used in this Act that is already defined in this Act.

(4) Section 17 of the Act is amended by adding the following subsection:

Conflict

(2) In the event of a conflict between a regulation made under this section and this Act, or any other Act or regulation, the regulation made under this section prevails.

Commencement

5 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

SCHEDULE 15
ONTARIO FRENCH-LANGUAGE EDUCATIONAL COMMUNICATIONS AUTHORITY ACT, 2008

1 The definition of “distance education programs” in section 1 of the *Ontario French-language Educational Communications Authority Act, 2008* is repealed and the following substituted:

“distance education programs” means programs to provide courses of study online, through correspondence, or by other means that do not require the physical attendance by the student at a school and that are prescribed under paragraph 2 of subsection 8 (1) of the *Education Act* or are approved by the Minister of Education; (“programme d’enseignement à distance”)

2 Section 4 of the Act is amended by striking out “and” at the end of clause (c) and by adding the following clauses:

- (e) support the establishment, administration and coordination of distance education programs by or with prescribed persons or entities; and
- (f) discharge any prescribed duties.

3 The Act is amended by adding the following section:

Support of distance education programs

21.1 The Authority has the prescribed duties and responsibilities to support the establishment, administration and coordination of distance education programs by or with prescribed persons or entities.

4 (1) Section 22 of the Act is amended by adding the following clauses:

- (0.a) prescribing persons or entities for the purposes of clause 4 (e);
- (0.a.1) prescribing duties for the purposes of clause 4 (f);

(2) Clause 22 (b) of the Act is repealed and the following substituted:

- (b) prescribing and governing the duties and responsibilities of the Authority in relation to the operation of distance education programs;
- (b.1) prescribing and governing the duties and responsibilities of the Authority in relation to supporting the establishment, administration and coordination of distance education programs by or with prescribed persons or entities;

(3) Section 22 of the Act is amended by adding the following clause:

- (f) defining any word or expression used in this Act that is not already defined and further defining any word or expression used in this Act that is already defined in this Act.

(4) Section 22 of the Act is amended by adding the following subsection:

Conflict

(2) In the event of a conflict between a regulation made under this section and this Act, or any other Act or regulation, the regulation made under this section prevails.

Commencement

5 This Schedule comes into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 16
PAYDAY LOANS ACT, 2008**

1 The *Payday Loans Act, 2008* is amended by adding the following section:

Interest on payday loans in default

32.1 (1) This section applies to a payday loan agreement if,

- (a) the advance under the agreement is \$1,500 or less or, if another amount is prescribed, that amount or less; and
- (b) the term of the agreement is 62 days or less or, if another number of days is prescribed, that number of days or less.

Duty of lender

(2) A lender shall not impose against a borrower under a payday loan agreement, and the borrower is not liable to pay, interest on the amount in default, except as provided for under subsection (3).

Maximum interest

(3) A lender may charge a borrower a maximum interest rate of 2.5 per cent per month, not to be compounded, on the outstanding principal, unless otherwise prescribed.

Duty of loan broker

(4) No loan broker shall facilitate a contravention of subsection (2).

Consequence

(5) If the lender contravenes subsection (2), the borrower is only required to repay the advance to the lender and is not liable to pay the cost of borrowing or any interest.

Transition

(6) This section does not apply to a payday loan agreement that was in existence before the day this section came into force.

2 (1) Clause 33 (1) (b) of the Act is repealed and the following substituted:

- (b) unless otherwise prescribed, a fee no greater than \$25 for,
 - (i) a dishonoured cheque,
 - (ii) a dishonoured pre-authorized debit, or
 - (iii) any other dishonoured instrument of payment.

(2) Section 33 of the Act is amended by adding the following subsection:

Multiple fees prohibited

(1.1) A lender shall not impose a fee under clause (1) (b) against a borrower more than once with respect to each payday loan agreement, regardless of the number of dishonoured instruments of payment accumulated with respect to that payday loan agreement.

(3) Subsection 33 (2) of the Act is amended by adding “or (1.1)” at the end.

(4) Section 33 of the Act is amended by adding the following subsections:

Consequence

(3) If the lender contravenes subsection (1) or (1.1), the borrower is only required to repay the advance to the lender and is not liable to pay the cost of borrowing or any default charges.

Transition

(4) Clause (1) (b) and subsections (1.1) and (3) do not apply to a payday loan agreement that was in existence before the day this subsection came into force.

Same

(5) Clause (1) (b), as it read before the day this subsection came into force, applies to a payday loan agreement that was in existence before the day this subsection came into force.

3 (1) Section 44 of the Act is amended by adding the following subsection:

Illegal default charges, interest

(1.1) A payment referred to in subsection (1) includes interest or a default charge received by a licensee from a borrower to which the licensee is not entitled under this Act or that the borrower is not liable to pay under this Act.

(2) Subsection 44 (4) of the Act is amended by striking out “Subsections (1)” at the beginning and substituting “Subsections (1), (1.1)”.

4 Section 77 of the Act is amended by adding the following paragraphs:

- 24. changing the maximum rate of interest that a lender may charge for the purposes of subsection 32.1 (3).
- 24.1 changing the maximum fee for the purposes of clause 33 (1) (b).

Commencement

5 This Schedule comes into force 30 days after the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

**SCHEDULE 17
PLANNING ACT**

1 Section 37 of the *Planning Act* is repealed and the following substituted:

Community benefits charges

Definitions

37 (1) In this section,

“specified date” means the specified date for the purposes of section 9.1 of the *Development Charges Act, 1997*; (“date précisée”)

“valuation date” means, with respect to land that is the subject of development or redevelopment,

- (a) the day before the day the building permit is issued in respect of the development or redevelopment, or
- (b) if more than one building permit is required for the development or redevelopment, the day before the day the first permit is issued. (“date d’évaluation”)

Community benefits charge by-law

(2) The council of a local municipality may by by-law impose community benefits charges against land to pay for the capital costs of facilities, services and matters required because of development or redevelopment in the area to which the by-law applies.

What charge can be imposed for

(3) A community benefits charge may be imposed only with respect to development or redevelopment that requires,

- (a) the passing of a zoning by-law or of an amendment to a zoning by-law under section 34;
- (b) the approval of a minor variance under section 45;
- (c) a conveyance of land to which a by-law passed under subsection 50 (7) applies;
- (d) the approval of a plan of subdivision under section 51;
- (e) a consent under section 53;
- (f) the approval of a description under section 9 of the *Condominium Act, 1998*; or
- (g) the issuing of a permit under the *Building Code Act, 1992* in relation to a building or structure.

Excluded development or redevelopment

(4) A community benefits charge may not be imposed with respect to,

- (a) development of a proposed building or structure with fewer than five storeys at or above ground;
- (b) development of a proposed building or structure with fewer than 10 residential units;
- (c) redevelopment of an existing building or structure that will have fewer than five storeys at or above ground after the redevelopment;
- (d) redevelopment that proposes to add fewer than 10 residential units to an existing building or structure; or
- (e) such types of development or redevelopment as are prescribed.

Community benefits charge — relationship to development charge, etc.

(5) For greater certainty, nothing in this Act prevents a community benefits charge from being imposed with respect to land for park or other public recreational purposes or with respect to the services listed in subsection 2 (4) of the *Development Charges Act, 1997*, provided that the capital costs that are intended to be funded by the community benefits charge are not capital costs that are intended to be funded under a development charge by-law or from the special account referred to in subsection 42 (15).

In-kind contributions

(6) A municipality that has passed a community benefits charge by-law may allow an owner of land to provide to the municipality facilities, services or matters required because of development or redevelopment in the area to which the by-law applies.

Notice of value of in-kind contributions

(7) Before the owner of land provides facilities, services or matters in accordance with subsection (6), the municipality shall advise the owner of land of the value that will be attributed to them.

Deduction of value of in-kind contributions

(8) The value attributed under subsection (7) shall be deducted from the amount the owner of land would otherwise be required to pay under the community benefits charge by-law.

Community benefits charge strategy

(9) Before passing a community benefits charge by-law under subsection (2), the municipality shall prepare a community benefits charge strategy that,

- (a) identifies the facilities, services and matters that will be funded with community benefits charges; and
- (b) complies with any prescribed requirements.

Consultation

(10) In preparing the community benefits charge strategy, the municipality shall consult with such persons and public bodies as the municipality considers appropriate.

Commencement of by-law

(11) A community benefits charge by-law comes into force on the day it is passed or the day specified in the by-law, whichever is later.

Limitation

(12) Only one community benefits charge by-law may be in effect in a local municipality at a time.

Notice of by-law and time for appeal

(13) The clerk of a municipality that has passed a community benefits charge by-law shall give written notice of the passing of the by-law, and of the last day for appealing the by-law, which shall be the day that is 40 days after the day the by-law is passed.

Requirements of notice

(14) Notices required under subsection (13) must meet the prescribed requirements and shall be given in accordance with the regulations.

Same

(15) Every notice required under subsection (13) must be given no later than 20 days after the day the by-law is passed.

When notice given

(16) A notice required under subsection (13) is deemed to have been given on the prescribed day.

Appeal of by-law after passed

(17) Any person or public body may appeal a community benefits charge by-law to the Tribunal by filing with the clerk of the municipality, on or before the last day for appealing the by-law, a notice of appeal setting out the objection to the by-law and the reasons supporting the objection.

Clerk's duties on appeal

(18) If the clerk of the municipality receives a notice of appeal on or before the last day for appealing a community benefits charge by-law, the clerk shall compile a record that includes,

- (a) a copy of the by-law certified by the clerk;
- (b) a copy of the community benefits charge strategy;
- (c) an affidavit or declaration certifying that notice of the passing of the by-law and of the last day for appealing it was given in accordance with this Act; and
- (d) the original or a true copy of all written submissions and material received in respect of the by-law before it was passed.

Same

(19) The clerk shall forward a copy of the notice of appeal and the record to the Tribunal within 30 days after the last day for appealing the by-law and shall provide such other information or material as the Tribunal may require in respect of the appeal.

Affidavit, declaration conclusive evidence

(20) An affidavit or declaration of the clerk of a municipality that notice of the passing of the by-law and of the last day for appealing it was given in accordance with this Act is conclusive evidence of the facts stated in the affidavit or declaration.

L.P.A.T. hearing of appeal

(21) The Tribunal shall hold a hearing to deal with any notice of appeal of a community benefits charge by-law forwarded by the clerk of a municipality.

Notice of hearing

(22) The Tribunal shall determine who shall be given notice of the hearing and in what manner.

Powers of L.P.A.T.

(23) After the hearing, the Tribunal may,

- (a) dismiss the appeal in whole or in part;
- (b) order the council of the municipality to repeal or amend the by-law in accordance with the Tribunal's order; or
- (c) repeal or amend the by-law in such manner as the Tribunal may determine.

Limitation on powers

(24) The Tribunal may not amend or order the amendment of a by-law so as to,

- (a) increase the amount of a community benefits charge that will be payable in any particular case;
- (b) add or remove, or reduce the scope of, an exemption provided in the by-law;
- (c) change a provision for the phasing in of community benefits charges in such a way as to make a charge, or part of a charge, payable earlier; or
- (d) change the date, if any, the by-law will expire.

Dismissal without hearing

(25) Despite subsection (21), the Tribunal may, where it is of the opinion that the objection to the by-law set out in the notice of appeal is insufficient, dismiss the appeal without holding a full hearing after notifying the appellant and giving the appellant an opportunity to make representations as to the merits of the appeal.

When L.P.A.T. ordered repeals, amendments effective

(26) The repeal or amendment of a community benefits charge by-law by the Tribunal, or by the council of a municipality pursuant to an order of the Tribunal, is deemed to have come into force on the day the by-law came into force.

Refunds if L.P.A.T. repeals by-law, etc.

(27) If the Tribunal repeals or amends a community benefits charge by-law, or orders the council of a municipality to repeal or amend a community benefits charge by-law, the municipality shall refund,

- (a) in the case of a repeal, any community benefits charge paid under the by-law; or
- (b) in the case of an amendment, the difference between any community benefits charge paid under the by-law and the community benefits charge that would have been payable under the by-law as amended.

When refund due

(28) If a municipality is required to make a refund under subsection (27), it shall do so,

- (a) if the Tribunal repeals or amends the by-law, within 30 days after the Tribunal's order; or
- (b) if the Tribunal orders the council of the municipality to repeal or amend the by-law, within 30 days after the repeal or amendment by the council.

Interest

(29) The municipality shall pay interest on an amount it refunds, at a rate not less than the prescribed minimum interest rate, from the day the amount was paid to the municipality to the day it is refunded.

Application of specified provisions to by-law amendments

(30) Subsections (9) to (11) and (13) to (29) apply, with necessary modifications, to an amendment to a community benefits charge by-law other than an amendment by, or pursuant to an order of, the Tribunal.

Limitation of L.P.A.T. powers

(31) In an appeal of an amendment to a community benefits charge by-law, the Tribunal may exercise its powers only in relation to the amendment.

Maximum amount of community benefits charge

(32) The amount of a community benefits charge payable in any particular case shall not exceed an amount equal to the prescribed percentage of the value of the land as of the valuation date.

Payment under protest and appraisal provided by owner

(33) If the owner of land is of the view that the amount of the community benefits charge exceeds the amount permitted under subsection (32), the owner shall,

- (a) pay the charge under protest; and
- (b) within the prescribed time period, provide the municipality with an appraisal of the value of the land as of the valuation date.

No appraisal under subs. (33) (b)

(34) If an owner of land pays a community benefits charge under protest but does not provide an appraisal in accordance with clause (33) (b), the payment is deemed not to have been made under protest.

Appraisal provided by the municipality

(35) If the municipality disputes the value of the land identified in the appraisal referred to in clause (33) (b), the municipality shall, within the prescribed time period, provide the owner with an appraisal of the value of the land as of the valuation date.

No appraisal under subs. (35)

(36) If the municipality does not provide an appraisal in accordance with subsection (35), the municipality shall immediately refund to the owner the difference, if any, between the amount of the community benefits charge imposed by the municipality and the maximum amount determined in accordance with subsection (32) based on the value of the land identified in the appraisal referred to in clause (33) (b).

Appraisal under subs. (35) within 5%

(37) If the municipality provides an appraisal in accordance with subsection (35) and the value of the land identified in that appraisal is within 5 per cent of the value identified in the appraisal referred to in clause (33) (b), the municipality shall immediately refund to the owner the difference, if any, between the amount of the community benefits charge imposed by the municipality and the maximum amount determined in accordance with subsection (32) based on the value of the land identified in the appraisal referred to in clause (33) (b) or subsection (35), whichever identifies the higher value of the land.

Appraisal under subs. (35) not within 5%

(38) If the municipality provides an appraisal in accordance with subsection (35) and the value of the land identified in that appraisal is not within 5 per cent of the value identified in the appraisal referred to in clause (33) (b), the municipality shall request that a person selected by the owner from the list referred to in subsection (42) prepare an appraisal of the value of the land as of the valuation date.

Time period for appraisal referred to in subs. (38)

(39) The municipality shall provide the owner with the appraisal referred to in subsection (38) within the prescribed time period.

Appraisal under subs. (38)

(40) If an appraisal is prepared in accordance with subsection (38), the municipality shall immediately refund to the owner the difference, if any, between the amount of the community benefits charge imposed by the municipality and the maximum amount determined in accordance with subsection (32) based on the value of the land identified in the appraisal referred to in subsection (38).

Non-application of subs. (36), (37) and (40)

(41) For greater certainty, a refund is not required under subsection (36), (37) or (40) if the maximum amount determined in accordance with subsection (32), based on the value of the land identified in the applicable appraisal, is greater than the amount of the community benefits charge imposed by the municipality.

List of appraisers

- (42) A municipality that has passed a community benefits charge by-law shall maintain a list of at least three persons who,
- (a) are not employees of the municipality or members of its council; and
 - (b) have an agreement with the municipality to perform appraisals for the purposes of subsection (38).

Same

- (43) A municipality shall maintain the list referred to in subsection (42) until the later of,
- (a) the day on which the community benefits charge by-law is repealed; and
 - (b) the day on which there is no longer any refund that is or could be required to be made under subsection (40).

No building without payment

- (44) No person shall construct a building on the land proposed for development or redevelopment unless,
- (a) the payment required by the community benefits charge by-law has been made or arrangements for the payment that are satisfactory to the council have been made; and

- (b) any facilities, services or matters being provided in accordance with subsection (6) have been provided or arrangements for their provision that are satisfactory to the council have been made.

Special account

(45) All money received by the municipality under a community benefits charge by-law shall be paid into a special account.

Investments

(46) The money in the special account may be invested in securities in which the municipality is permitted to invest under the *Municipal Act, 2001* or the *City of Toronto Act, 2006*, as the case may be, and the earnings derived from the investment of the money shall be paid into the special account.

Requirement to spend or allocate monies in special account

(47) In each calendar year, a municipality shall spend or allocate at least 60 per cent of the monies that are in the special account at the beginning of the year.

Reports and information

(48) A council of a municipality that passes a community benefits charge by-law shall provide the prescribed reports and information to the prescribed persons or classes of persons at such times, in such manner and in accordance with such other requirements as may be prescribed.

Application of subs. (51)

(49) Subsection (51) applies with respect to the following:

1. A special account established in accordance with subsection 37 (5), as it read on the day before section 1 of Schedule 17 to the *COVID-19 Economic Recovery Act, 2020* comes into force.
2. A reserve fund established by a local municipality in accordance with section 33 of the *Development Charges Act, 1997* for any service other than the services described in paragraphs 1 to 20 of subsection 2 (4) of the *Development Charges Act, 1997*.

Same, services prescribed under par. 21 of s. 2 (4) of *Development Charges Act, 1997*

(50) Despite subsection (49), subsection (51) does not apply with respect to a reserve fund established for a service that is prescribed for the purposes of paragraph 21 of subsection 2 (4) of the *Development Charges Act, 1997* if the service is prescribed before the earlier of,

- (a) the day the municipality passes a community benefits charge by-law under subsection (2); and
- (b) the specified date.

Transition respecting special account and reserve fund described in subs. (49)

(51) The following rules apply with respect to a special account or reserve fund to which this subsection applies:

1. If the municipality passes a community benefits charge by-law under this section before the specified date, the municipality shall, on the day it passes the by-law, allocate the money in the special account or reserve fund to the special account referred to in subsection (45).
2. If the municipality has not passed a community benefits charge by-law under this section before the specified date, the special account or reserve fund is deemed to be a general capital reserve fund for the same purposes for which the money in the special account or reserve fund was collected.
3. Despite paragraph 2, subsection 417 (4) of the *Municipal Act, 2001* and any equivalent provision of, or made under, the *City of Toronto Act, 2006* do not apply with respect to the general capital reserve fund referred to in paragraph 2.
4. If paragraph 2 applies and the municipality passes a community benefits charge by-law under this section on or after the specified date, the municipality shall, on the day it passes the by-law, allocate any money remaining in the general capital reserve fund referred to in paragraph 2 to the special account referred to in subsection (45).

Credit under s. 38 of *Development Charges Act, 1997*

(52) If the municipality passes a community benefits charge by-law under this section before the specified date, any credit under section 38 of the *Development Charges Act, 1997* that was held as of the day before the day the by-law is passed and that relates to any services other than the services described in paragraphs 1 to 20 of subsection 2 (4) of that Act may be used by the holder of the credit with respect to a community benefits charge that the holder is required to pay under a community benefits charge by-law.

Same, services prescribed under par. 21 of s. 2 (4) of *Development Charges Act, 1997*

(53) Subsection (52) does not apply with respect to a credit that relates to a service that is prescribed for the purposes of paragraph 21 of subsection 2 (4) of the *Development Charges Act, 1997* if the service is prescribed before the date the municipality passes the community benefits charge by-law.

Transitional matters respecting repealed s. 37, etc.

Definitions

37.1 (1) In this section,

“by-law described in the repealed subsection 37 (1)” means a by-law passed under section 34 that includes, under subsection 37 (1) as it read on the day before the effective date, any requirement to provide facilities, services or matters; (“règlement municipal visé au paragraphe 37 (1) abrogé”)

“effective date” means the day section 1 of Schedule 17 to the *COVID-19 Economic Recovery Act, 2020* comes into force. (“date d’effet”)

Continued application of repealed s. 37 (1) to (5)

(2) Despite their repeal by section 1 of Schedule 17 to the *COVID-19 Economic Recovery Act, 2020*, the following provisions continue to apply to a local municipality until the applicable date described in subsection (5) of this section:

1. Subsections 37 (1) to (4), as they read on the day before the effective date.
2. Subsection 37 (5), as it read on the day before the effective date, except that the reference to a special account in that subsection shall be read as a reference to the special account referred to in subsection 37 (45).

By-law described in repealed s. 37 (1)

(3) On and after the applicable date described in subsection (5), the following rules apply if, before that date, the local municipality has passed a by-law described in the repealed subsection 37 (1):

1. Subsections 37 (1) to (4), as they read on the day before the effective date, continue to apply with respect to the by-law and the lands that are the subject of the by-law.
2. Subsection 37 (5), as it read on the day before the effective date, continues to apply with respect to the by-law and the lands that are the subject of the by-law, except that the reference to a special account in that subsection shall be read as a reference to the special account referred to in subsection 37 (45).
3. The development or redevelopment of the lands that are the subject of the by-law described in the repealed subsection 37 (1) is not subject to a community benefits charge by-law passed under section 37.

Non-application of subs. (3)

(4) Subsection (3) does not apply with respect to the lands that are the subject of a by-law described in the repealed subsection 37 (1) if, on or after the applicable date described in subsection (5), the by-law,

- (a) is amended to remove any requirement to provide facilities, services or matters that was included under subsection 37 (1), as it read on the day before the effective date; or
- (b) is repealed.

Applicable date

(5) The applicable date referred to in subsections (2), (3) and (4) is the earlier of,

- (a) the day the municipality passes a community benefits charge by-law under subsection 37 (2); and
- (b) the specified date for the purposes of section 9.1 of the *Development Charges Act, 1997*.

2 (1) The definition of “effective date” in subsection 42 (0.1) of the Act is amended by striking out “the day subsection 28 (1) of the *Smart Growth for Our Communities Act, 2015* comes into force” and substituting “July 1, 2016”.

(2) Section 42 of the Act is amended by adding the following subsection:

Commencement of by-law

(2) A by-law passed under this section comes into force on the day it is passed or the day specified in the by-law, whichever is later.

(3) Section 42 of the Act is amended by adding the following subsection:

Consultation

(3.1) Before passing a by-law under this section that provides for the alternative requirement authorized by subsection (3), the municipality shall consult with such persons and public bodies as the municipality considers appropriate.

(4) Section 42 of the Act is amended by adding the following subsections:

Application, subss. (4.5) to (4.24)

(4.4) Subsections (4.5) to (4.24) apply in respect of a by-law passed under this section or an amendment to such a by-law only if the by-law or amendment provides for the alternative requirement authorized by subsection (3).

Notice of by-law and time for appeal

(4.5) The clerk of a municipality that has passed a by-law under this section shall give written notice of the passing of the by-law, and of the last day for appealing the by-law, which shall be the day that is 40 days after the day the by-law is passed.

Requirements of notice

(4.6) Notices required under subsection (4.5) must meet the prescribed requirements and shall be given in accordance with the regulations.

Same

(4.7) Every notice required under subsection (4.5) must be given not later than 20 days after the day the by-law is passed.

When notice given

(4.8) A notice required under subsection (4.5) is deemed to have been given on the prescribed day.

Appeal of by-law after passed

(4.9) Any person or public body may appeal a by-law passed under this section to the Tribunal by filing with the clerk of the municipality, on or before the last day for appealing the by-law, a notice of appeal setting out the objection to the by-law and the reasons supporting the objection.

Clerk's duty on appeal

(4.10) If the clerk of the municipality receives a notice of appeal on or before the last day for appealing a by-law passed under this section, the clerk shall compile a record that includes,

- (a) a copy of the by-law certified by the clerk;
- (b) a copy of the parks plan referred to in subsection (4.1), if one exists;
- (c) an affidavit or declaration certifying that notice of the passing of the by-law and of the last day for appealing it was given in accordance with this Act; and
- (d) the original or a true copy of all written submissions and material received in respect of the by-law before it was passed.

Same

(4.11) The clerk shall forward a copy of the notice of appeal and the record to the Tribunal within 30 days after the last day for appealing the by-law and shall provide such other information or material as the Tribunal may require in respect of the appeal.

Affidavit, declaration conclusive evidence

(4.12) An affidavit or declaration of the clerk of a municipality that notice of the passing of the by-law and of the last day for appealing it was given in accordance with this Act is conclusive evidence of the facts stated in the affidavit or declaration.

L.P.A.T. hearing of appeal

(4.13) The Tribunal shall hold a hearing to deal with any notice of appeal of a by-law passed under this section forwarded by the clerk of a municipality.

Notice

(4.14) The Tribunal shall determine who shall be given notice of the hearing and in what manner.

Powers of L.P.A.T.

(4.15) After the hearing, the Tribunal may,

- (a) dismiss the appeal in whole or in part;
- (b) order the council of the municipality to amend the by-law as it relates to a requirement under subsection (3) or (6.0.1) in accordance with the Tribunal's order; or
- (c) amend the by-law as it relates to a requirement under subsection (3) or (6.0.1) in such manner as the Tribunal may determine.

Limitation on powers

(4.16) The Tribunal may not amend or order the amendment of a by-law so as to,

- (a) increase the amount of parkland that will be required to be conveyed or payment in lieu that will be required to be paid in any particular case;
- (b) add or remove, or reduce the scope of, an exemption provided in the by-law; or
- (c) change the date, if any, the by-law will expire.

Dismissal without hearing

(4.17) Despite subsection (4.13), the Tribunal may, where it is of the opinion that the objection to the by-law set out in the notice of appeal is insufficient, dismiss the appeal without holding a full hearing after notifying the appellant and giving the appellant an opportunity to make representations as to the merits of the appeal.

When L.P.A.T. ordered amendments effective

(4.18) The amendment of a by-law passed under this section by the Tribunal, or by the council of a municipality pursuant to an order of the Tribunal, is deemed to have come into force on the day the by-law came into force.

Refunds if L.P.A.T. amends by-law, orders amendment

(4.19) If the Tribunal amends a by-law passed under this section or orders the council of a municipality to amend a by-law passed under this section, the municipality shall refund,

- (a) in the case of a development or redevelopment that was subject to a requirement to convey land but not a requirement for a payment in lieu, the difference between the value of the land that was conveyed and the value of the land required to be conveyed under the by-law as amended;
- (b) in the case of a development or redevelopment that was subject to a requirement for a payment in lieu but not a requirement to convey land, the difference between the payment in lieu that was paid and the payment in lieu required under the by-law as amended; or
- (c) in the case of a development or redevelopment that was subject both to a requirement for a payment in lieu and to a requirement to convey land,
 - (i) if the amount of land that was conveyed is greater than or equal to the amount of land required to be conveyed under the by-law as amended, the payment in lieu and the difference between the value of the land that was conveyed and the value of the land required to be conveyed under the by-law as amended, or
 - (ii) if the amount of land that was conveyed is less than the amount of land required to be conveyed under the by-law as amended, the difference between the payment in lieu that was paid and the payment in lieu required under the by-law as amended.

When refund due

(4.20) If a municipality is required to make a refund under subsection (4.19), it shall do so,

- (a) if the Tribunal amends the by-law, within 30 days after the Tribunal's order; or
- (b) if the Tribunal orders the council of the municipality to amend the by-law, within 30 days after the amendment by the council.

Interest

(4.21) The municipality shall pay interest on an amount it refunds, at a rate not less than the prescribed minimum interest rate, from the day the amount was paid to the municipality or, where land was required to be conveyed, the day the building permit was issued in respect of the development or redevelopment, to the day the amount is refunded.

Same, more than one building permit

(4.22) If more than one building permit was required for the development or redevelopment in respect of which an amount is being refunded, the municipality shall pay interest, at a rate not less than the prescribed minimum interest rate, from the day the first permit was issued for the development or redevelopment to the day the amount is refunded.

Application of specified provisions to by-law amendments

(4.23) Subsections (2), (3.1) and (4.5) to (4.22) apply, with necessary modifications, to an amendment to a by-law passed under this section other than an amendment by, or pursuant to an order of, the Tribunal.

Limitation of L.P.A.T. powers

(4.24) In an appeal of an amendment to a by-law passed under this section, the Tribunal may exercise its powers only in relation to the amendment.

Non-application

(4.25) For greater certainty, subsections (3.1) and (4.5) to (4.24) do not apply to a by-law passed under this section or an amendment to a by-law passed under this section before the day subsection 2 (5) of Schedule 17 to the *COVID-19 Economic Recovery Act, 2020* comes into force.

Transition, expiry of by-law

(4.26) A by-law passed under this section that is in force on the day subsection 2 (5) of Schedule 17 to the *COVID-19 Economic Recovery Act, 2020* comes into force and that provides for the alternative requirement authorized by subsection (3) expires on the specified date for the purposes of section 9.1 of the *Development Charges Act, 1997* unless it is repealed earlier.

(5) Subsection 42 (6.4) of the Act is amended by adding “(4.19)” before “(6)”.

(6) Section 42 of the Act is amended by adding the following subsections:

Same, refund following appeal if by-law is amended

(10.1) In the event of a dispute between a municipality and an owner of land as to the value of land for the purposes of subsection (4.19),

- (a) the municipality shall pay the owner the amount it considers to be owed under that subsection in accordance with subsection (4.20); and
- (b) the owner shall, no later than 30 days after receiving payment, apply to the Tribunal to have the value determined for the purpose of that subsection.

Same

(10.2) An owner of land who applies to the Tribunal under subsection (10.1) shall give notice of the application to the municipality within 15 days after the application is made.

Same

(10.3) On an application under subsection (10.1), the Tribunal shall, in accordance as nearly as may be with the *Expropriations Act*, determine the value of the land.

3 Section 47 of the Act is amended by adding the following subsections:

Interpretation, “specified land”

(4.1) In subsections (4.3) to (4.16),

“specified land” means land other than land in the Greenbelt Area within the meaning of the *Greenbelt Act, 2005*.

Exclusion of land in Greenbelt Area

(4.2) For greater certainty, the land in the Greenbelt Area that is excluded from the definition of “specified land” in subsection (4.1) is the area of land designated under clause 2 (1) (a) of the *Greenbelt Act, 2005* which, pursuant to subsection 2 (2) of that Act, includes,

- (a) the areas covered by the Oak Ridges Moraine Conservation Plan established under section 3 of the *Oak Ridges Moraine Conservation Act, 2001*;
- (b) the areas covered by the Niagara Escarpment Plan established under section 3 of the *Niagara Escarpment Planning and Development Act*; and
- (c) such areas of land as may be described in the regulations made under the *Greenbelt Act, 2005*.

Site plan control and inclusionary zoning, specified land

(4.3) The Minister may, in an order made under clause (1) (a) that applies to specified land,

- (a) provide that section 41 of this Act and section 114 of the *City of Toronto Act, 2006* do not apply in respect of all or a specified part of the specified land described in the order;
- (b) require that a person who owns all or any part of the specified land described in the order enter into one or more agreements with a municipality in which all or part of the specified land is situate dealing with some or all of the matters listed in subsection (4.4); and
- (c) exercise any of the powers conferred on councils by subsections 35.2 (1) and (2) in respect of all or a specified part of the specified land described in the order.

Matters that may be dealt with in agreement

(4.4) The matters referred to in clause (4.3) (b) are the following, subject to subsection (4.6):

1. A requirement that any development, within the meaning of subsection 41 (1), on all or a specified part of the specified land described in the order be undertaken in accordance with,
 - i. plans showing the location of all buildings and structures to be erected and showing the location of all facilities and works to be provided in conjunction therewith and of all facilities and works as may be required by a condition imposed under paragraph 2, including facilities designed to have regard for accessibility for persons with disabilities, and
 - ii. drawings showing plan, elevation and cross-section views for each building to be erected, except a building to be used for residential purposes containing fewer than 25 dwelling units, which drawings are sufficient to display,
 - A. the massing and conceptual design of the proposed building,

- B. the relationship of the proposed building to adjacent buildings, streets and exterior areas to which members of the public have access,
 - C. the provision of interior walkways, stairs, elevators and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings,
 - D. matters relating to exterior design, including without limitation the character, scale, appearance and design features of buildings, and their sustainable design,
 - E. matters relating to exterior access to each building that will contain affordable housing units or to any part of such a building, but only to the extent that it is a matter of exterior design,
 - F. the sustainable design elements on any adjoining highway under a municipality's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities, and
 - G. facilities designed to have regard for accessibility for persons with disabilities.
2. Anything that may be imposed as a condition by a municipality under subsection 41 (7) of this Act or subsection 114 (11) of the *City of Toronto Act, 2006*.
 3. Anything that may be imposed as a condition by an upper-tier municipality under subsection 41 (8).

