



**AGENDA**  
**Regular Council Meeting**

September 12, 2017

6:00 pm

Council Chambers, Town Hall

**Pages**

**1. CALL TO ORDER**

**2. DECLARATIONS OF PECUNIARY INTEREST**

**3. AMENDMENTS AND APPROVAL OF AGENDA**

**THAT the September 12, 2017 regular Council agenda be accepted as presented.**

**4. PUBLIC INPUT PERIOD**

(Information provided during the Public Input Period shall be directed by the public to Council members and shall deal with matters specific to Agenda business. A maximum of two (2) minutes per person is allotted for questions, and the maximum time allotted for the Public Input Period as a whole is ten (10) minutes)

**5. DELEGATIONS, PRESENTATIONS, AND PUBLIC MEETINGS**

**5.1 Reed Needles and Cameron Porteous re: St. Marys Station Gallery**

**9**

**6. ACCEPTANCE OF MINUTES**

**6.1 Strategic Priorities Committee - August 15, 2017**

**11**

**THAT the August 15, 2017 Strategic Priorities Committee meeting minutes be approved and signed and sealed by the Mayor and the Clerk.**

6.2	Regular Council - August 22, 2017	17
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THAT the August 22, 2017 regular Council meeting minutes be approved and signed and sealed by the Mayor and the Clerk.

## 7. CORRESPONDENCE

7.1	MPP Patrick Brown regarding Joint and Several Liability Reform	33
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THAT the correspondence from MPP Patrick Brown regarding Joint and Several Liability Reform be received.

7.2	National Airlines Council of Canada re: Airport Privatization	34
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THAT the correspondence from the National Airlines Council of Canada regarding Airport Privatization be received.

## 8. STAFF REPORTS

### 8.1 Corporate Services

8.1.1	COR 34-2017 Public Art Program	36
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THAT COR 34-2007 Public Art Program report be received for information and discussion to provide direction to staff on the role the municipality will have regarding a Public Art Program.

8.1.2	COR 35-2017 Heritage Property Tax Rebate Bylaw	40
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THAT COR 35-2017 Heritage Property Tax Rebate Bylaw be received for information; and

THAT Council approve By-Law 79-2017, being a bylaw to establish a Heritage Property Tax Rebate program for the Heritage Conservation District.

## 8.2 Building and Development Services

- 8.2.1 DEV 26-2017 Application for Part Lot Control - Diamondridge Subdivision (Lots 23, 25 and 26, Registered Plan 44M-48), Town of St. Marys 43

THAT DEV 26-2017 Application for Part Lot Control for Lots 23, 25 and 26 of the Diamondridge subdivision be received; and,

THAT Part Lot Control By-law No. 75-2017 affecting Lots 23, 25 and 26, Registered Plan No. 44M-48 be adopted for a one-year period, ending September 12, 2018.

- 8.2.2 DEV 27-2017 Wellington Street North Extension 47

THAT DEV 27-2017 Wellington Street North Extension report be received; and,

THAT the Town of St. Marys maintain the proposal for a Wellington Street North extension for a future phase of the Thames Crest Farms development to ensure sufficient access and egress for emergency services providers, and to ensure the most efficient utility servicing for municipal infrastructure; and,

THAT staff be directed to work with the developer in the future phases of the Thames Crest development to create design options for the proposed Wellington Street North crossing of the Grand Trunk Trail that are sympathetic to pedestrian, motorist and ecological interests.

- 8.2.3 DEV 28-2017 Thames Crest Farms Development- Parkland Dedication 65

THAT DEV 28-2017 Thames Crest Farms Development – Parkland Dedication report be received; and,

THAT staff be directed to negotiate the transfer of parklands to the Town for the Thames Crest Farms development within the same phase as the Wellington Street North extension occurs.

8.2.4	DEV 29-2017 Grand Trunk Trail - Natural and Cultural Heritage Designation	79
	<p>THAT DEV 29-2017 Grand Trunk Trail – Natural and Cultural Heritage Designation report be received; and,</p> <p>THAT Council considering establishing very specific policies related to the Grand Trunk Trail in association with a new land use designation or trail hierarchy in the new Official Plan. Such consideration should occur following consideration of the new Recreation and Leisure Master Plan.</p>	
8.3	Public Works	
8.3.1	PW 46-2017 Picnic Table Request Science Hill Drifters Snowmobile Club	87
	<p>THAT Council approve the agreement between the Corporation of the Town of St.Marys and Science Hill Drifters Snowmobile Club, for indoor storage and single use of 35 picnic tables; and,</p> <p>THAT By-Law 78-2017 authorizing the Mayor and the Clerk to sign the associated agreement be approved.</p>	
8.3.2	PW 47-2017 Quadrant Tree Pruning Budget Variance	89
	<p>THAT PW 47-2017 Quadrant Tree Pruning Budget Variance be received; and,</p> <p>THAT Council approve an additional \$25,000 for the completion of the Southeastern Quadrant Heavy Tree Pruning.</p>	
8.3.3	PW 48-2017 Delmar Foods Industrial Waste Surcharge Agreement	93
	<p>THAT PW 48-2017 Delmar Foods Industrial Waste Surcharge Agreement be received; and,</p> <p>THAT Council approve By-Law 76 - 2017 authorizing the Mayor and the Clerk to sign the Industrial Waste Surcharge Agreement with Delmar Foods, in substantially the same form as the draft presented.</p>	



8.3.4	PW 49-2017 AWARD OF RFP-PW-14-2017 for Engineering Services for Wastewater Treatment Facility Upgrades	107
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THAT PW 49-2017 Award of RFP-PW-14-2017 for Engineering Services for Wastewater Facility Upgrades be received; and,

THAT the procurement for Engineering Services for Wastewater Facility Upgrades be awarded to R.J. Burnside and Associates Limited for the procured price of \$190,449.52, inclusive of all taxes and contingencies; and,

THAT By-Law 77-2017 authorizing the Mayor and the Clerk to sign the associated agreement be approved.

## 9. COUNCILLOR REPORTS

### 9.1 Operational and Board Reports

9.1.1	Bluewater Recycling Association - Coun. Craigmile	111
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THAT the August 17, 2017 Bluewater Recycling Association Board of Directors meeting highlights be received.

#### 9.1.2 Library Board - Coun. Osborne, Winter

#### 9.1.3 Municipal Liaison Committee - Mayor Strathdee, Coun. Winter

#### 9.1.4 Perth District Health Unit - Coun. Osborne

#### 9.1.5 Police Services Board - Mayor Strathdee, Coun. Van Galen

#### 9.1.6 Spruce Lodge Board - Coun. Pope, Van Galen

9.1.7	Upper Thames River Conservation Authority	130
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THAT the June 27, 2017 Upper Thames River Conservation Authority Board of Directors meeting minutes be received.

### 9.2 Advisory and Ad-Hoc Committee Reports

#### 9.2.1 Accessibility Advisory Committee - Coun. Hainer

**9.2.2 Business Improvement Area - Coun. Pope**

138

THAT the July 10, 2017 Business Improvement Area Board meeting minutes be received.

**9.2.3 CBHFM - Coun. Hainer**

**9.2.4 Committee of Adjustment**

**9.2.5 Economic Development Committee - Coun. Pope**

**9.2.6 Heritage St. Marys - Coun. Pope**

**9.2.7 Museum Board - Coun. Winter**

**9.2.8 Planning Advisory Committee - Coun. Craigmile, Van Galen**

**9.2.9 Heritage Conservation District Advisory Committee - Coun. Winter**

**9.2.10 Senior Services Board - Coun. Craigmile**

**9.2.11 Huron Perth Healthcare Local Advisory Committee - Coun. Hainer**

**9.2.12 St. Marys Lincolns Board - Coun. Craigmile**

**9.2.13 St. Marys Cement Community Liaison Committee - Mayor Strathdee, Coun. Craigmile**

**10. EMERGENT OR UNFINISHED BUSINESS**

**11. NOTICES OF MOTION**

**12. BY-LAWS**

**12.1 By-Law 72-2017 Authorize an Easement Agreement with Manual De Chaves Freitas**

146

THAT By-Law 72-2017, being a by-law to authorize the Mayor and the Clerk to sign an easement agreement with Manual De Chaves Freitas of 95 Carling Street be read a first, second and third time; and be finally passed and signed and sealed by the Mayor and the Clerk.

- 12.2 By-Law 73-2017 Authorize an Easement Agreement with Kent William Robson 147
- THAT By-Law 73-2017, being a by-law to authorize the Mayor and the Clerk to sign an easement agreement with Kent William Robson of 206 Carling Street be read a first, second and third time; and be finally passed and signed and sealed by the Mayor and the Clerk.
- 12.3 By-Law 74-2017 Authorize an Easement Agreement with Robson Scrap Metals Ltd 148
- THAT By-Law 74-2017, being a by-law to authorize the Mayor and the Clerk to sign an easement agreement with Robson Scrap Metals Ltd. be read a first, second, and third time; and be finally passed and signed and sealed by the Mayor and the Clerk.
- 12.4 By-Law 75-2017 Part Lot Control Diamondridge Subdivision Lots 23, 25 and 26 Plan 44M-48 149
- THAT By-Law 75-2017, being a by-law to authorize Part Lot Control affecting Lots 23, 25 and 26, Registered Plan 44M-48 be adopted for a period of one year, ending September 12, 2018 be read a first, second and third time; and be finally passed and signed and sealed by the Mayor and the Clerk.
- 12.5 By-Law 76-2017 Authorize an Industrial Waste Surcharge Agreement with Delmar Foods 150
- THAT By-Law 76-2017, being a by-law to authorize the Mayor and the Clerk to sign an Industrial Waste Surcharge Agreement with Delmar Foods be read a first, second and third time; and be finally passed and signed and sealed by the Mayor and the Clerk.
- 12.6 By-Law 77-2017 Authorize an Agreement with R. J. Burnside & Associates Ltd 151
- THAT By-Law 77-2017, being a by-law to authorize the Mayor and the Clerk to sign an agreement with R. J. Burnside and Associates Ltd be read a first, second and third time; and be finally passed and signed and sealed by the Mayor and the Clerk.

- 12.7     **By-Law 78-2017 Authorize an Agreement with Science Hill Drifters  
Snowmobile Club** 152

THAT By-Law 78-2017, being a by-law to authorize the Mayor and the Clerk to sign an agreement with Science Hill Drifters Snowmobile Club be read a first, second and third time; and be finally passed and signed and sealed by the Mayor and the Clerk.

- 12.8     **By-Law 79-2017 Establish Heritage Property Tax Rebate Program** 153

THAT By-Law 79-2017, being a by-law to establish the Heritage Property Tax Rebate program for the Heritage Conservation District be read a first, second and third time; and be finally passed and signed and sealed by the Mayor and the Clerk.

**13.     UPCOMING MEETINGS**

September 19, 2017 - 9:00am, Strategic Priorities Committee, Council Chambers

September 26, 2017 - 6:00pm, Regular Council, Council Chambers

**14.     CLOSED SESSION**

**15.     CONFIRMATORY BY-LAW** 161

THAT By-Law 80-2017, being a by-law to confirm the proceedings of the September 12, 2017 regular Council meeting be read a first, second and third time; and be finally passed and signed and sealed by the Mayor and the Clerk.

**16.     ADJOURNMENT**

That this regular meeting of Council adjourn at \_\_\_\_\_ p.m.

**Proposal to Council**  
**Re: St. Marys Station Gallery**  
**September 11, 2017**

**Background:**

The St. Marys Station Gallery is a non-profit community-based art gallery, operating in the foyer of the historic Via station in St. Marys. The gallery is operated and funded by two community members, Cameron Porteous and Reed Needles, who rent studio space from the town in the station building. We initiated the idea of a free art gallery showcasing local art and artists, as a means of supporting the local arts community and bringing more attention to one of St Marys most iconic features. Since September 2016, the Gallery has hosted 10 separate exhibits, highlighting a variety of different artists and genres. Working closely with town officials and staff, we have created a series of exhibitions which have attracted more than 1300 visitors to the station. Planning for the 2017 – 2018 season is underway.

**Mandate:**

The St Marys Station Gallery operates under the following mandate:

“The St Marys Station Gallery operates under the understanding that it will:

1. showcase those artists working in various media whose creative insights, technical excellence and breadth of expression demonstrate a mastery of professional standards in artistic vision and technique,
2. assemble and exhibit a variety of works in 2 and 3D media, thereby giving exposure to artists who reflect the cultural diversity, history, talent and character of the community of St Marys, and
3. engender an appreciation for the historical significance of the Via station, and actively promote its preservation and heritage.”

**Funding:**

The Gallery operates as a non-profit organization, although it has yet to be granted that status officially. Admission to the gallery is free. Artists hang their work for free. Costs for display, advertising and promotion are covered by us at our own personal expense. The average cost of mounting an exhibition is about \$350.00. Donations have been solicited from visitors and local business to help defray expenses. Neither of us personally receive any profit from the exhibitions in any way, as we see this project as our contribution to the community as a whole.

**Response/Effect:**

Each of the exhibitions to date has received favourable reviews. A number of articles have appeared in local newspapers (St Marys Journal Argus, The St Marys Independent, The Stratford Beacon Herald) and on-line via Facebook and the Gallery’s website. Those artists whose works have been presented receive both significant media attention, and an appreciably larger market for their work. This in turn has encouraged the creation of more local work.

Each new exhibit has hosted an opening night, where visitors meet the artists and preview their work. A number of local businesses have assisted at these openings, notably Jennie's Restaurant, Roancroft Framing, Barista's, MacDonald's Independent Grocery, Four Happy Restaurant, Macpherson's Arts and Crafts, The Flower Shop, and St Marys Office Solutions.

The Gallery therefore **directly** supports and receives support from local businesses and individuals, while at the same time **indirectly** supporting local businesses, as the visitors to the gallery also patronize local services such as restaurants, shops, bed and breakfast establishments, etc.

Finally, visitors to the Gallery are also introduced to the station itself, its history and cultural significance, as a major contributor to the growth of early St. Marys.

### **Future Plans:**

We hope to continue this positive trend via a series of new exhibitions in the 2017-2018 season. Currently, we are pursuing displays of local photography, a Canadian premiere, a new exhibition combining the work of acclaimed bird photographer Herman Venendaal and local bird-carvers, a presentation of theatrical costume design by an respected local designer, more work from local artists, both individual and as part of the Stonetown Arts organization, new work from St Marys glass artist Peter Allan Ryce, as well as works created by local youth on a variety of themes.

### **Purpose of this Proposal:**

We believe that the events, activity and response to our work over the past year has demonstrated the need for, and positive effect of having a designated Art Gallery in St. Marys. We have worked in close conjunction with Town officials over the year to ensure that we are in compliance with regulations and policies regarding liability, access, signage, security and insurance. We have enjoyed the support of the Town via the linking of our website to the Town's website, the inclusion of the Gallery on the Tourism Map of St Marys, and innumerable acts of kindness and assistance from Town staff. We are also very interested in helping bring attention to the station, and enlisting public support for Via services.

We are anxious to be able to continue offering art and support to the community, but since this is a non-profit venture, and we have been using our own personal funds to cover costs, we need additional support from Council. To that end, we would ask that members of Council consider the following three questions:

1. Does Council wish the Gallery to continue in the station?
2. Would Council consider "adopting" the St Marys Station Gallery as an officially sanctioned St Marys endeavour/attraction?
3. Would Council support the Gallery financially?

We sincerely appreciate your past and continued support. Thank you for your time and consideration of our requests.

Yours sincerely

C. Porteous

R. Needles



**MINUTES**  
**Strategic Priorities Committee**

August 15, 2017  
9:00 am  
Council Chambers, Town Hall

Council Present: Mayor Strathdee  
Councillor Osborne  
Councillor Van Galen  
Councillor Winter  
Councillor Pope  
Councillor Hainer  
Councillor Craigmile

Staff Present: Brent Kittmer, CAO / Clerk  
Trisha McKibbin, Director of Corporate Services / Deputy Clerk  
Jed Kelly, Director of Public Works  
Jenna McCartney, Corporate Administrative Coordinator

**1. CALL TO ORDER**

Chair Strathdee called the meeting to order at 9:00am.

**2. DECLARATIONS OF PECUNIARY INTEREST**

None declared.

**3. AMENDMENTS AND APPROVAL OF THE AGENDA**

The committee determined agenda items 5.2 and 5.3 would be switched in the presentation order.

**Resolution 2017-08-15-01**

**Moved By:** Councillor Craigmile

**Seconded By:** Councillor Osborne

THAT the August 15, 2017 Strategic Priorities Committee agenda be accepted as amended.

**CARRIED**

**4. DELEGATIONS AND PRESENTATIONS**

None.

## **5. STRATEGIC PRIORITIES REVIEW**

### **5.1 CAO 30-2017 Proposed Traffic By-Law Amendments**

Brent Kittmer addressed CAO 30-2017 and presented the information related to the truck traffic amendments.

#### **Resolution 2017-08-15-02**

**Moved By:** Councillor Hainer

**Seconded By:** Councillor Pope

THAT the Strategic Priorities Committee recommends to Council that the Traffic By-law be amended to implement a reduced speed school zone on James Street South in the area of DCVI.

**CARRIED**

#### **Resolution 2017-08-15-03**

**Moved By:** Councillor Pope

**Seconded By:** Councillor Winter

THAT the Strategic Priorities Committee recommends to Council that the Traffic By-law be amended to extend the Community Safety Zone on James Street South from Elgin Street to the Southern Entrance to the Pyramid Recreation Centre.

**CARRIED**

The Committee requested the following additional information to be presented in Staff's report when these recommendations are raised to Council:

- Statistics regarding speeding, collision rates, and other safety concerns on James Street in the area of DCVI.
- Information regarding the plan to provide advance warning to drivers of the new Community Safety zone location at the PRC.
- That staff give consideration to installing "Watch for Pedestrians" signage in the area of the Hospital and the Loop Trail crossing at Ingersoll Street.

The Committee considered the further requests Submitted by the Citizens Concerned About Heavy Truck Traffic.



**Resolution 2017-08-15-04**

**Moved By:** Councillor Pope

**Seconded By:** No seconder

THAT Council defer consideration of the remaining CCAHTT requests until the Stratford Police Service is in place.

**FAILED**

There was consensus that the Town not pursue a red light camera for the downtown.

There was consensus from the Committee that the review of the External to External Truck Ban be deferred until the Stratford Police Service is working in St. Marys.

There consensus to not pursue a reduction of the speed limit in the downtown core to 40 km/h.

Jed Kelly addressed CAO 30-2017 and presented the information related to all other amendments to the proposed Traffic By-law.

The Committee requested that the definition of “Scooter” provide in the by-law be updated, and requested that staff review how other municipalities allowed for motorized mobility scooters to be used on sidewalks.

The Committee requested that staff report back on the pre-construction and post-construction configuration of parking spots located in front of Tim Hortons.

**Resolution 2017-08-15-05**

**Moved By:** Councillor Winter

**Seconded By:** Councillor Pope

THAT CAO 30-2017 regarding proposed traffic by-law amendments be received for discussion; and

THAT the Strategic Priorities Committee Recommends to Council:

THAT the Victoria Bridge and Church Street Bridge not be load posted at this time; and

THAT the Town defer consideration of a ban on external to external truck traffic and review enforcement options of a possible ban with the Stratford Police Service; and

THAT staff continue to focus on implementing traffic safety and calming solutions that will result in an overall improvement in the safe use of Town roadways by all vehicles

THAT the proposed amendments related to the administrative review of the existing Traffic By-Law provisions be approved and staff be directed to present a final by-law for Council's consideration and approval

**CARRIED**

Committee took a brief break at 10:21am.

Chair Strathdee called the meeting back to order at 10:30am.

**5.3 COR 32-2017 Heritage Property Tax Rebate Bylaw**

Trisha McKibbin spoke to COR 32-2017 report and responded to questions from Council.

The Committee came to a consensus that it would like the by-law to clearly reflect that the funds available for the Heritage Property Tax Rebate will be as per the budget has been allocated each year.

Staff clarified that the rebate program is on a "first come, first served" basis.

**Resolution 2017-08-15-06**

**Moved By:** Councillor Van Galen

**Seconded By:** Councillor Pope

THAT Report COR 32-2017 Heritage Property Tax Rebate Bylaw be received for discussion; and THAT the Strategic Priorities Committee recommends to Council the approval of draft By-Law XX-2017, being a bylaw to establish a Heritage Property Tax Rebate Program for the Heritage Conservation District.

**CARRIED**

**5.2 COR 31-2017 Refreshment Vehicle Bylaw**

Trisha McKibbin spoke to COR 31-2017 report and responded to questions from Council.

The Committee came to a consensus that:

- clarity is required around application priority for existing licence holders
- clarity is required regarding the services that a Refreshment Vehicle can hook up to on private property and the need for Refreshment Vehicles to be self-sufficient.
- consideration should be made about waiving the licence fee at events of municipal significance that are organized by Service Clubs and Charities

Staff will report back to Council at a meeting in September with a revised by-law.

**6. NEXT MEETING**

Chair Strathdee reviewed the schedule of next meetings as presented in the agenda.

Staff noted that the agenda items for the September Strategic Priorities Committee will include the Corporate Communications Plan Implementation Strategy and the Draft Recreation Master Plan.

**7. ADJOURNMENT**

**Resolution 2017-08-15-07**

**Moved By:** Councillor Osborne

**Seconded By:** Councillor Pope

That this meeting of the Strategic Priorities Committee adjourn at 11:25am.

**CARRIED**

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Al Strathdee, Mayor

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Brent Kittmer, CAO / Clerk



## **MINUTES Regular Council**

August 22, 2017  
6:00pm  
Council Chambers, Town Hall

Council Present: Mayor Strathdee  
Councillor Osborne  
Councillor Van Galen  
Councillor Winter  
Councillor Pope  
Councillor Craigmile

Council Regrets: Councillor Hainer

Staff Present: Brent Kittmer, CAO / Clerk  
Trisha McKibbin, Director of Corporate Services / Deputy Clerk  
Richard Anderson, Director of Emergency Services / Fire Chief  
Grant Brouwer, Director of Building and Development  
Jim Brown, Director of Finance / Treasurer  
Jed Kelly, Director of Public Works  
Lisa Lawrence, Human Resources Manager  
Jenny Mikita, Senior Services Supervisor  
Jenna McCartney, Corporate Administrative Coordinator

### **1. CALL TO ORDER**

Mayor Strathdee called the meeting to order at 6:00pm.

### **2. DECLARATIONS OF PECUNIARY INTEREST**

None declared.

### **3. AMENDMENTS AND APPROVAL OF AGENDA**

Councillor Van Galen advised that he was withdrawing his motion under item 11.1 from the agenda.

**Resolution 2017-08-22-01**

**Moved By** Councillor Pope

**Seconded By** Councillor Craigmile

THAT the August 22, 2017 regular Council agenda be accepted as amended.

**CARRIED**

**4. PUBLIC INPUT PERIOD**

None presented.

**5. DELEGATIONS, PRESENTATIONS, AND PUBLIC MEETINGS**

**5.1 Retirement Presentation to Kim Clifford**

Brent Kittmer introduced Mr. Bruce Grant who brought forth congratulations to Kim Clifford on behalf of past employees of the corporation.

Jed Kelly brought forth congratulations to Kim on her years of service with the Town on behalf of staff.

Brent Kittmer brought forth congratulations to Kim on behalf of the corporation.

Mayor Strathdee brought forth congratulations to Kim on behalf of Council.

Kim accepted her well wishes and shared a few memories of the past.

Council took a brief recess at 6:16pm.

Mayor Strathdee called the meeting back to order at 6:19pm.

**5.2 Vodden, Bender and Seebach re: 2016 Audited Financial Statements**

Jim Brown welcomed Paul Seebach of Vodden, Bender and Seebach.

Mr. Seebach spoke to the 2016 Audited Financial Statement and responded to questions of Council.

**Resolution 2017-08-22-02**

**Moved By** Councillor Van Galen

**Seconded By** Councillor Winter

THAT the 2016 Audited Financial Statement presentation from Vodden, Bender and Seebach be received.

**CARRIED**

**5.3 Ontario Clean Water Agency re: 2nd quarter reporting**

Renee Hornick of Ontario Clean Water Agency spoke to the 2nd quarter Water Report and responded to questions from Council.

Renee Hornick continued by speaking to the 2nd quarter Wastewater Report and responded to questions from Council.

**Resolution 2017-08-22-03**

**Moved By** Councillor Craigmile

**Seconded By** Councillor Osborne

THAT the presentation by the Ontario Clean Water Agency be received.

**CARRIED**

**6. ACCEPTANCE OF MINUTES**

**6.1 Strategic Priorities Committee - July 18, 2017**

**Resolution 2017-08-22-04**

**Moved By** Councillor Pope

**Seconded By** Councillor Craigmile

THAT the July 18, 2017 Strategic Priorities Committee meeting minutes be approved and signed and sealed by the Mayor and the Clerk.

**CARRIED**

**6.2 Regular Council - July 25, 2017**

**Resolution 2017-08-22-05**

**Moved By** Councillor Craigmile

**Seconded By** Councillor Pope

THAT the July 25, 2017 regular Council meeting minutes be approved and signed and sealed by the Mayor and the Clerk.

**CARRIED**

**7. CORRESPONDENCE**

**7.1 Kelly Deeks-Johnson re: Before and After School Billing Change**

**Resolution 2017-08-22-06**

**Moved By** Councillor Craigmile

**Seconded By** Councillor Winter

THAT the correspondence from Kelly Deeks-Johnson regarding Before and After School Billing Change be received.

**CARRIED**

**7.2 Ministry of Municipal Affairs re: Bill 68 of the Municipal Elections Act, 1996**

**Resolution 2017-08-22-07**

**Moved By** Councillor Winter

**Seconded By** Councillor Van Galen

THAT the correspondence from the Ministry of Municipal Affairs regarding Bill 68 of the Municipal Elections Act be received; and,

THAT Council directs staff to respond to the Ministry of Municipal Affairs with the following replies:

Potential candidates in St. Marys would have challenges in fulfilling the requirement to have their nomination endorsed by 25 electors; and,

The Minister of Municipal affairs should exempt all municipalities from the requirement for municipal candidates to have their nomination endorsed

**CARRIED**

**7.3 Perth County Plowmen's Association re: Perth County Plowing Match**

**Resolution 2017-08-22-08**

**Moved By** Councillor Pope

**Seconded By** Councillor Craigmile

THAT the correspondence from Perth County Plowmen's Association regarding the Perth County Plowing Match be received.

**CARRIED**

**7.4 MPP Sylvia Jones re: Bill 141 - Sewage Bypass Reporting Act, 2017**

**Resolution 2017-08-22-09**

**Moved By** Councillor Pope

**Seconded By** Councillor Van Galen

THAT the correspondence from MPP Sylvia Jones regarding Bill 141 - *Sewage Bypass Reporting Act, 2017* be received.

**CARRIED**

**8. STAFF REPORTS**

**8.1 Administration and Human Resources**



### **8.1.1 CAO 32-2017 August Monthly Report (Administration and Human Resources)**

Brent Kittmer spoke to CAO 32-2017 report and responded to questions from Council.

Lisa Lawrence spoke to CAO 32-2017 report and responded to questions from Council.

#### **Resolution 2017-08-22-10**

**Moved By** Councillor Craigmile

**Seconded By** Councillor Winter

THAT CAO 32-2017 August Monthly Report (Administration and Human Resources) be received for information.

**CARRIED**

## **8.2 Corporate Services**

### **8.2.1 COR 33-2017 August Monthly Report (Corporate Services)**

Trisha McKibbin spoke to COR 33-2017 report and responded to questions from Council.

#### **Resolution 2017-08-22-11**

**Moved By** Councillor Craigmile

**Seconded By** Councillor Osborne

THAT COR 33-2017 August Monthly Report (Corporate Services) be received for information.

**CARRIED**

## **8.3 Finance**

### **8.3.1 FIN 16-2017 August Monthly Report (Finance Department)**

Jim Brown spoke to FIN 16-2017 report and responded to questions from Council.

#### **Resolution 2017-08-22-12**

**Moved By** Councillor Pope

**Seconded By** Councillor Craigmile

THAT FIN 16-2017 August Monthly Report (Finance Department) be received for information.

**CARRIED**

**8.3.2 FIN 17-2017 Audited Financial Statements for the Year Ended December 31, 2016**

Jim Brown spoke to FIN 17-2017 report and responded to questions from Council.

**Resolution 2017-08-22-13**

**Moved By** Councillor Van Galen

**Seconded By** Councillor Craigmile

THAT report FIN 17-2017 Audited Financial Statements for the Year Ended December 31, 2016 be received; and

THAT the 2016 surplus of \$356,133 be applied to the Reserve for Municipal Facilities for use as a funding source for the Early Learning Centre Relocation capital project.

**CARRIED**

**Resolution 2017-08-22-14**

**Moved By** Councillor Winter

THAT Council direct staff to continue to explore the option of establishing an operating reserve fund for the St. Marys Public Library.

**CARRIED**

**8.4 Fire and Emergency Services**

**8.4.1 FD 11-2017 August Monthly Report (Emergency Services)**

Fire Chief Anderson spoke to FD 11-2017 report and responded to questions from Council.

**Resolution 2017-08-22-15**

**Moved By** Councillor Pope

**Seconded By** Councillor Osborne

THAT FD 11-2017 August Monthly Report (Emergency Services) be received for information.

**CARRIED**

**8.5 Building and Development Services**

**8.5.1 DEV 23-2017 August Monthly Report (Building and Development)**

Grant Brouwer spoke to DEV 23-2017 report and responded to questions from Council.

**Resolution 2017-08-22-16**

**Moved By** Councillor Craigmile

**Seconded By** Councillor Winter

THAT DEV 23-2017 August Monthly Report (Building and Development) be received for information.

**CARRIED**

**8.5.2 DEV 24-2017 Site Alteration Agreement for Meadowridge Properties**

Grant Brouwer spoke to DEV 24-2017 report and responded to questions from Council.

**Resolution 2017-08-22-17**

**Moved By** Councillor Craigmile

**Seconded By** Councillor Pope

THAT Council approves an agreement with Meadowridge Properties to allow site alterations on the Stoneridge Phase Two property; and,

THAT By-law 67-2017 authorizing the Mayor and the Clerk to sign the associated agreement be approved.

**CARRIED**

**8.5.3 DEV 25-2017 Exemption from Part Lot Control for Lot 3 Diamondridge**

Grant Brouwer spoke to DEV 25-2017 report and responded to questions from Council.

**Resolution 2017-08-22-18**

**Moved By** Councillor Van Galen

**Seconded By** Councillor Craigmile

THAT DEV 25-2017 Extension of Part Lot Control exemption for Lot 3 of the Diamondridge subdivision be received; and,

THAT By-law No. 68-2017 affecting Lot 3, Registered Plan No. 44M-48 be adopted for a six month period, ending February 22, 2018.

**CARRIED**

## **8.6 Community Services**

### **8.6.1 DCS 18-2017 August Monthly Report (Community Services)**

Jenny Mikita, on behalf of Stephanie Ische, spoke to DCS 18-2017 and responded to questions from Council.

**Resolution 2017-08-22-19**

**Moved By** Councillor Craigmile

**Seconded By** Councillor Winter

THAT DCS 18-2017 August Monthly Report (Community Services) be received for information.

**CARRIED**

## **8.7 Public Works**

### **8.7.1 PW 44-2017 August Monthly Report (Public Works)**

Jed Kelly spoke to PW 44-2017 report and responded to questions from Council.

**Resolution 2017-08-22-20**

**Moved By** Councillor Pope

**Seconded By** Councillor Osborne

THAT PW 44-2017 August Monthly Report (Public Works) be received as information.

**CARRIED**

### **8.7.2 PW 40-2017 Industrial Waste Surcharge Agreement Request from Delmar Foods**

Jed Kelly spoke to PW 40-2017 report and responded to questions from Council.

**Resolution 2017-08-22-21**

**Moved By** Councillor Craigmile

**Seconded By** Councillor Osborne

THAT PW 40-2017 Industrial Waste Surcharge Agreement Request for Delmar Foods be received; and,

THAT Council direct staff to develop an Industrial Waste Surcharge Agreement for Delmar Foods with consideration for a phased in provision in keeping with historical municipal precedent to be returned to Council for final approval.

**CARRIED**

#### **8.7.3 PW 41-2017 Clean Water and Wastewater Funding Agreement**

Jed Kelly spoke to PW 41-2017 report and responded to questions from Council.

**Resolution 2017-08-22-22**

**Moved By** Councillor Pope

**Seconded By** Councillor Craigmile

THAT PW 41-2017 Clean Water and Wastewater Funding Agreement be received; and,

THAT By-Law 66-2017, being a by-law to authorize a funding agreement with the Province of Ontario for the Clean Water and Wastewater Fund funding program, be approved; and,

THAT the Mayor and the Clerk be authorized to sign the CWWF funding Agreement.

**CARRIED**

#### **8.7.4 PW 42-2017 Municipal Drinking Water Fountains**

Jed Kelly spoke to PW 42-2017 report and responded to questions from Council.

**Resolution 2017-08-22-23**

**Moved By** Councillor Pope

**Seconded By** Councillor Osborne

THAT Report PW 42-2017 Municipal Drinking Water Fountains be received; and,

THAT Council approve the proposed modifications to the drinking water fountain on the Grand Trunk Trail to incorporate a “pet-friendly” station; and,

THAT Council direct staff to facilitate the necessary repairs to the drinking water fountain on the Riverview Walkway, to be completed for the 2018 fountain season; and,

THAT Council direct staff to permanently remove historical drinking water fountains which have been removed from service.

**CARRIED**

**8.7.5 PW 43-2017 Tender Award for RFQ-PW-03-2017 - Procurement for a Standby Power Generator for the James Street Booster Station**

Jed Kelly spoke to PW 43-2017 report and responded to questions from Council.

**Resolution 2017-08-22-24**

**Moved By** Councillor Craigmile

**Seconded By** Councillor Winter

THAT PW 43-2017 Tender Award for RFQ-PW-03-2017 be received; and,

THAT the procurement for a Standby Power Generator for the James Street Booster Pumping Station be awarded to Forman Electric Ltd. for the procured price of \$120,271.55, inclusive of all taxes and contingencies pending an executed Agreement with INOAC Interior Systems; and,

THAT Council approve the project to proceed which is to be fully funded by INOAC Interior Systems; and,

THAT By-Law 69-2017 authorizing the Mayor and the Clerk to sign the associated agreement be approved.

**CARRIED**

**8.7.6 PW 45-2017 Tender Award Asphalt Resurfacing**

Jed Kelly spoke to PW 45-2017 report and responded to questions from Council.

**Resolution 2017-08-22-25**

**Moved By** Councillor Craigmile

**Seconded By** Councillor Van Galen

THAT PW 45-2017 regarding the asphalt resurfacing tender award be received; and,

THAT the procurement for RFT-PW-07-2017 be awarded to COCO Paving Inc. for the procured price of \$109,752.22 inclusive of all taxes and provisional items; and,

THAT By-Law 70-2017 authorizing the Mayor and the Clerk to sign the associated agreement be approved; and,

THAT Council authorize staff to extend resurfacing area to the approved budget of \$210,000.00.

**CARRIED**

## **9. COUNCILLOR REPORTS**

Council took a brief recess at 8:05pm.

Mayor Strathdee called the meeting back to order at 8:17pm.

### **9.1 Operational and Board Reports**

#### **9.1.1 Bluewater Recycling Association - Coun. Craigmile**

Councillor Craigmile reported there has not been a meeting in July.

#### **9.1.2 Library Board - Coun. Osborne, Winter**

Councillor's Osborne and Winter reported that there have been no recent meetings.

##### **Resolution 2017-08-22-26**

**Moved By** Councillor Pope

**Seconded By** Councillor Osborne

THAT the June 8, 2017 St. Marys Public Library Board meeting minutes be received; and,

THAT the June 29, 2017 St. Marys Public Library Board special meeting minutes be received.

**CARRIED**

#### **9.1.3 Municipal Liaison Committee - Mayor Strathdee, Coun. Winter**

Councillor Winter reported that the next meeting is scheduled for September 2017.

#### **9.1.4 Perth District Health Unit - Coun. Osborne**

Councillor Osborne reported that there has not been a recent meeting. There is an upcoming September 12 meeting to discuss the amalgamation between Huron and Perth County's Health Units and he will request to be a member of the appointed review board.

#### **9.1.5 Police Services Board - Mayor Strathdee, Coun. Van Galen**

Councillor Van Galen reported that there have been no recent meetings.

##### **Resolution 2017-08-22-27**

**Moved By** Councillor Van Galen

**Seconded By** Councillor Craigmile

THAT the June 21, 2017 Police Services Board meeting draft minutes be received.

**CARRIED**

#### **9.1.6 Spruce Lodge Board - Coun. Pope, Van Galen**

Councillor's Van Galen and Pope reported that there have been no recent meetings.

#### **9.1.7 Upper Thames River Conservation Authority**

Brent Kittmer stated that there is a public meeting at the UTRCA's head office in London on September 27 at 9:00am. Mr. Kittmer and Mayor Strathdee will be attending and plan to present a letter on behalf of the Town that speaks to the conservation authority's budget.

### **9.2 Advisory and Ad-Hoc Committee Reports**

#### **9.2.1 Accessibility Advisory Committee - Coun. Hainer**

Councillor Craigmile reported that there have been no recent meetings.

#### **9.2.2 Business Improvement Area - Coun. Pope**

Councillor Pope highlighted points from the recent meeting.

#### **9.2.3 CBHFM - Coun. Hainer**

Mayor Strathdee reported on current activities of the CBHFM.



#### **9.2.4 Committee of Adjustment**

##### **Resolution 2017-08-22-28**

**Moved By** Councillor Winter

**Seconded By** Councillor Craigmile

THAT the July 19, 2017 Committee of Adjustment meeting minutes be received; and,

THAT the August 2, 2017 Committee of Adjustment meeting minutes be received; and,

THAT August 16, 2017 Committee of Adjustment meeting draft minutes be received.

**CARRIED**

#### **9.2.5 Economic Development Committee - Coun. Pope**

Councillor Pope reported that there has been no recent meetings although there is a joint meeting with Perth South on Wednesday, August 23, 2017.

#### **9.2.6 Heritage St. Marys - Coun. Pope**

Councillor Pope reported on the recent meeting of the committee.

#### **9.2.7 Museum Board - Coun. Winter**

Councillor Winter spoke to recent happenings at the Museum.

#### **9.2.8 Planning Advisory Committee - Coun. Craigmile, Van Galen**

Councillor's Van Galen and Craigmile reported that there have been no recent meetings.

#### **9.2.9 Heritage Conservation District Advisory Committee - Coun. Winter**

Councillor Winter stated there have been no recent meetings.

#### **9.2.10 Senior Services Board - Coun. Craigmile**

Councillor Craigmile reported that no recent meetings have been held.

