



THE CORPORATION OF THE TOWNSHIP OF MAPLETON

COUNCIL AGENDA

TUESDAY, OCTOBER 8, 2019 @ 3:00 P.M.

MAPLETON TOWNSHIP OFFICES

1. Call to Order

Education Session

1.1 Council Training

Break at 5:30 p.m.

Council resumes at 7:00 p.m.

2. Welcome and O Canada

3. Declaration of Pecuniary Interest

4. Confirmation of Minutes

4.1 Council Meeting dated September 10, 2019

5. Matters arising from Minutes

6. Matters under The Planning Act and Matters Arising

6.1 a) ZBA2019-06 - Notice of Public Meeting, all lands in the Township of Mapleton.

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

6.2 a) ZBA2019-12 - Notice of Public Meeting, Plan 134 Part Lot 135 Alma, 3 Peel Street West, Alma, 2664897 Ontario Inc., c/o Patel, Dhruvin

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

7. Delegations and Matters Arising from Delegations

7.1 a) Watson & Associates, Peter Simcisko
Re: Asset Management Plan Presentation

b) Matters arising

7.2 a) Trees for Mapleton: Chair Bruce Whale, GRCA Meghan Clay

b) Matters arising

- 7.3 a) County Councillor: Earl Campbell – Semi-annual verbal update
b) Matters arising
- 8. Minutes from Committees – none**
- 9. Reports and Updates from Staff**
 - 9.1 Building Department
 - i) Building Report BD2019-13
Re: September Month End and Year to Date (YTD)
 - 9.2 CAO and Clerk’s Department
 - i) CAO Clerk’s Report CL2019-32
Re: Surplus Roads, Glen Allan, Centre-George #2
 - 9.3 Finance Department
 - i) Finance Report FIN2019-17
Re: Water and Wastewater Rates 2020 - 2023
 - ii) Finance Report FIN2019-18
Re: Fees and Charges Increase of User Fees
 - 9.4 Public Works Department
 - i) Public Works Report PW2019-28
Re: Followup to County Trail Program September 10, 2019
- 10. Approval of By-Laws**
 - 10.1 By-law Number 2019-089 being a by-law to authorize the Mayor and Clerk to execute Agreements (Sales Trailer and Model Home) between Activa Holdings Inc. and The Corporation of the Township of Mapleton
- 11. Correspondence for Council’s Direction – none**

12. Correspondence for Council's Information

- 12.1 Seniors' Center for Excellence
 - i) October 2019 Newsletter
 - ii) October 2019 Calendar
- 12.2 Wellington County Land Division Notice of Decision B30-19
Re: Pt Lot 17 Concession 17 Maryborough, Trinier
- 12.3 Wellington County Land Division Notice of Decision B35-19
Re: Block 48 Plan 61M74
- 12.4 Township of Woolwich Notice of Passing Official Plan Amendment #34,
(Boundary Rationalization for Breslau)
- 12.5 Township of Perth East Notice of Complete Application and Public Meeting,
(Z15-2019-PE), Housekeeping for lands zoned Agricultural
- 12.6 Copernicus educational products letter dated September 17, 2019
Re: Copernicus protects 50 acres of provincially significant land from
development
- 12.7 Accessibility Advisory Committee
 - i) September 2019 Meeting
 - ii) September 2019 Meeting Minutes
- 12.8 Randy Pettapiece Correspondence dated June 3, 2019
Re: Cost Sharing adjustments
- 12.9 Crime Stoppers Guelph Wellington
Re: Fall 2019 Newsletter
- 12.10 Ministry of Municipal Affairs and Housing correspondence
Re: Bill 108 More Homes More Choice
- 12.11 City of Kitchener resolution dated August 26, 2019
Re: Producer Requirements for Packaging in Ontario
- 12.12 City of Kitchener resolution dated August 26, 2019
Re: Single Use Disposable Wipes
- 12.13 City of Hamilton resolution dated September 25, 2019
Re: Endorsing Kitchener's Single Use Disposable Wipes
- 12.14 Halton Region resolution dated July 10, 2019
Re: Local Planning Appeal Tribunal (LPAT)

- 12.15 Township of Springwater
Re: Joint and Several Liability
- 12.16 Township of Zorra resolution dated September 4, 2019
Re: URTCA
- 12.17 Municipality of Chatham- Kent resolution dated September 9, 2019
Re: Legal Aid Funding Cuts
- 12.18 The Municipality of Hastings Highlands resolution 599-2019 dated
September 4, 2019
Re: Mandatory Septic System Reports
- 12.19 Town of Newmarket resolution dated September 9, 2019
Re: More Homes, More Choice Act, 2019 – Bill 108 Proposed Regulations
- 12.20 AMO Submission to the Attorney General of Ontario
Re: Towards a Reasonable Balance: Addressing growing municipal
liability and insurance costs
- 12.21 AMO Watch File
The link to view the September 12,2019 issue:<https://tinyurl.com/y3npbpfv>
The link to view the September 19,2019 Issue:<https://tinyurl.com/y53k72vy>
The link to view the September 26,2019 Issue:<https://tinyurl.com/y2t9nvqd>
The link to view the October 3, 2019 Issue: <https://tinyurl.com/yy2vk2ve>

13. Notices of Motion

14. Notice Provision – none

15. Other Business

16. Council Tracking Sheet

17. Closed Session

- 17.1 For the following reason: Municipal Act 239 (2)(b), The Illott Group Human Resources Services, Steve Illott, Market Rate presentation/Information Update
- 17.2 For the following reason: Municipal Act 239 (2)(c), Verbal update, Sale of land to Dozlan Construction, Drayton Industrial Park, Ph, 2, 2 ac.
- 17.3 For the following reason: Municipal Act 239 (2)(e), Correspondence dated October 2, 2019 from Glenaviland Development Corp., Phase 2, Stage 2, Carriage Crossing

- 17.4 For the following reason: Municipal Act 239 (2)(e), Discussion pertaining to Family Health Team needs

Open Session Resumes

- 17.5 Rise and Report on Closed Session

18. Confirmatory By-law Number 2019-090

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 2019 Council Meeting Dates As of January 17, 2019

Tuesday,	January	8,	2019	7:00 p.m. – Regular Meeting of Council
Tuesday,	January	22,	2019	1:00 p.m. – Regular Meeting of Council
Tuesday,	February	12,	2019	7:00 p.m. – Regular Meeting of Council
Tuesday,	February	26,	2019	1:00 p.m. – Regular Meeting of Council

CANCELLED

Tuesday,	March	12,	2019	7:00 p.m. – Regular Meeting of Council
Tuesday,	March	26,	2019	1:00 p.m. – Regular Meeting of Council
Tuesday,	April	9,	2019	7:00 p.m. – Regular Meeting of Council
Tuesday,	April	23,	2019	1:00 p.m. – Regular Meeting of Council
Tuesday,	May	14,	2019	7:00 p.m. – Regular Meeting of Council
Tuesday,	May	28,	2019	1:00 p.m. – Regular Meeting of Council
Thursday,	June	13,	2019	7:00 p.m. – Regular Meeting of Council
Tuesday,	July	9,	2019	7:00 p.m. – Regular Meeting of Council
Tuesday,	August	13,	2019	7:00 p.m. – Regular Meeting of Council
Tuesday,	September	10,	2019	7:00 p.m. – Regular Meeting of Council
Tuesday,	September	24,	2019	4:00 p.m. – Regular Meeting of Council

CANCELLED

Tuesday,	October	8,	2019	7:00 p.m. – Regular Meeting of Council
Tuesday,	October	22,	2019	1:00 p.m. – Regular Meeting of Council
Tuesday,	November	12,	2019	7:00 p.m. – Regular Meeting of Council
Tuesday,	November	26,	2019	1:00 p.m. – Regular Meeting of Council
Tuesday,	December	10,	2019	7:00 p.m. – Regular Meeting of Council

Note: Dates are subject to change by resolution of Township of Mapleton Council



Township of Mapleton 2019 Committee Meeting Dates

COMMITTEE OF ADJUSTMENT		
Wednesday, April	17, 2019	4:00 p.m. – Regular Scheduled Meeting
Wednesday, May	22, 2019	4:00 p.m. – Regular Scheduled Meeting
Wednesday, June	19, 2019	4:00 p.m. – Regular Scheduled Meeting
Wednesday, July	10, 2019	4:00 p.m. – Regular Scheduled Meeting
Wednesday, August	14, 2019	4:00 p.m. – Regular Scheduled Meeting
Wednesday, September	11, 2019	4:00 p.m. – Regular Scheduled Meeting
Wednesday, October	9, 2019	4:00 p.m. – Regular Scheduled Meeting
Wednesday, November	13, 2019	4:00 p.m. – Regular Scheduled Meeting
Wednesday, December	11, 2019	4:00 p.m. – Regular Scheduled Meeting

PARKS AND RECREATION COMMITTEE		
Thursday, June 20,	2019	6:00 p.m. – Regular Scheduled Meeting
Thursday, August 22,	2019	6:00 p.m. – Regular Scheduled Meeting
Thursday, October 24,	2019	6:00 p.m. – Regular Scheduled Meeting
DATE CHANGE, now October 17		
Thursday, December 19,	2019	6:00 p.m. – Regular Scheduled Meeting

ECONOMIC DEVELOPMENT COMMITTEE		
Monday, July 8,	2019	6:00 p.m. – Regular Scheduled Meeting
Monday, September 9,	2019	6:00 p.m. – Regular Scheduled Meeting
Monday, November 4,	2019	6:00 p.m. – Regular Scheduled Meeting

Committee meeting dates are subject to change, please check www.mapleton.ca for updates.



THE CORPORATION OF THE TOWNSHIP OF MAPLETON

COUNCIL MINUTES

TUESDAY, SEPTEMBER 10, 2019 @ 7:00 P.M.

MAPLETON TOWNSHIP OFFICES

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
John Morrison, Director of Finance
Heather Trottier, Financial Analyst – Tax Collector
Patty Wright, Chief Building Official

1. Call to Order

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

2. O Canada

3. Declaration of Pecuniary Interest – none

4. Confirmation of Minutes

4.1 Council Meeting dated August 13, 2019

RESOLUTION 2019-21-01

Moved: Councillor Craven

Seconded: Councillor Martin

THAT the minutes of the Township of Mapleton Council meeting held on Tuesday, August 13, 2019 be confirmed as circulated in the agenda package.

CARRIED

5. Matters arising from Minutes

5.1 Motion to cancel September 24th regular meeting of council

RESOLUTION 2019-21-02

Moved: Councillor Martin

Seconded: Councillor Craven

WHEREAS Township of Mapleton Council discussed cancelling the regularly scheduled September 24, 2019 Council Meeting;

AND WHEREAS Procedural By-law 2015-033, Section 8 allows a Council, by resolution, to alter the date and/or time of a regular meeting in accordance with the Notice Provision By-law;

NOW THEREFORE be it resolved the September 24, 2019 Regular Meeting of Council is cancelled.

CARRIED

6. Matters under The Planning Act and Matters Arising

Public Meeting Minutes for the following application is a separate document and will be placed into the public record.

- 6.1 a) ZBA2019-11- Notice of Public Meeting, Concession 14, West Part Lot 15, 7433 Wellington Road 7, Horst, John & Marlene
- b) Matters arising under The Planning Act (Council Direction)

RESOLUTION 2019-21-03

Moved: Councillor Craven

Seconded: Councillor Douglas

THAT Zoning application ZBA2019-11 located at West Part Lot 15, Concession 14 (Peel), 7433 Wellington Road 7 (Owner: Horst) be received.

CARRIED

RESOLUTION 2019-21-04

Moved: Councillor Martin

Seconded: Councillor Craven

THAT Zoning application ZBA2019-11 located at West Part Lot 15, Concession 14 (Peel), 7433 Wellington Road 7 (Owner: Horst) not be supported for the reasons stated in the Planner Report dated September 4, 2019.

CARRIED

7. Delegations and Matters Arising from Delegations

- 7.1 a) KPMG LLP Wellington County Service Review Final Project Charter, Presenter Bruce Peever
- b) Matter Arising (to receive the information)

RESOLUTION 2019-21-05

Moved: Councillor Martin

Seconded: Councillor Craven

THAT the KPMG LLP presentation given by Director Bruce Peever be received for information.

CARRIED

8. Minutes from Committees

- 8.1 Park and Recreation Committee
Re: Minutes dated August 15, 2019

RESOLUTION 2019-21-06

Moved: Councillor Martin

Seconded: Councillor Craven

THAT the Minutes of the Mapleton Parks and Recreation Committee Meeting held on August 15, 2019 be received for information.

CARRIED

9. Reports and Updates from Staff

- 9.1 Building Department
 - i) Building Report BD2019-12
Re: Report for August Month End and Year to Date (YTD)

RESOLUTION 2019-21-07

Moved: Councillor Craven

Seconded: Councillor Martin

THAT Township of Mapleton Council receive Building Department Report BD2019-12 dated September 10, 2019 regarding Aug Month End and Year to Date (YTD).

CARRIED

9.2 CAO and Clerk's Department

- i) CAO Clerk's Report CL2019-29
Re: Surplus Land Wellington Road 11 & Concession 12

RESOLUTION 2019-21-08

Moved: Councillor Martin

Seconded: Councillor Craven

THAT Township of Mapleton Council receive Clerk's Report CL2019-29 dated September 10, 2019 regarding Surplus Lands, 7374 Wellington Road 11; AND FURTHER THAT Council declares the subject lands surplus by by-law at a future meeting; and the lands be sold pursuant to the Disposal of Surplus Lands Policy by way of public tender, based on a minimum price of \$230,000.00.

CARRIED

- ii) CAO Clerk's Report CL2019-30
Re: AMO Conference

RESOLUTION 2019-21-09

Moved: Councillor Craven

Seconded: Councillor Martin

THAT Township of Mapleton Council receive CAO Clerk's Report CL2019-30 dated September 10th, 2019 regarding the AMO Conference Review.

CARRIED

- iii) CAO Clerk's Report CL2019-31
Re: Holiday Hours

RESOLUTION 2019-21-10

Moved: Councillor Martin

Seconded: Councillor Craven

THAT Township of Mapleton Council receive CAO Clerk's Report CL2019-31 dated September 10th, 2019 regarding Holiday Hours; AND FURTHER THAT Council approve the CAO's recommendation regarding Holiday Hours.

CARRIED

9.3 Finance Department

- i) Finance Report FIN 2019-16
RE: Energy Consumption Update Report 2017/2018 Comparison

RESOLUTION 2019-21-11

Moved: Councillor Douglas

Seconded: Councillor Ottens

THAT Finance Report FIN2019-16 dated September 10, 2019 reporting the energy consumption for 2018 be received for information.

AND FURTHER that the base year for comparison be changed from 2012 to 2017.

CARRIED

9.4 Public Works Department

- i) Public Works Report 2019-25
Re: Wellington County Trail Funding Program

RESOLUTION 2019-21-12

Moved: Councillor Ottens

Seconded: Councillor Douglas

THAT Township of Mapleton Council receive Public Works Report PW2019-25 dated September 10th, 2019 regarding Wellington County Trail Funding Program.

AND FURTHER THAT Council approve the outlined plan for the trails presented within the report with the estimated cost of \$185,925 and support the application for funding from the County Trail Program for the eligible amount of \$50,000.

DEFERRED

- ii) Public Works Report 2019-26
Re: Pedestrian Crosswalk at Andrews Drive and WR 11, Drayton

RESOLUTION 2019-21-13

Moved: Councillor Douglas

Seconded: Councillor Ottens

THAT The Township of Mapleton Council receive Public Works Report PW2019-26 dated September 10, 2019 regarding Funding Request for Drayton Pedestrian Crosswalk Construction at Andrews Drive and Wellington Road 11 in Drayton.

AND THAT Council approve additional funding in the amount of \$46,400 before HST, to be added to Project Sheet 18060, for a total project fund of \$69,400 plus HST, to construct the proposed crosswalk.

AND FURTHER THAT Council approve the issuance of a Purchase Order to Job-Inc., Company of Kitchener Ontario in the amount of \$48,525 plus HST, to perform the major component of the crosswalk construction listed as Items #1 and #3, quoted August 27, 2019.

CARRIED

Council asked for the minutes to suggest that the location of the crossing guard be revisited by staff to analyze and decide what is necessary.

- iii) Public Works Report 2019-27
Re: Wright Stanners Drain – Tender Report

RESOLUTION 2019-21-14

Moved: Councillor Ottens

Seconded: Councillor Douglas

THAT Public Works Report dated September 10, 2019, re: Tender Results, RFT2019-20, Wright & Stanners Drain Improvement, 2019 be hereby received;

AND FURTHER THAT the tender for the construction of the said drain improvement, submitted by Marquardt Farm Drainage Ltd. in the amount of \$452,141.25 including H.S.T. be accepted.

AND FURTHER THAT staff be directed to notify the assessed owners that the tender has been awarded and the starting date proposed by the Contractor.

AND FURTHER THAT the Council approves a signatory bylaw authorizing the Mayor and Clerk to sign the construction contract.

CARRIED

10. Approval of By-Laws

RESOLUTION 2019-21-15

Moved: Councillor Douglas

Seconded: Councillor Ottens

That By-law Number 2019-077 being a By-law to provide for drainage works in the Township of Mapleton in the County of Wellington, Wright & Stanners Drain Improvement, 2019 be read a third time, signed by the Mayor and the Clerk and sealed with the Corporate Seal.

CARRIED

RESOLUTION 2019-21-16

Moved: Councillor Ottens

Seconded: Councillor Douglas

THAT By-laws Numbered:

- 2019-086 being a by-law to authorize the Mayor and Clerk to execute an Offer to Purchase between The Corporation of the Township of Mapleton and Roderick Bauman for lands located at Lot 20, Survey Donald Sutherland Peel (9 old number) W of S Mill St & N of Hill St; Mapleton
- 2019-087 being a by-law to authorize the Mayor and Clerk to execute a Form of Tender Agreement between Marquardt Farm Drainage Ltd. and 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

11. Correspondence for Council's Direction – none

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

RESOLUTION 2019-21-17

Moved: Councillor Douglas

Seconded: Councillor Ottens

THAT Township of Mapleton Council hereby supports Township of Halton Hills "Reducing Litter and Waste in our Communities", re: encourage a program of deposit and return on single use plastics, which is common in other provinces; AND FURTHER THAT Township of Halton Hills be notified of our support.

(NOTE: this resolution was from the August 13, 2019 agenda, Item 12.6, Page 181)

CARRIED

RESOLUTION 2019-21-18

Moved: Councillor Ottens

Seconded: Councillor Douglas

THAT Township of Mapleton Council hereby supports Township of Warwick "Enforcement for Safety on Family Farms", re: better police and court protection for farmers and their families from trespassing protesters; And further that Township of Warwick be notified of our support.

(NOTE: this resolution was from the July 9, 2019 agenda, Item 12.13, Page 214)

CARRIED

13. Notices of Motion

13.1 Councillor Ottens re Drayton Cemetery Columbarium construction date

RESOLUTION 2019-21-19

Moved: Councillor Douglas

Seconded: Councillor Craven

WHEREAS Councillor Ottens has requested the Columbarium at the Drayton Cemetery be constructed earlier than the proposed capital budget date of 2022 to 2020;

NOW THEREFORE staff be requested to investigate the impacts to this request and report back to Council.

CARRIED

14. Notice Provision

14.1 Notice for Regular Meeting of Council – Cancelled September 24, 2019

15. Other Business – none

16. Council Tracking Sheet – no revisions were requested.

17. Closed Session – none

18. Confirmatory By-law Number 2019-088

RESOLUTION 2019-21-20

Moved: Councillor Ottens

Seconded: Councillor Douglas

THAT By-law Number 2019-088 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 8:48 p.m.

Mayor Gregg Davidson

Clerk Barb Schellenberger

PLEASE NOTE: Alternate Formats and Communication Support

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NOTICE OF A PUBLIC MEETING FOR AN AMENDMENT TO THE MAPLETON ZONING BY-LAW AND NOTICE OF COMPLETE APPLICATION ZBA 2019-06

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:

Tuesday October 8, 2019
Mapleton Township Municipal Offices
Council Chambers
7275 Sideroad 16
7:00 p.m.

Location of the Subject Land

The proposed amendment affects all lands in the Town of Mapleton.

The Purpose and Effect of the Application

The purpose and effect of the proposed amendment is to provide for Township initiated "housekeeping" amendments to the Comprehensive Zoning By-law as itemized below. Please note this is not a complete list and more information can be obtained at the Township office:

- i) General typographical and mapping corrections.
- ii) Add and update definitions mostly related to parking (ie. parallel, tandem, angled, stacking).
- iii) Clarification of text for regulations such as air conditioner units, tarped structures, temporary sales trailer.
- iv) Amend provisions for accessory structures, including increasing the size.
- v) Amend provisions to clarify permitted home industries uses and associated lot size criteria.
- vi) Include new provisions for lots created as surplus farm dwelling to recognize lot size.
- vii) Include new provisions to permit an accessory dwelling unit on a rural lot.
- viii) Modify parking requirements for aisle, access width and barrier free and add criteria for parallel and angled parking requirements.
- ix) Amend minimum lot area, frontage and interior side yard setbacks in residential zones.
- x) Remove and/or amend site specific exemptions for expired uses, redundant restrictions and general adjustments.
- xi) Amend minimum distances between townhouses and apartments.
- xii) Amend permitted uses within the Future Development zone to existing uses only.

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 5th day of September 2019.

Barb Schellenberger, Clerk
7275 Sideroad 16
Drayton ON N0G1P0
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

ZBA2019-06	SUBJECT LAND: All lands within the Township of Mapleton
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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 September 18, 2019
- Public Notice was placed in the September 5, 12 and October 3, 2019 issues of the Wellington Advertiser
- Public Notice was placed in the September 19 and 26, 2019 issues of the Community News.
- Grand River Conservation Authority correspondence dated September 19, 2019 indicated no objections to the proposed amendments.
- Manager of Planning & Environment comments dated September 30, 2019 prepared by Linda Redmond were also received.
- Ratepayer: No concerns or letters of objection were received.

Prepared on October 3, 2019 by

Barb Schellenberger, Municipal Clerk



PLANNING REPORT for the TOWNSHIP OF MAPLETON

Prepared by the County of Wellington Planning and Development
Department

DATE: September 30, 2019
TO: Manny Baron, C.A.O.
Township of Mapleton
FROM: Linda Redmond, Manager of Planning & Environment
County of Wellington
SUBJECT: **2019 Housekeeping Amendment- Zoning By-law 2010-080**
Zoning By-law Amendment

Planning Summary

This housekeeping amendment will introduce changes to the Township of Mapleton Zoning By-law 2010-080 to clarify regulations and mapping, improve or refine regulations and correct any typographical inaccuracies. This report provides our preliminary comments on the proposed amendments, while providing an opportunity for further discussion and comments through the public meeting process.

PURPOSE

Housekeeping changes or amendments are intended to keep a zoning by-law relevant with other policy or legislation, user friendly, accurate and manageable. The current Zoning By-law was adopted in 2010 and has undergone one housekeeping amendment in 2013. The 2019 proposed housekeeping changes have been compiled through day to day usage of the document and are to edit, clarify and update the By-law. These housekeeping amendments have been developed in consultation with staff including the Clerk and Chief Building Official.

PLANNING DISCUSSION

Accessory Structures

Proposed increase in size to allow larger accessory structures in the rural area. Current size permitted is 1000 sq.ft. with additional increments of 450 sq.ft. per acre. The proposed increase is to permit a 2000 sq.ft. building with increments of 450 sq.ft. This change will eliminate the need for a number of variances for larger structures in the rural area. Additionally this change will also eliminate the need for additional zone amendments or variances that are required in order to recognize existing buildings retained with a surplus farm dwelling severance. The building size is still capped at 5000 sq.ft. and the height will also be capped at 22 ft. The increase in height is necessary to accommodate the building trusses that would be required for a larger structure. The following table shows the sliding scale:

Lot size (acres)	Existing Sq.ft.	Proposed Sq.ft.
1	1000	2000
2	1450	2450
3	1900	2900
4	2350	3350
5	2800	3800
6	3250	4250
7	3700	4700
8	4150	5000 max

Growth Plan

There are a number of changes proposed to the zoning by-law that will address some of the provincial policies as they relate to intensification and density as follows:

- Introduction of a smaller single family residential lot size – R1C and R2 proposed to have 40 ft. frontage and area of 4000 sq.ft.
- Distances required between cluster townhouse and apartment buildings on the same lot. The current criteria requires considerable distance between separate buildings on the same lot. The proposed criteria will decrease this, which will permit developments with higher density.
- Proposed to allow conversion of a single detached dwelling to allow an additional residential dwelling within the rural residential area.
- Introduction of tandem parking requirements in anticipation of second units.

All of the proposed Township initiated amendments are set out in the attached chart. The proposed amendments are intended to correct topographical errors, keep the by-law current and user friendly by introducing new criteria, enhance customer service by expediting appropriate development, maintain the effectiveness of the Zoning By-law and reduce the number of Committee of Adjustment applications.

Respectfully submitted



Linda Redmond
Manager of Planning & Environment

Mapleton 2019 Proposed Housekeeping Amendments

<p>Section 5 Definitions</p>	<p>1</p>	<p>New Definitions</p> <p>AIR CONDITIONERS AND HEAT PUMPS, means equipment designed to heat or cool the interior of buildings and structures and which are normally located outside or on a roof.</p> <p>PARKING SPACE ANGLED, means the orientation of a parking space in such a manner that the side of a motor vehicle, when parked, is at an angle other than parallel to the drive aisle, driveway, lane, or street which gives direct access to such parking space.</p> <p>PARKING SPACE, BARRIER FREE ACCESSIBLE, means a parking space provided for the use of persons with disabilities pursuant to the Accessibility for Ontarians with Disabilities Act.</p> <p>PARKING SPACE, PARALLEL, means the orientation of a parking space in such a manner that the side of a motor vehicle, when parked, is parallel to the drive aisle, driveway, lane, or street which gives direct access to such parking space.</p> <p>PARKING SPACE, TANDEM, means the arrangement of two parking spaces such that it is necessary to traverse one parking space to gain access to the other from a lane, drive aisle, driveway, or street.</p> <p>PARKING SPACE, VISITOR, means a parking space for the exclusive use of visitors to a premises.</p> <p>SEASONAL DWELLING UNIT,</p> <p>STACKING LANE, means a continuous on-site queuing lane that includes stacking spaces for motor vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings, or signs.</p> <p>STACKING SPACE, means a rectangular space that may be provided in succession and is designed to be used for the temporary queuing of a motor vehicle in a stacking lane.</p>	
<p>Section 5 Definition Amendments</p>	<p>11</p>	<p>Numbering - Remove</p>	<p>Remove 5.1 to 5.238</p>
	<p>2</p>	<p>BUILDING, add wording to address coverall structures.</p>	<p>BUILDING, means any structure temporary or permanent, which is used or intended to be used for the shelter, accommodation or enclosure of persons, animals or chattels, and shall include a tarped structure but does not include a lawful boundary wall or fence.</p>

Zoning By-Law 2010-080 Section	ZBA Section	Existing provision/section/reason	Proposed provision/section
	3	DAY NURSERY , amend reference.	DAY NURSERY , means a use, building or structure, or parts thereof duly licensed by the Province of Ontario pursuant to The Day Nurseries Act , Child Care and Early Years Act , as amended. This definition does not include private home day care as defined elsewhere in this By-law.
	5	FLOOR AREA , clarify	FLOOR AREA , with reference to a building or structure, means the total floor area within a building or structure, which area is measured between the exterior faces of the exterior walls or from the centre line of a common or party wall, but excluding any attached private garage, breezeway, porch, verandah, balcony, sun room, attic, basement or cellar. Notwithstanding the above section, in the case of a home industry and/or accessory structure , the attic , basement or cellar shall be included in the maximum square footage total floor area .
	6	LIVESTOCK – amend for clarification	LIVESTOCK , means dairy, beef, swine, poultry, horses, goats, sheep, ratites, furbearing animals, deer and elk, game animals and birds.
	7	LOT COVERAGE – add wording for clarification	add the following sentence at the end “The area of an outdoor swimming pool, open and unenclosed porches, uncovered decks, balconies and steps shall not be calculated in determining lot coverage.”
	9	STOREY FIRST STOREY – amend definition to reflect the OBC.	Means the storey having its floor level closest to the finished grade and its ceiling at least two more than 1.8 metres above finished grade.
	8	Attic – clarify	Reduce to 2m (6.56 ft).
	10	STREET , add wording to address year round maintenance.	STREET , means a public right-of-way which shall be constructed and opened and improved and maintained year round and assumed by the municipality, county or province or other public road authority for public use. A street does not include a lane or any other private right-of-way.

Zoning By-Law 2010-080 Section	ZBA Section	Existing provision/section/reason	Proposed provision/section
Section 6.1 Accessory Uses	12	6.1.3 Height of Accessory structure. Various changes and clarification to address second level and total floor area.	6.1.3 b) – height Remove shall not exceed one storey
	13	6.1.4 b) Lot Coverage – Amend Provided the maximum lot coverage is not exceeded for an accessory building or structure, the combined maximum floor area for all accessory buildings or structures not including a hobby barn or home industry in any residential zone including a lot subject to the reduced lot regulations of Section 8.5 shall not exceed 92.9 m ² (1000.0 ft ²) ground floor area for any lot 0.4 hectares (1.0 acres) or less in size. For each additional full 0.4 hectares (1.0 acres) of lot area, an additional 41.8 m ² (450 ft ²) of ground floor area may be added to the accessory building.	6.1.4 b) – Lot Coverage Provided the maximum lot coverage is not exceeded for an accessory building or structure, the combined maximum total floor area for all accessory buildings or structures not including a hobby barn or home industry in any residential zone and a lot subject to the reduced lot regulations of Section 8.5 shall not exceed 92.9 m² (1000.0 ft²) 185.8 m² (2000.0 ft²) ground total floor area for any lot 0.4 hectares (1.0 acres) or less in size. For each additional full 0.4 hectares (1.0 acres) of lot area, an additional 41.8 m² (450 ft²) of ground floor area may be added to the accessory building, to a maximum ground floor area of 464.5 m² (5000 ft²) .
	14	6.1.5 – Establishment of an accessory building or use – new provision	6.1.5 c) A tarped structure when used as an accessory structure, shall be required to comply to section 6.1 accessory uses.
	15	6.1 - Addition of New use	6.1.7 AIR CONDITIONERS, HEAT PUMPS, POOL PUMPS, FILTERS AND HEATERS Air conditioners, heat pumps, filters and heaters are permitted in conjunction with a permitted use provided: <ul style="list-style-type: none"> a) They are not located in the front yard. b) They are located a minimum of 1m from the interior side lot line and no closer than the required exterior side yard for the main building, and, c) They are located no closer to a Residential Zone boundary than the minimum setback required for main buildings in Non-Residential Zones from Residential Zone boundaries.
Section 6.6	16	6.6 Common Amenity area – amend	An amenity area is an area comprised of common outdoor space designed for active or passive recreational use and may include patios, swimming pools, play areas and open landscaped areas

Zoning By-Law 2010-080 Section	ZBA Section	Existing provision/section/reason	Proposed provision/section
Section 6.7 Day Lighting Triangle	17	6.7 a) –Amend daylight measurement.	a) On a corner lot, the triangular space formed by the street lines and a line drawn from a point on one street line to a point on the other street line is determined by a point measuring 9.0 m (29.5 ft) 7.5 m (24.6 ft) along the street line from the point of intersection of the said street lines.
Section 6.10	19	6.10 – Frontage on Public Street – amend title to reflect definition of street.	Frontage on Public Street
Section 6.14 Home Industry Regs	20	6.14 b) – Home Industry – add contractors yard for clarification.	b) It may include such uses as a carpentry shop, a welding shop, a machine shop, furniture fabrication, assembly and repair; a tool and repair shop, and a small engine repair shop but shall not include autobody repairs or automobile sales, service and repair; automotive washing establishment, the sale of gas, a contractors yard , or a wrecking yard;
Section 6.24 One Main Building per Lot	21	6.24 – add new provisions to allow model homes	d) Model homes at a ratio of two model homes/hectare to a maximum of 4. A model home agreement will be required.
Section 6.27, Parking Regulations	22	6.27.1 – new provisions for parallel and angled parking stall size.	Angled – width 2.9m (9.5 ft), width 5.5m (18 ft). Parallel – width 2.7m (8.8 ft), width 6.5m (21.3ft) Private Garage – interior – 3m (9.8 ft), 5.5m (18 ft)
	23	6.27.2 – new provisions for aisle width for one way and two way traffic.	Access to parking areas shall be provided from a street. All driveways and parking aisles shall have a minimum unobstructed width of 6 m (19.6 ft.) where two-way traffic is permitted and 3 m (9.8 ft.) where one-way direction of traffic flow is permitted, which is clearly indicated by signs, pavement markings or both. Notwithstanding the above the minimum width required for any driveway accessory to a single detached, semi-detached or street townhouse dwelling shall be 2.5 metres.
	24	6.27.4 Location of Parking Area and Spaces – clarification	d) All parking spaces within a commercial, industrial or institutional zone may also be located within a required front yard, and

Zoning By-Law 2010-080 Section	ZBA Section	Existing provision/section/reason	Proposed provision/section
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			<p>required exterior side yard, except that no parking area and/or space shall be located within 1.5 m (4.9.0 ft) of a street line, or within 4.5 m (14.8 ft) of any lot or zone containing a residential use.</p>
	25	6.27.5 – Barrier Free Parking– Amend and add provisions	<p>Barrier Free/Accessible Parking</p> <ol style="list-style-type: none"> a) Each space shall be hard surfaced. b) Each space shall be appropriately identified by a sign which is clearly posted and visible at all times and which contains the International Symbol of Accessibility. Such sign shall be posted in a visible location other than on the parking surface. c) Each space is to have a minimum 1.5 m wide access aisle, extending the full length of the parking space that allows persons with disabilities to get in and out of their vehicles adjacent to the parking space. The access aisle may be shared by two accessible spaces by locating the access aisle between the spaces. All access aisle shall be marked with high tonal contrast diagonal lines, which discourages parking in them, where the surface is asphalt, concrete or some other hard surface that can be painted. d) Each space shall be either Type A or Type B as described below: <ul style="list-style-type: none"> • Type A Parking Space: minimum width of 3.4 m and minimum length of 5.5 m and signage that identifies the space as “van accessible” • Type B Parking Space: minimum width of 2.4 m and a minimum length of 5.5 m • Where an even number of parking spaces for the use of persons with disabilities are required, an equal number of parking spaces that meet the requirements of a Type A parking space and a Type B parking space must be provided. • Where an odd number of parking spaces for the use of persons with

Zoning By-Law 2010-080 Section	ZBA Section	Existing provision/section/reason	Proposed provision/section
			<p>disabilities are required, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking space and a Type B parking space, but the additional parking space, the odd-numbered space, may be a Type B parking space.</p> <p>e) The number of accessible spaces shall be determined in accordance with Table 2 below.</p> <p>Table 2 is amended.</p>
	26	6.27.8 – Parking calculations – amend and add	<p>Accessory Dwellings (converted dwelling) – 1/ unit (tandem parking may be permitted)</p> <p>Townhouses/ Cluster – 1.5/unit 1 space per dwelling unit; plus 1 space for each 2 dwelling units for visitors only (also see section 6.27.9 tandem parking)</p>
	27	6.27 – new subsection for tandem parking.	<p>6.27.10. Tandem Parking Notwithstanding section 6.27.2, every four tandem parking spaces located in a cluster townhouse development in R3 zone shall be deemed to equal one visitor parking space required by this by-law, provided that there must be a minimum of 1 visitor parking space for each 4 dwelling units and such spaces shall be identified as being reserved for the exclusive use of such visitors.</p>
Section 6.28 Parking/Storage of Commercial and Recreational vehicles in a residential zone	28	6.28 ii) – add provisions to restrict parking in exterior side yard.	<p>ii) The storing or parking of vehicles listed above shall only be permitted in a carport or driveway but not in a required front yard or exterior side yard;</p>
Section 6.29 Residential Conversions	29	Amend wording to allow a second unit within a new dwelling.	<p>6.29 Where specifically permitted by this By-law, a single-detached dwelling (legally existing on the day of the passing of this By-law) may be converted or constructed to provide one additional residential dwelling unit or a bed and breakfast establishment provided the following regulations are maintained</p>

Zoning By-Law 2010-080 Section	ZBA Section	Existing provision/section/reason	Proposed provision/section
Section 6.32 Temporary uses, Buildings and Structures	31	6.32 – new subsection	6.32 d) A temporary building or trailer for conducting sales of new dwelling units is permitted in any Zone provided the sales building or trailer is located within a development site. The sales building or trailer shall be setback 30 metres from the lot line of any existing residential use abutting the development site and parking areas associated with the sales building or trailer shall be setback 6m from any existing residential use abutting the development site. Note a sales trailer agreement will be required.
Section 6.35.2 – Uses Restricted in all Zones	32	Amend to clarify number of dogs and cats in urban area's <ul style="list-style-type: none"> Keeping of livestock in an urban area unless specifically permitted by a by-law of this municipality 	<ul style="list-style-type: none"> No person shall, in any residential zone, keep or raise any livestock, bird, reptile, or wild animal including any tamed or domesticated wild animals. This provision shall not prevent the keeping of 3 dogs as per Township of Mapleton keeping of dog by-law on one lot.
Section 6.36 Wellhead Protection	33 34	Amend the provisions to remove reference to existing as per the conservation authority plan	<p>ACTIVITY means one or a series of related processes that occurs within a geographical area and may be related to a particular land use.</p> <p>2. THAT Section 5.80, Definitions – Existing, is amended by adding the following at the end:</p> <p>“, except as provided for in Section 6.36 Wellhead Protection.”</p> <p>6.36 WELLHEAD PROTECTION Within the Wellhead Protection Area Overlay shown on Schedule ‘A’, any use or activity that is, or would be, a <i>significant drinking water threat</i> is required to conform with all applicable Grand River Source Protection Plan policies and, as such, may be prohibited, restricted, or otherwise regulated by that Source Protection Plan.</p> <p>6.36.1 Delete section</p>
Section 8.5	36	New Sub section to recognize lots	b) A new lot created by consent or new

Zoning By-Law 2010-080 Section	ZBA Section	Existing provision/section/reason	Proposed provision/section
Reduced Lot Regulations		created by consent	parcels created by lot line adjustment pursuant to the provisions of the Planning Act, and which parcel (severed and/or retained lands) lacks either the required frontage or area, or both, shall be deemed to comply with the lot frontage and lot area regulations of Section 8.5.2.
	37	8.5.1 – Permitted Uses –Add	Permitted Accessory uses to the main use: <ul style="list-style-type: none"> • Home Occupation • Accessory uses, buildings or structures • Hobby Barn in accordance with Section 8.3. • Farming excluding new buildings and structures • Conversion of a single detached residential dwelling for one additional residential dwelling unit in accordance with Section 6.29.
Section 10 to 13 R1B R1C, R2 & R3	40 43 47 49 - 54	Interior SideYard, Minimum – Amend to reduce to 1.2m only	One Storey 1.2 m (3.9 ft) More than one storey 1.8 m (5.9 ft) No attached garage 3.7 m (12.1 ft) on one side only
Section 10 – R1B	38 39	10.2.1 – Lot Area – Reduction 10.2.2 – Lot Frontage – Reduction	10.2.1 LOT AREA, Minimum 650.3 m² (7000.0 ft²) 465.0 m² (5005.4 ft²) . 10.2.2 LOT FRONTAGE, Minimum 20.1 m (66 ft.) 15 m (49.2 ft.) .
Section 11- R1C	41 42	11.2.1 – Lot Area – Reduction 11.2.2 – Lot Frontage – Reduction	11.2.1 LOT AREA, Minimum 465.0 m² (5005.4 ft²) 371.6 m² (4000 ft²) . 11.2.2 LOT FRONTAGE, Minimum 15 m (49.2 ft.) 12 m (39.3 ft.) .
Section 12 – R2 Zone	45 46	12.2.1.1 – Lot Area – Reduction 12.2.1.2 – Lot Frontage – Reduction	12.2.1.1 LOT AREA, Minimum 465.0 m² (5005.4 ft²) 371.6 m² (4000 ft²) . 12.2.1.2 LOT FRONTAGE, Minimum 15 m (49.2 ft.) 12 m (39.3 ft.) .
	55	13.2.2.10 – Distances Between Cluster Townhouses – Amend	13.2.2.10 a) A minimum distance of 18.3m (60.0 ft) 12 m (39.3 ft) shall be maintained between any face of a townhouse block and any face of the same or another block. b) A minimum distance of 12.2m (40.0 ft) 6 m (19.6 ft) shall be maintained between any face

Zoning By-Law 2010-080 Section	ZBA Section	Existing provision/section/reason	Proposed provision/section
			<p>of a residential townhouse block and any side of the same or another block.</p> <p>c) A minimum distance of 9.1 m (30.0 ft) 3 m (9.8 ft) shall be maintained between any side of a residential townhouse block and any side of the same or another block.</p>
	55 56	13.2.3.10 - Distances Between Apartment Buildings – Amend	<p>13.2.3.10</p> <p>i) a) A minimum distance of 18.3m (60.0 ft) 12 m (39.3 ft) shall be maintained between any face of an apartment and any face of the same or another apartment.</p> <p>ii) b) A minimum distance of 12.2m (40.0 ft) 6 m (19.6 ft) shall be maintained between any face of an apartment and any side of the same or another apartment.</p> <p>iii) c) A minimum distance of 9.1 m (30.0 ft) 3 m (9.8 ft) shall be maintained between any side of an apartment and any side of the same or another apartment.</p>
Section 15 – C1 Commercial Zone	58	15.2.7 – Building Height, Maximum – Amend to a minimum height to encourage more than 1 storey.	Building Height, Maximum Minimum – 12.0m (39.4 ft) 6m (19.8ft)
Section 20 - M1 General Industrial	59	20.5 Landscaping requirements - clarify	A landscaping area shall be provided and thereafter maintained in the entire required front yard except where front yard parking is established under the provisions of Section 20.3 in which case the remainder of the area shall be landscaped and a planting strip shall be provided across the entire lot frontage, including exterior side yard , except for provisions of ingress and egress.
Section 26 – OS2 Conestoga Lake Zone	60	26.2 – Regulations – new section to include provisions for accessory structures.	Accessory structures are required to comply with section 6.1 and are to be considered under the R1A residential provision.
Section 27 – FD Future Development Zone	61	27.1 – Permitted Uses – amend section <ul style="list-style-type: none"> Agricultural uses except no new buildings, structures or expansions to existing uses, buildings and 	27.1 – Permitted Uses <ul style="list-style-type: none"> Uses, building and structures lawfully existing on the date of passing of this by-law.

Zoning By-Law 2010-080 Section	ZBA Section	Existing provision/section/reason	Proposed provision/section
		structures. <ul style="list-style-type: none"> • Legally existing uses, buildings and structures • One Single detached residential dwelling • Home occupations • Existing uses, buildings and structures • Accessory uses, buildings and structures 	
	62	<p>27.2 – Regulations for a single family detached residential dwelling– Subject to the regulations of the R1A Zone as specified in Section 9 of this By-Law.</p> <p>27.3 – Regulations for Home Occupations – Subject to the applicable regulations required in Section 6.15 of this By-Law.</p> <p>27.4 – Regulations for Accessory uses, Buildings and structures – Subject to the applicable regulations required in Section 6- General Provisions of this By-law.</p>	<p>Remove entire section and replace with:</p> <p>27.2 Regulations – As existing on the date of passing of this by-law</p>
Section 28 – NE Natural Environment Zone	63	28.3 – new provision added to clarify regulations for accessory structures and existing uses.	28.3 d) Section 6.20.1 is applicable as it applies to setbacks to the NE zone.
Section 31 – Rural exceptions	64	31.7– Edit text	<p>Notwithstanding any other provisions of this By-law to the contrary a residential dwelling shall be prohibited. Other agricultural uses, that are not accessory to a dwelling, are permitted.</p> <p>31-7 Notwithstanding any other section of this by-law to the contrary, a residential dwelling shall be prohibited in this zone. Other agricultural uses, that are not accessory to a dwelling, are permitted. This restriction is a result of the subject lands obtaining a surplus farm dwelling severance to remove the existing dwelling from the overall farm parcel.</p>

Zoning By-Law 2010-080 Section	ZBA Section	Existing provision/section/reason	Proposed provision/section
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			It is intended to ensure that the lands are only used for agricultural purposes.
Rural Map 1	64	Rezone all lands zoned to restrict residential to 31-7.	Group all properties with this restriction under the same zone category. Surplus farm dwelling lands.

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
ZBA 2019-06

WHEREAS the Council of the Corporation of the Township of Mapleton deems it desirable to amend said By-law Number 2010-080, as amended pursuant to Section 34 of The Planning Act, R.S.O. 1990, as amended.

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

1. THAT Section 5, Definitions, is amended by including the following new definitions in alphabetical order:

“AIR CONDITIONERS AND HEAT PUMPS, means equipment designed to heat or cool the interior of buildings and structures and which are normally located outside or on a roof.

PARKING SPACE ANGLED, means the orientation of a parking space in such a manner that the side of a motor vehicle, when parked, is at an angle other than parallel to the drive aisle, driveway, lane, or street which gives direct access to such parking space.

PARKING SPACE, BARRIER FREE ACCESSIBLE, means a parking space provided for the use of persons with disabilities pursuant to the Accessibility for Ontarians with Disabilities Act.