Same, Minister's direction

(4.5) If an order made under clause (1) (a) includes a requirement described in clause (4.3) (b) to enter into an agreement, the Minister may, at any time before or after the agreement has been entered into, provide the parties with written direction concerning the agreement.

Contents of Minister's direction

(4.6) Without limiting the generality of subsection (4.5), the Minister's direction may,

- (a) provide that one or more of the matters listed in subsection (4.4) shall not be dealt with in an agreement; or
- (b) specify how any matter listed in subsection (4.4) shall be addressed in an agreement.

Compliance with Minister's direction

(4.7) The parties that are required under clause (4.3) (b) to enter into an agreement shall ensure that,

- (a) if the Minister gives direction under subsection (4.5) before the agreement is entered into, the agreement complies with the direction; and
- (b) if the Minister gives direction under subsection (4.5) after the agreement is entered into, the agreement is amended to comply with the direction.

Effect of non-compliance

(4.8) A provision of an agreement entered into pursuant to a requirement described in clause (4.3) (b) is of no effect to the extent that it does not comply with a direction the Minister gives under subsection (4.5).

Same, timing of Minister's direction

(4.9) Subsection (4.8) applies whether the Minister's direction is given before or after the agreement has been entered into.

Non-application of *Legislation Act, 2006*, Part III

(4.10) Part III (Regulations) of the *Legislation Act, 2006* does not apply to a direction given by the Minister under subsection (4.5).

Restriction on matters in subs. (4.4), par. 1

(4.11) The following matters relating to buildings described in subparagraph 1 ii of subsection (4.4) shall not be dealt with in an agreement entered into pursuant to a requirement described in clause (4.3) (b):

1. The interior design.
2. The layout of interior areas, excluding interior walkways, stairs, elevators and escalators referred to in sub-subparagraph 1 ii C of subsection (4.4).
3. The manner of construction and construction standards.

Enforceability of agreement

(4.12) If an agreement is entered into between the owner of land and a municipality in accordance with a requirement described in clause (4.3) (b),

- (a) the agreement may be registered against the land to which it applies; and

- (b) the municipality may enforce the agreement against the owner and, subject to the *Registry Act* and the *Land Titles Act*, any and all subsequent owners of the land.

Inclusionary zoning policies

(4.13) If an order is made under clause (1) (a) in which the Minister exercises a power described in clause (4.3) (c), the Minister may do one or both of the following:

1. Require that any owner of lands, buildings or structures that are to be developed or redeveloped under the order and the municipality in which all or part of the specified land is situate enter into one or more agreements dealing with any or all of the matters mentioned in clauses 35.2 (2) (a) to (h) and ensuring continued compliance with the matters dealt with in the agreement.
2. Require that any owner of lands, buildings or structures that are to be developed or redeveloped under the order enter into one or more agreements with the Minister dealing with any or all of the matters mentioned in clauses 35.2 (2) (a) to (h) and ensuring continued compliance with the matters dealt with in the agreement.

Same

(4.14) An order containing a requirement described in paragraph 1 of subsection (4.13) is deemed to be a by-law passed by the council of the relevant local municipality for the purposes of subsections 35.2 (3) to (9) and a municipality that is a party to an agreement mentioned in that paragraph shall take the steps required under those subsections.

Same

(4.15) If an agreement is entered into in accordance with a requirement described in subsection (4.13),

- (a) the agreement may be registered against the land to which it applies; and
- (b) the Minister may enforce the agreement against the owner and, subject to the *Registry Act* and the *Land Titles Act*, any and all subsequent owners of the land.

Same

(4.16) An order made under clause (1) (a) in which the Minister exercises a power described in clause (4.3) (c) applies regardless of whether the official plan in effect in the relevant local municipality contains policies described in subsection 16 (4).

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Exception re notice — order exercising powers under subs. (4.3)

(9.1) Subsection (9) does not apply with respect to an order under clause (1) (a) if, in the order, the Minister has exercised any of the powers in subsection (4.3).

4 The definition of “effective date” in subsection 51.1 (0.1) of the Act is amended by striking out “the day subsection 32 (1) of the *Smart Growth for Our Communities Act, 2015* comes into force” and substituting “July 1, 2016”.

5 Paragraph 24.1 of section 70.1 of the Act is repealed and the following substituted:

- 24.1 prescribing types of development or redevelopment for the purposes of subsection 37 (4);
 - 24.1.1 prescribing requirements for the purposes of clause 37 (9) (b);
 - 24.1.2 prescribing the percentage referred to in subsection 37 (32) to be applied to the value of land;
 - 24.1.3 prescribing time periods for the purposes of clause 37 (33) (b) and subsections 37 (35) and (39);

AMENDMENTS TO OTHER ACTS

More Homes, More Choice Act, 2019

6 Sections 9 and 10, subsections 12 (1) to (8), 15 (1) to (5) and (7) and 17 (1) and (5) of Schedule 12 to the *More Homes, More Choice Act, 2019* are repealed.

Plan to Build Ontario Together Act, 2019

7 Schedule 31 to the *Plan to Build Ontario Together Act, 2019* is repealed.

COMMENCEMENT

Commencement

8 (1) Subject to subsection (2), this Schedule comes into force on the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

(2) Sections 1, 2, 4 and 5 come into force on a day to be named by proclamation of the Lieutenant Governor.

**SCHEDULE 18
PROVINCIAL OFFENCES ACT**

1 The French version of the definition of “police officer” in subsection 1 (1) of the *Provincial Offences Act* is amended by striking out “constables spéciaux” and substituting “agents spéciaux”.

2 (1) Clause 5 (2) (b) of the Act is amended by striking out “in the manner provided in the offence notice” at the end and substituting “by mail or in any other manner specified in the offence notice”.

(2) Subsection 5 (2) of the Act, as amended by subsection (1), is amended by striking out “If the offence notice includes a part with a notice of intention to appear, the defendant” at the beginning and substituting “The defendant”.

(3) Subsection 5 (3) of the Act is repealed.

(4) Section 5 of the Act is amended by adding the following subsection:

Exception

(3.1) Despite subsection (3), the requirements of that subsection may be met without personal attendance by delivering the notice of intention to appear to the court office specified in the offence notice by mail or by any other method permitted by the court office, if the offence notice was served,

- (a) on or after the day subsection 2 (4) of Schedule 18 to the *COVID-19 Economic Recovery Act, 2020* comes into force; or
- (b) before the day subsection 2 (4) of Schedule 18 to the *COVID-19 Economic Recovery Act, 2020* comes into force, unless, before that day, the defendant,
 - (i) gave notice of intention to appear under this section, requested a meeting with the prosecutor in accordance with section 5.1 or pleaded guilty under section 7 or 8, or
 - (ii) was convicted under subsection 9 (2).

(5) Subsection 5 (3.1) of the Act, as enacted by subsection (4), is repealed.

(6) Subsection 5 (4) of the Act is repealed and the following substituted:

Specified court office

(4) A notice of intention to appear is not valid unless it is given to the court office specified on the offence notice.

(7) Subsection 5 (5) of the Act is amended by striking out “under subsection (2) or (3)” and substituting “under this section”.

3 (1) Subsections 5.1 (1) and (2) of the Act are repealed and the following substituted:

Availability of meeting procedure

(1) This section applies if the offence notice indicates that an option of a meeting with the prosecutor to discuss the resolution of the offence is available.

Requesting a meeting

(2) A defendant may, instead of giving notice of intention to appear under section 5, request a meeting with the prosecutor to discuss the resolution of the offence if, within 15 days after being served with the offence notice, the defendant,

- (a) indicates the request on the offence notice; and
- (b) delivers the offence notice to the court office specified in the offence notice by mail or in any other manner specified in the offence notice.

Specified court office

(2.1) An offence notice is not valid unless it is delivered to the court office specified in the offence notice.

(2) Subsection 5.1 (2) of the Act, as re-enacted by section 3 of Schedule 35 to the *Stronger, Fairer Ontario Act (Budget Measures), 2017*, is amended by striking out “Instead of filing the notice of intention to appear” at the beginning and substituting “Instead of giving notice of intention to appear under section 5”.

(3) The French version of subsection 5.1 (3) of the Act is amended by striking out “dès que possible” and substituting “dès que matériellement possible”.

(4) Subsection 5.1 (3) of the Act, as re-enacted by section 3 of Schedule 35 to the *Stronger, Fairer Ontario Act (Budget Measures), 2017*, is amended by striking out the portion before clause (a) and substituting the following:

Types of early resolution meetings

(3) The defendant may request to attend the early resolution meeting,

(5) Clause 5.1 (3) (a) of the Act, as re-enacted by section 3 of Schedule 35 to the *Stronger, Fairer Ontario Act (Budget Measures), 2017*, is amended by adding “at the court office” at the end.

(6) The French version of subsection 5.1 (5) of the Act is amended by striking out “dès que possible” and substituting “dès que matériellement possible”.

(7) Subsection 5.1 (6) of the Act is amended by striking out “if unable to attend in person because of remoteness”.

(8) The French version of subsections 5.1 (10) and (11) of the Act is amended by striking out “dès que possible” wherever it appears and substituting in each case “dès que matériellement possible”.

(9) Section 5.1 of the Act is amended by adding the following subsections:

Transition

(13) This section applies to a defendant served with an offence notice before the day subsection 3 (1) of Schedule 18 to the *COVID-19 Economic Recovery Act, 2020* came into force, unless, before that day, the defendant,

- (a) gave notice of intention to appear under section 5, requested and attended a meeting with the prosecutor in accordance with this section or pleaded guilty under section 8; or
- (b) was convicted under subsection 9 (2).

Same

(14) Despite subsection (13), if the defendant requested a meeting with the prosecutor before the day referred to in that subsection and the meeting was not held but was scheduled before that day, this section applies to the defendant only if permitted by the clerk of the court.

(10) Subsections 5.1 (13) and (14) of the Act, as enacted by subsection (9), are repealed.

4 (1) Subsection 11 (2) of the Act is amended by adding “or on other evidence or information” after “if satisfied by affidavit of the defendant”.

(2) Subsection 11 (2) of the Act, as re-enacted by section 6 of Schedule 35 to the *Stronger, Fairer Ontario Act (Budget Measures), 2017*, is amended by adding “or on other evidence or information” after “if satisfied by affidavit of the defendant” in the portion before clause (a).

(3) Clauses 11 (3) (a) and (b) of the Act are repealed and the following substituted:

- (a) proceed under section 7, if the offence notice does not indicate that the option of a meeting under section 5.1 is available and the defendant wishes to proceed under section 7;
- (b) direct the clerk of the court to give notice to the defendant and the prosecutor of the time and place of their meeting under section 5.1, if the offence notice indicates that the option of a meeting under that section is available and the defendant wishes to proceed under that section; or

5 (1) Subsections 17.1 (1) and (3) of the Act are repealed and the following substituted:

Alternative to s. 17

(1) This section applies if the parking infraction notice allows for the defendant to make an appointment to discuss the parking infraction notice and, if applicable, file the notice of intention to appear.

Filing

(3) A defendant who is served with a parking infraction notice may give notice of intention to appear in court for the purpose of entering a plea and having a trial of the matter by filing a notice of intention to appear with a person designated by the regulations,

- (a) in person at the time or times specified in the parking infraction notice;
- (b) by mail; or
- (c) in any other manner specified in the parking infraction notice.

(2) Section 17.1 of the Act is amended by adding the following subsection:

Exception

(3.1) Despite subsection (3), the requirements of that subsection may be met without personal attendance by delivering the notice of intention to appear to the place specified in the parking infraction notice by mail or in any other method permitted by the applicable municipality, if the parking infraction notice was served,

- (a) on or after the day subsection 5 (2) of Schedule 18 to the *COVID-19 Economic Recovery Act, 2020* comes into force; or

- (b) before the day subsection 5 (2) of Schedule 18 to the *COVID-19 Economic Recovery Act, 2020* comes into force, unless, before that day, the defendant,
 - (i) delivered a notice of intention to appear under this section or section 18.1.1 or paid the fine, or
 - (ii) was convicted under subsection 18.2 (6).

(3) Subsection 17.1 (3.1) of the Act, as enacted by subsection (2), is repealed.

6 (1) Subsections 18.1.1 (1) and (3) of the Act are repealed and the following substituted:

Alternative to s. 18.1

(1) This section applies if the notice of impending conviction allows for the defendant to make an appointment to discuss the notice of impending conviction and, if applicable, file the notice of intention to appear.

Filing

(3) A defendant who receives a notice of impending conviction may give notice of intention to appear in court for the purpose of entering a plea and having a trial of the matter by filing a notice of intention to appear with a person designated by the regulations,

- (a) in person at the time or times specified in the notice of impending conviction;
- (b) by mail; or
- (c) in any other manner specified in the notice of impending conviction.

(2) Section 18.1.1 of the Act is amended by adding the following subsection:

Exception

(3.1) Despite subsection (3), the requirements of that subsection may be met without personal attendance by delivering the notice of intention to appear to the place specified in the notice of impending conviction by mail or in any other method permitted by the applicable municipality, if the notice of impending conviction was received,

- (a) on or after the day subsection 6 (2) of Schedule 18 to the *COVID-19 Economic Recovery Act, 2020* comes into force; or
- (b) before the day subsection 6 (2) of Schedule 18 to the *COVID-19 Economic Recovery Act, 2020* comes into force, unless, before that day, the defendant,
 - (i) delivered a notice of intention to appear under this section or section 17.1 or paid the fine, or
 - (ii) was convicted under subsection 18.2 (6).

(3) Subsection 18.1.1 (3.1) of the Act, as enacted by subsection (2), is repealed.

7 Subsection 19 (2) of the Act is amended by striking out “or otherwise” and substituting “or on other evidence or information”.

8 (1) Subsection 26 (2) of the Act is repealed and the following substituted:

Service

- (2) A summons shall be served by a provincial offences officer,
 - (a) by delivering it personally to the person to whom it is directed or, if that person cannot conveniently be found, by leaving it for the person at the person’s last known or usual place of residence with an individual who appears to be at least sixteen years of age and resident at the same address; or
 - (b) in any other manner permitted by the regulations.

(2) Section 26 of the Act is amended by adding the following subsection:

Regulations

(7) The Lieutenant Governor in Council may make regulations specifying how a summons may be served on a person for the purposes of clause (2) (b), and setting out when such service is deemed to have been effected.

9 Section 45 of the Act is amended by adding the following subsection:

Same, participation by electronic method

(3.1) If the defendant is making a plea by electronic method under section 83.1, the court may accept a plea of guilty only if, in addition to subsection (3), the court is satisfied that,

- (a) the defendant does not believe that the defendant’s ability to conduct a defence is compromised by participating by electronic method; and

- (b) the defendant is not being unduly influenced in making the plea by circumstances or persons at the location where the defendant is physically located.

10 Subsection 76.1 (1) of the Act is amended by adding “or the rules of court” after “under this Act”.

11 Section 83.1 of the Act is repealed and the following substituted:

Participation in proceedings by electronic method

83.1 (1) In this section,

“electronic method” means video conference, audio conference, telephone conference or other method determined by the regulations.

Same

(2) Subject to this section, in any proceeding under this Act or any step in a proceeding under this Act, any person, including a defendant, a prosecutor, a witness, an interpreter, a justice or the clerk of the court, may participate by an electronic method made available by the court office.

Excepted proceedings, circumstances

(3) Subsection (2) does not apply with respect to proceedings or steps in a proceeding, or in circumstances, that are specified by the regulations.

Requirement to appear in person

(4) A justice may order a person to appear in person if the justice is satisfied that the interests of justice require it or it is necessary for a fair trial.

Same

(5) In making a determination under subsection (4), the justice shall consider any factors set out in the regulations.

Direction re method

(6) A justice may, subject to subsection (7), by order specify which of available electronic methods must or may be used.

Limitation re methods

(7) The electronic method that may be used in a proceeding or step in a proceeding is subject to any limitations specified by the regulations as to which electronic methods may be used in the proceeding or step.

Duties of the clerk

(8) If an offence notice indicates that the option of a meeting under section 5.1 is available, the clerk of the court at the court office indicated in the offence notice shall ensure that the court office has the means available to allow a defendant or prosecutor to attend by electronic method.

Oaths

(9) If evidence is given under oath by electronic method, the oath may be administered by the same electronic method.

Interpretation

(10) A provision of this Act, the regulations or the rules of court that presumes that participation would be in person shall not be read as limiting the application of this section, and shall be read in a manner consistent with this section.

Territorial jurisdiction

(11) A hearing in a proceeding by electronic method under this section is deemed to meet the requirements of subsections 29 (1) and (2) regardless of where a justice is physically located during the hearing.

Application in appeals

(12) This section applies, with necessary modifications, with respect to appeals under Part VII, and, for the purpose, references in this section to a court and to a justice shall be read as including reference to a court and to a judge respectively, as those terms are defined for the purposes of that Part.

Transition

(13) This section applies with respect to a proceeding whether it was commenced before, on or after the day section 11 of Schedule 18 to the *COVID-19 Economic Recovery Act, 2020* came into force.

Regulations

(14) The Lieutenant Governor in Council may make regulations,

- (a) respecting anything that, in this section, may or must be done by regulation;

- (b) requiring the payment of fees for using electronic methods, fixing the amounts of the fees, and specifying circumstances in which and conditions under which a justice or another person designated in the regulations may waive the payment of a fee.

12 The French version of section 89 of the Act is amended by striking out “introduite” and substituting “accomplie”.

13 Subsection 141 (2) of the Act is amended by striking out “file with the Superior Court of Justice for use on the application, all material concerning the subject-matter of the application” at the end and substituting “ensure that all material concerning the subject-matter of the application is filed with the Superior Court of Justice for use on the application”.

14 (1) Subsection 158.1 (1) of the Act is repealed and the following substituted:

Electronic warrants

Submission of information

(1) A provincial offences officer may submit an information on oath, by a means of electronic communication that produces a writing, to a justice designated for the purpose by the Chief Justice of the Ontario Court of Justice.

(2) Clause 158.1 (4) (a) of the Act is repealed.

(3) Subsection 158.1 (6) of the Act is amended by adding “and” at the end of clause (a) and by striking out clause (b).

(4) Clause 158.1 (8) (b) of the Act is amended by striking out “telecommunication” and substituting “electronic communication”.

15 The French version of the following provisions of the Act is amended by striking out “à sa face même” wherever it appears and substituting in each case “à première vue”:

1. Clauses 9 (2) (a) and (b) and subsection 9 (3).
2. Subsection 9.1 (2).
3. Clause 18.2 (2) (a).
4. Subsection 18.4 (2).
5. Subsection 36 (1).

16 The French version of the following provisions of the Act is amended by striking out “à sa face” wherever it appears and substituting in each case “à première vue”:

1. Subsection 18.3 (1).
2. Subsection 18.3 (2).

Stronger, Fairer Ontario Act (Budget Measures), 2017

17 Sections 2 and 16 of Schedule 35 to the *Stronger, Fairer Ontario Act (Budget Measures), 2017* are repealed.

Commencement

18 (1) Subject to subsections (2) to (5), this Schedule comes into force on the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

(2) Subsections 2 (2), (3) and (5) and 3 (10) come into force on the first anniversary of the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

(3) Subsections 5 (1) and (3) and 6 (1) and (3) come into force on a day to be named by proclamation of the Lieutenant Governor.

(4) Subsections 3 (2), (4) and (5) come into force on the later of the day section 3 of Schedule 35 to the *Stronger, Fairer Ontario Act (Budget Measures), 2017* comes into force and the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

(5) Subsection 4 (2) comes into force on the later of the day section 6 of Schedule 35 to the *Stronger, Fairer Ontario Act (Budget Measures), 2017* comes into force and the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

**SCHEDULE 19
PUBLIC TRANSPORTATION AND HIGHWAY IMPROVEMENT ACT**

1 The *Public Transportation and Highway Improvement Act* is amended by adding the following sections:

No hearings of necessity

11.1 (1) Subsections 6 (2) to (5), section 7 and subsections 8 (1) and (2) of the *Expropriations Act* do not apply to an expropriation of land under section 11.

Transition

(2) If a decision under subsection 8 (2) of the *Expropriations Act* has not been made in respect of an intended expropriation of land under section 11 before the day section 1 of Schedule 19 of the *COVID-19 Economic Recovery Act, 2020* comes into force,

- (a) no hearing shall be held on the matter under section 7 of the *Expropriations Act*;
- (b) any hearing on the matter that has been commenced is deemed to be terminated on the day section 1 of Schedule 19 of the *COVID-19 Economic Recovery Act, 2020* comes into force; and
- (c) no report on the matter shall be given under subsection 7 (6) of the *Expropriations Act*.

This section prevails

(3) This section applies despite subsection 2 (4) of the *Expropriations Act*.

Alternative process

11.2 (1) The Minister may establish a process for receiving comments from property owners about a proposed expropriation under section 11 and for considering those comments.

How process established

(2) The Minister may make regulations establishing the process or may establish the process by another means.

Statutory Powers Procedure Act

(3) The *Statutory Powers Procedure Act* does not apply to a process for receiving and considering comments about a proposed expropriation under this section.

Commencement

2 This Schedule comes into force on the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent.

**SCHEDULE 20
TRANSIT-ORIENTED COMMUNITIES ACT, 2020**

Definitions

1 In this Act,

“Minister” means the Minister of Transportation or such other member of the Executive Council to whom responsibility for the administration of this Act is assigned or transferred under the *Executive Council Act*; (“ministre”)

“priority transit project” means,

- (a) the line known as the Ontario Line located in the City of Toronto,
- (b) the subway extension known as the Scarborough Subway Extension, and also known as the Line 2 East Extension, located in the City of Toronto,
- (c) the subway extension known as the Yonge Subway Extension, and also known as the Yonge North Subway Extension, extending from within the City of Toronto to within the Regional Municipality of York, or
- (d) the light rail transit extension known as the Eglinton Crosstown West Extension extending westward from within the City of Toronto at the station known as Mount Dennis; (“projet de transport en commun prioritaire”)

“transit-oriented community project” means a development project of any nature or kind and for any usage in connection with the construction or operation of a station that is part of a priority transit project, and includes a development project located on transit corridor land within the meaning of Bill 171 (*Building Transit Faster Act, 2020*), introduced on February 18, 2020. (“projet communautaire axé sur le transport en commun”)

Designation of transit-oriented community land

2 (1) The Lieutenant Governor in Council may, by order in council, designate land as transit-oriented community land if, in the opinion of the Lieutenant Governor in Council, it is or may be required to support a transit-oriented community project.

Public notice

(2) The Minister shall publish notice of each designation made under subsection (1) on a Government of Ontario website.

Expropriations, no hearings of necessity

3 (1) Subsections 6 (2) to (5), section 7 and subsections 8 (1) and (2) of the *Expropriations Act* do not apply to an expropriation of land, within the meaning of that Act, if,

- (a) at least some part of the land is designated under subsection 2 (1) as transit-oriented community land; and
- (b) the expropriation is for a transit-oriented community project.

Conflict

(2) Subsection (1) applies despite subsection 2 (4) of the *Expropriations Act*.

Process for comments

(3) The Minister may establish a process for receiving comments from property owners about a proposed expropriation and for considering those comments.

Same, regulations

(4) The Minister may make regulations establishing a process described in subsection (3).

Statutory Powers Procedure Act

(5) The *Statutory Powers and Procedure Act* does not apply to a process for receiving and considering comments about a proposed expropriation established under subsection (3) or by regulations made under subsection (4).

AMENDMENTS TO OTHER ACTS

Ministry of Infrastructure Act, 2011

4 (1) **The *Ministry of Infrastructure Act, 2011* is amended by adding the following section:**

Investing in a transit-oriented community project

7.1 (1) The Minister may, subject to the approval of the Lieutenant Governor in Council, establish, acquire, manage, participate in or otherwise deal with corporations, partnerships, joint ventures or other entities for the purpose of investing assets in, supporting or developing transit-oriented community projects related to priority transit projects.

Borrowing and risk management

(2) When acting under subsection (1), the Minister may borrow or manage financial risks as long as,

- (a) the Minister of Finance has, in writing, approved the borrowing or management; and
- (b) the Ontario Financing Authority co-ordinates and arranges the borrowing or management, unless otherwise agreed to in writing by the Minister of Finance.

Investment policy

(3) The Minister shall ensure that every entity referred to in subsection (1) invests any funds that it receives either directly or indirectly from the Minister in accordance with an investment policy that has been approved in writing by the Minister of Finance.

Regulations

- (4) The Lieutenant Governor in Council may make regulations,
- (a) prescribing and governing any additional powers that the Minister may require in order to carry out the activities set out in subsection (1);
 - (b) prescribing and governing any limitations to permitted activities for the purposes of subsection (1);
 - (c) prescribing provisions of the *Corporations Act*, *Business Corporations Act* and *Corporations Information Act* that apply or do not apply to any particular corporation referred to in subsection (1) and, in the case of provisions prescribed as applying, prescribing such modifications of those provisions as the Lieutenant Governor in Council considers necessary or advisable;
 - (d) providing that an entity referred to in subsection (1) is or is not a Crown agent;
 - (e) prescribing and respecting the governance structure, purposes, powers or duties for a partnership, joint venture or other entity referred to in subsection (1) that is not a corporation;
 - (f) respecting any other matter that the Lieutenant Governor in Council considers necessary or advisable for the purposes of this section, including to ensure that an entity referred to in subsection (1) may effectively carry out its purposes, powers and duties.

Definitions

(5) In this section,

“priority transit project” and “transit-oriented community project” have the same meaning as in the *Transit-Oriented Communities Act, 2020*.

(2) Subsection 19 (2) of the Act is amended by adding the following paragraph:

2.1 Section 7.1.

COMMENCEMENT AND SHORT TITLE

Commencement

5 (1) If Bill 171 (*Building Transit Faster Act, 2020*), introduced on February 18, 2020, receives Royal Assent, the Act set out in this Schedule comes into force on the later of,

- (a) the day the *COVID-19 Economic Recovery Act, 2020* receives Royal Assent; and**
- (b) the day Bill 171 receives Royal Assent.**

(2) The Act set out in this Schedule does not come into force if Bill 171 does not receive Royal Assent.

Short title

6 The short title of the Act set out in this Schedule is the *Transit-Oriented Communities Act, 2020*.

THE CORPORATION OF THE TOWNSHIP OF MAPLETON

DRAFT BY-LAW

Being a by-law to provide rules governing the proceedings of the Council and Committees of the Township of Mapleton and to repeal By-law 2015-033

WHEREAS Section 238 of the *Municipal Act, S.O. 2001 Chapter 25* as amended, requires that every council shall adopt a procedure by-law to govern the calling, place and proceedings of meetings for council and council committees;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF MAPLETON ENACTS AS FOLLOWS:

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GENERAL:

1. Definitions

1.1. In this by-law

- a) “clerk” means the clerk of the Corporation;
- b) “council” means the council of the Corporation;
- c) “head of council” means the mayor of the Corporation;
- d) “meeting” means any regular, special or other meeting of a council, of a local board or of a committee of either of them, where,
 - (i) a quorum of members is present, and
 - (ii) members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the council, local board or committee. (“réunion”)
- e) “committee” means any advisory or other committee, subcommittee or similar entity composed of members of council;
- f) “presiding officer” means the head of council or other member of council appointed under *Section 242 of the Municipal Act*, or the chair of a committee;
- g) “point of order” means bringing attention to any breach of this by-law, or any defect in the constitution of any meeting of the council, or the use of improper, offensive or abusive language, or notice of the fact that the matter under discussion is not within the scope of the proposed motion, or any other informality or irregularity in the proceedings of council;
- h) “point of personal privilege” means and relates to all matters affecting the rights and immunities of the council collectively, or the position, rights and conduct of members in their representative capacities;
- i) “member” means a member of the council or a committee.
- j) “written submission” may be submitted to the Clerk by way of written letter, facsimile or E-mail”.

2. Operative Provisions

2.1. The rules and regulations contained in this by-law shall be observed in all proceedings of Council and Committees of Council and shall be the rules and regulations for the order and dispatch of business in Council and in the Committees thereof. Provided that the rules and regulations contained herein may be suspended by a vote of two thirds of the whole Council.

2.2. Following a regular or new election, the clerk shall provide each member of council with a copy of this by-law, including any amendments thereto.

3. Absence of Head of Council

3.1. When the head of Council is absent or refuses to act for any reason, or if the office is vacant, the council shall by bylaw name one of its members to act in the place of the head of council and while so acting, the member has and may exercise all the rights, powers and authority of the head of Council. In the event, the named individual is not present, the council shall by resolution appoint a councillor on an alphabetical surname rotation basis.

4. Quorum

4.1. A majority of all members of Council shall constitute a quorum.

4.2. In the event a quorum is not present in fifteen minutes after the time appointed for the meeting of Council, the Council shall stand adjourned until the next scheduled day of a Council meeting, and the Clerk shall take down the names of the members present at the expiration of such fifteen minutes.

4.3. In the event a Council meeting is being held over an electronic platform, all members present who respond to the roll call, will be counted in determining whether or not a quorum of members is present.

5. Improper Conduct

5.1. The head of council or other presiding officer may expel any person for improper conduct at a meeting.

6. Meetings of Council

6.1. The inaugural meeting of the Council following the election shall be held on the first Monday in December at 7:00 p.m., in the Council Chambers of the Municipal Administration Office.

6.2. After the inaugural meeting, the Council shall meet on the second Tuesday of each month in the year at 7:00 o'clock in the evening and on the fourth Tuesday of each month in the year at 1:00 o'clock in the afternoon in the Council Chambers of the Municipal Building, except as provided below:

- a) unless another time is ordered;
- b) unless another location is ordered;
- c) during June, July, August and December there will be one regular meeting a month, on the second Tuesday at 7:00 o'clock in the evening (effective January 1, 2019), with consideration given to conferences and seasonal holidays.
- d) if all business before Council is not concluded by the hour of 12:00 o'clock in the morning Council shall stand adjourned until the next day at the same hour at 7:00 p.m. or on such other day as may be determined by the Mayor;

6.3. Council may elect to utilize an electronic platform for both 'Open to the Public' and 'Closed to the Public' Council meetings.

6.4. All council and committee meetings shall be open to the public unless otherwise provided in the *Municipal Act*.

6.5. In the event Council is to hold a meeting that is not open to the public, prior to the holding of the meeting, Council shall in formal public session state by resolution the general nature of the matter to be considered at the closed meeting under one of the headings as approved under Section 239(2) of the *Municipal Act*.

6.6. If Council or local board receives a report from a closed meeting investigator, and if the report determined that a meeting was held contrary to Section 6.3, Council or the local board, as the case may be, shall pass a resolution stating how it intends to address the report.

7. Agenda

7.1. The Clerk shall prepare an agenda for use of the members of Council/Committees. The agenda shall be generally formatted as follows, however modifications to the matters included or the order of business may be effected without requiring amendment to this by-law:

COUNCIL

- CALL TO ORDER
- O CANADA
- DECLARATION OF PECUNIARY INTEREST
- CONFIRMATION OF MINUTES
- MATTERS ARISING FROM MINUTES
- MATTERS UNDER THE *PLANNING ACT/DRAINAGE ACT/ETC*,
- MATTERS ARISING FROM *PLANNING ACT/DRAINAGE ACT/ETC*,
- DELEGATIONS
- MATTERS ARISING FROM DELEGATIONS
- MINUTES FROM COMMITTEES
- REPORTS AND UPDATES FROM STAFF
- APPROVAL OF BY-LAWS

- CORRESPONDENCE FOR COUNCIL'S DIRECTION
- CORRESPONDENCE FOR COUNCIL'S INFORMATION
- NOTICES OF MOTION
- NOTICE PROVISION
- OTHER BUSINESS
- COUNCIL TRACKING SHEET
- ~~CONFIRMATORY BY-LAW~~
- CLOSED SESSION
- CONFIRMATORY BY-LAW
- ADJOURNMENT

ADVISORY COMMITTEES

- CALL TO ORDER
- DECLARATION OF PECUNIARY INTEREST
- CONFIRMATION OF MINUTES
- MATTERS ARISING FROM MINUTES
- DELEGATIONS
- MATTERS ARISING FROM DELEGATIONS
- REPORTS FROM STAFF
- VERBAL UPDATES FROM STAFF
- ADJOURNMENT

7.2. The business of the Council shall be conducted in the order as listed in the agenda unless otherwise decided by the Mayor or presiding officer.

7.3. Any member of Council, may file in writing an item for inclusion in the agenda under new business. This written item must be submitted to the Clerk by no later than 5:00 p.m. on the Tuesday before the Council meeting in order that the item may be listed on the agenda and the subject identified.

7.4. An item of business or matter not listed on the agenda cannot be introduced at a council meeting without the approval of council expressed by motion.

8. Change of Date or Time

8.1. Council may, by resolution, alter the date and/or time of a regular meeting in accordance with the Notice Provision By-law.

9. Special Council Meetings

9.1.