#### **9.2.11 Huron Perth Healthcare Local Advisory Committee - Coun. Hainer**

Nothing to report at this time.

**9.2.12 St. Marys Lincolns Board - Coun. Craigmile**

Councillor Craigmile reported on a recent meeting of the Board.

**9.2.13 St. Marys Cement Community Liaison Committee - Mayor Strathdee, Coun. Craigmile**

Councillor Craigmile reported on the recent meeting with the Committee.

**10. EMERGENT OR UNFINISHED BUSINESS**

**11. NOTICES OF MOTION**

**11.1 Councillor Van Galen re: Wellington Street Bridge Naming**

**Resolution 2017-07 25-41**

**Moved By** Councillor Van Galen

**Seconded By** Councillor Pope

THAT the Town make an application to the Office of the Secretary of the Governor General to name the reconstructed Wellington Street Bridge the "Elizabeth Bridge" in honour of Queen Elizabeth II.

**WITHDRAWN**

**12. BY-LAWS**

**12.1 By-Law 66-2017 Authorize an Agreement with Minister of Infrastructure for Clean Water and Wastewater Fund**

**Resolution 2017-08-22-29**

**Moved By** Councillor Van Galen

**Seconded By** Councillor Winter

THAT By-Law 66-2017, being a by-law to authorize the Mayor and the Clerk to sign an agreement with the Minister of Infrastructure for the Clean Water and Wastewater Fund be read a first, second, and third time; and be finally passed and signed and sealed by the Mayor and the Clerk.

**CARRIED**

**12.2 By-Law 67-2017 Authorize a Site Alteration Agreement with Meadowridge Properties Ltd**

**Resolution 2017-08-22-30**

**Moved By** Councillor Pope

**Seconded By** Councillor Craigmile

THAT By-Law 67-2017, being a by-law to authorize the Mayor and the Clerk to sign a site alteration agreement with Meadowridge Properties Ltd be read a first, second, and third time; and be finally passed and signed and sealed by the Mayor and the Clerk.

**CARRIED**

**12.3 By-law 68-2017 Part Lot Control affecting Lot 3 Diamondridge (44M-48)**

**Resolution 2017-08-22-31**

**Moved By** Councillor Osborne

**Seconded By** Councillor Pope

THAT By-Law 68-2017, being a by-law to authorize Part Lot Control affecting Lot 3, Registered Plan No. 44M-48 be adopted for a period of six months, ending February 22, 2018 be read a first, second and third time; and be finally passed and signed and sealed by the Mayor and the Clerk.

**CARRIED**

**12.4 By-Law 69-2017 Authorize an Agreement with Forman Electric Ltd**

**Resolution 2017-08-22-32**

**Moved By** Councillor Osborne

**Seconded By** Councillor Winter

THAT By-Law 69-2017, being a by-law to authorize the Mayor and the Clerk to sign an agreement with Forman Electric Ltd. be read a first, second, and third time; and be finally passed and signed and sealed by the Mayor and the Clerk.

**CARRIED**

**12.5 By-Law 70-2017 Authorize an Agreement with COCO Paving Inc**

**Resolution 2017-08-22-33**

**Moved By** Councillor Pope

**Seconded By** Councillor Craigmile

THAT By-Law 70-2017, being a by-law to authorize the Mayor and the Clerk to sign an agreement with COCO Paving Inc. be read a first,

second, and third time; and be finally passed and signed and sealed by the Mayor and the Clerk.

**CARRIED**

**13. UPCOMING MEETINGS**

Mayor Strathdee reported on the upcoming meetings are presented in the agenda.

**14. CLOSED SESSION**

None held.

**15. CONFIRMATORY BY-LAW**

**Resolution 2017-08-22-34**

**Moved By** Councillor Van Galen

**Seconded By** Councillor Craigmile

THAT By-Law 71-2017, being a by-law to confirm the proceedings of the August 22, 2017 regular Council meeting be read a first, second, and third time; and be finally passed and signed and sealed by the Mayor and the Clerk.

**CARRIED**

**16. ADJOURNMENT**

**Resolution 2017-08-22-35**

**Moved By** Councillor Winter

**Seconded By** Councillor Osborne

That this regular meeting of Council adjourn at 8:40p.m.

**CARRIED**

---

Al Strathdee, Mayor

---

Brent Kittmer, CAO / Clerk



**Patrick Brown, MPP**

Simcoe North  
Leader of the Official Opposition

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August 18, 2017

Dear Heads of Council,

I am writing to you regarding my recent speech at the Association of Municipalities of Ontario's annual conference, where I announced that an Ontario PC government will reform Ontario's joint and several liability system.

The Ontario PCs recognize that the provincial government must be a partner with municipalities. Together we can be Canada's driving economic engine – a home to job creation. Yet under the Liberals, municipalities and taxpayers are paying more and getting less.

One clear example of this is the issue of joint and several liability. As you know, municipalities can be on the hook for massive damage settlements, even if they are only found minimally liable. This has resulted in spiraling municipal insurance premiums, which often forces municipalities to raise taxes or cut services and recreational activities. Municipalities and taxpayers are paying more and getting less.

Action is long overdue. The Ontario PCs know this – we have raised this issue in the Legislature for years – and we will fix it.

An Ontario PC government will introduce legislation to reform joint and several liability for municipalities. We will ensure that municipalities and taxpayers are protected from unfair and unaffordable litigation practices. We will do so in a way that protects victims and ensures they are fairly compensated.

There are many options for reform. We are committed to consulting with relevant stakeholders, including our municipalities, to ensure we reform the system in a way that is fair to municipalities, victims, and taxpayers.

This is just one of many steps we will take to make life more affordable in Ontario. Ontario's municipalities will be a respected voice under an Ontario PC government, and we look forward to continuing to work with you.

Sincerely,

Patrick Brown  
Leader of the Official Opposition

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**NACC**  
National Airlines  
Council of Canada



**CNLA**  
Conseil national des lignes  
aériennes du Canada

**To: Mayor and Council**

**Re: AIRPORT PRIVATIZATION**

I'm writing to bring to your attention an issue that potentially affects the health and prosperity of all of Canada's cities and communities: airport privatization.

As you may know, the federal government is currently considering the for-profit-privatization of Canada's airports.

Other countries that have privatized airports have found that it often leads to higher fees and reduced services for travellers and airlines. This can damage tourism, business travel, and the local economy. Most of all, it makes it more difficult and expensive to maintain essential connections with the rest of the country and the world.

We hope that, with your support and that of your council, we can mobilize municipal and community leaders across Canada to oppose this plan.

To be clear, our current airport governance model is not without problems, and these must be addressed to make our passenger aviation system more competitive and improve the traveller experience. But as long as for-profit airport privatization remains on the table, it will delay effective action needed to solve these problems.

A number of municipal councils across the country have already adopted resolutions opposing for-profit airport privatization, among them Montreal, Toronto, Vancouver and the Capital Regional District of Victoria.

We urge you and your council to join them in adopting a resolution opposing the for-profit privatization of airports and calling on the federal government to focus on modernizing the current system to lower costs for travelers and enhance the competitiveness of Canada's air transport industry.

I have attached for your information a [template resolution](#) that your council may want to adapt, a [template letter](#) to your local Member of Parliament, as well as a backgrounder on [airport privatization](#) and one on [Canada's airline industry](#).

We believe that successfully stopping this misguided initiative will require a groundswell of opposition. We hope that you will join us in urging the Government of Canada to abandon this plan and focus on the real issues that damage the competitiveness of passenger air transportation in Canada.

If you have any questions, or would like to discuss this further, please do not hesitate to contact me directly at: [mbergamini@airlinecouncil.ca](mailto:mbergamini@airlinecouncil.ca).

Yours truly,

**Massimo Bergamini**

President and CEO

**National Airlines Council of Canada**

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# FORMAL REPORT

<b>To:</b>	Mayor Strathdee and Members of Council
<b>Prepared by:</b>	Trisha McKibbin, Director of Corporate Services / Deputy Clerk
<b>Date of Meeting:</b>	12 September 2017
<b>Subject:</b>	<b>COR 34-2017 Public Art Program</b>

## PURPOSE

This report contains general information on Public Art programs, how they are governed, and the processes and procedures that typically exist in a Public Art programs.

## RECOMMENDATION

THAT COR 34-2007 Public Art Program report be received for information and discussion to provide direction to staff on the role the municipality will have regarding a Public Art Program.

## BACKGROUND

Over the past two years the BIA have been working towards establishing a Public Art Program for St. Marys. As part of their 2017 Budget, the Downtown St. Marys Business Improvement Area (BIA) allocated funds for an outdoor Public Art program. From their research and experience, the BIA have determined that this is a much larger program than first thought, and that partnerships with the municipality and other groups would be essential to the success of the program.

The BIA Board approached staff for assistance with this project, and as such staff have brought information forward to Council for further direction.

## REPORT

Several municipalities have outdoor art programs that may include murals, sculptures and other art forms. Staff have undertaken research on these programs and have found consistencies that exist in the management, processes and delivery of these programs. Below is information on the components of a Public Art program:

### What is Public Art?

Within most programs, the first step in a public art process is defining "Public Art" within the framework of the program. Public art can take many forms and media, including murals, donated art, memorials, sculptures, water features and so much more. It can be temporary or permanent, it may also be functional or simply aesthetic. Typically, the intention of Public Art is to engage with the community.

### Why are Public Art Programs developed?

- Building and supporting a vibrant Downtown
- Generate interest and awareness in local artists
- To create culturally enriched public spaces
- Stimulate creativity



## **What does a Public Art Program entail?**

The common features found in most outdoor public art programs include: guidelines and process for installing artwork; Terms of Reference; a Request/Call for Proposals or application form, Public Art Easement Form/Agreement, and an Artists Maintenance Plan. Broken down in further detail this includes:

Guidelines/Terms of Reference should include such things as:

- Identified sites and ideas for public art projects
- Specifications for each site. i.e. dimensions of the art, medium, manner in which it is to be affixed (painted directly on building, removal board/backing, etc.)
- Budget for each public art project
- Evaluation criteria to evaluate the proposed public arts sites and projects
- Determine roles and responsibilities of all collaborative partners

Easement Form/Agreement should include such things as:

- Defining legal ownership of the public art
- Length of time the artwork will be displayed
- Setting terms of removal/termination by either the artist or Town
- Maintenance of artwork – who is responsible for conducting and paying for maintenance
- Insurance – for both the installation/creation of the artwork and while it is on display

## **Who is typically involved in a Public Arts Program?**

The organizations involved in the outdoor art programs do vary between programs. Some programs are overseen solely by the municipality. In these instances municipal staff are responsible for making available, receiving and reviewing application forms; setting appointments/meetings with prospective artists; entering into agreements/contract with the artists; and maintenance of the art. The municipalities all generally have some form of public consultation process, ranging from developing a set of criteria to evaluate the proposed public arts sites and projects or to having a Public Arts Commission/Group that evaluates and approves/denies each application.

In other municipalities the Public Art Program is a partnership between the BIA and the municipality, with both being collectively involved in the process.

In other instances where communities have an incorporated not-for-profit Arts Council the Council oversees the Public Arts program.

In discussion with the BIA, they would prefer to see a partnership (Committee) formed with representatives from the Town, BIA, Arts Group and general public who would create the guidelines, paperwork, process, requests for proposals and select the artwork for public display.

Even without a formal partnership the Town would be involved in a Public Arts Program in regards to the Building Code, possibly Sign Bylaw, Heritage permits and possibly municipal easements. By having the Town at the table as a partner in the program, staff could assist in the process and navigation of municipal regulations.

## **Where will the Public Art be displayed?**

Members of the BIA Executive have approached building owners within the Downtown to determine if there would be interest in utilizing the exterior of their buildings for public art. There has been a positive response from this initial inquiry. If a Public Art Committee were to be formed, it is recommended that the selection of locations be determined by the Committee following the prescribed criteria created by the group.

## **How will the Public Art program be funded?**

The BIA has currently earmarked \$10,000 in their 2017 budget to initiate a Public Art Program. In discussion with the BIA they would be willing to support the Public Art Program within their annual budget.

### **Next Steps:**

To move this proposal forward, staff believe there are two preliminary questions for Council Questions for Council's consideration:

**Questions #1** - Does Council support the concept of a Public Art Program for St. Marys?

**Question #2** – If Council supports the concept of a Public Art Program how will the Municipality be involved?

It is staff's recommendation that if Council supports the idea of a Public Art Program, that a Committee of Council be struck to implement and oversee this program. If Council directs a Committee of Council to be struck the next steps would entail:

- Reporting back to the BIA on the direction of Council
- Drafting a Terms of Reference for the Committee (ensuring broad representation)
- Including funds for said Committee in the 2018 budget
- Advertising for members of the Committee
- Council appointment of Committee members
- Meeting of Committee to establishing Terms of Reference for the Program, Guidelines, Application Forms, Easement Agreements, etc.
- Launching of the Program (2018)

## **SUMMARY**

This report provides information on Public Art Programs, how they are managed in other communities, the general guidelines of this type of program, and funding source of the program. If Council determines that the municipality should be involved in establishing a Public Art Program, it is staff's recommendation that a Public Art Committee of Council be formed to ensure the effective establishment and delivery of such a program. There will be costs to the municipality for establishing a Committee of Council for Public Art, including; staff time, remuneration for committee members, legal fees, materials and supplies, etc.

Staff is seeking Council's direction on the next steps for this proposal.

## **FINANCIAL IMPLICATIONS**

There will be costs to the municipality for establishing a Committee of Council for Public Art, including; staff time, remuneration for committee members, legal fees, materials and supplies, etc.

## **STRATEGIC PLAN**

- ☐ Not applicable to this report.
- ☒ This initiative is supported by the following priorities, outcomes, and tactics in the Plan.
  - Pillar #5 Economic Development:
    - Outcome: Emphasize culture as a key economic driver for the community
    - Tactic(s): Leverage the downtown architecture, in particular the alleyways, to enhance the cultural experience in the downtown core.

## **OTHERS CONSULTED**

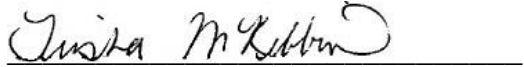
Jim Brown, Director of Finance  
Business Improvement Area Board  
Julie Docker, BIA Chair

## **ATTACHMENTS**

None

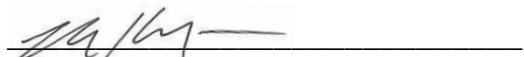
## **REVIEWED BY**

### **Recommended by the Department**



Trisha McKibbin  
Director of Corporate Services

### **Recommended by the CAO**



Brent Kittmer  
CAO / Clerk

# FORMAL REPORT

<b>To:</b>	Mayor Strathdee and Members of Council
<b>Prepared by:</b>	Trisha McKibbin, Director of Corporate Services / Deputy Clerk
<b>Date of Meeting:</b>	12 September 2017
<b>Subject:</b>	<b>COR 35-2017 Heritage Property Tax Rebate Bylaw</b>

## PURPOSE

This report presents Council with the final version of Bylaw 79-2017 on the creation of a Heritage Property Tax Rebate program for the Heritage Conservation District.

## RECOMMENDATION

THAT COR 35-2017 Heritage Property Tax Rebate Bylaw be received for information; and

THAT Council approve By-Law 79-2017, being a bylaw to establish a Heritage Property Tax Rebate program for the Heritage Conservation District.

## BACKGROUND

Throughout 2015 and 2016 the Strategic Priorities Committee and Council reviewed and discussed the establishment and specific criteria of a Heritage Property Tax Relief program. At the November 8, 2016 Regular Council meeting the following resolutions were made.

### **Resolution 2016-11-08-09**

THAT Council approves the implementation of a Heritage Property Tax Rebate program.

### **Resolution 2016-11-08-10**

THAT Council support Option A (20% rebate) with an added condition that properties with outstanding property standards non-compliance would not qualify for the rebate.

### **Resolution 2016-11-08-11**

THAT the Heritage Property Tax Rebate Program Option B as outlined in the report be added to the 2017 budget for consideration.

## REPORT

With the passing of Council resolutions at the November 8, 2016 Regular Meeting of Council and passing of By-law 22 of 2017 on March 21, 2017 approving the Operating and Capital Budget for 2017 the next step to implementing a Heritage Property Tax Rebate program is the passing of a bylaw outlining the program components.

In April, the draft bylaw was sent to the Municipality's Solicitor for legal review. Upon receipt of comments from the Municipal Solicitor final edits and revisions have been made to the draft by-law.

The Bylaw outlines two program streams, one at a 20% rebate and another at a 40% rebate. Each program has its own eligibility criteria, with the 40% rebate criteria being more restrictive.

The criteria for each program is as follows:

## **Program A – 20% Tax Rebate**

- I. Located in the Town of St. Marys;
- II. Designated as part of a Heritage Conservation District under Part V of the Ontario Heritage Act; and
- III. Is subject to a Heritage Conservation and Maintenance Agreement with the Town respecting the property;
- IV. An application must be submitted no later than February 28 in the year following the year for which the Owner is seeking to obtain the Heritage Property Tax Rebate;
- V. The building on the property must be occupied 10 months of the year to be eligible;
- VI. Not subject of any unpaid taxes, local improvement charges, fees, or other monies owed to the Town;
- VII. The property is ineligible if the property owner is receiving vacant building tax relief or Charity Rebate from the Town;
- VIII. Not the subject of any contraventions, work orders or outstanding municipal requirements;
- IX. Not the subject of any outstanding property standards non-compliance.

## **Program B - 40% Tax Rebate**

- I. Located in the Town of St. Marys;
- II. Designated as part of a Heritage Conservation District under Part V of the Ontario Heritage Act; and
- III. Is subject to a Heritage Conservation and Maintenance Agreement with the Town respecting the property;
- IV. An application must be submitted no later than February 28 in the year following the first year for which the Owner is seeking to obtain the Heritage Property Tax Rebate
  - a. Submission of all receipts and expense reports for work on the property must accompany the application form
  - b. Before and After photographs must accompany the application form
  - c. Copy of Insurance must accompany the application form
- V. The property has undergone significant renovation and/or significant rehabilitation that created more, or significantly improved existing, residential dwelling units on one or more upper floors of the eligible property;
- VI. The building on the property must be occupied 10 months of the year to be eligible;
- VII. Not subject of any unpaid taxes, local improvement charges, fees, or other monies owed to the Town
  - a. The property is ineligible if the property owner is receiving vacant building tax relief or Charity Rebate from the Town
- VIII. Not the subject of any contraventions, work orders or outstanding municipal requirements;
- IX. Not the subject of any outstanding property standards non-compliance;
- X. The satisfactory completion of any and all inspections of the Eligible Property by the appropriate Town staff.

Under both programs, the rebate is considered to be separate and distinct from all other granting programs (i.e. stacking restrictions do not apply).

The Directors from Corporate Services, Finance and Building and Development have met and reviewed the bylaw and have discussed the administration and application process for the program. Applications forms and packages have been drafted and are under final review.

Once the Bylaw has been passed, the next steps will be launching a communication campaign for the program and its corresponding application process. Staff will be working with the Corporate Communications team to ensure the effective communication for the roll out of this new program.

## **SUMMARY**

The purpose of a Heritage Property Tax Rebate Program is to provide an incentive to owners to make regular investments in the ongoing conservation or their heritage properties. This report contains information related to the implementation of a Heritage Property Tax Rebate Program under Bylaw 21-2017. The report outlines key program components, specifically Option A of the Program which is a 20% rebate and Option B of the Program which is a 40% rebate, and the eligibility criteria for each.

The Province of Ontario contributes to the program by funding the education portion of the property tax rebate program. The education portion of funding is based on the same proportion as the municipal tax rebate.

## **FINANCIAL IMPLICATIONS**

There is \$50,000 in the 2017 Operating Budget for the implementation of the program in 2017.

## **STRATEGIC PLAN**

- ☒ This initiative is supported by the following priorities, outcomes, and tactics in the Plan.
- Pillar #4 Culture & Recreation:
    - Outcome: Downtown Revitalization Plan
    - Tactic(s):
      - Investigate prospect of turning second storey downtown space into rentals or studios (see Housing pillar).
      - Offer incentives to new businesses to occupy vacant storefronts.

## **OTHERS CONSULTED**

Jim Brown, Director of Finance  
Grant Brower, Director of Building and Development

## **ATTACHMENTS**

None

## **REVIEWED BY**

### **Recommended by the Department**



Trisha McKibbin  
Director Corporate Services/Deputy Clerk

### **Recommended by the CAO**



Brent Kittmer  
CAO / Clerk

# FORMAL REPORT

<b>To:</b>	Mayor Strathdee and Members of Council
<b>Prepared by:</b>	Mark Stone, Planner
<b>Date of Meeting:</b>	12 September 2017
<b>Subject:</b>	<b>DEV 26-2017 Application for Part Lot Control - Diamondridge Subdivision (Lots 23, 25 and 26, Registered Plan 44M-48), Town of St. Marys</b>

## PURPOSE

The purpose of this report is to provide Council with a summary and recommendation as it pertains to the Application for Part Lot Control for Lots 23, 25 and 26 of the Diamondridge subdivision.

## RECOMMENDATION

THAT DEV 26-2017 Application for Part Lot Control for Lots 23, 25 and 26 of the Diamondridge subdivision be received; and,

THAT Part Lot Control By-law No. 75-2017 affecting Lots 23, 25 and 26, Registered Plan No. 44M-48 be adopted for a one-year period, ending September 12, 2018.

## BACKGROUND

Part lot control (PLC) is a power used by public authorities to prohibit a property owner from conveying a part of a lot from a registered plan of subdivision without approval from the appropriate authority. Section 50(7) of the Planning Act provides Council with the authority to remove or suspend PLC on parcel(s) of land to allow for further land division by passing a by-law which is registered on title. Each by-law must include a lapse date to ensure PLC is re-instated on the property.

Council has approved policies for the implementation of exemption from PLC under certain circumstances, including the creation of parcels for semi-detached dwellings.

To date, Council has adopted two PLC by-laws affecting multiple lots in the Diamondridge subdivision for the purpose of dividing lots for semi-detached and street townhouse dwellings.

## REPORT

The Application for Part Lot Control was received by the Town from Bickell Built Homes Ltd. and deemed complete on August 16, 2017. Bickell Built Homes is seeking to subdivide three lots for the purposes of building six semi-detached units along common party walls. The subject lands are designated Residential in the Official Plan and zoned "Residential Zone Four (R4-8)" according to the Town's Zoning By-law which permits a range of housing forms including semi-detached dwellings.

Provincial and local policies were considered and implemented through the registration of the plan of subdivision and approval of zoning. An exemption to PLC allows for continued orderly and appropriate development of this plan of subdivision. The request is consistent with Council's procedures and PLC implementation guidelines.

## SUMMARY

It is recommended that Council approve By-law No. 75-2017 to exempt part lot control for Lots 23, 25 and 26 of Registered Plan 44M-48, for a period of one year.

## FINANCIAL IMPLICATIONS

None.

## STRATEGIC PLAN

☒ Not applicable to this report.

## OTHERS CONSULTED

Susan Luckhardt, Planning Coordinator

## ATTACHMENTS

- 1) General Location Map
- 2) Registered Plan 44M-48

## REVIEWED BY

### Recommended by the Department



Mark Stone  
Planner



Grant Brouwer  
Director, Building and Development

### Recommended by the CAO



Brent Kittmer  
CAO / Clerk



**Town of St. Marys**  
**Lots 23, 25 and 26, Plan 44M-48**  
**Application for Exemption from Part Lot Control**  
**by Bickell Built Homes**





APPROVED UNDER SECTION 51 OF THE PLANNING ACT,  
R.S.O. 1990, c.P. 13 AS AMENDED, BY THE COUNCIL OF  
THE CORPORATION OF THE TOWN OF ST. MARYS THIS  
5<sup>TH</sup> DAY OF August, 2014.

*Steve Grose*  
MAYOR, STEVE GROSE  
*Kevin McLlain*  
C.A.O., CLERK, KEVIN MCLLAIN

WE HAVE THE AUTHORITY TO BIND THE CORPORATION

PLAN OF SUBDIVISION  
OF PART OF  
LOTS 35, 36 and 46  
REGISTERED PLAN No. 371  
AND PART OF  
TRACY STREET  
(CLOSED BY BY-LAW No. 64-2012, INSTRUMENT No. PC105534)  
REGISTERED PLAN No. 371  
AND PART OF  
LOT 21, CONCESSION 17  
(FORMERLY IN THE TOWNSHIP OF BLANSHARD)  
TOWN OF ST. MARYS  
COUNTY OF PERTH

SCALE 1:500  
N.A. GEOMATICS INC.  
ONTARIO LAND SURVEYORS

CERTIFICATE OF REGISTRATION

PLAN 44M-48

I CERTIFY THAT THIS PLAN IS REGISTERED  
IN THE LAND REGISTRY OFFICE FOR THE  
LAND TITLES DIVISION OF PERTH (No. 44)  
AT 11:00 O'CLOCK ON THE 14<sup>TH</sup> DAY OF  
August, 2014 AND ENTERED IN THE  
REGISTER(S) FOR P.I.N.'s 53245-0177(LT) AND  
53245-0179(LT) AND THE REQUIRED CONSENTS ARE  
REGISTERED AS PLAN DOCUMENT No. PC180481

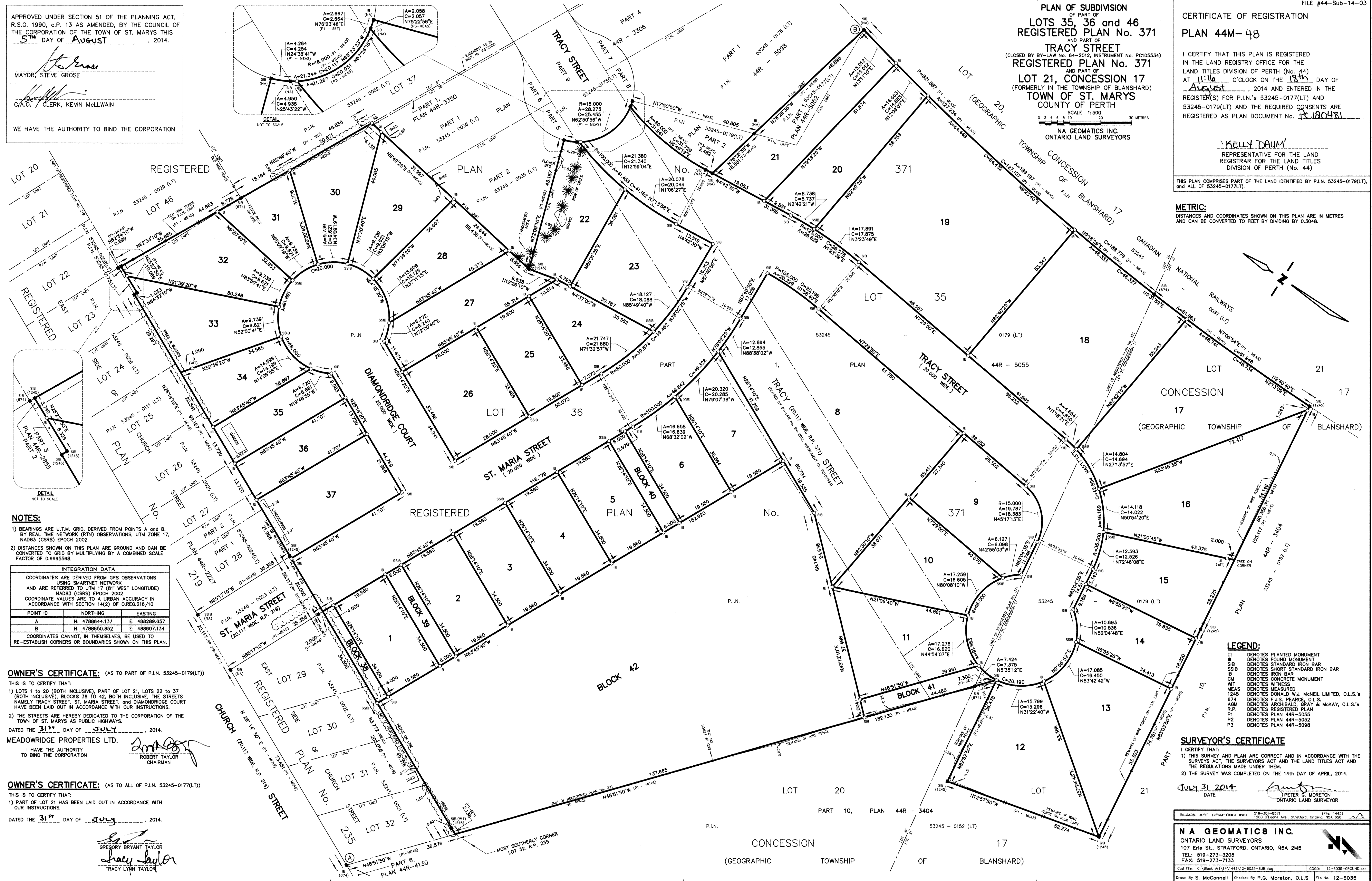
*Kelly Daum*

REPRESENTATIVE FOR THE LAND  
REGISTRAR FOR THE LAND TITLES  
DIVISION OF PERTH (No. 44)

THIS PLAN COMPRISES PART OF THE LAND IDENTIFIED BY P.I.N. 53245-0179(LT),  
AND ALL OF 53245-0177(LT).

**METRIC:**

DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES  
AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.



**NOTES:**

- 1) BEARINGS ARE U.T.M. GRID, DERIVED FROM POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) EPOCH 2002.
- 2) DISTANCES SHOWN ON THIS PLAN ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.9995568.

INTEGRATION DATA		
COORDINATES ARE DERIVED FROM GPS OBSERVATIONS USING SMARTNET NETWORK AND ARE REFERRED TO UTM 17 (81° WEST LONGITUDE) NAD83 (CSRS) EPOCH 2002. COORDINATE VALUES ARE TO A URBAN ACCURACY IN ACCORDANCE WITH SECTION 14(2) OF O.R.G. 216/10		
POINT ID	NORTHING	EASTING
A	N: 4788644.137	E: 488289.657
B	N: 4788650.852	E: 488607.134

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

**OWNER'S CERTIFICATE:** (AS TO PART OF P.I.N. 53245-0179(LT))  
THIS IS TO CERTIFY THAT:

- 1) LOTS 1 to 20 (BOTH INCLUSIVE), PART OF LOT 21, LOTS 22 to 37 (BOTH INCLUSIVE), BLOCKS 38 to 42, BOTH INCLUSIVE, THE STREETS NAMELY TRACY STREET, ST. MARIA STREET, and DIAMONDRIIDGE COURT HAVE BEEN LAID OUT IN ACCORDANCE WITH OUR INSTRUCTIONS.
- 2) THE STREETS ARE HEREBY DEDICATED TO THE CORPORATION OF THE TOWN OF ST. MARYS AS PUBLIC HIGHWAYS.

DATED THE 31<sup>ST</sup> DAY OF JULY, 2014.

MEADOWRIDGE PROPERTIES LTD.

I HAVE THE AUTHORITY  
TO BIND THE CORPORATION

*Robert Taylor*  
ROBERT TAYLOR  
CHAIRMAN

**OWNER'S CERTIFICATE:** (AS TO ALL OF P.I.N. 53245-0177(LT))  
THIS IS TO CERTIFY THAT:

- 1) PART OF LOT 21 HAS BEEN LAID OUT IN ACCORDANCE WITH OUR INSTRUCTIONS.

DATED THE 31<sup>ST</sup> DAY OF JULY, 2014.

*Gregory Bryant Taylor*  
GREGORY BRYANT TAYLOR  
*Tracy Lynn Taylor*  
TRACY LYNN TAYLOR

**LEGEND:**

- DENOTES PLANTED MONUMENT
- DENOTES FOUND MONUMENT
- SB DENOTES STANDARD IRON BAR
- SSB DENOTES SHORT STANDARD IRON BAR
- IB DENOTES IRON BAR
- CM DENOTES CONCRETE MONUMENT
- WT DENOTES WITNESS
- MEAS DENOTES MEASURED
- 1245 DENOTES DONALD W.J. MCNEIL LIMITED, O.L.S.'s
- 674 DENOTES J.S. PEARCE, O.L.S.
- AGM DENOTES ARCHIBALD, GRAY & MCKAY, O.L.S.'s
- R.P. DENOTES REGISTERED PLAN
- P1 DENOTES PLAN 44R-5055
- P2 DENOTES PLAN 44R-5052
- P3 DENOTES PLAN 44R-5098

**SURVEYOR'S CERTIFICATE**

- I CERTIFY THAT:
- 1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
  - 2) THE SURVEY WAS COMPLETED ON THE 14<sup>TH</sup> DAY OF APRIL, 2014.

July 31, 2014  
DATE  
*Peter G. Moreton*  
PETER G. MORETON  
ONTARIO LAND SURVEYOR

BLACK ART DRAFTING INC. 519-307-8571 (File: 1443)  
1200 O'Leary Ave., Stratford, Ontario, N5A 6S6

**N A GEOMATICS INC.**  
ONTARIO LAND SURVEYORS  
107 Erie St., STRATFORD, ONTARIO, N5A 2M5  
TEL: 519-273-3205  
FAX: 519-273-7133

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Drawn By: S. McConnell Checked By: P.G. Moreton, O.L.S. File No. 12-6035

# FORMAL REPORT

<b>To:</b>	<b>Mayor Strathdee and Members of Council</b>
<b>Prepared by:</b>	<b>Mark Stone, Planner</b>
<b>Date of Meeting:</b>	<b>12 September 2017</b>
<b>Subject:</b>	<b>DEV 27-2017 Wellington Street North Extension</b>

## PURPOSE

The purpose of this report is to provide Council with a summary of public submissions, background and history, and Town staff comments regarding the proposed Wellington Street North extension.

## RECOMMENDATION

THAT DEV 27-2017 Wellington Street North Extension report be received; and,

THAT the Town of St. Marys maintain the proposal for a Wellington Street North extension for a future phase of the Thames Crest Farms development to ensure sufficient access and egress for emergency services providers, and to ensure the most efficient utility servicing for municipal infrastructure; and,

THAT staff be directed to work with the developer in the future phases of the Thames Crest development to create design options for the proposed Wellington Street North crossing of the Grand Trunk Trail that are sympathetic to pedestrian, motorist and ecological interests.

## BACKGROUND

Schedule B of the Town's Official Plan identifies a proposed collector road to extend from the current terminus of Wellington Street at the Grand Trunk Trail, northward to the proposed east-west Glass Street collector road in the Thames Crest Farms subdivision which will connect Emily Street to James Street North. The proposed Wellington Street North collector road would traverse the Grand Trunk Trail.

At the June 13, 2017 Council meeting, Dr. Emily Kelly made a presentation on behalf of Tree Protectors of St. Marys, a group created in response to concerns regarding the destruction of green space associated with the Emily Street and Ardmore Park (now referred to as Westover Place) developments. In her presentation, Dr. Kelly made a number of points including:

- The area where Wellington Street meets the Grand Trunk trail features mature maple trees, young black walnut trees, and bird, turtle and frog habitat
- The Grand Trunk Trail is used by pedestrians, cyclists, dog-walkers and nature lovers, and is a major draw for local tourism
- Active transportation cannot be combined safely with heavy traffic
- Pedestrian bridges are expensive and fraught with accessibility issues
- Building a bigger road doesn't decrease traffic...it increases it

- Collector roads take heavy trucks and traffic, and collector road traffic flow cannot be interrupted by frequent driveways
- Parkview Drive, Station Street and Wellington Street will become an uncontrolled intersection with heavy traffic coming in three directions
- Walkable communities contribute to the health of residents

Dr. Kelly recommended that the Town remove the Wellington Street extension from the Official Plan and create an extension of the Grand Trunk Trail to link with the new subdivision, and incorporate a much needed new North Ward Park. Following the presentation, Council passed the following resolution:

*THAT the presentation by Dr. Emily Kelly regarding Improvements to the Grand Trunk Trail at Wellington Street North be received; and,*

*THAT staff be directed to report back to Council regarding the history and rationale of the proposed extension of Wellington Street North; and,*

*THAT staff be directed to report back on the planned parkland dedication for the Thamescrest Farms Development; and,*

*THAT staff be directed to investigate implementing a formal forestry and tree management policy for the Town as recommended in the Town's Strategic Plan; and,*

*THAT staff be directed to investigate the implementation of a Natural Heritage Designation for the Grand Trunk Trail.*

Also at the June 13, 2017 Council meeting, Mr. Frank Krausz made a submission to the Town respecting natural protected zones, recreational zones, historic zones and development zones. The following is a summary of comments and questions in Mr. Krausz's submission:

- Wider range of zones required to protect recreational, historical and natural areas
- Natural zones required to protect natural ecosystems and recreational activities
- Only two areas in Town that are easily accessible to the elderly and handicapped
- Grand Trunk Trail is only natural zone not flanked by development and is used by senior citizens, St. Marys Day Care and Holy Name students
- Why wasn't notice of the Wellington Street extension not posted at end of street?

Following the presentation, Council passed the following resolution:

*THAT the correspondence from Mr. Frank Krausz be received and referred to staff for inclusion in the forthcoming report back on the Wellington Street North extension.*

In a letter dated June 20, 2017, Dr. Emily Kelly submitted a petition to the Town. 676 people signed the petition which states that the extension of Wellington Street North is a mistake since it will:

- Cut the Grand Trunk Trail in half and put pedestrian and cyclist safety at risk
- Result in the removal of more than 30 mature trees
- Destroy the pond and streams that run alongside the Grand Trunk Trail
- Cause serious traffic congestion and risks to pedestrian safety along Wellington Street in the downtown core



The petition encourages Town Council to keep new housing development connected using existing roads and new walking trails, rather than carving a channel for heavy traffic through the middle of Town. Several people who signed the petition provided additional comments including:

- Need for a tree cutting by-law to prevent trees from being removed
- Why are Emily Street and James Street not sufficient to service new development?

At the June 27, 2017 Council meeting, Jakob Krausz spoke to Council in opposition of the Wellington Street extension citing a number of points including:

- Trails provide tranquility
- There will be negative impacts on the local ecosystem
- Will impact pedestrian opportunities
- Will create potential traffic issues
- Trail provides safe access from school to park

Based on public submissions received and the direction of Council, the following is a summary of issues to be addressed:

Issue 1 – Need for Wellington Street extension

Issue 2 – Traffic concerns due to Wellington Street extension

Issue 3 – Protection of the Grand Trunk Trail and road crossing safety concerns

Issue 4 – Protection of natural heritage along/in proximity to Grand Trunk Trail

Issue 5 – The need for a wider range of zones to protect recreational, historical and natural areas

Issue 6 – Planned parkland dedication for the Thames Crest Farms development

The following three reports have been prepared to address these issues:

**DEV27-2017 (this report) – Wellington Street North Extension**

- Addresses Issues 1, 2 and 3
- Provides context and background applicable to all three reports

**DEV28-2017 – Thames Crest Farms Development – Parkland Dedication**

- Addresses part of Issue 5 and Issue 6

**DEV29-2017 – Grand Trunk Trail - Natural and Cultural Heritage**

- Addresses Issue 4 and part of Issue 5

## **REPORT**

Before discussing these issues, an overview of relevant planning context, the history of proposed Wellington Street extension, and existing and proposed development in the Thames Crest Farms subdivision is provided.

