



**Council Meeting**  
**Municipality of West Grey**  
**402813 Grey County Rd 4, Durham, ON N0G 1R0**

**March 19, 2024, 9 a.m.**

**West Grey municipal office, council chambers**

This meeting shall be held in the Municipality of West Grey council chambers. Members of the public may attend in person or electronically via Zoom.

To join through your computer (or smartphone with the Zoom app) go

to: <https://us02web.zoom.us/j/89156262480>

To phone in and listen live dial +1 647 558 0588 (long-distance charges may apply)

When prompted, enter the meeting ID: 891 5626 2480

**Accessibility of documents:** Documents are available in alternate formats upon request. If you require an accessible format or communication support contact the Clerk's Department by email at [clerk@westgrey.com](mailto:clerk@westgrey.com) or 519-369-2200 to discuss how we can meet your needs.

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	<b>Pages</b>
<b>1. Call to order</b>	
<b>2. Moment of reflection</b>	
<b>3. Declarations of pecuniary interest and general nature thereof</b>	
<b>4. Delegations/presentations</b>	
In accordance with the West Grey Procedural Bylaw each delegation shall be limited in speaking to not more than ten minutes, and presentations that are requested by council shall have a time limit as determined between the clerk and the presenter.	
4.1 Delegation - Margaret A. Kreller - ZA33.2023 - Area of Road 49 and Concession 2, formally the Township of Normanby.	1
<b>5. Public meetings</b>	
There is no public meeting.	
<b>6. Comment period</b>	
In accordance with the West Grey Procedural Bylaw comments may be made to council with respect to a specific agenda item. A maximum of two minutes per person is allotted for comments, with a maximum of ten minutes in total for the comment period.	
<b>7. Unfinished business</b>	
<b>8. Adoption of minutes</b>	
8.1 Minutes of the regular council meeting held on March 5, 2024	7

<b>9.</b>	<b>Committee and board reports</b>	
9.1	Priceville Improvement Committee Minutes held on January 29, 2024.	12
9.2	Saugeen Mobility and Regional Transit General Board Minutes held on January 26, 2024.	15
9.3	West Grey Police Services Board Minutes held December 11, 2023.	19
<b>10.</b>	<b>Correspondence</b>	
10.1	Correspondence received for which direction of council is required There is no correspondence for direction.	
10.2	Correspondence received which is presented for the information of council	23
<b>11.</b>	<b>Staff reports</b>	
11.1	Manager of Planning and Development	
11.1.1	ZA33.2023 – Clegg/Radomsky	61
11.1.2	Extension of Draft Plan Approval – 42T-91011 Gutzke	116
11.2	Manager of Public Works	
11.2.1	IPW-2024-11 – Winter Maintenance Agreement – South Bruce	125
11.3	Director of Legislative Services/Clerk	
11.3.1	Neustadt Industrial Park Lands	140
11.3.2	Request to Purchase Municipal Lands - Newell	144
11.3.3	Saugeen Municipal Airport Member Municipality Meeting	148
11.4	Interim Chief Administrative Officer	
11.4.1	Recruitment Services for Chief Administrative Officer	151
<b>12.</b>	<b>Questions</b> In accordance with the West Grey Procedural Bylaw members may request clarification or updates on previous agenda items.	
<b>13.</b>	<b>Bylaws</b>	
13.1	Bylaw No. 2024-026 - Confirming the proceedings of council	154
13.2	Bylaw No. 2024-027 - Authorize the mayor and clerk to execute an agreement with the Corporation of the Town of Minto respecting boundary roads.	155

- 13.3 Bylaw No. 2024-028 - Amend the Municipality of West Grey Comprehensive Zoning Bylaw No.37-2006, as amended, in accordance with ZA33.2023.

170

**14. New business**

**15. Announcements**

In accordance with the West Grey Procedural Bylaw, comments are not debatable, nor shall they introduce new business. Comments shall be limited to five minutes per member.

**16. Closed session**

There is no closed session.

**17. Report from closed session**

There is no closed session.

**18. Adjournment**

**Comment and Dialogue Document – West Grey Council meeting to be held March 19<sup>th</sup> at 0900 as per Ron. Davidson’s report dated February 6<sup>th</sup>, 2024.**

**NOTE:** West Grey staff sent out an email to other interested parties, and by Canada Post arriving on March 5<sup>th</sup>, indicating the change in the zoning requests that would be applied for (Institution Exception with Holding, Rural Exception with Holding, Rural Exception with Holding). However, the changes do not reflect the zoning modifications mentioned in the February 6<sup>th</sup>, 2024 report from Mr. Ron Davidson. To date, we, as the surrounding landowners have not had any new report from Mr. Davidson or from staff which explains the changes to the proposal/proposed re-zoning. This is a concern, given that all our delegation comments are based on Mr. Davidson’s report of February 6<sup>th</sup>, 2024.

**Failing of MDS**

In the initial report prepared by Ron Davidson dated December 4<sup>th</sup>, the report documents there are no barns within a one km radius of the proposed rezoning. After the public meeting held January 16<sup>th</sup> there has been another planning report prepared by Ron Davidson dated February 6<sup>th</sup> as there were multiple barns identified. One barn to the north failed MDS as documented on page 3 of the report “As such, the actual setback is 20 metres deficient. The MDS Statement does allow for approval authorities (e.g. West Grey Council) to grant minor relief from the MDS formulae through Minor Variances or Zoning By-law Amendment.”

**Question** - Is 20 metres a minor relief?

**Comment** - As documented in the February 6<sup>th</sup> planning report page 3 “The Minimum Distance Separation (MDS) Statement considers institutional uses to be a Type B land use, which means that the land use might be more sensitive toward manure odour. As such, the MDS Statement requires a separation distance between a livestock facility and the Type B land use to be twice the setback of Type A land uses . . . “ If the MDS has failed by 20 meters, in the MDS diagram provided in the report, it shows that it fails by including the barn which is to be converted, the area proposed dwelling for farm workers, and the parking lot, plus the dwelling for the Abbott and the Bishop. This is not small enough of a variance to have limited potential for land use conflict. See attachment #1.

**HOWEVER** - The proposal to exclude the parking area from the Institutional zone does not make any land use planning sense. The parking lot is part of the Institutional use being proposed and should remain in the Institutional zone. Site plan control is to be applied to the area re-zoned as Institutional and must therefore include the parking use. It seems the parking lot may have been removed from the Institutional zone to reduce the minor variance request from required MDS setbacks. If the parking lot is included in the Institutional zone, the request for relief from MDS setbacks would increase from 20m to approximately 150m-170m (if the institutional zone came up to the northern property boundary, thereby including the parking area – which it should) which will require further justification from Mr. Davidson as this is unlikely to be considered minor.

**Of note** - One barn was not included which is on the west side of Concession 2 across from Fire # 231618.

**The County of Grey’s Official Plan states –**

- a. I) Municipalities should not reduce MDS through a minor variance, zoning amendment, or official plan amendment, except where sufficient reasoning has been provided, and the intent of the MDS Guidelines has been maintained. MDS shall generally not be modified for the purposes of permitting new non-farm sized lot creation. In reviewing the rationale for a variance, there should be demonstration that the variance would:*
- not be able to be met through a modification to the development being proposed (e.g. set a building back further than proposed),*
  - make an existing situation better to reduce the potential for conflict*
  - impose undue hardship, such as major farm operation, inefficiencies, or servicing constraints, by not granting the variance, or*
  - be small enough such that there is very limited potential for land use conflict.*



### **Black Historical Cemetary**

**Comment** - Has there been any follow up with a professional Archaeologist? Has there been a site visit by West Grey staff to the parcel of land for proposed rezoning to acknowledge that the development of this parcel of land will change the historical significance, since the topography itself is of historical significance. Further alteration is a disturbance of history. Also, there is no mention of the on-site cemetery in Mr. Davidson's report and the need for archaeological assessment of this cultural heritage resource. A holding provision would not be the most effective tool to implement any findings of a required assessment. The assessment should be completed prior to rezoning and setbacks established in the implementing zoning by-law. This is not an example of archaeological potential where a holding provision makes sense – the cemetery site has been identified and its extent and related mitigation should be established.

### **New Planning Report Dated February 6<sup>th</sup> – Lack of Public Meeting**

**Comment** - The community is concerned that the new planning report has information and changes which should require another application and the process to start again, at least the minimum of another public meeting. As stated in the minutes from the January 16<sup>th</sup> public meeting, page 6 states "The Director of Infrastructure and Development/CBO advised that the proposed zoning bylaw will be specific to exactly what the applicant is requesting. Mr. Schipprack advised that if they want to change the zoning to something different in the future, then they will need to start the process over again and resubmit a request for rezoning similar to what they've applied for today. Mr. Schipprack advised that outside of what the zoning bylaw specifically asks for, they would not be permitted to change to whatever they wish."

Has democracy been denied with the lack of another public meeting?

The new report changes the zoning to something different with the proposal of now three zoning purposes on this land parcel. When residents received notification of the council meeting to be held March 19<sup>th</sup> at which there will be a vote to decide this rezoning, the rezoning has a holding on it but no clarification regarding what this means was provided.

The new report specifies major areas of concern which is not allowing for public input -

1. Failure of MDS for the barn to the north
2. The addition of a new zoning
3. The uses in the zoning areas are changed
4. The boundary for the one zone moves further to the east which impinges on MDS for a barn built on the A1 land to the east
5. The possible addition of a new building without a clear location specification which could affect the MDS for the barn to the south (as noted in the February 6<sup>th</sup> planning report page 4 ". . . the setback from the Jackson barn is only exceeded by a two metres . . .").

Also, if there was another application, it would be easier for reference which planning report is in discussion using the report number rather than having the same number for both proposals.

### **Lack of Notification**

**Comment** - Cuesta Planning Consultants Inc (Cuesta) submitted comments on behalf of various neighbors of the subject property on January 16th, 2024. In these comments Cuesta requested to be informed of any meetings in relation to this matter, however, no notices were received by their office, from West Grey.

### **Municipality of West Grey Official Plan**

**Comment** - In the Municipality of West Grey Official Plan for the Settlement Areas of Durham and Neustadt (one dated 2012 and a recently revised), state that "Institutional uses shall be located and designed in such a manner that adjacent land uses would not be significantly impacted." Both of these documents were prepared by Ron Davidson who was the planner involved for the rezoning amendment application, and although these are for the residents of Durham and Neustadt, should this not also apply to the Municipality as a whole? In the case of this rezoning application, the adjacent land uses are significantly impacted.

### Road 49 Condition and Volume

The report from Ron Davidson dated February 6<sup>th</sup> on page 4 notes “The condition of Road 49 was also an issue raised by a few people in attendance. Whereas the increase in vehicular traffic will be minimal, it might be worthwhile for West Grey staff to provide a comment regarding the condition of the road and its ability to accommodate a minor increase in traffic.”

**Comment** – Has West Grey staff had an opportunity to consider the increase traffic? The community suspects it will not be minimal as suggested taking into consideration the attendees for the chapel plus the volunteers which will be onsite for maintenance, plus the proposed farm workers, plus the visitors as by nature of a monastery it is welcoming.

**Question** - Has West Grey staff had an opportunity to put a traffic counter out as a start to determine the current amount of traffic the road?

### New Building

In the planning report dated February 6<sup>th</sup> page 2 it states “It also includes a small area to the west of the existing barn where the main monastery building could be erected in the event that the existing horse stable cannot be converted.” Note that the area is to the east, not to the west. Also noted is that the report dated February 6<sup>th</sup> does not provide a drawing of where future buildings are proposed or parking.

**Comment** - Has Saugeen Valley Conservation been consulted regarding this amendment for the possibility of the construction of the new building? As documented in the minutes of the January 16<sup>th</sup> public meeting on page 6 “Morris Radomsky, current property owner, advised that he had to go through the Saugeen Valley Conservation Authority to build the barn on the property and noted that if he was located further to the south then he would not have been able to build that building and noted that everything was built properly.”

Also, has Saugeen Valley Conservation been consulted regarding storm water management in regards to the parking lot?

### All Areas in the Rezoning Have “Holding”

It is our understanding a holding provision may be used as part of the re-zoning. Is this related to servicing requirements or the on-site cemetery? We cannot comment on the use of the holding provision without a draft by-law or staff report.

### Servicing Aspects

As mentioned in the report by Cuesta Planning Consultants, dated January 16<sup>th</sup>, 2024, there are implications for handling servicing aspects after the completion of the planning application, seeing as at that time, should issues arise, the planning related input phase (of which consideration of servicing aspects forms an important part) would have passed.

### Proposed Buildings on the Property

No rationale has been provided to date in relation to the request for farm worker accommodation. This request is not in keeping with the wording or intent of the Grey County Official Plan which states that *“A permanent second house on a farm property for full-time farm labour purposes is also permitted, where adequate reasoning is provided (i.e. where the size and nature of the operation requires additional employment), and where it cannot be achieved through seasonal temporary means. Seasonal housing units in the form of trailers, or bunkhouses are permitted for seasonal farm labour. Additional seasonal or permanent housing for farm labour purposes shall generally be located in the farm cluster.”* The proposed primary use for this parcel is an institutional use versus an agricultural use. The limited size of the parcel and any associated agricultural activity disqualifies it from meeting the wording and intent of the relevant Grey County policy. In addition, the proposal already includes a request to permit accommodation for eight (8) guests/temporary helpers which should be more than adequate housing for any guests/temporary workers the owners may need to assist them in maintaining the property. Additional permanent housing is not necessary and should not form part of the re-zoning. A request for additional housing and intensification where none is needed raises concerns for us as neighbouring residents.

**Comment** - Will the monastery be used as a retreat, and will this housing be used by additional guests? Is there another location in a settlement area where more support could be provided to them?

### **Noise and Community Disruption**

The report from Ron Davidson dated February 6<sup>th</sup> on page 4 notes “It is not the intent of this letter to attempt to refute concerns raised by some of the neighbours about potential noise and disruption to this rural area, other than to say that Father Moses Sadik explained at the public meeting that this quiet setting is the very reason why their monastery is wishing to locate there.”

**Comment** - Please see comments regarding the monastery which is approved in Red Deer, Alberta. The proposal reads similar to the one in front of West Grey Council and phase three includes the chapel to hold not the initial 50 persons but 150-200.

### **Additional Comments and Questions from the January 16<sup>th</sup> public meeting**

Minutes from the January 16<sup>th</sup> meeting page 6 state “Mr. Smith advised that they will not be providing individual comments back on what has been received and will taking a look at the comments provided in the general sense. Mr. Smith noted that comments were heard in respect to septic, water, traffic, archaeology, MDS, density, changing use, etc. and staff will put those in a planning report in terms of review of those comments and concerns.”

At the meeting the residents also raised questions with land being taken out of agriculture. There is a large parking lot planned on land which has been used in the summer for grazing cattle plus now the possibility of another main building constructed. Also there is the intention of having a barn on the west side of the A1 agricultural land to the east of the proposed rezoned parcel of land, and if a barn cannot be constructed this A1 parcel is crop land and be rezoned out of A1 to reflect the implications of this rezoning and part of the rezoning application.

Another area of concern is the size of the septic system and possible expansion of the monastery and as documented in the minutes of the meeting on January 16<sup>th</sup> on page 5, “Mr. Lyon advised that there is also no ability within public policy to reassess a septic system. Mr. Lyon voiced concerns respecting water availability and usage as well as septic capacity for the subject property.”

The community has not had feedback regarding these comments and have these been reviewed? Based on Mr. Davidson’s report of February 6<sup>th</sup>, we noted that various aspects that we, as the neighbours, as well as our representative, Cuesta Planning Consultants, outlined in our comments, were not (even briefly) addressed. We had hoped to get the staff report in time to study it and find answers, before the delegation documentation submission cut-off date. We were however informed that this report would only be available on March 12<sup>th</sup>. It was therefore impossible for us to study this and get clarity, in time to further address it during the council meeting.

### **Dialogue**

The West Grey Council are in public office, voted by constituents. The staff of West Grey are employed by the township of West Grey and support the work of council. There has been some breakdown of communication between the community and the township. Members of the community have expressed some frustration with obtaining information and the delay, or lack, of returning telephone calls from some members of West Grey. We welcome the opportunity to participate and provide input and to know what reports and information is available. It seems that residents have been consulted in other rezoning applications but the community surrounding Road 49 and Concession 2 have not been approached for dialogue.

**Consideration** - It would be helpful when a rezoning notice goes out that a summary of the process be included to allow residents an understanding of the steps and process. See the City of Burlington link as an excellent example outlining the planning process <https://www.burlington.ca/en/planning-and-development/burlington-planning-process.aspx>.

## Monastery in Red Deer

<https://www.sgspmonastery.ca>

<https://www.reddeeradvocate.com/news/coptic-monastery-proposed-east-of-red-deer-6818365>

<https://www.reddeeradvocate.com/news/coptic-monastery-approved-in-red-deer-county-6819943>

The monastery approved in Red Deer, Alberta is owned by the same Diocese requesting the rezoning of the parcel in West Grey. In Red Deer, the monastery, dormitories, chapel and other church buildings will be located on 24 acres of land of a 144.65 acre square property whereas in West Grey it is all on approximately 10 acres of a 25 acre parcel. It has been suggested that this parcel is not large enough for the proposed infrastructure to be placed on it.

## Notice of Application

**Comment** - At the public meeting held on January 16<sup>th</sup>, and documented in the questions submitted for that meeting, residents in the community asked about notification. On page 7 of the minutes of that meeting “The Director of Legislative Services/Clerk advised that notice of this public meeting was circulated in accordance with the provisions of the Planning Act, adding how, when, and to whom notice was given.” and “The Manager of Planning and Development advised that the municipality follows the minimum requirements of the Act and uses the geographical information system (GIS) to measure the distances for the 120 meters and noted that if a property hits the 120 meters, then the address is generated.” There were three recommendations put forward in a document by the residents, and in the City of Burlington their notification to neighbouring property owners use a different distance for rural areas and could this possibly be adopted by West Grey? See below taken from <https://www.burlington.ca/en/planning-and-development/burlington-planning-process.aspx>.

4

### Notification to neighbouring property owners

Once a development application is received by the City, the assigned planner will create a notification letter to be sent to all properties located within 120 metres of the proposed development property (300 metres in a rural area).

The public notice provides details about the development proposal and asks for written comments, which can be sent to the City by mail or email. Those interested in the proposed development may also choose to be added to a mailing list. This helps participants stay informed about the progress of the application.



Attachment #1



**Minutes**  
**Council meeting**  
**Municipality of West Grey**

**Tuesday, March 5, 2024, 9 a.m.**  
**West Grey municipal office, council chambers and virtual**

Members present: Mayor Kevin Eccles  
 Deputy Mayor Tom Hutchinson  
 Councillor Scott Foerster  
 Councillor Doug Hutchinson  
 Councillor Joyce Nuhn  
 Councillor Geoffrey Shea  
 Councillor Doug Townsend

Staff present: Jamie Eckenswiller, Director of Legislative Services/Clerk  
 Kerri Mighton, Interim CAO/Director of Finance/Treasurer  
 Karl Schipprack, Director of Infrastructure and Development/CBO  
 Geoff Aitken, Manager of Public Works  
 Kodey Hewlett, Corporate and Community Initiatives Officer  
 Ashley Noble, Communications Coordinator  
 Jodi Ward, Legislative Services Coordinator

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**1. Call to order**

Mayor Eccles called the meeting to order at 9:01 a.m.

**2. Moment of reflection**

Mayor Eccles called for a moment of reflection.

Staff reviewed instructions for members of the public to participate via Zoom or telephone, and how to contact staff for assistance if disconnected. It was noted that this meeting will be livestreamed to the West Grey YouTube channel.

**3. Declarations of pecuniary interest and general nature thereof**

There were no declarations of pecuniary interest.

**4. Delegations/presentations**

There were no delegations/presentations.

**5. Public meetings**

There were no public meetings.

**6. Comment period**

There were no comments.

**7. Unfinished business**

There was no unfinished business.

## 8. Adoption of minutes

### 8.1 Minutes of the regular council meeting held on February 20, 2024

R-240305-001

Moved by Councillor Foerster

Seconded by Deputy Mayor Hutchinson

**"THAT the minutes of the regular council meeting held on February 20, 2024 as presented be adopted."**

**Carried**

## 9. Committee and board reports

### 9.1 Saugeen Valley Conservation Authority Board of Directors Meeting - January 19, 2024 Minutes

R-240305-002

Moved by Councillor Hutchinson

Seconded by Councillor Townsend

**"THAT the minutes of committees and boards are hereby received."**

**Carried**

## 10. Correspondence

### 10.1 Correspondence received for which direction of council is required

There was no correspondence for direction.

### 10.2 Correspondence received which is presented for the information of council

R-240305-003

Moved by Councillor Townsend

Seconded by Councillor Nuhn

**"THAT in consideration of correspondence received on February 14, 2024, from the Municipality of Grey Highlands respecting a master servicing plan update, council directs staff to investigate the potential for service agreements between West Grey and Grey Highlands for the provision of water and sewer services in West Grey."**

**Carried**

R-240305-004

Moved by Councillor Foerster

Seconded by Councillor Hutchinson

**"THAT in consideration of correspondence received on February 26, 2024, from the Township of Perry respecting 'Request to the Province to Amend Blue Box Regulation for 'Ineligible' Sources', council directs staff to send a letter of support for the resolution to the premier of Ontario, the minister of the environment, conservation, and parks, and the MPP for Bruce-Grey-Owen Sound."**

**Carried**

R-240305-005

Moved by Deputy Mayor Hutchinson

Seconded by Councillor Nuhn

**"That council receives all correspondence not otherwise dealt with."**

**Carried**

## 11. Staff reports

### 11.1 Manager of Public Works

#### 11.1.1 IPW-2024-09 – Boundary Road Agreement - Minto

The Manager of Public Works provided an overview of the report.

R-240305-006

Moved by Councillor Townsend

Seconded by Councillor Foerster

**"THAT in consideration of staff report "IPW-2024-09 – Boundary Road Agreement – Minto", council directs staff to bring forward a bylaw to authorize the mayor and clerk to execute a five-year boundary road agreement with the Town of Minto."**

**Carried**

#### 11.1.2 IPW-2024-10-Normanby Shed – Roof Replacement

The Manager of Public Works provided an overview of the report.

R-240305-007

Moved by Councillor Nuhn

Seconded by Councillor Hutchinson

**"THAT in consideration of staff report "IPW-2024-10 – Normanby Shed – Roof Replacement, council directs staff to:**

- 1. proceed with the replacement of the Normanby shed roof using trusses;**
- 2. investigate the option for installing solar panels on the Normanby shed roof; and**
- 3. investigate options for installing solar panels on other West Grey facilities."**

**Carried**

#### 11.1.3 IPW-2024-08 – Normanby Arena Complex-RFP Results

The Manager of Public Works provided an overview of the report.

R-240305-008

Moved by Deputy Mayor Hutchinson

Seconded by Councillor Townsend

**"THAT in consideration of staff report "IPW-2024-08-Normanby Arena Complex-RFP Results", council:**

- 1. directs staff to proceed with replacing the condenser at a cost of \$ 89,300 plus contingency and HST;**
- 2. authorizes the mayor and clerk to sign all necessary documents with T & W Enterprises to supply and install a replacement condenser; and**
- 3. directs staff to pay for the condenser expense from the 2024 transfer to reserves for the Normanby Arena Complex and the existing Normanby ice resurfacer reserve."**

**Carried**



## 11.2 Community Services

### 11.2.1 WestGrey Minor Lacrosse Neustadt Updates

The Corporate and Community Initiatives Officer provided an overview of the report.

R-240305-009

Moved by Councillor Shea

Seconded by Councillor Townsend

**"THAT in consideration of staff report "Recreation Services – West Grey Minor Lacrosse Neustadt Updates", council directs staff to reallocate up to \$10,000.00 from the Neustadt Arena Ball Diamond Light Project (Tax Levy Funding) to complete the proposed 2024 work as outlined in the report."**

**Carried**

## 11.3 Director of Infrastructure & Development /CBO

### 11.3.1 Request to Lease Land for a Communications Tower

The Director of Infrastructure and Development/CBO provided an overview of the report.

R-240305-010

Moved by Deputy Mayor Hutchinson

Seconded by Councillor Nuhn

**"THAT in consideration of staff report 'Request to Lease Land for a Communications Tower', council directs staff to enter into a lease agreement with Shared Tower Inc."**

**Carried**

## 12. Questions

Councillor Nuhn inquired about the possibility of replacing West Grey entry signs as noted in the strategic plan. The Interim CAO/Director of Finance/Treasurer advised that this project would need to be considered in the 2025 budget.

Deputy Mayor Hutchinson inquired about the status of the police station tender. The Director of Infrastructure and Development/CBO advised that all tender documents have been completed. The last items to be finalized are the final site drawings and electrical standard drawings. The intent is to have the tender out the week of March 15, 2024, with an end of March closing date.

## 13. Bylaws

### 13.1 Bylaw No. 2024-022- Confirming the proceedings of council

### 13.2 Bylaw No. 2024-023 - West Grey and Chatsworth Boundary Roads Agreement

### 13.3 Bylaw No. 2024-024 Amend Fees and Charges Bylaw No. 2023-064 Re: building compliance letters

### 13.4 Bylaw No. 2024-025 - Amend Fees and Charges Bylaw No. 2023-064 Re: Senior citizen club, board room rental, and adults only roller skating

R-240305-0011

Moved by Councillor Foerster

Seconded by Councillor Shea

**"THAT Bylaw Numbers 2024-022, 2024-023, 2024-024, 2024-025 be passed and enacted."**

**Carried**

**14. New business**

There was no new business.

**15. Announcements**

There were no announcements.

**16. Closed session**

There was no closed session.

**17. Report from closed session**

There was no closed session.

**18. Adjournment**

The business contained on the agenda having been completed, Mayor Eccles adjourned the meeting at 9:47 a.m.

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Mayor Kevin Eccles

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Jamie M. Eckenswiller, Clerk

PRICEVILLE IMPROVEMENT COMMITTEE

MINUTES

January 29, 2024

7 p.m. Stothart Hall

Attending: Jeff and Barb Wilson, Art Ayers and Kathy Mulligan, Marilyn Blackman, Dave Grahlman, Ken McCormack, Doug Hutchinson, Ken McIntyre, Dane Nielsen, Mark and Laura Murakami, Doug and Mary Harrison

Regrets: Russ Blackman, Ed Williams, Bob Hagerman

**Opening Remarks:** Doug welcome those attending and introductions were made by all attending.

Dane Nielsen, Deputy Mayor, Grey Highlands updated those attending on the budget deliberation.

He also indicated, knowing our concern on accessibility for the hall, that the present plan will be to refresh the current engineer drawings. The funding for such would come from the Stothart Hall reserve. Estimated cost is \$25,000.

On further discussion re the engineer drawings, it was agreed that Dave Grahlman (who provided original drawings) and Doug Harrison should meet with Municipal staff to review current drawings and what needs to be updated before the plan goes forward. Dane will follow up with Mike, Michele and building official.

Doug Hutchinson, Councilor for West Grey, agreed that both Municipalities should work on the accessibility project in relation to grants.

Dane will also follow up re new windows and painting in hall (new drywall, paneling).

**FINANCIAL REPORT:** Doug Harrison reviewed the financial report. No questions or concerns.

**CLEAN-UP DAY:** Date, May 11<sup>th</sup>, 2024

Time: 10 a.m. meet at hall shed

Food: Doug and Mary Harrison

Flyer for village: Jeff Wilson

Route Set-up: Doug Harrison

Other jobs: Gardens at front of hall. Clean up.

Photo for paper: Jeff Wilson

**CANADA DAY, MONDAY JULY 1<sup>st</sup> 2024:**

Notify Municipality: Dane Nielsen

Municipality Grant: Dane Nielsen will check with Michele Harris.

Entertainment: Ken McCormack and Jackie Ralph will arrange

Touch of Gray Band – confirmed

Bouncy Castle – Russ Blackman will confirm

Face Painting and Balloons – will be confirmed

Dane Nielsen will inquire with Markdale Recreation in providing activities for the children.

**FIREWORKS:** Doug Harrison will follow up with fireworks provider.

**FOOD BOOTH:** Murakami Family

**TICKET SALES:** Mary Harrison will confirm if Mary Kay McCoy will attend

**PARKING SIGNS:** P.I.C. volunteers

**PARKING:** Ed Williams west of hall area and outfield will be decided

**ADVERTISEMNT:** Papers, radio, etc., Jeff Wilson

Poster will be included in the Murakami Real Estate mailing in June, as last year.

**GATE VOLUNTEERS:** Ken McIntyre

**SECURITY:** Ken McIntyre

**AMBULANCE/OPP:** Doug Harrison will contact

**PORTABLE WASHROOMS:** Doug Harrison

**CONTACT – Flesherton/Advance Paper – Jeff Willson**

**OTHER BUSINESS:**

Family Day date to be decided based on weather.

**Next Meeting will be early June, 2024. Date to be confirmed.**

**Meeting adjourned: 8:30 p.m.**

# **SAUGEEN MOBILITY**

## **and REGIONAL TRANSIT**

### **GENERAL BOARD MEETING MINUTES**

Friday, January 26, 2024, 10:00 a.m.

Boardroom, 603 Bruce Rd 19, Walkerton, ON & via Zoom

**Board Members Present:** Ed McGugan, Councillor, Huron-Kinloss, Chair  
 Doug Townsend, Councillor, West Grey, Vice Chair  
 Warren Dickert, Deputy Mayor, Hanover, Past Chair  
 Cheryl Grace, Councillor, Saugeen Shores  
 Kym Hutcheon, Councillor, Brockton  
 Doug Kennedy, Councillor, Kincardine  
 Scott Mackey, Mayor, Chatsworth  
 Jennifer Shaw, Deputy Mayor, Arran-Elderslie (via Zoom)  
 Monica Singh-Soares, Councillor, Southgate (via Zoom)

**Board Members Absent:** Joel Loughhead, Councillor, Grey Highlands

**Others Present:** Stephan Labelle, SMART Manager  
 Catherine McKay, Recording Secretary

#### **1. Call to Order**

The meeting was called to order at 10:00 a.m.

#### **2. Elections**

The Chair asked the Manager in his capacity as Corporate Secretary to preside over the elections of Chair and Vice-Chair and vacated the chair.

#### **ELECTION OF CHAIR**

The Corporate Secretary called for nominations for the position of Chair. Warren Dickert nominated Ed McGugan and Scott Mackey seconded the motion. Ed McGugan accepted the nomination. No further nominations were received and a motion to declare nominations closed was made by Warren Dickert and seconded by Doug Townsend. Ed McGugan was declared Chair by acclamation.

#### **ELECTION OF VICE CHAIR**

The Corporate Secretary called for nominations for Vice Chair. Warren Dickert nominated Doug Townsend and the nomination was seconded by Doug Kennedy. Doug Townsend accepted the nomination. No further nominations were received, and a motion to declare nominations closed was made by Cheryl Grace and seconded by Kym Hutcheon. Doug Townsend was declared Vice-Chair by acclamation.

The Chair was assumed by Ed McGugan who thanked Board members for their service and pledged to work toward achieving SMART's goals in the coming year..

#### **3. Disclosure of Pecuniary Interest and Declaration of Conflict of Interest**

None declared.

#### **4. Approval of the Agenda**

**Motion** Moved by Cheryl Grace; Seconded by Kym Hutcheon

That the agenda be amended to move item 8A *Ontario Ombudsman Complaint Against Saugeen Mobility* to the closed session, add item 9E *Email Regarding Brockton Visitor Guide* and move item 9A *Legal Addition to the SMART Website to Address Ombudsman Complaint* to follow the closed session, and that the agenda be accepted as so amended.

**Carried**

**5. Delegations**

There were no delegations.

**6. Minutes of Previous Meeting – December 22, 2023**

**Motion** Moved by Doug Townsend; Seconded by Doug Kennedy  
That the minutes from December 22, 2023 be accepted as circulated.  
**Carried**

**7. Business Arising from the Minutes**

**A. 2024 Budget Scenario**

The 2024 budget presented at the last meeting showed municipal contributions at the 2023 level. The implications of the increase in user fees on the budget were raised. The amount of gas tax is legislated and SMART expects to receive \$748,000 in 2024 based on a three year average of rides and population that includes 2020, when rides were down due to COVID. No word has been received as to the amount of gas tax, and typically SMART is informed of the amount in April or May. The Manager said that the amount could be lower than expected, but he has not heard anything from industry associations about a reduction. There is an overall \$750 million operational shortfall in transit in Canada. The Manager will submit a report at the next meeting on the budgetary impact of a 15% reduction in rides.

Rides are projected to increase by 11% in 2024 but revenues are shown as down by 7% which could be the result of deadheads or fewer long trips since the mix of short and long rides impacts revenue. Revenue is down from group excursions which use the large bus that can accommodate 14 wheelchairs or 30 passengers. The bus is used three to four times a week and is full when used. Peak time for group excursions is spring, summer and fall and clients are mostly residents of long term care homes, with the fees charged to the home rather than individuals. Since a number of long term care homes are privately owned and make significant profits, it was suggested that they should pay more and the cost of excursions for their residents should not be borne by municipal taxpayers. The issue of different excursion rates for residents of private long term care facilities is to be added to a future agenda.

Arran-Elderslie Council expressed concern that its invoice for 2024 was issued before the Board passed its budget. This is similar to what occurs when a municipal council sets its tax rate after it passes its budget. Interim property tax notices are sent out, and the final calculations are reflected in subsequent bills. SMART follows a similar practice by sending two invoices, the first for 50% of the contribution, with any adjustments arising from the budget being reflected in the second invoice. If the municipal contributions will not be changed from what is shown in the proposed budget, the Board could accept them pending finalization of other parts of the budget. The Manager noted that the amount of the gas tax has no impact on municipal contributions.

**Motion** Moved by Cheryl Grace; Seconded by Monica Singh-Soares  
That the Manager recalculate the 2024 budget for Board consideration at the next meeting.  
**Carried**

**Motion** Moved by Warren Dickert; Seconded by Kym Hutcheon  
That the municipal contributions for 2024 be set at the amounts shown in the 2024 draft budget.  
**Carried**

**Motion** Moved by Scott Mackey; Seconded by Cheryl Grace  
That the Manager present a report at the next meeting regarding usage and billing rates for large group excursions.  
**Carried**

**8. Correspondence**

The correspondence was moved to the closed session.

**9. New Business**

**A. Legal Addition to SMART Website to Address Ombudsman Complaint**

This item was moved to after the closed session.

**B. Publication of Meeting Dates on Website**

**Motion** Moved by Doug Kennedy; Seconded by Kym Hutcheon

That the December 2024 Board meeting be rescheduled to Wednesday, December 11, 2024 at 10:00 a.m. and that the 2024 meeting dates be added to the SMART website.

**Carried**

**C. Report on Presentation to Ministry of Transportation (ROMA Conference)**

The Chair reported on the delegation SMART made to the Associate Deputy Minister at the Rural Ontario Municipal Association (ROMA) and thanked Cheryl Grace and other Board members for their assistance. Five minutes were allotted, during which he made a presentation on SMART and distributed SMART *Need A Lift* cards, both of which were well received. Ministry officials were engaged in the discussion and understood gas tax and other funding issues. Scott Mackey thanked the Chair for attending and Doug Kennedy noted that it is important to attend such events so government representatives can hear directly from stakeholders and see the collaboration amongst local organizations.

**Motion** Moved by Scott Mackey; Seconded by Kym Hutcheon

That Chair's verbal report on the ROMA conference be received for information.

**Carried**

**D. 2024 Target (Deadheads)**

The Chair explained that SMART needs to set goals and objectives addressing efficiency including deadheads. He has created a spreadsheet using Google Sheets which is free and allows document storage on the cloud, thus allowing multiple users such as SMART drivers to input data from anywhere. For example drivers could input mileage at the start of their day, for each trip made and at the end of the day. The spreadsheet could then generate an efficiency number and be exported for billing and analysis purposes. Further work is required to ensure that this spreadsheet will work with the NOVUS billing system. Based on rough calculations, SMART has an efficiency rate of 64%, and 36% of kilometres may be deadhead, indicating an opportunity for review.

**Motion** Moved by Cheryl Grace; Seconded by Monica Singh-Soares

That the Manager develop a deadhead measurement system by May 1, 2024, develop measures and strategies by October 1, 2024 and implement these strategies by December 31, 2024.

**Carried**

**E. Email Regarding Brockton Marketing**

The Manager received an email about advertising SMART services in the Brockton Visitor Guide. Since there are no funds budgeted for marketing and visitors to Brockton are unlikely to become SMART clients, it was decided not to pursue the matter and the verbal report was received for information.

**10. Reports and Recommendations**

**A. Report on December 2023 Operations**

The report showed 1,904 rides, \$19,094.90 in sales and 21,974 billed kilometers, an increase of 3% in rides, a decrease of 24% in fees, and a decrease of 19% in billed kilometers compared to the same period last year. In December 2023, 207 out of 1,800 active clients generated all the rides. For future reports, the Manager will add the number of clients taking rides for each municipality

A technical issue with the accounting software resulted in incomplete data for the December report. The Manager and staff are working to resolve it for next month's report. SMART has some clients who take short trips, but the driver might have to travel some distance to get to the client, resulting in a greater subsidy by the municipality because the driven kilometres are considerably greater than the billable kilometres. There was discussion about the level of subsidy of rural versus urban trips. The Chair noted that this is an example of why



data is important to increase efficiency and develop strategies to improve SMART's service. The Manager was also asked to add labels to the graph in his reports.

**Motion** Moved by Cheryl Grace; seconded by Monica Singh-Soares  
That the December 2024 Operations report be accepted as presented.  
**Carried**

#### 11. Committee Reports

There were no committee reports.

#### 12. Closed Session

**Motion** Moved by Scott Mackey; seconded by Kym Hutcheon  
That the SMART Board convene in closed session at 11.45 a.m. to discuss personal matters about an identifiable individual and an ongoing investigation respecting the board by the Ombudsman.  
**Carried**

The SMART Board reconvened in open session at 12:10 p.m. and the Chair confirmed that the Board had gone in closed session and discussed matters about an identifiable individual and an ongoing investigation respecting the board by the Ombudsman and that no other matters were discussed.

#### 13. Strategic Planning Session

This item was deferred to the February Board meeting and time will be added to the agenda to accommodate it. Board Member Jennifer Shaw and the Manager will confer in advance to identify issues to be addressed.

#### 14. New Business (cont'd)

##### A. Legal Addition to SMART Website to Address Ombudsman Complaint

It was agreed to defer additions to the web site until the Ombudsman's final report has been received. The Manager will get an estimate from Innovative Inc., which manages the web site, on the cost to make it accessible. Monica Singh-Soares will check if there are organizations that could do this for no charge and advise the Manager, and the Manager will reach out to the municipalities for advice. The question of posting only meeting agendas and minutes rather than meeting packages on the web site was raised and it was decided to maintain the status quo.

Discussion turned to training required under the Accessibility for Ontarians with Disabilities Act (AODA). It was agreed that Board members will send to the Manager their certificates from training provided by their municipalities and that it is not necessary for SMART to ensure training for Board members.

