



TOWN OF ERIN
Regular Council Meeting
AGENDA

March 22, 2016

6:30 PM

Municipal Council Chamber

Pages

1. **Call to Order**
2. **Approval of Agenda**
3. **Declaration Pecuniary Interest**
4. **Public Meetings**
 - 4.1 Sarah Wilhelm, County Planning - County Official Plan Amendment OP 2016-01 and Zoning Amendment Z16-01 1 - 6
5. **Community Announcements**
6. **Adoption of Minutes** 7 - 18
 - February 26, 2016 Special Meeting 10AM
 - February 26, 2016 Special Meeting 11AM
 - March 1, 2016 Regular Meeting
7. **Business Arising from the Minutes**
8. **Closed Session**

Matters under the following exemptions in the Municipal Act S. 239 (2) :

 - b) personal matters about an identifiable individual, including municipal or local board employees; 1. HR Matter
 - e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; 1. Pending Legal Claim
 - f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose, b) personal matters about an identifiable individual, including municipal or local board employees; 1. Correspondence
9. **Return from Closed Session**
 - 9.1 Motion to Reconvene
 - 9.2 Report Out
10. **Delegations/Petitions/Presentations**
 - 10.1 Randy Bushey, CIP - Insurance Renewal RFP 19 - 22

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Appoint Water Superintendent
Borrowing
Maintenance Agreement

15. Notice of Motion

16. Adjournment



PLANNING REPORT for the TOWN OF ERIN

Prepared by the County of Wellington Planning and Development Department

DATE: March 22, 2016
TO: Kathryn Ironmonger, CAO/Town Manager
 Town of Erin
FROM: Sarah Wilhelm, Senior Planner
 County of Wellington
SUBJECT: **PUBLIC MEETING (Kirk)**
Zoning By-law Amendment (Z16/01)
County Official Plan Amendment (OP-2016-01)
To permit an accessory dwelling unit within an existing accessory building
6012 Eighth Line (Part Lot 28, Concession 8), Town of Erin

SUMMARY

This proposal is to amend the Town Zoning by-law and County Official Plan to permit an accessory dwelling unit within an existing accessory building. Both applications were deemed complete and a joint public meeting scheduled for March 22, 2016. The purpose of this report is to provide our preliminary comments concerning the application materials submitted by the applicant. There were no comments or concerns identified by the public, peer review consultants or Town staff at the time of writing this report.

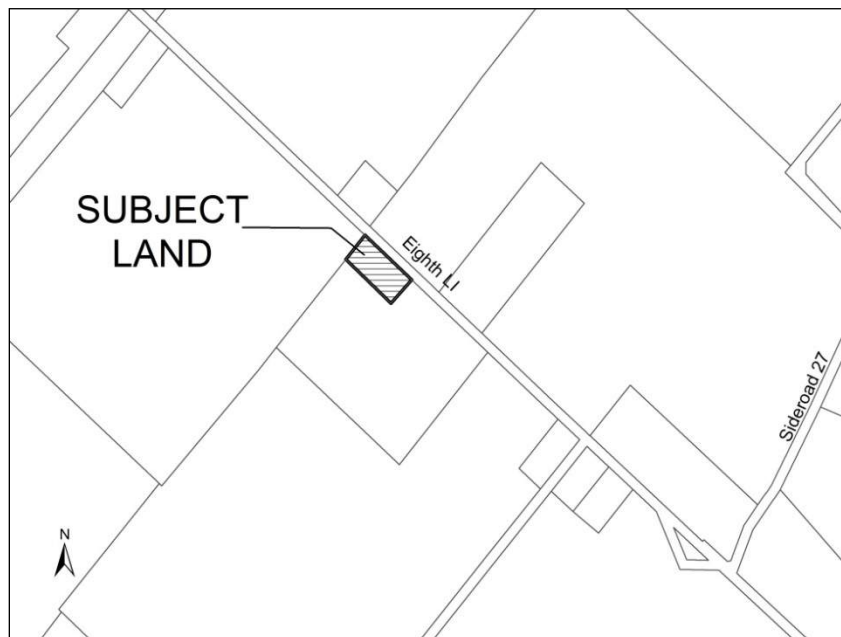
INTRODUCTION

The land subject to the proposed zoning by-law amendment (Application Z16/01) and official plan amendment (OP-2016-01) fronts onto the west side of Eighth Line to the north of Sideroad 27 (Figure 1). The property is legally described as Part of Lot 28, Concession 8 and municipally known as 6012 Eighth Line. This property is across from UAJV Developments Inc. lands which were recently rezoned by the Town to facilitate the creation of two new residential lots.

This 0.8 ha (2 ac) rural residential property contains a single detached dwelling and accessory

building which use the same driveway. Surrounding land uses include agricultural to the north, rural residential to the east, rural residential/plantation to the immediate south and west.

Figure 1 Property Location



BACKGROUND

In October, 2015 the owner applied for minor variance for relief from the following:

- 1) Zoning By-law Section 5.1.1 where an Agricultural zone permits one accessory apartment within one detached dwelling on a lot.
- 2) Zoning By-law Section 4.1 where a detached dwelling is permitted as the main use on a lot, one accessory dwelling unit is permitted within the main dwelling unit.
- 3) Zoning By-law Section 4.2.1.2 where an accessory dwelling unit is not permitted in an accessory structure except where permitted by Special Zoning Provision.

Together, these requests were to provide for an accessory residential unit to be established within the existing accessory building. The minor variance was denied by the Committee because it considered a zoning by-law amendment application to be a more appropriate mechanism to consider the request.

PROPOSAL

The purpose of the proposed County Official Plan Amendment and Town Zoning By-law Amendment is to allow an accessory dwelling unit in an existing accessory building (Figure 2 and 3).

BILL 140 (Strong Communities through Affordable Housing Act)

Bill 140 introduced changes to the Planning Act which identified affordable housing as a matter of Provincial interest and now requires municipalities to amend their Official Plan documents to contain policies which authorize second units in single detached, semi-detached and rowhouse dwellings, as well as structures ancillary to these dwellings. These changes will help increase the supply of affordable housing.

The County, through amendment 99 to the Official Plan for the County of Wellington, is considering changes to the Plan to allow for the following:

1. Second units within single detached, semi-detached and rowhouse dwellings,
2. Second units within buildings or structures ancillary to a single detached dwelling.

The draft Official Plan Amendment is now in circulation and a public meeting date has been set for April 21, 2016.

PROVINCIAL GROWTH PLAN

The Provincial Growth Plan (Places to Grow) provides for limited development within rural areas under Section 2.2.9. The proposed amendments for a second unit within an existing accessory building would conform to this plan.

GREENBELT PLAN

The property is within the Protected Countryside of the Greenbelt Plan. The proposed amendments for a second unit within an existing accessory building would conform to this plan.

PROVINCIAL POLICY STATEMENT

The Provincial Policy Statement (2014) provides for limited residential development in rural areas of municipalities. According to Section 1.1.5.4 "Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted." The Provincial Policy Statement also encourages all forms of residential intensification, including second units. With respect to compliance

with the minimum distance separation formulae, we would not apply Minimum Distance Separation (MDS1) to an accessory dwelling unit as the main residential land use has already been established.

Figure 2 Overall Site Plan Excerpt
Source: J. Wells Architect Inc.

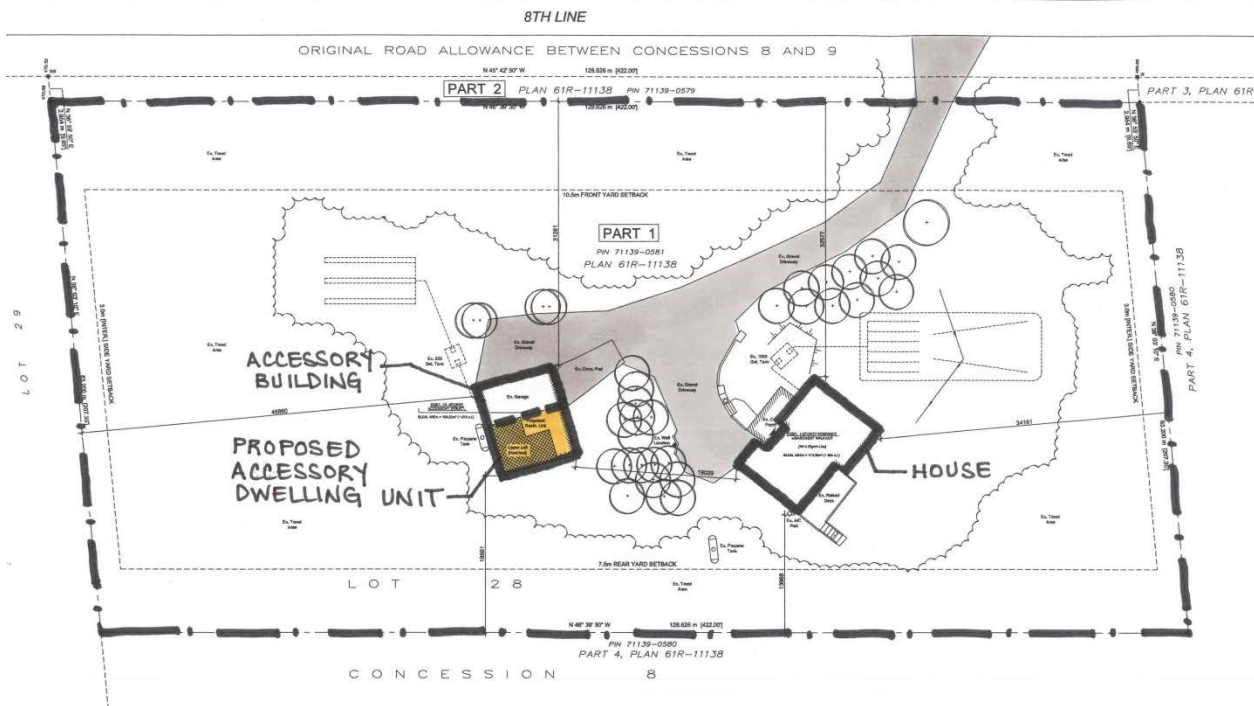
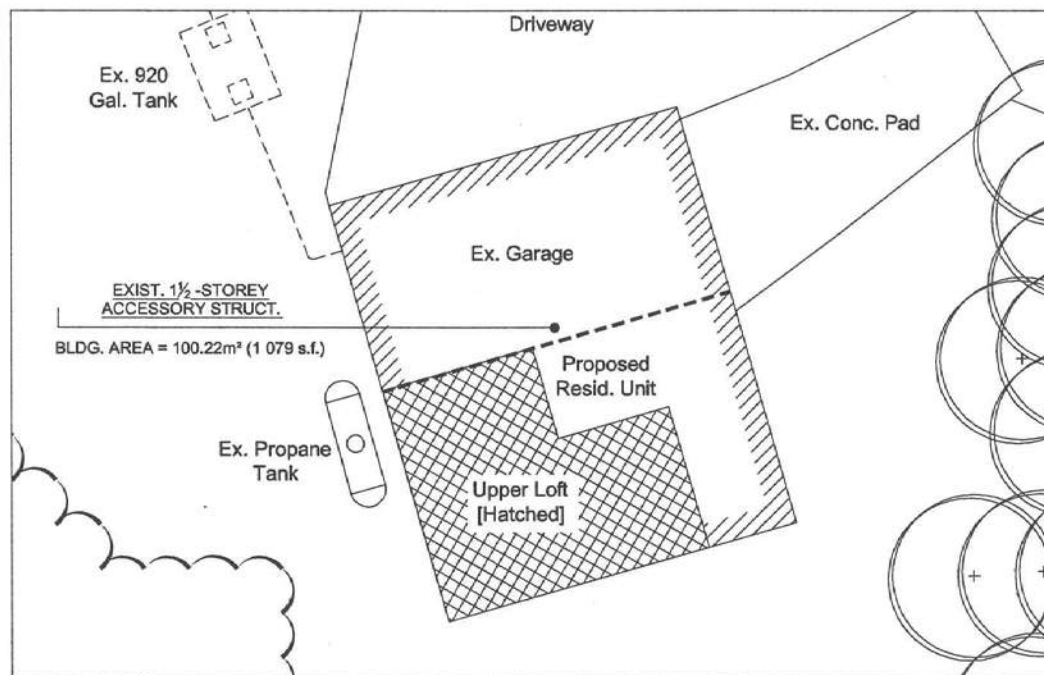


Figure 3 Accessory Structure Detail
Source: J. Wells Architect Inc.



COUNTY OFFICIAL PLAN

In terms of housing opportunities, the County “will provide for a variety of housing types to satisfy the present and future social, health and well-being requirements of residents of the regional market area.” This policy is mirrored in the Town Plan. Section 4.4.5 of the County Plan also provides policy direction for affordable housing, including that: “In the Rural System affordable housing opportunities are not readily available. Accessory residences will be the most likely means of increasing housing affordability in the Rural System.”

According to Schedule A2 (Erin) of the Official Plan, the property is designated SECONDARY AGRICULTURAL. Agricultural uses and single detached homes are a permitted use within the Secondary Agricultural designation. The following types of accessory residences are also permitted:

- Farm help
- Garden suite
- Accessory unit within the main residence on a lot

As the current application deals with an accessory unit within an accessory building on a lot, an Official Plan Amendment is necessary. As noted earlier in this report, the County is reviewing the Official Plan policies for second units. With respect to the Kirk property, the policy changes (as currently proposed) would allow for either an accessory dwelling unit within the existing house or within an ancillary building, but not both. This distinction should be reflected within the draft Official Plan Amendment (OPA) for this request.

TOWN OFFICIAL PLAN

The Town’s Official Plan recognizes and provides for a broader range of residential uses in the Secondary Agricultural area designation than in prime agricultural areas provided the use will not negatively impact agricultural operations and is in keeping with the rural character of the area. The Town Plan defers to the County Official Plan for more specific policies for Secondary Agricultural Areas and therefore, an amendment is not required for this application.

TOWN ZONING BY-LAW

According to Schedule ‘A’ of Zoning By-law 07-67, the subject property is zoned Agricultural (A). As requested, this application proposes to amend the zoning by applying a site-specific provision which would allow for the following:

- i. One accessory dwelling unit is allowed in an existing accessory building
- ii. The maximum floor area devoted to the accessory dwelling unit is 95 m²

The Zoning By-law contains an exception within the Agricultural Zone (A-117) which provides for “a second dwelling unit located within an accessory building”. This demonstrates that the Town has approved this type of unit in the past, in many cases for farm help. Due to the cap on the size of the accessory residential unit for the Kirk application, it would need a site-specific provision. As with the OPA, the rezoning should cap the number of accessory units to one, either in the accessory building or the main house.

We have also reviewed report BD 2016-05 prepared by Chief Building Official, Carol House to provide Town comments regarding secondary dwelling units in accessory buildings. This report was provided to

the County in consideration of second unit policy amendments to the Official Plan. Our review of these applications relative to the report is as follows (Table 1).

Table 1 Review of Report BD 2016-05
Secondary Dwelling Units in Accessory Buildings

Topic	Issues for Consideration	Kirk Proposal
Lot Size	A minimum lot size to accommodate a detached accessory building (i.e. equal or greater than 0.2 ha)	0.8 ha lot
Zone	Development could be restricted to specific zones (i.e. Agricultural, R3 & R4 Zones only)	Agricultural Zone
Servicing	Adequate land available for servicing (i.e. well and on-site septic)	Shared well Accessory building is connected to a septic bed
Parking	Sufficient parking for accessory apartment	There is ample parking
Unit Maximum	Maximum of one (1) secondary unit within accessory building with only one secondary unit permitted on the property	Request does not currently limit secondary unit to one (1) in total on the property, but restriction should be added to Official Plan and Zoning By-law amendment
Driveway access	No requirement for second driveway, and existing driveway must be suitable for access	Existing shared driveway would be used
Road access	Frontage and access to assumed municipal road	Frontage and access to Eighth Line
Maximum Gross Floor Area	Maximum gross floor area (i.e. 40% of the existing primary dwelling unit)	Accessory Dwelling Unit is to be 95 m ² and house is 261.4 m ² Gross floor area is 36.3%
Number of Bedrooms	Restriction on number of bedrooms	1 bedroom proposed
Future Severance	Accessory apartment will be prohibited from being severed	No restriction proposed, but lot creation policies would govern
Health and Safety	Accessory apartment shall comply with all applicable health and safety standards	Building permit will be required
Conservation Authority Act	Accessory apartment shall comply with all regulations under the Conservation Authority Act	There are no areas on the property regulated by the Conservation Authority
Height Maximum	Current zoning by-law height maximums to do not allow for a second storey	The building is 1 ½ storeys
Lot Coverage	Maximum coverage should include accessory structures (i.e. 10% accessory structures, 40% total coverage)	Lot coverage is 3.4%
Municipal Addressing	Municipal addressing concerns	The unit will have a separate entrance and can be provided with a house number
School Board	Potential extra enrollment for school boards	A single occupant is proposed
Complaints	From neighbours in more urban settings	This proposal is in a rural setting

PUBLIC AND AGENCY COMMENTS

There were no comments from neighbouring property owners and we are in receipt of comments indicating no concerns from:

- Risk Management Official
- Hydro One (provided the owner contacts them if there are any changes needed to the existing hydro service)

The property is not within an area regulated by the Credit Valley Conservation Authority.

NEXT STEPS

The public meeting for this application is scheduled for March 22, 2016. We will be in attendance at the public meeting to hear the applicant's presentation and any public comments. Our planning recommendations will be provided following the public meeting and resolution of any outstanding issues.

Respectfully submitted
County of Wellington Planning and Development Department



Sarah Wilhelm, BES, MCIP, RPP
Senior Planner



Minutes of the Town of Erin Special Council Meeting

February 26, 2016

10:00 a.m.

Municipal Council Chamber

PRESENT:	Allan Alls	Mayor
	John Brennan	Councillor
	Matt Sammut	Councillor
	Rob Smith	Councillor
	Jeff Duncan	Councillor
STAFF PRESENT:	Kathryn Ironmonger	CAO/Town Manager
	Dina Lundy	Clerk
	Sharon Marshall	Director of Finance
	Larry Wheeler	Financial Analyst
	Dan Callaghan	Fire Chief

1. Call to Order

Mayor Alls called the meeting to order.

2. Declaration of Pecuniary Interest

None.

3. Topics for Discussion

3.1 Fire Department Operational Review Presentation

Michael Fenn, John Matheson, and Elizabeth Foody from StrategyCorp were in attendance to present the Fire Department Operational Review report to Council.

John Matheson began the presentation by going over the scope of the review, and an overview of their findings. The Town has a professionally led volunteer fire force that provides emergency services, and the level of service is typical for communities of this size. An overarching recommendation is that Erin maintain its volunteer model for as long as

February 26, 2016 Special Meeting – Fire Operational Review – 10AM

possible. Moving to a composite or full time model will be costly, and the Town should do what it can to push that off for as long as possible. The Town should also implement a system to collect data for measurement so it can more easily determine when the fire department service is not measuring up to the growth and demand from the community and forecast when the model may need to change, as well as for operating reasons.

Michael Fenn went through the analysis process, and how the report before Council came together. He also went through each of the nine recommendations that can be found on page 7 of the report.

Resolution # 16-072**Moved By** Councillor Brennan**Seconded By** Councillor Smith**Be it resolved that** Council receives the Fire Department Operational Review Report from StrategyCorp.**Carried****4. Adjournment**

The meeting was adjourned at 11:00 AM.

Mayor Allan Alls

Clerk Dina Lundy



Minutes of the Town of Erin Special Council Meeting

February 26, 2016

11:00 a.m.

Municipal Council Chamber

PRESENT:	Allan Ails	Mayor
	John Brennan	Councillor
	Matt Sammut	Councillor
	Rob Smith	Councillor
	Jeff Duncan	Councillor
STAFF PRESENT:	Kathryn Ironmonger	CAO/Town Manager
	Dina Lundy	Clerk
	Sharon Marshall	Director of Finance

1. Call to Order

Mayor Ails called the meeting to order.

2. Declaration of Pecuniary Interest

None.

3. Closed Session

Resolution # 16-073

Moved By Councillor Brennan

Seconded By Councillor Smith

Be it resolved that Council adjourns the meeting to proceed into a closed session at the hour of 11:23 AM to discuss matters under the following exemptions in the Municipal Act S. 239 (2) :

(b) personal matters about an identifiable individual, including municipal or local board employees;

1. Human Resources Matter

Carried

February 26, 2016 11AM Special Closed Meeting (HR Matter)**4. Return from Closed Session****Resolution # 16-074****Moved By** Councillor Brennan**Seconded By** Councillor Smith**Be it resolved that** the meeting be reconvened at the hour of 12:48 PM.**Carried****5. Adjournment**

The meeting was adjourned at 12:49 PM.

Mayor Allan Alls

Clerk Dina Lundy



Minutes of the Regular Town of Erin Council Meeting

March 1, 2016

1:00 pm

Municipal Council Chamber

PRESENT

Allan Ails

John Brennan

Matt Sammut

Rob Smith

Jeff Duncan

Mayor

Councillor

Councillor

Councillor

Councillor

STAFF PRESENT: Kathryn Ironmonger

Dina Lundy

Sharon Marshall

Larry Wheeler

Dan Callaghan

Harold Knox

Sara McDougall

Joe Babin

CAO/Town Manager

Clerk

Director of Finance

Financial Analyst

Fire Chief

By-Law Officer/Building

Inspector

Compliance Administrator

Water Superintendent

1. Call to Order

Mayor Ails called the meeting to order.

2. Approval of Agenda

Resolution # 16-075

Moved By Councillor Brennan

Seconded By Councillor Smith

Be it resolved that the agenda be approved as circulated.

Carried

3. Public Question Period

March 1, 2016, Regular Meeting

Resolution # 16-076

Moved By Mayor Alls

Seconded By Councillor Smith

Be it resolved that Council hereby waives the rules of procedure to suspend Public Question Period for this meeting and until further notice;

And that the Clerk is directed to bring back a report discussing options for public forums.

Recorded	For	Against
Councillor Duncan	X	
Councillor Brennan	X	
Councillor Sammut		X
Councillor Smith	X	
Mayor Alls	X	
Results	4	1

Carried

4. Declaration Pecuniary Interest

None.

5. Community Announcements

March 3 - CVC presents bird-friendly certified hay info night at Centre 2000

March 12-19 - St. Paddy's Day events

March 16 - Fast Forward Film Festival at Erin Legion - The True Cost

The County of Wellington wants your input into the Hillsburgh Library. Forms are available at the Town Office, and the libraries.

The Town has received 22 nominations for Celebrate Erin taking place on April 23, recognizing our hard working volunteers.

Catch our EDO, Robyn Mulder on Erin Radio Tuesdays at 9 AM.

FlightNetwork has named Erin as one of Canada's top 50 small towns to visit.

<http://www.flightnetwork.com/blog/canadas-top-50-small-towns/>

March 1, 2016, Regular Meeting**Resolution # 16-077****Moved By** Councillor Smith**Seconded By** Councillor Brennan

Be it resolved that Council waives the Centre2000 fees of \$127.50 for the event on March 10 at 2pm, Erin District High School vs Wellington County OPP Hockey game, with the proceeds going towards a medical expenses and an education fund for Nathan Vandertol.

Defeated

Council members offered and agreed to use their personal funds to pay the Centre 2000 rental fee for the OPP vs EDHS event to raise funds for the medical expenses and an education fund for Nathan Vandertol.

6. Adoption of Minutes**Resolution # 16-078****Moved By** Councillor Brennan**Seconded By** Councillor Smith

Be it resolved that Council hereby adopts the following meeting minutes as circulated;

Feb 16, 2016 Special Public Budget Meeting

Feb 16, 2016 Regular Council Meeting

Carried**7. Business Arising from the Minutes**

Councillor Duncan - Re: Budget Meeting - \$700,000 item for the Winston Churchill Blvd. bridge is a significant budget item that is out of the Town's control. Would like to ensure residents are aware of the impact of this item on the Town's budget.

Councillor Sammut - Re: Motion on Committee - Would like to bring up Barb Slattery's presentation to Council in 2013. Supports the reasons behind bringing this motion forth.

Councillor Brennan - Items 8.2.4 and 9.1 of the Regular Meeting - Inquiring as to whether there are any updates with these items.

March 1, 2016, Regular Meeting

8. Reports

8.1 Building/Planning/By-Law

8.1.1 Aldo Salis, Manager of Development and Planning - Addendum Planning Report - Z15-05, UAJV Developments Inc.

Mr. Salis explained that the proposed by-law addresses set backs as the concern was brought forward at the public meeting.

Resolution # 16-079

Moved By Councillor Duncan

Seconded By Councillor Smith

Be it resolved that Council receives the Addendum Report regarding Zoning Amendment file Z15-05, UAJV Developments;

And that Council will consider the amending By-law during this meeting.

Carried

8.2 Water

8.2.1 Water Superintendent - 2015 Drinking Water Systems Summary Reports

Resolution # 16-080

Moved By Councillor Smith

Seconded By Councillor Brennan

Be it resolved that Council hereby receives the 2015 Water Summary Reports dated February 16, 2016 for the Erin Well Supply System No. 220000013 and February 16, 2016 for the Hillsburgh Well Supply System No. 220007285.

Carried

8.3 Finance

8.3.1 Deputy Treasurer - Approval of Accounts

March 1, 2016, Regular Meeting

Resolution # 16-081

Moved By Councillor Brennan

Seconded By Councillor Smith

Be it resolved that Council receives the Deputy Treasurer's Report #2016-3A on "Approval of Accounts".

Carried

8.3.2 Director of Finance - 2016 Budget

Resolution # 16-082

Moved By Councillor Duncan

Seconded By Councillor Smith

Be it resolved that Council receives the director of Finance's 2016 Budget Report for information.

And that the 2016 Budget By-law has been drafted and circulated for Council's consideration at this meeting.

Carried

9. New Business

9.1 Meeting Investigator Report

Resolution # 16-083

Moved By Councillor Brennan

Seconded By Councillor Smith

Be it resolved that Council receives the Closed Meeting Investigator Report from John Maddox, JGM Consulting, dated February 26, 2016.

Carried

10. Correspondence

Resolution # 16-084

Moved By Councillor Duncan

Seconded By Councillor Smith

Be it resolved that Council receives the correspondence items for information.

Carried

March 1, 2016, Regular Meeting

11. Closed Session

Resolution # 16-085

Moved By Councillor Smith

Seconded By Councillor Brennan

Be it resolved that Council adjourns the meeting to proceed into a closed session at the hour of 1:58 PM to discuss the matter(s) pertaining to:

- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 1. Keeping of Animals By-law

- advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
 1. Keeping of Animals By-law
 2. Conflict of Interest Advice
 3. Servicing
 4. By-law and monitoring
 5. Subdivision Agreement
 6. Normal Farm Practices Board Case

Carried

12. Return from Closed Session

12.1 Motion to Reconvene

Resolution # 16-086

Moved By Councillor Smith

Seconded By Councillor Sammut

Be it resolved that the meeting be reconvened at the hour of 5:37 PM.

Carried

12.2 Report Out

Mayor Alls announced that a letter has been received advising that the Town's grant application to the Green Municipal Fund in the amount of

March 1, 2016, Regular Meeting

\$175,000 for the Urban Centre Wastewater Servicing Class Environmental Assessment has been approved. This is great news for Erin.

Resolution # 16-087 (verbal)

Moved By Councillor Brennan

Seconded By Councillor Smith

Be it resolved that Council awards the Urban Centre Class EA to the Ainley Group in the amount of \$883, 770.00;

And that Council authorizes Town staff and Triton Engineering Services to evaluate the credit offerings and execute a client/consultant agreement with Ainley Group;

And further that Triton Engineering's summary report be released.

Carried

Resolution # 16-088 (verbal)

Moved By Councillor Sammut

Seconded By Councillor Duncan

Be it resolved that Council authorizes the release of securities in the amount of \$600,000 for the Erin Brook Subdivision.

Carried

13. By-Laws**Resolution # 16-089**

Moved By Councillor Duncan

Seconded By Councillor Brennan

Be it resolved that By-Law number 16-11 (Zoning Amendment UAJV Developments)is hereby passed.

Carried

Resolution # 16-090 (verbal)

Moved By Councillor Brennan

Seconded By Councillor Duncan

Be it resolved that By-law 16-12 (2016 Budget) is hereby passed.

Recorded

Councillor Duncan

For

X

Against

March 1, 2016, Regular Meeting

Councillor Brennan	X	
Councillor Sammut		X
Councillor Smith	X	
Mayor Alls	X	
Results	4	1

Carried

Resolution # 16-091 (verbal)

Moved By Councillor Brennan

Seconded By Councillor Smith

Be it resolved that By-law 16-13 (confirming) is hereby passed.

Carried

14. Notice of Motion

None.

15. Adjournment

Resolution # 16-092

Moved By Councillor Sammut

Seconded By Councillor Smith

Be it resolved that the meeting be adjourned at the hour of 6:00 PM.

Carried

Mayor Allan Alls

Clerk Dina Lundy

Executive Summary
Corporation of the Town of ERIN

March 2016

insurance RFP comparisons (overview analysis)

Prepared for: **Larry Wheeler, financial analyst**
 by Randy Bushey, CIP (consultant)

#1) RFP PROCESS

In response to the RFP for general insurance, Erin received 3 comprehensive and complete proposals, each demonstrating significant experience, expertise, broad coverage, and with highly rated insurers.

The proposals of **Frank Cowan/Ostic, BFL Canada** and **JLT Canada** were reviewed. Each was compared against the current coverage carried by Erin through Cowans, and subject to the terms of the RFP (February 2016).

The attached spreadsheet (**Comparison of Proposals**) forms part of this report. It compares basic limits of Erin's existing coverage with the Frank Cowan Company (for 2015-2016) against the 3 proposals received.

More detailed comparative analysis was directed to be done on the Cowan and JLT submissions, as their pricing was significantly lower than that of BFL.

Due to the complexity and breadth of insurance protection supplied by each of these 2 programs, literally hundreds (or more) differences in coverage exist; however, practical analysis for the purposes of selecting an insurance program focussed on those approximately 10 differences that appeared to be of greater consequence to Erin, with a view to making a recommendation as to properly and reasonably protect the council, employees, volunteers and citizens of Erin, together with the town's assets and operations.

Those differences were reviewed with Finance, ranked according to importance, and rated accordingly based on Erin's perception of exposure to loss and best value as explained in the RFP.

#2) RFP EVALUATION

The Proposals were scored as follows:

Stage 1 – Pass or Fail on Mandatory RFP Requirements and completeness

Determination - each of the proposals received was deemed to have met the mandatory RFP requirements; all insurers represented in the proposals are rated "A" or higher by AM Best.

Stage 2 – (40 points) other-than-premium considerations

Detailed analysis was undertaken only on Cowan and JLT proposals due to BFL's proposal being significantly higher in premium cost.

Each of these 2 proposals was awarded **30 points** due to the detail, breadth and scope of coverage proposed.

Significant differences were discussed and defined. For those deemed "more significant", **3 points** were awarded to the program considered to be superior on this item (in the sole opinion of Erin).

A **single point** was awarded on "less significant" differences to the program considered to be superior.

...2

More significant

	<u>Points awarded</u>	
	Cowan	JLT
Municipal Liability Aggregate Limits - the Cowan coverage contains no aggregate limit; JLT coverage contains an aggregate limit on non-statutory duties and products.	3	
General Liability – Pollution coverage (sudden and accidental) – the Cowan coverage provided Bodily Injury only; JLT provided Bodily Injury and Property Damage.		3
Automobile – Cowan provides replacement cost coverage on vehicles 25 years or less; JLT at 20 years or less (with purchase price provisions on Fire Dept vehicles 20-25 years).	3	

Less significant

General Liability – Punitive damages – excluded in the Cowan coverage; JLT includes		1
General Liability – Abuse cover – Cowan coverage is full limit, no aggregate; JLT provides limit per occurrence and aggregate on legal expenses only.	1	
Environmental Impairment Liability – Cowan coverage is \$3M per occurrence with a \$5M aggregate; JLT is \$5M per occurrence with a \$5M aggregate, but tanks must be listed and approved before coverage extends)	1	1
Property – 1st party pollution clean-up – JLT only included \$100K.		1
Future pricing guarantee – JLT only provided for liability and property premiums subject to conditions including less than 40% earned loss ratio.		1
Automobile – Cowan contains \$5K deductible for Liability and All Perils coverage; JLT deductible applies only for All Perils coverage.		1

Determination:**Frank Cowan Company: 38 points****JLT Canada: 38 points****BFL – not rated****Stage 3 – (60 points) total price for premiums and fees**

calculated as follows:

-the lowest total premium receives 60 points

-the remaining Proposals are assigned points based on formula below

*lowest cost proposal/ proponent's proposal cost X 60 = points assigned***Determination:****Frank Cowan Company: 54 points****JLT Canada: 60 points****BFL Canada: 40 points**

...3

#3) RFP RECOMMENDATION:

Based on the 3 stage RFP Evaluation scoring, the results were

Frank Cowan Company: 92 points

JLT Canada: 98 points

BFL Canada: full scoring not completed

Therefore, my recommendation is to authorize Finance to further negotiate with JLT Canada to obtain general insurance coverage effective April 1, 2016.