### **THAMES CREST FARMS DEVELOPMENT**

The Application for Plan of Subdivision for the Thames Crest Farms development was originally submitted in 2005. The proposed development is bounded by Emily Street to the west, James Street

North to the east, the Grand Trunk Trail to the south and the proposed Glass Street collector road to the north. The proposed concept plan submitted with the Application is provided as Attachment 1 to this report and is summarized in the following table.

Land Use	Units	Area (hectares)
<b>Single detached dwellings</b>	315	28.0
<b>Multiple dwellings</b>	115	2.35
<b>Commercial</b> (at southwest corner of Glass Street and James Street North)		0.51
<b>Regional parkland</b> (at northwest corner of Glass Street and James Street North)		10.3
<b>Storm water management facility</b> (at northwest corner of Grand Trunk Trail and Wellington Street North extension)		2.57
<b>TOTALS</b>	<b>430 units</b>	<b>43.73 hectares</b>

In 2007, a revised draft plan of subdivision was submitted showing the replacement of the proposed regional parkland with future residential development. A new parkland block was also identified adjacent to the Grand Trunk Trail (east of Wellington Street North), replacing proposed residential development on the original concept plan. A copy of the revised plan is provided as Attachment 2 of this report.

In 2014, the first plan of subdivision was draft approved to allow for the development of 33 single detached lots along Emily Street and the construction of the first section of the Glass Street extension.

On April 5, 2016, Town Council draft approved the second plan of subdivision to allow for the construction of the collector road from James Street to Emily Street.

## Transportation

The Thames Crest Farms Subdivision Traffic Impact Study (TIS) was prepared by Tranplan Associates in June of 2004 in support of the proposed development. The TIS examined the proposed Thames Crest Farms development and also assumed 40 residential lots to be developed immediately east of James Street North between Trailside Court and Glass Street. The TIS was based on the assumption that the proposed development would be completed over a 17 to 20 year period (i.e. full buildout between 2021 and 2024). The following is a summary of key, relevant findings of the TIS:

- Wellington Street identified as main access point since it will provide connectivity to the road network to the south
- Phase 1 to the year 2011
  - 175 units (115 single detached and 60 medium density low rise condominium units) along Emily Street and the area just north of the Grand Trunk Trail off Wellington Street North and 40 future development units east of study area

- Impact of Phase 1 on the road network to be minimal and no specific improvements required to support traffic generated as a result of Phase 1
- Initial improvements to Wellington Street North will be required to provide a local connection to local roads in the study area
- Appropriate pedestrian facilities required over Wellington Street North extension where it intersects with Grand Trunk Trail
- Phase 2 (full buildout) by the year 2021
  - Completion of Glass Street from Emily Street to James Street North and Wellington Street North extension
  - Also based on neighbourhood commercial development (approximately 557 m<sup>2</sup>) planned for northwest corner of James Street North and Glass Street
  - Any improvements to the Wellington Street North corridor, north of Station Street, required by 2021
  - Improvements will include upgrades necessary to complete its transition to a collector road
- Wellington Street, from Queen Street to Station Street, will have capacity to accommodate future volumes to 2021 planning horizon however, north of Station Street will require upgrades. The existing Wellington Street bridge should be capable of carrying forecast future traffic volumes (background and future site) to the 2021 planning horizon.
- Single lane bridge over Trout Creek limits the amount of new traffic that can be accommodated on Water Street. The existing Water Street bridge should be capable of carrying forecast future traffic volumes (background and future site) to the 2021 planning horizon.
- Church Street expected to carry increasing share of new traffic and no road improvements are required to support new traffic generated by development in study area. The existing Church Street bridge should be capable of carrying forecast future traffic volumes (background and future site) to the 2021 planning horizon.
- James Street will provide access to study area and new residential development to the east
  - no specific improvements will be required for James Street to support development in the study area to 2021
- Emily Street narrows from about 8 metres to 6.1 metres as it passes under the Grand Trunk Trail. As a result, it can operate as a single or two lane facility depending on the given driver(s) approaching the subway. The existing Emily Street underpass should be capable of carrying forecast future traffic volumes to the 2021 planning horizon, even when it operates as a single lane facility accommodating contra-flow traffic streams. (It is noted that with the further narrowing of Emily Street at the Grand Trunk Trail due to the installation of a sidewalk in the underpass, the ability of Emily Street to function as a primary connection to the development area is further limited).

## **PLANNING CONTEXT**

### **Provincial Policy Statement**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development, including the protection of resources of provincial interest, public health and safety, and the quality of the natural and built environment. The following is a summary of PPS policies relevant to this report.

Section 1.1.1 of the PPS states that healthy, liveable and safe communities are sustained by: avoiding development and land use patterns which may cause environmental or public health and safety concerns; promoting cost-effective development patterns and standards to minimize land consumption and servicing costs; and promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate.

Section 1.5.1 of the PPS states that healthy, active communities should be promoted by: planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity; and planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources.

Infrastructure, which includes transportation corridors and sewage and water systems, shall be provided in a coordinated, efficient and cost-effective manner that considers impacts from climate change while accommodating projected needs (Section 1.6.1). In addition, planning for infrastructure shall be coordinated and integrated so that they are available to meet current and projected needs. Section 1.6.4 states that “infrastructure and public service facilities should be strategically located to support the effective and efficient delivery of emergency management services”.

Section 1.6.7.1 states that “transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs” and section 1.6.7.2 states that efficient use shall be made of existing and planned infrastructure, where feasible.

Section 1.8.1 states that planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and climate change adaptation through land use and development patterns which promote compact form and a structure of nodes and corridors, and promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas.

### **St. Marys Strategic Plan**

In 2017, the Town updated the Strategic Plan to meet new public needs and expectations. Key priorities of the Town are reflected in six key strategic pillars: infrastructure, communication and marketing, culture and recreation, economic development, growth and housing.

A strategic priority under Strategic Pillar 1 – Infrastructure is commencement of work in the short term to update the Wellington Street Bridge. Replacement of the Wellington Street Bridge is underway and will allow for a more timely development of the northern part of the community as stated in the Strategic Plan.

Under Strategic Pillar 4 – Culture and Recreation, a strategic priority is a focused parks strategy that would involve tying the Grand Trunk Trail to Milt Dunnell Park in the short term, and investigating the implementation of a forest and tree management policy for the Town in the mid term.

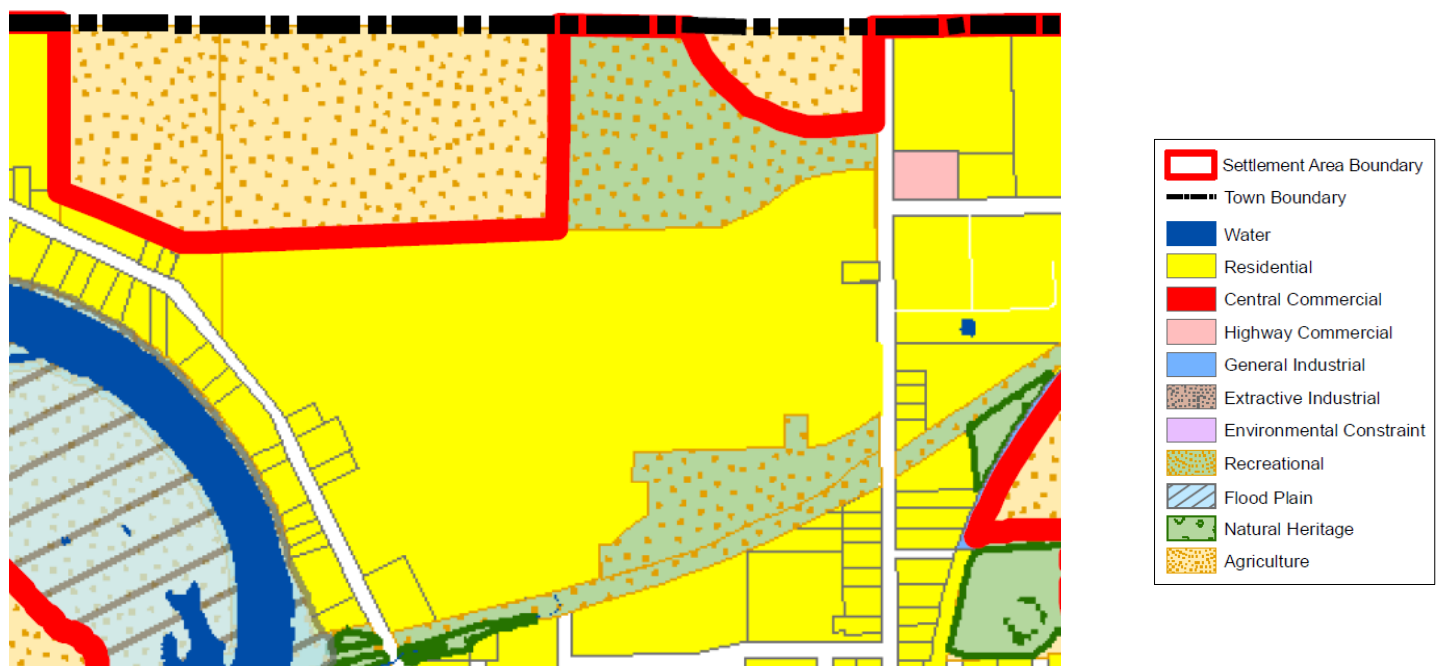
### **Official Plan**

The current Official Plan was adopted by Council in 1987 and approved by the Province in part in 1993 and entirely in 1999. The purpose of this section to provide an overview of relevant policies of the current and previous Town Official Plans.



The Town has reviewed and updated the Official Plan on a number of occasions to ensure conformity with provincial policies and to ensure that that goals, objectives and policies of the Plan provide appropriate guidance with respect to future land use and development, while protecting important natural, cultural and other resources. The Town provided notification to the community with each Official Plan review and update in accordance with Planning Act requirements. Unlike a proposed site specific amendment to the Official Plan wherein signage must be posted on the property, when a municipality undertakes a general review and update of its Official Plan, notification is provided in such a manner to inform the entire community (e.g. in local newspapers).

The Thames Crest Farms lands are designated Residential and Recreational in the current Official Plan permitting the development of these lands for a range of residential dwelling types, and recreational uses such as parks and trails. The northwest quadrant of the subject lands is located outside of the settlement area boundary and designated Agriculture.



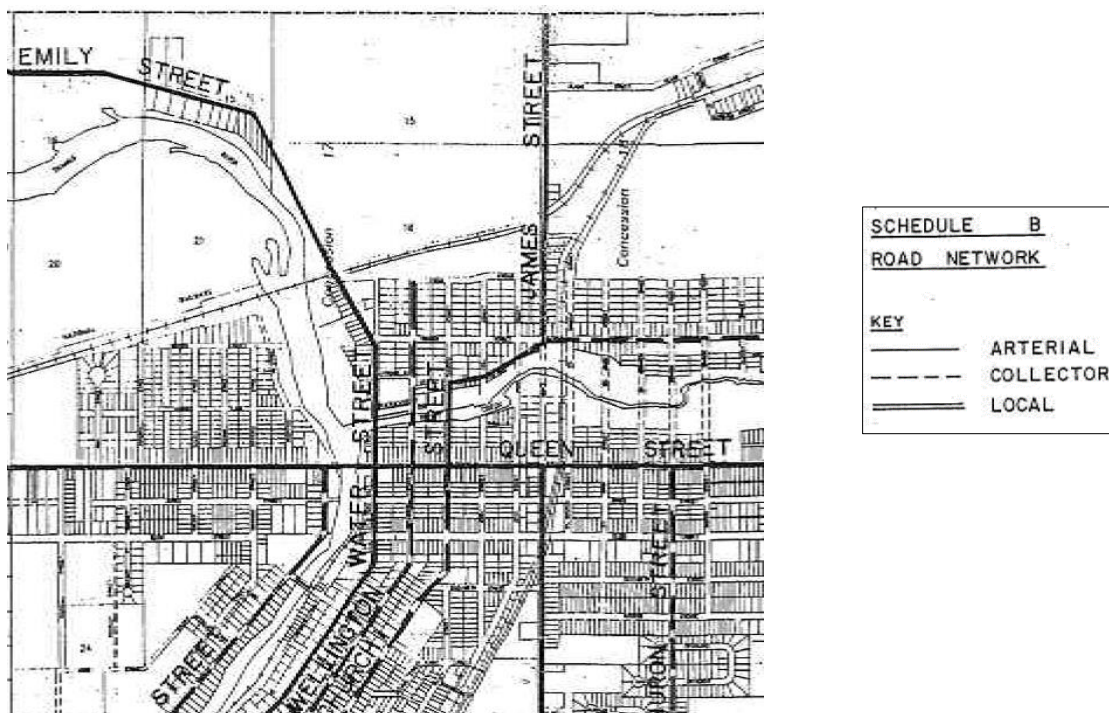
One of the goals identified in the Town’s current Official Plan is “to establish a transportation system capable of providing for the safe and efficient movement of people, goods, and services including the collection of garbage, the removal of snow, and the movement of emergency vehicles” (Section 5.1.1).

Road classification systems are established in Official Plans to define the role and function of the various components of road systems in a municipality. As noted in Section 5.3.1 of the Town’s Official Plan, “the importance of classifying roads accurately is to keep the movement of traffic within the Town efficient and safe for pedestrians and vehicular traffic”. Road classification systems in Official Plans are based on a hierarchy of roads and allow municipalities to plan for and protect corridors and rights-of-way to meet the current and future needs of the community for the movement of people and goods.

The Town Official Plan adopted in 1979 included Schedule B – Road Network, identifying arterial, collector, local and proposed roads (excerpt from Schedule B shown to the right). Wellington Street was identified as collector road. Church Street was also identified as a collector road, while Water Street, Emily Street and James Street were identified as arterial roads. The proposed extension of Wellington Street North was not shown.

The 1979 Official Plan did not provide a classification system to identify the role and function of different road types. However, road types were referenced to provide direction on the location of certain land uses (e.g. convenience commercial centres were only permitted at the intersection of a collector road and local road).

When adopted in 1987, Schedule B – Road Network of the current Official Plan (excerpt shown below) identified James Street and Water Street as arterial roads. Wellington Street continued to be shown as a collector road and the proposed Wellington Street extension was not shown. Water Street, Emily Street and James Street continued to be identified as arterial roads. Church Street from Station Street to Queen Street was reclassified from collector to arterial road, and Station Street from Church Street to James Street was reclassified from local to arterial road.



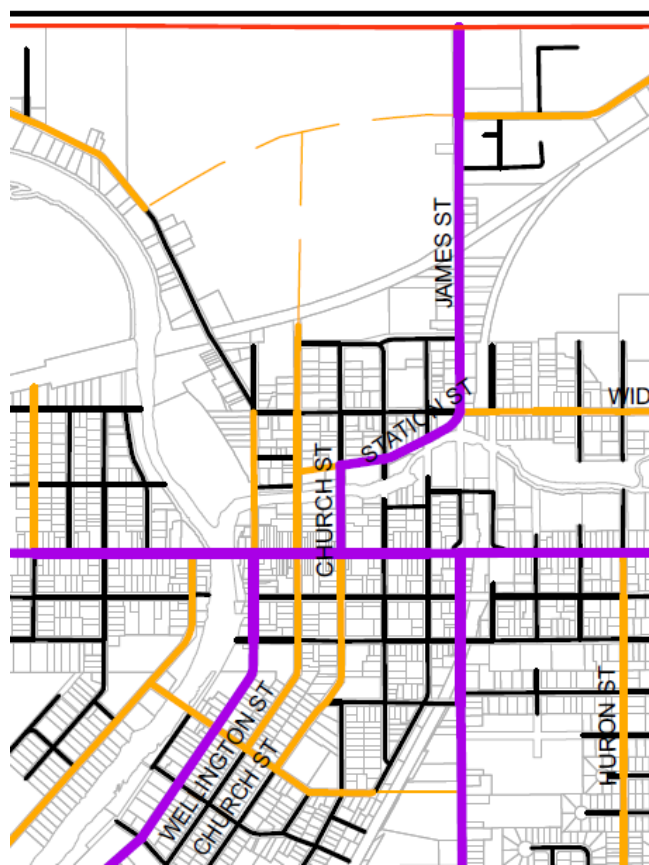
The current 1987 Official Plan was updated in 2005 and identified the proposed Wellington Street extension. Schedule B – Road Classifications of the Town's Official Plan identifies arterial roads, collector roads, proposed collector roads and local roads. A road classification section was also added to the Official Plan to explain the form and function of different road classes in the Town. The

following chart provides a comparison of arterial, collector and local roads as described in the Official Plan.

	ARTERIAL ROADS	COLLECTOR ROADS	LOCAL ROADS
<b>Function</b>	<ul style="list-style-type: none"> <li>Major routes designed to carry high volumes of traffic from one area of Town to another</li> <li>Connect to other Arterial Roads, Collector Roads and some Local Roads</li> </ul>	<ul style="list-style-type: none"> <li>Collect traffic from Local Roads and distribute it to other Local Roads and Arterial Roads</li> <li>Connect to all other roads</li> </ul>	<ul style="list-style-type: none"> <li>Collect traffic from lands that are adjacent to the roads.</li> <li>Local Roads connect primarily Collector Roads and other Local Roads.</li> <li>Carry low volumes of traffic (with no set standard) since most of the traffic on a local road will have its origin or destination to be to the lands that lie alongside the road</li> </ul>
<b>Vehicle Types</b>	<ul style="list-style-type: none"> <li>All types with a larger amount of transports using Arterial Roads instead of Collector and Local Roads</li> </ul>	<ul style="list-style-type: none"> <li>All types of traffic utilize these roads although trucks are typically service types</li> </ul>	
<b>Right-of-way Width</b>	30 metres	26 metres	20 metres
<b>Access and Parking</b>	<ul style="list-style-type: none"> <li>Direct access limited</li> <li>On-street parking prohibited except within the Downtown Core</li> </ul>	<ul style="list-style-type: none"> <li>Direct access and on-street parking regulated</li> </ul>	<ul style="list-style-type: none"> <li>Direct access and on-street parking permitted</li> </ul>
<b>Sidewalks</b>	<ul style="list-style-type: none"> <li>Provided on both sides of road</li> </ul>	<ul style="list-style-type: none"> <li>Provided on both sides of road</li> </ul>	<ul style="list-style-type: none"> <li>Provided on one side of road</li> </ul>

As shown in the excerpt from the current Official Plan on the following page, Wellington Street is identified as a collector road, and proposed to be extended to connect to the proposed Glass Street collector road. James Street North, Station Street and Church Street are identified as arterial roads. However, Water Street (between Queen Street and Widder Street) is identified as a collector road and Emily Street is identified as a collector road with the exception of the portion of Emily Street that extends under the Grand Trunk Trail (between the intersection of Water Street and Widder Street and the intersection of Emily Street and Glass Street) which is identified as a local road. As part of the 2005 update of the 1987 Official Plan, Discussion Paper No. 2 “Roads” was prepared and recommended changing the classification of Emily Street and Water Street from arterial road for several reasons including:

- Significantly lower traffic volumes on Emily Street
- Emily Street leads to agricultural lands and some residential uses, and is not a main connection to any other centre
- Water Street does not connect to a major highway or to an arterial road if Emily Street is reclassified



Legend	
<span style="color: purple;">—</span>	Arterial Roads
<span style="color: orange;">—</span>	Collector Roads
<span style="color: yellow;">—</span>	Proposed Collector
<span style="color: black;">—</span>	Local Roads
<span style="color: red;">—</span>	St Marys Boundary

Lastly, Section 5.3.8 of the Official Plan states in part that

“new development or redevelopment proposals of more than thirty (30) dwelling units shall incorporate at least two points of public road access. Council will not approve infilling development in areas served by only one public road if those areas currently exceed thirty (30) dwelling units or where such infilling development will increase the number of dwelling units beyond thirty (30) dwelling units”.

## DISCUSSION OF ISSUES

As noted earlier, six main issues have been identified, three of which are discussed in this report:

Issue 1 – Need for Wellington Street extension

Issue 2 – Traffic concerns due to Wellington Street extension

Issue 3 – Protection of the Grand Trunk Trail and road crossing safety concerns

### Issue 1 – Need for Wellington Street extension

Questions have been raised with respect to the need for the Wellington Street extension with James Street North and Emily Street providing north-south routes on the east and west sides of the development area. As previously discussed, transportation systems are identified and protected in Official Plans to ensure there is the efficient, connected, convenient, safe and energy efficient movement of people and goods. It is important to ensure that our community is easy to get around, promotes and accommodates active transportation and barrier-free movement, and is designed in such a way to reduce air pollution and greenhouse gas emissions. It is also important to ensure that there are identifiable and direct corridors that connect neighbourhoods in our community

As discussed earlier in this report, the Thames Crest Farms Subdivision Traffic Impact Study (TIS) prepared in 2004 concluded that the Wellington Street extension north is required to accommodate full build-out of the proposed development. This is due, in part, to the single lane bridge over Trout

Creek which limits the amount of new traffic that can be accommodated on Water Street and the traffic flow limitations associated with the Emily Street underpass. It is also noted in the TIS that a Wellington Street extension will provide an important connection between the Thames Crest Farms area and the road network to the south.

In addition to providing a connection to the road network to the south, an extension of Wellington Street will provide areas to the north with a more direct connection to the downtown core and other areas of the community, across a reconstructed and modern Wellington Street bridge.

There has also been reference to Section 5.3.8 of the Official Plan which states in part that “new development or redevelopment proposals of more than thirty (30) dwelling units shall incorporate at least two points of public road access. Council will not approve infilling development in areas served by only one public road if those areas currently exceed thirty (30) dwelling units or where such infilling development will increase the number of dwelling units beyond thirty (30) dwelling units”. It should be noted that the policy requires a minimum of two points of access, in part to ensure that there are multiple accesses available for emergency response. Emergency services staff have indicated that the Wellington Street extension would provide an important additional access point to/from existing and planned parts of this community, reducing response times in some cases.

From a utilities perspective, a 10-inch watermain currently exists along James Street but does not extend all the way to Glass Street, reducing to a 6 inch watermain. There is an 8-inch watermain on Emily Street and there are currently some pressure issues. There are plans for a watermain to cross the Grand Trunk Trail at Wellington Street, thus looping the water service to the area. Without this additional water source entry, flows and pressures to large areas would be limited or restricted during repair and maintenance activities. Early construction of the Wellington Street extension will provide additional redundancy for the water distribution system by connecting the existing Wellington Street watermain to the Glass Street main.

Finally, natural grades in this area are conducive to locating the storm water management facility and storm water and sanitary outlets for the Thames Crest Farms development in the southwest quadrant of the area. However, storm water and sanitary outlets will travel from Wellington Street to Emily Street north of and as a result, not cross the Grand Trunk Trail.

## **Issue 2 – Traffic concerns due to Wellington Street extension**

There has been some concern raised regarding the scale of the proposed Wellington Street collector road. As discussed in this report, collector roads in the Town of St. Marys are intended to collect traffic from local roads and distribute this traffic to other local and arterial roads, and are not intended to carry high volumes of traffic like arterial roads. The planned right-of-way width for collector roads in the Town of St. Marys is 26 metres (85 feet) however, the actual paved portion for a road such as the Wellington Street collector would be 10 to 12 metres and would only consist of two lanes of traffic.

Concerns have also been raised regarding traffic impacts on roadways to the south due to the additional traffic generated from the Thames Crest Farms development. As noted in the 2004 TIS, Wellington Street (with upgrades north of Station Street), and the existing Church Street, James Street, Emily Street, Wellington Street bridge, Water Street bridge and Church Street bridge will all have capacity to accommodate future volumes (background and future site).

The Town will require an updated transportation impact study with future phases of development and in particular, if there are proposed changes to the road network and/or forms of residential development.



### **Issue 3 – Protection of the Grand Trunk Trail and road crossing safety concerns**

It has been suggested that the crossing of the Grand Trunk Trail will impact its usage by residents and visitors to the area, and that active transportation cannot be combined safely with heavy traffic.

The developer has indicated that the Wellington Street / Grand Trunk Trail intersection will be a 'gateway feature' and will enhance the pedestrian connectivity of the neighbourhood. The developer has indicated that this gateway may include cross-walk lights, raised paved surface and/or different asphalt materials (e.g. concrete) to facilitate safer crossings of Wellington Street. Given that the Wellington Street North extension has not yet been designed and may be several years away from being included as a component of a future phase of the development, committing to preferred pedestrian and traffic control methods is not appropriate at this time.

Rather, at the time of draft plan of subdivision review, the developer will be required to work with the Town in the determination of appropriate crossing requirements (e.g. through an updated TIS and Pedestrian Control Study). A Pedestrian Control Study will follow the standards established in the Ontario Traffic Manual (OTM) Book 12 - Traffic Signals and OTM Book 15 - Pedestrian Crossings were used for analysis. OTM Book 15 – Pedestrian Crossings mandates that the necessary order of investigations to determine the most appropriate, warranted, legal control device must be undertaken from the highest level of control to the lowest, in the following declining order:

1. Full Traffic control signalization
2. Intersection (IPS) or Mid-Block (MBS) pedestrian signalization
3. Pedestrian Cross-Overs (PXO) – with 4 levels of non-signalized control
4. Adult Supervised School Crossing – where applicable
5. No legal crossing control

The developer will also be required to work with the Town on the detailed design of the trail crossing to ensure the continued function and safety of users of the trail and motorists alike. There are a number of approaches to creating safe trail crossings, while maintaining safe and efficient vehicle traffic, including:

- Pavement markings in road crossings to provide enhanced visibility for motorists
- Signals for bicycles and pedestrians
- Stop bars located behind crossing for trail users
- Solid centre line approaching the crossing
- Open sight triangles at crossings
- Road signage to alert motorists of upcoming trail crossing
- Trail signage to alert trail users of upcoming road crossing
- Curb ramps at both sides of road crossing
- Traffic calming such as using a 'pinch' or narrowing of the road at the crossing, a refuge island (elevated island in centre of road)

Examples of crossing designs from other jurisdictions are provided in Attachment 3 of this report.

## **SUMMARY**

This report has been presented at the request of Council to provide information related to public concerns with the extension of Wellington Street to the north as a part of the Thames Crest Farms development. The following areas of concerns were reviewed:

### **Issue 1 – Need for Wellington Street extension**

- Need for the extension is justified by the 2004 TIS completed for the Thames Crest Farms development. Council should require an updated TIS as the next phases of the development move forward.
- The Town's Official Plan requires a minimum of two public road accesses for new development. The narrowing of Emily Street at the Grand Trunk Trail underpass has created a more limited access point to/from the development area. The Wellington Street extension will provide an important additional access point for emergency services.
- Additional benefit is realized in the water system by installing a watermain for system redundancy within the Wellington Street extension.

### **Issue 2 – Traffic concerns due to Wellington Street extension**

- Collector roads are not intended to carry high volumes of traffic like arterial roads. Actual paved portion for a road such as the Wellington Street collector would be 10 to 12 metres and would only consist of two lanes of traffic.
- TIS confirms that Wellington Street (with upgrades north of Station Street), and the existing Church Street, James Street, Emily Street, Wellington Street bridge, Water Street bridge and Church Street bridge will all have capacity to accommodate future volumes (background and future site).

### **Issue 3 – Protection of the Grand Trunk Trail and road crossing safety concerns**

- The developer will be required to work with the Town in the determination of appropriate crossing requirements and on the detailed design of the trail crossing to ensure the continued function and safety of users of the trail and motorists.

It is staff's recommendation that the Town maintain the proposal for a Wellington Street North extension for a future phase of the Thames Crest Farms development to ensure sufficient access and egress for emergency services providers, and to ensure the most efficient utility servicing for municipal infrastructure.

Staff further recommends that staff be directed to work with the developer in the future phases of the Thames Crest Farms development to create design options for the proposed Wellington Street North crossing of the Grand Trunk Trail that are sympathetic to pedestrian, motorist, and ecological interests. This work will occur when the developer applies for the phase of the Thames Crest Farms development which includes the proposed Wellington Street extension.

Again, Staff does not recommend eliminating the proposed Wellington Street north extension. If, however, this is Council's preferred option to move forward, there would be a need to initiate an Official Plan Amendment subject to the requirements of the Planning Act and further analysis from transportation and land uses impact perspectives will be required.

## **FINANCIAL IMPLICATIONS**

None at this time.

## **STRATEGIC PLAN**

- ☒ This initiative is supported by the following priorities, outcomes, and tactics in the Plan.
  - Pillar #1 Infrastructure
    - Outcome: St Marys is committed to developing a progressive and sustainable infrastructure plan that meets the infrastructure needs of today and tomorrow. This will require a balance between building and regular maintenance.
    - Tactic(s): ABC
  - Pillar #3 Balanced Growth
    - Given demographic and economic realities facing municipalities situated outside of the GTA, it is necessary to develop a growth plan to ensure new revenue sources can meet the increasing costs of existing service demands to satisfy population growth and economic development plans. Growth must be balanced both geographically and economically in such a way that it is sustainable.
  - Pillar #6 Housing
    - Tactics:
      - Identify in the Official Plan development areas that would be key growth areas among targeted demographics.
      - Address infrastructure needs to best ensure development capacity.

## **OTHERS CONSULTED**

Jed Kelly, Director of Public Works  
Dave Blake, Environmental Services Supervisor  
Jeff Wolfe, Engineering and Asset Management Specialist  
Bruce Grant, BM Ross and Associates

## **ATTACHMENTS**

1. Thames Crest Farms Plan of Subdivision (2005)
2. Thames Crest Farms Plan of Subdivision (Revised 2007)
3. Sample Traffic Control Options for Pedestrian Crossings



## REVIEWED BY

### Recommended by the Department



Mark Stone  
Planner



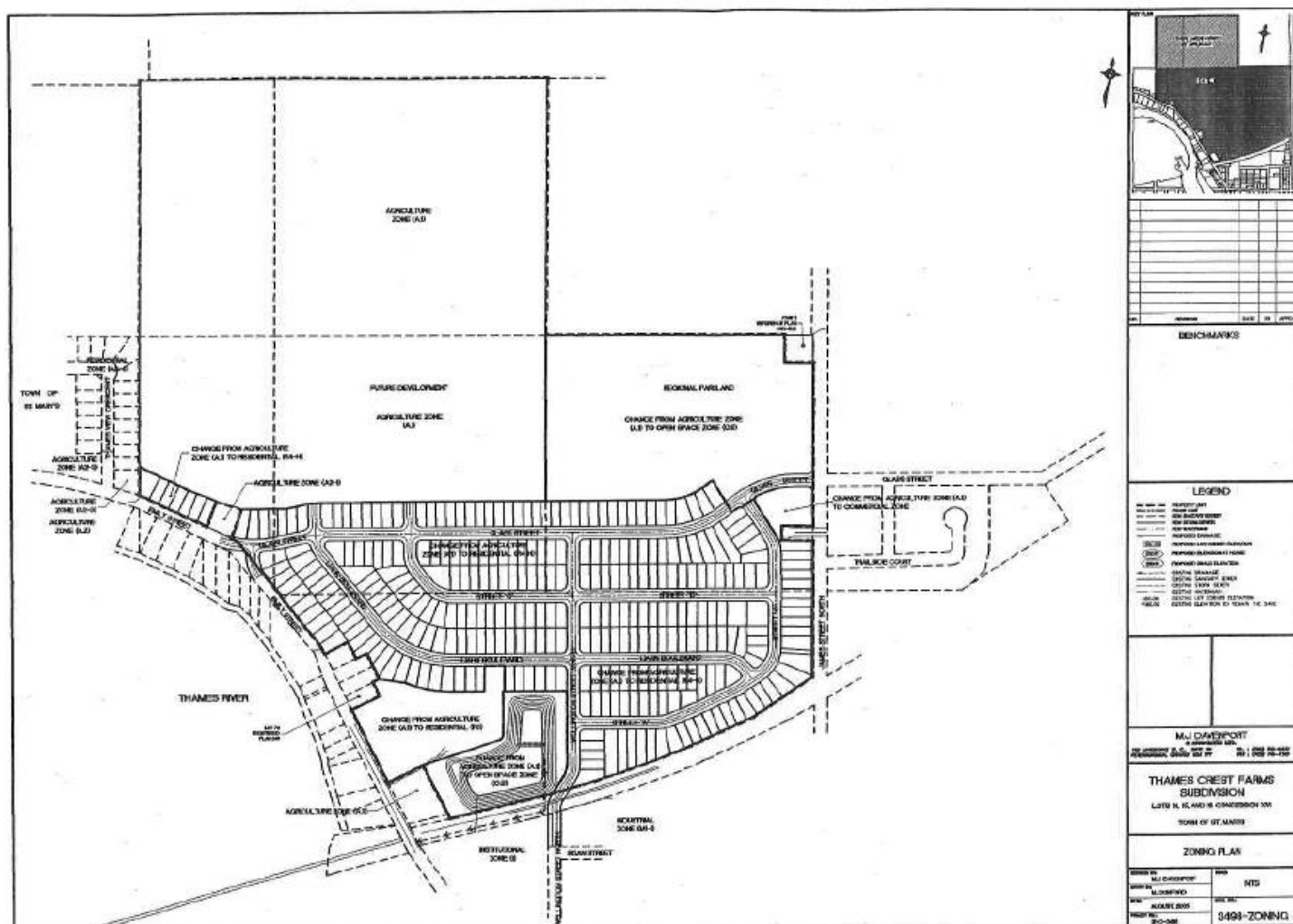
Grant Brouwer  
Director, Building and Development

### Recommended by the CAO

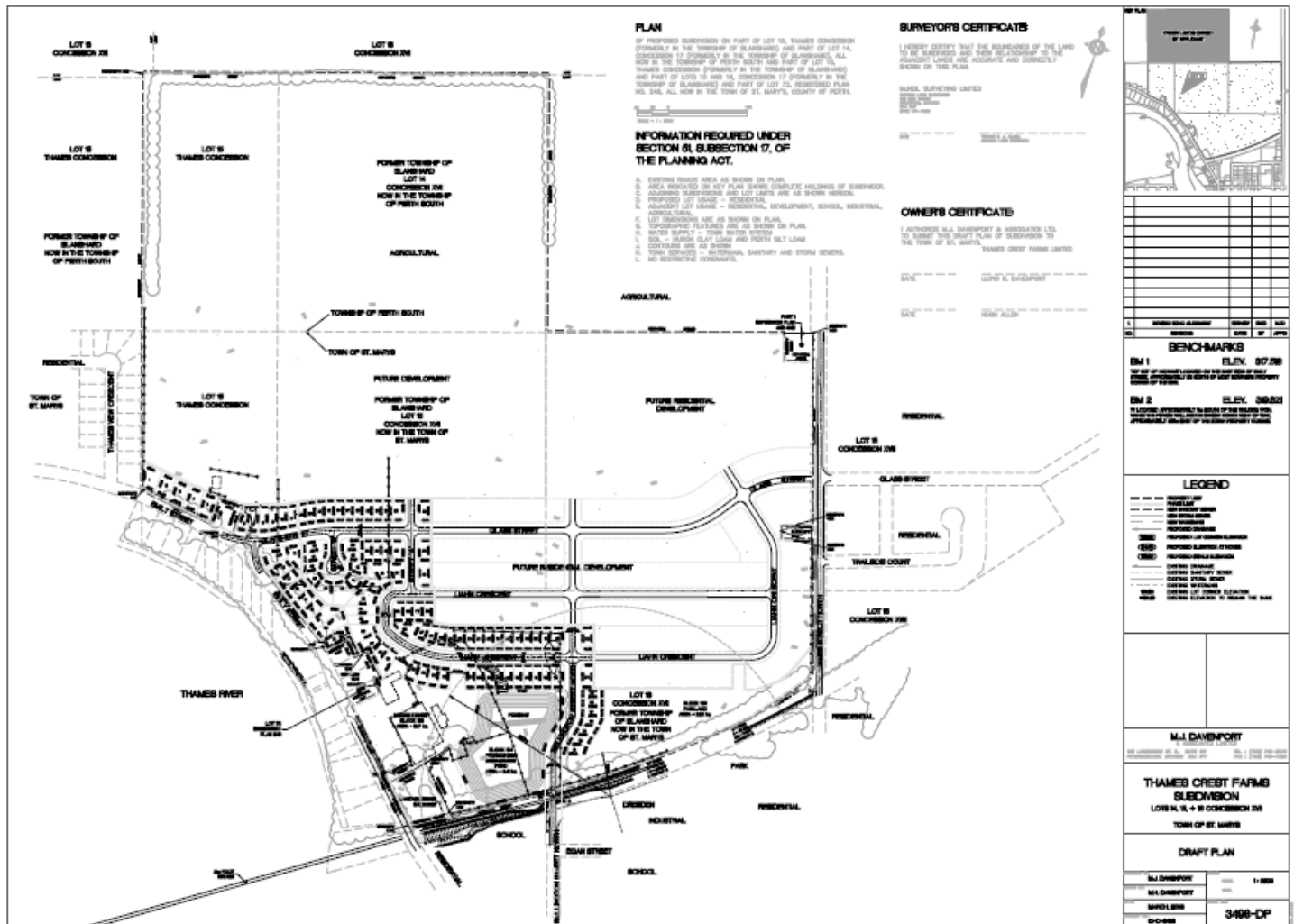


Brent Kittmer  
CAO / Clerk

## ATTACHMENT 1

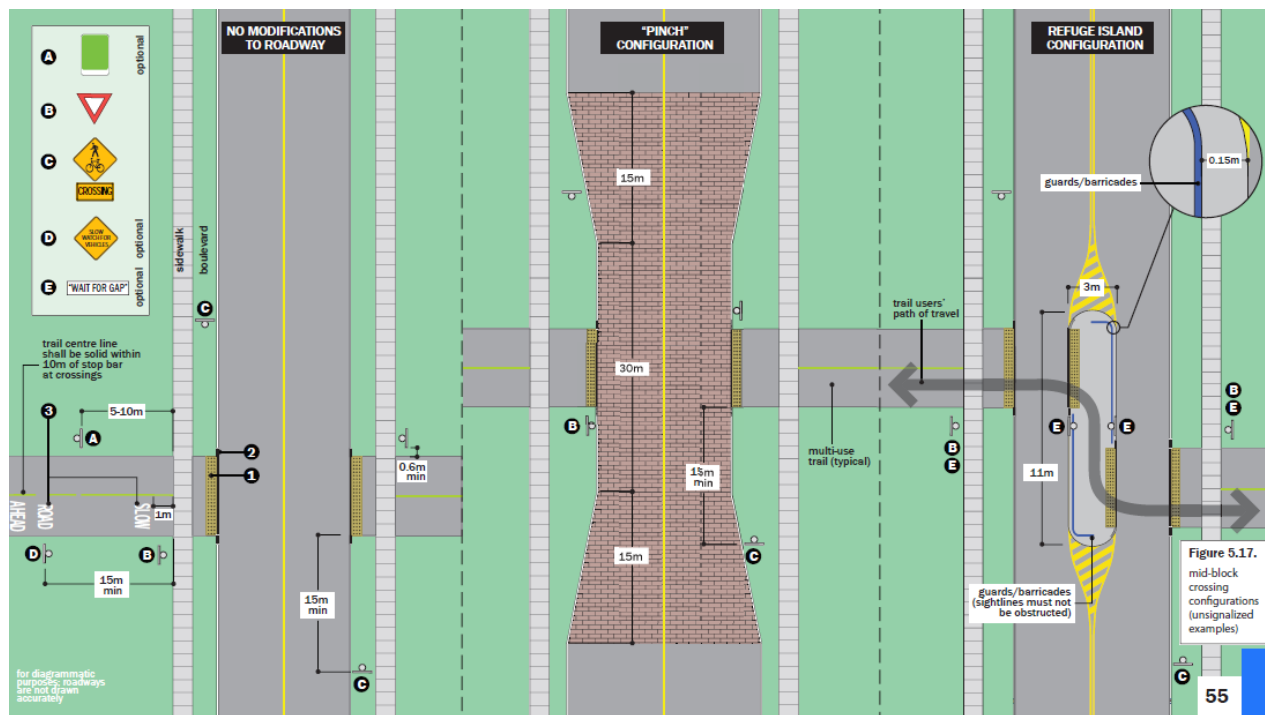


## ATTACHMENT 2



## ATTACHMENT 3

### Mid-block Trail Crossing - Unsignalized Examples (Source: Toronto Multi-use Trail Design Guidelines - December 2014)



### Pedestrian Refuge Island Example (Source: Aurora Trails Master Plan Final Report - November 2011)



Example of a Pedestrian Refuge Island, Guelph, ON

# FORMAL REPORT

<b>To:</b>	<b>Mayor Strathdee and Members of Council</b>
<b>Prepared by:</b>	<b>Mark Stone, Planner</b>
<b>Date of Meeting:</b>	<b>12 September 2017</b>
<b>Subject:</b>	<b>DEV 28-2017 Thames Crest Farms Development – Parkland Dedication</b>

## PURPOSE

The main purpose of this report is to provide Council with an overview of planned parkland dedication for the Thames Crest Farms development.