- a) The head of Council may at any time summon a special meeting of Council on 24 hours' notice to the members of council and to the public, or upon receipt of a petition of the majority of the members of the Council, the Clerk shall summon a special meeting for the purpose and at the time and place mentioned in the petition. Twenty-four hours' notice of all special meetings of Council shall be given through the Clerk's Office. The only business to be dealt with at a special meeting is that which is listed in the notice of the meeting.
- b) Notwithstanding the requirement for notice set out in subsection (a) above, in the event of a bona fide emergency, the meeting may be held as soon as practicable following receipt of the summons or petition, as the case may be, and notice may be given by telephone or personal contact as determined by the Clerk.

~~**Special Circumstances Electronic Meetings**~~

- ~~(c) Members may participate in meetings by Electronic Means subject to the following:~~

- ~~i) Where an emergency in any part or all of the municipality has been declared by the Municipal Head of Council, or the Premier, Cabinet under the Emergency Management and Civil Protection Act~~
- ~~ii) Remote participation in open and closed meetings of Council by members and staff on any electronic device platform that is deemed suitable by the Clerk.~~
- ~~iii) During such period of a declared emergency, all members participating in an electronic open or closed meeting shall be counted towards a quorum.~~
- ~~iv) Attendance may be restricted to the public and press to protect the health and safety of all individuals and security of property.~~

10. Declaration of Pecuniary Interest

10.1.

- a) In all matters and circumstances every member of Council and every member of a Committee of Council shall be guided by and have due regard to the Municipal Conflict of Interest Act
- b) When a member of Council participates in any matter despite a conflict of interest, Council should consider deferring the matter for sufficient time to assess any impact such participation may have had on the decision making process.
- c) The municipality shall establish and maintain a registry to keep each 'disclosure of pecuniary interest' filed at or following a meeting. See Appendix A affixed. The Conflict of Interest Registry will be available to the public for viewing at the Township of Mapleton Admin Office and on the Township website.

11. Confirmation of Minutes

- 11.1. The minutes of the previous meeting not yet adopted shall be presented by the Clerk for confirmation.
- 11.2. It shall not be necessary to have the minutes read where copies have been provided to members of Council prior to the meeting.
- 11.3. When the minutes have been confirmed they shall be signed by the Mayor and the Clerk.
- 11.4. All minutes shall be bound in suitable volumes, and stored in the vault room.

12. Matters Arising from Minutes

- 12.1. Items under this heading shall be business from the previous meetings requiring additional consideration by Council, whether a policy decision is required or not. Items under this heading may also include follow-up information provided by staff or consultants.

13. Matters under the Planning Act

- 13.1. When appropriate Council shall conduct a public meeting for the purpose of informing the public of matters under Sections 17 and 34 of *The Planning Act, R.S.O.*, as amended. Any person wishing to address Council on such matters will be permitted to do so in accordance with the Statutory Powers and Procedures Act, R.S.O. 1990.

14. Matters Arising from Planning Act

- 14.1. When the subject matter is such that direction from Council is required, appropriate resolutions shall be presented for consideration after the Planning Act matter has been heard.

15. Delegations

- 15.1. No person, except members and officers of Council shall be allowed to come within the bar during sittings of the Council or Committees of Council without the permission of the Presiding Officer.
- 15.2. Delegations wishing to address Council must notify and provide the Clerk with a written copy of the submission by 5:00 p.m. on the Tuesday before the Council meeting in order that the delegations may be listed on the agenda and the subject of the delegation be identified.
- 15.3. No person shall be permitted to address Council on a subject not on the agenda unless by permission of Council by a two-thirds majority vote.
- 15.4. Delegations addressing Council shall be limited to a maximum of 10 minutes, unless at the discretion of the Mayor such limitation is not sufficient to inform Council members or the delegations. No one group or delegation may appoint more than 2 persons to speak on their behalf.
- 15.5. Members of Council only may ask questions of the deputations. All questions of deputations shall be addressed through the head of Council. No member of Council shall express an opinion or enter into debate with the deputations.

16. Matters Arising from Delegations

- 16.1. When the subject matter is such that direction from Council is required, appropriate resolutions shall be presented for consideration after the delegations have been heard.

17. Minutes from Committees

- 17.1. Minutes from Advisory Committee meetings shall be included with the agenda for information. Council will then consider any recommendations contained in the minutes.

18. Reports From Staff

- 18.1. All reports from staff shall be in writing and shall be included with the agenda.

19. Approval of By-laws

- 19.1. Council shall be informed by a listing of all by-laws being introduced and copies shall be included with the agenda.
- 19.2. All by-laws being placed before Council for consideration shall be introduced by means of a motion prior to discussion or debate.
- 19.3. Unless otherwise requested or separated, all By-laws proposed for adoption shall be passed in one single motion.
- 19.4. Every By-law passed by Council shall:
 - a) Be signed by the Mayor or presiding officer and the Clerk;
 - b) Be sealed with the Corporate Seal of the Municipality; and
 - c) Indicate the date of passage.

20. Correspondence for Council's Direction

- 20.1. Correspondence under this heading shall be correspondence for which a policy decision of Council is required.
- 20.2. Council may request a report, recommendations or information from the appropriate Department Head, CAO, or Committee on correspondence of this nature.
- 20.3. Council may only endorse proclamations when a representative of the requesting agency, group or association appears before Council. Otherwise the request will be circulated for Council members' information only.

21. Correspondence for Council's Information

- 21.1. Correspondence under this heading shall be correspondence for which no action of Council is required by Council at the time of meeting.
- 21.2. Such correspondence may be provided to council in the form of a list describing the information. Any correspondence for which a report or additional information are to be received by Council shall be so noted.

22. Notices of Motion

- 22.1. Notice shall be given verbally or in writing at a previous meeting of Council:
 - a) to amend, repeal, or alter this by-law;
 - b) to introduce any measure or change in the Council's established policy;
 - c) any verbal notice of motion must be followed up with written notice to the Clerk no later than 5:00 p.m. on the Tuesday prior to the next meeting, and may include any supporting information the member feels is appropriate for Council's information.

23. Notice Provision

- 23.1. The Clerk shall provide the required notice, in accordance with Section 270 of *The Municipal Act, 2001* in any or all of the following ways: web site, fax, phone, email, council agenda, regular mail, newspaper, publication, radio or television. Details of how the notice requirements will be satisfied will be contained in a Council by-law delegating authority for giving notice to the Clerk.

24. Other Business

- 24.1. Questions may be put to the head of Council or through him/her to any member of council or staff, relating to any by-law, motion, or other matter connected with the business of Council, or the affairs of the municipality.
- 24.2. Any member of Council may inform the Council of any matter, which he or she feels would be of interest to the Council, or the municipality.
- 24.3. In the event that an item is brought before Council for consideration after the preparation of the agenda, at the discretion of the head of Council or on a motion of the majority of the members of council present, the matter may be considered by Council at the current meeting.

25. Confirmatory By-law

- 25.1. Prior to adjournment of each meeting of Council a by-law confirming the actions of council during the meeting shall be passed

26. Matters Before Court

- 26.1. No person or member of Council shall be permitted to address the Council or any Committee of Council in public meetings on any matter that is before any Court,

Administrative Tribunal, or any Boards or Commissions for decision, unless said matter is referred to Council by said Court, Tribunal, Board or Commission.

PROCEDURES FOR COUNCIL/COMMITTEE MEETINGS:

27. Points of Order and Privilege

- 27.1. The presiding officer shall preserve order and decide points of order and personal privilege, but an appeal lies to Council.
- 27.2. The Council if appealed to, shall decide the point without debate and its decision shall be final.

28. Duties of Presiding Officer

- 28.1. The presiding officer shall:
- a) open the meeting by calling all members to order;
 - b) make such remarks as is fitting for the information or assistance of the Council;
 - c) receive and submit, in the proper manner, all motions presented by the members of Council;
 - d) put to vote all questions which are regularly moved or seconded, or necessarily arise in the course of the proceedings and announce the result;
 - e) decline to put to vote motions which infringe on the rules of order;
 - f) enforce on all occasions the observance of order and decorum among the members and guests and if necessary order the individual or group to vacate the Council Chamber should the disruptive behaviour persist;
 - g) authenticate by his signature, when necessary, all by-laws, resolutions and minutes of Council;
 - h) inform the Council, when necessary, or when referred to for the purpose, in a point of order or usage;
 - i) select the members who are to serve on Committees, when directed to do so, in a particular case, or when it is made a part of his general duty by rule of procedure;
 - j) represent and support the Council, declaring its will and implicitly obeying its decisions in all things;
 - k) ensure that the decisions of Council are in conformity with the laws and by-laws governing the activities of Council;
 - l) adjourn the meeting when business is concluded;
 - m) adjourn the meeting, without question, in the case of grave disorder arising in the Council Chamber;
- 28.2. The Head of Council or the Presiding Officer except where disqualified to vote by reason of interest or otherwise, may vote with the other members on all questions, and, except where otherwise expressly provided by this Act, any question on which there is an equality of votes shall be deemed to be negative.
- 28.3. If the Head of Council or Presiding Officer desires to leave the chair for the purpose of taking part in the debate or otherwise he shall call upon one of the Councillors to fill his place until he resumes the chair.

29. Petitions and Communications

- 29.1. Every communication, including a petition designed to be presented to the council shall be legibly written or printed and shall not contain any obscene or improper matter or language and shall be signed by at least one person and filed with the clerk to be placed on the agenda for consideration. Submissions must be received by the clerk not later than 5:00 p.m. on the Tuesday preceding the council meeting.

30. Rules of Conduct & Debate

- 30.1. Every member desiring to speak shall be recognized by the Presiding Officer.

- 30.2. Every member upon being recognized to speak shall address the Presiding Officer.
- 30.3. The number of times a member speaks on any question shall not be limited unless the Presiding Officer determines that this exception shall no longer apply.
- 30.4. Despite paragraph 32.2 above, no member shall speak more than once except to make an explanation until every member who desires to speak has spoken.
- 30.5. No member may disturb another, or the Council, staff or guest by any disorderly conduct disconcerting to the speaker or the assembly.
- 30.6. Any member called to order by the Presiding Officer shall immediately cease and desist, but then may rise, explain and appeal to the Council. The Council, if appealed to, shall without debate decide on the case. If there is no appeal the decision of the Presiding Officer shall be final.
- 30.7. No member shall reflect upon any vote of the Council except for the purpose of moving that such vote be rescinded. Any member may ask that a vote be recounted and a vote will be recounted once only.
- 30.8. No member shall resist the rules of Council, or disobey the decision of the Presiding Officer, or of the Council on questions of order or practice or upon the interpretation of the rules of Council.
- 30.9. No member shall leave a meeting without first obtaining permission from the Presiding Officer.
- 30.10. No member shall be permitted to retake their seat after being ordered to vacate, having committed a breach of any rule of the Council, until the next meeting and without making an apology to Council.
- 30.11. No member shall interrupt the member who has the floor except to raise a point of order.

31. Motions & Rules of Debate

- 31.1. Any motion may be introduced without notice to Council if Council, without debate, agrees on a majority vote to dispense with notice.
- 31.2. All motions shall be formally seconded before the question can be put from the Presiding Officer or recorded in the minutes.
- 31.3. A motion presented in Council shall be presented either in writing or orally, and shall be read or stated by the Presiding Officer prior to debate.
- 31.4. Rules for motions under consideration are attached hereto as Schedule "A".
- 31.5. A motion, once read or stated by the Presiding Officer, shall not be withdrawn without the consent of the majority of members present.

32. Voting on Motions

- 32.1. If a motion under consideration contains distinct propositions, at the request of any member, the vote upon each proposition shall be taken separately.
- 32.2. No member shall speak to the question once finally put by the Presiding Officer nor shall any other motion be introduced until after the vote is taken and the result declared.
- 32.3. No vote shall be taken by ballot or any other method of secret voting, and every vote so taken is of no effect.

32.4. When a vote is taken and a member present abstains from voting the member present is deemed to have voted in the negative.

33. Recorded Votes

- 33.1. The Clerk shall, if required by any member present, record the name and vote of every member voting on any matter or question.
- 33.2. The Clerk shall record in the minutes the name of any councillor who is not present in the Chamber when such recorded vote is taken.
- 33.3. Where a vote is taken for any purpose and a member requests immediately prior or immediately subsequent to the taking of the vote that the vote be recorded, each member present, except a member who is disqualified from voting by any Act, shall announce his vote openly, and any failure to vote by a member who is not disqualified shall be deemed to be a negative vote and the Clerk shall record each vote.

34. Reconsideration

- 34.1.
- a) After a motion is passed, or Report adopted, no motion for a reconsideration thereof shall be introduced unless it is moved and seconded by two members from among those who voted with the majority that carried the main motion, or Report, and that such motion is passed by two-thirds vote of the entire Council, OR
 - b) After a Notice to introduce such motion, given by a member at a previous meeting, and such Notice of Motion appears on the Agenda of the meeting, at which it is to be considered, such motion to be passed by a majority vote of the entire Council.
- 34.2. No motion shall be reconsidered more than once nor shall a vote to reconsider be considered more than once.

35. Suspension of Rules of Council

35.1. No Standing Rules or Order of Council shall be suspended except by affirmative vote of two-thirds of the entire Council.

36. Unprovided Rules

36.1. In all unprovided cases in the proceedings of Council, Bourinots Rules of Order, firstly, and Robert's Rules of Order, secondly, shall be used to provide guidance to Council and the Presiding Officer.

CONDUCT OF MEMBERS AND OTHERS:

37. Maintaining Good Order

- 37.1. Unless otherwise authorized by the presiding officer, all members, staff and guests shall address the meeting through the chair and only when recognized to do so.
- 37.2. No member, deputation or delegation shall be permitted to address council on any matter that is before any court for decision.
- 37.3. A member, deputation or delegation shall not:
- a) use offensive words or unparliamentary language in or against the council or against any member, officer, staff or guest;
 - b) speak on any subject other than the subject in debate;

- c) disturb another, or the council, staff or guest by any disorderly conduct;
- d) interrupt the speaker who has the floor except to raise a point of order;
- e) disobey the rules of council or a decision of the presiding officer or of the council itself on questions of order or practice or upon the interpretation of the rules of the council; and in case a member persists in any such disobedience after having been called to order by the presiding officer, the presiding officer may forthwith put the question without amendment, adjournment or debate – “that such member be ordered to leave his or her seat for the duration of the meeting of the council”; provided that if the member apologizes, he or she may, by vote of council, be permitted to retake his or her seat.
- f) leave the Council Chambers without the permission of the Chair or Presiding Officer.

37.4. In all matters and under all circumstances members shall be guided by and shall have regard to the *Municipal Conflict of Interest Act, R.S.O. 1990* as amended or re-enacted for time to time.

38. Confidential Information

- 38.1. All information, documentation or deliberations received, reviewed or taken in a closed meeting must remain confidential.
- 38.2. No member shall release or make public any information considered at a closed meeting or discuss the content of such meeting with persons other than members of council or relevant staff members without the authorization of council.
- 38.3. Any member who contravenes section 40 of this by-law shall be deemed not to be acting in the interest of, on behalf of, or within the authority of the council of the Corporation.

39. Repeal of By-law

39.1. That By-law Number 2015-033 and all amendments including 2018-062, 2019-054 and 2020-023 be hereby repealed.

READ a first, second and third time and passed this _____ day of _____, 2020.

Mayor

Clerk

DRAFT BY-LAW
Procedural By-law
SCHEDULE "A" TO BY-LAW NUMBER XX

Rules For Motions Under Consideration:

1. When a motion is under consideration, no subsequent motion shall be received unless:
 - a) It is a motion to amend the motion under consideration, and a motion to amend:
 - i) is open to debate; and
 - ii) is to be dealt with by Council before a previous amendment or the main motion; and
 - iii) is subject to only one amendment at a time and must only be to the main question; and
 - v) is not a direct negative to the main motion.
 - b) It is a motion to refer the matter under consideration, and until decided;
 - i) is open to debate; and
 - ii) is amendable; and
 - iii) shall preclude amendment or debate of the preceding motion unless resolved in the negative.
 - c) It is a motion to defer the matter under consideration by, and a motion to defer;
 - i) is not open to debate; and
 - ii) is not subject to amendment; and
 - iii) applies to the main motion and any amendments thereto under debate at the time the motion to defer is made.
 - d) It is a motion to defer to a specific time the matter under consideration by; and a motion to defer to a specific time;
 - i) is not open to debate; and
 - ii) is not subject to amendment; and
 - iii) applies to the main motion and any amendments thereto under debate at the time the motion to defer is made.
 - e) It is a motion to adjourn, and a motion to adjourn:
 - i) is not open to debate; and
 - ii) is not subject to amendment; and
 - iii) shall always be in order, no other such motion shall be made unless some intermediate proceeding has taken place.
 - f) It is a motion to move the previous question, and a motion to move the previous question:
 - i) cannot be amended;
 - ii) cannot be proposed when there is an amendment under consideration;
 - iii) shall preclude all amendments to the main question;
 - iv) when resolved in the affirmative, the question is to be put immediately without debate or amendment;
 - v) when resolved in the negative debate shall continue;
 - vi) cannot be received in any committee of Council;
 - vii) can only be moved using the following words "that the question be now put" and the question shall be put immediately;
 - viii) may be voted against by the mover and seconder.

APPENDIX A

Add in the form for Council/Committee Member, Disclosure of Pecuniary Interest

Municipal Conflict of Interest Act

Re: Township of Mapleton Council/Committee Agenda Date: _____

Item: _____ **Item Title:** _____

I, Councillor/Committee Member _____, declare a potential (deemed/direct/indirect) pecuniary interest on above named agenda for the following reason(s):

Councillor's/Committee Member's Signature

Councillor's/Committee Member's Name

For an 'indirect pecuniary interest' see Section 2 of the Municipal Conflict of Interest Act.

For a 'deemed' direct or indirect pecuniary interest see Section 3 of the Municipal Conflict of Interest Act.

THE CORPORATION OF THE TOWNSHIP OF MAPLETON
CAO CLERK'S DEPARTMENT REPORT CL2020-15

TO: Mayor Davidson and Members of Council
FROM: Manny Baron, CAO
RE: Economic Development Consulting Services
DATE: August 11, 2020

RECOMMENDATION:

THAT Township of Mapleton Council receive CAO Clerk's Report CL2019-15 dated August 11, 2020 regarding Economic Development Consulting Services;

AND FURTHER THAT Council approve the Memorandum of Understanding and authorize the Mayor and Clerk;

AND FURTHER THAT Council approve the position of Economic Development Coordinator to work in conjunction with Minto's Economic Development Team.

BACKGROUND:

Since mid-2019, Mapleton, Wellington North and Minto have been discussing ways to enhance our delivery of Economic Delivery Services. As we know, Minto has a very successful and experienced economic development team and we would like to learn from them and leverage them to seek best practices.

Our Township has been delivering some services, but we are ready to take Economic Development to the next level and we feel this partnership will help us do just that.

An example that demonstrates the success of the potential partnership is when COVID hit mid-March. All three municipalities joined to offer numerous webinars, speakers were invited to educate our businesses and there were a combined 360 participants over the course of 6 seminars.

DISCUSSION:

As we know Aly Cripps took over some the economic development activities once the previous staff member left Mapleton, this was in addition to her role as Executive Assistant. She has been doing a tremendous job given the limited time dedicated to the activities. We would look at changing the overall organizational structure to ensure staff is matched in a position that highlights their strength and competencies.

CONSULTATION:

Township of Minto staff

FINANCIAL IMPLICATIONS:

There would be a financial impact of \$3000.00 for the change in the organizational structure.

Also, if needed, the recovery cost for Minto is \$68.40 per hour, however, we do not foresee this would be needed as we are already experienced in the day to day economic development activities.

COMMUNICATION:

If approved, we will communicate with Minto the decision of Council.

STRATEGIC PLAN:

Municipal Infrastructure: N/A

The Local Economy: If approved this will be a great help to Mapleton's businesses

Recreation: N/A

Municipal Administration: Careful consideration has been taken to ensure full value for the rate payer is achieved.

Financial Responsibility:

Prepared By:
Reviewed By:
Manny Baron
CAO

Attachments:

Attachment 1: Mapleton-Minto MOU

Attachment 2: Ec/Dev Coordinator updated job description

MEMORANDUM OF UNDERSTANDING

BETWEEN

Corporation of the Town of Minto

AND

Corporation of the Township of Mapleton

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (“MOU”) dated the 8th day of September 2020

BETWEEN:

Corporation of the Town of Minto (“Minto”)

and

Corporation of the Township of Mapleton (“Mapleton”)

collectively known as “the Parties”

WHEREAS:

The Parties desire to enter a MOU to have Minto provide consulting services to assist with delivering superior Economic Development services to Mapleton and to work closely in an enhanced partnership agreement.

The Parties have agreed to explore a partnership for the purposes of promoting business interests through several Economic Development Programs.

The purpose of this Agreement is to clarify the operational, accountability, financial and reporting relationships between the Parties with respect to this MOU.

All parties to this agreement are to remain whole throughout the term of the agreement. Any party providing additional resources (human, financial or otherwise) will be fairly and appropriately compensated by the other party(s). All parties recognize and understand that primary economic staff have other program commitments. Resource allocation and timing of completion of programs identified in schedule A are subject to change.

Now therefore in consideration of the mutual covenants and agreement hereinafter set forth, the Parties agree as follows:

General Scope

The MOU identifies the scope of the partnership between Parties. This document is not intended to be all-inclusive but rather a document establishing guidelines for the process of developing and sustaining mutually understood roles and responsibilities regarding economic and business development activities.

Services will be delivered by the Parties and other staff and volunteers. The Parties will be co-responsible for the overall development and sustainment of the program’s work plan attached as Schedule A, with Minto acting as overall managing authority.

The initiatives identified in the program and confirmed in consultation with the Parties, will be reviewed semi- annually to ensure that the initiative is meeting the needs of the communities.

The Parties shall ensure the use of the Funding focuses resources and efforts towards improving the overall experience in communities.

The approach to how the program continues to evolve will be dynamic and evolving. The program will be flexible in order to accommodate changes and new opportunities.

Governance

It is generally understood by the Parties, that Council of the Parties is the ultimate decision maker and the Parties among themselves cannot bind each other without a Council By-Law. It is further understood that each Party may update their respective Council's as they see fit.

All parties will continue to participate in joint economic development meetings and this venue will afford an opportunity to update Council of the Parties on the status of the MOU and associated programs.

It is further understood that the Corporation of the Town of Minto is the managing Party and has all rights of refusal as relates to financial and resource allocations and is the final decision authority as it relates to the programs outlined in Schedule A.

Additional ad hoc and standing Joint Task Forces and committees may be created between the Parties by mutual agreement.

Financial Obligations and Resources

A budget will be created by the Corporation of Minto and agreed to by the respective CAO for presentation and approval by the Parties Council's.

It is generally understood that all program elements including resources will be full funded by the participating Party, however it is also understood that all parties will recover at the rate \$68.40 per hour for services that are required and are not funded by the participating Party.

Advocacy and Partnership

Recognizing the value in unified messaging, the Parties will work collaboratively to share the vision and goals of the Communities, parties agree to maintain their relationships with each individual Chamber and or BIA

Dispute Resolution Process

Interest-based dispute resolution principles shall be used to address and resolve conflicts. As a first step, the Parties directly involved will work to resolve the conflict using a non-mediated approach. If this does not resolve the conflict, the participating parties will be asked to help resolve the conflict. If the conflict involves the participating parties, the CAOs of the Partner Organizations will be asked to mediate the dispute.

Corporate identity and Branding

The Parties identity and branding standards of each Municipality will be adhered to in all communications, and marketing-related materials. This will be directed by the participating parties and operationally applied.

Intellectual property

Since the organizations may engage in activities that result in the creation of intellectual property, the parties agree to acknowledge the contribution and participation of each other in any and all publications or other products. The participating parties shall be responsible for determining whether any one of the parties is the only owner, a primary owner, a secondary owner or not an owner of any given item that is determined to be intellectual property this may apply to “Launch It Minto” and or other specific branding.

TERM AND TERMINATION

Effectiveness of MOU

This MOU shall come into force and effect on September 8th, 2020

Expiration of MOU

This MOU shall end on September 8th, 2025 unless terminated earlier.

Renewal of the MOU

This MOU automatically renews for three years by mutual agreement of the parties before the expiration of the agreement.

Termination for Convenience

Any Party, without prejudice to any other rights or remedies it may possess, may terminate this MOU for any reason by giving the other Parties a notice of termination for convenience at least 60 days prior to the effective date of termination.

Mayor, Town of Minto

Mayor, Township of Mapleton

Clerk, Town of Minto

Clerk, Township of Mapleton

Schedule "A"

Mapleton EcDev

"Rooted in tradition, growing for the future"

1. 4 Sector BR+E get to know the businesses and make a relationship between them and the township. This relationship would be helpful in all avenues on knowing what our businesses need and making the connection to the township.
2. Youth coordinator position.
3. Launch Jobs and Housing portal.
4. By October*** AMO Downtown Revitalization money spent. Then continue to work with our downtown businesses to help clean up our downtowns.
5. Get to know the Mapleton Business community, what they need and want. Visit all businesses and continue with routine business visits. Mapleton as a business-friendly community #MapletonMeansBusiness.
6. Mapleton Proud campaign, keep this as a continuous phrase, use it to begin to talk about businesses within Mapleton.
 - Business Showcases on social media to show what our local businesses offer with some cool facts about them people may not know.
7. Mapleton as a Live Work Play Community not just a commuter town, embrace the proximity to larger centres but show what Mapleton has to offer.
8. Work with the Mapleton Service Groups to ensure we are supporting each other; want to ensure we support all their events rather than hosting all our own.
9. Work with Mapleton Departments to create a clear and concise guide of who to contact and how to guides for business owners.
10. Mapleton as a tourism destination
 - Theatre
 - Conestogo Lake
 - Agri-hood

-

ECONOMIC DEVELOPMENT & MARKETING COORDINATOR

Reports to - OFFICE OF THE CAO

JOB PURPOSE

The Economic Development & Marketing Coordinator is responsible for supporting and coordinating programs and initiatives to encourage business growth and tourism activity in the Township. This includes carrying out Council directives and implementing economic development activities to the benefit of the community and township in coordination with the Township's and County of Wellington's Strategic Initiatives. Supports the CAO in seeking out opportunities for economic development and assists businesses in retention and expansion. Reporting to the CAO/Deputy Clerk, this position works actively in promoting community/downtown revitalization, community investment, and business/industrial development as well as marketing cultural activities, township, and community profile. In concert with Council and the Senior Leadership Team, coordinates communication and promotion of township activities and initiatives through various forms of media.

KEY DUTIES

- Coordinates and facilitates community and economic development planning to identify and establish economic development opportunities.
- Coordinates the community and economic development planning process, working with the Township's Economic Development Committee and Council.
- Support Economic Development Committee in an advisory role, providing formal reports and research.
- Prepares agendas, reports, recommendations and records minutes while attending Economic Development Committee and other ad hoc committees as may be applicable or formed from time to time.
- Develop and maintain economic profiles of the municipality and county.
- Assist in the development of an Economic Development Strategic Plan, including vision, goals, objectives, and measures.
- Identifies opportunities for economic development.
- Identifies sectoral opportunities for economic development with a strong focus on agriculture and manufacturing.
- Develop partnerships within the community to develop and promote opportunities.

- Assist local organizations, businesses and individuals to take advantage of economic development opportunities including exploring partnership opportunities.
- Assist with the development of job creation projects.
- Conduct surveys and research on economic development opportunities.
- Identify capital development program opportunities.

Identify community training and development requirements to take advantage of economic development opportunities; and explore development of a youth engagement strategy for the Township;

- Secures Funding for Economic Development Activities:
- Research private and public sector economic development funding opportunities.
- Consult with industry and government representatives concerning eligibility requirements for funding.
- Prepare proposals for funding to support community economic development; and Assist management team in preparation of proposals for funding, grant applications and exploring funding sources.

Assists local organizations, businesses and individuals with establishing economic and community development plans;

- Provide assistance and/or information to businesses or individuals for sustainability and attraction including market analysis and economic opportunities, business planning.
- Primary contact and liaison with prospective and expanding businesses that may need assistance with site locations, understanding of municipal procedures and regulations, labour force and other economic data, contacts with possible financing agencies, and other areas of concern.
- Identify training opportunities for local businesses.
- Works with the local business advisory groups to foster a positive environment for the commercial sector, and to assist the local business advisory groups in remaining financially viable including assisting with local business advisory groups promotions and serving as an advocate for downtown revitalization.

Promotes the municipality in order to expand economic development opportunities;

- Represent the municipality at county, provincial and federal meetings including conferences on economic development.
- Engages in promotional activities for municipal and tourism related facilities and events and works with local business and community groups to promote events and attractions.
- Works closely with the CAO/Deputy Clerk in implementing communications strategies, including use of social media and maintenance of Township's website.
- Represents the Township on Regional Economic Development and various tourism bodies (i.e. Wellington County municipal Economic Development Committee and taste Real Guelph Wellington).
- Develop community networking opportunities.
- Participate in trade shows to promote the Township.
- Develop marketing brochures and promotional materials.
- Promote the use of private sector business services.
- Work with upper levels of government to promote local businesses and development opportunities.

1. WORK COMPLEXITY

- Accountability & Decision-Making Authority:
 - Reports to CAO/Deputy Clerk
 - Works within established and approved budget
- Equipment Operation/Materials Handling/Safety Measures:
 - General office environment
 - Personal vehicle required for attendance at off site meetings
- Effort and Working Conditions:
 - General office environment, with travel required to attend meetings, conferences and meeting with business owners/community stakeholders.
- Communications/Contacts:
 - Maintains a diverse range of contacts within the municipality (i.e., business sector/development industry) and municipal sector (i.e., County officials/neighboring municipalities) and with federal and provincial governments and their associated agencies.

2. QUALIFICATIONS

- Education:
 - Post-Secondary education at the college or university level, or equivalent combination of education and experience, in Economic or Community Development, Business Administration or Social Science.

- Specialized Knowledge/Skill Requirements:
 - Ability to work with and through other people.

 - Team Player.
 - Highly developed organizational and analytical skills.
 - Excellent communication skills and the ability to work well with the public and volunteers.
 - A highly motivated individual with ability to work independently on assigned tasks.
 - Excellent computer skills with Microsoft Word, Excel and Power Point is essential.
 - Experience with the design, update and use of Web site and social media in a municipal setting in an asset.
 - A highly organized person with flexibility is a must.
 - The representative must be able to work well with minimal supervision.
 - Experience in the identification, development, analysis and/or delivery of community economic development programs, especially in a municipal setting.
 - Sound technical knowledge of economic development techniques in a small municipal setting.
 - Ability to analyze, assess, interpret data and situations, compile results, make detailed calculations, investigate problems and accidents and prescribe solutions.
 - Basic budgeting skills.
 - Knowledge of Township services, policies and procedures and bylaws.
 - Ability to interpret and administer a variety of regulations, acts, contractual agreements, policies and guidelines pertaining to business and economic development.
 - Good conflict resolution and excellent customer service skills.
 - WHMIS.

3. WORKING RELATIONSHIPS

- Reports to: CAO/Deputy Clerk, member
- Supervises: No direct supervisory responsibility. Will be responsible for assigning, coordinating, and reviewing tasks with various administrative support personnel as required.

4. HOURS OF WORK

Regular weekly hours of work are 35. Typical daily hours are 8:30 a.m. to 4:30 p.m. as well as evening hours (Economic Development Committee, Council, and community development meetings).

This Job description as mentioned above has been reviewed and deemed correct in August 2020 by:

Manny Baron: _____
CAO/Deputy Clerk

Dated: _____

THE CORPORATION OF THE TOWNSHIP OF MAPLETON

FIRE REPORT FR2020-05

TO: Mayor Davidson and Members of Council

FROM: Fire Chief Rick Richardson CMMII

RE: Enhanced Fire Services Request

DATE: August 11, 2020

RECOMMENDATION:

THAT Township of Mapleton Council receive Report FR2020-05 dated August 11, 2020 regarding Request for Enhanced Fire Services.

AND FURTHER THAT Mapleton Council approve the additional 3 days per week to the staff of Mapleton Fire/Rescue.

BACKGROUND:

Currently, Mapleton Fire/Rescue have access to an Administrative Assistant one day per week and a Fire Prevention Officer one day per week.

PREVIOUS PERTINENT REPORTS:

None

DISCUSSION:

With the increased workload put into administration and the need for more Fire prevention and education, additional hours will enhance these services, along with other items described in the attached Power Point presentation.

CONSULTATION:

Discussion has taken place with both employees now filling these positions along with initial conversation with the CAO.

FINANCIAL IMPLICATIONS:

The addition of three days to the current positions would add approximately \$20,000. to the rest of this year's budget.

SUMMARY:

The Fire Chief recommends that 21 hours per week be added to the Fire department wages beginning on August 17, 2020.