#### 15. Adjournment & Upcoming Meeting Dates

##### Upcoming Meeting Dates

Friday, February 16, 2024, 10:00 a.m. Regular Monthly Board Meeting, SMART Office, 603 Bruce Rd 19, Walkerton, ON. Note change of date from February 23, 2024.

**Motion** Moved by Cheryl Grace; Seconded by Warren Dickert  
That the Board of Directors of SMART adjourn at 12:34 p.m.  
**Carried**

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Ed McGugan, Chair

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Catherine McKay, Recording Secretary



## MINUTES

### **WEST GREY POLICE SERVICES BOARD MONDAY, DECEMBER 11, 2023**

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A meeting of the West Grey Police Services Board was held on Monday, December 11, 2023 in the Council Chambers at the West Grey Municipal Office.

**Present:** Chair Kevin Eccles, Vice Chair Fawcett. member Joyce Nuhn, secretary Heather Webb and Chief Martin.

**Absent:** Inspector White due to enrolment in training session at Ontario Police College

The meeting was called to order at 9 a.m. by Chair Eccles.

#### Declaration of Pecuniary interest

None declared at this time.

**Resolution:** 065-2023  
**Moved:** Member Nuhn  
**Seconded:** Member Fawcett

**THAT the West Grey Police Services Board approve the minutes of November 13, 2023, as presented.**  
**Carried.**

#### Business Arising from the Minutes

Chair Eccles made those in attendance aware that Council passed a motion at their November 14, 2023 meeting requesting that the West Grey Police Services Board remove a \$2500 allocation for rent from their 2024 draft budget.

**Resolution:** 066-2023  
**Moved:** Member Fawcett  
**Seconded:** Member Nuhn

**THAT the West Grey Police Services Board amend their 2024 draft budget by removing the \$2500. allocation for building rent.**  
**Carried**

#### Monthly Stats

- Chief Martin advised the members that 911 hang ups continue to decrease
- Bail violations are up 50%
- two opioid medical crises were revived with the use of NARCAN
- mental health YTD calls are lowest total for last three years

West Grey Police Services Board

December 11, 2023

- police assist calls outside of West Grey numbered two for November-1 Hanover and 1 Owen Sound
- RIDE checks have been ongoing since November 15<sup>th</sup>
- trouble with youth numbers have initiated contact between the Service and the School Boards
- November saw 74 POA charges, 25 criminal charges and 34 arrests
- total of 341 calls for service in November

**Resolution**                      **067-2023**  
**Moved:**                         **Member Nuhn**  
**Seconded:**                      **Member Fawcett**

**THAT the West Grey Police Services Board receive the monthly stats for November 2023.**  
**Carried.**

#### Chief's Report

- November events included the Remembrance Day Parade and the kickoff for the Police Toy Drive
- training included one officer completing the Standard Field Sobriety testing course, another completed Scenes of Crime. Four participated in the Crisis Intervention Session hosted by Owen Sound Police Service. One Officer completed the Active Shooter training and another four have been recertified for First Aid
- the Board was advised that Cst. Devon Burke is now eligible to be promoted to 2<sup>nd</sup> Class Constable. Chief Martin advised his work performance is excellent and would have no hesitation recommending his advancement to the Board, effective December 15, 2023.
- a vehicle stop on November 11<sup>th</sup> resulted in two individuals being charged with possession of fentanyl and cocaine
- criminal theft ring has been working in and around West Grey.
- Theft from local business has been upgraded from Theft under \$5000 to Assault, Assaulting a Peace Officer and Resisting Arrest. The other party was charged with Assault with a Weapon, Uttering threats and Resisting Arrest.
- ground search for vulnerable person ended successfully. Police provided family members with suggestions to safeguard against this happening again.
- November 21 the Criminal Investigations Branch arrested a West Grey male in possession of child pornography. This is an isolated event.
- On November 25<sup>th</sup> officers were dispatched to a single motor vehicle collision at Grey Road 28/Road 10 just north of Hanover. Investigation ongoing.
- On November 27, 2023 officers responded to a local business where a male party passed counterfeit bills as payment for groceries. The male suspect was identified on video and a warrant is being sought for his arrest.
- Chief Martin and Inspector White attended the "Downtown Policing session" sponsored by Waterloo Regional Police Service which dealt with homeless encampments on

West Grey Police Services Board

December 11, 2023

Municipal property. This session informed those attending on how to deal with encampments effectively and lawfully.

-on November 29<sup>th</sup> the West Grey Criminal Intelligence Branch executed a warrant at a Durham address. Seven people were taken into custody. Five were later released and two were charged under the controlled Substances Act and released on conditions for future court date.

**Resolution: 068-2023**

**Moved: Member Fawcett**

**Seconded: Member Nuhn**

**THAT the West Grey Police Services Board authorizes the promotion of Cst Devon Burke to 2<sup>nd</sup> Class Constable effective December 15, 2023 based on the Chief's recommendation.**

**Carried.**

**Resolution: 069-2023**

**Moved: Member Nuhn**

**Seconded: Member Fawcett**

**THAT the West Grey Police Services Board receive the Chief's Report for November 2023.**

**Carried.**

#### Accounts

**Resolution: 070-2023**

**Moved: Member Fawcett**

**Seconded: Member Nuhn**

**THAT the West Grey Police Services Board approve the payment of November accounts in the amount of \$52,485.11.**

**Carried**

#### Correspondence

Email received from Keith Torrie, Senior Policy Advisor from the Office of the Minister of Justice and Attorney General thanking the Board for their input and advising that reforms to Bill C-48 have been made and the Bill should receive Royal Assent shortly.

Thank you note received from Cst. Chad Brown's family for flowers sent on the death of his father.

**Resolution: 071-2023**

**Moved: Member Nuhn**

**Seconded: Member Fawcett**

West Grey Police Services Board

December 11, 2023

**THAT the West Grey Police Services Board receive the correspondence and action as necessary.**

**Carried.**

Closed Session

**Resolution:** 072-2023  
**Moved:** Member Fawcett  
**Seconded:** Member Nuhn

**THAT the West Grey Police Services Board rise and move into closed session at 9:36 a.m. in accordance with Section 35. 4(b) of the Police Services Act to discuss personnel and labour issues.**

**Carried.**

Report From Closed Session

Only those items permitted were discussed in closed session with staff to follow direction as provided therein.

New Business

Members were reminded of the OAPSB Zone 5 meeting scheduled for tomorrow, December 12, 2023. Letter prepared for a possible delegation with Minister at ROMA to be presented to membership encouraging others to voice their concerns about Section 14 agreements with OPP. Vice Chair Fawcett only member available to attend.

An update on the Police Building was provided by the Chair with site plan included with Agenda. Tender recommendations to be addressed at January 18, 2024 Council meeting.

Next meeting of the Board will be Monday, January 8, 2023 at 9 a.m.

All business concluded the meeting was adjourned at 10:31 a.m. on motion by Member Nuhn.

  
 Chair, Kevin Eccles

  
 Secretary, Heather Webb

**CORRESPONDENCE ITEMS PRESENTED FOR INFORMATION**  
**March 19, 2024**

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- 1) \*Correspondence from Municipality of Tweed Re: Enbridge Gas
- 2) \*Correspondence from City of Stratford Re: Declaring Road Safety Emergency
- 3) \*Correspondence from Municipality of St. Charles -Re: Support for Bill 21
- 4) Correspondence from the Town of Lincoln Re: Urgent Need for Increased Funding for Museums and Libraries
- 5) \*Correspondence from Municipality of St. Charles Re: Unnecessary Noise (Engine Brakes)
- 6) \*Correspondence from Municipality of St. Charles Re: Provincial Consideration for Amendments to the Residential Tenancies Act
- 7) \*Correspondence from Municipality of St. Charles Re: Guaranteed Livable Income
- 8) \*Correspondence from Municipality of St. Charles Re: MECP Proposal to Expand the Use of Permit-by-Rule
- 9) \*Correspondence from Municipality of St Charles Re: Rising Municipal Insurance Costs
- 10) \*Correspondence from Municipality of Calvin Re: Fire Apparatus
- 11) \*Correspondence respecting Provincial Cemetery Management Support Request
  - a) St. Charles
  - b) Town of Huntsville
- 12) \*Correspondence from Municipality of St. Charles Re: Potential Municipal Equipment Operator Course
- 13) Correspondence from County of Lambton Re: Responsibility of and Costs Associated with Major Municipally owned Highways
- 14) Correspondence from City of Clarence-Rockland Re: National Suicide and Crisis Hotline
- 15) Correspondence from Town of Plympton-Wyoming Re: Affordability of Water and Wastewater Rates
- 16) \*Correspondence from Municipality of Chatham-Kent Re: Request to the Province to Amend Blue Box Regulation for 'Ineligible' Sources

Items marked with \* indicate that subject matter has previously been before council.

Municipality of Tweed Council Meeting  
Council Meeting



Resolution No.

94

Title:

Enbridge Gas Inc.

Date:

Tuesday, February 13, 2024

Moved by

J. DeMarsh

Seconded by

J. Flieler

WHEREAS access to natural gas is important to residents and businesses in our community for affordability and reliability;  
AND WHEREAS the Ontario Energy Board's (OEB) decision on Phase 1 of the Enbridge Gas 2024 rebasing application, issued on 21 December 2023, has concerning implications including putting into question the future access to natural gas that support of economic development, affordable housing growth, and energy reliability in communities such as the Municipality of Tweed;  
AND WHEREAS Ontario is growing and access to affordable energy to support this growth for homes and businesses is crucial, as is a measured approach to energy transition as not having access to natural gas will stifle economic growth and put housing and energy affordability at risk;  
NOW THEREFORE BE IT RESOLVED:  
THAT the Municipality of Tweed supports a measured approach to Ontario's energy transition;  
AND FURTHER, that the Municipality of Tweed recognizes that there may not be enough electricity available to replace the energy provided by natural gas and meet the increased demand from electrification;  
AND FURTHER, that natural gas must continue to play an integral role in meeting the energy needs of Ontario;  
AND FURTHER, that the Municipality of Tweed supports the work the Government of Ontario has done to date, including the Natural Gas Expansion Program and Electrification and Energy Transition Panel's call for a clear policy on the role of natural gas to secure access to affordable energy;  
AND FURTHER, that this resolution be circulated to the President of AMO, Colin Best, Hon. Doug Ford, Premier of Ontario, Hon. Todd Smith, the Minister of Energy, Ric Bresee, Member of Provincial Parliament for Hastings-Lennox and Addington, all regional municipalities as significant actors to ensuring the need for natural gas in Ontario as part of a measured approach towards energy transition, and submitted to [municipalaffairs@enbridge.com](mailto:municipalaffairs@enbridge.com).

Carried



**City of Stratford, Corporate Services Department**

Clerk's Office

City Hall, P. O. Box 818, Stratford, Ontario N5A 6W1

Tel: 519-271-0250, extension 5237

Email: [clerks@stratford.ca](mailto:clerks@stratford.ca)

Website: [www.stratford.ca](http://www.stratford.ca)

February 28, 2024

Sent via email – [fred.simpson@townofmono.com](mailto:fred.simpson@townofmono.com)

Fred Simpson,  
Clerk  
Town of Mono

**Re: Resolution - Declaration of Road Safety Emergency**

We acknowledge receipt of your correspondence dated January 17, 2024, regarding the above-mentioned matter.

The said correspondence was provided to Stratford City Council for their information as part of the February 12, 2024, Council meeting Consent Agenda (CA-2024-008). Council adopted the following resolution:

**THAT CA-2024-008, being a resolution from the Town of Mono declaring a road safety emergency to address traffic safety measures, be endorsed.**

Sincerely,

*T. Dafoe*

Tatiana Dafoe, Clerk

/mf

cc: Premier of Ontario  
Minister of Transportation  
Minister of Finance  
Honourable Sylvia Jones, Dufferin-Caledon MPP  
Association of Municipalities of Ontario  
All Ontario municipalities



The Corporation of the Municipality of St. Charles  
RESOLUTION PAGE



Regular Meeting of Council

**Agenda Number:** 10.2.  
**Resolution Number** 2024-036  
**Title:** Resolution stemming from December 13, 2023 Regular Meeting of Council - Item 10.1 - Correspondence #5 and #24  
**Date:** February 21, 2024

---

**Moved by:** Councillor Loftus  
**Seconded by:** Councillor Laframboise

**BE IT RESOLVED THAT** Council for the Corporation of the Municipality of St.-Charles supports Catherine Fife, Waterloo MPP - Request for Support for Bill 21, Fixing Long Term Care Amendment Act (Till Death Do Us Part), 2022;  
**AND BE IF FURTHER RESOLVED THAT** a copy of this Resolution be sent to Premier Doug Ford; Minister of Long Term Care, Stan Cho; our local Member of Parliament (MP); our local Member of Provincial Parliament; and all Ontario Municipalities.

CARRIED

  
MAYOR



4800 SOUTH SERVICE RD  
BEAMSVILLE, ON L0R 1B1

905-563-8205

February 28, 2024

SENT VIA EMAIL: [Premier@ontario.ca](mailto:Premier@ontario.ca)

The Honourable Doug Ford  
Premier of Ontario  
Legislative Building, Queen's Park  
Toronto, ON M7A 1A1

Dear Honourable Doug Ford:

**RE: Town of Lincoln Council Resolution – Urgent Need for Increased Funding to Libraries and Museums in Ontario**

Please be advised that the Council of the Corporation of the Town of Lincoln at its Council Meeting held on February 26, 2024, passed the following motion regarding an Urgent Need for Increased Funding to Libraries and Museums in Ontario:

Resolution No: RC-2024-23

Moved by Mayor Easton; Seconded by Councillor Mike Mikolic

**WHEREAS** the provincial funding for public libraries is currently based on population levels from 25 years ago, which fails to reflect the substantial growth and changing needs of our communities. The Town of Lincoln Council wishes to draw your attention to the "Overdue" report of 2023 from the Canadian Urban Council, which emphasizes the pivotal role libraries play in various aspects of community life, including knowledge distribution, culture, health, reconciliation, belonging, and our democracy; and

**WHEREAS** libraries, situated at the heart of our communities, serve as multifaceted institutions catering to diverse needs. They provide essential services such as access to culture and information, refuge for those experiencing domestic violence, election information centers, job search facilities, health clinics, language learning centers for newcomers, and spaces for educational and community events. Despite their vital role, public libraries in Ontario have not seen an increase in provincial funding for over 25 years, leading to a decrease in the value of the province's investment by over 60%; and

**WHEREAS** the Town of Lincoln Council urges the Provincial Government to

consider increasing provincial funding for Ontario's public libraries to address critical shared priorities and community needs. While over 90% of library funding comes from local municipal governments, provincial operating funding is crucial for providing stability to library budgets, especially in times of inflation, technological changes, and increasing demands on libraries as community hubs; and

**WHEREAS** the Town of Lincoln Council would like to bring to the Provincial Government's attention the pressing need to increase the funding envelope for the Community Museum Operating Grant (CMOG). The Town of Lincoln currently receives \$25,000 annually, the maximum amount through this grant, but the funding envelope has remained stagnant for over 15 years. This limitation hampers the ability of community museums to offset increasing operational expenses, impacting their role in preserving and promoting local stories, attracting cultural tourists, supplementing school curriculum, and contributing to vibrant and vital communities; and

**WHEREAS** the Lincoln Museum and Cultural Centre is a community hub critical to the health and vibrancy of our community. An increase in CMOG funding will enable our museum to continue its valuable service to the community, creating a sense of place, attracting cultural tourists, and preserving local stories that define our unique identity; and

**WHEREAS** Cultural institutions, particularly museums, play a vital role in shaping and preserving our community's identity. They contribute to tourism, social participation, senior well-being, skill-building, and learning. As the largest government funder for most of Ontario's smaller museums, municipalities create value in their communities through the work of these institutions.

**THEREFORE, BE IT RESOLVED THAT** the Town of Lincoln Council urges the Provincial Government to support increasing funding to both public libraries and community museums. Recognizing these institutions as national assets and strategically investing in their potential will contribute significantly to renewing post-pandemic social cohesion, economic well-being, and community resilience; and

**BE IT FURTHER RESOLVED THAT** this resolution be circulated to the Province, the Minister of Tourism, Culture and Sport, Association of Municipalities of Ontario (AMO), the Niagara Region, the 12 Local Area Municipalities in Niagara and all municipalities of Ontario for endorsement.

**CARRIED**

If you require any additional information, please do not hesitate to contact the undersigned.

Regards,



Julie Kirkelos

Town Clerk

[jkirkelos@lincoln.ca](mailto:jkirkelos@lincoln.ca)

JK/dp

Cc: Premier of Ontario  
Minister of Tourism, Culture and Sport  
Association of Municipalities of Ontario (AMO)  
Ann-Marie Norio, Clerk, Niagara Region  
Local Area Municipalities  
All Ontario Municipalities

**The Corporation of the Municipality of St. Charles  
RESOLUTION PAGE**

**Regular Meeting of Council**



**Agenda Number:** 10.3.

**Resolution Number** 2024-037

**Title:** Resolution stemming from December 13, 2023 Regular Meeting of Council - Item 10.1 - Correspondence #9

**Date:** February 21, 2024

---

**Moved by:** Councillor Lachance

**Seconded by:** Councillor Pothier

**BE IT RESOLVED THAT** Council for the Corporation of the Municipality of St.-Charles hereby supports the Resolution passed by the Municipality of Shuniah on November 14, 2023, regarding Unnecessary Noise - Engine Brakes;

**AND BE IF FURTHER RESOLVED THAT** a copy of this Resolution be sent to Premier Doug Ford; Minister of Transportation, Prabmeet Sarkaria; our local Member of Parliament (MP); our local Member of Provincial Parliament; and all Ontario Municipalities.

**CARRIED**

  
MAYOR





## COUNCIL RESOLUTION

Resolution No.: 399-23

Date: Nov 14, 2023

Moved By: 

Seconded By: 

WHEREAS excessive noise resulting from the operation of moving vehicles falls under the jurisdiction of the Highway Traffic Act, R.S.O. 1990, c. H.8. ("Highway Traffic Act") which is enforced by provincially appointed officers;

AND WHEREAS municipalities, including the Municipality of Shuniah, have received complaints from residents regarding noises associated with the use of engine retarder brakes on heavy vehicles;

AND WHEREAS the Ministry of Transportation recommends the use of engine braking in certain circumstances, such as the downgrade located on Spruce River Road to avoid overheating brakes, and as a form of backup brake if brakes fail;

AND WHEREAS a higher engine noise is typically emitted for a short period of time (e.g., ten (10) to thirty (30) seconds), depending on the vehicle's speed and vehicles may make a loud "chattering" or "jackhammer" exhaust noise when this braking system is engaged;

AND WHEREAS this noise can be amplified if the vehicle has no muffler or an improper muffling system;

AND WHEREAS noise emissions from commercial vehicles form part of the Ministry of Transportation's inspection process;

AND WHEREAS installation of "courtesy" signs that request the drivers to limit the use of loud compression style brakes are difficult to enforce and there is evidence of these types of signs not being beneficial;

BE IT RESOLVED THAT the Province of Ontario be requested to enhance enforcement for deficient muffler systems to address concerns around excessive and unnecessary noise from engine brakes.


FURTHER BE IT RESOLVED THAT a copy of this motion be forwarded to Premier Doug Ford, Minister of Transportation Prabmeet Sarkaria, MPP Kevin Holland, MP Marcus Powlowski, MPP Lise Vaugeois, and MP Patty Hajdu.

☒ **Carried**

☐ **Defeated**

☐ **Amended**

☐ **Deferred**



Signature

The Corporation of the Municipality of St. Charles  
RESOLUTION PAGE



Regular Meeting of Council

**Agenda Number:** 10.4.  
**Resolution Number** 2024-038  
**Title:** Resolution stemming from December 13, 2023 Regular Meeting of Council - Item 10.1 - Correspondence #10  
**Date:** February 21, 2024

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**Moved by:** Councillor Loftus  
**Seconded by:** Councillor Pothier

**BE IT RESOLVED THAT Council for the Corporation of the Municipality of St.-Charles hereby supports the Resolution passed by the Corporation of the Town of Aylmer on November 15, 2023, regarding Provincial Consideration for Amendments to the Residential Tenancies Act;**  
**AND BE IF FURTHER RESOLVED THAT a copy of this Resolution be sent to Premier Doug Ford; Minister of Municipal Affairs and Housing, Paul Calandra; Associate Minister of Housing, Rob Flack; the Association of Municipalities of Ontario (AMO); our local Member of Provincial Parliament; and all Ontario Municipalities.**

CARRIED

  
MAYOR



The Corporation of the Town of Aylmer  
46 Talbot Street West, Aylmer, Ontario N5H 1J7  
Office: 519-773-3164 Fax: 519-765-1446  
[www.aylmer.ca](http://www.aylmer.ca)

November 16, 2023

The Honourable Doug Ford, M.P.P.  
Premier of Ontario  
Legislative Building  
Queen's Park  
Toronto, ON M7A 1A1

Re: Motion regarding Provincial Consideration for Amendments to the Residential Tenancies Act

At their Regular Meeting of Council on November 15, 2023, the Council of the Town of Aylmer endorsed the following motion regarding Provincial Consideration for Amendments to the Residential Tenancies Act:

**Whereas** the Ontario government has acknowledged an affordable housing and housing supply crisis, communicating a targeted approach to build 1.5 million homes by 2031; and

**Whereas** nearly one-third of Ontario households rent, rather than own, according to the most recent 2021 Census of Population; and

**Whereas** the Ontario government has reported that Ontario broke ground on nearly 15,000 purpose-built rentals in 2022, a 7.5 percent increase from 2021 and the highest number on record, with continued growth into 2023; and

**Whereas** the Residential Tenancies Act, 2006, provides for the maximum a landlord can increase most tenants rent during a year without the approval of the Landlord and Tenant Board; and

**Whereas** the Ontario government recently strengthened protections for tenants with the intention of preserving affordability, by holding the rent increase guideline for 2024 to 2.5 percent, well below the average inflation rate of 5.9 percent; and

**Whereas** the rental increase guideline protection does not apply to rental units occupied for the first time after November 15, 2018, leaving an increasing number of tenants susceptible to disproportionate and unsustainable rental increases compared to those benefiting from legislated increase protection;





The Corporation of the Town of Aylmer  
46 Talbot Street West, Aylmer, Ontario N5H 1J7  
Office: 519-773-3164 Fax: 519-765-1446  
[www.aylmer.ca](http://www.aylmer.ca)

**Now Therefore Be It Resolved that** the Council of the Town of Aylmer requests provincial consideration for amendments to the Residential Tenancies Act, 2006, to ensure that all tenants benefit from protections intended to preserve affordability;

**That** a copy of this Resolution be sent to:

- Honourable Doug Ford, Premier of Ontario
- Honourable Paul Calandra, Minister of Municipal Affairs and Housing
- Honourable Rob Flack, Associate Minister of Housing
- The Association of Municipalities of Ontario (AMO)
- And all Ontario Municipalities.

Thank you,

**Owen Jaggard**

**Deputy Clerk / Manager of Information Services | Town of Aylmer**

46 Talbot Street West, Aylmer, ON N5H 1J7

519-773-3164 Ext. 4913 | Fax 519-765-1446

[ojaggard@town.aylmer.on.ca](mailto:ojaggard@town.aylmer.on.ca) | [www.aylmer.ca](http://www.aylmer.ca)

CC:

Minister of Municipal Affairs and Housing [paul.calandra@pc.ola.org](mailto:paul.calandra@pc.ola.org)

Associate Minister of Housing [rob.flack@pc.ola.org](mailto:rob.flack@pc.ola.org)

Association of Municipalities of Ontario [resolutions@amo.on.ca](mailto:resolutions@amo.on.ca)

**The Corporation of the Municipality of St. Charles  
RESOLUTION PAGE**

**Regular Meeting of Council**



**Agenda Number:** 10.5.

**Resolution Number** 2024-039

**Title:** Resolution stemming from December 13, 2023 Regular Meeting of Council - Item 10.1 - Correspondence #15

**Date:** February 21, 2024

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**Moved by:** Councillor Loftus

**Seconded by:** Councillor Laframboise

**BE IT RESOLVED THAT Council for the Corporation of the Municipality of St.-Charles hereby supports the Resolution passed by the Corporation of the County of Prince Edward on November 17, 2023, regarding Guaranteed Livable Income;**

**AND BE IF FURTHER RESOLVED THAT a copy of this Resolution be sent to Prime Minister Justin Trudeau; Premier Doug Ford; Minister of Children, Community and Social Service, Ryan Williams; the Association of Municipalities of Ontario (AMO); our local Member of Parliament; our local Member of Provincial Parliament; and all Ontario Municipalities.**

**CARRIED**

  
MAYOR



**From the Office of the Clerk**  
The Corporation of the County of Prince Edward  
T: 613.476.2148 x 1021 | F: 613.476.5727  
[clerks@pecounty.on.ca](mailto:clerks@pecounty.on.ca) | [www.thecounty.ca](http://www.thecounty.ca)

November 17, 2023

Please be advised that during the regular Council meeting of November 14, 2023 the following motion regarding urging the Federal and Provincial governments to establish a guaranteed livable income was carried:

**RESOLUTION NO. 2023-568**

**DATE: November 14, 2023**

**MOVED BY: Councillor Roberts**

**SECONDED BY: Councillor Maynard**

**WHEREAS** on November 23, 2021 Prince Edward County was certified as a 'Living Wage' Employer at the "support" level, through the Ontario Living Wage Network;

**AND WHEREAS** the Ontario livable wage for Hastings & Prince Edward, in 2022 was determined to be \$19.05, which is \$3.55 more than the Provincial minimum wage rate of \$15.50; and this rate is paid to all staff including students in 2023;

**AND WHEREAS** our residents on programs such as Ontario Works, receive targeted fixed monthly incomes of \$733, and ODSP recipients receive \$1,376;

**AND WHEREAS** the current Ontario minimum wage rate, a person working 37.5 hours per week will earn approximately \$2,500 monthly (before tax);

**AND WHEREAS** in accordance with the 2023 Vital Signs Report, up to 3,500 residents (10.1% to 13.5%) are living on low income (less than \$36,000 a year after taxes) and PEC's median income lags behind Ontario by \$7,500/year;

**AND WHEREAS** the median rent for one bedroom in Prince Edward County in accordance with the County Housing Plan for 2023 \$1,513 a month;

**AND WHEREAS** rent is considered affordable, when it is no more than 30% of gross annual income and the number of people receiving government benefits has increased to a level above the provincial average in Prince Edward County. Extrapolated, a full 30% of County residents are deemed to be low-income and unable to afford either market real estate or rental housing prices;

**AND WHEREAS** as of March 31, 2023, there are 1,089 households on the Prince Edward - Lennox and Addington Social Services wait list for subsidized housing in Prince Edward County;



**From the Office of the Clerk**  
 The Corporation of the County of Prince Edward  
 T: 613.476.2148 x 1021 | F: 613.476.5727  
[clerks@pecounty.on.ca](mailto:clerks@pecounty.on.ca) | [www.thecounty.ca](http://www.thecounty.ca)

**AND WHEREAS**, in accordance with the County Food Collective, Food bank use is up 26% in Prince Edward County and as many as 6,000 residents experience food insecurity over a year's time;

**AND WHEREAS** on July 25, 2023 Council expressed support for a more generous Canada Child Benefit targeting low-income families struggling with food insecurity and urged Federal government expedite its 2021 election promise to roll-out Canada's first national school food policy, and endorsed the Coalition for Healthy School Food mission to work with partners across Canada to advocate for a universal cost-shared healthy Canada-wide school food program on September 26, 2023;

**AND WHEREAS** the 2017 Business Retention and Expansion (BR+E) study/survey identified the general affordable workforce housing as a primary obstacle in our workforce attraction;

**AND WHEREAS** the collected data of housing and poverty statistics, and continuing to examine their pending economic vulnerability as a result is important in establishing a livable income;

**THEREFORE BE IT RESOLVED THAT** the Council of the Corporation of Prince Edward County join other municipalities across Ontario, including Belleville, Napanee to urge the Federal and Provincial governments to establish a Guaranteed Livable Income program; and

**THAT** this resolution be sent to The Right Honourable Justin Trudeau, Prime Minister of Canada, The Honourable Doug Ford, Premier of Ontario, The Honourable Michael Parsa, M.P.P., Minister of Children, Community and Social Services, Ryan Williams, Bay of Quinte M.P.P., Todd Smith, Bay of Quinte M.P.P, Marit Stiles, Leader of the Official Opposition of Ontario and Pierre Poilievre Leader of the Official Opposition of Canada requesting a response on this matter within 30 days of receipt; and

**THAT** this resolution be shared with all 444 municipalities in Ontario, The Federation of Canadian Municipalities (FCM), The Association of Municipalities Ontario (AMO), and The Eastern Ontario Wardens' Caucus (EOWC).

**CARRIED**

Yours truly,

Catalina Blumenberg, **CLERK**

cc: Mayor Steve Ferguson, Councillor Roberts, Councillor Maynard and Marcia Wallace,  
 CAO

**The Corporation of the Municipality of St. Charles  
RESOLUTION PAGE**

**Regular Meeting of Council**



**Agenda Number:** 10.6.

**Resolution Number** 2024-040

**Title:** Resolution stemming from December 13, 2023 Regular Meeting of Council - Item 10.1 - Correspondence #16 & 25

**Date:** February 21, 2024

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**Moved by:** Councillor Lachance

**Seconded by:** Councillor Pothier

**BE IT RESOLVED THAT Council for the Corporation of the Municipality of St.-Charles hereby supports the Resolution passed by the Corporation of the County of Prince Edward on November 17, 2023, and the support Resolution passed by Loyalist Township on November 27, 2023, regarding Ministry of the Environment, Conservation and Parks (MECP) proposal to Expand the Use of Permit-by-Rule; AND BE IF FURTHER RESOLVED THAT a copy of this Resolution be sent to Premier Doug Ford; Minister of the Environment, Conservation and Parks, Andrea Khanjin; the Association of Municipalities of Ontario (AMO); our local Member of Provincial Parliament; and all Ontario Municipalities.**

**CARRIED**

  
MAYOR



**From the Office of the Clerk**  
The Corporation of the County of Prince Edward  
T: 613.476.2148 x 1021 | F: 613.476.5727  
[clerks@pecounty.on.ca](mailto:clerks@pecounty.on.ca) | [www.thecounty.ca](http://www.thecounty.ca)

November 17, 2023

Please be advised that during the regular Council meeting of November 14, 2023 the following motion regarding support for the Province to stop the Ministry of the Environment, Conservation and Parks (MECP) proposal to expand the use of the permit-by-rule to waste management systems, storm water management systems, and certain water taking activities was carried:

**RESOLUTION NO. 2023-569**

**DATE: November 14, 2023**

**MOVED BY: Councillor Maynard**

**SECONDED BY: Councillor Roberts**

**WHEREAS** the Municipality, in support of the Quinte Conservation Authority, actively supports the Source Water Protection Program, as part of local efforts to implement the Clean Water Act, 2006 and its regulations to protect local municipal drinking water sources;

**AND WHEREAS** the Ministry of the Environment, Conservation and Parks (MECP) is proposing to expand the use of the permit-by-rule to waste management systems, stormwater management systems, and certain water taking activities;

**AND WHEREAS** In 2018, Bill 68, the Open for Business Act was passed, whereby it legislated that less complex activities that pose low-risk to the environment should not be required to go through the approval process and instead, should self-register on the Environmental Activity and Sector Registry (EASR);

**AND WHEREAS** Quinte Conservation Authority has outlined in their October 24, 2023 report to their Board, that the activities proposed to move to the EASR may pose too much risk to drinking water, and can pose threats to human health and the environment;

**AND WHEREAS** Quinte Conservation Authority noted the source water protection concern generally lies in the fact the Ministry will no longer undertake an up-front detailed review of applications related to the specified activities, thereby potentially weakening regulatory oversight;

**AND WHEREAS** the specified activities, which have the potential to cause significant adverse impacts to the natural environment and human health will no



**From the Office of the Clerk**  
The Corporation of the County of Prince Edward  
T: 613.476.2148 x 1021 | F: 613.476.5727  
[clerks@pecounty.on.ca](mailto:clerks@pecounty.on.ca) | [www.thecounty.ca](http://www.thecounty.ca)

longer be subject to public and site-specific scrutiny prior to commencing operation in Ontario;

**THEREFORE BE IT RESOLVED THAT** the Council of the Corporation of Prince Edward County supports the concerns outlined by Quinte Conservation Authority and urges the Provincial government to stop the Ministry of the Environment, Conservation and Parks (MECP) proposal to expand the use of the permit-by-rule to waste management systems, stormwater management systems, and certain water taking activities; and

**THAT** this resolution be sent to Premier Doug Ford, Todd Smith, Bay of Quinte M.P.P. and Andrea Khanjin, Minister of the Environment, Conservation and Parks; and

**THAT** this resolution be shared with all 444 municipalities in Ontario, The Federation of Canadian Municipalities (FCM), The Association of Municipalities Ontario (AMO), The Eastern Ontario Wardens' Caucus (EOWC) and all Ontario Conservation Authorities.

**CARRIED**

Yours truly,

Catalina Blumenberg, **CLERK**

cc: Mayor Steve Ferguson, Councillor Roberts, Councillor Maynard and Marcia Wallace, CAO





**The Corporation of the Municipality of St. Charles  
RESOLUTION PAGE**

**Regular Meeting of Council**



**Agenda Number:** 10.8.

**Resolution Number** 2024-042

**Title:** Resolution stemming from January 17, 2024 Regular Meeting of Council - Item 10.1 - Correspondence #8

**Date:** February 21, 2024

---

**Moved by:** Councillor Pothier

**Seconded by:** Councillor Laframboise

**BE IT RESOLVED THAT Council for the Corporation of the Municipality of St.-Charles hereby supports the Resolution passed by the Township of Asphodel-Norwood on December 12, 2023, regarding Rising Municipal Insurance Costs;**

**AND BE IF FURTHER RESOLVED THAT a copy of this Resolution be sent to Premier Doug Ford; Minister of Finance, Peter Bethlenfalvy; Minister of Municipal Affairs and Housing, Steve Clark; the Association of Municipalities of Ontario (AMO); our local Member of Provincial Parliament; and all Ontario Municipalities.**

**CARRIED**

  
MAYOR





p.705-639-5343  
f. 705-639-1880  
info@antownship.ca  
www.antownship.ca

2357 County Road 45  
P.O. Box 29  
Norwood, ON  
K0L 2V0

December 22, 2023

**Sent via E-mail**  
david.piccinico@pc.ola.org

David Piccini, MPP  
Northumberland-Peterborough South  
117 Peter St  
Port Hope, ON L1A 1C5

**Re: Rising Municipal Insurance Costs**

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Dear MPP Piccini,

At its regular meeting held December 12, 2023, the Council of the Township of Asphodel-Norwood considered the above-noted matter and passed the following resolution:

**WHEREAS** Ontario Municipalities are experiencing higher insurance rates at each renewal with limited access to insurance providers willing to quote on municipal insurance needs;

**AND WHEREAS** the Township of Asphodel-Norwood's annual insurance premiums have increased from \$150,280 to \$299,729 from 2020 to 2024, representing an accumulated increase of 99.5% over this period;

**AND WHEREAS** these annual increases are unsustainable and divert funds from critical municipal services as one of the most significant constraints in limiting yearly tax levy increases;

**NOW THEREFORE BE IT RESOLVED** that the Council of the Township of Asphodel-Norwood directs staff to send a letter to the MPP for Northumberland-Peterborough South calling for action to reduce insurance costs;

**AND FURTHER BE IT RESOLVED** that this Resolution be forwarded to the Association of Municipalities of Ontario (AMO), the Minister of Finance, the Minister of Municipal Affairs and Housing, and all Ontario Municipalities for support.

Trusting you will find the foregoing satisfactory, but please do not hesitate to reach out with any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "MHudson".

Melanie Hudson, Acting Clerk  
Township of Asphodel-Norwood



p.705-639-5343  
f. 705-639-1880  
info@antownship.ca  
www.antownship.ca

2357 County Road 45  
P.O. Box 29  
Norwood, ON  
K0L 2V0

-2-

Cc: Hon. Peter Bethlenfalvy, Minister of Finance  
Hon. Steve Clark, Minister of Municipal Affairs and Housing  
Association of Municipalities of Ontario (AMO)  
All Ontario Municipalities



# Corporation of the Municipality of Calvin

## Council Resolution

Date: February 27, 2024

Resolution Number: 2024- 81

10.1.7-In Support to Resolution passed by the Municipality of Wawa Fire Apparatus

Moved By: Councillor GRANT

Seconded By: Councillor MORETON

WHEREAS apparatus and equipment are directly tied to the delivery of fire protection services and a safe, reliable and diverse fleet is required to service operational needs;

AND WHEREAS fire apparatus is governed by industry best practices, the application of law and recognized industry partners, including the Ontario Fire Service Section 21 Guidance Notes, National Fire Protection Association Standards, The Occupational Health and Safety Act, and Fire Underwriters Survey (FUS);

AND WHEREAS no provincial funding is available for new fire trucks, yet, small and rural municipalities must mee the same standards set by FUS as larger municipalities for fire equipment, including additional pressure to move fire trucks out when they reach a specific age, even thou they can still meet the safety regulations;

THEREFORE, BE IT RESOLVED THAT the Council for the Corporation of the Municipality of Calvin is in support of the attached resolution as passed by the Municipality of Wawa and directs the Fire Chief to prepare a letter to give to the clerk as follows; attention to the Fire Underwriters Survey requesting the creation of a new community fire-protection and fire prevention insurance system that does not put all municipalities under the same umbrella, with distinct categories for rural and urban municipalities;

AND FURTHERMORE, THAT this resolution be sent to Premier Doug Ford, The Honorable David Piccini, Minister of Labour, Immigration, Training and Skills Development, Paul Calandra, Minister of Affairs and Housing, The federation of Canadian Municipalities, The Association of Municipalities of Ontario (AMO) MPP Vic Fedeli and all 444 Municipalities in Ontario.