PARKING SPACE, PARALLEL, means the orientation of a parking space in such a manner that the side of a motor vehicle, when parked, is parallel to the drive aisle, driveway, lane, or street which gives direct access to such parking space.

PARKING SPACE, TANDEM, means the arrangement of two parking spaces such that it is necessary to traverse one parking space to gain access to the other from a lane, drive aisle, driveway, or street.

PARKING SPACE, VISITOR, means a parking space for the exclusive use of visitors to a premises.

STACKING LANE, means a continuous on-site queuing lane that includes stacking spaces for motor vehicles which is separated from other vehicular traffic and pedestrian circulation by barriers, markings, or signs.

STACKING SPACE, means a rectangular space that may be provided in succession and is designed to be used for the temporary queuing of a motor vehicle in a stacking lane.”

2. THAT Section 5.32, Definitions – Building, is amended by adding the words **“and shall include a tarped/coverall structure”** after the word *chattels*.
3. THAT Section 5.73, Definitions – Day Nursery, is amended by deleting the words **“The Day Nurseries Act”** and replacing it with the words **“Child Care and Early Years Act”**.
4. THAT Section 5.80, Definitions – Existing, is amended by deleting the words **“except as provided for in Section 6.36 Wellhead Protection”** after the words *By-law*.

5. THAT Section 5.96, Definitions – Floor Area, is amended by deleting the words “**private**” after the words *excluding any* and replacing it with the word “**attached**”; and further amending the second paragraph by deleting it in its entirety and replacing it with the following wording:
“Notwithstanding the above section, in the case of a home industry and/or accessory structure, the basement or cellar shall be included in the total floor area.”
6. THAT Section 5.133, Definitions – Livestock, is amended by deleting the words the definition in its entirety and replacing it with the following: “**means dairy, beef, swine, poultry, horses, goat, sheep, ratites, furbearing animals, deer and elk, game animals and birds.**”
7. THAT Section 5.138.3, Definitions – Lot Coverage, is amended by adding the following words to the end of the definition “**The area of an outdoor swimming pool, open and unenclosed porches, uncovered decks, balconies and steps shall not be calculated in determining lot coverage.**”
8. THAT Section 5.215.1, Definitions – Attic, is amended by deleting the words “**2.3 m (7.5 ft)**” and replacing them with “**2 m (6.56 ft)**”; and further adding the words to the end of the definition, “**Note: in the case of an accessory structure the dwarf wall measurement is less than 2 m (6.56 ft) at its highest point**”.
9. THAT Section 5.215.5, Definitions – First Storey or Ground Floor, is amended by deleting the definition in its entirety and replacing it with the following:

“5.215.5 FIRST STOREY or GROUND FLOOR, means the storey having its floor level closest to the finished grade and its ceiling more than 1.8 metres above grade.”
10. THAT Section 5.216, Definitions – Street, is amended by adding the words “**year round**” after the word *maintained*.
11. THAT Section 5, Definitions is amended by removing numbers 5.1 thru to 5.238.
12. THAT Section 6.1.3 (b), Height, is amended by deleting the words “**and shall not exceed one storey**” after the word *(22 ft)*.
13. THAT Section 6.1.4 (b), Lot Coverage, is amended by deleting the words/numbers “**92.9 m² (1000.0 ft²) ground floor area**” and replacing it with “**185.8 m² (2000.0 ft²) total floor area**”
14. THAT Section 6.1.5, Establishment of an Accessory Building or Use, is amended by removing c) in its entirety and replacing it with:

“c) A tarped/coverall structure when used as an accessory structure, shall be required to comply to section 6.1 accessory uses.”
15. THAT Section 6.1, Accessory Uses, is amended by adding a new subsection **6.1.7** as follows:

“6.1.7 AIR CONDITIONERS, HEAT PUMPS, POOL PUMPS, FILTERS AND HEATERS
Air conditioners, heat pumps, filters and heaters are permitted in conjunction with a permitted use provided:

 - a) **They are not located in the front yard.**
 - b) **They are located a minimum of 1m from the interior side lot line and no closer than the required exterior side yard for the main building, and,**

c) They are located no closer to a Residential Zone boundary than the minimum setback required for main buildings in Non-Residential Zones from Residential Zone boundaries.”

16. THAT Section 6.6 a), Common Amenity Area, is amended by deleting the word “outdoor” after the word *common*.
17. THAT Section 6.7 a), Day Lighting (Sight) Triangle, is amended by deleting the words “9.0 m (29.5 ft)” after the words *measuring* and replacing with the words “7.5 m (24.6 ft)”.
18. THAT Section 6.7 c), Day Lighting (Sight) Triangle, is amended by adding the words “or lanes” at the end of the sentence.
19. THAT Section 6.10, Frontage on a Public Street, is amended by deleting the word “PUBLIC” from the title and replacing it with the word “A”.
20. THAT Section 6.14 b), Home Industry, is amended by adding the words “a contractors yard” after the word *gas*.
21. THAT Section 6.24, One Building Per Lot, is amended by adding a new subsection 6.24 d), as follows:
“d) Model homes at a ratio of two model homes/hectare to a maximum of 4. A model home agreement will be required.”
22. THAT Section 6.27.1, Size of Parking Spaces, is amended by deleting the paragraph in its entirety and replacing it with the following table:

Parking Space Type	Minimum Dimensions	
	Width	Length
Angled	2.9 m (9.5 ft)	5.5 m (18 ft)
Parallel	2.7 m (8.8 ft)	6.5 m (21.3ft)
Private Garage - interior	3 m (9.8 ft)	6 m (19.6 ft)

23. THAT Section 6.27.2, Access to Parking Spaces, is amended by adding the following paragraphs after the first sentence:

“All driveways and parking aisles shall have a minimum unobstructed width of 6 m (19.6 ft.) where two-way traffic is permitted and 3 m (9.8 ft.) where one-way direction of traffic flow is permitted, which is clearly indicated by signs, pavement markings or both.

Notwithstanding the above the minimum width required for any driveway accessory to a single detached, semi-detached or street townhouse dwelling shall be 2.5 metres.”

24. THAT Section 6.27.4 d), Location of Parking Area and Spaces, is amended by adding the word “also” after the words *institutional zone may*.
25. THAT Section 6.27.5, Barrier Free Parking, is amended by deleting the entire section and replacing it with the following new criteria:

“Barrier Free/Accessible Parking

- a) Each space shall be hard surfaced.

- b) Each space shall be appropriately identified by a sign which is clearly posted and visible at all times and which contains the International Symbol of Accessibility. Such sign shall be posted in a visible location other than on the parking surface.
- c) Each space is to have a minimum 1.5 m wide access aisle, extending the full length of the parking space that allows persons with disabilities to get in and out of their vehicles adjacent to the parking space. The access aisle may be shared by two accessible spaces by locating the access aisle between the spaces. All access aisle shall be marked with high tonal contrast diagonal lines, which discourages parking in them, where the surface is asphalt, concrete or some other hard surface that can be painted.
- d) Each space shall be either Type A or Type B as described below:
 - Type A Parking Space: minimum width of 3.4 m and minimum length of 5.5 m and signage that identifies the space as “van accessible”
 - Type B Parking Space: minimum width of 2.4 m and a minimum length of 5.5 m
 - Where an even number of parking spaces for the use of persons with Table 2 – Total Required Accessible Parking Spaces
 - disabilities are required, an equal number of parking spaces that meet the requirements of a Type A parking space and a Type B parking space must be provided.
 - Where an odd number of parking spaces for the use of persons with disabilities are required, the number of parking spaces must be divided equally between parking spaces that meet the requirements of a Type A parking space and a Type B parking space, but the additional parking space, the odd-numbered space, may be a Type B parking space.
- e) The number of accessible spaces shall be determined in accordance with Table 2 below.

TABLE 2 – Total Required Barrier Free/Accessible Parking Spaces

Total Required Parking Spaces	Number of Accessible Parking Space
0-12	1 space - Must be Type A Parking Space
13 – 100	Four per cent of the total number of parking spaces.
101 – 200	One parking space plus an additional three per cent of parking spaces.
201 – 1000	Two parking spaces plus an additional two per cent of parking spaces.
Greater than 1000	Eleven parking spaces plus an additional one per cent of parking spaces.

26. THAT Section 6.27.8, Calculation of Parking Regulations, is amended by replacing the minimum number of parking spaces for Accessory Dwellings and Townhouse/Cluster as follows:

- Accessory Dwellings (**converted dwelling**) – 1/unit (**tandem parking may be permitted**)
- Townhouse/Cluster – **1 space per dwelling unit; plus 1 space for each 2 dwelling units for visitors only (also see section 6.27.9 – tandem parking)**

27. THAT Section 6.27, Parking Regulations, is amended by adding a new subsection **6.27.10** as follows:

“6.27.10 Tandem Parking

Notwithstanding section 6.27.2, every four tandem parking spaces located in a cluster townhouse development in R3 zone shall be deemed to equal one visitor parking space required by this by-law, provided that there must be a minimum of 1 visitor parking space for each 4 dwelling units and such spaces shall be identified as being reserved for the exclusive use of such visitors.”

28. THAT Section 6.28 ii), Parking/Storage of Commercial and Recreational Vehicles in a Residential zone,

is amended by adding the words **“or exterior side yard”** after the words *front yard*.

29. THAT Section 6.29, Residential Conversions, is amended by removing the words **“(legally existing on the day of the passing of this By-law)”** after the word *dwelling* and adding the words **“or constructed”** after the word *converted*.

30. THAT Section 6.31.2 a) & b), Street Setback Standards and Exceptions, is amended by renumbering and relocating to section 6.22, as follows:

- **6.31.3 a) becomes 6.22 d)**

AND further that 6.31 **“AND EXCEPTIONS”** is removed from title.

AND further that 6.31.3 **“EXCEPTIONS”** heading is removed.

31. THAT Section 6.32, Temporary uses, Buildings and Structures, is amended by adding a new subsection 6.32 c) as follows:

- “c) A temporary building or trailer for conducting sales of new dwelling units is permitted in any Zone provided the sales building or trailer is located within a development site. The sales building or trailer shall be setback 30 metres from the lot line of any existing residential use abutting the development site and parking areas associated with the sales building or trailer shall be setback 6m from any existing residential use abutting the development site. Note a sales trailer agreement will be required.”**

32. THAT Section 6.35.2, Uses Restricted in all Zones, is amended by deleting the following statement under bullet 3:

- Keeping of livestock in any urban area unless specifically permitted by a by-law of this municipality;

And replacing it with:

- **“No person shall, in any residential zone, keep or raise any livestock, bird, reptile, or wild animal including any tamed or domesticated wild animal. This provision shall not prevent the keeping of 3 dogs as per Township of Mapleton keeping of dogs by-law, on one lot.”**

33. THAT Section 6.36, Wellhead Protection, is amended by deleting the words **“or activity”** after the words *any use*.

34. THAT Section 6.36.1 a), b) c) and d), Existing, is deleted in its entirety.

35. THAT Section 8.1, Permitted Uses, is amended by removing **“Hobby Barn”**.

36. THAT Section 8.5, Reduced Lot Regulations, is amended by numbering the first paragraph **a)** and removing the words **“or a lot created by a consent, pursuant to the provisions of the Planning Act, and”** after the words *vacant lot*.

AND further that Section 8.5, is amended by adding a new section **b)** as follows:

- “b) A new lot created by consent or new parcels created by lot line adjustment pursuant to the provisions of the Planning Act, and which parcel (severed and/or retained lands) lacks either the required frontage or area, or both, and is 10 ha (25 ac) or less, shall be deemed to comply with the lot frontage and lot area regulations of Section 8.5.1 and**

8.5.2.

37. THAT Section 8.5.1, Permitted Uses, is amended by adding the following new uses to Section 8.5.1 under the permitted accessory uses section:
- **Bed and Breakfast in accordance with Section 6.2.**
 - **Farming excluding new buildings and structures.**
 - **Conversion of a single detached residential dwelling for one additional residential dwelling unit in accordance with Section 6.29.**
38. THAT Section 10.2.1, R1B Zone, LOT AREA, Minimum is amended by deleting the numbers/words “**650.3 m² (7000.0 ft²)**” and replacing with “**465.0 m² (5005.4 ft²)**.”
39. THAT Section 10.2.2, R1B Zone, LOT FRONTAGE, Minimum is amended by deleting the numbers/words “**20.1 m (66 ft.)**” and replacing with “**15 m (49.2 ft.)**.”
40. THAT Section 10.2.4, R1B Zone, Interior Side Yard, is amended by deleting 10.2.4 in its entirety and replacing with the following:
“10.2.4 INTERIOR SIDE YARD, Minimum 1.2 m (3.9 ft)”
41. THAT Section 11.2.1, R1C Zone, LOT AREA, Minimum is amended by deleting the numbers/words “**465.0 m² (5005.4 ft²)**” and replacing with “**371.6 m² (4000 ft²)**.”
42. THAT Section 11.2.2, R1C Zone, LOT FRONTAGE, Minimum is amended by deleting the numbers/words “**15 m (49 ft.)**” and replacing with “**12 m (39.3 ft.)**.”
43. THAT Section 11.2.4, R1C Zone, Interior Side Yard, is amended by deleting 11.2.4 in its entirety and replacing with the following:
“11.2.4 INTERIOR SIDE YARD, Minimum 1.2 m (3.9 ft)”
44. THAT Section 12, R2 Residential - Permitted uses, is amended by adding the words “**three or**” at the beginning of Four Unit Street Townhouse.
45. THAT Section 12.2.1.1, R2 Zone, LOT AREA, Minimum is amended by deleting the numbers/words “**465.0 m² (5005.4 ft²)**” and replacing with “**371.6 m² (4000 ft²)**.”
46. THAT Section 12.2.1.2, R2 Zone, LOT FRONTAGE, Minimum is amended by deleting the numbers/words “**15 m (49 ft.)**” and replacing with “**12 m (39.3 ft.)**.”
47. THAT Section 12.2.1.4, R2 Zone, Interior Side Yard, is amended by deleting 12.2.1.4 in its entirety and replacing with the following:
“12.2.1.4 Interior Side Yard, Minimum 1.2 m (3.9 ft)”
48. THAT Section 12.2.2.2, R2 Zone, Lot Frontage, Minimum per dwelling, is amended by deleting the numbers/words “**18.3 m (60 ft.)**” and replacing with “**18 m (59 ft.)**.”
49. THAT Section 12.2.2.6, R2 Zone, Interior Side Yard, is amended by deleting 12.2.2.6 in its entirety and replacing with the following:
“12.2.2.6 Interior Side Yard, Minimum 1.2 m (3.9 ft)”

50. THAT Section 12.2.3.4, R2 Zone, Interior Side Yard, is amended by deleting 12.2.3.4 in its entirety and replacing with the following:
“12.2.3.4 Interior Side Yard, Minimum 1.2 m (3.9 ft)”
51. THAT Section 12.2.4.4, R2 Zone, Interior Side Yard, is amended by deleting 12.2.4.4 in its entirety and replacing with the following:
“12.2.4.4 Interior Side Yard, Minimum 1.2 m (3.9 ft)”
52. THAT Section 12.2.5.4, R2 Zone, Interior Side Yard, is amended by deleting 12.2.5.4 in its entirety and replacing with the following:
“12.2.5.4 Interior Side Yard, Minimum 1.2 m (3.9 ft)”
53. THAT Section 12.2.6.5, R2 Zone, Interior Side Yard, is amended by deleting 12.2.6.5 in its entirety and replacing with the following:
“12.2.6.6 Interior Side Yard, Minimum 1.2 m (3.9 ft)”
54. THAT Section 13.2.1.4, R3 Zone, Interior Side Yard, is amended by deleting 13.2.1.4 in its entirety and replacing with the following:
“13.2.1.4 Interior Side Yard, Minimum 1.2 m (3.9 ft)”
55. THAT Section 13.2.2.10, Distances Between Cluster Townhouses, is amended as follows:
a) deleting the numbers/words **“18.3m (60.0 ft)”** and replacing with **“12 m (39.3 ft)”**.
b) deleting the numbers/words **“12.2m (40.0 ft)”** and replacing with **“6 m (19.7 ft)”**.
c) deleting the numbers/words **“9.1 m (30.0 ft)”** and replacing with **“3 m (9.8 ft)”**.
56. THAT Section 13.2.3.10, Distances Between Apartment Buildings, is amended by changing subsection **“i), ii) and iii)”** to **“a), b) and c)”**.
57. THAT Section 13.2.3.10, Distances Between Apartment Buildings, is further amended as follows:
a) deleting the numbers/words **“18.3m (60.0 ft)”** and replacing with **“12 m (39.3 ft)”**.
b) deleting the numbers/words **“12.2m (40.0 ft)”** and replacing with **“6 m (19.7 ft)”**.
c) deleting the numbers/words **“9.1 m (30.0 ft)”** and replacing with **“3 m (9.8 ft)”**.
58. THAT Section 15.2.7, C1 Zone, Building Height Maximum, is amended by deleting 15.2.7 in its entirety and replacing with the following:
“6.2.7 Building Height, Minimum 6 m (19.7 ft)”.
59. THAT Section 20.5, Industrial Zone Landscaping Requirements, is amended by adding the words **“including exterior side yard,”** after the word *frontage*.
60. THAT Section 26.2, Conestoga Lake Zone Regulations, is amended by numbering the first two paragraphs as **a) and b)**;
- AND further that the following new section **c)** is added:
“c) Accessory structures are required to comply with section 6.1 and are to be considered under the R1A residential provisions.”
61. THAT Section 27.1, Future Development Zone, Permitted Uses, is deleted in its entirety and replaced with the following:
- **“Uses, building and structures lawfully existing on the date of passing of this by-law.”**

62. THAT Section 27.2, 27.3 and 27.4, Future Development Regulations, is deleted in its entirety and replaced with the following:
 "27.2 Regulations – As existing on the date of passing of this by-law."
63. THAT Section 28.3, Natural Environment Zone, is amended by adding the following new sub section d):
 "d) Section 6.20.1 is applicable as it applies to setbacks to the NE zone."
64. THAT Site Specific Exception 31.23 be amended by adding the following permitted use:
 "iv) one additional residential unit is permitted in the basement."
65. THAT Schedule 'A-1' is amended by changing the zoning on the lands described as Part Lot 3, Concession 13, Reference Plan 61R21495, parts 2 & 3 as shown on Schedule "A" attached to and forming part of this By-law from **Agricultural (A) to Natural Environment (NE)**.
66. THAT Schedule 'A-1' is amended by changing the zoning on the lands described as Part Lot 19, Concession 11, Reference Plan 61R20731, parts 1 as shown on Schedule "B" attached to and forming part of this By-law from **Agricultural Exception (A-31.44) to Future Development (FD)**.
67. THAT Schedule 'A-4' – Alma - is amended by changing the zoning on the lands described as Plan 134 Lot 164, Part Lots 163, 180 and 181, Reference Plan 61R11958, parts 2 and 3 as shown on Schedule "C" attached to and forming part of this By-law from **Commercial (C1) to Residential (R1A)**.
68. THAT Schedule 'A-1' is amended by changing the zoning on the lands described as East Part Lot 16, Concession 17 (M), Reference Plan 61R20731, parts 1 as shown on Schedule "D" attached to and forming part of this By-law from **Extractive Industrial Exception (31.176) to Extractive Industrial Exception (31.289)**.
69. THAT Schedule 'A-1' is amended by changing the zoning on the lands described as Part Lot 17, Concession 1, Reference Plan 61R20731, parts 1 as shown on Schedule "E" attached to and forming part of this By-law from **Agricultural Exception (A-31.125) to Agricultural Exception (A-31.148)**.
70. THAT Schedule 'A-1' is amended by changing the zoning on the lands described as Part Lot 10 and 11, Concession 10, as shown on Schedule "F" attached to and forming part of this By-law from **Agricultural Exception (A-31.79) to Agricultural**.
71. THAT Schedule 'A-1' is amended by changing the zoning on the lands described as Part Lot 15, Concession 9, as shown on Schedule "G" attached to and forming part of this By-law from **Agricultural Exception (A-31.182) to Agricultural**.
72. THAT Schedule 'A-1' is amended by changing the zoning on the lands described as Part Lot 17, Concession 4, as shown on Schedule "H" attached to and forming part of this By-law from **Agricultural Exception (A-31.141) to Agricultural**.
73. THAT Schedule 'A-1' is amended by changing the zoning on the lands described as Part Lot 15, Concession 6, as shown on Schedule "I" attached to and forming part of this By-law from **Agricultural Exception (A-31.188) to Agricultural**.
74. THAT Schedule 'A-1' is amended by changing the zoning on the lands described as Part Lot 22,

Concession 16, as shown on Schedule “J” attached to and forming part of this By-law from **Agricultural Exception (A-31.186) to Agricultural.**

75. THAT Schedule ‘A-1’ is amended by changing the zoning on the lands described as Part Lot 7, Concession 9, as shown on Schedule “K” attached to and forming part of this By-law from **Agricultural Exception (A-31.116) to Agricultural.**

76. THAT Schedule ‘A-1’ is amended by changing the zoning on the lands described as Part Lot 4, Concession 12, as shown on Schedule “L” attached to and forming part of this By-law from **Agricultural Exception (A-31.209) to Agricultural.**

77. THAT Schedule ‘A-1’ is amended by changing the zoning on the lands described as Part Lot 19, Concession 1, as shown on Schedule “M” attached to and forming part of this By-law from **Agricultural Exception (A-31.241) to Agricultural.**

78. THAT Schedule ‘A-1’ is amended by changing the zoning on the lands described as Part Lot 17, Concession 15, as shown on Schedule “N” attached to and forming part of this By-law from **Agricultural Exception (A-31.127) to Agricultural.**

79. THAT Schedule ‘A-1’ is amended by changing the zoning on the lands described as Part Lot 2, Concession 13, as shown on Schedule “O” attached to and forming part of this By-law from **Agricultural Exception (A-31.107) to Agricultural.**

80. THAT Section 31 Exception Zone, be amended by deleting the text of site specific **31.7** in its entirety and replacing it with the following:

31.7 Surplus Farm Dwelling properties	Notwithstanding any other section of this by-law to the contrary, a residential dwelling shall be prohibited in this zone. Other agricultural uses, that are not accessory to a dwelling, are permitted. This restriction is a result of the subject lands obtaining a surplus farm dwelling severance to remove the existing dwelling from the overall farm parcel. It is intended to ensure that the lands are only used for agricultural purposes.
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81. THAT Schedule “A” Map 1 - Mapleton By-law 66-01 is amended by changing the zoning on lands described in the chart below and as further identified on the corresponding Schedules forming part of this By-law to **A-31.7 and A:**

Property Description/Location	Zoning Change	Schedule attached to and forming part of the By-law
Pt Lots 18 & 19 Conc. 9	Rezone from A-31.51 to A-31.7	aa
Pt Lots 18 & 19, Conc. 17	Rezone from A-31.219 to A-31.7	bb
Pt Lots 2 & 3, Conc. 17	Rezone from A-31.230 to A-31.7	cc
Pt Lot 4, Conc. 18 & 19	Rezone from A-31.231 to A-31.7	dd
West Pt Lot 15, Conc. 14	Rezone from A-31.238 to A-31.7 Rezone from A-31.239 to A	ee
Pt Lot 15, Conc. 14	Rezone from A-31.238 to A-31.7	ff
Pt Lot 10, Conc 7	Rezone from A-31.247 to A-31.7	gg
Pt Lot 19, Conc. 14	Rezone from A-31.254 to A-31.7 Rezone from A-31.255 to A	hh

Pt Lots 18 & 19, Con 15	Rezone from A-31.257 to A-31.7 Rezone from A-31.258 to A	ii
Pt Lot 10, Con A	Rezone from A-31.263 to A-31.7 Rezone from A-31.262 to A	jj
Pt Lot 2, Con A	Rezone from A-31.266 to A-31.7	kk
Pt Lot 12, Con 8	Rezone from A-31.268 to A-31.7	ll
Pt Lot 10, Con 14	Rezone from A-31.278 to A-31.7 Rezone from A-31.279 to A	mm
Pt Lots 4 & 5, Con 13	Rezone from A-31.287 to A-31.7	nn
Pt Lots 12 & 13, Con A	Rezone from A-31.292 to A-31.7	oo
Pt Lot 5, Con 11	Rezone from A-31.299 to A-31.7	pp
Pt Lot 11, Con 10	Rezone from A-31.312 to A-31.7	qq
Pt Lot 1, Con 8	Rezone from A-31.320 to A-31.7 Rezone from A-31.321 to A	rr

82. THAT Section 31 Exception Zone, be amended by deleting the following site specific Zones in their entirety:

31.79	31.241	31.238
31.182	31.127	31.239
3.141	31.107	31.247
31.188	31.51	31.254
31.186	31.219	31.255
31.116	31.230	31.257
31.209	31.231	31.258
31.262	31.263	31.266
31.268	31.278	31.279
31.287	31.292	31.299
31.312	31.320	31.321

83. THAT except as amended by this By-law, the land as shown on the attached Schedules shall be subject to all applicable regulations of the Township of Mapleton Zoning By-law 2010-080, as amended.
84. THAT upon enactment of this Township Comprehensive Zoning Bylaw Housekeeping Amendment by Council, site specific Zoning By-law Amendment and Minor Variance applications will continue to be received, processed and considered by Council and the Committee of Adjustment.
85. THAT this By-law Amendment shall come into effect upon the final passing thereof pursuant to Section 34(21) and Section 34(22) of The Planning Act, R.S.O., 1990, as amended, or where applicable, pursuant to Sections 34(30) and (31) of the Planning Act, R.S.O., 1990, as amended.

READ a first, second and third time and passed this day of , 2019.

Mayor Gregg Davidson

Clerk Barb Schellenberger

EXPLANATORY NOTE

BY-LAW NUMBER 2010-080

THE PURPOSE AND EFFECT OF THE ZONING BY-LAW AMENDMENT is to provide for “housekeeping” changes to the Comprehensive Zoning By-law as itemized below:

- i) General typographical and mapping corrections.
- ii) Add and update definitions, including clarifying the definition of street, building and swimming pool.
- iii) Clarification of text for regulations such as air conditioner units, tarped/coverall structures, Outdoor display, temporary sales trailer, NE zone setbacks.
- iv) Amend provisions for accessory structures, including increasing the size and height.
- v) Include new provisions for lots created as surplus farm dwelling to recognize lot size.
- vi) Include new provisions to permit an accessory dwelling unit on a rural lot.
- vii) Modify parking requirements for aisle, access width and barrier free and add criteria for parallel and angled parking requirements.
- viii) Modify barrier free/accessibility parking.
- ix) Amend minimum front yard, interior and exterior side yard setbacks in residential zones.
- x) Amend minimum lot area and frontage in residential zones.
- xi) Remove and/or amend site specific exemptions for expired garden suites, redundant restrictions and general adjustments.
- xii) Amend minimum distances between townhouses and apartments.
- xiii) Amend permitted uses within the Future Development zone to existing uses only.



NOTICE OF A PUBLIC MEETING FOR AN AMENDMENT TO THE MAPLETON ZONING BY-LAW AND NOTICE OF COMPLETE APPLICATION ZBA 2019-12

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:

Tuesday, October 8, 2019
Mapleton Township Municipal Offices
Council Chambers
7275 Sideroad 16
7:00 p.m.

Location of the Subject Land

The property subject to the proposed amendment is legally described as Part Lot 135, Plan 134 (Peel) with a civic address of 3 Peel Street West, Alma. The property is approximately 673.30 m² (0.16 acres) in size and occupied by a single commercial/residential structure. 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 subject lands to permit the sale of alcohol and bottle returns in the existing convenience store through a partnership with the Liquor Control Board of Ontario (LCBO). Additional relief may be considered at this meeting.

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 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

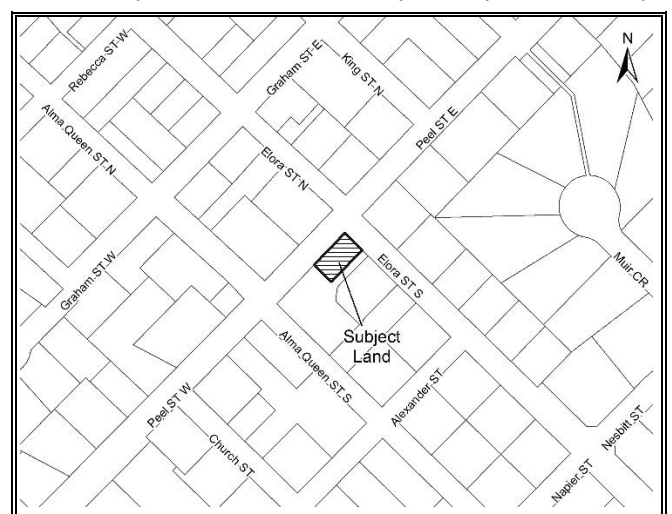
For more information about this matter, including information about appeal rights, please contact or visit the Municipal Office at the address shown below. O. Reg. 470/09, s. 2: 179/16, s. 2

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 18th day of September 2019.

Barb Schellenberger, Clerk
Township of Mapleton
7275 Sideroad 16
Drayton ON N0G1P0
Phone: 519.638.3313 Ext.23
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

ZBA2019-12	OWNER: 2664897 Ontario Inc., c/o Patel, Dhruvin 3 Peel Street West Alma ON N0B 1A0	SUBJECT LAND: Plan 134 Part Lot 135 Alma CIVIC ADDRESS: 3 Peel Street West, Alma
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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 September 18, 2019
- Proper postings were completed on September 18, 2019
- Public Notice was placed in the September 26, 2019 issue of the Drayton Community News.
- Grand River Conservation Authority comments dated September 18, 2019 state no objection.
- Planner's comments dated September 30, 2019 and prepared by Senior Planner Michelle Innocente were also received.
- CBO P. Wright comments dated September 25, 2019 were received and included in the agenda package.
- Wellington Source Water Protection Risk Management Inspector E. Vandermuelen comments dated September 25, 2019 were received and included in the agenda package.
- Fire Chief R. Richardson Comments dated September 18, 2019 state no issues.
- Director of Public Works S. Mattina Comments dated September 18, 2019 state no objection or concerns from public works perspective.
- Ratepayer: No concerns or letters of objection were received.

Prepared on October 3, 2019 by
Barb Schellenberger, Municipal Clerk



PLANNING REPORT for the TOWNSHIP OF MAPLETON

Prepared by the County of Wellington Planning and Development Department

DATE: September 30, 2019
TO: Manny Baron, C.A.O.
Township of Mapleton
FROM: Michelle Innocente, Senior Planner
County of Wellington
SUBJECT: **Dhrumin Patel – LCBO Agency Store and Bottle Return
3 Peel Street West, Alma
Zoning By-law Amendment (ZBA 2019-12)**

PLANNING OPINION

The purpose of the proposed amendment is to permit the sale of alcohol and bottle returns in the existing convenience store through a partnership with the Liquor Control Board of Ontario (LCBO). The applicant is proposing to operate the LCBO Agency Store within the existing commercial/residential building on the property.

We have no objections to the proposed amendment and are satisfied that the proposal is consistent with the PPS and is in general conformity with the County of Wellington Official Plan.

Planning Staff have prepared a draft Zoning By-law amendment for Council's consideration which is attached to this report.

INTRODUCTION

The property subject to the proposed amendment is legally described as Part of Lot 135, Plan 134 (Pilkington), with a civic address of 3 Peel Street West. The property is approximately 695 m² (7,479 ft²) in size and has an existing convenience store with apartment above in addition to a seasonal chip wagon (Figure 1: Airphoto).

PROPOSAL

The purpose of the proposed amendment is to rezone the subject lands to permit the sale of alcohol and bottle returns in the existing convenience store through a



Figure 1: Airphoto. Source: County of Wellington 2015

partnership with the Liquor Control Board of Ontario (LCBO). The current zone on the property does not permit the sale of alcohol.

A PLACE TO GROW

The Growth Plan for the Greater Golden Horseshoe, 2019, came into effect on May 16, 2019. The Growth Plan provides growth management policy direction for the GGH, which includes Wellington County. All planning decisions are required to conform to the applicable policies and provisions of the Growth Plan. According to Employment Policy 2.2.5.1 (a), "Economic development and competitiveness in the GGH will be promoted by: making more efficient use of existing employment areas and vacant and underutilized employment lands and increasing employment densities."

PROVINCIAL POLICY STATEMENT (PPS)

All planning decisions are required to be consistent with the applicable provisions of the PPS. Section 1.1.3 identifies settlement areas, including Hamlet Areas such as Alma, as the focus of growth and development, and their vitality and regeneration shall be promoted. Section 1.1.1 b) includes accommodating an appropriate range and mix of residential, employment, recreation, parks and open space, and other uses to meet long-term needs.

COUNTY OFFICIAL PLAN

The subject lands are identified as being located in the Hamlet area of Alma. Section 7.4.1 of the County Plan provides consideration for various uses in hamlet areas including local commercial, small scale industrial, institutional and parks and open space where deemed compatible and where adequate levels of service can be provided.

ZONING BY-LAW

The subject lands are currently zoned Central Commercial (C1) Zone. The applicant is proposing to operate an LCBO Agency Store (sale of alcohol) with associated bottle return within the existing convenience store on subject lands, which is not permitted in the C1 zone.

PLANNING DISCUSSION

Compatibility:

The subject lands are located on Peel Street West in the hamlet area of Alma. Neighbouring uses include: commercial and residential uses. The proposed LCBO Agency Store and associated bottle return is proposed to be located within the existing convenience store (apartment above) on the subject lands. Planning Staff is of the opinion that the proposed LCBO Agency Store and associated bottle return is a similar use to the existing commercial use on site and therefore will be compatible with the surrounding area.

Site Plan Approval:

At this time, there are no alterations proposed to the site.

Draft Zoning By-law:

Planning Staff have prepared a draft site specific by-law that adds the sale of alcohol and a bottle return as additional permitted uses on the property. The draft by-law is attached to this report for public viewing and Council's consideration.

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

Respectfully submitted

County of Wellington Planning and Development Department



Michelle Innocente, RPP
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 135, Plan 134 (Peel)
3 Peel Street West, Alma
ZBA 2019-12

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 changing the zoning on the map forming Schedule 'A-4', as it applies to Part Lot 135, Plan 134 (Peel), with a municipal address of 3 PEet Street West, Alma as illustrated on Schedule 'A' attached to and forming part of this By-law from:

- **Central Commercial (C1) to Central Commercial Exception (C1- 31.328)**

2. THAT Section 31, Exception Zone, is amended by the inclusion of the following new exception:

31.328 PT LT 135, Plan 134 (Peel), 3 Peel Street West, Alma	In addition to the other uses permitted in the Central Commercial (C1) zone, the sale of alcohol and a bottle return is permitted.
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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 , 2019.

Mayor Gregg Davidson

Clerk Barb Schellenberger

THE TOWNSHIP OF MAPLETON

BY-LAW NO _____.

Schedule "A"



Hatched area to be rezoned to a modified "C1-31.328" Zone

Passed this ___ day of _____ 2019.

Mayor Gregg Davidson

Clerk Barb Schellenberger

EXPLANATORY NOTE

BY-LAW NUMBER _____.

SUBJECT LAND

The subject land is legally described as Part Lot 135, Plan 134 (Peel), with a civic address of 3 Peel Street West, Alma. The property is approximately 673 m² (0.16 ac) in size and has an existing commercial/residential structure.

PURPOSE AND EFFECT

The purpose of the amendment is to rezone the subject lands to permit the sale of alcohol and a bottle return in addition to the uses permitted within the Central Commercial (C1) zone.

TOWNSHIP OF MAPLETON

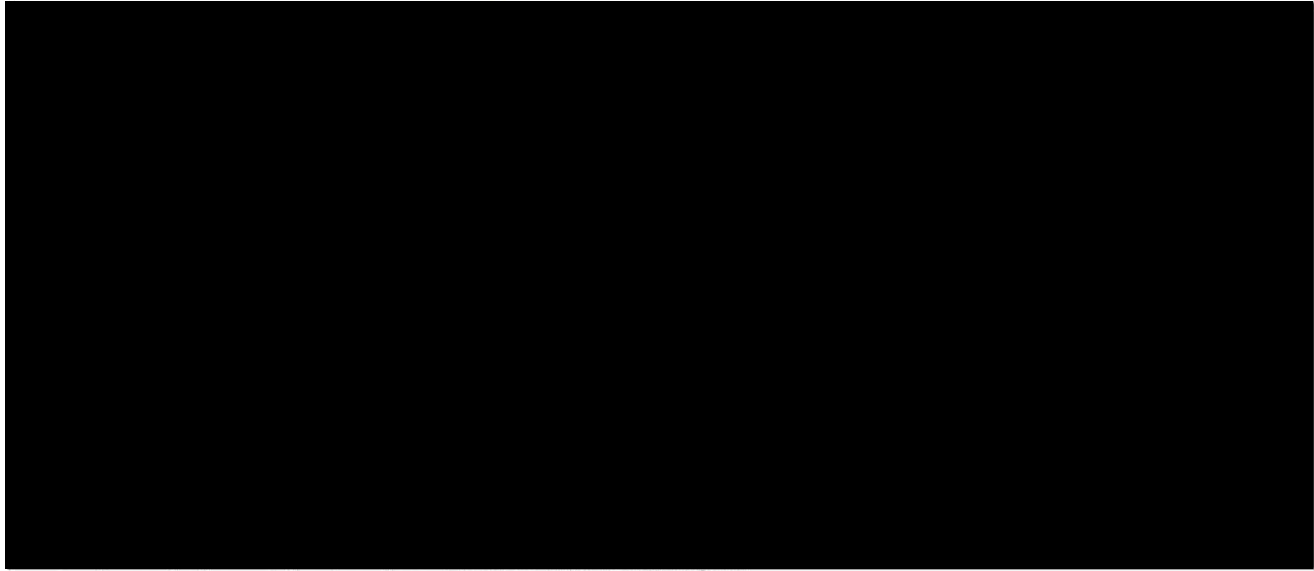
7275 Sideroad 16, P.O. Box 160, Drayton, Ontario N0G 1P0
Phone (519) 638-3313 / Fax (519) 638-5113

FOR OFFICE USE ONLY

DATE RECEIVED: 26 Aug 2019
FILE NO. ZBA 2019-012

APPLICATION for ZONING BY-LAW AMENDMENT

1. Name of Owner(s) DHRUMIN PATEL



4. Description of the lands subject to this application:

Legal Description (lot and concession / Registered Plan and Lot Number):
PART LOT 135 PLAN 134 PILKINGTON ASIS R06 S9294 TOWNSHIP OF MAPLETON
County of Wellington

Further Legal Description (if applicable i.e. Reference Plan and Part Numbers):
Roll No: 23-32-000-015-029-00

Municipal Address (street or fire number): 3 Peck ST W ALMA NOB 1A0

Please circle the appropriate measurement:

Frontage: 62.85 feet / metres
Depth: 119 feet / metres
Area: 7479 acres / hectares 59 FT

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

Presently its A C1 zone AND we are requesting Amendment so present
business can sell ALCOHOL WITH PARTNERSHIP OF LCBO.

6. Explain why the rezoning is being requested:

IN C1 ZONE WE CANT SELL ALCOHOL THATS WHY WE NEED C1 WITH SPECIAL APPROVAL.
to Sell Alcohol.

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. *N/A*

Proposed Structure: _____
(i.e. new/addition to livestock facility, manure storage area, new/addition to dwelling)

Required Distance	Actual Distance
_____	_____
_____	_____
_____	_____
_____	_____

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.

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:

* Cowbessence store _____
 * Apartment Above store _____

13. How long has the above use continued on the subject lands? 20 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.

** PLEASE REFER TO THE SKETCH **

Type	
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	
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	
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	
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	
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:

* LC B0 Agency Retail

* IN ADDITION to PRESENT RETAIL USE

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

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.

*

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

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

Type	
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? Dec 1st 2018

19. Current designation of the subject land in the County of Wellington Official Plan is:
C1 (HAMLET)

20. How does the proposed zoning amendment application conform with the Official Plan?

COMMERCIAL ~~USE~~ USES ARE PERMITTED.

21. How is the proposed zoning amendment application consistent with policy statements issued under subsection 3 (1) of the Planning Act?

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:

 C1

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 type="checkbox"/>	<input checked="" type="checkbox"/>
Minor Variance	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Severance	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Plan of Subdivision	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Site Plan Control	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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, _____ hereby authorize _____

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

Dated at the _____ of _____ this _____ day
of _____, 20____.

Witness's Signature

Signature of Owner(s)

Witness's Signature

Signature of Owner(s)

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

I, DHARMIN PATEL of the MAPLETON
(Township / City)

In the Wellington 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 _____ of Mapleton in the _____
(Township/City) (County/Region)

of Wellington, this 26 day of Aug, 2019.

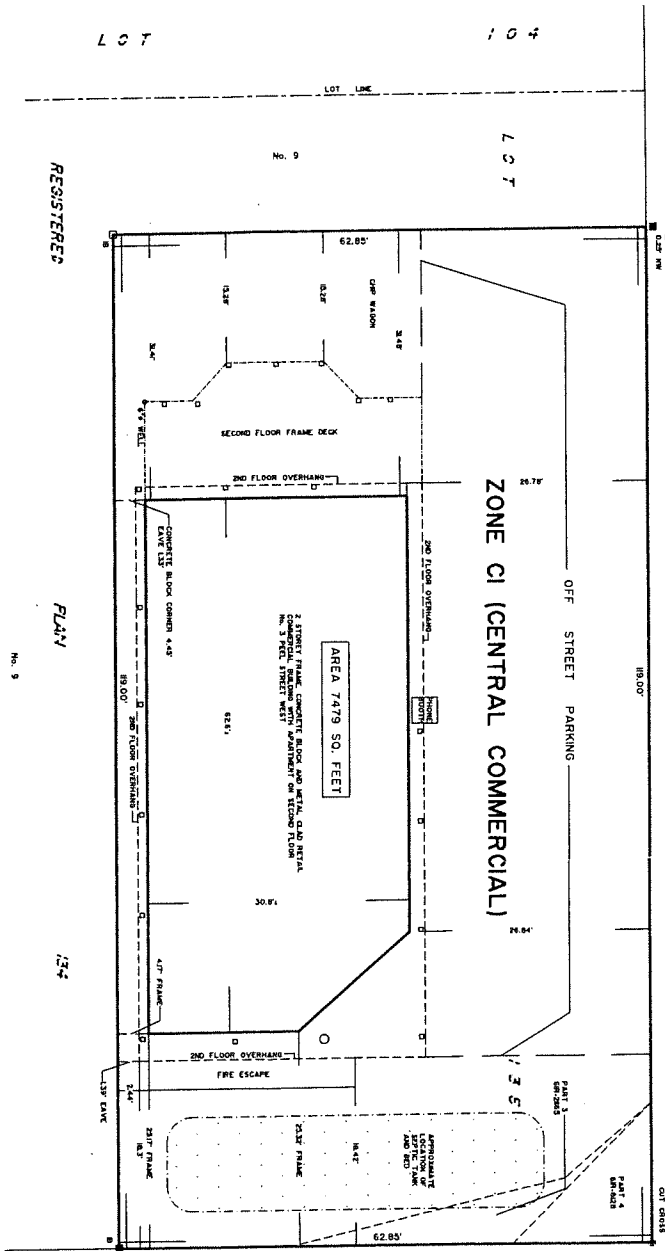
Signature of Applicant(s)
(Owner or Authorized Agent)

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

Barbara Schellenberger, a Commissioner etc.,
County of Wellington, while Clerk of
The Corporation of the Township of
Mapleton.

BSchellenberger
A Commissioner, etc

WELLINGTON ROAD 17 (PEEL STREET WEST)



REGISTERED

PLAN

No. 9

NOTE: DIMENSIONS SHOWN ON THIS PLAN ARE IN FEET AND CAN BE CONVERTED TO METRES BY MULTIPLYING BY 0.3048

Graham Surveys
DEREK G. GRAHAM LIMITED
 PROFESSIONAL LAND SURVEYING
 LAND USE PLANNING
 7414 CONROBE STREET EAST
 P.O. BOX 295
 ELDON, ONTARIO
 (905) 845-5233 (TELEPHONE)
 (905) 845-5205 (FACSIMILE)

SKETCH TO ILLUSTRATE
 PART OF LOT 135
 REGISTERED PLAN 134
 TOWNSHIP OF MAPLETON
 (FORMERLY VILLAGE OF ALMA TOWNSHIP OF PILKINGTON)
 COUNTY OF WELLINGTON

SCALE: 1 INCH = 10 FEET
 DEREK GIBSON GRAHAM
 PROFESSIONAL SURVEYOR

THIS IS NOT A PLAN OF SURVEY

PREPARED FOR DHRU PATEL

PER:	PROFESSIONAL SURVEYOR
ACRD DATE:	AUGUST 23, 2009
FILE:	29 - 134 ALVA
NOTE:	VALID COPY WITH EMBOSSED SEAL ONLY SEAL

From: Patty Wright <PWright@mapleton.ca>
Sent: Wednesday, September 25, 2019 3:02 PM
To: Barb Schellenberger <BSchellenberger@mapleton.ca>
Subject: ZBA 2019-12 Dhruvin Patel

The building department has no concerns regarding the above noted ZBA.



Patty Wright CBCO, CPSO, CMM III
CHIEF BUILDING OFFICIAL

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



From: Rick Richardson <RRichardson@mapleton.ca>
Sent: Wednesday, September 18, 2019 1:58 PM
To: Barb Schellenberger <BSchellenberger@mapleton.ca>
Subject: RE: ZBA2019-12 (2664897 Ontario Inc., 3 Peel Street West, Alma)

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 20
mapleton.ca



From: Laura Warner <lwarner@grandriver.ca>
Sent: Wednesday, September 18, 2019 10:58 AM
To: Barb Schellenberger <BSchellenberger@mapleton.ca>
Subject: RE: ZBA2019-12 (2664897 Ontario Inc., 3 Peel Street West, Alma)

Hi Barb,

The GRCA has no concerns with the subject application as the property is located outside our regulated area.