COMMUNICATION:

This approval will initiate discussion with the CAO and payroll department to complete.

STRATEGIC PLAN:

Municipal Infrastructure: The Fire Prevention additional time will enhance the Fire Safety presence of the department

The Local Economy:

Recreation:

Municipal Administration: Additional administration time will add increased documentation completed by the department staff.

Financial Responsibility:

Prepared By:

Reviewed By:

Rick Richardson CMIII
Fire Chief

Manny Baron
CAO

Attachments:

1. Power Point presentation attached to be presented at August 11, 2020 Council meeting.

MAPLETON FIRE/RESCUE

Administration and Fire Prevention Enhanced Service

Presented by Fire Chief Rick Richardson

ADMINISTRATION ASSISTANCE

- Currently one staff member at the Township of Mapleton office is assigned to Fire department assistance one day per week.
- Functions to complete include;
 - New Emergency Reporting software being implemented in 2020 training records, incident reporting to the OFM, vehicle maintenance, inspection and occupancy records, inventory and replacement scheduling, budgeting and truck checks.
 - Preparation of the bi-annual Fire department operating plan.
 - Completion of the Master Fire Plan recommendations.
 - Review and update of the Standard Operating Guidelines.

ADMINISTRATION ASSISTANCE (CONT'D)

- Completion of motor vehicle accident insurance claims.
- Application to Fire Marque fire insurance claims.
- Initiate and completion of a firefighter career guide.
- Assist with department recruiting for potential candidates.
- Update and record training records, technical rescue training and scheduling.
- Prepare payroll records, personnel records and driver abstracts.
- Organize social functions and family participation for volunteers.
- Initiate community public relations division. Marketing and Branding Mapleton Fire/Rescue as the First Responders that you trust.
- Consolidate file records retention with the Clerk's department.

ADMINISTRATION ASSISTANCE (CONT'D)

- Oversee Critical Incident Stress management and activate peer support groups.
- Record member attendance from emergency scenes and training.
- Assistance with annual budget.
- Circulate minutes and agendas for monthly Officers meetings.

EXPANDED FIRE PREVENTION

- ✓ Fire Prevention Officer currently performs the duties of this position one day per week.
- ✓ Present Fire inspections are limited to the Ontario Fire Code minimum upon complaint or request.
- ✓ New software has the ability to identify properties by classification and through a bylaw, inspections could be required at determined intervals.
- ✓ Businesses would be required to prepare a preplan identifying hazards, nearest water source, utilities and exits to a meeting area.
- ✓ Burn permits could be expanded to require a fire department member to observe larger fire notifications with a fee attached to the inspection.

POTENTIAL ADDITIONS TO INSPECTIONS

- ✓ Current inspections include assembly occupancies, restaurants, schools and requested residential and commercial properties.
- ✓ A scheduled mandated inspection list would include 165 Commercial, 55 Industrial and 51 Institutional properties.
- ✓ Each would be assigned a Large, Medium or Small scale designation and inspections would be scheduled accordingly.
- ✓ The promotion of farm fire safety visits will increase time to accomplish.

EXPANDED PUBLIC EDUCATION

- ❖ Expand fire safety education in the schools and reinstate the Safe Kids Day and Child Safe cooking program.
- ❖ Initiate a Social Media fire safety blitz similar to our 2019 Hero program.
- ❖ More electronic message board Safety communication
- ❖ Form a Farm fire Safety initiative to offer farm safety days in different areas of the community including burn bylaw regulations and ways to make farms fire safety friendly.

STATION AND EQUIPMENT MAINTENANCE

- ❑ Regular equipment maintenance is needed to keep up with the Standards required within the fire service.
- ❑ Items such as Breathing apparatus, pumper testing, ladder certification, Four gas analyzer calibration, SCBA cylinder refilling and statis pressure testing are running behind standard requirements due to time restraints.
- ❑ Regular station maintenance, tidiness and updates budgeted are not taking place.
- ❑ In conjunction with the Fire Chief, these items could be finished with no extra volunteer time required.
- ❑ Volunteers could continue to attend training, complete weekly equipment and truck checks along with responding to emergency events when dispatched.

ADVANTAGES OF ADDING TO THIS POSITION

- ✓ More functions can be completed by this position in conjunction with the Fire Chief. More time spent on records management.
- ✓ A system can be developed so that revenues could be generated through burn notification fees when inspections are performed before larger fires are ignited.
- ✓ Other duties not being completed due to time constraints will be accomplished with combined resources.
- ✓ A second full time position would put Mapleton in a better position when management teams change and to prepare for succession planning.
- ✓ Volunteers will notice that more functions are being completed within the department
- ✓ Volunteers will be able to see their records on the new software program, available to them anytime.

CHANGES TO BUDGET

- Addition of three more full days would add \$40,000, which includes all employer paid benefits, to the existing budget per year.
- New revenue streams could be added including:
 - Conducting more Ontario Fire Code inspections while making our community safer.
 - Adding Burn Notification Fees
 - Ensuring all vehicle accident claims within Mapleton are invoiced accordingly (including asking fire service agreement municipalities for reporting)

NEIGHBOURING DEPARTMENT COMPARATORS

Municipality	Population	Budget	FTE	Positions	Land Area(sq.Km.)
Mapleton	11,000	746K	1.4	FC,Adm,FPO	534
Minto	9,000	959K	2.4	FC,Adm,FPO	300
Wellington N.	12,000	696K*	2.0	FC,FPO	526
Ctr. Wellington	28,000	1,466K	5.0	FC,DC,DC,Adm,FPO	407
Woolwich	25,000	1,775K	3.0	FC,DC/FPO,Adm	326
Wellesley	11,000	1,060K	3.0	FC,Adm,FPO	277
N.Perth	13,000	821K	3.0	FC,DC/FPO,Adm	493

*not including Fire Chief Contract

FIRE CHIEF RECOMMENDATION

That the Township of Mapleton add one person, 3 more days to the Fire Department wages, to make 2 full time employees. This will add additional services to the department and supply the additional requirements to meet the Fire service needs of today and the future.

THE CORPORATION OF THE TOWNSHIP OF MAPLETON

PUBLIC WORKS REPORT PW2020-15

TO: Mayor Davidson and Members of Council

FROM: Sam Mattina, CET, CMM III, Director of Public Works

RE: 2020 Capital Program Status Update #2

DATE: August 11, 2020

RECOMMENDATION:

THAT Township of Mapleton Council receive Public Works Report PW2020-15 dated August 11, 2020 regarding the 2020 Capital Program Status Update #2 for information;

BACKGROUND:

In 2017 Mapleton Township established a 10 year capital program to manage the townships infrastructure. The infrastructure under consideration includes Municipal Facilities, Roads, including all associated assets, Bridges and Culverts, Water and Wastewater systems, Storm water management systems, Storm water collection systems and Township fleet rolling stock.

A Capital Plan and Work Program is the key factor in the successful implementation and execution of the corporate asset management plan and policy which has been legislated by the province of Ontario.

This update report on the progress of the 2020 capital program implementation to date, is being prepared to update council for information purposes as we continue a phased in re-opening process following the COVID19 pandemic.

PREVIOUS PERTINENT REPORTS:

PW2020-10; 2020 Capital Program Status Update Dated May 12, 2020.

DISCUSSION:

As we transition out of COVID19 pandemic safety protocols, to restore day to day normal activities, the Township administrative office has returned to full hours of operation and is now re-opened to the public. Although Public Works staff have been working on the execution of the Capital Budget throughout the COVID19 affected period, despite best efforts, the normal timeline progress has been affected slightly as a result of reliance on third party entities providing associated services. The impact has not been significant, and staff anticipate the successful completion of the prescribed program in 2020.

The 2020 to 2029 Capital Forecast is attached for reference and labelled Attachment #1. A table listing 2020 project information and status, as of August 4, 2020, is attached to this report as Attachment #2. The 2020 program consists of 43 projects.

SUMMARY:

Of the total, council approved 2020 capital budget allocation of 7.7 million dollars, the program status to date breaks down as follows;

Total Budget	7,700,000
Tendered year to date	2,000,000
To be tendered in August 2020	1,500,000
Work yet to be initiated	104,000
Pending Wastewater RFP decision	1,800,000
Delayed due to COVID19	138,000
Designated as 2021 Stimulus Projects	1,640,000
Contingency projects	355,000
Positive variance realized to date	140,000
TOTAL	7,700,000

Staff continue to push forward with the execution of the 2020 capital program. The 2020 program implementation is progressing well towards timely and financially responsible completion.

CONSULTATION:

None

FINANCIAL IMPLICATIONS:

None

COMMUNICATION:

None

STRATEGIC PLAN:

Municipal Infrastructure: Maintaining and upgrading municipal infrastructure to serve local residents and businesses and to encourage growth

The Local Economy:

Recreation:

Municipal Administration:

Financial Responsibility:

Prepared By:
Sam Mattina, CET. CMM III
Director of Public Works

Reviewed By:
Manny Baron
CAO



The Corporation of the Township of Mapleton

Capital Budget 2020 - 2028

		Budget 2020	Budget 2021	Budget 2022	Budget 2023	Budget 2024	Budget 2025	Budget 2026	Budget 2027	Budget 2028	Budget 2029	Ten Year Total
Capital Projects												
Bridges Culvert Replacement General	18050	\$ 40,000	\$ -	\$ 50,000	\$ -	\$ -	\$ 50,000	\$ -	\$ -	\$ 60,000	\$ -	\$ 200,000
Bridges PB011 Sideroad 21 Replace	18051	-	-	60,000	715,000	-	-	-	-	-	-	775,000
Bridges MB015 replace	18055	459,000	-	-	-	-	-	-	-	-	-	459,000
Bridges MB009 rehabilitation	18056	-	30,600	510,000	-	-	-	-	-	-	-	540,600
Bridges PB037 Yatton Sideroad	18057	15,300	-	-	-	-	-	-	-	-	-	15,300
Bridges - U/S and D/S of Bridge and Culvert creek/	19058	50,000	-	50,000	50,000	-	50,000	50,000	-	50,000	50,000	350,000
Bridges- Bridges and Culvert repair Minor Repair	19059	-	70,000	-	70,000	-	70,000	-	70,000	-	-	280,000
Bridges - Inspections For OSIM Report	19060	40,000	-	40,000	-	50,000	-	50,000	-	50,000	-	230,000
Bridges -Replacement of Culvert Under 3m/Relining	19062	150,000	-	-	-	200,000	-	-	-	200,000	-	550,000
Bridges -Major Rehab PB 025	19063	-	650,000	-	-	-	-	-	-	-	-	650,000
Bridges- Replacement of Bridge PB029	19065	-	-	-	40,000	484,000	-	-	-	-	-	524,000
Bridges -Replacement of Bridge PB015	19066	-	-	-	-	40,000	522,500	-	-	-	-	562,500
Bridges - Minor Rehab PB021	19067	-	-	-	-	253,000	-	-	-	-	-	253,000
Bridges - Minor Rehab MB014	19068	-	-	-	-	132,000	-	-	-	-	-	132,000
Bridges- Replacement of Bridge MB002	19070	-	-	-	-	-	40,000	1,402,500	-	-	-	1,442,500
Bridges- Major Rehab PB013	19071	-	-	-	-	-	-	-	275,000	-	-	275,000
Bridges- Replacement of Bridge PB019	19072	-	-	-	-	-	-	40,000	951,500	-	-	991,500
Bridges Major Rehab PB030	19073	-	-	-	-	-	88,000	-	-	-	-	88,000
Bridges - Replacement of Bridge PB016	19075	-	-	-	-	-	-	-	40,000	990,000	-	1,030,000
Bridges -Replacement of Bridge PB031	19076	-	-	-	-	40,000	698,500	-	-	-	-	738,500
Bridges -Replacement of Bridge PB045	20139	-	-	-	-	-	-	-	-	-	600,000	600,000
Subtotal Bridges & Culverts		754,300	750,600	710,000	875,000	1,199,000	1,519,000	1,542,500	1,336,500	1,350,000	650,000	10,686,900



The Corporation of the Township of Mapleton

Capital Budget 2020 - 2029

		Budget 2020	Budget 2021	Budget 2022	Budget 2023	Budget 2024	Budget 2025	Budget 2026	Budget 2027	Budget 2028	Budget 2029	Ten Year Total
Road Reconstruction Sideroad 6 - C3 Rd 86	18031	-	-	1,073,760	-	-	-	-	-	-	-	1,073,760
Road Reconstruction 8th Line - SR 16 to SR 17	18032	-	285,000	-	-	-	-	-	-	-	-	285,000
Road Reconstruction SDR 17 (Cty Rd 86 to Cty Rd 45	18034	600,000	-	-	-	-	-	-	-	-	-	600,000
Road Reconstruction Andrews Dr (Wellington to Dale	18035	-	-	-	221,500	-	-	-	-	-	-	221,500
Road Reconstruction John Street Reconstruction	18036	-	51,950	-	-	-	-	-	-	-	-	51,950
Road Reconstruction Sideroad 15 WR 8 to Conc 12	18037	-	-	-	-	750,100	750,100	772,800	-	-	-	2,273,000
Road Reconstruction SR 15 Hollen Rd to Conc 6	18039	-	-	-	-	210,000	-	-	-	-	-	210,000
Road Reconstruction C3, WR 10 TO 1.344 Km E of Dia	18040	-	-	-	-	-	218,500	-	-	-	-	218,500
Road Reconstruction South Mill St WR 45 to Hill St	18042	77,200	-	-	-	-	-	-	-	-	-	77,200
Road Reconstruction Edward St (Pine to Wellington)	18043	-	-	101,000	-	-	-	-	-	-	-	101,000
Road Reconstruction 8th Line Wr 12 to Sideroad 17	18044	-	-	-	-	421,000	-	-	-	-	-	421,000
Road Reconstruction Con 4, Sideroad 3 to WR 9	18045	-	-	-	-	-	427,800	-	-	-	-	427,800
Road Reconstruction Sideroad 12 Con 16 to WR 109	18047	-	-	53,500	-	-	-	-	-	-	-	53,500
Road Reconstruction Twelfth Line WR 17 to Sideroad	18048	-	-	-	352,800	-	-	-	-	-	-	352,800
Sidewalks	18059	133,000	133,000	70,000	70,000	70,000	70,000	80,000	80,000	80,000	80,000	866,000
Road Reconstruction-Robin St- John St to End	19100	-	-	112,000	-	-	-	-	-	-	-	112,000
Road Condition Assessment	19101	-	-	-	-	60,000	-	-	-	-	-	60,000
Road Reconstruction-Elm St-Wood St to End	19103	27,000	-	-	-	-	-	-	-	-	-	27,000
Road Reconstruction-SDR 17- Fourth Line to Sixth L	19104	-	-	-	-	-	-	-	497,200	497,200	512,300	1,506,700
Road Reconstruction-Lakeview Dr- Wellington Rd 11	19108	-	-	-	73,300	-	-	-	-	-	-	73,300
Road Reconstruction-Lakeview Dr-Road One B to IB.	19109	-	-	-	52,800	-	-	-	-	-	-	52,800
Road Reconstruction-Sailing Club Rd - WRd 11 to 0.	19111	-	-	-	687,500	-	-	-	-	-	-	687,500
Road Reconstruction-SDR18- 2.439 N of Third Line t	19114	-	-	-	-	-	-	193,000	-	-	-	193,000
Road Reconstruction-SDR19 - 0.338 Km N of Fourth L	19116	-	-	-	-	-	-	-	491,700	491,800	491,800	1,475,300
Road Reconstruction-SDR20- 2.425 Km N of Welling R	19119	-	-	-	-	-	-	-	-	157,800	-	157,800



The Corporation of the Township of Mapleton

Capital Budget 2020 - 2029

		Budget 2020	Budget 2021	Budget 2022	Budget 2023	Budget 2024	Budget 2025	Budget 2026	Budget 2027	Budget 2028	Budget 2029	Ten Year Total
Road Reconstruction-SDR15 - Hollan Rd to Concessio	19122	-	-	-	-	-	-	-	206,200	-	-	206,200
Asset Management Plan	19129	-	50,000	-	-	-	-	50,000	-	-	-	100,000
Road Reconstruction-James Street Rothsay	19130	-	-	-	150,000	-	-	-	-	-	-	150,000
Road Reconstruction-SDR 19- WR86 to 1.243km N of W	20115	-	-	-	-	-	-	-	-	-	510,000	510,000
Road Reconstruction-SDR 19 .41km jN of 6th to 8th	20117	-	-	-	-	-	-	-	-	-	1,436,450	1,436,450
Road Reconstruction-Yatton SDR-3rd LN to .725km N	20118	-	-	-	-	-	-	-	-	-	117,860	117,860
Road Reconstruction-Con 6 - WR10 to SR6	20123	485,000	-	-	-	-	-	-	-	-	-	485,000
Road Reconstruction-Con5 - SDR15 to WR10	20126	-	-	614,400	-	-	-	-	-	-	-	614,400
Road Reconstruction-SDR21 14th to 16th Ln	20140	-	1,155,000	-	-	-	-	-	-	-	-	1,155,000
Road Reconstruction -Edward St from Wellington RD	20141	-	-	-	-	305,000	-	-	-	-	-	305,000
Roads - Miscellaneous asphalt patching (various lo	20142	150,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	100,000	1,050,000
Roads -Storm Pond Rehabilitation	20143	250,000	301,400	301,400	301,400	301,400	301,400	301,400	301,400	-	-	2,359,800
Subtotal Roads & Sidewalks		1,722,200	2,076,350	2,426,060	2,009,300	2,217,500	1,867,800	1,497,200	1,676,500	1,326,800	3,248,410	20,068,120
Replace P/U 09-T-103	18089	-	41,000	-	-	-	-	-	-	-	-	41,000
Replace Tandem 04-T44	18090	280,000	-	-	-	-	-	-	-	-	-	280,000
Backhoe 2000 JD	18092	300,000	-	-	-	-	-	-	-	-	-	300,000
Replace Tandem 05-T-33	18093	280,000	-	-	-	-	-	-	-	-	-	280,000
Lawn Tractors	18094	-	29,640	-	-	-	-	-	-	-	-	29,640
Replace P/U 12-T-105	18095	-	-	60,000	-	-	-	-	-	-	-	60,000
Replace - Pickup GM Silverodo 2006	19052	-	-	51,000	-	-	-	-	-	-	-	51,000
PMD Olympia Ice Resurfacer	19056	-	-	-	-	-	-	-	200,000	-	-	200,000
Replace - Tandem International T-022 2012	19077	-	-	-	-	-	-	-	300,000	-	-	300,000
Replace - Tandem International T-099 2010	19078	-	-	-	-	-	300,000	-	-	-	-	300,000
Replace - Pickup Dodge T-101 2016	19079	-	44,000	-	-	-	-	-	-	-	-	44,000



The Corporation of the Township of Mapleton

Capital Budget 2020 - 2029

		Budget 2020	Budget 2021	Budget 2022	Budget 2023	Budget 2024	Budget 2025	Budget 2026	Budget 2027	Budget 2028	Budget 2029	Ten Year Total
Replace - Pickup Ford F450 T-11 2013	19081	-	-	-	74,000	-	-	-	-	-	-	74,000
Replace - Pickup Ford F450 T-12-2016	19082	-	-	-	-	-	-	93,000	-	-	-	93,000
Replace - Pickup GMC SIERRA T-07 2013	19083	-	-	-	-	-	65,000	-	-	-	-	65,000
Replace - Bandit Chipper 2014	19084	-	-	-	-	56,000	-	-	-	-	-	56,000
Replace - CAT BLACKHOE 2011	19085	-	-	-	132,000	-	-	-	-	-	-	132,000
Replace - Grader VOLVO G960 3-1 2006	19086	-	-	-	-	-	-	480,000	-	-	-	480,000
Replace - 6070 New Holand TU 2014	19088	-	-	-	-	-	-	-	267,000	-	-	267,000
Replace - PRONODUST SNOWBLOWER	19089	-	-	-	-	35,000	-	-	-	-	-	35,000
Replace - Roadside mower attachment	19090	-	-	-	-	-	30,000	-	-	34,000	-	64,000
Replace - Load Trail Trailer	19092	-	-	-	5,500	-	-	-	-	-	-	5,500
Replace - HUSTLER 4818 Lawnmower 2017	19093	-	-	-	-	7,500	-	-	-	-	-	7,500
Replace - KUBOTA F3990 Lawnmower	19094	-	46,000	-	-	-	-	48,000	-	-	-	94,000
Replace - KUBOTA 3000 Blower Tractor 2013	19095	-	-	-	-	-	46,000	-	-	-	-	46,000
Replace - LS 4041 Tractor/Loader 2012	19096	-	-	-	41,000	-	-	-	-	-	-	41,000
Replace - JD 997 Lawnmower 2013	19097	-	22,500	-	-	-	-	-	-	-	-	22,500
Replace -KUBOTA 1511 Lawnmower 2018	19098	-	-	-	-	-	26,000	-	-	-	-	26,000
Replace - FERRIS 5100 Lawnmower 2014	19099	-	-	25,000	-	-	-	-	-	-	-	25,000
Replace - Miska Trailer Landscape Trailers	20128	-	-	-	-	-	-	-	-	-	10,000	10,000
Replace - GMC Pickup purchased 2018	20129	-	-	-	-	-	-	-	-	-	50,000	50,000
Fleet - Trailer for PMD	20130	8,000	-	-	-	-	-	-	-	-	-	8,000
Replace - Ferris 5100 Lawnmowers	20131	-	-	-	-	-	-	-	-	-	30,000	30,000
Subtotal Fleet & Equipment		868,000	183,140	136,000	252,500	98,500	467,000	621,000	767,000	34,000	90,000	3,517,140
Alma paint interior	19047	5,000	-	-	-	-	-	-	-	-	-	5,000
Alma Roof Repairs	19049	-	-	-	-	-	-	75,000	-	-	-	75,000
MCC Kitchen Renovation	19043	-	-	-	50,000	-	-	-	-	-	-	50,000



The Corporation of the Township of Mapleton

Capital Budget 2020 - 2029

		Budget 2020	Budget 2021	Budget 2022	Budget 2023	Budget 2024	Budget 2025	Budget 2026	Budget 2027	Budget 2028	Budget 2029	Ten Year Total
MCC Patio Furniture	19044	-	-	-	-	3,500	-	-	-	-	-	3,500
MCC - 300 chairs at \$100/ea	19051	-	-	-	30,000	-	-	-	-	-	-	30,000
PMD New Skate Floor & Refrigeration system	18081	-	-	-	-	-	-	900,000	-	-	-	900,000
PMD Ramp for Accessibility & Replacement of Ent Do	19021	-	-	-	-	30,000	-	-	-	-	-	30,000
PMD Main Entrance Parking Space Extension	19022	-	-	-	-	-	-	-	250,000	-	-	250,000
PMD Main Parking lot Pavement	19023	-	-	-	-	-	-	-	210,000	-	-	210,000
PMD Engineering Consulting Services for Arena flo	19025	-	-	-	-	30,000	-	-	-	-	-	30,000
PMD Structural Adequacy Inspection	19026	-	-	-	-	7,000	-	-	-	-	-	7,000
PMD Structural repairs	19027	-	50,000	-	-	-	50,000	-	-	-	-	100,000
PMD Floor washing Machine	19029	-	-	-	-	-	-	-	-	20,000	-	20,000
PMD Replacement Compressor-1 Refrigerator Plant	19030	-	60,000	-	-	-	-	-	-	-	-	60,000
PMD Dressing Room Flooring	19031	-	-	90,000	-	-	-	-	-	-	-	90,000
PMD Replacement Compressor-2 Refrigerator Plant	19032	-	-	-	60,000	-	-	-	-	-	-	60,000
PMD Chiller and Pump	19033	-	-	-	-	-	-	70,000	-	-	-	70,000
PMD Replacement of Condenser	19034	-	-	-	-	-	50,000	-	-	-	-	50,000
PMD Replace Floor Hall	19035	-	-	-	-	-	-	-	75,000	-	-	75,000
PMD New portable Stage and Sound system	19036	-	-	25,000	-	-	-	-	-	-	-	25,000
PMD 3-Glass Door Refrigerators (one per year)	19037	5,000	5,000	5,000	-	-	-	-	-	-	-	15,000
PMD Renovation Kitchen, Bar and Board Room	19038	-	-	-	-	-	-	-	100,000	-	-	100,000
PMD Dehumidifier	19039	30,000	-	-	-	-	-	-	-	-	-	30,000
PMD Roof Insulation and Covering, Inside.	19041	-	-	-	-	-	-	50,000	-	-	-	50,000
PMD Renovation of Toilets	19042	50,000	-	-	-	-	-	-	-	-	-	50,000
PMD - exit door from main Hall for AODA	20133	15,000	-	-	-	-	-	-	-	-	-	15,000
PMD - improve exterior wall drainage	20134	15,000	-	-	-	-	-	-	-	-	-	15,000
PMD - replace heaters in lobby	20135	7,000	-	-	-	-	-	-	-	-	-	7,000



The Corporation of the Township of Mapleton

Capital Budget 2020 - 2029

		Budget 2020	Budget 2021	Budget 2022	Budget 2023	Budget 2024	Budget 2025	Budget 2026	Budget 2027	Budget 2028	Budget 2029	Ten Year Total
PMD - replace non compliant heaters on arena floor	20136	10,000	-	-	-	-	-	-	-	-	-	10,000
PMD - renovation design & plan	20145	25,000	-	-	-	-	-	-	-	-	-	25,000
Subtotal Facilities		162,000	115,000	120,000	140,000	70,500	100,000	1,095,000	635,000	20,000	-	2,457,500
Future 50/50	18078	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	200,000
Alma swings	19053	10,000	-	-	-	-	-	-	-	-	-	10,000
Moorefield baseball diamond lighting upgrades	19133	75,000	-	-	-	-	-	-	-	-	-	75,000
Subtotal Parks		105,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	285,000
Pumper 70 Drayton - replacement	19008	-	-	-	-	-	-	-	-	365,000	-	365,000
Tanker 88 Moorefield - replacement	19009	-	-	295,000	-	-	-	-	-	-	-	295,000
Pumper 80 Moorefield - replacement	19010	-	-	-	-	-	365,000	-	-	-	-	365,000
Unit 1 replacement at both stations	19013	-	40,000	-	-	-	-	-	-	-	-	40,000
Self Contained Breathing	19014	-	-	-	-	-	385,000	-	-	-	-	385,000
Air Bottle Refilling Station	19015	-	-	-	-	-	65,000	-	-	-	-	65,000
Thermal Imaging Camera	19016	-	-	-	-	8,000	-	-	-	-	8,000	16,000
Extrication Tools	19017	32,500	-	-	-	-	-	-	-	-	-	32,500
Portable Pumps - Fire	19018	5,000	-	5,000	-	5,000	-	5,000	-	-	5,000	25,000
Portable Generators -Fire	19019	-	4,000	-	4,000	-	-	4,000	-	4,000	-	16,000
Defibrillators	19020	-	-	6,000	-	-	-	-	6,000	-	-	12,000
Subtotal Fire Services		37,500	44,000	306,000	4,000	13,000	815,000	9,000	6,000	369,000	13,000	1,616,500
Rate Study and Financial Plan	18025	-	-	-	20,000	-	-	-	-	20,000	-	40,000
Wastewater Capacity Increase to 1300m3/day - react	18026	-	-	-	4,100,000	-	-	-	-	-	-	4,100,000
Waterworks - Service Breaks Program	18062	27,300	40,000	-	40,000	-	40,000	-	50,000	-	50,000	247,300
Contingency for - Drayton & Moorefield Water Mains	18063	88,100	53,500	30,000	37,500	34,500	33,000	22,500	22,500	27,500	52,500	401,600
Water Tower	18065	-	2,117,000	-	-	-	-	-	-	2,117,000	-	4,234,000



The Corporation of the Township of Mapleton

Capital Budget 2020 - 2029

		Budget 2020	Budget 2021	Budget 2022	Budget 2023	Budget 2024	Budget 2025	Budget 2026	Budget 2027	Budget 2028	Budget 2029	Ten Year Total
Contingency for - Drayton & Moorefield Wastewater	18068	146,500	38,500	91,300	13,300	31,300	13,300	17,500	117,000	48,500	33,500	550,700
Storm water Infiltration, (I&I)	18070	55,000	55,000	-	-	-	-	80,000	80,000	-	50,000	320,000
Sludge Removal	18071	-	-	-	-	-	-	-	-	200,000	-	200,000
Growth Projects, (special studies)	18073	38,600	-	-	-	-	40,000	-	-	-	-	78,600
Wastewater - Pumping Station and Forcemain	19001	1,800,000	-	5,000	-	5,000	-	5,000	-	5,000	-	1,820,000
Subtotal Water & Wastewater		2,155,500	2,304,000	126,300	4,210,800	70,800	126,300	125,000	269,500	2,418,000	186,000	11,992,200
Computers, tablets and Servers	18001	5,000	15,000	5,000	10,000	25,000	10,000	5,000	10,000	5,000	25,000	115,000
Township Office - New Carpet, Blinds, and Flooring	18002	25,000	25,000	5,000	5,000	-	-	-	-	-	-	60,000
Alma Downtown	18021	-	240,000	-	-	-	-	-	-	-	-	240,000
Columbarium & Master Plan	18085	-	-	-	-	80,000	-	-	-	-	-	80,000
Fire Dept -Drayton parking lot paving	19003	-	-	-	-	-	30,000	-	-	-	-	30,000
Health Dept - Drayton Outside Railing and Counter	19006	-	-	-	-	-	-	-	-	17,000	-	17,000
Township Adm Office - Lighting upgrades to LED in	19007	75,000	-	-	-	-	-	-	-	-	-	75,000
Fire Dept - new flooring in Moorefield	20137	10,000	-	-	-	-	-	-	-	-	-	10,000
Fire Dept - interior in Moorefield	20138	5,000	-	-	-	-	-	-	-	-	-	5,000
Purchase Order Software	20144	16,600	-	-	-	-	-	-	-	-	-	16,600
Subtotal Other Assets		136,600	280,000	10,000	15,000	105,000	40,000	5,000	10,000	22,000	25,000	648,600
Total Expenditures		5,941,100	5,773,090	3,854,360	7,526,600	3,794,300	4,955,100	4,914,700	4,720,500	5,559,800	4,232,410	51,271,960
Sources of Funding												
Capital reserve		2,128,910	2,525,090	1,788,355	2,411,800	1,982,279	2,365,579	3,132,479	2,796,779	1,872,800	2,385,189	23,389,260
Protective service reserve		37,500	44,000	306,000	4,000	13,000	815,000	9,000	6,000	369,000	13,000	1,616,500
Cemetary reserve		-	-	-	-	80,000	-	-	-	-	-	80,000
Current revenue		900,000	900,000	900,000	900,000	900,000	900,000	900,000	900,000	900,000	900,000	9,000,000
Environment reserve fund		2,140,500	1,096,137	126,300	3,151,160	70,800	126,300	125,000	269,500	1,669,779	166,000	8,941,476

Number	Category	Project Title	Proj Sheet #	Budget 2020 (A) HST extra	Status as of August 4, 2020	Tendered Value, (B) HST extra	Variance (A-B) (C)	Awarded to	Comment
1	Bridges and Culverts	Various Small Culvert Replace	18050	40,000	Work is in progress	40,000	N/A	No tender required	Work is being performed by Public Works Staff
2	Bridges and Culverts	Replace Bridge PB015 Sideroad 15	18055	459,000	Project expected to start late August	328,606	130,393	Moorefield Excavating	Work to expected to complete in November
3	Bridges and Culverts	Repairs to Bridge PB037 Yatton Sideroad	18057	15,300	Project is complete	N/A	15,300	Jarlian Construction	Was completed as part of project 19058
4	Bridges and Culverts	Bridges U/S and D/S of Bridge and Culvert creek	19058 & 19059	50,000	Project is complete	120,000	(-70,000)	Jarlian Construction	Funding envelope combined with 19059, for a total of \$120k
5	Bridges and Culverts	Bridges – Bi-annual Structural Inspections for OSIM Report	19060	40,000	Work is in Progress	20,410	19,590	GM Blueplan	Late September completion.
6	Bridges and Culverts	Bridges – Replacement of Culvert Under 3M/Relining	19062	150,000	Tender 2020-05 closed Thursday July 30 th	148,000		Analysis underway, award forthcoming	Two bids received Project completion anticipated by September 4, 2020
SUBTOTAL				754,300		657,016	95,283		
7	Bridges and Culverts	Major Rehab of PB025	19063	650,000	Work by Consultant to prepare design and documents is underway	48,000	N/A	R.J. Burnside	Shovel Ready Stimulus Program Candidate; Report PW2020-09 April 28, 2020