Results: Carried

Recorded Vote:

Member of Council	In Favour	Opposed
Mayor Gould	<input type="checkbox"/>	<input type="checkbox"/>
Councillor Moreton	<input type="checkbox"/>	<input type="checkbox"/>
Councillor Latimer	<input type="checkbox"/>	<input type="checkbox"/>
Councillor Grant	<input type="checkbox"/>	<input type="checkbox"/>
Councillor Manson	<input type="checkbox"/>	<input type="checkbox"/>

The Corporation of the Municipality of St. Charles  
RESOLUTION PAGE



Regular Meeting of Council

**Agenda Number:** 10.7.  
**Resolution Number** 2024-041  
**Title:** Resolution stemming from January 17, 2024 Regular Meeting of Council - Item 10.1 - Correspondence #7  
**Date:** February 21, 2024

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**Moved by:** Councillor Lachance  
**Seconded by:** Councillor Laframboise

**WHEREAS** under the Funeral, Burial and Cremation Services Act, 2002 (FBCSA), when a cemetery is declared abandoned by a Judge of the Superior Court Justice, the local municipality within whose geographic boundaries the land of the cemetery is located, becomes the owner of the cemetery with all the rights and obligations in respect of the cemetery and the assets, trust funds and trust accounts related to it that the previous owner or operator possessed;

**AND WHEREAS** over the last decade, there has been an increase in the number of churches and local cemetery boards initiating processes to transfer ownership or abandon their owned and operated cemeteries to the local municipality due to such issues as high maintenance costs, inaccuracy of records, lack of financial and human resources to effectively operate and maintain the cemetery, increased regulatory processes regarding training, selling of interment rights, financial operation of the care and maintenance fund, etc.;

**AND WHEREAS** municipalities experience the same issues and pressures that churches and local boards experience with the operation and maintenance of cemeteries within its jurisdiction, and additional transfers of cemetery lands only compound the burden on municipal taxpayers;

**AND WHEREAS** cemeteries are important infrastructure where the reasonable costs for interment rights, burials, monument foundations, corner stones and administration charges do not sufficiently support the general operation of cemeteries;

**AND WHEREAS** the interest earned from the care and maintenance fund(s) of a cemetery do not provide adequate funding to maintain the cemetery with the rising costs of lawn and turf maintenance contracts and monument restoration;

**BE IT THEREFORE RESOLVED THAT** Council for the Corporation of the Municipality of St.-Charles requests that the Province through the Ministry of Public and Business Service Delivery and the Bereavement Authority of Ontario (BAO) consider the following to assist municipalities in this growing concern of cemetery transfers:

- Amending the Funeral, Burial and Cremation Services Act, 2002 (FBCSA), to have the Province, through the BAO, identified as the default owner and operator of a cemetery when it is abandoned;
- Provide annual funding (based on the number of cemeteries a municipality owns and operates) to municipalities to assist with the maintenance of inactive and active cemeteries;

- Provide free training opportunities for municipalities regarding cemetery administration; and,
- Investigate and support the design of universal cemetery software for use by municipal cemetery operators that can be offered at an affordable cost;

**AND BE IT FURTHER RESOLVED THAT a copy of this Resolution be forwarded to the Minister of Public and Business Service Delivery, Todd McCarthy; BAO Interim CEO/Registrar, Jim Cassimatis; the Association of Municipalities of Ontario; our local member of Provincial Parliament; and, all Ontario municipalities.**

**CARRIED**

  
MAYOR





**EMAILED**

March 1, 2024

Hon. Todd McCarthy, Minister of Public and Business Service Delivery  
Ministry of Public and Business Service Delivery  
5<sup>th</sup> Floor  
777 Bay St.  
Toronto, ON  
M7A 2J3

Dear Honourable McCarthy:

**Re: Resolution of Council – Town of Huntsville – Support for Municipality of Wawa  
Resolution RC24017 – Provincial Cemetery Management**

Please be advised that at their last regular meeting on Monday, February 26, 2024 the Council of The Corporation of the Town of Huntsville passed the following resolution:

**Motion 28-24**

*Moved by Helena Renwick, seconded by Monty Clouthier*

**BE IT RESOLVED THAT:** Council support and endorse resolution RC24017 from the Municipality of Wawa regarding Cemetery Transfers, Abandonment Administration, and Management Support.

CARRIED.

If you require any additional information, please do not hesitate to contact the undersigned.

Regards,

A handwritten signature in blue ink, appearing to read 'N. Little'.

Natalie Little  
Committee Coordinator  
[natalie.little@huntsville.ca](mailto:natalie.little@huntsville.ca)

Cc: Jim Cassimatis, BAO Interim CEO/Registrar  
Hon. Jill Dunlop, MPP Simcoe North  
Hon. Graydon Smith, MPP Parry Sound Muskoka  
All Ontario Municipalities

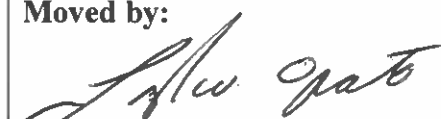



# The Corporation of the Municipality of Wawa

## REGULAR COUNCIL MEETING

### RESOLUTION

Tuesday, February 6, 2024

Resolution # RC24017	Meeting Order: 6
Moved by: 	Seconded by: 

**WHEREAS** the Wawa Cemetery Committee held a meeting on Wednesday, January 17, 2024 where the Committee received correspondence from Tay Township requesting support regarding Provincial Cemetery Management,

**AND WHEREAS**, under the Funeral, Burial and Cremation Services Act, 2002 (FBCSA), when a cemetery is declared abandoned by a judge of the Superior Court Justice, the local municipality within whose geographic boundaries the land of the cemetery is located, becomes the owner of the cemetery with all the rights and obligations in respect of the cemetery and the assets, trust funds and trust accounts related to it that the previous owner or operator possessed;

**AND WHEREAS** over the last decade, there has been an increase in the number of churches and local cemetery boards initiating processes to transfer ownership or abandon their owned and operated cemeteries to the local municipality due to such issues as high maintenance costs, inaccuracy of records, lack of financial and human resources to effectively operate and maintain the cemetery, increased regulatory processes regarding training, selling of interment rights, financial operation of the care and maintenance fund, etc.;

**AND WHEREAS** municipalities experience the same issues and pressures that churches and local boards experience with the operation and maintenance of cemeteries within its jurisdiction, and additional transfers of cemetery lands only compound the burden on municipal taxpayers;

**AND WHEREAS** cemeteries are important infrastructure where the reasonable costs for interment rights, burials, monument foundations, corner stones and administration charges do not sufficiently support the general operation of cemeteries;

**AND WHEREAS** the interest earned from the care and maintenance fund(s) of a cemetery do not provide adequate funding to maintain the cemetery with the rising costs of lawn and turf maintenance contracts and monument restoration;

*p.2...*



# The Corporation of the Municipality of Wawa

## REGULAR COUNCIL MEETING

### RESOLUTION

**NOW THEREFORE BE IT RESOLVED THAT** Council of the Corporation of the Municipality of Wawa requests that the Province through the Ministry of Public and Business Service Delivery and the Bereavement Authority of Ontario (BAO) consider the following to assist municipalities in this growing concern of cemetery transfers:

- Amending the Funeral, Burial and Cremation Services Act, 2002 (FBCSA), to have the Province, through the BAO, identified as the default owner and operator of a cemetery when it is abandoned;
- Provide annual funding (based on the number of cemeteries a municipality owns and operates) to municipalities to assist with the maintenance of inactive and active cemeteries;
- Provide free training opportunities for municipalities regarding cemetery administration; and,
- Investigate and support the design of universal cemetery software for use by municipal cemetery operators that can be offered at an affordable cost;

**AND FURTHERMORE, THAT** this resolution be circulated to the Hon. Todd McCarthy, Ministry of Public and Business Service Delivery, Jim Cassimatis, BAO Interim CEO/Registrar, MPP Jill Dunlop and all Ontario municipalities.

RESOLUTION RESULT	RECORDED VOTE		
<input checked="" type="checkbox"/> CARRIED	MAYOR AND COUNCIL	YES	NO
<input type="checkbox"/> DEFEATED	Mitch Hatfield		
<input type="checkbox"/> TABLED	Cathy Cannon		
<input type="checkbox"/> RECORDED VOTE (SEE RIGHT)	Melanie Pilon		
<input type="checkbox"/> PECUNIARY INTEREST DECLARED	Jim Hoffmann		
<input type="checkbox"/> WITHDRAWN	Joseph Opato		

#### Disclosure of Pecuniary Interest and the general nature thereof.

- ☐ Disclosed the pecuniary interest and general name thereof and abstained from the discussion, vote and influence.

Clerk: \_\_\_\_\_

DEPUTY MAYOR – JIM HOFFMANN	CLERK – MAURY O'NEILL



**The Corporation of the Municipality of St. Charles  
RESOLUTION PAGE**

**Regular Meeting of Council**



**Agenda Number:** 10.9.

**Resolution Number** 2024-043

**Title:** Resolution stemming from January 17, 2024 Regular Meeting of Council - Item 10.1 - Correspondence #8

**Date:** February 21, 2024

---

**Moved by:** Councillor Lachance

**Seconded by:** Councillor Pothier

**WHEREAS** municipal public works departments from across the Province of Ontario provide invaluable services to our communities ensuring the health and safety of all residents;

**AND WHEREAS**, if it was not for our municipal public works employees from across the Province of Ontario maintaining our public roads systems, our communities would not be able to function as emergency personnel could not respond to calls, school buses could not get our children to school, residents would not be able to get to work, school or appointments and many more basic functions would not be able to happen;

**AND WHEREAS**, municipal public works departments are already feeling the impacts of a labour shortages, which will only be exasperated over the next three (3) to five (5) years, which will cause the levels of service that municipalities are able to provide to ensure the health and safety of our residents to decrease;

**AND WHEREAS**, there is currently no provincial-wide course that properly trains potential municipal public works employees, specifically relating to municipal heavy equipment;

**BE IT THEREFORE RESOLVED THAT** the Corporation of the Municipality of St.-Charles supports the work of the Association of Ontario Road Supervisors to develop a Municipal Equipment Operator Course to address this issue;

**AND BE IT FURTHER RESOLVED THAT** Council for the Corporation of the Municipality of St.-Charles, calls on the Province of Ontario's Ministry of Labour, Training, Immigration and Skilled Trades to fully fund the Municipal Equipment Operator Course in 2024 through the Skills Development Fund;

**AND BE IT FURTHER RESOLVED THAT**, a copy of this Resolution be forwarded to the Minister of Labour, Training, Immigration and Skilled Trades, David Piccinni; our local Member of Provincial Parliament; the Association of Municipalities of Ontario (AMO); the Association of Ontario Road Supervisors (AORS); and all Ontario Municipalities.

**CARRIED**

  
MAYOR

Item 13

**Legal Services / Clerk's Department**

789 Broadway Street, Box 3000  
Wyoming, ON N0N 1T0

Telephone: 519-845-0801  
Toll-free: 1-866-324-6912  
Fax: 519-845-0818

February 23, 2024

The Honourable Doug Ford  
Premier of Ontario  
Legislative Building  
Queen's Park  
Toronto ON M7A 1A1

Dear Premier Ford:

**Re: Lambton County Council Motion**

Please be advised that at its regular meeting of February 07, 2024, Lambton County Council Passed the following resolution:

#25: Ferguson/Bradley:

**WHEREAS** the Province of Ontario has agreed to assume responsibility for the Gardiner Expressway and the Don Valley Parkway from the City of Toronto, which will be uploaded to the Province of Ontario;

**WHEREAS** like the City of Toronto, The Corporation of the County of Lambton and all municipalities in the Province of Ontario are experiencing significant financial and budgetary pressures including those related to infrastructure development, maintenance and repairs, and are seeking reasonable solutions to address the same while balancing their financial books;

**WHEREAS** the uploading of municipal highway infrastructure to the Province of Ontario or, alternatively, appropriately increasing the Ontario Community Infrastructure Fund to Ontario municipalities will assist municipalities in addressing such financial challenges;

**THEREFORE, BE IT RESOLVED:**

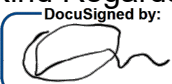
- a) That the Province of Ontario: (i) upload from local municipalities the responsibility of and costs associated with the continued construction, operation, and maintenance of major municipally-owned highways throughout the Province of Ontario to the Ontario Ministry of Transportation; or (ii) alternatively, if uploading is not the preferred option of the Province and/or local municipality, to appropriately increase the

Ontario Community Infrastructure Fund to municipalities so as to fairly and equitably allocate resources to Ontario municipalities.

- b) That a copy of this resolution be circulated to all municipalities in Ontario; the Association of Municipalities of Ontario; Sarnia-Lambton MPP, Bob Bailey; the Ontario Minister of Transportation, the Hon. Prabmeet Singh Sarkaria; and the Premier of Ontario, the Hon. Doug Ford.

Carried.

Kind Regards,

DocuSigned by:  
  
5897867E2272445...

Olivia Leger  
Clerk/County Solicitor

Encl #CC 04-10-24

cc: Association of Municipalities of Ontario  
All Ontario Municipalities  
Bob Bailey, M.P.P. Sarnia-Lambton Riding  
Hon. Prabmeet Singh Sakaria, Ontario Minister of Transportation



CORPORATION OF THE CITY OF  
CLARENCE-ROCKLANDREGULAR MEETING

RESOLUTION

Council Regular meeting

**Resolution:** 2024-16  
**Title:** Resolution proposed by Councillor Kyle Cyr and seconded by Mayor Mario Zanth regarding the 9-8-8 National suicide and crisis hotline  
**Date:** February 14, 2024

**Moved by** Kyle Cyr  
**Seconded by** Mario Zanth

WHEREAS Canada has adopted 9-8-8, as National three-digit suicide and crisis hotline; and  
WHEREAS the City of Clarence-Rockland recognizes that it is a significant and important initiative to ensure critical barriers are removed to those in a crisis and seeking help;  
BE IT RESOLVED THAT the City of Clarence-Rockland continues to endorse the 9-8-8 Crisis Line initiative and will display the 9-8-8 information poster in all its municipal buildings; and  
BE IT FURTHER RESOLVED THAT a copy of this resolution be sent to Todd Doherty, MP for Cariboo-Prince George, as well as all Ontario municipalities.

CARRIED

**Monique Ouellet**  
Signé avec ConsignO Cloud (16/02/2024)  
Vérifiez avec verifio.com ou Adobe Reader.



Monique Ouellet/Clerk



**CORPORATION DE LA CITÉ DE  
CLARENCE-ROCKLAND  
RÉUNION RÉGULIÈRE**

**RÉSOLUTION**

**Réunion régulière du conseil**

**Résolution:** 2024-16  
**Titre:** Résolution proposée par le conseiller Kyle Cyr et appuyée du maire Mario Zanth au sujet du 9-8-8, soit la ligne d'assistance nationale sur le suicide et les crises.  
**Date:** le 14 février 2024

---

**Proposée par** Kyle Cyr  
**Appuyée par** Mario Zanth

ATTENDU QUE le Canada a adopté le 9-8-8, comme ligne d'assistance nationale à trois chiffres sur le suicide et les crises ; et  
ATTENDU QUE la Cité de Clarence-Rockland reconnaît qu'il s'agit d'une initiative importante pour s'assurer que les obstacles critiques sont éliminés pour les personnes en situation de crise et qui demandent de l'aide ;  
QU'IL SOIT RÉSOLU QUE la Cité de Clarence-Rockland continue d'appuyer l'initiative de la ligne d'écoute 9-8-8 et affichera l'affiche d'information 9-8-8 dans tous ses édifices municipaux; et  
QU'IL SOIT AUSSI RÉSOLU QU'une copie de cette résolution soit envoyée à Todd Doherty, MP de Cariboo-Prince George, ainsi qu'à toutes les municipalités de l'Ontario.

**ADOPTÉE**

---

Monique Ouellet/Greffière



The Honourable Doug Ford  
Premier of Ontario  
[premier@ontario.ca](mailto:premier@ontario.ca)  
(sent via e-mail)

March 4<sup>th</sup>, 2024

Re: Rural and Small Urban Municipalities – Affordability of Water and Wastewater Systems

Please be advised that the Council of the Town of Plympton-Wyoming, at its meeting on February 28<sup>th</sup>, 2024, passed the following motion supporting the resolution from the County of Renfrew regarding Rural and Small Urban Municipalities – Affordability of Water and Wastewater Systems.

**Motion #12**

Moved by Councillor Kristen Rodrigues

Seconded by Councillor John van Klaveren

That Council support correspondence item 'q' from the County of Renfrew regarding water and wastewater.

***Carried.***

If you have any questions regarding the above motion, please do not hesitate to contact me by phone or email at [eflynn@plympton-wyoming.ca](mailto:eflynn@plympton-wyoming.ca).

Sincerely,



Ella Flynn  
Executive Assistant – Deputy Clerk  
Town of Plympton-Wyoming

Cc: Honourable Kinga Surma, Minister of Infrastructure (Ontario)  
Honourable Dominic LeBlanc, Minister of Intergovernmental Affairs, Infrastructure and Communities (Canada)  
Honourable Paul Calandra, Minister of Municipal Affairs and Housing  
Honourable Andrea Khanjin, Minister of the Environment, Conservation and Parks (Ontario),  
Cheryl Gallant, MP, Renfrew-Nipissing-Pembroke  
John Yakabuski, MPP, Renfrew-Nipissing-Pembroke and Parliamentary Assistant to the  
Minister of the Environment, Conservation and Parks  
AMO; ROMA; FCM;  
All Municipalities in Ontario

Office of the  
County Warden



9 INTERNATIONAL DRIVE  
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K8A 6W5

613-735-7288

FAX: 613-735-2081

[www.countyofrenfrew.on.ca](http://www.countyofrenfrew.on.ca)

January 31, 2024

The Honourable Doug Ford  
Premier of Ontario  
[premier@ontario.ca](mailto:premier@ontario.ca)

DELIVERED VIA EMAIL

**RE: Rural and Small Urban Municipalities – Affordability of Water and Wastewater Systems**

Dear Premier Ford,

Please be advised that at the Regular Council Meeting on January 31, 2024, The County of Renfrew passed the following resolution:

**WHEREAS** the Provincial Policy Statement (PPS) (Section 1.6.6.2) states that municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety and that intensification and redevelopment within these settlement areas should be promoted; and

**WHEREAS** the PPS (Section 2.2.1 (f)) states that planning authorities shall protect, improve, or restore the quality and quantity of water by implementing the necessary restrictions on development and site alternation to protect all drinking supplies and designated vulnerable areas, and protect, improve, or restore vulnerable surface and ground water, sensitive surface water features and sensitive groundwater features, and their hydrologic functions; and

**WHEREAS** the PPS (Sections 2.2.1(h) and (i)) states that there is consideration of environmental lake capacity as well as stormwater management practices; and

**WHEREAS** the Ministry of the Environment, Protection and Conservation (MECP) Procedural Guideline B-1-5 Policy 2 provision states that water quality which presently does not meet the Provincial Water Quality Objectives shall not be further degraded and all practical measures shall be undertaken to upgrade the water quality to the Objectives; and

**WHEREAS** in 2014 the Township of Whitewater Region authorized Jp2gConsultants Inc. to undertake a Municipal Class Environmental Assessment (EA) for the purpose of evaluating viable options to upgrade the 1979 Cobden Wastewater Treatment Plant. This plant did not meet guidelines for effluent flow into Muskrat Lake and Cobden Wetland being highly sensitive, at-capacity, inland lake, and Provincial Significant Wetland (PSW) and acknowledged as one of



the most eutrophic in the province. The plant had ongoing seasonal overflow events, and was operating at maximum capacity; and

**WHEREAS** in 2018 the Council of the Township of Whitewater Region approved the construction of a new parallel mechanical system that would meet all provincial environmental and regulatory requirements including accommodating future growth. Federal and provincial contributions only covered 50% of the final construction costs, as there was no ability to renegotiate with federal and provincial partners once real costs were known. As a result, the balance of costs (\$6M) was debentured over 30 years at interest rates that are slightly punitive to rural and small urban municipalities; and

**WHEREAS** in 2019 the Council of the Township of Whitewater Region conducted a Water and Wastewater Rate Study that demonstrated the need for rate increases of over 100% to fund the new wastewater treatment plant construction debenture and the significantly increased operating costs for a parallel mechanical system. Rural and small urban municipalities experience very limited growth as federal and provincial policies heavily support growth in urban centers. As there are no other sources of available operational funding, rural and small urban municipalities are expected to fund the construction and operation of these state-of-the-art systems from existing property owners and nominal forecasted growth; and

**WHEREAS** in 2023 the Township of Whitewater Region combined water and wastewater rates have risen to almost \$3,000/year for its five hundred and eleven (511) users and are among the highest in the County of Renfrew and across the Province of Ontario. There are similarly high user rates in the Township of Madawaska Valley as a result of Provincial regulations and a small number of users. Other examples of rapidly increasing rates include the Towns of Deep River, Renfrew, Arnprior, Laurentian Hills, and Petawawa, and the Townships of Bonnechere Valley, Laurentian Valley and Killaloe, Hagarty and Richards, where significant upgrades in short periods of time are making rates unaffordable even with an increased number of users.

**NOW, THEREFORE BE IT RESOLVED THAT** the Council of the County of Renfrew:

Advocate to the provincial and federal levels of government to make them aware that rural and small urban water and wastewater systems are financially unsustainable; and Advocate to the Association of Municipalities of Ontario (AMO), the Rural Ontario Municipalities Association (ROMA) and the Federation of Canadian Municipalities (FCM) to examine if the unaffordability of water and wastewater system operational costs is systemic provincially and nationally.

**AND THAT** a copy of this resolution be circulated to The Honourable Doug Ford, Premier of Ontario; the Honourable Kinga Surma, Minister of Infrastructure (Ontario); the Honourable Dominic LeBlanc, Minister of Intergovernmental Affairs, Infrastructure and Communities (Canada); the Honourable Paul Calandra, Minister of Municipal Affairs and Housing, the Honourable Andrea Khanjin, Minister of the Environment, Conservation and Parks (Ontario), Cheryl Gallant, MP, Renfrew-Nipissing-Pembroke, John Yakabuski, MPP, Renfrew-Nipissing-Pembroke and Parliamentary Assistant to the Minister of the Environment, Conservation and Parks; AMO; ROMA; FCM; and all Municipalities in Ontario.



If you have any questions regarding the above resolution, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Peter Emon', with a long horizontal flourish extending to the right.

Peter Emon, Warden

County of Renfrew

[warden@countyofrenfrew.on.ca](mailto:warden@countyofrenfrew.on.ca)

cc: Honourable Kinga Surma, Minister of Infrastructure (Ontario)  
Honourable Dominic LeBlanc, Minister of Intergovernmental Affairs, Infrastructure and Communities (Canada)  
Honourable Paul Calandra, Minister of Municipal Affairs and Housing  
Honourable Andrea Khanjin, Minister of the Environment, Conservation and Parks (Ontario), Cheryl Gallant, MP, Renfrew-Nipissing-Pembroke  
John Yakabuski, MPP, Renfrew-Nipissing-Pembroke and Parliamentary Assistant to the Minister of the Environment, Conservation and Parks  
AMO; ROMA; FCM; and all Municipalities in Ontario.

March 5, 2024

The Honourable Doug Ford  
Premier of Ontario  
Via Email: [premier@ontario.ca](mailto:premier@ontario.ca)

The Honourable Andrea Khanjin  
Minister of the Environment, Conservation and Parks  
Via E-mail: [minister.mecp@ontario.ca](mailto:minister.mecp@ontario.ca)

**Re: Request to the Province to Amend Blue Box Regulation for 'Ineligible' Sources**

Please be advised the Council of the Municipality of Chatham-Kent, at its regular meeting held on March 4, 2024 supported the following resolution from the Township of Perry regarding the above noted matter;

Whereas under Ontario Regulation 391/21: Blue Box producers are fully accountable and financially responsible for their products and packaging once they reach their end of life and are disposed of, for 'eligible' sources only;

And Whereas 'ineligible' sources which producers are not responsible for include businesses, places of worship, daycares, campgrounds, public-facing and internal areas of municipal-owned buildings, and not-for-profit organizations, such as shelters and food banks;

And Whereas should a municipality continue to provide services to the 'ineligible' sources, the municipality will be required to oversee the collection, transportation, and processing of the recycling, assuming 100% of the costs;

Be it resolved that the Council of the Corporation of the Municipality of Chatham-Kent hereby request that the province amend Ontario Regulation 391/21: Blue Box so that producers are responsible for the end-of-life management of recycling products from all sources;

And further that Council hereby request the support of all Ontario Municipalities;

And further that this resolution be forwarded to the Honourable Doug Ford, Premier of Ontario, the Honourable Andrea Khanjin, Minister of the Environment, Conservation, and Parks, Local MPP all Ontario Municipalities.

Sincerely,

**Judy  
Smith**

Digitally signed by  
Judy Smith  
Date: 2024.03.05  
10:19:56 -05'00'

Judy Smith, CMO  
Director Municipal Governance/Clerk

C

Local MPP  
Ontario Municipalities



## Staff Report

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**Report To:** Council  
**Report From:** David Smith, Manager of Planning and Development  
**Meeting Date:** March 19, 2024  
**Subject:** ZA33.2023 – Clegg/Radomsky

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### Recommendations:

THAT in consideration of staff report ZA33.2023 – Clegg/Radomsky, council directs staff to bring forward a bylaw to rezone the subject lands from A2 (Rural) to Institutional – Exception with Holding (I-502-H), 'Rural Zone - Exception with Holding (A2-503-H)' and 'Rural Zone - Exception (A2-504)'.

### Highlights:

- The purpose of the Zoning Bylaw Amendment application is to rezone the subject lands from A2 (Rural) to I-502-H (Institutional – Exception with Holding), A2-503-H ('Rural Zone - Exception with Holding') and A2-504 ('Rural Zone - Exception').
- Subject property, Part Lot 50, Concession 3, Geographic Township of Normanby, is a corner lot and has an area of 10.3 hectares with frontage on Road 49 and Concession 2 WGR.
- The property is designated Rural in the County of Grey Official Plan with an Aggregate Area constraint on the property and neighbouring properties. There are no environmental constraints on the property. The property is currently zoned A2 (Rural) in the West Grey Comprehensive Zoning Bylaw.
- The Coptic Orthodox Church, diocese of Mississauga, Vancouver and Western Canada is in the process of purchasing the property with the intent of establishing an institutional use together with supporting accessory uses. This would entail:
  - a. converting the existing barn into a chapel for 48 persons/living area/office for 12 monks;
  - b. a residential dwelling unit to house 8 volunteers performing site maintenance work;

- c. a second residential dwelling unit for seasonal workers;
  - d. accessory buildings; and
  - e. parking area.
- Normandy Reflections Volume II notes that a Black “church (building now removed) and cemetery” existed on Lot 50. An early Black settlement did exist in this part of Normanby around 1826. A H Holding will be applied to the property until such time as an archaeological assessment has been completed.
  - The majority of the property (excluding the farm lands) will be placed under site plan control.
  - The Planner for the applicants has completed the Minimum Distance Separation I (MDS I) calculation for existing barns in the area. With the exception of one barn (directly across Road 49/Dias) MDS will be met. The MDS setback required to the Dias barn is short 20 metres.
  - The rezoning to permit the institutional use will not prevent neighbouring livestock owners from expanding their operations under Minimum Distance Separation II (MDS II) calculation.

### **Previous Report/Authority:**

None.

### **Analysis:**

The property is municipal known as 102554 Road 49, in the geographic Township of Normanby, Municipality of West Grey.

The subject property is operated as a horse farm and includes a house, barn, garage, and a coverall storage building. A linear forest wraps around the westerly and southerly boundaries of the property. The balance of the property is described as rolling low hills and is used for pasturing horses and a few seasonal cattle.

The following documents were reviewed in the consideration of the Zoning Bylaw Amendment application: County of Grey Official Plan; Provincial Minimum Distance Separation; Provincial Criteria for Evaluating Archaeological Potential; and the Municipality of West Grey Comprehensive Zoning Bylaw 37.2006.

### **Comments - agencies**

The standard municipal departments and external agencies were circulated the application. Where comments have been received, they have been summarized below.

West Grey Public Works: No concerns.

West Grey Fire: Buildings will need to meet requirements of the Ontario Building Code for fire safety. A fire access route will be required. Note: fire access route would be shown on a future site plan.

County of Grey: provided that information to ensure that the use can be serviced by private septic and well County staff generally have no concerns with the proposal.

Saugeen Valley Conservation Authority (SVCA): staff find the application acceptable. The subject property does not contain any natural hazard features or other environmental features of interest to SVCA.

### **Comments - public**

The municipality has received numerous comments (verbal and written) from members of the public.

A public meeting as required by Section 34 of the Planning Act was held on Tuesday January 16, 2024. Council heard comments from multiple ratepayers at that time.

In general the comments centred around:

- Roadway – ability of local road system to handle increased traffic
- Agricultural – impact on ability of local livestock farmers to expand operations and land being taken out of production
- Archaeology/Heritage – need to review historic Black community settlement
- Water – impact on local wells/groundwater resources due to increase in number of persons on site
- Aggregate – sterilizing prime aggregate resource on the property and potential restriction on extraction on neighbouring properties
- Noise – increase use/persons on property would increase noise in a quiet rural area
- Land Use Incompatibility – monastery/chapel and associated uses are not compatible with the rural nature of the area
- Future restrictions on noise or hunting in the area
- Loss of property tax revenue since ‘churches’ are not taxed
- Exterior lighting of property
- Waste management (garbage and recycling)

These issues/concerns are reviewed throughout the remainder of this report.

### **Provincial Policy Statement (PPS) 2020**

The PPS recognizes that Ontario’s long-term prosperity, environmental health and social well-being rely on wisely managing change and promoting efficient land use and development patterns.

Section 1.1.4 of the PPS provides policies that guide growth and development in Rural Areas and Section 1.1.5 specifically addresses Rural Lands. Sections 2.5 Mineral Aggregate Resources and 2.6 Cultural Heritage and Archaeology must be considered when reviewing development applications.

### **1.1.4 Rural Areas in Municipalities**

The PPS policies recognize the importance of rural areas to the quality of life for residents in Ontario and of leveraging rural assets and amenities and protecting the environment as a foundation for a sustainable economy.

Rural areas: means a system of lands within municipalities that may include rural *settlement areas*, *rural lands*, *prime agricultural areas*, natural heritage features and areas, and resource areas.

The subject lands are designated as Rural in the Grey Official Plan. The policies of Section 1.1.4 of the PPS therefore apply.

#### *1.1.4.1 Healthy, integrated, and viable rural areas should be supported by:*

- a) building upon rural character, and leveraging rural amenities and assets;*
- b) promoting regeneration, including the redevelopment of brownfield sites;*
- c) accommodating an appropriate range and mix of housing in rural settlement areas;*
- d) encouraging the conservation and redevelopment of existing rural housing stock on rural lands;*
- e) using rural infrastructure and public service facilities efficiently;*
- f) promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;*
- g) providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;*
- h) conserving biodiversity and considering the ecological benefits provided by nature; and*
- i) providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3.*

*1.1.4.2 In rural areas, rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted.*

*1.1.4.3 When directing development in rural settlement areas in accordance with policy 1.1.3, planning authorities shall give consideration to rural characteristics, the scale of development and the provision of appropriate service levels.*

*1.1.4.4 Growth and development may be directed to rural lands in accordance with policy 1.1.5, including where a municipality does not have a settlement area.*

The Grey Official Plan tries to provide a policy balance between requiring all new development to be located within existing settlement areas with the “right” to allow some growth and development on rural lands. West Grey and other municipalities within the County have a history of permitting space extensive institutional uses, in particular churches and uses accessory to churches, in the rural area.

### **1.1.5 Rural Lands in Municipalities**

Rural lands: means lands which are located outside *settlement areas* and which are outside *prime agricultural areas*.

Section 1.1.5 identifies a range of permitted uses on Rural lands including “other rural land uses” under Section 1.1.5.2(g).

*1.1.5.2 On rural lands located in municipalities, permitted uses are:*

*g. other rural land uses.*

The proposed institutional use would be classified as a “other rural land use” and therefore would be a permitted use on the property.

The proposed use must also be compatible with the rural landscape under Section 1.1.5.4.

*1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.*

There is no univocal and shared definition of rural landscape. Rural landscapes are dynamic, living systems encompassing places produced and managed through traditional methods, techniques, accumulated knowledge, and cultural practices, as well as those places where traditional approaches to production have been changed.

The rural landscape in this part of West Grey has changed significantly since the creation and settlement of the area in the early 1800’s from a predominately farming area with an average lot size of 100 acres to a fragmented landscape of primarily rural homes with small lot sizes, small farm operations, and a nearby campground.

The introduction of an institutional use as proposed would continue the ‘evolution’ of the rural landscape and would not change it in any significant material way.

Development must be appropriate for the available infrastructure as per Section 1.1.5.5.

*1.1.5.5 Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.*



The proposed use will not require any special infrastructure that would be considered unusual for a rural property. Individual private well/water supply and on-site septic system will be provided and there is adequate space on the property to accommodate the systems. There is sufficient distance from neighbouring properties that well interference should not be an issue.

Garbage/recycling services – Roadside garbage and recycling pickup is available. There are no issues regarding the potential volume of garbage and/or recycling.

Stormwater – The property is of sufficient size to handle stormwater on-site due to any increase in impermeable area (parking lot, increased lot coverage).

Fire Access - At the site plan stage a fire access driveway will be identified if required.

Lighting – At the site plan stage dark sky friendly lighting will be required if there is any exterior lighting proposed.

The land use must comply with the minimum distance separation (MDS) formulae as per Section 1.1.5.8.

*1.1.5.8 New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae (MDS).*

Ron Davidson, planning consultant for the applicants, provided MDS calculations for the barns/properties set out in Table 1:

Table 1	
Owner: Dias Township of West Grey / NORMANBY Concession 3 WGR , Lot Part Lot 50 Roll number: 4205010007094050	Owner: Kowal Township of West Grey / NORMANBY Concession 3 WGR , Lot Part Lot 50 Roll number: 4205010007094050
Owner: Holliday Township of West Grey / NORMANBY Concession 3 WGR , Lot Part Lot 50 Roll number: 4205010007094050	Owner: Jackson Township of West Grey / NORMANBY Concession 3 WGR , Lot Part Lot 50 Roll number: 4205010007094050
Owner: Grotenhuis Township of West Grey / NORMANBY Concession 3 WGR , Lot Part Lot 50 Roll number: 4205010007094050	

MDS considers Institutional uses to be a Type B land use, which means that the land use might be more sensitive to odours from livestock operations. As such, MDS requires a separation distance between an existing livestock facility and the new Type B land use to be twice the setback of a Type A land use i.e., a detached dwelling.

It is relevant to note that there are two parts to MDS. MDS I is used when a new land use is proposed in proximity to an existing livestock facility, whereas MDS II is applied to new or expanding livestock facilities in proximity to existing, neighbouring land uses. As such, reducing the size of the area to be used/zoned for institutional use benefits both applicant and the neighbours.

The area to be zoned 'I – Exception' is located, at its closest point, 252 metres from the barn located on the Dias' property, located to the immediate north. Based on information provided by Mr. Dias, the MDS I requirement is 272 metres. As such, the required setback is 20 metres deficient. MDS does allow for Council to grant minor relief from the MDS formulae through a Zoning Bylaw Amendment.

Mr. Dias would not lose his ability to expand his livestock operation, should he choose to do so. Although this property is quite small (6.4 hectares) and therefore may not seem conducive to a large farming operation, it has been demonstrated in a separate MDS II Report provided by the applicants planner that the proposed 'I – Exception' zoning would not interfere with a barn expansion that allow for an increase from the existing 30 short keepers (beef) to as many as 77.

MDS calculations were also conducted for the livestock facilities located on the nearby Kowal, Jackson, Grotenhuis and Holliday farms, and in all instances the location of the 'I – Exception' zone would meet the MDS I requirement as it pertains to their respective barns. All of the MDS I Reports/calculations were provided to the Municipality.

There is also another barn on a property located just over 1.0 kilometres to the north, immediately north of the campground. The farmer could not be reached; however, given the number of residences (i.e. four or more) that are located between that barn and the subject lands, and in light of Guideline #12 of the MDS it can be concluded that the proposal conforms with the MDS without having to prepare an MDS Report.

## **2.5 Mineral Aggregate Resources**

All of the subject property AND all of the surrounding lands are within an identified Aggregate Resource Area. Section 2.5.2 Protection of Long-Term Resource Supply states:

*2.5.2.5 In known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:*

*a) resource use would not be feasible; or*

*b) the proposed land use or development serves a greater long-term public interest; and*

*c) issues of public health, public safety and environmental impact are addressed.*

Within one kilometre of the proposed use there are a variety of land uses that could severely curtail the potential to establish a new major scale aggregate operation including multiple dwellings, multiple vacant residential sized lots, and Shamadon RV Resort. These current land uses would have a major impact on the ability to create a large-scale aggregate operation. In light of the surrounding land use constraints, it is the opinion of the manager, planning and development that a major extractive operation on a neighbouring property would not be feasible.

## **Section 2.6 Cultural Heritage and Archaeology**

Section 2.6 Cultural Heritage and Archaeology states that

*2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.*

“Areas of archaeological potential”: means areas with the likelihood to contain *archaeological resources*. Criteria to identify archaeological potential are established by the province. The *Ontario Heritage Act* requires archaeological potential to be confirmed by a licensed archaeologist.

The province provides a ‘Checklist for Determining Archaeological Potential’ to planning authorities. The proposed development on the subject property ‘triggers’ the requirement for an Archaeological Assessment based on local/written knowledge of the historical Black community settlement/church/cemetery in the general area.

An Archaeological Assessment, prepared by a licensed consultant archaeologist, reviewed/approved by the Ontario Ministry of Citizenship and Multiculturalism will be required prior to any development proceeding on the property.

## **Grey Official Plan**

The subject lands are designated as Rural on schedule ‘A’ of the Grey Official Plan. Schedule ‘B’ also identifies an ‘Aggregate Resource Area’ over the entire property and over all neighbouring properties. There are no other constraints on/adjacent to the property.

## **Rural Land Use Type**

The predominant land uses within the Rural land use type are agriculture, aggregate extraction, recreation, and forestry. However, institutional uses including cemeteries, churches [monastery/chapel], or schools, are permitted provided they do not impact agriculture, forestry, aggregate extraction, or the natural environment.

Section 5.4.2 of the Official Plan provides Development Policies that must be considered:

*5) The Provincial Minimum Distance Separation (MDS) formulae policies found in section 5.2.2 of this Plan shall also apply to the Rural land use type.*

*6) For any non-agricultural uses to be permitted within the Rural land use type, all of the following shall be satisfied:*

*a) The development policies of Section 5.2.2, the Agricultural land use type, shall also apply to the Rural land use type, except where it makes reference to farm lot sizes and surplus farmhouse severances.*

*b) That development on productive agricultural land be discouraged. Where development is proposed on productive agricultural land (i.e. land that is currently or has recently been used for farm purposes) it shall be demonstrated that no reasonable alternative exists. The investigation for a reasonable alternative shall be limited to the lot to be developed.*

The development proposal would see new buildings/structures, except for those related directly to agriculture such as a barn, limited to those parts of the property already developed. At this time, I do not see a significant loss of any productive agricultural land.