Kind regards,
Laura



Laura Warner | Resource Planner
Grand River Conservation Authority
400 Clyde Road, Cambridge ON N1R 5W6
P: (519) 621-2763 x 2231 | F: (519) 621-4844
lwarner@grandriver.ca | www.grandriver.ca

From: Sam Mattina <SMattina@mapleton.ca>
Sent: Wednesday, September 18, 2019 12:07 PM
To: Barb Schellenberger <BSchellenberger@mapleton.ca>
Subject: RE: ZBA2019-12 (2664897 Ontario Inc., 3 Peel Street West, Alma)

Hi Barb;

No objection or concerns from a Public Works perspective.



Sam Mattina C.E.T., CMM III
DIRECTOR OF PUBLIC WORKS

Township of Mapleton
7275 Sideroad 16, Drayton, ON
519.638.3313 x 41
mapleton.ca



From: Source Water <sourcewater@centrewellington.ca>
Sent: Wednesday, September 25, 2019 3:01 PM
To: Barb Schellenberger <BSchellenberger@mapleton.ca>
Subject: RE: ZBA2019-12 (2664897 Ontario Inc., 3 Peel Street West, Alma)

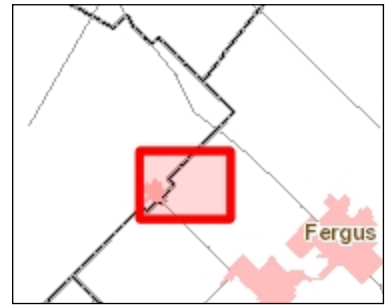
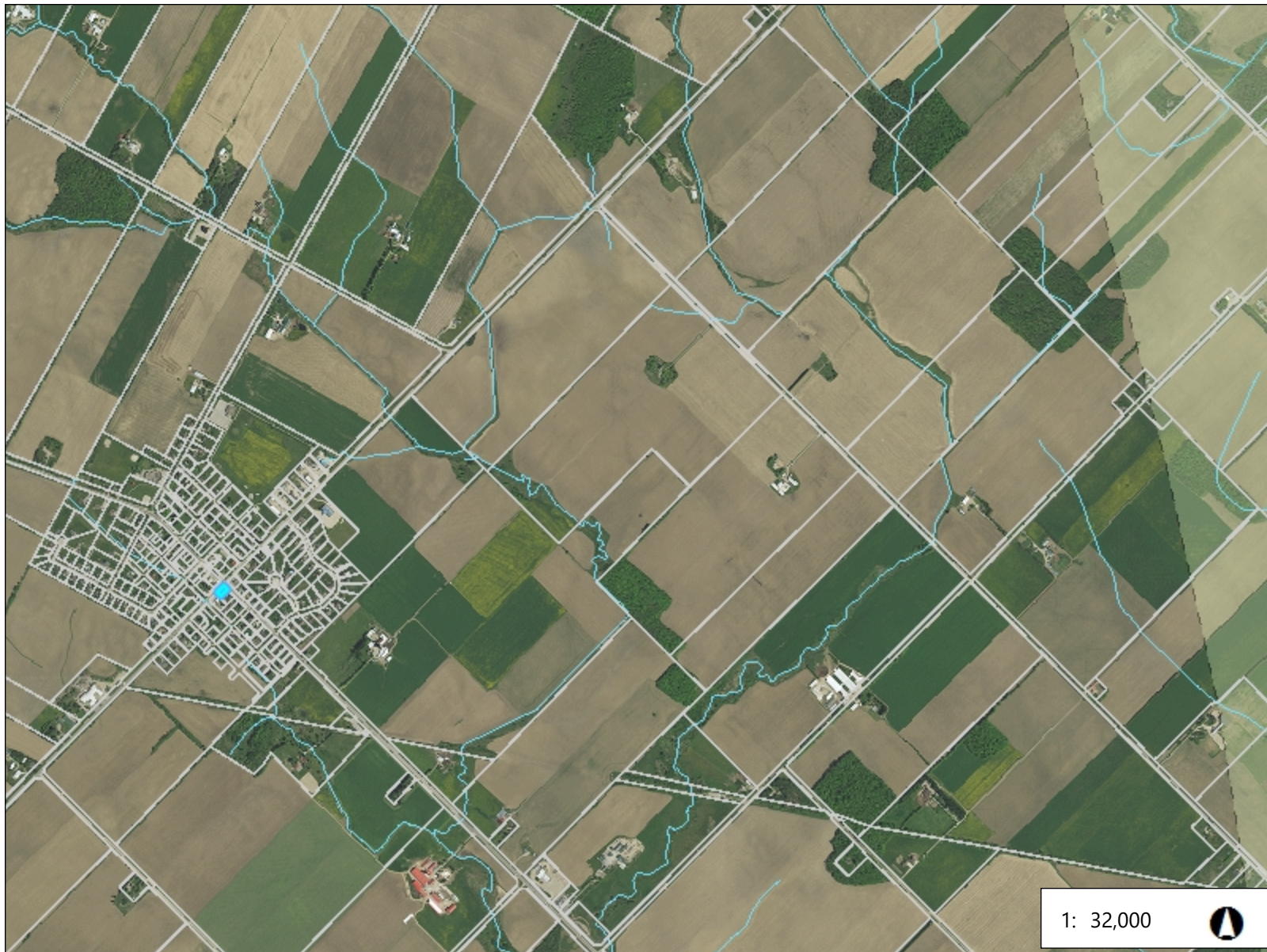
Thank you for providing the above referenced application for review. Since this property is **not** located in a vulnerable area (wellhead protection area, issues contributing area, intake protection zone etc.), the application can be screened out and it does not require a Section 59 notice under the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



Fergus

Legend

- Parcels
- Waterbodies
- Watercourses
- Well Locations
- Wellhead Protection Area Bou
 - A
 - B
 - C
 - D
- Vulnerability Score
 - 10
 - 8
 - 2, 4, 6 (A, B or C)
 - 2, 4, 6 (D)
- RoadsLookup

1: 32,000

1.6 0 0.81 1.6 Kilometers



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Produced using information under License with the Grand River Conservation Authority. Copyright © Grand River Conservation Authority, 2016.

THIS IS NOT SURVEY DATA. Parcels - Teranet 2002, Wellington County 2018

Notes

Item 7.1
October 8, 2019



Township of Mapleton

Asset Management – Council Presentation

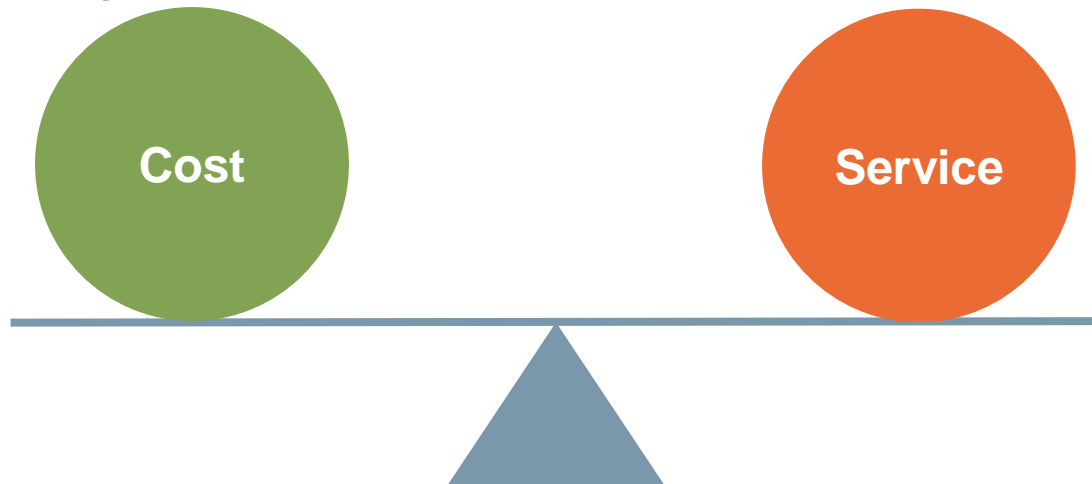
October 8, 2019



Introduction

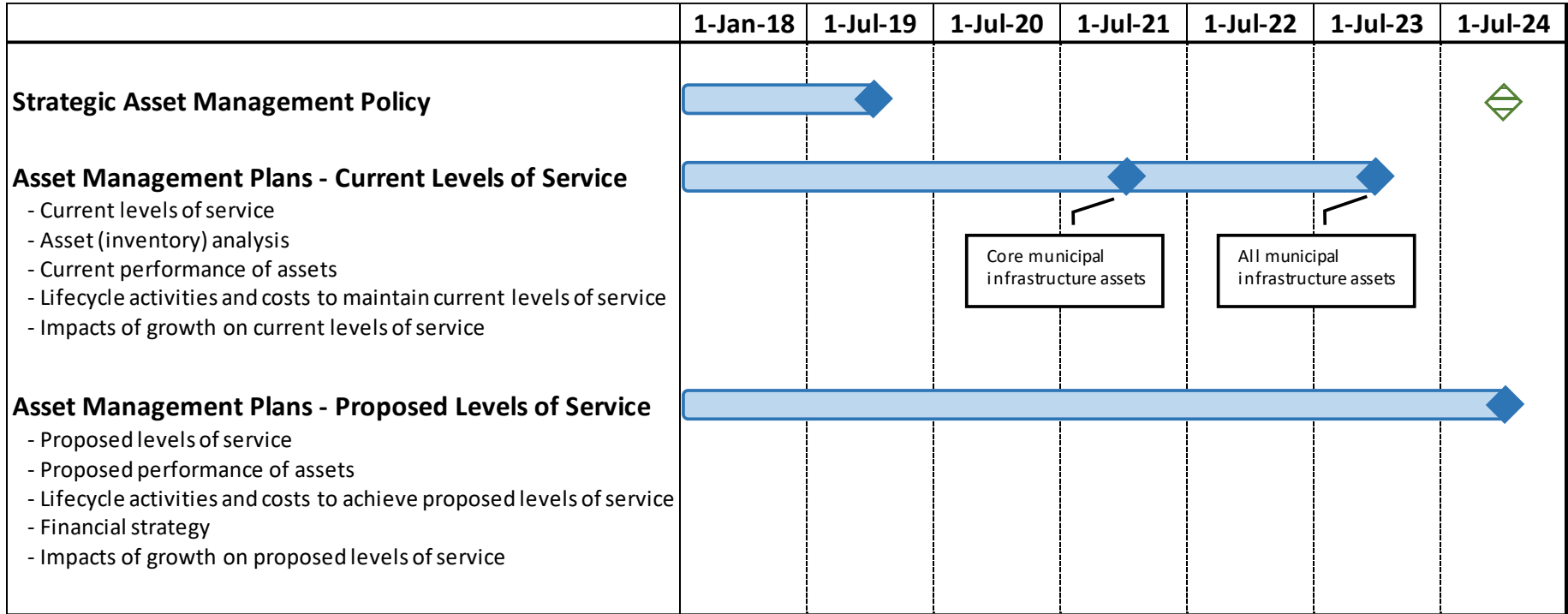
Asset Management – what is it?

- **Assets** – things that provide value to the municipality and its stakeholders
- **Asset Management** – “the set of planned actions that will enable the assets to provide the desired level of service in a sustainable way, while managing risk, at the lowest lifecycle cost”
- Balancing **lifecycle costs** and **levels of service**



Introduction

Ontario Regulation 588/17



Deadline for completion
 Update



Introduction

Presentation Objectives

With a focus on Core Infrastructure assets:

- Define Levels of Service (LoS)
- Provide overview of the state of local infrastructure
- Introduce lifecycle management strategy inputs
- Review preliminary forecast of funding needs
- Discuss data gaps and next steps

Summary of Core Assets

Tax supported assets



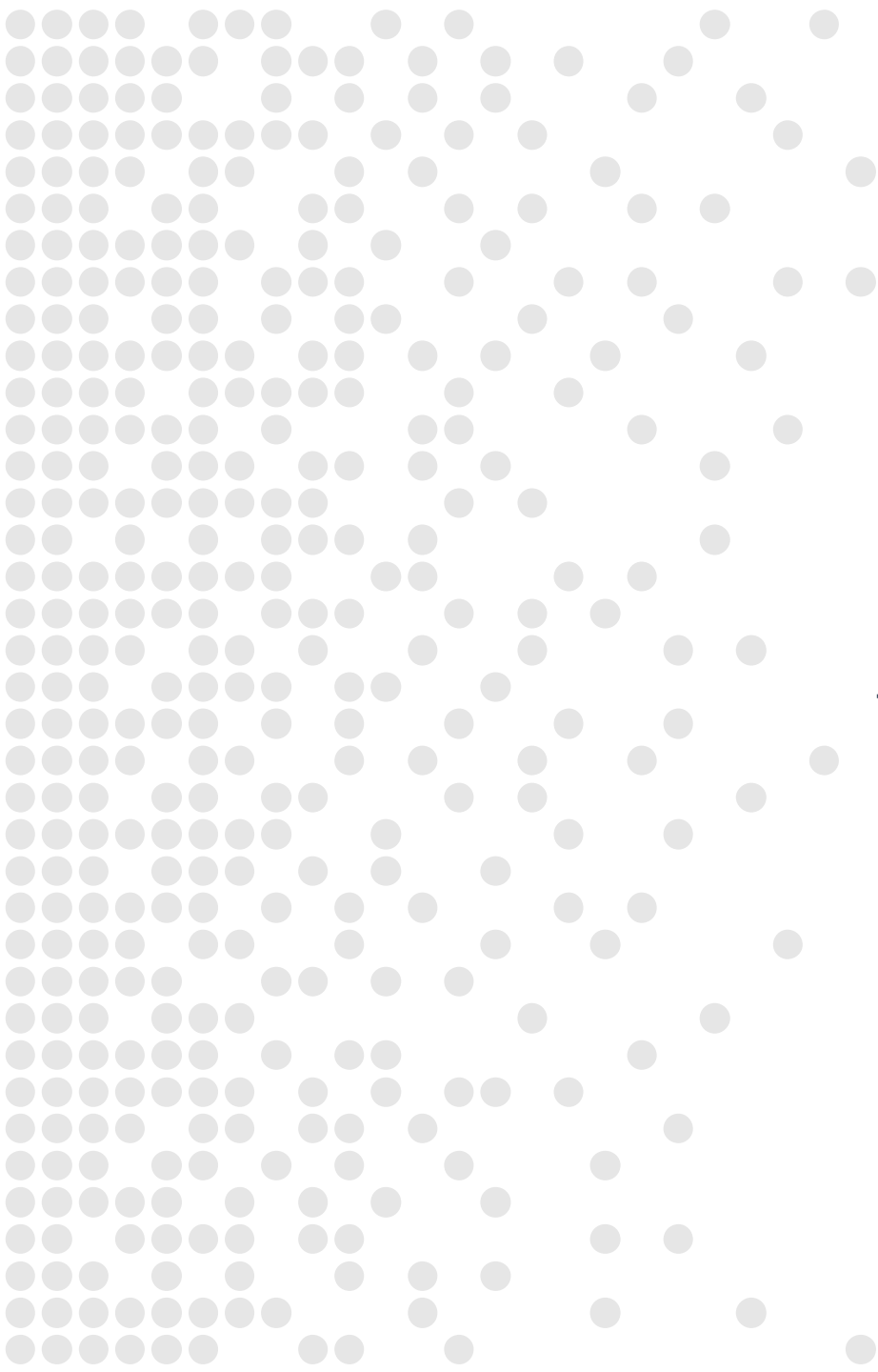
Asset class	Quantity	Replacement Value (2019\$)
Roads		
HCB	202.4 km	166,370,058
LCB	9.8 km	5,248,883
G/S	163.3 km	83,490,151
Bridges & culverts		
Bridges	49	56,464,334
Culverts	26	14,319,820
Stormwater		
Mains	8.7 km	2,002,208
Catch basins	181	418,691
Manholes	150	652,666
Total		328,966,811

Summary of Core Assets

Rate supported assets



Asset class	Quantity	Replacement Value (2019\$)
Water		
Facilities	13	2,534,738
Mains	17.8 km	4,341,083
Service connections	896	1,839,497
Hydrants	72	541,302
Blow-off valves	5	6,634
Wastewater		
Treatment facilities	4	6,506,887
Pump stations	2	1,108,255
Gravity mains	16.3 km	3,027,598
Forcemains	6.9 km	1,331,762
Manholes	172	1,454,855
Grinder pumps	164	997,251
Service connections	897	1,766,694
Total		25,456,556



Roads



Prescribed LoS (Ontario Regulation 588/17)

Roads



Service Attribute	Community LoS (qualitative descriptions)	Technical LoS (technical metrics)
Scope	Description, which may include maps, of the road network in the municipality and its level of connectivity.	Number of lane-kilometres of each of arterial roads, collector roads and local roads as a proportion of square kilometres of land area of the municipality.
Quality	Description or images that illustrate the different levels of road class pavement condition.	Paved roads - average pavement condition index value. Unpaved roads - average surface condition (e.g. excellent, good, fair or poor).

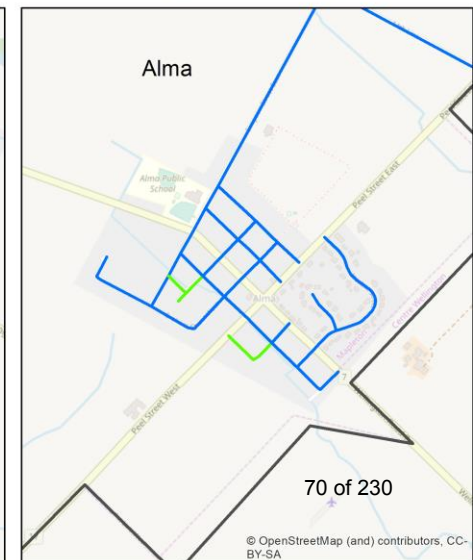
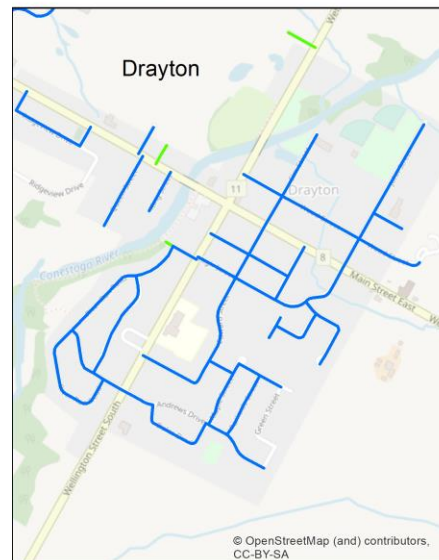
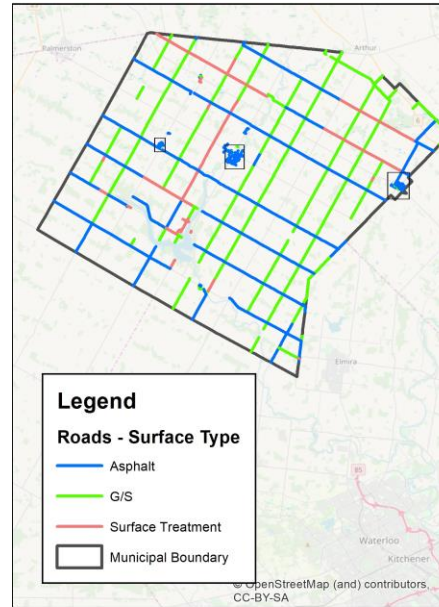


Community LoS

Extent and Characteristics of Road Network

- Mapleton is responsible for 375.5 kilometers of road.

Surface Type	Centreline Kilometres	Replacement Cost (2019\$ - millions)
HCB	202.4	166.4
LCB	9.8	5.2
G/S	163.3	83.5
Total	375.5	255.1



Technical Los

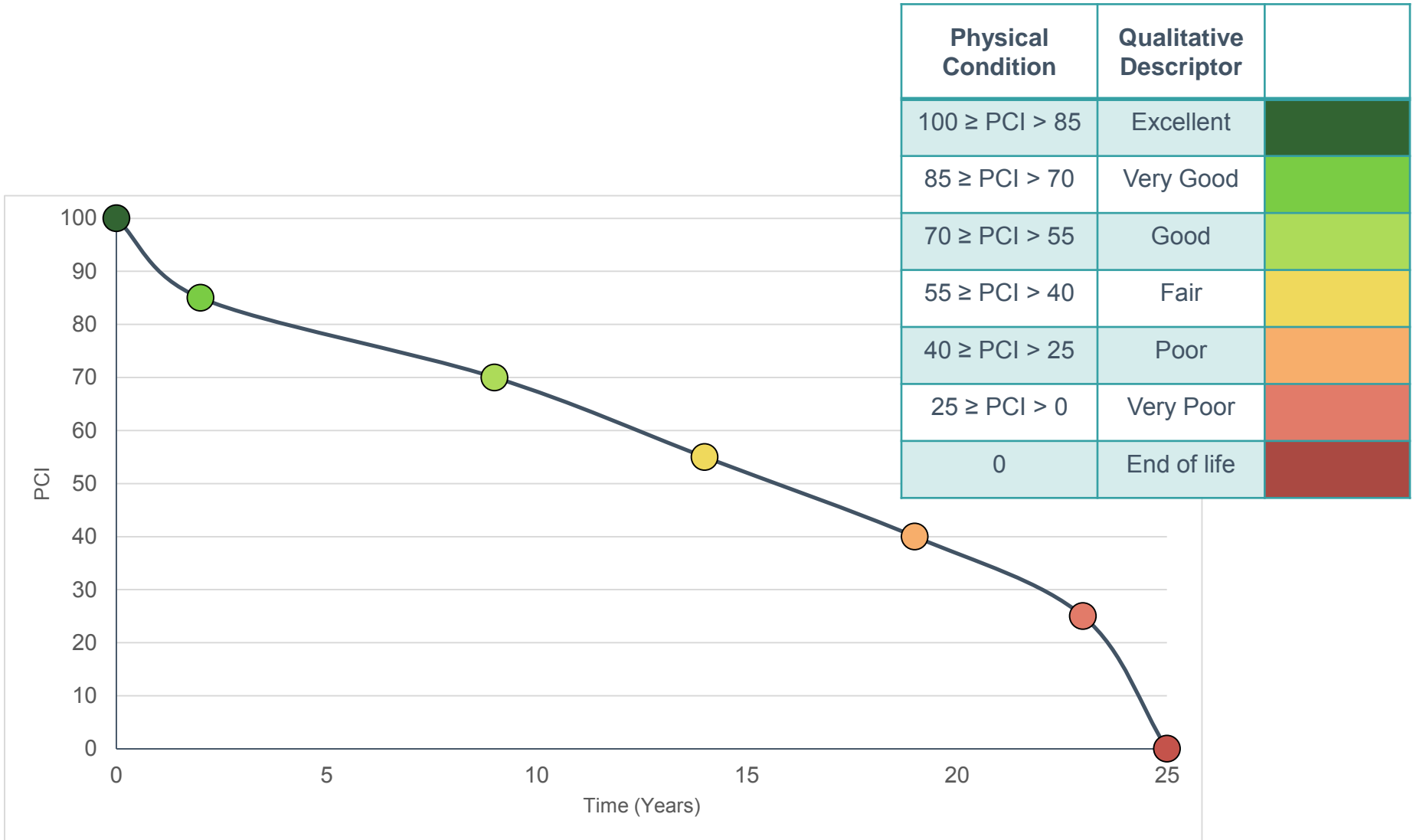
Roads



- Road condition based on the Township's 2016 Road Needs Study (RNS)
 - RNS established a Pavement Condition Index (PCI) for each road segment
 - PCI represents an overall measure of road condition, and is a combination of the following:
 - Distress Manifestation Index
 - Ride Comfort Rating

Technical LoS

Asset Degradation - Roads



Technical LoS

Roads



- Road condition is an assessed score (0 through 100) that evaluates the percentage of the road surface that is exhibiting distress

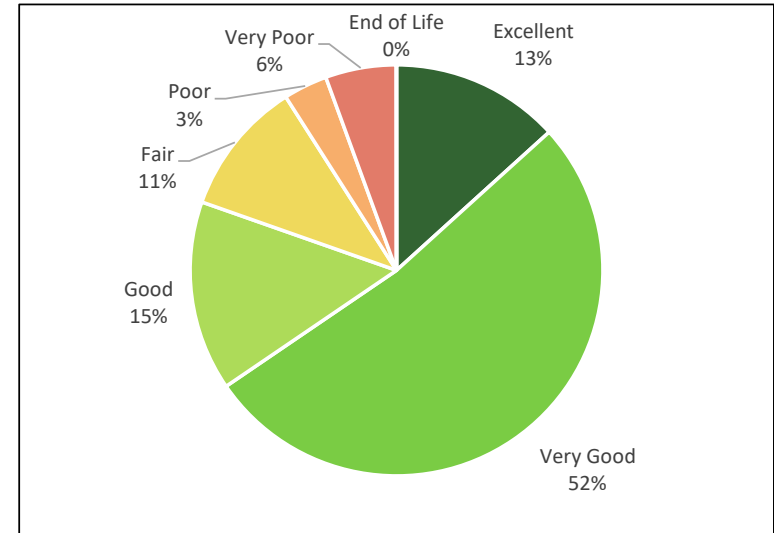


Technical LoS

Roads



- Based on data from the 2016 Roads Needs Study,
 - Weighted average conditions are higher than the reconstruction threshold at a PCI of 25.
 - Some road segments fall below the reconstruction threshold.



Surface Type	Centre-Line km	Avg. Weighted Condition	Centreline km Less Than Minimum (PCI of 25)	% of Centreline km Less Than Minimum
HCB	202	71.2	0.043	0.02%
LCB	10	48.4	1.0	10.0%
Unpaved	163	71.1	19.9	12.2%
Total	375	70.6	20.9	5.6%

Lifecycle Management Strategy

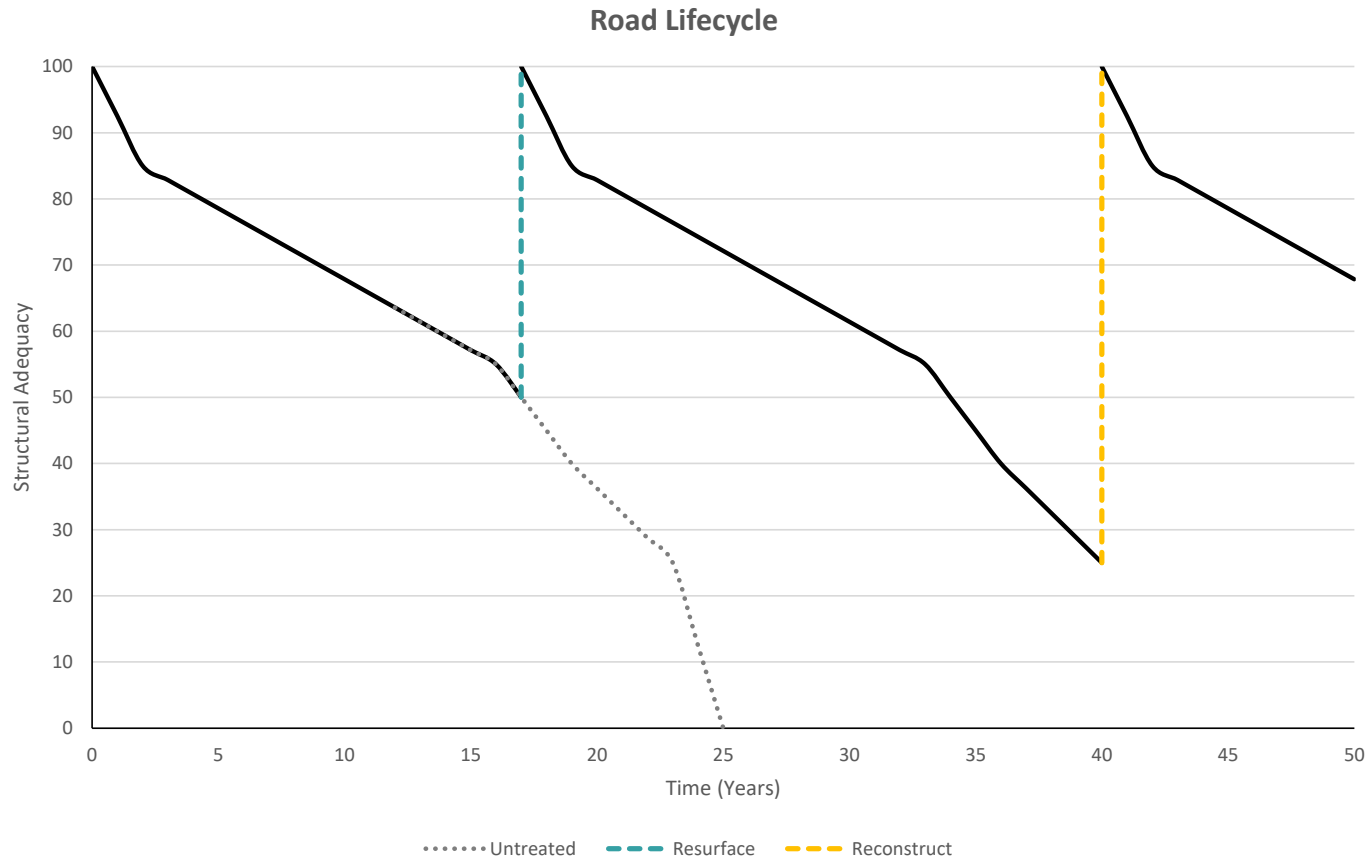
Roads



- HCB Roads
 - Single overlay (55 mm)
 - Double overlay (110 mm)
 - Reconstruct
- LCB Roads
 - Single Lift Surface Treatment
 - Double Lift Surface Treatment
 - Reconstruction
- Gravel Roads
 - Reconstruct

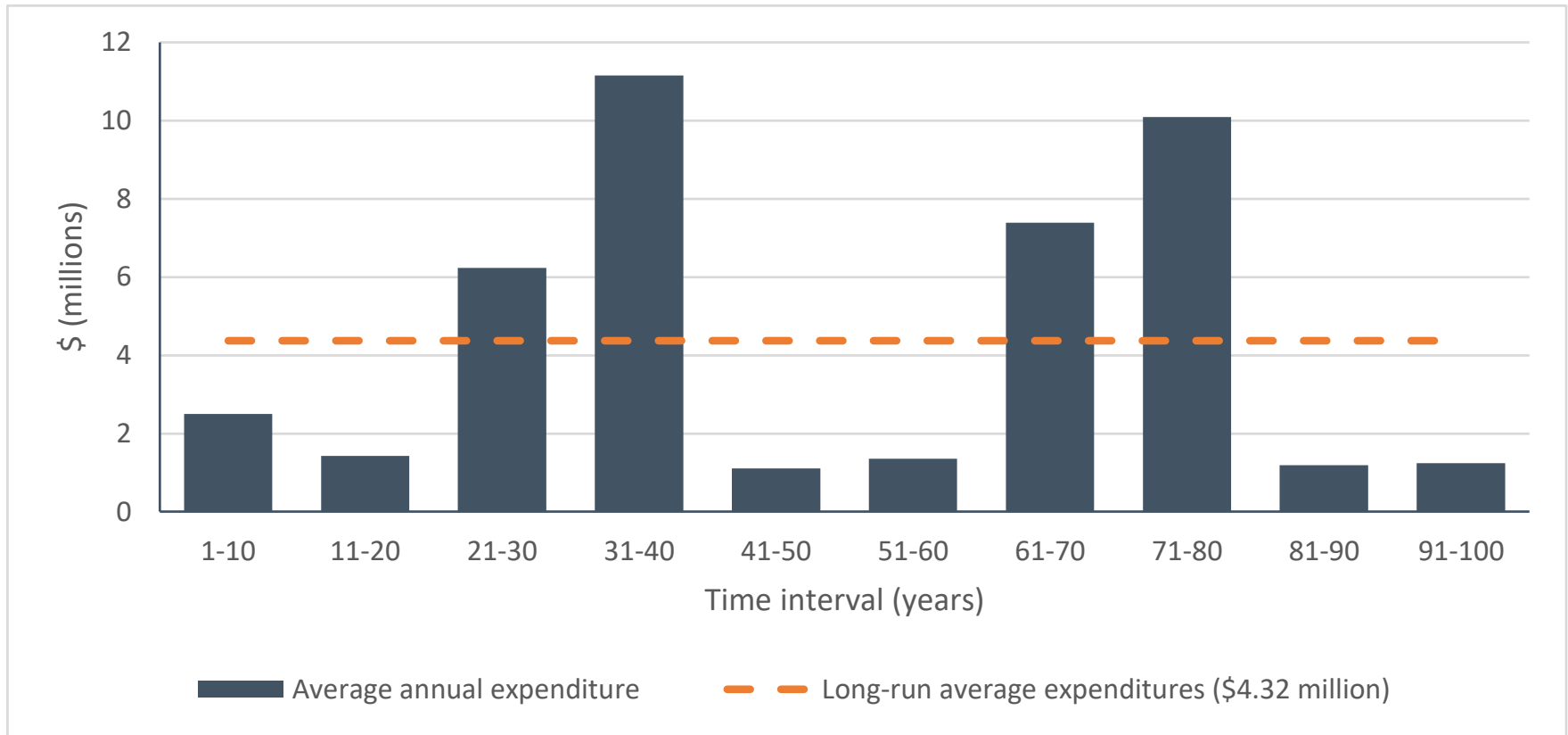
Lifecycle Management Strategy Example

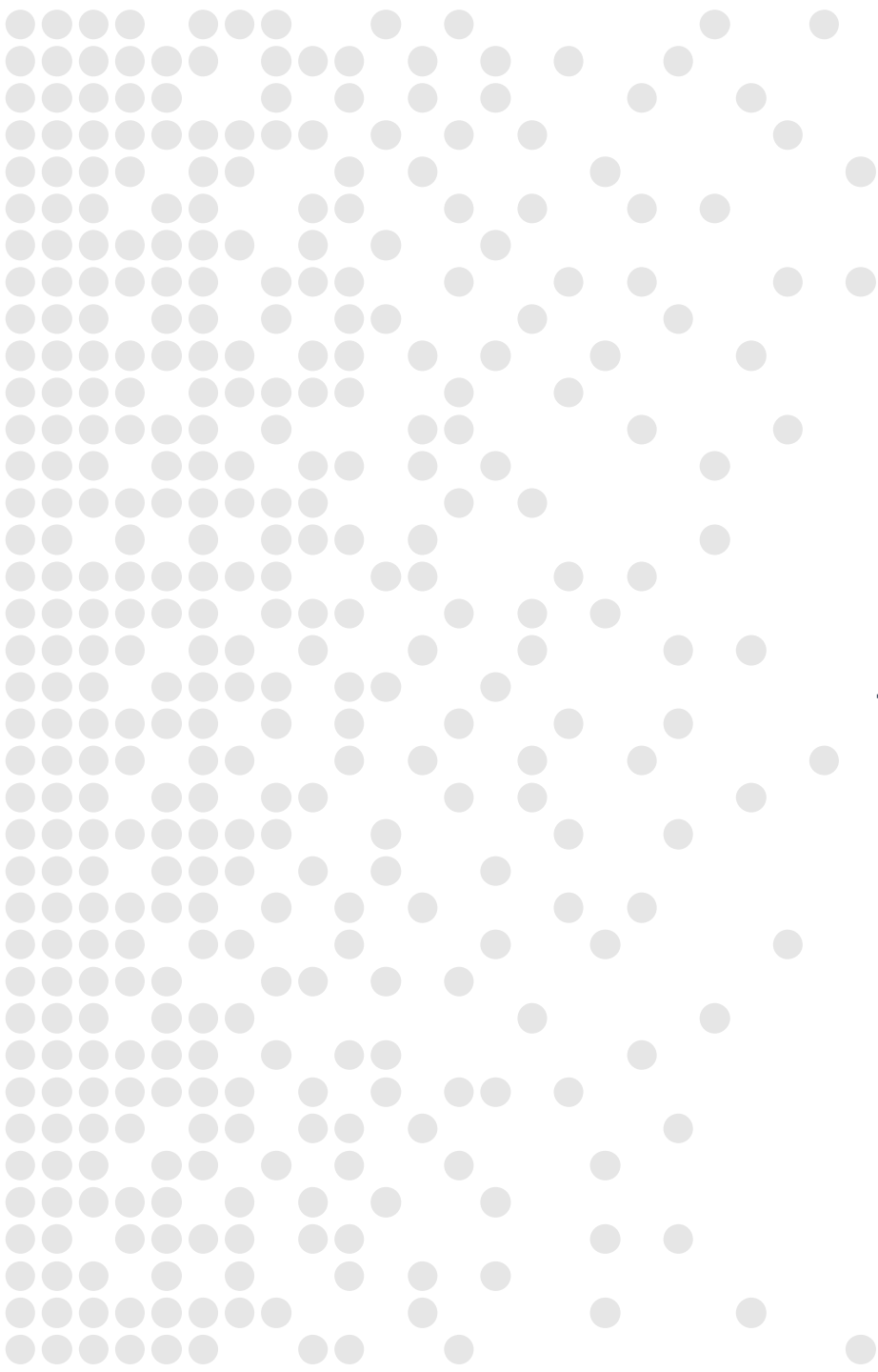
Roads



Lifecycle Modelling - Roads

Average annual funding needs by decade





Other Core Assets



Technical LoS

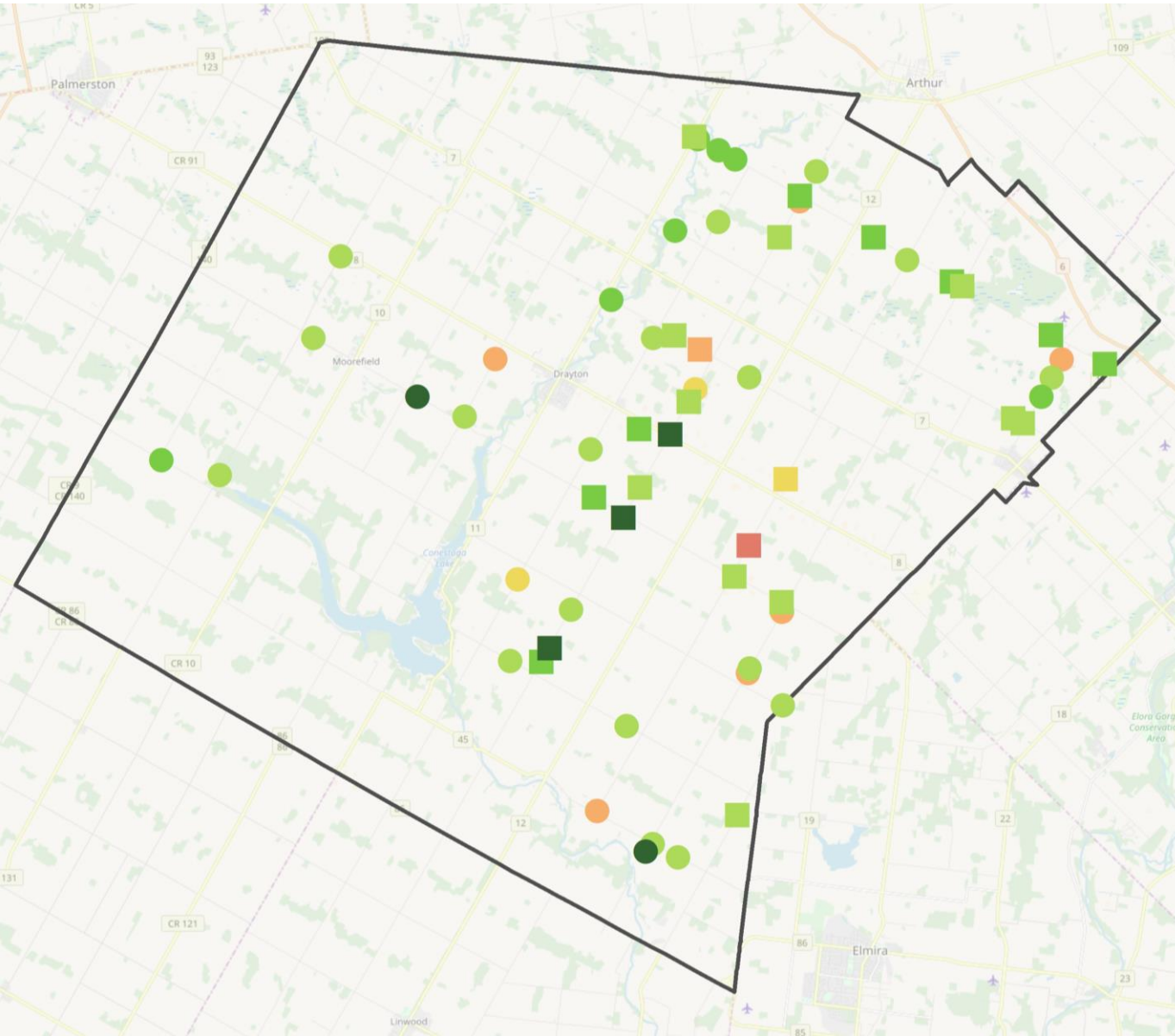
Bridges & Culverts

- The Bridge Condition Index is used to evaluate the condition of bridges and culverts.

Bridge Condition Index	Qualitative Descriptor	
100	Brand New	
85	Very Good	
70	Good	
55	Fair	
40	Poor	
25	Very Poor	
0	End of Life	

Technical Los

Bridges & Culverts



Legend

Bridges

- Very Poor
- Poor
- Fair
- Good
- Very Good
- Excellent

Culverts

- Very Poor
- Poor
- Fair
- Good
- Very Good
- Excellent

Municipal Boundary



Technical LoS

Age-based Assets

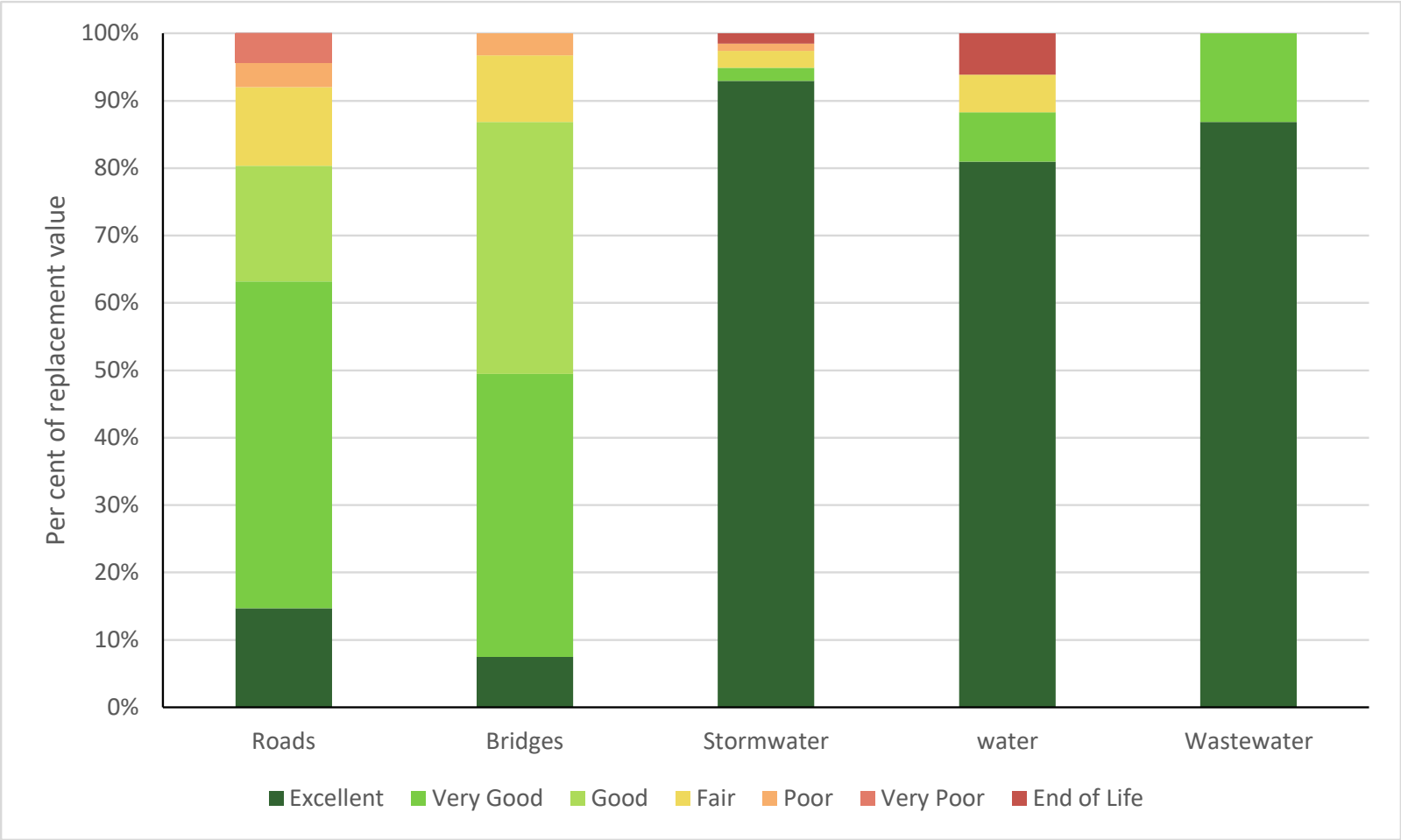
- The remaining Core Infrastructure assets (Water, Wastewater, and Stormwater assets) have not had their condition assessed
- Therefore, this iteration of the Asset Management Plan will use Percentage of Remaining Useful life as a proxy for condition.
- Percentage of Remaining Useful Life (% RUL) is mapped to qualitative descriptors as shown.