Number	Category	Project Title	Proj Sheet #	Budget 2020 (A) HST extra	Status as of August 4, 2020	Tendered Value, (B) HST extra	Variance (A-B) (C)	Awarded to	Comment
									Cost \$48,000 + HST.
8	Roads	Road reconstruction SDR 17 (WR 86-WR 45)	18034	600,000	Design work progressing. Tender anticipated August 27th Project completion October 30.				Tender close planned for August 27, 2020 CIMA+ Process delayed slightly due to COVID19
9	Roads	Road Recon. South Mill Street, WR45 to Hill Street. Sec P402A	18042	77,200	Not yet initiated				Storm sewer design required.
10	Sidewalks	Sidewalk Repair Program	18059	133,000	Tender 2020-13 closed Thursday July 30, 2020. Analysis underway, award forthcoming.	74,278	TBA	Award week of August 4, 2020, pending analysis	Completion specified in tender October? More sidewalk related work to be procured separately. (inspections, trip lip repairs).
11	Roads	Road Recon Elm St, Wood St to end, Sec D012	19103	27,000	Not yet initiated				Sanitary Sewer flushing and cctv inspection planned Storm sewer design planned

Number	Category	Project Title	Proj Sheet #	Budget 2020 (A) HST extra	Status as of August 4, 2020	Tendered Value, (B) HST extra	Variance (A-B) (C)	Awarded to	Comment
									New sidewalk addition planned. All to aid design in 2020
12	Roads	Road Recon. Con 6 WR 10-SDR 6	20123	485,000	Design work progressing. Tender anticipated August 27 Project completion October 30				Tender close planned for August 27, 2020 CIMA+ Process delayed slightly due to COVID19
13	Roads	Roads-Misc. asphalt patching	20142	150,000	Compilation of scope and specifications 95% complete. Tender issuance anticipated for August 13, 2020				In-house Work to be performed throughout September
14	Roads	Roads-Storm Water Mgmt. Pond Maintenance	20143	250,000	Design and contract administration for two ponds; 90% tender compilation and design ready for review. Anticipate to issue tender mid-August.				GHD Consultants. Two ponds are; River Run Road and Drayton Industrial Road SWM Ponds. Work to be completed late September 2020.
SUBTOTAL				2,372,200		122,278	TBA		
15	Fleet & Equip.	Replace Tandem 04-T44	18090	280,000	Truck in fabrication; Delivery expected in October 2020	\$278,590	1,410	Viking-Cives; issued in conjunction	Contract prepared and administered in house

Number	Category	Project Title	Proj Sheet #	Budget 2020 (A) HST extra	Status as of August 4, 2020	Tendered Value, (B) HST extra	Variance (A-B) (C)	Awarded to	Comment
								with Project 18093	
16	Fleet & Equip.	Four Wheeled Loader	18092	300,000	Loader in fabrication. Delivery expected in October 2020	279,800	20,120	Brandt Tractor	In house; to replace 410 JD RT backhoe Tender issued and closing May 7, 2020
17	Fleet & Equip.	Replace Tandem 05-T-33	18093	280,000	Truck in fabrication; Delivery expected in October 2020	\$278,590	1,410	Viking-Cives; issued in conjunction with Project 18090	In house
18	Fleet & Equip.	Fleet – Trailer for PMD	20130	8,000	Delayed due to COVID19				In house; This trailer would not be utilized if purchased at this time due to COVID19.
SUBTOTAL				868,000		836,980	22,940		
19	Facilities	Alma Paint Interior	19047	5,000	Completed;	\$3000	2,000		In house
20	Facilities	PMD 3-Glass Door Refrigerator.	19037	5,000	On hold due to COVID19				In house Quotes received were higher than budget. Defer to 2021, with adjusted budget amount.
21	Facilities	PMD – Dehumidifier	19039	30,000	Completed	\$29,450	550	KORE Mechanical	In house

Number	Category	Project Title	Proj Sheet #	Budget 2020 (A) HST extra	Status as of August 4, 2020	Tendered Value, (B) HST extra	Variance (A-B) (C)	Awarded to	Comment
22	Facilities	PMD – Reno of Toilets	19042	50,000	Delayed due to COVID19				Likely defer to spring 2021
23	Facilities	PMD – exit door from main hall for AODA	20133	15,000	Project initiated and in progress	7,195	7,805	Canuck Door Systems	In house
24	Facilities	PMD – improve exterior wall drainage	20134	15,000	Issue has been corrected by Public Works Staff	N/A	N/A	N/A	In house
25	Facilities	PMD – replace heaters in lobby	20135	7,000	Completed	\$4537	2,463	Gleeson	In house
26	Facilities	PMD – replace non-compliant heaters on arena floor	20136	10,000	Heaters are purchased, waiting on delivery	\$8,325	1,675	Mapleton Mechanical	In house
27	Facilities	PMD – Reno design & plan	20145	25,000	On hold as renovations not taking place until 2027	N/A	N/A	N/A	In house
SUBTOTAL				162,000		52,507	14,493		
28	Parks	Future 50/50	18078	20,000	Funds allocated as per P&R committee recommendations	15,000	5,000		In house There are some funds remaining from 2020. Surplus likely will supplement the 2021 funds
29	Parks	Alma swings	19063	10,000	complete	10,000	0		In house

Number	Category	Project Title	Proj Sheet #	Budget 2020 (A) HST extra	Status as of August 4, 2020	Tendered Value, (B) HST extra	Variance (A-B) (C)	Awarded to	Comment
30	Parks	Moorefield baseball diamond lighting upgrades	19133	75,000	In Progress Trying to coordinate grant funding before proceeding with the work.			Cal Deen	In house
SUBTOTAL				105,000		25,000	5,000		
31	Water & Wastewater	Waterworks – service Breaks Program	18062	27,300	This is a contingency item. Spending is occasional and unplanned				In house
32	Water & Wastewater	Contingency for – Drayto & Moorefield Water Mains	18063	88,100	This is a contingency item. Spending is occasional and unplanned				In house
33	Water & Wastewater	Contingency for – Drayton & Moorefield Wastewater	18068	146,500	This is a contingency item. Spending is occasional and unplanned				In house
34	Water & Wastewater	Storm Water Infiltration (I&I)	18070	55,000	Not initiated. Delayed due to COVID19				In house
35	Water & Wastewater	Growth projects (special studies)	18073	38,600	This is a contingency item, to be used if required.				In house
36	Water & Wastewater	Wastewater – pumping station and forcemain	19001	1,800,000	Not initiated; Waiting for water/wastewater RFP decision of council				BLG LLP
SUBTOTAL				2,155,500		-----	-----		

Number	Category	Project Title	Proj Sheet #	Budget 2020 (A) HST extra	Status as of August 4, 2020	Tendered Value, (B) HST extra	Variance (A-B) (C)	Awarded to	Comment
37	Other Assets	Computers, Tablets & Servers	18001	5,000	completed				Administered by CAO
38	Other Assets	Township office – new carpet, blinds & flooring	18002	25,000	completed				Administered by CAO
39	Other assets	Township admin office – lighting upgrades to LED	19007	75,000	On hold due to COVID19			Cal Deen	In house
40	Other assets	Fire dept – new flooring in Moorefield	20137	10,000	Project being coordinated by Fire Department				Administered by Fire Chief as requested.
41	Other assets	Fire dept – interior in Moorefield	20138	5,000	Work has been awarded.	\$4240.	760	Man with a Brush	In house Coordination of the work by Fire Chief; Not sure if completed
42	Other assets	Purchase order software	20144	16,600	In progress; Coordinated by Finance Director				In house
SUBTOTAL				136,600		4,240	760		
43	Reconstruction of Sideroad 21; 14th In to 16th In	Roads	20140	1,155,000	Work by Consultant to prepare design and documents is in progress;	36,100	N/A	GM Blue Plan	Shovel Ready Stimulus Program Candidate Report PW2020-09 April 28, 2020

Number	Category	Project Title	Proj Sheet #	Budget 2020 (A) HST extra	Status as of August 4, 2020	Tendered Value, (B) HST extra	Variance (A-B) (C)	Awarded to	Comment
SUBTOTAL				1,155,000		36,100	N/A		
GRAND TOTAL				7,708,600		1,698,021	138,476		

THE CORPORATION OF THE TOWNSHIP OF MAPLETON

BY-LAW NUMBER 2020-052

Being a by-law to authorize the Mayor and Clerk to execute a Site Plan Agreement between Darren Huber & Stephanie Huber and The Corporation of the Township of Mapleton.

WHEREAS Darren Huber & Stephanie Huber are the owners of lands described as Part Lot 6, Concession 2, Maryborough designated as Parts 1 & 2 PL 61R20880; Township of Mapleton, PIN 71483-0124 (LT); in the Township of Mapleton and are desirous of developing the subject lands;

AND WHEREAS the property has been made subject to Site Plan Control by By-law 2013-079;

NOW THEREFORE the Council of The Corporation of the Township of Mapleton enacts as follows:

1. That the Mayor and Clerk be authorized to execute a Site Plan Agreement between Darren Huber & Stephanie Huber and The Corporation of the Township of Mapleton;
2. A copy of the agreement is attached hereto as Schedule "A" and forms part of this By-law.

READ a first, second and third time this 11th day of August, 2020.

Mayor Gregg Davidson

Clerk Barb Schellenberger

STANDARD SITE PLAN AGREEMENT

THIS AGREEMENT made this 4th day of August, 2020.

BETWEEN:

DARREN HUBER & STEPHANIE HUBER
hereinafter called the "Owner"

OF THE FIRST PART

-and-

THE CORPORATION OF THE TOWNSHIP OF MAPLETON
hereinafter called the "Township"

OF THE SECOND PART

WHEREAS the Owner represents that it is the owner of the lands described in Schedule "A" to this Agreement (the "Lands"), subject to a Mortgage in favour of The Bank of Nova Scotia;

AND WHEREAS the Township has enacted a Site Plan Control Area By-law pursuant to the provisions of Section 41 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, which By-law affects the Lands;

AND WHEREAS this Agreement is being entered into by the parties hereto as a condition to the approval of the plans and drawings submitted by the Owner pursuant to Section 41 of the *Planning Act*.

AND WHEREAS these plans can be reviewed at the Offices of the Clerk of The Corporation of the Township of Mapleton, 7275 Sideroad 16, east of Drayton, Ontario.

NOW THEREFORE THIS AGREEMENT WITNESSETH that for Two (\$2.00) Dollars paid by each of the parties to the other, the receipt and sufficiency of which is hereby acknowledged, and in consideration of the Township approving the plans and drawings for the development of the Lands, the Owner covenants and agrees with the Township to provide, to the satisfaction of and at no expense to the Township, the following:

1. Plans showing the location of all buildings and structures to be erected on the Lands and showing the location of all facilities and works to be provided in conjunction therewith including, without limitation, all facilities and works required under Section 3 below (the "Plans"). The Plans shall include, but not necessarily be limited to, those Plans attached hereto as Schedule "B".
2. Construct all buildings, structures, facilities and works in accordance with the Plans.
3. The Owner agrees that the Plans shall be in such detail and shall provide for any or all of the following, as determined by the Township:
 - (a) the elevation of the property prior to and after development of the proposed use;
 - (b) the proposed exterior building design of all buildings and the use of all remaining open lands on the site;
 - (c) all yards and off-street parking spaces in accordance with the Township's by-laws;
 - (d) detailed Landscape Plans indicating planting and any outdoor structures;
 - (e) the proposed width, location, grades and elevation of all proposed roads, entrances, accesses and walkways (both private and public);
 - (f) the location of all outdoor garbage and recycling containers and details for supporting concrete pad and enclosures having a height of 1.8 metres.

- Further, the Owner agrees to locate and construct the supporting concrete pad and enclosure in accordance with the approved plan and details prior to the occupancy of the proposed development;
- (g) storm and sanitary drainage plans for the Lands and the buildings;
 - (h) the location of fire routes;
 - (i) the location and type of overhead floodlights for all parking areas to ensure deflection of lights away from adjacent properties;
 - (j) subject to the *Public Transportation and Highway Improvement Act, R.S.O. 1990*, facilities to provide access to and from the land such as access ramps and curbing and traffic direction signs, and where access is proposed onto a County of Wellington Road, the approval of the County of Wellington shall be obtained with respect to the location and design of access onto the County Road;
 - (k) off-street vehicular loading and parking facilities, either covered or uncovered, access driveways, including driveways for emergency vehicles and the surfacing of such area and driveways;
 - (l) walkways, including the surfacing thereof, and all other means of pedestrian access;
 - (m) walls, fences, hedges, trees, shrubs or other groundcover or facilities for the landscaping of the lands or the protection of adjoining lands.
4. The Owner agrees that the building or buildings shall be erected and the project shall be completed in accordance with the Plans and all applicable laws, including without limitation, the exterior building design, site, elevation, landscape-buffering and layout plans as approved by the Township, subject only to such changes as are approved, in writing, by the Township. The Township reserves the right to waive or rescind any term or condition contained in this Agreement provided that such condition is waived or rescinded by Resolution of Council.
 5. The Owner agrees that there shall be no outside storage on the Lands other than as provided in Paragraph 3 (f) of this Agreement.
 6. The Owner agrees that all surface and roof drainage will be controlled on the Lands and taken to an outlet with catch basins, where necessary, in a manner approved by the Township and/or the County of Wellington.
 7. The Owner agrees that there shall be no on-site storage of snow and that snow shall be removed from the parking lot area for the Lands unless clearly shown on the drawings.
 8. The provisions set out in Schedule "C" to this Agreement are site specific requirements that relate to the Lands and, to the extent that there is any inconsistency or conflict between the two sets of provisions, the terms of Schedule "C" shall prevail.
 9. The Owner agrees to dedicate to the Township, free and clear of all encumbrances, all easements and lands required by the Township for the construction, maintenance and improvement of any existing or newly required watercourses, ditches, land drainage works and sanitary sewage facilities on the Lands and, on request by the Township, to deliver the properly executed documents in registrable form to the Township in order to complete the dedication to the Township and to pay all costs incurred by the Township in respect to the aforementioned dedications.
 10. The Owner shall, where required by Township and/or County of Wellington resolution, dedicate to the Township and/or to the County widening of highways that abut on the Lands at no cost to the Township and/or County, free and clear of all encumbrances.
 11. The Owner hereby releases and indemnifies the Township, and, where applicable, the County of Wellington, its servants, agents and contractors from any and all liability and associated costs, claims or demands in respect of the proper maintenance and operation of the matters and facilities required by virtue of this Agreement.

12. (a) In the event works are to be performed by the Owner, its servants or its agents on lands owned by or to be conveyed to the Township, the Owner shall supply the Township with a comprehensive liability insurance policy in form satisfactory to the Township, holding the Township harmless for claims for damages, injury or otherwise in connection with the work done by the Owner, its servants or agents in or adjacent to the lands to be developed under this Agreement in the amount of Five Million (\$5,000,000.00) Dollars inclusive. The Township is to be named as an insured in the said policy.
- (b) The Owner shall, upon the earlier of (a) commencing any works on the Lands, or (b) applying for a building permit, supply the Township with cash or a Letter of Credit (the "security") in a form satisfactory to the Clerk and in an amount determined by the Clerk, sufficiently guaranteeing the satisfactory completion of the site works on Township property described in or contemplated by this Agreement and further guaranteeing the workmanship and materials and the repair of all damage to works or facilities required by this Agreement for a period of one (1) year from the date that such works are constructed receive written approval from the Township and or Township Engineer. The security must further guarantee payment to the Township of all inspection or other costs that the Township may incur as a result of this Agreement. When the work is completed to the satisfaction of the Township and or Township Engineer, the Letter of Credit may be reduced to an amount equal to Ten (10%) per cent of the original amount determined by the Clerk for each phase and shall not be further reduced until the Township or Township Engineer has approved the works at the end of the said one (1) year period.
13. In the event works are to be performed by the Owner, its servants or its agents on lands other than lands owned by the Township, the Owner shall:
 - a) *provide the Township with, prior to the execution of this Agreement by the Township, a letter of credit or other satisfactory security in an amount equal to 50% of the cost of works and facilities relating to storm drainage, surface treatment of parking areas, landscaping, buffer strips, fencing, grading, curbing and similar physical improvement works.*
 - b) *complete the said works and facilities within a period of one (1) year from the date of issuance of a building permit, or within one (1) year of the execution of this agreement by the Township if no building permit is required by the development provided for herein, and provide satisfactory proof of completion of the said works including survey, engineering, architectural (including landscape architect where required), or another professional certification, at the owner's sole expense.*
 - c) *Upon failure of the owner to complete the said works and facilities within the said one year period, the Township may draw on the said letter of credit or other satisfactory security, such amount or amounts as may be required to pay for the work done or to be done pursuant to the provisions of this section and the Township and/or its authorized agents are hereby authorized to enter upon the lands to perform the said works and facilities.*

Section 427 of the Municipal Act, S.O. 2001, c. 25, as amended, applies to this Agreement and in the event the Owner fails to perform the works and facilities required to be done herein, such works and facilities may be done by the Township at the Owner's expense and the Township may recover the expense in doing so by action or the same may be recovered in like manner as municipal taxes
14. The Owner is to confirm conformation to the terms of agreement prior to the Township releasing the security.
15. The Owner is responsible for dust control of all dust resulting from the development, whenever necessary. To eliminate dust, the owner may be required

to apply dust suppressants, covering stock piles of top soil with tarps or applying ground cover to the areas that have been stripped and left undeveloped at the direction of the Township.

- 16. This Agreement shall be registered against title to the Lands at the Owner's expense. It is understood and agreed that, after this Agreement has been registered against title, it shall not be released by the Township. After all terms and conditions of this Agreement have been complied with to the satisfaction of the Township, the Township, upon request and at the Owner's expense, shall issue a Certificate of Compliance certifying compliance with this Agreement to the date of the Certificate.
- 17. The Owner hereby grants to the Township, its servants, agents and contractors a license to enter onto the Lands and into structures for the purpose of inspecting the works and the Lands or for any other purpose pursuant to the rights of the Township under this Agreement.
- 18. The Owner shall obtain from all mortgagees, chargees and other persons having an interest in the Lands a postponement of their respective interests to this Agreement in a form satisfactory to the Township and said postponement(s) shall be registered against title to the Lands at the expense of the Owner so that this Agreement shall have priority over all other interests registered against the Lands. The Owner acknowledges and agrees that the site plan approval in respect of the Lands shall be conditional upon obtaining the above postponement documents and registering them against title to the Lands.
- 19. The covenants, agreements, conditions and understandings set out herein and in Schedules "C" hereto, which form part of this Agreement, shall run with the Lands and shall enure to the benefit of and be binding upon the parties hereto and their heirs, executors, administrators, successors and assigns, as the case may be.
- 20. Nothing in this Agreement constitutes a waiver of the Owner's duty to comply with any By-law of the Township or any other law.

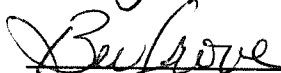
IN WITNESS WHEREOF the parties have executed this Agreement.

SIGNED, SEALED AND DELIVERED)

in the presence of)



Witness Signature)




Witness Signature)

OWNER'S NAME



Darren Huber



Stephanie Huber

We have the authority to bind
the Corporation

THE CORPORATION OF THE
TOWNSHIP OF MAPLETON

Gregg Davidson
Mayor

Manny Baron
CAO/Deputy Clerk

We have the authority to bind
the Corporation.

SCHEDULE "A"

Description of the Lands

PIN 71483-0124 (LT)

Part Lot 6, Concession 2, Maryborough
designated as Parts 1 & 2 PL 61R20880;
Township of Mapleton

SCHEDULE "B"

Description of the Plans

Drawing Name: Severance Sketch
Dated: January 5, 2016
Received: July 2020
Drawing prepared by: Van Harten Surveying Inc.

Document Name: Building Location &
Structures
Received: July 2020
Drawing supplied by: Landowner

SCHEDULE "C"

Site Specific Requirements

The provisions set out in this Schedule are site specific requirements that relate to the Lands. This Schedule shall be read in conjunction with the provisions of the main body of this Agreement, but to the extent that there is any inconsistency or conflict between the two sets of provisions, the following terms of this Schedule shall prevail.

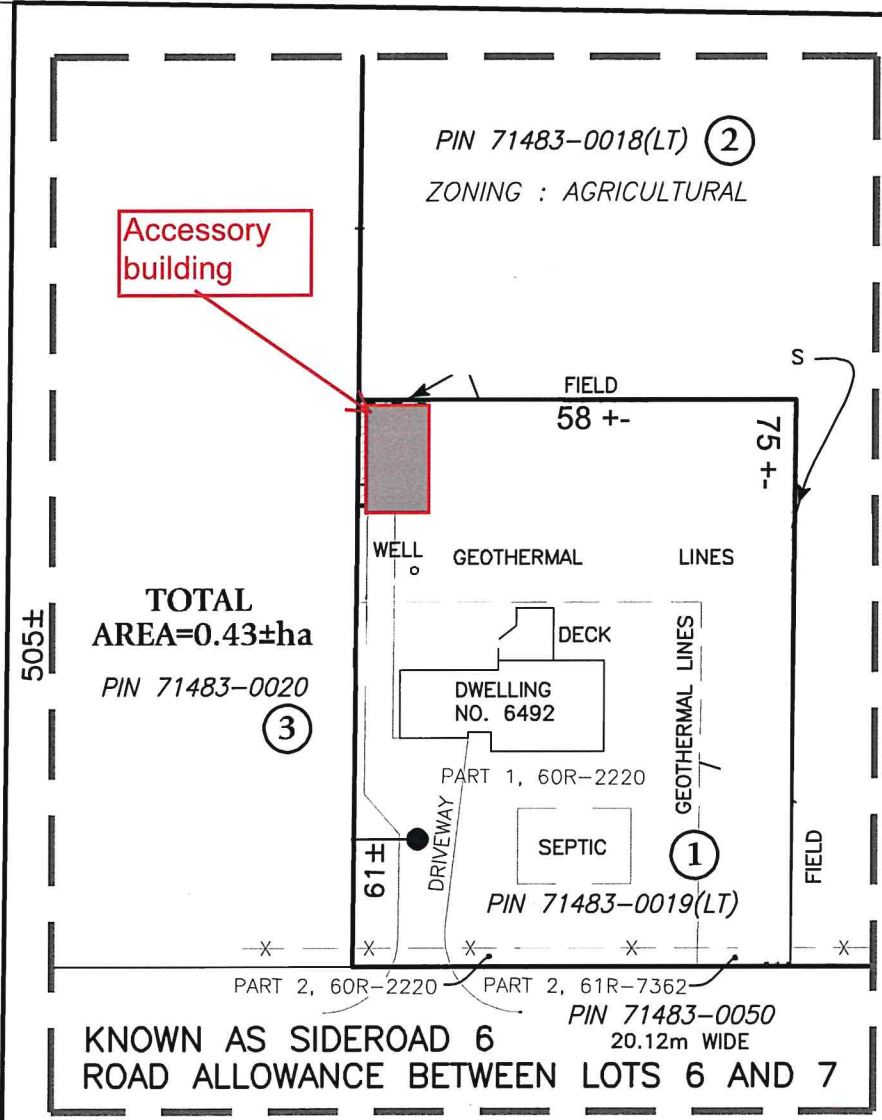
- None at this time



LOT 5, CONCESSION 2

④ PIN 71483-0013

180±
NOT TO SCALE
BARN



Accessory building

TOTAL AREA=0.43±ha
PIN 71483-0020
③

DETAIL
1:1000

ZONING : AGRICULTURAL
O.P. : PRIME AGRICULTURAL

O.P. : CORE GREENLANDS
ZONING : NATURAL ENVIRONMENT

LANDS TO BE RETAINED
AREA=38±ha

② PIN 71483-0018(LT)

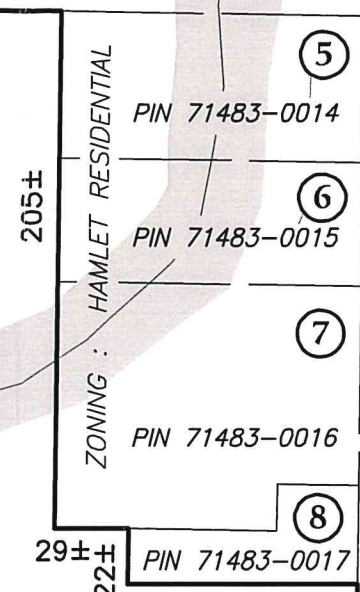
LOT 6, CONCESSION 2

617±

PIN 71483-0022 ⑮

CONCESSION 2

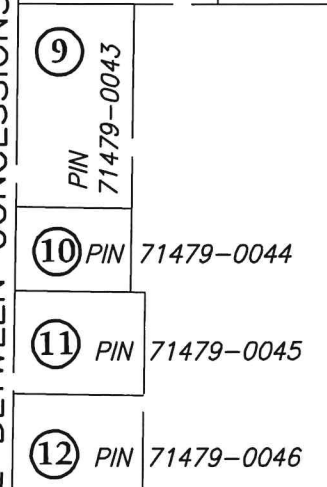
525±
NOT TO SCALE
BARN



⑤ PIN 71483-0014
⑥ PIN 71483-0015
⑦ PIN 71483-0016
⑧ PIN 71483-0017

ZONING : HAMLET RESIDENTIAL

380±
ROAD ALLOWANCE BETWEEN CONCESSIONS 2 AND 3

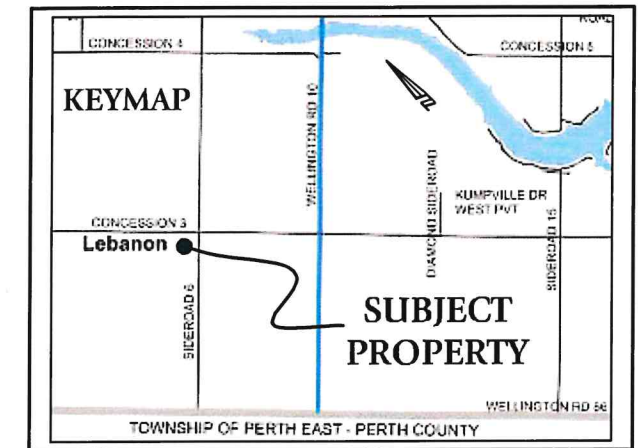


⑨ PIN 71479-0043
⑩ PIN 71479-0044
⑪ PIN 71479-0045
⑫ PIN 71479-0046

⑬ PIN 71479-0047

⑭ PIN 71479-0066

LOT 6
CONCESSION 2



SEVERANCE SKETCH
PART OF LOT 6, CONCESSION 2
GEOGRAPHIC TOWNSHIP OF MARYBOROUGH
TOWNSHIP OF MAPLETON
COUNTY OF WELLINGTON

SCALE: 1 - 3000
0 30 60 120 180 metres
VAN HARTEN SURVEYING INC.

NOTES:

1. THIS IS NOT A PLAN OF SURVEY AND SHOULD NOT BE USED FOR REAL ESTATE TRANSFERS OR MORTGAGES.
2. SUBJECT LANDS ARE ZONED AGRICULTURAL AND NATURAL ENVIRONMENT
3. SUBJECT LANDS HAVE AN OFFICIAL PLAN DESIGNATION OF PRIMARY AGRICULTURAL AND CORE GREENLANDS
4. DISTANCES TO BARNS ARE TAKEN FROM GRCA WEBSITE.
5. DISTANCES ON THIS PLAN ARE SHOWN IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.
6. DIMENSIONS ON THIS SKETCH ARE APPROXIMATE AND HAVE NOT BEEN VERIFIED BY SURVEY.

THIS SKETCH WAS PREPARED
ON THE 5th DAY OF NOVEMBER, 2015
THIS SKETCH WAS UPDATED
ON THE 5th DAY OF JANUARY, 2016

Rec'd
July 2020

JEFFREY E. BUISMAN
ONTARIO LAND SURVEYOR



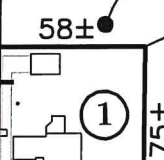
423 WOOLWICH STREET GUELPH - ONTARIO, N1H 3X3 PHONE: (519) 821 - 2763 FAX: 821 - 2770 www.vanharten.com	660 RIDDELL ROAD, UNIT 1 ORANGEVILLE - ONTARIO, L9W 5G5 PHONE: (519) 940 - 4110 FAX: 519 - 940 - 4113 www.vanharten.com
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DRAWN BY: JAM | CHECKED BY: JEB | PROJECT No. 23272-15

Jan 05,2016-11:20am
G:\MARYBOROUGH\Con2\ACAD\SEV PT6 (HUBER A).dwg 315 of 367

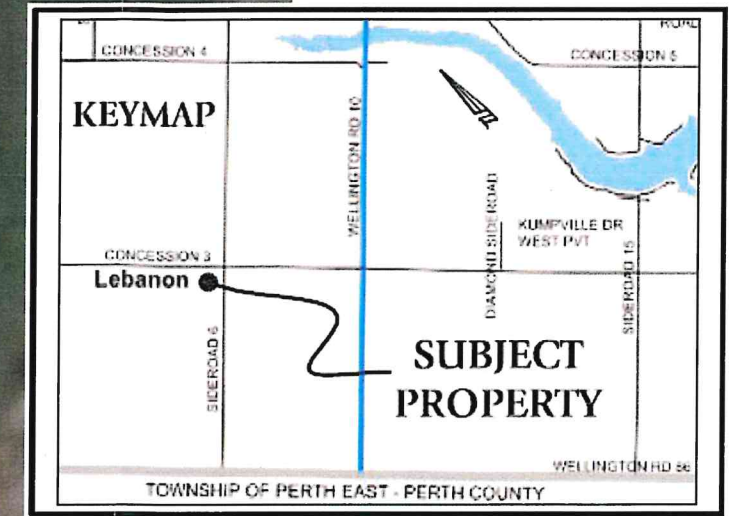
BARN
380±
NOT TO SCALE
SEE DETAIL

LANDS TO BE SEVERED

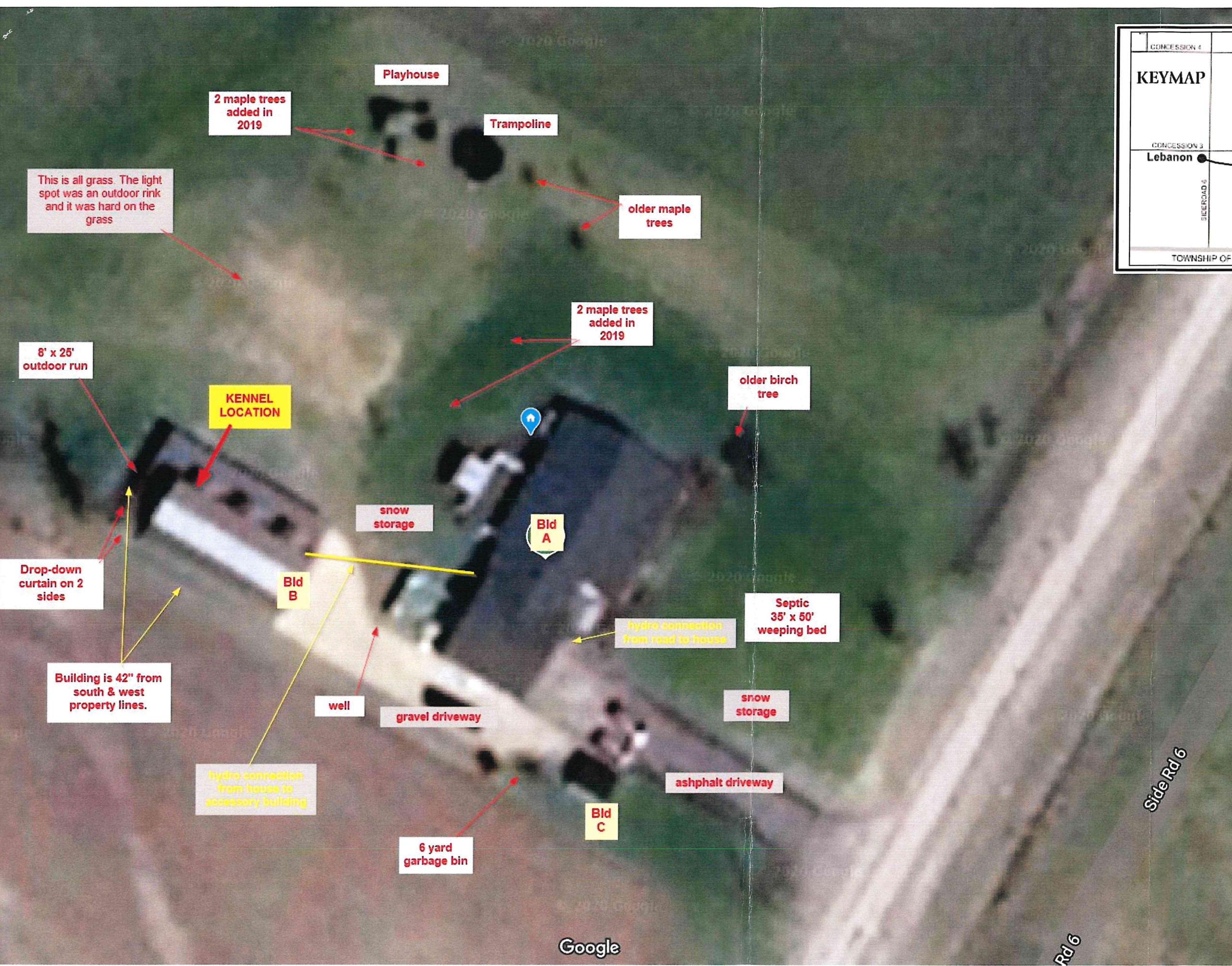


20.12m WIDE KNOWN AS SIDEROAD 6 PIN 71483-0050 ROAD ALLOWANCE BETWEEN LOTS 6 AND 7

LOT 7



Rec'd July 2020
 Re: SP2020-07
 Bldg Locations
 and Structures



THE CORPORATION OF THE TOWNSHIP OF MAPLETON

BY-LAW NUMBER 2020-053

Being a by-law to authorize the Mayor and Clerk to execute a Site Plan Agreement between Glenaviland Development Corporation and The Corporation of the Township of Mapleton.