### **Section 5.2.2 Agricultural Development Policies**

*5) New land uses, including the creation of lots, and new or expanding livestock facilities shall comply with the Provincial MDS formulae. Municipal comprehensive zoning bylaws shall incorporate Provincial MDS formulae.*

*a) In the case of building reconstruction of either a livestock facility or a non-agricultural use shall comply with Provincial MDS formulae.*

*h) For lots created before March 1, 2017, MDS I shall be applied to new houses or non-agricultural uses on existing lots of record, unless it would otherwise render the lot undevelopable. If there is no building area available which meets MDS I setbacks, then the house or non-agricultural use shall be as far from the neighbouring livestock barn or manure storage facility as possible.*

*l) Municipalities should not reduce MDS through a minor variance, zoning amendment, or official plan amendment, except where sufficient reasoning has been provided, and the intent of the MDS Guidelines has been maintained. MDS shall generally not be modified for the purposes of permitting new non-farm sized lot creation. In reviewing the rationale for a variance, there should be demonstration that the variance would:*

- not be able to be met through a modification to the development being proposed (e.g. set a building back further than proposed),*

- *make an existing situation better to reduce the potential for conflict*
- *impose undue hardship, such as major farm operation, inefficiencies, or servicing constraints, by not granting the variance, or*
- *be small enough such that there is very limited potential for land use conflict.*

*6) Development shall not conflict with Section 5.6 – Aggregate Resource Area and Mineral Resource Extraction land use types.*

*7) In Aggregate Resource Areas shown on Schedule B, new non-agricultural uses that require a zoning bylaw amendment on existing lots of record, which would significantly prevent or hinder new extraction operations, compatible and may only be permitted if:*

*a) The extraction of the aggregate resource is not feasible due to the quality or quantity of material or the existence of incompatible development patterns. The quality and quantity of the material will be determined by having a qualified individual dig test pits within the area proposed for the non-agricultural development as well as the lands within 300 metres of the aggregate operation; or that*

*b) The proposed land use or development serves a greater long term interest of the general public than does aggregate extraction; and*

*c) Issues of public health, public safety, and environmental impact are addressed.  
(OPA # 1 Recolour Grey)*

*22) In accordance with Section 8.9 of this Plan, if municipal water and sewer services are not available, re-development of existing lots of record or the creation of new lots will require evidence of the site's suitability to provide an adequate potable water supply and sanitary sewage treatment and disposal system. Evidence of the site's suitability shall be provided in the form of an evaluation conducted in accordance with Ministry of the Environment, Conservation and Parks (MECP) Guidelines or the Ontario Building Code, where applicable (or any municipal procedure that achieves the same objective). In cases where new development is being proposed in proximity to existing development, the provision of neighbouring well water records may be sufficient to determine adequacy of water supply. Where new lots are being created, municipalities may consider the demonstration of suitable water and waste water services as a condition of the consent application.*

*Evidence of the site's suitability to accommodate an approved sewage disposal system shall be provided in the form of an evaluation conducted in accordance with Ministry of the Environment, Conservation and Parks (MECP) Guidelines or the Ontario Building Code, where applicable.*

*More specifically, for individual lots of record, accommodating a single residence generating less than 10,000 litres of sewage per day, the individual private sewage*

*treatment and sewage disposal system serving that single lot of record will be subject to the approval under the Ontario Building Code. For individual lots of record generating 10,000 litres of sewage per day, or more, the individual private sewage treatment and sewage disposal system servicing that single lot of record must be designed in accordance with Ministry of the Environment, Conservation and Parks "Design Guidelines for Sewage Works" (2008), or any successor thereto, and apply for and receive approval under the Ontario Water Resources Act. Single development proposals, collectively comprising more than five individual lots of record, should proceed in accordance with the Ministry's "Procedure D-5-4 Technical Guideline for Individual On-site Sewage Systems Water Quality Impact Risk Assessment" or any successor thereto. The Reasonable Use Policy is incorporated into both the Design Guide for Sewage Works and in Procedure D-5-4.*

*23) That access to the site is from a public road of reasonable construction, and open and maintained on a year-round basis, and is appropriate for the use proposed. Access shall not result in traffic hazards due to poor sight lines or proximity to an intersection and shall conform to Section 8 of this Plan.*

As reviewed previously, MDS has been calculated and MDS has been met for the proposed use except for the Dias barn.

The aggregate resource constraint/protection has been evaluated/reviewed under a previous section.

The property is generally shielded from neighbouring uses with a well-established tree line along the majority of the property perimeter together with a small woodlot in the southeaster corner.

Sewage disposal - The site is sufficiently large enough to accommodate any needed septic disposal system. If future construction indicates that a large septic system (design sewage flows of greater than 10,000 litres / day) is required, this is regulated by the Ministry of the Environment, Conservation and Parks (MECP) and subject to approval requirements for sewage works under Section 53 of the Ontario Water Resources Act.

Potable water - There are no concerns regarding the volume of potable water needed. The use of the property for agriculture, in particular an equestrian venue could have generated sizable water needs.

Noise – The manager, planning and development, does not expect there to be any significant change in noise as a result of the proposed use. The Coptic order is looking for 'peace and quiet', for mediation etc. purposes. There will be noise associated with any permitted farming operations.

Environmental – There are no environmental features, wetlands, significant woodlands etc. identified on the property. There are significant woodlands within 120 metres of the

property. Grey County ecological staff have reviewed the development and are of the opinion that an Environmental Impact Study is not required.

Traffic – Road access will be maintained via Road 49. There will be increased road traffic when masses or other special events are held. This is not expected to significantly tax the local road system as the ‘church’ portion of the proposed use is to be limited in size. The West Grey Public Works Manager has no concerns over the potential traffic generated nor issues with the current construction of the road.

The manager, planning and development, notes that there are no restrictions currently on the property regarding right to host events such as monthly equestrian events nor on the nearby RV resort in terms of summer road usage.

#### **4.2.5 Additional Residential Units**

The Grey Official Plan does allow for Additional Residential Units (ARU's) in the countryside provided the residential units are within the farm cluster and they can be adequately serviced with water and sewage.

The additional residential dwelling units proposed for the property would all be within the same general area. The zoning bylaw would restrict the residential uses to one side of the property and prohibit a residential dwelling on the pasture lands. The property is of sufficient size to provide for water and sewage treatment. There would be little to no additional rural/farmland taken out of production.

#### **Section 4.5.1 Our Cultural Heritage**

*The County and local municipalities must ensure adequate screening for archaeological potential and, where warranted, archaeological assessment on all plans of subdivision and condominiums, zoning amendments, site plans, and consents and consult with appropriate government agencies, including the Ministry of Culture, Tourism and Sport, and the Ministry of Government and Consumer Services (Cemeteries Regulation Unit) when an identified marked or unmarked cemetery is affected by land use development. The provisions of the Heritage Act and the Funeral, Burial and Cremation Services Act must apply.*

As noted previously an Archaeological Assessment will be required.

Summary: In my opinion the proposed monastery/chapel and supporting uses will not create negative impacts on adjacent uses or environmental features and is considered a use that is compatible with other rural and agricultural uses and with the surrounding rural landscape.

## West Grey Zoning

The revised application proposes that the amount of land to be zoned 'Institutional – Exception' be constrained to a smaller portion of the property. This is due to the requirement to meet Minimum Distance Separation (MDS).

The manager, planning and development, is of the opinion that the requested variance in the MDS setback is minor and approving the Institutional Exception zone will not have a major impact on the ability to expand neighbouring livestock operations in the future.

The proposed 'Institutional – Exception (I-502)' zone would apply only to the southwest corner of the property and is intended to capture the existing buildings. It also includes a small area to the west of the existing barn where a new building could be erected in the event that the existing horse stable cannot be converted.

*Notwithstanding their 'I' zoning, those lands shown as 'I-502-H' on Schedule A of this Bylaw shall be used only for the following Permitted Uses in accordance with the provisions of the 'I' zone:*

- + Monastery; and*
- + Residential Dwelling; and*
- + Home Occupation; and*
- + Home Industry; and*
- + Accessory uses, buildings, and structures in accordance with Section 6.1 Accessory Uses and Structures.*

*MONASTERY shall mean a 'Place of Worship' accommodating up to 45 persons and may include a 'Residential Dwelling Unit', all to be constructed within a single building envelope.*

*Section 6.27 (Parking Regulations) shall not apply to the 'I-502' zone;*

*Section 6.17.1 (MDS I – New Non-Farm Uses) shall not apply to the 'I –502' zone;*

*'Lot Area Minimum' and 'Lot Frontage Minimum' shall not apply to the I –502' zone;*

*The lands shall be subject to site plan control;*

*The 'H Holding' shall be removed upon the receipt of an Archaeological Assessment clearance/approval from the Province.*

It remains the intention of applicant to possibly erect a residence in the future for seasonal farm-help. This building, however, does not need to be situated within the 'Institutional – Exception (I-502)' zone as it is not an Institutional use.



A seasonal farm-help residence is not currently permitted as of right in the 'A2' zone of the West Grey Zoning Bylaw. A portion of the property abutting Road 49 is proposed to be rezoned to 'Rural Zone – Exception (A2-503)' to allow for this use.

A parking area is also proposed to accommodate visitors to the Monastery and for volunteers and seasonal workers. The parking area can also be located in the 'Rural Zone – Exception (A2-503)' zoned area.

*Notwithstanding their A2' zoning, those lands shown as 'A2-503-H' on Schedule A of this Bylaw shall be used only for the following Permitted Uses in accordance with the provisions of the 'A2' zone:*

*+ Residential Dwelling; and*

*+ Parking Area in accordance with Section 6.27 (Parking Regulations). Section 6.27.4 Calculation of Parking Regulations shall be based on the size of the 'Place of Worship' in the abutting 'I-502' zone; and*

*+ Home Occupation; and*

*+ Home Industry; and*

*+ Accessory uses, buildings, and structures in accordance with Section 6.1 Accessory Uses and Structures*

*The lands shall be subject to site plan control;*

*The 'H Holding' shall be removed upon the receipt of an Archaeological Assessment clearance/approval from the Province.*

The balance of the property will also be restricted in regard to any new dwellings or similar type uses through a separate 'Rural Zone - Exception (A2-504)'.

*Notwithstanding their 'A2' zoning, those lands shown as 'A2-504-H' on Schedule A of this Bylaw shall be used in accordance with the provisions of the 'A2' zone excepting however the following uses shall be prohibited:*

*+ Bed and Breakfast Establishment (Class 1 or Class 2);*

*+ Group Home;*

*+ Home Occupation;*

*+ Home Industry;*

*+ A detached dwelling;*

*+ Recreational trailer in accordance with Section 6.39; and*

*The 'H Holding' shall be removed upon the receipt of an Archaeological Assessment clearance/approval from the Province.*

The manager, planning and development, is of the opinion that the proposed zoning amendment would represent good land use planning; is consistent with the Provincial Policy Statement; and conforms to the policies of the Grey Official Plan.

### **Financial Implications:**

Potential appeal to the Ontario Land Tribunal.

### **Communication Plan:**

In accordance with the requirements of the Planning Act.

A letter was sent to surrounding property owners regarding the Council meeting held on March 19, 2024.

### **Attachments:**

1. Planning Justification Report (December 4, 2023)
2. Cuesta Planning Consultants 'Objections To' Report (January 16, 2024)
3. Feb 6 2024 Let from Davidson Planning re I Exception Zone and MDS Calcs
4. Aerial – General Area
5. Grey Official Plan Schedule A (Land Use)
6. Grey Official Plan Schedule B (Aggregate)
7. Grey Official Plan Appendix B (Significant Woodlands)
8. West Grey Zoning
9. Zoning Schedule 2023-33 Clegg

### **Recommended by:**

David Smith, RPP, MCIP Manager of Planning and Development

### **Submission approved by:**

Kerri Mighton, Interim Chief Administrative Officer

For more information on this report, please contact David Smith, Manager of Planning and Development at [planning@westgrey.com](mailto:planning@westgrey.com) or 519-369-2200..



RON DAVIDSON  
LAND USE PLANNING CONSULTANT INC.

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December 4, 2023

Municipality of West Grey  
402813 Grey Road 4  
RR 2  
Durham, ON  
N0G 1R0

Attention: Karl Schipprack  
Director of infrastructure and Development  
Chief Building Official

Dear Karl:

**Re: Application for Zoning By-law Amendment  
Part Lot 50, Concession 3  
Geographic Township of Normanby  
Municipality of West Grey  
Owner: Janice Clegg and Morris Radomsky**

Further to recent pre-consultation discussions with West Grey and Grey County staff, enclosed please find a completed Zoning By-law Amendment application.

To assist your office in evaluating the proposal, I offer the following information:

**Proposed Use:**

The subject property is located at the southwest corner of the Road 49 / Concession Road 2 WGR intersection, in the former Township of Normanby. This 10.31-hectare parcel is currently owned by Janice Clegg and Morris Radomsky, and it contains a detached dwelling, barn, garage, and coverall storage building, as illustrated on aerial photograph provided on Figure 1 of this Planning Justification Report.

The Coptic Orthodox Church, diocese of Mississauga, Vancouver, and Western Canada, is in the process of purchasing the subject property for the purposes of establishing a monastery for monks.

A similar facility for nuns (a convent) exists on a rural property located west of Paisley, in Bruce County.

The monastery would, first and foremost, provide residential accommodation for 12 monks that will reside on the property on a permanent basis. Their residence will include a kitchen, living room, prayer room, library, studying room, and a hobbies room for computer usage, crafts, painting, etc.

In addition, accommodation will also be provided for eight students who will spend one or two days at a time providing maintenance service (e.g. mowing lawns, cleaning, etc.) on the property. A separate kitchen and dining room will be provided for these students.

A small chapel is also proposed for visitors to pray at set times, likely every two weeks. The chapel will be designed to accommodate a maximum of 45 people. Worshipers will be offered a meal in the student workers' dining room.

It is the Church's intention to utilize the existing buildings, if possible, to accommodate the proposed use. All of the uses described above will occur within the existing horse stable. Significant changes to this building will obviously be required and must comply with the Ontario Building Code. An architect will be retained to assist in this regard once the requested Zoning By-law Amendment has been approved. The existing house on the property will serve as the rectory where the bishop and abbot will reside. The existing garage and shed will be used for storage purposes. In the future, the Church might erect another small building that would provide accommodation for seasonal workers on the farm. The Church intends to grow crops on the fields.

A Conceptual Site Plan has been prepared showing the intended use, see attached. Also included in that drawing is a new parking lot and a looping of the existing driveway.

### **Current and Proposed Zoning:**

The subject property is currently zoned 'A2' (Rural) according to Schedule A of the Municipality of West Grey Zoning By-law, as shown on Figure 2. Permitted uses in the 'A2' zone include agriculture, forestry, conservation, detached dwelling, bed and breakfast establishment, home occupation, and home industry. The type of land use proposed by the Church is not permitted under the current 'A2' zone, and therefore an amendment to the Zoning By-law is necessary.

The proposed Zoning By-law Amendment would place the subject lands in the 'I' (Institutional) zone, which would allow for such uses as a school, nursing home, day nursery, and a place of worship. The definition of "place of worship" in the West Grey Zoning By-law refers to "church" which is defined as:

*CHURCH, means a building or part thereof used for public worship and may include a church hall, church auditorium, Sunday School, convent or parish hall or church day nursery.*

Based on the above definition, it is apparent that the proposed 'I' zoning should include special provisions that would acknowledge all of the intended uses listed above. In this regard, the following wording should be considered by West Grey Planning staff when preparing the text of the draft By-law:

*Notwithstanding their 'I' zoning, those lands shown as 'I-x' on Schedule A of this By-law shall be used for the following purposes in accordance with the provisions of the 'A2' zone:*

- *a monastery which includes a residence for up to 12 monks, kitchen, dining room, library, hobbies room, prayer room, and similar facilities;*
- *a residence for up to eight volunteers who will occasionally be on site to provide maintenance work;*
- *a chapel to accommodate up to 45 people;*
- *a second kitchen and dining room for the volunteers and chapel attendees;*
- *accommodation for seasonal farm help; and,*
- *uses permitted in the 'A2' zone.*

The proposed 'I – special' zone will only apply to the westerly 4.96 hectares of land, as illustrated on Figure 3. The balance of the property will remain zoned 'A2'.

### **Subject Property:**

The subject property is operated as a horse farm and includes a house, barn, garage, and a coverall storage building. A linear forested area wraps around the westerly and southerly boundaries of the site. The balance of the property is best described as gently rolling hills and is used for the pasturing of horses and a few seasonal cattle.

### **Adjacent Land Uses:**

The neighbouring lands are generally represented by a large number of residential lots and relatively small farm parcels. A commercial campground is also located nearby, approximately 500 metres to the northwest of the subject property.

### **Official Plan Conformity:**

According to Schedule A of the County of Grey Official Plan, the subject lands are designated 'Rural', as shown on Figure 4 of this Planning Justification Report.

The 'Rural' designation policies are as follows:

#### ***5.4.1 Uses Permitted Policies***

- 1) *The Rural land use type on Schedule A shall permit all uses permitted in Section 5.2.1 of this Plan (the Agricultural land use type).*
- 2) *In addition to the uses listed in Section 5.2.1, the following additional uses will be permitted in the Rural land use type:*
  - a) *Resource based recreational uses,*
  - b) *Small scale transport terminals,*
  - c) *Buildings and yards associated with trades, including contractors yards, plumbing, electrical, heating/cooling shops, etc.,*
  - d) *Residential farm cooperatives,*
  - e) *Agri-miniums,*
  - f) *Institutional uses including cemeteries, churches, or schools,*
  - g) *Recreational or tourist-based rural clusters (e.g. cottages, yurts, or a similar form of development under common ownership).*
- 3) *All permitted uses listed under Section 5.4.1(1) and 5.4.1(2) shall satisfy the development criteria policies as outlined in Section 5.4.2.*

Comment: As stated in policy 2 f) above, institutional uses are permitted in the 'Rural' designation. The proposed monastery would qualify as an institutional use.

Section 5.4.2 of the Official Plan states (edited for relevancy):

#### 5.4.2 Development Policies

- 5) *The Provincial Minimum Distance Separation (MDS) formulae policies found in section 5.2.2 of this Plan shall also apply to the Rural land use type.*
- 6) *For any non-agricultural uses to be permitted within the Rural land use type, all of the following shall be satisfied:*
  - a) *The development policies of Section 5.2.2, the Agricultural land use type, shall also apply to the Rural land use type, except where it makes reference to farm lot sizes and surplus farmhouse severances.*
  - b) *That development on productive agricultural land be discouraged. Where development is proposed on productive agricultural land (i.e. land that is currently or has recently been used for farm purposes) it shall be demonstrated that no reasonable alternative exists. The investigation for a reasonable alternative shall be limited to the lot to be developed.*

Comment: There are no barns or livestock facilities within over 1.0 kilometres of the subject property. As such, the proposed monastery complies with the Minimum Distance Separation formulae.

No productive agricultural land will be taken out of production as a result of the monastery being established on the subject property.

With regard to the development policies of Section 5.2.2, the only relevant policies of that section are:

- 7 *In Aggregate Resource Areas shown on Schedule B, new non-agricultural uses that require a zoning by-law amendment on existing lots of record, which would significantly prevent or hinder new extraction operations, compatible and may only be permitted if:*
  - a) *The extraction of the aggregate resource is not feasible due to the quality or quantity of material or the existence of incompatible development patterns. The quality and quantity of the material will be determined by having a qualified individual dig test pits within the area proposed for the non-agricultural development as well as the lands within 300 metres of the aggregate operation; or that*
  - b) *The proposed land use or development serves a greater long term interest of the general public than does aggregate extraction; and*

**c) *Issues of public health, public safety, and environmental impact are addressed.***

**Comment:** The 'Aggregate Resource Area' constraint applies to the subject property, according to Schedule B of the Official Plan. During the pre-consultation discussions, however, the County of Grey Planning Department advised that this policy would not interfere with the proposed use of the subject property given that an institutional use is already permitted in the 'Rural' designation.

No other constraints shown on various schedules and appendices of the Official Plan apply to the subject lands. Appendix B does, however, identify the forested lands on the north side of Road 49 as 'Significant Woodland'. In this regard, Section 7.4 *Significant Woodlands* states:

**1) *No development or site alteration may occur within Significant Woodlands or their adjacent lands unless it has been demonstrated through an environmental impact study, as per Section 7.11 of this Plan, that there will be no negative impacts on the natural features or their ecological functions. Adjacent lands are defined in Section 7 and 9.18 of this Plan.***

**Comment:** The adjacent lands for 'Significant Woodlands' are those situated within 120 metres of the woodland feature. No impact on this adjacent nature heritage feature should occur because of the following:

- the woodland feature is separated from the subject property by a municipal road and there is not an ecological connection between the subject property and the woodland; and,
- the proposed monastery will occur within the existing buildings, excepting however that a new building that may be erected in the future for seasonal farm help, and such building would be set back approximately 150 metres from the woodland.

Section 8.9.1 *Services* provides a hierarchy for the preferred methods of providing water and sewer to developments. The least preferred is the following:

**d) *Individual on-site sewage services and individual on-site water services in accordance with the policies contained in Section 8.9.1.***

**Comment:** The existing house is serviced with a private well and septic system. The development proposed for the site will require a new septic system, which will be



designed and constructed to a size that can accommodate the monks, student workers, worshippers, and seasonal workers. The details regarding the size and type of septic system will be provided at the Site Plan Agreement stage.

Based on the foregoing, the proposed Zoning By-law Amendment is deemed to conform to the Grey County Official Plan.

### **Provincial Policy Statement Conformity:**

The Provincial Policy Statement (PPS) refers to the subject lands as “rural lands”, given that they are not recognized in the Grey County Official Plan as being prime agricultural lands. The Official Plan designates prime agricultural lands as ‘Agricultural’ on Schedule A.

The following policies apply to rural lands:

#### ***1.1.5 Rural Lands in Municipalities***

- 1.1.5.1*** *When directing development on rural lands, a planning authority shall apply the relevant policies of Section 1: Building Strong Healthy Communities, as well as the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.*
- 1.1.5.2*** *On rural lands located in municipalities, permitted uses are:*
  - a) the management or use of resources;*
  - b) resource-based recreational uses (including recreational dwellings);*
  - c) residential development, including lot creation, that is locally appropriate;*
  - d) agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;*
  - e) home occupations and home industries;*
  - f) cemeteries; and*
  - g) other rural land uses.*
- 1.1.5.3*** *Recreational, tourism and other economic opportunities should be promoted.*
- 1.1.5.4*** *Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.*
- 1.1.5.5*** *Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.*

- 1.1.5.6 Opportunities should be retained to locate new or expanding land uses that require separation from other uses.*
- 1.1.5.7 Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.*
- 1.1.5.8 New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.*

**Comment:** An institutional use, which as noted above is permitted in the 'Rural' designation of the Grey County Official Plan, would be allowed under "other rural uses".

The proposed monastery will be compatible with the rural landscape. It will be a relatively quiet use of the property and should not impose upon any of the neighbours in terms of the use and enjoyment of their properties. At most, the neighbours may notice a minimal amount of additional traffic during the times of prayer.

The details regarding the type and size of septic system will be addressed at the Site Plan Agreement stage, as explained earlier.

The proposed land use activity will comply with the Minimum Distance Separation formulae.

The PPS also contains policies pertaining to natural heritage features and aggregate resources, and such policies are reflected in the Grey County Official Plan and have been addressed earlier in this Planning Report.

Based on the foregoing, it is evident that the proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement.

### **Summary and Recommendation:**

The Coptic Orthodox Church, diocese of Mississauga, Vancouver, and Western Canada, proposes to establish a monastery on the subject property. The Church is hoping to renovate one of the existing buildings to accommodate most of the activity, and perhaps erect another building in the future to accommodate seasonal farm help. An Architect will need to provide drawings to the West Grey Building Department that demonstrate compliance with the Ontario Building Code. An Engineer must also be retained to provide the details on the type and size

of septic system. These matters will be addressed at the Site Plan Agreement stage, as stated by West Grey staff during the pre-consultation discussions.

The intended use of the property will be a quiet activity, as the main activity on the site will be prayer.

This Planning Justification Report has explained that the proposed Zoning By-law Amendment conforms to the Grey County Official Plan and is consistent with the Provincial Policy Statement.

Based on the foregoing, the requested Amendment has merit and should be given favourable consideration. The Church will be required to enter into a Site Plan Agreement.

**Final Comments:**

I trust you will deem this application package to be complete. Should you require anything further, please contact the undersigned.

Lastly, I respectfully request that you contact me to discuss a public meeting date before actually scheduling the meeting in order to ensure my availability.


Sincerely,

A handwritten signature in blue ink, appearing to read 'Ron Davidson', with a stylized, flowing script.

Ron Davidson, BES, RPP, MCIP

c.c. Father Moses Sadik

Figure 1: Existing Use and Buildings (Aerial Photo 2020)


 Subject Lands

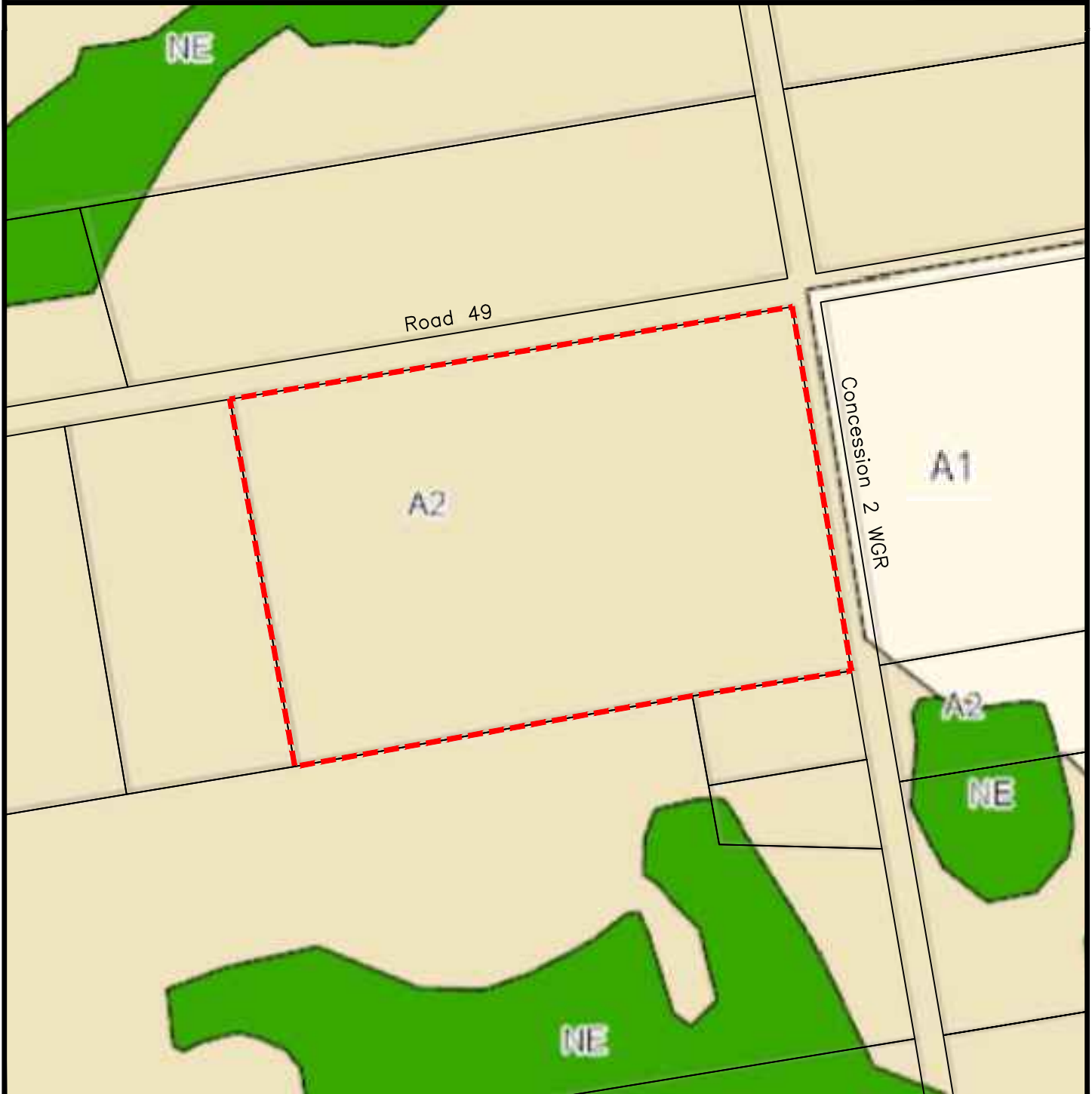


102554 Road 49  
Municipality of West Grey

**RD** **RON DAVIDSON**  
LAND USE PLANNING CONSULTANT INC  
OWEN SOUND, ONTARIO  
SCALE 1:3000

Figure 2: Municipality of West Grey Zoning By-law Schedule A


 Subject Lands

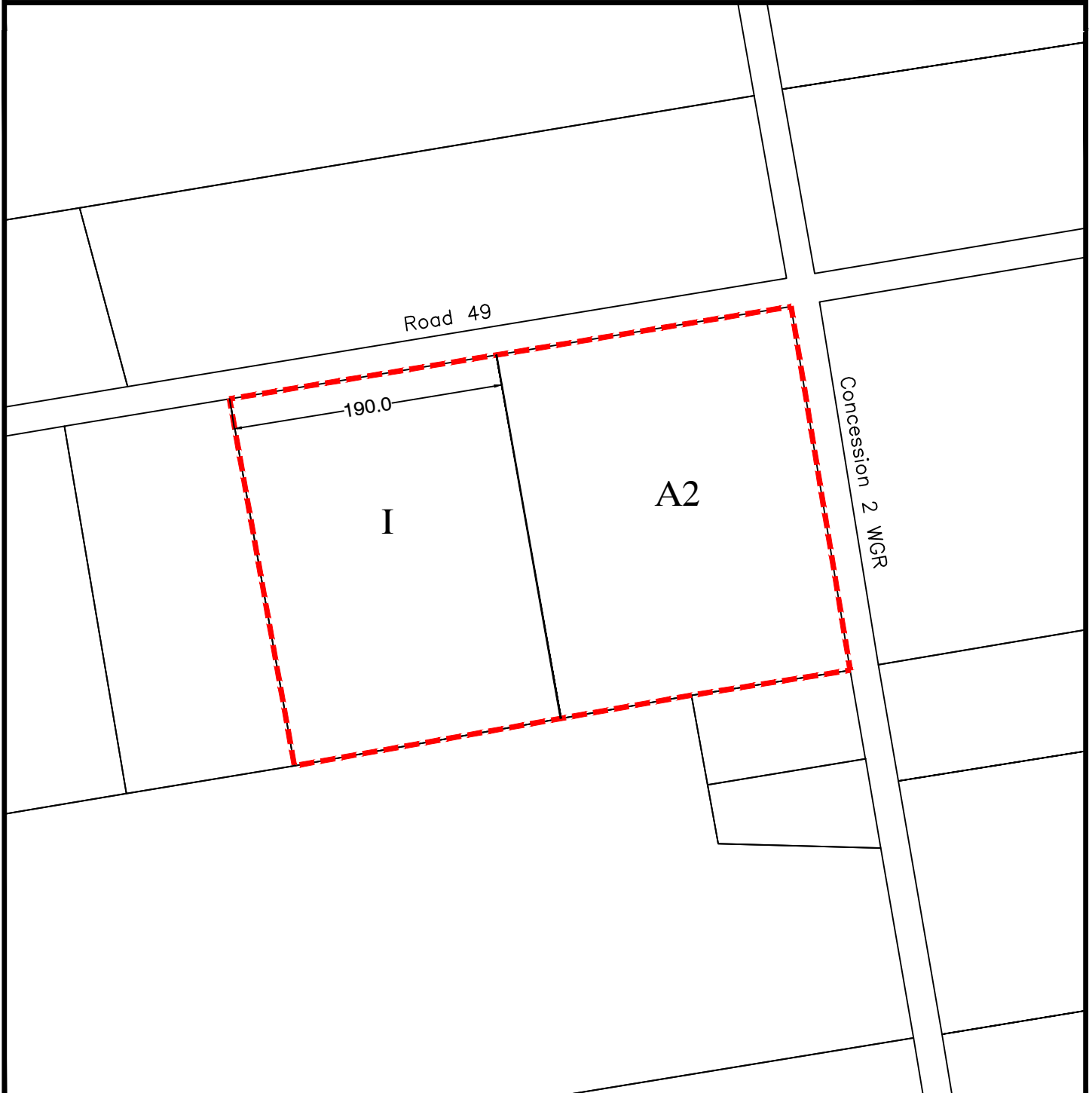


102554 Road 49  
Municipality of West Grey

**RD** **RON DAVIDSON**  
LAND USE PLANNING CONSULTANT INC  
OWEN SOUND, ONTARIO  
SCALE 1:4000

Figure 3: Proposed Zoning

 Subject Lands



102554 Road 49  
Municipality of West Grey

**RD** **RON DAVIDSON**  
LAND USE PLANNING CONSULTANT INC  
OWEN SOUND, ONTARIO  
SCALE 1:4000



Figure 4: Grey County Official Plan Schedule A



Subject Lands



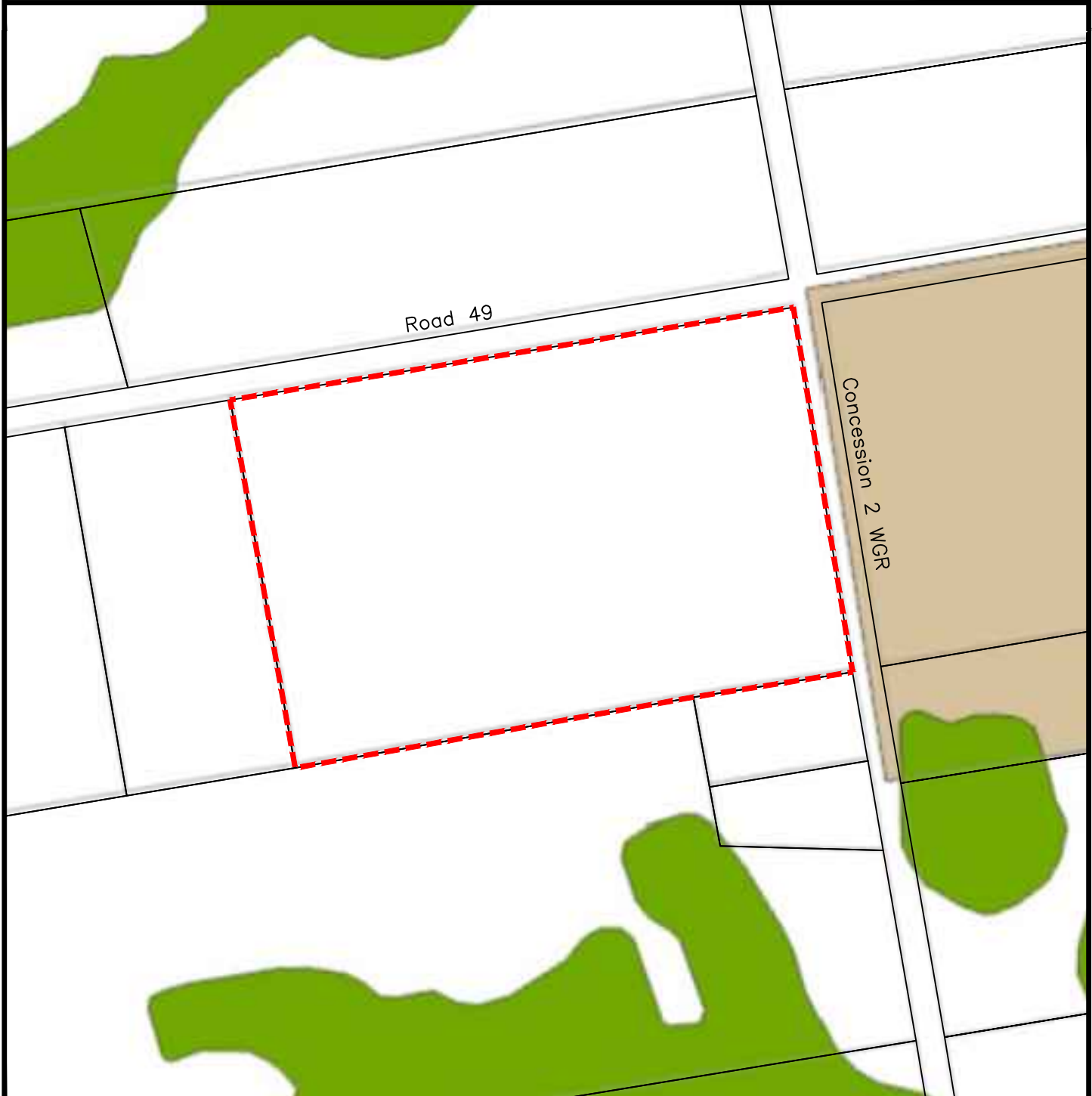
Agricultural



Rural



Hazard Lands

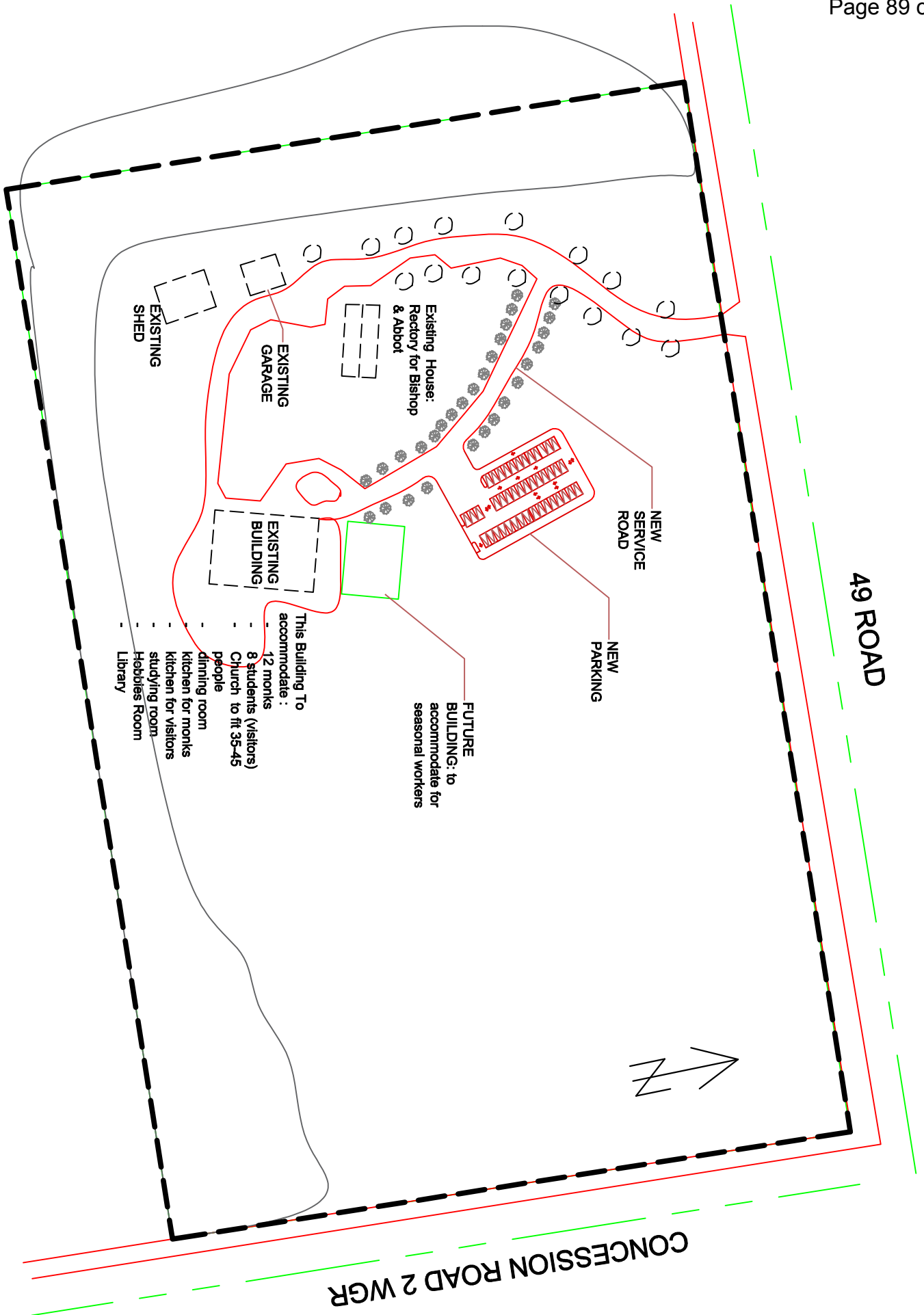


102554 Road 49  
Municipality of West Grey



**RON DAVIDSON**  
LAND USE PLANNING CONSULTANT INC  
OWEN SOUND, ONTARIO  
SCALE 1:4000

# Conceptual Site Plan







Municipality of West Grey  
402813 Grey County Road 4  
RR2 Durham, ON N0G 1R0

16 January 2024.

"VIA EMAIL ONLY"

Subject: OBJECTIONS TO – Application for Zoning By-law Amendment  
Part Lot 50, Concession 3  
Geographic Township of Normanby  
Municipality of West Grey  
Owner: Janice Clegg and Morris Radomsky

Dear Mr. Smith:

Our office, Cuesta Planning Consultants Inc. was approached by a few of the landowners that live in the near vicinity of the property that is subject to this development proposal. They had varying concerns in relation to this proposal and consequently decided to appoint our office to review the submitted documentation and provide comments in this regard.