% RUL	Qualitative Descriptor	
100	Excellent	
35	Very Good	
22	Good	
15	Fair	
8	Poor	
4	Very Poor	
0	End of Life	



LoS Summary and Funding Needs Analysis

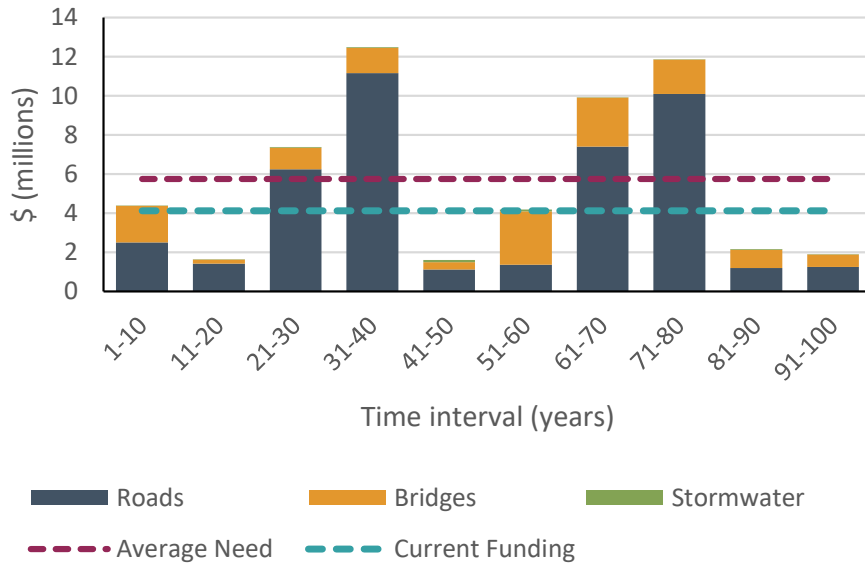
LoS Summary



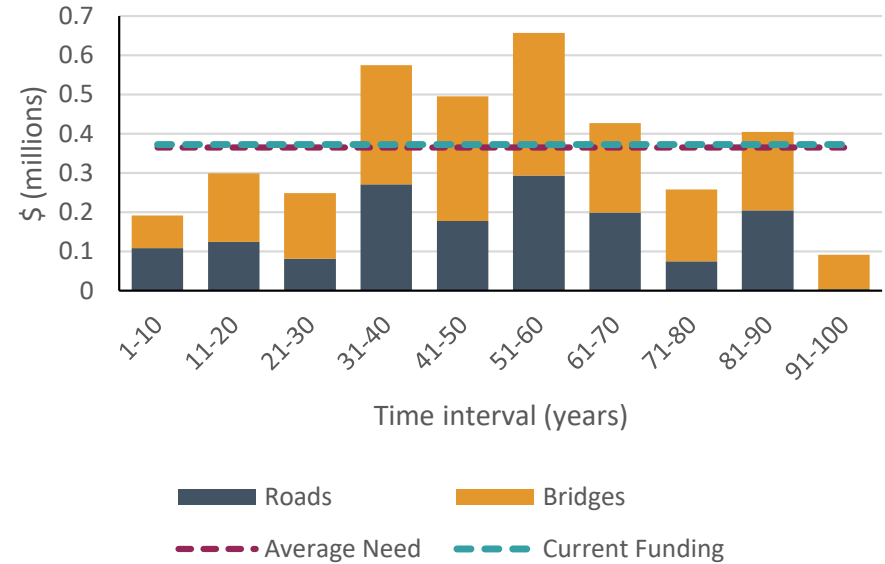
Long-Range Funding Needs Forecast



Tax Supported Core Assets (Roads, Bridges & Culverts, and Stormwater)



Rate Supported Core Assets (Water and Wastewater)





Next Steps

Next Steps



- Incorporate growth impacts after completion of Development Charges Background Study
- Incorporate all Township assets in the asset management plan
- Develop a detailed financial strategy that fully funds the proposed levels of service
- Watson & Associates currently working with Township staff on an action plan for addressing data gaps and further enhancing the asset management plan
- Review of asset management software tools to determine the best fit for the Township
- Continuous improvement on-going use of the asset management plan and data



Mayor Davidson, Councilors and staff,

Thank you for the opportunity to meet with Council and update you on the activities of Trees for Mapleton. For the benefit of Council and staff who may not be familiar with “Trees for Mapleton” I would like to give you a very brief overview of our history.

In 1999, a small committee and a very large group of volunteers researched, assembled and published an extension history of Peel Township. The committee received a millennium Trillium grant of \$15,000 and an operating loan of \$30,000 from the Township if needed. I don't believe the loan was ever needed as the committee was able to cover their day to day expenses, as well many copies were presold to cover the cost of publishing. In the end the committee had a surplus of funds and decided to use these funds to do something that would benefit the whole Township. Two projects were selected; the first project was to erect signage at all of the abandoned cemeteries in Peel Township and the second project was to promote planting more trees in Peel Township.

During their research of the history of the Township, Paul Day a member of the committee, became very concerned to find that the tree cover in our Township was one of the lowest in the Province. Our farm land was very fertile and productive, and as the need for lumber and firewood decreased, cropping the land was more profitable. Our forest cover was estimated to be around 7% while a minimum of 30% tree cover is recommended for ecological systems to function properly. Paul Day had a goal to plant one million trees in the Township by convincing landowners to plant windbreaks and retire marginal land to tree cover. The thought was that if you could enclose every 100 acre farm with a windbreak we would go a long way to reaching a tree cover goal for the Township. There was also substantial research showing that windbreaks will increase crop yields, reduce soil erosion, and provide shelter for homesteads and livestock buildings moderating both winter and summer weather extremes. The concern about climate change and carbon sequestration were just in the early stages as scientists debated the causes for changing weather patterns.

Today, 20 years later we struggle with the same issues, but realize that we can play an important role in helping our planet earth recover from the unintentional detrimental affect we as a species have had on the environment by planting trees. Since 1999/2000 we have attempted to track the number of trees planted in Peel, and after the amalgamation, in Mapleton Township and believe that the number is between 800,000 – one million trees. “Trees for Peel” became “Trees for Mapleton” and with the creation of Wellington County's “Green Legacy” program in 1999 most of the trees being planted in the Township have been at little to no cost to our Mapleton residents.

We have also been very fortunate to work closely with Grand River Conservation Authority and their very knowledgeable and enthusiastic staff. You will be reviewing a report from Meghan Clay, our current GRCA support staff covering some of our most recent tree planting projects. Meghan spends countless hours developing planting plans to meet landowner's objectives. In most cases Meghan is able to source additional funding for projects through Wellington County's Rural Water Quality Program resulting in a very minimal cost to the property owner.

In recent years there have been some projects that Trees for Mapleton has offered some financial assistance. This assistance has been funded by Mapleton Township through the “Environmental Project Funds” created by a donation from the “NextEra” wind turbine energy project in our Township. We sincerely thank you for that support. We attempt to keep our financial requirements to a minimum but sometimes a small financial incentive is the little push that people need to do what is right. One example is the living snow fence projects that we were able to plant. These sites were identified by your Public Works Manager Jim Grose as hazardous winter driving locations due to drifting snow. We hope to be able to work with you, our Council and staff on more tree planting projects in the Township moving forward.

We would also like to thank you for allowing us to join you at the annual Drayton Farm Show, where we can discuss the benefits of tree planting with several property owners attending the event. Your cooperation and assistance with the “Paul Day Memorial Forest” has also been greatly appreciated. Our objective to create an educational opportunity for all residents of our Township by planting one tree for every resident of Mapleton based on the last census is well underway. Working with F.S. Partners, the owners of much of the property we have planted on, we have been able to plant 3590 trees over the last two years. With the help of local volunteers we hope to plant 10,527 trees in total and include signage identifying all the species that were native to the Township.

With the increasing awareness that as citizens, we all have a responsibility to do what we can to help mitigate our footprint on the environment more Municipalities are becoming involved in tree planting initiatives. Both Minto and Woolwich Townships have programs to encourage tree planting. We have greatly appreciated the help provided by the Mapleton Public Works staff and Jim Grose attends meetings when possible.

We would welcome the opportunity to discuss the possible involvement of Council or staff with our Trees for Mapleton group to develop ways we can together be more creative and effective in our attempt to make our municipality even more environmentally sustainable.

Thank you for your continued support of Trees for Mapleton

Committee Members:

Bruce Whale (chair)
Liz Samis
Mike Downey
Brian Street
Martin Tamlyn
Jim Grose (Mapleton Township)
Rob Johnson (Wellington County – Green Legacy)
Meghan Clay – (GRCA)



Tree Planting in Mapleton 2018-2019



Meghan Clay, Forestry Specialist, October 8th



Farm Show 2018



- 500 Spruce plugs handed out
- 10 requests for site visits

Spring 2018



**1 plastic mulch
project**

- 10 projects
 - 5 windbreaks
 - 4 Riparian buffers
 - 1 block planting
- 4900 m of windbreak
- 851 m of buffer
- 225 m infilled
- **4,808 tree planted**

Spring 2018

File #	Grant	Grant Amount	Total Cost	Area	Length (m)	# Trees
Field windbreak						
1517	RWQP	\$1,346.40	\$2,120.58	-	900	470
677	RWQP	\$784.00	\$1,234.80	-	-	980
1175	RWQP	\$2,293.04	\$3,611.54	-	490	160
848	RWQP & FO	\$2,561.20	\$3,820.13	-	2900	2170
246	RWQP	\$888.48	\$1,254.97	-	610	200
Riparian buffer						
200	RWQP	\$355.68	\$625.72	-	100	20
125	RWQP	\$1,673.12	\$2,635.16	-	250	80
1464	RWQP	\$2,533.10	\$3,989.64	-	340	125
1266	HSP	\$375.00	\$630.00	-	161	88
Infill						
1374	RWQP	\$195.74	\$308.30	-	225	15
Block						
1266	HSP	\$776.62	\$1,304.73	1.94	0	500
Total	-	\$13,782.38	\$21,535.57	1.94	5976 m	4808

Community Tree Planting



May 2018
Girl Guide Planting
325 trees

Community Tree Planting

October 2018
Community Tree Planting
300 trees



Farm Show 2019



- 500 Spruce plugs handed out
- 7 requests for site visits

Spring 2019



**2 plastic mulch
projects**

- 10 projects
 - 5 windbreaks
 - 4 Riparian buffers
 - 1 block planting
- 4900 m of windbreak
- 851 m of buffer
- 225 m infilled
- **4,808 tree planted**

Spring 2019

File #	Grant	Grant Amount	Total Cost	Area (ac)	Length (m)	# Trees
Field windbreak						
1669	RWQP	\$1,257.00	\$1,979.77	-	272	90
1675	RWQP	\$868.60	\$1,035.72	-	345	115
1638	RWQP	\$530.40	\$835.38	-	215	65
1668	RWQP	\$6,295.60	\$8,718.57	-	2970	1950
1660	RWQP	\$1,680.00	\$2,646.00	-	274	80
Riparian buffer						
1465	HSP	\$5,999.25	\$10,078.74	3	-	250
1669	RWQP	\$1,890.00	\$2,976.75	-	292	90
1640	RWQP	\$2,261.52	\$2,826.90	-	427	135
1594	RWQP	\$1,864.64	\$2,936.81	-	1066	270
1660	RWQP	\$1,440.60	\$2,268.94	-	153	75
1639	RWQP	\$760.00	\$1,197.00	-	255	1000
Total	-	\$14,849.89	\$23,686.17	3	6269 m	1960

Community Tree Planting



Spring 2019
Girl Guide Planting
300 trees



2019 Funding Requests

Wellington RWQP FILE # 1668
PROJECT TYPE – Tree Planting

File # 1668

FARM SUMMARY

Type of farm: Cash crop
Soil type: Clay loam till
Size: 95 ac

PROJECT OBJECTIVE:

To improve water quality by establishing tree windbreaks to reduce wind erosion.

CURRENT SITUATION

There is currently no tree cover along the proposed planting area. Soils are at risk of erosion from strong westerly winds.

PROPOSED PROJECT

A double row of cedar seedlings will be planted into plastic mulch along the west property boundary. Landowner will rent equipment and install plastic mulch in spring prior to planting. Approximately 5500ft. of plastic is required. Costs for plastic mulch and equipment rentals are estimates. Just over an acre will be taken out of production and is eligible for an incentive of \$438.00

PROJECT COSTS

	Cost Est.	RWQP Grant	Trees for Mapleton NextEra funding
Cedar Windbreak	\$4,084	\$3,267	\$0
Plastic Mulch	\$836	\$669	\$167.00
TOTAL	\$4,920	\$3,936	\$167.00

- Plastic mulch is estimated at: 4 rolls of 1500ft. @ \$164.00/roll = 656.00*
- Rental fee of \$90/day x 2 days = \$180.00
- Funding is costs before taxes

2019 Funding Requests

File # 1668



SITE DESCRIPTION:
Topography: Flat, crop land
Soil: Clay loam till
Drainage: Imperfect
Ground Cover: Planting into plastic

PROJECT OBJECTIVES:
Protect soils from wind erosion by installing a windbreak of cedar along the east and west property boundaries. Trees will be planted into plastic to reduce competition from grasses and weeds.

2019 Funding Requests

File # 1668



2019 Funding Requests

Wellington RWQP FILE # 1675

Project Type: Tree Planting

File # 1675

FARM SUMMARY

Type of Farm: Cattle, chickens, cash crop

Soil type: Clay loam

Size: 93 ac

PROJECT OBJECTIVE: To improve water quality by installing windbreaks and reducing the effects of wind erosion.

CURRENT SITUATION: The farm is in close proximity to the Conestogo Lake CA and other creek systems and slopes towards nearby floodplains. There is currently no tree cover on the property.

PROPOSED PROJECT SPRING 2019

- Single row of 200 spruce seedlings planted into plastic along the edge of field
- Landowner will rent equipment and install plastic mulch in spring prior to planting. Costs for plastic mulch and equipment rentals are estimates

PROJECT COST

	Cost Est.	RWQP Grant	Trees for Mapleton Next Era Funding
Spruce windbreak	\$822	\$658	\$0
Plastic mulch	\$264	\$211	\$53.00
Total	\$1,086	\$869	\$53.00

Plastic mulch costs are estimates

- Single row required = \$164.00
- Equipment rental fee x 1 day = \$100

2019 Funding Requests



SITE DESCRIPTION:

Topography: Flat
Soil: Clay loam till
Drainage: Good
Ground Cover: Bare soil

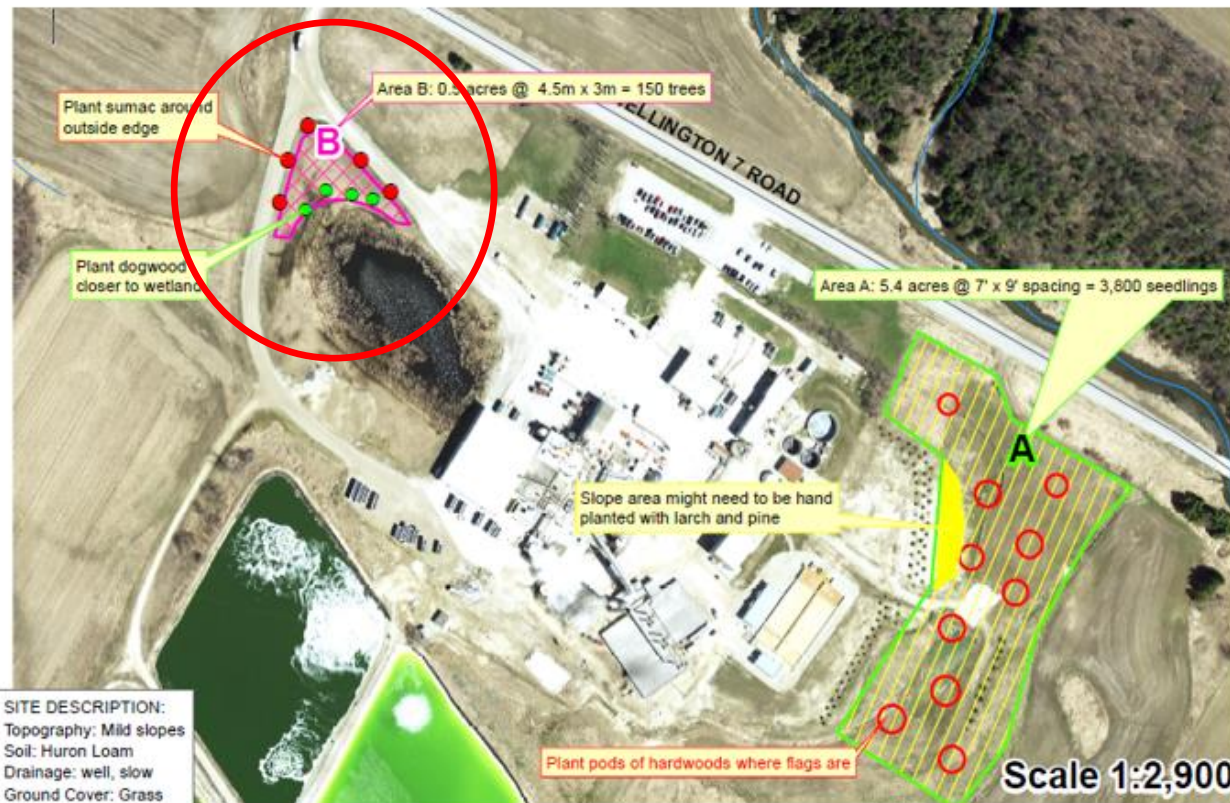
PROJECT OBJECTIVES:

Protect erosion prone soils by installing a conifer windbreak along edge of field.

2019 Funding Requests

File #	Project	Estimated cost	Estimated grant	Grant rate
	Infill	\$904	\$723	80%

Infill Request



DETAILS:

- Property is a large-scale industrial operation
- 1 acre was planted in 2017 with staff – 45 trees need to be infilled

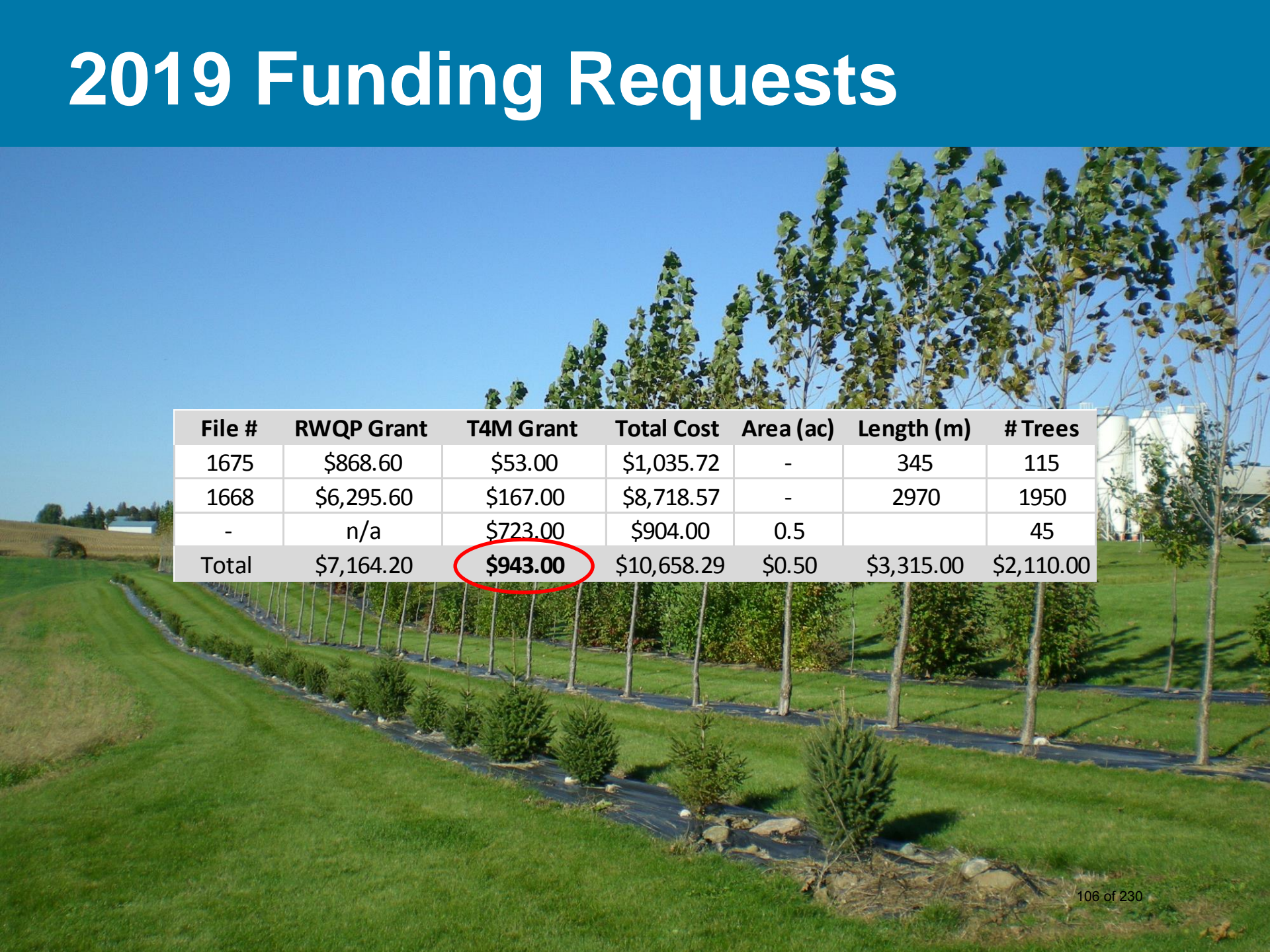
SUMMARY:

Total Trees: 45 trees & shrubs, mixed potted stock

Total Project Cost: \$ 904

Proposed Grant \$723

2019 Funding Requests



File #	RWQP Grant	T4M Grant	Total Cost	Area (ac)	Length (m)	# Trees
1675	\$868.60	\$53.00	\$1,035.72	-	345	115
1668	\$6,295.60	\$167.00	\$8,718.57	-	2970	1950
-	n/a	\$723.00	\$904.00	0.5		45
Total	\$7,164.20	\$943.00	\$10,658.29	\$0.50	\$3,315.00	\$2,110.00

W. Paul Day Forest



Memorial tree planting effort kicks off in Mapleton

Special planting - An official tree planting and dedication ceremony was held for the Paul Day Forest on Nov. 4. A total of 10,000 trees are to be planted in Mapleton Township, one for each resident, as part of a Canada 150th legacy project in memory of Day. Volunteers and members of the Trees for Mapleton committee will plant the area surrounding Mapleton's soccer fields and river trails with 35 different tree species native to the area. Two trees originally planted at the Day farm in Goldstone by Paul Day will also be moved to the site. ABOVE: Those at the official planting included, from left: County of Wellington Green Legacy tree nursery manager Rob Johnson, Trees for Mapleton committee member Liz Samis, Yvonne Day, Trees for Mapleton member Bob Burke, Mapleton Mayor Neil Driscoll, Trees for Mapleton member Bruce Whale and Grand River Conservation Authority forestry specialist Meghan Clay. RIGHT: Burke and Samis unveiled a temporary plaque dedicated to the memory of Paul Day of Goldstone. The plaque's inscription says "The W. Paul Day Forest - A Living Legacy honouring Paul (1941-2016) and his vision and passion to create a more sustainable environment in Mapleton by planting the right trees, in the right places." Photos by Caroline Sealey



Riverside Park

Date	Number of trees	Planters
May 11th, 2019	350	Girl Guides (Centennial Park)
May 10th, 2019	50	CELP
May, 2019	500	Ali & Rob
May 17th, 2019	400	Green Legacy - Palmerston PS
May 16th, 2019	260	Green Legacy - Drayton Heights
October 20th, 2018	300	Mapleton Community Volunteers
May 31st, 2018	600	Green Legacy - Drayton PS student planting
May 24th, 2018	600	Green Legacy - Centre Peel Student Planting
May 12th, 2018	325	Alma & Drayton Girl Guides - GRCA organized
November 4 2017	5	memorial stone planting
May 7th, 2017	200	Green Legacy - student volunteers
Total	3590	107 of 230

W. Paul Day Forest



W. Paul Day Forest



Coming UP!

- Fall community planting
- Saturday October 19th
- Riverside Park in Drayton
- **Goal to plant 440 trees!**

Thank you!



2019 Tree planting Funding Proposal

File #	RWQP Grant	T4M Grant	Total Cost	Area (ac)	Length (m)	# Trees
1675	\$868.60	\$53.00	\$1,035.72	-	345	115
1668	\$6,295.60	\$167.00	\$8,718.57	-	2970	1950
-	n/a	\$723.00	\$904.00	0.5		45
Total	\$7,164.20	\$943.00	\$10,658.29	\$0.50	\$3,315.00	\$2,110.00

Three projects were completed in Mapleton Township in spring 2019

- Two projects are windbreaks planted into plastic mulch – Trees for Mapleton would like to offer top-up funding for the plastic mulch portion of the project.
- One corporate tree planting project – originally planted in spring 2017, an infill was planted in spring 2019 to increase tree survival.

Total funding ask for spring 2019: \$943.00

THE CORPORATION OF THE TOWNSHIP OF MAPLETON

BUILDING REPORT BD2019-13

TO: Mayor Davidson and Members of Council
FROM: Patty Wright, Chief Building Official
RE: Report for September Month End and Year to Date (YTD)
DATE: October 8, 2019

RECOMMENDATION:

THAT Township of Mapleton Council receive Building Department Report BD2019-13 dated October 8, 2019 regarding September Month End and Year to Date (YTD).

BACKGROUND:

Attached you will find a report showing the following:

- Permits issued in September 2019
- Permits issued YTD in 2019
- Total value for permits issued for September 2019
- Total value for permits issued YTD 2019
- Fees collected in September 2019
- Fees collected in YTD 2019
- 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 September is \$45,801.50 therefore the current month is below the 3-year average. Year to date numbers range from \$243,689.46 to \$446,064.03 over the past 3 years and the average of fees collected to date from 2016-2018 is \$371,851. 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

TOWNSHIP OF MAPLETON

September 2019

Description	Permits	YTD	Value	Value YTD	Fees	Fees YTD
Single Family Dwelling	1	17	\$ 500,000.00	\$ 9,272,000.00	\$ 3,612.90	\$ 57,926.20
SFD Additions/Renovations	1	24	\$ 100,000.00	\$ 1,945,300.00	\$ 1,982.60	\$ 16,860.90
SFD Accessories	3	25	\$ 105,000.00	\$ 1,007,700.00	\$ 1,317.20	\$ 11,723.80
Decks		19		\$ 122,000.00		\$ 3,429.80
Agricultural	11	91	\$ 2,134,000.00	\$20,120,370.00	\$ 21,001.60	\$168,883.90
Agricultural Commercial		0		\$ -		\$ -
Agricultural Industrial		0		\$ -		\$ -
Septic Systems	4	25	\$ 52,000.00	\$ 502,000.00	\$ 1,750.00	\$ 11,750.00
Industrial		9		\$ 3,632,500.00		\$ 37,373.05
Institutional		1		\$ 615,000.00		\$ 747.50
Commercial	1	6	\$ 30,000.00	\$ 1,555,000.00	\$ 325.00	\$ 14,956.50
Cottages - New/Additions/Renovations	1	10	\$ 2,000.00	\$ 380,500.00	\$ 351.00	\$ 5,458.45
Designated Structures	2	15	\$ 80,000.00	\$ 473,800.00	\$ 320.00	\$ 1,890.00
Assembly Building	1	7	\$ 5,000.00	\$ 135,000.00	\$ 125.00	\$ 4,432.55
Demolition	1	7	\$ 2,000.00	\$ 21,200.00	\$ 135.00	\$ 945.00
Multi Units		1		\$ 8,700,000.00		\$ 22,721.89
TOTAL SEPTEMBER 2019	26		\$ 3,010,000.00		\$ 30,920.30	
TOTALS YEAR TO DATE 2019	257		\$48,482,370.00		\$ 359,099.54	
TOTAL SEPTEMBER 2018	23		\$ 2,222,300.00		\$ 20,643.60	
TOTALS YEAR TO DATE 2018	287		\$69,502,081.00		\$ 446,064.03	
TOTAL SEPTEMBER 2017	36		\$ 6,097,492.00		\$ 86,711.50	
TOTALS YEAR TO DATE 2017	296		\$45,274,735.00		\$ 425,800.45	

THE CORPORATION OF THE TOWNSHIP OF MAPLETON
CAO CLERK'S DEPARTMENT REPORT CL2019-32

TO: Mayor Davidson and Members of Council
FROM: CAO Manny Baron
RE: Glen Allan, Road (Centre - George Street) #2
DATE: October 8, 2019

RECOMMENDATION:

THAT Township of Mapleton Council receive CAO Clerk's Report CL2019-32 dated October 8, 2019 regarding Glen Allan, Road (Centre - George Street) #2;

AND FURTHER THAT notice of the draft bylaw declaring the roads surplus be given in accordance with the Township's notice provision by-law;

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

BACKGROUND:

The owners of the lands are proposing development of the lands/highways within the Hamlet of Glen Allan. To proceed, various processes, including road closing, are necessary. The roads are part of the original survey in the hamlet, and are not a travelled road.

In their original submission, earlier this year, there were concerns from our consulting engineers. R.J. Burnside has worked with the proponent with the development proposal. Also reviewed was the attached R-Plan prepared by Van Harten Surveying. With respect to our engineer's previous comments regarding the subdivision design/future road layout etc. can be dealt with during the subdivision review process.

R.J. Burnside has advised the Township they are satisfied. Staff can now proceed with the necessary steps to declare the lands surplus.

PREVIOUS PERTINENT REPORTS:

CL2019-07

DISCUSSION:

Not necessary.

CONSULTATION:

The Township Engineering Firm have worked with the developer to ensure concerns have been addressed. The Township Solicitor has reviewed and/or will be preparing the necessary paperwork.

FINANCIAL IMPLICATIONS:

As per fees and charges bylaw, and our prescribed deposit agreement, the costs are carried by the interested landowners, not taxation. The applicant will incur associated development costs.

SUMMARY:

Development of lands in Glen Allan has been initiated by property owners. The road closing to the owners, would be the first step in the process. Public notice will take place and the necessary by-law will be passed at a future meeting of Council.

COMMUNICATION:

Pursuant to the Notice By-law 2008-024 and Policy MUP 01.02, public notification in the Drayton Community News for one week and the Township website will take place.

STRATEGIC PLAN:

Municipal Infrastructure: n/a

The Local Economy: promoted growth and expansion within Mapleton

Recreation: n/a

Municipal Administration: n/a

Financial Responsibility: developer will carry the costs and the Township will benefit at a later date with increased tax base.

Prepared By:
Barb Schellenberger
Municipal Clerk

Reviewed By:
Manny Baron
CAO

Attachments:

1. Sketch of the subject lands
2. Draft RPlan as prepared by VanHarten dated July 31, 2019
3. Draft Notice declaring the land surplus



**NOTICE OF THE CLOSURE AND SALE
OF UNOPENED ROAD ALLOWANCE**

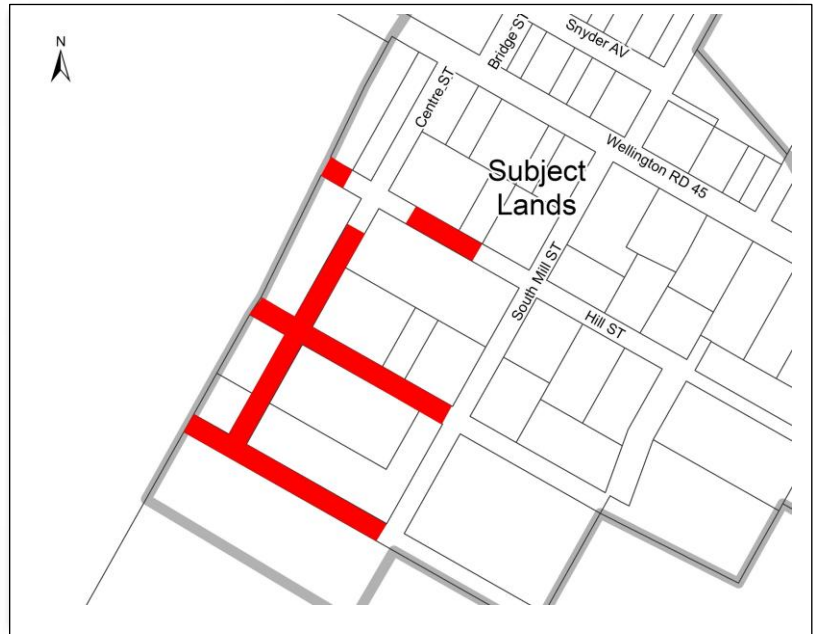
**Being lands located at
Wellesley Street, Pt of Centre Street, Pt of Hill Street, Pt of George
Street, all being in Donald Sutherland’s Survey and Part of Lot 5,
Concession 4, Glen Allan, Geographic Township of Peel, County of
Wellington**

TAKE NOTICE THAT pursuant to the Township of Mapleton Surplus Land Policy, the Council of the Corporation of the Township of Mapleton, proposes to pass a By-law to stop up, close and convey the above-described unopened road allowances to various property owners. These lands, as shown in bold on map below, are legally described as Wellesley Street, Pt of Centre Street, Pt of Hill Street, Pt of George Street, all being in Donald Sutherland’s Survey and Part of Lot 5, Concession 4, Glen Allan, Geographic Township of Pell, now in the Township of Mapleton. Mapleton Council considered this matter at their February 12, 2019 Council meeting (CAO Clerk’s Report CL2019-07) and again on October 8, 2019 Council (CAO Clerk’s Report CL2019-32 and further directed staff to proceed. The bylaw will close up and convey the road and allow the Mayor and Clerk to execute all ancillary documents.

THE PROPOSED BY-LAW will come before the Council at its regular meeting to be held on Tuesday, _____, 2019 at ____:00 p.m., in the Township of Mapleton Council Chambers, located 7275 Sideroad 16, east of Drayton. The proposed by-law may be viewed at the Township of Mapleton Municipal Offices during regular business hours. Should you have questions, please contact the Clerk’s Department.

WRITTEN COMMENTS regarding the proposed closure and sale of unopened road allowance may be submitted to the Municipal Clerk no later than 5:00 p.m. on Tuesday, _____, 20__.

DATED this ____ day of _____, 20__ at the Township of Mapleton.



**Barb Schellenberger
Municipal Clerk**

THE CORPORATION OF THE TOWNSHIP OF MAPLETON
FINANCE REPORT FIN2019-17

TO: Mayor Davidson and Members of Council
FROM: John Morrison BA, CPA, CGA Director of Finance
RE: Water and Wastewater Rates 2020-2023
DATE: October 8th, 2019

RECOMMENDATION:

THAT Township of Mapleton Council receive Finance Report FIN2019-17 regarding Water and Wastewater rates for the years 2020 to 2023; and

1. effective April 1st, 2020, that the Fees and Charges By-law be amended per appendix "A" of this report; and
2. that this resolution be only undertaken should there be no successful proponent for the request for proposals being issued for the provision of Water and Wastewater services for the Township of Mapleton.

BACKGROUND:

The purpose of this report is to develop a long-term plan for water and wastewater rates should there be no successful proponent for the request for proposals being issued for the provision of Water and Wastewater services for the Township of Mapleton.

The Township last engaged Watson & Associates to undertake a Water and Wastewater rate study in 2015. In the spring of 2017, that study was updated, and long-term rates were then established. Those long-term rates currently incorporated into Fees and Charges By-law are not fully recovering the operating costs nor the capital requirements for Water and Wastewater services.

This report addresses these deficiencies and would tentatively incorporate the recommendations, if approved by Council, into the Township multi-year budget, only to be implemented should there be no successful proponent for the provision of Water and Wastewater services.

PREVIOUS PERTINENT REPORTS:

None

DISCUSSION:

The Township user fees include two parts:

1. a fixed charge or base charge based on meter size.

2. a variable charge based on volumetric use.

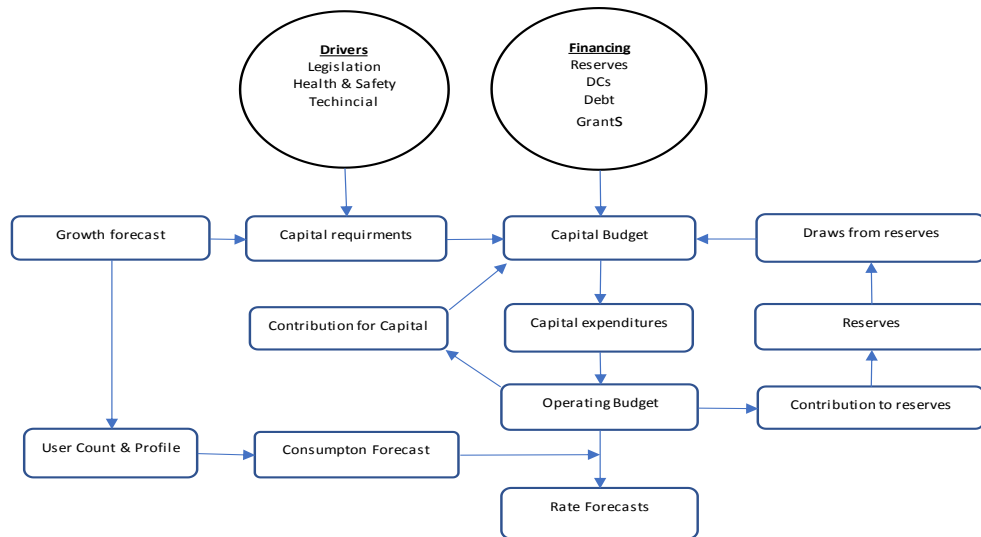
The monthly base charge was designed to recover a fixed fee from each customer regardless of the amount of water and sewer service being used. The base charge varies by meter size. The cost of billing, collecting and metering are typical fixed charges. The base charges recover the Township’s administrative costs.

The volumetric charge is based on a declining block structure. The volume of water used by different customers can be subdivided into sections referred to as blocks. Block rates (variable charge) can then be applied. In the declining block methodology, the volumetric charge decreases in steps as usage increases. Traditionally, the consumption limits for the 1st block were set to encompass the largest amount that a customer in a single-family dwelling might use. The upper consumption limits for the 2nd block would encompass the consumption for most commercial customers. The volumetric charge recovers the Township’s operating costs.

Currently, base on the 2019 budget, the breakdown between fixed and variable charges is as follows:

	Revenues	
Fixed	\$ 452,412	38%
Variable	\$ 728,747	62%
	\$ 1,181,159	

Water and Wastewater Rate Calculation Methodology (figure 1)



A core principle embedded in the current rate structure is to ensure equitable outcomes for users, that they pay their fair share and provide customer an economic incentive to conserve water since the water bills always increase as the amount of water used increases.

As demonstrated in “figure 1” rate calculation is a complex exercise. The rates are influenced by external drivers such legislation and regulations, capital needs, technology and other health and safety needs for clean water. Further, financing options have a significant impact on the rate structure. Assuming debt, increasing reserves and capital contributions, or the ability to access grants interplay and directly influence the rates. Also, the size of the utility, number of users and habits of its users impact those rates. Given this complexity, it not surprising to find that many of the smaller municipal utilities across the province (referenced in BMA Municipal Study 2018) continue to charge a flat fee for water and wastewater services and have never opted for volumetric pricing.

The Township of Mapleton has 948 customers, of which 854 customers are residential and 94 customers are commercial. This is a small utility. External cost drivers and capital requirements are placing sizable pressure on the rates. Growth is not significant and therefore DC charges as a financing option is also not significant. Grants are limited and other forms of financing with favourable terms are also limited. Debt financing could be achieved through internal fund borrowing from the Township’s capital reserve with favourable terms. Debt charges now account for about 16% of total revenue. Based on the Township’s capital forecast needs, which include a new water tower in Drayton, a new wastewater pumping station and forcemain in Drayton and a new technology wastewater treatment process at the existing lagoon, will cause the debt burden to likely increase to 22% of revenues over the next two years and possibly to 30% by the end of 2023. For this reason alone, changes must be made in the revenue stream in order to afford these infrastructure needs that will enable our growth into the year 2035.

Given the Township’s external cost drivers, financing options and growth expectations staff recommends that the debt burden and capital requirements be financed through base charges.

This recommendation would adjust the breakdown between fixed and variable charges as follows

	Revenues	
Fixed	\$ 913,483	65%
Variable	\$ 482,221	35%
	\$ 1,395,704	

CONSULTATION: N/A

FINANCIAL IMPLICATIONS:

The proposed rate structure would increase the average residential bill by \$21.04 per month – a 16.23% increase. Currently, the average residential homeowner pays \$129.62 per month or \$1,555.40 per year. The proposed rates would increase the average residential homeowners to \$150.66 per month or \$1,807.88 per year.

The rates for the years 2021 through to 2023 would increase by 2% per years

See Appendix “A” for the proposed rates.

SUMMARY:

This proposed adjustment for Water and Wastewater rates will only be undertaken should there be no successful proponent for the request for proposals being issued for the provision of Water and Wastewater services for the Township of Mapleton.

Given the Township’s external cost drivers, financing options and growth expectations staff recommends that the debt burden and capital requirements be internally financed by interfund borrowing and recovered from the utility rate payers through base charges.

This proposal ensures that equitable outcomes for users are maintained, that they pay their fair share and continue to provide customer an economic incentive to conserve water.

COMMUNICATION:

NA.

STRATEGIC PLAN:

Municipal Infrastructure: n/a

The Local Economy: n/a

Recreation: n/a

Municipal Administration: n/a

Financial Responsibility:

The intent of this report is to provide Council with an option for the long-term rates for water and wastewater services, create rate stability and enable a sustainable water and wastewater service.