## RECOMMENDATION

THAT DEV 28-2017 Thames Crest Farms Development – Parkland Dedication report be received; and,

THAT staff be directed to negotiate the transfer of parklands to the Town for the Thames Crest Farms development within the same phase as the Wellington Street North extension occurs.

## BACKGROUND

This report is the second of three Council reports regarding the Thames Crest Farms development and related issues including the proposed Wellington Street North extension and the protection of the Grand Trunk Trail. These reports are in response to Council's direction for staff to report back on these issues. The Background section of DEV27-2017 report regarding the Wellington Street North extension provides a detailed overview of the background to these issues however, the following is an abbreviated summary of public submissions that have led to the preparation of these reports:

### June 13, 2017 Council meeting

- Dr. Emily Kelly made a presentation on behalf of Tree Protectors of St. Marys, a group created in response to concerns regarding the destruction of green space associated with the Emily Street and Ardmore Park (now referred to as Westover Place) developments. Dr. Kelly recommended that the Town remove the Wellington Street extension from the Official Plan and create an extension of the Grand Trunk Trail to link with the new subdivision, and incorporate a much needed new North Ward Park.
- Mr. Frank Krausz made a submission to the Town respecting natural protected zones, recreational zones, historic zones and development zones.
- Council passed the following resolutions:

*THAT the presentation by Dr. Emily Kelly regarding Improvements to the Grand Trunk Trail at Wellington Street North be received; and,*

*THAT staff be directed to report back to Council regarding the history and rationale of the proposed extension of Wellington Street North; and,*

*THAT staff be directed to report back on the planned parkland dedication for the Thamescrest Farms Development; and,*

*THAT staff be directed to investigate implementing a formal forestry and tree management policy for the Town as recommended in the Town's Strategic Plan; and,*

*THAT staff be directed to investigate the implementation of a Natural Heritage Designation for the Grand Trunk Trail.*

and

*THAT the correspondence from Mr. Frank Krausz be received and referred to staff for inclusion in the forthcoming report back on the Wellington Street North extension.*

#### **June 20, 2017 letter from Dr. Emily Kelly**

- Included petition with 676 signatures stating that the Wellington Street North extension is a mistake and encourages Town Council to keep new housing development connected using existing roads and new walking trails, rather than carving a channel for heavy traffic through the middle of Town.

#### **June 27, 2017 Council meeting**

- Jakob Krausz spoke to Council in opposition of the Wellington Street extension.

Based on public submissions received and the direction of Council, the following is a summary of issues to be addressed:

Issue 1 – Need for Wellington Street extension

Issue 2 – Traffic concerns due to Wellington Street extension

Issue 3 – Protection of the Grand Trunk Trail and road crossing safety concerns

Issue 4 – Protection of natural heritage along/in proximity to Grand Trunk Trail

Issue 5 – The need for a wider range of zones to protect recreational, historical and natural areas

Issue 6 – Planned parkland dedication for the Thames Crest Farms development

The following three reports have been prepared to address these issues:

#### **DEV 27-2017 – Wellington Street North Extension**

- Addresses Issues 1, 2 and 3
- Provides context and background applicable to all three reports

#### **DEV 28-2017 (this report) – Thames Crest Farms Development – Parkland Dedication**

- Addresses part of Issue 5 and Issue 6

#### **DEV 29-2017 – Grand Trunk Trail - Natural and Cultural Heritage**

- Addresses Issue 4 and part of Issue 5

## **REPORT**

Before discussing these issues, an overview of relevant planning context and overview of proposed parkland dedication in the Thames Crest Farms subdivision is provided.

## **THAMES CREST FARMS DEVELOPMENT**

The Application for Plan of Subdivision for the Thames Crest Farm development was originally submitted in 2005. The proposed development is bounded by Emily Street to the west, James Street North to the east, the Grand Trunk Trail to the south and the proposed Glass Street collector road to the north. The proposed concept plan submitted with the Application is provided as Attachment 1 to this report and is summarized in the following table.

<b>Land Use</b>	<b>Units</b>	<b>Area (hectares)</b>
<b>Single detached dwellings</b>	315	28.0
<b>Multiple dwellings</b>	115	2.35
<b>Commercial</b> (at southwest corner of Glass Street and James Street North)		0.51
<b>Regional parkland</b> (at northwest corner of Glass Street and James Street North)		10.3
<b>Storm water management facility</b> (at northwest corner of Grand Trunk Trail and Wellington Street North extension)		2.57
<b>TOTALS</b>	<b>430 units</b>	<b>43.73 hectares</b>

In 2007, a revised draft plan of subdivision was submitted showing the replacement of the proposed regional parkland with future residential development. A new 2.92 hectare parkland block was also identified adjacent to the Grand Trunk Trail (east of Wellington Street North), replacing proposed residential development on the original concept plan. A copy of the revised plan is provided as Attachment 2 of this report. The proposed parkland block is linear in shape and would extend along the north side of the Grand Trunk Trail from James Street North to the Wellington Street North extension. The park is designed to have multiple access points including James Street North, Wellington Street North and future internal local roads.

Based on the total landholding of 43.73 hectares, the two percent requirement for commercial and industrial development and five percent for all other uses under the Planning Act equates to a parkland requirement of approximately 2.17 hectares ( $0.51 \text{ ha} \times 2\% + 43.22 \times 5\%$ ).

A storm water management report was prepared in April 2002 by M.J. Davenport and Associates Ltd. in support of the proposed development. The following is a summary of key findings of this report:

- the natural location for a storm water management pond to service the proposed development is in the area of the extension of Wellington Street, north of the Grand Trunk Trail
- the proposed pond will have a maximum permanent water depth of 1.0 metre in both the forebay and main portion of the pond
- side slopes of facility have been designed a maximum slopes of 7:1 with the exception of the lowest 0.5 metres in the permanent pool which will have a slope of 3:1
- the 7:1 slope will not necessitate fencing around the pond for public safety
- A naturalized planting scheme will be completed

## **PLANNING CONTEXT**

### **Planning Act**

Sections 42 and 51.1 of the Planning Act provide municipalities with the ability to require land for park or other public recreational purposes as a condition of development or redevelopment, in an amount not exceeding two percent for commercial and industrial purposes, and five percent in all other cases.

Section 42(3) of the Planning Act provides an alternative option of one hectare for each 300 dwelling units or at a lesser rate as specified by by-law, provided there are policies in the Official Plan to facilitate the alternative rate/approach and there is a park plan that examines the need for parkland. The Planning Act also permits municipalities to receive cash in lieu of parkland based on the value of the land.

### **Provincial Policy Statement**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development, including the protection of resources of provincial interest, public health and safety, and the quality of the natural and built environment. The following is a summary of PPS policies relevant to this report.

Section 1.1.1 of the PPS states that healthy, liveable and safe communities are sustained by accommodating an appropriate range and mix of land uses including recreation, park and open space.

Section 1.5.1 of the PPS states that healthy, active communities should be promoted by: planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity; and planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources.

### **St. Marys Strategic Plan**

In 2017, the Town updated the Strategic Plan to meet new public needs and expectations. Key priorities of the Town are reflected in six key strategic pillars: infrastructure, communication and marketing, culture and recreation, economic development, growth and housing.

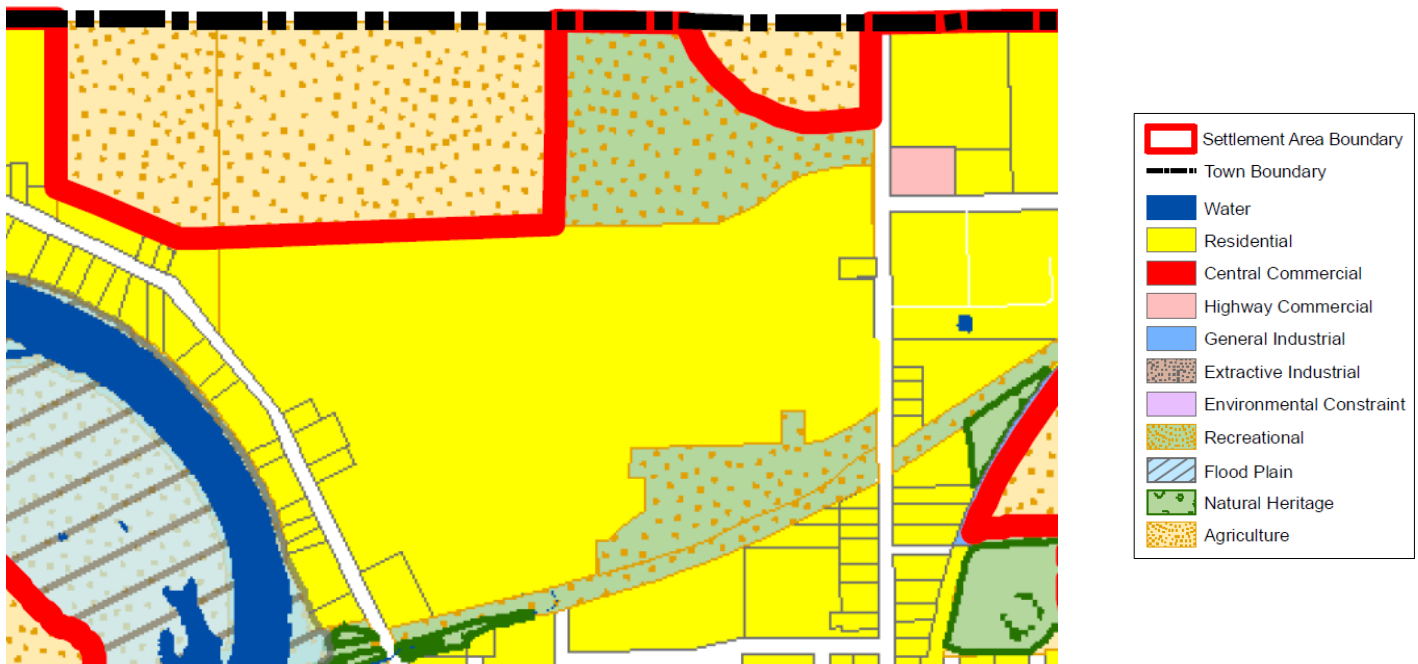
Under Strategic Pillar 4 – Culture and Recreation, a strategic priority is a focused parks strategy that would involve tying the Grand Trunk Trail to Milt Dunnell Park in the short term, and investigating the implementation of a forest and tree management policy for the Town in the mid term.

### **Official Plan**

The current Official Plan was adopted by Council in 1987 and approved by the Province in part in 1993 and entirely in 1999. The purpose of this section is to provide an overview of relevant policies of the Town Official Plan.



The Thames Crest Farms lands are designated Residential and Recreational in the current Official Plan permitting the development of these lands for a range of residential dwelling types, and recreational uses such as parks and trails. The northwest quadrant of the subject lands is located outside of the settlement area boundary and designated Agriculture.



The Grand Trunk Trail, the proposed regional park in the 2005 concept plan and the proposed park along the trail in the 2007 concept plan are all designated Recreational. The objectives of the Recreational designation include:

- promoting a healthy, active community by providing a range of recreational activities
- recognizing and promoting existing recreational facilities and the establishment of new facilities
- integrating recreational uses with all designations within the Town
- promoting community festivals, celebrations, and gatherings
- recognizing the Town's Recreational areas as an instrument to promote economic development, tourism, and education/awareness programmes

Section 2.6 of the Official Plan encourages actions/initiatives that support a healthy community including:

- c) subdivision designs that include suitable open space areas, incorporate walkways, and provide space for active living;
- d) the linking of neighbouring residential and commercial areas with open spaces and the watercourses, where appropriate;
- e) the development of recreational facilities, open space areas, and trail systems to cater to the recreational and healthy lifestyle needs of the Town's residents; and
- f) encourage the use of and sustain existing trails and open spaces throughout the Town and linkages with those in Perth County.

Sections 3.7.2.4 and 7.15.2 of the Official Plan state that “the development of hiking, walking, and bicycle trails is a significant resource to the Town”. The Plan also states that “opportunities to develop new trails or extend existing trails throughout the Town will continue to be encouraged” and “the use of public lands, the floodplains adjacent to the watercourses, and private lands may be used to develop or extend the trail system”.

Section 3.7.2.3 – Park Classification of the Official Plan sets out the Town’s current hierarchy of service levels for the park system in the Town. The draft Recreation and Leisure Master Planning Context Report (dated April 2017) provided a summary of the current classification system in the following table.

<b>Table 4: Existing Parkland Classification System, Town of St. Marys</b>	
<b>Town Park</b>	
<ul style="list-style-type: none"> <li>Designed to serve the Town and surrounding areas (1,500 to 10,000 residents).</li> <li>Permitted recreation uses include lit sports fields, golf courses, community centres, concessions, washrooms, seating, and more.</li> <li>May be serviced by water, sanitary, and hydro.</li> <li>Size generally ranges between 10 hectares to 50 hectares in area.</li> </ul>	
<b>Neighbourhood Park</b>	
<ul style="list-style-type: none"> <li>Designed to provide recreational areas and open space to serve residents within a 2 kilometre service area (or 1,000 to 2,000 residents).</li> <li>Permitted recreation uses includes playground equipment, seating, green space, and water fountain.</li> <li>Size generally ranges between 0.5 hectares to 4 hectares in area.</li> </ul>	
<b>Parkette / Tot Lot</b>	
<ul style="list-style-type: none"> <li>The smallest form of open space to serve residents within 500 metres (or 50 to 100 residents), without obstruction of physical boundaries.</li> <li>Permitted recreation uses include a playground</li> <li>Smaller than 0.5 hectares in area</li> </ul>	
<b>Open Space</b>	
<ul style="list-style-type: none"> <li>Passive open spaces and parks, including walking and biking trails, natural areas, gardens, storm water management area, cemeteries, elementary and secondary school open space.</li> </ul>	

Sections 3.7.2.5 and 7.15.4 state that “Council recognizes that need for the establishment of a new Town Wide park in the north Ward. Opportunities to develop such a facility, in conjunction with private land developers, will be explored when considering any new development applications”.

## Zoning By-law

This portion of the Grand Trunk Trail, the proposed regional park in the 2005 concept plan and the proposed park along the north side the trail are zoned Open Space (OS) and permits the following uses:

- cemetery
- dog park
- golf course
- hiking trail
- multi-use pathway

- passive recreational use
- public park
- sports field, baseball diamond
- swimming pool
- tennis court
- accessory uses, buildings, and structures

However, Section 5.27 states that the provisions of the Zoning By-law do not prevent the use of any lot for the purpose of public services, which would include water, sanitary and storm water services, and roads.

## **Recreation and Leisure Master Plan**

At the June 20, 2017 Strategic Priorities Committee Meeting, the draft Recreation and Leisure Master Planning Context Report (dated April 2017) was presented. The Recreation and Leisure Master Plan will be a guiding document that provides direction with respect to the Town's needs and priorities with respect to recreation and leisure services. Some of the findings from the Report are informative for the review of parkland requirements for the Thames Crest Farms development. In the report, it states that the majority of comments received during the consultation process regarding improving outdoor parks pertained to improving or enhancing the Town's trail system including establishing trail linkages to connect residents to the north end of Town, lighting pathways, constructing washrooms, installing fitness equipment along walking routes, and providing or enhancing wayfinding signage.

The next phase of the Master Plan process will evaluate current and future parkland needs based several inputs including projected population growth, parkland distribution and other variables. The next phase of the Master Plan process will investigate, at a conceptual level, the need for new active transportation routes and linkages to supplement the Town's existing network, with emphasis given to connecting destinations and developing linkages through future residential areas.

## **DISCUSSION OF ISSUES**

As noted earlier, six main issues have been identified, two of which are discussed in this report:

Issue 5 – The need for a wider range of zones to protect recreational, historical and natural areas

Issue 6 – Planned parkland dedication for the Thames Crest Farms development

### **Issue 5 – The need for a wider range of zones to protect recreational, historical and natural areas**

With respect to the suggested need for a wider range of zones to protect recreational areas, the Town has already applied the Open Space (OS) Zone to the Grand Trunk Trail, the proposed regional park in the 2005 concept plan and the proposed park along the north side of the trail. The OS Zone implements the Recreational designation under the Official Plan that also applies to the Grand Trunk Trail, proposed regional park and proposed park along the trail.

### **Issue 6 – Planned parkland dedication for the Thames Crest Farms development**

The provision of recreational opportunities for residents, including parks, open space and trails, are important to:

- combat society's growing sedentary lifestyles that has contributed to increased obesity and other health conditions and chronic illnesses

- provide affordable, sustainable and non-polluting means of transportation
- increase social interaction
- contribute to the ecological health of communities and reduce heat island effects

A review of the Town's Official Plan and initial findings from the ongoing preparation of the Recreation and Leisure Services Master Plan reveals the following key considerations:

- the development of recreational facilities, open space areas and trail systems are important to support the recreational and healthy lifestyle needs of residents
- opportunities to develop new trails or extend existing trails throughout the Town will continue to be encouraged
- public lands, floodplains adjacent to the watercourses and private lands may be used to develop or extend the trail system
- the community has identified the need to improve or enhance the Town's trail system including establishing trail linkages to connect residents to the north end of Town

The purpose of this discussion is not make specific recommendations on the future park and trail system in the Town given the ongoing preparation of the Recreation and Leisure Master Plan. However, this discussion focusses on responding to ideas presented and outlining possible options regarding the establishment of parks and trails in the Thames Crest Farms development.

In light of the key considerations identified above, there may be some concerns with the establishment of the regional park in the northeast quadrant of the development area as identified in the 2005 plan submitted with the Plan of Subdivision Application since it would not be located in a central location and would not provide the opportunity for a direct connection to the Town's parks and trails system. If the Town were to decide it not prudent to establish a park in this location, the Recreational designation that currently applies to these lands and the policies regarding the need for a Town Wide park would require future assessment through the Town's ongoing Official Plan review project.

Although a park located along the Grand Trunk Trail as shown in the 2007 concept plan would not be centrally located in the Thames Crest Farms development area, it would be centrally located in relation to the broader area encompassing the new and existing residential areas north and south of the trail. In considering the location and design of parks and the trail system in this area, it is important to also consider opportunities to provide convenient access to as many users as possible. This park location could provide direct connections to the Grand Trunk Trail and would also provide convenient access and visibility from Wellington Street North and James Street North, along with direct connections to local roads and future residential.

Another option to consider is a redesign and/or relocation of the planned park space to meet the objectives of providing a central location, meeting the need for a larger park space and more seamless integration with the Grand Trunk Trail.

Considering a trail and/or walkway connection along the Wellington Street North extension has merit since it would provide a direct connection between the northern parts of the Thames Crest Farms development and the Grand Trunk Trail. This approach may also provide an opportunity for a looping of trails and/or other pedestrian routes (e.g. sidewalks, walkways) through the Thames Crest Farms development area.

Although not accepted as part of parkland dedications, storm water management facilities, ponds and channels, can be integrated into the parks and trails system by providing opportunities for connections and passive recreation, and natural habitat support where appropriate. Features such as seating areas, paths linking to the overall trail system and educational opportunities are possibilities. Maintenance access can also be integrated with trails. An example of an integrated maintenance access route is provided in Attachment 3. Inlet structures can be designed as a public space (e.g. overlook, seating area, etc.). Public safety must continue to be a key consideration through the use of signage and fencing where appropriate.

Given the location of the storm water management facility, there may be the opportunity to provide additional trails opportunities in this development area with connections to the Grand Trunk Trail and a looped pedestrian system.

## **SUMMARY**

This report has been presented at the request of Council to provide information related to parkland dedication as a part of the Thames Crest Farms development. The following areas of concerns were reviewed:

### **Issue 5 – The need for a wider range of zones to protect recreational, historical and natural areas**

- The Town has applied the Open Space (OS) Zone to the Grand Trunk Trail, the proposed regional park in the 2005 concept plan and the proposed park along the north side of the trail. The OS Zone implements the Recreational designation under the Official Plan that also applies to the Grand Trunk Trail, proposed regional park and proposed park along the trail.

### **Issue 6 – Planned parkland dedication for the Thames Crest Farms development**

- There may be some concerns with the establishment of the regional park in the northeast quadrant since it would not be centrally located and not provide direct connections to parks and trails.
- A park located along the Grand Trunk Trail would be more centrally located in relation to new and existing residential areas north and south of the trail, and would provide more direct connections to the Grand Trunk Trail, adjacent roads and neighbourhoods.
- The Town could also consider a redesign and/or relocation of the planned park space to meet the objectives of providing a central location, meeting the need for a larger park space and more seamless integration with the Grand Trunk Trail.
- Considering a trail and/or walkway connection along the Wellington Street North extension would provide connections to the northern parts of the Thames Crest Farms development and the Grand Trunk Trail.
- The proposed storm water management facility could be integrated into the parks and trails system by providing connections and passive recreation, and natural habitat.

Moving forward, it is too early to make specific recommendations on the future park and potential integration of the trail system that will be created through the Thames Crest Farms parkland dedication. It is staff's recommendation that consideration be given to negotiating the transfer of parklands to the Town from the developer within the same phase as the Wellington Street North extension occurs.

Once the parklands are conveyed, the options for developing the parklands can be considered. The parkland design process will consider the recommendations of the forthcoming Recreation and Leisure Master Plan which will contain a number of guiding recommendations to assist the Town with planning for future recreation needs. In addition, at the time of considering the parkland design, a public engagement process can occur to determine if there are any further specific public interests for the proposed park.

## **FINANCIAL IMPLICATIONS**

None at this time.

## **STRATEGIC PLAN**

- ☒ This initiative is supported by the following priorities, outcomes, and tactics in the Plan.
  - Pillar #4 Culture and Recreation:
    - Outcomes:
      - Assessing the real needs of residents in terms of providing the right fit for recreational services provided by the Town will require contracting out for a consultant who specializes in this area given the exhaustive analysis to be performed in providing key recommendations.
      - St Marys' parks are not only a prized asset, but it are also natural gathering places that can be optimized and incorporated into enhancing the cultural profile of St Marys.
    - Tactic(s):
      - Implement the key recommendations as required, and ensure that they align with concurrent policies and plans.
      - Perform an initial assessment of necessary [parks] improvements (beautification, accessibility, etc.).

## **OTHERS CONSULTED**

None.

## **ATTACHMENTS**

1. Thames Crest Farms Plan of Subdivision (2005)
2. Thames Crest Farms Plan of Subdivision (Revised 2007)
3. Example of integrated maintenance access route

## **REVIEWED BY**

### **Recommended by the Department**



Mark Stone

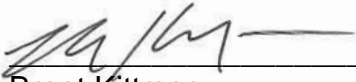


Grant Brouwer

Planner

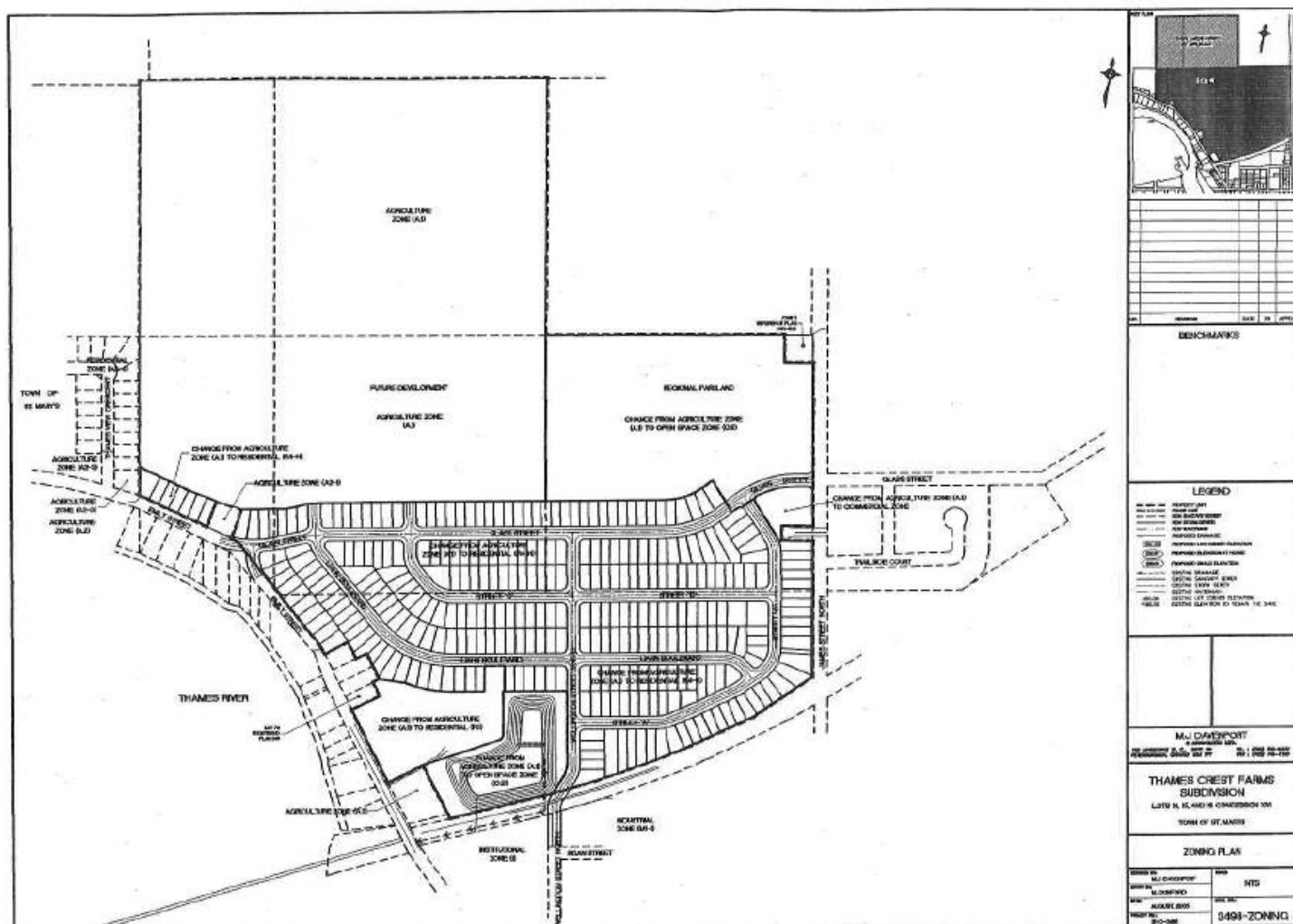
Director, Building and Development

**Recommended by the CAO**

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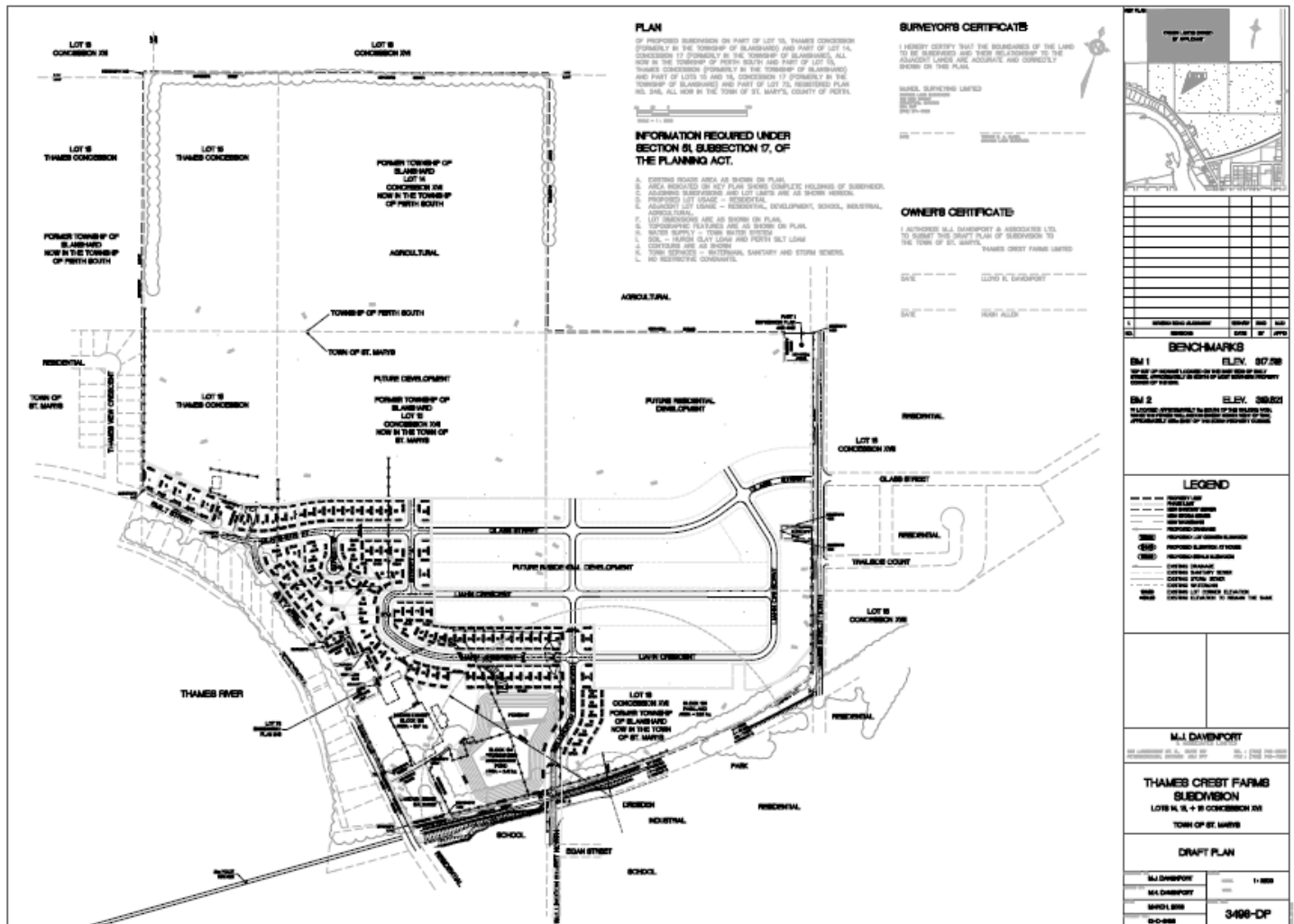
Brent Kittmer  
CAO / Clerk

## ATTACHMENT 1





# ATTACHMENT 2



## ATTACHMENT 3

### Integrated Maintenance Access Route Example

(Source: Richmond Hill Stormwater Management Landscape Design Criteria and Implementation Guidelines - May 2016)



**Headwaters Park - Richmond Hill.** This maintenance access route also provides opportunities for the public to overlook the facility (portions of the railing are removable).

# FORMAL REPORT

<b>To:</b>	<b>Mayor Strathdee and Members of Council</b>
<b>From:</b>	<b>Mark Stone, Planner</b>
<b>Date of Meeting:</b>	<b>12 September 2017</b>
<b>Subject:</b>	<b>DEV 29-2017 Grand Trunk Trail – Natural and Cultural Heritage Designation</b>

## PURPOSE

The purpose of this report is to provide Council with an overview of natural and cultural heritage policies related to the Grand Trunk Trail.

## RECOMMENDATION

THAT DEV 29-2017 Grand Trunk Trail – Natural and Cultural Heritage Designation report be received; and,

THAT Council considering establishing very specific policies related to the Grand Trunk Trail in association with a new land use designation or trail hierarchy in the new Official Plan. Such consideration should occur following consideration of the new Recreation and Leisure Master Plan.

## BACKGROUND

This report is the third of three Council reports regarding the Thames Crest Farms development and related issues including the proposed Wellington Street North extension and the protection of the Grand Trunk Trail. These reports are in response to Council's direction for staff to report back on these issues. The Background section of DEV27-2017 report regarding the Wellington Street North extension provides a detailed overview of the background to these issues however, the following is an abbreviated summary of public submissions that have led to the preparation of these reports:

### June 13, 2017 Council meeting

- Dr. Emily Kelly made a presentation on behalf of Tree Protectors of St. Marys, a group created in response to concerns regarding the destruction of green space associated with the Emily Street and Ardmore Park (now referred to as Westover Place) developments. Dr. Kelly recommended that the Town remove the Wellington Street extension from the Official Plan and create an extension of the Grand Trunk Trail to link with the new subdivision, and incorporate a much needed new North Ward Park.
- Mr. Frank Krausz made a submission to the Town respecting natural protected zones, recreational zones, historic zones and development zones.
- Council passed the following resolutions:

*THAT the presentation by Dr. Emily Kelly regarding Improvements to the Grand Trunk Trail at Wellington Street North be received; and,*

*THAT staff be directed to report back to Council regarding the history and rationale of the proposed extension of Wellington Street North; and,*

*THAT staff be directed to report back on the planned parkland dedication for the Thamescrest Farms Development; and,*

*THAT staff be directed to investigate implementing a formal forestry and tree management policy for the Town as recommended in the Town's Strategic Plan; and,*

*THAT staff be directed to investigate the implementation of a Natural Heritage Designation for the Grand Trunk Trail.*

and

*THAT the correspondence from Mr. Frank Krausz be received and referred to staff for inclusion in the forthcoming report back on the Wellington Street North extension.*

### **June 20, 2017 letter from Dr. Emily Kelly**

- Included petition with 676 signatures stating that the Wellington Street North extension is a mistake and encourages Town Council to keep new housing development connected using existing roads and new walking trails, rather than carving a channel for heavy traffic through the middle of Town.

### **June 27, 2017 Council meeting**

- Jakob Krausz spoke to Council in opposition of the Wellington Street extension.

Based on public submissions received and the direction of Council, the following is a summary of issues to be addressed:

Issue 1 – Need for Wellington Street extension

Issue 2 – Traffic concerns due to Wellington Street extension

Issue 3 – Protection of the Grand Trunk Trail and road crossing safety concerns

Issue 4 – Protection of natural heritage along/in proximity to Grand Trunk Trail

Issue 5 – The need for a wider range of zones to protect recreational, historical and natural areas

Issue 6 – Planned parkland dedication for the Thames Crest Farms development

The following three reports have been prepared to address these issues:

#### **DEV27-2017 – Wellington Street North Extension**

- Addresses Issues 1, 2 and 3
- Provides context and background applicable to all three reports

#### **DEV28-2017 – Thames Crest Farms Development – Parkland Dedication**

- Addresses part of Issue 5 and Issue 6

#### **DEV29-2017 (this report) – Grand Trunk Trail - Natural and Cultural Heritage**

- Addresses Issue 4 and part of Issue 5

## **REPORT**

This report addresses the question of natural heritage protection in proximity of the Grand Trunk Trail, and also provides background regarding cultural heritage as it relates to the 'historical' component identified in Issue 5. Before discussing these issues, a brief overview of the Grand Trunk Railway, and of relevant planning context related to natural and cultural heritage is provided.

In 1859, the Grand Trunk Railway (GTR) completed its main line from Toronto westward through Southern Ontario to Sarnia. Joining rail service as far as Chicago, this link provided access from the ports of Eastern Canada into the heart of North America. The GTR was incredibly important to the progress of settlement westward. One of the key components of the rail line was the Sarnia Bridge which crossed the Thames River in St. Marys. With its trestle structure and its high limestone piers, the bridge soon became a regional landmark.

In December 1988, the Canadian National Railway announced its intent to abandon the portion of its rail line that ran across the northern limits of St. Marys. In 1993, the Town of St. Marys completed an agreement to purchase the railway right-of-way through the municipality.

A group of local and area volunteers was formed in 1996 to plan and raise money for a walking trail along the right-of-way, including the Sarnia Bridge. The name of the walkway was chosen to reflect its history: The Grand Trunk Trail - St. Marys.

In 2012 the Town of St. Marys was inducted into the North America Railway Hall of Fame for leadership in the re-purposing of the Sarnia Bridge into the Grand Trunk Trail.

### **Provincial Policy Statement**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development, including the protection of resources of provincial interest, public health and safety, and the quality of the natural and built environment. The following is a summary of PPS policies relevant to this report.

Sections 2.1.1 and 2.1.2 of the PPS state that natural features and areas shall be protected for the long term and that the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.

Further, development and site alteration is not permitted in significant heritage features and areas as identified and defined in the PPS, unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions. Development and site alteration is not permitted in fish habitat and habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.