Appendices to this correspondence:

- A. Information of the neighbours that are represented in these comments.
- B. Barn and Cemetery locations in the vicinity of the subject property.
- C. Excerpt from the Normanby Reflections Book and in the Mount Forest Homer Magazine 2009.

The relevant landowners are listed in Appendix A of this correspondence are the persons that we are herein representing. This correspondence will mainly focus on land use planning matters. The landowners have additional comments and concerns related to their everyday functioning in the environment surrounding the subject property, that they will outline in person at the public meeting.

To be able to provide a thorough review of the subject application, our office made efforts to ensure that all the submitted documentation, including the Planning Justification Report and Application form, as well as any additionally submitted documentation, were made available to us.

**THE FOLLOWING AREAS OF CONCERN ARE HEREBY OUTLINED:**

**1. PROPOSED LAND USE**

Our office has had an opportunity to review the supporting planning report prepared in support of the proposal and would agree that institutional uses are permitted under the Grey County Official Plan. However, the chapel use itself, does not appear to be the main use of the site. The primary use of the site would be a new residence for the monks and accommodations for short-term or overnight visitors. Further clarification is required with respect to the proposed uses at the site and as to whether the monastery will also be used as a retreat type of land use and whether or not groups will be using the facilities (bedroom suites, kitchen and dining rooms) for various events.

## **2. STRUCTURAL CONVERSION**

The supporting planning report indicates that the proposed use will occur in the existing structures, as far as possible. It has been our office's experience that conversion of farming related structures to an institutional use which meets the Ontario Building Code (OBC) requirements is difficult and expensive. Landowners, when confronted with these requirements and costs, often abandon these conversion projects.

A report from the project architect, which includes details related to the OBC residential and assembly hall use requirements, is necessary to ensure that it is a reasonable assumption that the existing barn can in fact be converted into accommodation and assembly hall facilities (not applicable to the existing house).

Should this determination not be completed as part of this Zoning Bylaw Amendment process, and it is later found to not be possible to convert these buildings, there will be no requirement for such a determination to be done at that time, as the zoning will already be in place and further intensification of the site will be the result.

Given the public interest in the application, it is recommended that a more comprehensive site plan be prepared as part of the re-zoning application materials, which would include footprints for alternate locations for the accommodation and chapel uses. The site plan should also include details related parking, servicing (including fire suppression requirements), buffering and outdoor lighting requirements.

## **3. SERVICES**

Converting these structures into accommodation and assembly hall facilities require increased private services on site and will require on-site fire suppression infrastructure. As part of the subject re-zoning process, a functional servicing study along with a preliminary grading and stormwater plan should be required. A preliminary site plan with servicing details should also be provided. It is possible for some of these matters to be addressed at building plan stage, however the application as submitted, does not providing adequate information for the surrounding landowners to obtain the needed clarity in relation to concerns that they have in this regard. The above noted materials are standard complete application requirements under the Planning Act for this type of land use.

## **4. NEED FOR FARM WORKER ACCOMMODATION**

The Grey County Official Plan allows for permanent farm worker accommodation where "adequate reasoning is provided (i.e. where the size and nature of the operation requires additional employment), and where it cannot be achieved through seasonal temporary means". Given the small size of this parcel and the institutional use proposed at the site there appears to be no need for any permanent accommodation for farm labour at the site. This use should not be included as part of the proposal and amending by-law.

## **5. AGGREGATE RESOURCES**

There are two pits marked as active on the Grey County GIS mapping in the general vicinity of the site. The site visit conducted by our office determined that these pits are in use. The parcel is also located within a mapped Aggregate Resources Area. The purpose of the County of Grey's Official Plan aggregate policies is to protect active and future aggregate operations from incompatible uses such as the proposed use. Consideration should be given to requiring a restrictive covenant be registered on title to the subject lands noting the presence of aggregate resources and that potential extraction activities may occur in the area.

## 6. ROAD CONDITIONS AND RELATED SAFETY CONCERNS

The surrounding neighbours have identified concerns about the road safety in general at this location and this will be exacerbated by the increased traffic that will be brought about by the development proposal. There is significant concern in relation to the location of the proposed parking lot and the fact that there is a hill located at this section of the property, given the size of the proposed parking lot considerable groundwork will need to be done, which will require machinery and will put additional pressures on the road network. Furthermore, should this leveling be done, the aesthetics of the natural area will be impacted. There is also concern in relation to nearby, existing, access points that may cause result in traffic concerns. A scoped traffic assessment should be considered as part of the re-zoning process.

## 7. MINIMUM DISTANCE SEPARATION (MDS) FORMULAE

The application materials indicate that there are no barns within a 1km radius of the subject property. Our office conducted a site visit and marked out the existing, in use, barns that were pointed out to our office by the neighbours. These barns are shown in *Appendix B* They are all located closer than 1km from the buildings on the subject property. This is a major concern to various landowners, both those with barns and those who own properties in the near vicinity of the subject property and who plan on expanding their farming operations in the future. The development proposal directly impacts their rights as farmers as the setback requirements for barns, in relation to institutional zonings, are double that required for residential uses when expanding existing barns or constructing a new barn. The proposal may have a direct impact on the potential functionality of their land in farming terms. MDS calculations should form a requirement of the subject re-zoning application to ensure provincial requirements can be met by the proposal.

## 8. ARCHAEOLOGY

There is also a historic cemetery located in the south-eastern corner of the subject property. Also see *Appendix B* for the approximate location thereof and *Appendix C* for copies from the Normanby Reflections Book and in the Mount Forest Homer Magazine 2009. Based on discussions with an archaeologist on this matter, it is our understanding that the location and size of this cemetery on the subject property should be identified and protected as per provincial requirements. A Phase 1 Archaeological Assessment would determine the original cemetery plot, possible impacts and required buffering, to safeguard this existing cultural heritage. Setback requirements could then be established in the amending by-law.

## 9. SITE DEVELOPMENT PLAN

To review the proposal adequately, the submitted site plan should be amended to include information related to existing and future building setbacks and dimensions, existing and preliminary grading, servicing infrastructure locations and requirements, parking details, buffering, and landscaping details and outdoor lighting details. Alternate locations for the accommodation and chapel uses should also be included for the surrounding landowners to have a better idea of the potential uses at the site. A more detailed site plan at this time in the process may assist with addressing land use compatibility issues. Once prepared, this detailed site plan should also be forward to commenting agencies for further review.

**FINAL THOUGHTS**

The development proposal requires a change in property zoning. Zoning Bylaw Amendment requirements should be carefully considered in the relevant policy context and wherever possible should provide clarity and information. Applications must be informative to such a degree as to afford a clear understanding of the proposed land use(s). The information provided to date as part of the application is not sufficient to determine if the application meets provincial, County and local policy requirements and whether or not the proposal can remain compatible with existing and future surrounding land uses.

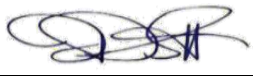
**REQUEST**

Our office hereby kindly requests the following:

- ✓ To be kept apprised of any future meeting related to this proposal.
- ✓ That decision-making be deferred until such a time as more clarity is provided in relation to the points of concern raised herein.
- ✓ To be notified once a decision has been made on this application, along with the nature of the outcome of the decision; and
- ✓ Should this application be approved, the Bylaw test in this regard be shared with our office.

Please do not hesitate to contact our office with any questions or feedback in this regard, we look forward to hearing from you.

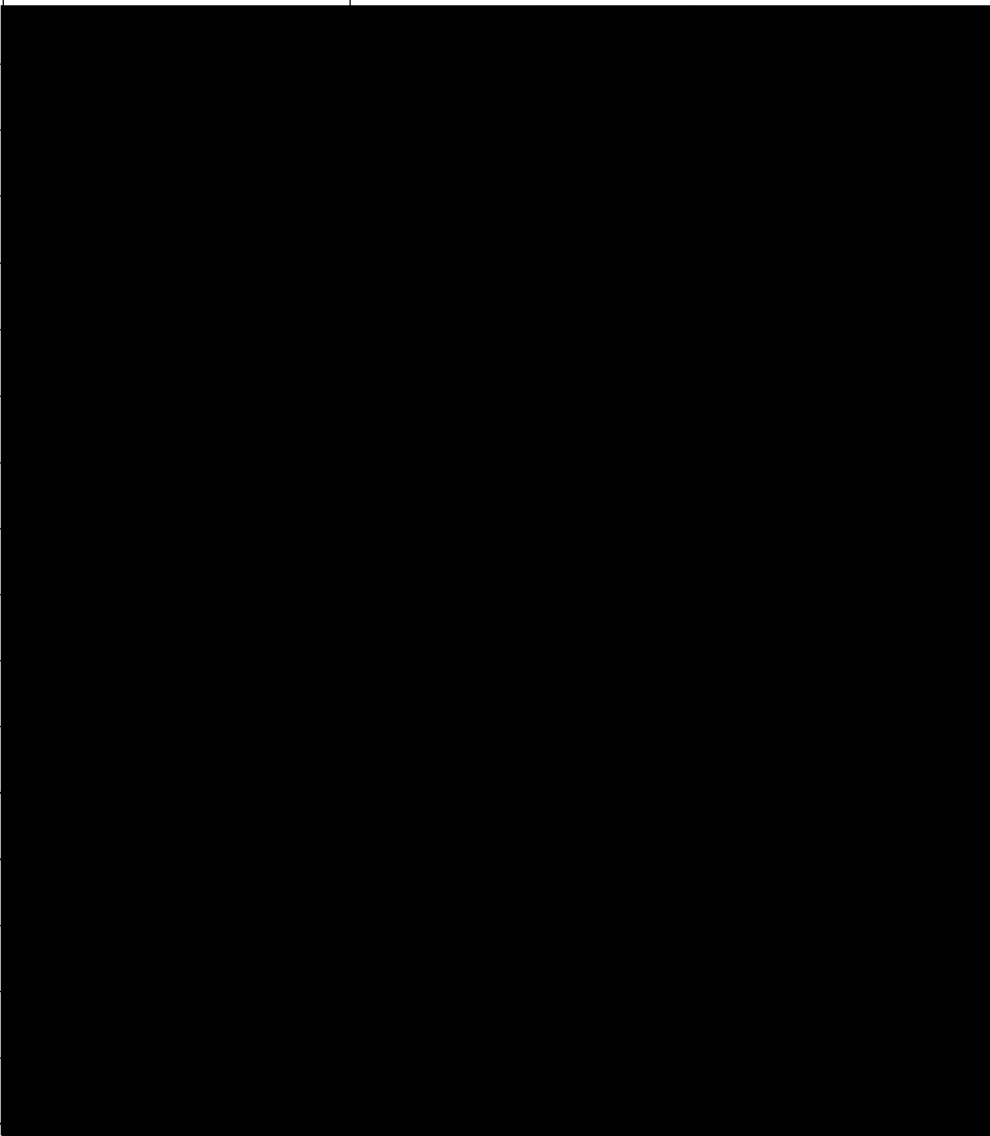
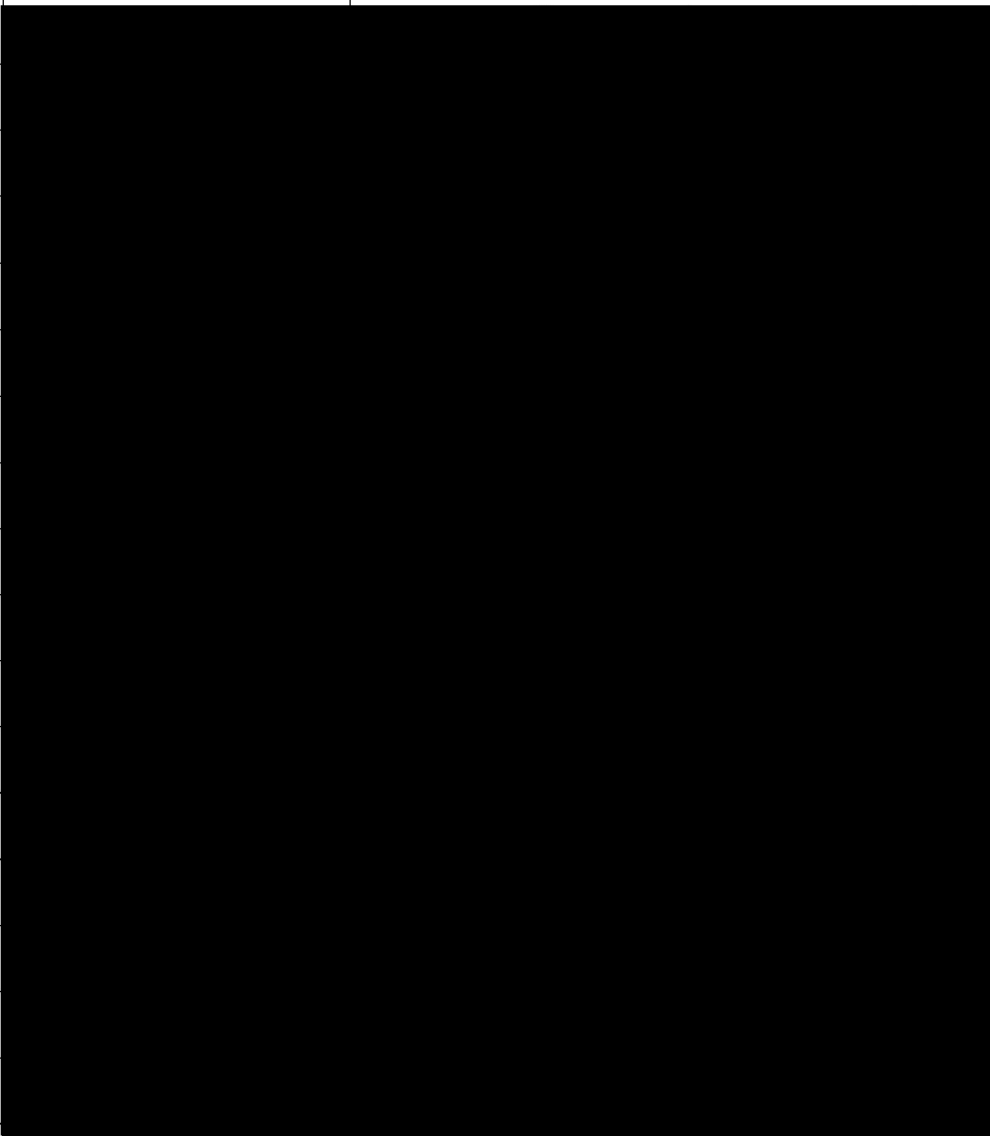
Regards,



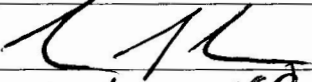
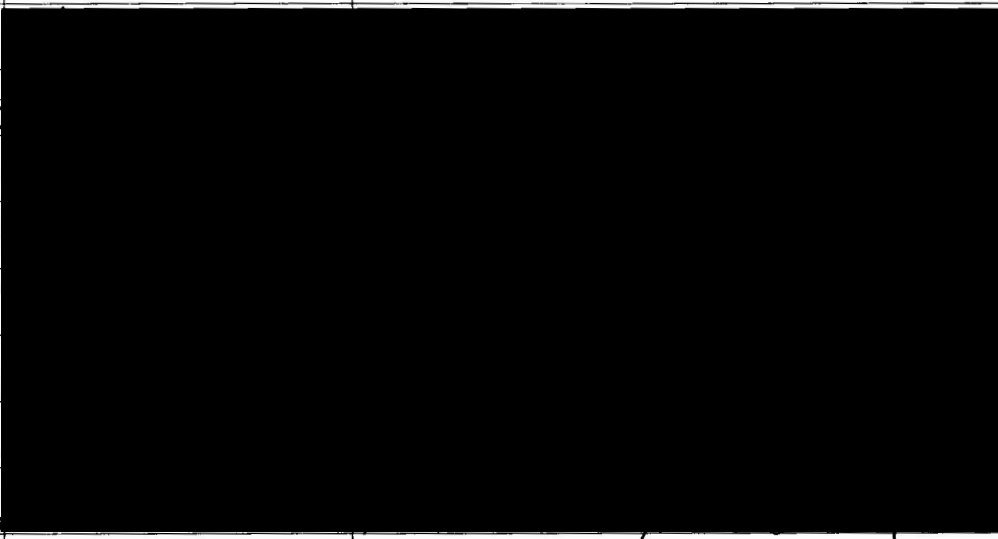
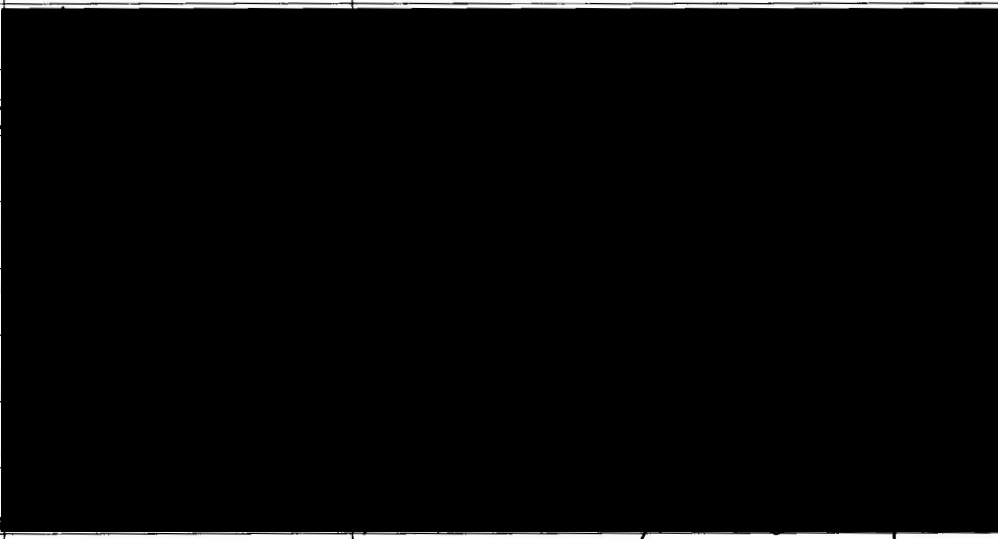

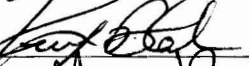
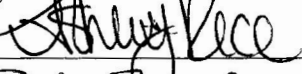

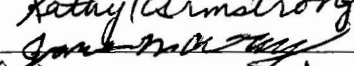

Genevieve Scott, Senior Planner  
Cuesta Planning Consultants Inc


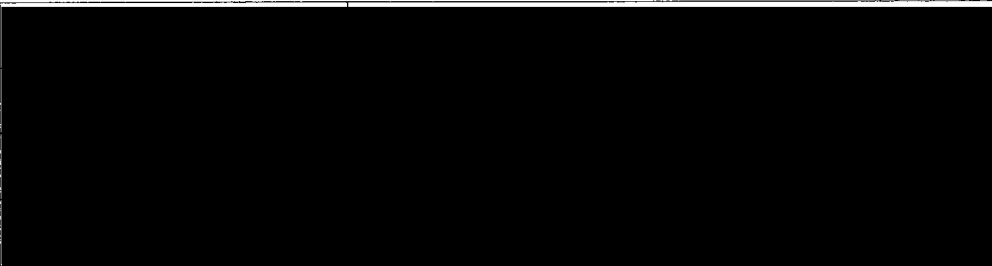
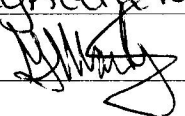
cc: Becky Hillyer

## Appendix A

	NAME AND SURNAME	SIGNATURE	CONTACT NUMBER	ADDRESS
1	Margaret A. Kreller	Margaret A. Kreller		
2	K. KOWAL	[Signature]		
3	DAN MACEACHERN	Dan Maceachern		
4	Dianne M <sup>rs</sup> Eichen	Dianne M <sup>rs</sup> Eichen		
5	Mary Joan Beamish	Mary J. Beamish		
6	Jack Beamish	Jack Beamish		
7	KEVIN DRIER	[Signature]		
8	Manny Dias	Manny Dias		
9	VIRGINIA BINT	Virginia Bint		
10	DAVID BINT	David Bint		
11	NEIL GROENHUIS	Neil Groenhuis		
12	HOLLY GROENHUIS	Holly Groenhuis		
13	Sofia Kowal	Sofia Kowal		
14	LYNETTE WEBER	Lynette Weber		
15	KEVIN SMALL	Kevin Small		
16	[Signature]	[Signature]		
17	[Signature]	Patricia McKenna		
18				

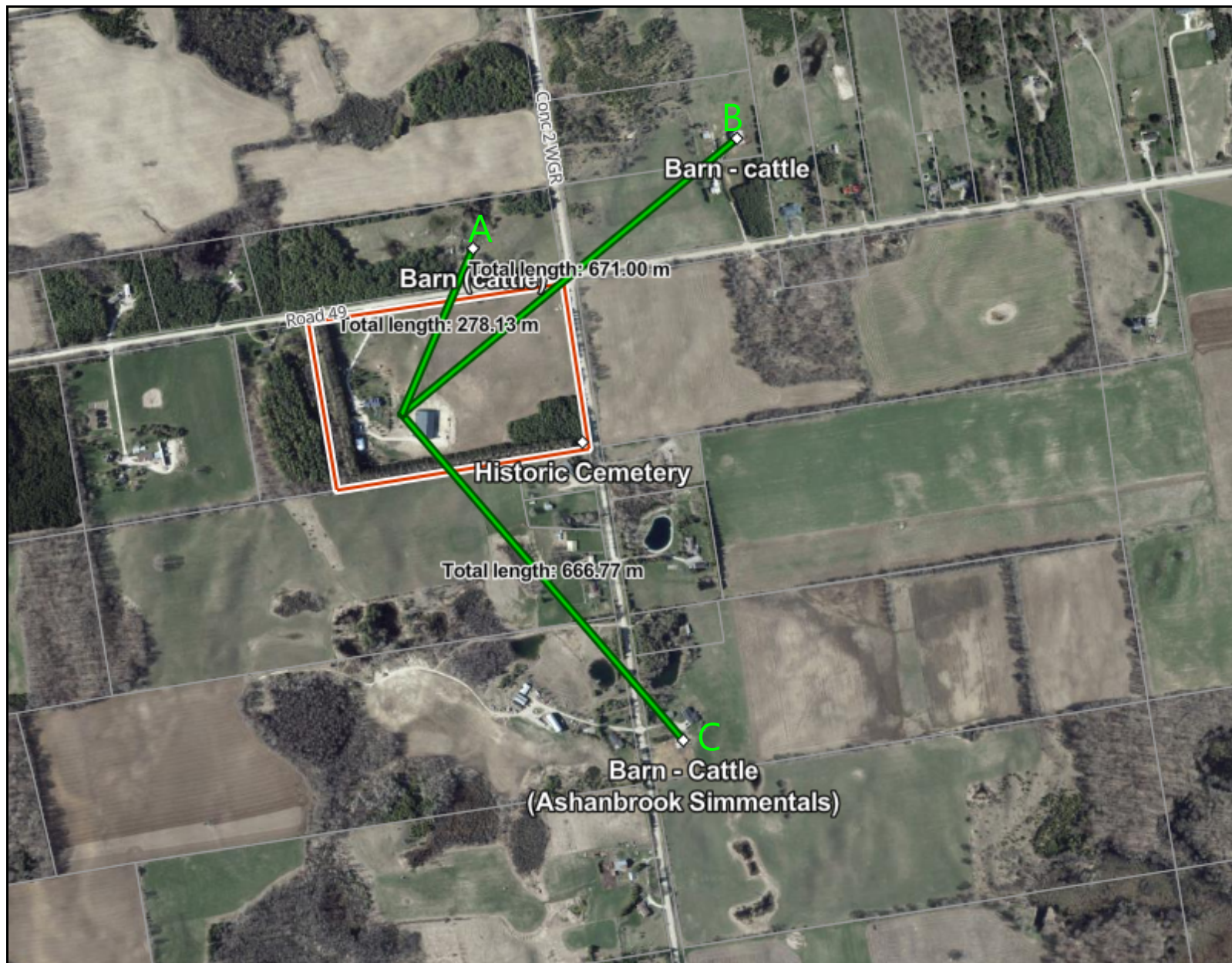
yrs.

	NAME AND SURNAME	SIGNATURE	CONTACT NUMBER	ADDRESS
1	Norm MacQuarrie			
2	Carlee MacQuarrie	Carlee MacQuarrie		
3	KEN MORRISON			
4	TERRY & CONYLL BENCE			
5	Anthony & Ann Rice			
6	MURRAY & NANCY LEE			
7	Jim & Kathy Armstrong			
8	Jack & Mary Joan Beamish			
9				
10				
11				
12				
13				
14				
15				
16				
17				
18				

19	Anna Kowal			
20	Terry Clements	Terry Clements		
21	Cynthia Mitchell	Cynthia Mitchell		
22	GERRY HARTUNG			
23				
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36				



## Appendix B



## Legend

Assessment Parcel



**A**  
 Distance from subject property: 279m  
 Barn dimensions: 7mx11m  
 Barn area: 77m  
 Manure storage: Solid, outdoor

**B**  
 Distance from subject property: 671m  
 Barn dimensions: 18mx18m  
 Barn area: 324m  
 Manure storage: Solid, outdoor (covered)

**C**  
 Distance from subject property: 667m  
 Barn dimensions: 16mx18m  
 Barn area: 228m  
 Manure storage: Solid, outdoor

## Notes

Print Date: 01/12/2024 14:21:31



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. Contains information licensed under the Open Government Licence – Grey County  
 © County of Grey | © King's Printer for Ontario | THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Appendix C

many perused David Gibson's survey to locate the better lots in Normanby, as indicated by the types of trees on them, before heading across the Durham River to Buck's Crossing (Hanover), and then south into Normanby Township.

Unlike the usual Canadian pattern of indiscriminate clearing and felling, followed by seeding around the remaining stumps, the German people preferred to completely clear the fields in one step, stumps and all, at the same time retaining bordering trees and woodlands for both aesthetic and practical purposes. With a ready supply of labour and generally more extensive equipment (much of the equipment brought from Waterloo by the Waterloo immigrants) they brought their farms to a fully cleared and high stage of cultivation much earlier than other groups. The well-ordered appearance of their communities by comparison, in contrast to those of most other groups earned them much as compliments and a high reputation among their observers.

All settlers in Normanby Township suffered in the early years from the lack of markets for their farm products, and most had a rough time getting started. For the German settlers, growing flax for the flax mill at Noettig, near Neustadt, was about the only market available to them, but this provided only a meagre income. Like many of the other settlers in the township, they had to go into debt to obtain the needed seed grain, implements and livestock. Some sold their farms through debt, and, like those in the rest of the township, there was a considerable turnover in properties.

Practices in building construction differed for German people, as well. Other groups were generally content to provide livestock with limited shelter, frequently employing no longer needed shanties as barns, and frequently allowing their animals to run loose during much of the year. Germans insisted, for the most part, on watering all of their livestock. To do this they imported the bank barn to Normanby Township, first developed in Pennsylvania, later brought to Waterloo County, and which afforded crop storage, animal shelter and fruit and vegetable preservation. These structures, regarded as probably the greatest German contribution to Ontario architecture, were massive rectangular structures often 40 by 60 feet, 80, or 100 feet in size. The ground floor, being built of stones or bricks, contained the stables, the rest of the barn being built of timbers and lumber.

Most became quite prosperous farmers, and even today the distinctly agricultural character of the German settlement has not changed. The adherence to the farmer's way of life and the seclusion from the outside world that goes with it, are the reasons for their success in farming, and was the very reason for the survival of the German language and way of life. In spite of the English language instruction in the schools, and the use of English elsewhere around them, German is still the everyday language in some places, especially

around Ayton and Neustadt.

The German people not only brought with them excellent knowledge of farming methods, but also many tradesmen such as weavers, cabinet-makers, millwrights, brewers, tanners, blacksmiths, founders and many other skilled workers who were to make such a significant contribution to the betterment of life in Normanby Township. Many of these tradesmen took up their trades in the beginning of Normanby's history and gravitated to, and helped in establishing the villages of Ayton and Neustadt as well as some of the smaller hamlets in the township.

### OBTAINING A CROWN DEED — NEW SURVEY

To receive a Crown Deed an affidavit had to be signed and taken to the Crown Lands agent in Durham before he would come out to inspect the property. Here is an affidavit that is representative:

#### "Affidavit —

Michael Metzger of the Township of Carrick in the County of Bruce, Yeoman, and George Metzger of the Township of Carrick, County of Bruce, Yeoman, each for himself maketh oath and saith that he is well acquainted with Lots #9 & 10 in the 9th Concession of Normanby Township, that it is now occupied by George Grein and has been continuously occupied by George Grein for eight years last past, that there are ninety acres of it cleared, and had under crop, and a habitable house of dimensions 26 feet by 20 feet erected on the same; that these improvements were made by and on behalf of George Grein and that he, the Deponent is not aware of any adverse claim to, or occupation of said lot.

Signed before me at Neustadt this 19th day of February A.D. 1867  
Michael Metzger  
George Metzger.  
George Niemeier,  
a Commissioner"

### CLEANING UP THE SQUATTERS

By 1859 there were still some squatters (those who lived on land without paying for it) in Normanby Township, and public opinion was turning against them. In January of that year public notice was given that no claim to pre-emption would be entertained after September 1. Squatters who did not purchase by that time were charged an annual rent of \$5 for a 200 acre lot in addition to the purchase price. In 1861, after ample warning, the Crown Lands Department began to close out all the scattered lots at auction for cash as rapidly as possible so as to end the "evils" of squatting and to solve the problem of unimproved land, and land not paid for.

### BLACK PEOPLE IN NORMANBY

Halfway between Nenagh and Gleneden, black people established a little settlement in the early history of



Normanby Township. On the East Part, Lot 50, Con. 3, on the former Cecil J. McMillan and Percy Mellor farm, they built a little log church and fenced in a small cemetery. Most of the headstones, almost the only reminder of their stay here, have been removed through the years, but until recently a few stood against the fence there.

There are still two white slab tombstones about one a half to two feet wide and almost three feet high that remain. They are inscribed to: Jenet Gant (d. 1851), Thos. Gant (d. 1855), Ann Gant (d. 1856), Wm. Henry (d. 1856). **Thomas Gant's** son, **Caleb**, later occupied the lot on which the cemetery was located.

At the front of the lot where the little log church stood, there was a depression or little valley close to the concession road. According to the stories of the old timers, it became a tradition for the black people of the neighbourhood to gather in the little valley and take part in spiritual singing on Sunday evenings. Their beautiful singing with their deep resonous voices attracted the neighbours, both white and black, and they would come and sit around the edge of the little valley, listening to and taking part in the singing. Their buggies would be lined up along the concession road with the horses tied to the fence.

There was another **Thomas Gant** who owned the property across the concession road from the church and cemetery. He obtained a crown deed to the West Part, Lot 50, Con. 2, in 1856. He sold the property to **William Patterson** in 1863.

It wasn't until 1886 that Caleb Gant obtained a Crown Deed to the East Half Lot 50, Con. 3, although his father, Thomas Gant had lived on and farmed the property for many years. Caleb sold the farm to David Grier in 1892.

The Gants had come to Normanby by way of the "underground railway" which brought thousands of fugitive American slaves to freedom in Ontario. It was one of the most effective mercy operations in history. The "railway" (which wasn't a railway at all) was a loosely organized chain of citizens, both white and black, in communities stretching from the deep south to the Ontario border, who hid the blacks by day and helped them to travel by night.

In the 1851 and later 1861 census of Normanby Township, the following Gants were listed: **Thomas Gant** (70), **Janet Gant** (50), **Lucy Gant** (23), **Calip Gant** (16), **Alexandra Gant** (14), **Ephram Gant** (16).

In the 1861 census: **Caleb Gant** (23), **Sarah Gant** (18), **Abram Gant** (22).

Another black, James Williams, in 1862 had obtained a Crown Deed to the West Part, Lot 48, Con. 3, Normanby. James Williams family is listed as follows: **James Williams, Mary, George, John, James, Charles, Siminion.**

**George Williams** worked on Jack Rowan's farm. He is buried in the R.C. cemetery in Ayton. **Frank Williams**, another member of the family, worked at

the Ayton Hotel stables tending horses. Another Williams is reported to have worked at the brewery in Neustadt.

A black person who worked in the Ayton area was **Sam Best** who was originally from the Barbados. He and his wife **Rita** had one son who now lives in Guelph.

Charlie Travis, like most of the other black people, did not own land, but worked out in the area helping the early white pioneers to clear land and to build fences. They were great rail splitters, making rails from the huge cedar trees that grew here then. One of the black people is reported to have been so athletic that he could jump the full length of a rail, which is eleven or twelve feet, from a standing start. Many of the rails for the rail fences of the Nenagh and Gleneden area, and possibly in other parts of Normanby, were split by them.

Other black families were Mandrid, Small, Bersford, Johns, Wolangie. These black people had come into Normanby Township in the very early history, and were among the very earliest settlers here. Many of them were squatters, and when the township was surveyed and the lots they were on were put up for sale, they lost their farms because they were frightened or coerced into relinquishing their rights, either by unscrupulous land agents or by the early white settlers. When the 3rd concession was put up for sale in 1851, payment policies were established which gave settlers 10 years, in equal instalments, to clear their debt. The agents are said to have frightened the illiterate black people by confusing them about the terms of payment. Agents put up public notices that settlers had to make the first instalment or the land would be sold under them. Only after it was too late did the black settlers realize that they had lost their holdings. In many cases the white people took possession of the black people's land, including the buildings and the cleared land, with the first of the 10 instalments.

We really know very little about the black people who lived in Normanby Township. One of the reasons for this is that they were here so early, and time has a way of erasing history. They could neither read nor write, because of their former American owners' deliberate policy of keeping their slaves as ignorant as possible to prevent them from running away. They left no letters to relatives or friends, no diaries or written records, none of the stuff of which history is made.

With the Civil War of 1865, Blacks won their freedom in the United States. They found themselves left to their own destinies in a largely hostile environment. The Black discrimination in Ontario resembled that in the United States, so when slavery was abolished, and they no longer faced the danger of being captured, most of the ex-slaves including those from Normanby, decided to return to their families and friends in the warmer climate of the United States. They left as mysteriously as they arrived, leaving little to remind us of their existence here.



RON DAVIDSON  
LAND USE PLANNING CONSULTANT INC.

---

February 6, 2024

Municipality of West Grey  
402813 Grey Road 4  
RR 2  
Durham, ON  
N0G 1R0

Attention: David Smith  
Manager of Planning

Dear Mr. Smith:

**Re: Proposed Monastery  
Application for Zoning By-law Amendment  
Part Lot 50, Concession 3  
Geographic Township of Normanby  
Municipality of West Grey  
Owner: Janice Clegg and Morris Radomsky**

Further to the public meeting held on February 16, 2024 regarding the monastery proposed for the above-noted lands, please consider the following:

To begin with, I have discussed the proposal with several of the neighbouring land owners, all of which were very helpful (and courteous) in answering my questions regarding the livestock facilities in the area.

In an attempt to mitigate some of the concerns that were raised at the public meeting and in the written submissions made prior to the meeting, I am requesting that our Zoning By-law Amendment application be changed. These changes will result in a smaller amount of land being rezoned to 'Institutional – exception'. This approach will hopefully alleviate some of the fears expressed by neighbours about the potential impact of the new use on their ability to expand their existing barns or erect new barns in the future.

In this regard, I have enclosed two drawings that illustrate the now-requested zoning. The first drawing is a basic sketch showing the requested zoning. The second drawing provides the same information superimposed on the County GIS aerial photograph (2020).

The proposed 'I – exception' zone applies to the southwest corner of the property and is intended to capture the existing buildings. It also includes a small area to the west of the existing barn where the main monastery building could be erected in the event that the existing horse stable cannot be converted. Please understand that my clients have every intention of converting the horse stable, and have no reasons to believe that this is not possible. As explained at the public meeting, Father Moses Sadik was previously an architect and believes that the building can be converted under the Ontario Building Code. Nevertheless, I have suggested to my client that the 'I – exception' zone include some additional land "just in case".

The 'I – exception' zone should be worded in such a manner that the only institutional use permitted would be those associated with the monastery. I would suggest the following text for the Zoning By-law Amendment:

*Notwithstanding their 'I' zoning, those lands shown as 'I-x' on Schedule A of this By-law shall be used only for the following purposes in accordance with the provisions of the 'A2' zone:*

- *a monastery which includes a residence for up to 12 monks, kitchen, dining room, library, hobbies room, prayer room, and similar facilities;*
- *a residence, as an accessory use to the monastery, for up to eight volunteers who will occasionally be on site to provide maintenance work;*
- *a chapel, as an accessory use to the monastery, to accommodate up to 45 people;*
- *a second kitchen and dining room, as an accessory use to the monastery, for the volunteers and chapel attendees;*
- *uses permitted in the 'A2' zone.*

It remains the intention of my client to possibly erect a residence in the future for seasonal farm-help. This building, however, does not need to be situated within the 'I – exception' zone because it's not an institutional use. Since a farm-help residence is not currently permitted as of right in the 'A2' zone of the West Grey Zoning By-law, I am recommending that a portion of the property that was previously proposed to be rezoned to 'I – exception' now be rezoned to 'A2 – exception' to allow for this use.