WHEREAS Glenaviland Development Corporation is the owner of lands described as PART LOTS 17 AND 18, CONCESSION 10, MARYBOROUGH; TOGETHER WITH AN EASEMENT OVER PART LOT 38, PLAN 61M-192 BEING PART 22 ON PLAN 61R-20245 UNTIL 2026/01/28 AS IN WC459501; TOGETHER WITH AN EASEMENT OVER PART LOT 35, PLAN 61M192 MAPLETON PT 28, 61R-20245 UNTIL 2027/04/27 AS IN WC501595; TOGETHER WITH AN EASEMENT OVER PART LOT 37, PLAN 61M-192, PART 26, PLAN 61R-20245 UNTIL 2027/07/31 AS IN WC511894; TOGETHER WITH AN EASEMENT OVER PART LOT 36, PLAN 61M-192, PART 27, PLAN 61R-20245 UNTIL 2027/09/28 AS IN WC518227; TOGETHER WITH AN EASEMENT OVER PART LOT 40, PLAN 61M-192, PART 21, PLAN 61R-20245 AS IN WC560827; TOGETHER WITH AN EASEMENT OVER PART LOT 41, PLAN 61M-192, PART 20, PLAN 61R-20245 AS IN WC560828; TOGETHER WITH AN EASEMENT OVER PART LOT 42, PLAN 61M192, PART 19, 61R20245 AS IN WC560829; TOWNSHIP OF MAPLETON; and are desirous of developing the subject lands;

AND WHEREAS the property has been made subject to Site Plan Control by By-law 2013-079;

NOW THEREFORE the Council of The Corporation of the Township of Mapleton enacts as follows:

1. That the Mayor and CAO be authorized to execute a Site Plan Agreement between Glenaviland Development Corporation and The Corporation of the Township of Mapleton in substantially the same format as attached hereto;
2. A copy of the agreement is attached hereto as Schedule "A" and forms part of this By-law.

READ a first, second and third time this 11th day of August, 2020 .

Mayor Gregg Davidson

Clerk Barb Schellenberger

DRAFT STANDARD SITE PLAN AGREEMENT

THIS AGREEMENT made this _____ day of _____, 20_____.

BETWEEN:

GLENAVILAND DEVELOPMENT CORPORATION
hereinafter called the "Owner"

OF THE FIRST PART

-and-

THE CORPORATION OF THE TOWNSHIP OF MAPLETON
hereinafter called the "Township"

OF THE SECOND PART

WHEREAS the Owner represents that it is the owner of the lands described in Schedule "A" to this Agreement (the "Lands"), subject to a Mortgage in favour of Bank of Montreal;

AND WHEREAS the Township has enacted a Site Plan Control Area By-law pursuant to the provisions of Section 41 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, which By-law affects the Lands;

AND WHEREAS this Agreement is being entered into by the parties hereto as a condition to the approval of the plans and drawings submitted by the Owner pursuant to Section 41 of the *Planning Act*.

AND WHEREAS these plans can be reviewed at the Offices of the Clerk of The Corporation of the Township of Mapleton, 7275 Sideroad 16, east of Drayton, Ontario.

NOW THEREFORE THIS AGREEMENT WITNESSETH that for Two (\$2.00) Dollars paid by each of the parties to the other, the receipt and sufficiency of which is hereby acknowledged, and in consideration of the Township approving the plans and drawings for the development of the Lands, the Owner covenants and agrees with the Township to provide, to the satisfaction of and at no expense to the Township, the following:

1. Plans showing the location of all buildings and structures to be erected on the Lands and showing the location of all facilities and works to be provided in conjunction therewith including, without limitation, all facilities and works required under Section 3 below (the "Plans"). The Plans shall include, but not necessarily be limited to, those Plans attached hereto as Schedule "B".
2. Construct all buildings, structures, facilities and works in accordance with the Plans.
3. The Owner agrees that the Plans shall be in such detail and shall provide for any or all of the following, as determined by the Township:
 - (a) the elevation of the property prior to and after development of the proposed use;
 - (b) the proposed exterior building design of all buildings and the use of all remaining open lands on the site;
 - (c) all yards and off-street parking spaces in accordance with the Township's by-laws;
 - (d) detailed Landscape Plans indicating planting and any outdoor structures;
 - (e) the proposed width, location, grades and elevation of all proposed roads, entrances, accesses and walkways (both private and public);

- (f) the location of all outdoor garbage and recycling containers and details for supporting concrete pad and enclosures having a height of 1.8 metres. Further, the Owner agrees to locate and construct the supporting concrete pad and enclosure in accordance with the approved plan and details prior to the occupancy of the proposed development;
 - (g) storm and sanitary drainage plans for the Lands and the buildings;
 - (h) the location of fire routes;
 - (i) the location and type of overhead floodlights for all parking areas to ensure deflection of lights away from adjacent properties;
 - (j) subject to the *Public Transportation and Highway Improvement Act, R.S.O. 1990*, facilities to provide access to and from the land such as access ramps and curbing and traffic direction signs, and where access is proposed onto a County of Wellington Road, the approval of the County of Wellington shall be obtained with respect to the location and design of access onto the County Road;
 - (k) off-street vehicular loading and parking facilities, either covered or uncovered, access driveways, including driveways for emergency vehicles and the surfacing of such area and driveways;
 - (l) walkways, including the surfacing thereof, and all other means of pedestrian access;
 - (m) walls, fences, hedges, trees, shrubs or other groundcover or facilities for the landscaping of the lands or the protection of adjoining lands.
4. The Owner agrees that the building or buildings shall be erected and the project shall be completed in accordance with the Plans and all applicable laws, including without limitation, the exterior building design, site, elevation, landscape-buffering and layout plans as approved by the Township, subject only to such changes as are approved, in writing, by the Township. The Township reserves the right to waive or rescind any term or condition contained in this Agreement provided that such condition is waived or rescinded by Resolution of Council.
5. The Owner agrees that there shall be no outside storage on the Lands other than as provided in Paragraph 3 (f) of this Agreement.
6. The Owner agrees that all surface and roof drainage will be controlled on the Lands and taken to an outlet with catch basins, where necessary, in a manner approved by the Township and/or the County of Wellington.
7. The Owner agrees that there shall be no on-site storage of snow and that snow shall be removed from the parking lot area for the Lands unless clearly shown on the drawings.
8. The provisions set out in Schedule "C" to this Agreement are site specific requirements that relate to the Lands and, to the extent that there is any inconsistency or conflict between the two sets of provisions, the terms of Schedule "C" shall prevail.
9. The Owner agrees to dedicate to the Township, free and clear of all encumbrances, all easements and lands required by the Township for the construction, maintenance and improvement of any existing or newly required watercourses, ditches, land drainage works and sanitary sewage facilities on the Lands and, on request by the Township, to deliver the properly executed documents in registrable form to the Township in order to complete the dedication to the Township and to pay all costs incurred by the Township in respect to the aforementioned dedications.
10. The Owner shall, where required by Township and/or County of Wellington resolution, dedicate to the Township and/or to the County widening of highways that abut on the Lands at no cost to the Township and/or County, free and clear of all encumbrances.

11. The Owner hereby releases and indemnifies the Township, and, where applicable, the County of Wellington, its servants, agents and contractors from any and all liability and associated costs, claims or demands in respect of the proper maintenance and operation of the matters and facilities required by virtue of this Agreement.

12.
 - (a) In the event works are to be performed by the Owner, its servants or its agents on lands owned by or to be conveyed to the Township, the Owner shall supply the Township with a comprehensive liability insurance policy in form satisfactory to the Township, holding the Township harmless for claims for damages, injury or otherwise in connection with the work done by the Owner, its servants or agents in or adjacent to the lands to be developed under this Agreement in the amount of Five Million (\$5,000,000.00) Dollars inclusive. The Township is to be named as an insured in the said policy.

 - (b) The Owner shall, upon the earlier of (a) commencing any works on the Lands, or (b) applying for a building permit, supply the Township with cash or a Letter of Credit (the "security") in form satisfactory to the Clerk and in an amount determined by the Clerk, sufficiently guaranteeing the satisfactory completion of the site works on Township property described in or contemplated by this Agreement and further guaranteeing the workmanship and materials and the repair of all damage to works or facilities required by this Agreement for a period of one (1) year from the date that such works are constructed receive written approval from the Township and or Township Engineer. The security must further guarantee payment to the Township of all inspection or other costs that the Township may incur as a result of this Agreement. When the work is completed to the satisfaction of the Township and or Township Engineer, the Letter of Credit may be reduced to an amount equal to Ten (10%) per cent of the original amount determined by the Clerk for each phase and shall not be further reduced until the Township or Township Engineer has approved the works at the end of the said one (1) year period.

13. In the event works are to be performed by the Owner, its servants or its agents on lands other than lands owned by the Township, the Owner shall:
 - a) *provide the Township with, prior to the execution of this Agreement by the Township, a letter of credit or other satisfactory security in an amount equal to 50% of the cost of works and facilities relating to storm drainage, surface treatment of parking areas, landscaping, buffer strips, fencing, grading, curbing and similar physical improvement works.*

 - b) *complete the said works and facilities within a period of one (1) year from the date of issuance of a building permit, or within one (1) year of the execution of this agreement by the Township if no building permit is required by the development provided for herein, and provide satisfactory proof of completion of the said works including survey, engineering, architectural (including landscape architect where required), or another professional certification, at the owner's sole expense.*

 - c) *Upon failure of the owner to complete the said works and facilities within the said one year period, the Township may draw on the said letter of credit or other satisfactory security, such amount or amounts as may be required to pay for the work done or to be done pursuant to the provisions of this section and the Township and/or its authorized agents are hereby authorized to enter upon the lands to perform the said works and facilities.*

Section 427 of the Municipal Act, S.O. 2001, c. 25, as amended, applies to this Agreement and in the event the Owner fails to perform the works and facilities required to be done herein, such works and facilities may be done by the Township at the Owner's expense and the Township may recover

the expense in doing so by action or the same may be recovered in like manner as municipal taxes

14. The Owner is to confirm conformation to the terms of agreement prior to the Township releasing the security.
15. The Owner is responsible for dust control of all dust resulting from the development, whenever necessary. To eliminate dust, the owner may be required to apply dust suppressants, covering stock piles of top soil with tarps or applying ground cover to the areas that have been stripped and left undeveloped at the direction of the Township.
16. This Agreement shall be registered against title to the Lands at the Owner's expense. It is understood and agreed that, after this Agreement has been registered against title, it shall not be released by the Township. After all terms and conditions of this Agreement have been complied with to the satisfaction of the Township, the Township, upon request and at the Owner's expense, shall issue a Certificate of Compliance certifying compliance with this Agreement to the date of the Certificate.
17. The Owner hereby grants to the Township, its servants, agents and contractors a license to enter onto the Lands and into structures for the purpose of inspecting the works and the Lands or for any other purpose pursuant to the rights of the Township under this Agreement.
18. The covenants, agreements, conditions and understandings set out herein and in Schedules "C" hereto, which form part of this Agreement, shall run with the Lands and shall enure to the benefit of and be binding upon the parties hereto and their heirs, executors, administrators, successors and assigns, as the case may be.
19. Nothing in this Agreement constitutes a waiver of the Owner's duty to comply with any By-law of the Township or any other law.

IN WITNESS WHEREOF the parties have executed this Agreement.

SIGNED, SEALED AND DELIVERED	)	GLENAVILAND DEVELOPMENT CORPORATION
)	
in the presence of)	
)	
_____)	_____
Witness Signature	)	Fred Prior, President
	)	I have the authority to bind
	)	the Corporation
)	
	)	THE CORPORATION OF THE
	)	TOWNSHIP OF MAPLETON
)	
)	_____
	)	Gregg Davidson
	)	Mayor
)	
)	_____
	)	Manny Baron
	)	CAO
	)	We have the authority to bind
	)	the Corporation.

SCHEDULE "A"

Description of Lands

PIN 71474-0513 (LT)

PART LOTS 17 AND 18, CONCESSION 10, MARYBOROUGH; TOGETHER WITH AN EASEMENT OVER PART LOT 38, PLAN 61M-192 BEING PART 22 ON PLAN 61R-20245 UNTIL 2026/01/28 AS IN WC459501; TOGETHER WITH AN EASEMENT OVER PART LOT 35, PLAN 61M192 MAPLETON PT 28, 61R-20245 UNTIL 2027/04/27 AS IN WC501595; TOGETHER WITH AN EASEMENT OVER PART LOT 37, PLAN 61M-192, PART 26, PLAN 61R-20245 UNTIL 2027/07/31 AS IN WC511894; TOGETHER WITH AN EASEMENT OVER PART LOT 36, PLAN 61M-192, PART 27, PLAN 61R-20245 UNTIL 2027/09/28 AS IN WC518227; TOGETHER WITH AN EASEMENT OVER PART LOT 40, PLAN 61M-192, PART 21, PLAN 61R-20245 AS IN WC560827; TOGETHER WITH AN EASEMENT OVER PART LOT 41, PLAN 61M-192, PART 20, PLAN 61R-20245 AS IN WC560828; TOGETHER WITH AN EASEMENT OVER PART LOT 42, PLAN 61M192, PART 19, 61R20245 AS IN WC560829; TOWNSHIP OF MAPLETON

DRAFT

SCHEDULE “B”

Description of the Plans

- Drawing Names as follows:
 - Site Plan, Phase 1 Agrihood
Date of Drawings: June 1, 2020
Drawing drawn by: BSR&D
 - Existing Conditions and Erosion and Sedimentation Control Plan, labelled as C-050, C-051
Date of Drawings: May 26, 2020
Drawing prepared by: Stantec Consulting Ltd.
 - Site and Bedell Drive Servicing Plan
Date of Drawings: May 26, 2020
Drawing prepared by: Stantec Consulting Ltd.
 - Site and Bedell Drive Grading Plan
Date of Drawings: May 26, 2020
Date of Drawings: May 26, 2020
Drawing prepared by: Stantec Consulting Ltd.
 - Fire Route Plan
Date of Drawings: May 26, 2020
Drawing prepared by: Stantec Consulting Ltd.
 - Landscape Plan, 2 sheets
Date of Drawings: May 28, 2020 revised May 29, 2020
Drawing prepared by: Stantec Consulting Ltd.
 - Preliminary Stormwater Management Brief
Dated May 27, 2020
Prepared by Stantec Consulting Ltd

SCHEDULE “C”

Site Specific Requirements

The provisions set out in this Schedule are site specific requirements that relate to the Lands. This Schedule shall be read in conjunction with the provisions of the main body of this Agreement, but to the extent that there is any inconsistency or conflict between the two sets of provisions, the following terms of this Schedule shall prevail.

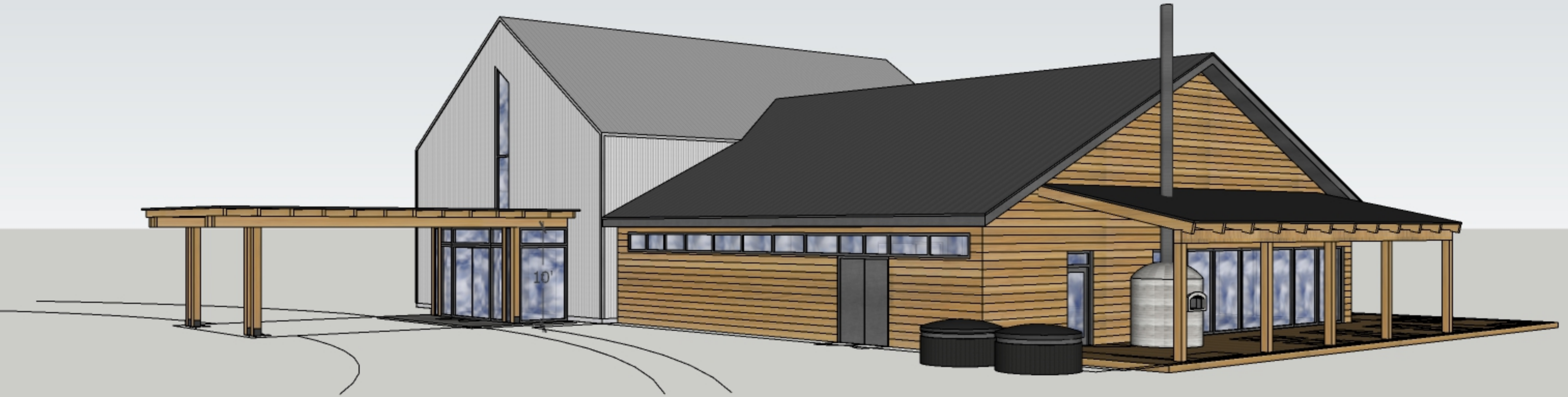
- Parking, as per the Township Zoning By-law is required prior to occupancy
- Exterior lighting as per Township Zoning By-law Section 6.9
- Loading area to comply with Township Zoning By-law Section 6.16
- The required Fire Route as per Building Code must be maintained in consultation with Mapleton Fire & Rescue (Minimum 6 metre wide fire route with a minimum turn radius of 12 metre, complete with signage to indicate ‘No Parking - Fire Route’)
- All buildings must meet the applicable article(s) in the OBC for fire department access: Division B 3.2.5.4 - 3.2.5.6 or 9.10.20.3 whichever is applicable to the classification of the building.
- Wastewater requirements to comply with By-law Number 2009-065 in consultation with the Director of Public Works
- On completion of project and before release of security, as-built drawings are to be submitted (digitally and one hard copy set)
- On-site works include the following

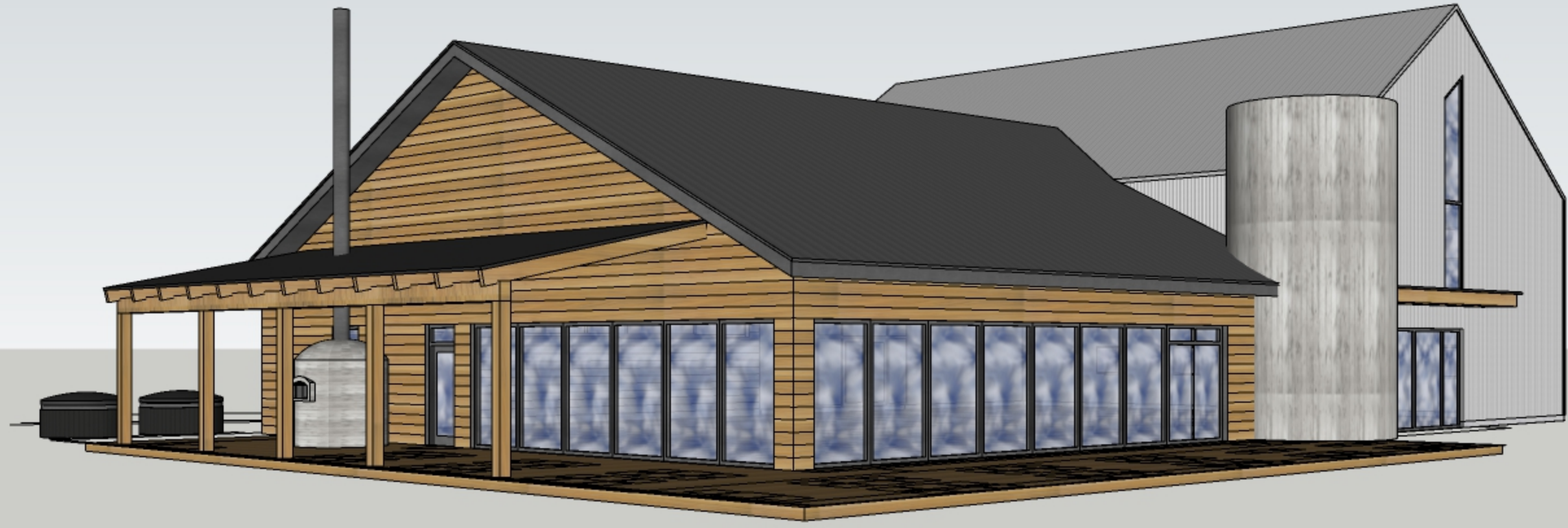
ITEM	ESTIMATE
Storm Drainage	12,890.00
Surface Treatment of Parking Areas	145,565.00
Landscaping	42,300.00
Buffer Strips	17,200.00
Fencing	Nil
Grading	27,500.00
Curbing	8,100.00
Lighting	36,000.00
Walkways	19,430.00
Other Physical Improvements	Nil
Total	\$308,985.00

Security Required (50%)	\$0.00 *
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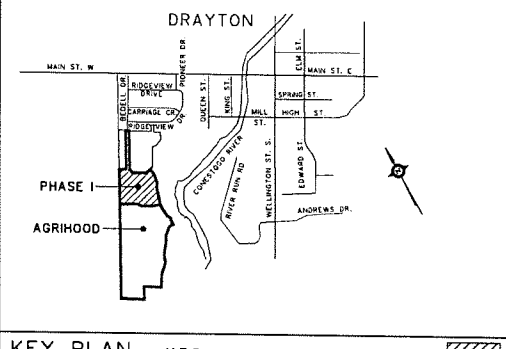
* \$154,000 security when available from Glenaviland Subdivision Phase 2 project.







Glennville Agrihood OSI 31.324		
Regulation	Required	Provided
25.2	Regulations	None
25.2.1	Minimum Lot Area	372 ha
25.2.5	Minimum Lot Frontage	90.8 m
25.2.3	Minimum Front Yard	6 m (10.9 ft) plus any applicable distance required by the applicable road authority regulations as specified in Section 6.31 of this By-law.
25.2.4	Minimum Interior Side Yard	3.0 m (10 ft) 3.2 m (10.2 ft) where an OS Zone abuts any residential zone.
25.2.5	Minimum Exterior Side Yard	6 m (19.8 ft) plus any applicable distance required by the applicable road authority regulations as specified in Section 6.31 of this By-law.
25.2.6	Minimum Rear Yard	7.6 m (24.9 ft)
25.2.7	Maximum Lot Coverage	2.2%
25.3	Other Provision	20% for building only
6.16	Garbage Storage Areas	Accessory uses, off-street parking requirements, and garbage storage areas shall be in accordance with the requirements of the applicable regulations of Section 6 - General Provisions of this By-law. a) No garbage or refuse shall be stored on any lot in any zone except within: i) The main building; or ii) Any accessory building; or iii) In a container in the side yard or rear yard of such lot. b) All garbage or refuse storage areas, including any garbage loading or unloading areas, which are visible from an adjoining site in a residential, commercial, institutional or open space zone, or from a public street, shall have a visual screen consisting of a fence that is a minimum of 2.0 m (6.6 ft) in height. c) All dumpsters or garbage containers shall be regulated in the same manner as an accessory building or structure in the zone in which it is located.
6.27	Parking	Place of Assembly: 1/5 persons or 1/10 m ² GFA Restaurant: 1/8 persons Pub/Bar: 1/24 seats + 4 = 41 Pizza Place: 1/8 seats + 4 = 17 Place of Assembly: 1/3.4 m ² Pairs: 1/26 m ² + 3 = 24 TOTAL PARKING = 72 SPACES Barrier Free: 3 space/12 required parking spaces, or 4% of required parking between 13-100, or 1 space + 3% for 1010-200 required parking spaces 4% (9-22 = 6)
6.20	Natural Environment, Watercourse And Municipal Drain Setbacks	30 metres from NE Zone



KEY PLAN N.T.S. SUBJECT LANDS

NOTES:
 ELEVATIONS AND RELEVANT INFORMATION TAKEN FROM NORTH-WAY PHOTO MAP INC.
 FILE #P1 #0588-0017-09, CONTOUR INTERVAL = 0.5m

PHASE 1 AGRIHOOD SITE PLAN

OF
 PART OF LOTS 17 & 18, CONCESSION 10
 GEOGRAPHIC TOWNSHIP OF MARYBOROUGH
 TOWNSHIP OF MAPLETON
 COUNTY OF WELLINGTON

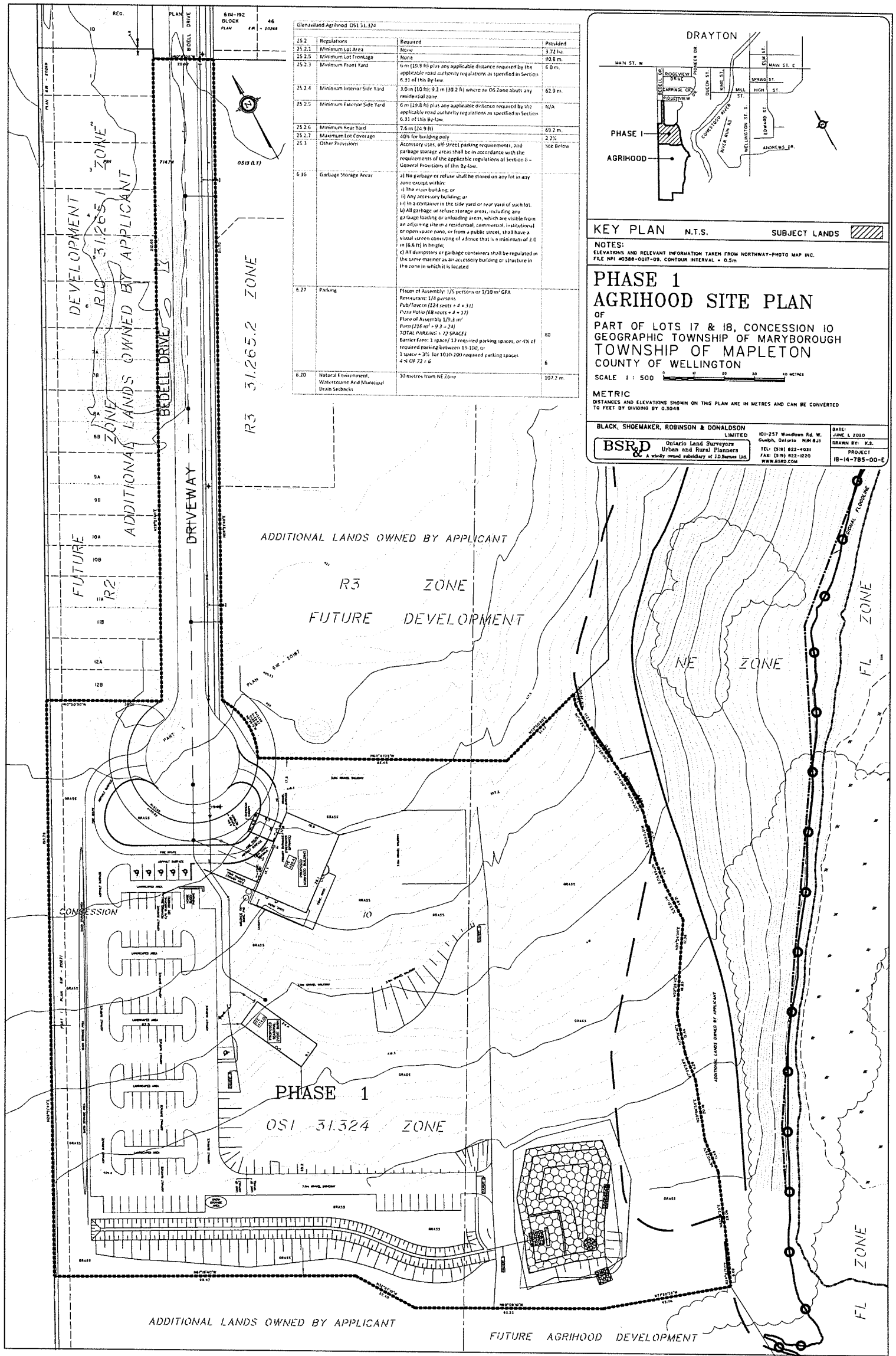
SCALE 1 : 500

METRIC
 DISTANCES AND ELEVATIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

BLACK, SHOEMAKER, ROBINSON & DONALDSON LIMITED
BSR&D
 Ontario Land Surveyors
 Urban and Rural Planners
 A wholly owned subsidiary of J.D. Byrne Ltd.

901-257 Woodrow Rd. W.
 Guelph, Ontario N1M 8J1
 TEL: (519) 822-6031
 FAX: (519) 822-1870
 WWW.BSR&D.COM

DATE: JUNE 1, 2020
 DRAWN BY: K.S.
 PROJECT: 18-14-785-00-E



THE CORPORATION OF THE TOWNSHIP OF MAPLETON

BY-LAW NUMBER 2020-054

Being a By-law to appoint a Clerk for the Corporation of the Township of Mapleton.

WHEREAS the Municipal Act, 2001, S.O. 2001, c.25, as amended, Section 5(3), provides that the jurisdiction of every council is confined to the municipality that it represents, and its powers shall be exercised by by-law.

AND WHEREAS the Municipal Act, 2001, S.O. 2001, c.25, as amended, Section 228 provides that a municipality shall appoint a Clerk to carry out the statutory duties as required under this Act or under any other Act.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF MAPLETON ENACTS AS FOLLOWS:

1. That Larry Wheeler is hereby appointed as Clerk of The Corporation of the Township of Mapleton, effective August 29, 2020.
2. That By-law 2018-018 is hereby repealed upon the coming into effect of By-law Number 2020-054.

READ a first, second and third time on Tuesday, August 11, 2020.

Mayor Gregg Davidson

Clerk Barb Schellenberger

THE CORPORATION OF THE TOWNSHIP OF MAPLETON

BY-LAW NUMBER 2020-055

Being a By-law to appoint a Secretary-Treasurer of the Committee of Adjustment for the Corporation of the Township of Mapleton.

WHEREAS the Planning Act, C.P. 13 R.S.O. 2006 Section 44(1) as amended, allows for a municipality to establish and appoint a Committee of Adjustment;

AND WHEREAS the Planning Act, C.P. 13 R.S.O. 2006 Section 44(8) as amended, allows for a municipality to appoint a Secretary-Treasurer of the Committee of Adjustment;

AND WHEREAS the Council of the Corporation of the Township of Mapleton considers it desirable to enact such a By-law;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF MAPLETON ENACTS AS FOLLOWS:

1. That Larry Wheeler is hereby appointed as Secretary-Treasurer of the Committee of Adjustment effective August 29, 2020.
2. That this By-law shall be in effect for the term of Council as per the requirements of Section 44(3) of the Planning Act.

READ a first, second and third time on Tuesday, August 11, 2020.

Mayor Gregg Davidson

Clerk Barb Schellenberger

THE CORPORATION OF THE TOWNSHIP OF MAPLETON

BY-LAW NUMBER 2020-056

**Being a By-law to amend By-law 2010-080, being a
Zoning By-law for the Township of Mapleton**

**Part Lot 6, Concession 4 (Peel)
ZBA 2020-07**

WHEREAS the Council of the Corporation of the Township of Mapleton deems it desirable to amend said By-law Number 2010-080, as amended.

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

1. That By-law Number 2010-080, is hereby amended by adjusting the maximum floor area and maximum number of employees permitted under site specific exemption 31.316 on the map forming Schedule 'A-1', as it applies to Part Lot 6, Concession 4 (Peel), 6626 Sideroad 17, as illustrated on Schedule 'A' attached to and forming part of this By-law.
2. That the wording of Site Specific Exception 31.316 be deleted and replaced with the following:

31.316 Part Lot 6, Concession 4 (Peel), 7425 Sideroad 12 (Kraemer Woodworking)	Notwithstanding Section 6.14 d) of this By-law, a maximum floor area of 1,682 m ² (18,100 ft ²) for all buildings is permitted for a home industry which shall include but is not limited to; generator room, lunchroom, office, mechanical room, basement area and inside storage areas. Notwithstanding Section 6.14 f) of this By-law, not more than fifteen (15) employees shall be engaged in the home industry; Notwithstanding Section 6.14 h) of this By-law, the minimum setback for buildings or structures from a lot line shall be 18.0 m (59.0 ft).
---	---

3. That except as amended by this By-law, the subject lands, as shown on Schedule 'A' to this By-law, shall be subject to all other applicable regulations of By-law Number 2010-080, as amended.
4. This By-law shall come into effect on the final passing thereof by the Council of Corporation of the Township of Mapleton, subject to compliance with the provisions of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

READ a first, second and third time and passed this 11th day of August, 2020.