Randy Bushey, CIP

52 Riddle Court

North Bay, ON P1B 8S6

randy@bushey.ca

705-493-8783

TOWN OF ERIN - Summary of RFP Submissions - March 4, 2016

	Frank Cowan	Existing >	\$ 164,103	Frank Cowan	Proposal >	\$ 138,809	JLT	Proposal >	\$ 125,000	BFL	Proposal >	\$ 188,934
	Deductible	Limit	aggregate	Deductible	Limit	aggregate	Deductible	Limit	aggregate	Deductible	Limit	aggregate
CASUALTY												
General Liability	\$ 20,000	\$ 15,000,000	none	\$ 20,000	\$ 15,000,000	none	\$ 20,000	\$ 5,000,000	\$ 25,000,000	\$ 20,000	\$ 5,000,000	none
Excess Follow Form		\$ 10,000,000			\$ 10,000,000			\$ 20,000,000			\$ 20,000,000	
								***aggregate on non-statutory duties & products				
> Wrongful Dismissal, legal	\$ 5,000	\$ 250,000	\$ 250,000	\$ 5,000	\$ 250,000	\$ 250,000	\$ 5,000	\$ 250,000	\$ 250,000	\$ 5,000	\$ 250,000	\$ 500,000
> Employer's Liability	\$ 20,000	\$ 25,000,000		\$ 20,000	\$ 25,000,000		\$ 20,000	\$ 25,000,000		\$ 20,000	\$ 25,000,000	
Errors & Omissions	\$ 10,000	\$ 25,000,000		\$ 10,000	\$ 25,000,000		\$ 10,000	\$ 25,000,000	\$ 25,000,000	\$ 10,000	\$ 25,000,000	
Non-Owned Automobile		\$ 25,000,000			\$ 25,000,000			\$ 25,000,000			\$ 25,000,000	
> Hired Automobile	\$ 1,000	\$ 250,000		\$ 1,000	\$ 250,000		\$ 1,000	\$ 250,000		\$ 1,000	\$ 250,000	
Environmental Liability	\$ 10,000	\$ 3,000,000	\$ 5,000,000	\$ 10,000	\$ 5,000,000	\$ 5,000,000	\$ 10,000	\$ 5,000,000	\$ 5,000,000	\$ 10,000	\$ 3,000,000	\$ 5,000,000
				+ \$5,000 premium to increase to \$50,000,000			+ \$1,500 premium to increase to \$50,000,000					
CRIME												
Employee Dishonesty		\$ 1,000,000			\$ 1,000,000			\$ 1,000,000			\$ 1,000,000	
Loss Inside & Outside Premises		\$ 200,000			\$ 200,000			\$ 200,000			\$ 200,000	
Audit Expense		\$ 200,000			\$ 200,000			\$ 200,000			\$ 200,000	
ACCIDENT												
Board Accidental D & D		\$ 250,000			\$ 250,000			\$ 250,000	\$ 2,500,000		\$ 250,000	
> Paralysis		\$ 500,000			\$ 500,000			\$ 500,000			\$ 500,000	
CONFLICT OF INTEREST												
Legal Fees Expenses		\$ 100,000	no aggregate		\$ 100,000	no aggregate		\$ 100,000	\$ 500,000		\$ 100,000	\$ 500,000
LEGAL EXPENSE												
Legal Defence Cost		\$ 100,000	\$ 250,000		\$ 100,000	\$ 500,000		\$ 100,000	\$ 500,000		\$ 100,000	\$ 500,000
PROPERTY												
Property of Every Description	\$ 5,000	\$ 35,000,000		\$ 5,000	\$ 42,845,100		\$ 5,000	\$ 42,680,000		\$ 5,000	\$ 37,650,000	
	\$25K Flood; 3% or \$100K Quake			\$25K Flood; 3% or \$100K Quake			\$50K Flood; 3% or \$100K Quake			\$50K Flood; 3% or \$100K Quake		
EQUIPMENT BREAKDOWN												
Direct Damage	\$ 5,000	\$ 50,000,000		\$ 5,000	\$ 50,000,000		\$ 5,000	\$ 42,680,000		\$ 5,000	\$ 50,000,000	
> Loss of Arena Revenues	24 hours	\$ 90,000		24 hours	\$ 90,000		\$ 5,000	\$500,000 rents \$300K Bus Int	(\$25K/mon)	\$ 5,000	\$500,000 rents	
OWNED AUTOMOBILE												
Liability - Bodily & Property	\$ 5,000	\$ 25,000,000		\$ 5,000	\$ 25,000,000		nil	\$ 25,000,000		nil	\$ 25,000,000	
	\$ 5,000	PD-All Perils		\$ 5,000	PD-All Perils		\$ 5,000	PD-All Perils		\$ 5,000	PD-All Perils	

REQUEST TO BE A DELEGATION BEFORE COUNCIL



Council meetings are held the first Tuesday of each month at 1:00 pm and the third Tuesday of each month at 6:30 pm, unless otherwise posted. Please note that there is only one meeting during July and August. The Requests to appear before Council must be received in writing by the Clerk NO LATER than noon of the WEDNESDAY immediately preceding the scheduled Council meeting complete with a copy of the presentation materials as detailed in the delegation protocol on page 2. This form must be complete and legible in order to be accepted. The Clerk will evaluate this request, and assign a presentation date once it has been deemed appropriate.

MEETING DATE BEING REQUESTED:

March 22nd

1st Choice

Pierre Brianceau

Name of delegate(s) or group representative

following council meeting

2nd Choice

County Councillor Town of Erin

Group Delegation Represents

PURPOSE OF DELEGATION (PLEASE ATTACH FULL PRESENTATION):

County council update. Letter to the editor (Erin advocate) emailed dated February 3rd, 2016.

DESIRED ACTION OF COUNCIL THAT YOU ARE SEEKING:

Receive information

CONTACT INFORMATION:

Name: Pierre Brianceau
Address: 5737 Third Line, Hillsburgh, Ontario N0B 1Z0
Phone: 519-855-1757 E-Mail: pierreb@wellington.ca

Once a date and time has been established, the Clerk's Department will contact you by phone, fax or e-mail. Please ensure you receive confirmation, and follow up with the Clerk if you have not.

I have read the excerpt from the Town of Erin Procedural By-Law (on page 2 of this form), and understand that the information contained herein, including any attachments, will become public documents, included in the meeting agendas, and posted on the Town website.

I also understand that my presentation and any supporting documentation must be submitted with this delegation form and typed or legibly written, in order for this form to be accepted. The completed form and attachments may be submitted by e-mail to dina.lundy@erin.ca. ALL submissions must be received by the Clerk no later than 12:00 pm on the WEDNESDAY immediately preceding the meeting.

I also understand that if any correspondence relating to this request contains obscene or improper matters, language, or does not meet the requirements of the delegation protocol, the Clerk shall decide whether it should be included in the agenda for a Council meeting and if not, I will be notified.

Signature of Applicant

Date March 15/2016

Your name, address, comments, and any other personal information is collected and maintained for the purpose of creating a record available to the general public pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56 as amended. Questions about this collection should be directed to the Clerk, The Corporation of the Town of Erin, 5684 Trafalgar Road, Hillsburgh, ON N0B 1Z0. Call: (519) 855-4407 Ext 233 or Toll Free 1-877-818-2888
Fax: (519) 855-4821 E-mail dina.lundy@erin.ca Website: www.erin.ca

Pierre Brianceau
RR#1 3rd Line #5737
Hillsburgh, ON
NOB 120, 07/05/2017

Denise Dilbey
Broker

DIRECT
416-919-9802
905-877-8262
1-866-865-8262
www.ddilbey.com

ROYAL LEPAGE
100 YEARS
Modernize Realty, Inc.

Need for complete reconstruction of Elora bridge impacts 5-year plan

County budget passes with a 2.5% increase

Cont'd from page 1

As per last week's Erin Advocate reports and the chart that Phil Gravelle did in regards to "taxes payable on a \$1 million home in 2015", the County Treasurer's observation is that "this chart exemplifies the property tax shift from urban to rural communities.

"This is in addition to the higher commercial and industrial assessments ratio from urban municipalities versus rural ones."

As a member of the Economic Development committee at the County we are working in concert with local municipalities to make it more attractive for businesses, local and foreign, to settle in Wellington County.

Ultimately municipalities are a creation of the Provincial Government and local governments are left to apply the rules coming from above. The rules have been made in 1998 at Queen's Park and that is where the rules will be changed.

Among other factors impacting our five-year plan projections is the fact that what started as projected sidewalk repairs on the Badley bridge in downtown Elora now have moved to a need for full bridge replacement. Compounding the cost increase challenge is the fact that the grant application to the "Building Canada Fund - Small Communities Fund" for the proposed Badley Bridge replacement in Elora was not selected to move forward to the application phase.

According to a press release from the County, the budget includes:

- The second installment of the \$9.4 million municipal investment in the County's three local hospitals.
- \$13.7 million for the construction of 55 new affordable housing units at Webster Place in Fergus.
- \$13.4 million investment in roads and bridges to maintain a safe and efficient transportation network across the County.
- Construction of a new Hillsburgh Library in 2016 and 2017.
- Rehabilitation of the Wellington Place Lands as part of Canada's 150 Year Anniversary - including expansion of existing trails, expansion and improvement of the existing public education programme of the National Historic Site, with all funding from Canada's 150th grant programme and community donations.
- The second year of a five-year municipal investment in fibre optic technology as part of the Southwestern Integrated Fibre Technology (SWIFT) Programme.
- The implementation of the Wellington Signage Programme in 2016 to include welcome signs on County boundary roads and way-finding signs on County roads.
- Funding to host the 2016 International Plowing Match in Minto.
- Upgrade of the County fire paging system in 2016 to improve emergency management activities.
- Building of a new public works facility in Drayton in 2016

By Pierre Brianceau, Town of Erin (Ward 9) County Councillor

In a 13 - 2 vote on January 28th, County Council adopted its 2016 budget with a 2.5% increase in the County portion of property taxes. Although I would have preferred it to be around 2%, it ended up being a fair compromise to continue to improve services and renew infrastructure for the common good of all county residents.

Councillors Andy Lennox and Kelly Linton were the only dissenters, citing concerns on process and lack of discussions on priority settings with questions on infrastructure expenses such as the Hillsburgh Library.

For the record, Hillsburgh is the last County Library up for renovation, as part of a 10-year plan. When it is finally our turn to be the recipient of infrastructure renewal that local residents have already contributed to during the last decade, for the rest of the County, it is indeed unfortunate that this came at the final vote.

Changes made in 1998 to the "Provincial Property Tax Incentive Programmes" have created a net shift of farmland, managed forest and conservation land taxes onto other property tax classes. After receipt of OMPF (Ontario Municipal Partnership Fund) funding, created to mitigate the costs of the incentives, the net cost per property with an average \$361,000 assessment (2015) in the County of Wellington works out to \$487.

This provincial policy has been equated to a cheap food subsidy for urban communities at the expense of rural communities.

Cont'd on page 14

005407



WEDNESDAY, FEBRUARY 10, 2016

CORRECTION: The article in last week's Advocate (February 3), on the County budget, said that the budget was passed by a vote of 13 to 2 (Allan Als was away). The vote was actually 12 to 2, as Councillor Rob Black (Ward 5, Centre Wellington) had declared a conflict of interest, as his spouse works for the County.

Correction above: vote was 12, 2; PR done February 10th

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MEETING DATE BEING REQUESTED:

Dec. 15, 2015
 1st Choice

2nd Choice

Carmela Marshall
 Name of delegate(s) or group representative

Ontario Soil Regulation TaskF
 Group Delegation Represents

PURPOSE OF DELEGATION (PLEASE ATTACH FULL PRESENTATION):

Present our Model site-Alteration By-law documents by USRTF

DESIRED ACTION OF COUNCIL THAT YOU ARE SEEKING:

- refer documents to staff to consider feasibility of incorporating documents, in whole or in part into the Town of Erin site-alteration by-law

CONTACT INFORMATION:

Name: Carmela Marshall
 Address: [REDACTED]
 Phone: [REDACTED]

Once a date and time has been established, the Clerk's Department will contact you by phone, fax or e-mail. Please ensure you receive confirmation, and follow up with the Clerk if you have not.

I have read the excerpt from the Town of Erin Procedural By-Law (on page 2 of this form), and understand that the information contained herein, including any attachments, will become public documents, included in the meeting agendas, and posted on the Town website.

I also understand that my presentation and any supporting documentation must be submitted with this delegation form and typed or legibly written, in order for this form to be accepted. The completed form and attachments may be submitted by e-mail to dina.lundy@erin.ca. ALL submissions must be received by the Clerk no later than 12:00 pm on the WEDNESDAY immediately preceding the meeting.

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[Signature]
 Signature of Applicant

Dec. 15, 2015
 Date

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Ontario Soil Regulation Task Force

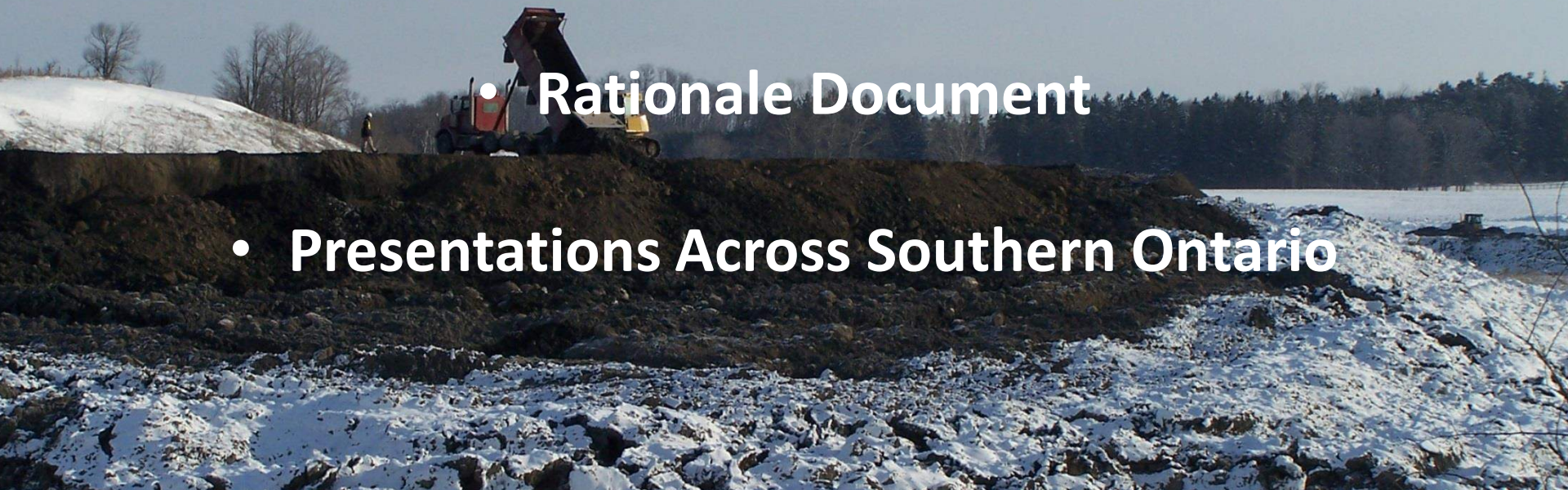
- Lakeridge Citizens for Clean Water
- Earthroots
- STORM
- Rural Burlington Greenbelt Coalition
- Clarington Citizens for Clean Water and Soil
- Tecumseth Pines Residents Association
- East Gwillimbury Citizens for Clean Water
- North West Whitby Residents for Clean Water
- Concerned Citizens of Bloomington
- STORM
- Concerned Citizens of King Township
- Concerned Citizens of the City of Kawartha Lakes
- Gravel Watch ...

Helping to find sustainable and responsible solutions for excess soil management.



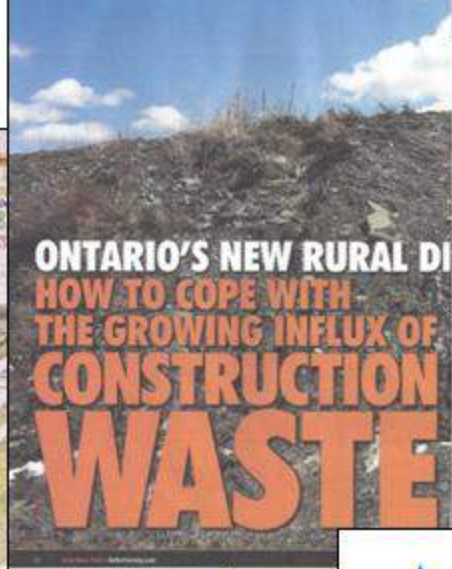
Project Clean Dirt

- Model Site-Alteration By-law
- Model Large Scale Fill Site Legal Agreement
- Model Fill Management Plan
- Rationale Document
- Presentations Across Southern Ontario



Why Project Clean Dirt?

Media Coverage



Port Perry
THE STAR
Thursday, December 28, 2011

What's in store for 2012?
Scugog mayor looks to new year

COMMUNITY
A glance back of 2011
Celia Klement shows her favourite photos

COMMUNITY
Rotary club rewarded

NOTICE
NO DUMPING ALLOWED
EXCEPTED AREAS ONLY
THE DUMPING OF WASTE IN ANY OF THESE SITES IS PROHIBITED BY LAW. ANYONE WHO VIOLATES THIS BY-LAW MAY BE SUBJECT TO PROSECUTION AND FINES UP TO \$10,000.

Scugog has its fill of commercial dumping
EARTHWORK SITE AN ONGOING CONCERN FOR TOWNSHIP IN 2011

New Tecumseth Free Press Online
SERVING THE BUSINESS COMMUNITIES OF ALBERTA, BRITISH COLUMBIA, MANITOBA, ONTARIO, QUEBEC, SASKATCHEWAN, ALBERTA, BRITISH COLUMBIA, MANITOBA, ONTARIO, QUEBEC, SASKATCHEWAN
Planning online April 2008
Community Journalism since 1988
Monday, April 9, 2012

'Get a bunch of seniors riled and frustrated, that can happen'
Posted March 28, 2012

Uxbridge pit
DARRYL KNIGHT

UXBRIDGE: The pro claim that the endeavor the province.

Rene de Vries of Tetr at their meeting on t

A4 • TORONTO STAR • MONDAY, FEBRUARY 13, 2012

NEWS

Residents fear moraine water contaminated

Local group, politicians trying to stop dumping of commercial fill in old gravel pit on Oak Ridges site

NOTICE
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EXCEPTED AREAS ONLY
THE DUMPING OF WASTE IN ANY OF THESE SITES IS PROHIBITED BY LAW. ANYONE WHO VIOLATES THIS BY-LAW MAY BE SUBJECT TO PROSECUTION AND FINES UP TO \$10,000.

EARTHWORK INDUSTRIES
THIS IS A FEDERAL AERODROME
Municipal & provincial bylaws apply to aerodrome & airport
Call 905-880-9100
2300 PALMER ROAD
SCARBOROUGH, ONTARIO M1T 2Y7

Vanessa Lu
Staff Reporter
Sharon Frank and Jennifer Schaffel

POSTED TORONTO

'Why can't they find a home for the soil?': Contractors agree Toronto's dirt policy is a mess

PETER KUTENBROUWER | 13/06/20 | Last updated: 13/06/20 9:52 AM ET
More from Peter Kutenbrouwer | @kutenbrouwer

myKawartha.com
Peterborough This Week - Kawartha Lakes This Week - Brock Citizen

Fallout continues at Oakwood farm
By Mary Riley
August 13, 2012

(OAKWOOD) An Oakwood farm owner whose efforts to fill a hole left by a former gravel pit operator led to a new fill bylaw in the City of Kawartha Lakes is not impressed with signs on Taylor's Road claiming her land is contaminated.

WARNING
CONTAMINATED FILL
DUMP SITE

Print

THE GLOBE AND MAIL

Paydirt
The tale of Toronto's tainted soil
John Iorinc
Globe and Mail Update
Published Monday, Feb. 20, 2012 10:54 PM EST
Last updated Tuesday, Feb. 21, 2012 4:23 AM EST

DIGITAL JOURNAL

Is soil safe at local 'dump' in Ontario?
Posted Dec 20, 2010 by KJ Mullins

A company dumping landfill in a small Ontario township is accused of providing logs or testing to show that their fill is within regulatory limits.

Simco Resident
Brad Pritchard

Toxic dirt dumped in Ontario's prime farmland
With lax rules and no tracking system, Ontario sits idly while Toronto's contaminated dirt is dumped in the countryside.

Scugog township mayor Chuck Mercier g about the huge amount of aggregate and municipality, which extends over the hills of Toronto.

Day-long symposium fills house
BLAKE WOLFE The Standard

SCUGOG: Calls by Ontario's Environmental Commissioner for increased regulation a responsibility for commercial fill by industry and the provincial government were among the viewpoints heard at last week's Large Scale Commercial Fill Symposium in Port Perry.

fill site appeals

Conoco Edmunt truckloads of fill to re-grade the a landing condition Palmisano, an en years of construc group of owners airfield from the

By David Fleis
Groups

"I tell people, 'Dig a hole in Toronto and they get development charges and property-tax revenue. And what do we get out here? A pile of dirt.'"

Dirt from construction being dumped on Oak Ridges Moraine

fill site appeals

The fill is being used for the provincial government's new \$1.5-billion project to re-grade the airfield. The fill is being used for the provincial government's new \$1.5-billion project to re-grade the airfield.

Some Fill Industry Concerns

- Contamination
- Non-compliance Issues
- Inappropriate Location of Receiving Site
- Legislative Loopholes and Knowledge Gaps

Among many other contaminants, cyanide found at 3000 times the acceptable limit.

**Lakeridge Site, Scugog
Region of Durham**

**Adjacent to Natural Core Area
on the Oak Ridges Moraine.**

**Sideline 14, Pickering
Region of Durham**

**“Clean fill” dumped at a rural home
subsequently found to be many times the
limit for petroleum hydrocarbons in all
samples tested. Fill ordered removed.**

Unpermitted fill operation with soil certified to be acceptable, found to greatly exceed limits in most samples and for many contaminants.

City of Kawartha Lakes, Taylor's Rd. fill

City of Kawartha, Taylor's Rd. fill site

Contaminant	Sample Units	Sample Field IDs				Potable Groundwater Use		Non-potable Groundwater		Standards Units
		TR001	TR002	TR003	TR004	Table 2** Residential	Table 2** Industrial	Table 3** Residential	Table 3** Industrial	
F1 (C6-C10)	mg/kg	10	10	10	10	55	55	55	55	ug/g
F2 (C10-C16)	mg/kg	26	14	26	12	98	230	98	230	ug/g
F3 (C16-C34)	mg/kg	520	520	480	220	300	1700	300	1700	ug/g
F4 (C34-C50)	mg/kg	180	220	210	120	2800	3300	2800	3300	ug/g
Aluminum	ug/g dry	13000	25000	14000	12000	NV	NV	NV	NV	ug/g
Antimony	ug/g dry	5	20	5	5	7.5	40	7.5	40	ug/g
Arsenic	ug/g dry	5	25	5	5	18	18	18	18	ug/g
Barium	ug/g dry	120	510	150	98	390	670	390	670	ug/g
Beryllium	ug/g dry	0.68	1.2	0.6	0.55	4	8	4	8	ug/g
Boron	ug/g dry	23	70	22	16	120	120	120	120	ug/g
Calcium	ug/g dry	83000	150000	70000	97000	NV	NV	NV	NV	ug/g
Cadmium	ug/g dry	3.4	20	3.4	1	1.2	1.9	1.2	1.9	ug/g
Chromium	ug/g dry	31	110	41	26	160	160	160	160	ug/g
Cobalt	ug/g dry	9.7	46	22	7	22	80	22	80	ug/g
Copper	ug/g dry	130	960	170	68	140	230	140	230	ug/g
Iron	ug/g dry	32000	100000	36000	24000	NV	NV	NV	NV	ug/g
Lead	ug/g dry	220	1100	230	130	120	120	120	120	ug/g
Magnesium	ug/g dry	11000	22000	11000	8600	NV	NV	NV	NV	ug/g
Manganese	ug/g dry	550	1200	540	470	NV	NV	NV	NV	ug/g
Molybdenum	ug/g dry	1	9	2.5	0.5	6.9	40	6.9	40	ug/g
Nickel	ug/g dry	52	280	100	32	100	270	100	270	ug/g
Potassium	ug/g dry	2700	3800	2400	2400	NV	NV	NV	NV	ug/g

Independent Testing by the MOE's Peterborough Office

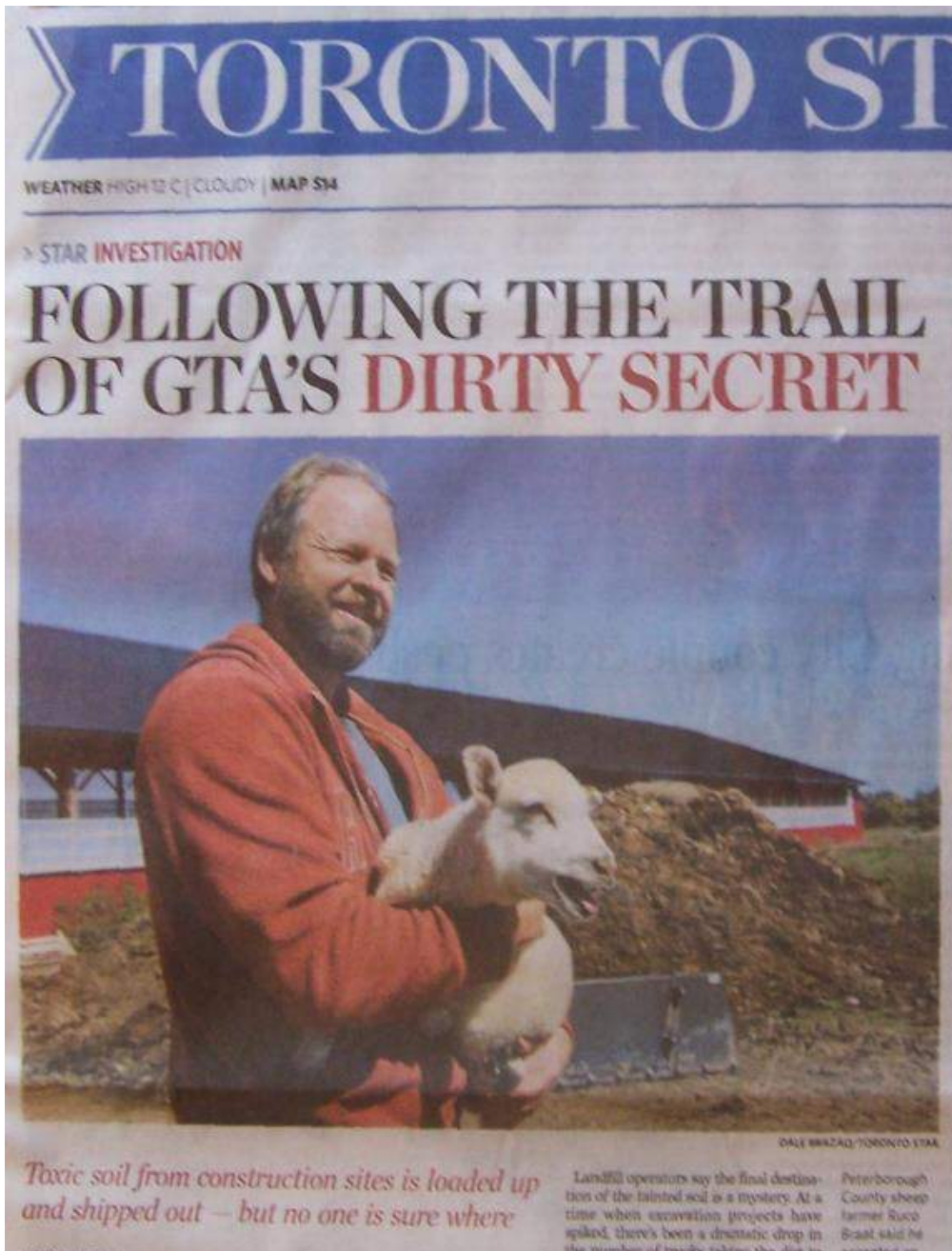
exceeds Ministry generic soil criteria - Table 2

equals Ministry generic soil criteria - Table 2

lab detection limit was 5 ug/g

standard exceeded

MOE Soil, Ground Water and Sediment Standard for course grained soil



“Clean” Fill

Independent testing revealed exceedances in heavy metal concentrations that are toxic to livestock.

March 2, 2015 Soil Broker convicted with dumping contaminated fill on March 2, 2015, Provincial Offences Court, Peterborough

Sheep Farm in Baillieboro Ontario, County of Peterborough

Expired Pit, East Gwillimbury York Region



**Filling in violation of agreement with municipality.
Lands overfilled and covering active farmland.**

**Morgan's Rd. Site,
Clarington
Region of Durham**

Initiated without permits. Some material found exceeding MOE limits for a potable groundwater area. Site remains overfilled.





L4A 7X3, Canada



**Source Water Protection Area
in Whitchurch Stouffville,
York Region**

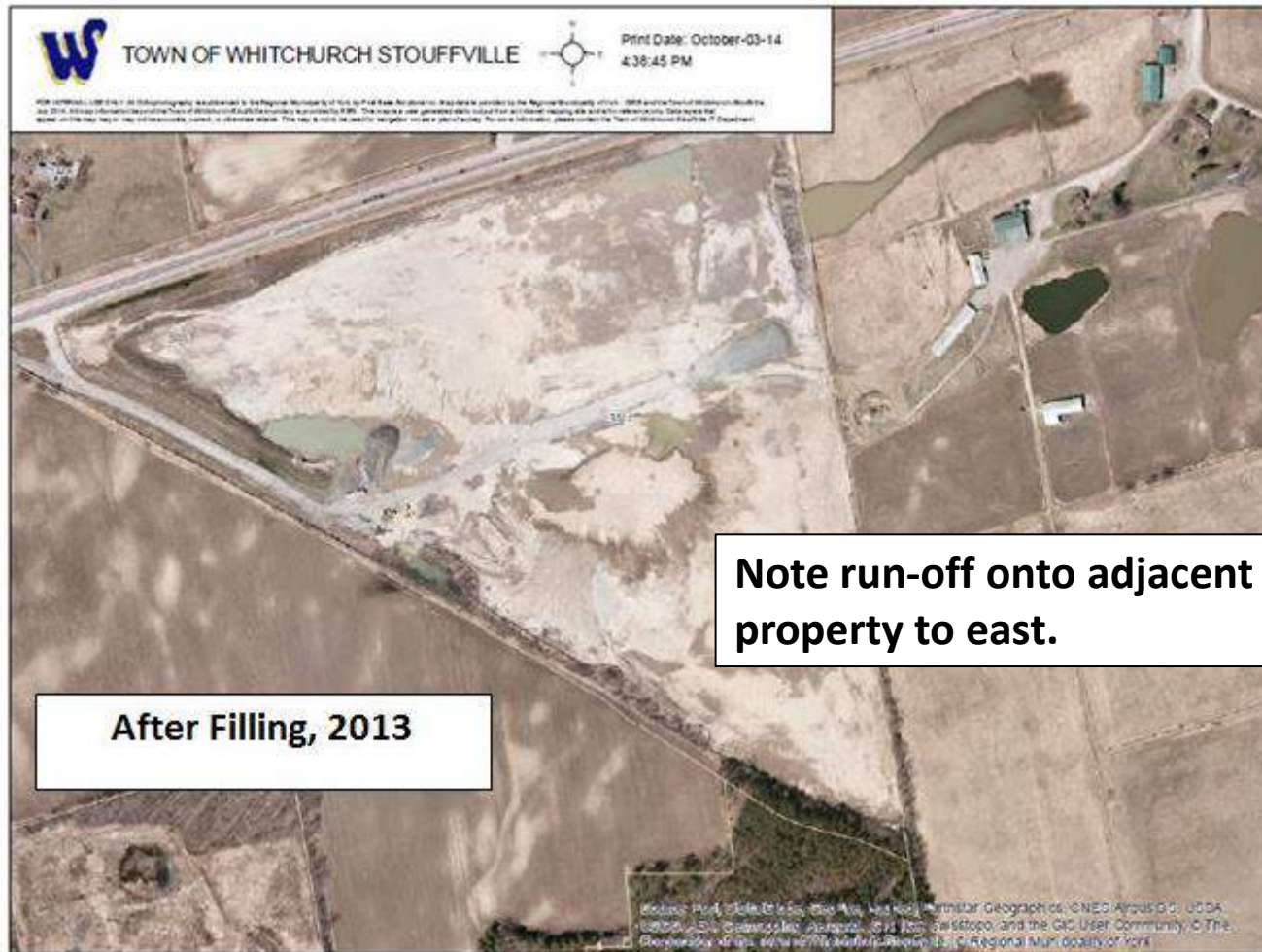


Before Filling Operations

Image © 2013 DigitalGlobe
© 2013 Google

Google e

Filling in violation of municipal agreement. Overfilled by an estimated 25,000 truckloads.



Greenbank Airport Fill Operations in Scugog

Township borehole testing reveals significant contamination on site, May 4, 2015 Staff Report



Hailed by previous Mayor as being a “lighthouse” project with the “BEST” agreement and oversight.



Project Clean Dirt



Site Alteration By-Law Project

The Ontario Soil Regulation Task Force (OSRTF) is a collection of environmental NGOs and citizens groups helping to find sustainable and responsible solutions for excess soil management. The dumping of excess construction soil from condo excavations, transit projects, redeveloped industrial lands, and other sources threatens the rural landforms, soil, and water quality. The multi-pronged solution involves federal, provincial, and municipal jurisdictions.

Lakeridge Citizens for Clean Water (LCCW), an OSRTF member who has been working on this issue since 2010, is spearheading this project to improve municipal by-laws.

OSRTF and LCCW have developed a proposal for improved municipal site alteration by-laws. Starting this fall, they will be presenting to municipal governments in Ontario a package consisting of:

- a Site Alteration By-Law Model,
- the Fill Agreement Model,
- the Fill Management Plan (FMP) Model , and
- a Guidance Document.

The Agreement and FMP Models are specific to large scale fill receiving sites that accept over 1000 cubic metres of soil, however, typically the applications are for much greater volumes. Two reviews of by-laws from municipalities around the GTA found that most municipalities have limited or no means to deal with the soil quality concerns and industrial scale of commercial fill operations. A commercial fill operation can bring into their rural areas hundreds of trucks a day loaded with soil that has a good chance of being contaminated. A site will typically accept anywhere between 100,000 cubic metres to millions of cubic metres, and there are many such active sites in southern Ontario.

We reviewed several current large fill agreements and site alteration by-laws in southern Ontario and pulled out the very best parts out of those documents for our Models. We reconciled our Models to the MOECC Best Management Practices regarding the Movement of Excess Soils. We have incorporated over 5 years of dedicated research on fill issues into the documents which are the result of several months of work and hundreds of volunteer hours. Our drafts have been peer reviewed by technical consultants, professional engineers, and professional geoscientists in the industry and by legal counsel. We also sought comments from senior hydrogeologists and planning staff with Conservation Authorities, municipal officials, farming organizations, environmental NGOs, and MOECC representatives.

The Site Alteration By-Law Project is just one prong of a multipronged approach that also includes a call for a Clean Soil Act to fill loopholes and weaknesses in existing provincial legislation and regulation, and for changes in the federal Aeronautics Act regulations to improve the ability of municipalities to regulate fill at aerodromes.

The protection of the environment and citizens must be first and foremost when regulating fill receiving sites. More information can be found at www.osrtf.ca and at the Lakeridge Citizens for Clean Water website, www.lakeridgecitizens.ca for details of our work and research on excess soils issues.