The PPS also requires that development be directed outside of hazardous lands adjacent to rivers and streams.

Section 2.6.1 states that significant built heritage resources and significant cultural heritage landscapes shall be conserved. The PPS provides the following definitions:

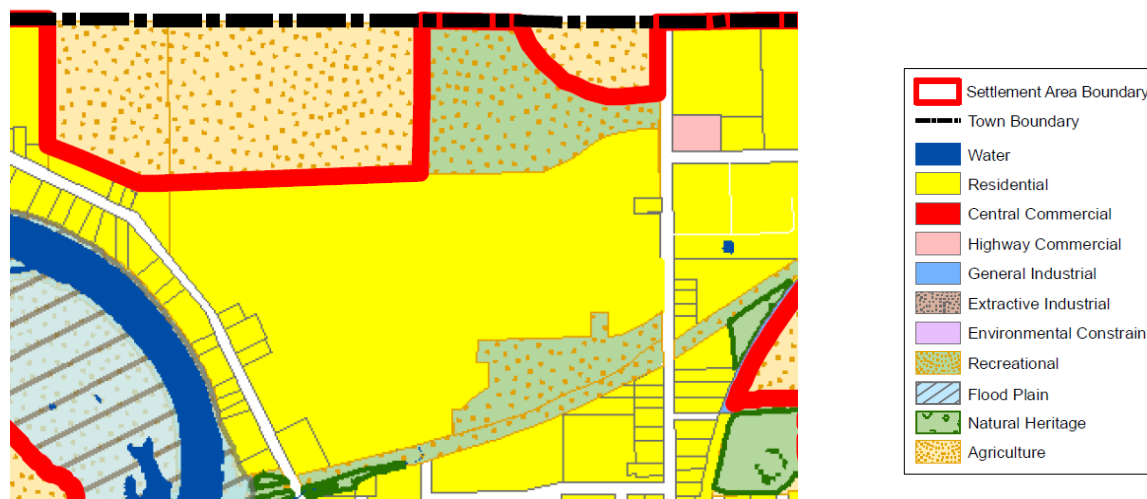
**Built heritage resource:** means a building, structure, monument, installation or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the Ontario Heritage Act, or included on local, provincial and/or federal registers.

**Cultural heritage landscape:** means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association.

The PPS regards cultural heritage resources as significant if determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people.

## Official Plan

The Grand Trunk Trail in the area of the Thames Crest Farms development is designated Recreational, with areas designated Natural Heritage west of Wellington Street. Section 3.9 of the Official Plan sets out natural heritage policies to “assist in identifying environmentally significant features, functions, and linkages within the Town”. The Official Plan contains some policies respecting fish habitats, woodlands and significant woodlands. Section 3.9.2.2 states that “development and site alterations within significant woodlands shall not be permitted unless the proponent of development can demonstrate that there will be no negative impacts on the ecological function of the wood land”.



Schedule C of the Town Official Plan identifies a Natural Hazards Constraint Area along part of the Grand Trunk Trail, as shown below. The Natural Hazards Constraint Area is an overlay that applies to “those lands and watercourses which have been flooded, are susceptible to flooding under severe



conditions, or are subject to erosion and which have not been designated as Natural

Hazards” in the Official Plan. Being an overlay, the policies related to the Natural Hazards Constraint Area apply in addition to the policies of the underlying designation and the boundaries are considered general in nature.



Section 3.8.2.16.4 of the Official Plan states that “where detailed floodline information or hazard related information is required to assess the development proposal, the development proponent shall be responsible for preparing a study to the satisfaction and the approval of the Upper Thames River Conservation Authority and the Town”. Section 3.8.2.16.6 states in part that “Council encourages the reestablishment of vegetation cover and buffer areas along the watercourses that are located within a Natural Hazards Constraint Area”.

Section 2.3 of the Official Plan provides policies respecting the identification and protection of heritage resources “including: heritage resources designated under the Ontario Heritage Act; archeological and historical resources; and sites or areas of architectural, cultural, social, political, economic, historical, or military significance”. Objective 2.3.1.2 speaks to the protection and enhancement “of the Town’s heritage resources by developing policies that strike a balance between conservation and preservation with development and re-development”.

## **Zoning By-law**

While not a Zone, the Upper Thames River Conservation Authority (UTRCA) Regulation Limit is shown on the Zoning By-law maps for information purposes, representing the approximate location of the boundaries those lands that may be subject to flooding, erosion and unstable slopes. The provisions of the UTRCA Regulation Limit are applied in conjunction with the zone provisions for underlying zones.

The current Zoning By-law does contain zones that have been used to implement natural heritage features and areas, and hazard lands, including the Environmental Constraint (EC), Open Space (OS) and Flood Plain (FP) Zones. However, following the completion of the ongoing Official Plan update, there will be the need to consider the addition of new zones and/or modifications to existing zones to ensure appropriate implementation of new policies and mapping.

## **DISCUSSION OF ISSUES**

As noted earlier, six main issues have been identified, two of which are discussed in this report:

Issue 4 – Protection of natural heritage along/in proximity to Grand Trunk Trail

Issue 5 – The need for a wider range of zones to protect recreational, historical and natural areas (this Report focusses on historical/cultural heritage areas)

### **Issue 4 – Protection of natural heritage along/in proximity to Grand Trunk Trail**

Concern has been raised with respect to potential impacts on natural heritage features that may result from the proposed extension of Wellington Street and development in the Thames Crest Farms subdivision. Specifically, concerns with impacts on ponds, watercourses, mature trees, young black walnut trees, and bird, turtle and frog habitat have been identified.

The Upper Thames River Conservation Authority (UTRCA) was asked to provide some input with respect to these issues and offered the following preliminary comments:

- This section of the Grand Trunk Trail is affected by the Authority’s Regulation Limit however no major issues or constraints have been identified with respect to the proposed extension of Wellington Street North.
- Floodplain and a watercourse in the Regulated Area are confined to areas west of the proposed Wellington Street extension.
- The pond located along the Grand Trunk Trail is not a Provincially Significant Wetland.
- Permits from the UTRCA will be required prior to undertaking any development or site alteration in the Regulated Area.

The current Official Plan includes natural heritage policies to assist in the identification and protection of significant features, functions and linkages. The current Official Plan does not identify the location of any significant woodlands however, the ongoing Perth County Natural Heritage Study, that involves the Town of St. Marys, will provide guidance with respect to the identification of significant woodlots and will inform the Town's ongoing Official Plan review. In addition, the Town will prepare a Natural Heritage Discussion Paper as a part of the Town's Official Plan review to implement the findings of the County Natural Heritage Study and to ensure that the policies of the Official Plan appropriately implement provincial policies related to the long-term protection of natural features and areas. New Official Plan policies and mapping will be implemented through an update to the Town's Zoning By-law, and both documents will regulate future development in the Town including the Thames Crest Farms subdivision.

Where appropriate, the Town can require an Environmental Impact Study (EIS) with any development application including as part of the Wellington Street extension as discussed in DEV27-2017. An EIS must be prepared by a qualified professional to identify any potential negative impacts on natural features or ecological functions on a property or adjacent lands. Recommendations contained in an EIS related to development constraints, mitigation and/or compensation are then used by the Town to develop appropriate regulations through zoning and/or conditions of a draft plan of subdivision/condominium or site plan.

Specific concerns have been raised with respect to potential impacts of the proposed Wellington Street extension and new development on trees, including the existing treeline that extends north from the current terminus of Wellington Street where it meets the Grand Trunk Trail. The Town will work with the developer to explore options to avoid or minimize impacts on the treeline, including the potential for a reconfiguration of the proposed Wellington Street extension north of the Grand Trunk Trail. There are standard conditions of draft approval applied to plans of subdivision including the requirement for a lot grading plan to demonstrate how the loss of trees and vegetation have been minimized. It should also be noted that in accordance with recent amendments to Section 270(1) of the Municipal Act as a result of Bill 68, municipalities are now required to adopt and maintain policies with respect to the protection and enhancement of tree canopy and natural vegetation. Implementation of this requirement is being considered by staff.

The Town will also explore options with the developer and the UTRCA related to opportunities for additional tree plantings. For example, the Communities for Nature program involves the UTRCA working with the community to identify opportunities for the planting of trees, shrubs, aquatic plants, etc. Given the early stages of development of the Thames Crest Farms subdivision, this may be a good opportunity to draw on these types of programs and resources to develop a strategy for creating wildlife habitat, increasing biodiversity, and improving water and air quality along the Grand Trunk Trail and around the storm water management facility.

## **Issue 5 – The need for a wider range of zones to protect recreational, historical and natural areas**

With respect to the suggested need for a wider range of zones to protect historical areas, the Provincial Policy Statement and the Town Official provide direction with respect to the identification and protection of built heritage resources and cultural heritage landscapes. However, for the most part, the protection of these resources is implemented through mechanisms under the Ontario Heritage Act.

Under the Ontario Heritage Act (OHA), municipalities can enact by-laws to designate buildings/structures and properties demonstrating cultural heritage value or interest. Cultural heritage landscapes can also be identified subject to certain criteria. There are generally three types of cultural heritage landscapes: designed landscapes (e.g. designed downtown square or parkland),



evolved landscape (e.g. a mainstreet) and associative landscape (e.g. significant religious site or cultural sites with associations to nature). A Statement of Cultural Heritage Value or Interest describes why the property is important and merits designation, explaining cultural meaning, associations and connection the property holds for the community. Examples of landscapes designated under the Ontario Heritage Act include the Roseland Golf Course (Windsor), Bronte Cemetery (Oakville) and Victoria Park (London).

In addition, a municipality can designate Heritage Conservation Districts (HCDs), by by-law, to guide construction, alterations and demolitions in that area. HCD's are then managed through a District Plan prepared by the municipality.

## **SUMMARY**

This report has been presented at the request of Council to provide information related to natural and cultural heritage in relation to the Grand Trunk Trail. The following areas of concerns were reviewed:

### **Issue 4 – Protection of natural heritage along/in proximity to Grand Trunk Trail**

- UTRCA has offered the following preliminary comments:
  - This section of the Grand Trunk Trail is affected by the Authority's Regulation Limit however no major issues or constraints have been identified with respect to the proposed extension of Wellington Street North.
  - Floodplain and a watercourse in the Regulated Area are confined to areas west of the proposed Wellington Street extension.
  - The pond located along the Grand Trunk Trail is not a Provincially Significant Wetland.
  - Permits from the UTRCA will be required prior to undertaking any development or site alteration in the Regulated Area.
- The current Official Plan includes natural heritage policies to assist in the identification and protection of significant features, functions and linkages. The ongoing Perth County Natural Heritage Study, that involves the Town of St. Marys, will provide guidance with respect to the identification of significant woodlots and will inform the Town's ongoing Official Plan review
- The Town will work with the developer to explore options to avoid or minimize impacts on the treeline, including the potential for a reconfiguration of the proposed Wellington Street extension north of the Grand Trunk Trail.
- The Town will also explore options with the developer and the UTRCA related to opportunities for additional tree plantings, and to develop a strategy for creating wildlife habitat, increasing biodiversity, and improving water and air quality along the Grand Trunk Trail and around the storm water management facility.

### **Issue 5 – The need for a wider range of zones to protect recreational, historical and natural areas**

- The Provincial Policy Statement and the Town Official provide direction with respect to the identification and protection of built heritage resources and cultural heritage landscapes. However, for the most part, the protection of these resources is implemented through mechanisms under the Ontario Heritage Act.

Council specifically asked staff to investigate the Town's ability to apply a "Natural Heritage Designation" to the Grant Trunk Trail. Applying a Natural Heritage designation would be appropriate in areas where natural heritage features and areas have been identified through additional study. The current Official Plan applies the Recreational designation to the trail but the Town could consider

establishing a new land use designation with very specific policies intended to recognize and protect unique attributes of the trail. Depending on the recommendations in the new Recreation and Leisure Master Plan, the Town could alternatively consider applying specific policies to the Grand Trunk Trail in association with a trails schedule if included in the new Official Plan. Either approach could be addressed through the ongoing Official Plan review project, or by initiating a proposed Official Plan Amendment.

## **FINANCIAL IMPLICATIONS**

None at this time.

## **STRATEGIC PLAN**

☒ Not applicable to this report.

## **OTHERS CONSULTED**

Trisha McKibbin, Director, Corporate Services / Deputy Clerk

## **REVIEWED BY**

### **Recommended by the Department**



Mark Stone  
Planner



Grant Brouwer  
Director, Building and Development

### **Recommended by the CAO**



Brent Kittmer  
CAO / Clerk

# FORMAL REPORT

<b>To:</b>	Mayor Stratthdee and Members of Council
<b>Prepared by:</b>	Jed Kelly, Director of Public Works
<b>Date of Meeting:</b>	12 September 2017
<b>Subject:</b>	<b>PW 46-2017 Picnic Table Request Science Hill Drifters Snowmobile Club</b>

## PURPOSE

To re-engage in an agreement which had been formalized in 2016 and verbally agreed to in previous years for the storage and one time use of 35 Town picnic tables by the Science Hill Drifters snowmobile club during the 2017-2018 winter season.

## RECOMMENDATION

THAT Council approve the agreement between the Corporation of the Town of St. Marys and Science Hill Drifters Snowmobile Club, for indoor storage and single use of 35 picnic tables; and,

THAT By-Law 78-2017 authorizing the Mayor and the Clerk to sign the associated agreement be approved.

## BACKGROUND

The Science Hill Drifters (SHD) were formed in 1993 and are an affiliated member of the Ontario Federation Snowmobile Clubs, with the main clubhouse located 1km North of St.Marys. In peak seasons they have seen as many as 2500 riders use local trails within the 8 week season.

SHD club has been receiving 35 tables for indoor storage during the winter months only to be used one day for their annual BBQ Fundraiser in late January. Discussions with previous Town staff would place the commencement of the verbal agreement approximately in 2005. In December 2016 Council authorized the CAO and Mayor to enter into a formalized agreement for storage and single use of the 35 picnic tables for the 2016-2017 winter season. The benefit for the Town is that the tables are stored indoors which helps to preserve their condition, ultimately requiring less maintenance.

This specific request has long standing history with a positive track record with many members physically residing in St. Marys. No adverse outcomes such as damages or missing tables have been noted to date.

## REPORT

The Club is offering secure indoor winter storage for 35 picnic tables, only to be used once for the Club's January BBQ fundraiser. As of 2016, the Club is willing to provide insurance on the tables in case of loss at no cost to the Town; this will continue for the 2017-2018 winter season.

Allowing the tables to be rented outside of the Town limits is generally not permitted. However, this type of request is not without precedent. In 2016, Council granted River Rock Music Festival free use of the tables including delivery and pickup beyond the Town limits. SHD feels the snowmobile club,

and the sport of snowmobiling represents an economic benefit to the Town by providing support to various local businesses, thus, justifying their usage.

## **SUMMARY**

It is preferable to store the tables indoors for the winter months, to ensure offseason maintenance occurs, Public Works intends to execute the maintenance before delivery in December 2017. This maintenance includes painting and replacement of defective components.

## **FINANCIAL IMPLICATIONS**

The Town would receive no monetary compensation for the tables, with the only direct benefit being secure indoor storage for the winter months, consequently reducing the overall life cycle maintenance costs of the tables. Direct financial implications to the Town would be staff labour and equipment charge out rates.

Total cost for delivery and pickup is \$800, including labour and equipment charge out.

## **OTHERS CONSULTED**

John Hahn, Parks Operator A, Town of St. Marys  
Dwayne Lawrence, President, Science Hill Drifters Snowmobile Club,


## **REVIEWED BY**

### **Recommended by the Department**



Jed Kelly  
Director of Public Works

### **Recommended by the CAO**



Brent Kittmer  
CAO / Clerk

# FORMAL REPORT

<b>To:</b>	Mayor Strathdee and Members of Council
<b>Prepared by:</b>	Jed Kelly, Director of Public Works
<b>Date of Meeting:</b>	12 September 2017
<b>Subject:</b>	<b>PW 47-2017 Quadrant Tree Pruning Budget Variance</b>

## PURPOSE

To approve a budget exceedance for the completion of the 2017 Southeastern Quadrant Heavy Tree Pruning.

## RECOMMENDATION

THAT PW 47-2017 Quadrant Tree Pruning Budget Variance be received; and,

THAT Council approve an additional \$25,000 for the completion of the Southeastern Quadrant Heavy Tree Pruning.

## BACKGROUND

The municipal forestry management goal is to create a healthy urban canopy throughout the Town which adds to the quality of the overall community. The forestry management approach Public Works has adopted can be categorized in 4 key areas.

- Planting – Either through direct replacements for removed trees or development of new lands. The annual goal is to replace removed trees with 2-3 replacements.
- Pruning & Shaping of Younger trees – Light ground based pruning activities to ensure tree growth is directed up away from road allowance and sidewalk clearances.
- Heavy Quadrant Pruning & Inspection – Removal of awkward or dead limbs to reduce overall loading on the tree. This can reduce loads on root system and / or reduce force loads from wind storms
- Removals – Removal of hazardous trees at the end of their life

Unfortunately, the approach outlined above has not been rigorously followed for a number of years. Staff estimate that proactive heavy quadrant pruning was largely discontinued around 2009, most likely due to staff turnover and large volumes of Ash tree removals. Reactive pruning / removals on complaint basis was the service standard for 8-9 years, this translates into a program deficit which will require some retroactive effort to resolve.

## REPORT

For the 2017 operating year, Public Works has resurrected the historical processes of forestry management tactics of Town owned trees as outlined above. The overall goal is program sustainability, risk mitigation, and accurate budget trending.

The Town has been divided into four sections, North, Southeast, Southwest and West areas. Each quadrant will have heavy pruning completed on a four year rotation. By establishing a quadrant system, Town staff, with assistance from a qualified contractor, systematically reviews all sections.

This is opposed to sporadically responding to identified hazardous trees across Town. This process reinforces the department's strategy to provide services proactively rather than reactively, thus reducing the likelihood of possible harm and damage resulting in litigation.

The Southeastern quadrant has been chosen as the first section to be addressed by the program in 2017 due to the high density of older larger trees. As above, heavy pruning has not occurred for a number of years and there has been more pruning required than was originally anticipated.

As a result of this high degree of maintenance, the 2017 budget allocation for this function has been exhausted and the quadrant heavy pruning for this part of Town is uncompleted. Because of this, the potential for hazardous trees remain as heavy pruning allows for close inspection and great level of condition assessment that can be delivered from a ground level drive-by inspection program.

In recent months it has been noted the quadrant approach to heavy pruning of trees has demonstrated to be advantageous. This is evident as areas where pruning has been completed to date have had less damage during wind storms due to a reduced number of tree limbs lost. Town trees that are inadequately maintained have the possibility of causing damage and harm, and exposes the Town to risk of litigation and its consequences if damage is caused to private property by Town trees.

It is staff's suggestion that completing pruning in the Southeastern quadrant will put the Town in the best position with respect to tree maintenance and risk. Given that the 2017 budget for quadrant pruning has been fully spent, staff are requesting Council's approval for a budget variance to complete the full scope of pruning that is required in the Southeastern quadrant in 2017.

## **SUMMARY**

The Town has implemented a quadrant heavy prune & inspection program to identify and maintain hazardous or potentially hazardous trees. The Southeast quadrant was selected for 2017, due to the age, density and size of the trees, the costs associated have been greater than anticipated causing a potential budget deficit for this item. Due to financial constraints, the department has been unable to complete the review and maintenance of this section.

To prevent potential damage and harm that could lead to litigation, it is recommended that Council reallocates funds to this program to ensure hazards are removed.

## **FINANCIAL IMPLICATIONS**

An additional \$25,000 will be required to complete the 2017 heavy quadrant pruning & inspection

2017 Budget Allocation (Contractor Tree & Stump Removals)	\$40,000
Projected additional required funding	\$25,000
Total Projected 2017 Forestry Program Contracted Services	<b>\$65,000</b>

It should be noted the Southeast & North (core area) quadrants have been identified as having the oldest tree inventory. Accurate budget forecasting is difficult as this is a new program for 2017-2018 and baseline service level is still being developed. It is expected that West & Southwest quadrant's costs will be reduced since the tree inventory is primarily younger and ultimately healthier.

Staff have engaged previous public work administration, they have advised that a similar scenario played out in 1992, but eventually the proactive quadrant defined approach should make the program viable over the long term with greater budget forecasting and reduced overall claims due to damages.

The additional cost of \$25,000 will be a variance within the department and if not offset by Town wide surplus at year end, to be funded from a roads reserve transfer.

## STRATEGIC PLAN

This initiative is supported by the following priorities, outcomes, and tactics in the Plan.

- Pillar #4:
  - Outcome: St. Marys' parks are not only a prized asset, they are also a natural gathering place that can be optimized and incorporated into enhancing the cultural profile of St. Marys.
  - Tactic(s): Investigate implementing a forestry and tree management policy for the Town.

## OTHERS CONSULTED

Bruce Grant, Director of Public Works, Town of St. Marys, 1992-2003

John Hahn, Parks Operator A, Town of St. Marys

Jo-Anne Lounds, Risk Management Coordinator, Town of St. Marys

Jim Brown, Treasurer, Town of St. Marys

Tim Holley, ISA Certified Arborist, District Manager, Davey Tree

## ATTACHMENTS

Tree Pruning Quadrant Map

## REVIEWED BY

### Recommended by the Department



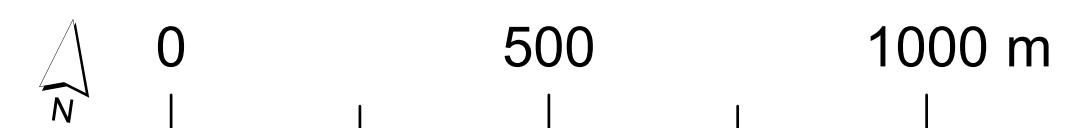
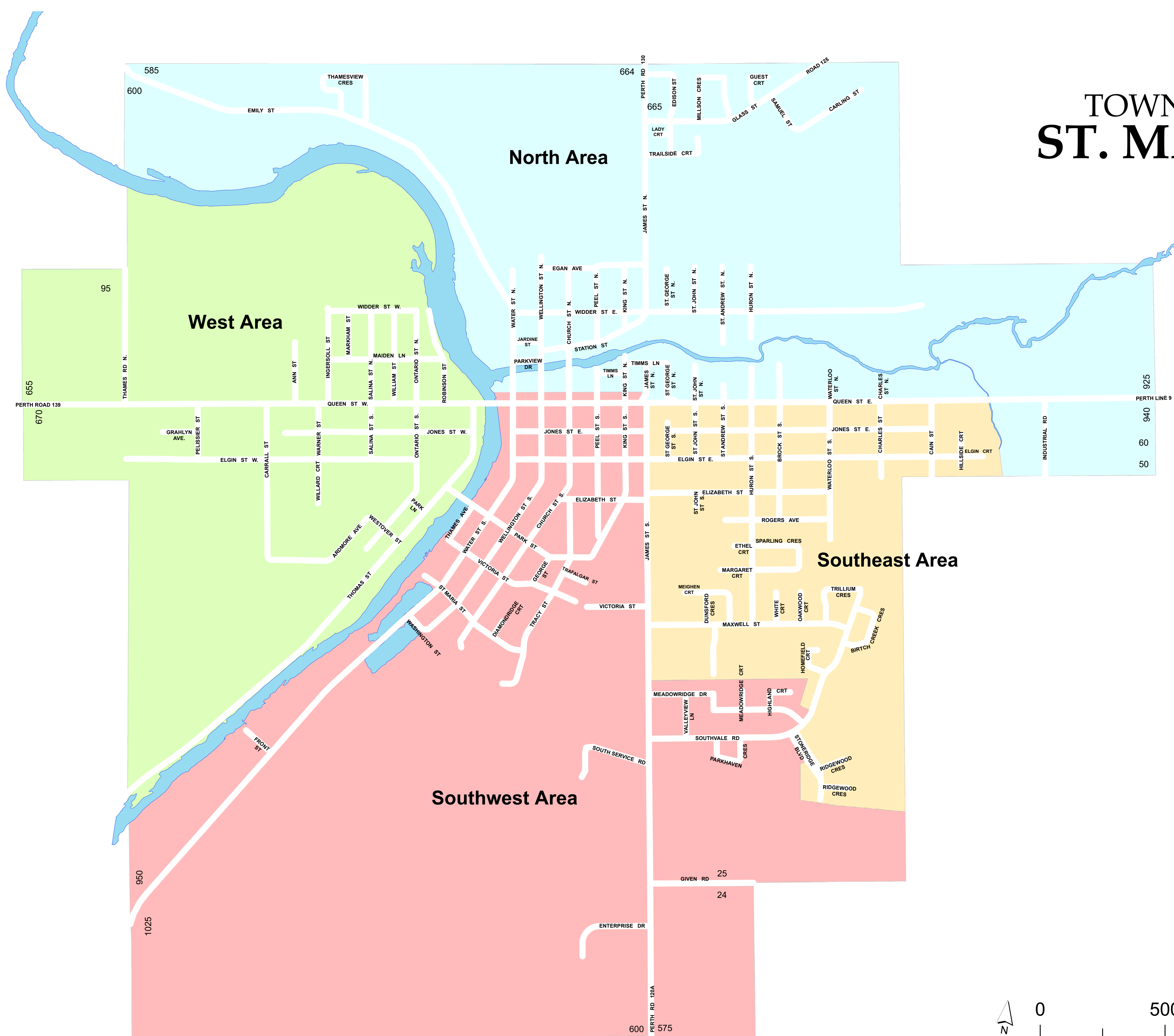
Jed Kelly  
Director of Public Works

### Recommended by the CAO



Brent Kittmer  
CAO / Clerk

# TOWN OF ST. MARYS





# FORMAL REPORT

<b>To:</b>	Mayor Stratthdee and Members of Council
<b>Prepared by:</b>	Dave Blake, Environmental Services Supervisor
<b>Date of Meeting:</b>	12 September 2017
<b>Subject:</b>	<b>PW 48-2017 Delmar Foods Industrial Waste Surcharge Agreement</b>

## PURPOSE

This report presents information to Council regarding the development of an Industrial Waste Surcharge Agreement (IWSA) for elevated sanitary discharge concentrations to the municipal wastewater collection system for Delmar Foods.

## RECOMMENDATION

THAT PW 48-2017 Delmar Foods Industrial Waste Surcharge Agreement be received; and,

THAT Council approve By-Law 76 - 2017 authorizing the Mayor and the Clerk to sign the Industrial Waste Surcharge Agreement with Delmar Foods, in substantially the same form as the draft presented.

## BACKGROUND

The Town has historically administered an Industrial Waste Surcharge Program whereby industry may request to discharge elevated sanitary effluent to the collection system above standard by-law limits, but within approved surcharge limits. This program is permitted under municipal By-Law 46-2014 Section 15.1.1.

On August 22, 2017, Report PW 40-2017 Request for Industrial Waste Surcharge Agreement for Delmar Foods was presented to Council for consideration under By-Law 46-2014. As a result of Report PW 40-2017, the following motion was carried:

**2017-08-22-21**

***THAT PW 40-2017 Industrial Waste Surcharge Agreement Request for Delmar Foods be received; and,***

***THAT Council direct staff to develop an Industrial Waste Surcharge Agreement for Delmar Foods with consideration for a phased in provision in keeping with historical municipal precedent to be returned to Council for final approval.***

This report provides the follow up information, and Agreement for consideration.

## REPORT

Delmar Foods requested an IWSA for elevated sanitary effluent discharges to the sanitary collection system, as well as consideration for a phased in Agreement. Based on the motion detailed above, Town staff, as well as representatives from Delmar Foods have mutually agreed on an IWSA

Agreement presented herein. The Agreement, in accordance with direction received on August 22, 2017 incorporates a Phased in Agreement in keeping with historical president through this program.

The Phased in Agreement will allow Delmar Foods to begin operations and assist in expanding their business while allowing time for them to fine tune their pre-treatment needs and requirements to ensure long term compliance to the Agreement.

## **SUMMARY**

Based on the information detailed herein, Staff recommends that Council approve By-Law 76 of 2017, authorizing the Mayor and the Chief Administrative Officer / Clerk to sign the Industrial Waste Surcharge Agreement with Delmar Foods.

## **FINANCIAL IMPLICATIONS**

The IWSA program is administered to recover increased operating costs associated with elevated sanitary discharges. Under the proposed Agreement, the Town projects to recover up to \$3,500 per month to offset any increased operating costs created as a result of the discharges.

Actual costs recovered under the Agreement shall depend on quality of discharges and volume received by the Town for processing at the municipal wastewater treatment plant.

Analytical costing related to program monitoring and administration is also recovered as part of the program.

## **STRATEGIC PLAN**

- ☒ This initiative is supported by the following priorities, outcomes, and tactics in the Plan.
  - Pillar #5 Economic Development: Business Attraction, Retention & Expansion Program
    - Outcome: A key to growth is to ensure a vibrant and sustainable commercial sector. Economic development needs to rest on three pillars, beyond the traditional business attraction. It should also focus attention and resources to ensure both business retention and expansion.
  - Pillar #5 Economic Development: Industrial Strategy
    - Outcome: Industry has played, and continues to play a key role in the life of the Town in providing employment and economic stability. Seeking new opportunities to attract small, medium and large industry is in the Town's best interests as part of its growth strategy.
    - Tactic(s): Actively seek out new industrial partners

## **OTHERS CONSULTED**

Jed Kelly, Director of Public Works – Town of St. Marys  
Julia Banton, Vice President – Delmar Foods

## **ATTACHMENTS**

Attachment No. 1 – Proposed Industrial Waste Surcharge Agreement for Delmar Foods

## **REVIEWED BY**

### **Recommended by the Department**



Dave Blake, C.E.T.  
Environmental Services Supervisor



Jed Kelly  
Director of Public Works

**Recommended by the CAO**

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

Brent Kittmer  
CAO / Clerk



# **INDUSTRIAL WASTE SURCHARGE AGREEMENT**

*IN ACCORDANCE WITH BY-LAW 46 OF 2014*

## **DELMAR FOODS WITHIN THE TOWN OF ST. MARYS, ONTARIO**

**Authorizing By-Law No: XX of 2017  
Effective Date: September 12, 2017**

This Agreement has been printed under and by authority of the Council of the TOWN of St. Marys, Ontario, Canada.

**Disclaimer:**

The TOWN of St. Marys does not warrant the accuracy of a document not originating from the Clerks Department. For all official copies of municipal Agreements, please contact the TOWN of St. Marys Deputy Clerk by calling 519-284-2340 ext. 241. All Agreement related inquiries can also be directed to the TOWN of St. Marys Deputy Clerk.

**Industrial Waste Surcharge Agreement Form**

**This Agreement made this \_\_\_\_\_ day of \_\_\_\_\_, 2017.**

**BETWEEN:**

**The TOWN of St. Marys**  
Hereinafter called the "TOWN"

**OF THE FIRST PART**

**And**

**Delmar Foods**  
Hereinafter called the "COMPANY"

**OF THE SECOND PART**

**BEING** an Agreement to regulate the discharge of wastewater (sewage) from the COMPANY to the municipal wastewater collection system as per By-Law 46 of 2014.

**WHEREAS** the COMPANY agrees to compensate the TOWN for extra strength effluent loadings as per this Agreement, and,

**WHEREAS** the current sewage discharge from the COMPANY to the TOWN of St. Marys Sewage Treatment Plant can no longer be sustained and the situation requires an emergency solution;

**AND WHEREAS** the COMPANY is required to take immediate action to remedy the sewage discharge problems that have been created by this situation;

**WHEREAS** the TOWN of St. Marys enacted By-law No. 46 of 2014 on the 21 day of October, A.D., 2014, and any revisions to the bylaw hereafter, relating to the discharge of sewage and land drainage in the TOWN of St. Marys, hereinafter referred to as "the By-law"; and

**WHEREAS** the said By-law prohibits the discharge or deposit of sewage containing certain substances in quantities in excess of the limits set by the By-law but provided that the TOWN may permit the discharge of sewage which would otherwise be prohibited by the said By-laws to an extent fixed by agreement with the TOWN under such conditions with respect to payment or otherwise as may be necessary to compensate for any additional costs of treatment; and

**WHEREAS** a person who has entered into such an agreement shall not be prosecuted under the By-laws for discharge or deposit of sewage in accordance with the terms of the agreement; and

**WHEREAS** the COMPANY carries on an industrial activity within the TOWN at premises known as 25 South Service Road which activity produces a sewage discharge in which the quantity of one or more of Suspended Solids, Biochemical Oxygen Demand (hereinafter referred to as B.O.D.), or Phenolic Compounds is above the permissible limits set out in said By-law which results in materially adding to the cost of treatment at the municipal sewage works.

**NOW THEREFORE THIS INDENTURE WITNESSETH** that the parties hereto mutually covenant and agrees as follows:

## **INDUSTRIAL WASTE SURCHARGE AGREEMENT**

### **AGREEMENT INDEX**

#### **Section 1 – Covenants of the TOWN**

- 1.1 Phased-In Conditions
- 1.2 Responsibility
- 1.3 Care and Control

#### **Section 2 – Covenants of the COMPANY**

- 2.1 By-Law Conformity
- 2.2 Compensation Requirements
- 2.3 Reporting Requirements

#### **Section 3 – Discharge Limitations**

- 3.1 Maximum Allowable Concentrations
- 3.2 Contravention of Agreement – Discharge Limits
- 3.3 Right to Revise – Discharge Limits
- 3.4 Calculation of Surcharge Fee
- 3.5 Federal or Provincial Limitations – Discharge Limits

#### **Section 4 – Pre-Treatment Requirements**

- 4.1 Requirement – Pre-Treatment
- 4.2 Installation – Pre-Treatment
- 4.3 Maintenance – Pre-Treatment
- 4.4 Records Retention – Pre-Treatment

#### **Section 5 – Monitoring & Reporting**

- 5.1 Monitoring Access Location(s)
- 5.2 Monitoring Equipment
- 5.3 Monitoring Equipment – Maintenance and Calibrations
- 5.4 Reporting Requirements

#### **Section 6 – Surcharge Calculation**

- 6.1 Surcharge Calculation
- 6.2 Assurances – Surcharge Calculation

#### **Section 7 – Inspections & Sampling**

- 7.1 Authority of the TOWN – Inspections & Sampling
- 7.2 Analytical Results – COMPANY

#### **Section 8 – Agreement Duration, Renewal, Transferability & Termination**

- 8.1 Effective Date – IWSA
- 8.2 Renewal – IWSA
- 8.3 Non-Transferability – IWSA
- 8.4 Termination – IWSA
- 8.5 Termination via Emergency – IWSA
- 8.6 Termination via COMPANY – IWSA
- 8.7 Termination via Failure of Payment – IWSA

#### **Schedule A – Authorized Loading Allocations under this Agreement**

## **Section 1**

### **Covenants of the TOWN**

#### **1.1 Phased-In Conditions**

The TOWN agrees to provide a phased in Agreement as follows:

- 1.1.1** For the first phase of the Agreement, commencing September 12, 2017 to October 31, 2017, a discount of 100 percent (100%) of the current Rn value will be applied when calculating the surcharge.
  - 1.1.1.1** For the currency of the above phase (Phase 1), the quantity of sewage discharged by the COMPANY from its premises at 25 South Service Road shall not exceed 500 cubic metres per month; and,
  - 1.1.1.2** The quality of sewage discharged shall not exceed the parameters as outlined in "Schedule A" of this Agreement.
- 1.1.2** For the second Phase of the Agreement, commencing on November 1, 2017 to January 31, 2018, a discount of seventy-five percent (75%) of the current Rn value will be applied when calculating the surcharge.
  - 1.1.2.1** For the currency of the above phase (Phase 2), the quantity of sewage discharged by the COMPANY from its premises at 25 South Service Road shall not exceed 750 cubic metres per month; and,
  - 1.1.2.2** The quality of sewage discharged shall not exceed the parameters as outlined in "Schedule A" of this Agreement.
- 1.1.3** For the third Phase of the Agreement, commencing on February 1, 2018 to April 30, 2018, a discount of fifty percent (50%) of the current Rn value will be applied when calculating the surcharge.
  - 1.1.3.1** For the currency of the above phase (Phase 3), the quantity of sewage discharged by the COMPANY from its premises at 25 South Service Road shall not exceed 1,000 cubic metres per month; and,
  - 1.1.3.2** The quality of sewage discharged shall not exceed the parameters as outlined in "Schedule A" of this Agreement.
- 1.1.4** For the fourth Phase of the Agreement, commencing on May 1, 2018 to July 31, 2018, a discount of twenty-five percent (25%) of the current Rn value will be applied when calculating the surcharge.
  - 1.1.4.1** For the currency of the above phase (Phase 3), the quantity of sewage discharged by the COMPANY from its premises at 25 South Service Road shall not exceed 1,250 cubic metres per month; and,
  - 1.1.4.2** The quality of sewage discharged shall not exceed the parameters as outlined in "Schedule A" of this Agreement.
- 1.1.5** Commencing August 1, 2018, full surcharge rates will apply.
- 1.1.6** Upon written approval by the Manager of Water and Wastewater, or designate, the TOWN may agree to amend portions of the Phased-in approach as outlined in Section 1.1, provided the COMPANY applies for an amendment, in writing to the Manager of Water and Wastewater and the COMPANY provides a detailed explanation for the request for

amendment. Acceptance of the request for amendment shall be at the sole discretion of the Manager of Water and Wastewater.

## **1.2 Responsibility**

The TOWN shall not be responsible for the removal or treatment of any non-biodegradable or other priority pollutants contributed by the COMPANY that may pass through the treatment plant and their subsequent discharge to the receiving stream. If such discharge is in violation of any existing or future requirements of the Canadian Environmental Protection Act, Federal Fisheries Act, Ontario Water Resources Act, or any other applicable Act or Regulation, the COMPANY shall be responsible for the removal or treatment of said pollutants prior to their discharge to the TOWN of St. Marys wastewater collection (sewer) system.

## **1.3 Care and Control**

The TOWN agrees to use reasonable care and control to regulate the industrial waste discharge from the COMPANY in a manner similar to any other industrial user and in accordance with the provisions of the TOWN of St. Marys current “water systems” By-law (46 of 2014), however, cannot be held liable for any discharge above and beyond those limits expressed herein and within the By-Law due to failure to comply by the COMPANY.

# **Section 2 Covenants of the COMPANY**

## **2.1 By-Law Conformity**

Except as herein otherwise expressly provided, the COMPANY shall conform to the provisions of the said by-law of the TOWN relating to the discharge of sewage and in the event of termination of this agreement the COMPANY shall conform to the provisions of the said By-law.

## **2.2 Compensation Requirements**

The COMPANY agrees to pay to the TOWN the Surcharge fee, as determined by the TOWN in Section 6.1 of this Surcharge Agreement, quarterly within 30 days following the last days of March, June, September and December, until terminated as herein provided.