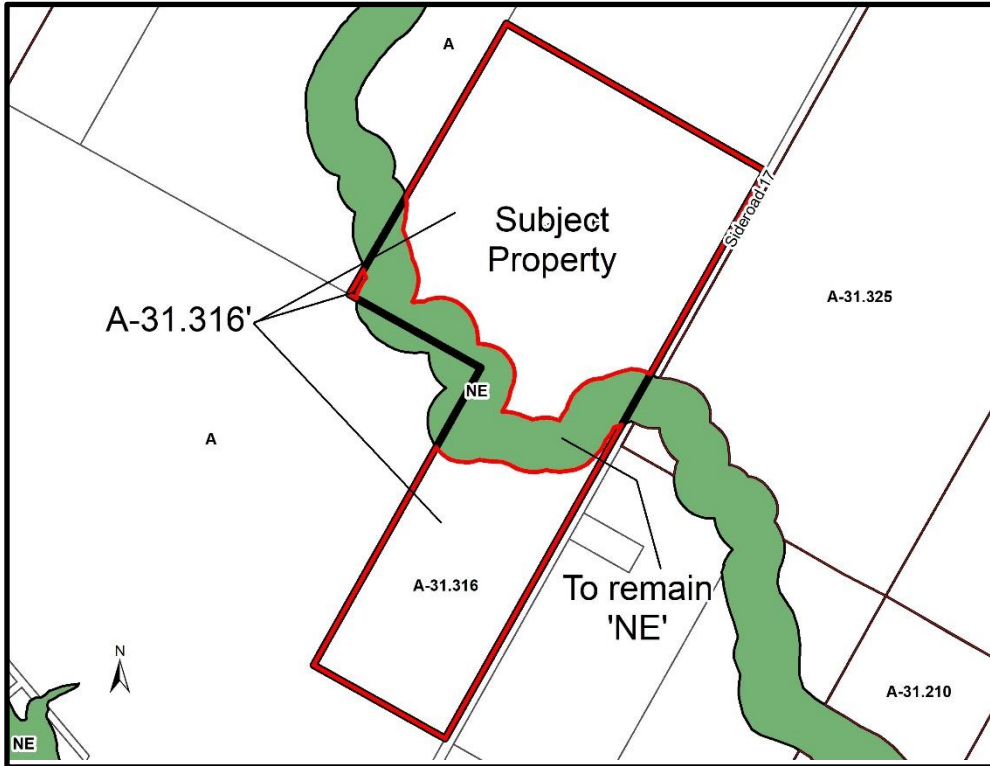
Mayor Gregg Davidson

Clerk Barb Schellenberger

THE TOWNSHIP OF MAPLETON

BY-LAW NO 2020-056

Schedule "A"



EXPLANATORY NOTE

BY-LAW NUMBER 2020-056

THE SUBJECT LAND is legally described as Part Lot 6, Concession 4 (Peel) with a civic address of 6626 Sideroad 17 (Figure 1). The property is approximately 57 ha (144 ac) in size and is zoned Site Specific Agriculture (A-31.316). The lands are currently occupied by a residence, barn and woodworking shop.

THE PURPOSE AND EFFECT of this amendment is to rezone the property to permit the expansion of a home industry (woodworking shop). The applicant is proposing a 288 m² (3,100 ft²) addition to an existing woodworking shop for a total area of 1,682 m² (18,100 ft²), permit a maximum of 15 employees on site and to have an 18 m minimum front yard setback for accessory structures.

John Nater, MP for Perth-Wellington
Randy Pettapiece, MPP for Perth-Wellington
Mayor Gregg Davidson, Mayor of Mapleton
Manny Baron, CAO of Mapleton
Barb Schellenberger, Municipal Clerk of Mapleton
Rick Richardson, Mapleton Fire Chief
Dennis Craven, Councillor for Mapleton
Paul Douglas, Councillor for Mapleton
Michael Martin, Councillor for Mapleton
Marlene Ottens, Councillor for Mapleton
Linda Redmond, Wellington County Manager of Planning and Environment
Earl Campbell, Wellington County Councillor for Ward 2

Thursday, July 23, 2020.

To whom it may concern,

I am writing this letter to express my concern over the Proposed Mapleton Zoning Bylaw Amendment, ZBA2020-06, which has been put forth by Core Fuels of 6976 Wellington Road 7, Alma. I would appreciate it if my concerns could be shared and/or this letter be read at the next meeting of Mapleton Council, which is scheduled for Tuesday, August 11th, as well as at the Coffee with Council meeting which is scheduled for Wednesday, August 5th.

It is my understanding after reading the agenda from the Mapleton Council Meeting held on Tuesday, July 14th that Core Fuels wishes to eventually house four underground propane tanks at their property, which would have the capacity to hold a combined total of almost one million litres of propane. Two of these tanks would be installed initially, with two additional tanks to follow. These proposed tanks would be slightly less than 300 metres from my family's home at 51 Alma Queen Street South where I live with my husband and two young children; the tanks would be even closer to our neighbours, one of whom owns a hobby farm directly beside the Core Fuels property. I have significant concerns with such a large amount of hazardous, extremely flammable fuel being stored underground within such a close proximity to my residence and to the residences and farms around our home here in Alma. I hope that these concerns can be addressed and considered by council before this proposal goes any further.

Following the July council meeting, I did some research into the hazards associated with propane and propane storage and it raised several concerns for me. Single residences using propane often have tanks with a capacity of 200 gallons. A tank of this size could explode with such intensity that buildings could be destroyed and any persons nearby could be injured or killed. What does this mean for our beautiful hamlet if there is a mishap? These proposed storage tanks hold a total of 1200 times more propane than a standard residential tank.

We already live very close the Fast Stop Card Lock, which houses thousands of litres of gasoline and diesel, stored in an above ground tank. While this card lock is convenient for those living in the community, I am concerned that if these propane tanks are installed, we will then have three highly

flammable fuels within a very close proximity to one another and to our home. If there were a fire at the Fast Stop gas/diesel station, what possibility is there that this could cause issues with these propane tanks? Has this risk been considered?

When we purchased our home in Alma in 2015, we were asked many questions about the proximity of fire departments and fire hydrants (which we do not have) prior to being insured by our insurance company. They wanted to know if the fire departments were manned by volunteer firefighters or career firefighters, as it significantly impacts the speed in which the fire departments are able to respond to a fire. While we are incredibly blessed to be between two local fire departments in Elora and Drayton, both are volunteer stations and as such, their staff must drive to their stations before they can respond to an emergency. Are either of these departments able to respond quickly enough should a fire fuelled by a million litres of flammable liquid begin? Are they within a reasonable distance to these tanks? Are they currently capable of successfully and safely quelling a fire caused by a million litres of propane? It is my understanding that a propane fire would need to be extinguished by means other than water. Do our local volunteer-run fire departments have the equipment, proper training and personal protective equipment for such fires? It seems to me that this proposed storage situation puts not only our residents but our volunteer firefighters in a very frightening position.

Mr. Alex Beatty of Beatty Petroleum presented preliminary “risk contours” at the July council meeting for a two-tank scenario with 4-tank scenario calculations to follow. These two-tank risk calculations, when superimposed on a map of Alma, place our home within a risk area. I would like to know what the risk contours/calculations are for a four-tank scenario if that is what Core Fuels intends to have in the future. It was mentioned by Mr. Beatty that an engineer would need to provide more accurate information than what was provided to council. At what point would this information need to be provided in order to make an informed decision?

Aside from the risk of complete explosion, there is the risk of a leak, either from the tanks themselves or via the many transfers that would occur between tank and truck at this location. What are the risks associated with a leak? From what I understand, propane gas is heavier than air and may move along the ground at some distance, igniting when it reaches open flame or another ignition source. Local residents and farms within close proximity to the proposed tanks have occasional campfires or in the case of surrounding farms, larger brush fires which could be an ignition source. What then? What is the possibility of a leak happening from one of these tanks years from now due to a defect in the tank or an issue with the way they are installed or the way the fuel is transferred?

It should be noted that in his presentation, Mr. Beatty stated that this type of underground facility would be the first in Ontario and possibly the first within Canada to store this amount of propane in underground tanks. If this is the case, how can we as Alma residents be assured that the preliminary risk calculations he presented at the council meeting in July are accurate for this new type of propane storage? Previous data and research does not apply to this if it is a new storage concept. Are there other risks that need to be evaluated if this is a new storage concept, such as risks to the ground water, our drinking water, the surrounding farm land, etc.? We are all on well water here in Alma and with the prospect of further developments happening in the southern part of our community, I feel that our groundwater needs to be protected and monitored to avoid problems in the future. With such a high water table here in Alma, a propane leak would affect the drinking water of everyone within the community. Is underground storage an appropriate option when the water table is so high? In North America, we are now learning of the environmental damage caused by gasoline tanks that were installed underground decades ago when no one knew of the damage that a leak would cause to the

water and soil. Will this be the position that our children or grandchildren will be in decades from now when we realize that there was a greater risk associated with underground propane storage than was originally presented to council?

Another consideration in regard to a possible leak is the potential for radioactive material being present as propane is being stored and transferred. According to the Canadian Centre for Occupational Health and Safety, "equipment containing propane may be contaminated with Naturally Occurring Radioactive Material (NORM) in the form of lead 210". Is there a chance that this radioactive material from the tanks, trucks and/or equipment used to transfer propane could make its way into our ground water?

I implore you to deny the zoning amendment that would bring these tanks and this danger into our beautiful hamlet. While I understand the need for this type of fuel use in our community, I feel that the storage of this amount of fuel near a residential area would be detrimental to us all.

Respectfully,

Melissa Downey
51 Alma Queen Street South
Alma, ON
N0B 1A0
(519) 820-4920
melissa_downey@rocketmail.com

Mayor Davidson,

July 21, 2020

Thank you for taking the time to read this statement. I am a resident of the beautiful village of Alma, ON. I have lived there for over ten years and my husband's family much, much beyond that. Before this, I was also a long-time resident of Centre Wellington where I worked and have provided for both communities. I now live in Alma with my husband, our two children who are 7 and 4, along with our two dogs.

May I ask, mayor if yourself or any of the councillors happen to live in Alma? I believe in order to really know it, you should live here. It is full of the most genuine and helpful people, the kids all play together and everyone waves or knows everyone. We take care of one another. It has been my pleasure to live here.

Last week, I was notified via Facebook group that there was a zoning amendment going forward in our little town. This zoning amendment may approve a **226,800 litre** underground propane tank at the property of Core Fuels- well, 4 to be exact.

This is something we don't want. I am only one person but I want my little voice heard. This has the potential to be disastrous and the people saying it won't be are the people gaining from it. I am told the kids, my kids school is outside of the "blow up" zone- I don't have another word for it; I'm so happy to hear that but what if they happen to live close to Core Fuels like we do? Those kids are a statistic if something terrible should ensue?

I have done research and I know this happened in 2008 in Toronto. Yes, there have been better safety measures and code put in place after that but this does not mean it is safe. It certainly isn't wanted here. I'm not asking Alma to always be representative of the old days but I'm asking you don't bring unnecessary harm to my home.

The traffic as a secondary issue will be ridiculous! We already have so much overflow traffic and because of our geographical area, we have a lot of truck traffic and speeding anyhow- adding four round trip passes of tanker trucks per day will not be welcome.

When this amendment went out, all of Alma should have gotten a written notice and the option to oppose it. We weren't given that option and hopefully it isn't

too late now to have our voices heard. I know me personally, I work full time and have two kids so reading the paper is sort of a luxury to me- I didn't see it. I wished I had known. I vividly remember you canvassing for Mayor and coming to my door for that vote~ you wanted that so badly. I am hoping you put the same energy into making Alma SAFE for my children and the children of Alma.

I would love to attend the meeting on August 11, but as I have stated, I am a very busy lady and we are amidst a global pandemic. Please consider this one strong Alma opposition.

Thank you for listening.

Kindly,

Meaghan Wright

County of Wellington Planning and Land Division Committee
Deborah Turchet, Secretary-Treasurer
Wellington County Administration Centre
74 Woolwich Street Guelph, Ontario N1H 3T9

July 29, 2020

EXPLANATION OF APPEAL PROCEDURES

DEAR SIR or MADAM:

Attached is a **Notice of Initial Decision on Application for Consent B36-20** pursuant to the provisions of the Ontario Planning Act.

The Decision of the County of Wellington Planning and Land Division Committee, and/or the Conditions of Approval for the provisional consent **may be appealed to the Local Planning Appeal Tribunal not later than 20 days after the giving of Notice of Decision is completed**, by filing with the Secretary-treasurer of the County of Wellington Planning and Land Division Committee at the above address a **written notice** of your desire to appeal the Decision and/or **a written notice** of your desire to appeal a Condition(s) of Approval imposed in the Decision. **Such notice will require reasons to be set out in writing of your appeal, and must be accompanied with a fee of \$ 400.00, as prescribed by the Local Planning Appeal Tribunal Act.** Certified Cheque, or money orders should be made payable to the **Minister of Finance of Ontario.**

If a person or public body that files an appeal of a decision of the County of Wellington Planning and Land Division Committee in respect of the proposed consent has not made a written submission to the County of Wellington Planning and Land Division Committee before it gives or refuses to give a provisional consent then the Local Planning Appeal Tribunal may dismiss the appeal.

Also, the Local Planning Appeal Tribunal may, where it is of the opinion that the reasons in support of an appeal are insufficient, dismiss the appeal without a full hearing; but, before so dismissing an appeal, shall notify the appellant and afford him or her an opportunity to make representation as to the merits of the appeal.

The Local Planning Appeal Tribunal, when it is holding a hearing, will give notice to such agencies or persons and in such manner as the Tribunal may determine, and in this appeal hearing, may make any decision that could have been made on the original application.

If the Decision of the County of Wellington Planning and Land Division Committee is to give provisional consent on the above-numbered application, and no appeals are filed within the time period allowed, the Consent shall be given, **except that where conditions of approval have been imposed, the Consent shall not be given until** the conditions of approval have been fulfilled to the satisfaction of the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee.

Subject to any action taken under Subsection 53(23), the Applicant(s) has a **period of ONE YEAR FROM the GIVING of NOTICE of DECISION to fulfill all the Conditions of Approval in respect of the consent.** **If the Applicant(s) has not fulfilled all the conditions, the Consent on the application shall thereupon be Deemed to be Refused, pursuant to Subsection 53(41) of the Ontario Planning Act.**

ADDITIONAL INFORMATION regarding this application for consent and this decision of the County of Wellington Planning and Land Division Committee is available for inspection at the County of Wellington Planning and Land Division office at 74 Woolwich Street, Guelph, Ontario, during regular business hours, Monday through Friday.
Phone – 519 837 2600 x2160 or x2170; Fax – 519 837 3875

MAILED TO:

APPLICANT – Aileen & Teade Wiersma	AGENT/ - Jeff Buisman	MUNICIPALITY - Mapleton Township
COUNTY PLANNING DEPARTMENT	BELL CANADA	
GRAND RIVER CONSERVATION AUTHORITY	COUNTY ENGINEERING	REGIONAL ASSESSMENT OFFICE

COUNTY of WELLINGTON PLANNING AND LAND DIVISION COMMITTEE
Wellington County Administration Centre
74 Woolwich Street Guelph, Ontario N1H 3T9

ONTARIO PLANNING ACT, Section 53(14)

NOTICE of DECISION

File B36-20

APPLICANT

Aileen & Teade Wiersma
7370 Wellington Rd 7
RR#1
Alma N0B 1A0

LOCATION OF SUBJECT LANDS

Township of Mapleton (Peel)
Part Lot 16
Concession 13

The Planning and Land Division Committee, considering all of the evidence presented, and being assured that it had jurisdiction to consider the matter which was submitted to it, concludes that:

In the matter of an application by Aileen & Teade Wiersma pursuant to Section 53 of the Planning Act, R. S. O. 1990 as amended for consent to convey land for Surplus Farm Dwelling, being Part of Lot 16, Concession 13, geographic Township of Peel, now Township of Mapleton, **PROVISIONAL CONSENT IS GRANTED SUBJECT TO THE FULFILMENT OF 10 CONDITIONS OF APPROVAL.** The Planning and Land Division Committee has the opinion that a plan of subdivision of the subject lands is not necessary for the proper and orderly development of the municipality for this proposal; that the proposal satisfies generally the intent of the criteria of Section 51, subsection 24 of the Planning Act, R.S.O. 1990 as amended; and that the proposal is consistent with the intent and policies of the Provincial Policy Statement; and that it conforms generally to the intent and policies of the County's official plan.

PUBLIC INPUT: Notice of Application was circulated as required under The Planning Act, Section 53(4). There were no submissions made to the Planning and Land Division Committee or oral submissions made at the Public Meeting in support or opposition to the proposed consent.

FINAL CONSENT IS DEEMED TO BE GIVEN when the Secretary-Treasurer of the Planning and Land Division Committee has received written proof that all of the conditions of approval have been fulfilled within the prescribed period of time.

THE PLANNING AND LAND DIVISION COMMITTEE ADVISES THE APPLICANT that all of the conditions of approval for this provisional consent must be fulfilled within a period of one year after written notice of this decision was given or consent shall be deemed to be refused. In the event of an appeal to the Local Planning Appeal Tribunal, the application for consent shall not be deemed to be refused for failure to fulfill the conditions until the expiry of one year from the date of the order or date of the notice of the Local Planning Appeal Tribunal issued in respect of the appeal.

CONDITIONS OF APPROVAL TO BE FULFILLED NO LATER THAN (4:00 p.m.) ON JULY 30, 2021

- 1 **THAT** the Owner's solicitor, in preparation for the issuance of the Certificate of Consent, provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee a printed copy of the "completed electronic transfer document in preparation".
- 2 **THAT** the Solicitor for the Owner give an undertaking in writing to provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee within 30 days of the date of registration in the Land Registry/Land Titles Office for Wellington (No. 61) a copy of the receipted and registered electronic transfer document including the Form 2 Certificate for Consent B36-20.
- 3 **THAT** the Owner, as provided for under Section 69 of the Planning Act, R.S.O. 1990, shall pay to the Treasurer of the County of Wellington the administrative fee which is in effect at the time of the payment of the fee for the review and issuance of the Certificate of Consent for the severed parcel.
- 4 **THAT** the transfer for registration with respect to description complies with Ontario Regulation 43-96; and if that description contains a reference to a Reference Plan(s), the Owner's solicitor shall provide a full print of that deposited reference plan(s) as well as a digital PDF copy to the secretary-treasurer of the Planning and Land Division Committee.
- 5 **THAT** the manure tank on the retained lands be removed to the satisfaction of the County of Wellington Planning and Development Department; and that the County of Wellington Planning Department file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 6 **THAT** the Owner receive zoning compliance and classification from the Township of Mapleton and the County of Wellington Planning Department to prohibit a new residential dwelling on the retained parcel in a manner deemed acceptable; and that the Township of Mapleton and the County of Wellington Planning Department file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 7 **THAT** zoning compliance be achieved for the severed lands to the satisfaction of the Township of Mapleton addressing the combined ground floor area of the accessory buildings; and further that the Township of Mapleton file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 8 **THAT** the Owner satisfy all the requirements of the Township of Mapleton, financial and otherwise (included but not limited to Taxes paid in full; copy of Deposited Reference Plan being hard copy and digital) which the Township of Mapleton may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands; and further that the Township of Mapleton file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 9 **THAT** payment be made of the fee of \$200 (or whatever fee is applicable at the time of clearance under the Fees and Charges By-law) for a letter of clearance; and further that the Township of Mapleton file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 10 **THAT** the a Parkland dedication fee be paid (\$1,400 in 2020); and that the Township of Mapleton file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

End of Conditions of Approval; see next page for signatures, dates and other information.

NOTICE OF DECISION ON APPLICATION B 36-20, continued:

PLEASE BE ADVISED:

1. Additional information regarding this application for consent is available to the public for inspection at the County of Wellington Planning and Land Division Office, 74 Woolwich Street, Guelph ON N1H 3T9 during regular business hours, Monday through Friday, holidays excepted.
2. You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have either made a written request to be notified of the decision to give or refuse to give provisional consent or made a written request to be notified of changes to the conditions of the provisional consent.
3. Only individuals, corporations or public bodies may appeal decisions in respect of applications for consent to the Local Planning Appeal Tribunal. A notice of appeal may be filed on behalf of an unincorporated association by a person who is a member of the association but not by the association.

WE, the undersigned

Earl Campbell

Earl Campbell (Jul 26, 2020 21:11 EDT)

Earl Campbell

Don McKay

Don McKay

Mary Lloyd

Mary Lloyd (Jul 26, 2020 14:03 EDT)

Mary Lloyd

Allan Ails

allan ails (Jul 28, 2020 13:46 EDT)

Allan Ails

Kelly Linton

Kelly Linton (Jul 29, 2020 07:25 EDT)

Kelly Linton

CONCURRED IN THE ABOVE DECISION TO GRANT PROVISIONAL CONSENT ON JULY 23, 2020

AN APPEAL TO THE LOCAL PLANNING APPEAL TRIBUNAL IN RESPECT OF THIS DECISION OR CONDITION(S) OF APPROVAL MUST BE FILED WITH THE SECRETARY-TREASURER OF THE PLANNING & LAND DIVISION COMMITTEE NO LATER THAN 4:30 p.m. ON AUGUST 11, 2020

I, Deborah Turchet Secretary-Treasurer, certify that these pages are the decision of the County of Wellington Planning and Land Division Committee with respect to this application for consent.

DATED: JULY 29, 2020

SIGNED: _____

County of Wellington Planning and Land Division Committee
Deborah Turchet, Secretary-Treasurer
Wellington County Administration Centre
74 Woolwich Street Guelph, Ontario N1H 3T9



Item 12.4
August 11, 2020

July 30, 2020

EXPLANATION OF APPEAL PROCEDURES

DEAR SIR or MADAM:

Attached is a **Notice of Initial Decision on Application for Consent B34-20** pursuant to the provisions of the Ontario Planning Act.

The Decision of the County of Wellington Planning and Land Division Committee, and/or the Conditions of Approval for the provisional consent **may be appealed to the Local Planning Appeal Tribunal not later than 20 days after the giving of Notice of Decision is completed**, by filing with the Secretary-treasurer of the County of Wellington Planning and Land Division Committee at the above address a **written notice** of your desire to appeal the Decision and/or a **written notice** of your desire to appeal a Condition(s) of Approval imposed in the Decision. **Such notice will require reasons to be set out in writing of your appeal, and must be accompanied with a fee of \$ 400.00, as prescribed by the Local Planning Appeal Tribunal Act.** Certified Cheque, or money orders should be made payable to the **Minister of Finance of Ontario.**

If a person or public body that files an appeal of a decision of the County of Wellington Planning and Land Division Committee in respect of the proposed consent has not made a written submission to the County of Wellington Planning and Land Division Committee before it gives or refuses to give a provisional consent then the Local Planning Appeal Tribunal may dismiss the appeal.

Also, the Local Planning Appeal Tribunal may, where it is of the opinion that the reasons in support of an appeal are insufficient, dismiss the appeal without a full hearing; but, before so dismissing an appeal, shall notify the appellant and afford him or her an opportunity to make representation as to the merits of the appeal.

The Local Planning Appeal Tribunal, when it is holding a hearing, will give notice to such agencies or persons and in such manner as the Tribunal may determine, and in this appeal hearing, may make any decision that could have been made on the original application.

If the Decision of the County of Wellington Planning and Land Division Committee is to give provisional consent on the above-numbered application, and no appeals are filed within the time period allowed, the Consent shall be given, **except that where conditions of approval have been imposed, the Consent shall not be given until** the conditions of approval have been fulfilled to the satisfaction of the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee.

Subject to any action taken under Subsection 53(23), the Applicant(s) has a **period of ONE YEAR FROM the GIVING of NOTICE of DECISION to fulfill all the Conditions of Approval in respect of the consent. If the Applicant(s) has not fulfilled all the conditions, the Consent on the application shall thereupon be Deemed to be Refused, pursuant to Subsection 53(41) of the Ontario Planning Act.**

ADDITIONAL INFORMATION regarding this application for consent and this decision of the County of Wellington Planning and Land Division Committee is available for inspection at the County of Wellington Planning and Land Division office at 74 Woolwich Street, Guelph, Ontario, during regular business hours, Monday through Friday.
Phone – 519 837 2600 x2160 or x2170; Fax – 519 837 3875

MAILED TO:

APPLICANT – Close View Farms Ltd. – c/o Bill Close AGENT – Jeff Buisman MUNICIPALITY - Mapleton
COUNTY PLANNING DEPARTMENT BELL CANADA
GRAND RIVER CONSERVATION AUTHORITY COUNTY ENGINEERING REGIONAL ASSESSMENT OFFICE

COUNTY of WELLINGTON PLANNING AND LAND DIVISION COMMITTEE
Wellington County Administration Centre
74 Woolwich Street Guelph, Ontario N1H 3T9

ONTARIO PLANNING ACT, Section 53(14)

NOTICE of DECISION

File B34-20

APPLICANT

Close View Farms Ltd. - c/o Bill Close
7570 Wellington Rd 8
Alma NOB 1A0

LOCATION OF SUBJECT LANDS

Township of Mapleton (Peel)
Part Lots 11 & 12
Concession 10

The Planning and Land Division Committee, considering all of the evidence presented, and being assured that it had jurisdiction to consider the matter which was submitted to it, concludes that:

In the matter of an application by Close View Farms Ltd. - c/o Bill Close pursuant to Section 53 of the Planning Act, R. S. O. 1990 as amended for consent to convey land for agricultural use, being Part of Lot 12, Concession 10, geographic Township of Peel, now Township of Mapleton, **PROVISIONAL CONSENT IS GRANTED SUBJECT TO THE FULFILMENT OF 7 CONDITIONS OF APPROVAL.** The Planning and Land Division Committee has the opinion that a plan of subdivision of the subject lands is not necessary for the proper and orderly development of the municipality for this proposal; that the proposal satisfies generally the intent of the criteria of Section 51, subsection 24 of the Planning Act, R.S.O. 1990 as amended; and that the proposal is consistent with the intent and policies of the Provincial Policy Statement; and that it conforms generally to the intent and policies of the County's and Local Municipality's official plans; and, further, that the proposal represents compatible development and good planning.

PUBLIC INPUT: Notice of Application was circulated as required under The Planning Act, Section 53(4). There were no submissions made to the Planning and Land Division Committee or oral submissions made at the Public Meeting in support or opposition to the proposed consent.

FINAL CONSENT IS DEEMED TO BE GIVEN when the Secretary-Treasurer of the Planning and Land Division Committee has received written proof that all of the conditions of approval have been fulfilled within the prescribed period of time.

THE PLANNING AND LAND DIVISION COMMITTEE ADVISES THE APPLICANT that all of the conditions of approval for this provisional consent must be fulfilled within a period of one year after written notice of this decision was given or consent shall be deemed to be refused. In the event of an appeal to the Local Planning Appeal Tribunal, the application for consent shall not be deemed to be refused for failure to fulfill the conditions until the expiry of one year from the date of the order or date of the notice of the Local Planning Appeal Tribunal issued in respect of the appeal.

CONDITIONS OF APPROVAL TO BE FULFILLED NO LATER THAN (4:00 p.m.) ON JULY 30, 2021

- 1 **THAT** the Owner's solicitor, in preparation for the issuance of the Certificate of Consent, provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee a printed copy of the "completed electronic transfer document in preparation".
- 2 **THAT** the Solicitor for the Owner give an undertaking in writing to provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee within 30 days of the date of registration in the Land Registry/Land Titles Office for Wellington (No. 61) a copy of the receipted and registered electronic transfer document including the Form 2 Certificate for Consent B34-20.
- 3 **THAT** the Owner, as provided for under Section 69 of the Planning Act, R.S.O. 1990, shall pay to the Treasurer of the County of Wellington the administrative fee which is in effect at the time of the payment of the fee for the review and issuance of the Certificate of Consent for the severed parcel.
- 4 **THAT** the transfer for registration with respect to description complies with Ontario Regulation 43-96; and if that description contains a reference to a Reference Plan(s), the Owner's solicitor shall provide a full print of that deposited reference plan(s) as well as a digital PDF copy to the secretary-treasurer of the Planning and Land Division Committee.
- 5 **THAT** the Owner satisfy all the requirements of the Township of Mapleton, financial and otherwise (included but not limited to Taxes paid in full; copy of Deposited Reference Plan being hard copy and digital) which the Township of Mapleton may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands; and further that the Township of Mapleton file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 6 **THAT** a Parkland dedication fee be paid (\$1,400 in 2020); and that the Township of Mapleton file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
- 7 **THAT** payment be made of the fee of \$200 (or whatever fee is applicable at the time of clearance under the Fees and Charges By-law) for a letter of clearance; and further that the Township of Mapleton file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

End of Conditions of Approval; see next page for signatures, dates and other information.

NOTICE OF DECISION ON APPLICATION B 34-20, continued:

PLEASE BE ADVISED:

1. Additional information regarding this application for consent is available to the public for inspection at the County of Wellington Planning and Land Division Office, 74 Woolwich Street, Guelph ON N1H 3T9 during regular business hours, Monday through Friday, holidays excepted.
2. You will be entitled to receive notice of any changes to the conditions of the provisional consent if you have either made a written request to be notified of the decision to give or refuse to give provisional consent or made a written request to be notified of changes to the conditions of the provisional consent.
3. Only individuals, corporations or public bodies may appeal decisions in respect of applications for consent to the Local Planning Appeal Tribunal. A notice of appeal may be filed on behalf of an unincorporated association by a person who is a member of the association but not by the association.

WE, the undersigned

Earl Campbell

Earl Campbell (Jul 24, 2020 12:09 EDT)

Earl Campbell

Don McKay

Don McKay

Mary Lloyd

Mary Lloyd (Jul 24, 2020 12:03 EDT)

Mary Lloyd

allan alls

allan alls (Jul 24, 2020 11:57 EDT)

Allan Alls

Kelly Linton

Kelly Linton (Jul 24, 2020 14:08 EDT)

Kelly Linton

CONCURRED IN THE ABOVE DECISION TO GRANT PROVISIONAL CONSENT ON JULY 23, 2020

AN APPEAL TO THE LOCAL PLANNING APPEAL TRIBUNAL IN RESPECT OF THIS DECISION OR CONDITION(S) OF APPROVAL MUST BE FILED WITH THE SECRETARY-TREASURER OF THE PLANNING & LAND DIVISION COMMITTEE NO LATER THAN 4:30 p.m. ON AUGUST 11, 2020

I, Deborah Turchet Secretary-Treasurer, certify that these pages are the decision of the County of Wellington Planning and Land Division Committee with respect to this application for consent.

DATED: JULY 29, 2020

SIGNED: Deborah Turchet

Ministry of Transportation
Safety Program Development Branch
87 Sir William Hearst Avenue, Room 212
Toronto, Ontario M3M 0B4

Ministère des Transports
Direction de l'élaboration des
programmes de sécurité
87, avenue Sir William Hearst, bureau 212
Toronto, Ontario M3M 0B4



July 10, 2020

Dear Municipal Stakeholder,

I am pleased to announce that as of **July 1, 2020** the province expanded the types of off-road vehicles permitted on-road to two new additional types: off-road motorcycles commonly known as dirt bikes; and, extreme terrain vehicles, which are semi-amphibious vehicles with six or more wheels. This updated regulation can be found at <https://www.ontario.ca/laws/regulation/030316>.

It is important to note that the same on-road access rules for existing off-road vehicles continue to apply for these new vehicles on provincial roadways (Please see Schedule B of *Ontario Regulation 316/03: Operation of Off-Road Vehicles on Highways*). Similarly to the previously permitted vehicle types, municipalities may permit the use of off-road motorcycles and extreme terrain vehicles in their local jurisdiction through by-law. However, municipalities with existing by-laws permitting off-road vehicles will need to amend their by-law after July 1, 2020 if they want to allow these the new types of vehicles on their local roads. By-laws created before July 1, 2020 apply only to those classes of off-road vehicle which were permitted to operate on-road at the time: all-terrain vehicles, two-up all-terrain vehicles, and side by sides (utility terrain-vehicles, recreational off highway vehicles).