REQUEST TO BE A DELEGATION BEFORE COUNCIL



Council meetings are held the first Tuesday of each month at 1:00 pm and the third Tuesday of each month at 6:30 pm, unless otherwise posted. Please note that there is only one meeting during July and August. The Requests to appear before Council must be received in writing by the Clerk NO LATER than noon of the WEDNESDAY immediately preceding the scheduled Council meeting complete with a copy of the presentation materials as detailed in the delegation protocol on page 2. This form must be complete and legible in order to be accepted. The Clerk will evaluate this request, and assign a presentation date once it has been deemed appropriate.

MEETING DATE BEING REQUESTED:

March 22/16

1st Choice

April 5/16

2nd Choice

Anna Spiteri

Name of delegate(s) or group representative

Citizens Against Fill Dumping

Group Delegation Represents

PURPOSE OF DELEGATION (PLEASE ATTACH FULL PRESENTATION):

Update Report from Citizens Against Fill Dumping regarding progress on regulating fill in Ontario at the 3 gov levels

DESIRED ACTION OF COUNCIL THAT YOU ARE SEEKING:

- 1. Council pass resolution to Halton Hill Site Alteration By-law allowing for appropriate adaptation to Erin specifics
- 2. Council adapt Site Alteration Committee model
- 3. Council accept Citizens Against Fill Dumping via consultation process.

CONTACT INFORMATION:

Name: ANNA SPITERI

Address: 9030 Wellington Rd 50 Town of Erin

Phone: _____

E-Mail: _____

Once a date and time has been established, the Clerk's Department will contact you by phone, fax or e-mail. Please ensure you receive confirmation, and follow up with the Clerk if you have not.

I have read the excerpt from the Town of Erin Procedural By-Law (on page 2 of this form), and understand that the information contained herein, including any attachments, will become public documents, included in the meeting agendas, and posted on the Town website.

I also understand that my presentation and any supporting documentation must be submitted with this delegation form and typed or legibly written, in order for this form to be accepted. The completed form and attachments may be submitted by e-mail to dina.lundy@erin.ca. ALL submissions must be received by the Clerk no later than 12:00 pm on the WEDNESDAY immediately preceding the meeting.

I also understand that if any correspondence relating to this request contains obscene or improper matters, language, or does not meet the requirements of the delegation protocol, the Clerk shall decide whether it should be included in the agenda for a Council meeting and if not, I will be notified.

Signature of Applicant

March 11/16

Date

Your name, address, comments, and any other personal information is collected and maintained for the purpose of creating a record available to the general public pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56 as amended. Questions about this collection should be directed to the Clerk, The Corporation of the Town of Erin, 5684 Trafalgar Road, Hillsburgh, ON N0B 1Z0. Call: (519) 855-4407 Ext 233 or Toll Free 1-877-818-2888 Fax: (519) 855-4821 E-mail dina.lundy@erin.ca Website: www.erin.ca

detailed in attachment

March 11, 2016

Anna Spiteri's request for delegation for Council meeting March 22, 2016, 6:30 pm.

The purpose of this delegation is to provide Council with current activities/initiatives of various parties (Citizens Against Fill Dumping, Ted Arnott, MOECC, County) to get the provincial government to regulate Fill in Ontario.

This is my **delegation outline**.

Update report from Citizens Against Fill Dumping

- 1) Provincial level
 - a. Summary of meeting with Ted Arnott
 - b. MOECC meetings.
 - c. Sept 2, 2015 invited to MOECC presentation/discussion with Citizens Against Fill Dumping and Ontario Soil Regulation Task Force
 - d. Oct 2, 2015 co-ordinated MOECC Tour of 5 sites (1 in Burlington, 1 in Puslinch, 3 in Erin)
 - e. March 2, 2016, invited to MOECC's "Proposed Excess Soil Management Policy Framework" Stakeholders workshop
 - f. Comments for Excess Soil Management Policy Framework before March 26, 2016
- 2) County level
 - a. Auditing County Planning and Roads Committees
 - b. Continual review of Aggregate Act, Municipal Act and any provincial initiatives that impact on regulation of Fill in Wellington County
 - c. Networking with groups that are dealing with impact of soil dumping at various sites, clean water issues (Wellington Water Watcher, Concerned Residents Coalition in Guelph/Eramosa, etc)
- 3) Town of Erin municipality level
 - a. Precise summary and consolidation of Citizens Against Fill Dumpings activities from inception 2013-present March 2016.

Desired Action of Council we seek:

- 1) Council adopt the Halton Hills Site Alteration By-law, allowing for appropriate adaptation to Erin specifics.
- 2) Council adopt the Halton Hills Site Alteration Committee model to facilitate regulating Fill activities in the Town of Erin
- 3) Council acknowledges Citizens Against Fill Dumping's committed dedication to have Fill regulated in the Ontario but in particular to Town of Erin. We ask that Council accept and use this group as a community resource for fill consultation.
- 4) Request that Erin Council provide MOECC before March 26, 2016, important comments specific to Erin situation regarding fill practices in Erin and the impact it has on the Town of Erin.

Anna Spiteri



Staff Report

Report #: BD2016-10

Date: March-22-16

Submitted By: Carol House

Subject: BD2016-10- Draft Site Alteration Bylaw.docx

Recommendations:

Be it resolved that Council hereby receives Building Department report number BD 2016-10, dated March 22, 2016, regarding a Draft Site Alteration By-Law Amendment;

And that Council directs staff to bring the proposed by-law back for adoption at the next Council meeting with any changes as discussed at this meeting.

Background:

Due to ongoing concerns regarding the importation of fill onto lands within the Town of Erin, staff was directed to explore amending the Town's existing Site Alteration By-Law 12-18. The attached draft document has been created to implementing a more comprehensive set of regulations to manage the importation of fill within the Town. The Province of Ontario has recently created a 'Proposed Excess Soil Management Policy Framework' document which acknowledges some of the concerns expressed by municipalities regarding the issues. Comments on this document will be provided to the Province by the Chief Building Official.

Financial Impact:

Potential to charge permit fees & retain securities in order to limit costs for Town

Consultation:

Council

Communications Plan:

Through regular council meeting

Conclusion:

The Draft Site Alteration By-Law Amendment proposes a more comprehensive set of regulations to try and manage the importation of fill onto lands within the Town. This is a first draft document but with direction from Council revisions could be made for next Council meeting. Staff would like the opportunity to review information and guidelines provided by both the Province and from OSRTF (Ontario Soil Regulation Task Force) in order to create the best possible bylaw for the Town, however,

It is recommended that Council pass an amended version of the Site Alteration By-Law as soon as possible due to concerns regarding the issues and given that start- up of fill relocation operations will likely begin very shortly within the Province.

Appendices:

Draft of Site Alteration Bylaw

THE CORPORATION OF THE TOWN of ERIN

BY-LAW NUMBER XX-16

A by-law for prohibiting or regulating the alteration of property within the Town of Erin.

(Site Alteration By-law)

WHEREAS Section 142 of the *Municipal Act, 2001*, S.O.2001, c.25, as amended, provides that, without limiting Sections 9, 10, and 11 of the *Municipal Act*, a local municipality may pass a by-law prohibiting or regulating the placing or dumping of fill, the removal of topsoil and/or the alteration of the grade of land;

AND WHEREAS Section 142 (2) (d) and (e) of the *Municipal Act* further provide that a local municipality may require that a permit be obtained for the placing or dumping of fill, the removal of topsoil or the alteration of the grade of land, and may impose conditions to a permit, including requiring the preparation of plans acceptable to the municipality relating to grading, filling or dumping, the removal of topsoil and the rehabilitation of the site;

AND WHEREAS the Council of The Corporation of the Town of Erin is desirous of enacting such a by-law and deems it in the public interest to regulate the dumping and placing of fill and other site alterations in order to ensure that:

- a) Existing drainage patterns are maintained and erosion and sedimentation are prevented;
- b) Changes to drainage or grade are appropriate to protect natural heritage features and areas;
- c) Interference and damage to watercourses or water bodies are prevented;
- d) Ground water and surface water quality is maintained;
- e) There is no discharge of a contaminant into the natural environment that causes or may cause an adverse effect and that degradation of the pre-existing soil and ground water quality conditions at the site and on adjacent properties is prevented;
- f) Haul routes for the transportation and fill of topsoil authorized for placement, dumping or removal will be designated to and/or from a site to minimize damage to the Town's roads and minimize interference and/or disturbance to the Town's residents and businesses;
- g) Disturbance to landform characteristics are kept to a minimum; and
- h) The proponent of the site alteration project pays for its costs;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF ERIN hereby enacts as follows:

DEFINITIONS

1. In this by-law:

- 1) "Adverse effect" means one or more of,
 - i. Impairment of the quality of the natural environment for any use that can be made of it;
 - ii. Injury or damage to property or to plant or animal life;
 - iii. Harm or material discomfort to any person;
 - iv. An adverse effect on the health of any person;
 - v. Impairment of the safety of any person;
 - vi. Rendering any property or plant or animal life unfit for human use;
 - vii. Loss of enjoyment of normal use of property; and
 - viii. Interference with the normal conduct of business.
- 2) "Alteration" means changes in elevation of 100 mm or more from Existing Grade or finished Grade resulting from the Placing or Dumping of Fill, the removal of Topsoil or any other action that alters the Grade of land;

- 3) "Body of Water" includes any body of flowing or standing water whether naturally or artificially;
- 4) "Building Code Act" means the Building Code Act, 1992, S.O. 1992, c.23, as amended;
- 5) "Cease and Desist Order" means an Order issued under section 23 of this By-Law;
- 6) "Chief Building Official" means the Chief Building Official appointed by the Corporation of the Town of Erin or his/her designate;
- 7) "Clean Water Act" means the Clean Water Act, 2006, S.O. 2006, c. 22, as amended;
- 8) "Complete Application" means an application and contents as described in Section of this By-Law;
- 9) "Conservation Authority" means the Credit Valley Conservation Authority or the Grand River Conservation Authority;
- 10) "Council" means the Council of the Town of Erin;
- 11) "Drainage" means the movement of water to a place of disposal, whether by way of the natural characteristics of the ground surface or by artificial means;
- 12) "Drainage Act" means the Drainage Act, R.S.O. 1990, c.D.17, as amended;
- 13) "Dump" means the depositing of Fill in a location other than where the Fill was obtained or the movement and depositing of Fill from one location on a property to another location on the same property or on a separate property, and "Dumping" has the corresponding meaning;
- 14) "Erosion" means the detachment and movement of Soil, sediment, rock fragments or the like by forces such as but not limited to water, wind, ice, or gravity;
- 15) "Erosion and Dust Control" means measures to control erosion and dust generated as part of the Alteration of the site;
- 16) "Fill" includes any type of material capable of being removed from or deposited on lands, such as but not limited to soil, stone, sod, turf, concrete, and asphalt either singly or in combination;
 - i) Clean fill material that complies with the parameters as set out in Ontario Regulation 153/04, as amended, and Table 1 of the "Soil, Groundwater and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act."
- 17) "Grade" means the elevation of the ground surface and shall be more particularly defined as follows:
 - i) "Existing Grade" means the elevation of the existing ground surface of the lands upon which Dumping and/or Placing of Fill, altering of the Grade, or removing the Topsoil is proposed and of abutting ground surface up to three metres wide surrounding such lands, except that where such activity has occurred in contravention of this by-law, Existing Grade shall mean the ground surface of such lands as it existed prior to the said activity;
 - ii) "Finished Grade" means the approved elevation of ground surface of lands upon which Fill has been Placed or Dumped, the Grade altered or Topsoil removed, in accordance with this by-law;
 - iii) "Proposed Grade" means the proposed elevation of ground surface of land upon which Fill is proposed to be Place or Dumped, the Grade altered or Topsoil removed.
- 18) "Landform Features" means distinctive physical attributes of land such as slope, shape, elevation and relief;
- 19) "Lot" means a parcel of land, described in a deed or other document legally capable of being conveyed including a block on a registered plan of subdivision;
- 20) "Municipal Act" means the Municipal Act, 2001, S.O. 2001, c.25, as amended;

- 21) "Officer" means any Person designated by by-law of the Corporation of the Town of Erin to issue permits and impose conditions under this by-law or to enforce this by-law;
- 22) "Order for Removal" means an Order under section 32 of this by-law;
- 23) "Owner" includes the registered owner of the lands on which site alteration is proposed and any person, firm or corporation managing or controlling such lands;
- 24) "Planning Act" means the Planning Act, R.S.O. 1990,c.P13, as amended;
- 25) "Permit" means a permit that can be issued pursuant to this by-law;
- 26) "Permit Holder" means a Person to whom a Permit has been issued under this by-law;
- 27) "Person" includes a corporation;
- 28) "Place" means the distribution of Fill on lands which has the effect of establishing a Finished Grade higher than the Existing Grade, and includes Soil stripping, and "Place" has the corresponding meaning;
- 29) "Ponding" means the accumulation of surface water in an area not having Drainage therefrom where the lack of Drainage is caused by the Placing or Dumping of Fill, altering of Grade or removing of Topsoil;
- 30) "Qualified Person" means a person approved by the Chief Building Official who is a licensed professional engineer in the Province of Ontario or who holds a certificate of registration under the Professional Geoscientist Act, and possessing expert or special knowledge in regards to matters contained within this By-Law;
- 31) "Retaining Wall" means a wall designed to contain and support Fill, which has a Finished Grade higher than that of adjacent lands;
- 32) "Roads Superintendent" means the person or designate as appointed by the Corporation of the Town of Erin;
- 33) "Security" means a certified cheque, cash or an irrevocable letter of credit in a form acceptable to the Chief Building Official and the Town's Treasurer;
- 34) "Site" means the lands which are the subject of an application for a Permit pursuant to this by-law;
- 35) "Soil" includes material commonly known as earth, Topsoil, loam, subsoil, clay, sand or gravel;
- 36) "Swale" means a shallow depression in the ground sloping to a place of disposal of surface water or providing a method of Drainage;
- 37) "Topsoil" means those horizons in a Soil profile containing organic material and includes deposits of partially decomposed organic matter such as peat (technically known as the "O" and "A" horizons);
- 38) "Town" means the Corporation of the Town of Erin;
- 39) "Vegetation" includes any woody plant or contiguous cluster of plants, including trees and shrubs, hedgerows, and trees;
- 40) "Watercourse" means a natural or man-made channel or *swale* in which water flows, either continuously or intermittently with some degree of regularity;
- 41) "Wetland" means land such as a swamp, marsh, bog or fen not including land that is being used for agricultural purposes and no longer exhibits wetland characteristics that:
 - i) Is seasonally or permanently covered by shallow water or has the water table close to or at the surface;
 - ii) Has hydro-soils and vegetation dominated by hydrophytic or water-tolerant plants;
 - iii) Has been further identified by the Ministry of Natural Resources local Conservation Authorities, or by any other person, as such according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time.
- 42) "Work Order" means an Order issued under section 31 of this by-law.

- 43) “Zoning By-Law” means a by-law passed by the Corporation pursuant to Section 34 of the Planning Act and includes Zoning By-Law 07-67 as may be amended from time to time.

PLACING/DUMPING FILL, ALTERING GRADE, REMOVAL OR TOPSOIL

2. Other than in an approved landfill Site, no Person shall Place or Dump, or cause or permit the Placing or Dumping of Fill on, nor alter or cause or permit the Alteration of the Grade of any land in the Town of Erin, nor remove or cause or permit the removal of any Topsoil from any land in the Town of Erin, including any land which are submerged under any watercourse or other body of water, without having first obtained a site alteration Permit issued by the Chief Building Official.

All imported fill and soils regraded or distributed on any lands shall not have any chemical qualities or compounds that are greater than the native material on the site. There shall be no degradation of existing soil quality and groundwater quality as a result of the site alteration.

APPLICATION REQUIREMENTS

3. An application for a site alteration Permit is not considered to be complete until all of the following are submitted to the satisfaction of the Chief Building Official;
- 1) a complete application in the form attached hereto as Schedule “A” which form may be amended from time to time by the Chief Building Official;
 - 2) the prescribed fee for a site alteration Permit as established from time to time by Council and detailed in Schedule “C” to this by-law;
 - 3) a control plan, the requirements of which are set out in Section 5 of this by-law;
 - 4) a plan showing the design details to proper scale of any Retaining Wall that the applicant proposes or that may be required by the Chief Building Official and/or is a requirement of the Ontario Building Code including the dimensions thereof and any materials to be used in construction of any such Retaining Wall;
 - 5) security in a form and amount to be determined in accordance with Schedule “C” to this by-law, to secure performance of the applicant’s obligations under this by-law and any Permit that is issued;
 - 6) any required Permit or approval by any external agency e.g. Grand River Conservation, Credit Valley Conservation, Ministry of Transportation, Ministry of Natural Resources, etc.
 - 7) any required report by the Town of Erin or external agency including but not limited to archaeological report, vegetation analysis, chemical soil analysis, chemical groundwater analysis, hydrogeological reports, traffic report, noise study, environmental impact assessment, final rehabilitation plan, or geotechnical report; and
 - 8) Proof of permission, in writing, from all property owners that will be receiving Fill generated in accordance with the Permit.
 - 9) Proof from an accredited laboratory that any fill being imported to the site complies with the clean fill parameters as set out in Table 1 of the Ontario Regulation 153/04 as amended.

Should the fill material contain elements or compounds that naturally exceed the parameters within Table 1 of Ontario Reg. 153/04, as amended, the applicant shall also obtain a certificate from a qualified professional attesting that the fill material is not considered to be a detrimental source of contamination to the environment in its new location.

4. An applicant shall not submit or cause or permit an application for a Permit to be submitted to the Township that is misleading or contains false information. Where it is revealed that the applicant for a Permit contained misleading or false information, the said Permit may be revoked by the Chief Building Official and the Permit Holder shall forthwith cease all work which was the subject of the revoked Permit.

CONTROL PLANS AND DOCUMENTS

5.1 A control plan(s) required to be submitted as part of any application for a Permit pursuant to this by-law shall include, among other things, the following:

- 1) a key map showing the location of the Site;
- 2) the Site boundaries and number of hectares of the Site;
- 3) the use of the Site and the location and use of the buildings and other structures adjacent to the Site;
- 4) the location, dimensions and use of existing and proposed buildings and other structures existing or proposed to be erected on the Site;
- 5) the location of lakes, streams, wetlands, channels, ditches, other watercourses and other bodies of water on the Site and within thirty (30) metres beyond the Site boundary;
- 6) the location of the predominant Soil types;
- 7) the location size, species and condition of all trees 100 mm in diameter or greater, including their dripline, and the composite dripline of all other Vegetation;
- 8) the location of driveways on the lands and all easements and rights-of-way over, under, across or through the Site;
- 9) the location and dimensions of any existing and proposed storm water Drainage systems and natural Drainage patterns on the Site and within thirty (30) metres of the Site boundaries;
- 10) the location and dimensions of utilities, structures, roads, highways and paving;
- 11) the existing Site topography at a contour interval not to exceed 0.5 metres and to extend a minimum of thirty (30) metres beyond the Site boundaries;
- 12) the Proposed Grade(s) and Drainage system(s) to be used upon completion of the work which is the subject of the Permit;
- 13) the location and dimensions of all proposed work which is the subject of the application for a Permit;
- 14) the location and dimensions of all proposed temporary Topsoil or Fill stockpiles;
- 15) the location, dimensions, design details and specifications of all work which is the subject of the application including all Site siltation control measures or Retaining Walls necessary to meet the requirements of this by-law and the estimated cost of the same;
- 16) a schedule of the anticipated starting and completion dates of all proposed work which is the subject of the application for a Permit, including the installation of construction Site control measures needed to meet the requirements of this by-law;
- 17) a list of the type of equipment and machinery that will be used during the site alteration process including the expected days and times of operation;
- 18) provisions for the maintenance of construction Site Erosion and Dust Control measures during construction and after as required;
- 19) typical notes on the final rehabilitation plan to indicate the final ground cover materials, type and size of plantings, depth of topsoil, tree removals or tree protection measures;
- 20) proposed site access location(s) and haul route(s) to and within the property;
- 21) a description of the proposed Fill;
- 22) the scale of drawing, either 1:500 or 1:1000;
- 23) operational procedures manual; and
- 24) any other information as deemed necessary by the Chief Building Official

5.2 Where greater than 1000 m³ of *fill* is being *dumped* or where the resulting proposed grade will be greater than 3 metres above or below adjacent *existing grade* or where *site alteration* occurs on an area greater than 0.5 hectares, the *owner* shall complete in addition to all the information set out in Section 5.1, the execution of an agreement with the *Township* approved by the Council whereby the *owner* has agreed to the following:

- 1) to retain a qualified engineer or environmental consultant approved by the *Chief Building Official* who is responsible for ensuring that the *site alteration* is in accordance with reasonable engineering and environmental practices; is in accordance with the protocol attached as Schedule “B” to this by-law; and is in accordance with the plans submitted for the permit;
 - 2) To undertake the *site alteration* in accordance with subsection 5.2. (1).
 - 3) to require the environmental consultant to report in writing on a regular basis that the *placing* and *dumping* of *fill* is in accordance with clause 5.2.(1);
 - 4) to require that the *site alteration* be completed by a specified date;
 - 5) not to contaminate the natural environment and to abide by all applicable environmental laws and regulations;
 - 6) to provide a report from the qualified Engineer or Environmental Consultant referred to in clause 5.2.(1) that he/she is satisfied that the *placing* or *dumping* will not result in:
 - (i) *Soil* erosion;
 - (ii) Blockage of a *watercourse*;
 - (iii) Siltation in a *watercourse*;
 - (iv) Pollution of a *watercourse*;
 - (v) Flooding or *ponding* on abutting lands;
 - (vi) Flooding or *ponding* caused by a *watercourse* overflowing its banks;
 - (vii) A detrimental effect on any trees of a caliper of one hundred (100) millimetres or more located on the lands;
 - (viii) Detrimental effect on matters of inherent biological sensitivity such as aquifer recharge, water quality, unusual plants or wildlife and overwintering habitats;
 - (ix) Unauthorized injury or destruction of trees protected under by-laws of the *Town* or *County* of *Wellington*;
 - 7) to provide security in accordance with Schedule “C” to be used to remedy any breach of the by-law or agreement and to indemnify the *Town* for any liability, costs, damages or losses incurred directly or indirectly caused by the issuing of a permit;
1. Every control plan accompanying an application for a Permit under this by-law must be stamped by a Professional Engineer who is licensed to practice in the Province of Ontario or any other qualified Person approved by the Chief Building Official.
 2. Notwithstanding any other provisions of this by-law, the Chief Building Official with Council approval may waive the requirement for a Control Plan or any part thereof, and/or may reduce the fee for a Permit under this by-law, after taking into consideration the proposed works, the anticipated impact on the Site and the surrounding environment.

ISSUANCE OF PERMIT

3. The Chief Building Official may issue a site alteration Permit where;
 - 1) the Chief Building Official is satisfied that the Applicant has complied or will comply with all requirements of this by-law;
 - 2) the Chief Building Official is satisfied that the Proposed Grade and resulting Drainage pattern, the proposed design of any Retaining Wall, the type of Fill proposed to be used, if any, and the proposed method of the Placing and Dumping of Fill, altering of the Grade, or removing of Topsoil, are all in accordance with proper engineering standards and practice, and compliant with the Ontario Building Code.
 - 3) the Chief Building Official is satisfied with any Fill to be used as defined in this by-law and that such material is clean and free of any glass, plastics, rubber, metals, liquid, garbage and/or contaminants;
 - 4) the Chief Building Official is satisfied that the proposed Placing or Dumping of Fill, altering of the Grade or removing of Topsoil, will not result in;
 - i. Erosion;
 - ii. blockage of watercourse;

- iii. siltation in a watercourse;
 - iv. contamination of a watercourse;
 - v. flooding or Ponding;
 - vi. a detrimental effect on any Vegetation that has been designated for preservation; or
 - vii. a detrimental effect on the natural environment of the area
- 5) the Chief Building Official is satisfied the Site will be rehabilitated to a condition which is substantially similar to or improved from the condition of the Site prior to the undertaking of the work which is the subject of the Permit;
 - 6) the Chief Building Official is satisfied that all required external permits have been granted to the Owner;
 - 7) the Chief Building Official is satisfied that the design and installation of a Retaining Wall has been certified by a structural engineer who is licensed to practice in the Province of Ontario; and
 - 8) The Chief Building Official is satisfied that any and all conditions of a planning approval have been cleared by the appropriate authorities.

TERMS AND CONDITIONS

4. The Chief Building Official may impose terms and conditions upon the issuance of any Permit. In addition to any other terms or conditions that may be imposed by the Chief Building Official, Permits shall be issued subject to the terms and conditions set out in Schedule "D" to this by-law unless exempted in writing by the Chief Building Official.
5. In addition, the Chief Building Official may require, as a condition of any Permit issued pursuant to this by-law, that a Retaining Wall be constructed where;
 - 1) Erosion on to abutting lands may occur as a result of the work which is the subject of the Permit; or
 - 2) the Finished Grade of the Site is of a higher elevation at a property line than that of the Existing Grade at the same property line of abutting lands;

The Retaining Wall design and construction shall meet the requirements of the Ontario Building Code.

6. Where a Permit has been issued pursuant to this by-law, no Person shall undertake the work which is the subject of the Permit except in accordance with the Permit application, plans, documents, agreement and other information submitted to the Township upon which the Permit was issued and in accordance with the terms and conditions of the Permit.
7. Notwithstanding the issuance of a Permit pursuant to this by-law, the Permit Holder and Owner shall comply with all other applicable legislation, including but not limited to Town of Erin by-laws.

ZONING BY-LAW

8. Notwithstanding any other provisions of this by-law or any Permit issued, no person shall Place or Dump, or cause or permit the Placing or Dumping of Fill on, nor alter or cause or permit the Alteration of the Grade of any land in the Town of Erin, nor remove or cause or permit the removal of any Topsoil from any land in the Town of Erin, including any lands which are submerged under any watercourse or other body of water, unless such use or activity is permitted by the Town Zoning By-Law 07-67, as amended.

REFUSAL TO ISSUE PERMIT

9. The Chief Building Official may refuse to issue a Permit when the requirements of this By-law have not been met. Where the Chief Building Official refuses to issue a site alteration Permit, the Applicant shall be informed in writing of the refusal by the Chief Building Official. The Chief Building Official may reconsider the Application if additional information or documentation required by the Chief Building Official is submitted by the applicant.

INSPECTIONS

10. Every Permit Holder shall ensure that a request is made to the Chief Building Official by the Permit Holder or his/her authorized agent to make inspections at the commencement and completion of the work that is the subject of the Permit, and to make any such further inspection(s) as may be required by the Chief Building Official.

TERM OF PERMIT AND PERMIT RENEWAL

11. Any Permit issued pursuant to this by-law shall be valid for a period of one year from the date of issuance unless revoked in accordance with this by-law.
12. A Permit which has expired may be renewed by the Chief Building Official within a six month period from the date of expiry upon the making of a written request to the Chief Building Official accompanied by a payment of one-half of the original Permit fee, provided that the proposed work which was the subject of the Permit, has not been revised. A permit that has been renewed in accordance with this section shall not be renewed again.

TRANSFER OF SITE

13. If registered ownership of the Site for which a Permit has been issued is transferred while the Permit remains in effect and outstanding, the new Owner shall, prior to the closing of the transfer;
 - 1) provide the Town with its written undertaking to comply with all of the conditions under which the Permit was issued; and
 - 2) provide security in a form and amount acceptable to the Chief Building Official, at which time any security previously provided by the original Permit Holder pursuant to this by-law shall be released;
 And failing which the Permit shall be deemed to be cancelled as of the date of the transfer.

GENERAL PROHIBITIONS and REGULATIONS

14. No person shall place or dump any fill, remove any topsoil or fill or otherwise alter the grade of land by causing, permitting or performing any other form of site alteration on land within the Town without the owner first receiving a permit issued under this By-Law by the Chief Building Official or Council, unless otherwise exempt.
15. No person shall fail to comply with an order issued pursuant to Section 30 of this By-Law.
16. No person shall cause, permit or perform a site alteration in a wellhead protection area, significant ground water recharge area or significant high aquifer vulnerability area as designated in a drinking water source protection plan under the Clean Water Act unless such site alteration is directly associated with a building permit issued by the Town or any other development agreement with the Town.
17. No person shall perform a site alteration on any land unless it is done at the request of or with the written consent of the owner of the land where the site alteration is to occur.
18. No person shall perform, or cause or permit to be performed, any site alteration that may adversely affect the quality or quantity of water in a well, pond or watering hole intended for use as a source of water for agriculture or human consumption on a property with an adjoining property boundary, or any other property.
19. No person shall place or dump fill or cause or permit fill to be placed or dumped on a lot fronting on a Town road that has been deemed by the Town, in its sole discretion, to be unsuitable for the transportation of fill.
20. No person shall perform a site alteration or permit the performance of a site alteration:
 - (a) Between the hours of 7:00p.m and 7:00a.m. Monday to Friday;
 - (b) Anytime Saturday, Sunday or on a Statutory Holiday;
 - (c) During any period in which a wind warning for the area has been issued by Environment Canada;
 - (d) During or within 24 hours of receiving precipitation in excess of two (2) millimetres.

21. In addition to the other requirements of this by-law, and notwithstanding any Permit issued under this By-law, no Person shall Place or Dump, or cause or permit the Placing or Dumping of Fill on, or alter or cause or permit the Alteration of the Grade of, or remove or cause or permit the removing of any Topsoil from any land in the Town of Erin, including any lands which are submerged under any watercourse or other body of water unless:
- 1) it is done with the consent of the Owner of the Site where the Fill is to be Placed or Dumped, the Grade altered or the Topsoil removed;
 - 2) all Fill to be used includes only Soil, stone, sod or other material acceptable to the Chief Building Official and that such material is clean and free of any glass, plastics, rubber, metals, liquid, garbage and/or contaminants;
 - 3) the Drainage system for the Site is provided in accordance with this by-law and any Permit issued hereunder and as otherwise required by law, and in accordance with proper engineering standards and practices and will not result Erosion, blockage, siltation or contamination of a water course, flooding or Ponding;
 - 4) The Fill is Placed or Dumped, any Retaining Wall containing such Fill is erected, the Grade is altered, or the Topsoil is removed, in such a manner that no flooding, Ponding, or other adverse effects are caused on other lands.
22. Every Person to whom a Permit is issued pursuant to this by-law shall, in addition to any conditions of the Permit;
- 1) provide a Retaining Wall where required by the Chief Building Official which does not encroach upon abutting lands, either above or below Existing Grade, and such Retaining Wall shall be constructed to the satisfaction of the Chief Building Official and comply with the requirements of the Ontario Building Code.
 - 2) ensure that the Finished Grade surface is protected by sod, turf, seeding for grass, Vegetation, asphalt, concrete or other similar means, or combination thereof;
 - 3) ensure that Fill shall not be Placed or Dumped around the perimeter of any existing building in contravention of the requirements of the Ontario Building Code;
 - 4) Ensure that no trench in which piping is laid forming part of the Drainage system shall be covered and backfilled until the work has been inspected and approved by the Chief Building Official.
 - 5) provide such protection for trees as may be required by the Chief Building Official;
 - 6) provide siltation control measures as may be required by the Chief Building Official;
 - 7) Ensure that the work that is the subject of the Permit does not soil or otherwise foul any municipal roads. In the event that this occurs, the Person to whom the Permit was issued shall, in accordance with the Town's by-law to prohibit the obstructing, encumbering, injuring or fouling of highways and bridges, as amended from time to time, ensure that the road(s) affected are cleaned to the satisfaction of the Town Road Superintendent.
 - 8) ensure that all conditions of the Permit issued pursuant to this by-law and any requirements of this by-law are fulfilled to the satisfaction of the Chief Building Official;
 - 9) Ensure the work that is the subject of the Permit does not occur in areas regulated by a Conservation Authority or approval agency without written approval of the respective regulatory agency, and in the event this occurs, ensure that the affected areas are restored to the satisfaction of the Chief Building Official and the Conservation Authority.

EXEMPTIONS

23. The provisions of this by-law do not apply to;
- 1) activities or matters undertaken by a municipality or a local board of a municipality;
 - 2) the Placing or Dumping of Fill, removal of Topsoil or Alteration of the Grade of land imposed as a condition to the approval of a site plan, a plan of subdivision or a consent under section 41, 51, or 53, respectively, of the *Planning Act* or as a

requirement of a site plan agreement or subdivision agreement entered into under those sections;

- 3) the Placing or Dumping of Fills, removal of Topsoil or Alteration of the Grade of land imposed as a condition to a development permit authorized by regulation made under section 70.2 of the *Planning Act* or as a requirement of an agreement entered into under that regulation;
 - 4) the Placing or Dumping of Fill, removal of Topsoil or Alteration of the Grade of land undertaken by a transmitter or distributor, as those terms are defined in section 2 of the *Electricity Act, 1998*, for the purpose of constructing and maintaining a transmission system or a distribution system, as those terms are defined in that section;
 - 5) the Placing or Dumping of Fill, removal of Topsoil or Alteration of the Grade of land undertaken on land described in a licence for a pit or quarry or a permit for a wayside pit or wayside quarry issued under the *Aggregate Resources Act*;
 - 6) the Placing or Dumping of Fill, removal of Topsoil or Alteration of the Grade of land undertaken on land in order to lawfully establish and operate or enlarge any pit or quarry on land,
 - i. that has not been designated under the *Aggregate Resources Act* or a predecessor of that Act, and
 - ii. on which a pit or quarry is a permitted land use under a by-law passed under section 34 of the *Planning Act*;
 - 7) the Placing or Dumping of Fill, removal of Topsoil or Alteration of the Grade of land undertaken as an incidental part of drain construction under the *Drainage Act* or the *Tile Drainage Act, 2001*;
 - 8) construction of a building or structure pursuant to a valid building permit which has been issued for the erection of the building or structure and/or on-site sewage system, and the site plan accompanying the building permit application provides sufficient information to determine that the placing or dumping of fill conforms with the provisions of this By-Law, and the amount of fill to be dumped or placed pursuant to the building permit does not exceed five hundred (500) cubic metres;
 - 9) Topdressing of lawns with Topsoil provided the ground elevation of the lands is not increased by more than two hundred (200) millimeters and there is no significant change in the direction or rate of drainage to neighbouring properties. Such alteration shall not take place within 0.6 metres of any property line. Such placing of fill shall not exceed fifty (50) cubic metres per year;
 - 10) cultivation or tilling of garden beds so long as such work does not have an adverse effect on existing Drainage patterns on neighbouring properties;
 - 11) excavation of Soil involving an area of less than nine square metres and a depth of less than 0.5 meters having no significant impact on trees, ground cover, Vegetation, watercourses, or storm water swales and not altering or creating a slope at greater than 8%;
 - 12) minor landscaping works which are at least 0.3 metres from any property line and do not impact Drainage patterns on neighbouring properties; and
 - 13) the removal of Topsoil as an incidental part of a normal agricultural practice, including such removal as an incidental part of sod-farming, greenhouse operations and nurseries for horticultural products, provided however that this provision shall not exempt from the by-law the removal of Topsoil for sale, exchange or other disposition.
24. If a regulation is made under section 28 of the Conservation Authorities Act respecting the Placing or Dumping of Fill, removal of Topsoil or Alteration of the Grade of land in any area of the Township, this by-law is of no effect in respect of that area.