A parking lot is also proposed, but that also doesn't need to be within the 'I – exception' zoned lands. The parking area can be placed in the 'A2' – exception' zoned area.

The following wording is suggested for the 'A2 – exception' zone.

*Notwithstanding their A2' zoning, those lands shown as 'A2-x' on Schedule A of this By-law shall be used only for the following purposes in accordance with the provisions of the 'A2' zone:*

- *accommodation for seasonal farm help;*
- *a parking lot associated with the monastery located on the same property; and,*
- *uses permitted in the 'A2' zone.*

The balance of the property would remain zoned 'A2'.

The Minimum Distance Separation (MDS) Statement considers institutional uses to be a Type B land use, which means that the land use might be more sensitive toward manure odour. As such, the MDS Statement requires a separation distance between a livestock facility and the Type B land use to be twice the setback of Type A land uses, which include a detached dwelling, lot creation involving fewer than four lots, etc.

As you are well aware, MDS works in both directions. MDS I is applied to new land uses in proximity to existing, neighbouring livestock facilities, whereas MDS II is applied to new or expanding livestock facilities in proximity to existing, neighbouring land uses. As such, reducing the size of the area to be used/zoned for institutional use, as we are proposing, would benefit both my client and the neighbours.

On this very note, I wish to point out that the area to be zoned 'I – exception' is located, at it's closest point, 252 metres from a barn located on Manual Dias' property, located to the immediate north. Based on information provided by Mr. Dias, the MDS I requirement is actually 272 metres, as illustrated in the attached MDS I Report. As such, the actual setback is 20 metres deficient. The MDS Statement does allow for approval authorities (e.g. West Grey Council) to grant minor relief from the MDS formulae through Minor Variances or Zoning By-law Amendment. In this regard, we are asking that the 'I – Exception' zone also include the following provision:

- *Notwithstanding Section 6.17.1, those lands permitted in this 'I – exception' zone shall be allowed.*

Of significant importance to this MDS discussion is the fact that Mr. Dias would not lose his ability to expanded his livestock operation, should he choose to do so. Although this property is quite small (6.4 hectares) and therefore may not seem conducive to a large



farming operation, I have demonstrated in a separate MDS II Report (attached) that the proposed 'I – exception' zoning would not interfere with a barn expansion that allow for an increase from the existing 30 short keepers (beef) to as many as 77 head. I spoke with Mr. Dias shortly after the public meeting and his main concern was the potential impact of the new use on his ability to expand his operation. This information will hopefully be satisfactory to Mr. Dias. I will be sharing this letter with him.

MDS calculations were also conducted for the livestock facilities located on the nearby Kowal, Jackson, Grotenhous and Holliday farms, and in all instances the location of the 'I – exception' zone would meet the MDS I requirement as it pertains to their respective barns. All of the MDS I Reports are included in this submission.

To be completely transparent, I should point out that the setback from the Jackson barn is only exceeded by a two metres; however, the attached MDS II Report demonstrates that the existing barn which accommodates eight sheep could be expanded in size to handle 42 sheep without being impacted by the institutional use. An expansion of this size, however, would likely be impacted by the residences that exist in close proximity to that barn.

There is also another barn on a property located just over 1.0 kilometres to the north, immediately north of the campground. The farmer could not be reached; however, given the number of residences (i.e. four or more) that are located between that barn and the subject lands, and in light of Guideline #12 of the MDS Statement, it can be concluded that the proposal conforms with the MDS Statement without having to prepare an MDS Report.

I trust this revised approach to rezoning the site and this new MDS information will address some of the concerns raised at the public meeting.

It is not the intent of this letter to attempt to refute concerns raised by some of the neighbours about potential noise and disruption to this rural area, other than to say that Father Moses Sadik explained at the public meeting that this quiet setting is the very reason why their monastery is wishing to locate there.

The condition of Road 49 was also an issue raised by a few people in attendance. Whereas the increase in vehicular traffic will be minimal, it might be worthwhile for West Grey staff to provide a comment regarding the condition of the road and its ability to accommodate a minor increase in traffic.

I trust this information will be of assistance. Should you have any questions on this matter, please contact the undersigned.

Part Lot 50, Concession 3  
Geographic Township of Normanby  
Municipality of West Grey


Sincerely,

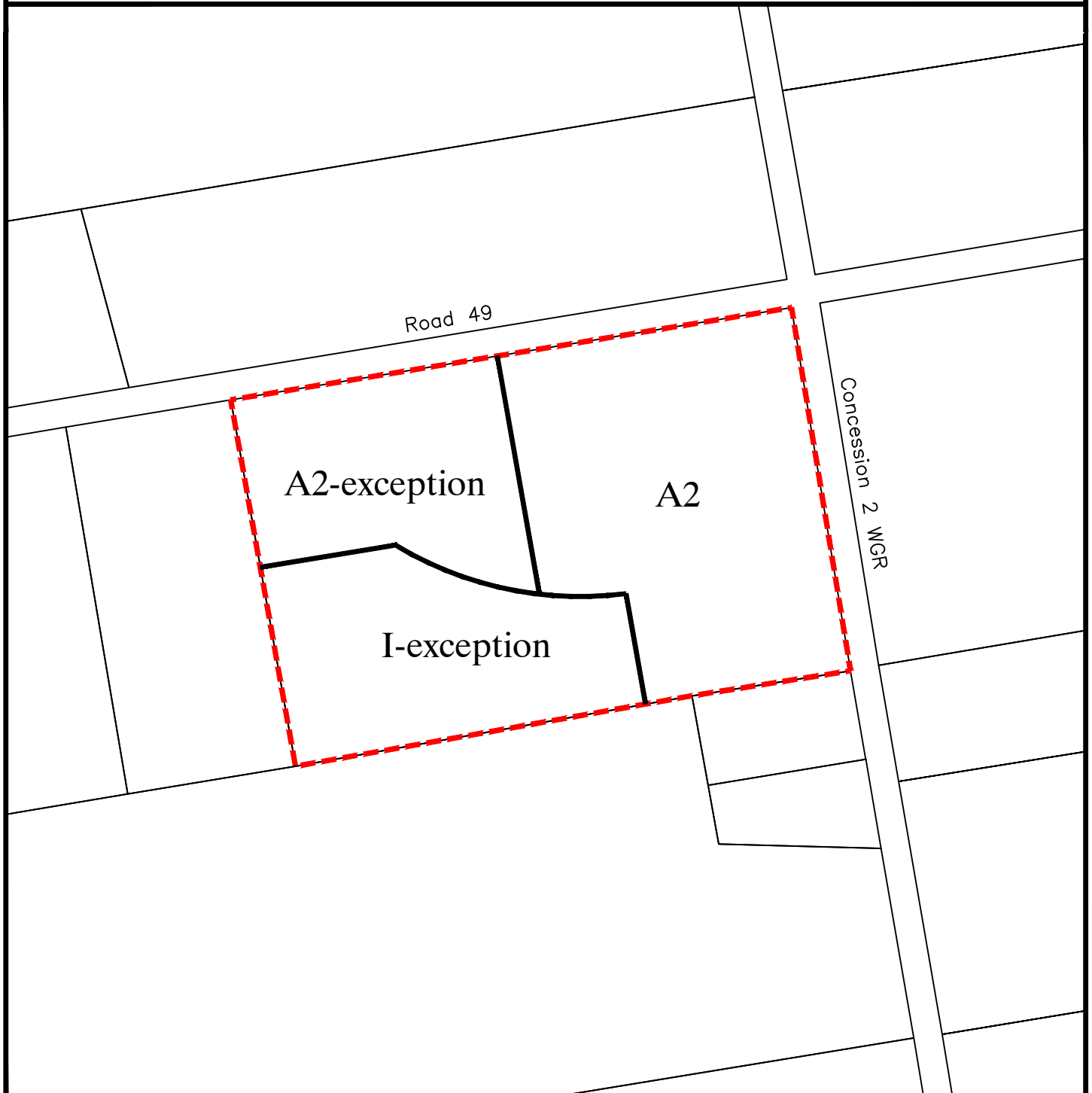
A handwritten signature in blue ink, appearing to be 'Ron Davidson', with a stylized, cursive script.

Ron Davidson, BES, RPP, MCIP

c.c. Father Moses Sadik  
Janice Clegg / Morris Radomsky  
Manuel Dias  
Margaret Kreller

# Proposed Zoning

 Subject Lands




102554 Road 49  
Municipality of West Grey



**RON DAVIDSON**  
LAND USE PLANNING CONSULTANT INC  
OWEN SOUND, ONTARIO  
SCALE 1:4000

# Proposed Zoning (Aerial Photo 2020)

 Subject Lands



102554 Road 49  
Municipality of West Grey

**RD** **RON DAVIDSON**  
LAND USE PLANNING CONSULTANT INC  
OWEN SOUND, ONTARIO  
SCALE 1:4000












# Aerial - General Area



## Legend

-  Grey County Boundary
- Large Scale Roads**
  -  Provincial Highway
  -  County Road
  -  Township Road
  -  Seasonal Road
-  Parcels - Current
-  Parcels - Base

## Notes



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© County of Grey



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# Grey OP- Schedule A



## Legend

- Grey County Boundary
- Large Scale Roads**
  - Provincial Highway
  - County Road
  - Township Road
  - Seasonal Road
- Parcels - Current
- Parcels - Base
- Land use**
  - Primary Settlement Area
  - Secondary Settlement Area
  - Agricultural
  - Escarpment Recreation Area
  - Hazard Lands
  - Escarpment Natural Area
  - Inland Lakes and Shoreline Settlement Ar
  - Niagara Escarpment Plan Area
  - Rural
  - Space Extensive Industrial and Commerci
  - Industrial Business Park Settlement Area
  - Sunset Strip Settlement Area
  - Special Agriculture
  - Provincially Significant Wetlands
  - Recreational Resort Settlement Area

## Notes

2 0 1 2 Kilometers

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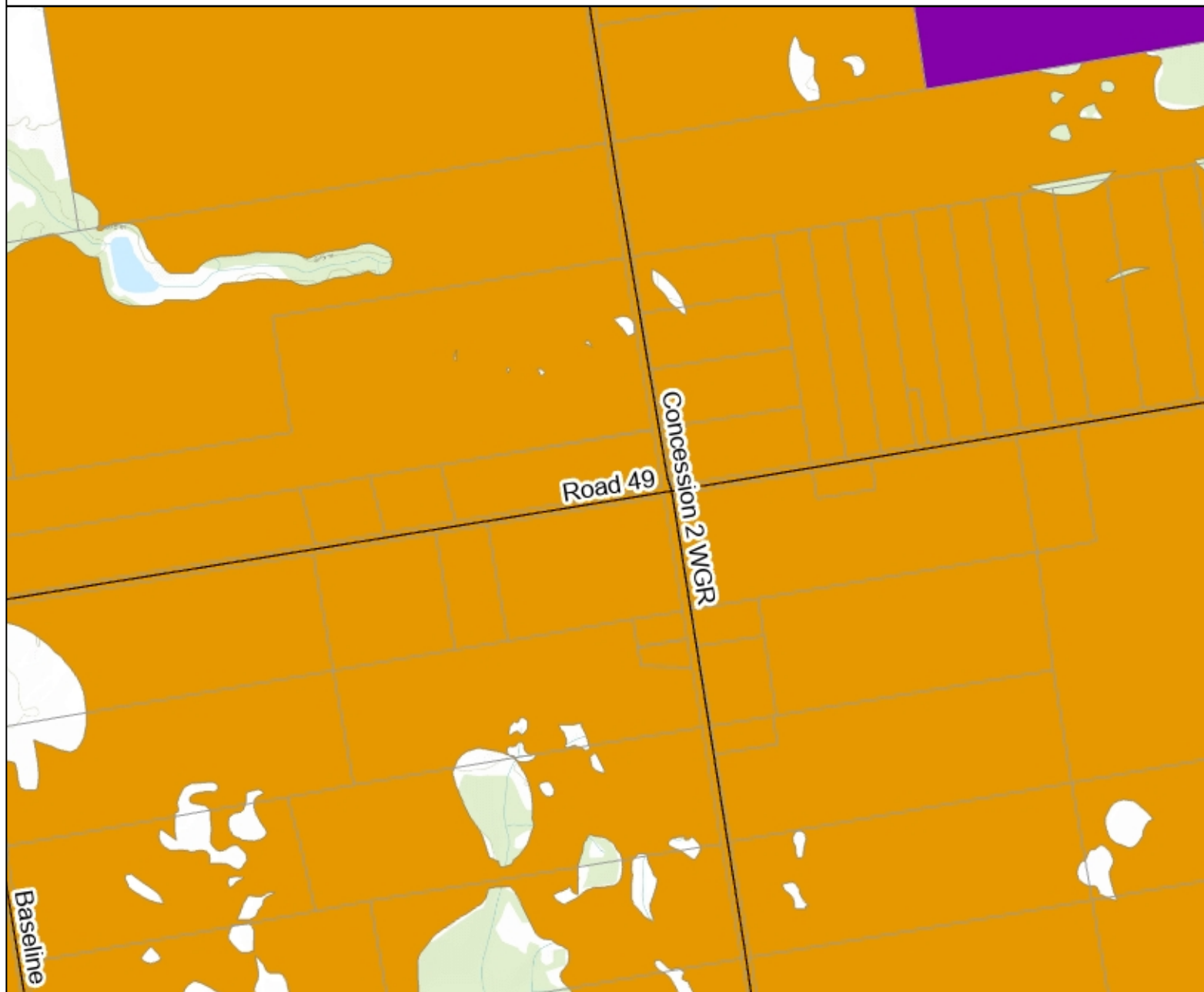
Printed February 26, 2024

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# Grey OP Sch B Aggregate



## Legend

- Grey County Boundary
- Large Scale Roads**
  - Provincial Highway
  - County Road
  - Township Road
  - Seasonal Road
- Parcels - Current
- Parcels - Base
- Mineral Resource Extraction Area
- Aggregate Resource Area
- Citations

## Notes



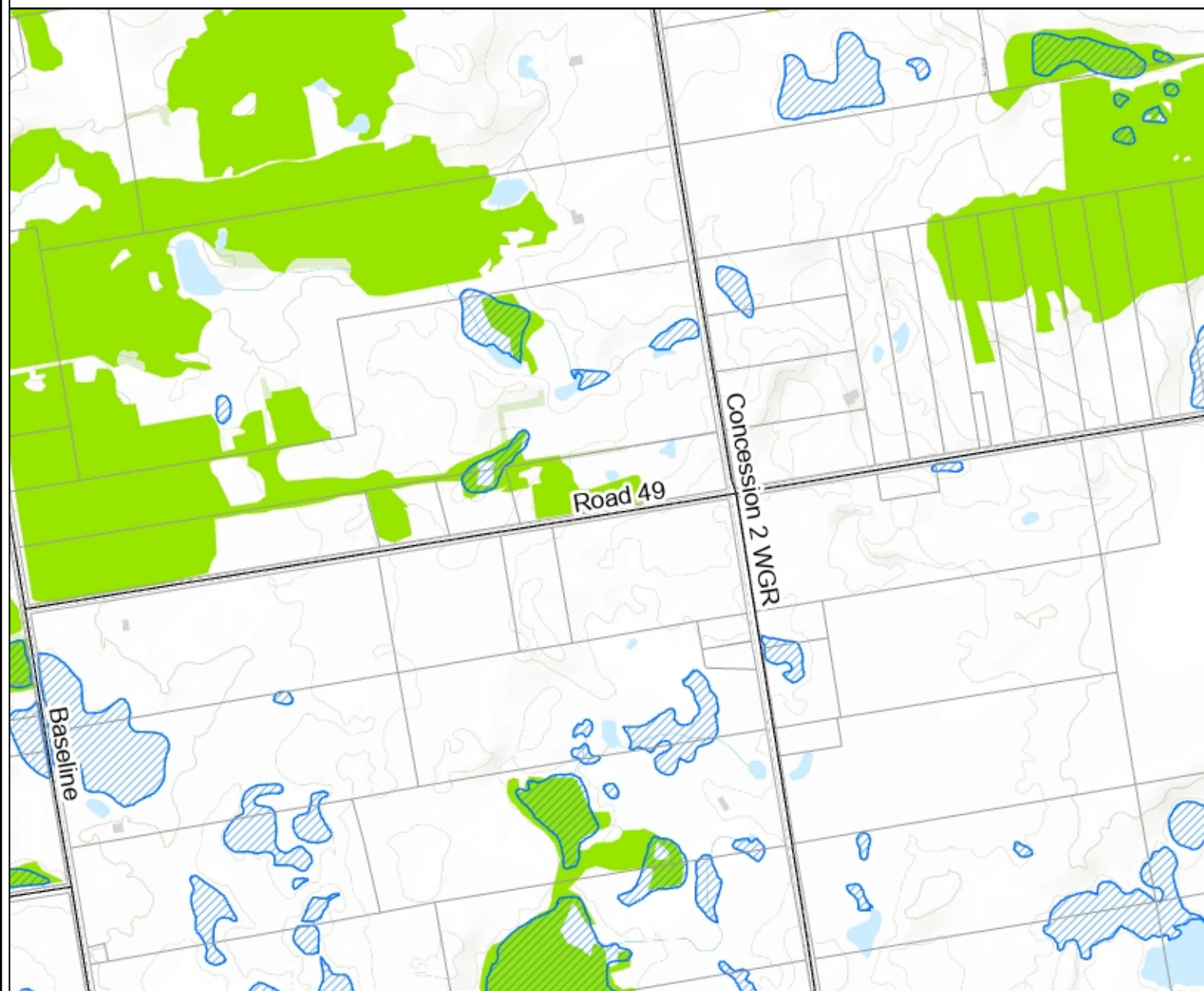
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Printed February 20, 2024

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**Legend**

-  Grey County Boundary
- Large Scale Roads**
  -  Provincial Highway
  -  County Road
  -  Township Road
  -  Seasonal Road
-  Parcels - Current
-  Parcels - Base
- ANSI**
  -  ANSI, Earth Life Science
  -  ANSI, Earth Science
  -  ANSI, Life Science
-  Other Wetlands
-  Significant Valleylands
-  Significant Woodlands
- Citations**

**Notes**

1 0 0 1 Kilometers

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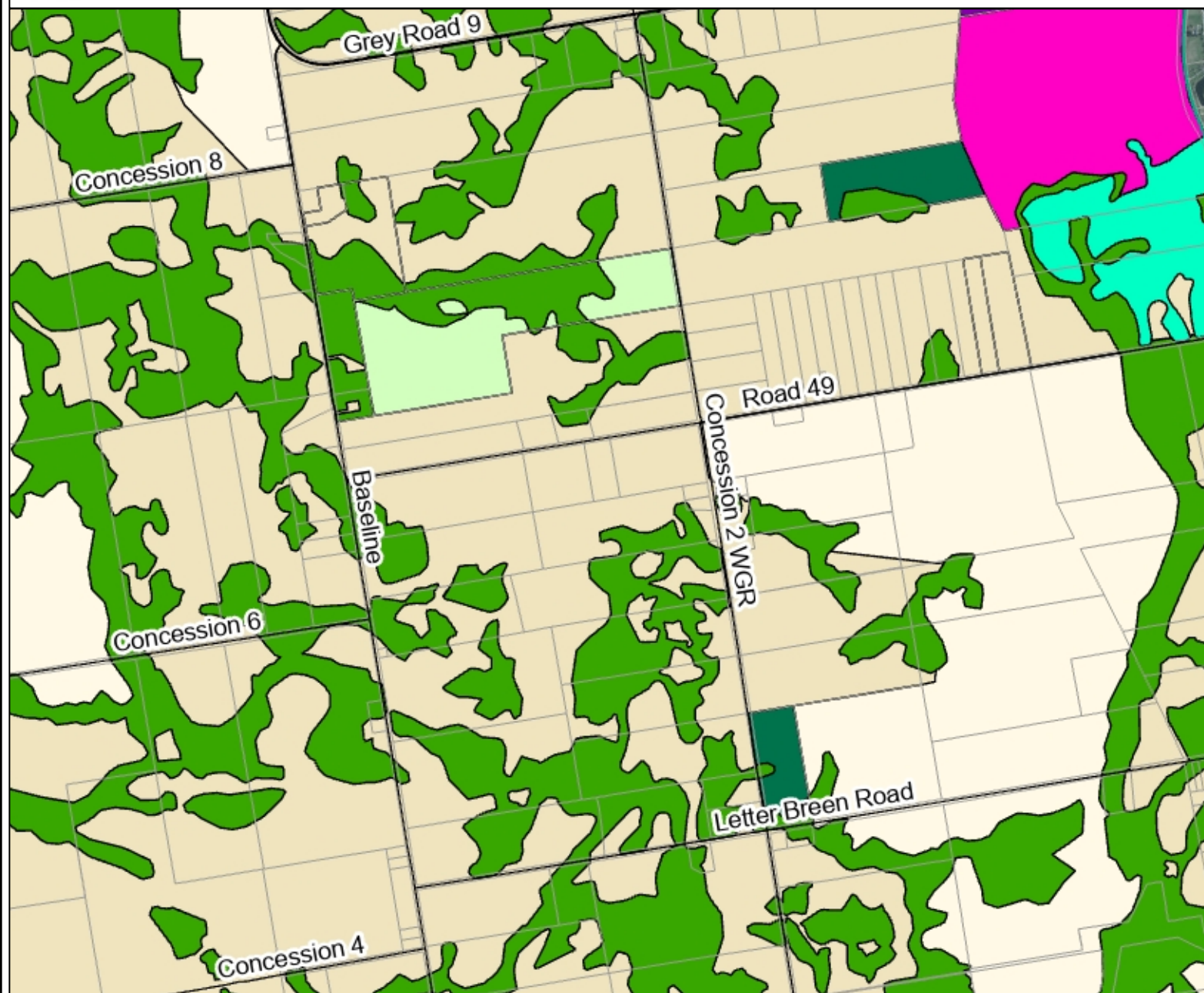
Printed February 20, 2024

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# West Grey Zoning



## Legend

- Grey County Boundary
- Large Scale Roads**
  - Provincial Highway
  - County Road
  - Township Road
  - Seasonal Road
- Parcels - Current
- Parcels - Base
- Zoning - West Grey - Floodline**
  - Flood Fringe
  - Regulation Limit
- Zoning - West Grey**
  - A1 Agricultural
  - A2 Rural
  - A3 Restricted Rural
  - C1 General Commercial
  - C2 Highway Commercial
  - C3 Neighbourhood Commercial
  - C4 Shopping Centre Commercial
  - C5 Hamlet Commercial
  - C6 Rural Commercial
  - FD Future Development
  - FL Flood Way
  - I Institutional
  - M1 Industrial
  - M2 Restricted Industrial
  - M3 Rural Industrial
  - M4 Extractive Industrial
  - MH Mobile Home Park
  - MU1 Mixed Use
  - ND No Development
  - NE Natural Environment
  - NE2 Natural Environment 2
  - OS Open Space
  - ER Estate Residential
  - R1A Inserviced Residential

## Notes

2 0 1 2 Kilometers

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Printed February 26, 2024

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SCHEDULE "A"

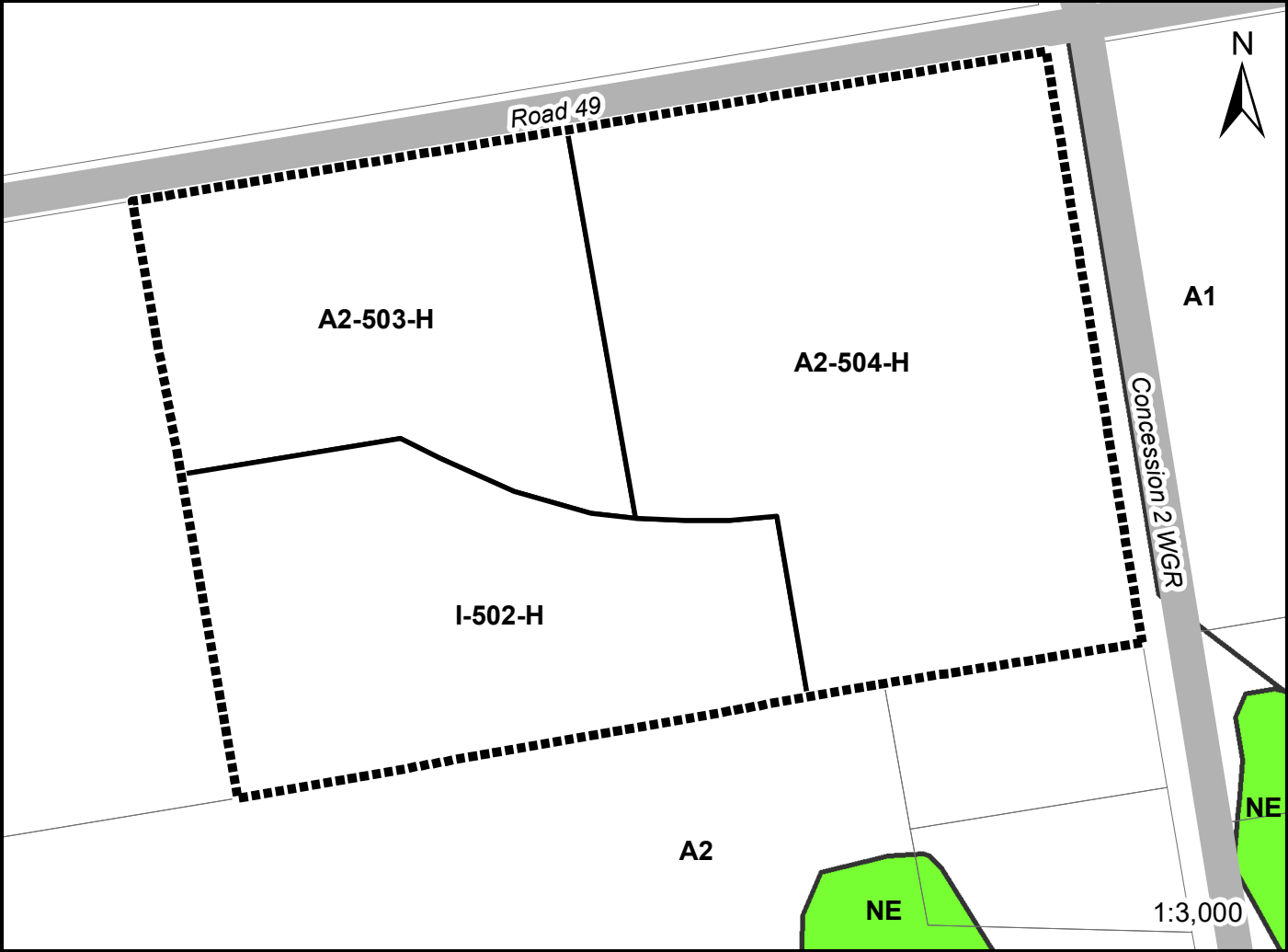
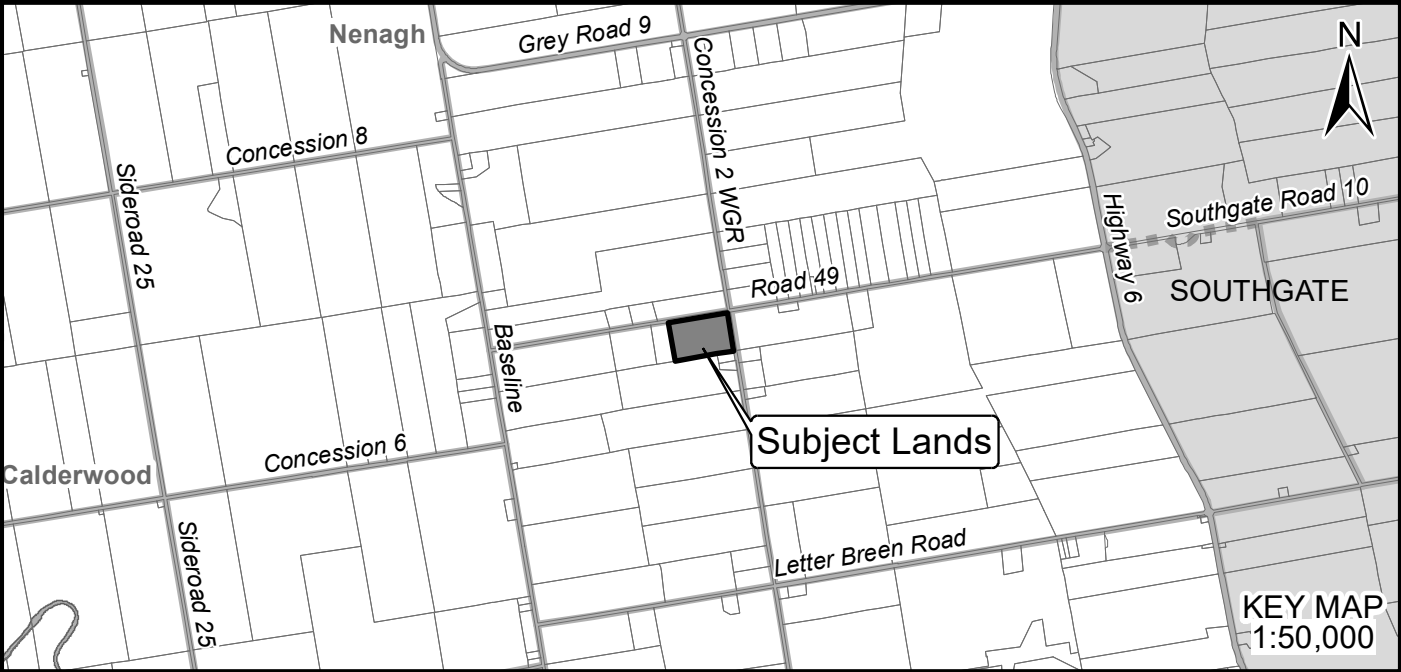
By-law number \_\_\_\_\_

MUNICIPALITY OF WEST GREY

DATE PASSED: \_\_\_\_\_

MAYOR: \_\_\_\_\_

CAO: \_\_\_\_\_



LEGEND



Subject Lands

A1

Agricultural

A2

Rural

I

Institutional

NE

Natural Environment



## Staff Report

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**Report To:** Council

**Report From:** David Smith, Manager of Planning and Development

**Meeting Date:** March 19, 2024

**Subject:** Extension of Draft Plan Approval – 42T-91011 Gutzke

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### Recommendations:

THAT in consideration of staff report 'Extension of Draft Plan Approval – 42T-91011 Gutzke', council provide a letter of support to extend the deadline for the fulfillment of draft plan conditions for file 42T.91011 for a period determined by the County of Grey provided the following condition(s) are met:

- a) That the existing conditions of Draft Plan Approval be modified to reflect similar conditions as would be required of a plan of subdivision receiving draft approval in 2024.

### Highlights:

- The landowner has requested that council support the extension of the draft plan approval for file 42T.91011. The history of the draft plan of subdivision is detailed below.
- The subject lands are located at 696 Queen Street (Part of Lots 1 and 2, Concession XIII) in the settlement area of Neustadt.

### Previous Report/Authority:

[GUTZKE Draft Plan of Subdivision – Request for Council Support](#)

### Analysis:

The above noted draft plan of subdivision was approved by the province in 1994. Practices at the time did not require a lapse date to be applied to the draft plan. At that time, there was no requirement for extension. In 2013 there was a redline revision completed by the current land and approved by the County. This redline revision added units to the plan and the application of a deadline to fulfill the conditions of approval.

There was a West Grey Official Plan Amendment approved following the 2013 redline which dealt with the remainder of Mr. Gutzke's lands.

In March 2019 Mr. Gutzke applied to the County of Grey for an extension to draft plan approval. An extension to April 16, 2021, was granted by the county.

In 2021 Mr. Gutzke applied again to the County of Grey for an extension to draft plan approval. The County requested West Grey to provide comment on the extension application.

At the March 2, 2021, meeting council supported the extension request BUT indicated that it would be the 'final extension' agreed to by West Grey:

*That council provide a letter of support to extend the deadline for the fulfillment of draft plan conditions for file 42T.91011 for a period determined by the County of Grey; and*

*That the letter of support include that this will be the final extension supported by West Grey, that the notice of the extension be provided in writing noting that it is the final extension and that the developer provide a timeline of the development.*

While it is customary to push developers who have long draft plans of subdivision that have been sitting around for a while to move forward with their development in this case extending draft plan approval:

- a. Condition of letter of support will request the county remove water and wastewater allocation from the draft plan approval. Allocation will be provided in the subdivision agreement for each phase;
- b. does not interfere or prevent other developers from moving forward with projects on their lands;
- c. does not impact on neighbouring properties;
- d. has no negative impacts on the functions of West Grey i.e., roads.

The developer would be subject to unneeded costs i.e., new application to the county if an extension was not granted.

The manager, planning and development recommends that council support the extension request provided that the Conditions of Draft Approval are/have been updated to reflect the standard requirements that would be imposed in 2024 to a new plan of subdivision.

The manager, planning and development, notes that it is at the county's discretion to decide if draft plan approval is to be extended. The County of Grey Director of Planning has delegated authority to approve the draft plan extension for an additional three years.

At this time a formal application to further redline the draft plan has not been provided and will be reviewed if and when it is received in accordance with the Act.

### **Financial Implications:**

None.

**Communication Plan:**

Pending council direction, staff will send a letter to the county to notify them of the outcome of the request for extension.

**Consultation:**

County of Grey Planning and Development Department

**Attachments:**

Request for Draft Plan Approval Extension (42T-91011)

**Recommended by:**

David Smith, RPP, MCIP Manager of Planning and Development

**Submission approved by:**

Kerri Mighton, Interim Chief Administrative Officer

For more information on this report, please contact David Smith, Manager of Planning and Development at [planning@westgrey.com](mailto:planning@westgrey.com) or 519-369-2200.



February 15, 2024

David Smith  
 Manager, Planning and Development  
 The Municipality of West Grey  
 402813 Grey County Road 4  
 RR2 Durham, ON N0G 1R0

Dear Mr. Smith:

**RE: Request for Draft Plan Approval Extension (42T-91011)  
 696 Queen Street, Neustadt  
 Part of Lots 1 and 2, Concession XIII (Former Village of Neustadt)  
 OUR FILE 20117'A'**

---

On behalf of our client, Mr. Paul Gutzke, we are writing to request a three-year extension to the Draft Plan of Subdivision ('Draft Plan') Approval for the above-referenced property (the 'subject lands'). Draft Plan Approval for the subject lands was originally received from the County of Grey in 1994 (File No.: 42T-91011). A major red-line revision and associated Zoning By-law Amendment was also approved in 2013 for 'Phase' 1 of the subdivision, which includes residential development planned along the Queen Street frontage. Additional Draft Plan extensions were subsequently approved, with the most recent issued by the County of Grey Approval Authority on March 9, 2021 (prescribing a lapsing date of April 16, 2024).

### **General Planning Context**

The subject lands are predominately designated 'Primary Settlement Area' pursuant to Schedule A (Land Use Types) of the County of Grey Official Plan ('Recolour Grey'), with the eastern limit of the site adjacent to the Meux Creek corridor being designated 'Hazard Lands'. Section 3.3 of this Official Plan identifies that the Primary Settlement Area designation applies to larger settlement areas with full municipal servicing, and is intended to accommodate a wide range of uses, services and amenities. It is further stated in this Section that Primary Settlement Areas are intended to be the primary target for residential and non-residential growth.

Schedule B (Land Use Plan: Neustadt) of the Municipality of West Grey Official Plan predominately designates the eastern portion of the subject lands, encompassing Phase 1, 'Residential'. Section D.2.2 of this Official Plan prescribes that a range of low and medium density residential housing types are permitted in the 'Residential' designation.

The western portion of these lands are predominately designated 'Future Development' and the 'Environmental Protection' designation is applied to the southern portion of the property adjacent to the watercourse corridor.

Further, the Municipality is currently undergoing an Official Plan Review to bring the Official Plan into consistency and conformity with the provincial policy. The entirety of the developable lands are designated 'Residential' Schedule B (Land Use Plan: Neustadt) of the draft Official Plan, dated January 2023. Lands adjacent to Meux Creek retain an 'Environmental Protection' designation under this draft Schedule.

Pursuant to the West Grey Zoning By-law No. 37-2006, the eastern portion of the subject lands are predominately zoned 'Residential Zone - R2' and 'Residential Zone – R3' with site-specific exception 316 ("R3-316") for lands adjacent to the Meux Creek corridor to the immediate south. Collectively, the applied residential zones permit a variety of low and medium density residential forms. The western portion of the site is zoned 'Future Development – FD' and lands adjacent to the watercourse corridor are zoned 'Natural Environment – NE'. The subject lands are currently vacant and are predominately used for agricultural purposes (cultivated farmland).

The Draft Plan has been designed to conform to Official Plan policies and comply with zoning permissions.

### **Draft Plan Extension Request**

The Phase 1 plan integrates a mix of 43 residential lots intended for single detached dwellings and four development blocks intended for street townhouses (yielding 16 units). The Phase 1 plan, which measures approximately 6.14 ha, also contains a stormwater management block, two open space blocks and an internal street network accessed from Queen Street.

#### **a. Three-Year Request**

Following issuance of the Draft Plan Approval Extension by the Approval Authority in March 2021, project planning was delayed due to a combination of factors, including the lack of site servicing, notably natural gas, limited housing market demands and pandemic considerations. The ownership group is actively working to provide appropriate services to accommodate Phase 1, and has advised that local market demand is improved. Accordingly, the ownership group is in a position to advance Phase 1 in the immediate term; however it will not be possible for our client to satisfy all conditions of Draft Plan Approval and to register the plan in advance of the noted lapsing date. Also, for build out, the property is to be serviced with natural gas (which is being advanced per the attached email). Accordingly, we respectfully request that your office initiate the formal process to extend Draft Plan Approval for a three-year period. The requested extension will afford our client sufficient time to coordinate the planning approvals and registration of agreements for the subdivision.

#### **b. Section 9.13.1 Considerations (County of Grey Official Plan)**

The Draft Plan extension request has been evaluated in the context of Section 9.13.1 (Extension of Draft Plan Approval) of the County Official Plan. This Section sets out ten criteria to warrant a Draft Plan extension, and states the County will generally support the request if at least four of the criteria are met (and subject to support for the request by the local municipality). In light of the nature and scope of the Draft Plan as discussed above, in our opinion, the proposal satisfies the following criteria:

- "1) The proposal is within an identified designated settlement area land use type in the County and municipal official plans.
- 2) The proposal can be serviced with municipal services. ...
- 4) The proposal provides a mix of housing types (e.g. single detached, semi-detached, townhouse, or multi-residential).
- 8) The proposal represents infilling, redevelopment of an underutilized property, and/or intensification within or immediately adjacent to a built-up area."



Additionally, in accordance with Section 9.13.1, written support from the Municipality of West Grey is required for County support of the extension. We understand that this Draft Plan extension request will be reviewed by West Grey staff and Council upon submission.