Prepared By:
John Morrison
Director of Finance

Reviewed By:
Manny Baron
CAO

Attachments:

1. Appendix “A” Proposed Water & wastewater rates
2. Environment Service – Budget & Forecast

		Wastewater					Water				
		2019 Budget	2020 Budget	2021 Budget	2022 Budget	2023 Forecast	2019 Budget	2020 Budget	2021 Budget	2022 Budget	2023 Forecast
Declining Block Charges											
	Block 1 (Bi-month Cons. to and including 34 m3)	\$ 2.74	\$ 1.34	\$ 1.35	\$ 1.36	\$ 1.39	\$ 1.95	\$ 1.80	\$ 1.83	\$ 1.87	\$ 1.91
	Block 2 (Bi-month Cons. Over 34 m3)	\$ 2.19	\$ 1.03	\$ 1.04	\$ 1.04	\$ 1.06	\$ 1.56	\$ 1.38	\$ 1.41	\$ 1.44	\$ 1.46
Base charges	Meter size										
Moorefield	5/8" and 3/4"	\$ 21.71	\$ 43.38	\$ 44.36	\$ 45.35	\$ 46.26	\$ 21.71	\$ 43.38	\$ 44.36	\$ 45.35	\$ 46.26
Moorefield	1"	\$ 30.39	\$ 62.34	\$ 63.74	\$ 65.17	\$ 66.47	\$ 30.39	\$ 62.34	\$ 63.74	\$ 65.17	\$ 66.47
Moorefield	1 1/2"	\$ 39.08	\$ 80.17	\$ 81.96	\$ 83.80	\$ 85.48	\$ 39.08	\$ 80.17	\$ 81.96	\$ 83.80	\$ 85.48
Moorefield	2"	\$ 62.95	\$ 147.07	\$ 300.73	\$ 307.47	\$ 313.62	\$ 62.95	\$ 147.07	\$ 300.73	\$ 307.47	\$ 313.62
Drayton	5/8" and 3/4"	\$ 18.81	\$ 37.87	\$ 38.72	\$ 39.59	\$ 40.38	\$ 18.81	\$ 37.87	\$ 38.72	\$ 39.59	\$ 40.38
Drayton	1"	\$ 26.33	\$ 54.01	\$ 55.22	\$ 56.46	\$ 57.59	\$ 26.33	\$ 54.01	\$ 55.22	\$ 56.46	\$ 57.59
Drayton	1 1/2"	\$ 33.86	\$ 69.46	\$ 71.02	\$ 72.61	\$ 74.06	\$ 33.86	\$ 69.46	\$ 71.02	\$ 72.61	\$ 74.06
Drayton	2"	\$ 54.55	\$ 127.88	\$ 261.51	\$ 267.36	\$ 272.71	\$ 54.55	\$ 127.88	\$ 261.51	\$ 267.36	\$ 272.71

Dept	Acct	Account Name	Grouping	2019 Budget	2020 Budget	2021 Budget	2022 Budget	2023 Forecast
4020	1-3-4020-41210	Penalties & Interest - Utilities	Enviroment services	(\$1,111)	(\$1,122)	(\$1,133)	(\$1,145)	(\$1,168)
4020	1-3-4020-42205	Water/Sewer Certificates	Enviroment services	(\$404)	(\$408)	(\$412)	(\$416)	(\$424)
4020	1-3-4020-44200	Account Setup Fee	Enviroment services					\$0
4020	1-3-4020-44300	Sewer Hook-up	Enviroment services	(\$1,100)	(\$1,111)	(\$1,122)	(\$1,133)	(\$1,156)
4020	1-3-4020-44360	Direct Sewage Billings	Enviroment services	(\$646,079)	(\$693,755)	(\$707,630)	(\$721,784)	(\$736,219)
4020	1-3-4020-45600	Transfer from Reserve Funds	Enviroment services	\$0	\$0	\$0	\$0	\$0
4020	1-3-4020-49000	Miscellaneous/Other Revenue	Enviroment services	(\$5,600)	(\$5,656)	(\$5,713)	(\$5,770)	(\$5,885)
4020	1-4-4020-61000	Wages/Salary	Enviroment services	\$57,641	\$35,070	\$35,070	\$35,070	\$35,771
4020	1-4-4020-61005	CPP	Enviroment services	\$1,917	\$1,282	\$1,282	\$1,282	\$1,308
4020	1-4-4020-61010	EI	Enviroment services	\$855	\$795	\$795	\$795	\$811
4020	1-4-4020-61020	WSIB	Enviroment services	\$1,605	\$1,037	\$1,037	\$1,037	\$1,058
4020	1-4-4020-61030	RSP	Enviroment services	\$17	\$17	\$17	\$17	\$17
4020	1-4-4020-61040	EHT	Enviroment services	\$1,124	\$684	\$684	\$684	\$698
4020	1-4-4020-61050	Benefits	Enviroment services	\$3,833	\$2,058	\$2,058	\$2,058	\$2,099
4020	1-4-4020-61070	OMERS	Enviroment services	\$6,206	\$3,666	\$3,666	\$3,666	\$3,739
4020	1-4-4020-61200	Debt Charges - Principal	Enviroment services	\$145,010	\$146,240	\$149,000	\$136,940	\$236,940
4020	1-4-4020-61210	Debt Charges - Interest	Enviroment services	\$47,386	\$43,462	\$39,226	\$49,855	\$92,877
4020	1-4-4020-62010	Travel Expenses	Enviroment services	\$100	\$100	\$100	\$100	\$102
4020	1-4-4020-62015	Mileage	Enviroment services					\$0
4020	1-4-4020-62030	Education/Seminar/Convention	Enviroment services					\$0
4020	1-4-4020-62040	Membership Fees	Enviroment services	\$200	\$200	\$200	\$200	\$204
4020	1-4-4020-62060	Insurance	Enviroment services	\$1,800	\$3,300	\$3,366	\$3,433	\$3,502
4020	1-4-4020-62080	Utilities	Enviroment services	\$68,000	\$68,680	\$69,367	\$70,060	\$71,461
4020	1-4-4020-62090	Telephone/Communications	Enviroment services	\$2,900	\$2,929	\$2,958	\$2,988	\$3,048
4020	1-4-4020-62110	Postage/Courier Service	Enviroment services	\$1,700	\$1,717	\$1,734	\$1,752	\$1,787
4020	1-4-4020-62130	Advertising	Enviroment services	\$500	\$500	\$500	\$500	\$510
4020	1-4-4020-62137	Materials and Supplies	Enviroment services	\$6,300	\$6,300	\$6,300	\$6,300	\$6,426
4020	1-4-4020-62145	Repairs & Maintenance	Enviroment services	\$10,600	\$10,600	\$10,600	\$10,600	\$10,812
4020	1-4-4020-62190	Computer - Hardware/Software	Enviroment services		\$0	\$0	\$0	\$0
4020	1-4-4020-62200	Computer - Maintenance Contract	Enviroment services	\$600	\$600	\$600	\$600	\$612
4020	1-4-4020-62300	Equipment - Maintenance	Enviroment services	\$10,000	\$10,000	\$10,000	\$10,000	\$10,200
4020	1-4-4020-62301	Equipment Charges - E1 Pumps	Enviroment services	\$19,200	\$19,392	\$19,586	\$19,782	\$20,178
4020	1-4-4020-62305	Equipment - fuel/oil/grease	Enviroment services	\$0	\$0	\$0	\$0	\$0
4020	1-4-4020-62310	Equipment - parts/tools, etc	Enviroment services	\$300	\$300	\$300	\$300	\$306
4020	1-4-4020-62330	Building - Maintenance	Enviroment services	\$300	\$300	\$300	\$300	\$306
4020	1-4-4020-62333	Building - Snow removal	Enviroment services	\$0	\$0	\$0	\$0	\$0
4020	1-4-4020-62342	Building & Property taxes	Enviroment services	\$24,000	\$24,240	\$24,482	\$24,727	\$25,222
4020	1-4-4020-62350	Dept Clothing & Apparel	Enviroment services	\$200	\$200	\$200	\$200	\$204
4020	1-4-4020-62472	Vehicle Maintenance/Expense	Enviroment services	\$0	\$0	\$0	\$0	\$0
4020	1-4-4020-62620	Contracts	Enviroment services	\$94,547	\$95,492	\$96,447	\$97,412	\$99,360
4020	1-4-4020-62621	Additional Services - Operator	Enviroment services	\$4,000	\$4,040	\$4,080	\$4,121	\$4,203
4020	1-4-4020-62623	Engineering Expense	Enviroment services	\$25,000	\$25,250	\$25,503	\$25,758	\$26,273
4020	1-4-4020-62800	Miscellaneous	Enviroment services	\$500	\$500	\$500	\$500	\$510
4020	1-4-4020-62910	Transfer to Reserves	Enviroment services	\$0	\$0	\$0	\$0	\$0
4020	1-4-4020-62920	Transfer to Reserve Funds	Enviroment services	\$84,453	\$159,266	\$171,879	\$184,695	\$49,102
4020	1-4-4020-64220	Line Maintenance	Enviroment services	\$13,500	\$13,635	\$13,771	\$13,909	\$14,187
4020	1-4-4020-64230	Lagoon Costs	Enviroment services	\$20,000	\$20,200	\$20,402	\$20,606	\$21,018
4020 Sanitary Sewer Total				\$0	\$0	\$0	(\$0)	(\$0)

Dept	Acct	Account Name	Grouping	2019 Budget	2020 Budget	2021 Budget	2022 Budget	2023 Forecast
4520	1-3-4520-41210	Penalties & Interest - Utilities	Enviroment services	(\$1,313)	(\$1,326)	(\$1,339)	(\$1,353)	(\$1,380)
4520	1-3-4520-41620	Grants - Ontario Conditional Grants	Enviroment services					\$0
4520	1-3-4520-44200	Account Setup Fee	Enviroment services					\$0
4520	1-3-4520-42205	Water/Sewer Certificate Fees	Enviroment services	(\$404)	(\$408)	(\$412)	(\$416)	(\$424)
4520	1-3-4520-44340	Water Connection & Water Meter	Enviroment services	(\$1,515)	(\$1,530)	(\$1,545)	(\$1,561)	(\$1,592)
4520	1-3-4520-44350	Direct Water Billings	Enviroment services	(\$524,061)	(\$701,949)	(\$715,988)	(\$730,308)	(\$744,915)
4520	1-3-4520-45600	Transfer from Reserve Funds	Enviroment services	\$0	\$0	\$0	\$0	\$0
4520	1-4-4520-61000	Wages/Salary	Enviroment services	\$66,289	\$44,005	\$44,885	\$45,783	\$46,698
4520	1-4-4520-61005	CPP	Enviroment services	\$2,287	\$1,665	\$1,698	\$1,732	\$1,767
4520	1-4-4520-61010	EI	Enviroment services	\$1,016	\$998	\$1,018	\$1,038	\$1,059
4520	1-4-4520-61020	WSIB	Enviroment services	\$1,882	\$1,323	\$1,349	\$1,376	\$1,404
4520	1-4-4520-61030	RSP	Enviroment services	\$270	\$278	\$284	\$289	\$295
4520	1-4-4520-61040	EHT	Enviroment services	\$1,293	\$858	\$875	\$893	\$911
4520	1-4-4520-61050	Benefits	Enviroment services	\$4,707	\$2,896	\$2,954	\$3,013	\$3,073
4520	1-4-4520-61070	OMERS	Enviroment services	\$6,703	\$4,214	\$4,298	\$4,384	\$4,472
4520	1-4-4520-61200	Debt Charges - Principal	Enviroment services	\$0	\$80,000	\$80,000	\$80,000	\$80,000
4520	1-4-4520-61210	Debt Charges - Interest	Enviroment services	\$0	\$45,200	\$43,392	\$41,584	\$39,776
4520	1-4-4520-62010	Travel Expenses	Enviroment services	\$1,500	\$100	\$100	\$100	\$102
4520	1-4-4520-62015	Mileage	Enviroment services	\$500	\$500	\$500	\$500	\$510
4520	1-4-4520-62030	Education/Seminar/Convention	Enviroment services	\$3,000	\$1,500	\$1,500	\$1,500	\$1,530
4520	1-4-4520-62040	Membership Fees	Enviroment services	\$600	\$600	\$600	\$600	\$612
4520	1-4-4520-62060	Insurance	Enviroment services	\$4,300	\$3,100	\$3,162	\$3,225	\$3,290
4520	1-4-4520-62080	Utilities	Enviroment services	\$43,350	\$43,784	\$44,221	\$44,664	\$45,557
4520	1-4-4520-62090	Telephone/Communications	Enviroment services	\$3,200	\$3,232	\$3,264	\$3,297	\$3,363
4520	1-4-4520-62110	Postage/Courier Service	Enviroment services	\$2,200	\$2,222	\$2,244	\$2,267	\$2,312
4520	1-4-4520-62130	Advertising	Enviroment services	\$800	\$800	\$800	\$800	\$816
4520	1-4-4520-62137	Material and Supplies	Enviroment services	\$1,400	\$1,400	\$1,400	\$1,400	\$1,428
4520	1-4-4520-62145	Repairs & Maintenance	Enviroment services	\$8,800	\$8,800	\$8,800	\$8,800	\$8,976
4520	1-4-4520-62190	Computer - Hardware/Software	Enviroment services	\$1,000	\$1,000	\$1,000	\$1,000	\$1,020
4520	1-4-4520-62200	Computer - Maintenance Contract	Enviroment services	\$600	\$600	\$600	\$600	\$612
4520	1-4-4520-62300	Equipment - Maintenance	Enviroment services	\$5,300	\$5,300	\$5,300	\$5,300	\$5,406
4520	1-4-4520-62310	Equipment - parts/tools, etc	Enviroment services	\$400	\$400	\$400	\$400	\$408
4520	1-4-4520-62330	Building - Maintenance	Enviroment services	\$200	\$200	\$200	\$200	\$204
4520	1-4-4520-62342	Building & Property Taxes	Enviroment services	\$2,400	\$2,400	\$2,400	\$2,400	\$2,448
4520	1-4-4520-62350	Dept Clothing & Apparel	Enviroment services	\$200	\$200	\$200	\$200	\$204
4520	1-4-4520-62580	Water Meters	Enviroment services	\$400	\$400	\$400	\$400	\$408
4520	1-4-4520-62582	Water Meter Repairs - Labour	Enviroment services	\$400	\$400	\$400	\$400	\$408
4520	1-4-4520-62584	Water Meter - Install	Enviroment services	\$3,300	\$3,400	\$3,500	\$3,600	\$3,672
4520	1-4-4520-62620	Contracts	Enviroment services	\$213,000	\$218,112	\$223,347	\$228,707	\$233,281
4520	1-4-4520-62621	Additional Services - Operator	Enviroment services	\$3,000	\$5,100	\$5,200	\$5,300	\$5,406
4520	1-4-4520-62623	Engineering Expense	Enviroment services	\$9,000	\$12,200	\$12,400	\$12,600	\$12,852
4520	1-4-4520-62625	Studies / Reports	Enviroment services	\$3,700	\$3,700	\$3,700	\$3,700	\$3,774
4520	1-4-4520-62640	Source Water Protection	Enviroment services	\$17,800	\$0	\$0	\$0	\$0
4520	1-4-4520-62800	Miscellaneous	Enviroment services	\$1,700	\$1,700	\$1,700	\$1,700	\$1,734
4520	1-4-4520-62910	Transfer to Reserves	Enviroment services	\$0	\$0	\$0	\$0	\$0
4520	1-4-4520-62920	Transfer to Reserve Funds	Enviroment services	\$95,196	\$187,026	\$195,593	\$204,285	\$212,611
4520	1-4-4520-64100	Sample Testing	Enviroment services	\$2,100	\$2,100	\$2,100	\$2,100	\$2,142
4520	1-4-4520-64220	Line Maintenance	Enviroment services	\$13,500	\$13,500	\$13,500	\$13,500	\$13,770

Dept	Acct	Account Name	Grouping	2019 Budget	2020 Budget	2021 Budget	2022 Budget	2023 Forecast
4520 Waterworks Total				\$0	\$0	(\$0)	\$0	\$0
Grand Total				\$0	\$0	\$0	(\$0)	(\$0)
		Direct Water & Wastewater Billing		(\$1,170,140)	(\$1,395,704)	(\$1,423,618)	(\$1,452,092)	(\$1,481,134)
					16.2%	2.0%	2.0%	2.0%

THE CORPORATION OF THE TOWNSHIP OF MAPLETON
FINANCE REPORT FIN 2019-18

TO: Mayor Davidson and Members of Council
FROM: John Morrison, Director of Finance
RE: Finance Recommendation for Fees and Charges
DATE: October 8th, 2019

RECOMMENDATION:

THAT Finance Report FIN2019-18 dated October 8, 2019 reporting on our User Fees and Charges be received for information.

AND FURTHER that the Finance Recommendation of changes to fees and charges, contained within this report, be incorporated into the Fees and Charges By-law effective January 1st, 2020.

BACKGROUND:

One of the core components of our Strategic Plan is “planning for a sustainable financial future”. As a part of that work, a review of user fees is undertaken in order to ensure that they adequately support service provisions. As a best practise, user fees should be utilized to finance those services and goods that provide a direct benefit to specific users, while services that benefit the entire community should be funded by property taxes. User fees should be set to cover the full cost of those services, to the extent that there are no conflicts with the Township’s policy objectives or priorities and other legislative requirements. The full cost of providing a good or service includes operating expenses, administrative costs, overhead and capital expenses (including amortization) and should be the starting point in considering the appropriate user fee. It is recognized that factors such as being competitively priced with the local market, should also be considered when establishing user fees and charges, or the societal benefit in excess of the value received by those paying for the service.

This report discusses and recommends the major changes in fees and charges for the departments of Planning, Parks and Recreation and Building with the purpose of integrating these changes into the next Fees and Charges By-law and the Operating Budget 2020-2023. Minor changes will not be addressed in this report.

PREVIOUS REPORTS:

- PW2018-27

DISCUSSION:

Fees and Charges Planning Department

Currently our planning department is collecting 23% of its administrative costs in fees and charges. Most of the fees and charges in this department have not seen increases since 2008 (By-law 2008-064), so increases are long overdue. We would like to implement appropriate fees that would achieve a recovery rate of 98% by the year 2022. In the planning department, the property owner is the main benefactor, so it is appropriate to focus our efforts on improving revenues here. We believe the best way to achieve this, is to gradually phase in changes to our Fees and Charges.

FINANCE RECOMMENDED FEES ANE CHARGES FOR PLANNING 2020

Description	2019 Fee and Deposit		Fin Recommended 2020 Fee and Deposit		
	Deposit to recover related expenses	User Fees (Excluding Deposit)	Deposit to recover related expenses	User Fee	% Increase
Committee of Adjustment - Minor Variance Commercial/Industrial	\$1,000	\$500	Integrated into user fee	\$2,300	53%
Committee of Adjustment - Minor Variance Other Applications				\$1,850	23%
Zoning Amendment	\$1,300	\$1,200	Integrated into user fee	\$3,500	40%
Zoning Amendment Temporary Garden Suite renewal		\$0		\$2,000	New
Zoning Amendment (temporary Use)		\$0		\$3,500	40%
Removal Holding Provision		\$500		\$1,500	200%
Plan of Subdivision - New or Amendment including conditions of approvals to both Mapleton and County of Wellington	\$5,000	\$5,000	\$8,000	\$7,000	40%
Account top up for Plan of Subdivisions that exceed the \$8000 deposit for recovered expense			\$6,000	\$4,000	New
Site Plan Control Approval (First Approval) New	\$2,000	\$1,500	\$2,000	\$2,500	67%
Site Plan Control Amendments (Major)	\$1,000	\$1,000	\$1,800	\$2,200	120%
Site Plan Control Amendments (Minor)		\$500		\$1,000	100%
Site Plan Control Security Inspections	\$1,900	\$100	\$1,800	\$200	100%
Any other applications pursuant to the provisions of the Planning Act including appeals to the Ontario Municipal Board, Road Closing and Acquisition, ect.	\$3,500	\$1,500	\$3,500	\$2,500	67%
Certificate of Compliance - Zoning By-law		\$85		\$100	18%
Certificate of Compliance or Status - Plan of Subdivision, Site Plan Agreements		\$125		\$220	76%
Part Lot Control Exemption		\$500		\$1,500	200%
Deeming By-law		\$700		\$1,000	43%
Severances					
Notice Verification for Severance Applications		\$100		\$150	50%
Clearance for Severance Conditions		\$150		\$200	33%
Cash in Lieu of Parkland (including lots on plan of subdivision & lots created by consent)		\$1,400		\$1,400	0%
Fee for services provided by Municipal employees including Clerk, Treasurer, or Secretary		\$50		\$75	50%
Copy of Zoning By-law		\$50		\$50	
Letter of Interest from resident to Clerk to purchase unopened road allowance		\$370		\$500	35%
Disposal of Surplus Lands (including roads)	\$4,500	\$500	\$4,500	\$500	0%
Encroachment Agreements	\$1,400	\$600	\$1,400	\$600	0%

The descriptions in red are changes to our current Fees and Charges schedule. Our initial year 2020 will see the largest increase (34% in overall revenue) since most of these services have not been revised in the last 12 years. The years 2021 and 2022 will see a further 33% increase in each service each year.

Calculation Factors

In developing fees for the Planning department, full cost recovery of the Township's administrative expenses is the core objective. To ensure that the collection of fees is also cost-effective, changes are being proposed for the collection of deposits and fees for minor variances and zoning amendments. Our current procedure is to collect an upfront deposit. Once the actual costs have been determined, a refund or an additional billing occurs. Administering this process is labour intensive for both the Planning and the Finance departments. Staff believe that these costs are predictable enough that we can incorporate them into an upfront fee for minor variance and zoning amendments and thereby eliminate the deposit process. Procedurally this will create efficiencies within both departments.

While determining the appropriate fees for each service we used the strategy of looking at comparison pricing of neighbouring Municipalities along with looking at the labour involved in each activity.

Planning Activity Workload

- Minor Variances 30%
- Zoning 40%
- Site Plan Control 20%
- Other 10%

Using this scale, we have matched revenue projections with workload so that fees would accurately reflect the amount of labour involved.

Overview Comparison of Planning Fees

See Schedule A

Schedule A gives us an overview of what neighboring municipalities are recovering and charging in their fee structure. Each municipality may have a different structure for recovering expenses related to planning and there will be differences that are hard to compare as services differ. An example of this is that Centre Wellington processes minor variances internally and therefore has no associated costs from the County.

Our budget in 2019 had a recovery rate (ratio of revenue to expense) of 23%. We propose to phase in increases to reach a goal of 98% recovery.

	Projected Revenue	Projected Expense	Recovery Rate
Year 2020	\$ 134,400	\$ 229,700	59%
Year 2021	\$ 184,000	\$ 235,600	78%
Year 2022	\$ 236,400	\$ 241,700	98%

Recreation - Hall Rentals

Another area we see as appropriate to recover more funds, is in our fees and charges for hall rentals. This service is enjoyed by just a few users but is largely funded by the tax base. The table shows the financials for these two halls for the past two years, as well as the arena. Staff have separated these areas because they provide different services and staff recommends that we should look at cost recovery differently in these categories. The halls are used by individuals and community groups while the arena is used by the general community on a much broader basis

	Actual 2017			Actual 2018		
	Revenue	Expense	Loss/ Profit	Revenue	Expense	Loss/ Profit
MCC Hall	\$7,148	\$63,470	-\$56,322	\$7,349	\$72,764	-\$65,415
MCC Bar Revenue	\$4,397	\$689	\$3,708	\$7,525	\$4,269	\$3,256
MCC Total	\$11,545	\$64,159	-\$52,614	\$14,874	\$77,033	-\$62,159
PMD Hall	\$21,973	\$109,904	-\$87,931	\$26,049	\$107,351	-\$81,302
PMD Bar	\$23,994	\$17,072	\$6,922	\$27,440	\$9,651	\$17,789
PMD Total	\$45,967	\$126,976	-\$81,009	\$53,489	\$117,002	-\$63,513
Hall Rentals Overall Loss				\$68,363	\$194,035	-\$125,672
PMD Arena	\$156,872	\$389,132	-\$232,260	\$157,427	\$395,174	-\$237,747
PMD Snack Bar	\$7,253	\$9,949	-\$2,696	\$4,055	\$10,575	-\$6,520
PMD Arena Total Loss	\$164,125	\$399,081	-\$234,956	\$161,482	\$405,749	-\$244,267

Last year the hall rentals cost taxpayers over \$125,000 after offsetting fee revenues. The MCC hall requires revenues of \$1,480 weekly to break even and the PMD hall \$2,250 per week.

Currently our residents and non-residents enjoy the same rates. This means non-residents who do not pay taxes, are being subsidized by our tax base. The Sunday Moorefield rate of \$110/day does not even cover the wages associated with entry/exit of the premises, and cleanup after the rental. These rentals are often at busy times of the year and we, in many cases are paying employees overtime rates to do this work.

There are many other costs such as utilities, maintenance, insurance, etc. When setting rental rates, we should consider not only the rental client, but also the taxpayers who are funding this expense.

Please find Schedule B to see comparisons with neighboring municipalities.

In Schedule B we have noted seating capacity for comparison. Our recovery rate (expenses – revenue ratio) is at 45% which is comparable to the Arthur arena but below the other comparators. Many of our rates are close when considering the size of each facility. It also appears that in each rental the municipalities are covering their cleanup costs, with the exception of Arthur which shows a minimum 3-hour fee of \$63.25/hr. (they also have a similar recovery rate). Our before and after event charges are much lower than our competitors.

Finance would like to recommend changes that would increase daily hall rentals moderately overall, always recovering the extra wage costs due to entry/exit of facilities and cleanup, which are often paid at an overtime rate. Schedule C details the recommended changes that are in red. Unchanged fees are not in this schedule. Please note the following highlights;

- The minimum charge for a hall rental would be \$240.00 for the Upper Hall at MCC. This should always cover our wage costs due to cleanup.
- The Minor Sport rate is unchanged.
- Increase to our day before and after event rates to reflect common practice in the market.
- Allow only Mapleton Township residents to enjoy the lower Upper Hall MCC rates. Non-residents would need to pay for the full hall rate.

Finance does not foresee that these fee changes will have financial impacts, other than keeping up with inflation rates.

Ice Rentals Fees

Staff recommend an increase to fees and charges for ice rentals for the 2020-2021 Season.

ICE RENTAL	Fees for		Finance
		2019-2020 Season	Recommend 2020-2021 Season
Non-Prime Monday through Friday Before 5:00 pm and After 11:00 pm	per hour	\$79.00	\$85.00
Prime-time non-Minor	per hour	\$114.00	\$127.35
Minor Sports	per hour	\$107.00	\$109.00

Building Permit Fees

Staff is proposing the following changes to our building permit fees. An increase of 5 cents per square foot for building permits with the exception of the agricultural Group G. This group, staff proposes an increase of 2 cents per square foot. This pricing is comparative with neighboring municipalities.

FINANCIAL IMPACT: If changes are implemented to fees and charges in the year 2020 revenues should increase by \$31,000 in planning, \$7,400 in the recreation department and \$33,000 in the building department.

SUMMARY: These are the major areas staff recommend be implemented in Mapleton's 2020 fees and charges. Once council approval is received, we will integrate changes into the Fees and Charges By-law and the Operating Budget 2020-2022 so that revenues are more accurately estimated.

COMMUNICATION:

STRATEGIC PLAN:

Municipal Infrastructure: n/a

The Local Economy: n/a

Recreation: n/a

Municipal Administration: n/a

Financial Responsibility:

To be integrated into the Fees and Charges Bylaw for year 2020 so that the property tax rate be contained.

**Prepared By:
Heather Trottier**

Financial Analyst

**Reviewed By:
John Morrison**

Director of Finance

**Reviewed By:
Manny Baron**

CAO

Attachments (3)

Schedule A

Overview Comparison of Planning Fees

Description	Mapleton 2019 23% Recovery Rate (Budget 2019)		Finance Recommended Fees 2020 58% Recovery Rate		Centre Wellington 2019 37% Recovery Rate (2019 Budget)		Woolwich 2018 28% Recovery Rate (2019 Budget)		Town of Minto 2019 20% Recovery Rate (2018 FIR)	
	Deposit to recover related expenses	User Fees (Excluding Deposit)	Deposit to recover related expenses	Mapleton User Fee 2020	Deposit to recover related expenses	User Fee 2019	Deposit to recover related expenses	User Fee 2019	Deposit to recover related expenses	User Fee 2019
Committee of Adjustment - Minor Variance Commercial/Industrial	\$1,000.00	\$500.00	Our 2020 cost includes Expenses	\$2,300.00		\$979 + \$476 for addit'l app	\$1,015.00		\$1,000.00	\$600.00
Committee of Adjustment - Minor Variance Other Applications			Our 2020 cost includes Expenses	\$1,850.00		\$799 + \$476 for addit'l app			\$1,000.00	\$600.00
Zoning Amendment	\$1,300.00	\$1,200.00	Our 2020 cost includes Expenses	\$3,500.00	\$2,400.00	\$6,509.00	yes	\$5,100.00	\$1,500.00	\$700.00
Zoning Amendment Temporary Garden Suite renewal		\$0.00	Our 2020 cost includes Expenses	\$2,000.00	\$2,400.00	\$2,896.00		\$2,040.00	\$1,500.00	\$700.00
Zoning Amendment (temporary Use)		\$0.00	Our 2020 cost includes Expenses	\$3,500.00	\$2,400.00	\$1,466.00	yes	\$3,975.00	\$1,500.00	\$700.00
Removal Holding Provision		\$500.00		\$1,500.00		\$2,954.00		\$840.00		\$500.00
Plan of Subdivision - New or Amendment including conditions of approvals to both Mapleton and County of Wellington	\$5,000.00	\$5,000.00	\$8,000.00	\$7,000.00	\$2,400.00	\$11,557.00	yes	\$5,405.00	\$12,000.00	\$3,000.00
Account top up for Plan of Subdivisions that exceed the \$8000 deposit for recovered expense			\$6,000.00	\$4,000.00						
Site Plan Control Approval New	\$2,000.00	\$1,500.00	\$2,000.00	\$2,500.00	\$2,400.00	\$3331 Res \$6652 Com		\$1,920.00	\$6,000.00	\$1,000.00
Site Plan Control Amendments (Major)	\$1,000.00	\$1,000.00	\$1,800.00	\$2,200.00	\$2,400.00	\$1,742.00		\$1,920.00	\$6,000.00	\$1,000.00
Site Plan Control Amendments (Minor)		\$500.00		\$1,000.00	\$1,200.00	\$1,087.00		\$1,350.00	\$2,850.00	\$750.00
Site Plan Control Inspection	\$1,900.00	\$100.00	\$1,800.00	\$200.00						
Any other applications pursuant to the provisions of the Planning Act including appeals to the Ontario Municipal Board, ect.	\$3,500.00	\$1,500.00	\$3,500.00	\$2,500.00				\$2,000.00		\$2,000.00
Certificate of Compliance - Zoning By-law		\$85.00		\$100.00		\$125.00		\$178.00		\$50.00
Certificate of Compliance or Status - Plan of Subdivision, Site Plan Agreements		\$125.00		\$220.00		\$125.00				

Description	Mapleton 2019 23% Recovery Rate (Budget 2019)		Finance Recommended Fees 2020 58% Recovery Rate		Centre Wellington 2019 37% Recovery Rate (2019 Budget)		Woolwich 2018 28% Recovery Rate (2019 Budget)		Town of Minto 2019 20% Recovery Rate (2018 FIR)	
	Deposit to recover related expenses	User Fees (Excluding Deposit)	Deposit to recover related expenses	Mapleton User Fee 2020	Deposit to recover related expenses	User Fee 2019	Deposit to recover related expenses	User Fee 2019	Deposit to recover related expenses	User Fee 2019
Part Lot Control Exemption		\$500.00		\$1,500.00		\$ 993 + \$68.80 per unit		\$ 840 + \$335 per unit		\$500.00
Deeming By-law		\$700.00		\$1,000.00		\$799.00				\$500.00
Severances										
Notice Verification for Severance Applications		\$100.00		\$150.00		\$48.00				
Clearance for Severance Conditions		\$150.00		\$200.00		\$136.00				\$50.00
Cash in Lieu of Parkland (including lots on plan of subdivision & lots created by consent)		\$1,400.00		\$1,400.00		\$3198 - Res Urban \$1604 - Res Rural		\$2,035.00		\$500.00
Fee for services provided by Municipal employees including Clerk, Treasurer, or Secretary		\$50/hr		\$75/hr						\$50/hr
Copy of Zoning By-law		\$50.00		\$50.00		\$86.00		\$102.00		\$25.00
Letter of Interest from resident to Clerk to purchase unopened road allowance		\$370.00		\$370.00						
Disposal of Surplus Lands (including roads)	\$4,500.00	\$500.00	\$4,500.00	\$500.00			\$2,000.00	\$1,030.00		\$500.00
Encroachment Agreements	\$1,400.00	\$600.00	\$1,400.00	\$600.00	\$1,000.00	\$320.00	yes	\$1,245.00		\$500.00

Schedule B

Comparison overview of Recreation Fees and Charges

DESCRIPTION		2019 Fees		Elora	Palmerston	Arthur
		PMD Seating 450	MCC Seating 300	Seating 450	Seating 250	Seating 600
		Recovery of 45% 2018		Recovery of 58% (budget 2019)	Recovery of 64% (budget 2018)	Recovery 46% (FIR2018)
Weekend (Friday, Saturday and Statutory Holiday) Includes Kitchen		600	\$500.00 \$300 Upper only	\$640.27	\$440.00	\$638.50 - \$840.50
Day before event (Friday or Saturday) Does not include kitchen 9:00 am – 6:00 pm		\$110.00	\$110.00	\$170.62	\$150.00	\$153.00
Weekday (Sunday through Thursday) In includes Kitchen		\$340.00	\$300.00 \$110 Upper		\$340.00	\$358.00
Day before event (if not already booked) (Sunday through Thursday) Does not include kitchen 9:00 am – 6:00 pm		No charge			\$100.00	
Hourly Rate – only on weekdays (Sunday through Thursday) Includes Kitchen No hours rate available on weekends	per hour	\$100.00	\$80.00 \$50.00 \$30 Upper			\$63.25 (min 3 hours)
Round Tables	per table	\$5.00				
Minor Sport Rate Includes kitchen		\$250.00	\$200.00 \$75 Upper		\$250.00	\$253.00
PMD Boardroom						
Hourly Rate	per hour	\$30.00		\$36.11		\$33.75
PMD Kitchen Only						
Kitchen can only be booked when no hall rental - 9 am – 4 pm (weekdays) NOTE: Weekends can be booked only if booked within two (2) weeks or less of rental date. Extra hours charged above	per hour	\$150.00 \$50.00				
PMD Arena Floor	or per hour up to 4 hours	\$470.00 \$42.00		\$1,158.01 \$37.43-\$56.64	\$550.00	\$687.5 - \$482.5 \$50.50-\$69.25/hr
PMD Complex Rental						
April 1 – August 31 No ice in		\$995.00				
ICE RENTAL (2019-2020 Season)						
Non-Prime Monday through Friday Before 5:00 pm and After 11:00 pm	per hour	\$79.00		\$109.47	\$61.95-40	\$110.25
Prime-time non-Minor	per hour	\$114.00		\$194.42	\$130.09	\$130- non res \$151
Minor Sports	per hour	\$100.00		\$136.46Prime- \$77.08NPrime	\$100-107 \$120 out of town	\$110.25
Public Skating	per person	\$2.00		\$2.68		
Public Shiny Hockey (minimum 10 playeres)	per hour	\$60.00				
Private Ice Rentals (if booked same day as use)	per hour	\$60.00				
Any Ice Rental that falls on a Statutory Holiday will be charged at Prime Time Rates.						
DRAYTON BALL PARKS						
No lights	per game	\$28.88				\$37.75
With lights	per game	\$34.65				\$46.00
DRAYTON SOCCER FIELDS	per registrant	\$5.50				

Schedule C

Finance Recommended 2020 Fees for Hall Rentals

DESCRIPTION		2019 Fees	Finance Recommended 2020 Fees	Percent Increase
PEEL MARYBOROUGH DRAYTON ARENA				
PMD Hall				
Weekend (Friday, Saturday and Statutory Holiday) Includes Kitchen		\$600.00	\$630.00	5%
Day before event (Friday or Saturday) Does not include kitchen 9:00 am – 4:00 pm		\$110.00	\$150.00	36%
Day After event (Sunday if unscheduled) Does not include kitchen 9:00 am-11:00am			\$150.00	New
Weekday (Sunday through Thursday) Includes Kitchen		\$340.00	\$350.00	3%
Hourly Rate – only on weekdays (Sunday through Thursday) Includes Kitchen (Minimum 3 hours) No hours rate available on weekends	per hour	\$100.00		

All Hall Rental on Statutory Holidays charged at full rate (\$630)

MARYBOROUGH COMMUNITY CENTRE

MCC Hall – Upper Hall and Lower Hall

Weekend (Friday, Saturday and Statutory Holiday) Includes Kitchen		\$500.00	\$525.00	5%
Day before event (Friday or Saturday) Does not include kitchen 9:00 am – 6:00 pm 4:00pm		\$110.00	\$150.00	36%
Day After event (Sunday if unscheduled) Does not include kitchen 9:00 am-11:00am			\$150.00	New
Weekday (Sunday through Thursday) Does not include kitchen		\$300.00	\$325.00	8%
Hourly Rate – only on weekday (Sunday through Thursday min 3 hours) Does not include the kitchen Additional Rate for kitchen No hourly rate available on weekends.	per hour per hour	\$80.00 \$50.00		

All Hall Rental on Statutory Holidays charged at full rate (\$525)

MCC Upper Hall (For Mapleton Residents Only)

Weekend (Sunday Only) Includes Kitchen / Bar Services		\$300.00		
Sunday Only – Family Reunions or Family Gatherings Includes kitchen Unlicensed only 12:00 noon – 6:00 pm		\$110.00	\$240.00	118%
Weekday (Sunday through Thursday) Does not include the kitchen		\$100.00	\$240.00	140%
Hourly Rate – only on weekday (Sunday through Thursday) Does not include the kitchen Additional Rate for kitchen No hourly rate available on weekends-	per hour per hour	\$30.00 \$50.00		

All Hall Rental on Statutory Holidays charged at full rate (\$525)

THE CORPORATION OF THE TOWNSHIP OF MAPLETON
PUBLIC WORKS REPORT PW2019-28

TO: Mayor Davidson and Members of Council
FROM: Sam Mattina, Director of Public Works
RE: Follow up to Wellington County Trail Funding Program
DATE: October 8, 2019

RECOMMENDATION:

THAT Township of Mapleton Council receive Public Works Report PW2019-28 dated October 8, 2019 regarding Wellington County Trail Funding Program.

AND FURTHER THAT Council approve the revised plan for the trails presented within the report with the estimated cost of \$129,925 and support the application for funding from the County Trail Program for the eligible amount of \$50,000, with the potential eligibility for an additional grant of \$25,000 from the Wellington County Business Retention and Expansion Grant Program.

BACKGROUND:

On September 10, 2019, staff presented report PW2019-25 to Township of Mapleton Council outlining a proposed trail improvement plan in order to qualify for a Wellington County Active Transportation initiative program. The plan that was proposed in that report had an estimated value of \$185,925.

At that council meeting, Council deferred the recommended resolutions in an effort to reduce the scope and cost of the intended improvements, yet still qualify for the full available County funding.

This report will outline an updated plan to reduce the estimated project value to a level that would still allow the maximum benefit to the Township, offered by the initiative program.

The County's Initiative Program and its details are outlined in report PW2019-25.

PREVIOUS PERTINENT REPORTS:

PW2019-25 Wellington County Trail Funding Program dated September 10, 2019

DISCUSSION;

The Township of Mapleton has four active trails within its three urban centres of Alma, Drayton and Moorefield. The combined 3.5 km of walking trails are perfect for walking, running or biking. These four active trails are known as;

- The Drayton Walking Trail
- The Riverside Trail
- The Moorefield Community Centre Trail, and
- The Wallace Cumming Park Trail

Maps showing the location of these trails are attached to this report as Attachment #2.

The original trail enhancement plan submitted in report PW2019-25 was created with input from the design consultant, Stempski Kelly Associates Inc., who is currently working to update the Townships Parks and Recreation Strategic Master Plan. The Master Plan update is still in the development stages and has not yet been adopted by Township Council.

The Trail improvement plan outlined in Report PW2019-25 included proposed solar lighting estimated at approximately \$56,000. In order to align with the desires of council as discussed at the September 10, 2019 council meeting, staff will endeavor to reduce the financial impact of the project on the Township, yet still allowing compliance to the funding program criteria. In order to do this, staff recommends removing the proposed solar lighting from the trail improvement plan. The lighting component can be added to the project, if desired, at any future date, through the appropriate budgeting process.

This reduction of approximately \$56,000, will reduce the project value to \$129,925.

In addition to the Wellington County Trail Improvement Funding Grant which would contribute fifty percent of the trail improvement costs to a maximum of \$50,000, the Township will apply for an additional \$25,000 which is available from the 2019 Wellington County, Business Retention and Expansion Grant Program, (BR&E), which will contribute to way finding signs for the project.

Should this latter funding be approved, the cost impact to Mapleton for the proposed improvements will be reduced to \$54,925.00. $((\$129,925 - (\$50,000 + \$25,000)) = \$54,925$.

At this time staff has not yet applied to the County for the additional funding, however we anticipate the probability for approval to be high, as the project scope fits the eligibility criteria for improving way finding signs in the community, and we are still within the application submission timeline.

Work Plan:

The proposed revised work plan with estimate is outlined below. Work Plan details with estimated costs, are illustrated in Attachments #1a, 1b and 1c for Alma, Moorefield and Drayton respectively, with a project summary contained in Attachment #1d, appended to this report. It is the same work plan as was submitted in report PW2019-25, with the lighting component removed. The deletion of the lighting component has reduced the project estimate by \$58,000.

Alma Wallace Cumming Park Trail

Requirement	Description	Approximate Cost (\$)
Signage	Wayfinding & Gateway, information boards	14,500
Structures	Benches, Garbage Cans, pet waste systems, bicycle stands picnic tables	20,925
Materials	Mulch, sod, screening	5,000
Alma Sub Total 1		40,425

Moorefield Community Centre Trail

Requirement	Description	Approximate Cost (\$)
Signage	Wayfinding & Gateway, information boards	10,500
Structures	Benches, Garbage Cans, pet waste systems, bicycle stands picnic tables	21,375
Materials	Mulch, sod, screening	7,500
Moorefield Sub Total 2		39,375

Drayton Walking Trail & Riverside Trail

Requirement	Description	Approximate Cost (\$)
Signage	Wayfinding & Gateway, information boards	18,500
Structures	Benches, Garbage Cans, pet waste systems, bicycle stands picnic tables	26,625
Materials	Mulch, sod, screening	5,000
Drayton Sub Total 3		50,125
Total; (1 + 2 + 3)		129,925

CONSULTATION:

None

FINANCIAL IMPLICATIONS:

The Project is estimated at \$129,925. The Township of Mapleton investment for this project following the eligible \$50,000 grant funding to be received from the County of Wellington is \$79,925. Should the additional funding request from the BR&E Program be approved, the Township investment for this project will become \$54,925.

The Project will be funded from the Township of Mapleton Capital Reserves.

SUMMARY:

The cost associated with this proposed Trail Work Plan is estimated at \$129,925. If the project is approved by Township of Mapleton Council, the resultant Township of Mapleton investment post Wellington County Program grant funding of \$50,000 will be \$79,925. Should the additional Wellington County BR&E funding application be approved the Township of Mapleton investment total will become \$54,925.

COMMUNICATION:

None

STRATEGIC PLAN:

Municipal Infrastructure:

Maintaining and upgrading municipal infrastructure to serve local residents and Businesses and to encourage growth. (Municipal Strategic Plan Objective 1.5)

Recreation:

Improving recreational opportunities for residents and visitors by enhancing the walkability within our community and providing access to recreation services and facilities in a consistent manner across Mapleton. (*Municipal Strategic Plan Objective 3.1 and 3.3*)

Prepared by:
Sam Mattina, CET, CMMIII
Director of Public Works

Reviewed By:
Manny Baron
CAO

Attachments:

Attachments #1a, 1b, 1c and 1d: Work Plan details with estimated costs for each of Alma, Moorefield and Drayton respectively and Summary.

Attachment #2: Maps showing location of Mapleton Trails.

Trail Improvements & Costs

Alma Wallace Cumming Park Trail

Category	Requirement	Description	Quantity	Cost Per Unit	Total Cost
Signage	Wayfinding Signage	Directional Signage from the road to direct traffic & Directional signage within the trail	5	500	2500
	Gateway Signage	Signage at the trail entrances	2	4000	8000
	Information Boards	Frisbee Golf Information, Community Information Board	2	2000	4000
Structures	Benches	Concrete Benches	3	1500	4500
	Garbage Cans		5	1425	7125
	Pet Waste Systems	Bags and disposal units	3	1200	3600
	Bicycle Stands	Install in the Park area near the trail entrance	1	1200	1200
	Picnic Tables	Spaced throughout the trail system	3	1500	4500
					0
Lighting	Solar Lights	So the trail can be utilized longer throughout the day, and season	4	4000	16000
Materials		Mulch, sod and screening	1	5000	5000
Total Alma Requirements				22325	56425

Trail Improvements & Costs

Moorefield Community Centre Walking Trail

Category	Requirement	Description	Quantity	Cost Per Unit	Total Cost
Signage	Wayfinding Signage	Directional Signage from the road to direct traffic & Directional signage within the trail	5	500	2500
		Signage at the trail entrances	1	4000	4000
		Community Informaiton Board, Moorefield History	2	2000	4000
Structures	Benches	Concrete Benches	5	1500	7500
	Garbage Cans		3	1425	4275
	Pet Waste Systems	Bags and disposal units	1	1200	1200
	Bicycle Stands	Install in the Park area near the trail entrance	2	1200	2400
	Picnic Tables	Spaced throughout the trail system	4	1500	6000
Lighting	Solar Lights	So the trail can be utilized longer throughout the day, and season	4	4000	16000
Materials		Mulch, sod and screening	1	7500	7500
Moorefield Total Requirements				24825	55375

Trail Improvements & Costs

Drayton Walking Trail & Riverside Trail

Category	Requirement	Description	Quantity	Cost Per Unit	Total Cost
Signage	Wayfinding Signage	Directional Signage from the road to direct traffic & Directional signage within the trail	5	500	2500
		Signage at the trail entrances	3	4000	12000
	Information Boards	Frisbee Golf Information, Community Information Board	2	2000	4000
					0
Structures	Benches	Concrete Benches	5	1500	7500
	Garbage Cans		5	1425	7125
	Pet Waste Systems	Bags and disposal units	3	1200	3600
		Install in the Park area near the trail entrance			
	Picnic Tables	Spaced throughout the trail system	4	1500	6000
				0	
Lighting	Solar Lights	So the trail can be utilized longer throughout the day, and season	6	4000	24000
Materials		Mulch, sod and screening	1	5000	5000
Drayton Total Requirements				22325	74125

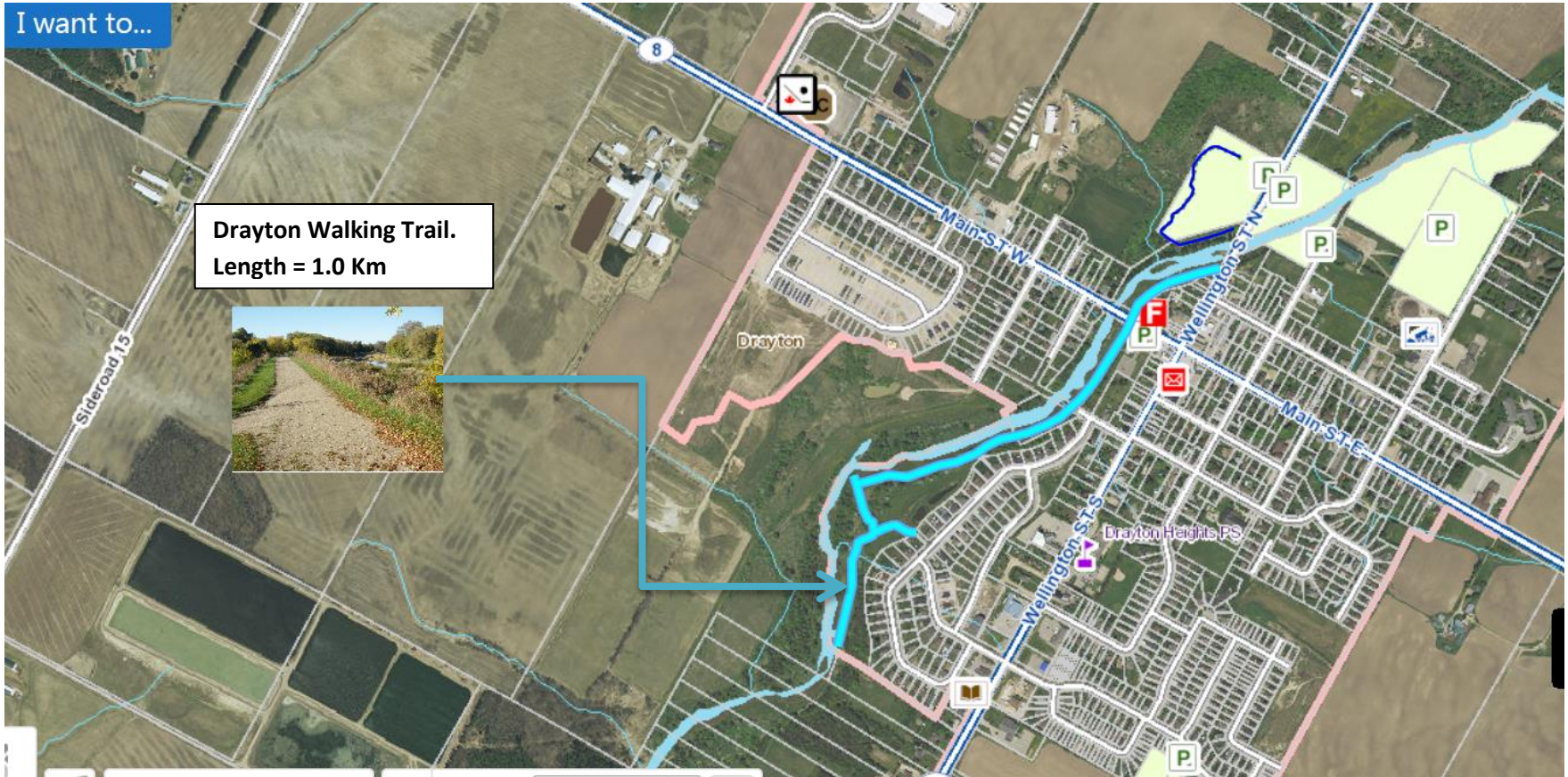
Trail Improvements & Costs

Summary of Costs and Products

Category	Requirement	Description	Quantity	Cost Per Unit	Total Cost
Signage	Wayfinding Signage	Directional Signage from the road to direct traffic & Directional signage within the trail	15	\$ 500.00	\$ 7,500.00
		Signage at the trail entrances	6	\$ 4,000.00	\$ 24,000.00
	Information Boards	Community Informaiton Board, Moorefield History	6	\$ 2,000.00	\$ 12,000.00
Structures	Benches	Concrete Benches	13	\$ 1,500.00	\$ 19,500.00
	Garbage Cans		13	\$ 1,425.00	\$ 18,525.00
	Pet Waste Systems	Bags and disposal units	7	\$ 1,200.00	\$ 8,400.00
		Install in the Park area near the trail entrance	5	\$ 1,200.00	\$ 6,000.00
	Picnic Tables	Spaced throughout the trail system	11	\$ 1,500.00	\$ 16,500.00
Lighting	Solar Lights	So the trail can be utilized longer throughout the day, and season	14	\$ 4,000.00	\$ 56,000.00
Materials		Mulch, sod and screening	1	\$ 17,500.00	\$ 17,500.00
Total Requirements				\$ 34,825.00	\$ 185,925.00

I want to...