CEASE AND DESIST ORDER

25. Where an Owner or any other Person is in contravention of the by-law, or any term or condition of a Permit issued under this by-law, or any agreement pursuant to this By-Law, the Chief Building Official or an Officer may make an Order directing that the Owner or such Person cease any or all of the work immediately.

WORK ORDER

26. Where a Permit has been issued and an Owner or Permit Holder is in contravention of this by-law, or any term or condition of a Permit issued under this by-law, the Chief Building Official or an Officer may issue a Work Order directing the Owner or Permit Holder, within the time set out in the Order, to take such steps as are necessary so that the work which was the subject of the Permit is completed in accordance with the approved Permit, plans, documents and other information upon which the Permit was issued under this by-law and in accordance with the terms and conditions of the Permit.

ORDER FOR REMOVAL

27. Where a Permit has not been issued and any Person is in contravention of this by-law, the Chief Building Official or an Officer may issue an Order for Removal requiring the Person to restore the property to a condition it was prior to commencement of such work, to the satisfaction of the Chief Building Official, within the time set out in the Order.

COMPLIANCE WITH ORDERS

28. Any Person to whom a Cease and Desist Order, a Work Order or an Order for Removal is issued pursuant to this by-law shall comply with the terms of such Order, within the time set out therein.
29. Where an Owner of land to whom a Work Order is issued fails to perform the work required by the Order, the Town, in addition to any other remedy, may perform such work at the Owner's expense and may recover the cost incurred by adding the costs to the tax roll and collecting them in the same manner as property taxes.

ENFORCEMENT

30. The administration and enforcement of this by-law, including all permits issued hereunder, shall be performed by the Chief Building Official and by those Persons designated as Officers by by-law of the Township, as may be amended from time to time.
31. 1) The Chief Building Official and Officers may, at any reasonable time, enter and inspect any land to determine whether this by-law, a Cease and Desist Order, a Work Order or an Order for Removal, a condition to a Permit issued pursuant to this by-law, or a Court Order relating to this by-law is being complied with.
- 2) For purposes of an inspection under (1), the Chief Building Official and Officer may;
- i. require the production for inspection of documents or things relevant to the inspection;
 - ii. inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - iii. require information from any Person concerning a matter related to the inspection; and
 - iv. Alone or in conjunction with a Person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purpose of the inspection.
- 3) No Person shall obstruct the Chief Building Official or an Officer in carrying out an inspection or exercising his or her powers or duties under this by-law.
- 4) No Person shall fail to produce any information required by the Chief Building Official or an Officer pursuant to clause 36(2) of this by-law.

SERVICE

32. Any service required to be given under this by-law is sufficiently given if delivered personally or sent by registered mail to the Owner at the last known address of the Owner of the land.
33. Where service is effected by registered mail, it shall be deemed to be made on the fifth (5) day after the date of mailing.

PENALTY

34. Every Person who contravenes this By-law is guilty of an offence.
35. Every contravention of this By-law is hereby designated as a continuing offence.
36. Every Person, other than a corporation, who contravenes the provisions of this By-Law, the terms or conditions of a permit issued pursuant to this By-Law, or an order issued pursuant to this By-law and Section 444(1) or 445(1) of the Municipal Act is guilty of an offence and, upon conviction, is liable:
- a) On a first conviction, to a fine of not more than \$10,000.00;
 - b) On any subsequent conviction to a fine of not more than 425,000.00.
37. A corporation that contravenes any provision of this By-Law, the terms or conditions of a permit issued pursuant to this By-Law, or an order issued pursuant to this By-Law and Section 444(1) or 445(1) of the Municipal Act is guilty of an offence and on conviction is liable:
- a) On a first conviction, to a fine of not more than \$50,000.00;
 - b) On any subsequent conviction to a fine of not more than \$100,000.00.
38. A special fine may be imposed in addition to a fine imposed under Section 36 or 37 in circumstances where there is economic advantage or gain from the contravention of this By-Law and the maximum amount of the special fine may exceed \$100,000.00. A special fine shall be calculated on the basis of:
- a) \$10.00 for each cubic metre of fill deposited in excess of the amount allowed in a permit, or deposited beyond the geographic limits of the permit, or deposited without first having obtained the required permit;
 - b) Where the fill is found to contain contaminant levels that exceed the standards in the “Soil, Ground Water and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act” referenced in O. Reg. 153/04, as prescribed in this By-law, greater fines of not less than \$100 per cubic metre may be imposed.
39. In addition to any fine or any other penalty, any person who is convicted of contravening a provision of this By-Law, the terms and conditions of a permit issued pursuant to this By-Law, or an order issued pursuant to this By-Law and Section 444(1) or 445(1) of the Municipal Act may be ordered by a court of competent jurisdiction at the expense of the person to:
1. Rehabilitate the land;
 2. Remove the fill placed or dumped,
 3. Restore the grade of the land to its original condition.
40. If a person is convicted of an offence for contravening an order to stop the injuring or destruction of trees, the court in which the conviction has been entered, or any court of competent jurisdiction thereafter, may order the person to rehabilitate the land or plant or replant trees in such manner and within such period as the court considers appropriate, including any silvicultural treatment necessary to re-establish the trees.

SEVERABILITY

41. In the event a court of competent jurisdiction declares any section or part of this by-law invalid, the remainder of this by-law shall continue in force and effect.

SHORT TITLE

42. This by-law may be cited as the Town of Erin Site Alteration By-law.

MAYOR

CLERK

**SCHEDULE "A" TO BY-LAW NUMBER XX-16
THE CORPORATION OF THE TOWN OF ERIN
APPLICATION FOR A SITE ALTERATION PERMIT**

**THIS APPLICATION IS AUTHORIZED BY BY-LAW NUMBER XX-16
AND THE PERSONAL INFORMATION ON THIS FORM IS COLLECTED
UNDER THE AUTHORITY OF THE MUNICIPAL FREEDOM OF INFORMATION
AND PROTECTION OF PRIVACY ACT R.S.O. 1990, c.M.56**

1.0 PERMIT NO. _____ 2.0 APPLICATION FOR: _____ SITE ALTERATION PERMIT

- 3.0 ATTACHMENTS – THIS APPLICATION MUST BE ACCOMPANIED BY:
- Copies of a Control Pan certified by a Professional Engineer or other qualified person as deemed by the Chief Building Official.
 - The application fee.
 - Security in a form and amount acceptable to the Chief Building Official.
 - Owner’s authorization if Applicant is not the Owner.
 - Any required external agency permit.
 - Any required report.

4.0 PROPERTY LOCATION: _____

PROPERTY SIZE: _____ ac. USE/PROPOSED USE OF PROPERTY: _____

NAME OF PROPERTY OWNER: _____

ADDRESS: _____ CITY: _____

POSTAL CODE: _____

PHONE: _____ FAX: _____

5.0 NAME OF AGENT: _____

ADDRESS: _____ CITY: _____

POSTAL CODE: _____

PHONE: _____ FAX: _____

6.0 WORK SCHEDULE: START DATE: _____ END DATE: _____

7.0 CONSULTING ENGINEERS: _____

ADDRESS: _____ CITY: _____

POSTAL CODE: _____

PHONE: _____ FAX: _____

8.0 CONTRACTOR’S NAME: _____

ADDRESS: _____ CITY: _____

POSTAL CODE: _____

PHONE: _____ FAX: _____

9.0 DESCRIBE THE COMPOSITION OF FILL BEING DUMPED/PLACED;

10.0 DOES ANY PART OF THE SITE CONTAIN A WATERCOURSE?

_____ YES _____ NO

11.0 IS THIS WATERCOURSE REGULATED BY A CONSERVATION AUTHORITY OR OTHER AUTHORITY?

_____ YES _____ NO

I HEREBY GRANT EMPLOYEES AND AGENTS OF THE TOWN OF ERIN PERMISSION TO ENTER THE SUBJECT LAND TO INSPECT THE SITE ON WHICH THE PROPOSED WORK RELATED TO THIS APPLICATION APPLIES. I HEREBY GRANT THE AUTHORITY TO SHARE THE INFORMATION CONTAINED IN THIS APPLICATION, AS NECESSARY. TO THE BEST OF MY KNOWLEDGE, THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.

SIGNATURE OF OWNER

DATE

OFFICE ADMINISTRATION PURPOSES ONLY

Letter of Credit/Cash Amount: _____ Permit Fee: _____

Receipt No.: _____

Chief Building Official's Approval: _____ Date issued: _____

Expiry: _____

SCHEDULE “B” TO BY-LAW NUMBER XX-16

ENVIRONMENTAL CONTROL PROGRAM

The Owner is responsible to verify the type and quality of fill material to be imported to the site. All fill material must comply with the parameters as set out in Ontario Regulation 153/04, as amended, and Table 1 of the “Soil, Groundwater and Sediment Standards for Use under Part XV.1 of the Environmental Protection Act.” Where the concentration of elements or compounds naturally exceed Table 1 standards, the applicant must obtain a certificate from a qualified professional attesting that the fill material is not or will not likely to be a source of contamination. The intent of this quality control is to prevent the importation of material that is of lower chemical quality standard than on-site material.

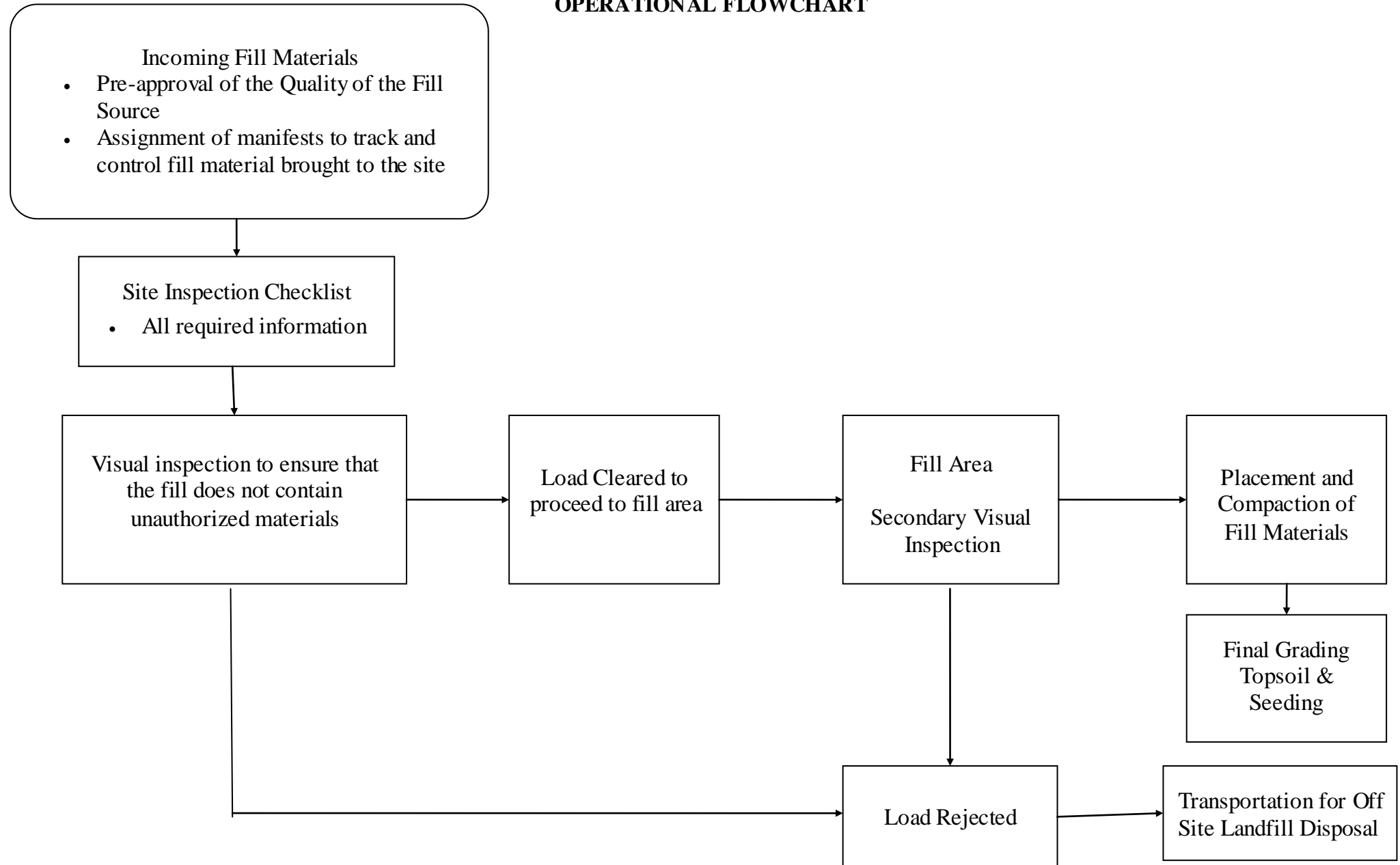
Operational Standards

The following criteria are standards for the maintenance and operation of the fill area:

1. Site personnel will receive specialized training for their specific work tasks.
2. The placement of clean fill material at the site will be adequately and continually supervised.
3. Clean material will be placed in an orderly manner at the fill area.
4. Procedures will be established, signs posted, and safeguards maintained for the prevention of on-site accidents.
5. Vehicular access to the property will be by roadway closed by a gate capable of being locked.
6. Access roads and on-site roads will be provided so that vehicles hauling clean material to and on the site may travel readily under all normal weather conditions.
7. Access to the site will be limited to times when an attendant is on duty and accessible only to persons authorized to deposit clean material at the fill area.
8. Drainage passing over or through the site will not adversely affect adjoining property. Natural drainage will not be obstructed.
9. Clean fill material will be placed in such manner that groundwater aquifers will not be impaired.
10. If groundwater contamination not consistent with the Reasonable Use Criteria as described in Ontario Ministry of the Environment Policy 19-08 is encountered, action will be taken to isolate the source of contamination and effectively prevent the egress of contaminants from the Site.
11. Where there is a possibility of groundwater pollution resulting from the operation of the fill area, samples will be taken and tests made by the owner of the site to measure the extent of contamination and, if necessary, measures will be taken for the collection and treatment of contaminants and for the prevention of groundwater pollution.
12. When the fill area has reached its limit of fill, a final cover of soil will be designed and constructed to a grade capable of supporting vegetation and that minimizes erosion. All slopes will be designed to drain runoff away from the cover and to prevent water from ponding. No standing water will be allowed anywhere in or on the completed fill area. The fill area will then be seeded with vegetation to minimize wind and water erosion. The vegetation used will be compatible with (i.e., grow and survive under) the local climatic conditions and may include a diverse mix of native and introduced species consistent with the post closure land use. However, highly invasive alien plants are not acceptable for planting on fill sites. Temporary erosion control measures will be undertaken while vegetation is being established.

ENVIRONMENTAL CONTROL PROGRAM

OPERATIONAL FLOWCHART



ENVIRONMENTAL CONTROL PROGRAM

Fill Screening Procedures

The initial inspection of the truck and its load of clean fill will include a review of the chain of custody provided by the transporter and a visual inspection of the fill for signs of contamination. If, at any point during the visual inspection there is evidence that the fill may be contaminated it will be rejected.

The attached Fill Inspection Checklist will be used to record and document the chain of custody and all initial and secondary inspections.

The first procedure for the Owner's site inspector will be to record the load number, truck number, the name of the company hauling the fill, the driver's name and ensure that the transporter provides a chain of custody (refer to check list). The chain of custody will include a record for the fill being delivered, from its place of origin to the site.

The chain of custody will include information concerning the clean fill, the transport of the clean fill, and the truck itself. Information pertaining to the clean fill should include: place of origin; soil constituents; proof that the fill is clean; and copies of analyses to provide evidence that the soil is not contaminated. Records pertaining to the transport should include: a list of all drivers involved in the haulage of the clean fill from its place of origin to the Site; documentation of all stops made from the place of origin to the Site; documentation that ensures the truck is at the proper location. Records of transport cleaning and sanitation procedures for the truck and loading equipment should also be provided upon request to ensure that the fill has not been contaminated by previously transported materials.

An initial visual inspection of the clean fill will occur while the fill is still in the truck and, if the fill is deemed satisfactory, a secondary visual inspection will be performed when the fill is being dumped in the designated fill area. Both initial and secondary inspections will include a first-hand observation of the following:

- odors
- usual clumping
- hazardous materials (biomedical, flammable etc.
- food, household waste
- discoloration
- viscosity (liquids and sludge)
- putrescible wastes
- any other unauthorized materials

Initial and secondary inspections will include the raking and probing of the fill in order to agitate the soil and bring underlying soil to the surface so that an accurate representation of the soil may be inspected.

If there is evidence that the soil may be contaminated the site inspector will reject the load.

When either the initial or secondary inspections provide evidence that the soil is not clean the truckload will be refused and directed to the appropriate licenced waste disposal facility. The site supervisor will document what was found, why the load was refused and to which facility the load was directed.

ENVIRONMENTAL CONTROL PROGRAM

Fill Inspection Checklist

<u>Fill Site:</u>		<u>Date:</u>	<u>Ticket No:</u>
		<u>Time:</u>	<u>Inspected by:</u>
<u>Driver Information:</u>		<u>No. of Loads:</u>	<u>Quantity:</u>
Company: _____			m ³
Truck No: _____			
Driver's Name: _____		ACCEPTED	REJECTED
<u>Source Information:</u>		<u>Report Provided at Source:</u>	<u>Type of Fill:</u> <i>(Check appropriate box)</i>
Address: _____		YES NO	RESIDENTIAL
_____			INDUSTRIAL
_____			AGRICULTURAL
<u>Visual Inspection Report:</u>		Load(s) Contains Clean Fill	
Primary Inspection		YES	NO
If "NO" complete the following: Secondary Inspection		YES	NO
1	Odours		
2	Unusual Discoloration		
3	Hazardous Materials (Biomedical, Flammable)		
4	Food/Domestic Waste		
5	Liquid or Sludge		
6	Construction Materials (Wood, Drywall etc.)		
7	Scrap Metals		
8	Vegetation (Stumps/Sod)		
9	Asphalt		
10	Other (Describe)		
<u>Comments:</u>			
If rejected:			
1. Name of facility where directed.			
2. Confirmation of delivery of material.			

ENVIRONMENTAL CONTROL PROGRAM

Groundwater Monitoring

Procedures for the Groundwater Monitoring Program

To monitor the quality of groundwater migrating off-site a minimum of three monitor wells will be installed down gradient from the fill area as shown on the Site Grading Plan. Periodic analytical testing of the groundwater will be conducted to ensure that groundwater quality is not degraded as a result of the site alteration. Initial groundwater samples must be taken to establish the base line parameters of the existing groundwater quality before the filling operation.

The following is an outline of the items related to the groundwater monitoring program that are addressed in the Environmental Control Program:

The impacts of the seepage of leachate from the fill area will be assessed in a systematic fashion using the techniques described below.

Procedures for performing the groundwater assessment:

1. The concentration of constituents in the groundwater will be determined from laboratory analyses of groundwater samples collected down gradient from the fill area.
2. Acceptable groundwater assessment. The groundwater quality will be considered acceptable if the post site alteration groundwater quality is consistent with the expectations of the Ontario Ministry of the Environment Reasonable Use Policy and there are no statistically increasing trends in chemical concentrations indicative of worsening water quality conditions.

Design, Construction and Operation of Groundwater Monitoring Systems

All fill areas, will be identified and studied through a network of monitoring wells operated during the active life of the fill area and for two years after closure. Monitoring wells designed and constructed as part of the monitoring network will be maintained along with records that include, but are not limited to, well location, well size, type of well, the design and construction practice used in its installation and well and screen depths.

a. Standards for the location of monitoring points:

1. Monitoring points will be established at sufficient locations down gradient with respect to groundwater flow to detect discharge of potential contaminants from within the fill area.
2. Monitoring wells will be located in stratigraphic horizons that could serve as contaminant migration pathways.
3. Monitoring wells will be established as close to the potential source of discharge as possible without interfering with the fill operations, and within half the distance from the edge of the potential source of discharge to property line down gradient, with respect to groundwater flow, from the source.
4. A minimum of at least three monitoring wells will be established at the property line and will be located down gradient from the fill area with respect to groundwater flow. Such well or wells will be used to monitor any statistically significant increase in the concentration of any constituent and will be used for determining compliance with applicable groundwater quality parameters.

b. Standards for monitoring well design and construction:

1. All monitoring wells will be cased in a manner that maintains the integrity of the borehole. The casing material will be inert so as not to affect the water sample. Well casings requiring a solvent-cement type coupling will not be used.

2. Wells will be screened to allow sampling only at the desired interval. Annular space between the borehole wall and well screen section will be packed with gravel or sand sized to avoid clogging by the material in the zone being monitored. The slot size of the screen will be designed to minimize clogging. Screens will be fabricated from material expected to be inert with respect to the constituents of the groundwater to be sampled.
 3. Annular space above the well screen section will be sealed with a relatively impermeable, expandable material such as a cement/bentonite grout, which does not react with or in any way affect the sample, in order to prevent contamination of samples and groundwater and avoid interconnections. The seal will extend to the highest known seasonal groundwater level.
 4. The annular space will be back-filled from an elevation below the frost line and mounded above the surface and sloped away from the casing so as to divert surface water away.
 5. The annular space between the upper and lower seals and in the unsaturated zone may be back-filled with uncontaminated cuttings.
 6. All wells will be covered with caps and equipped with devices to protect against tampering and damage.
 7. All wells will be developed to allow free entry of water to minimize turbidity of the sample and minimize clogging.
 8. Other sampling methods and well construction techniques may be utilized if they meet Provincial water well construction standards.
- c. Standards for Sample Collection and Analysis
1. The groundwater monitoring program will include consistent sampling and analysis procedures to assure that monitoring results can be relied upon to provide data representative of groundwater quality in the zone being monitored.
 2. The operator will utilize procedures and techniques to insure that collected samples are representative of the zone being monitored and that prevent cross contamination of samples from other monitoring wells or from other samples.
 3. The operator will establish a quality assurance quality control program for groundwater sample collection.
 4. The operator will institute a chain of custody procedure to prevent tampering and contamination of the collected samples prior to completion of analysis.

Groundwater Monitoring Program

- a. The operator will implement a monitoring program in accordance with the following requirements:
 1. Monitoring schedule and frequency:
 - A. The monitoring period will begin as soon as a fill permit is issued. Monitoring will continue for a minimum period of two years after closure. The operator will sample all monitoring points on a quarterly basis.
 - B. The monitoring frequency may change on a well by well basis to an annual schedule if all constituents monitored within the zone of attenuation are less than or equal to Standards criteria for three consecutive quarters. However, monitoring will return to a quarterly schedule at any well where a statistically significant increase is determined to have occurred in the concentration of any constituent with respect to the previous sample.
 - C. Monitoring will be continued for a minimum period of two years after closure. Monitoring beyond the minimum period may be discontinued if no statistically significant increase is detected in the concentration of any constituent above that measured and recorded during the immediately preceding schedule sampling for three consecutive quarters.

2. Criteria for choosing constituents to be monitored:
 - A. The operator will monitor each well for constituents that will provide a means for detecting groundwater contamination. Constituents will be chosen for monitoring if the constituent appears in, or is expected to be in, the leachate.
 - B. One or more indicator constituents, representative of the transport processes of constituents in the leachate, may be chosen for monitoring in place of the constituents it represents.
- b. If the analysis of the monitoring data shows that the concentration of one or more constituents is attributable to the fill operations and exceeds pre-approval concentrations, then the operator will conduct a groundwater impact assessment. The assessment monitoring program will be conducted in accordance with the following requirements:
 1. The impact assessment will be conducted to collect additional information to assess the nature and extent of groundwater contamination, which will consist of, but not be limited to, the following steps:
 - A. More frequent sampling of the wells in which the observation occurred;
 - B. More frequent sampling of any surrounding wells;
 - C. The placement of additional monitoring wells to determine the source and extent of the contamination; and
 - D. Monitoring of additional constituents to determine the source and extent of contamination.
 2. If the analysis of the assessment monitoring data shows that the concentration of one or more constituents monitored is above the applicable groundwater quality standards and is attributable to the fill operations, the operator will determine the nature and extent of the groundwater contamination, including an assessment of the continued impact on the groundwater should additional fill continue to be accepted at the facility, and will implement remedial action.

Plugging and Sealing of Drill Holes

- a. All drill holes, including exploration borings that are not converted into monitoring wells, monitoring wells that are no longer necessary to the operation of the site, and other holes that may cause or facilitate contamination of groundwater shall be sealed in accordance with the Ontario Regulation 903.

SCHEDULE “C” TO BY-LAW NUMBER XX-16

1.0 SITE ALTERATION PERMIT FEES

1.1. BASE FEE

The fee for processing, administration and inspection for a Permit shall be two hundred and fifty dollars (\$250) plus fifty dollars (\$50) per hectare (rounded to the greater whole aggregate).

1.2. AGREEMENT FEES

Site Alteration projects that fall within the criteria of Section 5.2 of this By-Law are subject to an Agreement with the municipality. In addition to the base fee as described under item 1.1 the applicant agrees to pay the Township all reasonable costs incurred by the Township in connection with the undertaking proposed for this site which, without limiting the generality of the foregoing, shall include all expenses of the Township heretofore and hereinafter incurred for legal, engineering, surveying, planning and inspection services, extra Council meetings, if any, and employees’ extra time, if any, and shall pay such costs from time to time forthwith upon demand, provided, if such costs be not paid forthwith same shall bear interest from the date which is 10 days following the date of demand to the date of payment at two (2) percentage points in excess of prime rate of interest charged by the Canadian Imperial Bank of Commerce during such period.

2.0 SECURITY FOR SITE ALTERATION MEASURES

The Chief Building Official may, prior to the issuance of a Permit under this By-law, require the applicant to enter into an agreement with the Town to provide security in the form of a Letter of Credit or other agreement acceptable to the Town Treasurer, for the applicant’s obligations under the By-law and any Permit issued, and such requirements as the Chief Building Official considers necessary to ensure that the work which is the subject of the Permit is completed in accordance with proper engineering standards and practice, this By-law, and the terms and conditions of the Permit. Said agreement may be registered on title. The Mayor and the Town Clerk are hereby authorized to execute any such agreement on behalf of the Township.

2.1 The Letter of Credit or agreement must remain in effect for the full duration of the Permit. Any Letter of Credit or agreement and its subsequent renewal forms shall contain a clause stating that thirty (30) days written notice must be given to the Township prior to its expiry or cancellation.

2.2 The Letter of Credit shall contain a clause stating that in the event that the Town receives notice that a Letter of Credit is expiring and will not be renewed and further or additional securities are not provided forthwith, the Town may draw on the current Letter of Credit at the discretion of the Chief Building Official. The Permit Holder agrees that any interest accruing on the realized cash security shall belong to the Township and not to the Permit Holder.

3.0 IT IS THE RESPONSIBILITY OF THE PERMIT HOLDER:

3.1 to obtain the approval of the Chief Building Official that the Site has been adequately reinstated and stabilized in accordance with this by-law, the plans accompanying the Permit and the terms and conditions of the Permit; and,

3.2 To request that the Town carry out a final inspection of the Site and to obtain the approval of the Chief Building Official that this by-law and the terms and conditions of the Permit have been complied with the Permit Holder.

4.0 When the provisions of Section 2.0 above have fully complied with to the satisfaction of the Chief Building Official, he or she shall release the Permit Holder’s security.

SCHEDULE “D” TO BY-LAW NUMBER XX-16

PERMIT CONDITIONS

- 1.0 All Permit Holders shall:
 - 1.1 Notify the Chief Building Official in writing within 48 hours of commencing any Land Disturbance;
 - 1.2 Notify the Chief Building Official in writing of the completion of any control measures within fourteen (14) days after their installations;
 - 1.3 Obtain permission in writing from the Chief Building Official prior to modifying the Control Plan;
 - 1.4 Install all control measures as identified in the approved Control Plan;
 - 1.5 Maintain all road Drainage systems, stormwater Drainage systems, control measures and other facilities identified in the Control Plan;
 - 1.6 Repair any siltation or Erosion damage to adjoining surfaces and Drainage ways resulting from land developing or disturbing activities;
 - 1.7 Inspect the construction control measures at least once per week and after each rainfall of at least one (1) centimetre and make needed repairs;
 - 1.8 Allow employees of the Town to enter the Site for the purpose of inspecting for compliance with the Control Plan or for performing any work necessary to bring the Site into compliance with the Control Plan; and
 - 1.9 Maintain a copy of the Control Plan and Operational Procedures Manual on the Site.
- 2.0 The Town:
 - 2.1 Upon the failure by the Permit Holder to complete all or part of the works in the time stipulated in the Control Plan, may draw the appropriate amount from the securities posted and use the funds to arrange for the completion of the said works, or any part thereof;
 - 2.2 Upon the failure by the Permit Holder to repair or maintain a specific part of the works as required by the Town, and in the time requested, the Town may at any time authorize the use of all or part of the securities to pay the cost of any part of the works it may in its absolute discretion deem necessary; or
 - 2.3 In the case of emergency repairs or clean-up, the Town may undertake the necessary works at the expense of the Permit Holder and reimburse itself out of securities posted by the applicant or to add to the cost of the works to the real property tax roll to be collected in like manner as taxes.

SCHEDULE "E" TO BY-LAW NUMBER XX-16

**SECURITY DEPOSIT FOR THE
REPAIR, CLEANING OR
RESTITUTION OF THE
TOWN ROADS**

1. This requirement shall come into effect between the Town of Erin and the owner (or his/her authorized agent) of private lands adjacent to a Town road when the owner has initiated an undertaking that may cause injurious effects to Town roads.
2. When it is determined by the Town Road Superintendent or designate, that the scope of a private undertaking will foul, damage, obstruct, injure or encumber the Town's roads; the owner shall provide financial securities to the Township to compensate for all such manners of maintenance and restitution that may result from the owner's actions on the thoroughfare.
3. (a) The Town Road Superintendent shall determine the value of the financial securities required by the Township.
 (b) The valuation of the security deposit will be an estimate based upon the scope of the owner's undertaking and potential costs to maintain and restore the Town highways to their existing conditions prior to the initiation of the undertaking.
 (c) The minimum security deposit shall be \$2,000.00.
 (d) At any time during the course of the owner's undertaking, the Town Road Superintendent may draw upon the securities posted by the owner to clean, maintain, repair or control the effects of the owner's undertaking on the Township roads.
 (e) Should the Town Road Superintendent determine that highway maintenance or restitution costs resulting for the owner's undertaking will exceed the estimated security deposit; the owner shall forthwith provide the additional securities as deemed necessary by the Roads Superintendent.
 (f) Upon the completion of the owner's undertaking, the Township will inspect the adjacent Town roads and refund the balance of the unused security deposit. Similarly, the owner will immediately reimburse the Township upon its demand for any and all additional funds expended to maintain, repair or correct any deficiencies to the Town's roads as a result of the owner's undertaking.
4. The security deposit to be posted with the Town shall be cash or in the form of a Letter of Credit acceptable to the Town Treasurer.
 (b) The deposit must remain in effect for the full duration of the owner's undertaking or until such additional time as the Town Roads Superintendent deems necessary due to the season of the activities.
 (c) Any letter of credit and its subsequent renewal forms shall contain a clause stipulating that thirty (30) days written notice must be given to the Town prior to its expiry or cancellation.
 (d) The Letter of Credit shall contain a clause stating that in the event that the Town receives notice that the Letter of Credit is expiring and will not be renewed and further or additional securities are not provided forthwith, the Town may draw upon the current Letter of Credit at the discretion of the Town Treasurer.
5. In the case of emergency repairs or clean-up the Town Road Superintendent may undertake the necessary works at the expense of the owner and draw upon the securities posted by the owner.
6. All decisions of the Town's Road Superintendent shall be final with respect to any maintenance, cleaning, restoration or repairs to the Township roads resulting from the owner's undertaking.
7. Nothing within these requirements shall preclude the authority of the Town Roads Superintendent to maintain the standard duty of care on the Town roads, nor limit the abilities of the Superintendent to control or cease the proponent's activities upon the Town roads.



Staff Report

Report #: BD2016-06

Date: March-22-16

Submitted By: Carol House – Chief Building Official

Subject: Demolition Report – 170 Main Street

Recommendations:

Be it resolved that Council hereby receives Building Department Demolition Report, dated March 22, 2016, regarding the application for demolition permit to demolish a single residential dwelling located at 170 Main Street, Town of Erin, Assessment Roll No. 23 16 000 010 05100 0000

AND THAT conditional upon Heritage Committee approval of the demolition permit Council hereby approves the issuance of the demolition permit

Background:

Bylaw 05-57 designates the Town of Erin as an area subject to demolition control in accordance with Section 33 of the Planning Act, 1990. As noted in Section 1 of the bylaw, “no person shall demolish or otherwise remove the whole or any part of any residential property in the Town of Erin unless that person is the holder of a demolition permit issued for that residential property by the council for the Corporation of the Town of Erin under Section 33 of the Planning Act, 1990.”

Proposed Demolition:

The owner has applied for a demolition permit to demolish and remove the house that is existing. The Building Department has not received an application to construct a replacement house on the property at this time.

Information:

The demolition permit application was received March 8, 2016. The heritage committee has been circulated and conditional upon their approval the permit will be issued.

Property Information:

Owner: Luka and Maria Alilovic

Legal Description: Plan 167 Part Lot 5

Assessment Roll No.: 23 16 000 010 05100 0000

Zoned: MU - Mixed Use

Financial Impact:

None

Consultation:

Heritage Committee and Council

Communications Plan:

Through regular council meeting

Conclusion:

The Building Department has no objection to the demolition application.