Given these considerations, provided that West Grey Council endorses this request, in our opinion the extension proposal is in keeping with Section 9.13.1 of the County Official Plan.

**Enclosed Materials**

In support of this application, please find enclosed one copy of the Draft Plan extension application. Our client has submitted the application fee to the County of Grey.

Should you have any questions pertaining to our submission, please do not hesitate to contact the undersigned.

Yours truly,

**MHBC**



Scott Allen, MA, MCIP, RPP  
Partner



Urja Modi, BES  
Intermediate Planner

cc. *Paul Gutzke*  
*Scott Taylor, RPP, MCIP; County of Grey*



From: **Scott Walker** <[Scott.Walker@enbridge.com](mailto:Scott.Walker@enbridge.com)>  
Date: Thu, Feb 15, 2024 at 12:23 PM  
Subject: Gutzke Development  
To: [scott@churchbuilder.ca](mailto:scott@churchbuilder.ca) <[scott@churchbuilder.ca](mailto:scott@churchbuilder.ca)>  
Cc: [paula.lombardi@siskinds.com](mailto:paula.lombardi@siskinds.com) <[paula.lombardi@siskinds.com](mailto:paula.lombardi@siskinds.com)>, [gutzkepaul@gmail.com](mailto:gutzkepaul@gmail.com) <[gutzkepaul@gmail.com](mailto:gutzkepaul@gmail.com)>

Good morning,

My name is Scott Walker, and I am the Senior Analyst for New Business Projects. I have received the application for a new subdivision project in Neustadt under the name of Gutzke Developments.

I am going to be working on this project based off of our community expansion into Neustadt.

Moving forward, I will require the following information to work on the preliminary design for this project:

1. Final hydro drawing as PDF
2. Site plan as CAD/DWG with geo-reference
3. Site servicing plan (water, sewer, sanitary) as PDF
4. Estimated hydro energization date
5. Estimated first occupancy date
6. Date first foundations will go in

If you have any questions, please let me know.

Thanks,

**Scott Walker**

Senior Analyst New Business Projects

Construction Waterloo



1602 23rd St. East, Owen Sound, Ontario, N4K 0A3

[enbridge.com](http://enbridge.com)

**Safety. Integrity. Respect. Inclusion.**

## Planning & Development

### Draft Approval Extension Application Form

For applying for approval under Section 51 of the *Planning Act*  
and Section 9 of the *Condominium Act*

**Application is hereby made to:**

The Corporation of the County of Grey  
Planning & Development Department  
595 9th Avenue East  
Owen Sound, ON N4K 3E3  
Phone: 519 372-0219 x 1232

Email: [planning@grey.ca](mailto:planning@grey.ca)

**FOR OFFICE USE ONLY**

Date Accepted: \_\_\_\_\_

Accepted by: \_\_\_\_\_

Roll Number (s): \_\_\_\_\_

Fee: \$\_\_\_\_\_ Paid [    ]

**Grey County Subdivision or Condominium File #** 42T-91011

In accordance with the County of Grey Fees and Services By-law No. 5090-20, or any successor thereto, the following fees are set for the processing of the Approval of Plans of Subdivision and Plans of Condominium.

Draft Approval Extension:	Fee Amount
<input type="checkbox"/> 1 year	<b>\$990.00</b>
<input type="checkbox"/> 2 years	
<input checked="" type="checkbox"/> 3 years	
<input type="checkbox"/> Emergency Extension	

**Please send a digital copy of this form by CD, USB stick or dropbox**

**Payment Options:**

- Visa or Mastercard by calling our Administrative Assistant - ext. 1232
- Cheques payable to County of Grey

**Requirements for Submission:**

In addition to the application fee the following is required to be considered a complete application:

<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>	1 copy of this form completed and signed
<input checked="" type="checkbox"/>	Letter of support from applicable Municipality
<input checked="" type="checkbox"/>	Letter addressing section 9.13.1 of the Grey County Official Plan

**Property Information:**Municipal Address: Roll # 420502000108400Lot: 1 & 2 Concession: 13Geographic Township: West GreyRegistered Plan: n/aPart(s): n/a of Lot(s): n/a**Registered Owner (s):** Paul GutzkeAddress: 1867 Huron Road, Unit #2, Kitchener, ON N2R 1R6Email Address: gutzkepaul@gmail.comTelephone Number: 519-576-0597**Applicant (s):** Paul GutzkeAddress: 1867 Huron Road, Unit #2, Kitchener, ON N2R 1R6Email Address: gutzkepaul@gmail.comTelephone Number: 519-576-0597**Consultant/Agent:** MHBC Planning (c/o Scott Allen)Address: 540 Bingemans Centre Drive, Suite 200, Kitchener, ON N2B 3X9Email Address: sallen@mhbcplan.comTelephone Number: 519-576-3650**Person submitting the Draft Approval Extension Application:**Printed Name: Scott AllenSignature: 



## Staff Report

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**Report To:** Council  
**Report From:** Geoff Aitken, CET – Manager, Public Works  
**Meeting Date:** March 19, 2024  
**Subject:** IPW-2024-11 – Winter Maintenance Agreement – South Bruce

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### Recommendations:

THAT in consideration of staff report “IPW-2024-11 – Winter Maintenance Agreement – South Bruce”, council directs staff to bring forward a bylaw to authorize the mayor and clerk to execute a five-year winter maintenance agreement with the Municipality of South Bruce.

### Highlights:

- The current winter maintenance agreement has expired.
- The winter maintenance agreement allows for maintenance of any highway and/or bridge for winter control operations.
- The winter maintenance agreement summarizes responsibilities of each municipality for winter maintenance, winter maintenance season, level of service and a procedure for payment.

### Previous Report/Authority:

None.

### Analysis:

Historically there has been a Winter Maintenance Agreement (WMA) between the Municipality of West Grey and the Municipality of South Bruce dating back to pre-amalgamation. The WMA has not changed fundamentally and works well for both parties, with no changes required other than to update the term.

The key considerations of the WMA are winter maintenance activities; procedures for responding to winter events outside of normal winter control season (before November and after April); and Level of Service (LOS) all in accordance with the Ontario

Regulation for Minimum Maintenance Standards. Further, there is a section that speaks to payment.

What is unique about this agreement is: it is not a Boundary Road Agreement (BRA) and is focused on winter control only, like the agreement with Integrated Maintenance and Operations Services Inc. (IMOS) to maintain Garafraxa Street in the Ministry of Transportation connecting link through Durham; and, with Grey County for the connecting link that includes Lambton Street, Bruce Street and Durham Road West also through Durham. In its simplest form, South Bruce plows three short sections of West Grey roads from the Carrick/Normanby boundary east to Grey Road 10 (total 4.4 Km) and sends West Grey an invoice for the service provided. Routine Maintenance is the sole responsibility of West Grey.

### **Financial Implications:**

There is no direct financial impact associated with this report. The cost for winter control operations is a part of the general operating budget.

West Grey has historically compensated South Bruce for this Winter Maintenance based on the following formula:

South Bruce Total Maintenance Cost divided by 688.196 then multiplied by 4.4 equalling total payment due.

With 688.196 being the total kilometres (Km) maintained by South Bruce during the Winter Maintenance Season, and 4.4 being the total Km of West Grey Roads that are maintained by South Bruce during that winter maintenance period.

### **Communication Plan:**

Communication of this report is through the posting of council meeting agendas on the West Grey website.

### **Consultation:**

Municipality of South Bruce

Supervisor, Rural Operations

Director, Legislative Services/Clerk

Director, Infrastructure and Development/CBO

**Attachments:**

West Grey and South Bruce Winter Maintenance Agreement

**Recommended by:**

Geoff Aitken, Manager, Public Works

Karl Schipprack, Director, Infrastructure and Development/CBO

**Submission approved by:**

Kerri Mighton, Interim Chief Administrative Officer

For more information on this report, please contact Geoff Aitken, Manager, Public Works at [publicworks@westgrey.com](mailto:publicworks@westgrey.com) or 519-369-2200 x 227.

**Schedule “A” to Bylaw 2024 - XX**

**Winter Maintenance Agreement**

This agreement made in duplicate this XX day of March, 2024.

Between:

**The Corporation of the Municipality of West Grey**

Hereinafter referred to as

**"West Grey"**

and

**The Corporation of the Township of South Bruce**

Hereinafter referred to as

**“South Bruce”**

**Whereas** the Municipality of West Grey requests that the Municipality of South Bruce extend snow plowing services on specified roads within the jurisdiction of the Municipality of West Grey;

**And Whereas** section 19 (2) 3 (i). of the Municipal Act, 2001 states that a municipality may exercise its powers to provide a service in an area in another municipality if the other municipality is a lower-tier municipality, and that the service is provided with the consent of the lower-tier municipality, and that the lower-tier municipality has jurisdiction to provide the service;

**Now therefore** in consideration of the mutual covenants set out below with other good and valuable consideration (the receipt of which is acknowledged), the parties hereto agree each with the other as follows.

## Section 1 - Definitions

**Capital Improvements:** All work to be performed that is beyond that work required by routine maintenance standards or winter maintenance standards, including but not limited to items such as road construction, hot mix asphalt, resurfacing and shoulder gravelling associated with this resurfacing, bridge repairs or replacements and any bridge surface treatment.

**Highway:** means a common or public highway, any part of which is intended for or used by the public for the passage of vehicles and pedestrians and includes the areas between the lateral property lines thereof.

**Level of Service:** means the level of service as adopted by the council of the municipality for repair of a highway, as reflected in schedule 'B' attached hereto, as it may be amended from time to time.

**Minimum Maintenance Standards:** Shall mean those standards stipulated by Ontario Regulation (O. Reg.) 239/02 Minimum Maintenance Standards for Municipal Highways as amended from time to time for the maintenance standards of repair for highways under municipal jurisdiction, as they may be amended from time to time.

**Roadway:** means that part of the highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder.

**Shoulder:** means the area adjacent to a roadway, where there is no curb that may be paved or unpaved.

**Winter Maintenance:** includes snowplowing, combination plowing/ice control, ice control, de-icing, sanding, winging back, snow fencing, snow removal, standby, winter patrol, spring clean-up, sidewalk plowing and de-icing.

**Winter Maintenance Season:** means the continuous period of time between November 1 and April 30 annually. Each party agrees that it shall also attend to winter events that occur prior to November 1 and after April 30 annually until winter events have subsided at the end of each season. Both parties acknowledge that the level of service stipulated by the parties to be provided during periods falling outside the winter maintenance season will be a lower standard than that which is required by the parties during the winter maintenance season, but that any level of service shall always meet the common law test of reasonableness.

**Non-Winter Maintenance Season:** means the continuous period of time between May 1 and October 31 annually.



## **Section 2 - Term**

South Bruce agrees to provide winter maintenance on those sections of the Road that they are responsible for, as set out in schedule 'A' for a period of five (5) years commencing on March 19<sup>th</sup> 2024 and will expire on December 31<sup>st</sup> 2029 (the "term").

The parties agree that this agreement shall automatically renew immediately prior to the expiration of the term or any extension of the term for a further five-year period on the same terms and conditions unless either party provides 180 days notice in writing of its intention to terminate the agreement at the expiration of the then current Term.

The parties agree that should any party wish to terminate this agreement during the term they may do so for any reason by providing the other party 180 days notice in writing of its intention to terminate.

### Section 3 - Insurance

- 3.1 Each party shall at its own expense, obtain and keep in force during the term of this agreement, insurance satisfactory to the other party including the following terms and minimum coverage, which limits may be achieved by way of primary and/or umbrella or excess policies and underwritten by an insurer licensed to do business in the Province of Ontario. Such policies shall include, but not be limited to:
- a. **Municipal General Liability Insurance** on an occurrence basis for an amount of not less than ten million dollars (\$10,000,000.00) including:
    - i. Shall include, but not limited to, bodily injury, property damage and contractual liability.
    - ii. The other party shall be added as an Additional Insured with respect to the operations of the named insured.
    - iii. Contain a cross liability and severability of interest clauses.
    - iv. Policies shall not be invalidated as respect to the interests of the Additional Insured by reason of any breach or violation on any warranties, representations, declarations or conditions.
    - v. Non-owned automobile coverage with a limit of not less than ten million dollars (\$10,000,000.00).
    - vi. Products and completed operations coverage with a limit of not less than ten million dollars (\$10,000,000.00).
    - vii. A thirty-day written notice of cancellation or termination.
  - b. **Standard OAP 1 Automobile Liability Insurance** for an amount not less than ten million dollars (\$10,000,000.00) on forms meeting statutory requirements covering all licensed vehicles used in any manner in connection with the performance of the terms of this agreement.
  - c. **Environmental Liability Insurance** subject to limits of not less than five million dollars (\$5,000,000) inclusive per claim and shall include coverage for but not limited to, bodily injury including death, property damage and remediation costs which are reasonable and necessary to investigate, neutralize, remove, remediate (including associated monitoring) or dispose of soil, surface water, groundwater or other contamination.
- 3.2 Prior to execution of this agreement and upon the placement, renewal, amendment, or extension of all or any part of the insurance, each party shall provide the other party with confirmation of the insurance coverage required by this agreement. Insurance shall apply to the subcontractor in the same manner as it would to each party to this agreement. Further, it is each party's responsibility to ensure that the subcontractor is aware of these obligations. Each party shall provide to the other party confirmation of the subcontractor's insurance.
- 3.3 Both parties agree to immediately notify the other party of any occurrence, incident or event which may reasonably be expected to expose either party to material liability of any kind in relation to the subject roads.
- 3.4 Each party agrees that if either fails to take out or keep in force any such insurance referred to in this section, or should any such insurance not be

approved by either party, and should either party not commence and proceed to diligently rectify the situation within forty-eight (48) hours after written notice by either party, either party has the right without assuming any obligation in connection therewith, to affect such insurance at the sole cost of either party. Either party shall be reimbursed as set out under the terms of this agreement.

## **Section 4 - Indemnity**

Each party agrees to defend, indemnify and save and hold harmless the other party from all claims, lawsuits, losses, expenses and costs, or any other liability imposed by statute or common law in any way connected to or in any way arising out of any actual or alleged breach, default or neglect of duty in respect of the winter maintenance and routine maintenance of the road sections for which they are responsible for, as referred to in this agreement.

## **Section 5 - Notice of Claim**

In the event that either party receives a statement of claim, notice of claim or other information regarding a pending or possible claim by a third party with respect to liability for failure to keep the road in repair or for damages or injuries sustained relating thereto such party shall immediately notify and provide to the other party such claim or notice of claim.

## **Section 6 - Winter Maintenance of Highways – Scope of Work**

- 6.1 The municipalities hereby covenant and agree one to the other, that South Bruce's responsibilities are as follows:
- a. To undertake all winter maintenance activities during each winter maintenance season throughout the term of the agreement on the roads specified in schedule 'A' of this agreement
  - b. To maintain and keep in good condition during winter operations those highways listed in schedule 'A' by meeting or exceeding the "Minimum Maintenance Standards for Municipal Highways" for the whole width of those highways listed.
  - c. To be responsible for all removal of snow beyond the width of the road and shoulders if required.
  - d. To be responsible to provide snow blowing services required within the right of way, if deemed necessary by one of the parties.
- 6.2 Location and work to be completed – The map attached hereto as schedule 'A' indicates the location of the subject roads. Both parties acknowledge road section responsibilities as per schedule 'A'.

## **Section 7 - Capital Costs**

- 7.1 West Grey will retain responsibility for capital improvements, infrastructure, and provide maintenance services in the Non-Winter Maintenance season.

## **Section 8 - Annual Review and Planning**

Each year throughout the term of the agreement, after September 15 and not later than October 30, the parties will meet to discuss any issues arising from this agreement, including but not limited to the previous year's work and will identify and plan works for the upcoming year(s) as the case may be.

## **Section 9 – Payment**

- 10.1 West Grey will compensate South Bruce for this Winter Maintenance based on the following formula

South Bruce Total Maintenance Cost divided by 688.196 multiplied by 4.4 shall be equal to the Payment Due

With 688.196 being the total kilometres maintained by South Bruce during the Winter Maintenance Season, and 4.4 being the total distance of West Grey Roads that are maintained by South Bruce during that time period.

- 10.2 West Grey shall pay the amount invoiced within thirty (30) days of receipt of such invoice.

## **Section 10 – Notice**

Any notice to be given under this agreement shall be sufficiently given if delivered or if sent by prepaid first-class mail and addressed to:

The Clerk's Office  
The Corporation of the Municipality of South Bruce  
PO Box 540, 21 Gordon St. E  
Teeswater ON, N0G 2S0

And to:

The Clerk's Office  
The Corporation of the Municipality of West Grey  
402813 Grey Road 4  
Durham, ON N0G 1R0

Receipt of notice shall be deemed on the earlier of the date of deliver or five (5) days following the date of mailing of the notice.

## Section 11 – Arbitration

- 13.1 In the event of any dispute arising between the parties hereto relating to any matter which is the subject of this agreement and cannot be settled within ninety (90) days, then the dispute will be submitted to arbitration by notice given by either party to the other.
- 13.2 Upon such notice being given, the dispute shall be determined by the award of three arbitrators or a majority of them, one to be named by each party within thirty (30) days of such giving notice and the third to be selected by these two (2) arbitrators within seven (7) days after both have been nominated.
- 13.3 If either party neglects or refused to name its arbitrator within the time specified or to proceed with the arbitration, the arbitrator named by the other party shall proceed with the arbitration.
- 13.4 The arbitrators shall have all the powers given by the Arbitration Act of Ontario and may at any time proceed in such manner as they may see fit on such notice as they deem reasonable in the absence of either party if such party fails to attend.
- 13.5 Each party shall pay its own costs and shall share equally in the costs of the arbitration.
- 13.6 The cost of the arbitrators is not limited to those set forth under the Arbitration Act of Ontario and the arbitrators shall be able to charge their usual professional charges.

**Section 12 – General**

Notwithstanding anything in this agreement, neither party shall be in default with respect to the performance of any of the terms of this agreement if any non-performance is due to any force majeure, strike, lock-out, labour dispute, civil commotion, act of God, government regulations or controls, inability to obtain any material or service or any cause beyond the reasonable control of the party.

The rights and liabilities of the parties shall ensure to the benefit of and be binding upon the parties and their respective successors and approved assigns. If any provision, clause or part of this agreement or the application of this agreement under certain circumstances, is held by a court or tribunal of competent jurisdiction to be invalid, the remainder of the agreement, or the application of that provision, clause or part under other circumstances shall not be affected.

**In Witness Whereof** the Corporate Seals of each of the parties hereto have been affixed duly attested by the respective officers authorized in that behalf.

The Corporation of the Municipality of South Bruce

Per \_\_\_\_\_  
Mayor

Per \_\_\_\_\_  
Clerk

Date \_\_\_\_\_

The Corporation of the Municipality of West Grey

Per \_\_\_\_\_  
Mayor

Per \_\_\_\_\_  
Clerk

Date \_\_\_\_\_

Schedule ‘A’ to the Winter Maintenance Agreement

Part ‘A’ – South Bruce Responsibilities

The Municipality of South Bruce agrees to administer winter maintenance only on the following road segments:

Road Section	Maintenance Class	West Grey Road ID
West Grey Concession 18 (extension of South Bruce Concession 14), from the Boundary, easterly to Grey Road 10	4	3015
West Grey Concession 16 (extension of South Bruce Concession 12), from the Boundary, easterly to Grey Road 10	4	3045
Queen Street (extension of South Bruce Concession 10), from the Boundary, easterly through the Hamlet of Neustadt, ending at Grey Road 10;	5	3605

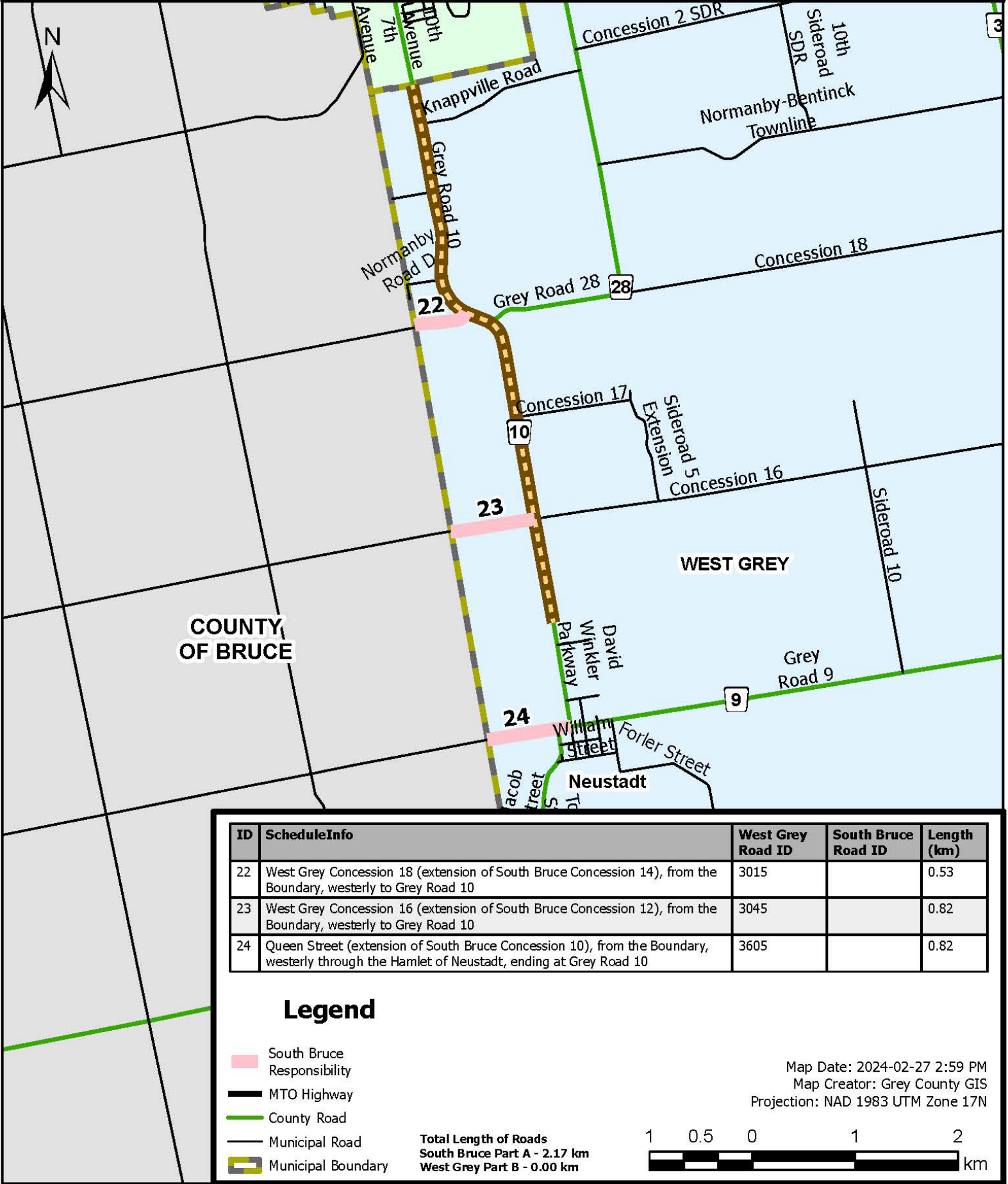
Total 4.4 km

**Winter Maintenance Agreement Map**  
(See attached)



Schedule A

West Grey - South Bruce Winter Maintenance Agreement



## **Schedule 'B' to the Winter Maintenance Agreement**

### **Winter Level of Service**

Both parties agree to maintain the road equal to or greater than O. Reg. 239/02, as amended, from time to time save and except the issuance of 'Significant Weather Event' as described or amended under O. Reg. 239/02.



## Staff Report

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**Report To:** Council  
**Report From:** Jamie Eckenswiller, Director of Legislative Services/Clerk  
**Meeting Date:** March 19, 2024  
**Subject:** Neustadt Industrial Park Lands

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### Recommendations:

THAT in consideration of staff report 'Neustadt Industrial Park Lands, council:

1. Declares the three acres as shown on the attached aerial image to be surplus to the needs of the municipality;
2. Directs staff to obtain a survey of the surplus lands and the roads adjacent to the surplus lands;
3. Direct staff to proceed with disposal of the surplus lands via real estate posting;
4. Directs staff to enter into an agreement with a real estate agent for the listing and disposal of the surplus lands;
5. Directs staff to bring forward bylaws to assume the lands surrounding the surplus lands into the West Grey road system.

### Highlights:

- There has been recent interest in purchasing land in Neustadt's industrial park by the public.
- To proceed with the sale of these lands, council must first declare the lands surplus and provide direction on how to proceed with disposal. Staff is recommending that the lands be disposed of via real estate posting.
- The subject lands have been appraised at approximately \$150,000.00 per acre.
- To facilitate development on these lands, the roadway in front of and adjacent to the subject lands must be assumed into the West Grey road system.

### Previous Report/Authority:

[2023-05-02 Staff report: Proposal to Develop Municipal Properties](#)

## **Analysis:**

In recent months, there has been interest from the public in obtaining lands in Neustadt's industrial park; specifically, the three acres across from 373 John Street. The subject lands are serviced and are zoned as M2, with the exception of the northwest corner of the property being zoned as C2-h. On the aerial photograph of the property, two parcels have been identified, being a one-acre parcel and a two-acre parcel.

In accordance with West Grey's real property disposal bylaw, prior to the disposition of land West Grey must first declare the lands surplus, obtain at least one appraisal of the fair market value of the land, and give notice to the public of the intended sale of the land. Staff have obtained an appraisal of the lands that notes a valuation of approximately \$142,500.00 to \$150,000.00 per acre. Due to the size and location of the property, staff suggest entering into an agreement with a real estate firm and disposing of the property through real estate posting with the listing noting that one to three acres are available for purchase.

## **Survey and road requirements**

To convey the subject lands, a survey must be obtained that identifies the three acres in individual parts in the parcel to ensure they are conveyable. This step should be completed prior to proceeding with the real estate posting.

The subject lands are presently part of a much larger parcel of land in the Neustadt industrial park that does not currently have road frontage. John Street proceeds east from David Winkler Parkway to 373 John Street, however, the legal roadway ends at or about 363 John Street. As a requirement to obtain a building permit, lands must have road frontage. To ensure that the subject land will be able to facilitate development and to ensure that any future building permits will be able to be issued on existing properties east of 363 John Street, a roadway will need to be identified as a part on a survey (as shown on the attached image) and assumed into the West Grey road system. It is anticipated that the survey work will take three to five months to complete, and may range between \$10,000.00 and \$15,000.00 to complete. A survey of these lands was completed in 1982. If the surveyor obtained for this project is able to use the existing survey for the base of their work it may mitigate costs and allow for a faster processing time.

Through the staff report presented at the May 2, 2023, council meeting, council allocated \$25,000.00 for the development of lands. This amount will cover all costs associated with getting the lands in the Neustadt industrial park ready for sale, including survey costs and costs associated with assuming the road. Real estate listing costs will be covered through the proceeds from the sale of lands.

**Financial Implications:**

It is anticipated that the cost to complete a survey of the lands and assume the road into the West Grey road system will range between \$10,000.00 and \$15,000.00. Costs associated with the real estate listing will be covered through the proceeds from the sale of lands.

**Communication Plan:**

Pending council direction, staff will enter into an agreement with a real estate firm to post and market the property. Communication will be completed in accordance with the provisions of the land sale bylaw.

**Consultation:**

Karl Schipprack, Director of Infrastructure and Development/CBO

**Attachments:**

Aerial of lands to be declared surplus and roads to be assumed.

**Recommended by:**

Jamie Eckenswiller, AMP  
Director of Legislative Services/Clerk

**Submission approved by:**

Kerri Mighton, Interim Chief Administrative Officer

For more information on this report, please contact Jamie Eckenswiller, Director of Legislative Services/Clerk at [clerk@westgrey.com](mailto:clerk@westgrey.com) or 519-369-2200.



Map Title



Legend

- Large Scale Roads
  - Provincial Highway
  - County Road
  - Township Road
  - Seasonal Road
- Parcels - Current
- Grey County Boundary

Notes



WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© County of Grey



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.

Printed January 15, 2024      THIS MAP IS NOT TO BE USED FOR NAVIGATION





## Staff Report

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**Report To:** Council

**Report From:** Jamie Eckenswiller, Director of Legislative Services/Clerk

**Meeting Date:** March 19, 2024

**Subject:** Request to Purchase Municipal Lands - Newell

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### Recommendations:

THAT in consideration of staff report 'Request to Purchase Municipal Lands - Newell, council:

1. Declares parts 1, 2, and 3 of plan 16R-8548 to be surplus to the needs of the municipality;
2. Directs staff to obtain an appraisal of the lands being declared surplus; and
3. Directs staff to proceed with the next steps in the land disposition process pursuant to the real property disposal bylaw.

### Highlights:

- A request has been made to purchase parts 1, 2, and 3 of plan 16R-8548.
- Prior to disposing of property, council must first declare the lands surplus.
- Should council declare the lands surplus, land sale will be done in accordance with the land sale bylaw.
- Although not required because of the exclusionary clauses, staff recommend having the property appraised to determine the value of the land.

### Previous Report/Authority:

[23-2008 – Real Property Disposal Bylaw](#)

### Analysis:

A request has been received to purchase parts 1, 2, and 3 of plan 16R-8548. The subject lands are located immediate northwest of the intersection of McCormick's Sideroad and Concession 2 in the geographic township of Glenelg, and are zoned as NE and A2 in West Grey's zoning bylaw.

West Grey's land sale bylaw provides for the exclusion of certain classes of lands, meaning that if certain criteria is met, the provisions of the land sale bylaw do not apply.

### **Part 1 – Plan 16R-8548**

Part 1 of plan 16R-8548 runs parallel to concession 2, is triangular in shape and has an area of 0.2257 hectares. In consultation with West Grey's Director of Infrastructure and Development/CBO, it was determined that the land is incapable on its own of meeting the requirements for a building lot and would therefore fall under the exclusionary clause at section 2.1(i) of the land sale bylaw.

### **Part 2 – Plan 16R-8548**

Part 2 of plan 16R-8548 is immediately west of part 1, is identified as a public highway established in 1898 by bylaw 378, and has an area of 0.3854 hectares. In consultation with the manager of public works, it was determined that West Grey does not require part 2 of plan 16R-8548 for future road use. This piece of land falls under the exclusionary clause at section 2.1(b) because the requestor owns the abutting land immediately to the west of the road public highway. It should be noted that prior to being able to transfer these lands, a bylaw to stop up and close the road must be passed and registered in the land registry office.

### **Part 3 – Plan 16R-8548**

Like part 1, part 3 of plan 16R-8548 runs parallel to concession, is rectangular in shape with a width of 0.31 meters, a length of 59.90 meters, and has an area of 0.0018 hectares. This part is incapable on its own of meeting the requirements for a building lot and would therefore fall under the exclusionary clause at section 2.1(i) of the land sale bylaw.

### **Financial Implications:**

The requestor has paid West Grey's 'request to purchase municipal lands' fee in the amount of \$500.00. As previously noted, although an appraisal is not required because of the exclusionary clauses in the land sale bylaw, staff recommend that an appraisal be obtained to determine a value for the subject lands.

### **Communication Plan:**

After staff has received an appraisal on the subject lands, the requestor will be notified of a timeframe to submit an offer to purchase the subject lands.



**Consultation:**

Manager, Public Works

Director, Infrastructure and Development/CBO

**Attachments:**

Survey of the subject lands.

**Recommended by:**

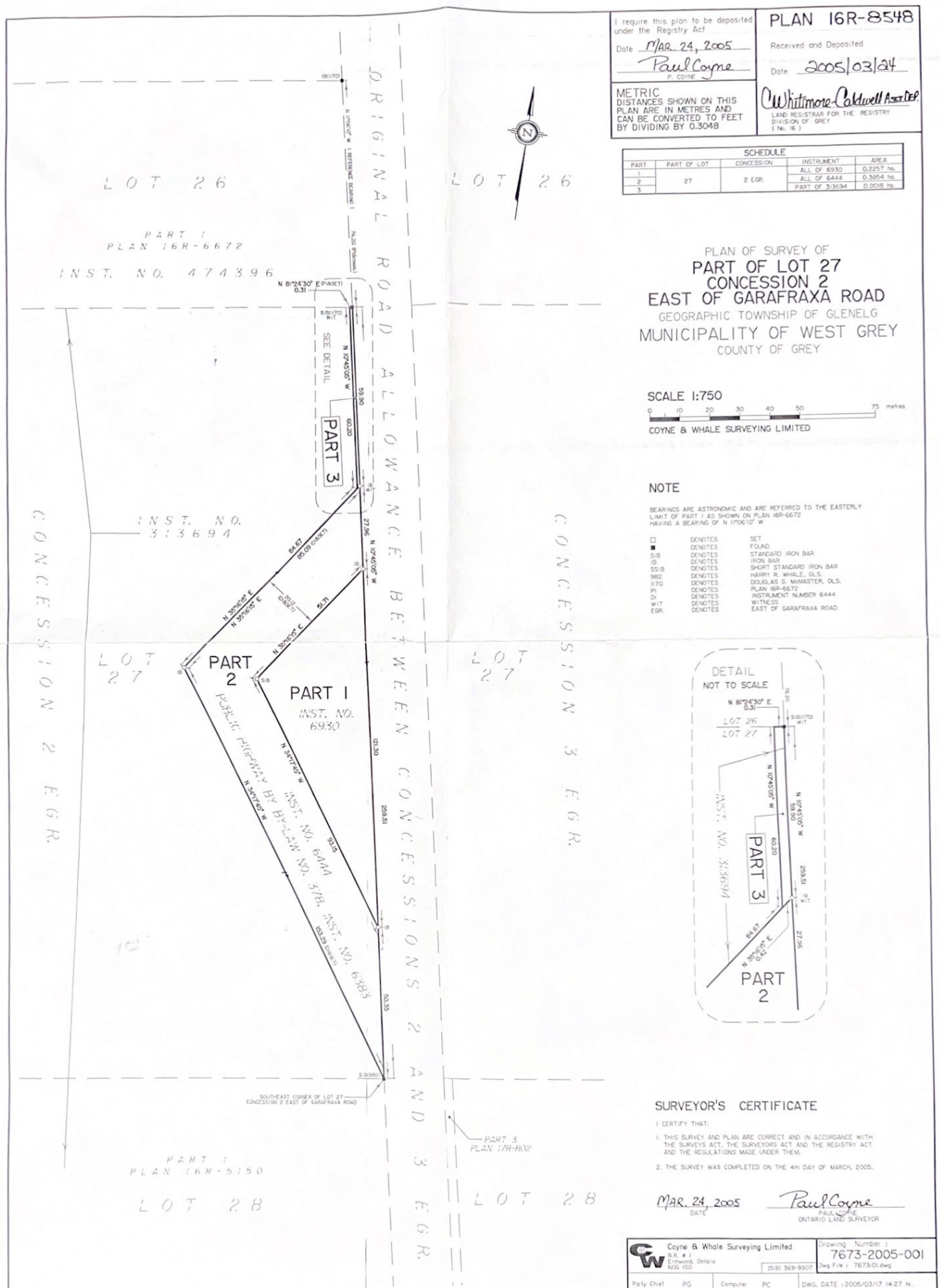
Jamie Eckenswiler, AMP

Director of Legislative Services/Clerk

**Submission approved by:**

Kerri Mighton, Interim Chief Administrative Officer

For more information on this report, please contact Jamie Eckenswiler, Director of Legislative Services/Clerk at [clerk@westgrey.com](mailto:clerk@westgrey.com) or 519-369-2200.





## Staff Report

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**Report To:** Council

**Report From:** Jamie Eckenswiller, Director of Legislative Services/Clerk

**Meeting Date:** March 19, 2024

**Subject:** Saugeen Municipal Airport Member Municipality Meeting

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### Recommendations:

THAT in consideration of staff report 'Saugeen Municipal Airport Member Municipality Meeting', council:

1. approves the meeting date, location, chairperson, and draft agenda for the meeting with the Municipality of Brockton, the Municipality of West Grey, and the Town of Hanover to discuss the Saugeen Municipal Airport; and
2. authorizes sharing the cost of inviting the auditor to provide a brief overview of the finances of the Saugeen Municipal Airport with Brockton and Hanover.

### Highlights:

- Council has received correspondence from the Municipality of Brockton to consider the disposal of the Saugeen Municipal Airport.
- Council provided direction to staff to facilitate a meeting with Brockton and Hanover to discuss the future of the Saugeen Municipal Airport.
- The meeting has been scheduled for April 17, 2024 at the Elmwood Community centre.

### Previous Report/Authority:

Not applicable.

### Analysis:

On November 27, 2024, council received correspondence from the Municipality of Brockton respecting the potential sale of the Saugeen Municipal Airport (SMA). In the correspondence, Brockton requested that both West Grey and Hanover consider the potential sale of the airport. At its December 5, 2023 meeting, West Grey council

directed staff to send a letter to Brockton requesting that the three member municipalities meet to discuss the future of the airport.

Staff from all three municipalities have met and discussed a plan for this meeting. The proposed date for the meeting is Wednesday, April 17, 2024, from 9:00 a.m. to 12:00 at the Elmwood Community Centre. The Owl cameras will be used to ensure there is an option for remote participation in the meeting.

Dean Leifso has been selected to chair the meeting of all three councils. Mr. Leifso is resident of Elmwood who has operated a law practice in Hanover for many decades, is the chair of the Brockton Heritage Committee, and was a member of Brockton council from 2014 to 2022. Mr. Leifso has agreed to act as the chair for the meeting.

The proposal would be that the chair would adopt the procedural bylaw for the municipality they are most familiar with (in this case, the Brockton procedural bylaw), noting that most provisions of procedural bylaws tend to be very similar. The minutes will be taken by Brockton's Director of Legislative and Legal Services (Clerk) and shared with the Municipality of West Grey and the Town of Hanover after the meeting.

Staff from all three municipalities have discussed and recommend the following Agenda for the meeting:

- Acceptance of the chair;
- Acceptance of the agenda ;
- Financial overview from the auditor;
- Statement from each mayor;
- General discussion about future options;
- Summary of any additional information to be provided (if applicable); and
- Discussion of next steps.

While there may be a small cost associated with inviting the auditor to present an overview of the financial circumstances of the Saugeen Municipal Airport, staff recommend doing so to ensure all three councils receive this critical information directly from an external and unbiased professional source as a baseline for further discussions.

Staff are seeking council's authorization to proceed with the meeting as planned, and requesting any additions, changes, or alterations to the draft agenda prior to it being finalized. It should be noted that this matter was before Brockton council on March 5, 2024, and no changes to the draft agenda were made. The mayor's statement is intended to be a position representative of that particular council on their views on the future direction of the SMA.

### **Financial Implications:**

It is anticipated that the cost of the meeting will be limited due to cost sharing with the other municipalities.

### **Communication Plan:**

After the agenda is finalized, it will be circulated to the public and the Saugeen Municipal Airport Commission.