To support municipalities with these changes, the ministry has developed guidance documents to help municipalities decide whether to permit these new vehicles on their local roadways. These documents also provide guidance for proposed, yet to be proclaimed, changes for municipalities listed in Ontario Regulation 8/03 which will amend the way off-road vehicles are permitted on-road access to municipal roads. In municipalities listed in Ontario Regulation 8/03, off-road vehicles will automatically be allowed on municipal roads unless the municipality creates a by-law to prohibit or restrict their use. These new provisions have a target implementation date of January 1, 2021 and will replace the current requirement that those municipalities listed in Ontario Regulation 8/03 must enact a by-law to permit off-road vehicles to operate on identified municipal roads. If you have any questions regarding these future changes, please contact the general inquiry line for the Safety and Information Management office of the Operations Division at 905-704-2960.

For reference, the guidance documents are attached.

I would ask that you please forward this notice and enclosed guidance material to the attention of municipal staff in charge of traffic safety and those responsible for enforcing off-road vehicle laws in your area. If there are any questions regarding these amendments, please do not hesitate to contact the Acting Manager at the Safety Program Development Office Erik Thomsen at (647)-638-5210 or erik.thomsen@ontario.ca.

.../2

Thank you for your assistance in communicating this change.

Sincerely,

A handwritten signature in black ink, appearing to read "Angela Litrenta". The signature is written in a cursive, flowing style.







Angela Litrenta
A/Director
Safety Program Development Branch
Ministry of Transportation

Attachment – Municipal Guidance Materials

Provincial Requirements

Additional Off-road Vehicles Allowed On-road

Effective July 1, 2020, the Ministry of Transportation (MTO) is making changes to add off-road motorcycles (ORM) and extreme terrain vehicles (XTV) to the existing list of off-road vehicles (ORV) permitted on-road. These two new ORV types will be in addition to the currently permitted 4 wheeled ORV types.

Municipal Considerations	<p>Municipalities will continue to have the authority and make decisions about ORVs by way of by-law to:</p> <ul style="list-style-type: none"> ▶ Permit ORVs ▶ Only allow specific ORVs on road ▶ Only allow ORVs at specific hours of the day ▶ Impose additional speed limits <p>ORV is a general term used to capture several different vehicles designed for off-road, however, only certain off-road vehicles that meet the requirements in Ontario Regulation 316/03 are permitted on-road:</p>
All-Terrain Vehicles	<p>“A “single-rider” all-terrain vehicle (ATV) is designed to travel on four low-pressure tires, having a seat designed to be straddled by the operator, handlebars for steering control and it must be designed by the manufacturer to carry a driver only and no passengers.</p>  <p>A two-up ATV is designed and intended for use by an operator or an operator and a passenger. It is equipped with straddle-style seating and designed to carry only one passenger.</p> 
Side-by-Sides	<p>A recreational off-highway vehicle (ROV) has two abreast seats, typically built with a hood, and uses a steering wheel instead of a motorcycle steering handlebar.</p>  <p>A utility terrain vehicle (UTV) has similar characteristics to an ROV but typically also features a box bed. UTVs are generally designed for utility rather than for recreational purposes.</p> 
New Off-Road Vehicle Types	<p>Extreme Terrain Vehicles (XTVs), commonly referred to as Argos are 6+ wheeled off-road vehicles capable of riding in multiple terrains, including through water. These vehicles sometimes come with tracks, however, tracked versions are not being permitted on road and are restricted to off-road use only.</p>  <p>Off-Road Motorcycles (ORMs) are 2 wheeled off-road vehicles that come in varying configurations such as, but not limited to: Recreational ORM, Trail ORM, Competition ORM, Dual sport ORM.</p> 
July 1, 2020	<p>Vehicles permitted on any municipal road where a by-law is created to enable their use will continue to be permitted.</p> <p>MUNICIPAL BY-LAWS: Effective July 1, 2020, additional types of ORVs can be permitted on municipal roads and provincial roadways where local municipalities create new by-laws to enable their use (existing ORV by-laws granting access will not automatically permit new types; a new by-law will need to be passed after July 1, 2020).</p> <p>LICENCE REQUIREMENT: These new vehicle types will require at least a G2 or M2 licence, the same as other off-road vehicles. These vehicles do not come with lights so they are restricted from operating at night or when the weather is poor unless equipped with proper aftermarket lighting. Also, no passengers are allowed on ORMs.</p>
Proposed for January 1, 2021	<p>Proposed for January 1, 2021, in municipalities listed in Regulation 8/03, all ORV vehicle types, including new vehicle types, will be permitted on municipal roads. Municipalities must create a by-law to restrict or prohibit their use.</p>
More Information	<p>With respect to the enforcement of these laws, the police act independently when carrying out their duties. Any issues with the day-to-day operations of police services and the actions of its officers should be raised with the local chief of police or his/her representative. All set fines can be found on the Ontario Court of Justice website.</p> <p>This document is a guide only. For official purposes, please refer to the <i>Highway Traffic Act</i> and regulations. For more information, please visit Ontario.ca/ATV.</p>

Additional Off-road Vehicles Allowed On-road (continued)



**Existing Types permitted:
ATVs, Two-Up ATVs,
ROVs, UTVs**

**New Types:
ORMs and XTVs**



Provincial Requirements

Operator Requirements

- Existing rider safety requirements:
- ▶ Must be at least 16 years old
 - ▶ Must hold at least a valid G2 or M2 licence
 - ▶ Wear an approved motorcycle helmet
 - ▶ Wear a seat belt, where provided
 - ▶ Travel at speeds less than the posted speed limit
 - ▶ Travel only on shoulder, and where unavailable, right most portion of the roadway
 - ▶ Be driven in the same direction as traffic
 - ▶ Carry the ATV/ORV's registration permit

Rider safety requirements:

- ▶ Must hold at least a valid G2 or M2 licence (same as existing ORV types)
- ▶ Must be at least 16 years old
- ▶ Wear an approved motorcycle helmet
- ▶ Wear a seat belt, where provided
- ▶ Travel at speeds less than the posted speed limit
- ▶ Travel only on shoulder, and where unavailable, right most portion of the
- ▶ Be driven in the same direction as traffic
- ▶ Carry the ATV/ORV's registration permit

Passenger Safety Requirements

- Existing passenger safety requirements:
- ▶ If the vehicle was manufactured with seat belts, everyone must buckle up
 - ▶ If the vehicle has passenger foot rests, the passenger must be able to reach these foot rests
 - ▶ The number of occupants is limited to the number of available seating positions
 - ▶ No passengers under the age of 8 are allowed and additional passenger restrictions apply if the driver is a young and novice driver with a minimum G2 or M2 licence
 - ▶ All riders – drivers and passengers – must wear an approved motorcycle helmet

Passenger safety requirements

- ▶ **NEW** No passengers are permitted on ORM's while operating on-road
- ▶ If the vehicle was manufactured with seat belts, everyone must buckle up
- ▶ If the vehicle has passenger foot rests, the passenger must be able to reach these foot rests
- ▶ The number of occupants is limited to the number of available seating positions
- ▶ No passengers under the age of 8 are allowed and additional passenger restrictions apply if the driver is a young and novice driver with a minimum G2 or M2 licence
- ▶ All riders – drivers and passengers – must wear an approved motorcycle helmet

Vehicle Requirements

- ▶ Be registered and plated
- ▶ Be insured
- ▶ Must have wheels in contact with the ground
- ▶ Be compliant with one of the ANSI/COHV standards listed in s.10 of Ontario Regulation 316/03 (certification label commonly found near footrest)
- ▶ Have headlights and taillights on at all times

- ▶ **NEW** Exempted from the standards listed in s.10
- ▶ **NEW** As an alternative to the standards listed in s.10 of Ontario Regulation 316/03 XTVs must comply with sections 7.2, 7.3, 7.4, 7.5 (other than section 7.5.1), 7.6, 7.7, 7.8 and 7.9 of the Society of Automotive Engineers Standard J2258, entitled "Light Utility Vehicles" (braking ability, lighting, rollover protection)
- ▶ **NEW** XTVs that are tracked are not permitted on-road
- ▶ **NEW** Have headlights and taillights on between sunset and sunrise (nighttime riding) or when the weather is unfavourable
- ▶ **NEW** ORM's must have a minimum wheel rim diameter of 250 mm, and has a minimum wheelbase of 1 016 mm (to prevent pocket bikes)
- ▶ **NEW** ORM's may meet federal definition for Restricted Use Motorcycles, and would need to meet federal standards, or may be Competition Vehicles, for which no federal standards apply
- ▶ Be registered and plated
- ▶ Be insured
- ▶ Must have wheels in contact with the ground


Off-Road Vehicles

During 2019, the Ministry of Transportation made two legislative amendments to the *Highway Traffic Act* to improve the experience of off-road vehicle (ORV) riding in the province. These changes, outlined within this infographic, have two effective dates: One set of changes became effective as of July 1, 2020 and the second set of changes are proposed to take effect January 1, 2021.

Common ORV Types	All Terrain Vehicles (ATVs)		Side-by-Sides		New ORV Types	
						
	"single-rider" all-terrain vehicle (ATV)	two-up all-terrain vehicle (two-up ATV)	recreational off-highway vehicle (ROV)	utility terrain vehicle (UTV)	off-road motorcycle (ORM)	extreme terrain vehicle (XTV)


Municipality A
Default speed limit less than 80km/h

Current vehicles permitted on road




Permitted on ANY municipal road where a by-law is created to enable their use

Not permitted on road
Restricted to off road use




Municipality B
Municipalities listed in Regulation 8/03)

Current vehicles permitted on road




Permitted on ANY municipal road where a by-law is created to enable their use

Not permitted on road
Restricted to off road use




Effective July 1, 2020



Where a by-law is/was created to enable their use, these vehicles types or vehicles will continue to be permitted on any municipal road

Additional by-law/amended existing by-law is required to permit new vehicle types




By-laws made before July 1, 2020 will not automatically permit these vehicles

Getting Ontario Moving Act

Better for People, Smarter for Business Act


Proposed for January 1, 2021



No changes

Where a by-law is/was created to enable their use, these vehicles types or vehicles will continue to be permitted on any municipal road

Additional by-law/amended existing by-law is required to permit new vehicle types





No changes

By-laws made before July 1, 2020 will not automatically permit these vehicles

In municipalities listed in Regulation 8/03, all ORV vehicle types, including new vehicle types, will be permitted on municipal roads.

Municipalities must create a by-law to restrict or prohibit their use

OPT - IN  **OPT - OUT** 



Corporation of the Township of Perth South
3191 Road 122
St. Pauls, ON N0K 1V0
Telephone 519-271-0619
Fax 519-271-0647

July 9, 2020

Agricorp
Attn: Board of Directors
1 Stone Road West
Box 360 Stn Central
Guelph, ON N1H 8M4

Re: Farm Property Class Tax Rate Program

Dear Board of Directors

The Farm Property Class Tax Rate program was developed by the province to support agriculture in Ontario. Through this program, farmland owners receive a reduced property tax rate. Eligible farmland is taxed at no more than 25% of the municipal residential tax rate. This program is administered by Agricorp, the Municipal Property Assessment Corporation (MPAC), and municipalities with farmland assessment within their municipality.

The Assessment Roll is returned by MPAC in December of each year for the following year. It is important that the assessment roll values on the returned roll received from MPAC are accurate as these values are used as the basis for the calculation and distribution of taxes. However, we have found that the 2020 Assessment Roll as returned

by MPAC requires many adjustments in the form of Tax Incentive Adjustments (TIA) for the Farm Property Class Tax Rate Program, each of which result in taxation write-offs for the Township.

The TIAs are required to transfer properties which have become eligible for the Farm Property Class Tax Rate Program from the Residential Class back to the Farmland Class. It is our understanding that the large number of TIAs that are processed by MPAC are necessary due to the number of farm properties that have sold their property, made a change to the ownership of the property, or failed to submit paperwork to Agricorp by the required deadline.

The result is that the Assessment Roll is returned with an overstated Residential Class assessment and an understated Farmland Class assessment and when used in the determination of the Residential Tax Rate at budget time results in a rate that is less than it would otherwise be. In addition, taxation write-offs of 75% of the residential amount must be refunded. These refunds are required for the current year, and in some instances, in the prior year as well, placing a financial burden on municipalities.

While these adjustments are not new, they certainly seem to be increasing in volume in more recent years and we anticipate that they will continue to increase as baby-boomer farmers continue to retire and sell their farmland.

In 2020 Perth South had \$34,606,000 of Farmland Class assessment transferred to Residential Class assessment. As a result of this transfer the total write-off is \$213,550.86 of which \$107,041.20 is Perth South's portion, \$66,799.27 is Perth County's portion and \$39,710.39 is the School Board's portion. While a tax write-off of \$107,041 may not seem like a large amount for many municipalities, in Perth South is it significant and would require a 3% levy increase to offset this amount.

Perth South is also concerned with the impact that these "misclassified" properties may be having on information used by other provincial departments. For example, the classification of Farmland assessment as Residential assessment negatively impacts the

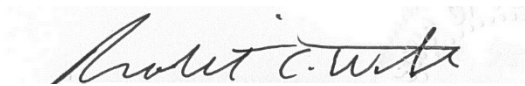
Ontario Municipal Partnership Fund (OMPF) calculation, specifically the Farm Area Measure, which could result in a financial loss in the form of reduced grant funding for the year. Despite the fact that there has been no development on farmland, Perth South's Farm Area Measure decreased from 91.7% to 90.8% in 2020, a decrease attributed to the transferring of property from the Farmland Class to the Residential Class. If the Farm Area Measure were to fall below 90% Perth South would incur a loss in grant funding, a loss we simply cannot afford. And should such a loss occur there does not appear to be a mechanism to allow for the correction of the OMPF allocation following the transfer of assessment back from Residential Class to Farmland Class.

It should also be recognized that the levy costs imposed on municipalities for maintenance and administration costs of conservation authorities is also impacted by this transfer of land from the Farmland Class to the Residential Class. The apportionment of costs is determined by multiplying Current Value Assessment (CVA) in the Residential Property Class by a Factor of 1 and multiplying the CVA in the Farmlands Property Class by a factor of .25. The inclusion of assessment from the Farmland Property Class in the Residential Property Class artificially increases our proportionate share of maintenance and administrative costs and represents another unreconcilable calculation for which we are financially penalized.

The current process places an administrative burden on municipalities and diverts staff time from other administrative work that we simply do not have to spare. In recent years the provincial government has been working with municipalities and other partners to improve service delivery and efficiencies. As part of their review, *Managing Transformations: A Modernization Action Plan*, there was a focus on strong leadership by the government to work with ministries and various partners to strengthen horizontal coordination and establish a renewed focus on improving the efficiency, productivity and outcomes of the Broader Public Sector, while at the same time delivering the most efficient Ontario Public Services possible. A similar review of the delivery of this program may be very beneficial.

Perth South understands that the province and MPAC need to ensure that each farm operation meets the requirements of the Farm Property Class Tax Rate Program, but we feel that there must be a more efficient and effective way for this to be achieved. Perth South would like to be part of the solution and suggests that all stakeholders to the Farm Property Class Tax Rate Program review the current program in an effort to find efficiencies and ultimately, a less disruptive classification process.

Yours Truly,

A handwritten signature in black ink, appearing to read "Robert C. Wilhelm", is centered on the page. The signature is written in a cursive style.

Mayor Robert Wilhelm
Township of Perth South

Cc: Hon. Vic Fedeli, Minister of Finance
Hon. Ernie Hardeman, Minister of Agriculture, Food and Rural Affairs
Randy Pettapiece, MPP Perth Wellington
Board of Directors, Municipal Property Assessment Corporation (MPAC)
Board of Directors, Rural Ontario Municipalities Association (ROMA)
County of Perth
Ontario Municipalities

ONTARIO ENERGY BOARD NOTICE TO CUSTOMERS OF ENBRIDGE GAS INC.

Item 12.7
August 11, 2020

Enbridge Gas Inc. has applied to raise its natural gas rates effective January 1, 2021

Learn more. Have your say.

Enbridge Gas Inc. has applied to the Ontario Energy Board for approval to raise its natural gas rates effective January 1, 2021, based on a rate-setting framework and other adjustments previously approved by the Ontario Energy Board for the period 2019-2023. The rates are set using a formula that is tied to inflation and other factors intended to promote efficiency. If the request is approved, a typical residential customer in the EGD Rate Zone and in the Union Rate Zones (former customers of Enbridge Gas Distribution Inc. and Union Gas Limited, respectively) would see the following increases:

Rate Zones	Residential Annual Bill Increase
EGD	\$ 1.99
Union South	\$ 8.91
Union North East	\$ 10.72
Union North West	\$ 10.40

Other customers may be affected. It is important to review the application carefully to determine whether you will be affected by the changes.

THE ONTARIO ENERGY BOARD IS HOLDING A PUBLIC HEARING

The Ontario Energy Board (OEB) will hold a public hearing to consider the application filed by Enbridge Gas Inc. We will question Enbridge Gas Inc. on the case. We will also hear questions and arguments from individual customers and from groups that represent the customers of Enbridge Gas Inc. At the end of this hearing, the OEB will decide whether the rate increase requested in the application will be approved.

The OEB is an independent and impartial public agency. We make decisions that serve the public interest. Our goal is to promote a financially viable and efficient energy sector that provides you with reliable energy services at a reasonable cost.

BE INFORMED AND HAVE YOUR SAY

You have the right to information regarding this application and to be involved in the process.

- You can review the application filed by Enbridge Gas Inc. on the OEB's website now.
- You can file a letter with your comments, which will be considered during the hearing.
- You can become an active participant (called an intervenor). Apply by **August 5, 2020** or the hearing will go ahead without you and you will not receive any further notice of the proceeding.
- At the end of the process, you can review the OEB's decision and its reasons on our website.

LEARN MORE

Our file number for this case is **EB-2020-0095**. To learn more about this hearing, find instructions on how to file letters or become an intervenor, or to access any document related to this case, please enter the file number **EB-2020-0095** on the OEB website: www.oeb.ca/participate. You can also phone our Consumer Relations Centre at 1-877-632-2727 with any questions.

ORAL VS. WRITTEN HEARINGS

There are two types of OEB hearings – oral and written. The OEB will determine at a later date whether to proceed by way of a written or oral hearing. If you think an oral hearing is needed, you can write to the OEB to explain why by **August 5, 2020**.

PRIVACY

If you write a letter of comment, your name and the content of your letter will be put on the public record and the OEB website. However, your personal telephone number, home address and e-mail address will be removed. If you are a business, all your information will remain public. If you apply to become an intervenor, all information will be public.

This hearing will be held under section 36 of the Ontario Energy Board Act, S.O. 1998 c.15 (Schedule B).





CORPORATION OF THE TOWNSHIP OF SOUTH GLENGARRY

MOVED BY Stephanie Jaworski

RESOLUTION NO 229-2020

SECONDED BY Lyle Warden **DATE** July 20, 2020

WHEREAS the COVID-19 pandemic has disproportionately affected the vulnerable elderly population in Canada's long-term care (LTC) homes and some of Ontario's LTC homes are among those with the highest fatality rates in the country as the pandemic has exposed deplorable conditions in many LTC homes across Canada; and

WHEREAS it is the mandate of the Ministry of Long-Term Care to inspect long term care homes on an annual basis and these inspections have consistently dropped in number since 2017 with only nine completed out of 626 long term care homes in 2019; and

WHEREAS residents have been endangered by personnel moving between infection zones without adequate equipment; and

NOW THEREFORE BE IT RESOLVED THAT the Council of the Township of South Glengarry urges the Ontario government to provide funding to increase full-time positions in place of casual and part-time labour in long term care homes and requests that the Ministry of Long-term Care acts to regularly inspect all long term care homes, and sound infection control measures are put in place at all Ontario long term care homes, and that this resolution be forwarded to Premier Ford, the Minister of Long-term Care Merrilee Fullerton and all Ontario municipalities for consideration.

CARRIED DEFEATED POSTPONED

Frank Prevost
Mayor Frank Prevost

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

Municipal Office
15 Water Street
Telephone (705) 282-2420
Fax (705) 282-3076



Office of the

Clerk

July 21, 2020

Jerri-Lynn Levitt
Deputy Clerk
Council and Legislative Services
Municipality of Grey Highlands
206 Toronto Street South, Unit One
P.O. Box 409
Markdale, ON N0C 1H0

Dear Jerri-Lynn;

Re: Support of Universal Basic Income Resolution

Please be advised that at a recent Council meeting held on July 13, 2020 Council reviewed your correspondence regarding the Universal Basic Income Resolution.

The Town of Gore Bay is in support of the Municipality of Grey Highlands urging the provincial and federal government to investigate the feasibility of implementing a universal basic income program. Please find attached a certified true copy of Resolution No. 14853 indicating the Town of Gore Bay's support.

Yours truly,

Stasia Carr
Clerk
Encl.
SC/cp

cc: Mr. Justin Trudeau, *The Right Honourable Prime Minister of Canada*
Mr. Douglas Ford, *The Honourable Premier of Ontario*
All other Municipalities with the Province of Ontario

THE CORPORATION OF THE TOWN OF GORE BAY

RESOLUTION NUMBER 14853

14853

Moved by Kevin Woestenenk

***Seconded by Leeanne
Woestenenk***

WHEREAS the Municipality of Grey Highlands is urging the Provincial and Federal Government to consider a universal basic income as presented in the 2018 Parliamentary Budget Office Report;


AND WHEREAS a basic income has the potential to improve individual physical and mental health, labour market participation, food security, housing stability, and raise the standard of living for vulnerable members of society;

THEREFORE, BE IT RESOLVED THAT Gore Bay Council supports the Municipality of Grey Highlands urging the provincial and federal government to investigate the feasibility of implementing a universal basic income program and they be so advised;

FURTHER this resolution be forwarded to the Right Honourable Prime Minister of Canada, the Premier of Ontario, and all municipalities within the Province of Ontario.

Carried

THIS IS A CERTIFIED TRUE COPY
OF RESOLUTION NUMBER 14853
ADOPTED BY COUNCIL ON
July 13, 2020


.....
Stasia Carr
Clerk

Municipal Office
15 Water Street
Telephone (705) 282-2420
Fax (705) 282-3076



Postal Box 590
Gore Bay, Ontario
POB 1240

Office of the
Clerk

July 21, 2020

Tracy Macdonald
Assistant Clerk
Town of Orangeville
87 Broadway
Orangeville, ON L9W 1K1

Dear Tracy;

Re: Support of OPP Diversity Training

Please be advised that at a recent Council meeting held on July 13, 2020 Council reviewed your correspondence regarding common training requirements for all members of Police Services in Ontario as it relates to diversity, empathy and use of force.

The Town of Gore Bay supports the town of Orangeville in their efforts to encourage common training requirements to all members of the Ontario Provincial Police Force. Please find attached a certified true copy of Resolution No. 14851 indicating the Town of Gore Bay's support.

Yours truly,

Stasia Carr
Clerk
Encl.
SC/cp

cc: The Honourable Sylvia Jones, *Solicitor General*
AMCTO

THE CORPORATION OF THE TOWN OF GORE BAY

RESOLUTION NUMBER 14851

14851

Moved by Paulie Nodecker

Seconded by Aaron Wright

WHEREAS the Town of Orangeville is requesting support of their motion regarding OPP Diversity Training;

AND WHEREAS they are concerned that although the OPP have indicated they have a comprehensive diversity training program, there may not be the same resources available throughout the province detachments;

AND WHEREAS there is public concern regarding the use of force, such as neck restraints, and oversight;

THEREFORE BE IT RESOLVED THAT Gore Bay Council supports the Town of Orangeville in their efforts to encourage common training requirements to all members of the Ontario Provincial Police Force and they be so advised;

FURTHER this motion be sent to the Solicitor General's Office and be circulated to all Ontario Municipalities.

Carried

THIS IS A CERTIFIED TRUE COPY
OF RESOLUTION NUMBER 14851
ADOPTED BY COUNCIL ON
July 13, 2020


.....
Stasia Carr
Clerk

Item 12.11
August 11, 2020
Postal Box 590
Gore Bay, Ontario
POB 1A0

Municipal Office
15 Water Street
Telephone (705) 282-2420
Fax (705) 282-3076



Office of the
Clerk

July 21, 2020

Mayor Dale Robinson
The Municipality of McDougall
5 Barager Boulevard
McDougall, ON P2A 2W9

Dear Dale;

Re: Support of The Federation of Northern Ontario Municipalities (FONOM)

Please be advised that at a recent Council meeting held on July 13, 2020 Council reviewed your resolution in response to a discussion paper published by Association of Municipalities Ontario regarding replacing current OPP Detachment Boards.

The Town of Gore Bay is in agreement with FONOM in that the current DSSAB's would not be the best solution for overseeing Northern Ontario OPP Detachments. Please find attached a certified true copy of Resolution No. 14850 indicating the Town of Gore Bay's support.

Yours truly,

Stasia Carr
Clerk
Encl.
SC/cp

cc: The Federation of Northern Ontario Municipalities,
Association of Municipalities Ontario
The Honourable Sylvia Jones, *Solicitor General*
Michael Mantha, *MPP for Algoma Manitoulin*

THE CORPORATION OF THE TOWN OF GORE BAY

RESOLUTION NUMBER 14850

14850

Moved by Kevin Woestenenk

***Seconded by Paulie
Nodecker***

***WHEREAS the Municipality of McDougall passed a resolution in response to a discussion paper published by Association of Municipalities Ontario;
AND WHEREAS AMO proposes that Northern Ontario District Social Services Boards (DSSAB) replace current OPP Detachment Boards;
AND WHEREAS the Federation of Northern Ontario Municipalities (FONOM) have identified several issues with DSSAB Boards replacing the current OPP Detachment Boards;
THEREFORE BE IS RESOLVED THAT The Council of Gore Bay is in agreement with FONOM in that the current DDSAB's would not be the best solution for overseeing Northern Ontario OPP Detachments and they be so advised;
FURTHER a copy of the resolutions be sent to FONOM and its member municipalities, AMO, the Honourable Sylvia Jones, Solicitor General, and MPP Mike Mantha for Algoma Manitoulin.***

Carried

THIS IS A CERTIFIED TRUE COPY
OF RESOLUTION NUMBER 14850
ADOPTED BY COUNCIL ON
July 13, 2020


.....
Stasia Carr
Clerk



July 24, 2020

Honourable Sylvia Jones, Solicitor General
George Drew Bldg 18th Flr
25 Grosvenor St
Toronto, ON M7A 1Y6

Dear Honourable Sylvia Jones:

On behalf of Council of the Town of Mono, I wish to add my support to the resolution passed by the Council of the Town of Orangeville on June 8, 2020 regarding the necessity to develop a comprehensive diversity training program for municipal police services, including the Ontario Provincial Police. It is important that we acknowledge the reality that individuals within communities, and communities within larger populations, differ in many ways. Police services must have a broad understanding of what constitutes these differences so they can recognize them and strive to ensure equitable treatment of people. This can include differences in gender, race, age, culture, disability, religion, sexual orientation, or any other characteristic that helps to shape a person's perspective.

The unique role of law enforcement officials in our community makes cross-cultural understanding imperative. In addition to the need to ensure officer-to-officer sensitivity, and to accurately represent our constituents, law enforcement officials need understanding, respect, and a willingness to communicate in a culturally sensitive manner with all segments of our society. We need to critically examine stereotypes and cultural assumptions that are often held by the community and by the law enforcement professionals who serve the community.

I encourage you to ensure that a comprehensive diversity training program is developed to ensure that our police services are in a position to recognize and respond appropriately to the lived experience of members of all communities within our society. The training program should examine how people perceive the police and how this impacts officer effectiveness and, ultimately, the safety of both officers and the members of all of our communities.

Regards,

TOWN OF MONO

Laura Ryan
Mayor

Enclosure: Town of Orangeville Resolution regarding Police Diversity Training

Copies:

Mayor Sandy Brown, Town of Orangeville
All Dufferin County Municipalities

P: 519.941.3599
F: 519.941.9490

E: info@townofmono.com
W: townofmono.com

347209 Mono Centre Road
Mono, ON L9W 6S3

Diversity Training Program

Town of Orangeville Resolution 2020-194, passed June 8, 2020

Moved by Mayor Brown, Seconded by Deputy Mayor Macintosh

WHEREAS The Town of Orangeville recognizes there have been questions in the public related to both diversity training and use of force training and protocols for Police Services, including in Ontario;

WHEREAS the Town recognizes that police officers join this profession out of a desire to do good, to serve and to protect the communities they serve;

AND WHEREAS an understanding of community diversity can foster authentic inclusion;

AND WHEREAS empathy training, and de-escalation training, can support understanding other people's perspectives;

AND WHEREAS the Town recognizes that policing can be a dangerous profession, and officer as well as community safety are critical considerations in law enforcement;

AND WHEREAS the Ontario Provincial Police have indicated they have a comprehensive diversity training program, however there may not be the same resources available across the entire province for smaller Police Services;

AND WHEREAS there is concern in the public about the boundaries of use of force, such as neck restraints, and oversight;

AND WHEREAS there isn't clarity on a common bar on diversity and empathy training or on use of force and oversight;

THEREFORE BE IT RESOLVED that the Mayor write to the Solicitor General to encourage common training requirements for all members of Police Services in Ontario as it relates to diversity, empathy and use of force;

AND THAT the Solicitor General provide clarity on police oversight going forward given the anticipated changes to legislation to ensure effective accountability continues;

AND THAT annual updates or refresher courses be mandatory to ensure our Police Services have the best and current information available to them;

AND THAT THE TOWN request that the use of force protocols be reviewed to ensure they are safe and would meet current standards, and then shared across the province;

AND THAT THE TOWN circulate this resolution to all Ontario municipalities seeking their support.

"Carried"



NOTICE

Drayton Cemetery

Hollen Cemetery

TAKE NOTICE The Corporation of The Township of Mapleton has submitted By-law Number 2020-042 to the Registrar, Funeral, Burial, and Cremation Services Act, 2002, Bereavement Authority of Ontario. Any interested parties may contact the Township of Mapleton Clerk's Department by email clerk@mapleton.ca or phone 519.638.3313 for information, or to make copies. The By-law may be reviewed at www.mapleton.ca . During Covid19, the Township Office may have specific restrictions. Please call ahead.

The By-law is subject to the approval of the Registrar, Funeral, Burial, and Cremation Services Act, 2002, Bereavement Authority of Ontario. The BAO can be reached by email at info@thebao.ca or 647.483.2645 or 1.844.493.6356.

DATED at the Township of Mapleton this 16th day of July, 2020.

Barb Schellenberger
Municipal Clerk

TOWNSHIP OF MAPLETON COUNCIL TRACKING SHEET

FOR AUGUST 11, 2020 COUNCIL MEETING

Subject for Action	Department	Comments
Wastewater Capacity (long term and short term)	CAO & DPW	Key decision is being made as per the report to Council presented this evening.
Cemetery By-law	DPW & CLK	Cemetery bylaw was passed by Council July 14, 2020. Currently undergoing 4 week public notice period before submission to Bereavement Authority of Ontario, (BAO) for their approval.
Council Video Recording	CAO & CLK	Camera has been installed, will begin to record our council meetings once the pandemic is over.
Modernization Grant	CAO	Phase 2 of the grant was the joint submission for IT services. Glad to report we received 5 submissions. Scoring of the submissions were done on March 5. *project is on hold until pandemic is over*
Concession 3	DPW	Working with the County of Wellington to assess current state of road conditions and develop of a repair plan to keep the road at a safe useable condition for 2020. A site meeting has been arranged with County Staff for the week of May 11, 2020. The 2020 Road Study will re-evaluate its priority for rehabilitation/reconstruction and will update the 2021 and beyond Capital Budget Forecast.

THE CORPORATION OF THE TOWNSHIP OF MAPLETON

BY-LAW NUMBER 2020-057

Being a by-law to confirm all actions and proceedings of the Council of the Corporation of the Township of Mapleton

WHEREAS Section 5 of the Municipal Act, S.O. 2001 c. 25 (hereinafter called “the Act”) provides that the powers of a Municipal Corporation shall be exercised by its Council;

AND WHEREAS Section 5(3) of the Act states, a municipal power, including a municipality’s capacity, rights, powers and privileges under section 9, shall be exercised by by-law, unless the municipality is specifically authorized to do otherwise;

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

1. All actions and proceedings of the Council of the Corporation of the Township of Mapleton taken at its meetings held on Tuesday, August 11, 2020, except those taken specifically by By-law and those required by law to be done by Resolution only are hereby sanctioned, confirmed and adopted as though they were set out herein.
2. The Mayor, or in his absence, the Presiding Officer and the Clerk, or in his/her absence, the Deputy Clerk, are hereby authorized and directed to do all things necessary to give effect to the foregoing.
3. The Mayor, or in his absence, the Presiding Officer and the Clerk, or in his/her absence, the Deputy Clerk, are hereby authorized and directed to execute all documents required by law to be executed by them as may be necessary in order to implement the foregoing and the Clerk, or in his/her absence, the Deputy Clerk, is hereby authorized and directed to affix the seal of the Corporation to any such documents.

READ a first, second and third time on Tuesday, August 11, 2020.

Mayor Gregg Davidson

Clerk Barb Schellenberger