Appendices:

Appendix I – Site plan showing house to be demolished

Appendix II –photos of house proposed to be demolished

Appendix I – Site plan showing house to be demolished



Appendix II –photos of house proposed to be demolished

Front Elevation



Rear Elevation



Side Elevation





Staff Report

Report #: BD2016-09

Date: March-22-16

Submitted By: Carol House – Chief Building Official

Subject: Demolition Report – 5242 First Line

Recommendations:

Be it resolved that Council hereby receives Building Department Demolition Report, dated March 22, 2016, regarding the application for demolition permit to demolish a single residential dwelling located at 5242 First Line, Town of Erin, Assessment Roll No. 23 16 000 001 02900 0000

And that Council hereby approves the issuance of the demolition permit

Background:

Bylaw 05-57 designates the Town of Erin as an area subject to demolition control in accordance with Section 33 of the Planning Act, 1990. As noted in Section 1 of the bylaw, “no person shall demolish or otherwise remove the whole or any part of any residential property in the Town of Erin unless that person is the holder of a demolition permit issued for that residential property by the council for the Corporation of the Town of Erin under Section 33 of the Planning Act, 1990.”

Proposed Demolition:

The owner has applied for a demolition permit to demolish and remove the house that is existing. The Building Department has received an application to construct a replacement house on the property.

Information:

The demolition permit application was received March 11, 2016.

Property Information:

Owner: Mark Failes

Legal Description: Concession 1 East Part Lot 9

Assessment Roll No.: 23 16 000 001 02900 0000

Zoned: Agricultural (A) Zone and Rural Environmental Protection (EP2) Zone

Financial Impact:

None

Consultation:

Council

Communications Plan:

Through regular council meeting

Conclusion:

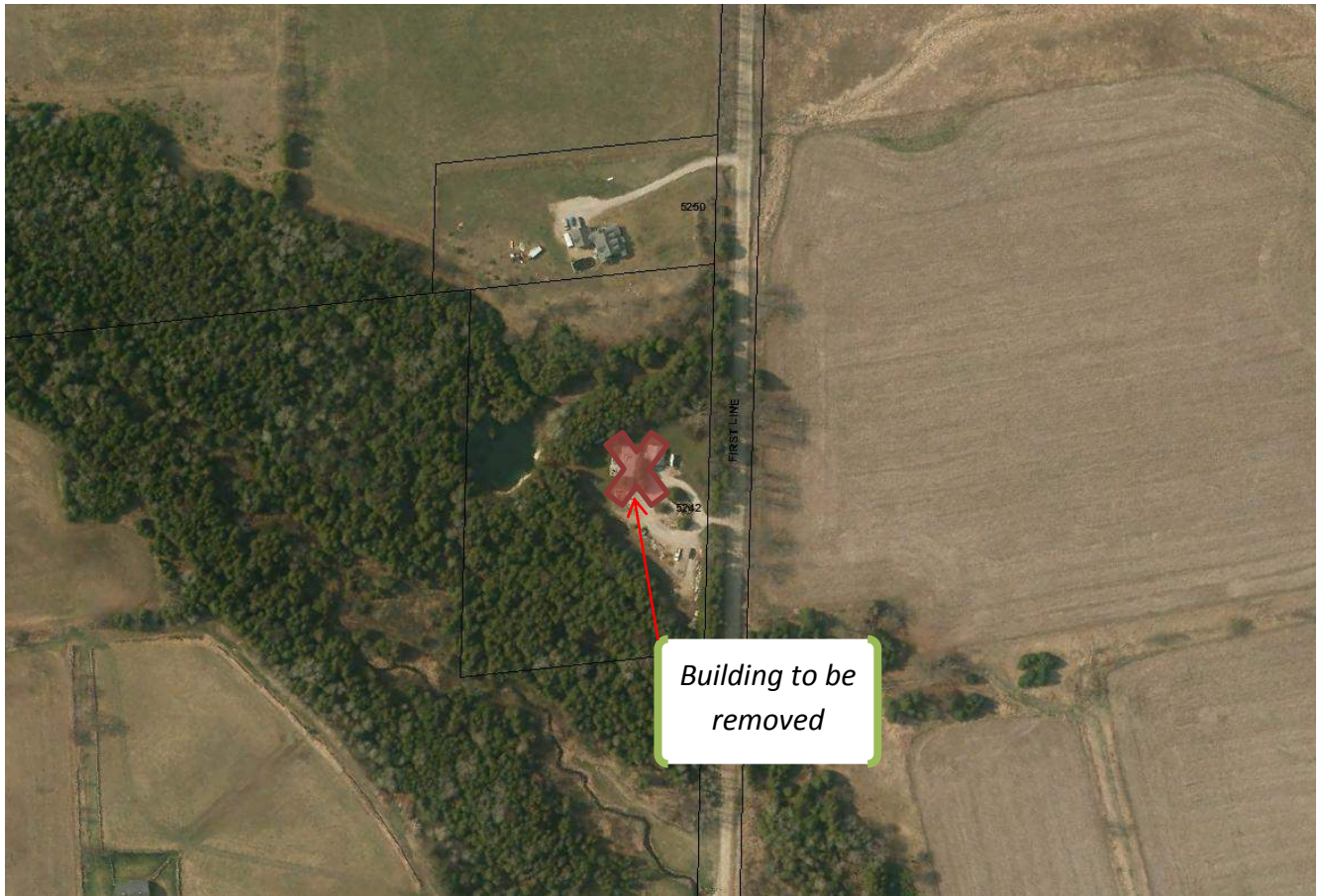
The Building Department has no objection to the demolition application.

Appendices:

Appendix I – Site plan showing house to be demolished

Appendix II –photos of house proposed to be demolished

Appendix I – Site plan showing house to be demolished



Appendix II –photos of house proposed to be demolished

Front Elevation



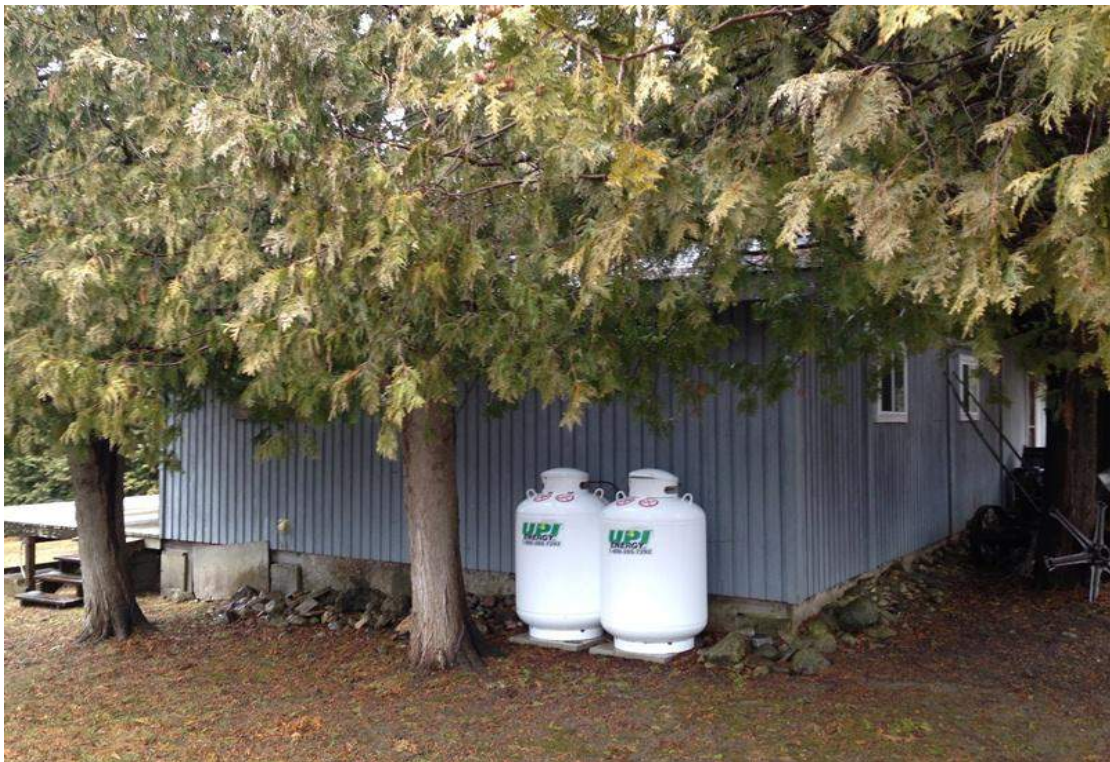
Rear Elevation



Side 1 Elevation



Side 2 Elevation





Staff Report

Report #: BD2016-07

Date: March-22-16

Submitted By: Carol House – Chief Building Official

Subject: Building Permit Activity Report

Recommendations:

Be it resolved that Council hereby receives Building Department Building Activity Report dated March 22, 2016 for information.

Background:

Overall the building permit numbers this year are up over last year's numbers. For the month of February, we have issued 19 permits, 2 of which were for new housing starts. Building permit fees and construction values are up when compared to the same time last year.

See attached appendices for full breakdown of the comparison of the 2016 building permit activity vs. 2015 building permit activity.

Financial Impact:

None

Consultation:

N/A

Communications Plan:

To be presented at a regular council meeting for information

Appendices:

Appendix I – Building Permit to Date – February 2016
 Appendix II – Monthly Comparison – February 2016

Appendix I - Building Permit to Date

Town Of Erin

Permit Comparison Summary

Issued For Period **JAN 1,2016** To **FEB 29,2016**

	Previous Year			Current Year		
	Permit Count	Fees	Value	Permit Count	Fees	Value
Accessory Building - Residential						
Accessory Building - Residential	1	200.00	2,000.00	5	3,181.01	132,000.00
Commercial						
Commercial - Major renovation	2	2,750.00	45,000.00	0	0.00	0.00
Commercial - Minor renovation	0	0.00	0.00	1	750.00	20,000.00
Demolition						
Demolition Permit	0	0.00	0.00	1	200.00	5,000.00
Farm Building						
Farm Building - Addition/renovation	1	1,857.60	457,000.00	1	750.00	20,000.00
Farm Building - New	2	1,669.20	76,300.00	0	0.00	0.00
Industrial						
Industrial	0	0.00	0.00	2	0.00	620,000.00
Industrial - Major	1	6,320.00	400,000.00	1	1,417.50	160,000.00
Residential						
Residential - Major	3	4,925.74	295,000.00	3	6,738.04	500,000.00
Residential - Minor	0	0.00	0.00	6	1,272.39	274,000.00
Residential - New						
Residential -SDR	1	4,887.19	645,000.00	5	12,625.18	1,905,000.00
Septic Permit						
Septic Permit	5	2,075.00	0.00	9	4,500.00	7,500.00
Septic Permit - Class 2	0	0.00	0.00	1	500.00	0.00
Septic Permit - Tank Replacement	1	200.00	0.00	1	200.00	6,000.00

	<u>Previous Year</u>	<u>Current Year</u>
Total Permits Issued	17	36
Total Dwelling Units Created	1	4
Total Permit Value	1,920,300.00	3,649,500.00
Total Permit Fees	24,884.73	32,134.12
Total Compliance Letters Issued	3	9
Total Compliance Letter Fees	225.00	675.00

<u>Permit Charge</u>	<u>Amount</u>
Accessory Building - Residenti	3,181.01
Commercial - Minor renovation	750.00

Town Of Erin

Permit Comparison Summary

Issued For Period JAN 1,2016 To FEB 29,2016

Demolition Permit	200.00
Farm Building - Addition/renov	750.00
Industrial	0.00
Industrial - Major	1,417.50
Residential - Major	6,738.04
Residential - Minor	1,272.39
Residential -SDR	12,625.18
Septic Permit	4,500.00
Septic Permit - Class 2	500.00
Septic Permit - Tank Replaceme	200.00

Total	32,134.12
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Appendix II - Monthly Comparison

Town Of Erin

Permit Comparison Summary

February

Issued For Period FEB 1,2016 To FEB 29,2016

	Previous Year			Current Year		
	Permit Count	Fees	Value	Permit Count	Fees	Value
Accessory Building - Residential						
Accessory Building - Residential	0	0.00	0.00	3	1,934.26	82,000.00
Commercial						
Commercial - Major renovation	2	2,750.00	45,000.00	0	0.00	0.00
Demolition						
Demolition Permit	0	0.00	0.00	1	200.00	5,000.00
Farm Building						
Farm Building - Addition/renovation	1	1,857.60	457,000.00	0	0.00	0.00
Farm Building - New	1	750.00	16,300.00	0	0.00	0.00
Industrial						
Industrial	0	0.00	0.00	1	0.00	600,000.00
Industrial - Major	1	6,320.00	400,000.00	0	0.00	0.00
Residential						
Residential - Major	1	2,000.00	200,000.00	0	0.00	0.00
Residential - Minor	0	0.00	0.00	4	872.39	80,000.00
Residential - New						
Residential -SDR	1	4,887.19	645,000.00	3	7,451.15	1,105,000.00
Septic Permit						
Septic Permit	4	2,000.00	0.00	6	3,000.00	0.00
Septic Permit - Class 2	0	0.00	0.00	1	500.00	0.00

	<u>Previous Year</u>	<u>Current Year</u>
Total Permits Issued	11	19
Total Dwelling Units Created	1	2
Total Permit Value	1,763,300.00	1,872,000.00
Total Permit Fees	20,564.79	13,957.80
Total Compliance Letters Issued	1	6
Total Compliance Letter Fees	75.00	450.00

<u>Permit Charge</u>	<u>Amount</u>
Accessory Building - Residenti	1,934.26
Demolition Permit	200.00
Industrial	0.00
Residential - Minor	872.39

Town Of Erin

Permit Comparison Summary

Issued For Period	FEB 1,2016	To	FEB 29,2016
Residential -SDR			7,451.15
Septic Permit			3,000.00
Septic Permit - Class 2			500.00
			<hr/>
		Total	13,957.80



Staff Report

Report #: BD2016-08

Date: March-22-16

Submitted By: Harold Knox

Subject: Sign By-law #03-58 – real estate sign annual fee

Recommendations:

Be it resolved that Council hereby receives the Property Standards Officers report to consider an annual fee for portable real estate signs

AND THAT Council hereby considers amending the sign By-law #03-58 and By-law #06-21A to include an annual fee on real estate signs.

Background:

On May 6, 2003 Council approved Sign By-law #03-58 whereas the Municipal Act, 2001, c.25, pursuant to Section 11, a lower tier municipality has the authority to pass by-laws, respecting matters within the spheres of jurisdiction relating to structures which includes fences and signs as prescribed.

Section 4 General Provisions in the Sign By-law #03-58 indicates that a sign permit is not required for real estate signs in accordance with section 19. (See appendix I for Sign by-law #03-58).

On April 4, 2006 there was an amendment to the Sign By-law #03-58 by adding section 19.1 to permit portable real estate signs on public property. Whereas the Municipal Act, S.O. 2001, c. 25, provides that the local municipality may pass a by-law to regulate signs. (See appendix II for Sign By-law amendment #06-21A).

Section 19.1 Portable Real Estate Sign may be permitted on public property with a permit for 30 days, and an application must be filed with a fee of \$10.00 per 30 day permit and a \$50.00 deposit which is returnable upon sign removal.

Information:

Town Staff has received recommendations from a local real estate agent to charge an annual fee for real estate signs. This annual fee will be applied for at the beginning of the year rather than monthly applications and payments of \$10.00. This will allow for a yearly visit to the Town for sign permits rather than monthly.

It was also recommended to have various sign permit packages and fees. This will allow for local real estate agents to pay a higher fee for a larger number of signs, where an out of town real estate agent in the Erin area a few times a year, will have a lower fee and number of signs per year.

Financial Impact:

Potential for increase in sign permit fees with one annual fee rather than monthly fees.

Consultation:

Council, CAO

Looked at several other sign bylaws and did not see anyone ever charging for real estate signs

Communications Plan:

Through Regular Council Meeting

Conclusion:

This could become very time consuming for Town staff. Chasing down out of town real estate agents could be rather cost prohibitive. Even the \$10.00 fee is not being paid on a regular basis. It would be recommended that Council consider this report in amending the sign by-law.

Appendices:

Appendix I – Sign By-law #03-58

Appendix II – Sign By-law #06-21A, amendment to Sign By-law #03-58

THE CORPORATION OF THE TOWN OF ERIN

By-Law # 03 - 58

Amended
by By-Law # 06-21A

Being a By-Law to regulate
the use and erection of
signs in the Town of Erin

WHEREAS the Municipal Act, 2001 S.O. 2001,c.25, pursuant to Section 11, a lower tier municipality has the authority to pass by-laws, respecting matters within the spheres of jurisdiction relating to structures which includes fences and signs as prescribed.

NOW THEREFORE the Council of the Corporation of the Town of Erin ENACTS AS FOLLOWS:

1. Short Title.

1.1 This By-Law may be cited as the "Sign By-Law".

Amended
by Law # 04-47

2. Enforcement.

2.1 This By-law shall be administered and enforced by the Chief Building Official or the Municipal By-Law Enforcement Officer appointed by the Council of the Corporation of the Town of Erin.

3. Definitions.

3.1 In this by-law, except where the context indicates to the contrary, the following words have the following meanings:

"abandoned sign" means a sign located on property which becomes vacant and unoccupied for a period of ninety (90) days or more, or any sign which pertains to a time, event or purpose which no longer applies;

"address sign" means a facia or ground sign on which the copy is limited to the name and address of a place, building, business, organization, person, or occupancy of the premises it identifies;

"advertising device" means any device or object erected or located so as to attract public attention to any goods or services or facilities or events and includes flags, banners, pennants and lights;

"alter" means any change to the sign structure or the sign face with the exception of the rearrangement of numerals, letters or copy applied directly to the face of a sign and specifically designed and intended to be periodically rearranged, the repair and maintenance of a sign, and a change in sign copy;

"animated sign" means any kinetic or illusionary motion of all or any part of a sign and includes the rotation of a sign but does not include a changing copy sign;

"awning" means a space frame system, moveable or fixed, covered with fabric or like material attached and projecting from a building or structure, but not forming an integral part thereof and includes a canopy;

"awning sign" means a sign with copy painted or affixed flat to the surface of an awning which does not extend vertically or horizontally beyond the limits of such awning;

"banner" means a sign or advertising device made from cloth, plastic or a similar

lightweight non-rigid material;

“billboard sign” means an outdoor sign that advertises goods, products, or services that are not sold or offered on the property where the sign is located, and is either single faced or double faced;

“building façade” means an exterior building wall facing a street and any other building wall which does not face a street but through which the main entrance for the public passes and which faces a parking lot;

“C.B.O.” means the Chief Building Official of the Corporation of the Town of Erin or his designate;

“construction site sign” means a sign which identifies or provides information relating to or advertising the development or the construction of a building on the lands on which the sign is erected;

“Council” means the Council of the Corporation of the Town of Erin;

“directional sign” means any on premises sign which gives directions or instructions for the control of vehicular or pedestrian traffic and shall include an entry and exit sign;

“directory sign” means a sign listing the tenants of a multi-tenant industrial building containing at least two distinct tenant units which sign includes only the municipal address and a list of tenants or occupancies for identification purposes;

“double faced sign” means a ground sign having two (2) sign faces of equal area and proportions which are located exactly opposite each other on the sign structure;

“election sign” means a sign advertising or promoting the election of a political party or a candidate for public office in a federal, provincial or municipal election;

“façade” means the entire building wall including a parapet;

“facia sign” means a sign attached to, marked or inscribed on, erected or placed against a wall forming part of a building, or supported by or through a wall of a building and having the exposed face thereof on a plane approximately parallel to the plane of such wall and includes a painted wall sign and an awning sign. A facia sign shall not include any other sign defined in this By-law unless otherwise stated;

“ground sign” means a sign directly supported by the ground without the aid of any other building or structure, which sign includes the names of owner(s) and/or tenant(s) and address and/or advertises good, products, services or events that are sold, offered, or provided on the premises on which the sign is located and does not include any other sign defined in this By-law;

“height” means the vertical distance measured from the average elevation of the finished grade immediately below a sign to the highest point of the sign and includes any support structure;

“incidental sign” means an on premises sign containing an informational message that has a purpose incidentally related to the use or occupancy of the premises and is intended to assist the public with respect to the location of business facilities or provides courtesy or directive information, but is not an advertisement;

“Inflatable sign” means a sign or advertising device designed to be airborne and tethered to the ground, a vehicle or any other structure and shall include balloons

and any other inflatable advertising devices;

“industrial plaza” means premises located in an industrial zone, developed and managed as a single premises and containing at least two (2) separate uses or occupancies;

“multi-faced sign” means a ground sign having more than two (2) sign faces up to a maximum of four (4) faces, each face being of equal area and proportion to the other;

“new home development sign” means a non-illuminated sign which is not permanently installed or affixed to the ground and where the purpose of the sign is to direct attention to the sale of new homes’

“official sign” means a sign required by or erected under any statute or by-law or other directive of any federal, provincial or municipal government or agency thereof or any board or commission and shall include a permanent sign erected on a public road allowance to inform the public of the location of Business Improvement Areas, public buildings, hospitals, public libraries, institutions, places of worship, parks, recreational or educational facilities;

“On-premise sign” means a sign relating in its copy to the premises on which it is located;

“portable sign” means a sign not permanently affixed to the ground by structural or other means, which is capable of being moved from place to place, regardless if the original wheels or supports are attached or not, but does not include a sidewalk sign;

“poster” means a printed notice conveying information intended to be displayed for a temporary period of time and includes but is not limited to a bill, handbill, leaflet, notice, placard and election sign;

“premises” means a lot under registered ownership and includes all buildings and structure thereon;

“Pylon sign” means a free standing sign permanently attached to the ground.

“hanging or projecting sign” means a sign attached to a building and hanging or projecting out horizontally from a building at a right angle to the building;

“property” means a parcel of land having specific boundaries which is capable of legal transfer;

“public property” means property, land, or buildings owned by the Town of Erin, or a local board as defined in the *Municipal Affairs Act, as amended*, or owned by the Federal or Provincial Government;

“repair and maintain” means anything done to preserve the condition of a sign or to prevent the deterioration of the sign and includes the restoration of a sign by removing or replacing worn out, missing, damaged or broken parts;

“roof sign” means a sign supported entirely or partly by the roof of a building or structure and which sign projects above the roof;

“sidewalk sign” means a free standing sign erected on but not permanently anchored in the ground. Without limiting the generality of the foregoing, this definition shall include signs commonly referred to as A-frame, T-frame, sandwich boards and menu boards but shall not mean or include any other sign defined in this By-law;

“sight triangle” means an area free of buildings, structures or obstacles determined by measuring from the point of intersection of street lines on a corner lot,

“sign” means any surface, structure and other component parts, which are used or capable of being used as a visual medium to attract attention to a specific subject for identification, information or advertising purposes and includes an advertising device or notice;

“window sign” means any sign either painted on or attached to the inside face of a window pane.

4. **General Provisions:**

- 1) No person shall erect, display, alter, or allow the erection, display, or alteration of any sign within the Town of Erin on publicly or privately owned lands without obtaining a permit under this by-law.
- 2) No more than two (2) signs or advertising devices relating to an individual business are permitted upon the lot on which the business is located.
- 3) Notwithstanding subsection 1, a sign permit is not required for the following signs and all such signs shall comply with all other requirements of the By-law:
 - a) official signs or signs pertaining exclusively to public safety
 - b) election signs, erected in accordance with section 16
 - c) a non illuminated trespassing, safety or other warning sign not exceeding 0.5 m² (5.38 sq. ft.) in sign area
 - d) an address sign not exceeding 0.2m² (2.15 sq. ft.) in sign area unless otherwise provided for in this By-law;
 - e) flags of corporations, educational or religious organizations provided that not more than three (3) flags are located at one (1) premises;
 - f) emblems or insignia of patriotic, civil, educational, or religious organizations;
 - g) commemorative plaque or corner-stone of a non-advertising nature;
 - h) a directional sign in accordance with Section 14
 - i) a construction site sign on a construction site in accordance with section 20
 - j) a real estate sign in accordance with section 19
 - k) an incidental sign
 - l) a sign for a contractor undertaking landscaping, home repairs or renovations, provided such sign is erected no more than two (2) days prior to the commencement of the project and is removed from the property immediately after the project is completed;
 - m) a fundraising sign, for a charitable or non-profit organization provided only one sign is erected per street frontage and the sign is erected only for the duration of the event and is located on the property of the organization
 - n) a window sign.
 - o) any sign that may be required under the provisions of the Ontario Planning Act.
3. Except for an official sign or a sign otherwise permitted in this By-law or authorized by the Town of Erin, no sign is permitted on, over, partly on or over a street.
4. Notwithstanding any other provisions of this By-law, the Town of Erin may allow a portable sign on any street under its jurisdiction, but Section 4, Subsection 1 shall apply to any such sign.
5. Any sign not expressly permitted by this By-law is prohibited and without

limiting the generality of the foregoing, the following signs are specifically prohibited:

- a) abandoned sign
 - b) a banner other than a banner located within a public road allowance and approved by the Town of Erin
 - c) flashing or animated sign
 - d) projecting sign except as provided for in section 10
 - e) a sign located so as to obstruct the view of any pedestrian or motor vehicle driver so as to cause an unsafe condition
 - f) a sign interfering with or obstructing the view of an authorized traffic sign, traffic signal, or official sign or any sign capable of being confused with such a traffic sign, traffic signal or official sign
 - g) a sign located within a sight triangle
 - h) an inflatable advertising sign
 - i) billboard signs
 - j) any sign structure in a state of disrepair or in an unsafe, damaged or hazardous condition.
 - k) Any portable sign structure anchored by concrete blocks, sandbags, or any other hazardous or unsightly objects.
 - l) Any sign or part of any sign on or within any Road Allowance, public park, or municipally-owned lands within the Town.
 - m) Any sign so illuminated that it interferes with the effectiveness of, or obscures a Traffic control sign, device, or signal.
 - n) Any sign, which obstructs or interferes with any maintenance operations provided by the Town.
 - o) Any sign which obstructs any fire escape, fire exit, fire hydrant or stand pipe.
 - p) Any sign which obscures or detracts from prominent architectural elements on any building or part thereof which has been designated as a Designated Property, or which is located within a Heritage Conservation District, pursuant to the provisions of the Ontario Heritage Act, R.S.O, 1990, c.O.18.
 - q) Any portable sign located on any property or vacant lot not under his or her control without the prior written authorization from the owner of the property or vacant lot.
 - r) Flags, other than those described under section 4.3(e) and (f).
6. No person shall erect a sign in a location which may interfere with or damage any above or below ground municipal or utility services which have been lawfully placed at the location.
 7. Except for an official sign, banner or sign pertaining exclusively to public safety, no person shall attach or display any sign or advertisement on a utility pole, light standard or tree except as provided for in section 16.
 8. No person shall affix, attach or display any sign or advertisement on a vehicle or trailer which is parked or located for the primary purpose of displaying said sign or advertisement.

5. APPLICATION FOR A SIGN PERMIT

1. All signs shall comply with all other applicable Town of Erin By-laws and all other applicable law. All signs shall be erected and designed in accordance with the requirements of the Ontario Building Code Act, as amended.
2. Every applicant for a sign permit shall complete a sign permit application provided by the Building Department, submit all necessary plans and drawings, and pay all applicable fees as set out in the Fees and charges schedule.

3. Where the sign permit application meets all the requirements of this By-law and any other applicable laws, a sign permit shall be issued by the Chief Building Official.
4. Sign permit information:
All plans and drawings accompanying a sign permit application shall, where applicable, be in duplicate and shall contain the following information:
 - a) a key plan showing the general location of the land on which the proposed sign is to be located
 - b) a plan of the premises drawn to scale and showing all measurements
 - c) the municipal and legal address of the premises
 - d) the existing or proposed use of the premises
 - e) the zoning category of the premises
 - f) the location of all existing buildings and their entrances
 - g) the location and dimensions of the frontage and all boundaries of the premises on which the sign is proposed to be erected
 - h) the location of the proposed sign on the premises
 - i) details of the sign drawn to scale, including dimensions, sign area and any other information as may be required to determine compliance with this By-law
 - j) other information as determined by the Chief Building Official with respect to the building including architectural and structural drawings as may be necessary to determine if the building is structurally capable, under the Ontario Building Code, of supporting the sign or advertising device; and
 - k) authorization of the owner of the premises on which the sign is to be erected or displayed
 - l) proof of insurance in accordance with Section 18 (2)

6. EXPIRATION OF A SIGN PERMIT

Every permit issued by the town of Erin shall expire six (6) months from the date of issuance unless the sign is erected or displayed for its intended purpose. A permit shall become null and void upon removal of the sign.

7. RENEWAL OF A SIGN PERMIT

1. Where a permit has been issued and before it has expired, an application may be made to extend the permit for a further six (6) months and the provisions of Section 5 do not apply.
2. The Chief Building Official may renew the permit after payment of the prescribed application fee where the sign conforms with this By-law.

8. REVOCATION OF A SIGN PERMIT

The Town of Erin may revoke a permit under the following circumstances:

- 1) where the permit has been issued in error by the Town, or
- 2) where the sign does not conform to this By-law, the Ontario Building Code, or any other applicable regulation or legislation, or
- 3) where the permit has been issued as the result of false, mistaken, incorrect, or misleading statements, or undertakings on the application.

9. RESIDENTIAL ZONES

1. No person shall erect, display, or cause or permit to be erected or displayed a sign in a residential zone within the Town of Erin. Nothing within this section shall be taken to prohibit or restrict the following classes of signs:
 - a) signs including house number or name of a building
 - b) signs indicating the owners name
 - c) block parent sign

- d) signs indicating support of candidates in Federal, Provincial or Municipal elections, provided such signs are removed within 48 hours of the close of polls for that election.
- e) signs indicating that the property on which they are located is "for sale" or "for rent" provided that such sign is no larger than .80 sq. metres (8.6 sq. ft.) one sign for every 30.48 metres (100 feet) of frontage or part thereof will be permitted.
- f) Signs indicating a temporary event such as garage sales, car wash or special event provided that these signs be posted for no more than 3 days and they do not block the view by pedestrian or vehicular traffic.

2. Signs for Home Occupations within Residential Zones

One identification sign of no more than 0.4 square metres is permitted subject to obtaining a permit. Such signs must not be illuminated.

10. SPECIAL SIGN DISTRICTS

- (1) For the purpose of this By-law the following areas will be designated as a Special Sign District: Main Street, Erin between Water Street and English Street; Main Street, Hillsburgh, between Wellington Rd. # 22 and Church Street.

Projecting or hanging signs will be permitted within the Special Sign district provided that:

- a) the maximum sign area is no more than 1.44 sq. metres (16 sq. ft.)
- b) it has a minimum 2.5 metres (8.20 ft) clearance from grade
- c) the sign is securely attached and the method of attachment is subject to approval of the Chief Building Official.
- d) the design of the sign is consistent with the Heritage character of the area.
- e) such signs may be illuminated from within or by spotlights provided that such lighting does not impact upon adjacent property or business premises.

(2) MIXED USE DESIGNATED AREA within the SPECIAL SIGN DISTRICT

The following signs will be permitted within the MIXED USE designated areas located within the SPECIAL SIGN DISTRICT:

- (i) A projecting or hanging sign provided:
 - a) the maximum sign area is no more than 1.11 sq. metres (12 sq. feet)
 - b) it has a minimum 2.5 metres (8.20 ft.) clearance from grade
 - c) the sign is securely attached and the method of attachment is subject to approval of the Chief Building Official.
 - d) the design of the sign is consistent with the Heritage character of the area.
 - e) the sign is not illuminated.
- (ii) A ground sign provided:
 - (a) the maximum height of such sign shall be 1.5 metres (4.92 feet) and the sign area is no more than 0.84 sq. metres (9 sq. ft.);
 - (b) no portion of such sign shall be closer than 1.0 metres (3.28 feet) from the property line;
 - (c) the sign shall not be located within 3 metres (9.8 feet) of a driveway entrance;
 - (d) the sign will not obstruct the view of pedestrian or vehicular traffic;
 - (e) the sign is consistent with the Heritage character of the area;
 - (f) the sign is not illuminated.

11. GROUND SIGNS

Ground signs will be permitted in a commercial, industrial, agricultural or institutional zone only provided that:

- (1) No portion of such sign shall be closer than 1.0 metres (3.28 ft.) from the property line.
- (2) The maximum height of such sign shall be 2.135 metres (7 ft.) and the maximum size of the sign shall be 5.6 square metres (6.7 sq. yds.)
- (3) A ground sign will not obstruct the view of pedestrian or vehicular traffic.
- (4) A ground sign shall not be located within 3 metres (9.8 ft.) of a driveway entrance.
- (5) A ground sign may be illuminated from within or by external spotlights, provided such lighting does not impact upon adjacent property or business.

12. FACIA SIGNS

Facia signs will be permitted in a commercial, industrial or institutional zone provided that:

- (1) No portion of any sign which is attached to the face of a building and generally parallel thereto nor any portion of its support shall extend more than 60.96 cms (24 inches) from the face of the said building nor any lower than 2.13 metres (7.5 feet) from the ground level.
- (2) No portion of a facia sign shall extend beyond the width of the building to which it is attached.
- (3) The maximum size of a facia sign shall be determined by multiplying the linear business frontage in metres by 2.5 square metres.

13. PYLON SIGNS

Pylon signs shall be permitted in a commercial or industrial zone on lots with a minimum business frontage of 14.99 metres (49.2 feet) subject to the following conditions:

- (1) Such signs are free standing.
- (2) The maximum height of such signs is 8.0 metres (26.25 feet) and the maximum size of such signs is 26.00 sq. metres (31.10 sq. yards).
- (3) No portion of such signs shall be closer than 0.45 metres (1.48 ft.) to any property line.
- (4) There shall be a minimum distance of 14.99 metres (49.2 ft.) between each successive pylon sign.
- (5) The underside of the pylon sign must be at least 2.5 metres (8.2 ft.) from ground level.
- (6) Where any portion of the sign rotates there shall be no more than 6 revolutions per minute.

14. DIRECTIONAL SIGNS

- (1) A directional sign shall have a maximum sign area of 0.75 sq. m. (8 sq. ft.) and shall have a maximum height of 1.2 metres (4 ft.)

15. WINDOW SIGNS

- (1) The maximum sign area of any permitted window sign shall not cover more than 25% of any single window, or 25% of the entire surface area of a group of windows and shall not block the clear view of exits or entrances and shall maintain visibility into the interior of the premises at all times.

TEMPORARY SIGNS

16. ELECTION SIGNS

- (1) No person shall affix, or otherwise display an election sign or permit an election sign to be affixed, erected or otherwise displayed:
- (a) Within a sight triangle.
 - (b) At any location where the election sign obstructs the view of any pedestrian or driver of a motor vehicle.
 - (c) On the property which a voting place is situated during the hours of the poll.