## **2.3 Reporting Requirements**

The COMPANY agrees to provide to the TOWN a monthly flow statement for every month within 15 days of the succeeding month. If the COMPANY fails to provide the requisite flow data to the TOWN within the stipulated time, then the TOWN shall estimate the flows based on the usage data as provided from the water supply meter for the TOWN, towards calculation of the surcharge fee. For more information, please refer to Section 5.5 herein.

# **Section 3 Discharge Limitations**

## **3.1 Maximum Allowable Concentrations (MAC)**

During the currency of this agreement only, the Quality of the Sewage discharged by the COMPANY from the said premises to the sanitary sewer or combined sewer system may exceed the limits set by the by-law with respect to the quantity of Suspended Solids (TSS), Biochemical Oxygen Demand (B.O.D.), Phenolic Compounds, Grease, Phosphorus, and Kjeldahl Nitrogen, provided that they shall not exceed the limits as stipulated in “Schedule A” herein.

## **3.2 Contravention of Agreement – Discharge Limits**

The Discharge of Sewage by the COMPANY from the said premises containing Suspended Solids, B.O.D, Phenolic Compounds, Grease, Phosphorus, etc. in excess of the limits expressed in Schedule A shall constitute a contravention of this agreement and thus a contravention of the By-law.

## **3.3 Right to Revise – Discharge Limits**

The COMPANY agrees that the TOWN shall have the right to revise these discharge limitations or requirements at any time during the term of this Agreement. Written notice of any proposed



changes or modifications shall be issued to the COMPANY by the TOWN at least 90 days prior to the effective date of the change.

### **3.4 Calculation of Surcharge Fee**

The COMPANY agrees that for every quarterly period the TOWN shall calculate the actual surcharge fee based on the actual flow submitted by the COMPANY on a monthly basis and analytical results received from the lab for the parameters as set in the agreement, unless flow data is not received in the time period detailed herein, at which point the flow data will be estimated based on data obtained from the water supply meter for said property.

#### **3.4.1 Payable – Surcharge Fee**

The fee payable for each quarterly period shall be based on the actual (if provided) or estimated flow and maximum concentration of the parameters set out in the Agreement and the COMPANY agrees to pay this fee to the TOWN.

### **3.5 Federal and Provincial Limitations – Discharge Limits**

In the event that any applicable Federal or Provincial limitations shall be promulgated that are more stringent than the discharge limitations imposed by the TOWN, the TOWN shall notify the COMPANY of the more stringent standards and modify this Agreement to require the COMPANY to achieve compliance with the more stringent standards within the time period specified in the compliance schedule for the applicable standards. The TOWN will make all reasonable effort to notify the COMPANY of any changes to Federal or Provincial limitations that may promulgated, within 12 months of the compliance date.

## **Section 4 Pre-Treatment Requirements**

### **4.1 Requirement - Pre-Treatment**

The COMPANY agrees to provide necessary wastewater treatment facilities as required so that the user's discharge will comply with the discharge limitations specified in this Agreement and the St. Marys Water Systems By-Law (No. 46 of 2014), and any more stringent Federal or Provincial standards that may be applicable to the COMPANY.

### **4.2 Installation - Pre-Treatment**

In the event that discharge limits from the COMPANY are deemed to be in contravention of this Agreement, the TOWN will inform the COMPANY of the need for additional pre-treatment facilities, and the COMPANY agrees to purchase and install, at their own expense, pre-treatment facilities as required for the user's discharge to comply with this Agreement.

### **4.3 Maintenance - Pre-Treatment**

The COMPANY agrees to provide the necessary maintenance on any Pre-Treatment facility, as documented on the manufacturer's specifications. Maintenance documents, work orders, etc. shall be available to the TOWN, within 15-days upon request.

### **4.4 Record Retention - Pre-Treatment**

The COMPANY agrees to maintain records pertaining to the pre-treatment facility for a period of no less than 5-years. Records shall be made available to the TOWN, within 15-days upon request.

## **Section 5 Monitoring and Reporting**

### **5.1 Monitoring Access Location(s)**

The COMPANY agrees to install and maintain, at the user's own expense, sampling, measuring, monitoring and observation facilities, in accordance with plans approved by the TOWN, consisting of, a suitable control manhole (or manholes) designated as "Control Manhole No. 1" (etc.), located on the COMPANY's property which connects to the TOWN's sanitary collection system. Such manhole(s) shall provide suitable access to the user's wastewater stream for collecting representative samples of discharge flow.

5.2 Monitoring Equipment

The COMPANY agrees to install and maintain, at the user’s own expense, sampling, measuring, monitoring and observation equipment, in accordance with plans approved by the TOWN, consisting of, equipment capable of continuously monitoring and recording the COMPANY discharge flow. Should the COMPANY decide not to install continuous monitoring and recording equipment to monitor discharge flow, the TOWN will base the surcharge on 100% of the incoming flow of water to the premises. Total flow will be obtained from water meter(s) readings, on a bi-monthly basis.

5.3 Monitoring Equipment – Maintenance and Calibration(s)

The COMPANY shall arrange to have any flow metering equipment or other required monitoring instruments inspected and calibrated at the Companies own expense, on an annual basis by a person or persons qualified in the calibration of such meters and approved by the TOWN. A copy of the inspection and calibration service, or work order, certified by such person or persons, shall be forwarded to the TOWN. The TOWN or their designate shall have access to and the right to inspect such meters at their discretion while being accompanied by a representative of the COMPANY.

5.4 Reporting Requirements

The COMPANY agrees to submit to the TOWN the self-monitoring data as required as a condition of this Agreement. Monitoring data shall be summarized on a monthly basis, in the form of a monthly discharge monitoring report, as approved by the TOWN. Monitoring data shall be presented daily within the report. A discharge monitoring report, properly completed and signed by an authorized representative of the COMPANY, must be submitted within 15 days after the end of each monthly reporting period.

Section 6
Surcharge Calculation

6.1 Surcharge Calculation

The COMPANY agrees to pay to the municipality a fee based on the following formula:

C = QRi

Where Ri =

Rn x (fs [Si - Sn] / Sn) + fB [Bi - Bn] / Bn + fph [Phi - Phn] / Phn + fp [Pi - Pn] / Pn + fg [Gi - Gn] / Gn + fk [Ki - Kn] / Kn

Where:

C = Surcharge in Cents
Q = Quantity of Sewage in thousands of imperial gallons

Formula Notes:

Table with 2 columns: Parameter and Value/Description. Rows include Ri (Excess costs of treatment per thousand imperial gallons, in cents), Rn (Operating, maintenance and replacement costs of the sewage treatment plant in cents per thousand imperial gallons of sewage to be applied each year based on the basis of the previous three years' average experience), fs (Cost allocation factor for suspended solids, 0.5), fB (Cost allocation factor for Biological Oxygen Demand, 0.5), fph (Cost allocation factor for Phenols, 0.15), fp (Cost allocation factor for phosphorus, 0.1), fg (Cost allocation factor for Grease, 0.2), fk (Cost allocation factor for Kjeldahl Nitrogen, 0.2), Si (Suspended solids in mg/L), Bi (Biochemical Oxygen Demand (BOD) in mg/L), Phi (Phenol equivalent in mg/L), Pi (Total phosphorus in mg/L), G (Grease in mg/L), Ki (Kjeldahl Nitrogen in mg/L), Sn (By-Law limit for Total Suspended Solids, 300 mg/L), Bn (By-Law limit for BOD, 300 mg/L), Phn (By-Law limit for Phenolic Equivalent, 1 mg/L), Pn (By-Law limit for Phosphorus, 10 mg/L), Gn (By-Law limit for Grease, 150 mg/L).

## **6.2 Assurances - Surcharge Calculation**

The Targets and subsequent calculations provided herein are standard in nature, and as such, apply to any and all industrial premises, within the TOWN, with a signed Industrial Waste Surcharge Agreement.

## **Section 7 Inspection, Sampling and Non-Compliance**

### **7.1 Authority of the TOWN - Inspection and Sampling**

The COMPANY agrees that the TOWN, or their designate shall reserve the rights to obtain a composite (or grab) sample, at their discretion from the monitoring manhole in order to determine the actual quality of the sewage discharged into the wastewater collection system of the TOWN for estimation of the surcharge fee. The TOWN shall calculate the actual surcharge fee based on the maximum concentration of the parameters from the weekly sample test results as set in the Agreement obtained during the bi-monthly period.

### **7.2 Analytical Results - COMPANY**

In the event that the COMPANY also submits analytical reports for parameters set out in this Agreement on a frequent basis, the estimation of surcharge will be based on the maximum concentration indicated by the test results for sampled collected by the TOWN and the COMPANY.

## **Section 8 Agreement Duration, Renewal, Transferability and Termination**

### **8.1 Effective Date – IWSA**

This Agreement shall remain in force from September 12, 2017 until December 31, 2018. Following the duration of this Agreement, it is understood that the TOWN will complete a thorough and complete review of the IWSA program, and loading allocations to ensure the program remains current and sustainable.

### **8.2 Renewal – IWSA**

In the event of a renewal, if the TOWN gives written notice sent by registered mail to the COMPANY as aforesaid at any time within thirty (30) days before or after the start of each calendar year, that the amount of the fee or any of the limits hereinbefore set out are to be changed and no new Agreement can be reached between the TOWN and the COMPANY, this Agreement may be terminated at the option of the TOWN

### **8.3 Non-Transferability - IWSA**

The COMPANY agrees not to assign or transfer this Service Agreement to any new owner, new user, different premises, or a new or changed operation or process without written approval from the TOWN. In the event of a change in control or ownership of the facilities from which the authorized industrial discharges emanates, the COMPANY shall notify the succeeding owner or user of the existence of this Agreement by letter and forward a copy of the letter to the TOWN. Any succeeding owner or user shall comply with the terms and conditions of this Agreement until such time as a new Agreement is executed between the TOWN and the new user.

### **8.4 Termination - IWSA**

This Agreement may be terminated by the TOWN at any time on thirty (30) days written notice sent by registered mail addressed to the COMPANY of said premises, if:

- 8.4.1 The Sewage is causing a health or safety hazard to a sewage works employee;
- 8.4.2 The Sewage is causing damage to the sewers, materially increasing their maintenance costs or causing a dangerous condition;
- 8.4.3 The Sewage is causing damage to the sewage treatment process or causing a dangerous condition in the treatment works;

- 8.4.4 The Sewage is causing the sludge from the sewage works to fail to meet criteria relating to contaminants for spreading the sludge on agricultural lands under the current applicable regulations;
- 8.4.5 The Sewage is causing the sewage works effluent to contravene any requirements by or under the Ontario Water Resources Act, R.S.O. 1990, C. 0.40, as amended, repealed or replaced from time to time, or the Environmental Protection Act (Ontario), R.S.O. 1900, c.E.19 as amended, repealed or replaced from time to time;
- 8.4.6 The Sewage is causing a hazard to any person, animal, property or vegetation;
- 8.4.7 The Sewage is contrary to the said By-Laws in any way other than as provided herein
- 8.4.8 The TOWN no longer has the ability to affectively treat the Sewage as provided.
- 8.4.9 The COMPANY is no longer operating from the facility.

#### **8.5 Termination via Emergency - IWSA**

This Agreement may be terminated by the TOWN as any time where there is an emergency situation of immediate threat or danger to any person, property, plant or animal life, or waters.

#### **8.6 Termination via COMPANY - IWSA**

This Agreement may be terminated by the COMPANY at any time on three (3) months written notice sent by registered mail addressed to the TOWN.

#### **8.7 Termination via Failure of Payment - IWSA**

The TOWN may terminate this Agreement at its option without notice if the COMPANY fails for more than two months to pay an overdue amount but such termination shall not relieve the COMPANY from its liability to make such payment.

**[The remainder of this page has been intentionally left blank]**

**THIS AGREEMENT** shall ensure to the benefit of, and be binding upon heirs, administrators, successors and assigns of the parties hereto.

**THIS AGREEMENT** has been reviewed and is acceptable to the Corporation of the TOWN of St. Marys.

**THIS AGREEMENT** has been reviewed and is acceptable to Delmar Foods.

**IN WITNESS WHEREOF** the parties hereto have hereunto affixed their corporate seals attested to by the hands of their respective proper officers in that behalf duly authorized.

**SIGNED, SEALED AND DELIVERED**  
in the presence of:

**THE CORPORATION OF THE TOWN OF ST. MARYS**

\_\_\_\_\_  
Al Stratthdee, Mayor

\_\_\_\_\_  
Brent Kittmer, CAO/Clerk

**DELMAR FOODS**

By: \_\_\_\_\_

Position: \_\_\_\_\_

By: \_\_\_\_\_

Position: \_\_\_\_\_

**I/We have authority to bind the corporation**

**Schedule A**  
**Industrial Waste Surcharge Agreement**  
**Discharge Limitations**

During the currency of this Agreement only, the Quality of the Sewage discharged by the COMPANY from the said premises to the sanitary collection system may exceed the limits set by by-law with respect to the quantity of Suspended Solids, B.O.D., Phenolic Compounds, Grease, Phosphorus and Kjeldahl Nitrogen, provided that they shall not exceed the following limits at any time:

Parameter	Unit	Concentration (MAC)
Biochemical Oxygen Demand (BOD)	mg/L	1,200
Total Suspended Solids (TSS)	mg/L	1,200
Phenolic Compounds	mg/L	1
Oil / Grease *	mg/L	150
Phosphorus	mg/L	10
Kjeldahl Nitrogen	mg/L	100

**MAC** – Maximum Allowable Concentration  
**mg/L** – Milligrams per litre

The Quantity of swage discharged by the COMPANY from its premises at 25 South Service Road shall not exceed 1,550 cubic metres per month.

# PROCUREMENT AWARD

<b>To:</b>	Mayor Stratthdee and Members of Council
<b>Prepared by:</b>	Dave Blake, Environmental Services Supervisor
<b>Date of Meeting:</b>	12 September 2017
<b>Subject:</b>	<b>PW 49-2017 AWARD OF RFP-PW-14-2017 for Engineering Services for Wastewater Treatment Facility Upgrades</b>

## PROJECT DETAILS

The Town of St. Marys is seeking to retain engineering services for the design and subsequent contract administration (project specific) related to various wastewater facility upgrades. The projects, to be completed under the Clean Water and Wastewater Fund (CWWF) grant, consist of the following:

### Project No. 1:

Currently, the Wastewater Treatment Plant is equipped with an undersized generator which is incapable of maintaining full operation of the facility in the event of a power failure. The Town is seeking engineering services to facilitate the replacement of the existing unit with a new standby power generator sized appropriately to meet the facility needs now, as well as the future.

### Project No. 2:

The Queen Street East Sanitary Pumping Station is currently equipped with a standby power generator however is at the end of its useful life. The Town is seeking engineering services to facilitate the replacement of the existing standby power generator with a new system.

### Project No. 3:

The Wastewater Treatment Plant was constructed in the early 1970's with many processes and equipment still in operation today. The current grit removal system consists of an elevated, open air process and has reached its end of life along with the Administration, Control and Laboratory building for the facility. The Town is seeking engineering services related to the design of a new grit removal system, associated odour control system and administration, control and laboratory building for the WWTP.

This RFP is intended to secure engineering services for the above noted projects. The Town wishes to have all three projects fully completed no later than March 31, 2018 to satisfy funding requirements.

## RECOMMENDATION

THAT PW 49-2017 Award of RFP-PW-14-2017 for Engineering Services for Wastewater Facility Upgrades be received; and,

THAT the procurement for Engineering Services for Wastewater Facility Upgrades be awarded to R.J. Burnside and Associates Limited for the procured price of \$190,449.52, inclusive of all taxes and contingencies; and,

THAT By-Law 77-2017 authorizing the Mayor and the Clerk to sign the associated agreement be approved.

## PROCUREMENT SUMMARY

A procurement document was administered for the above noted project. The following is a summary of the procurement results, as well as a recommendation for a successful proponent:

Procurement Information	Details and Results
Tender Closing Date:	Tuesday, August 22, 2017
Number of Bids Received:	Three (3)
Successful Proponent:	R.J Burnside and Associates Limited
Approved Project Budget:	\$277,284.00
Cost Result – Successful Bid (Inclusive of HST):	\$190,449.52
Cost Result – Successful Bid (Inc. Net of HST rebate):	\$171,505.69
Project Over-budget	Not Applicable

The procurement document submitted by R.J. Burnside and Associates Limited was found to be complete, contractually acceptable, and ultimately provided the best value for the municipality. As such, staff recommends award of the project to R.J. Burnside and Associates Limited.

## FINANCIAL IMPLICATIONS

The funding sources for the above noted project are as follows:

01-9416 – Wastewater Treatment Plant Emergency Standby Power	\$16,586.15
01-9417 – Wastewater Emergency Standby Power Replacement, 728 Queen East	\$10,831.47
01-9411 – Wastewater Treatment Plant Facility Improvements	\$163,031.90
Total	<b>\$190,449.52</b>

There is no variance anticipated at this time for the above noted works. These projects are funded through the Clean Water and Wastewater Fund (CWWF), which results in a 50%/25%/25% cost sharing between the Federal Government, Provincial Government and Municipality respectively.

## STRATEGIC PLAN

☒ This initiative is supported by the following priorities, outcomes, and tactics in the Plan.

- Pillar #1 Infrastructure: Developing a Comprehensive and Progressive Infrastructure Plan
  - Outcome: St. Marys is committed to developing a progressive and sustainable infrastructure plan that meets the infrastructure needs of today and tomorrow. This will require a balance between building and regular maintenance.



- Tactic(s): Prepare an itinerary of planned projects that can be made shovel ready in response to funding changes at the senior levels of government.
- Pillar #1 Infrastructure: Granting Readiness
  - Outcome: With a change in the federal government, which has signaled a desire to fund infrastructure projects, it will be vital that the Town be in a state of readiness to compete for much-needed infrastructure funding.
  - Tactic(s): Establish a nimble foresight approach to capital initiatives that creates a project inventory and plans to meet new grant opportunities. Assign a lead staff person for this task.

## **OTHERS CONSULTED**

Jed Kelly, Director of Public Works – Town of St. Marys  
 Jeff Wolfe, Engineering Technician – Town of St. Marys

## **ATTACHMENTS**

1. Bid Summary

## **REVIEWED BY**

### **Recommended by the Department**

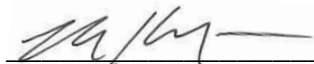


Dave Blake, C.E.T.  
 Environmental Services Supervisor



Jed Kelly  
 Director of Public Works

### **Recommended by the CAO**



Brent Kittmer  
 CAO / Clerk



## SUMMARY TABLE

### REQUEST FOR PROPOSAL – RFP-PW-14-2017

### ENGINEERING SERVICES FOR THE DESIGN AND CONTRACT ADMINISTRATION FOR WASTEWATER FACILITY UPGRADES

The following table provides a summary of submissions received:

<b>Bidder Name</b>	<b>Costing</b> (Including H.S.T.)	<b>Evaluation Results*</b>
B.M. Ross and Associates Limited	\$374,008.00	76
R.J. Burnside & Associates Limited	\$190,449.52	80
R.V. Anderson Associates Limited	\$280,788.05	74

\* Total points available for evaluation - 100

**Board of Directors Meeting Highlights  
Held on August 17, 2017 at 9:00 AM  
at the MRF Board Room**



**Municipal Sector Plays Key Role In Blue Box Transition**

The Province passed new legislation in November 2016 that will have a major impact on the way municipal solid waste is managed.

The Waste Diversion Act was repealed and replaced by the Waste-Free Ontario Act. The Waste-Free Ontario Act includes both the Waste Diversion Transition Act and the Resource Recovery and Circular Economy Act.

Currently, the cost to run programs for collecting and recycling paper products and packaging is split roughly 50/50 between municipalities and the companies that produce these items. The new legislation will transfer full responsibility for these programs to producers.

This is an opportunity for your blue box program to finally get fully compensated for the commercial products that show up in waste stream.

Full producer responsibility is not a new concept. It has been embraced by several European countries and the Province of British Columbia. Leading companies understand they are in the best position to manage the entire 'life cycle' of their products – from when they are made to when they are reused or recycled.

Here in Ontario, the provincial government has decided to apply this concept initially with paper products and packaging, tires, hazardous wastes and electronics. Other materials such as mattresses, carpets and furniture will be considered in the future.

The new legislation has started the movement toward full producer responsibility, but there is still a lot of work to do. Regulations must be drafted and all the details of the new system must be resolved.

Blue Box recycling programs will undergo some of the biggest changes, as municipalities will have new options – to act as service providers to producers who are required to pay for these programs, to work with private companies that may use municipal infrastructure, or to opt out altogether.

It is in the best interest of municipal governments to get this work done as quickly as possible, particularly given some inevitable delays around the upcoming provincial election. Each year the Blue Box transition is delayed will cost municipal governments across Ontario an estimated \$130M.

The Association of Municipalities of Ontario, Municipal Waste Association, Regional Public Works Commissioners of Ontario, and the City of Toronto have joined forces to form the Municipal Resource Recovery and Research Collaborative (Municipal 3Rs Collaborative) to advocate for a smooth and timely transition to full producer responsibility, and to make sure key municipal priorities like maintaining service standards to residents are protected.

The Municipal 3Rs Collaborative is working closely with key producers and the Ministry of the Environment and Climate Change in a process to consult on revisions to the current Blue Box Program Plan. This would be the first step in transitioning the Blue Box to full producer responsibility.

The Municipal 3Rs Collaborative sent a joint letter to the Minister asking that he request the Resource Productivity and Recovery Authority, the new regulatory authority established under the Resource Recovery and Circular Economy Act, to initiate a consultation to amend the Plan. The letter specifies that the amended Plan must:

- Not negatively impact Ontarians' experience with and access to existing recycling services;
- Improve environmental outcomes;
- Create a consistent recycling experience for all Ontario residents;
- Ensure a fair and open marketplace; and
- Address the provincial interests listed in the Resource Recovery and Circular Economy Act thus becoming the blueprint for the future development of a producer responsibility paper products and packaging regulation.

The key issues to be addressed in the consultation of an amended Plan include:

- Mechanism for the transition to full producer responsibility;
- Payments and terms;
- Targets;
- Ongoing transition due to municipal contract timing variability; and
- Standards of service provision.

The role of the Municipal 3Rs Collaborative is to listen carefully to the Ontario municipal sector, feed this information into the process, promote municipal interests, and provide updates and resources that will help municipalities manage contracts and make the best possible decisions for their own local programs and communities.

The Municipal 3Rs Collaborative is working to support all Ontario municipal governments in this process, and be assured that there will be an extensive consultation process to ensure full participation by the sector.

The Bluewater Recycling Association is part of the Collaborative and actively involved in the process. We will keep you informed as the initiative continues to develop.



## Addressing Food and Organic Waste in Ontario

Food and organic wastes make up approximately one third of Ontario's total waste stream. This includes organic waste generated at home, such as food scraps and leaf and yard waste, as well as food waste produced by industrial, commercial and institutional (IC&I) sectors such as food processors, wholesalers, grocery stores and restaurants.

In 2014, Ontarians generated about 3.6 million tonnes of food and organic waste, of which over 60% was sent for disposal, mostly to landfill.

Although food is essential for life and organic materials are critical for healthy soils, significant amounts of organic material end up going to disposal year after year.

Reducing the amount of food and organic wastes that end up in the waste stream provides economic benefits in terms of cost savings across the supply chain and new jobs associated with organic waste processing facilities. It also results in environmental benefits in the form of greenhouse gas reductions and less reliance on landfills. Given the right conditions, food and organic waste can be recovered and re-integrated into the economy. Turning food and organic waste into valuable products recognizes the net economic benefit of a circular economy, where nutrients, energy and other resources are recovered and serve as inputs to new products.

The Strategy for a Waste-Free Ontario: Building the Circular Economy, released on February 28, 2017 commits the ministry to a Food and Organic Waste Action Plan with a key action being the possible banning of food waste from disposal. The strategy also proposes that the first policy statement under the Resource Recovery and Circular Economy Act, 2016 will focus on food and organic waste. These actions will also support the waste reduction and resource recovery objectives of the strategy and greenhouse gas reduction objectives of Ontario's Climate Change Action Plan.

The discussion paper, "Addressing Food and Organic Waste in Ontario", serves as the basis for preliminary discussions with stakeholders to inform the development of the Food and Organic Waste Framework. The Food and Organic Waste Framework will aim to:

- Reduce the amount of food that becomes waste
- Remove food and organic waste from the disposal stream
- Reduce greenhouse gas emissions that result from food and organic waste
- Support and stimulate end markets that recover the value from food and organic wastes
- Increase accountability of responsible parties
- Improve data on food and organic waste
- Enhance promotion and education regarding food and organic waste

The intent of this Discussion Paper is to offer an early opportunity for Ontarians to provide input towards the development of a Food and Organic Waste Framework.

This Discussion Paper will assist the Ministry of the Environment and Climate Change in gathering information and collating the various opinions of the general public and stakeholders on the following discussion topics:

- The Scope of the Food and Organic Waste Framework
- Actions to reduce food and organic

- Actions to support processing capacity and end-markets for food and organic wastes

The development of both the action plan and policy statement will also be informed by a stakeholder working group concurrently. The ministry has invited representatives from key stakeholder groups including municipalities, the waste management industry, producers, non-governmental organizations, the agri-food industry (e.g. farmers, food processors) and generators of organic waste in the IC&I sectors (e.g., food retailers, restaurants, offices, hospitals) to participate in this process wastes.

The discussion paper posted as part of this proposal is intended to offer an opportunity for the public and stakeholders to provide comments towards the development of the Food and Organic Waste Framework. The ministry expects that further public consultations will occur once the draft policy statement and action plan are released.

### **MOECC Minister Murray Resigns**

Glen Murray resigned as Minister of the Environment and Climate Change. He will be leaving politics and resigning as MPP for Toronto-Centre on September 1st, 2017, four days before he becomes the Executive Director of the Alberta-based Pembina Institute, a 33-year-old environmental think-tank. Murray, 59, also a former mayor of Winnipeg, has been an outspoken minister, overseeing the government's five-year, \$8.3 billion plan to curb greenhouse gas emissions.

With Minister Murray's resignation, Chris Ballard has been appointed as the new Minister of Environment and Climate Change as part of a Cabinet shuffle by Premier Wynne. Chris formerly served as the Minister of Housing and the Minister Responsible for the Poverty Reduction Strategy. He is the MPP for Newmarket-Aurora and has served as a town councillor for Aurora, where he was Chair of the Economic Development Advisory Committee.

### **OTA Supports Zero-Tolerance For Drivers On Weed**

As it engages in consultations with the provincial government, the Ontario Trucking Association (OTA) is supporting the Canadian Trucking Alliance (CTA) position that the trucking industry should be held to a zero-tolerance policy for being under the influence of marijuana.

The Government of Ontario is seeking feedback from groups on how to develop a responsible policy regarding the drug, due to be made legal in Canada next year. The consultations are focusing on protecting youth, strengthening public health, and road safety.

OTA president Jonathan Blackham says drug and alcohol use among commercial drivers in Ontario has not historically been a problem.

"Operating commercial vehicles comes with an added responsibility and strong commitment to road safety," said Blackham. "Ontario needs to make sure that all vehicle operators understand that operating a motorized vehicle under the influence of marijuana will carry strong consequences."

The group reports that statistically operators of large commercial vehicles are much less likely to be impaired by alcohol or drugs than all other motorists.

The OTA will also be working with the province on creating workplace testing policies, including a review of the responsibility of employers to accommodate those with addiction issues. They are also discussing establishing sobriety levels for commercial drivers and passenger vehicles, similar to those policies currently deployed for safety sensitive positions.

## **Class D Renewal Requirements To Tighten**

Ontario is preparing to tighten the requirements to renew Class D licenses, bringing medicals and knowledge and vision tests in line with other commercial classes. The changes would be effective July 1, 2018.

Formal notice is expected to be issued to license holders by the end of August.

Class D license holders up to 80 years old will now be subject to a Class D knowledge test and vision test every five years, when they renew their licenses. Air brake knowledge tests for a Z endorsement will occur at the same time. Drivers 65 to 79 years old, with three demerit points or an at-fault collision on their record, will have to take a road test as well.

Medical reports will have to be submitted every five years for those under 46, three years for those 46-64, and annually for those 65 and older. Forms will be mailed to license holders 90 days in advance of the due date.

A Class D license allows someone to drive any truck or vehicle combination exceeding 11,000 kilograms, provided that the towed vehicle weighs less than 4,600 kilograms.

## **OTA Seeks Answers On Employment Law**

The Ontario Trucking Association (OTA) is calling for more clarity on proposed changes to employment standards in Ontario.

The OTA offered its comments on Bill 148, the Fair Workplaces, Better Jobs Act, introduced by the government in June to make changes to the Employment Standards Act, including raising the minimum wage and changing the nature of temporary and contract work in Ontario.

It is unclear how new scheduling requirements will be applied. In an attempt to make scheduling more consistent and predictable, under the new law employees that have been with a company for more than three months would be able to refuse to work a shift if given fewer than four days notice. As well, 'on-call' employees would be paid for three hours of work for each day they are listed as on-call and not called in to work. It is unclear if and how this will apply to fleets.

The OTA has also commented on the new minimum wage, saying that it recognizes that a fair minimum wage is necessary for a healthy economy, but hopes that the Ontario government will use New York State as an example when deciding what sectors the changes should apply to.

"The current approach being taken in Ontario lacks this regional and economic analysis," said OTA president Stephen Laskowski. "OTA is not asking the Province to reconsider the move to a \$15 minimum wage, but instead urging it to reconsider how such a policy is implemented, clarify which sectors and regions the policy will apply to; and how quickly it will be brought in."

The timeline for the proposed changes will be staggered, with a raised minimum wage scheduled for Jan. 1, 2018 and again a year later. Changes to the definition of casual, temporary, and part-time workers is proposed for April 1, 2018.



## China Notifies WTO Of Plans To Ban Imports Of Certain Wastes

China notified the World Trade Organization that it plans to stop receiving shipments of several different types of waste later this year, including mixed-paper and plastics.

In response to China's WTO filing on July 18, the Institute of Scrap Recycling Industries (ISRI) issued a stern statement, warning of the "devastating impact" a ban would have, including the "loss of tens of thousands of jobs" and the "closure of many recycling businesses throughout the United States." At the same time, China is undertaking a major inspection campaign of plastics recyclers operating inside its borders, which has already led to shrinking end-markets for plastic waste.

The ISRI said in its statement that it has already alerted the Office of the United States Trade Representative and the U.S. Department of Commerce about its concerns related to a ban and has briefed American officials, who are meeting with Chinese representatives today as part of the U.S.-China Comprehensive Economic Dialogue.

The American media are reporting that discussions between the U.S. and China got off to a tense start, and that both countries have cancelled their press conferences.

China is a major player in the global recycling industry, accepting as much as 56% of all plastic waste imports, according to Reuters. A potential ban would create serious challenges in Canada and across the globe. At this point, it is unclear what the Government of Canada's position is on this matter.

With more than \$5.6 billion in scrap commodities exported from the United States to China last year alone, the trade in specification-grade commodities – metals, paper and plastics – between the United States and China is of critical importance to the health and success of the U.S. based recycling industry. If implemented, a ban on scrap imports will result in the loss of tens of thousands of jobs and closure of many recycling businesses throughout the United States.

The scrap recycling industry is the first link in the global manufacturing supply chain. Recycled materials are key inputs into the production of new, usable commodities for the use in value-add production. In any given year, approximately one-third of the scrap recycled in the United States is prepared for shipment to the export market, and China is the recycling industry's largest customer. This includes more than \$1.9 billion in scrap paper (13.2 million tons) and \$495 million in scrap plastics (or 1.42 million tons).

More than 155,000 direct jobs are supported by the U.S. industry's export activities, earning an average wage of almost \$76,000 and contributing more than \$3 billion to federal, state, and local taxes. A ban on imports of scrap commodities into China would be catastrophic to the recycling industry.





## Plastics Recycler Points To Shrinking Market In China

CSPA President Steve Wong says concerns are mounting that more than half of the sector's companies could exit the market.

In an emailed report to members headlined "Policy execution – industry in doldrums," Dr. Steve Wong, executive president of the China Scrap Plastics Association, says end markets for plastic scrap in China are shrinking because of rigid inspection programs being carried out by Chinese government agencies.

Wong, who also is chairman of Hong Kong-based Fukutomi Co. Ltd. and sits on committees of the Brussels-based Bureau of International Recycling (BIR), says a Central Task Force established by China's President Xi Jinping "is putting into execution the corrective actions on all polluting industries, particularly recycling of solid [waste] and plastic [scrap], targeting the operations with imported [materials]."

He continues, "Being target-oriented, all factories holding import licenses for plastic [scrap] recycling have to go through a round of intense inspections by a high-caliber inspection team of 1,700 well-trained inspectors, teamed up from various parts of China."

Wong says the teams expect to complete their work in July 2017, and, at the end of the month, "import permit reductions which could be up to 60 percent" could be in place, "according to market rumors."

Among the aspects of direct interest to inspectors, says Wong, are:

- 1) compliance with pollution control and management; and
- 2) audits related to import permits and their potential illegal use.

Inspectors also will look into whether there is malfeasance on the part of local government departments, he says.

"It is expected that a number of recycling factories will hardly be able to meet the strict standards and may face the problem of import permit curtailments, or even [having permits] entirely rescinded," says the plastic recycling executive. "Some factories chose to slow down their production to avoid excessive pollutants being discharged (and failure in inspection), while others could not maintain smooth production due to removal of [processing] machines not on their listed 'environmental impacts assessment report,'" writes Wong.

Other plastic recycling and scrap consuming firms, he notes have had to "suspend production until the import of plastic scrap has resumed after new import permits are released."

In addition to the July effort, Wong says China's AQSIQ (General Administration of Quality Supervision, Inspection and Quarantine) also is tightening its quality control regimen on plastic scrap imports. "Importers identified to have 'polluting waste' imported will be down-graded, and the importer and relevant overseas supplier will be subject to 100 percent goods checking at by Customs for a period of 90 days," he writes. "The period of 100 percent goods checking will last for 180 days on a second-time violation, [and] AQSIQ registration can be revoked if a further violation is found during that second stage of 180 days' control."

Wong concludes, "With the industry in the doldrums and with trading activities slowed down, the supply of and demand for [plastic scrap] has been upset."

## Does Plastic Only Get Recycled Once?

Have you ever wondered how much plastic has ever been created? That's 8.3 billion tonnes, according to researchers at the US University of California, Santa Barbara. They also point out that half of this volume was produced during the last 13 years.

Approximately 30% of the historically produced plastics remains in use today. An estimated 9% of the discarded plastic has been recycled, while around 12% has been incinerated and nearly 80% was sent to landfill.

Dr. Rolan Geyer, lead author of the report, observes that as much as 90% of all plastics likely only gets recycled once. Illustrating the weight of all plastics ever made yields an interesting example, namely the equivalent of 25 000 Empire State Buildings or 1 billion elephants.



The study reports average recycling rates of 30% for Europe, 25% for China and 9% for America. By 2050, the world will be home to around 12 billion tonnes of waste.

Unsurprisingly, the shortest-use items are packaging, with a lifetime that's typically less than one year. Researchers noted that plastics applications with the longest lifetime are construction and machinery.

## NOVA Chemicals Proves Recyclable Food-Grade Packaging Isn't Impossible

NOVA Chemicals Corporation has developed an 'easily recyclable' oxygen-barrier film which means companies no longer need to make the choice between food-grade packaging and recyclability, claims the US polyethylene supplier.

The new packaging design, which expands on NOVA Chemicals' recyclable film, is compatible with the #2 HDPE recycling stream - a big leap forward, it is suggested, from the rigid or non-recyclable mixed-material packaging previously used.



The research and development team at the company's Centre for Performance Applications will explore the wide variety of packaging formats together with clients.

The film has already been found suitable for stand-up pouches, pillow pouches as well as flow wrappers. Prototypes will be tested on-site. Packages can be customized for single-serve or multi-use through the addition of zippers or fitments.

## Discarded Glass Bottles To Fuel Next-Generation Batteries

'Even with today's recycling programs, billions of glass bottles end up in landfills every year,' note researchers at the University of California. But they have made an exciting discovery; silicon dioxide present in post-consumer beverage bottles can provide high purity silicon nanoparticles for lithium-ion batteries.



To create the battery anodes, the team used a three-step low-cost chemical reaction process.

This involves crushing and grinding the glass bottles into a fine white power, a magnesiothermic reduction to transform the silicon dioxide into nanostructured silicon, and coating the silicon nanoparticles with carbon to improve their stability and energy storage properties.

Silicon anodes can store up to 10 times more energy than conventional graphite anodes, however expansion and shrinkage during charge and discharge make them 'unstable', the researchers point out. Downsizing silicon to the nanoscale is able to greatly reduce this issue.

Better yet, the researchers managed to create lithium-ion half-cell batteries that store almost four times more energy than conventional graphite anodes.

This breakthrough for next-generation lithium-ion batteries will extend the range of electric vehicles and plug-in hybrid electric vehicles. Besides, it will provide more power with fewer charges to laptops, tablets, smartphones and other consumer gadgets.

## Bruce County Polystyrene Recycling Ends.

A company that had accepted the material, now turning Municipalities away. The successful recycling program for expanded polystyrene (EPS) in several municipalities in Bruce County is on hold.

At the July 6th Highways Committee meeting, engineer Brian Knox informed councillors "There are stockpiles of styrene, generally in vans at landfills and could be re-used if something comes forward."

However, in June, Grace Canada, who received the recycled product is no longer accepting it from all municipalities in Ontario.

The problem is municipalities did not receive notice of the end of the program and are now left with the stockpiles.

Knox says county councillors approved writing a letter to the province, other municipalities and the Association of Municipalities of Ontario, to see if something can't be done.

He says, "Probably a half-million dollars of material has been diverted over the last 10-years from Bruce County landfill sites." However, with the program ended, the material will now become part of landfill sites again.

When the program was working, the municipal depot system involved residents placing their EPS in clear plastic bags provided by the landfill sites and depositing the bags inside a storage unit.

Once the unit was full, Grace Canada would pick it up for recycling at no cost. Saugeen Shores, Kincardine, Brockton, South Bruce, South Bruce Peninsula, and Northern Bruce Peninsula were part of the program.



## Coca-Cola Unveils New Packaging Strategy To Double Recycled Plastic Usage

Coca-Cola European Partners (CCEP) has unveiled its new GB sustainable packaging strategy – to double the amount of recycled plastic in all of its bottles to 50% by 2020.



The world's number one soft drink brand's GB business unit is aiming high – pledging to work with local and national partners to recover all its packaging so that more is recycled and none ends up as litter.

At present, only 70% of the cans and 57% of the plastic bottles used each year are recycled.