Drayton Walking Trail.
Length = 1.0 Km





Wallace Cumming Park Trail. Alma
Length = 1.5 Km



to...

Moorefield Community Centre Trail.
Length = 0.5 Km



Drayton Walking Trail - Drayton = 1.0 km
Riverside Walking Trail - Drayton = 0.5 Km
Wallace Community Park Trail – Alma = 1.50 Km
Moorefield Community Center Trail = 0.5 Km

Total Trail Length in Township = 3.0 Km

THE CORPORATION OF THE TOWNSHIP OF MAPLETON

BY-LAW NUMBER 2019-089

Being a by-law to authorize the Mayor and Clerk to execute Agreements (Sales Trailer and Model Home) between Activa Holdings Inc. and The Corporation of the Township of Mapleton

WHEREAS the Township of Mapleton is desirous of entering into Agreements (Sales Trailer and Model Home) between Activa Holdings Inc. and The Corporation of the Township of Mapleton to facilitate the development of lands under subdivision agreement;

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 Agreement Agreements (Sales Trailer and Model Home) between Activa Holdings Inc. and The Corporation of the Township of Mapleton in substantially the same format as attached hereto.
2. A copy of the said Sales Trailer Agreement is attached hereto as Schedule "A" and forms part of this By-law.
3. A copy of the said Model Home Agreement is attached hereto as Schedule "B" and forms part of this By-law.

READ a first, second and third time and finally passed this 8th day of October, 2019.

Mayor Gregg Davidson

Clerk Barb Schellenberger

SALES TRAILER DRAFT AGREEMENT

MADE THIS _____ DAY OF _____, 2019.

BETWEEN:

**THE CORPORATION OF THE TOWNSHIP OF MAPLETON
(Hereinafter called the "Township")**

of the First Part,

and

**ACTIVA HOLDINGS INC.
(Hereinafter called the "Owner")**

of the Second Part,

WHEREAS the Owner is the registered owner of the lands described in Schedule "A" attached hereto (hereinafter called the "Lands");

AND WHEREAS The Owner and the Township have entered into a subdivision agreement, as amended, concerning the development of the Lands;

AND WHEREAS the Owner wishes to be install and operate a temporary sales trailer to assist with sales;

AND WHEREAS the parties of the Third Part agree to the terms and conditions as set out in this Agreement.

NOW THEREFORE, in consideration of the Township entering into this Agreement and the covenants hereinafter expressed, the parties each agree with the others as follows:

1. The Township agrees to permit the Owner to erect a sales trailer (hereinafter called the "Sales Trailer"), on the unopened roadway as shown on the draft plan of subdivision (the "Draft Plan") attached hereto as Schedule "B" (hereinafter called the "Parcel"), to assist with the sale of dwellings which are to be erected on the Lands.
2. The Owner shall deposit with the Township, a Letter of Credit from a chartered bank in the amount of \$10,000.00 as security must have the following characteristics:
 - (a) It must be an irrevocable Letter of Credit;
 - (b) It must be in a form and from a financial institution to the satisfaction of the Township Clerk;
 - (c) The Letter of Credit must renew automatically and provide the Township with 30 days' notice of cancellation; and
 - (d) The Letter of Credit must contain the address of the bank branch where inquiries can be made and the Letter of Credit called upon.
3. The Owner shall deposit with the Township, a certificate of insurance in a form acceptable to the Township certifying that the Owner has obtained from an insurance company, acceptable to the Township, insurance coverage in respect of liability for property damage and personal injury. Such policy or policies shall:
 - (a) be issued in the joint names of the Owner and The Corporation of the Township of Mapleton (or include as additional insured, the Township);
 - (b) provide insurance coverage in respect of any one accident or occurrence in the amount of at least Five Million Dollars (\$5,000,000.00), exclusive of interest and costs;

- (c) be effective for the duration of this Agreement; and
 - (d) contain a provision that the policy or policies will not be changed or cancelled without at least thirty (30) days prior written notice being given to the Township.
4. The Owner shall pay all of the Township's costs incurred in processing this Agreement and shall deposit with the Township the amount of \$750.00 to be credited against such costs upon acceptance of this Agreement.
 5. No connection shall be made to sanitary or storm sewers, water or hydro services without the prior approval of the Township.
 6. Temporary hydro services shall be arranged with the relevant authority in compliance with its requirements.
 7. Prior to the Sales Trailer being cleared by the Township for use, the Owner shall provide temporary sanitary facilities (two self contained portable toilets), located in close proximity to the Parcel.
 8. The Owner shall complete construction of a gravel access roadway (part of proposed Green Street) from the existing adjacent road to the Parcel that will serve only as vehicular access to the Sales Trailer and shall not be used for construction traffic.
 9. The Sales Trailer shall not be occupied for residential purposes. If the Sales Trailer authorized by this Agreement is occupied for residential purposes, the Township shall have the right to draw down upon the Letter of Credit required under this Agreement, in the amount of \$10,000.00, as partial liquidated damages. The Township may draw down upon the Letter of Credit without prejudice to the Township exercising any other rights which it may have against the Owner by reason of the Owner not being in compliance with the terms of this Agreement.
 10. The Sales Trailer shall be removed prior to the registration of the Draft Plan. If the Draft Plan has not been registered within two years of the execution of this Agreement, the Owner covenants and agrees to forthwith remove the Sales Trailer. If the Owner fails to remove the Sales Trailer, the Township, its employees, agents, and/or contractors, may enter upon the Lands and undertake the said removal at the Owner's expense. The cost of such removal may be deducted from the Letter of Credit, provided that if the Letter of Credit is insufficient, the Owner shall pay the balance outstanding to the Township forthwith upon receipt of an invoice from the Township. The Owner hereby specifically grants to the Township, its employees, agents and/or contractors permission to enter upon the Lands for purposes of carrying out the said removal
 11. The Letter of Credit deposited with the Township under this Agreement or any remaining balance as the case may be, shall be returned by the Township to the depositor upon:
 - (a) registration of a plan of subdivision against the Lands; and,
 - (b) removal of the Sales Trailer.
 12. The Owner acknowledges and agrees that the entry into this Agreement and any actions taken by or not taken by the Owner as a result of its entry into this Agreement are at their sole risk and on no account will they hold the Township responsible for any liability, demands, loss, costs, damages, expenses, compensation, awards or payments of any kind or nature whether or not they have been caused by or can be attributable to the negligence of the Township or its officers, agents, servants, employees, representatives or otherwise and the Owner hereby releases the Township from any and all such liability which may arise as a result of this Agreement.
 13. The Owner shall and does hereby and at all times indemnify and saves harmless the Township, its officers, employees, agents/contractors and representatives from

and against all actions, causes of action, suits, claims, demands, costs, damages, expenses or losses which they may bear, suffer or be put to arising out of or in any way connected with this Agreement.

- 14. The Owner consents to the registration of this Agreement on title to the Lands if deemed necessary by the Township.
- 15. The provisions herein shall enure to the benefit of and be binding upon the parties herein, their respective successors and assigns.

IN WITNESS WHEREOF the Parties hereto have affixed their corporate seals under the hands of their duly authorized signing officers in that behalf.

**THE CORPORATION OF THE
TOWNSHIP OF MAPLETON**

Per: _____
Greg Davidson, Mayor

Per: _____
Barb Schellenberger, Clerk

ACTIVA HOLDINGS INC.

Per: _____
Name:
Title
*I have the authority to bind the
corporation.*

DRAFT

SCHEDULE "A"

LEGAL DESCRIPTION

Part of Lot 1, Concession 10, former Township of Peel, now Township of Mapleton,
County of Wellington, being PIN 71457-0671.

DRAFT

SCHEDULE "B"

LOCATION OF SALES TRAILER

DRAFT

DRAFT MODEL HOME AGREEMENT MADE

THIS _____ DAY OF _____, 2019.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF MAPLETON

(Hereinafter called the "Township")

of the First Part,

and

ACTIVA HOLDINGS INC.

(Hereinafter called the "Owner")

of the Second Part,

WHEREAS the Developer is the registered owner of the lands described in Schedule "A" attached hereto (hereinafter called the "Lands");

AND WHEREAS The Owner and the Township have entered into a subdivision agreement, as amended, concerning the development of the Lands;

AND WHEREAS the Developer wishes to be issued a building permit prior to the final draft plan of subdivision being approved for registration, in order to construct a model home to assist with sales;

NOW THEREFORE, in consideration of the Township entering into this Agreement and the covenants hereinafter expressed, the parties each agree with the others as follows:

1. The Township agrees to permit the Owner to erect a model home (hereinafter called the "Model Home"), on the lot 12 on the Draft Plan (hereinafter called the "Lot") in accordance with the sketch attached hereto as Schedule "B" to assist with the sale of dwellings which are to be erected on the Lands.
2. The Township agrees to issue a building permit, upon the Owner's application, for the Lot upon which the Model Home is permitted to be built subsequent to the fulfillment of the following conditions:
 - (a) Each application shall be in a form to the satisfaction of the Chief Building Official.
 - (b) Each application shall be accompanied by all the necessary plans, specifications and approvals, as prescribed by the Ontario Building Code, as well as the building permit and other applicable associated fees, applicable Development Charges and deposits or amounts of money required to be paid to the Township under the other provisions of this Agreement and any agreement with The County of Wellington.
 - (c) The Builder shall deposit with the Township, a Letter of Credit from a chartered bank in the amount of \$15,000.00 for each building permit application. Any Letter of Credit submitted to the Township as security must have the following characteristics:
 - (i) It must be an irrevocable Letter of Credit;
 - (ii) It must be in a form and from a financial institution to the satisfaction of the Township Clerk;
 - (iii) The Letter of Credit must renew automatically and provide the Township with 30 days' notice of cancellation;

- (iv) The Letter of Credit must contain the address of the bank branch where inquiries can be made and the Letter of Credit called upon; and
 - (v) The Letter of Credit shall be returned to the Builder upon issuance of a final building permit for the Lot after registration of the plan of subdivision
- (d)
- (i) The Owner shall deposit with the Township, a certificate of insurance in a form acceptable to the Township certifying that the Owner has obtained from an insurance company, acceptable to the Township, insurance coverage in respect of liability for property damage and personal injury. Such policy or policies shall:
 - (A) be issued in the joint names of the Owner and The Corporation of the Township of Mapleton (or include as additional insured, the Township);
 - (B) provide insurance coverage in respect of any one accident or occurrence in the amount of at least Five Million Dollars (\$5,000,000.00), exclusive of interest and costs;
 - (C) be effective for the duration of this Agreement; and
 - (D) contain a provision that the policy or policies will not be changed or cancelled without at least thirty (30) days prior written notice being given to the Township.
 - (ii) No blasting is to take place on or adjacent to the Lands without satisfactory proof of insurance coverage, including coverage for blasting, having been provided to the Township.
 - (iii) As required by the Township, the Owner shall prove to the satisfaction of the Township that all premiums on such policy or policies have been paid and that the insurance is in full force and effect.
 - (iv) The Owner shall file a renewal certificate with the Township not later than thirty (30) days before the expiry date of any policy provided pursuant to this Agreement, until the Township has indicated, in writing, that the policy need not continue in force any longer. In the event that such renewal certificate is not received at least thirty (30) days before the said expiry date, the Township shall be entitled to either renew the policy at the expense of the Owner by drawing on the Letter of Credit or to order that all work on the Lands cease until the policy is renewed.
 - (v) The issuance of such a policy of insurance shall not be construed as relieving the Owner from the responsibility for other or larger claims, if any, for which it may be held responsible.
- (e) The appropriate zoning by-law shall be in force and effect for the Lands.
 - (f) The Owner shall provide a site plan, sealed by the Owner's consulting engineer, establishing lot grading, parking areas and entrance location to the satisfaction of the Township Engineer.
 - (g) The Owner shall retain a registered Ontario Land Surveyor to stake the corners of the Lot.

- (h) The Owner shall deliver to the Township a certificate from a registered Ontario Land Surveyor stating that the survey markers have been placed in the ground for the corners of the Lot.
 - (i) The Owner shall submit a geotechnical investigation report to the satisfaction of the Chief Building Official prior to or at the same time as the building permit application(s).
 - (j) The Owner shall pay all of the Township's costs incurred in processing this Agreement and shall deposit with the Township the amount of \$1,000.00 to be credited against such costs upon acceptance of this Agreement.
- 3.
- (a) The Owner shall upon construction of the building foundation and prior to the "superstructure" works proceeding, provide the Chief Building Official with information prepared by a registered Ontario Land Surveyor which addresses the following:
 - (i) certification of the location of the foundation in relation to the boundaries of the Lot on a plan of survey;
 - (ii) elevations of the top of footings at two (2) locations;
 - (iii) elevations at two (2) locations of the top of the foundation wall;
 - (iv) the geodetic benchmark utilized in securing the required elevations; and
 - (v) certification that final footing elevations and top of foundation wall elevations for the building are in conformity with the Building Code and the approved site plans.
 - (b) The Owner acknowledges that the Chief Building Official, except in the case of grading matters which shall be determined by the Township's Engineer, shall be the sole judge as to the acceptability of the information prepared by the registered Ontario Land Surveyor and the conformity of the foundation with respect to the Township's Zoning By-laws.
4. No connection shall be made to sanitary or storm sewers, water or hydro services without the prior approval of the Township.
5. Temporary hydro services shall be arranged with the relevant authority in compliance with its requirements.
6. Prior to the Model Home being cleared by the Township for use, as contemplated in Sections 8 and 9 herein, the following conditions must be fulfilled:
- (a) The Owner shall provide temporary sanitary facilities (two self contained portable toilets), located in close proximity to the Lot, until such time as permanent connections are made to the municipal services (sanitary sewer and water).
 - (b)
 - (i) The Owner shall erect and maintain an information sign in conformity with the applicable Township Sign By-law accurately depicting a colour rendered proposed plan of subdivision which clearly details the following information:
 - (A) approved zoning categories of the Lands,
 - (B) location and design of neighbourhood parks,

- (C) open space areas,
 - (D) public walkways,
 - (E) residential lotting pattern,
 - (F) significant public utility facilities,
 - (G) Canada Post facilities,
 - (H) Street names and collector street designations,
 - (I) Present and if applicable proposed land use of abutting property.
- (ii) This sign shall be erected a minimum of 10 feet back from the road allowance and shall be designed and located in proximity to the Lot to the satisfaction of the Township's Planner. It is further agreed that the Owner is not required to obtain a permit under the Sign By-law if he follows the provisions of this Section. This sign shall be maintained by the Owner until the last lot on the Draft Plan has been sold, or such earlier date as approved by the Township Planner, whereupon, the Owner shall remove the information sign.
- (c) Prior to opening the Model Home to the public, the Owner shall complete construction of a base course asphalt access roadway (part of proposed Maple Street) from the existing Maple Street to the Lot that will serve as vehicular access to the Model Home.
7. The Owner agrees that the Model Home which is authorized by this Agreement to be constructed shall be used as display models only and shall not be occupied as a residence until such time as the Draft Plan has been registered and all of the requirements of the Township as set out in a registered Subdivision Agreement respecting the Lands have been complied with.
8. The Owner shall be entitled to decorate and furnish the Model Home for display and the public shall be permitted access thereto for the purpose of inspecting, examining and viewing the same.
9. The Model Home may be used as a sales office for the purpose of negotiating and concluding agreements of purchase and sale of dwelling units and lots within the Draft Plan.
10. If the Model Home authorized by this Agreement is occupied for residential purposes, the Township shall have the right to draw down upon the Letter of Credit required under this Agreement, in the amount of \$10,000.00, as partial liquidated damages. The Township may draw down upon the Letter of Credit without prejudice to the Township exercising any other rights which it may have against the Owner by reason of the Owner not being in compliance with the terms of this Agreement.
- 11.
- (a) The Owner covenants and agrees that, in the event that it is found that the Model Home authorized by this Agreement, is not in compliance with applicable laws, regulations and other requirements, the Owner shall immediately take steps to bring the said building into compliance. In addition to any other remedy, if the Owner defaults in any of its obligations, as set out in this Section, the Letter of Credit deposited with the Township under this Agreement, may be drawn down upon by the Township to either correct the defaulted obligations or demolish the Model Home.
 - (b) If the Draft Plan has not been registered within two years of the execution of this Agreement, the Owner covenants and agrees to forthwith demolish

the Model Home, to remove the demolished materials and to restore the land to a condition acceptable to the Chief Building Official at no cost to the Township. If the Owner fails to demolish the Model Home, the Township, its employees, agents, and/or contractors, may enter upon the Lands and undertake the said demolition at the Owner's expense. The cost of such demolition may be deducted from the Letter of Credit, provided that if the Letter of Credit is insufficient, the Owner shall pay the balance outstanding to the Township forthwith upon receipt of an invoice from the Township. The Owner hereby specifically grants to the Township, its employees, agents and/or contractors permission to enter upon the Lands for purposes of carrying out the said demolition.

12. The Letter of Credit deposited with the Township under this Agreement or any remaining balance as the case may be, shall be returned by the Township to the depositor upon:
 - (a) registration of a plan of subdivision against the Lands (or, in the case of a phased development, against that part of the Lands where the Lot is situate); and,
 - (b) issuance of a final building permit for the Lot as set out in Paragraph 2(c)(v) hereof.
13. The Owner acknowledges and agrees that the final engineering for the Draft Plan has not been completed and that the layout of the Lot may be altered. The Owner shall apply for any minor variance or by-law amendment which may be required so that the Model Home will conform to the zoning by-law, and if not obtained, the Owner shall alter the Model Home such that it complies or remove them from the Lot. The Township shall not be responsible in any way for the costs, losses, expenses or damages resulting from such alteration or required removal.
 - (a) The Owner acknowledges and agrees that the Model Home is not to be located in close proximity to operational fire hydrants and that fire services will be limited to the resources available to the Township's Fire Department.
 - (b) The Owner shall notify the Fire Department as to when the access roadway, identified in Section 6 (c), will be temporarily out of service for the installation of underground services, as referred to in Sections 6 (c) and 6 (d), so that Fire Department crews may be informed of the detour route. Otherwise, the Owner shall ensure that the said access roadway is not blocked with construction equipment, in order to facilitate emergency vehicles access.
14. The Owner acknowledges and agrees that the entry into this Agreement and any actions taken by or not taken by the Owner as a result of its entry into this Agreement are at their sole risk and on no account will they hold the Township responsible for any liability, demands, loss, costs, damages, expenses, compensation, awards or payments of any kind or nature whether or not they have been caused by or can be attributable to the negligence of the Township or its officers, agents, servants, employees, representatives or otherwise and the Owner hereby releases the Township from any and all such liability which may arise as a result of this Agreement.
15. The Owner shall and does hereby and at all times indemnify and saves harmless the Township, its officers, employees, agents/contractors and representatives from and against all actions, causes of action, suits, claims, demands, costs, damages, expenses or losses which they may bear, suffer or be put to arising out of or in any way connected with this Agreement.
16. The Owner consents to the registration of this Agreement on title to the Lands if deemed necessary by the Township.
17. The Owner agrees that, until the Draft Plan is registered, the Owner shall include a clause in all agreements of purchase and sale, advising the prospective

purchasers that the plan of subdivision has not been registered and that building permits are not available for houses within the Draft Plan.

18. The provisions herein shall enure to the benefit of and be binding upon the parties herein, their respective successors and assigns.
19. If two or more persons or corporations are liable under any terms of this Agreement to the Township, their obligations shall be both joint and several.

IN WITNESS WHEREOF the Parties hereto have affixed their corporate seals under the hands of their duly authorized signing officers in that behalf.

**THE CORPORATION OF THE
TOWNSHIP OF MAPLETON**

Per: _____
Greg Davidson, Mayor

Per: _____
Barb Schellenberger, Clerk

ACTIVA HOLDINGS INC.

Per: _____
Name:
Title
*I have the authority to bind the
corporation.*

DRAFT

SCHEDULE "A"

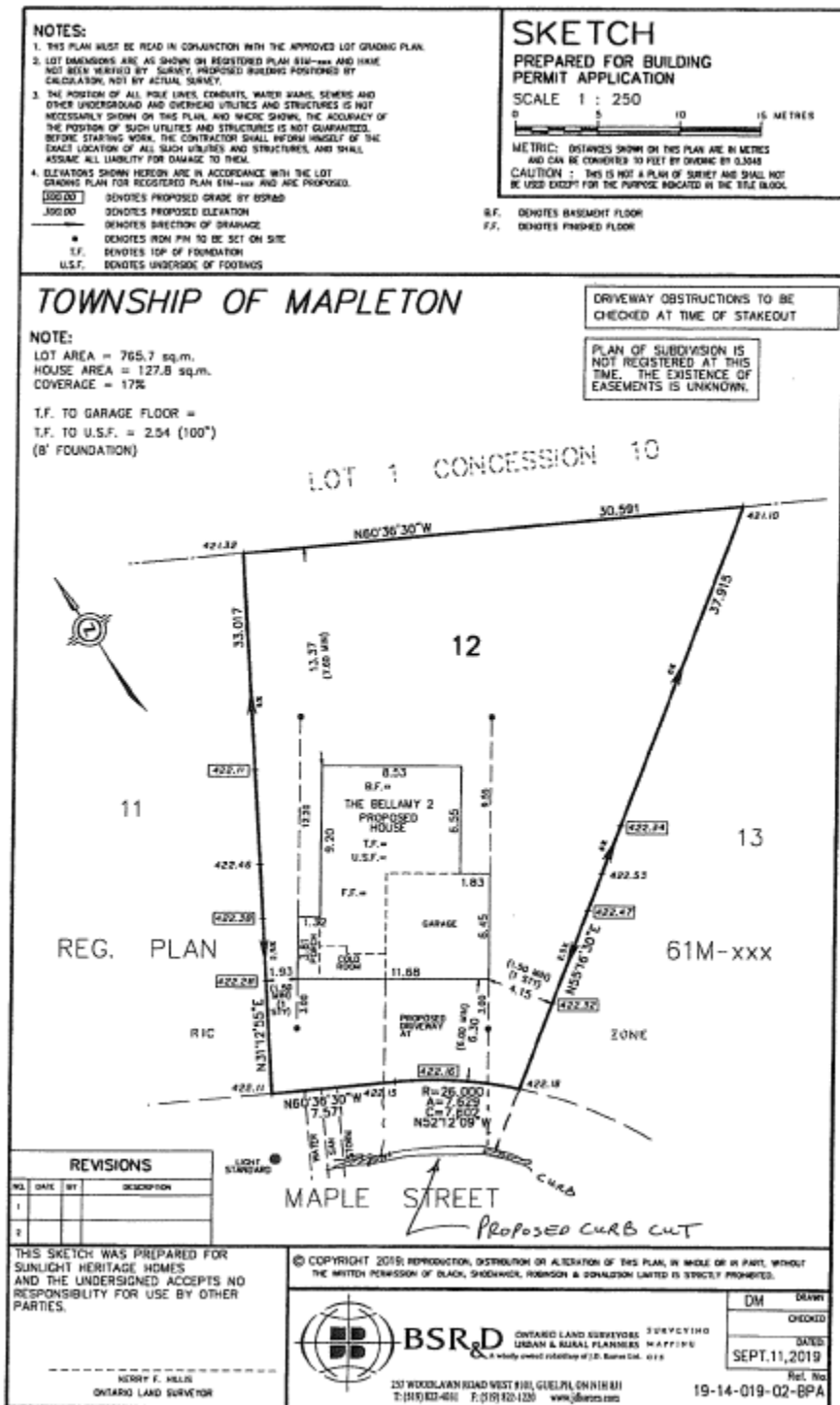
TO MODEL HOME AGREEMENT

LEGAL DESCRIPTION

Part of Lot 1, Concession 10, former Township of Peel, now Township of Mapleton,
County of Wellington, being PIN 71457-0671.

DRAFT

SCHEDULE "B"
 TO MODEL HOME AGREEMENT
SKETCH OF LOT



October 2019 Programs and Events

519 638 1000 or 1 866 446 4546

***SMART Exercise Programs –**new in Arthur and Harriston**; check the calendar for the SMART exercise program in your community. SMART stands for Seniors Maintaining Active Roles Together; exercise is good for both your mental and physical health and is a proven falls reduction strategy. So join these free groups and reap the benefits.

At Your Local Libraries: Please go to their website or call your library for other events.

Clifford Wed, Oct 9th 2pm Paper Crafts, please register 519.327.8328

Harriston Fri, Oct 11th 2-3 p.m., Decorating pumpkins please register 519.338.2396

Palmerston Wed, Oct 16th 2 pm Halloween Decorations please register 519.343.2142

Arthur Wed, Oct 16th 2 pm Paperback Pumpkins, please call for details 519.848.3999

Mt Forest Wed, Oct 16th 10:30-11:30 Spice up your life please register 519.323.4541

Drayton Mon, Oct 28th 2pm. Cookbooks by Edna Staebler register 519.638.3788

Living with Loss: Wednesday, Oct 2nd Birmingham Retirement Community @ 7 p.m. This free peer-support group is for adults grieving the death of a loved one. An opportunity to share your thoughts, hear new perspectives and learn coping strategies. **This month the topic is "Am I grieving normally"**

Registration is suggested 519.603.0196.

Arthur Writer's Group: Thursday, October 3rd Arthur Public Library, lower level @ 6 pm. Free!

Just bring your imagination, for more info; Arthur.writers@outlook.com or Doris @ 519.848.2019

**NEW Seniors Yoga in Arthur: Wednesdays in October @ 11 to 12p.m. @ Balanced Breath

Studio \$5 per class; increase mobility and flexibility in an air conditioned space. All levels welcome.

This class will be gentle but strength building and offer modifications for all. Props and chairs are provided

183 George St 519 400 9755 facilitated by fitness instructor Kristina Kelly

Learn to manage Osteoarthritis: Tuesday, Oct 8, 15 & 22nd 10am to 12pm Ontario

Telemedicine Network in Palmerston & Mt Forest come and learn what diet strategies may help

improve Osteoarthritis. Please register @ 519 638 2110 for Palmerston or 519 323 0255 for Mt Forest

presentation by Oct 1st. Speakers include a physiotherapist, dietitian and pharmacist.

Shuffleboard PMD Arena on Thursdays 1-3 p.m. \$3 each week. Come and join the shuffleboard

players at the arena for fun and fitness. Meet new friends or renew old friendships. To register please call

Ann at 519.638.2865

Ostomy Support Group Claire Stewart Medical Centre on Thursday, Oct 10th @ 1:30; open to those who have an ostomy and their family members. Education, support and a variety of great speakers, please call Carol at 519.323.0255 ext. 5014

Line Dancing: Harriston Arena on Mondays 10 am to 11am improve your fitness level and

coordination at this fun filled class. No previous experience necessary! \$3 per class

Yoga: Palmerston United Church, weekly Mondays @10 a.m. increase your flexibility, strength and

endurance by participating in this class with your peers join Kerry Ammerman \$5 per class.

Living with Cancer Support Group, Claire Stewart Medical Centre, Tuesday Oct 8th 1:30 open to all people living with cancer and those who care about them. 519.323.0255 ext. 5014

Euchre - Palmerston at the CNRA Bldg @ 2 pm; Cash prizes! Cost \$2 every 3rd Wednesday monthly

Friendship Circle: Tuesdays at the Mount Forest Pentecostal Church from 10:30-11:30 a.m.

this coffee group runs every Tuesday morning @ 259 Fergus Street South FREE. The 3rd Tuesday of the month is the Golden Hearts Luncheon, Oct 15th, with a guest speaker. A donation is requested to cover the cost of your lunch.

Friendship Circle: Palmerston United Church @ 10:00 a.m. FREE Wed Oct 30th Please come and have a hot cup of coffee or tea and enjoy conversation with your friends. All are welcome.

CONGREGATE DINING PROGRAMS 12:00 p.m. – 1:30 p.m.

People of all faiths welcome! Presentations are free and begin at 12:30 p.m.

Come for lunch @ noon for just \$12. Please register by calling 519-638-1000 or toll free 1-866-446-4546.

Palmerston United Church Wednesday, October 9th 12 p.m. **"Getting the most from your**

Healthcare appointment" Learn how to ask the right questions of your doctor or health care provider. Learn tips, tools & strategies to help you understand and feel more confident with taking an active role in your healthcare.

Drayton Reformed Church Friday, October 11th 12 p.m. **"Blood Pressure"** Join Registered Nurse, Danielle Parsons, for education and group discussion on Blood Pressure. What can these numbers tell us and why is it important to keep **these numbers in target?"**

Clifford (Knox) United Church Friday, October 18th 12 p.m. **"Country Music Sing-A-Long"**

Join entertainer Maryanne Holst as she sings some of your favourite old time country classics, she takes requests and also your applause ☺

Harriston United Church Wednesday, October 30th 12 p.m. **"Grizzly Bears & Majestic Eagles"**

Join Mark Garbutt as he shares his spectacular photos and stories from when he was a guide to photographers who wished to get up close and personal with grizzly bears.

Arthur United Church Thursday, October 31st @ 12 p.m. **"Halloween"** Join Willa Wick as she shares how Halloween Traditions began, the significance of black cats and witches and other fun and scary facts. Please plan to dress in costume to enhance the fun! Lunch is catered by the AUCW for only \$6.00

2019

OCTOBER

SENIORS' CENTRE for EXCELLENCE



Monday	Tuesday	Wednesday	Thursday	Friday
30	01	02	03	04
ASH - Arthur Seniors Hall BRC - Birmingham Retirement Community, Mt Forest CUC - Clifford United Church CNRA -Palmerston DRC - Drayton Reformed Church DUC - Dravton United Church	<u>Good Food Box Orders & Payment</u> 9:00 SMART Exercise PUC 10:15 SMART Exercise - ASH - NEW 10:15 SMART Exercise PUC 10:30 Friendship Circle - MFPC 11:30 SMART Exercises-Harriston KPC	9:00 Palmerston & Harriston Walking-Arena 9:00 SMART Exercise CUC 9:30 SMART Exercise DRC 1:30 Games Afternoon -MF Complex \$1.00 7:00 Bereavement Group - Birmingham Retirement Community	9:00 Palmerston Walking - Arena 10:15 SMART Exercise - ASH - NEW 11:00 Tastes for Life - MFPC 11:30 SMART Exercise - KPC - NEW 1:00 Shuffleboard - PMD \$3. 6:00 Arthur Writer's Group - Library	9:00 Palmerston Walking - Arena 9:00 Harriston Walking-Arena 9:00 SMART Exercise PUC 9:30 SMART Exercise DRC 10:15 SMART Exercise PUC
07	08	09	10	11
9:00 Palmerston & Harriston Walking-Arena 9:00 SMART Exercise - CUC 9:00 Euchre - Drayton United Church 9:30 SMART Exercise - DRC 10:00 Line Dancing \$3. Harriston Arena 10:00 Yoga - PUC - \$5. per class 3:00 Smart Exercise - VON MF CC	<u>Good Food Box Pick up/Delivery</u> 9:00 SMART Exercise PUC 10:00 Osteoarthritis-see back for details 10:15 SMART Exercise - ASH & PUC 10:30 Friendship Circle - MFPC 11:30 SMART Exercise - Harriston KPC	9:00 Palmerston & Harriston Walking-Arena 9:00 SMART Exercise CUC 9:30 SMART Exercise DRC 11:00 Yoga -\$5. Arthur - 519 400 9755 12:00 Palmerston Dining:"Getting the appointment" most from your Healthcare	9:00 Palmerston Walking - Arena 9:00 Drayton Walking - PMD Arena 10:15 SMART Exercise - ASH-NEW 11:30 SMART Exercise - KPC -NEW 1:00 Shuffleboard - PMD \$3. register 3:00 SMART Exercise - VON MF CC	9:00 Palmerston Walking - Arena 9:00 Harriston Walking-Arena 9:00 SMART Exercise PUC 9:30 SMART Exercise DRC 10:15 SMART Exercise PUC 12:00 Drayton Dining:"Blood Pressure" With Nurse Danielle
	15	16	17	18
	9:00 SMART Exercise PUC 10:00 Take Charge: Osteoarthritis-see back for details 10:15 SMART Exercise PUC & ASH 10:30 Golden Hearts Luncheon- MFPC 11:30 SMART Exercise - Harriston KPC - NEW	9:00 Palmerston Walking - Arena 9:00 Harriston Walking-Arena 9:00 SMART Exercise CUC 9:30 SMART Exercise DRC 11:00 Yoga -\$5. Arthur - 519 400 9755 1:30 Games Afternoon -MF Complex \$1.00 2:00 Cards-CNRA Bldg-Palmerston \$2.00	9:00 Palmerston Walking - Arena 10:15 SMART Exercise - ASH - NEW 11:30 SMART Exercise - KPC - NEW 1:00 Shuffleboard - PMD \$3. register 3:00 SMART Exercise - VON MF CC	9:00 Palmerston Walking - Arena 9:00 Harriston Walking-Arena 9:00 SMART Exercise PUC 9:30 SMART Exercise DRC 10:15 SMART Exercise PUC 12:00 Clifford Dining:"Musical Entertainment" Maryanne Holst
21	22	23	24	25
Election Day 9:00 SMART Exercise - CUC 9:00 Euchre - Drayton United Church 10:00 Yoga - PUC -\$5. per class 1:30 Cards-Harriston Seniors Centre \$2	9:00 SMART Exercise PUC 10:00 Osteoarthritis-see back for details 10:15 SMART Exercise - ASH - NEW 10:15 SMART Exercise PUC 10:30 Friendship Circle- MFPC 11:30 SMART Exercise - Harriston KPC	9:00 Palmerston Walking - Arena 9:00 Harriston Walking-Arena 9:00 SMART Exercise CUC 9:30 SMART Exercise DRC 11:00 Yoga -\$5 Arthur -Balanced Breath Studio 1:30 Games Afternoon -MF Complex \$1.00	9:00 Palmerston Walking - Arena 9:00 Drayton Walking - PMD Arena 10:15 SMART Exercise - ASH - NEW 11:30 SMART Exercise - KPC -NEW 1:00 Shuffleboard - PMD \$3. register 3:00 SMART Exercise - VON MF CC	9:00 Palmerston Walking - Arena 9:00 Harriston Walking-Arena 9:00 Drayton Walking - PMD Arena 9:30 SMART Exercise DRC
28	29	30	31	01
9:00 Palmerston/Harriston Walking-Arena 9:00 SMART Exercise - CUC 9:00 Euchre - Drayton United Church 9:30 SMART Exercise - DRC 10:00 Line Dancing \$3. Harriston Arena 10:00 Yoga - PUC -\$5. per class 1:30 Cards-Harriston Seniors Centre \$2	9:00 SMART Exercise PUC 10:15 SMART Exercise - ASH - NEW 10:15 SMART Exercise PUC 10:30 Friendship Circle- MFPC 11:30 SMART Exercise-Harriston KPC	9:00 Palmerston & Harriston Walking-Arena 9:00 SMART Exercise CUC 9:30 SMART Exercise DRC 10:00 Friendship Circle- PUC 11:00 Yoga \$5 Arthur -Balanced Breath Studio 12:00 Harriston Dining"Grizzly Bears & Majestic Eagles" with Photographer Mark Garbutt	9:00 Palmerston Walking - Arena 10:15 SMART Exercise - ASH - NEW 11:30 SMART Exercise - KPC - NEW 12:00 Arthur Dining - "Halloween Traditions" with Willa Wick 1:00 Shuffleboard - PMD \$3. register 3:00 SMART Exercise - VON MF CC	KPC - Knox Presbyterian Church - Harriston MFPC- Mount Forest Pentecostal Church PUC - Palmerston United Church VON - Mt Forest Curling Club



County of Wellington Planning and Land Division Committee
Deborah Turchet, Secretary-Treasurer
Wellington County Administration Centre
74 Woolwich Street Guelph, Ontario N1H 3T9

September 18, 2019

EXPLANATION OF APPEAL PROCEDURES

DEAR SIR or MADAM:

Attached is a **Notice of Initial Decision on Application for Consent B30-19** 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 \$ 300.00, 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:

OWNER – Timothy Trinier	APPLICANT – Lester and Christine Brubacher	MUNICIPALITY - Township of 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 B30-19

APPLICANT

Timothy Trinier
8058 Concession 14
Mapleton N0G 2K0

LOCATION OF SUBJECT LANDS

Township of Mapleton (Maryborough)
Part Lot 18
Concession 17

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 Timothy Trinier pursuant to Section 53 of the Planning Act, R. S. O. 1990 as amended for consent to convey land, being Part of Lot 18, Concession 17, geographic Township of Maryborough, now township of Mapleton to effect an addition to the abutting rural residential lot – Lester and Christine Brubacher, **PROVISIONAL CONSENT IS GRANTED SUBJECT TO THE FULFILMENT OF 9 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; 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 (4:30 p.m.) ON SEPTEMBER 19, 2020

- 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" and the "Application Consolidation Parcels in preparation".
- 2 **THAT** the Owner of the consented parcel shall consolidate the consented parcel with the abutting lands to which the consented parcel is to be added for B30-19 as a single parcel ("the consolidation ") and **THAT** the solicitor for the owner shall provide an undertaking in writing to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee that the solicitor will attend to the consolidation and to provide 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 including the Form 4 Certificate and the Application for Consolidation of Parcels for the consolidation.
- 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 Purchaser take title of the severed lands in the same manner as he holds his abutting lands; and **THAT** Section 50, subsection (3) of the Ontario Planning Act, R.S.O. 1990 as amended shall apply to any subsequent conveyance or any transaction involving the parcel of land that is the subject of this consent.
- 6 **THAT** the conveyancing documents for the severed parcel contain a statement to ensure that Section 50, subsection (3) of the Planning Act, R. S. O. 1990, as amended shall apply to any subsequent conveyance or transaction with respect to the land described herein; and a statement that the consented parcel and the abutting lands to which this consented parcel is to be added shall be dealt with contemporaneously in any future conveyances or transactions unless further consent is granted under the Planning Act or other lawful order.
- 7 **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; a Fee of \$150.00 for Township Clearance Letter of conditions – or whatever fee is applicable at the time of clearance under the municipal Fees and Charges by-law) 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.
- 8 **THAT** the Owner enter into an agreement apportioning future drainage maintenance costs (if applicable); 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** driveway access can be provided to the satisfaction of the Township of Mapleton; 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.

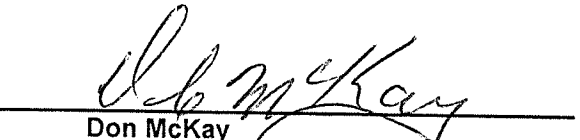
End of Conditions of Approval; see next page for signatures, dates and other information.

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


Don McKay


Mary Lloyd


Allan Ails

absent
Kelly Linton

CONCURRED IN THE ABOVE DECISION TO GRANT PROVISIONAL CONSENT ON SEPTEMBER 12, 2019

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 OCTOBER 8, 2019

I 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: SEPTEMBER 18, 2019

SIGNED: Deborah Turcotte

County of Wellington Planning and Land Division Committee
Deborah Turchet, Secretary-Treasurer
Wellington County Administration Centre
74 Woolwich Street Guelph, Ontario N1H 3T9

September 18, 2019

EXPLANATION OF APPEAL PROCEDURES

DEAR SIR or MADAM:

Attached is a **Notice of Initial Decision on Application for Consent B35-19** 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 \$ 300.00, 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 – Village on the Ridge – Drayton Inc. (John Mohle) MUNICIPALITY - Mapleton Township
COUNTY PLANNING DEPARTMENT BELL CANADA
GRAND RIVER CONSERVATION AUTHORITY 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 B35-19

APPLICANT

Village On The Ridge - Drayton Inc.
1 Faith Drive
Drayton N0G 1P0

LOCATION OF SUBJECT LANDS

Township of Mapleton (Drayton)
Block 48
Plan 61M74

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 Village On The Ridge - Drayton Inc. pursuant to Section 53 of the Planning Act, R. S. O. 1990 as amended for consent to convey land for urban residential use together with easement for shared access over retained, being Part of Block 48, Plan 61M74, Drayton, 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.; 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 (4:30 p.m.) ON SEPTEMBER 19, 2020

- 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 B35-19.
- 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; a Fee of \$150.00 for Township Clearance Letter of conditions – or whatever fee is applicable at the time of clearance under the municipal Fees and Charges by-law) 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 the Owner satisfy the requirements of the Township of Mapleton reference to parkland dedication fee be paid (\$1,400.00 in 2019) as provided for in the Planning Act, R.S.O. 1990; 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 the Owner receive zoning compliance and classification from the Local Municipality in a manner deemed acceptable by the Local Municipality on the retained lot; 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.
- 8 THAT driveway access can be provided to the satisfaction of the Township of Mapleton; 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 the fire routes and fire route accesses conform to the Ontario Building Code; 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 servicing can be accommodated on the severed lands to the satisfaction of the Township of Mapleton; 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.

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


Don McKay


Mary Lloyd


Allan Ails

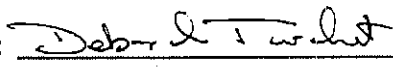
absent
Kelly Linton

CONCURRED IN THE ABOVE DECISION TO GRANT PROVISIONAL CONSENT ON SEPTEMBER 12, 2019

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 OCTOBER 8, 2019

I 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: SEPTEMBER 18, 2019

SIGNED: 



THE TOWNSHIP OF
WOOLWICH

BOX 158, 24 CHURCH ST. W.
ELMIRA, ONTARIO N3B 2Z6
TEL. 519-669-1647 / 1-877-969-0094
COUNCIL/CAO/CLERKS FAX 519-669-1820
PLANNING/ENGINEERING/BUILDING FAX 519-669-4669
FINANCE/RECREATION/FACILITIES FAX 519-669-9348



NOTICE OF PASSING

EXPLANATORY NOTE
Official Plan Amendment No. 34

On September 10, 2019 Woolwich Council adopted Official Plan Amendment (OPA) No. 34 concerning the rationalization of the Breslau settlement boundary. This rationalization is an alteration of the current settlement boundary with no net increase of the developable lands being designated and no net population impact. The total adjustment of land in Breslau is limited to 14.88 hectares.

The effect of the amendment is to modify the settlement boundary for Breslau which includes:

Lands ("Area") to be removed:

- 1) 2.98 ha portion of lands owned by the Breslau North Developments (Smart Centres) between Ebycrest Road and the Fountain Street extension;
- 2) 1.03 ha of the Breslau North Developments (Smartreit) lands fronting on Victoria Street North;
- 3) 3.36 ha portion of the Breslau North Developments (Smart Centres) lands fronting on Victoria Street; and
- 4) 7.51 ha located south of the railway and owned by Ariss Glen Developments.