Or where the sign:

- (i) Obstructs the visibility of any traffic sign or device, or where it could interfere with vehicular traffic so that it could endanger any person.
- (ii) Obstructs openings required for light, ventilation, ingress, egress or fire fighting.
- (iii) Constitutes a danger so that it could endanger any person.

17. PORTABLE

- (1) A portable sign shall be located completely on private property.
- (2) Not more than one (1) portable sign for which a permit has been issued shall be erected at any one time on any lot having two (2) or fewer occupancies.
- (3) The sign shall be located at least 3.0 metres (9 feet 10 inches) from any driveway entrance and at least 10 metres from any intersection.
- (4) The sign shall be located at least 7.62 metres (25 feet) from any other sign so as not to obstruct the visibility of any sign.
- (5) The sign shall be set back at least 1.5 metres (5 feet) from any street line except where stated otherwise in this by-law.
- (6) An applicant may obtain up to FOUR (4) thirty (30) day permits per separate business establishment per property lot to display a portable sign for a total of no more than One Hundred and Twenty (120) days in one calendar year. Thirty day permits may be used individually or combined, dates to be specified at time of permit issue. An applicant shall pay to the Town a permit fee in accordance with Schedule A.
- (7) A portable sign shall:
 - a) contain not more than two (2) sign faces, and each sign face shall have a maximum area of 5 sq. metres (53.8 sq. ft.).
 - b) not exceed 1.88 metres (6.2 ft) in height excluding supports or 2.43 metres (8 ft.) including supports.

18. SIDEWALK SIGNS

- (1) A sidewalk sign shall only be displayed or erected on the public sidewalk abutting the business and only in cases where it is not possible because of the size or designation of the lot, to locate a ground or portable sign entirely on the same lot as the business for which the permits applies.

- (2) Before issuing a permit for a sidewalk sign, the applicant shall provide the Town of Erin with confirmation that valid comprehensive general liability insurance is in effect to the minimum of \$1,000,000.00 and that the Town of Erin is named as an additional insured.
- (3) A sidewalk sign:
- (a) shall have a maximum height of 1 metre (3.5 ft.), a maximum of two sign faces and any sign face shall not exceed 0.55 sq. m. (5.9 sq. ft.) in area;
 - (b) shall be displayed only between sunrise and sunset of every business day and shall be taken indoors at all other times;
 - (c) shall not be located within 3 metres (9.8 ft.) of a driveway entrance;
 - (d) be located as close to the face of the building as possible and maintain a minimum unobstructed sidewalk width of 1.5 metres (5.92 ft.)
- (4) Where a sidewalk sign has been affixed, erected or otherwise displayed in contravention of any provision of this By-law, the Chief Building Official may:
- a) notify or order the owner to:
 - (1) repair the sidewalk sign;
 - (2) pull down or remove the sidewalk sign;
 - (3) make the sidewalk sign comply with the provisions of this By-law.
 - b) pull down or remove such sign and charge the owner of the sign, a fee in accordance with Section 21.

19. REAL ESTATE SIGN

- (1) One (1) real estate sign shall be permitted for every 30.48 metres (100 ft.) of frontage. A maximum of two signs for each frontage will be permitted.
- (2) Where a real estate sign has been affixed, erected or otherwise displayed in contravention of any provision of this By-law, the Chief Building Official may:
- a) notify or order the owner to:
 - 1) repair the real estate sign
 - 2) pull down or remove the real estate sign
 - 3) make the real estate sign comply with the provisions of this By-law.
 - b) pull down or remove such sign and charge the owner of the sign, a fee in accordance with Section 21.

20. CONSTRUCTION SITE SIGN

- (1) A construction site sign shall be non-illuminated with a sign area not exceeding 20 sq. m. (215 sq. ft.) and shall be removed from the construction site within sixty days of the completion of the project.
- (2) Where a construction sign has been affixed, erected or otherwise displayed in contravention of any provision of this By-law, the Chief Building Official may:
- a) notify or order the owner to:
 - 1) repair the construction sign
 - 2) pull down or remove the construction sign
 - 3) make the construction sign comply with the provisions of this By-law.
 - b) pull down or remove such sign and charge the owner of the sign, a fee in accordance with Section 21.

21. MAINTENANCE OF SIGNS

- (1) The owner of any sign, shall maintain or cause such sign to be maintained in a proper state of repair, so that such sign remains completely operative at all times and does not become unsafe, defective or dangerous.
- (2) Maintenance or repairs using materials identical to the materials of the component being maintained or repaired does not constitute an alteration so as to require a permit to be issued.

22. PENALTIES AND ENFORCEMENT

- (1) Every person who contravenes any provision of this By-law is guilty of an offence. Pursuant to the provisions of the *Provincial Offences Act*, R.S.O. 1990, c.P.33 as amended, upon conviction a person is liable to a fine of not more than \$5,000.00 exclusive of costs.
- (2) Where a sign is erected or displayed in contravention of this By-law, the Chief Building Official may immediately pull down or remove any sign that the Chief Building Official determines constitutes a safety hazard or a concern.
- (3) Where any sign does not comply with this By-law, the Chief Building Official may forward a notice by personal service or regular post, to the owner. The notice may require that the illegal sign be permanently removed and not replaced with any sign in contravention of this By-law or that the illegal sign be made to comply with this By-law not later than the date and time stipulated in the notice. The notice may advise that if the sign is not so removed or made to comply within the specified period of time, then the Town may pull down and remove the sign without any further notice.
- (4) If the notice set out in subsection 22 (3) is not complied with within the specified period of time, the Chief Building Official may direct the Town of Erin forces or an independent contractor to enter upon the land or premises to pull down and remove the sign.
- (5) Any sign removed as provided for in this section shall be stored by the Town of Erin or any independent contractor for a period of not less than thirty (30) days. During this time the sign owner or his agent is entitled to redeem such sign, upon completing a signed acknowledgement and release on the prescribed form and upon making payment satisfactory to the Town of Erin of the amounts noted below:
 - (a) the sum of \$200.00 or the Town of Erin's actual cost of removing the sign, whichever is greater, and
 - (b) a storage charge of \$20.00 per day or part thereof, or \$2.00 per sq. m. of sign face per day or part thereof, whichever is greater.
- (6) Where the Town of Erin has removed a sign and stored it for a period of thirty (30) days and the sign has not been redeemed, the Town of Erin may then destroy or otherwise dispose of the sign without notice to the owner of the sign or his agent.
- (7) Any banner installed without the approval of the Town will be removed by the Town without notice and, further, may be destroyed or otherwise disposed of without further notice to the owner of the banner or his agent.
- (8) None of the foregoing shall limit the Town of Erin from enforcing the provisions of this By-law by any other action or remedy permitted in law.

23. Exemptions:

23. Exemptions:

Signs erected by the Corporation of the Town of Erin within the Municipality are exempted from the permit requirements as set out in this By-Law.

24. Existing ground, pylon, fascia, awning and other freestanding signs, but excluding portable signs, that do not present a safety concern but do not comply with other provisions of this by-law, will be allowed to remain for a period of three years from the effective date of this by-law.
25. This by-law shall apply to all highways, roads, streets and thoroughfares within the boundaries of the Town of Erin. Where a sign is located adjacent to a road allowance under the jurisdiction of another government agency, the more restrictive by-law shall apply.
26. Council may, upon application for a variance from the provisions of this By-law, authorize such minor variances where the general intent and the purpose of the by-law are maintained. Application fee as set out in Schedule "A" must accompany the application.
27. This by-law shall come into effect on the date of the final passing thereof.
28. This by-law hereby repeals and replaces Town of Erin By-Law 03-24.

READ a FIRST, SECOND and THIRD TIME and FINALLY PASSED
this 6th day of May, 2003



Mayor

Clerk

Schedule "A"

FEES:

Sign Permit:

(includes: Ground, Facia, Directional, Billboard, Pylon, Sidewalk, Home Occupation, Hanging or Projecting signs)

\$ 100.00 per sign

\$ 50.00 for each additional

Portable Sign:

\$ 50.00 per 21 day permit

Construction Sign:

\$ 1.86 per sq. ft.: Minimum \$ 125.00 per sign

Variance to by-law:

\$ 100.00

Schedule "B"

Application for Minor Variance of Sign By-Law # 03 – _____

Type of Sign:					
Subject Land:					
Owner/Agent:	Please specify:	Owner:	Agent:		
Name:		Phone:			
Address:		Phone:			
Type of access to subject land:	Municipal Road: Street: Other: please specify....	County Road: Highway:			
Current Designation of Subject Land:	OP:		Zoning:		
Existing uses of subject land:					
Please describe the nature & extent of relief from By-Law requested?					
Reason why the proposed use cannot comply with the provisions of the by-law?					
A sketch showing the following:					
<ul style="list-style-type: none"> • Location of building and structures in relation to boundaries. • Location of sign in relation to the above. • Sketch of proposed sign, with dimensions 					

Received by: _____ **Date:** _____

THE CORPORATION OF THE TOWN OF ERIN

BY-LAW # 06 - 21 A

A By-law to amend Town of Erin Sign By-law 03-58
to permit portable real estate signs on public property.

WHEREAS the Municipal Act, S.O. 2001, c. 25, provides that a local municipality may pass a by-law to regulate signs;

AND WHEREAS Council for the Town of Erin deems it advisable to amend Sign By-law 03-58 to regulate portable real estate signs;

NOW THEREFORE the Council of the Corporation of the Town of Erin enacts as follows:

- 1 That By-law 03-58 is hereby amended by adding to section 3.1 between the definitions of "hanging or projecting sign" and "property" the following:

"portable real estate sign" means a directional sign not located on the property for sale that provides direction to the said property but does not include an open house sign;"

2. That By-law 03-58 is hereby amended by adding between Section 19 and Section 20 the following Section 19.1:

"19.1 PORTABLE REAL ESTATE SIGN


- (1) Notwithstanding section 17(1) of this By-law a portable real estate sign may be permitted on public property with a permit.
 - (2) A portable real estate sign shall be no larger than 2 feet by 1 foot (1.61m x .3m).
 - (3) A portable real estate sign permit shall be issued for a period of thirty (30) days and shall contain the date of expiry marked on such portable real estate sign.
 - (4) An applicant shall file with the application the location of the portable real estate sign and the appropriate fee and deposit as set out in Schedule "A" to this By-law.
 - (5) After the expiry of the permit and a seven (7) day grace period the portable real estate sign may be removed by the Municipal Law Enforcement Officer or the Chief Building Official and such costs may be collected from the deposit."
3. That Schedule "A" of By-law 03-58 is hereby amended by adding the following:

"Portable Real Estate Sign

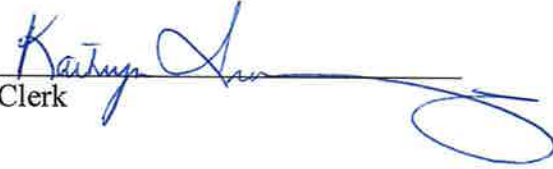
\$10.00 per 30 day permit

\$50.00 deposit which is returnable upon sign removal in compliance within the time frames established by this By-law"

**READ A FIRST, SECOND AND THIRD TIME
AND FINALLY PASSED IN OPEN COUNCIL
THIS 4th DAY OF April 2006.**



Mayor



Clerk



Staff Report

Report #: 2016-04R
Date: March-22-16
Submitted By: Dave Knight, Interim Road Superintendent
Subject: Spring Street Sweeping

Recommendations:

Be It Resolved that council receive the report of the Interim Road Superintendent regarding spring street sweeping;

And That Council accept the quotation of Mobil Services Inc. for \$ 86.00 per hour for the supply and operation of street sweepers. The Town of Erin will be responsible for supplying the necessary fuel.

Background:

The Town of Erin has engaged the services of Mobil Services to complete annual spring sweeping in the entire Town of Erin for the last 6 years. The contractor has provided good service, reliable equipment and competent operators and supervision who work in an efficient and timely manner.

The actual annual cost incurred fluctuates with the length of time taken to complete the sweeping which is directly related to the volume of sand being picked up. Traditionally the work commences as soon as weather conditions permit and equipment becomes available. Work is completed before the May long weekend.

Sweeping has been permitted 24 hrs per day. Sweeping was co-ordinated such that areas without homes was completed in the overnight hours (after 10 pm). Such areas are the Industrial subdivision at the north end of the Village of Erin, Pioneer Drive, Guiderails, Centre 2000, bridges, etc.

A quotation was requested and received from MOBIL Services for the provision of sweepers for the 2016 spring sweeping. A copy of the quotation has been attached.

Financial Impact:

The cost associated with the spring sweeping will be within the 2016 Budget request for street sweeping.

Consultation:

Roads Foreman and Operators
Finance department.

Communications Plan:

N/A

Conclusion:

The Town of Erin accepts the quote of MOBIL Services for \$ 86.00 per hour plus applicable taxes) for the supply and operation of street sweepers. The Town of Erin will be responsible for supplying the necessary fuel.

Appendices:

Attachment 1 – MOBIL Services Quote



35 Bayview Court, London On. N5W 5W4
Tel: 519 453 5020, Fax: 519 453 7120
1 866 202 2288, www.mobilservices.ca
tracy@mobilservices.ca / george@mobilservices.ca

Proudly ... Family owned & operated since 1979-
Servicing Southern Ontario
Large company resources with Family Values

Request for Street Sweeping

March 15, 2016

ATTENTION: Dave Knight and Shelley Ballantyne
Site/Project: Town of Erin

We are pleased to submit the following quotation for the Power Sweeping of your town. We can maintain the price of last year of \$86.00 per hour. This price is excluding the cost of fuel as you supply our fuel, as per our conversation.

Please advise if you require any more information. We look forward to hearing from you.

A handwritten signature in black ink, appearing to read "Tracy Root". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Tracy Root



Staff Report

Report #: Report # 2016-03R

Date: March-22-16

Submitted By: **Dave Knight, Interim Road Superintendent**

Subject: Road Occupancy Permit

Recommendations:

Be it resolved that Council receives the Road Occupancy Permit report;
And that Council directs staff to amend the Fee By-law to include the Road Occupancy Permit fees as outlined in this report.

Background:

The Town of Erin Roads and Water Departments suggest this permit process be set in place to control and track the construction and installation of any utility, structure or facility on or within a Town of Erin Right-of-Way. There have been issues in the past, contacting companies for remedial repairs, this process will enable the Town of Erin to track contractors on specific jobs and will enable us to either have them perform repairs or pay for repairs required.

Financial Impact:

Application fees:
 Basic installation \$100.00
 Fibre Installation \$250.00
 A Security Deposit of \$500.00 + \$5.00 per metre for work greater than 100.0 metres in length.

Total revenue for 2016 is unknown and will depend on actual permits issued.

Consultation:

Interim Road Superintendent
 Water Superintendent

Communications Plan:

Permit and Policy will be placed on the website to allow access to utility companies as necessary.

Conclusion:

The Roads and Water Superintendents recommend this process to protect Town of Erin Right-of-Ways and offset costs for review and inspection of proposed work.

Appendices:

Road Occupancy Policy



Town of Erin
Roads Department

Road Occupancy Policy

Given that it is considered advisable to control the construction and installation of any utility, structure or facility on or within a Town of Erin Right-of-Way, consent is required from the Town. It is herein resolved that the following policy statement be adopted as a guideline to control Road Occupancy on Town of Erin Roads.

The Applicant agrees to the following conditions:

1. Prior to the issuance of a Permit, the applicant shall provide the following to the satisfaction of the Road Division:
 - a. A valid Certificate of Insurance, in the form acceptable to the Town of Erin with respects to liability for property damage and personal injury for a minimum amount of \$2,000,000.00 for any one accident or occurrence shall name the Town of Erin as co-insured and remain in force until the Town approves the work.
 - b. Supportive material requested by the Town of Erin Road Division,
 - c. Application fees:
 - i. Basic installation \$100.00
 - ii. Fibre Installation \$250.00
 - d. A Security Deposit of \$500.00 + \$5.00 per metre for work greater than 100.0 metres in length.

2. The Applicant agrees to indemnify and save harmless the Town of Erin from all actions, causes of action, suits, claims, demands and costs whatsoever arising by reason of the Applicant, his agents or employees doing, failing to do, or doing incorrectly or negligently anything the Applicant is required to do under the terms of this Permit and will be responsible for damages, injuries or accidents resulting from any of their operations, or caused by reason of the existence or location or condition of the construction site, or any materials, plants, equipment or vehicles used in connection with the works performed as a result of this permit.

3. Permits will be processed after all the necessary information has been submitted to the Town of Erin's Roads Division.

4. This Permit does not relieve the Applicant from their responsibility of obtaining all other necessary permits, approvals and plant locations.

5. The Applicant agrees to contact the Area Foreman as specified on the Permit General Conditions (Condition #2) at least two (2) working days prior co commencing works. Failing to do so will result in a \$250.00 charge to the applicant and possible delays to the start date.

6. A copy of the Permit must be available on the job at all times during actual construction.

7. Upon completion of the work, the Applicant shall complete the following to the satisfaction of the Town of Erin Road Division.
8. Directional boring is the preferred process for crossing the roads travelled portion. In the event that boring is not an option then open road cut will be allowed with the following conditions:
 - a. All open cuts and disturbed areas are to be backfilled and compacted with native materials to granular base. Balance of the excavation to be filled with approved Granular material that is compacted to 100 percent standard proctor density,
 - b. Roads with concrete base are subject to conditions 37 to 41 of the Road Occupancy Permit application,
 - c. The Applicant is to ensure that temporary restoration is done using cold mix asphalt as a minimum and is completed the same day before allowing traffic to blow over trench cuts. The Applicant responsible for its maintenance until final restoration is completed.
 - d. The Applicant is to insure that permanent restoration is completed within ten (10) working days, repaired with hot mix asphalt and no hard joints allowed. The original surface is to be milled back 1.0 metres in both directions for a step joint then paved.
9. The Applicant shall guarantee the workmanship and materials of all the work performed under Sections 7 & 8 within the Right-of-way for a period of twenty four (24) months from the date of receiving the Town's approval of the work.
10. The Town may withhold approval of future Road Occupancy Permits until Part 9 is complied with.
11. Upon the completion of the permanent restoration works, the Town shall reimburse the Applicant any excess monies deposited not used by the Town to restore works and the Applicant shall reimburse the Town for any costs of restoration above the monies deposited with the Town within thirty (30) days of receiving any invoice for payment from the Town.
12. The Applicant shall be responsible for all damages to all existing services when such damages arise out of the work undertaken the by Applicant.
13. The Applicant is responsible for notifying the Town of Erin staff concerning existing damage to municipal owned infrastructure prior to the issue of the Permit.



 COUNTY OF WELLINGTON

KIM COURTS
 DEPUTY CLERK
 T 519.837.2600 x 2930
 F 519.837.1909
 E kimc@wellington.ca

74 WOOLWICH STREET
 GUELPH, ONTARIO
 N1H 3T9

March 7, 2016

Sent via email: dina.lundy@erin.ca

Dina Lundy, Clerk
 Town of Erin
 5684 Trafalgar Road
 Hillsburgh, ON NOB 1Z0

Dear Ms. Lundy,

At its meeting held on February 25, 2016 Wellington County Council approved the following recommendation from the Roads Committee:

That the Maintenance Agreement, between the County of Wellington and its 7 member municipalities, based on the draft agreement referenced above, be finalized as soon as practical; and

That staff be directed to prepare the necessary by-law for adoption by County Council.

Attached is a copy of By-law 5460-16 and the accompanying agreement. Please print in triplicate, sign and return to us for final execution, after which, a copy will be returned to you.

If you have any questions, please contact Paul Johnson, Roads Operations Manager at 519.837.2600 x 2230 or paulj@wellington.ca.

Respectfully,

A handwritten signature in cursive script that reads "Kim Courts".

Kim Courts
 Deputy Clerk



THE CORPORATION OF THE COUNTY OF WELLINGTON

BY-LAW NUMBER 5460-16

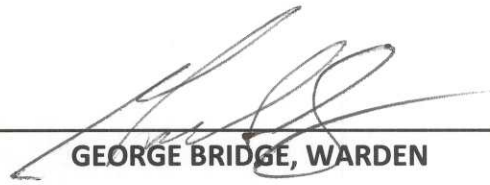
A By-law to authorize the Warden and Clerk to execute a Maintenance Agreement between the Corporation of the County of Wellington and each of our seven Member Municipalities

NOW THEREFORE the Council of The Corporation of the County of Wellington enacts as follows:

1. That the Warden and Clerk are hereby authorized to execute, on behalf of the Corporation of the County of Wellington and seal with the corporate seal, a Maintenance Agreement, between the Corporation of the County of Wellington and each of our seven member municipalities.

READ A FIRST, SECOND AND THIRD TIME AND PASSED THIS FEBRUARY 25, 2016.





GEORGE BRIDGE, WARDEN



DONNA BRYCE, COUNTY CLERK

SAMPLE AGREEMENT

MAINTENANCE AGREEMENT

This agreement made this XX day of XX, 2016.

Between

The Corporation of the County of Wellington
herein called the "County"
of the First Part

and

Municipality of The Town of Minto
hereinafter called the "Municipality"
of the Second Part

WHEREAS the County wishes to enter into a Maintenance Agreement with the Municipality to clarify who does what.

PRE-AMBLE

Over the years the County has carried out a variety of maintenance operations within urban areas of the County, not all consistently across the County. Agreements between County Foremen and local Road Superintendents were common; such as sharing the work, exchange of services or one party paying for the work done by the other. This worked pretty well except it wasn't consistent across the County. What one foreman did didn't necessarily reflect what was done by another nor how it was done. To complicate matters twenty-one former municipalities have amalgamated into seven new municipalities with in most cases new Road Supervisors responsible for areas formerly maintained by others. In addition with the downloading of provincial highways, connecting links which shared responsibility between the MTO and the local municipality have now been given back to the locals who in turn have transferred the roads to the County. Therefore, we have urban areas, which are generally maintained through guidelines used in the former "Connecting Link Agreement" and other areas maintained by "gentlemen's" agreements between County Foremen and the local Road Manager. The purpose of this Maintenance Agreement is to clarify what the County **IS** responsible for and by default what the County is **NOT** responsible for on County roadways within rural, semi urban and urban centres throughout the County.

This is not a policy statement of how, when or the level of service to be provided but by whom. This is maintenance agreement only. Capital works will be dealt with through other agreements.

DEFINITIONS

"bridge" means a public bridge, and includes a bridge forming part of a highway or on, over or across which a highway passes

"century trees" in the context of this policy shall mean trees approximately about 100 years old.

"city", "town", "village", "township" and "county" respectively means a city, town, village, township, or county; the inhabitant of which as a body corporate within the meaning and purpose of the Municipal Act

"highway" means a common and public highway

"local municipality" means a city, town, village and township

"maintenance" or "maintained" means the act of keeping something in a state of good repair .

“municipal water system” means underground system of pipes for residential, commercial and industrial potable water and includes but is not limited to fire hydrants, water services, and valve boxes.

“road” refers specifically to the travelled road surface on a roadway assumed by a road authority.

“roadside” refers to all the elements or conditions which make up the roadway within the jurisdiction of the roadway authority except for the road surface itself.

“roadway” in the contents of this policy means any publicly assumed road right of way, for vehicular traffic and includes the road plus roadside. For “rural” this definition will imply property line to property line. For “semi-urban” and “urban” areas this definition will imply back of curb to back of curb or where there is no curb to front edge of sidewalk or where there is no sidewalks to property line.

“rural” light density agricultural and residentially undeveloped with generally open ditches and generally speed limits of 80 km/hr.

“sanitary sewer system” underground collection system for residential, commercial and industrial liquid waste and includes sanitary sewer manholes.

“semi-urban” medium density residential industrial commercial with open or closed drainage and generally speed limits of 60 km/hr or less.

“shoulder” is that maintained surface immediately adjacent to the traveled surface of the road. The shoulder may be partially or fully hardtop, loose top, grassed or earth. It is not considered a part of the road for this policy.

“storm sewer system” an open ditch including culverts, or buried pipe including catch-basins, manholes, curb and gutter, designed for the purposes of collecting and disposing of storm water.

“urban” all densities, all types, generally closed drains and 50 km/hr or less.

“utilities” means gas, hydro, street illumination, telephone, television cable, and includes valve boxes, overhead or underground cables, or pipes to conduct same.

RURAL AREAS

The County will be responsible for all maintenance as per the County standards on all County roadways within rural areas subject to agreement with other road authorities who have been contracted to undertake this work on behalf of the County.

In winter especially it is very difficult for County staff to visually inspect Stop and Stop Ahead signs posted on municipal roads intersecting County roads. As in the course of the municipalities winter maintenance of their respective roads they have an opportunity to observe these Stop and Stop Ahead signs. We would ask municipal staff, for the safety of those traveling on municipal roads, to notify the County, at the Counties Central garage, of any damaged, missing or obstructed sign so that we can correct the deficiency ASAP. The County assumes 100% liability for any action or inaction provided by the municipality in undertaking this visual inspection and reporting.

See Schedule I

SEMI URBAN AREAS

The County will be responsible for all maintenance as per the County standard on all County roadways within a semi-urban area including the storm sewer system, whether open or closed, catch basins and curb and gutter, where applicable.

The County assumes no financial or legal liability for maintenance of any sidewalk, municipal water system, utility or sanitary sewer system which is placed within the County roadway.

In winter especially it is very difficult for County staff to visually inspect Stop and Stop Ahead signs posted on municipal roads intersecting County roads. As in the course of the municipalities

winter maintenance of their respective roads they have an opportunity to observe these Stop and Stop Ahead signs. We would ask municipal staff, for the safety of those traveling on municipal roads, to notify the County, at the Counties Central garage, of any damaged, missing or obstructed sign so that we can correct the deficiency ASAP. The County assumes 100% liability for any action or inaction provided by the municipality in undertaking this visual inspection and reporting.

See Schedule 2

URBAN AREAS

The County will be responsible for all County roadways within an urban area with the following condition and shared costs.

- 1) Where on street parking is provided the County will maintain the equivalent of three traveled lanes. The local municipality will be responsible for the plowing and disposal of snow within the remainder of the right of way subject to the County paying 50% of the cost of snow disposal.
- 2) The County will pay 100% of the cost for the first spring cleanup. All subsequent cleanups will be 100 % cost to the local municipalities
- 3) County will be responsible to paint centre line, stop blocks at intersections with other County Roads as well as painting crosswalks. All special markings such as stop blocks on municipal streets or parking stalls on the County Roads will be 100% cost to the local municipality.
- 4) Traffic signals will be at 100% cost to the County. See Schedule 4
- 5) Traffic signs, route makers, direction signs erected by the County will be 100% to the County. All other signs will be 100% cost to the local municipality.
- 6) Grass mowing, weed sprays, litter pickup will be 100% cost to the local municipality
- 7) Illumination – Unless installed by the County 100% cost will be to the local municipality. Those installed by the County will be 100 % to the County.
- 8) Pavement Patching – 100% to the County unless road surface is open cut for placement of utility in which case the utility company and/or local municipality will be 100% responsible.
- 9) All existing storm sewer works within the limit of the County road allowance will be maintained 100% by the County. Major upgrades to the current system will be done through Capital Works agreements.
- 10) All sanitary sewer system, municipal water systems, utilities will be at 100% by the municipality (During resurfacing the adjustment of all manholes, catch basins, valve boxes will be 100% by the County, at all other times 100% to the municipality or utility company whichever applies.)
- 11) All bridge and culvert maintenance within the County roadway will be 100 % cost to the County.
- 12) All boulevards between curb and sidewalk whether grass, dirt, concrete or asphalt will be 100 % cost to the local municipality.
- 13) All financial or legal liability associated with sidewalks whether concrete, brick, asphalt or dirt will be at 100 % cost to the local municipality.
- 14) All “century trees” will be 100% the responsibility of the County if within the County roadway. They will be 100% the responsibility of the property owner when they are located outside the County roadway.

- 15) Trees planted within the boulevard of urban areas will be 100 % the responsibility of the local municipality to maintain. Any future planting within these boulevards will be permitted only if approved by the County.
- 16) . Stop and Stop Ahead signs fronting onto County Roads to be maintained 100% by the County but in winter especially it is very difficult for County staff to visually inspect these Stop and Stop Ahead signs. As in the course of the municipalities winter maintenance of their respective roads they have an opportunity to observe these Stop and Stop Ahead signs. We would ask municipal staff, for the safety of those traveling municipal roadways, to notify the County, at the Counties Central garage, of any damaged, missing or obstructed signs so that we can correct the deficiency ASAP. The County assumes 100% liability for any action or inaction provided by the municipality in undertaking this visual inspection

See Schedule 3

IN WITNESS WHEREOF the County has hereunto affixed its corporate seal attested by the hands of its Warden and Clerk and the Municipality has affixed its corporate seal attested to by the hands of its proper officers duly authorized in that behalf.

Municipality XXX

THE CORPORATION OF
THE COUNTY OF WELLINGTON

Per:

Per:

GEORGE BRIDGE - MAYOR

GEORGE BRDGE, WARDEN

BILL WHITE- CLERK

DONNA BRYCE, CLERK

SCHEDULE 1

RURAL AREA				
Maintenance Activity	Cost Sharing		Performance of Work	
	County	Municipality	County	Municipality
All maintenance activities (1)	100 %		YES (2)	
Visual inspection and reporting of Stop and Stop Ahead Sign issues	100%			YES (3)
<p>Note</p> <p>1) The County assumes no financial or legal liability for maintenance of any sidewalk, municipal water system, utility or sanitary sewer system which is placed within the County roadway.</p> <p>2) Some Winter Maintenance may be carried out by neighbouring County or Regional Road Authorities under Maintenance Agreements, as well as work which is carried out by Local Municipalities at the Counties expense.</p> <p>3) In winter especially it is very difficult for County staff to visually inspect Stop and Stop Ahead signs posted on municipal roads intersecting County roads. As in the course of the municipalities winter maintenance of their respective roads they have an opportunity to observe these Stop and Stop Ahead signs. We would ask municipal staff, for the safety of those traveling on municipal roads, to notify the County, at the Counties Central garage, of any damaged, missing or obstructed sign so that we can correct the deficiency ASAP. The County assumes 100% liability for any action or inaction provided by the municipality in undertaking this visual inspection and reporting.</p>				

SCHEDULE 2

SEMI-URBAN AREA				
Maintenance Activity	Cost Sharing		Performance of Work	
	County	Municipality	County	Municipality
All maintenance activities (1) & (2)	100 %		YES (3)	
Visual inspection and reporting of Stop and Stop Ahead Sign issues.	100%			YES (4)
<p>Note</p> <p>1) The County assumes no financial or legal liability for maintenance of any sidewalk, municipal water system, utility, or sanitary sewer system which is placed within the County roadway.</p> <p>2) As some areas contain a combination open and closed storm sewer system the County will maintain the entire system including where applicable curb and gutter, catch basins and man holes.</p> <p>3) Some Winter Maintenance may be carried out by neighbouring County or Regional Road Authorities under Maintenance Agreements, as well as work which is carried out by Local Municipalities at the Counties expense.</p> <p>4) In winter especially it is very difficult for County staff to visually inspect Stop and Stop Ahead signs posted on municipal roads intersecting County roads. As in the course of the municipalities winter maintenance of their respective roads they have an opportunity to observe these Stop and Stop Ahead signs. We would ask municipal staff, for the safety of those traveling on municipal roads, to notify the County, at the Counties Central garage, of any damaged, missing or obstructed sign so that we can correct the deficiency ASAP. The County assumes 100% liability for any action or inaction provided by the municipality in undertaking this visual inspection and reporting.</p>				

SCHEDULE 3

URBAN AREA				
Maintenance Activity	Cost Sharing		Performance of Work	
	County	Municipality	County	Municipality
Spring clean up	100 %			YES (1)
Centreline, stop blocks, crosswalks	100 %		YES	
Special marking Stop blocks on municipal streets, parking stalls		100 %		YES (2)
Traffic signals	100 %		YES (3)	
Traffic signs, route markers, other signs erected by the County	100 %		YES	
Business signs, street signs, local signs		100 %		YES
Grass moving, weed control, litter pickup		100 %		YES
Illumination		100 %		YES
Pavement Patching	100 %		YES (4)	
Storm sewer system	100 %		YES	
Sanitary sewer system		100 %		YES
Sidewalks and boulevards				YES
Bridges and culverts	100 %		YES	
WINTER MAINTENANCE				
Snow plowing	100 %		YES (5)	
Snow removal	50 %	50 %		YES (5)
Visual inspection and reporting of Stop and Stop Ahead Sign issues.	100%			YES (7)
<p>Note</p> <ol style="list-style-type: none"> 1) The County will pay 100 % of the cost for one spring cleanup of sand and salt from the County roadway. The municipality can have the work done and bill the County or the County will have the work done. 2) Within the Urban Area the County will paint all stop blocks at intersections with other County roads or at County owned traffic signals but will not paint stop blocks on municipal streets or lanesways that intersect the County road. In the Rural Area the County will paint all the stop blocks at intersections of County and municipal roads where applicable. 3) See SCHEDULE 4 4) If the road surface has to be removed to install any utilities the parties responsible for the work will be required to return the road surface to the pre-installation condition at 100 % of the cost.. 5) The County will maintain the equivalent of 3 lanes (33 feet) of road surface. 6) The County will pay for 50 % of the total cost to plow and remove snow from the balance of the road allowance. 7) In winter especially it is very difficult for County staff to visually inspect Stop and Stop Ahead signs posted on municipal roads intersecting County roads. As in the course of the municipalities winter maintenance of their respective roads they have an opportunity to observe these Stop and Stop Ahead signs. We would ask municipal staff, for the safety of those traveling on municipal roads, to notify the County, at the Counties Central garage, of any damaged, missing or obstructed sign so that we can correct the deficiency ASAP. The County assumes 100% liability for any action or inaction provided by the municipality in undertaking this visual inspection and reporting. 				

SCHEDULE 4

MAINTENANCE AT INTERSECTIONS OF COUNTY ROADS AND CONNECTING LINKS

Where a municipality has a Connecting Link and County Road that intersect, the County will pay the proportional share of all maintenance costs at that intersection based on the number of legs that are County Roads. For example 1 leg County 3 legs municipal would equal 25% County cost.