The new GB sustainable packaging strategy is focused on three key areas:

- Continuing to innovate to ensure its packaging is as sustainable as possible, including lightweighting, ensuring all its cans and bottles are 100% recyclable, and using recycled materials. The company wants to double the amount of recycled plastic in every PET bottles over the next three years – from the current average of 25% to 50% by 2020.
- Investing in consumer communication to promote recycling and encourage behaviour change
- Promoting reform of the UK recycling system to ensure more packaging is recovered and recycled, including increased packaging collection and recycling rates, including stronger recycling targets, deposit return schemes and extended producer responsibility.

In addition, CCEP will test on-the-go bottle collection and reward programmes.

The initiative no doubt, is partly in response to continued media coverage of low recycling rates and the concern of plastics pollution in oceans around the world.

Greenpeace and other environmental organisations have constantly pressured CCEP to release data about its global plastic usage – it estimates that Coca-Cola produces more than 100 billion plastic bottles every.

The top six drinks companies in the world use a combined average of just 6.6% of recycled plastic (PET) in their products, according to Greenpeace.

## Keurig Announces All Canadian K-Cups To Be Recyclable By 2018

Keurig Green Mountain made the surprise announcement in its annual sustainability report that all K-Cup coffee pods made in Canada will be recyclable by the end of 2018.



The company does not plan to move up its 2020 goal for making the pods fully recyclable in other markets. Keurig's annual report provides further details about its testing at material recovery facilities in the U.S. and Canada. The \$5 million investment in the Closed Loop Fund and membership in The Recycling Partnership are also cited as signs of its involvement in the materials management process. Efforts to engage with the Sustainable Packaging Coalition and Association of Plastic Recyclers on developing new end markets for polypropylene were also mentioned.

While the new pods are being finalized, Keurig continues to work on collecting the existing ones. During the most recent fiscal year, the company collected 7.1 million pods from businesses to create compost and energy. Starting this year, Keurig will begin recycling the plastic cups and lids from these pods rather than sending them to waste-to-energy facilities.

Keurig has set a goal of making its K-Cup coffee pods recyclable by 2020 and switching them from a polystyrene blend to polypropylene currently looks like the way to do it. So far, the company has tested these new pods at eight material recovery facilities and 90% of them made it through to the container line. They tracked this by putting RFID chips in each pod before sending them through facilities. She noted that results were directly linked to the age of equipment and number of optical sorters.

The Sustainable Packaging Coalition recently named Keurig a 2017 Innovator Award Winner for Breakthrough Process based on its success with the MRF study. Full traceability, non-disruptive testing and in-depth data capture were all cited as the main factors.

Some recyclers thought that the pods might get mixed into the 2-inch minus stream, or that the small paper liners inside would become a contaminant. So far Donahue said none of this had been a notable issue, in part because Keurig worked with the industry to develop its new packaging.

Pursuing the use of polypropylene for small containers, and additional optical sorters to help detect them, could open up a number of possibilities. It could also influence how other coffee pod manufacturers approach recycling. Nespresso uses aluminum, and offers special curbside collection for the pods in select European markets.

While some of the new polypropylene pods are already on the market, consumer access may vary and Keurig is still working to convert its production process. The company plans to be sparing with its consumer recycling education in the meantime until the new pods are more widely available.

## Blue Bin Battle: How Toronto Is Fighting To Keep Your Recycling Garbage-Free

You know that paper Tim Hortons or Starbucks coffee cup? It's not recyclable in Toronto. It's garbage. Who knew, right?

From coffee cups with wax linings to black plastic (including bags), bed sheets to car parts, and even dead pets – they're all items wrongly thrown into Toronto's recycling blue bins each year. In fact, a quarter of all things sent to the curb to be recycled shouldn't be there, according to city figures. Sorting the garbage from the recycling costs millions of dollars annually.



So the city is implementing a pilot project hoping to re-educate Torontonians about what is and is not recyclable. Dubbed "Recycle Right," the six-month pilot has summer staff hitting the streets hours ahead of collection trucks to inspect – and tag with yellow warning tickets – blue recycling bins that appear to be sorted improperly.

City staff say that, each year, the city resells about \$20-million worth of recycled materials back into the market. But it's looking to reduce its costs from the \$5-million it pays yearly to separate the garbage incorrectly mixed in with recycling by city residents.

If the bin looks "25-per-cent contaminated," the inspector tags it with a yellow warning and a recycling pamphlet. The bin then gets left unemptied on the curb, a tactic the city hopes will result in its owner doing a better job at sorting recyclables.

Staff will recheck the blue bin in two weeks, to gauge if residents are learning anything from being tagged.

The pilot project will wrap up later this summer. At its conclusion, the city could start issuing tickets and fines for blue bins that contain garbage, depending on what the data indicates.

### Things that DO NOT belong in the recycle bin



Coffee cups from Tim Hortons, Starbucks. They are lined with wax and belong in the garbage.



Dirty containers. Containers that still have food in them must be rinsed.



Black plastic, including bags, plant containers, rotisserie chicken containers.



Chains, hoses, ropes or electrical cords.



## Australian Supermarket Giants Wave Goodbye To Single-Use Plastic Bags

Australia: Both the Woolworths and Coles supermarket chains have announced plans to phase out single-use plastic bags in large parts of Australia over the next 12 months.



Woolworths estimates that approximately 3.2 billion lightweight plastic bags are used by its customers every year.

The no-plastic bag mission will affect the supermarket's stores in New South Wales, Victoria and Western Australia. More durable and reusable plastic bags will be made available at a cost of 15 cents, along with multi-use hessian bags, the company notes.

Other parts of Australia such as South Australia, the Northern Territory and Tasmania have already implemented state-wide bans on single-use plastic shopping bags. Queensland intends to follow suit next year.

According to Woolworths' group ceo Brad Banducci, the decision reflects the supermarket's objective to 'do the right thing' for the environment in combination with customer inquiries about a substitute for single-use plastic bags.

## 2017 Fall Back To School Safety

August means the end of summer and the beginning of a new school year. This time of year, you'll see more buses and cars on the roadways including parents driving their children to school to teachers and college students heading in to their classes.

Waste and recycling collection workers will be sharing the roadways with these neighbours and will be taking added safety precautions to protect students, teachers and families from harm. Historically, back to school time also means that school zone accidents increase, significantly. We realize that this increases the chances for collisions, injuries and fatalities.

Approximately 100 children in the United States are killed every year while walking to or from school and another 25,000 children sustain injuries as a result of school zone accidents. Some kids will be walking, riding their bikes or riding a bus to school for the first time in 2017.

We will provide information and guidance material to address driver distractions, benchmarked successful practices and operations planning for waste and recycling collectors to improve safety in school zones and bus stops around them. Often times, kids aren't as well versed about school zone and bus stop safety and traffic laws as adults are. The fact is many adults aren't clear either. We will help promote and communicate a shared commitment to safety on the roadways and around school zones and bus stops to protect the communities we serve.

## Electric-Vehicle Subsidies: Little Bang, Lots Of Bucks

Ontario and Quebec each have plans to spend hundreds of millions of dollars to convince drivers to go electric. The measures in place are certainly interesting for buyers of electric vehicles. The problem is that they're insignificant from an environmental point of view.

Insignificant, but not inexpensive: The two provinces encourage the purchase of an electric vehicle and home charging station with subsidies totalling \$14,750 in Ontario, and up to \$8,600 in Quebec.

Each time an electric vehicle replaces a gasoline-powered one, greenhouse gases (GHGs) are avoided. Over the course of the useful life of a vehicle, around 10 years, this represents approximately 28.2 tonnes of GHGs avoided in Ontario, and 29.9 tonnes of GHGs in Quebec, where electricity is produced almost entirely from hydropower.

The cost of each tonne of GHGs not emitted thanks to these provincial programs can then be calculated by dividing the cost of the subsidy by the quantity of emissions avoided. We thus arrive at a total of \$523 per tonne in Ontario and \$288 per tonne in Quebec.

Yet, the real cost is likely much higher.

The main reason is that a certain number of buyers of electric vehicles would have made their purchases even in the absence of subsidies. One study estimates that this is the case for half of buyers in Quebec. The proportion is likely much higher for most subsidies paid to buyers of luxury vehicles. (In Ontario, a buyer of a Tesla can receive the same subsidy as for a Volt.) This means that half of these subsidies, which will total hundreds of millions of dollars in a few years, are a pure loss.

But let's put on our green-tinted glasses and assume that our estimates of \$523 per tonne of GHGs not emitted in Ontario, and \$288 per tonne in Quebec, represent the real cost, and that each subsidy is well-targeted and helps replace a gasoline-powered vehicle with an electric one. The price paid is nonetheless very high compared to the result obtained, and compared to other existing solutions for reducing GHG emissions.



In the North American carbon market, which groups together California, Quebec, and soon Ontario, the price per tonne of GHGs, and thus the marginal cost for a company to eliminate this tonne, was C\$18.51 in the most recent auction. The federal government, for its part, will tax carbon at \$10 per tonne in 2018, climbing to \$50 in 2022.

By subsidizing the purchase of electric cars, the Ontario government is paying 29 times more than the carbon market price, and 52 times more than the future federal tax when it comes into effect next year. For Quebec, the corresponding figures are 16 and 29 times more. Even if we take the maximum amount of the carbon tax, namely \$50 in 2022, electric vehicle subsidies remain the most expensive option by far.

Another way of illustrating the inefficiency of these programs is to evaluate the portion of current GHG emissions that would be eliminated thanks to the replacement of gasoline-powered vehicles by electric vehicles. Even if the Quebec government achieved its goal of having a million electric vehicles on the road by 2030 (and assuming these were all fully electric), in the best case scenario, only 3 million tonnes of GHGs would be avoided annually, or 3.6% of current emissions, at a total cost of \$4.6 billion to \$8.6 billion. In comparison, the brand new Port Daniel, Quebec cement plant (itself the beneficiary of substantial subsidies) will emit nearly 1.8 million tonnes of GHGs a year all on its own.

The results would not be any more impressive in Ontario. Assuming that it achieved the same objectives, proportionally, that Quebec has set for itself, Ontario could not hope to eliminate more than 4.1 million tonnes of GHGs per year by 2030, or 2.4% of current emissions. This amounts to mere drops in the bucket.

Insofar as the reduction of GHGs is becoming a priority, the innovation that emerges naturally from the market remains the preferable path. If our legislators think that additional incentives are required, pricing carbon through a tax or a carbon market creates less distortion in the market than subsidizing the purchase of electric vehicles, which is expensive and will have little effect.



## Britain To Ban Sale Of New Diesel And Gasoline Cars By 2040

The aggressive measure, which includes a \$417 million fund to help local communities address diesel pollution, follows similar moves in France and Norway

The U.K.'s government says it will ban the sale of new cars and vans using diesel and gasoline starting in 2040 as authorities move to tackle air pollution. The decision by Environment Secretary Michael Gove follows similar moves in France and Norway. It also comes as the technology for electric cars improves. Britain's government is expected to announce a 255 million pound (CA\$417 million) fund to help, only days before a deadline mandated by the High Court.

Campaigners want the final plans to have government-funded and mandated clean air zones, together with a diesel scrappage scheme.

The news comes two years after Paris Mayor Anne Hidalgo announced a plan to ban most diesel vehicles from the French capital by 2020, a measure which targeted diesel buses and trucks, diesel vehicles made before 2011 and motorcycles made before 2000. The French government took the 2015 measures a step further by announcing earlier this month a plan to ban all gas and diesel vehicles from the country by 2040.

The U.K. is now following France's lead. The island nation's commitment to cleaner air has been steadfast, as back in April Britain recorded its first day without using coal power since the 19th century.

## Michelin Reveals Airless, Rechargeable Concept Tire

Michelin has revealed a futuristic airless concept tire constructed of biosourced materials, which can change tread designs on demand.

The tire, which the company says could be viable within 10-15 years, would completely change how fleets use tires. The integrated wheel and tire is made of everyday materials, including orange peel, cardboard, used metal, molasses, and other waste material.

But perhaps most fascinating, the rechargeable tire can change tread design when plugged into a device that uses 3D printing to quickly apply the required tread. In this way, the Vision tire could go from summer to winter tread, or even be optimized for the route the truck will be traveling.

Michelin showed the tire for the first time at its Movin' On conference on sustainable transportation and mobility in Montreal, Que.

In the absence of air, the Vision tire uses an interior alveolar architecture that can support the weight of the vehicle and its load. Its design isn't susceptible to explosions or blowouts, Michelin claims.

It's also connected. Sensors provide real-time information about the tire's condition. The four key attributes that the Vision tire offer are: an organic design, made from biosourced and biodegradable materials; a rechargeable tread printed in 3D; an airless design; and connectivity.



## 'Dumb And Stupid': Outrage Over Province Approving Plan To Burn Tires

NDP leader says former Tory government got it right when they turned down a similar request in 2007

Lafarge Canada hopes to be able to burn 20 tonnes of tires per day in the kiln at its Brookfield cement plant as fuel. (CBC)

The Nova Scotia Environment Department has given the green light to a pilot project that will see a cement plant burn tires as fuel.

Lafarge Canada's plant in Brookfield will operate a one-year pilot project in conjunction with researchers at Dalhousie University. The company hopes tire burning will reduce its carbon footprint and bring down operating costs.

Right now, the plant burns coal to power its kilns.

As part of the environmental assessment approval, the company will only be allowed to use tires for up to 15 per cent of its daily fuel. It must also form a community liaison committee to keep area residents informed about the project and develop a plan to resolve complaints.

Company says it will share results with the public

"Based on the research that we've seen from Dalhousie so far, it looks like we can achieve a 30 per cent reduction in carbon emissions for every tonne of coal we replace, and also we're expecting potentially a 15 per cent reduction in some of our other emissions as well," he said.

Cumming said getting the system ready to handle the tires would cost several million dollars. He said they expect to begin in early 2018 and results would be shared with the public.

The company won a tender for five years of access to 30 per cent of the tires in the province. As part of that tender, the company is paid for taking the used tires and disposing of them. In this case, because they're being used as a fuel replacement, the process will reduce the company's energy costs.

Area residents have expressed concerns about whether tire burning could affect surrounding air and water quality.

Lafarge must also apply for a temporary industrial approval to operate the project. That plan will require details about tire storage and waste management, continuous emission monitoring, stack tests with air and gas samples at the place of origin before and after the project begins, and an emergency response outline if the kiln malfunctions.

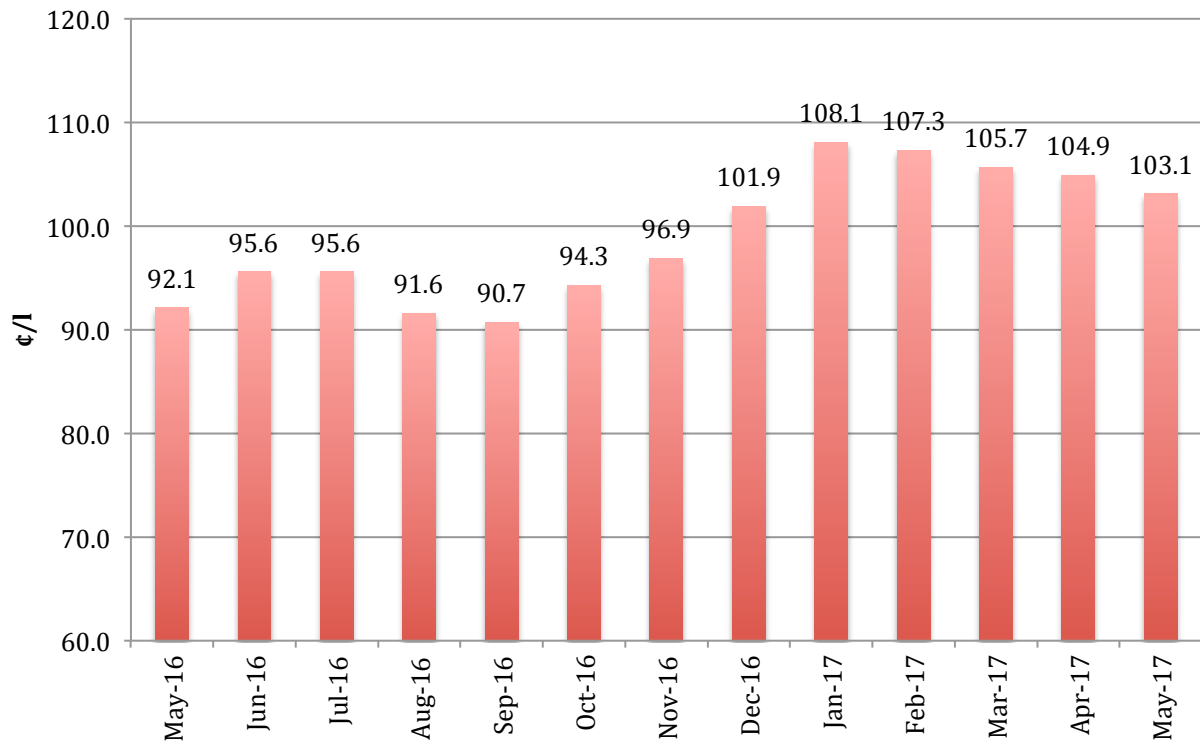
The news did not sit well with the operators of Halifax C & D Recycling Ltd., which has had the contract since 2009 to receive and recycle all of the used passenger vehicle tires in the province.

The company has been processing about a million tires a year to be used in construction-related projects. The Lafarge approval means 30 per cent of those tires will now go to the cement plant as fuel.

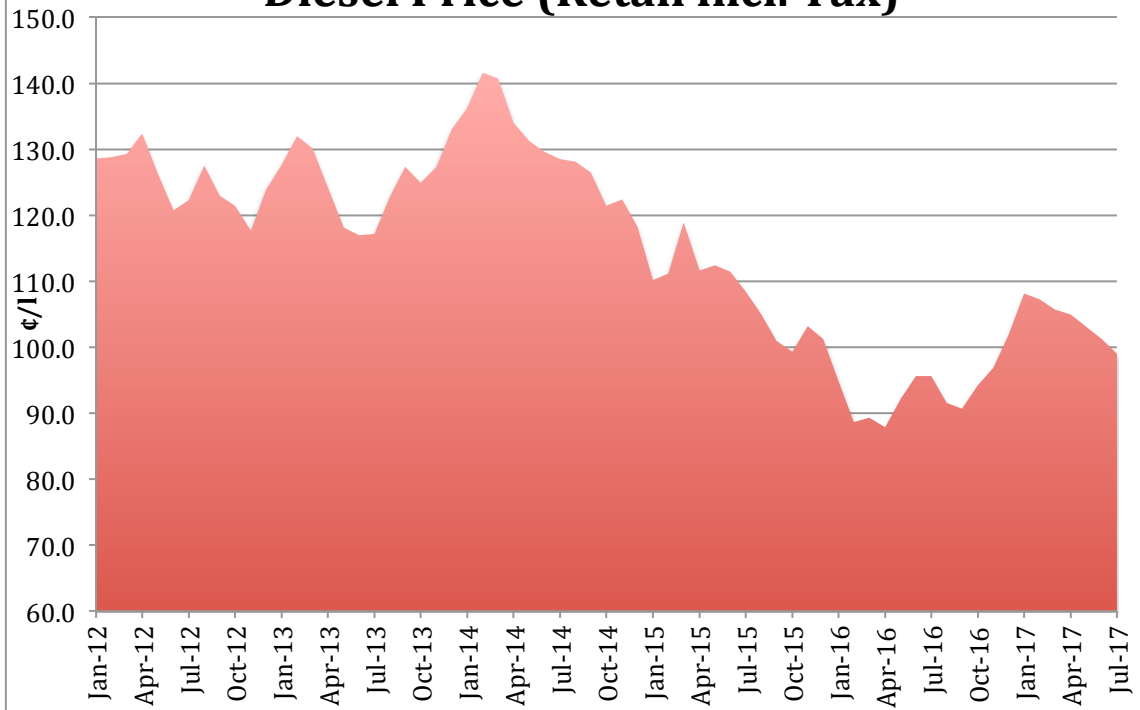
Mike Chassie, vice-president of Halifax C & D Recycling, said the decision limits his company's ability to grow markets and he thinks it sends the wrong message about the value the province places on recycling.

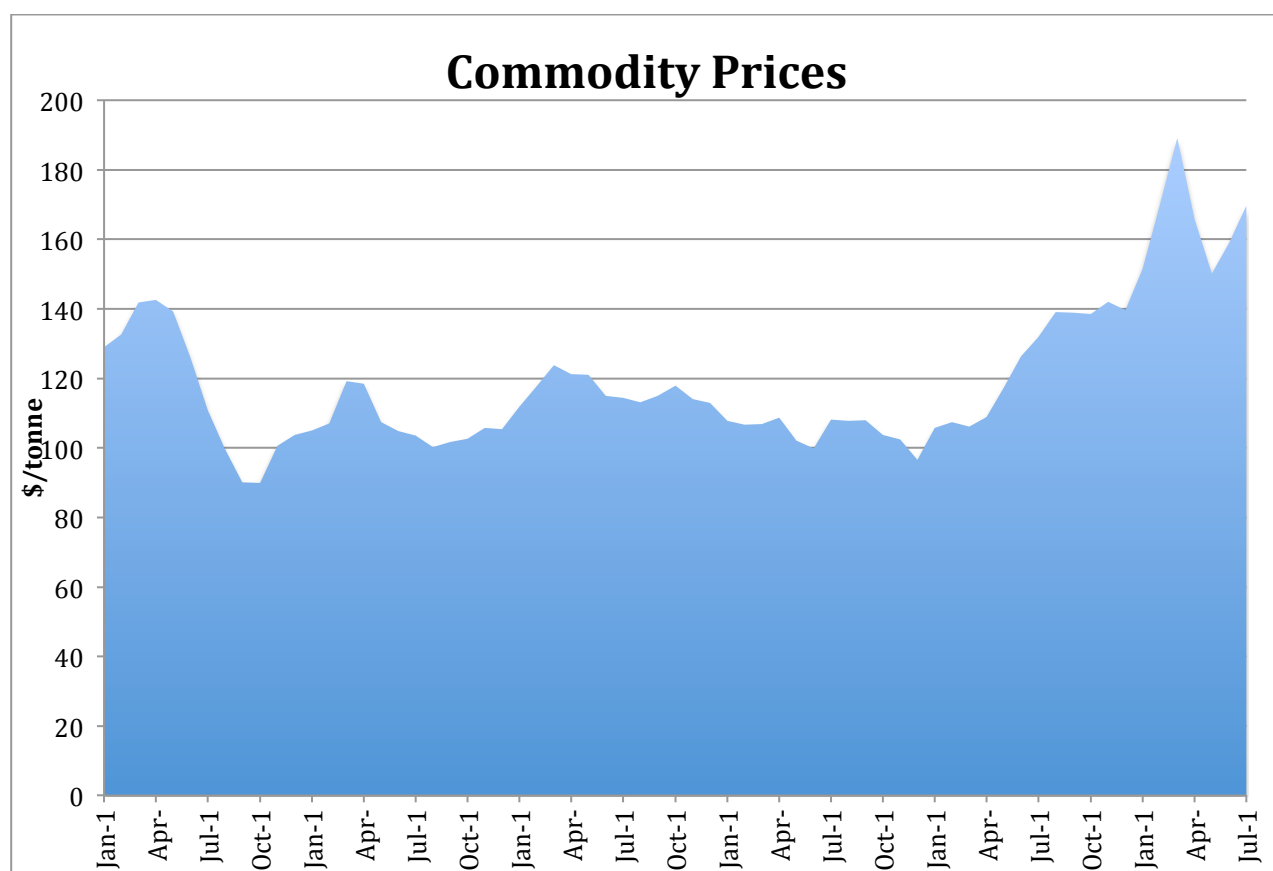
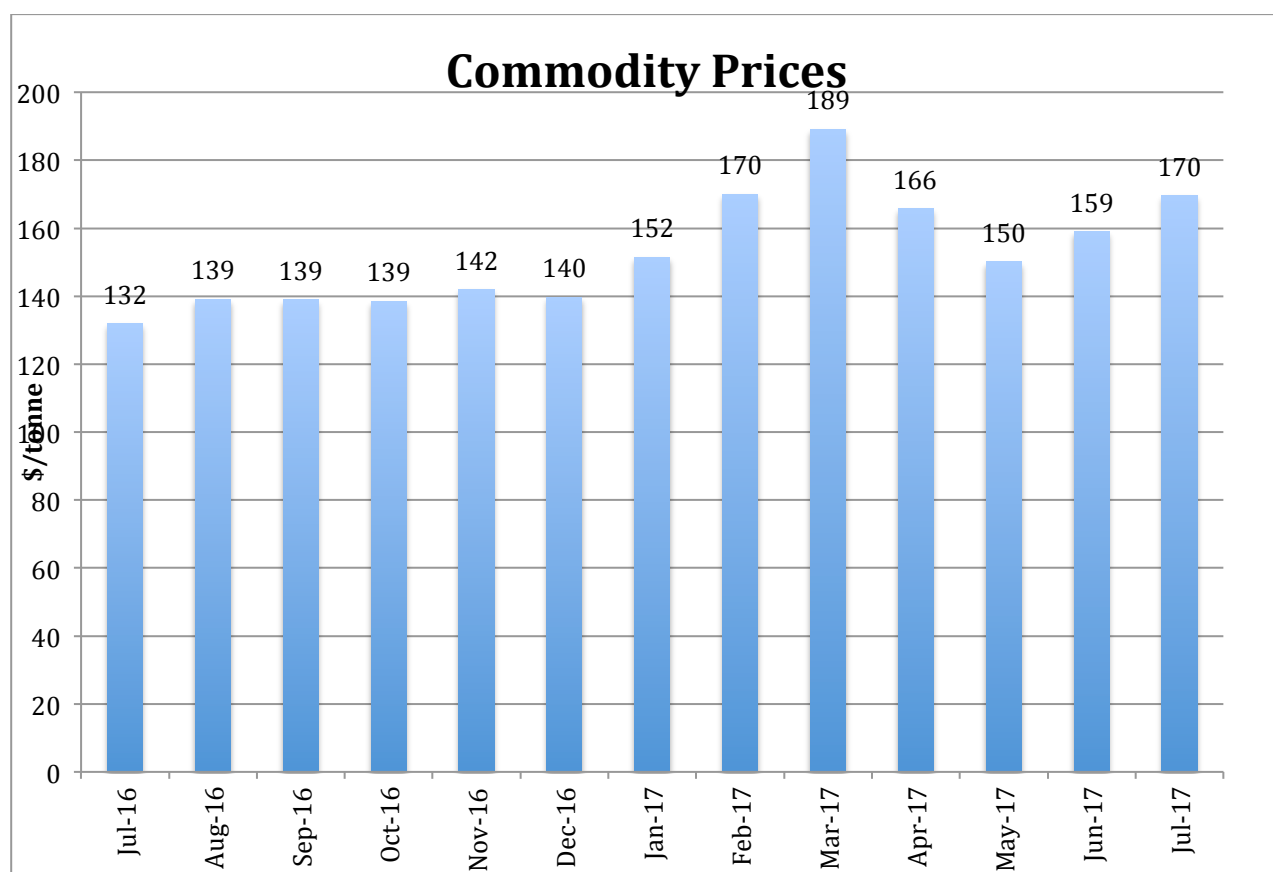


## Diesel Price (Retail incl. Tax)



## Diesel Price (Retail incl. Tax)





MINUTES  
BOARD OF DIRECTORS' MEETING  
TUESDAY, JUNE 27, 2017

Members Present:	T.Birtch	S.McCall-Hanlon
	M.Blackie	H.McDermid
	M.Blosh	A.Murray
	R.Chowen	B. Petrie
	A.Hopkins	M.Ryan
	T.Jackson	J.Salter
	S.Levin	G.Way
	N.Manning	

Regrets:

Solicitor: G.Inglis

Staff:	M. Fletcher	C.Saracino
	B. Glasman	A.Shivas
	C.Harrington	M.Snowsell
	T.Hollingsworth	C.Tasker
	J.Howley	I.Wilcox
	B.Mackie	K.Winfield

1. Approval of Agenda

M. Blackie asked the members to consider an addition to the agenda to allow for a second presentation from the Harrington community.

R. Chowen moved – N. Manning seconded:-

“RESOLVED that the UTRCA Board of Directors  
approve the agenda as revised.”

CARRIED.

2. Declaration of Conflicts of Interest

The Chair inquired whether the members had any conflicts of interest to declare relating to the agenda. There were none.

3. Confirmation of Payment as Required Through Statutory Obligations



The Chair inquired whether the Authority has met its statutory obligations in the payment of the Accounts Payable. The members were advised the Authority has met its statutory obligations.

4. Minutes of the Previous Meeting  
May 23, 2017

T. Jackson moved – S. McCall-Hanlon seconded:-

“RESOLVED that the UTRCA Board of Directors approve the Board of Directors’ minutes dated May 23, 2017 as posted on the Members’ web-site.”

CARRIED.

5. Business Arising from the Minutes

(a) FYI Distribution

T. Hollingsworth reported that in addition to the hard copies that are distributed by staff and members, the FYI Newsletter is distributed to 3,412 people via the UTRCA Twitter Channels, to 3,937 people through the Facebook Channels and to 1,249 subscribers to the UTRCA Mailchimp eNewsletter.

6. Business for Approval

(a) Harrington and Embro Dam EA Presentation  
(Reports attached)

C. Tasker introduced representatives from Ecosystem Recovery Inc., the consultants obtained to manage the Class Environmental Assessment under the Conservation Ontario Class EA on behalf of the UTRCA and the Township of Zorra. The consultants reviewed the attached presentation.

A number of issues and questions arose from the Board of Directors.

A question was raised regarding the role of Harrington Dam as a barrier to fish passage. T. Jackson mentioned that a retired Ontario Ministry of Natural Resources and Forestry (OMNRF) biologist had provided an opinion that the Dam was serving to block invasive species from moving up and into the Creek. C. Tasker explained that in response to similar questions from a previous delegation, the Authority had followed up with OMNRF and with the UTRCA fisheries biologist. Both sources agreed that the benefits of removing the Dam to the fishery outweighed the potential risk to the upstream brook trout.

M. Ryan spoke to the results of the recent Township of Zorra Council meeting discussion regarding Harrington Dam. Zorra Council deferred a decision in an effort to gather additional information. Township staff were asked to provide an economic impact review of each of the alternatives considered in the Environmental Assessment process for both Harrington and Embro Dams. M. Ryan understood that staff would bring a report back to Council in July and this information would be available for the UTRCA's August meeting. M. Ryan asked the UTRCA Board to consider postponing a decision to allow time for a review of the information and opinions from the Township of Zorra Municipal Council.

S. Levin asked about the impacts of postponing a decision on the safety of the dams and the liability of the Authority. C. Tasker reported that without a course of action or a direction that suggests repair, the Authority should embark on a dam safety review for Harrington and Embro Dams. The outcome of the Environmental Assessment process would determine the scheduling of the dam safety review.

S. Levin asked if there are funding opportunities through the Water and Erosion Control Infrastructure (WECI) program. C. Tasker noted that the Dam had been funded in the past but it would all depend on the priority ranking of Harrington in relation to other projects with important flood control functions that are waiting funding. He explained that WECI will not fund new dam construction but it will provide a bonus in ranking for dam removal. He was doubtful that the program would support repairs to the existing structure.

S. Levin suggested that the perhaps the Authority should consider dealing with Harrington Dam and Embo Dam separately. T. Jackson agreed that this may be a useful approach.

T. Jackson raised questions around the sediment levels and the possible impact of increased siltation on Wildwood Conservation Area's bird sanctuary should Harrington Dam be removed. He noted that following the breach of the Ducks Unlimited Dam, there have been impacts on Harmony. He questioned the validity of the Environmental Assessment based on the potential downstream impacts. The consultants explained that because of the Dam, the downstream has become sediment starved. He noted that natural channels are self maintaining and that Harrington Pond is capturing sediment and increasing the water temperature.

(a) ii) Harrington Community Association Delegation

Mr. Gavin Houston, speaking on behalf of the Harrington & Area Community Association, thanked the Authority for the additional opportunity to address the members. He noted that much diligent work has gone into the Environment Assessment Process.

Mr. Houston outlined information related to the economic and social impacts of the Dam and Pond, potential impacts on the fishery and the potential impacts of an offline pond. He noted that the people of Harrington had been developing infrastructure in the Conservation Area for some time and that they continue to raise funds to make improvements in the Harrington Mill living museum. He estimated that the improvements have had a significant impact on the local economy – adding up to \$4.5 million over the past 10 years. He questioned



the cost of improving the Dam in relation to this lost economic impact. He noted that it is impossible to weigh the importance of Harrington Dam to the community residents and that the Authority had only been looking at the science.

Mr. Houston stated that the removal of the Dam would negatively affect the fishery. Small Mouth Bass will impact the Brook Trout populations if the Dam is removed. He referred to recent MNRF studies that stated that introductions of Smallmouth Bass reduce the diversity of bait species. He noted the discrepancy in opinions from OMNR. Mr. Houston also referred to the potential for an increase in diseases affecting the fish population.

Mr. Houston questioned whether the off line pond would be able to deliver on all of the aspects outlined in the Environmental Assessment recommendation. He stated that millions of gallons of water per day will be needed to supply the mill and to support the fish and that this amount of water will not be available from the off line pond. He felt that without the pond, there would be insufficient recharge capacity for shallow wells in the area. With an off line pond, the Mill would only be operational within very limited timeframes. He felt that the depth of the head required to get the turbine going would be insufficient and require another structure, similar to another Dam to produce the head required.

Mr. Houston noted that should the Authority not support the local community, other options would be investigated. There is potential to have the entire Harrington site declared an historical site because of the Dam and vistas. Historical structures and views are worth protecting. The group was asking the Township of Zorra to deem the site an Historical Conservation District. Another option for the community is to purchase the entire Mill, Dam and Conservation Area from the UTRCA as has been done in other jurisdictions. Mr. Houston felt that the Committee has occupant status of the Mill and in such, has the same rights as the UTRCA. The Committee could expropriate the land. Mr. Houston noted that they would like us to work together but that they are making the Authority aware of all of the Committee's choices.

M. Blackie thanked Mr. Houston for the presentation. The UTRCA Board of Directors had further discussion.

T. Birch asked staff to comment on the Dorchester Mill Dam EA in relation to the Harrington Dam. C. Tasker reported that the Dorchester EA considered all of the same criteria. At that time, other agencies and groups did not call for the removal of the dam. Public opinion has changed as new information about the impacts of Dam has become available.

S. Levin asked if the options offered within the Harrington EA impact on our targets. I. Wilcox noted that the Authority currently has a list of 200 barriers in the watershed that should be removed as they have no flood control functions. The Authority's position is that a free flowing river is preferred. Generally the Authority supports the removal of dams, as they create significant risk and incur costs for maintenance. Nevertheless, the EA process is designed to be objective and consider social, economic and environmental impacts.

S. Levin noted that even if the dam is replaced we will not be certain that there would be sufficient head to operate the mill. All of these components are determined by the specific design. Detailed design allows us to design many things into each choice. B. Petrie inquired if it

is possible for the Authority to choose to support one of the alternatives and then over time, decide on the specific design of that alternative. C. Tasker answered that yes this is possible but that the EA process is currently still open for comment and change.

S. Levin noted that the EA is required to review and rank 4 factors. He felt that the community is asking the Authority to give 100% weighting to the social factor and the Authority is unable to do this.

T. Birtch questioned why the Community's creative ways to save money were not included in the comparison. C. Tasker explained that all costs were included but not potential savings. The report could not apply potential savings to one option. The report would need to consider all potential savings to all alternatives to illustrate a fair comparison. T. Birtch noted that there should be some way of incorporating this information so that it can be considered in the decision-making.

The UTRCA members agreed input from the Township of Zorra is critical and will assist to clarify roles and funding.

S. Levin moved – T. Jackson seconded: -

“RESOLVED that the Board of Directors defer the report until the August, 2017 meeting. ”

CARRIED.

T. Jackson suggested that perhaps, as the Board will have time that the UTRCA Board membership should visit and review the site. A. Hopkins and other members agreed. Staff were directed to organize a visit to Harrington Dam and Conservation Area, perhaps with the August Board meeting at Wildwood Conservation Area.

Hard copies of an additional submission from Mr. Houston were distributed to the members of the Board.

- (b) Benefits Renewal Amounts Annual Review  
(Report attached)

S. Levin moved – H. McDermid seconded:

“RESOLVED that the Board of Directors accept the recommendations as presented in the report.”

CARRIED.

- (c) Budget Concepts Memo  
(Report attached)

N. Manning moved – B. Petrie seconded:

“RESOLVED that the Board of Directors accept the recommendations as presented in the report.”

CARRIED.

B. Petrie stated his appreciation for the early consultation on the budget. T. Birtch questioned whether the 2.0% levy increase amount is enough considering increased growth.

I. Wicox noted that the City of London expects a target number for their budgeting process and the Authority staff specified the April to April CPI and were clear it was being used as a guideline. A. Hopkins reported that 2.0% seems high and should be 1 to 1.5% to stay in line with what the City of London is asking for from other agencies.

A. Hopkins moved – B. Petrie seconded:-

“RESOLVED that the recommendation be amended from a 2.0% increase to 1.5%.

DEFEATED.

I. Wilcox reminded the members that the Authority will have increases to the minimum wage to deal with in addition to many other operational issues.

The Board members suggested that the information on page 2 of the report be amended to reflect that minimum wage is included, along with the usual merit increases. B. Petrie asked that there be a report that clearly outlines the wage increase and the impact of the increased minimum wage.

- (d) Conceptual Monitoring & Reporting Program for UTRCA Environmental Targets  
(Report attached)

S. Levin moved – B. Petrie seconded: -

“RESOLVED that the Board of Directors accept the recommendations as presented in the report.”

CARRIED.

7. Closed Session – In Camera

There being property and legal matters to discuss,

N. Manning moved – G. Way seconded:-

“RESOLVED that the Board of Directors adjourn to Closed Session – In Camera.”

CARRIED.

## Progress Reported

- (a) Property and legal matters relating to the Glengowan lands were discussed.

### 8. Business for Information

- (a) Administration and Enforcement – Section 28  
(Report attached)

H. McDermid moved – G. Way seconded:-

“RESOLVED that the Board of Directors receive the report as presented.”

CARRIED.

- (b) Gilmor Decision  
(Report attached)

S. Levin moved – N. Manning seconded:-

“RESOLVED that the Board of Directors receive the report as presented.”

CARRIED.

S. Levin inquired if there has been an appeal to the Supreme Court. G. Inglis explained that to be considered by the Supreme Court the issue must be of national significance. The Gilmor decision would be considered an Ontario issue and it is doubtful that the Supreme Court would hear it.

S. Levin inquired whether this decision assists in our planning role. T. Annett reported that the decision reinforces the role of the Authority in their decision making through planning and permitting.