Lands ("Area") to be added:

- 5) 7.51 ha of developable land at 2000 Victoria Street North and a portion of 22 Ebycrest Road, which the majority is owned by Ariss Glen Developments; and
- 6) 7.6 ha of developable lands owned by Breslau North Developments (Smart Centres) lands which is located on the north side of Victoria Street North.

The proposed Breslau settlement boundary mapping is attached.

OPA 34 has been forwarded to the Regional Municipality of Waterloo for final approval. OPA 34 will come into effect upon Regional approval / modification and adoption of the corresponding Regional Official Plan (ROP) Amendment.

Provincial Changes – Rural Settlements

New Provincial legislation called A Place to Grow (P2G) has created policies which allow for settlement boundary adjustments, but under a different criteria than what was permitted in the ROP. The most significant change is that the legislation no longer allows for the rationalization of rural settlements unless it is part of a municipal comprehensive review completed at the Regional level. Since this rationalization process is being initiated at the local level, the Township is not able to rationalize the rural settlement boundaries. Where the policy at the Regional or Township level conflict with Provincial Policy, the P2G policy applies.

If you require further information regarding this matter, contact Jeremy Vink of the Township of Woolwich Development Services office at 519-669-6038 or 1-877-969-0094, Extension 6038.



THE TOWNSHIP OF
WOOLWICH

BOX 158, 24 CHURCH ST. W.
ELMIRA, ONTARIO N3B 2Z6
TEL. 519-669-1647 / 1-877-969-0094
COUNCIL/CAO/CLERKS FAX 519-669-1820
PLANNING/ENGINEERING/BUILDING FAX 519-669-4669
FINANCE/RECREATION/FACILITIES FAX 519-669-9348

**NOTICE OF THE PASSING OF A BY-LAW
TO ADOPT OFFICIAL PLAN AMENDMENT NUMBER 34
TO THE OFFICIAL POLICIES PLAN OF THE
WOOLWICH PLANNING AREA
(Boundary Rationalization for Breslau)**

TAKE NOTICE that the Council of the Corporation of the Township of Woolwich passed By-law Number 67-2019 on the 10th day of September, 2019 under Section 17 of the Planning Act, R.S.O. 1990, c.P. 13 to adopt Township of Woolwich Official Plan Amendment No. 34. Official Plan Amendment No. 34 has now been forwarded to the Clerk of the Regional Municipality of Waterloo for consideration.

AND TAKE NOTICE that any person or public body is entitled to receive notice of the proposed decision of the approval authority by filing a written request to receive notice of the proposed decision of the approval authority with the Clerk of the Regional Municipality of Waterloo, at the address set out below:

***Ms. Kris Fletcher, Director, Council and Administrative Services / Regional Clerk,
Regional Municipality of Waterloo,
150 Frederick Street, 2nd Floor,
Kitchener, ON N2G 4J3***

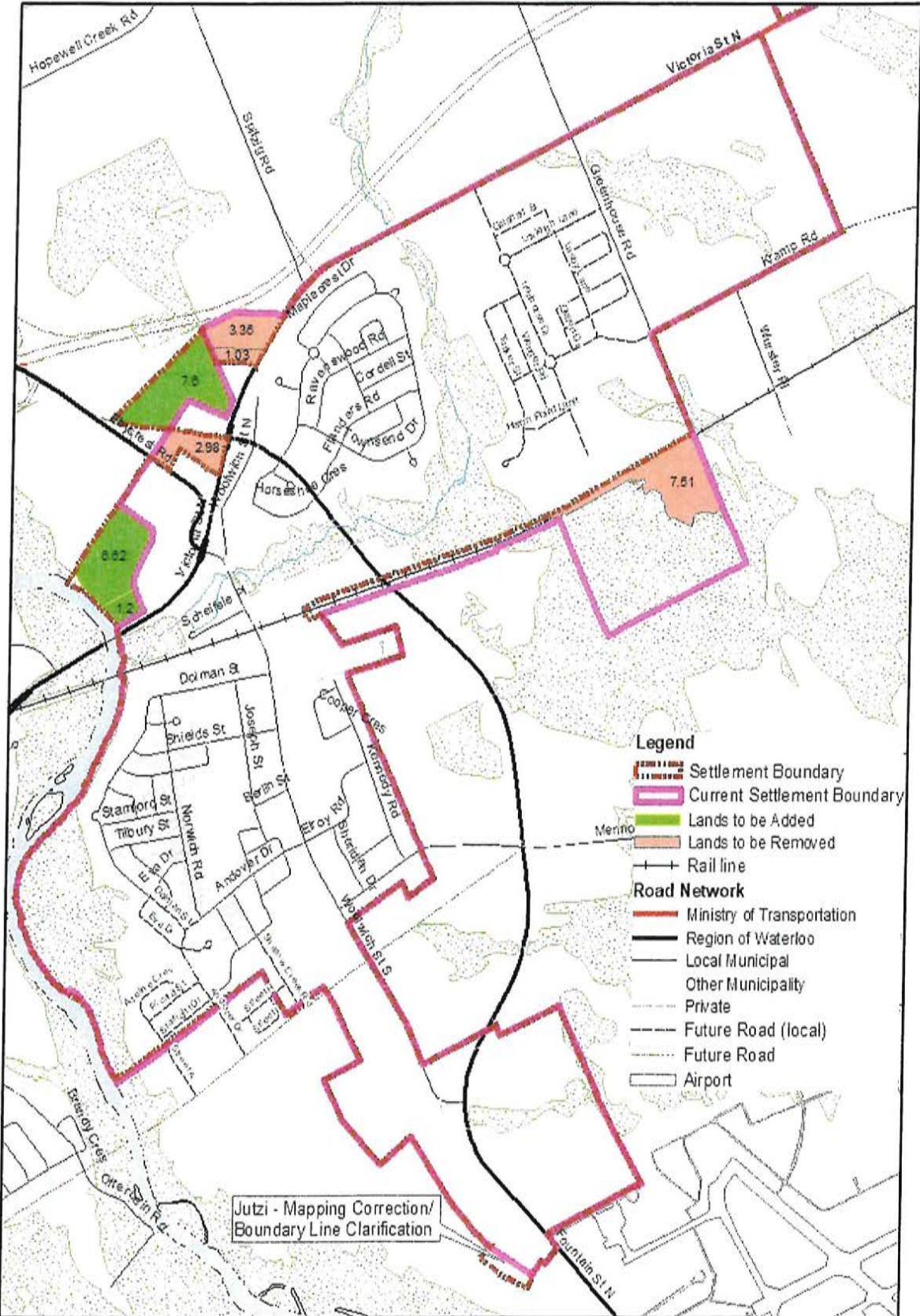
An explanation of the purpose and effect of the Amendment, describing the lands to which the by-law applies is attached.

The complete Amendment is available for inspection in the Development Services office of the Township of Woolwich, 24 Church Street West in Elmira during regular office hours (9:00 a.m. to 5:00 p.m.). A copy of all written submissions is also available for review at the Regional Planning office located at 150 Frederick Street in Kitchener.

DATED at the Township of Woolwich this 24th day of September, 2019.

Valrie Hummel,
Director / Clerk
Council and Information Services
Township of Woolwich.

MAP 1
Breslau Proposed Rationalization



Document Path: O:\ESRI maps\OP review 2010\OFA Rural Breslau 2017\Breslau amendments.mxd



**CORPORATION OF THE TOWNSHIP OF PERTH EAST
NOTICE OF COMPLETE APPLICATION AND PUBLIC MEETING CONCERNING
A PROPOSED ZONING BY-LAW AMENDMENT (Z15-2019-PE)**

TAKE NOTICE that the Council of the Corporation of the Township of Perth East will hold a Public Meeting on **October 15, 2019 at 7:30 PM** in the Council Chambers at the Township of Perth East Municipal Offices (25 Mill Street East, Milverton) to consider a proposed amendment to the Township of Perth East Zoning By-law No. 30-1999. The proposed amendment is being considered under the provisions of the Ontario Planning Act.

The proposed Zoning By-law Amendment (which the Township has deemed to be complete) is a “Housekeeping” amendment and affects all property in the Agricultural Zone (“A”) of the Township of Perth East.

The proposed Zoning By-law Amendment affects the “Secondary Farm Occupation” provisions of the Township of Perth East Zoning By-law No. 30-1999. Specifically, the proposed Zoning By-law Amendment will remove the regulation from Section 3.133 b) of By-law No. 30-1999 which prohibits an “automobile sales, service, and/or repair use” to be conducted as a Secondary Farm Occupation.

ANY PERSON may attend the Public Meeting and/or make written or verbal representation either in support of or in opposition to the proposed Zoning By-law Amendment. Oral or written submissions will be received at the Public Meeting; however, the Township would appreciate receiving written submissions by October 8, 2019 so they may be included with the Council Agenda. If you wish to be notified of the decision of Council of the Township of Perth East on the proposed Zoning By-law Amendment, you must make a written request to Theresa Campbell, Municipal Clerk, at the address given below.

ADDITIONAL INFORMATION relating to the proposed Zoning By-law Amendment is available for inspection during office hours at the Township of Perth East Offices. If you have questions regarding the proposed Zoning By-law Amendment, please direct those to the Planner assigned to the file: Adam Betteridge, Planner, (519) 595-2800 ext. 248, abetteridge@pertheast.ca.

Please note: Comments and opinions submitted on these matters, including the originator’s name and address, become part of the public record, may be viewed by the general public and may be published in a Planning Report and will be included in the Council agenda and minutes. Council agenda and minutes are published on the Township of Perth East website at www.pertheast.ca.

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Township of Perth East 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 Perth East 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 Perth East 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.

DATED AT THE TOWNSHIP OF PERTH EAST THIS 24TH DAY OF SEPTEMBER, 2019.

Theresa Campbell, Clerk,
Township of Perth East
PO Box 455, 25 Mill Street E,
Milverton, Ontario N0K 1M0
Tel:(519) 595-2800
Fax: (519) 595-2801



FOR IMMEDIATE RELEASE

Copernicus protects 50 acres of provincially significant land from development

50 acres of provincially significant wetland has been donated to the Escarpment Biosphere Conservancy and will be protected in perpetuity.

[MAPLETON, ON—September 17, 2019]

Copernicus Educational Products, a leading North American designer and manufacturer of classroom furniture and technology solutions, announced today that 50 acres of reforested land, containing provincially significant wetland and two ponds, is now designated as a Nature Reserve. This protects the land in perpetuity. By working through the Escarpment Biosphere Conservancy, who works with the Ministry of Environment and Climate change for approval, the unique, rolling forested land located in Mapleton Township (just outside of Arthur on the 18th Line) is now protected from future development.

In 2017, Copernicus also entered into a conservation agreement with the Escarpment Biosphere Conservancy for the 87 acres surrounding their facility outside of Arthur.

“With record amounts of land being destroyed, (including the recent degradation of the Amazon Rainforest), we believe it is our responsibility to conserve as much as we can for future generations of humans and wildlife alike.” explains Julia Scullion, Social Environmental Responsibility Coordinator at Copernicus Educational Products, who facilitates all of the companies giving back initiatives.

The land is currently home to threatened species such as the Bobolink songbird and the Monarch butterfly. They can rest assured knowing their habitat will be protected regardless of who owns the property in the future.

About Copernicus Educational Products

Since 1989, Copernicus Educational Products has been a leading North American designer and manufacturer of classroom furniture and technology solutions. Copernicus is increasingly focused on the impact they have on the environment, their employees and the access that school children have to nature. Being a member of B Corp™ has shown them the path that could be taken to build out their beliefs into something special and at the heart of everything they do. Visit www.copernicused.com for more information.

About B Corporations

Certified B Corporations are leaders of a global movement of people using business as a force for good™. They meet the highest standards of overall social and environmental performance, transparency and accountability and aspire to use the power of business to solve social and environmental problems. There are more than 2,400 Certified B Corporations® in over 150

industries and 60 countries with 1 unifying goal – to redefine success in business. Learn more at www.bcorporation.net. For more information on our B Corp™ membership, please visit: www.copernicused.com/b-corp.

For more information, please contact:

Barbara Freuler, Marketing Manager, Copernicus Educational Products
(519) 848-3664 Ext. 225 or Barbara@copernicused.com

Lyndsey Ehgoetz, Marketing Coordinator, Copernicus Educational Products
(519) 848-3664 Ext. 258 or Lyndsey@copernicused.com

###



COUNTY OF WELLINGTON

COMMITTEE REPORT

To: Chair and Members of the Administration, Finance and Human Resources Committee
From: Susan Farrelly – Director of Human Resources
Date: September 17, 2019
Subject: County of Wellington Joint Accessibility Advisory Committee

Background: The County of Wellington Joint Accessibility Advisory Committee (AAC) provides advice to the County and member municipalities on a wide range of municipal processes to help make public services and facilities accessible to everyone. A Joint Accessibility Advisory Committee meeting was held on September 5, 2019.

Audible Crossing Technology

The Joint Accessibility Advisory Committee was asked to review and discuss Audible Crossing Technology. The company Key2Access presented on their Audible Crossing Technology at the Joint Accessibility Advisory Committee meeting held on September 5, 2019. Key2Access is a technology company that is working to improve pedestrian accessibility at intersections. This company is working with the Canadian National Institute for the Blind (CNIB) and placing a strong focus on corporate and community partnerships as an effective and sustainable way to increase accessibility in the community.

The product that Key2Access is promoting allows pedestrians to request street crossing wirelessly by using the Key2Access mobile app or fob making the experience of navigating intersections safer and easier for people who are visually impaired or have limited mobility. The Key2 Access platform is based around a free mobile app that connects wirelessly to the 'smart receiver', which is installed in the intersections existing infrastructure.

The mobile app makes the experience of navigating intersections safer and easier by giving users:

- A real-time alert on arrival at the intersections so they know exactly where they are standing.
- The ability to remotely select the street they want to cross and make a crossing request without having to find and reach a pole-mounted button.
- Confirmation of the crossing request and a clear, audible signal and countdown when it is safe to cross.
- Information about barriers or hazards at an intersection, such as construction or route closures and guidance on alternate routes.

Key2Access is based out of Ottawa. This product can be retrofitted to existing signals and crosswalks. Each one is \$884.00 and you would need four per intersection. They are compatible with intersections that don't have buttons and are hardwired to those that do have existing push buttons.

All projects that have been done so far across the country has included a batch of fobs to be distributed to members of the community that are interested in using them. Once a project has been

installed, the fobs can be purchased for \$102.00 from Key2Access or through CNIB. As for the Key2Access app, they are working directly with CNIB's "Phone It Forward" where the organization collects donated smart phones, refurbishes them and gifts them to their clients with relevant apps such as the K2A app already downloaded.

Recommendation:

THAT the minutes from the September 5, 2019 County of Wellington Joint Accessibility Advisory Committee meeting be received for information; and

THAT the Key2Access programme become the standard for signaled intersections and crosswalks for the County of Wellington member municipalities.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Susan Farrelly". The signature is fluid and cursive, with a large loop at the end.

Susan Farrelly
Director of Human Resources



Corporation of the County of Wellington
Accessibility Advisory Committee
Minutes

September 5, 2019

Aboyne Library

Present: Councillor Mary Lloyd (Chair)
Matthew Bulmer
Nancy Oliver-Hawkrigg
Mark MacKenzie
Bethany Parkinson
Bob Pearson
Irene Van Eenoo

Regrets: Warden Kelly Linton
Councillor Campbell Cork
Nancy Dietrich
Chris Garvey
Susan Farrelly, Director of HR

Staff: Christine Carbone, HR Assistant
Michele Richardson, Assistant Director of HR

-
- 1. Call to Order**
At 1:30 pm, the Chair called the meeting to order.
 - 2. Declaration of Pecuniary Interest**
There were no declarations of pecuniary interest.
 - 3. Committee Member Vacancy**
The Committee was advised that we had one application for the position of public member to represent Mapleton Township on the Committee. An interview will be set up shortly.

4. **Audible Crossing Technology**

Key2Access gave us a presentation with regard to their Audible Crossing Technology. This company is working with CNIB and placing a strong focus on corporate and community partnerships as an effective and sustainable way to increase accessibility in the community. Key2Access is a technology company that is working to improve pedestrian accessibility at intersections.

The product that Key2Access is promoting allows pedestrians to request street crossing wirelessly by using the Key2Access mobile app or fob making the experience of navigating intersections safer and easier for people who are visually impaired or have limited mobility. The Key2 Access platform is based around a free mobile app that connects wirelessly to the 'smart receiver' which is installed in the intersections existing infrastructure.

The mobile app makes the experience of navigating intersections safer and easier by giving users:

- A real-time alert on arrival at the intersections so they know exactly where they are standing.
- The ability to remotely select the street they want to cross and make a crossing request without having to find and reach a pole-mounted button.
- Confirmation of the crossing request and a clear, audible signal and countdown when it is safe to cross.
- Information about barriers or hazards at an intersection, such as construction or route closures and guidance on alternate routes.

Intersections without an accessible pedestrian signal can be challenging and dangerous. Even intersections that are outfitted with traditional, hard-wired APS can be challenging to navigate and use.

To better understand how these signals work, watch and/listen to this video:

<https://www.youtube.com/watch?v=b15ytGCpYBE&feature=youtu.be>

- This video is a live intersection in Ottawa. In the video a request is being made to cross Industrial Road at the intersection of Main Street and Industrial Road.

Key2Access is based out of Ottawa. This product can be retrofitted to existing signals and crosswalks. Each one is \$884.00 and you would need four per intersection. They are compatible with intersections that don't have buttons and are hardwired to those that do have existing push buttons.

All projects that have been done so far across the country has included a batch of fobs to be distributed to members of the community that are interested in using them. Once

a project has been installed, the fobs can be purchased for \$102.00 from Key2Access or through CNIB. As for the Key2Access app, they are working directly with CNIB's "Phone It Forward" where the organization collects donated smart phones, refurbishes them and gifts them to their clients with relevant apps such as the K2A app already downloaded.

The device does need a data plan in order for this app to function.

The City of Stratford is currently using Key2Access crossing signals.

Contact information to reach Sophie Aladas about this project is:

Sophie Aladas
Chief Executive Officer
sophie.aladas@key2access.com
(514) 998-7315

KEY2ACCESS Inc.

Moved by: Bob Pearson

Seconded by: Mark MacKenzie

That the Wellington County Joint Accessibility Advisory Committee (AAC) propose that the Key2Access programme become the standard for signaled intersections and crosswalks for County of Wellington member municipalities; and

That staff be directed to investigate participation with the City of Guelph.

Carried

5. Accessible Subpoenas

Matthew Bulmer brought forward the problem of subpoenas not being in an accessible format. Councillor Mary Lloyd will make contact with the Chair of the Police Services Board to discuss this item. Since the meeting it has been confirmed that issues with O.P.P. processes should be directed to the Inspector of the Detachment.

6. Step Painting

We had several municipalities respond to the request to look into having the step facings painted to make them accessible. Will make this request again next spring.

- 7. Communications Page of Wellington Advertiser**
Reported that after speaking to the Manager of Communications, we will be able work to advertise and/or promote accessibility items as needed.
- 8. Wellington County Accessibility Fund Incentive Programme**
Reported that the member municipalities will be able to apply for up to three years' worth of funding for accessible retrofits. This funding is to be used in the third year. Wording to be formalized in the guidelines and the revised guidelines to be presented to Committee before going to Council.
- 9. Wellington County Accessibility Fund Terms of Reference**
Reported to the Committee that the revision to the Accessibility Advisory Committee Terms of Reference Section 8.0 – Quorum for the representation of staff and Council members required to be present is a least one member of County Council and one member of County of Wellington Human Resources staff must be present in order to proceed with the meeting was approved.
- 10. FADM**
Committee requested that we ask the City of Guelph if they have the amendment documentation from their FADM. We would like to compare this to our FADM to see if changes need to be made.
- 11. Reporting Period**
Put call out to member municipalities for their updates to be included in our report for 2019.
- 12. Adjournment**
At 3:00 pm, the Chair adjourned the meeting. Next meeting to be held on December 5, 2019 at 1:30 pm at the Aboyne Library at the call of the Chair.

Councillor Mary Lloyd
Chair
Accessibility Advisory Committee



Randy Pettapiece, MPP
Perth-Wellington



June 3, 2019

Mayor Davidson and Council
7275 Sideroad 16
PO Box 160
Drayton ON N0G 1P0

Dear Mayor Davidson and Council,

On May 27, Minister Steve Clark announced that our government would maintain the in-year cost sharing adjustments for land ambulance, public health and childcare services.

I understand these sudden changes were a deep concern to municipalities in Perth-Wellington. I shared these concerns and many others did in our government caucus as well.

Since my election in 2011, I have always shared your concerns and thoughts with the appropriate Ministers. This has not changed since we formed government almost a year ago. We have many passionate debates in caucus about government policies.

Our government is united behind balancing the budget in a responsible manner, while protecting what matters most. Just as your councils must operate within your fiscal realities, so does the provincial government.

Ontario has a structural deficit. We are spending about \$40 million a day more than we are taking in. As a result, the province now has a debt of \$347 billion. Interest on this debt alone will amount to \$12.5 billion this year, the fourth largest line item in our budget after healthcare, education and social services.

We cannot balance the budget overnight and it will take working with all of our partners to return to a sound fiscal position. Our government is maintaining the in-year cost sharing for 2019 on the understanding that our municipal partners will use the additional time to work with us to find savings.

Earlier this year, I was pleased to announce \$5.5 million in funding for municipalities across Perth-Wellington. The hope is that local municipalities will use this funding to improve service delivery.

...2/



Randy Pettapiece, MPP
Perth-Wellington

-2-

I know many of you have already begun looking at innovative and efficient ways to improve service delivery for your ratepayers. I commend the Township of Mapleton for the action they have taken so far.

My door is always open and I look forward to continuing to work with all municipalities in Perth-Wellington. It is only by working together will we find savings, strengthen frontline services and protect what matters.

Sincerely,

A handwritten signature in blue ink that reads "Randy Pettapiece". The signature is written in a cursive style with a large, sweeping "P" at the beginning.

Randy Pettapiece, MPP
Perth-Wellington



Fall 2019
2nd Quarter

CRIME 
STOPPERS
GUELPH WELLINGTON
1-800-222-TIPS (8477)

The INFORMANT

CSGW & GUELPH TRANSIT



On July 8th, CSGW unveiled a bus shelter wrap on platform 21, on Macdonell Street at Carden Street in Guelph. On hand were representatives from Guelph Transit, Guelph Police Service, Guelph Fire Service, and the CSGW Board. We are extremely pleased with the design and hope it will grab the attention and encourage citizens to come forth with information.

GUELPH POLICE SERVICE

Thank you to the Guelph Police Service for their support, by incorporating the Crime Stoppers decal on all their new cruisers. The decal is white with a reflective background and has the CSGW logo, 1-800 phone # and website.

OPP FAMILY DAY

CSGW participated in the 14th OPP Family Day held in Palmerston on September 2nd. Thank you to everyone who came out. A great day had by all.

PRESENTATIONS

Invite us to your meeting, classroom, or place of work to educate on how Crime Stoppers can help you! We provide a background on the program, explain how it works and answer all of your questions.

In addition, we have a separate presentation that specifically targets Human Trafficking. Not only will it provide education on the crime and how prevalent it is in our community, but how you can be aware of the signs and how you can help.

We also offer a program entitled **EPACT** which stands for Educate Parents And Children Together. These presentations are offered during the school year and have started up again for September. Adults and youth can learn about online threats, human trafficking, and how CSGW can put an end to these crimes, with your help.

Book your fall presentation at info@csgw.tips.

WELCOME NEW MEMBERS

CSGW is pleased to announce four new members who have joined the Board of Directors. Beth Burns from Guelph, Christine Jehlicka also from Guelph, Rozanne Ball from Mount Forest and Brian McNally from Moorefield.

For information on how you can become a member - visit www.csgw.tips

PROGRAM STATISTICS

Since inception from 1988 through August 2019

Total # of Tips	20,959
Arrests	1,554
Charges Laid	4,318
Narcotics Seized	\$27,313,817
Property Recovered	\$10,203,746
Authorized Rewards	\$170,140

EVENTS

MOUNT FOREST SHREDDING EVENT

If you missed our event in Guelph ... don't dismay, CSGW is holding a second event in Mount Forest!

SATURDAY OCTOBER 26th - 9am - 12noon
Wellington North Fire Service located at 381 Main Street,N.

\$5 per banker's box size - drive-thru operation - paper only

Shredded on site by **Wasteco**.

Sponsored by **the co-operators-Robert J. Cottel & Associates/Desjardins-Deryck West Agent in Mount Forest**

PAST GUELPH SHREDDING EVENT

Our 9th annual community shredding event was a HUGE SUCCESS in the City of Guelph!

It took place on Sat Sept 14th, and for the first time was held on the property of Skyjack, at 201 Woodlawn Road West. We had to source a new location this year as our past host was no longer available. For this we are very grateful to **Skyjack** for allowing us to hold it on their property!

Mobile secure shredding service was provided by **Wasteco** and we THANK them for their support!

For 9 years running CSGW has not increased the price of \$5 per banker box. Skyjack sponsored the event which allowed us to benefit from the \$2,459.00 raised at the event.



BUCKET SALE

CSGW & **Young's Home Hardware** have partnered for a 5th year!



Join us on **SATURDAY NOVEMBER 30th - 8am - 5pm**. For a \$5 donation to Crime Stoppers, you can pick up a Home Hardware bucket and start shopping. For any items that you can fit in the bucket, you will receive a 20% discount from your purchases.

Hope to see you there!

www.csgw.tips



COUNTY AUCTION & BBQ



This was our 13th year hosting a charity BBQ at this event. Community support was at a record high, bringing in \$945.20 in donations for our program!!! The proceeds of the auction sales provided an additional \$1,716.75. The money raised will continue to educate and promote program awareness, and pay rewards to anonymous Tipsters for their valuable information.

THANK YOU to our community, our partners and our volunteers!

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M5G 2E5
Tel.: 416 585-7000

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre

777, rue Bay, 17^e étage
Toronto ON M5G 2E5
Tél. : 416 585-7000



19-4093

Dear Head of Council:

Our government believes everyone deserves a place to call home. Inadequate supply and high housing costs have made housing unattainable for too many people in Ontario. We want to put affordable home ownership in reach of more Ontario families, and provide more people with the opportunity to live closer to where they work.

That is why I am pleased to provide you with an update on the [More Homes, More Choice Act, 2019](#), which was passed by the Legislature on June 6, 2019.

In Effect Date

Schedule 12 of the *More Homes, More Choice Act, 2019* makes changes to the *Planning Act*. All changes, except for those related to community benefits charges, came into force on September 3, 2019, as specified by proclamation. This includes changes to:

- Broaden the Local Planning Appeal Tribunal's jurisdiction over major land use planning matters (i.e., official plans and zoning by-laws) and give the Tribunal the authority to make a final decision on appeals of these matters based on the best planning outcome;
- Reduce timelines for municipalities to make planning decisions;
- Remove certain "third party" appeals;
- Authorize the Minister of Municipal Affairs and Housing to mandate the use of a community planning permit system in or around specific locations to promote intensification around transit;
- Require municipalities to authorize in their official plans and zoning by-laws additional residential units in both a primary dwelling and ancillary building or structure; and
- Promote the development of affordable housing near transit by focusing the use of inclusionary zoning.

Regulations

To help implement the *Planning Act* changes, amendments to existing regulations under the Act also came into force at the same time as the related legislative provisions.

These regulations were filed on August 29, 2019 and include changes to:

- Set out transition rules for planning matters that are in process;
- Remove or update certain redundant or out-dated provisions and references;
- Remove the ability to appeal (except by the province) the implementing by-law when a municipality is required to establish a community planning permit system through a Minister's order; and

- Clarify that the new community benefits charge by-law will not apply in areas within a municipality where a community planning permit system is in effect.

A new regulation for additional residential units (ARUs) was also filed on August 29, 2019 and helps remove certain zoning barriers to the creation of additional residential units by establishing the following requirements and standards:

- One parking space for each ARU, which may be provided through tandem parking as defined;
- Where a municipal zoning by-law requires no parking spaces for the primary residential unit, no parking space would be required for the ARUs;
- Where a municipal zoning by-law is passed that sets a parking standard lower than a standard of one parking space for each ARU, the municipal zoning by-law parking standard would prevail;
- An ARU, where permitted in a zoning by-law, may be occupied by any person regardless of whether the primary residential unit is occupied by the owner of the property; and
- An ARU, where permitted in a zoning by-law, would be permitted without regard to the date of construction of the primary or ancillary building.

Our proposal for the new and amended regulations was posted on the [Environmental Registry of Ontario](#). All comments received were carefully considered.

You can view copies of the new and amending *Planning Act* regulations on Ontario's e-Laws:

- [New Ontario Regulation 299/19](#) – “Additional Residential Units”
- [Ontario Regulation 296/19](#) – amending Ontario Regulation 174/16 “Transitional Matters - General”
- [Ontario Regulation 297/19](#) – amending Ontario Regulation 543/06 “Official Plans and Plan Amendments”
- [Ontario Regulation 298/19](#) – amending Ontario Regulation 544/06 “Plans of Subdivision”
- [Ontario Regulation 301/19](#) – amending Ontario Regulation 173/16 “Community Planning Permits”
- [Ontario Regulation 300/19](#) – amending Ontario Regulation 232/18 “Inclusionary Zoning”

If you have any questions about the changes to the *Planning Act* and related regulations, please email PlanningConsultation@ontario.ca.

Sincerely,



Steve Clark
Minister

c: Chief Administrative Officer



CHRISTINE TARLING
Director of Legislated Services & City Clerk
Corporate Services Department
Kitchener City Hall, 2nd Floor
200 King Street West, P.O. Box 1118
Kitchener, ON N2G 4G7
Phone: 519.741.2200 x 7809 Fax: 519.741.2705
christine.tarling@kitchener.ca
TTY: 519-741-2385

September 6, 2019

Dear Municipal Colleagues:

This is to advise that City Council, at a meeting held on August 26, 2019, passed the following resolution regarding producer requirements for packaging in Ontario:

“WHEREAS the Province of Ontario, through the Ministry of the Environment, Conservation and Parks, has posted a discussion paper entitled “Reducing Litter and Waste in our Communities”; and,

WHEREAS producer responsibility has not been adequately addressed by the Province of Ontario; and,

WHEREAS a successful deposit/return program for single use plastic, aluminum and metal drink containers has been in existence in other Provinces in Canada including Newfoundland, Nova Scotia and British Columbia; and,

WHEREAS these successful programs have eliminated many of these containers from the natural environment; and,

WHEREAS the City of Kitchener is committed to climate action and understanding our role as a municipality in a globalized world and the need to be prepared for the effects of climate change; and,

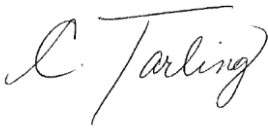
WHEREAS the City of Kitchener has declared a climate emergency with the directive to provide continued support to corporate and community climate action;

THEREFORE BE IT RESOLVED that the City of Kitchener call upon the Province of Ontario, through the discussion paper entitled “Reducing Litter and Waste in our Communities”, to review and implement a deposit/return program for recycled plastics, aluminum and metal drink containers; and,

BE IT FURTHER RESOLVED that the Province of Ontario be requested to review producer requirements and look for extended producer responsibility for all packaging; and,

BE IT FINALLY RESOLVED that this resolution be forwarded to the Honourable Premier of Ontario; the Minister of the Environment, Conservation and Parks; the Minister of Municipal Affairs and Housing; the Local Members of Provincial Parliament; the Association of Municipalities of Ontario; the Region of Waterloo and all Municipalities within the Province of Ontario.”

Yours truly,

A handwritten signature in cursive script, appearing to read "C. Tarling".

C. Tarling
Director of Legislated Services
& City Clerk



CHRISTINE TARLING
Director of Legislated Services & City Clerk
Corporate Services Department
Kitchener City Hall, 2nd Floor
200 King Street West, P.O. Box 1118
Kitchener, ON N2G 4G7
Phone: 519.741.2200 x 7809 Fax: 519.741.2705
christine.tarling@kitchener.ca
TTY: 519-741-2385

September 5, 2019

Dear Municipal Colleagues:

This is to advise that City Council, at a meeting held on August 26, 2019, passed the following resolution regarding single-use disposable wipes:

“WHEREAS in 2018 the City of Kitchener implemented a sustainable funding model Water Infrastructure Project (WIP) for the city’s water, sanitary and stormwater infrastructure to ensure the safe delivery of these valued utilities; and,

WHEREAS in 2018 a multi-year initiative approved through the WIP has already improved several key measures of water quality, and proactive maintenance has reduced the risk of flooding in high-risk areas; and,

WHEREAS in 2018 the City has already seen a number of impacts due to the implementation of the WIP including: 48% decrease in complaints related to discoloured water; Storm main repairs increased by 27 per cent; 300 metric tonnes of sediment removed from catch basins; and, 2,200 properties protected against backflow and cross-connection contamination; and,

WHEREAS Single-use wipes are a \$6-billion industry and growing, and are now being advertised as the clean alternative to toilet paper and are safe to flush; and,

WHEREAS there is no one standard for what the word “flushable” means; and,

WHEREAS Single-use wipes are in fact not safe to flush as they are buoyant; are not biodegradable; and, are unable to break down into small pieces quickly; and,

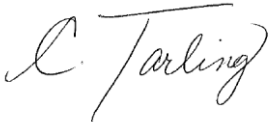
WHEREAS Single-use wipes accumulate in the sewer system and eventually clog the sanitary sewer system costing municipalities hundreds of millions of dollars in additional repairs and maintenance costs each year to municipal sewer systems across the country; and,

WHEREAS there is a lack of public awareness of the impact caused by non-flushable wipes being flushed down toilets and consumer education and outreach could play a large part in reducing the impact;

THEREFORE BE IT RESOLVED that the City of Kitchener lobby the Federal Government, to review regulations related to consumer packaging on single-use wipes to remove the word flushable; and,

BE IT FINALLY RESOLVED that this resolution be forwarded to the Right Honourable Prime Minister of Canada; the Honourable Premier of Ontario; the Minister of the Environment, Conservation and Parks; the Minister of Municipal Affairs and Housing; the Association of Municipalities of Ontario; the Local Members of Provincial Parliament; the Region of Waterloo; and, all Municipalities within the Province of Ontario.”

Yours truly,

A handwritten signature in cursive script, appearing to read "C. Tarling".

C. Tarling
Director of Legislated Services
& City Clerk



OFFICE OF THE MAYOR
CITY OF HAMILTON

September 30, 2019

The Right Honourable Justin Trudeau
Prime Minister of Canada
House of Commons
Ottawa, ON K1A 0A6

Dear Prime Minister,

Re: Correspondence from the City of Kitchener requesting support for their resolution respecting the lobbying of the Federal Government to review the regulations related to consumer packaging on single-use wipes to remove the word flushable.

At the meeting of September 25, 2019, Hamilton City Council endorsed the City of Kitchener's resolution respecting the above matter as follows:

“WHEREAS in 2018 the City of Kitchener implemented a sustainable funding model Water Infrastructure Project (WIP) for the city's water, sanitary and stormwater infrastructure to ensure the safe delivery of these valued utilities;

WHEREAS in 2018 a multi-year initiative approved through the WIP has already improved several key measures of water quality, and proactive maintenance has reduced the risk of flooding in high-risk areas;

WHEREAS in 2018 the City has already seen a number of impacts due to the implementation of the WIP including: 48% decrease in complaints related to discoloured water; Storm main repairs increased by 27 per cent; 300 metric tonnes of sediment removed from catch basins; and, 2,200 properties protected against backflow and cross-connection contamination;

WHEREAS Single-use wipes are a \$6-billion industry and growing, and are now being advertised as the clean alternative to toilet paper and are safe to flush;

WHEREAS there is no one standard for what the word “flushable” means;

WHEREAS Single-use wipes are in fact not safe to flush as they are buoyant; are not biodegradable; and, are unable to break down into small pieces quickly;

.../2


WHEREAS Single-use wipes accumulate in the sewer system and eventually clog the sanitary sewer system costing municipalities hundreds of millions of dollars in additional repairs and maintenance costs each year to municipal sewer systems across the country; and

WHEREAS there is a lack of public awareness of the impact caused by non-flushable wipes being flushed down toilets and consumer education and outreach could play a large part in reducing the impact;

THEREFORE BE IT RESOLVED; That the City of Kitchener lobby the Federal Government, to review regulations related to consumer packaging on single-use wipes to remove the word flushable; and

BE IT FINALLY RESOLVED that this resolution be forwarded to the Right Honourable Prime Minister of Canada; the Honourable Premier of Ontario; the Minister of the Environment, Conservation and Parks; the Minister of Municipal Affairs and Housing; the Association of Municipalities of Ontario; the Local Members of Provincial Parliament; the Region of Waterloo; and, all Municipalities within the Province of Ontario."

Sincerely,

A handwritten signature in black ink, appearing to read 'Fred Eisenberger', with a large, stylized flourish at the end.

Fred Eisenberger
Mayor

Cc:

Minister Jeff Yurek, Minister of the Environment, Conservation and Parks
Minister Steve Clark, Minister of Municipal Affairs and Housing
The Association of Municipalities of Ontario
Andrea Horwath, MPP
Paul Miller, MPP
Sandy Shaw, MPP
Donna Skelly, MPP
Monique Taylor, MPP
The Region of Waterloo
All Municipalities within the Province of Ontario

File C19-016
(5.1)



Office of the Chair
Halton Region
1151 Bronte Road
Oakville ON L6M 3L1

August 29, 2019

The Honourable Steve Clark
Minister of Municipal Affairs and Housing
College Park, 17th Floor
777 Bay St, Toronto, ON
M5G 2E5

Dear Minister Clark:

RE: Local Planning Appeal Tribunal (LPAT)

On behalf of Regional Council, I would like to bring an important issue to your attention. At our meeting of July 10th, Council discussed *Bill 108: More Homes, More Choice Act, 2019* which will have a significant impact on how Halton Region delivers its services. Regional Council discussed their concerns with the Local Planning Appeal Tribunal (LPAT) having the authority to make final planning decisions based on a subjective best planning outcome approach rather than compliance with municipal and provincially approved plans and policies. The LPAT adds cost and delays to the delivery of affordable housing by expensive, time consuming hearings, contrary to the intent of the *More Homes, More Choice Act, 2019*.

In the short-term, we hope you will consider restoring the amendments to the *Planning Act* and in the long-term, consider eliminating the LPAT entirely. Ontario is the only Province to have such a tribunal, and it is the position of Regional Council that it is an antiquated body that has outlived its purpose and does not contribute to the Provincial Government's goal of increasing housing supply.

In this regard, at its meeting on July 10th, 2019, Regional Council unanimously endorsed the following resolution regarding the LPAT:

WHEREAS The Government of Ontario, on June 6, 2019, passed the *More Homes, More Choice Act, 2019*, (Bill 108); and

WHEREAS the changes to the Local Planning Appeal Tribunal (LPAT), contained in Bill 108 will give LPAT the authority to make final planning decisions based on a subjective "best planning outcome" approach rather than compliance with municipal and provincially approved official plans and consistency with provincial plans and policy; and

WHEREAS Bill 108 restricts third party appeals of plans of subdivision only to the applicant, municipality, Minister, public body or prescribed list of persons; and

WHEREAS Bill 108 takes local planning decision-making out of the hands of democratically elected municipal councils and puts it into the hands of a non-elected, unaccountable tribunal; and

WHEREAS the LPAT adds cost and delays delivery of affordable housing by expensive, time consuming hearings, contrary to the intent of the *More Homes, More Choice Act, 2019*; and

WHEREAS Regional and City Councils have spent millions defending provincially approved plans at the OMB/LPAT, including more than \$5 million over the last three years;

WHEREAS the reverting back to *de novo* hearings adds delays and costs to the housing delivery, as planning decisions start from scratch requiring lawyers, experts and witnesses, repeating the planning analysis already done by local councils;

WHEREAS Ontario is the only province in Canada that empowers a separate adjudicative tribunal to review and overrule local decisions applying provincially approved plans;

NOW THEREFORE BE IT RESOLVED:

THAT in the short term, the Minister of Municipal Affairs and Housing immediately restore the amendments to the *Planning Act* that mandated the evaluation of appeals on a consistency and conformity with Provincial policies and plans basis;

THAT in the long-term the Government of Ontario eliminate the LPAT entirely, as an antiquated body that slows delivery and adds costs to housing supply via expensive and drawn out tribunal hearings;

AND THAT this resolution be forwarded to the Premier, the Minister of Municipal Affairs and Housing, Halton's Members of Provincial Parliament, Leaders of the New Democratic, Liberal and Green parties; the Association of Municipalities of Ontario, the Large Urban Mayors' Caucus of Ontario, Mayors and Regional Chairs of Ontario and Halton's local municipalities.

Thank you for your attention to this matter, I look forward to your reply.

Sincerely,



Gary Carr
Regional Chair

cc: The Honourable Doug Ford, Premier of Ontario
Andrea Horwath, Leader of the New Democratic Party
John Fraser, Interim Leader of the Liberal Party
Mike Schreiner, Leader of the Green Party

/3

cc.

Ted Arnott, MPP Wellington-Halton Hills
Stephen Crawford, MPP Oakville
Parm Gill, MPP Milton
Jane McKenna, MPP Burlington
Effie Triantafilopoulos, MPP Oakville North-Burlington
Jamie McGarvey, President, the Association of Municipalities of Ontario (AMO)
Cam Guthrie, Mayor, City of Guelph, Chair, the Large Urban Mayors' Caucus of Ontario (LUMCO)
Rick Bonnette, Mayor, Town of Halton Hills
Rob Burton, Mayor, Town of Oakville
Gordon Krantz, Mayor, Town of Milton
Marianne Meed Ward, Mayor, City of Burlington
All Mayors of Ontario
All Regional Chairs of Ontario

September 26, 2019

Ministry of the Attorney General
McMurtry-Scott Building
720 Bay Street, 11th Floor
Toronto ON, M7A 2S9

Re: Joint and Several Liability Consultation

Please be advised that in response to your letter dated July 12, 2019, the Township of Springwater provides the following comments in regards to Joint and Several Liability.

1. Please describe the nature of the problem as you see it?

In response to the Province's request for consultation, the Township has a significant issue with Joint and Several Liability (JSL) and the impact it has on the municipality.

a. No Requirement of Proof

JSL is a tool that is used by the legal industry without any discretion to the point that this municipality feels that its use is negligent and in fact unethical. Most law suits that municipalities see are frivolous and vexations as lawyers cast their nets wide and attempt to use shotgun justice for their clients that are more than often the sole cause of a claim. A statement of claim does not require any proof that there is fault. A plaintiff only has to state who they think is involved and a significant amount of court time is spent determining who should be a party to the legal claim.

b. No Consequence for Being Wrongly Identified in a Statement of Claim

To add to this, there is no consequence that lawyers and their clients face for submitting a claim against a municipality when it is clear that a municipality is not involved. Municipalities incur significant administrative costs in managing these claims and the municipalities and their insurers pay significant costs to go through a lengthy process to prove that a claim was made in error (intentionally) only to find that a judge sees no reason to compensate a municipality for cost for incorrectly being named in a lawsuit by a plaintiff. Municipalities are seen as having deep pockets by the legal industry as well as the judicial system that makes decisions on these claims. Proof of innocence is often furnished to the plaintiff and lawyer by a municipality immediately upon notification of a pending legal action of statement of claim. This information is ignored by the plaintiff's lawyer. A plaintiff and their lawyer should have to reimburse a municipality for

all administrative and legal costs when the municipality is cleared of liability. Judges rarely compensate municipalities for being wrongly named in a legal action.

A recent example from 2019 occurred when a statement of claim was made against the Township of Springwater for an accident on a County Road (not the jurisdiction of Springwater). After legal and administrative costs totaling more than \$5,000, Springwater was dismissed from the claim. Unfortunately no costs were assigned to the plaintiff for wrongly naming Springwater in the statement of claim. The current system is broken and Springwater tax payers are left paying the bill.

2. What are the problems that you need addressed to benefit your community?

a. Ethical Standard of Due Diligence Required Before Submitting a Legal Action

Lawyer's representing plaintiff's should be required to submit documentation that provides significant research into why a claim is being made and a municipality is being named in a law suit. The claim should clearly prove authority and responsibility. The current practice of naming every party under the sun in a legal claim is negligent and unethical.

b. Frivolous and Vexatious Suits are Costing Taxpayers

The Township of Springwater is seeing a significant waste of administrative time and cost in managing legal claims against the municipality that are predominantly frivolous and vexatious due to JSL. Over the last seven years, the municipality has had 55 claims made against the municipality. These claims range from trips/falls resulting in broken eyeglasses to cases that unfortunately involve loss of life. The Township has no problem dealing with claims that the municipality is responsible for; however the Township does have a problem dealing with claims it does not have any responsibility for. Of the 55 claims against the municipality, 42 of these claims are frivolous and vexatious. Claims that the municipality has no responsibility for. Over the past 7 years, Springwater has paid more than \$100,000 on these frivolous and vexatious claims as they work themselves through the legal process. Many of these files are still open. This does not include additional costs paid by Springwater's insurance company that are beyond the municipality's deductible.

c. Negligent Legal Actions (Beyond Frivolous and Vexatious)

The Township of Springwater is currently named in 4 legal actions and an additional legal action (recently abandoned) for claims that occurred in another municipality (no where near Springwater). The Township is currently named in 3 claims that occurred in the Township of Clearview west of Stayner and one claim in the Township of Brock that have nothing to do with the Township. Springwater was named in a claim that occurred

in Wasaga Beach that was abandoned recently. All of these claims cost the Springwater taxpayer in administrative and legal costs as they work their way through the process.

d. Triage System for Claims

Before a claim makes it to a court date, the file should be triaged. It is at this stage that negligent of frivolous and vexatious claims will be filtered or thrown out. This process will trigger the reimbursement of costs to municipalities by unethical law firms.

e. Law Society of Ontario Charges

Lawyers that use JSL in an unethical way should be charged by the Law Society of Ontario. If a lawyer names a municipality in a legal action that should not be named, these lawyers should be suspended and potentially lose their license to practice law. There is a significant commonality when comparing frivolous and vexatious claims and the law firms/lawyers that submit them. The current code of ethics of the Law Society of Ontario should be updated by the Province to reprimand lawyers and law firms that negligently use JSL. The Province of Ontario should be involved in creating a new Code of Ethics for Ontario's legal industry.