TOWN OF MINTO

HARRISTON				
Intersection CR 109 and Highways 9 and 89	Cost Sharing		Performance of Work	
	County	Municipality	County	Municipality
ALL ROUTINE MAINTENANCE (Including traffic signals)	25 %	75 %		YES

CLIFFORD				
Intersection CR 2 and Highways 9 and Allan Street	Cost Sharing		Performance of Work	
	County	Municipality	County	Municipality
ALL ROUTINE MAINTENANCE (Including traffic signals)	25 %	75 %		YES

ERIN FIRE & EMERGENCY SERVICES

Monthly Fire Report



REPORT MONTH:		FEBRUARY 2016											
		ERIN STATION #10				HILLSBURGH STATION #50				EAST GARAFRAXA			
		Mthly Total	2016 YTD	2015 YTD	\$ Loss Mthly	Mthly Total	2016 YTD	2015 YTD	\$ Loss Mthly	Mthly Total	2016 YTD	2015 YTD	\$ Loss Mthly
FIRE:	Type not specified:												
	Structure:			1			1	1				1	
	Vehicular:		1	1				1					
	Grass, Rubbish, etc:												
	Other:	1	1	3	\$3,000						1	1	
		Mthly TTL	2016 YTD	2015 YTD		Mthly TTL	2016 YTD	2015 YTD		Mthly TTL	2016 YTD	2015 YTD	
Medical Assist:		6	17	13		3	9	8				1	
Motor Vehicle Collision:		2	2	5			2	3		1	2	4	
Erin/Hillsburgh Assist		1	2	3				1					
Mutual Aid:		1	1			1	1	1					
C.O. Calls:			1	1			1	3					
False Alarms:													
Alarm Activation:		3	6	1		2	2	2					
Standby/Assist to Other Depts:													
Burning Complaints:													
Incorrect Pages:								1					
Other:		1	1	2		1	1						
TOTALS:		MTHLY	2016 YTD	2015 YTD		MTHLY	2016 YTD	2015 YTD		MTHLY	2016 YTD	2015 YTD	
		15	32	30		7	17	21		2	3	6	
Estimated Total \$ Loss Due to Fire:		\$3,000	\$6,500	\$22,000			\$500,000	\$125,000		\$0	\$0	\$0	

Respectfully submitted, *Dan Callaghan* Fire Chief

ERIN FIRE & EMERGENCY SERVICES

Monthly Fire Report



REPORT MONTH:		JANUARY 2016											
		ERIN STATION #10				HILLSBURGH STATION #50				EAST GARAFRAXA			
		Mthly Total	2016 YTD	2015 YTD	\$ Loss Mthly	Mthly Total	2016 YTD	2015 YTD	\$ Loss Mthly	Mthly Total	2016 YTD	2015 YTD	\$ Loss Mthly
F I R E:	Type not specified:												
	Structure:					1	1		\$500,000				
	Vehicular:	1	1	1	\$3,500								
	Grass, Rubbish, etc:												
	Other:			2									
		Mthly TTL	2016 YTD	2015 YTD		Mthly TTL	2016 YTD	2015 YTD		Mthly TTL	2016 YTD	2015 YTD	
Medical Assist:		11	11	9		6	6	3					
Motor Vehicle Collision:				5		2	2	1		1	1	2	
Erin/Hillsburgh Assist		1	1										
Mutual Aid:								1					
C.O. Calls:		1	1			1	1	2					
False Alarms:													
Alarm Activation:		3	3					1					
Standby/Assist to Other Depts:													
Burning Complaints:													
Incorrect Pages:				1									
Other:													
T O T A L S:		MTHLY	2016 YTD	2015 YTD		MTHLY	2016 YTD	2015 YTD		MTHLY	2016 YTD	2015 YTD	
		17	17	18		10	10	8		1	1	2	
Estimated Total \$ Loss Due to Fire:		\$3,500	\$3,500	\$2,000		\$500,000	\$500,000	\$0		\$0	\$0	\$0	

Respectfully submitted, *Dan Callaghan* Fire Chief



Staff Report

Report #: 2016-03F

Date: March-22-16

Submitted By: **Sharon Marshall, Director of Finance**

Subject: 2015 TREASURER'S STATEMENT OF REMUNERATION PAID TO COUNCIL & APPOINTED MEMBERS

Recommendations:

Be it resolved that the Director of Finance's Report on 2015 Council & Appointed Board Members' Remuneration be received for information.

Background:

The *Municipal Act*, Section 284 (1), requires the Treasurer provides to the Clerk each year an itemized statement of remuneration and expenses paid to Council and appointed members of other boards.

I have prepared the 2015 Statement as required.

Financial Impact:

The total remuneration, including expenses paid to Council in 2015 was \$100,987.55. The 2015 totals for Other Committees was \$4,262.22. All amounts were within the 2015 budget estimates.

Consultation:

As per the requirements of the *Municipal Act*, this Statement was submitted to the Municipal Clerk, Dina Lundy.

Communications Plan:

A copy of the 2015 Statement is attached to this Report and circulated with the Regular Meeting Agenda package of March 22, 2016.

Conclusion:

Conclusion

Appendices:

2015 Treasurer's Statement of Remuneration Paid to Council & Appointees

TOWN OF ERIN

5684 Trafalgar Rd., R.R. #2
Hillsburgh, Ontario N0B 1Z0
www.erin.ca

**Director of Finance
Office of the Treasurer**

TEL: (519) 855-4407 ext. 225
FAX: (519) 855-4821
E-mail: sharon.marshall@erin.ca

02-Mar-16

**TOWN OF ERIN
TREASURER'S STATEMENT****REMUNERATION AND EXPENSES PAID TO
EACH MEMBER OF COUNCIL OR LOCAL BOARD
IN 2015.**

Pursuant to the Municipal Act, 2001 c.25
Section 284 (1)

COUNCIL	Remuneration			Expenses			TOTAL
	Salary	Per Diems	TOTAL 2015	Conferences	Mlg/Other	Total 2015	2015
Allan Ails	\$26,000.00		\$26,000.00	\$2,748.39	\$2,007.13	\$4,755.52	\$30,755.52
John Brennan	\$15,600.00		\$15,600.00	\$3,298.83	\$964.06	\$4,262.89	\$19,862.89
Jeff Duncan	\$15,600.00		\$15,600.00	\$1,979.86	\$1,208.77	\$3,188.63	\$18,788.63
Matthew Sammut	\$15,600.00		\$15,600.00		\$264.55	\$264.55	\$15,864.55
Rob Smith	\$15,600.00		\$15,600.00		\$115.96	\$115.96	\$15,715.96
Totals	\$88,400.00	\$0.00	\$88,400.00	\$8,027.08	\$4,560.47	\$12,587.55	\$100,987.55
COMM. OF ADJUSTMENT/LIVESTOCK EVALUATORS/FENCEVIEWERS							
Jamie Cheyne	\$740.00		\$740.00			\$0.00	\$740.00
Rob Fletcher	\$1,180.00		\$1,180.00			\$0.00	\$1,180.00
Wayne Parkinson	\$880.00		\$880.00			\$0.00	\$880.00
Craig Switzer	\$1,180.00		\$1,180.00			\$0.00	\$1,180.00
Fred Cox	\$60.00		\$60.00		\$21.11	\$21.11	\$102.22
Sara Parkinson	\$180.00		\$180.00			\$0.00	\$180.00
Totals	\$4,220.00		\$4,220.00	\$0.00	\$21.11	\$21.11	\$4,262.22

Council Remuneration By-law #14-45
remuneration and expenses authorized: Budget Bylaw #15-15 adopted April 21, 2015
Economic Adjustment increase approved by Resolution March 24, 2015


Sharon Marshall
Director of Finance/Town of Erin



Staff Report

Report #: 2016-3B WSIB

Date: March-15-16

Submitted By: **Gail Broadfield, Deputy Treasurer**

Subject: 2016 FIRE WSIB-MAXIMUM INSURABLE EARNINGS AUTHORIZATION

Recommendations:

Be it resolved that Council receives the Deputy Treasurer's Report #2016-3B WSIB And That Council accepts the recommendation to provide 2016 WSIB protection to the Fire Department personnel up to the current "maximum insurable earnings ceiling" of \$88,000 per firefighter.

Background:

Members of a 'volunteer fire brigade' receive the protection of the Workplace Safety and Insurance Act and are automatically covered. It has long been the policy of the Town of Erin, that Council provides each firefighter Workplace Safety and Insurance Board Coverage (WSIB) for injuries or illness resulting from fire department activities. Despite actual remuneration paid to any firefighter, the Town historically provides the "Maximum insurable earnings" coverage to all firefighters annually.

In 2016, each of our 62 firefighters will be covered to the maximum insurable earnings 'ceiling' of \$88,000.

Financial Impact:

The total amount of WSIB coverage to firefighters in 2016 is \$5,456,000. Fortunately, the WSIB "premium" for all volunteer forces is calculated at only 10% of total insurable earnings. In 2016, the cost for WSIB premiums for the Town's firefighters is \$45,466.66/month.

PREMIUM COMPARISON 2015 TO 2016

	2015	2016
WSIB Premium Rate/\$100 – General Group 845	\$2.88	\$2.88
WSIB Premium Rate/\$100 – Water Group 835	\$1.07	\$1.07
Maximum WSIB Insurable Earnings	\$85,200	\$88,000
Total Fire Employees Covered	65	62
WSIB Total Fire Premium	\$553,800.00	\$545,600.00
- WSIB Total Fire Premium/Month	\$46,150.00	\$45,466.66

Consultation:

Information and legislative authority provided through WSIB documents.

Communications Plan:

Once Council approves, the “Schedule of Volunteer Forces” will be submitted to the WSIB and premiums will be paid monthly.

Conclusion:

I recommend that the Town of Erin continue to support their Fire and Emergency Department staff up to the maximum allowable WSIB coverage.

Appendices:

N/A



Staff Report

Report #: 2016-3C
Date: March-22-16
Submitted By: Gail Broadfield, Deputy Treasurer
Subject: Approval of Accounts

Recommendations:

Be it resolved that Council receives the Deputy Treasurer’s Report #2016-3C on “Approval of Accounts”.

Background:

Invoices in the amounts listed below have been authorized for payment by Department Heads, or their designates, and entered for payment as follows:

Cheque Listing	#1078	\$	450,484.58
Manual Cheque Listing	#1073	\$	95,214.67
Online Internet Payments	#1072	\$	6,963.67
	#1074	\$	7,213.03
	#1075	\$	53,017.14
	#1076	\$	3,263,006.47
	#1077	\$	5,403.48
TOTAL		\$	<u>3,881,303.04</u>

LARGER PAYMENTS

Chq.#49346 Mann Construction \$ 34,232.25 Winter Sand
Chq #49386 Triton Engineering \$ 25,689.91 Various Engineering Projects
Chq #49395 J.L. Wilson & Sons \$ 47,448.58 Repairs to HCC Compressors
Chq #49396 Work Equipment \$ 101,135.00 Series MT6 Off-Road Vehicle
Online Payment County of Wellington School Board Levy \$3,263,006.47

Financial Impact:

The accounts, as listed, will be paid as submitted.

Consultation:

Department Heads and CAO.

Communications Plan:

Regular report to Council.

Conclusion:

That Council receives the report from the Deputy Treasurer regarding the payment of the Accounts.

Appendices:

N/A



Staff Report

Report #: 2016-04F

Date: March-22-16

Submitted By: **Sharon Marshall, Director of Finance**

Subject: ANNUAL SURPLUS REPORT – 2015

Recommendations:

Be it resolved that Council receives the Director of Finance’s Annual Surplus Report – 2015 with attachments, pursuant to the Surplus Policy adopted by Council in 2013.

And That Council authorizes the transfer of \$292,679 into the Tax Stabilization Reserve as recommended.

Background:

Although the *Municipal Act* requires that municipalities account for the previous year’s surplus or deficit in the subsequent budget year, there are other alternatives for the treatment of the surplus. Rather than reducing the next year’s tax impact, it is common practice by many municipalities to transfer the current year’s surplus into various “Reserves” instead. The various ‘surplus reserves’ can be used in future years to stabilize tax rates, cover a previous year’s deficit or fund specific capital projects. In January 2013 Erin adopted the “Annual Year-End Surplus Policy” to provide for the treatment of surpluses and to establish the Tax Stabilization Reserve.

Financial Impact:

As required by our Policy, I have prepared the 2015 financial information and identified tax-funded surpluses where actual revenues exceeded expenses compared to Budget. The “2015 Surplus Analysis” (Appendix 1) details surpluses or deficits by department, and shows the “Allocations” by transfers to specific reserves or to 2016 Budget funding.

Where tax-funded Capital expenditures were less than budgeted in 2015, I have provided the “2015 Capital Projects- Summary Year-End Surpluses” report (Appendix 2). I have identified the capital projects that were completed, under-budget, or deferred into other years. Any tax-funding NOT expended in 2016 was set aside into various Capital Reserves at December 31,

2015. These Reserves will be used to fund departmental capital projects either in 2016, or into the future.

In Summary, the following allocations to Reserves are recommended:

TRANSFER TO RESERVES	FOR YEAR-END	
	2014	<u>2015</u>
Transfer to General <u>Tax Stabilization Reserve</u>	\$156,625	\$292,679
Transfer to various <u>Capital Reserves</u> (by Dept.)	\$238,950	\$518,263
	\$395,575	\$810,942

Consultation:

The “Annual Surplus Policy” adopted January 22, 2013 was consulted for the process.

Communications Plan:

The 2015 Surplus Report “Attachments” will be circulated to the Department Heads for their information.

Conclusion:

That the 2015 surpluses, as identified, be set aside in Reserves as Policy requires.

Appendices:

1. 2015 Surplus Analysis Report by Departments
2. 2015 Capital Surplus by Project

* SURPLUS: TAX BUDGET - TAX ACTUALS = NET TAX SURPLUS

BY DEPT		OPERATIONS	CAPITAL	
		NET TAX SURPLUS/ DEFICIT	NET TAX SURPLUS/ DEFICIT	
GEN GOVT	COUNCIL	\$20,597		
	ADMIN	(\$4,937)		
		<u>\$15,660</u>	<u>\$47,518</u>	
PROTECTION	BLDG	\$66,897 (1)		
	BYLAW	\$1,925		
	CONSERV	\$0		
	SOURCE WATER	(\$1,912)		
	FIRE	\$55,193	\$17,495	
	EMERG PLN	\$1,500		
	ANML CONT	\$17,179		
		<u>\$140,782</u>	<u>\$17,495</u>	
PUBLIC WORKS	ROADS	\$30,199	\$182,200	
	STREETLIGHTS	\$0		
	WATER	\$7,876 (2)	\$256,050	
	ENVIR SERV	(\$7,896)		
		<u>\$30,179</u>	<u>\$438,250</u>	
RECREATION	HCC	(\$27,414)		
	ECC/CENTRE 2000	\$71,532	\$15,000	
	ERIN TENNIS CLUB	\$2,449 (3)		
	BALLINAFAD C.C.	\$9,673 (4)		
	PARKS & GEN	\$41,222		
	HILLS PARKS	\$22,917		
		<u>\$120,379</u>	<u>\$15,000</u>	
OTHER FACILITIES	CEMETERIES	(\$1,215)		
	RENTAL BLDGS	\$0		
		<u>(\$1,215)</u>		
PLANNING/EC DEV	PLANNING	\$16,606		
	ECO DEV	\$0		
	COMM. & GRANTS	\$5,478		
		<u>\$22,084</u>		
BIA	BIA	(\$1,632) (5)		
		<u>(\$1,632)</u>		
OTHR REV	TAX LEVY	\$6		
	PIL'S	(\$26)		
	OMPF GRANT	\$0		
	NET SUPP TAX	\$52,613		
	PREV YR SURPLUS	\$0		
	TRANSFER TO INFR RES	(\$888)		
		<u>\$51,705</u>		
NET TAX SURPLUS	GRAND TOTALS	<u>\$377,942</u>	<u>\$518,263</u>	
ALLOCATIONS:	2015 ADJUSTMENTS TO 2016		TO CAPITAL RESERVES @ Yr End	
	BUILDING RESERVE FUND	\$66,897 (1)	WC/ADMIN	\$47,518
	WATER LIFE CYCLE RESERVES	\$7,876 (2)	FIRE CAPITAL	\$17,495
	ETC - 2016 BUDGET	\$2,449 (3)	ROADS CAPITAL	\$182,200
	BCC - 2016 BUDGET	\$9,673 (4)	EA WATER/WASTE	\$256,050
	BIA - FROM 2016 BUDGET	(\$1,632) (5)	CENTRE 2000 CAP	\$15,000
	GENERAL - TAX STABILIZATION RESERVE	\$292,679		
		<u>\$377,942</u>		<u>\$518,263</u>



Staff Report

Report #: 2016-05F
Date: March-22-16
Submitted By: Sharon Marshall, Director of finance
Subject: TEMPORARY BORROWING BYLAW 2016

Recommendations:

Be it resolved that Council receives the Director of Finance's Report "Temporary Borrowing Bylaw 2016" for information;
And That Council will consider the adoption of the Borrowing Bylaw, as recommended.

Background:

Section 407 of the *Municipal Act, 2001* allows municipalities to borrow up to 50% of the total estimated revenues of the municipality from January 1 to September 30 each year; or 25% of the total revenues from October 1 to December 31 each year prior to collection of those revenues to meet the expenses of the municipality. To address the occasional cash-flow shortfall, the Town is authorized to borrow short-term funds up to \$1,500,000. from the Royal Bank of Canada.

Financial Impact:

The total estimated revenues of the Town based on the "2016 Annual Repayment Limit" document ("ARL") from MMAH dated February 19, 2016, are approximately \$8,986,256. As prescribed under the *Municipal Act*, the Town can borrow up to 50% in the first three quarters of this year, or 25% for the final quarter of 2016, or up to \$2,246,564.

Consultation:

I have reviewed the *Municipal Act*, the Ministry of Municipal Affairs 2016 ARL, and the "Facilities Agreement" from the RBC.

Communications Plan:

Upon adoption of the Borrowing Bylaw, a certified copy will be sent to the RBC, Guelph Commercial Banking Centre, 74 Wyndham Street North, Guelph, ON N1M 4E6.

Conclusion:

I recommend that Council adopt the temporary borrowing bylaw for 2016 as drafted, to authorize borrowing from time to time if necessary to meet current expenditures.

Appendices:

N/A



Staff Report

Report #: 2016-02C

Date: March-22-16

Submitted By: **Dina Lundy, Clerk**

Subject: Council Meeting Open Forums

Recommendations:

Be it resolved that Council hereby directs the Clerk to amend the Procedural By-law to:

Option A - remove Public Question Period. (The Mayor will schedule Open House Forums 2 to 3 times per year outside of the Regular Council Meeting process)

or

Option B - change the provisions as directed by Council during the discussion of this report.

Background:

Council, at the March 1, 2016 Regular Council Meeting, suspended Public Question Period and directed the Clerk to bring back a report discussing options for public forums.

Mayor Alls, near the beginning of this Council term brought forth an idea to hold an Open House forum at the municipal office two to three times per year. In place of this, and at the request of a resident, the question period idea for Council meetings was presented to Council. The procedural by-law was subsequently amended by Council direction in September 2015 to include a 15 minute Public Question Period during each regular meeting. This item on the agenda was intended to provide an additional avenue for members of the public to provide comments and suggestions on matters of municipal concern, bring ideas to Council, and to inquire on municipal matters through the Chair. It was not intended to replace the delegation process or as an avenue for questioning the progress and processes of administration carrying out Council direction, or to encourage discussion and debate between the public, Council, and/or staff members. In addition, the Municipal Act does not include provisions regarding open forums, and as such, Council's procedural rules govern any such activity during Council meetings. Therefore, Council may amend the process on receiving

comments, suggestions, and inquiries from the public during Council meetings by directing the Clerk to amend the Procedural By-law.

Currently, and as always, residents may contact their elected officials with any concerns they may have. They will either respond or direct the question to the appropriate person. If a resident is still concerned, a meeting can be arranged with the Mayor and CAO to answer any concerns. There is also a formal complaint process. If concerns have not been addressed through any of these means, or if a resident has a proposal/idea etc. that they wish to present, it may be possible to come before Council as a delegation, provided the criteria are met.

Option A – Remove Public Question Period:

To be open and more casual with respect to comments/concerns/inquiries, an “Open House with the Mayor” seems to be both a viable and more appropriate forum. Mayor Alls has expressed that this option is one that he would gladly consider, as it was originally what he intended to do to engage the public. The formal Public Question Period would not be part of the Regular Meeting Agenda, and the public would have a more informal way to bring their concerns and ideas forward. Members of the public may, as always, contact their elected representatives through telephone, email, and by letter. Council members are open to all of these forms of communication.

Option B – Change the provisions that govern Public Question Period:

To continue the formalized process, Council may add or delete rules by directing the Clerk to make changes and bring the Procedural By-law to Council for adoption at the next Council meeting. Any Public Forum that is held during a Council Meeting must be subject to rules and order as all items on the Agenda are. The current provisions surrounding Public Question period are:

10.1 The Public Question Period is an opportunity granted to the members of the public present at a regular Council meeting to ask questions of Council or administration through the Mayor or Presiding Officer, and shall be restricted to a time limit of fifteen (15) minutes in total.

10.2 Persons invited to address Council during Public Question Period shall be restricted to one question, and a time limit of five (5) minutes including Council and/or administration response, at the discretion of the Mayor or Presiding Officer.

10.3 Persons addressing Council shall stand or sit, as may be appropriate, at a place usually reserved for that purpose or as may be directed by the Mayor or Presiding Officer,

state a maximum of two statements sufficient to establish the context of the question, and pose the question to Council.

Some things Council may wish to discuss:

- Deleting / changing any of the current rules
- No formal note taking
- No responses given at the meeting
- Registration prior to meetings
- No decisions or direction given during Public Question Period
- Change the format to a public forum for comments/suggestions only, rather than a question period

Financial Impact:

No measurable financial impact.

Consultation:

N/A

Communications Plan:

Council report.

Conclusion:

That Council discuss options and direct the Clerk to amend the By-law as per the decision of Council.

Appendices:

N/A

B.C.C. MINUTES JAN. 5, 2016 @ 7:30 P.M. @ LIZ VAN RAVENS'

Present: John Brennan, Liz van Ravens, Vera Longstreet, Karen Smith, Bill van Ravens.

Secretary's Report: Minutes from Nov. 19, 2015 were read by Liz & All. Vera & John moved & seconded them as correct. Carried.

Treasurer's Report: The P.C. Party meeting has been booked & cleared by Carol for the last Sat. of Feb. (27th).

Bank Balance for **Oct. 31, 2015** has been adjusted to \$18 896.59 from \$18 897.59.

Bank Balance for **Nov. 30, 2015** was \$24 924.85. Deposits were \$7 307.11. Vouchers totalled \$1 278.85. Fundraising was \$ 163.25. Rent was \$5 019.00 with Deposits of \$1 100.00. These totals included **Ladies' 3-Pitch** of \$2 034.00 & **Town of Erin** for **HST Refund** of \$1 024.86.

Preliminary totals for **Dec. 31, 2015** are as follows: Bank Balance of \$23 691.74. Deposits of \$4 195.00. Vouchers of \$5 559.31. Fundraising nil. Rent of \$3 795.00 with Deposits of \$1 300.00.

Continuous Monthly Rentals for **2016** are as follows: Mount Zion \$700.00. Nancy \$400.00. Halton Hills Concert Band \$350.00.

Tim Willboi's Ltd. will be able to accommodate our **snowplowing** requests & has asked Liz to email schedule of all bookings & post office hours to him so he can clear or de-ice parking lot in advance of usage.

Karen will contact roof contractor regarding the snow blocks.

Halton Hills Concert Band is renting the hall every **Tues. night** for \$70.00 per night. They have paid \$350.00 for Nov.

Euchre will be starting again on **Jan. 21, 2016** & every other **Thurs. night** at **7:30 P.M.**

Budget for **2015-2016** was discussed again. It was finalized, approved & signed. Liz will get it to Sharon @ Town of Erin.

FIRE SECURITY SYSTEM CHECK: to be done

T.A.P.O.N.M.: Feb. 15, 2016 @ Liz' if required or at later date Feb. 29, 2016 @ B.C.C. @ 7:30 P.M.

Adjournment of Meeting by Liz & Vera. Carried.

**Let's Get Hillsburgh Growing Committee
Meeting
Thursday January 21, 2015**

Members Present: Jackie Turbitt, Lloyd Turbitt, Jeff Duncan, Donna Revell, Liz Ewasick
 Regrets: Elizabeth MacInnis, Ruth Maddock, Raissa Sauve
 Guest: Jamie Cheyne

1) Minutes:

Motion: 1-01-2016: LGHG Minutes

Moved by Jackie and seconded by Elizabeth: That the minutes of the LGHG Committee meetings of November 19, December 4 and December 7, 2015 be adopted as circulated. Carried

2) Accounts: None.

3) **Motion:** 2-01-2016: New Member

Moved by Jackie and seconded by Donna: Be it resolved that Jamie Cheyne be added to the LGHG Committee. Carried.

4) Snowman Contest: Contest open to residents of the village of Hillsburgh and surrounding area.

To be held from February 1 to February 26, 2016.

Deadline: Midnight Friday February 26, 2016.

Entry: Photo of snowman to be emailed to lghgcommittee@gmail.com

Entry must include name, address and phone number.

Winners to be announced on the Town of Erin web site and the LGHG Facebook page on Monday February 29, 2016.

First Prize: \$50.00

Runner-Up Prize: \$25.00

Action needed: Donna to design ½ page flyer for mail distribution and a large full page poster for posting around the community

Action needed: Jeff will print the small flyers and take to Hillsburgh Post Office for distribution.

Action needed: Jackie & Lloyd to post large poster in appropriate places in Hillsburgh.

Action needed: Donna will send poster to Connie Cox at Town Office for posting on the Town's web site and will send a press release to the Erin Advocate.

5) Historical Park

a) Letter to the Hillsburgh Lions Club: Have had no formal reply to our letter. Jeff has talked to some Lions Club members and they are contemplating taking the current wooden structure down and replacing it with a roofed structure of some kind.

Action needed: Donna to write a letter to the Hillsburgh Lions Club asking a Lions representative to come to one of meeting to advise us of their plans.

b) Lighting in the Park: Letter was written by Lloyd to Town. No reply yet.

Action needed: Lloyd will check on status of request.

6) Flower baskets & planters: List of businesses/people that were contacted for donations last year has been misplaced.

Action needed: Donna will contact Donna Muir to see if she has the list on her computer and will email it to Committee members.

Action needed: For next meeting, Committee members to think about businesses/people to ask for donations.

7) Hillsburgh Entrance Signs

a) Service Club Signs:

Action needed: Lloyd will continue to contact service groups in the community offering them the opportunity to have their sign placed on the new entrance signs and advising them of our requirements regarding their signs.

Action needed: Lloyd is still trying to source plastic coated mesh screening. We need 2 -2 ft. X 8 ft. pieces for below the signs.

b) Group Photo taken with Jackie & Lloyd, Mayor Alls and Martin Rudd:

Action needed: Lloyd to email photo to Raissa for the Facebook page, to Donna for future publicity purposes and to Martin.

8) Metal laser-cut signs: Plan to order the 20 signs needed to finish the street.

Action needed: Lloyd will contact Steve at Brodie Ltd. for a quote on 20 unpainted metal signs.

9) Historical banners for the Arena:

Action needed: Donna will find some potential photos for the banners.

10) Publicity:

a) Brochure: LGHG brochure needs to be revised. Events/activities for 2016 could be included in the revised brochure but dates need to be established for them. See item #11.

Action needed: Donna will update brochure and print a supply to be distributed to LGHG members at the next meeting.

11) 2016 Events/Projects & Contests:

a) Snowman Contest: Month of February. See Item #3 for details.

b) Dessert/Arts & Crafts Sale: Proposed date: Saturday June 11

Action needed: Donna to contact the Fire Chief to book the room at the Hillsburgh Fire Station for the event.

c) Spirit of the Hills Family Fun Day : Saturday August 20

d) Fall Decorating Kits: Deadline to order: Wednesday September 7
Pick Up Date: Saturday September 17

e) Scarecrow Contest: Email photo of scarecrow to enter.
Deadline: Friday October 14

f) 2017 Community Calendar & Photo Contest: We want photos of people, places and things in the Hillsburgh community. 12 photos will be selected to be included in the calendar. Photo deadline: October 15,2016

12) Draft Terms of Reference for LGHG Committee:

Committee reviewed the Draft Terms of Reference and commented on some of the details in it. Jeff advised that Town staff is currently revising the Draft.

Donna suggested the following as the mandate of the LGHG Committee:

To plan, coordinate and undertake activities and events that build community pride and spirit.

Action needed: Jeff will send this suggestion to Town staff.

Jeff will email committee members the new version of the Terms of Reference when they are finished.

Action needed: Committee members will review the revised Terms of Reference and email comments/suggestions to Jeff.

13) Other Business & Round Table:

Lloyd reported that the wreaths have been taken down and are stored at Ruth's.

Liz will be participating in the Walk for Alzheimer's in Guelph at the Old Quebec Street Mall on Sunday January 24.

Donna distributed postcards for making suggestions about the new Hillsburgh library. These are to be returned to the Hillsburgh Library with your suggestions ASAP.

2 copies of Ed Stewart's autobiography, *It's been a fun ride*, have been donated to the LGHG Committee for our silent auction table at Family Fun Day.

At some point in the future, we will have to find a new location to store the signs, sandwich boards, Fun Day supplies etc. that are currently stored at the Hillsburgh Library. Jeff will talk to Terry at the arena to see if there is any place there to store these.

Jeff reported that the Town Budget process is still on-going. There will be a Public Meeting regarding the budget at 5 pm on Tuesday February 16 followed by the regular Town Council Meeting at 6:30 pm.

The outdoor skating rink in Victoria Park is open now. This is maintained by the Lions Club with the assistance of the Fire Department flooding the surface as needed.

Doors Open will be held in the Town of Erin on Saturday June 11. Contact Jamie if you have any ideas of places/buildings that could be open for the event.

**Next Meeting:
Thursday February 18
7pm
Town of Erin Municipal Office
5684 Trafalgar Rd.**

OGRA/ROMA - 2016 Report

John Brennan – Notes from sessions I attended

Frank Graves – EKOS Research

- Although people are happy with the Federal Government they are still concerned about the environment.
- Trust in government to do the right thing is declining both in Canada and USA
- 17% say we will grow over the short term while 39% believe it is only over the medium term
- Since 2000 enthusiasm over trade and globalization has declined: 31% support stronger North American security measures; 43% feel we have too many immigrants; 41% feel we have too many visible minorities; 44% want smaller government with lower taxes; 37% want larger government with more services
- A clean environment is seen as more important in rural areas as opposed to urban; concern over good roads and bridges twice as high in rural areas than cities

Kyle Hill – Teach Canada

- Recruiting and supporting teachers for northern, remote first nations areas
- As a non-profit, trains teachers to work well in northern communities which are quite different than southern Ontario

Ontario's Cap & Trade System

- Extent of the impact on municipalities remains to be seen

Ministers Forum

- Appeared to be a little more forthcoming than usual

Barbara Finlay – Acting Ombudsman

- Office of last resort, local investigations preferred first
- Can hear complaints about almost any aspect of Municipal activity
- Where local investigators/commissioners are appointed, will only step in after the local investigation has been completed

Municipal Property Assessment and Taxation

- Dennis Lever (Puslinch): The adverse impact of lowered assessment on gravel pits has been enormous
- Stephen Longo (Lead Counsel for Gravel Pits in Appeal): Pushing mediation
- Carla Nell (VP MPAC): January 2016 assessment will be in use for 2017-2020; trying to streamline the process to catch up to property changes
- More simplistic assessment notice to be delivered earlier (April), non-residential in the Fall
- My Property (online tool)

Municipalities in Time of Change: New Accountabilities and Challenges

- Scott Stoll (Lawyer): Duty to consult with First Nations; Protection of Rights that re protected or potentially protected
- Range of Duty: Low – give notice; Medium – respond to concerns; High – get permission
- Crown has responsibility – does that include municipalities?
- John Mascarin (Lawyer): Bill 8 & the Ombudsman
- Paul Dube should be a stark contrast to Andre Marin; can overrule local ethics, ombudsman, etc. but not a closed meeting investigator
- Investigations are mandated as closed meetings
- Should have a local appointee, a Code of Conduct and develop formal public complaint procedures
- Andy Best (City of Guelph): Public expectations are high; need to develop simple tools for busy lives; look for transparency in all ways government intersect with citizens, not just politicians; simplify the complaint chain (eg. Public to Council to Mayor to CAO to Department Head to someone who can fix the problem will not work); try to equip people to answer their own questions by accessing information formats

First Past The Post for the last time? – Municipal Electoral Reform

- Kate Manson-Smith (Min of MA&H): led consultation process to offer municipalities the possibility of holding ranked ballot elections in 2018; also looking at Voters List, simpler campaign financing rules, 3rd party advertising, shorter campaign period and candidate qualifications
- More news to come Spring 2016; Ranked ballot needs public consultation, accessibility provisions and compliance audit procedures
- Stephen O'Brien (Clerk City of Guelph): AMCTO input did not address ranked ballots directly, but noted concerns around voting modalities, the role of clerks vs Council, ballot design and complexity; will vendors be able to meet demand in time for 2018?; costs will certainly be greater; shorter campaign period will compress time available for ballot layout, proofing & printing, adequate public education; will there be a willingness to accept delays in reporting results where multiple counts are needed
- Leigh Bursey (Councillor Brockville): thinks ranked ballots will engage more people; believes shorter campaign period will favour incumbents as newcomers have less time to make a mark
- Dave Meslin (100 Remedies): organization strongly supports ranked ballots to eliminate strategic voting, make campaigns more positive and allow more voices; *** only really examined single position races (eg Mayor), thinks at large Councils with several members will be much more problematical and the model does not lend itself to using ranked balloting

Rural Ontario Advantage: What is the future of Rural Ontario?

- Al Lauzon (University of Guelph): Rural population is aging with largest growth in the 25-44 year old group; since 2002 manufacturing has declined from 21.7% to 12.7% of GDP, employment is down by 28% in non-food manufacturing, but mining has added 3500 jobs, farm receipts are up by \$3B since 2001; there is a need to go beyond traditional sectors into areas such as tourism, green tech, high tech and ways to retain youth
- Norm Regetlie (Rural Ontario Inst) [check their website] : population in non-metro areas down from 25% to 20%; 1.4M live in <10k and 1.1M live in 10k-100k towns; rural population is stable while the urban population is growing
- Of 100,000 newcomers to Ontario each year, only 16% go to rural areas; need to look at repurposing public assets eg. community hubs; need to attract younger volunteers to sit on boards and attend meetings.