### **Consultation:**

Municipality of Brockton

Town of Hanover

### **Attachments:**

None.

### **Recommended by:**

Jamie Eckenswiller, AMP

Director of Legislative Services/Clerk

### **Submission approved by:**

Kerri Mighton, Interim Chief Administrative Officer

For more information on this report, please contact Jamie Eckenswiller, Director of Legislative Services/Clerk at [clerk@westgrey.com](mailto:clerk@westgrey.com) or 519-369-2200.



## Staff Report

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**Report To:** Council  
**Report From:** Kerri Mighton, Interim Chief Administrative Officer  
**Meeting Date:** March 19, 2024  
**Subject:** Recruitment Services for Chief Administrative Officer

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### Recommendations:

THAT in consideration of staff report 'Recruitment Services for Chief Administrative Officer', council directs staff to enter into an agreement with Waterhouse Executive Search for Chief Administrative Officer recruitment services in the amount of \$24,000 plus HST.

### Highlights:

- Request for quotations (RFQ) was posted for recruitment services for a Chief Administrative Officer/Deputy Clerk.
- Eight RFQs were received.

### Previous Report/Authority:

[February 6, 2024, staff report: Appointment of Interim Chief Administrative Officer/Deputy Clerk](#)

### Analysis:

A request for quotations for recruitment services for a Chief Administrative Officer/Deputy Clerk was posted to the municipal website and closed on March 5, 2024. The scope of the work requested includes the following:

- Initial Meeting - Hold a kickoff meeting with Council and select staff to review proposed timeline for the recruitment and confirm a schedule to establish deadlines (screening; short list; interviews; assessments; verification of credentials; reference checks).
- Advertising - The consultant will facilitate the job posting and advertising of the position.

- Recruitment - Conduct a search using a variety of appropriate resources to source quality candidates and conduct targeted, personal recruitment of potential candidates.
- Candidates Review - Screen applications and present short-listed candidates to Council. Conduct relevant assessments of candidates and provide interpretation of results.
- Interview Preparation/Process - Develop and review interview questions and provide suggestions for amendments/additions. Develop selection criteria; evaluation/scoring grid. Coordinate, attend and lead the interview process with the Municipality and rank/provide recommendations of successful applicant.
- Selection Process - Communicate with all applicants and candidates throughout the various phases of the selection process and perform reference checks and personality scans as required. Assist in the Job offer negotiations in conjunction with the Municipality.

The municipality received eight quotations, which were reviewed by the senior management team. Staff is recommending the firm Waterhouse Executive Search for a lump sum price of \$24,000 plus HST. Waterhouse demonstrated an extensive amount of recent experience in municipal recruitments, specifically for chief administrative officers. They estimate the assignment to be completed in six to eight weeks.

### **Financial Implications:**

The cost of the recruitment firm will be covered through the salary gapping that exists while the current CAO position remains vacant.

### **Communication Plan:**

The successful recruitment firm will be advised to begin as soon as possible.

### **Consultation:**

Director of Legislative Services/Clerk

Director of Infrastructure & Development/CBO

### **Attachments:**

None.

### **Recommended and approved by:**

Kerri Mighton, Interim Chief Administrative Officer

For more information on this report, please contact Kerri Mighton, Interim CAO at [kmighton@westgrey.com](mailto:kmighton@westgrey.com) or 519-369-2200 x 223.





**The Corporation of the Municipality of West Grey  
Bylaw No. 2024-026**

A bylaw to confirm the proceedings of the regular meeting of the council of the  
Corporation of the Municipality of West Grey.

WHEREAS Section 5(3) of the *Municipal Act, 2001*, as amended, provides that a municipal power, including a municipality's capacity, rights, powers and privileges under section 9, shall be exercised by bylaw unless the municipality is specifically authorized to do otherwise; and

WHEREAS Section 8 of the *Municipal Act, 2001*, as amended, provides that the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues; and

WHEREAS the council of the Corporation of the Municipality of West Grey deems it expedient to adopt, confirm and ratify matters dealt with at all meetings of council;

NOW THEREFORE the council of the Corporation of the Municipality of West Grey hereby enacts as follows:

1. That the proceedings and actions taken by the council of the Municipality of West Grey at the regular council meeting of March 19, 2024 and in respect of each report, motion, recommendation, bylaw and any other business conducted are, except where the prior approval of the Ontario Land Tribunal or other authority is required by law, hereby adopted and confirmed and shall have the same force and effect as if each and every one of them had been the subject matter of a separate bylaw duly enacted.
2. The mayor and proper officials of the Corporation of the Municipality of West Grey are hereby authorized and directed to do all things necessary to give effect to the action of the council of the Corporation of the Municipality of West Grey referred to in the preceding section thereof.
3. That on behalf of the Corporation of the Municipality of West Grey the mayor or presiding officer of council and the clerk or CAO, where instructed to do so, are authorized and directed to execute all documents necessary, and to affix the seal of the Corporation of the Municipality of West Grey thereto.
4. That this bylaw shall come into force and take effect upon being passed by council.

Read a first, second and third time and finally passed this 19<sup>th</sup> day of March, 2024.

---

Mayor Kevin Eccles

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Jamie M. Eckenswiller, Clerk



**The Corporation of the Municipality of West Grey  
Bylaw No. 2024-027**

A bylaw to authorize the mayor and clerk to execute an agreement with the Corporation of the Town of Minto respecting boundary roads.

WHEREAS section 5(3) of the *Municipal Act, S.O. 2001, c.25*, as amended (the “Act”), provides that a municipal power, including a municipality’s capacity, rights, powers and privileges under section 9, shall be exercised by bylaw unless the municipality is specifically authorized to do otherwise; and

WHEREAS section 8 of the Act provides that the powers of a municipality shall be interpreted broadly to enable it to govern its affairs as it considers appropriate and to enhance the municipality’s ability to respond to municipal issues; and

WHEREAS section 9 of the Act provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and

WHEREAS section 27 of the Act provides that a municipality may pass bylaws in respect of a highway only if it has jurisdiction over the highway; and

WHEREAS section 28 of the Act sets out the highways over which a municipality has jurisdiction; and

WHEREAS section 29 of the Act provides that municipalities on either side of a boundary line have joint jurisdiction over any highways forming the boundary line.

WHEREAS section 29.1 of the Act provides that municipalities having joint jurisdiction over a boundary line highway (“boundary road”) may enter into an agreement to keep any part of the highway in repair for its whole width and to indemnify the other municipality from any loss or damage arising from the lack or repair for that part; and

WHEREAS the council of the Corporation of the Municipality of West Grey deems it necessary and in the public interest to enter into a boundary road agreement with the Corporation of the Town of Minto;

NOW THEREFORE be it resolved that the council of the Corporation of the Municipality of West Grey hereby enacts as follows:

1. That the mayor and clerk are authorized to execute all documents necessary to give effect to the agreement.
2. That the agreement attached hereto and shown as Schedule ‘A’ is hereby declared to form part of this bylaw.
3. That this bylaw shall come into force and take effect upon date of final passing.

Read a first, second and third time and finally passed this 19<sup>th</sup> day of March, 2024.

---

Mayor Kevin Eccles

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Jamie M. Eckenswiller, Clerk

**Schedule “A” to Bylaw 2024-027**

**Boundary Road Agreement**

This agreement made in duplicate this 19<sup>th</sup> day of March, 2024.

Between:

**The Corporation of the Municipality of West Grey**

Hereinafter referred to as

**"West Grey"**

and

**The Corporation of the Town of Minto**

Hereinafter referred to as

**“Minto”**

**WHEREAS** Sections 20, 29, 29.1 and 52 of the Municipal Act, 2001 (the “Act”) make provisions for agreements between adjoining municipalities for the maintenance and repair of any highway or bridge forming the boundary between such municipalities, including the bridges thereon (hereinafter a “Boundary Road”); and

**WHEREA** Boundary Roads exist between the jurisdictions of the Town of Minto and the Municipality of West Grey as set out in schedule ‘A’; and

**WHEREAS** it is deemed expedient and necessary for each municipality to be responsible for the year-round oversight, maintenance and repair of portions of existing Boundary Roads.

**NOW THEREFORE** in consideration of the mutual covenants set out below with other good and valuable consideration (the receipt of which is acknowledged), the parties hereto agree each with the other as follows.

## Section 1 - Definitions

**Bridge:** means a public bridge forming part of a highway on, over or across which a highway passes.

**Capital Improvements:** All work to be performed that is beyond that work required by routine maintenance standards or winter maintenance standards, including but not limited to items such as road construction, hot mix asphalt, resurfacing and shoulder gravelling associated with this resurfacing, bridge repairs or replacements and any bridge surface treatment.

**Highway:** means a common or public highway, any part of which is intended for or used by the public for the passage of vehicles and pedestrians and includes the areas between the lateral property lines thereof.

**Level of Service:** means the level of service as adopted by the council of the municipality for repair of a highway, as reflected in schedule 'B' attached hereto, as it may be amended from time to time.

**Minimum Maintenance Standards:** Shall mean those standards stipulated by Ontario Regulation (O. Reg.) 239/02 Minimum Maintenance Standards for Municipal Highways as amended from time to time for the maintenance standards of repair for highways under municipal jurisdiction, as they may be amended from time to time.

**No Winter Maintenance:** means municipal roads which are not opened and therefore are not maintained or serviced during the time period of November 1 to April 30 by the municipality. Any travel upon these roads during this time period is at the individual's own risk.

**Roadway:** means that part of the highway that is improved, designed or ordinarily used for vehicular traffic, but does not include the shoulder.

**Routine Maintenance:** means those activities completed in the ongoing maintenance and repair of a highway or bridge and as described as follows:

- *Hardtop surface maintenance* includes frost heave repair, base repair, utility cut repair, hot and cold mix patching, shoulder maintenance, surface maintenance including crack sealing, slurry sealing and spray patching, surface sweeping, surface flushing and routine patrolling.
- *Roadside maintenance* includes vegetation management including roadside mowing, weed control, tree planting and removal, tree trimming, sidewalk maintenance, debris collection including debris and leaves, curb and gutter, guiderail and fence maintenance.

- *Stormwater management maintenance* includes roadside ditching, entrance culvert maintenance, maintenance of storm sewers and catch basins and inspections.
- *Structures* includes washing and component repairs for concrete and steel culverts, bridges of all types and pedestrian bridges.
- *Traffic operations* include pavement markings illumination, signals and signs and safety devices.

**Shoulder:** means the area adjacent to a roadway, where there is no curb that may be paved or unpaved.

**Winter Maintenance:** includes snowplowing, combination plowing/ice control, ice control, de-icing, sanding, winging back, snow fencing, snow removal, standby, winter patrol, spring clean-up, sidewalk plowing and de-icing.

**Winter Maintenance Season:** means the continuous period of time between November 1 and April 30 annually. Each party agrees that it shall also attend to winter events that occur prior to November 1 and after April 30 annually until winter events have subsided at the end of each season. Both parties acknowledge that the level of service stipulated by the parties to be provided during periods falling outside the winter maintenance season will be a lower standard than that which is required by the parties during the winter maintenance season, but that any level of service shall always meet the common law test of reasonableness.

**Non-Winter Maintenance Season:** means the continuous period of time between May 1 and October 31 annually.

## Section 2 - Term

The parties agree to provide winter maintenance and routine maintenance services on those sections of the Boundary Road that they are individually responsible for, as set out in schedule 'A' for a period of five (5) years commencing on the date this agreement is signed by both parties (the "term").

The parties agree that this agreement shall automatically renew immediately prior to the expiration of the term or any extension of the term for a further one-year period on the same terms and conditions unless either party provides 180 days notice in writing of its intention to terminate the agreement at the expiration of the then current Term.

The parties agree that should any party wish to terminate this agreement during the term they may do so for any reason by providing the other party 180 days notice in writing of its intention to terminate.

### Section 3 - Insurance

3.1 Each party shall at its own expense, obtain and keep in force during the term of this agreement, insurance satisfactory to the other party including the following terms and minimum coverage, which limits may be achieved by way of primary and/or umbrella or excess policies and underwritten by an insurer licensed to do business in the Province of Ontario. Such policies shall include, but not be limited to:

- a. **Municipal General Liability Insurance** on an occurrence basis for an amount of not less than ten million dollars (\$10,000,000.00) including:
  - i. Shall include, but not limited to, bodily injury, property damage and contractual liability.
  - ii. The other party shall be added as an Additional Insured with respect to the operations of the named insured.
  - iii. Contain a cross liability and severability of interest clauses.
  - iv. Policies shall not be invalidated as respect to the interests of the Additional Insured by reason of any breach or violation on any warranties, representations, declarations or conditions.
  - v. Non-owned automobile coverage with a limit of not less than ten million dollars (\$10,000,000.00).
  - vi. Products and completed operations coverage with a limit of not less than ten million dollars (\$10,000,000.00).
  - vii. A thirty-day written notice of cancellation or termination.
- b. **Standard OAP 1 Automobile Liability Insurance** for an amount not less than ten million dollars (\$10,000,000.00) on forms meeting statutory requirements covering all licensed vehicles used in any manner in connection with the performance of the terms of this agreement.
- c. **Environmental Liability Insurance** subject to limits of not less than five million dollars (\$5,000,000) inclusive per claim and shall include coverage for but not limited to, bodily injury including death, property damage and remediation costs which are reasonable and necessary to investigate, neutralize, remove, remediate (including associated monitoring) or dispose of soil, surface water, groundwater or other contamination.

- 3.2 Prior to execution of this agreement and upon the placement, renewal, amendment, or extension of all or any part of the insurance, each party shall provide the other party with confirmation of the insurance coverage required by this agreement. Insurance shall apply to the subcontractor in the same manner as it would to each party to this agreement. Further, it is each party's responsibility to ensure that the subcontractor is aware of these obligations. Each party shall provide to the other party confirmation of the subcontractor's insurance.
- 3.3 Both parties agree to immediately notify the other party of any occurrence, incident or event which may reasonably be expected to expose either party to material liability of any kind in relation to the Boundary Roads.
- 3.4 Each party agrees that if either fails to take out or keep in force any such insurance referred to in this section, or should any such insurance not be approved by either party, and should either party not commence and proceed to diligently rectify the situation within forty-eight (48) hours after written notice by either party, either party has the right without assuming any obligation in connection therewith, to affect such insurance at the sole cost of either party. Either party shall be reimbursed as set out under the terms of this agreement.

## **Section 4 - Indemnity**

Each party agrees to defend, indemnify and save and hold harmless the other party from all claims, lawsuits, losses, expenses and costs, or any other liability imposed by statute or common law in any way connected to or in any way arising out of any actual or alleged breach, default or neglect of duty in respect of the winter maintenance and routine maintenance of the road sections for which they are responsible for, as referred to in this agreement.

## **Section 5 - Notice of Claim**

In the event that either party receives a statement of claim, notice of claim or other information regarding a pending or possible claim by a third party with respect to liability for failure to keep the road in repair or for damages or injuries sustained relating thereto such party shall immediately notify and provide to the other party such claim or notice of claim.

## **Section 6 - Maintenance and Repair of Highways – Scope of Work**

- 6.1 The municipalities hereby covenant and agree one to the other, to:
- a. Undertake all winter maintenance activities during each winter

maintenance season throughout the term of the agreement.

- b. In addition to the requirements set out in section 6.1a), attend to winter events that occur prior to November 1 and after April 30 until winter events have subsided at the end of each season throughout the term of the agreement. Both parties acknowledge that the level of service provided outside of the winter maintenance season may be at a lower level than during the winter maintenance season, but that it shall meet the minimum maintenance standards set forth in the “Minimum Maintenance Standards for Municipal Highways” where such standards apply and in the event there is no applicable Maintenance Standard, it shall meet the standard of what is reasonable in the circumstances.
  - c. To maintain and keep in good repair, any required routine maintenance during winter operations those highways listed in schedule ‘A’ by meeting or exceeding the “Minimum Maintenance Standards for Municipal Highways” for the whole width of those highways listed.
  - d. To be responsible for all removal of snow beyond the width of the road and shoulders if required.
  - e. To be responsible to provide snow blowing services required within the right of way, if deemed necessary by one of the parties.
  - f. To be responsible for drainage maintenance, including the clearing of ditches, curbs and gutters, catch basins and storm drains.
  - g. To be responsible for the surface maintenance, including the repair of potholes, cracks and depressions and shoulder gravelling.
  - h. To be responsible for all routine patrolling and maintenance activities throughout the entire term of this agreement. Routine maintenance shall be provided at service levels compliant with the minimum maintenance standards set forth in Ontario Regulation 239/02 of the Act, as amended, time to time.
  - i. To be responsible for all traffic signal devices at the intersections.
- 6.2 Location and work to be completed by each party – The map attached hereto as schedule ‘A’ indicates the location of the Boundary Road. Both parties acknowledge their road section responsibilities as per schedule ‘A’.



## **Section 7 - Capital Costs**

- 7.1 Subject to the further terms set out in this section, each municipality shall be responsible for one-half of any and all capital improvements on the Boundary Roads.
- 7.2 Prior to either party completing any capital improvements each party will identify the proposed capital improvement work to the other party.
- 7.3 No new construction or major maintenance work (as distinguished from routine maintenance) of any kind on highways and bridges shall commence or be charged by one party to this agreement to the other unless such construction or major maintenance work has first been approved by the councils of both municipalities and included in their respective capital budgets for the year that the work is to commence.
- 7.4 If both parties agree that capital work is required, they will mutually agree upon how the work will be completed and the timing of such work to be completed.
- 7.5 Except in the case of emergencies, each party shall notify the other party at least two (2) years in advance of any such capital improvement work proposed and the extent and cost of the capital improvement work shall be mutually agreed upon prior to proceeding with the work.
- 7.6 The party who administers the work as determined in Section 7.4 shall invoice the other party for one half of the capital cost no later than the 31st day of December in the year in which the work was completed. Payment of the invoice shall be made no later than thirty (30) days from receipt of the invoice.

## **Section 8 - Maintenance and Repair of Bridges**

At the time of this agreement there are currently no bridges maintained by either municipality located on the boundary roads included herein. Bridges are maintained by the County.

## **Section 9 - Annual Review and Planning**

Each year throughout the term of the agreement, after April 15 and not later than June 30, the parties will meet to discuss any issues arising from this agreement, including but not limited to the previous year's work and will identify and plan works for the upcoming year(s) as the case may be.

## **Section 10 – Payment**

- 10.1 West Grey and Minto shall share equally all capital expenses connected with any new construction or major maintenance work (as distinguished from routine maintenance) carried out for all highways listed in schedule 'A').
- 10.2 Each party will invoice the other as necessary for its share of the expenditures related to new construction or major maintenance work carried out for all highways listed in schedule 'A'.
- 10.3 The party being invoiced shall pay the amount invoiced within thirty (30) days of receipt of such invoice.

## **Section 11 - Entrance Permits**

Entrance permits on Boundary Roads shall be processed by the municipality in which the land requiring the permit is located in consultation with the other municipality as to road safety conditions.

## **Section 12 – Notice**

Any notice to be given under this agreement shall be sufficiently given if delivered or if sent by prepaid first-class mail and addressed to:

The Clerk's Office  
The Corporation of the Town of Minto  
5941 Highway 89  
Harriston, ON N0G1Z0

And to:

The Clerk's Office  
The Corporation of the Municipality of West Grey  
402813 Grey Road 4  
Durham, ON N0G 1R0

Receipt of notice shall be deemed on the earlier of the date of deliver or five (5) days following the date of mailing of the notice.

## **Section 13 – Arbitration**

- 13.1 In the event of any dispute arising between the parties hereto relating to any matter which is the subject of this agreement and cannot be settled within ninety (90) days, then the dispute will be submitted to arbitration by notice given by either party to the other.
- 13.2 Upon such notice being given, the dispute shall be determined by the award of three arbitrators or a majority of them, one to be named by each party within thirty (30) days of such giving notice and the third to be selected by these two (2) arbitrators within seven (7) days after both have been nominated.
- 13.3 If either party neglects or refused to name its arbitrator within the time specified or to proceed with the arbitration, the arbitrator named by the other party shall proceed with the arbitration.
- 13.4 The arbitrators shall have all the powers given by the Arbitration Act of Ontario and may at any time proceed in such manner as they may see fit on such notice as they deem reasonable in the absence of either party if such party fails to attend.
- 13.5 Each party shall pay its own costs and shall share equally in the costs of the arbitration.
- 13.6 The cost of the arbitrators is not limited to those set forth under the Arbitration Act of Ontario and the arbitrators shall be able to charge their usual professional charges.

## **Section 14 – General**

Notwithstanding anything in this agreement, neither party shall be in default with respect to the performance of any of the terms of this agreement if any non-performance is due to any force majeure, strike, lock-out, labour dispute, civil commotion, act of God, government regulations or controls, inability to obtain any material or service or any cause beyond the reasonable control of the party.

The rights and liabilities of the parties shall ensure to the benefit of and be binding upon the parties and their respective successors and approved assigns. If any provision, clause or part of this agreement or the application of this agreement under certain circumstances, is held by a court or tribunal of competent jurisdiction to be invalid, the remainder of the agreement, or the application of that provision, clause or part under other circumstances shall not be affected.

**In Witness Whereof** the Corporate Seals of each of the parties hereto have been affixed duly attested by the respective officers authorized in that behalf.

The Corporation of the Town of Minto

Per \_\_\_\_\_  
Mayor

Per \_\_\_\_\_  
Clerk

Date \_\_\_\_\_

The Corporation of the Municipality of West Grey

Per \_\_\_\_\_  
Mayor

Per \_\_\_\_\_  
Clerk

Date \_\_\_\_\_

## Schedule 'A' to the Boundary Road Agreement

### Part 'A' - Minto Responsibilities

The Town of Minto agrees to operate, maintain, renew, insure and administer for routine and winter maintenance only:

Road Section	Maintenance Class	Minto Road ID	West Grey Road ID
Minto-Normanby Townline from Grey Road 10 to Ski Road approx 8.9km	4	5, 6	3660,3650, 3645,3115-A
Minto Pines Road from Highway 89 to Highway 89 approx 0.94km	4	46	3640
Pike Lake Road from Highway 89, South to Boundary approx. 0.16km	4	N/A	3635

Covering a total distance of approx. 10km.

### Part 'B' - West Grey Responsibilities

The Municipality of West Grey agrees to operate, maintain, renew, insure and administer for routine and winter maintenance only:

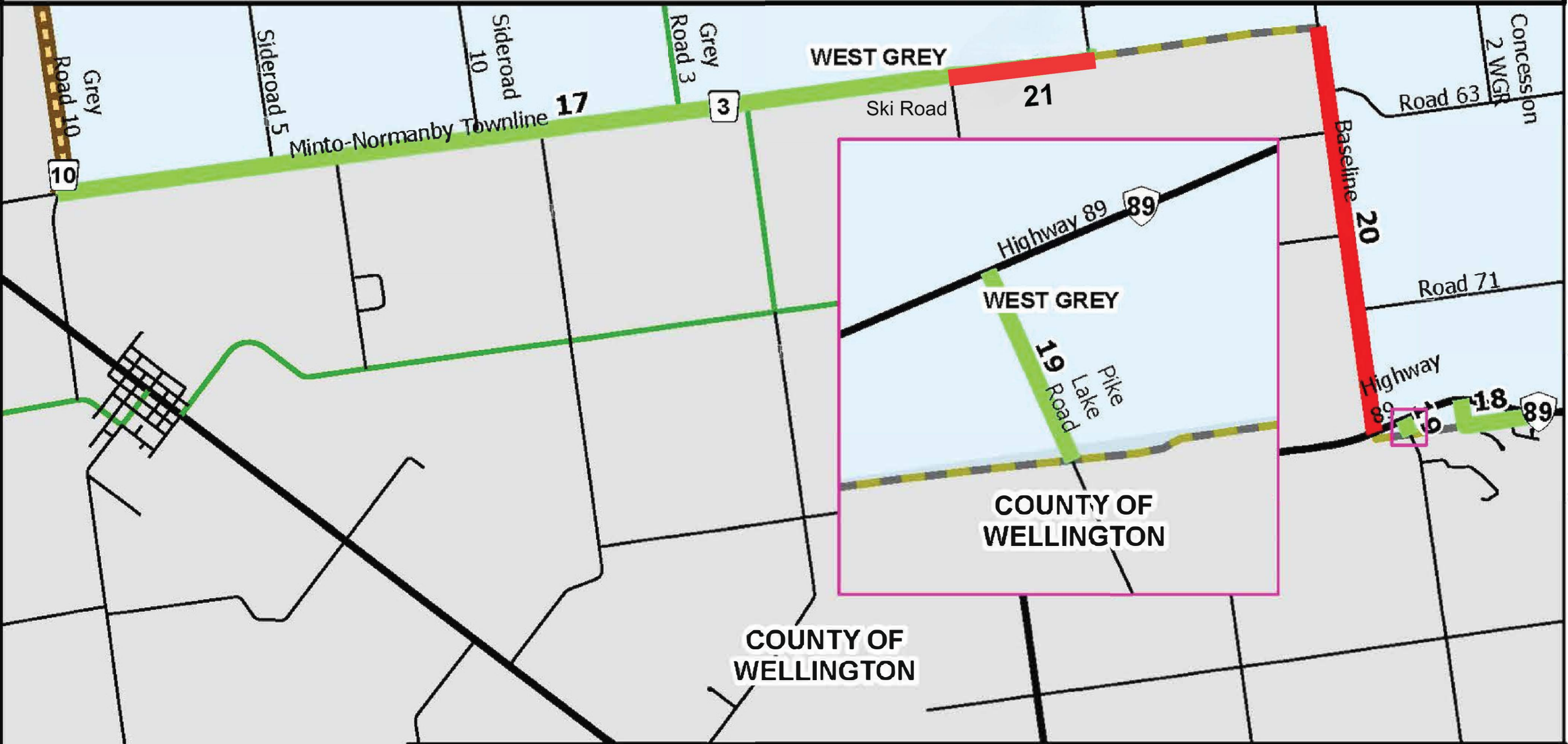
Road Section	Maintenance Class	Minto Road ID	West Grey Road ID
Baseline Road from 550m South of West Grey Concession 4 to Highway 89 approx. 4.04km	4	47	3165-C, 3165-D, 3160
Minto-Normanby Townline from West Grey Sideroad 25 to Ski Road approx. 1.4km	4	6	3115-B

Covering a total distance of approx. 5.44km.

**Boundary Road Agreement Map**  
(See attached)

Schedule A

West Grey - Minto Boundary Road Agreement



ID	Schedule Info	Minto Road ID	West Grey Road ID	Length (KM)
17	Minto-Normanby Towline from Grey Rd 10 to Ski Road	5, 6	3660, 3650, 3645, 3115-A	8.9
18	Minto Pines Road from Highway 89 to Highway 89	46	3640	0.94
19	Pike Lake Road from Highway 89, South to Boundary	N/A	3635	0.16
20	Baseline Road from 550m South of West Grey Concession 4 to Highway 89	47	3165-C, 3165-D, 3160	4.04
21	Minto-Normanby Townline from West Grey Sideroad 25 to Ski Road	6	3115-B	1.4

COUNTY OF HURON

Legend

- West Grey Responsibility
- Minto Responsibility
- Grey County Responsibility
- MTO Highway
- County Road
- Municipal Road
- Municipal Boundary

Total Length of Roads  
Minto Part A - 10 km  
West Grey Part B - 5.44 km



Map Date: 2024-02-16 4:58 PM Map  
Creator: Grey County GIS Projection:  
NAD 1983 UTM Zone 17N

## **Schedule 'B' to the Boundary Road Agreement**

### **Winter Level of Service**

Both parties agree to maintain the road equal to or greater than O. Reg. 239/02, as amended, from time to time save and except the issuance of 'Significant Weather Event' as described or amended under O. Reg. 239/02.





**The Corporation of the Municipality of West Grey  
Bylaw No. 2024-028**

A bylaw to amend the Municipality of West Grey Comprehensive Zoning Bylaw No. 37-2006,  
as amended, in accordance with ZA33.2023.

WHEREAS pursuant to the provisions of Section 34 and 36(1) of the *Planning Act, R.S.O. 1990*, as amended, bylaws may be amended by councils of municipalities; and

WHEREAS the council of the Corporation of the Municipality of West Grey deems it expedient and in the public interest to amend bylaw No. 37-2006, as amended, being the Municipality of West Grey Comprehensive Zoning Bylaw; and

NOW THEREFORE be it resolved that the council of the Corporation of the Municipality of West Grey hereby enacts as follows:

1. That Bylaw No. 37-2006 is hereby amended by changing the zone symbol on 102554 Road 49, Part Lot 50, Concession 3, Part 1 RP17R2772 geographic Township of Normanby, Municipality of West Grey, County of Grey (ARN 4205.010.007.09405) from A2 (Rural) to 'I-502-H (Institutional Exception Holding)', 'A2-503-H (Rural Exception Holding)', and 'A2-504-H (Rural Exception Holding)', as shown on Schedule 'A' attached to this bylaw.
2. That Schedule 'A' and all other notations thereon are hereby declared to form part of this bylaw.
3. That section 35.1 of Bylaw No. 37-2006 is hereby further amended by adding the following paragraphs:

I-502-H (See Schedule 'A')

Notwithstanding section 28 to the contrary, those lands shown as 'I-502-H' on Schedule 'A' of this bylaw shall be used only for the following permitted uses in accordance with the provisions of the 'I' zone:

- Monastery;
- Residential Dwelling;
- Home Occupation;
- Home Industry;
- Accessory uses, buildings and structures in accordance with Section 6.1 Accessory Uses and Structures; and
- Additional Residential Units shall not be permitted.

"Monastery" shall mean a 'Place of Worship' accommodating up to 45 persons and may include a 'Residential Dwelling Unit' within the building or structure, all to be constructed within a single building envelope.

Section 6.27 (Parking Regulations) shall not apply to the 'I-502' zone.

Section 6.17.1 (MDS I – New Non-Farm Uses) shall not apply to the 'I –502' zone.

'Lot Area Minimum' and 'Lot Frontage Minimum' shall not apply to the 'I –502' zone.

The lands shall be subject to site plan control.

The Holding (H) provision shall not be removed until such time as an Archaeological Assessment clearance/approval has been received from Heritage Branch, Ministry of Citizenship and Multiculturalism.

## A2-503-H (See Schedule 'A')

Notwithstanding section 9 to the contrary, those lands shown as 'A2-503-H' on Schedule 'A' of this bylaw shall be used only for the following permitted uses in accordance with the provisions of the 'A2' zone:

- A maximum of one (1) Residential Dwelling;
- Parking Area in accordance with Section 6.27 (Parking Regulations). Section 6.27.4 Calculation of Parking Regulations shall be based on the size of the 'Place of Worship' in the abutting 'I-502' zone;
- Home Occupation;
- Home Industry;
- Accessory uses, buildings and structures in accordance with Section 6.1 Accessory Uses and Structures; and
- Additional Residential Units shall not be permitted.

The Holding (H) provision shall not be removed until such time as an Archaeological Assessment clearance/approval has been received from Heritage Branch, Ministry of Citizenship and Multiculturalism.

The lands shall be subject to site plan control.

## A2-504-H (See Schedule 'A')

Notwithstanding section 9 to the contrary, those lands shown as 'A2-504-H' on Schedule 'A' of this bylaw shall be used in accordance with the provisions of the 'A2' zone excepting however the following uses shall be prohibited:

- Bed and Breakfast Establishment (Class 1 or Class 2); and
- Group Home; and
- Home Occupation; and
- Home Industry; and
- A detached dwelling; and
- Recreational trailer in accordance with Section 6.39.

The Holding (H) provision shall not be removed until such time as an Archaeological Assessment clearance/approval has been received from Heritage Branch, Ministry of Citizenship and Multiculturalism.

The lands shall be subject to site plan control.

4. That this bylaw shall come into force and take effect upon date of final passing.

Read a first, second and third time and finally passed this 19<sup>th</sup> day of March, 2024.

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Mayor Kevin Eccles

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Jamie M. Eckenswiller, Clerk

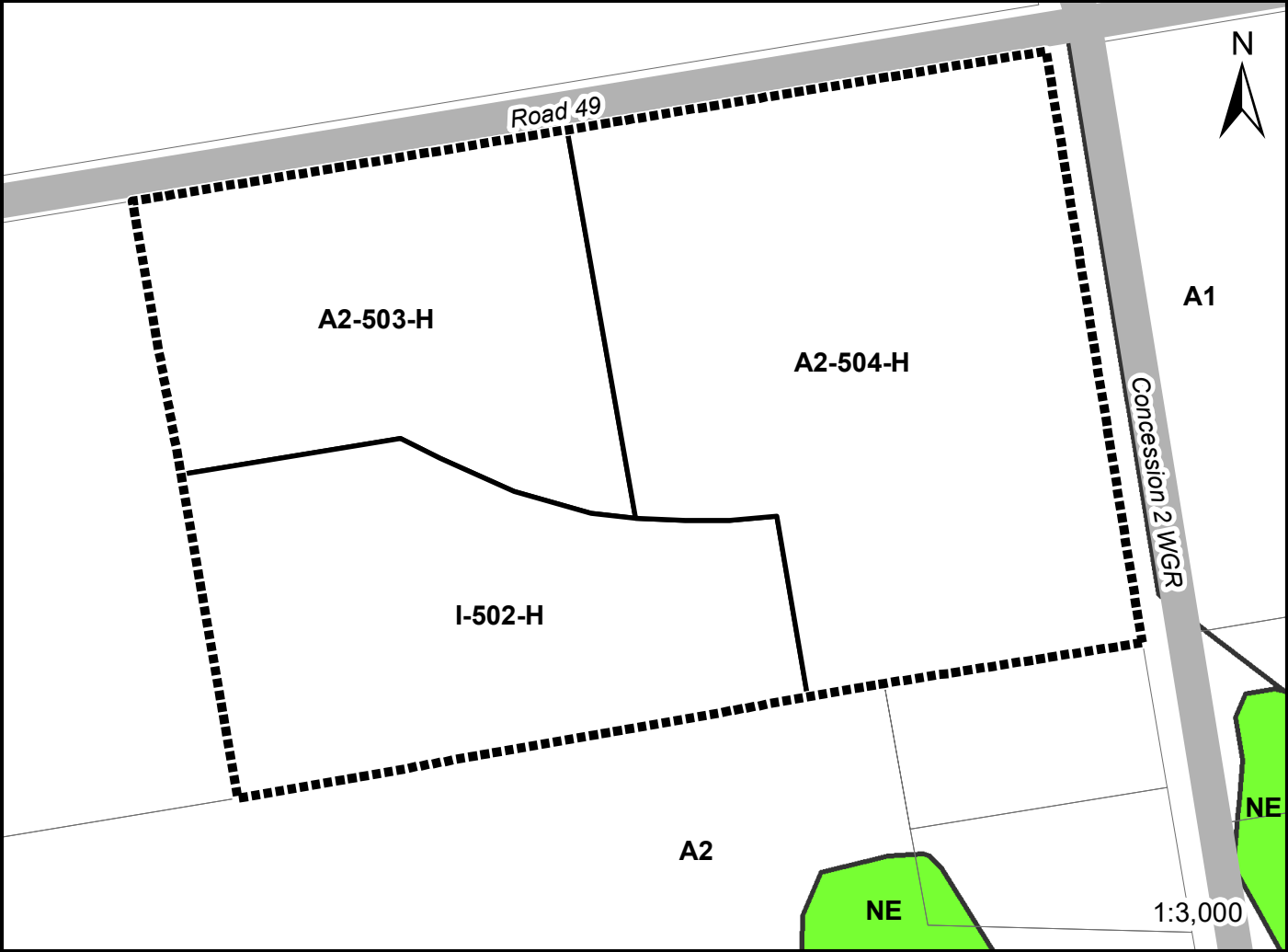
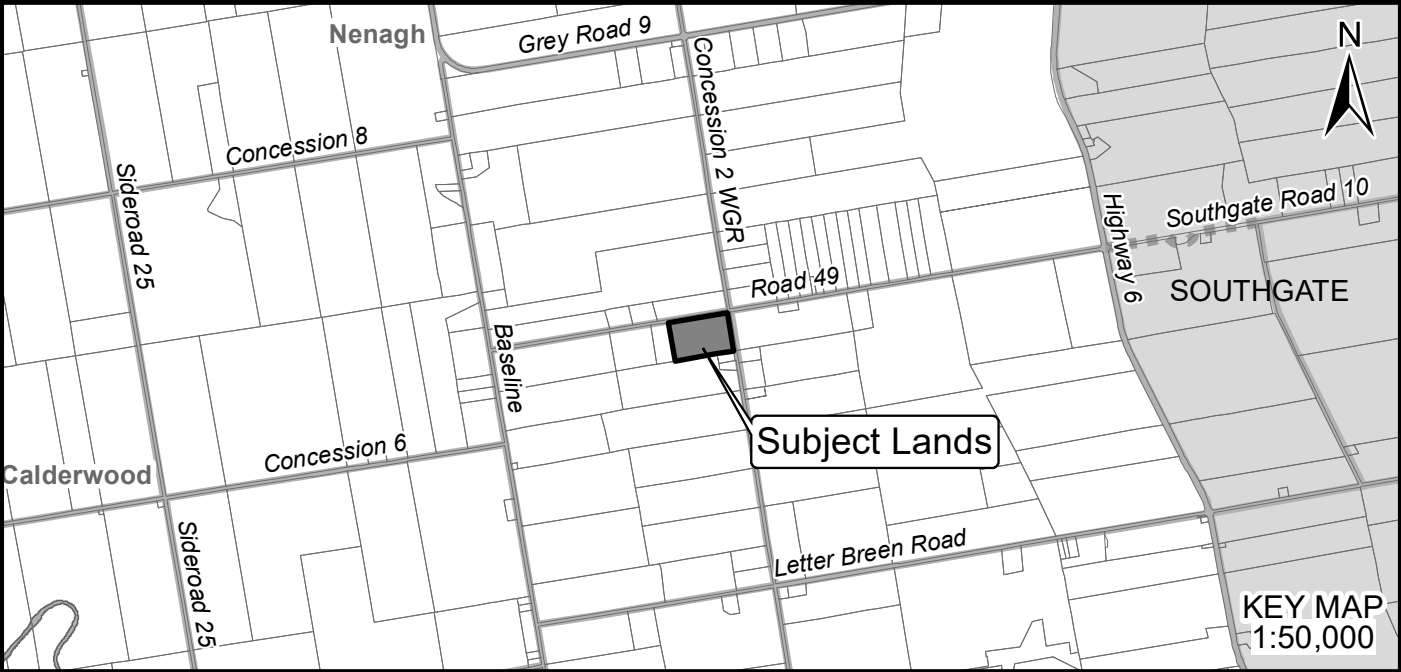
SCHEDULE "A"

Bylaw number 2024-028

MUNICIPALITY OF WEST GREY

DATE PASSED: MARCH 19, 2024

MAYOR: \_\_\_\_\_ CLERK: \_\_\_\_\_




LEGEND

 Subject Lands

 Agricultural

 Rural

 Institutional

 Natural Environment