- (c) 2017 Biennial Tour  
(Report attached)

The Board received the 2017 Biennial Tour report.

- (d) Proposed Changes to the CA Act  
(Report attached)

B. Petrie moved – B. Way seconded:-

“RESOLVED that the Board of Directors receive  
the report as presented.”

CARRIED.

I. Wilcox will forward the Conservation Ontario Team report regarding the proposed changes to the Conservation Authorities Act to the members of the Board.

9. June FYI  
(Attached)

The attached report was presented to the members for their information.

10. Other Business

11. Adjournment

There being no further business the meeting was adjourned at 12:10 p.m. on a motion by N. Manning.



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Ian Wilcox  
General Manager  
Att.

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M. Blackie, Authority Chair

# **St. Marys Business Improvement Area (BIA) Board Meeting Minutes**

Date of Meeting: Monday, July 10, 2017

Location of Meeting: Town Hall Council Chambers (175 Queen Street East)

Time of Meeting: 6:30 to 8:30 p.m.

Board Members in Attendance: Julie Docker-Johnson (Chair), Cathy Szmon, Cindy Taylor, Sue Griffiths

BIA Staff in Attendance: Andrea Macko, Secretary/Communications

General Members in Attendance: Chantal Lynch, John Stevens, Bruce Barnes, Mary Van Den Berge, Maggie Richardson

Staff in Attendance: Laurel Davies Snyder, Manager of Culture & Economic Development

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## **1.0 Call to Order and confirmation of Quorum – 6:30 p.m.**

## **2.0 Declarations of Pecuniary/Conflict of Interest**

- None were declared

## **3.0 Additions to the Agenda**

7.3 Strategic Plan update

## **4.0 Approval of Agenda**

MOTION: Sue  
CARRIED

SECOND: Cathie

## **5.0 Approval of Minutes from May meeting (Attached)**

MOTION: Cathie  
CARRIED

SECOND: Sue

## **6.0 Delegations**

None

## **7.0 New Business**

### **7.1 BIA Sponsorship of Wi-Fi at town hall street feature**

Sue Hyatt was recently approached by Jed Kelly, St. Marys' Director of Public Works, to sponsor the complimentary Wi-Fi/charging station at the recently completed street feature outside of town hall. The stand has two sockets and six USB ports. The BIA would receive recognition on the charging station with a plaque.

The sponsorship is an opportunity "after the fact" to contribute to the project, for a one-time cost of \$3,000 – the Town has paid for the station already. The money would come from the BIA's reserve account, which has approximately \$40,000 in it. There are no limitations on using this money.

Considering that the complimentary Wi-Fi would only be available in the immediate area, discussion ensued on if the BIA pursue the creation of a complimentary Wi-Fi zone throughout the downtown, ideally in partnership with the Town. The hardware for this kind of zone was installed during the 2016 downtown reconstruction. Further discussion will occur on the matter.

THAT the St. Marys BIA agrees to provide funds for the hardware for the charging station at the town hall for a one-time cost of \$3,000, and that the town will recognize the contribution by way of signage and on its website. The universal symbol for a charging station and Wi-Fi will be made visible at the town's cost.

MOTION: Sue

SECOND: Cathie

CARRIED

### **7.2 Doors Open St. Marys**

Andrea provided an update on this event, which takes place Saturday, Sept. 30. Sixteen sites (see attachment), six of them in the downtown, will be made available to visitors to tour. A Doors Open committee has selected these sites.

As an information tent will be set up at town hall, the downtown can expect increased foot traffic. The Canada 150 committee is working on having the "Stories of the Stores" updated for the event. Laurel Davies-Snyder is also working on this, and Andrea will contact Janis Fread, who it is believed helped create the original stories for the Storytelling Festival, possibly a decade ago.

Stores are also encouraged to display and promote any historical items and architectural features. An email will be sent to determine interest.

The BIA can place their promotional materials at the town hall tent, and ambassadors will be used for the event as well.

### **7.3 Strategic Plan Update**

Laurel Davies-Snyder explained that now that the BIA has completed session 2 of three strategic planning meetings, information needs to be gathered from BIA members. She will forward Exeter's survey to the board for review.

## **8.0 Project Updates & Committee Reports**

### **8.1 Governance**

Chantal briefly overviewed the draft constitution, noting that it is basic because it can only be changed during the BIA's annual general meeting. It is one of four essential policy pieces a BIA should have: the other three are human resources, procurement and property.

Questions and concerns of the document's wording and items were presented and discussed, with Chantal to make the necessary edits. Once a satisfactory draft exists, it will be shared with the entire BIA membership for review and feedback.

THAT this meeting of the BIA be extended past 8 p.m.

MOTION: Sue                      SECOND: Cindy

### **8.2 Ambassador program**

The ambassadors were used at the Baseball Hall of Fame Induction day and during the Heritage Festival. Anecdotally, there were more out-of-town visitors on Induction Day than Heritage Festival, so the ambassadors were busier at the Ball Hall.

John Stevens has taken the lead on locating ambassadors; they can only be contacted via recommendation from another person. John also wondered why the town has three vintage car shows.

It was noted that the "loft" area of the Flower Shop and More is the "one-stop shop" for ambassador aprons, plus various promotional material.

### **8.3 BYOP/Heritage Festival**

It was agreed that Heritage Festival was a great event, with the best weather ever to provide consistent attendance throughout the day's events.

There were at least 150 people attending the BYOP, which was the event's goal. Next year, the picnic tables should be placed in the intersection of Queen and Wellington instead of spread out between the two blocks of Queen street. Town employees John Hahn and Robert Cousins were a huge help in moving the tables, as were the volunteers. For a first-time event, it was a big success.

### **8.4 Canada 150**

There are 19 participating stores and services participating in the Shop St. Marys Canada 150 Passport promotion. The selected item is very much open to merchants'



interpretation. A draw from the completed passports will take place in early September, with the prize to be announced in the near future.

### **8.5 Public Art**

Laurel Davies-Snyder explained that because there are so many stakeholders, the mural program will be taken over by a committee rather than just the BIA. Laurel will recommend a “steering taskforce” including members of the BIA, Heritage and Economic Development committees, youth, etc. A goal will be set and it will be taken to council for direction. If council approves of this approach, the committee will be free to work, and Laurel will push for action by year’s end.

Carey and Laurel have spoken with a number of property owners who are receptive to a mural. The sign bylaw does not apply to murals.

Bike racks were also discussed as potential public art pieces. Julie spoke with Jed about bringing back the on-street racks which were removed during last year’s reconstruction. These old racks will not be replaced because they were tripping hazards and interfered with snow removal. It is hoped they can be used elsewhere in town.

One rack is being cleaned and painted, and will be placed near the Victoria Bridge, but the BIA may look into more interesting racks that would also function as art pieces.

### **9.0 Correspondence**

None

### **10.0 Other Business**

None

### **11.0 Agenda Items for Future Meetings & Date of Next Board Meeting**

- August 14: St. Marys-brand clothing, Perth for Youth Project, Business Networking update, Giving Day, 2018 budget

### **12.0 Adjournment**

Motion: Cathie

Second: Cindy

CARRIED

### **2017 BIA Board Meeting Dates**

January 9

February 16

March 13

April (no board meeting)

May 8

June 12

July 10

August 14

September 11

October 16

November 13

December 11

**BIA Board:** Julie Docker-Johnson (Chair), Sue Griffiths (Treasurer), Councillor Carey Pope, Cathie Szmon, Cindy Taylor

**Town of St. Marys Staff:** Laurel Davies Snyder (Manager of Culture & Economic Development)

**BIA Staff:** Andrea Macko (Secretary and Communications Co-ordinator)

**For Information:** Brent Kittmer (CAO/Clerk), Trisha McKibbin (Director of Corporate Services)

DRAFT

From: **Chantal Lynch** <[chantalynch@gmail.com](mailto:chantalynch@gmail.com)>  
Date: Fri, Nov 25, 2016 at 7:25 AM  
Subject: Christmas Parade and Parking on Queen  
To: Carey Pope <[CPope@town.stmarys.on.ca](mailto:CPope@town.stmarys.on.ca)>, Bill Osborne  
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Cc: Brent Kittmer <[bkittmer@town.stmarys.on.ca](mailto:bkittmer@town.stmarys.on.ca)>, Trisha McKibbin  
<[tmckibbin@town.stmarys.on.ca](mailto:tmckibbin@town.stmarys.on.ca)>

Good Morning and hope this message finds you all well.

Chatting with two women sitting at Jennies a very good question was asked:

"Why can't the cars be off Queen Street for the parade?" one we have wondered too and has prompted this letter.

The Parade is a terrific event, very well executed by the many wonderful men and woman who work tirelessly to put on a show for the kids. Our children had the benefit of participating in Toronto's Santa Claus parade because a family member is on that committee. Lots of work - great for the kids and the city, St Marys is no different just a smaller scale. We can't say enough how much we would like to recognize their efforts.

The cars, trucks and minivans are a huge impediment. We were rather surprised when we experienced our first parade in St Marys not able to sit on the sidewalk, on the curb, watch the kids anticipating the main man. To watch spectators have to jostle between parked vehicles is awful and we've heard a child was almost crushed a couple years ago? Add to that the inconsideration of those that turn the motor on to warm up and short little children inhaling the fumes!!

We would like to suggest that parking is not permitted on the street after 5pm on the day of the Santa Claus Parade and we say this as a Queen Street business and property owners. A bylaw and logistics can be worked out with a combination of signage on the lamp posts, in the paper, the businesses letting their customers know and enforcement, tag and tow those that do not comply.

We recognize there are those with physical issues and would like to watch from a car, surely there are good spots on the route or even at the PRC? The two blocks from Church to Water is not too much to ask for the safety of the kids and the ability to enjoy from the sidewalk. Bring out the wheelchair/walker/lawnchair for those that use them, adults and kids on the curb or standing behind, it's exciting, it's all warm and fuzzy - it will work.

As business owners - we are closed at 5pm along with most businesses on Queen that night. Much better to have 20 folks in front of the store able to look in the windows than 2 cars with 2 people each in them. We feel it is people that make up a community, not cars.

Look forward to hearing from you. We would be happy to sit on a committee to look at alternatives and would appreciate being advised when this item will be on the agenda so that we can attend.

Chantal and Brian Lynch  
144 Queen Street East  
St Marys ON N4X 1A2

DRAFT

## Join us for our 2017 events!

### 25th ST. MARY'S FARMERS MARKET

**Saturdays, May 20th through October 28th, 8 a.m. to NOON**  
Downtown gets really fresh as local food producers and unique artisan vendors convert the Jones Street parking lot into the place for home grown goodness and handmade specialties.

### CANADIAN BASEBALL HALL OF FAME INDUCTION DAY

**Saturday, June 24th, 10 a.m. to 5 p.m.**  
See stars, grab autographs, and touch all the bases on Bell Hall grounds and throughout downtown St. Marys as the Canadian Baseball Hall of Fame welcomes home its 2017 Inductees.

### CANADA DAY @ CADDOW PARK

**Saturday, July 1st, 11 a.m. to dusk**  
Celebrate Canada's 150th anniversary with a park-packed day of events including: parade, breakfast, barbecue, activities, contests, musical entertainment and a movie under the stars. Downtown will proudly celebrate our sesquicentennial all year long, so watch for our all-Canadian fun!

### STONETOWN HERITAGE FESTIVAL

**Saturday, July 8th, 5 p.m. to dusk**  
Join our downtown family-friendly stowell party featuring our 1st ever community picnic then dance the night away until our festival concludes with awesome fireworks!

### KIN SUMMERFEST

**Thursday, July 27th to Saturday, July 29th, 12 p.m. to 12 a.m.**  
Enjoy thrilling rides, midway amusements and nightly entertainment on Mill Dunnell Field - just a ball toss from our equally entertaining downtown.

### ST. MARY'S CAR SHOW

**Saturday, August 19th, NOON to 3 p.m.**  
Cruise alongside vintage vehicles at Mill Dunnell Field and smoothly shift to downtown shops, eateries and services for added pleasure.

### ST. MARY'S SANTA CLAUS PARADE & NIGHT LIGHTING

**Friday, November 17th, 7 p.m. to 9 p.m.**  
It will be glow-ho-ho as the Santa Claus parade rolls right through the heart of our downtown and Stonetown brightens the night with our festival of lights ceremony at Mill Dunnell Field.

### CHRISTMAS IS GOLDEN

**Friday, Nov. 17th to Christmas Eve**  
Check out our wonderful stores and professional services dressed in holiday style as downtown St. Marys seasonally shines during the countdown to Christmas.

### MERCHANTS OPEN HOUSE

**Sunday, November 26th, NOON to 5 p.m.**  
Cross everyone off your shopping list during a very special afternoon in downtown St. Marys complete with carollers, festive treats, stone sales, and a few extra holiday surprises!

### GIVING TUESDAY

**Tuesday, November 28th, all day**  
Giving Tuesday is a national day dedicated to giving and giving back. Join in the movement with our St. Marys downtown businesses. Then you will be happy!

## We Are Big On Small



Like our grand 18th century architecture nestled alongside picturesque Little Falls, downtown St. Marys is truly big on small. Year-round we proudly celebrate our Canadian small town heritage, extend unrushed warm local hospitality, and courteously provide unique accessible professional customer services – those little things that are becoming harder to find these days.

Yes, our historic Stonetown businesses are a touch old-fashioned, still offering friendly assistance, free parking, and time to share a bit of small talk. But in many big ways our charming downtown is also soul-renewing.

Escape within our cozy specialty shops bursting with contemporary and timeless curiosities, relax in our family-run eateries and cafes, rejuvenate at our wellness spas and hair salons, join our community events, or simply stroll our beautiful downtown and experience all its natural splendour.

In St. Marys, you'll become big on small, too.



Like Downtown St. Marys on Facebook

Follow @stmarysdowntown on Instagram

stmarysdowntown@gmail.com

## **BY-LAW 72 OF 2017**

### **THE CORPORATION OF THE TOWN OF ST. MARYS**

Being a By-law to authorize an easement agreement between The Corporation of the Town of St. Marys and Manual De Chaves Freitas.

**WHEREAS:** It is deemed expedient that The Corporation of the Town of St. Marys enter into an Easement Agreement with Manual De Chaves Freitas concerning property known municipally as 95 Carling Street.

**NOW THEREFORE:** The Council of the Corporation of the Town of St. Marys hereby enacts as follows;

1. That the Mayor and the Clerk are authorized to execute an Easement Agreement on behalf of the Corporation of the Town of St. Marys between the Corporation of the Town of St. Marys and Manual De Chaves Freitas.
2. That a copy of the said Agreement is attached hereto and designated as Schedule "A" to this By-law, and to affix thereto the corporate seal of the Corporation of the Town of St. Marys.
3. This By-Law comes into force and takes effect on August 21, 2017.

Read a first and second time this 12<sup>th</sup> day of September, 2017.

Read a third and final time and passed this 12<sup>th</sup> day of September, 2017.

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Mayor Al Stratthdee

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Brent Kittmer, CAO / Clerk

## **BY-LAW 73 OF 2017**

### **THE CORPORATION OF THE TOWN OF ST. MARYS**

Being a By-law to authorize an easement agreement between The Corporation of the Town of St. Marys and Kent William Robson.

**WHEREAS:** It is deemed expedient that The Corporation of the Town of St. Marys enter into an Easement Agreement with Kent William Robson concerning property known municipally as 206 Carling Street.

**NOW THEREFORE:** The Council of the Corporation of the Town of St. Marys hereby enacts as follows;

1. That the Mayor and the Clerk are authorized to execute an Easement Agreement on behalf of the Corporation of the Town of St. Marys between the Corporation of the Town of St. Marys and Kent William Robson.
2. That a copy of the said Agreement is attached hereto and designated as Schedule "A" to this By-law, and to affix thereto the corporate seal of the Corporation of the Town of St. Marys.
3. This By-Law comes into force and takes effect on August 21, 2017.

Read a first and second time this 12<sup>th</sup> day of September, 2017.

Read a third and final time and passed this 12<sup>th</sup> day of September, 2017.

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Mayor Al Stratthdee

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Brent Kittmer, CAO / Clerk

## **BY-LAW 74 OF 2017**

### **THE CORPORATION OF THE TOWN OF ST. MARYS**

Being a By-law to authorize an easement agreement between The Corporation of the Town of St. Marys and Robson Scrap Metals Ltd.

**WHEREAS:** It is deemed expedient that The Corporation of the Town of St. Marys enter into an Easement Agreement with Robson Scrap Metals Ltd. concerning property known municipally as 206 Carling Street.

**NOW THEREFORE:** The Council of the Corporation of the Town of St. Marys hereby enacts as follows;

1. That the Mayor and the Clerk are authorized to execute an Easement Agreement on behalf of the Corporation of the Town of St. Marys between the Corporation of the Town of St. Marys and Robson Scrap Metals Ltd.
2. That a copy of the said Agreement is attached hereto and designated as Schedule "A" to this By-law, and to affix thereto the corporate seal of the Corporation of the Town of St. Marys.
3. This By-Law comes into force and takes effect on August 21, 2017.

Read a first and second time this 12<sup>th</sup> day of September, 2017.

Read a third and final time and passed this 12<sup>th</sup> day of September, 2017.

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Mayor Al Stratthdee

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Brent Kittmer, CAO / Clerk



## **BY-LAW 75-2017**

### **THE CORPORATION OF THE TOWN OF ST. MARYS**

Being a by-law to exempt from Part Lot Control  
Lots 23, 25 and 26, Registered Plan No. 44M-48 in the Town of St. Marys

- WHEREAS:** Section 50(7) of the Planning Act, R.S.O. 1990, provides that the Council of a local municipality may, by By-law, provide that the Part Lot Control provisions contained in Section 50(5) of the Planning Act, R.S.O. 1990, do not apply to the lands designated in the By-law;
- AND WHEREAS:** The Council of the Corporation of the Town of St. Marys deems it expedient and in the public interest that Lots 23, 25 and 26, Registered Plan No. 44M-48 in the Town of St. Marys, in the County of Perth, be exempted from the Part Lot Control provisions of the Planning Act.
- THEREFORE:** The Council of The Corporation of the Town of St. Marys hereby enacts as follows:
1. Lots 23, 25 and 26 in Registered Plan 44M-48 in the Town of St. Marys, in the County of Perth are hereby exempted from Part Lot Control pursuant to Section 50(7) of the Planning Act, R.S.O. 1990 which land is zoned to permit, among other things, semi-detached dwellings in conformity with By-law No. Z1-1997 (the Town of St. Marys' Comprehensive Zoning By-law).
  2. This by-law comes into force on the final passing thereof.
  3. This By-law shall be in effect for one (1) year from the date of adoption of this By-law. Furthermore, this By-law may be repealed, extended, or may be amended to delete part of the lands described herein by the Council of The Corporation of the Town of St. Marys.
  4. This By-law shall be registered in the Registry Office for the County of Perth, pursuant to Section 50(28) of the Planning Act, R.S.O. 1990.
  5. That a copy of the registry is attached hereto and designated as Schedule "A" to this By-law.

Read a first and second time this 12<sup>th</sup> day of September, 2017.

Read a third and final time and passed this 12<sup>th</sup> day of September, 2017.

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Mayor Al Stratthdee

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Brent Kittmer, CAO / Clerk

## **BY-LAW 76 OF 2017**

### **THE CORPORATION OF THE TOWN OF ST. MARYS**

Being a By-law to authorize the signing of an agreement between The Corporation of the Town of St. Marys and Delmar Foods.

**WHEREAS:** The Corporation of the Town of St. Marys has historically administered an Industrial Waste Surcharge Program whereby industry may request to discharge elevated sanitary effluent to the collection system above standard by-law limits, but within approved surcharge limits;

**AND WHEREAS:** Delmar Foods has made a request to the Town of St. Marys to implement an Industrial Waste Surcharge Agreement at 25 South Service Road for the occupant, Delmar Foods, (the "Service");

**AND WHEREAS:** The Corporation of the Town of St. Marys deems it expedient to enter into an Agreement with Delmar Foods for the purpose of clarifying and delineating the respective rights, obligations, payments and billing arrangements of and for the delivery of the Service;

**NOW THEREFORE:** The Council of the Corporation of the Town of St. Marys hereby enacts as follows;

1. That the Mayor and the Clerk are authorized to execute an Agreement on behalf of the Corporation of the Town of St. Marys between the Corporation of the Town of St. Marys and Delmar Foods; and further
2. That a copy of the said Agreement is attached hereto and designated as Schedule "A" to this By-law, and to affix thereto the corporate seal of the Corporation of the Town of St. Marys.
3. This By-Law comes into force and takes effect on the final passing thereof.

Read a first and second time this 12<sup>th</sup> day of September, 2017.

Read a third and final time and passed this 12<sup>th</sup> day of September, 2017.

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Mayor Al Strathee

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Brent Kittmer, CAO / Clerk

## **BY-LAW 77 OF 2017**

### **THE CORPORATION OF THE TOWN OF ST. MARYS**

Being a By-law to authorize the signing of an agreement between The Corporation of the Town of St. Marys and R. J. Burnside and Associates Ltd.

- WHEREAS:** The Corporation of the Town of St. Marys released a RFP for the purpose of retaining engineering services for the design and subsequent contract administration related to various wastewater facility upgrades (the “Project”);
- AND WHEREAS:** A proposal for the Project was submitted by R.J. Burnside and Associates Ltd. which was subsequently approved by Council on September 12, 2017;
- AND WHEREAS:** The Corporation of the Town of St. Marys deems it expedient to enter into an Agreement with R.J. Burnside and Associates Ltd. for the purpose of clarifying and delineating the respective rights, obligations, payments and billing arrangements of and for the delivery of the Project;
- NOW THEREFORE:** The Council of the Corporation of the Town of St. Marys hereby enacts as follows;
1. That the Mayor and the Clerk are authorized to execute an Agreement on behalf of the Corporation of the Town of St. Marys between the Corporation of the Town of St. Marys and R.J. Burnside and Associates Ltd.; and further
  2. That a copy of the said Agreement is attached hereto and designated as Schedule “A” to this By-law, and to affix thereto the corporate seal of the Corporation of the Town of St. Marys.
  3. This By-Law comes into force and takes effect on the final passing thereof.

Read a first and second time this 12<sup>th</sup> day of September, 2017.

Read a third and final time and passed this 12<sup>th</sup> day of September, 2017.

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Mayor Al Stratthdee

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Brent Kittmer, CAO / Clerk

## **BY-LAW 78 OF 2017**

### **THE CORPORATION OF THE TOWN OF ST. MARYS**

Being a By-law to authorize the signing of an agreement between The Corporation of the Town of St. Marys and Science Hill Drifters Snowmobile Club

- WHEREAS:** The Corporation of the Town of St. Marys stores 35 picnic tables indoors at the Science Hill Drifters Snowmobile Club during the winter months in exchange that the Snowmobile Club may use the picnic tables for a single event in January 2018;
- AND WHEREAS:** The Corporation of the Town of St. Marys deems it expedient to enter into an Agreement with Science Hill Drifters Snowmobile Club;
- NOW THEREFORE:** The Council of The Corporation of the Town of St. Marys hereby enacts as follows;
1. That the Mayor and the CAO / Clerk are authorized to execute an Agreement on behalf of the Corporation of the Town of St. Marys between the Corporation of the Town of St. Marys and Science Hill Drifters Snowmobile Club; and further
  2. That a copy of the said Agreement is attached hereto and designated as Schedule "A" to this By-law, and to affix thereto the corporate seal of the Corporation of the Town of St. Marys.
  3. This By-Law comes into force and takes effect on the final passing thereof.

Read a first and second time this 12<sup>th</sup> day of September, 2017.

Read a third and final time and passed this 12<sup>th</sup> day of September, 2017.

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Mayor Al Stratthdee

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Brent Kittmer, CAO / Clerk

## **BY-LAW 79 OF 2017**

### **THE CORPORATION OF THE TOWN OF ST. MARYS**

Being a By-law to establish a heritage property tax rebate program for the Heritage Conservation District.

**WHEREAS:** The Council of The Corporation of the Town of St. Marys is authorized, pursuant to Section 365.2 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, to pass a by-law establishing a program to provide tax relief in respect of eligible heritage properties;

**AND WHEREAS:** The Council of the Corporation of the Town of St. Marys deems it advisable and in the public interest to provide financial assistance on the terms set out in the By-law as an incentive to encourage property owners to renovate, restore and maintain heritage buildings in the Town of St. Marys;

**NOW THEREFORE:** The Council of The Corporation of the Town of St. Marys hereby enacts as follows;

#### **1.0. DEFINITIONS**

##### **1.1. For the purpose of this By-law:**

“Approved Renovation” means an Eligible Renovation for which the Director has given notice in writing that he or she has approved any portion of the budget in accordance with Section 3 of this By-law;

“Approved Renovation Cost” means the budget for an Approved Renovation that has been approved by the Director in accordance with Section 3 of this By-law;

“Charity Tax Rebate” means a property tax rebate as provided for in Town of St. Marys By-law No. 2002-67;

“Director” means the Director of Building and Planning of The Corporation of the Town of St. Marys, including an acting Director of Building and Planning, and his or her authorized representative(s);

“Eligible Property” means a Heritage Property which meets all of the eligibility requirements for either Program A or Program B as set out in Section 4 of this By-law;

“Eligible Renovation” means a significant renovation and / or significant rehabilitation which;

- i. Increases the number of residential dwelling units, or significantly improved existing, residential dwelling units, on one or more upper floors of a Heritage Property, and,

- ii. Maintains, preserves or restores the cultural heritage value or interest of the property;

**“Heritage Property”** means lands or buildings or a portion thereof that is;

- i. Located in the Town of St. Marys
- ii. Located in a Heritage Conservation District; and
- iii. Subject to a Heritage Conservation and Maintenance Agreement;

**“Heritage Conservation and Maintenance Agreement”** means a written agreement between the Owner of real property and the Town for the conservation and maintenance of the cultural heritage value or interest of the property;

**“Heritage Conservation District”** means an area defined as a Heritage Conservation District under Part V of the *Ontario Heritage Act* by a by-law of the Town;

**“Heritage Property Tax Rebate”** means a tax rebate that may be provided to the owner of an Eligible Heritage Property under this By-law;

**“Ontario Heritage Act”** means the *Ontario Heritage Act*, RSO 1990, c O.18, and the amendments thereto;

**“Owner”** means the registered owner or owners of real property;

**“Program”** means either Program A or Program B established under this By-law;

**“Substantially Occupied”** means that at least seventy-five percent (75%) of the units within the building were actually in use in the manner for which they were intended during the tax year in question;

**“Town”** means either The Corporation of the Town of St. Marys, or the geographic Town of St. Marys, as context dictates;

**“Vacant Building Tax Rebate”** means a property tax rebate as provided for in Town of St. Marys By-Law No. 21-2017;

## **2.0. GENERAL**

- 1) The Owner of an Eligible Property who applies for a Heritage Property Tax Rebate in accordance with this By-law may receive a Heritage Property Tax Rebate in the tax year in respect of which the application was made, subject to the conditions set out in this By-law.
- 2) Where available, the Heritage Property Tax Rebate shall be given in the form of a credit applied to that property’s tax account for the tax year in respect of which the application was made.
- 3) The Heritage Property Tax Rebate Program set out in this By-law is subject at all times to the availability of funding for the Program and to the budget as it is allocated each annual year. Nothing in this By-law requires the Town to provide funding for this program and the Heritage Property Tax Rebate contemplated by this By-law may be eliminated by Council through repeal of the By-law at any time with no notice whatsoever to affected persons.

- 4) The Heritage Property Tax Rebate Program is subject to any regulations that the Minister of Finance may make governing by-laws on tax rebates and reductions for heritage properties.

### **3.0. APPROVED RENOVATIONS**

- 1) The Owner(s) of an Eligible Property who plans to complete an Eligible Renovation and who wishes to apply for Program B under this By-law shall submit to the Director a Project Proposal no later than August 31 in the year for which the Eligible Renovation will be completed.
- 2) A Project Proposal shall be in the form supplied by the Town and shall include a description of the intended work, a concise explanation of how the intended work meets the eligibility criteria set out in Section 1 of this By-law, and a detailed budget for the intended work.
- 3) Applications will be processed in the order of receipt by the Town and funding will be awarded on a first come, first served basis. The Director shall consider all complete Project Proposals received before August 31 and shall either approve or refuse each.
- 4) If the Project Proposal is approved, the Director may approve any portion of the budget of the Eligible Renovation as the Director considers appropriate, up to the full budget for the Eligible Renovation.
- 5) The Director shall notify the Owner(s) of the Director's decision in writing.
- 6) Approval of a Project Proposal under this By-law is limited to the approval of funding for the Eligible Renovation as set out in this By-law. It does not constitute and shall not be taken to constitute any other permission or approval required by law for the Eligible Renovation. It is the sole responsibility of an Owner to ensure that an Eligible Renovation and all work undertaken in connection therewith complies with all applicable laws and by-laws, and to obtain all permissions, approvals, permits and licences which may be required including, but not limited to, permissions under the *Building Code Act*, the *Fire Protection and Prevention Act*, the *Planning Act*, the *Conservation Authorities Act*, and the *Environmental Protection Act*.

### **4.0. PROGRAM ELIGIBILITY**

- 1) In order to qualify for a Heritage Property Tax Rebate, a Heritage Property must meet all eligibility conditions for either Program A or Program B.
- 2) No property is eligible for a tax rebate under this By-law if in the same tax year the same property is the subject of a Vacant Building Tax Rebate or a Charity Tax Rebate.
- 3) A maximum of one Heritage Property Tax Rebate will be given per Eligible Property per tax year.

#### **Program A**

- 4) A Heritage Property is an Eligible Property for Program A if:

- a) It is in the commercial property class as defined by the *Assessment Act*, RSO 1990 c A.31 and Ontario Regulation 282/98 thereunder, as amended;
- b) There is at least one building on the property, and all buildings on the property are substantially occupied;
- c) The Owner of the property permits any and all reasonable inspections which may be requested by the Director pursuant to Section 8 of this By-law and the results of any such inspections are satisfactory to the Director;
- d) The property is not the subject of any unpaid taxes, local improvement charges, fees, or other monies owed to the Town;
- e) The property is not the subject of any by-law contraventions, work orders, orders to comply, or outstanding municipal requirements; and,
- f) The property is not the subject of any current property standards non-compliance.

#### **Program B**

5) A Heritage Property is an Eligible Property for Program B if:

- a) It is in either the residential property class, the commercial property class or the multi-residential property class as defined by the *Assessment Act*, RSO 1990 c A.31 and Ontario Regulation 282/98 thereunder, as amended;
- b) The Owner of the property permits any and all reasonable inspections which may be requested by the Director pursuant to Section 8 of this By-law and the results of any such inspections are satisfactory to the Director;
- c) The building on the property has undergone an Approved Renovation in the tax year for which the Heritage Property Tax Rebate is sought and all work described in the Project Proposal has been substantially completed;
- d) There is at least one building on the property, and all buildings on the property are substantially occupied;
- e) The property is not the subject of any unpaid taxes, local improvement charges, fees, or other monies owed to the Town;
- f) The property is not the subject of any contraventions, work orders or outstanding municipal requirements; and,
- g) The property is not the subject of any outstanding property standards non-compliance.

#### **5.0. APPLICATION PROCESS**

- 1) The Owner of a Heritage Property may apply for a Heritage Property Tax Rebate by submitting a complete Application in the form provided by the Town to the Director no later than February 28 in the year following the year for which the Heritage Property Tax Rebate is sought.
- 2) An Application for Program A must include the following to be considered complete:



- a) Completed Application form, in the form provided by the Town, bearing the signature(s) of the Owner(s) of the property;
  - b) A copy of the signed Heritage Conservation and Maintenance Agreement;
  - c) High resolution, high quality colour photographs of all exterior elevations of the Eligible Property, each labelled with the date on which the photograph was taken; and,
  - d) Proof of adequate insurance on the Eligible Property, to the satisfaction of the Director, acting reasonably.
- 3) An Application for Program B must include the following to be considered complete:
- a) Completed Application form, in the form provided by the Town, bearing the signature(s) of the Owner(s) of the property;
  - b) A copy of the signed Heritage Conservation and Maintenance Agreement;
  - c) High resolution, high quality colour photographs of all exterior elevations of the Eligible Property, each labelled with the date on which the photograph was taken, including photographs taken before and after any changes in appearance of the exterior of the building as a result of an Approved Renovation;
  - d) High resolution, high quality colour photographs taken before and after any changes in the appearance of the interior of the building as a result of an Approved Renovation;
  - e) Proof of adequate insurance on the Eligible Property, to the satisfaction of the Director, acting reasonably;
  - f) A copy of the Project Proposal submitted pursuant to section 3(3) of this By-law, together with a copy of the Director's letter pursuant to section 3(4); and,
  - g) Original receipts, invoices and expense reports, together with proof of payment thereof to the satisfaction of the Director.
- 4) The Director shall consider all complete applications received before February twenty-eighth (28). If the Director determines that the Heritage Property is eligible for either Program, then the Heritage Property shall be enrolled in the appropriate Program and the Director shall provide written notice of same to the Owner. If the Director determines that the Heritage Property is not eligible for the Program applied for, then the Director shall provide written notice of same to the Owner.
- 5) Incomplete applications will not be considered. Applications received after February twenty-eight (28<sup>th</sup>) will not be considered.
- 6) The Owner(s) shall permit reasonable inspection of property by the Town to ensure Eligibility Criteria are met. If a request by the Director to inspect the property is refused by any Owner, then the application in respect of that Owner's property will not be considered.

## 6.0. AMOUNT OF TAX REBATE

#### **Program A**

- 1) The amount of the rebate provided for an Eligible Property under Program A shall be 20% of the taxes for municipal and school purposes levied on the property assessed in the commercial class that are attributable to:
  - a) The building or structure or portion of the building or structure that is the Eligible Heritage Property; and
  - b) The land used in connection with the Eligible Heritage Property, as determined by the Director.

#### **Program B**

- 1) The amount of the rebate provided for an Eligible Property under Program B shall be the portion of the Approved Renovation Cost which has actually been spent on the Approved Renovation and for which the Owner has submitted original invoices and proof of payment as required under section 5(3)(f), up to a maximum of 40% of the taxes for municipal and school purposes levied on the property assessed in the residential, commercial or multi-residential classes that are attributable to:
  - a) The building or structure or portion of the building or structure that is the Eligible Heritage Property; and
  - b) The land used in connection with the Eligible Heritage Property, as determined by the Director.
- 2) A Heritage Property Tax Rebate shall take the form of a credit applied to that property's tax account.

#### **7.0. ASSESSMENT**

- 1) Heritage Property Tax Rebate shall be calculated using the assessed value of the property, as returned, for the taxation year for which the application is made.
- 2) Where an Application has been submitted under Section 5(1) of this By-law, the Town may request information from the Municipal Property Assessment Corporation concerning the portion of a property's total assessment that is attributable to the building or structure, or portion of the building or structure, that is a Heritage Property, and the land used in connection with it.
- 3) If the assessed value of a property changes for any reason, including but not limited to demolition, damage, destruction addition, renovation, rehabilitation or proceedings under the *Assessment Act*, the Heritage Property Tax Rebate shall be re-determined using the new assessment value and the tax roll for the year shall be amended accordingly.

#### **8.0. INSPECTION AND COMPLIANCE WITH THE HERITAGE PRESERVATION AND MAINTENANCE AGREEMENT**

- 1) Subject to subsection (2), at any reasonable time, Town staff may, if an inspection is requested or approved by the Director, inspect any Heritage Property in respect of which a Project Proposal or Application has been received, to assess the merits of

the Application or Project Proposal, and / or the Heritage Property's compliance with the Heritage Preservation and Maintenance Agreement.

- 2) If the Heritage Property is a residential property and is occupied at the time of the planned inspection, at least 48 hours' notice shall be given to the Owner.
- 3) No property which is found not to be in compliance with the Heritage Preservation and Maintenance Agreement shall receive a Heritage Property Tax Rebate.
- 4) The determination of compliance with the Heritage Preservation and Maintenance Agreement is at the sole and absolute discretion of the Town.

#### **9.0. REPAYMENT**

- 1) If the Owner of a Heritage Property;
  - a) Demolishes a building on the Heritage Property;
  - b) Breaches the terms of the relevant Heritage Conservation and Maintenance Agreement;
  - c) Submits an Application under Program B for any costs not actually incurred by the Owner in completing an Approved Renovation; or,
  - d) Does not complete an Approved Renovation in the manner approved by the Director;

Then the Town may, in addition to any other remedy, revoke the Heritage Property's enrolment in either Program and require the Owner to pay the Heritage Property Tax Refund(s) provided to the Owner for the applicable year or years.

- 2) If the Town revokes a property's enrolment in either Program, then the Director shall provide the Owner with written notice of same.

#### **10.0. APPEAL**

- 1) An Owner who receives a written notice under Sections 3(5), 5(4) or 9(2) of this By-law may appeal the Director's decision to Council by delivering a Notice of Appeal in the form supplied by the Town to the Town Clerk within fifteen (15) days of receiving the written notice.
- 2) Appeals under Section 10(1) shall be conducted in accordance with the *Statutory Powers Procedure Act*, RSO 1990, c S.22, as amended.

#### **11.0. NOTIFICATION OF MINISTER**

- 1) The Town Clerk is hereby directed to provide notice to the Minister of Finance, the Ministry of Culture and Owners of designated properties within the Town of St. Marys within thirty days of the passing of this By-law.

Read a first and second time this 12<sup>th</sup> day of September, 2017.

Read a third and final time and passed this 12<sup>th</sup> day of September, 2017.

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**Mayor Al Strathee**

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**Brent Kittmer, CAO / Clerk**

## **BY-LAW 80-2017**

### **THE CORPORATION OF THE TOWN OF ST. MARYS**

Being a By-law to confirm all actions and proceedings of the Council of the Corporation of the Town of St. Marys at its regular meeting held on September 12, 2017.

**WHEREAS:** The *Municipal Act, 2001, S.O. 2001, c.25*, as amended, Section 5(3), as amended, provides that the jurisdiction of every council is confined to the municipality that it represents and its powers shall be exercised by by-law;

**AND WHEREAS:** The Council of the Corporation of the Town of St. Marys deems it expedient to confirm its actions and proceedings;

**THEREFORE:** The Council of the Town of St. Marys enacts:

1. That all actions and proceedings of the Council of the Corporation of the Town of St. Marys taken at its regular meeting held on the 12<sup>th</sup> day of September, 2017 except those taken by by-law and those required by by-law to be done by resolution are hereby sanctioned, ratified and confirmed as though set out within and forming part of this by-law.
2. This by-law comes into force on the final passing thereof.

Read a first and second time this 12<sup>th</sup> day of September, 2017.

Read a third and final time and passed this 12<sup>th</sup> day of September, 2017.

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Mayor Al Stratthdee

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Brent Kittmer, CAO / Clerk