3. Is it increased premiums? Rising deductibles?

A recent survey by CAO's in Simcoe County shows that insurance premiums are going up between 10% at the lowest to 59% being the highest in 2019. The Township of Springwater experienced a 10.8% increase in its 2019 insurance renewal. The area that typically sees an annual increase is related to the Municipal General Liability and Excess Liability lines of the business. The municipality was advised by its insurance broker that "over the past several years, insurance companies' appetite for Municipal Insurance has remained fairly stable. Insurance rates across all lines have seen only modest increases intended to simply keep pace with inflation and the rising cost of claims. Larger rate increases have been reserved for those accounts experiencing adverse claims development; either in frequency or severity (or both). However, starting in June 2018, the insurance market as a whole has shown clear signs of "hardening". Insurance companies for all sectors are putting stricter rules in place regarding the amount and breadth of coverage they will provide, and to which clients. Since the overall insurance supply is being reduced, the demand for insurer capacity is increasing, and as such, prices are elevating."

The table below provides at a high level (includes all lines of coverage) the Township's annual insurance premiums over the past five years.

2015	2016	2017	2018	2019
\$234,942	\$247,262	\$254,388	\$274,936	\$304,688

The Township continues to consult with its insurance broker in an effort to ensure that Springwater's constituents are receiving the best value for their tax dollar; however, the rising costs of insurance are not sustainable over the long run. Staff and its insurance broker have looked at increasing our deductibles in an effort to reduce the overall premium; however this has led to minimal reductions in the overall annual premium to the Township.

4. *Being unfairly named in lawsuits?*

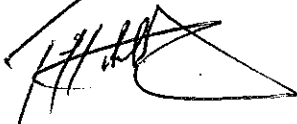
As detailed above, Springwater continues to be unfairly named in legal actions. Issues here range from a complete absence of research by legal firms on causality to the municipality being named in legal action in completely separate jurisdictions (other municipalities).

5. *Feeling you cannot offer certain services because of liability risks?*

More recently, with the advice of the Township's insurance broker, the Township has changed the way in which it delivers some of its recreational programs/services, especially as it relates to children's programs/activities. For example, the Township in partnership with its Community Recreation Associations will host a number of community based events throughout the year, which includes children's activities. In order to allow inflatable Bouncy castles at community events, the Township now requires the service provider to indemnify the Township and to also provide staff to monitor the safety of participants while in the inflatable Bouncy castle. Some vendors are reluctant to take on this risk.

Thank you for allowing the Township to participate in this consultation. We are open to further dialogue should you feel it necessary.

Yours truly,



Jeff Schmidt, CPA, CGA, B.A.S.
Chief Administrative Officer

Cc: Ontario Municipalities

Good afternoon,

Please be advised the Township of Zorra Council passed the following resolution at the September 4, 2019 Council Meeting:

“WHEREAS the Township of Zorra is an environmentally conscious community;

AND WHEREAS the Township of Zorra is a member of the Upper Thames River Conservation Authority (UTRCA) and has a representative on the board of directors of the UTRCA;

AND WHEREAS the board of directors determines the policies, priorities and budget of the UTRCA;

AND WHEREAS the UTRCA provides the Township of Zorra with expert advice on the environmental impact of land use planning proposals and that the Township of Zorra does not have staff with comparable expertise or experience;

AND WHEREAS the UTRCA provides programs to the residents of Zorra and other member municipalities that include recreation, education, water quality monitoring, reduction of vegetation loss and soil erosion, preservation of species at risk as well as protecting life and property through a variety of measures;

Therefore, be it resolved, that the Township of Zorra supports continuation of the programs of the UTRCA, both mandatory and non-mandatory, and that no programs of the UTRCA or of the other Conservation Authorities in Ontario be “wound down” at this time.

And that, the Ministry of Environment, Conservation and Parks give clear direction as to what programs are considered mandatory and non-mandatory and how those programs will be funded in the future;

And that this resolution be forwarded to the Minister of the Environment, Conservation and Parks, Premier Doug Ford, MPP Ernie Hardeman, the Association of Municipalities of Ontario, the Upper Thames River Conservation Authority, Conservation Ontario and all Ontario municipalities.”

Thanks,

Karen Martin
Director of Corporate Services

September 12, 2019

The Honourable Doug Downey, Attorney General of Ontario
Ministry of the Attorney General
720 Bay Street, 11th Floor
Toronto ON M7A 2S9

Re: Resolution Regarding Provincial Funding Cuts to Legal Aid Ontario

Please be advised the Council of the Municipality of Chatham-Kent at its regular meeting held on September 9, 2019 endorsed the following resolution;

“Whereas, the Chatham-Kent Legal Clinic (the “Clinic”) has delivered legal services in Chatham-Kent (the “Municipality”) for over 38 years to area residents who cannot afford legal assistance because of financial hardship – including those who are disabled, on social assistance, pensioners, the unemployed, or those with low income;
And Whereas, the Clinic’s services are aimed at ensuring that people with low incomes are able to meet their most basic needs, which in turn gives them the ability to live with health and dignity as active members of their community;

And Whereas, like other community legal clinics across the province, the Clinic carries out this invaluable work through funding provided by Legal Aid Ontario (“LAO”);

And Whereas, the provincial government’s 2019 Budget has cut funding to Legal Aid Ontario by \$133 Million – which is a 35% reduction in provincial funding – retroactive to April 1, 2019, with cuts rising to \$164 Million (45%) by 2021-22;

And Whereas, these significant cuts will result in a reduction of critical legal clinic services to low income residents in our community resulting in adverse social and economic consequences for the Municipality served by the Clinic – from

- increased reliance on municipal services including increased homelessness resulting from avoidable evictions,
- increased poverty resulting from lack of income supports and employment supports and

- increased reliance on social assistance administration resulting from people being denied appropriate supports

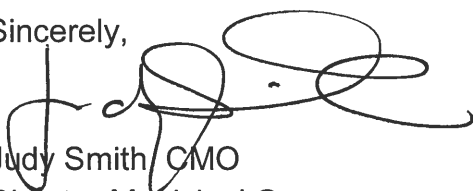
And Whereas, the Council of the Municipality believes all levels of government should provide fair, economically-sound, and evidence-based programs and supports to help low-income residents, vulnerable people, and other equity-seeking individuals escape poverty, precarious housing, and systemic disadvantage, realize their full potential by living healthy and safe lives.

Be it therefore resolved that, the Council of the Municipality of Chatham-Kent forward a letter to local MPPs, the Attorney General and the Premier of Ontario (and all municipalities in Ontario)

- expressing its strong support for Legal Aid Ontario and its funding of Ontario's community legal clinics, and specifically the Chatham-Kent Legal Clinic, which provides legal services to low income and vulnerable Ontarians;
- expressing its strong opposition to the funding cuts imposed on Legal Aid Ontario by the provincial government;
- calling upon the Premier and the Attorney General to make a commitment to access to justice and to respect the commitment of their government to not decrease front line services; and
- urging the province to restore full funding to these critical services to ensure that all the residents of Chatham-Kent have access to a fair and equitable justice system, regardless of their incomes."

If you have any questions or comments, please contact Judy Smith at 519-360-1998 Ext # 3200.

Sincerely,



Judy Smith CMO
Director Municipal Governance
Clerk /Freedom of Information Coordinator

C
The Honourable Doug Ford, Premier of Ontario
All Municipalities in Ontario



Hastings Highlands

Beautiful By Nature

Mayor Vic A. Bodnar
Mayor

Suzanne Huschilt
Municipal Clerk

The Municipality of Hastings Highlands
P.O. Box 130, 33011 Hwy 62, Maynooth, ON K0L 2S0
613 338-2811 Phone
1-877-338-2818 Toll Free

September 12, 2019

Hon. Christine Elliott
Minister of Health
Ministry of Health and Long-Term Care
5th Floor
777 Bay St.
Toronto, ON M7A 2J3
christine.elliott@pc.ola.org

Dear Minister Elliott,

Re: Mandatory Septic System Reports

Please be advised that at its Regular Meeting of Council held on September 4, 2019 the Council of the Municipality of Hastings Highlands passed the following resolution:

Resolution 559-2019

WHEREAS the Federation of Ontario Cottagers' Associations has released their latest report "Septic Re-inspection Programs in Ontario: A Guide for Lake Associations;"

AND WHEREAS this municipality has serious concerns over current available septic re-inspection information;

AND WHEREAS numerous companies already perform a septic pumping service and could easily perform an additional service by simply filling out a three part one page report with one copy going to the homeowner, one to the municipality, and one for their own records. This would develop an ongoing database from which septic re-inspection programs could be generated. This report could include requirements such as a visual inspection by the operator on type of system, time, date, location, and noticeable system problems;

NOW THEREFORE BE IT RESOLVED that this council endorse such a mandatory reporting system and that letters be sent requesting support for this initiative to the following people; Anne Egan, President of the Ontario Onsite Wastewater Association, John FitzGibbon, Professor, University of Guelph, Liz Huff, Director Rural Ontario Municipal Associations, Terry Rees, Executive Director Federation of Ontario Cottagers' Associations, Rick Phillips, Warden, Hastings County Council and Christine Elliott, Minister, Ontario Ministry of Health, our Local MP and MPP and all Ontario Municipalities.

CARRIED AS AMENDED

Sincerely,



Vic A. Bodnar
Mayor

cc: Anne Egan, Association President, Ontario Onsite Wastewater Association anne.egan@rjburnside.com
John FitzGibbon, Professor, University of Guelph jfitzgib@uoguelph.ca
ROMA roma@roma.on.ca
Terry Rees, Executive Director, FOCA info@foca.on.ca
Rick Phillips, Warden, Hastings County PhillipsRick@hastingscounty.com
Mike Bossio, MP, Hastings-Lennox and Addington Mike.Bossio@parl.gc.ca
Daryl Kramp, MPP, Hastings-Lennox and Addington daryl.kramp@pc.ola.org
All Ontario Municipalities



Kiran Saini
Deputy Town Clerk
Town of Newmarket
395 Mulock Drive
P.O. Box 328 Station Main
Newmarket, ON L3Y 4X7

ksaini@newmarket.ca
tel.: 905-953-5300, Ext. 2203
fax: 905-953-5100

September 17, 2019

Sent via email to: All Ontario Municipalities

Attn: Municipal Clerk

RE: More Homes, More Choice Act, 2019 - Bill 108 Proposed Regulations

I am writing to advise that Council, at its meeting held on September 9, 2019, adopted the following recommendations:

1. That the report entitled Bill 108 Proposed Regulations, dated August 26, 2019 be received; and,
2. That following the September 9, 2019 Council meeting, the final version of the report entitled Bill 108 Proposed Regulations, dated August 26, 2019 be formally submitted to the province; and,
3. That it be requested by the Town that the province release final drafts of the regulations associated with Bill 108 with a consultation period of no less than 3 months; and,
4. That a copy of this Motion be sent to all Ontario Municipalities requesting their support; and,
5. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

Yours sincerely,

A handwritten signature in black ink that reads "Kiran Saini".

Kiran Saini
Deputy Town Clerk

KS:aw



Towards a Reasonable Balance:

Addressing growing municipal liability and insurance costs

Submission to the Attorney General of Ontario

October 1, 2019

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Sent via email to: doug.downeyco@pc.ola.org
magpolicy@ontario.ca

October 1, 2019

The Honourable Doug Downey
Attorney General of Ontario
McMurtry-Scott Building, 11th Floor
720 Bay Street
Toronto, Ontario
M7A 2S9

Dear Attorney General Downey,

Municipal governments accept the responsibility to pay their fair share of a loss. Always. Making it right and paying a fair share are the cornerstones of our legal system. Citizens expect nothing less of their local governments.

But what is a challenge for municipalities and property taxpayers alike, is being asked to assume someone else's responsibility for someone else's mistake. Municipal governments should not be the insurer of last resort. For municipalities in Ontario, however, the principle of joint and several liability ensures that they are just that.

Joint and several liability means higher insurance costs. It diverts property tax dollars from delivering public services. It has transformed municipalities into litigation targets while others escape responsibility. It forces municipal government to settle out-of-court for excessive amounts when responsibility is as low as 1%.

There must be a better way. There must be a better way to help ensure those who suffer losses are made whole again without asking municipalities to bear that burden alone. There must be a better way to be fair, reasonable, and responsible.

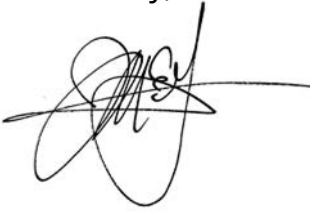
AMO welcomes the government's commitment to review joint and several liability. It is a complex issue that has many dimensions. Issues of fairness, legal principles, "liability chill", insurance failures and high insurance costs are all intertwined. Many other jurisdictions have offered additional protection for municipalities and AMO calls on the Ontario government to do the same.

What follows is a starting point for that discussion. Our paper reasserts key issues from AMO's 2010 paper, AMO's 2011 insurance cost survey, provides more recent examples, and details some possible solutions of which there are many options.

Municipalities are in the business of delivering public services. Municipal governments exist to connect people and to advance the development of a community. It is time to find a reasonable balance to prevent the further scaling back of public services owing to joint and several liability, "liability chill", or excessive insurance costs.

Together with the provincial government, I am confident we can find a better way.

Sincerely,



Jamie McGarvey
AMO President

Executive Summary

AMO's advocacy efforts on joint and several liability in no way intends for aggrieved parties to be denied justice or damages through the courts. Rather, municipal governments seek to highlight the inequity of how much "deep pocket" defendants like municipalities are forced to pay, for both in and out of court settlements.

It is entirely unfair to ask property taxpayers to carry the lion's share of a damage award when a municipality is found at minimal fault or to assume responsibility for someone else's mistake.

Municipal governments cannot afford to be the insurer of last resort. The principle of joint and several liability is costing municipalities and taxpayers dearly, in the form of rising insurance premiums, service reductions and fewer choices. The *Negligence Act* was never intended to place the burden of insurer of last resort on municipalities.

As public organizations with taxation power and "deep pockets," municipalities have become focal points for litigation when other defendants do not have the means to pay. At the same time, catastrophic claim awards in Ontario have increased considerably. In part, joint and several liability is fueling exorbitant increases in municipal insurance premiums.

The heavy insurance burden and legal environment is unsustainable for Ontario's communities. Despite enormous improvements to safety, including new standards for playgrounds, pool safety, and better risk management practices, municipal insurance premiums and liability claims continue to increase. All municipalities have risk management policies to one degree or another and most large municipalities now employ risk managers precisely to increase health and safety and limit liability exposure in the design of facilities, programs, and insurance coverage. Liability is a top of mind consideration for all municipal councils.

Joint and several liability is problematic not only because of the disproportioned burden on municipalities that are awarded by courts. It is also the immeasurable impact of propelling municipalities to settle out of court to avoid protracted and expensive litigation for amounts that may be excessive, or certainly represent a greater percentage than their degree of fault.

Various forms of proportionate liability have now been enacted by all of Ontario's competing Great Lakes states. In total, 38 other states south of the border have adopted proportionate liability in specific circumstances to the benefit of municipalities. Many common law jurisdictions around the world have adopted legal reforms to limit the exposure and restore balance. With other Commonwealth jurisdictions and the majority of state governments in the United States having modified the rule of joint and several liability in favour of some form of proportionate liability, it is time for Ontario to consider various options.

There is precedence in Ontario for joint and several liability reform. The car leasing lobby highlighted a particularly expensive court award made in November of 2004 against a car leasing company by the victim of a drunk driver. The August 1997 accident occurred when the car skidded off a county road near Peterborough, Ontario. It exposed the inequity of joint and several liability for car leasing companies. The leasing companies argued to the government that the settlement had put them at a competitive disadvantage to lenders. They also warned that such liability conditions would likely drive some leasing and rental companies to reduce their business in Ontario. As a result, Bill 18 amended the *Compulsory Automobile Insurance Act*, the *Highway Traffic*

Act and the Ontario *Insurance Act* to make renters and lessees vicariously liable for the negligence of automobile drivers and capped the maximum liability of owners of rental and leased cars at \$1 million. While Bill 18 has eliminated the owners of leased and rented cars as “deep pocket” defendants, no such restrictions have been enacted to assist municipalities.

A 2011 survey conducted by AMO reveals that since 2007, liability premiums have increased by 22.2% and are among the fastest growing municipal costs. Total 2011 Ontario municipal insurance costs were \$155.2 million. Liability premiums made up the majority of these expenses at \$85.5 million. Property taxpayers are paying this price.

These trends are continuing. In August of 2019, it was reported the Town of Bradford West Gwillimbury faces a 59% insurance cost increase for 2019. This is just one example. AMO encourages the municipal insurance industry to provide the government with more recent data and trends to support the industry’s own arguments regarding the impact joint and several has on premiums.

Insurance costs disproportionately affect small municipalities. For 2011, the per capita insurance costs for communities with populations under 10,000 were \$37.56. By comparison, per capita costs in large communities with populations over 75,000 were \$7.71. Property taxpayers in one northern community are spending more on insurance than their library. In one southern county, for every \$2 spent on snowplowing roads, another \$1 is spent on insurance.

In 2016, the Ontario Municipal Insurance Exchange (OMEX), a not-for-profit insurer, announced that it was suspending reciprocal underwriting operations. The organization cited, a “low pricing environment, combined with the impact of joint and several liability on municipal claim settlements” as reasons for the decision. Fewer choices fuels premium increases.

Learning from other jurisdictions is important for Ontario. The Province of Saskatchewan has implemented liability reforms to support its municipalities. As a municipal lawyer at the time, Neil Robertson, QC was instrumental in laying out the arguments in support of these changes. Now a Justice of the Court of Queen’s Bench for Saskatchewan, AMO was pleased to have Neil Robertson prepare a paper and address AMO conference delegates in 2013. Much of the Saskatchewan municipal experience (which led to reforms) is applicable to the Ontario and the Canadian municipal context. Summarised below and throughout this paper are some of Robertson’s key findings.

Robertson found that, regardless of the cause, over the years municipalities in Canada have experienced an accelerating rate of litigation and an increase in amounts of damage awards. He noted these developments challenge municipalities and raise financial, operational and policy issues in the provision of public services.

Robertson describes the current Canadian legal climate as having placed municipalities in the role of involuntary insurer. Courts have assigned municipal liability where liability was traditionally denied and apportioned fault to municipal defendants out of proportion to municipal involvement in the actual wrong.

This increased exposure to liability has had serious ramifications for municipalities, both as a deterrent to providing public services which may give rise to claims and in raising the cost and reducing the availability of insurance. The cost of claims has caused insurers to reconsider not only

what to charge for premiums, but whether to continue offering insurance coverage to municipal clients.

Robertson also makes the key point that it is reasonable for municipal leaders to seek appropriate statutory protections. He wrote:

“Since municipalities exist to improve the quality of life for their citizens, the possibility of causing harm to those same citizens is contrary to its fundamental mission. Careful management and wise stewardship of public resources by municipal leaders will reduce the likelihood of such harm, including adherence to good risk management practices in municipal operations. But wise stewardship also involves avoiding the risk of unwarranted costs arising from inevitable claims.”

And, of course, a key consideration is the reality that insurance premiums, self-insurance costs, and legal fees divert municipal funds from other essential municipal services and responsibilities.

It is in this context that AMO appreciated the commitments made by the Premier and the Attorney General to review the principle of joint and several liability, the impact it has on insurance costs, and the influence “liability chill” has on the delivery of public services. Now is the time to deliver provincial public policy solutions which address these issues.

Recommendations

AMO recommends the following measures to address these issues:

1. The provincial government adopt a model of full proportionate liability to replace joint and several liability.
2. Implement enhancements to the existing limitations period including the continued applicability of the existing 10-day rule on slip and fall cases given recent judicial interpretations, and whether a 1-year limitation period may be beneficial.
3. Implement a cap for economic loss awards.
4. Increase the catastrophic impairment default benefit limit to \$2 million and increase the third-party liability coverage to \$2 million in government regulated automobile insurance plans.
5. Assess and implement additional measures which would support lower premiums or alternatives to the provision of insurance services by other entities such as non-profit insurance reciprocals.
6. Compel the insurance industry to supply all necessary financial evidence including premiums, claims, and deductible limit changes which support its, and municipal arguments as to the fiscal impact of joint and several liability.
7. Establish a provincial and municipal working group to consider the above and put forward recommendations to the Attorney General.

Insurance Cost Examples

The government has requested detailed information from municipalities regarding their insurance costs, coverage, deductibles, claims history, and out-of-court settlements. Municipalities have been busy responding to a long list of provincial consultations on a wide range of topics. Some of the information being sought is more easily supplied by the insurance industry. AMO's 2011 survey of insurance costs produced a sample size of 122 municipalities and assessed insurance cost increases over a five-year period. The survey revealed an average premium increase which exceeded 20% over that period.

All of the same forces remain at play in 2019 just as they were in 2011. Below are some key examples.

Ear Falls - The Township of Ear Falls reports that its insurance premiums have increased 30% over five years to \$81,686. With a population of only 995 residents (2016), this represents a per capita cost of \$82.09. This amount is a significant increase from AMO's 2011 Insurance Survey result. At that time, the average per capita insurance cost for a community with a population under 10,000 was \$37.56. While the Township has not been the subject of a liability claim, a claim in a community of this size could have significant and long-lasting financial and service implications. The Township has also had to impose stricter insurance requirements on groups that rent municipal facilities. This has had a negative impact on the clubs and volunteers' groups and as a consequence, many have cut back on the service these groups provide to the community.

Central Huron - For many years the municipality of Central Huron had a deductible of \$5,000. In 2014, the deductible was increased to \$15,000 to help reduce insurance costs. The municipality also increased its liability coverage in 2014 and added cyber security coverage in 2018. The combined impact of these changes represents a premium cost of \$224,774 in 2019, up from \$141,331 in 2010. Per capita costs for insurance alone are now \$29.67.

Huntsville - Since 2010, the Town of Huntsville reports an insurance premium increase of 67%. In 2019 this represented about 3.75% of the town's property tax levy. At the same time, Huntsville's deductible has increased from \$10,000 to \$25,000. The town also reports a reluctance to hold its own events for fear of any claims which may affect its main policy. Additional coverage is purchased for these events and these costs are not included above.

Ottawa - In August 2018, the City began working with its insurance broker, Aon Risk Solutions ("Aon"), to prepare for the anticipated renewal of the Integrated Insurance Program in April 2019. As the cost of the City's insurance premiums had risen by approximately 25% between 2017 and 2018, this early work was intended to ensure that any further increase could be properly accounted for through the 2019 budget process. Early indications of a possible further 10% premium increase prompted the City and Aon in late 2018 to explore options for a revised Program, and to approach alternative markets for the supply of insurance.

On January 11, 2019, an OC Transpo bus collided with a section of the Westboro Station transit shelter, resulting in three fatalities and numerous serious injuries. This was the second major incident involving the City's bus fleet, following approximately five years after the OC Transpo - VIA train collision in September 2013.

The January 2019 incident prompted insurance providers to re-evaluate their willingness to participate in the City Program. Despite Aon’s work to secure an alternative provider, only Frank Cowan Company (“Cowan”), the City’s existing insurer, was prepared to offer the City an Integrated Insurance Program. Cowan’s offer to renew the City’s Program was conditional on revised terms and limits and at a significant premium increase of approximately 84%, or nearly \$2.1 million per year. According to Cowan, these changes and increases were attributable to seven principle factors, including Joint and Several Liability:

1. Escalating Costs of Natural Global Disasters;
2. Joint and Several Liability;
3. Claims Trends (in the municipal sector);
4. Increasing Damage Awards;
5. Class Action Lawsuits;
6. New and/or Adverse Claims Development; and,
7. Transit Exposure.

Cowan also indicated that the primary policy limits for the 2019-2020 renewal would be lowered from \$25 million to \$10 million per occurrence, thereby raising the likelihood of increased costs for the City’s excess liability policies.

Joint and Several in Action - Recent Examples

The following examples highlight joint and several in action. The following examples have occurred in recent years.

GTA Municipality – A homeowner rented out three separate apartments in a home despite being zoned as a single-family dwelling. After a complaint was received, bylaw inspectors and Fire Prevention Officers visited the property. The landlord was cautioned to undertake renovations to restore the building into a single-family dwelling. After several months of non-compliance, charges under the fire code were laid. The owner was convicted and fined. A subsequent visit by Fire Prevention Officers noted that the required renovations had not taken place. Tragically, a fire occurred which resulted in three fatalities. Despite having undertaken corrective action against the homeowner, joint and several liability loomed large. It compelled the municipality to make a payment of \$504,000 given the 1% rule.

City of Ottawa - A serious motor vehicle accident occurred between one of the City’s buses and an SUV. The collision occurred at an intersection when the inebriated driver of the SUV failed to stop at a red light and was struck by the City bus. This collision resulted in the deaths of the SUV driver and two other occupants, and also seriously injured the primary Plaintiff, the third passenger in the SUV. The secondary action was brought by the family of one of the deceased passengers.

The Court ultimately concluded that the City was 20% liable for the collision, while the SUV driver was 80% at fault. Despite the 80/20 allocation of fault, the City was required to pay all of the approximately \$2.1 million in damages awarded in the primary case and the \$200,000 awarded in the secondary case, bringing the amount paid by the City to a total that was not proportionate to its actual liability. This was due to the application of the principle of joint and several liability, as well as the interplay between the various automobile insurance policies held by the SUV owner and

passengers, which is further explained below. Although the City appealed this case, the Ontario Court of Appeal agreed with the findings of the trial judge and dismissed it.

This case was notable for the implications of various factors on the insurance policies held by the respective parties. While most automobile insurance policies in Ontario provide for \$1 million in third party liability coverage, the insurance for the SUV was reduced to the statutory minimum of \$200,000 by virtue of the fact that the driver at the time of the collision had a blood alcohol level nearly three times the legal limit for a fully licensed driver. This was contrary to the requirements of his G2 license, which prohibit driving after the consumption of any alcohol. Further, while the Plaintiff passengers' own respective insurance provided \$1 million in coverage for underinsured motorists (as the SUV driver was at the time), this type of coverage is triggered only where no other party is in any way liable for the accident. As a result, the primary Plaintiff could only effectively recover the full \$2.1 million in damages if the Court attributed even a small measure of fault to another party with sufficient resources to pay the claim.

In determining that the City was at least partially responsible for the collision, the Court held that the speed of the bus – which according to GPS recordings was approximately 6.5 km/h over the posted limit of 60 kilometres an hour – and momentary inattention were contributing factors to the collision.

To shorten the length of the trial by approximately one week and accordingly reduce the legal costs involved, the parties had earlier reached an agreement on damages and that the findings regarding the primary Plaintiff would apply equally to the other. The amount of the agreement-upon damages took into account any contributory negligence on the part of the respective Plaintiffs, attributable to such things as not wearing a seat belt.

City of Ottawa, 2nd example – A Plaintiff was catastrophically injured when, after disembarking a City bus, he was struck by a third-party motor vehicle. The Plaintiff's injuries included a brain injury while his impairments included incomplete quadriplegia.

As a result of his accident, the Plaintiff brought a claim for damages for an amount in excess of \$7 million against the City and against the owner and driver of the third-party vehicle that struck him. Against the City, the Plaintiff alleged that the roadway was not properly designed and that the bus stop was placed at an unsafe location as it required passengers to cross the road mid-block and not at a controlled intersection.

Following the completion of examinations for discovery, the Plaintiff's claim against the Co-Defendant (the driver of the vehicle which struck the plaintiff) was resolved for \$1,120,000 comprising \$970,000 for damages and \$120,000 for costs. The Co-Defendant's policy limit was \$1 million. The claim against the City was in effect, a "1% rule" case where the City had been added to the case largely because the Co-Defendant's insurance was capped at \$1 million, which was well below the value of the Plaintiff's claim.

On the issue of liability, the pre-trial judge was of the view that the City was exposed to a finding of some liability against it on the theory that, because of the proximity of the bus stop to a home for adults with mental health issues, the City knew or should have known that bus passengers with cognitive and/or physical disabilities would be crossing mid-block at an unmarked crossing. This, according to the judge, could have resulted in a finding being made at trial that the City should

either have removed the bus stop or alternatively, should have installed a pedestrian crossing at this location.

The judge assessed the Plaintiff's damages at \$7,241,000 exclusive of costs and disbursements which he then reduced to \$4,602,930 exclusive of costs and disbursements after applying a reduction of 27.5% for contributory negligence and subtracting the \$970,000 payment made by the Co-Defendant's insurer.

Settlement discussions took place and the judge recommended that the matter be resolved for \$3,825,000 plus costs of \$554,750 plus HST plus disbursements.

Joint and Several Liability in Action - Other notable cases

Deering v Scugog - A 19-year-old driver was driving at night in a hurry to make the start time of a movie. She was travelling on a Class 4 rural road that had no centerline markings. The Ontario Traffic Manual does not require this type of road to have such a marking. The driver thought that a vehicle travelling in the opposite direction was headed directly at her. She swerved, over-corrected and ended up in a rock culvert. The Court found the Township of Scugog 66.7% liable. The at-fault driver only carried a \$1M auto insurance policy.

Ferguson v County of Brant - An inexperienced 17-year-old male driver was speeding on a road when he failed to navigate a curve which resulted in him crossing the lane into oncoming traffic, leaving the roadway, and striking a tree. The municipality was found to have posted a winding road sign rather than a sharp curve sign. The municipality was found 55% liable.

Safranyos et al v City of Hamilton - The plaintiff was leaving a drive-in movie theatre with four children in her vehicle at approximately 1 AM. She approached a stop sign with the intention of turning right onto a highway. Although she saw oncoming headlights she entered the intersection where she was struck by a vehicle driven 15 km/h over the posted speed limit by a man who had just left a party and was determined by toxicologists to be impaired. The children in the plaintiff's vehicle suffered significant injuries. The City was determined to be 25% liable because a stop line had not been painted on the road at the intersection.

Mortimer v Cameron - Two men were engaged in horseplay on a stairway and one of them fell backward through an open door at the bottom of a landing. The other man attempted to break the first man's fall and together they fell into an exterior wall that gave way. Both men fell 10 feet onto the ground below, one of whom was left quadriplegic. The trial judge determined both men were negligent, but that their conduct did not correspond to the extent of the plaintiff's injuries. No liability was attached to either man. The building owner was determined to be 20% and the City of London was found to be 80% liable. The Court awarded the plaintiff \$5 M in damages. On appeal, the City's liability was reduced to 40% and building owner was determined to be 60% liable. The City still ended up paying 80% of the overall claim.

2011 Review of Joint and Several Liability – Law Commission of Ontario

In February 2011 the Law Commission of Ontario released a report entitled, *"Joint and Several Liability Under the Ontario Business Corporations Act"*. This review examined the application of

joint and several liability to corporate law and more specifically the relationship between the corporation and its directors, officers, shareholders and stakeholders.

Prior to the report's release, AMO made a submission to the Law Commission of Ontario to seek to expand its review to include municipal implications. The Law Commission did not proceed with a broader review at that time, but the context of its narrower scope remains applicable to municipalities. In fact, many of the same arguments which support reform in the realm of the *Business Corporations Act*, are the same arguments which apply to municipal governments.

Of note, the Law Commission's¹ report highlighted the following in favour of reforms:

Fairness: "it is argued that it is unfair for a defendant, whose degree of fault is minor when compared to that of other defendants, to have to fully compensate a plaintiff should the other defendants be insolvent or unavailable."

Deep Pocket Syndrome: "Joint and several liability encourages plaintiffs to unfairly target defendants who are known or perceived to be insured or solvent."

Rising Costs of Litigation, Insurance, and Damage Awards: "Opponents of the joint and several liability regime are concerned about the rising costs of litigation, insurance, and damage awards."

Provision of Services: "The Association of Municipalities of Ontario identifies another negative externality of joint and several liability: municipalities are having to delay or otherwise cut back services to limit exposure to liability."

The Law Commission found that the principle of joint and several liability should remain in place although it did not explicitly review the municipal situation.

2014 Resolution by the Ontario Legislature and Review by the Attorney General

Over 200 municipalities supported a motion introduced by Randy Pettapiece, MPP for Perth-Wellington which called for the implementation a comprehensive, long-term solution in 2014. That year, MPPs from all parties supported the Pettapiece motion calling for a reform joint and several liability.

Later that year the Ministry of the Attorney General consulted on three options of possible reform:

1. The Saskatchewan Model of Modified Proportionate Liability

Saskatchewan has adopted a modified version of proportionate liability that applies in cases where a plaintiff is contributorily negligent. Under the Saskatchewan rule, where a plaintiff is contributorily negligent and there is an unfunded liability, the cost of the unfunded liability is split among the remaining defendants and the plaintiff in proportion to their fault.

¹ Law Commission of Ontario. "Joint and Several Liability Under the Ontario *Business Corporations Act*." Final Report, February 2011 Pages 22-25.

2. Peripheral Wrongdoer Rule for Road Authorities

Under this rule, a municipality would never be liable for more than two times its proportion of damages, even if it results in the plaintiff being unable to recover full damages.

3. A combination of both of the above

Ultimately, the government decided not to pursue any of the incremental policy options ostensibly because of uncertainty that insurance cost reductions would result. This was a disappointing result for municipalities.

While these reviews did not produce results in Ontario, many other common law jurisdictions have enacted protections for municipalities. What follows are some of the options for a different legal framework.

Options for Reform – The Legal Framework

To gain a full appreciation of the various liability frameworks that could be considered, for comparison, below is a description of the current joint and several liability framework here in Ontario. This description will help to reader to understand the further options which follow.

This description and the alternatives that follow are taken from the Law Commission of Ontario's February 2011 Report entitled, *"Joint and Several Liability Under the Ontario Business Corporations Act"* as referenced above.²

Understanding the Status Quo and Comparing it to the Alternatives

Where three different defendants are found to have caused a plaintiff's loss, the plaintiff is entitled to seek full payment (100%) from any one of the defendants. The defendant who fully satisfies the judgment has a right of contribution from the other liable parties based on the extent of their responsibility for the plaintiff's loss.

For example, a court may find defendants 1 (D1), 2 (D2) and 3 (D3) responsible for 70%, 20%, and 10% of the plaintiff's \$100,000 loss, respectively. The plaintiff may seek to recover 100% of the loss from D2, who may then seek contribution from D1 and D3 for their 70% and 10% shares of the loss. If D1 and/or D3 is unable to compensate D2 for the amount each owes for whatever reason, such as insolvency or unavailability, D2 will bear the full \$100,000 loss. The plaintiff will be fully compensated for \$100,000, and it is the responsibility of the defendants to apportion the loss fairly between them.

The descriptions that follow are abridged from pages 9-11 of the Law Commission of Ontario's report. These are some of the key alternatives to the status quo.

² Ibid. Page 7.

1. Proportionate Liability

a) Full Proportionate Liability

A system of full proportionate liability limits the liability of each co-defendant to the proportion of the loss for which he or she was found to be responsible. Per the above example, (in which Defendant 1 (D1) is responsible for 70% of loss, Defendant 2 (D2) for 20% and Defendant 3 (D3) for 10%), under this system, D2 will only be responsible for \$20,000 of the \$100,000 total judgement: equal to 20% of their share of the liability. Likewise, D1 and D3 will be responsible for \$70,000 and \$10,000. If D1 and D3 are unable to pay, the plaintiff will only recover \$20,000 from D2.

b) Proportionate Liability where Plaintiff is Contributorily Negligent

This option retains joint and several liability when a blameless plaintiff is involved. This option would cancel or adjust the rule where the plaintiff contributed to their loss. As in the first example, suppose the plaintiff (P) contributed to 20% of their \$100,000 loss. D1, D2 and D3 were responsible for 50%, 20% and 10% of the \$100,000. If D1 and D3 are unavailable, P and D2 will each be responsible for their \$20,000 shares. The plaintiff will remain responsible for the \$60,000 shortfall as a result of the absent co-defendants' non-payment (D1 and D3).

c) Proportionate Liability where Plaintiff is Contributorily Negligent with a Proportionate Reallocation of an Insolvent, Financially Limited or Unavailable Defendant's Share

In this option of proportionate liability, the plaintiff and remaining co-defendants share the risk of a defendant's non-payment. The plaintiff (P) and co-defendants are responsible for any shortfall in proportion to their respective degrees of fault.

Using the above example of the \$100,000 total judgement, with a shortfall payment of \$50,000 from D1 and a shortfall payment \$10,000 from D3, P and D2 must pay for the missing \$60,000. P and D2 have equally-apportioned liability, which causes them to be responsible for half of each shortfall - \$25,000 and \$5,000 from each non-paying defendant. The burden is shared between the plaintiff (if determined to be responsible) and the remaining defendants.

d) Proportionate Liability with a Peripheral Wrongdoer

Under this option, a defendant will be proportionately liable only if their share of the liability falls below a specified percentage, meaning that liability would be joint and several. Using the above example, if the threshold amount of liability is set at 25%, D2 and D3 would only be responsible for 20% and 10%, regardless of whether they are the only available or named defendants. However, D1 may be liable for 100% if it is the only available or named defendant. This system tends to favour defendants responsible for a small portion of the loss, but the determination of the threshold amount between joint and several liability and proportionate liability is arbitrary.

e) Proportionate Liability with a Reallocation of Some or All of an Insolvent or Unavailable Defendant's Share

This option reallocates the liability of a non-paying defendant among the remaining defendants in proportion to their respective degrees of fault. The plaintiff's contributory negligence does not

impact the application of this reallocation. Joint and several liability would continue to apply in cases of fraud or where laws were knowingly violated.

f) Court Discretion

Similar to the fraud exception in the option above, this option includes giving the courts discretion to apply different forms of liability depending on the case.

For example, if a particular co-defendant's share of the fault was relatively minor the court would have discretion to limit that defendant's liability to an appropriate portion.

2. Legislative Cap on Liability

Liability concerns could be addressed by introducing a cap on the amount of damages available for claims for economic loss.

3. Hybrid

A number of jurisdictions provide a hybrid system of proportionate liability and caps on damages. Co-defendants are liable for their portion of the damages, but the maximum total amount payable by each co-defendant is capped to a certain limit.

The Saskatchewan Experience

As referenced earlier in this paper, the Province of Saskatchewan responded with a variety of legislative actions to assist municipalities in the early 2000s. Some of those key developments are listed below which are abridged from "*A Question of Balance: Legislative Responses to Judicial Expansion of Municipal Liability – the Saskatchewan Experience.*" The paper was written by Neil Robertson, QC and was presented to the annual conference of the Association of Municipalities of Ontario in 2013. Two key reforms are noted below.

1. Reforming joint and several liability by introducing modified proportionate liability: "The Contributory Negligence Act" amendments

The *Contributory Negligence Act* retained joint and several liability, but made adjustments in cases where one or more of the defendants is unable to pay its share of the total amount (judgement). Each of the parties at fault, including the plaintiff if contributorily negligent, will still have to pay a share of the judgement based on their degree of fault. However, if one of the defendants is unable to pay, the other defendants who are able to pay are required to pay only their original share and an additional equivalent share of the defaulting party's share.

The change in law allows municipalities to reach out-of-court settlements, based on an estimate of their degree of fault. This allows municipalities to avoid the cost of protracted litigation.

Neil Robertson provided the following example to illustrate how this works in practise:

"...If the owner of a house sues the builder for negligent construction and the municipality, as building authority, for negligent inspection, and all three are found equally at fault, they would each be apportioned 1/3 or 33.3%. Assume the damages are \$100,000. If the builder has no funds, then the municipality would pay only its share (\$33,333) and a 1/3 share of the builder's defaulting share

(1/3 of \$33,333 or \$11,111) for a total of \$44,444 (\$33,333 + \$11,111), instead of the \$66,666 (\$33,333 + \$33,333) it would pay under pure joint and several liability.”

This model will be familiar to municipal leaders in Ontario. In 2014, Ontario’s Attorney General presented this option (called the Saskatchewan Model of Modified Proportionate Liability) for consideration. At the time, over 200 municipal councils supported the adoption of this option along with the “Peripheral Wrongdoer Rule for Road Authorities” which would have seen a municipality never be liable for more than two times its proportion of damages, even if it results in the plaintiff being unable to recover full damages. These two measures, if enacted, would have represented a significant incremental step to address the impact of joint and several to Ontario municipalities.

2. Providing for uniform limitation periods while maintaining a separate limitation period for municipalities: “The Limitations Act”

This act established uniform limitation periods replacing many of the pre-existing limitation periods that had different time periods. The Municipal Acts in Saskatchewan provide a uniform one-year limitation period “from time when the damages were sustained” in absolute terms without a discovery principle which can prolong this period. This helps municipalities to resist “legacy” claims from many years beforehand. This act exempts municipalities from the uniform two-year discoverability limitation period.

Limitation periods set deadlines after which claims cannot be brought as lawsuits in the courts. The legislation intends to balance the opportunity for potential claimants to identify their claims and, if possible, negotiate a settlement out of court before starting legal action with the need for potential defendants to “close the books” on claims from the past.

The reasoning behind these limitations is that public authorities, including municipalities, should not to be punished by the passage of time. Timely notice will promote the timely investigation and disposition of claims in the public interest. After the expiry of a limitation period, municipalities can consider themselves free of the threat of legal action, and continue with financial planning without hurting “the public taxpayer purse”. Municipalities are mandated to balance their budgets and must be able to plan accordingly. Thus, legacy claims can have a very adverse affect on municipal operations.

Here in Ontario, there is a uniform limitations period of two years. Municipalities also benefit from a 10-day notice period which is required for slip and fall cases. More recently, the applicability of this limitation deadline has become variable and subject to judicial discretion. Robertson’s paper notes that in Saskatchewan, courts have accepted the one-year limitations period. A further examination of limitations in Ontario may yield additional benefits and could include the one-year example in Saskatchewan and/or the applicability of the 10-day notice period for slip and fall cases.

Other Saskatchewan reforms

Saskatchewan has also implemented other reforms which include greater protections for building inspections, good faith immunity, duty of repair, no fault insurance, permitting class actions, and limiting nuisance actions. Some of these reforms are specific to Saskatchewan and some of these currently apply in Ontario.

Insurance Related Reforms

Government Regulated Insurance Limits

The April 2019 provincial budget included a commitment to increase the catastrophic impairment default benefit limit to \$2 million. Public consultations were led by the Ministry of Finance in September 2019. AMO wrote to the Ministry in support of increasing the limit to \$2 million to ensure more adequate support those who suffer catastrophic impairment.

In 2016, the government lowered this limit as well as third-party liability coverage to \$200,000 from \$1 million. This minimum should also be also be increased to \$2 million to reflect current actual costs. This significant deficiency needs to be addressed.

Insurance Industry Changes

In 1989 the Ontario Municipal Insurance Exchange (OMEX) was established as a non-profit reciprocal insurance provider for Ontario’s municipalities. It ceased operations in 2016 citing, “[a] low pricing environment, combined with the impact of joint & several liability on municipal claim settlements has made it difficult to offer sustainable pricing while still addressing the municipalities’ concern about retro assessments.”³ (Retro assessments meant paying additional premiums for retroactive coverage for “long-tail claims” which made municipal budgeting more challenging.)

The demise of OMEX has changed the municipal insurance landscape in Ontario. That joint and several liability is one of the key reasons listed for the collapse of a key municipal insurer should be a cause for significant concern. Fewer choices fuels cost. While there are other successful municipal insurance pools in Ontario, the bulk of the insurance market is dominated by for-profit insurance companies.

Reciprocal non-profit insurers are well represented in other areas across Canada. Municipalities in Saskatchewan, Alberta, British Columbia are all insured by non-profit reciprocals.

The questions for policy makers in Ontario:

Are there any provincial requirements or regulations which could better support the non-profit reciprocal municipal insurance market?

What actions could be taken to better protect municipalities in Ontario in sourcing their insurance needs?

How can we drive down insurance costs to better serve the needs of municipal property taxpayers?

³ Canadian Underwriter, August 11, 2016 <https://www.canadianunderwriter.ca/insurance/ontario-municipal-insurance-exchange-suspends-underwriting-operations-1004098148/>

Conclusion

This AMO paper has endeavoured to refresh municipal arguments on the need to find a balance to the issues and challenges presented by joint and several liability. It has endeavoured to illustrate that options exist and offer the reassurance that they can be successfully implemented as other jurisdictions have done.

Finding solutions that work will require provincial and municipal commitment. Working together, we can find a better way that is fair, reasonable, and responsible. It is time to find a reasonable balance.

THE CORPORATION OF THE TOWNSHIP OF MAPLETON

BY-LAW NUMBER 2019-090

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, October 8, 2019, 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, October 8, 2019.

Mayor Gregg Davidson

Clerk Barb Schellenberger