Activity List 2016

Description of Request	Person Responsible	Date Directed	Suggested Completion	Status
Open Items				
Fill By-law	CAO/CBO	2014	Q2 2016	draft by-law March 22 mtg
Centre 2000 Shared Use Agreement	CAO		5-Apr-16	updates included in qtly report
Alcohol Risk Policy - update	CAO/Facility Manager	19-May-15	5-Apr-16	
Mayor and Reeves Wall of Recognition	TEHC	2-Jun-15	2016	
Station 50 - Update Emergency Plan	Fire Chief/County Emergency Manager	2-Jun-15	Q2 2016	EOC mtg April
GMF Application for wastewater class EA feasibility study - submission and results	Triton Engineering	2-Jun-15	n/a	50% (application submitted)
Determine the best option for updating the Official Plan	Council	13-Jul-15	Q2 2016	
Organizational and Compensation Review	CAO		5-Apr-16	
Operational Plan - Finalizing 4 year objectives	CAO		5-Apr-16	
Quarterly Major Project Updates	CAO	1-Sep-15	Each Quarter	
List of types of desired businesses	EDO	15-Sep-15	2016	
Stanley Park Arch and Gates - formal designation	TEHC	20-Jan-15	Q2 2016	
Review possible user options for old public school property	EDO	20-Oct-15		
Report - 5 year on range of possible tax implications - increase based on CPI and current AMP	Director of Finance	3-Nov-15	Q2 2016	
Schedule meeting to review strategies to address current economic challenges	EDO	3-Nov-15		
Report on procedures, policies and options re: Demolition Permit	CBO/Planning staff	1-Dec-15	Q2 2016	
Completed Items				
Full time By-law Officer Report	CAO	6-Oct-15	Q1 2016	
Outstanding Operational Review Item - Fire Department Review	CAO	1-Sep-15	26-Feb-16	10am
Inquire with the Town of Minto regarding videotaping Council Meetings	Clerk	16-Feb-16	1-Mar-16	complete Mar 1 Agenda
Pulic Open Forum Report	Clerk	1-Mar-16	22-Mar-16	complete Mar 22 Agenda
Check with Rogers to see if they are interested in broadcasting Council meetings	Clerk	19-Jan-16	Q2 2016	no interest

Activity List 2016

Description of Request	Person Responsible	Date Directed	Suggested Completion	Status
Report on potential amendments to the sign by-law	By-law	17-Nov-15	Q1 2016	complete Mar 22 Agenda
Report on actions/options required to implement a Community Safety Zone By-law	County Planning	1-Sep-15	Q2 2016	County Engineer resp.

Ministry of Agriculture,
Food and Rural Affairs

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



Office of the Minister

Bureau du ministre

77 Grenville Street, 11th Floor
Toronto, Ontario M7A 1B3
Tel: 416-326-3074
Fax: 416-326-3083

77, rue Grenville, 11^e étage
Toronto (Ontario) M7A 1B3
Tél.: 416-326-3074
Télééc.: 416-326-3083

RECEIVED

FEB 08 2016

TOWN OF ERIN

February 2, 2016

Dear Mayor:

I am pleased to share news with you regarding the 2016 Premier's Award for Agri-Food Innovation Excellence program. I encourage you to share this information throughout your municipality.

The Premier's Award for Agri-Food Innovation Excellence program was created to recognize and foster the spirit of innovation that thrives in Ontario's agricultural sector. It encourages the development of rural communities, farms, agri-food processors and agri-food organizations by adding value to existing products, creating jobs and driving economic growth.

Each year the program recognizes up to 45 award winning innovations across the province and awards them with \$5,000 each. In addition, there is a Premier's Award valued at \$75,000, a Minister's Award valued at \$50,000, and three Leaders in Innovation awards valued at \$25,000 each. All award recipients receive a plaque and gate sign, and they can also use the Premier's Award program wordmark.

Primary producers, processors and agri-food organizations are invited to submit applications between February 12, 2016, and April 15, 2016. Details on eligibility, innovation categories, assessment criteria, and the application and selection process can be found in the enclosed 2016 Program Guidebook and Application Form or at www.ontario.ca/agrifoodinnovation.

I ask that you encourage outstanding agriculture and agri-food innovators throughout your municipality to apply. The **deadline** to submit applications is **5 p.m. on April 15, 2016**. Should you require additional information please contact the Agricultural Information Contact Centre at 1-877-424-1300 or email ag.info.omafra@ontario.ca.

I have also enclosed a copy of last year's program brochure which highlights 2015 Premier's Award for Agri-Food Innovation Excellence recipients.

.../2

I look forward to learning about agri-food innovations in your municipality.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Leal', written in a cursive style.

Jeff Leal
Minister of Agriculture, Food and Rural Affairs

Enclosure



Good Things Grow in Ontario
À bonne terre, bons produits

TOWN OF ERIN

5684 Trafalgar Rd.
Hillsburgh, ON N0B 1Z0
Toll Free: 1-877-818-2888



Telephone: (519) 855-4407
Fax: (519) 855-4281
www.erin.ca

March 08, 2016

Jeff R. Duncan,
74 Trafalgar Road,
P. O. Box 532
Hillsburgh, Ontario,
N0B 1Z0
(1-519) 855-6134

Laurie Ann Mete

Attention : Laurie Ann Mete

RE : Letter of Acknowledgement of Former Brisbane Public School Date Stone Donation

Dear Laurie Ann,

It was a pleasure to meet with you on Saturday March 5th, 2016. Jamie Cheyne Chairman of the Town of Erin Heritage Committee, Lloyd Turbitt Chairman of the Lets Get Hillsburgh Growing Committee and myself sincerely thank you on behalf of the Town of Erin for your donation. This letter is to acknowledge that the Town of Erin as of March 5th, 2016 has taken possession of the 1901 former Brisbane public school date stone that you donated to us.

We will do some research; obtain a small plaque to attach to the date stone and co-ordinate a marking of the donation to the public. This will happen at the May 3rd 1:00pm Council Meeting at the Town's municipal building located south of Hillsburgh. We will indicate the donation is in memory of Charles Eagles and we invite you, family/friends to attend the brief ceremony.

See you in early May and thanks again for your families commitment to the local history of Brisbane and the Town of Erin.

Best Regards,

Jeff R. Duncan,
Councillor, Town of Erin

A handwritten signature in blue ink that reads 'Jeff R. Duncan'. The signature is written in a cursive style and is underlined.

cc Dina Lundy, Clerk, Town of Erin



**TRITON
ENGINEERING
SERVICES
LIMITED**

Consulting Engineers

Memorandum

DATE: March 14, 2016

TO: Kathryn Ironmonger, CAO
Town of Erin

FROM: Christine Furlong, P. Eng.

RE: Urban Centre Water and
Wastewater Class EA's
A4674B and C

Project Status update as of March 1, 2016:

A. Urban Centre Water Servicing Class EA

1. Background information continues to be gathered and tenders for drilling and pump testing are being prepared for the firehall well in Hillsburgh and a well site for Erin Village.
2. Pump testing and drilling is tentatively proposed for late April 2016 or sometime in May 2016 depending on final requirements of CVC staff.

B. Urban Centre Wastewater Servicing Class EA

1. The four proposals for this project were reviewed in February 2016. Council awarded the project to the Ainley Group on March 1, 2016.

Christine Furlong

Christine M. Furlong, P.Eng.
Project Engineer

**Ministry of
Community Safety and
Correctional Services**

 Office of the
Fire Marshal and
Emergency Management

 Suite 6
3767 Hwy. 69 South
Sudbury, ON P3G 0A7
Tel: 1-800-565-1842
Fax: (705) 564-4555

**Ministère de la
Sécurité communautaire et
des Services correctionnels**

 Bureau du
commissaire des incendies et
de la gestion des situations d'urgence

 Suite 6
3767, route 69 sud
Sudbury, ON P3G 0A7
Tél: 1-800-565-1842
Télé: (705) 564-4555

March 01, 2016

Dear Mayor:

It is the responsibility of municipalities to ensure they are in compliance with the Emergency Management and Civil Protection Act (EMCPA) and its associated Regulation, Ontario Regulation 380/04.

The Office of the Fire Marshal and Emergency Management (OFMEM) has determined that your municipality has complied with the Act and the Regulation for 2015.

	Completed
Community Emergency Management Coordinator (CEMC) appointed (O.Reg.380/04,s.10(1))	yes
CEMC completed the required training (O.Reg.380/04,s.10(2)) and Fire Marshal & Chief, Emergency Management Guidance: 2015-01-08 (O. Reg 380/04 Training Requirements)	yes
The Municipality Emergency Management Program Committee met at least once this year (O. Reg. 380/04, s.11 (6))	yes
Current by-law for the municipality's adoption of its emergency management program (EMCPA s. 2.1(1))	yes
Municipal Community Risk Profile reviewed by the Emergency Management Program Committee (EMCPA s. 2.1(3))	yes
Municipality's Emergency Response Plan reviewed and the most current copy submitted to EMO (EMCPA s.3(1), s.3(6) s. 6.2 (1))	yes
Current by-law for the municipality's Emergency Response Plan? (EMCPA s. 3(1))	yes
Municipal Emergency Operations Centre designated (O.Reg.380/04,s.13 (1))	yes

Municipality's EOC communications system deemed to be appropriate (O. Reg. 380/04,s.13 (2))	yes
Municipality's Critical Infrastructure reviewed by the Emergency Management Program Committee (EMCPA s. 2.1 (3))	yes
Four (4) hours of annual municipal training conducted for the Municipal Emergency Control Group, staff and others identified in the ER Plan (EMCPA s.2.1(2), O. Reg. 380/04,s.12 (3))	yes
Municipal annual Exercise for the Municipal Emergency Control Group, staff and others identified in the ER Plan (EMCPA s.2.1(2), O.Reg.380/04 s. 12 (6)) and Fire Marshal & Chief, Emergency Management Guidance: 2015-01-08 (O. Reg 380/04 Training Requirements)	yes
Municipal designated employee appointed to act as Emergency Information Officer (O.Reg.380/04, s. 14 (1))	yes
Public Education Strategy completed (EMCPA s. 2.1 (2c))	yes
Municipality's Emergency Management Program Committee conducted an Annual Review of the Program (O.Reg.380/04,s.11 (6))	yes

The safety of your citizens is important, and one way to increase that safety is to ensure that your municipality is prepared in case of an emergency and is compliant with the applicable legislation and regulation. You are to be congratulated on your municipality's efforts in achieving compliance in 2015.

I hope and trust that you will continue your efforts to be compliant in 2016.

If you have any questions regarding the monitoring process, please contact your Emergency Management Field Officer.

Sincerely,



Art Booth
 Operations Manager
 Field and Advisory Services

cc: CEMC
 CAO/Clerk
 Field Officer

COUNTY OF WELLINGTON



OFFICE OF THE WARDEN
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E warden@wellington.ca

74 WOOLWICH STREET
GUELPH, ONTARIO
N1H 3T9

March 10, 2016

The Honourable Glen Murray
Ministry of the Environment and Climate Change
2nd Floor, Macdonald Block
M2-22 – 900 Bay Street
Toronto ON M7A 1N3

RE: Proposed Excess Soil Management Policy Framework

Dear Minister Murray,

At its meeting on March 10, 2016, the Wellington County Planning Committee considered an overview by staff of the Proposed Excess Soil Management Policy Framework recently released by your Ministry.

The Committee was generally supportive of your proposed policy framework and agreed to submit the following to you to meet the March 26, 2016 deadline for comments, pending our Council consideration on March 31, 2016.

Attached for your reference are the following:

- Report of the County's Planning and Development Staff presented to the Planning Committee
- Photos taken on March 7, 2016 of mud and debris along Wellington Road 125 at entrance to a fill operation highlight a public safety concern

Thank you for the opportunity to make comments and we look forward to continuing to monitor this initiative and provide input as the process evolves.

Yours truly,

A handwritten signature in black ink, appearing to read 'G. Bridge', written in a cursive style.

George Bridge, Warden, Wellington County

cc: Karen Landry, CAO/Clerk, Township of Puslinch
Karren Wallace, Clerk, Township of Wellington North
Bill White, CAO/Clerk, Town of Minto
Brad McRoberts, CAO/Clerk, Township of Mapleton
Meaghen Reid, Clerk/Director of Legislative Services, Township of Guelph/Eramosa
Dina Lundy, Clerk, Town of Erin
Kerri O’Kane, Manager of Legislative Services/Clerk, Township of Centre Wellington
Atif Durrani, Senior Policy Advisor, Ministry of the Environment and Climate Change



COUNTY OF WELLINGTON

COMMITTEE REPORT

To: Chair and Members of the Planning Committee
From: Jameson Pickard and Aldo L. Salis
Date: Thursday, March 03, 2016
Subject: **Proposed Excess Soil Management Policy Framework**

Introduction

The purpose of this report is to provide the Committee with an overview of the “Proposed Excess Soil Management Policy Framework” recently released by the Ministry of Environment and Climate Change.

Background

The placement of excess soil (“fill”) at new locations is an activity referred to as “site alteration” under the Municipal Act. Pursuant to Section 142 of the Act, municipalities have the authority to pass by-laws to, among other things, prohibit or regulate the placing or dumping of fill and alterations of the grade of the land. In Wellington, municipalities with a site alteration by-law in effect, generally use their public works or building departments to administer requests for site alteration. While this office has not been directly involved in the development of site alteration by-laws or the review of fill application permits, we are aware of the growing public concerns related to these activities.

In recent years, there has been considerable public opposition to the importation and dumping of excess soil in agricultural areas in and around the GTA. And there are many examples of municipalities not being able to adequately enforce their own by-laws and procedures, resulting in significant community impacts and environmental degradation. It has become apparent that there are weaknesses in the management of excess soil and the public is demanded greater provincial involvement in this cross-boundary issue.

In 2013, Wellington-Halton Hills MPP Ted Arnott submitted an Application for Review to Ontario’s Environmental Commissioner requesting: *“A review of the need to establish a new comprehensive, province-wide policy to address the problem of compromised soil and to ensure that fill being dumped onto sites is safe.”*

Initial Provincial Review

In January 2014, the Ministry of Environment and Climate Change (MOECC) commenced a review with the support of a working group consisting of several provincial ministries. The Ministry held a series of listening sessions with various stakeholders, reviewed Ontario’s existing legislative and operational policies, and reviewed existing approaches in other jurisdictions.

Review Findings

Upon completion of their review, the Ministry of Environment and Climate Change concluded that there is no overall policy framework for the management of excess soil in Ontario and that existing provincial policies need improvement. The review identified key areas for improvement which would help protect the environment and provide greater confidence in the management of excess soil.

More specifically, the areas of improvement include:

- **Greater responsibility by owners of source sites** that generates excess soil to ensure that their excess soil reaches appropriate receiving sites;
- **Clearer roles and responsibilities** amongst all who manage or provide an oversight role in the management of excess soil;

- **Specific gaps in receiving site oversight to be filled and new guidance to promote better oversight at receiving site**, including to inform municipal by-laws;
- **Greater clarity of existing regulations** such as brownfield-related requirements and inert fill provisions clarifying when excess soil must be managed as a “waste”;
- **Enhanced enforcement mechanisms and tools** to address illegal activities;
- **Clearer technical guidance and direction** with respect to excess soil re-use standards and testing procedure, to assist technical professionals, to integrate into oversight policies, and to help ensure excess soil management is protective of human health and the environment;
- **Better tracking and record keeping** of excess soil movements to confirm that excess soil reaches intended receiving sites and to facilitate oversight;
- **Protection of sensitive areas of provincial and local interest**, including natural heritage and hydrological features and functions, farmland, and significant cultural heritage landscapes and archaeological resources, and;
- **Greater consideration of excess soil management when planning** for development and infrastructure projects, to better plan for appropriate excess soil re-use and to identify and promote local re-use opportunities for excess soil.

Overview of the Proposed Excess Soil Management Policy Framework

Informed by the results of their initial review and engagement process, the MOECC released the “Proposed Excess Soil Management Policy Framework”. The proposed framework was published on Environmental Registry (under number 012-6065) on January 26, 2016 for a 60 day comment period.

The proposed framework is based on two overarching goals:

- to protect human health and the environment from the inappropriate management of excess soil; and
- to encourage the beneficial re-use of excess soil.

The proposed framework also includes:

- principles to guide policy and program development;
- a description of existing policy and current roles and responsibilities; and
- policy needs and actions to be taken.

The proposed framework is designed to build on existing legislation related to excess soil (e.g. Environmental Protection Act, Municipal Act) and assist with the implementation of existing best management practices. The province has structured the framework around six areas integral to excess soil management and developed 21 actions items to address identified needs in each (see ‘Attachment A’ for a breakdown of timelines for the various action items).

The six key areas include:

- | | |
|--------------------|--------------------------------------|
| 1. Source Sites | 4. Technical Standards |
| 2. Interim Sites | 5. Planning for re-use opportunities |
| 3. Receiving sites | 6. Integration and Implementation |

The following sections elaborate on these key areas.

Source Sites

The proposed framework would shift more responsibility onto generators of excess soil to better plan for its re-use and tracking from source to re-use. This would be achieved through policy shifts placing new regulatory requirements on source sites.

Actions proposed to be taken include:

- MOECC to work with partner ministries to develop a new regulation under the Environmental Protection Act requiring larger and/or riskier source sites to develop and implement excess soil management plans certified by a Qualified Person and made available to MOECC and Local municipalities.
- MMAH and MOECC could require proof of an Excess Soil management Plan for issuance of certain permits.
- MMAH and MOECC to promote linking requirements for excess soil management to applicable Planning Act approvals through guidance.
- MOECC to work with Qualified Persons on excess soil management.

Interim Sites

The proposed framework would clarify the roles and responsibilities of interim sites temporarily storing and processing excess soil. The province recognizes that these sites can play an important role in the effective re-use of soil and in reducing transportation and environmental impacts associated with excess soil.

Actions proposed to be taken include:

- MOECC to clarify when approvals apply to excess soil processing sites and prescribe requirements for temporary storage sites.
- MMAH with MOECC to consider approaches that would encourage municipalities to identify appropriate areas (e.g. Industrial) for excess soil storage and processing to encourage local re-use, to be achieved through ongoing updates to the provincial land use planning framework, including the coordinated review of provincial plans.

Receiving Sites

The proposed framework would clarify, make improvements to and provide guidance on existing policy tools applicable to receiving sites (municipal by-laws, Conservation Authority permits, etc.) so the application of these tools is efficient and effective.

Actions proposed to be taken include:

- MMAH and MNRF to consider amendments to legislation to remove restrictions on site alteration by-laws in conservation authority regulated areas.
- MMAH and MOECC to develop education materials respecting receiving sites, including larger (commercial) sites, to inform municipalities in the development or updating of by-laws.
- MMAH and MNRF to explore, with partners, legislative and non-legislative ways to improve compliance and enforcement with Municipal Act and Conservation Authorities Act requirements.
- MNRF to consider requiring record keeping for fill being brought to licensed and permitted aggregate sites, through the current review of the Aggregate Resources Act.
- OMAFRA and MOECC to develop best-practice guidance for farmers to limit impacts of the importation of soil onto farmland.

Technical Standards

The proposed framework would direct applicable ministries to prepare technical guidance material including re-use and testing standards, as well as best practices for tracking excess soil, to achieve more consistency at source and receiving sites across the province.

Actions proposed to be taken include:

- MOECC to develop approaches and standards for re-use of excess soil that provide for environmental protection and sustainable re-use of excess soil.
- MOECC to develop clear guidance to inform requirements for testing of excess soil.
- MOECC to develop guidance for smaller, lower risk source or receiving projects or sites.

Planning for Re-Use Opportunities

The proposed framework moves toward a system that better provides for the life-cycle management of excess soil, which includes early identification of re-use opportunities.

Actions proposed to be taken include:

- MMAH with MOECC to identify opportunities to encourage municipalities to develop soil-reuse strategies as part of planning for growth and development (e.g. official plans, master plans) through ongoing updates to the provincial land use planning framework. Including the coordinated review of provincial plans.
- MOECC to develop guidance for the consideration of excess soil in the environmental assessment processes that govern large scale infrastructure and other development projects.
- Province to support pilot projects identifying opportunities and procedures for excess soil re-use.

Integration and Implementation

The proposed framework would look to aligning provincial legislation, various regulations, guidelines and processes related to excess soil for a consistent provincial approach.

Actions proposed to be taken include:

- MOECC to integrate and align various aspects of Provincial Policy.
- Province to review and update existing guidance for provincial projects to ensure alignment.
- MOECC to develop a stakeholder group to provide input on proposed policies, technical matters, guidance and implementation, including coordination with external groups.
- Industry and MOECC will jointly investigate approaches to program, that promote market-based mechanisms to encourage the reuse of excess soil, including programs from other jurisdictions.

Initial Thoughts on the Proposed Policy Framework

Based on our review of the proposed policy framework, the Ministry wishes to establish a system that is consistent and enforceable, and one that provides municipalities, the public, industry, and other stakeholders, with clarity when dealing with excess soil management province-wide. While it is early in the Province's development of a comprehensive framework, we are pleased with their initial review and proposed policy direction regarding excess soil.

We are encouraged to see that the Province will make generators of excess soil more responsible for ensuring that excess material meets industry standards and that re-use plans are established prior to excess soil being removed from a source site.

We are also pleased to see that a number of action items appear to be focusing on helping local municipalities better deal with excess soil, including:

- Legislative changes to require larger/riskier source sites to develop and implement excess soil management plans.
- Exploring legislative and non-legislative ways to improve compliance and enforcement with the Municipal Act and Conservation Authorities Act requirements.
- The development of guidance material and standards for soil testing, excess soil re-use, and smaller receiving sites.
- Legislative amendments to remove restrictions on site alteration by-laws in conservation authority regulated areas.
- MMAH and MOECC to develop educational materials respecting receiving sites, including larger (commercial) sites, to inform municipalities in the development or updating of by-laws.

The proposed policy framework also suggests greater connection to the municipal planning and approval process under the Planning Act. At this time, only broad guidance is suggested. This office will monitor this initiative as it relates specifically to any proposed changes to the provincial planning process.

Next Steps


Over the coming months, the Province will be addressing a number of specific actions including further consultation. Staff will follow the Ministry's progress on this work. We would encourage our member municipalities and interested community groups to provide input and to continue to engage the Province on this important matter.

As mentioned, the deadline for submission of comments on the "Proposed Excess Soil Management Policy Framework" is March 26, 2016 (EBR registry number 012-6065).

Recommendations

That this report be forwarded to the Province and to our local municipalities; and
That staff continues to monitor the progress of the Provincial review of an excess soil management policy framework and provide input as necessary.

Respectfully submitted,
PLANNING AND DEVELOPMENT DEPARTMENT



Aldo L. Salis, BES, M.Sc. MCIP, RPP
Manager of Development Planning



Jameson Pickard, B.URPL
Planner

Attachment A

Ministry's Timelines for Proposed Action

PROPOSED ACTION	Currently Underway	Short-term (2016)	Longer-term
1. MOECC to work with partner ministries to develop a new regulation under the EPA requiring larger and/or riskier <i>source sites</i> to develop and implement excess soil management plans certified by a Qualified Person and made available to MOECC and local authorities.		X	
2. MMAH and MOECC, could require proof of an Excess Soil Management Plan for issuance of certain building permits.			X
3. MMAH and MOECC, to promote linking requirements for <i>excess soil management</i> to applicable Planning Act approvals through guidance			X
4. MOECC to work with Qualified Persons on <i>excess soil management</i> guidance.	X		
5. MOECC to clarify when waste approvals apply to <i>excess soil processing sites</i> and prescribe requirements for temporary storage sites.		X	
6. MMAH with MOECC to consider approaches that would encourage municipalities to identify appropriate areas (e.g. industrial) for <i>excess soil</i> storage and processing to encourage local re-use, to be achieved through ongoing updates to the provincial land use planning framework, including the coordinated review of provincial plans.	X		
7. MMAH and MNRF to consider amendments to legislation to remove restrictions on site alteration by-laws in conservation authority regulated areas.	X		
8. MMAH and MOECC to develop educational materials respecting receiving sites, including larger (commercial) sites, to inform municipalities in the development or updating of by-laws.		X	
9. MMAH and MNRF to explore, with partners, legislative and non-legislative ways to improve compliance and enforcement with Municipal Act and Conservation Authorities Act requirements.	X		
10. MNRF to consider requiring record keeping for fill being brought to licensed and permitted aggregate sites, through the current review of the Aggregate Resources Act	X		
11. OMAFRA and MOECC, to develop best-practice guidance for farmers to limit impacts of the importation of soil onto farmland.	X		
12. MOECC to develop approaches and standards for re-use of <i>excess soil</i> that provide for environmental protection and sustainable re-use of <i>excess soil</i> .		X	X
13. MOECC to develop clear guidance to inform requirements on testing of <i>excess soil</i> .			X
14. MOECC to develop guidance for smaller, lower risk source or receiving projects or sites.			X
15. MMAH with MOECC to identify opportunities to encourage municipalities to develop soil re-use strategies as part of planning for growth and development (e.g. official plans, master planning) through ongoing updates to the provincial land use planning framework, including the coordinated review of provincial plans.	X		
16. MOECC to develop guidance for the consideration of <i>excess soil</i> in the environmental assessment processes that govern large infrastructure and other development projects.			X
17. Province to support pilot projects identifying opportunities and procedures for <i>excess soil</i> re-use		X	
18. MOECC to integrate and align various aspects of provincial policy including Regulation 347 (Waste) and O. Reg. 153/04.		X	
19. Province, including MOECC, MTO and MEDEI, to review and update existing guidance for provincial projects (e.g. transportation and infrastructure) to ensure alignment.			X
20. MOECC to develop a stakeholder group (and potential sub-working groups) to provide input on proposed policies, technical matters, guidance and implementation, including coordination with external programs.		X	
21. Industry and MOECC will jointly investigate approaches to program delivery, e.g. like the UK CL:AIRE model, that promote market-based mechanisms to encourage the reuse of excess soil.		X	



Public Safety Concern: Mud and debris along Wellington Road 125 at entrance to fill operation (Photos taken March 7, 2016)

**COUNTY OF WELLINGTON**

PLANNING AND DEVELOPMENT DEPARTMENT
GARY A. COUSINS, M.C.I.P., DIRECTOR
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ADMINISTRATION CENTRE
74 WOOLWICH STREET
GUELPH ON N1H 3T9

February 25, 2016

Burkhard Mausberg, CEO
Friends of the Greenbelt Foundation
661 Yonge Street, Suite 500
Toronto, ON M4Y 1Z9


Dear Mr. Mausberg:

RE: Inclusion of Town of Erin – Greenbelt Route & Greenbelt Walks Series

This letter is further to January 19, 2016 correspondence from Mayor Alls of the Town of Erin and a Council resolution of support (attached).

Please consider this letter of support for the Town's inclusion in the Greenbelt Route and Greenbelt Walks publications. Thank you for your assistance in this matter.

Sincerely,


Gary Cousins, MCIP
Director of Planning & Development

TOWN OF ERIN

5684 Trafalgar Rd., R.R. #2
Hillsburgh, Ontario N0B 1Z0
www.erin.ca

**Office of the Mayor**

Telephone: (519) 855-4407 ext. 232
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E-mail: council@erin.ca

January 19, 2016

Burkhard Mausberg, CEO
Friends of the Greenbelt Foundation
661 Yonge Street, Suite 500
Toronto, ON M4Y 1Z9

Dear Mr. Mausberg,

**Re: Inclusion of Town of Erin
Greenbelt Route & Greenbelt Walks Series**

Congratulations on the launch of the Greenbelt Route, Greenbelt Walks and Headwater Hikes Series last year. These are impressive cycling and hiking publications which will help connect people with nature. While approximately half of the Town of Erin is within the Greenbelt, it has not been included in either the Greenbelt Route or Greenbelt Walks.

We would request that the Town of Erin be provided with an opportunity to participate in the next release of your publications so that we may be considered for inclusion in the documents.

Sincerely,

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

Mayor Allan Alls
Town of Erin

TOWN OF ERIN

#5684 Trafalgar Road
 Hillsburgh, Ontario N0B 1Z0
 www.erin.ca

**Clerk's Department**

Tel: (519) 855-4407, Ext.233
 Fax: (519) 855-4281
 E-mail: dina.lundy@erin.ca

February 9, 2016

Burkhard Mausberg, CEO
 Friends of the Greenbelt Foundation
 661 Yonge Street, Suite 500
 Toronto, ON M4Y 1Z9

Dear Mr. Mausberg:

Re: Inclusion of Town of Erin - Greenbelt Route & Greenbelt Walks Series

Mayor Allan Alls wrote a letter on January 19, 2016 requesting inclusion in two publications. The issue was discussed and the following resolution resulted:

8.4.1 Mayor Alls - Letter to Greenbelt Foundation requesting inclusion in publications

Resolution # 16-032

Moved By Councillor Smith

Seconded By Councillor Duncan

Whereas The Town of Erin is supporting local tourism, rural/farm investment and experiences, bicycle and walking trails, heritage promotion, and environmental stewardship;

Therefore be it resolved that the Council of the Town of Erin formally endorses Mayor Allan Alls letter of January 19, 2016 and wishes to express its desire to build a framework to partner with the Friends of the Greenbelt Foundation.

Carried

Yours truly,

Dina Lundy

Clerk

cc: Sarah Wilhelm, Senior Planner - County of Wellington



 COUNTY OF WELLINGTON

OFFICE OF THE COUNTY ENGINEER
 ADMINISTRATION CENTRE
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GORDON J. OUGH, P. Eng.
 COUNTY ENGINEER

March 14, 2016

Dina Lundy
 Clerk
 Town of Erin
 #5684 Trafalgar Road
 Hillsburgh, ON NOB 1Z0

Dear Dina

Further to your correspondence to me, dated February 24, 2016, and a recent conversation between your Mayor and my CAO, I offer the following.

Several times over the years the question of installing a crosswalk on Main St in Erin has come up from The Village of Erin BIA. Each time, the BIA has opted not to pursue the installation of a crosswalk when it was determined that several parking spots would be eliminated, the location was likely to become controversial, and that the cost would not be something that the County would be responsible for.

Years ago the County spent many thousands of dollars looking into a truck by-pass. The Town of Erin requested the County to drop those plans and to reconstruct and to continue to maintain Main Street as a County Road.

Many Community Zones throughout the Province have been removed because they were found to be ineffective. Normal speed surveillance enforcement has proven to be just as effective. The Wellington County OPP has reviewed the areas mentioned in the Town's resolution and are not advocating for the implementation of Community Safety Zones.

Sorry that I can't be of more help.

Respectfully

Gordon J. Ough P. Eng.
 County Engineer



The Corporation of the Township of Burpee and Mills

8 Bailey Line Road
Evansville ON P0P 1E0
Phone & Fax: 705 282 0624
E-mail: burpeemills@vianet.ca

Monday, February 22, 2016

Association of Municipalities of Ontario (AMO)
200 University Ave., Suite 801
Toronto, Ontario M5H 3C6

To Whom It May Concern,

The Municipality of Burpee-Mills is seeking support in the form of a resolution forwarded to Premier Kathleen Wynne's office. Tax incentive programs are put in place to benefit all Ontarians. Unfortunately, the reality is that the cost to fund these programs is only absorbed by the municipalities where these designations are applied. We feel, what benefits all of Ontario, should be paid for by all of Ontario.

Yours Truly,

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

Ken Noland, Reeve
Township of Burpee and Mills



The Corporation of the Township of Burpee and Mills

8 Bailey Line Road
 Evansville ON P0P 1E0
 Phone & Fax: 705 282 0624
 E-mail: burpeemills@vianet.ca

Monday, February 22, 2016

The Honourable Kathleen Wynne, Premier of Ontario
 Room 281
 Main Legislative Building
 Queen's Park
 Toronto, ON
 M7A 1A1

Dear Premier Wynne,

The Municipal Council of Burpee and Mills is very concerned that the Provincial Government continues to advocate that private conservation organizations purchase lands on Manitoulin Island. Under the Conservation Land Tax Incentive Program (CLTIP), these lands become designated "Tax Exempt" by the Ministry of Natural Resources and Forestry (MNRF).

To date, Burpee and Mills Township properties, assessed at approximately \$900,000.00, have been designated eligible for CLTIP tax exemption. There has been absolutely no consultation or regard for the municipality's ability to absorb the lost revenue. Our Municipality is now required to deal with this serious shortfall, while being forced to continue funding other programs originally created as Provincial responsibilities and then downloaded to the Municipalities. Managed Forest Tax Incentive Program, Agricultural Land Tax Incentive Program, and the Conservation Land Tax Incentive Program cost the Municipality of Burpee and Mills over \$73,000.00 each year. This represents a 13% loss in annual tax revenue.

Nature Conservancy of Canada is presently negotiating purchase of an additional 160 hectares in Burpee Township. Our Municipality has reached a level of critical tax base erosion resulting from such tax reduced and tax exempt properties. Council is now prepared to challenge the eligibility of any such conservation lands for CLTIP designation.

Our Council requests that the Province assist this Municipality by:

- Requirement to pay fair taxes on all properties with conservation status designated under the CLTIP.
- Provision of Provincial "grants in lieu" for any land designations resulting from Provincial incentive programs.
- A moratorium on all further CLTIP designations on Burpee and Mills properties by the MNRF.

Our Council requests a meeting with you and appropriate Ministers to find a resolution to these financial shortfalls to our Municipality created by these incentive programs. A timely response, suggesting viable solutions, would be appreciated.

Yours Truly,

A handwritten signature in blue ink, appearing to read "Ken Noland".

Ken Noland, Reeve
 Township of Burpee and Mills

Cc. Gary McNamara, President, Association of Municipalities of Ontario (AMO)
 Al Spacek, President, Federation of Northern Ontario Municipalities (FONOM)

DISCLAIMER: This material is provided under contract as a paid service by the originating organization and does not necessarily reflect the view or positions of the Association of Municipalities of Ontario (AMO), its subsidiary companies, officers, directors or agents.

CORPORATION OF THE TOWN OF ERIN

BY-LAW # 16-

Being a By-Law to assume Municipal Services in the Erinbrook subdivision relating to part of the east half of Lot 11 and part of the south half of the east half of lot 12, Concession 9, and more particularly described as Lots 1 to 49, Blocks 50 to 56, together with Streets A, B and C on Registered Plan of Subdivision 61M-79

WHEREAS, the Subdivision Agreement between the Town of Erin and Birdseye Farm Limited, 1130872 Ontario Inc., Ugo Gulia, Tical Painting & Decorating Limited, Security Recycling (Ontario) Limited, Vicmarelle Holdings Limited and Nadese General Contracting Inc. provides for the installation of certain public services;

AND WHEREAS, the CAO/Town Manager has received certification that the services in Registered Plan 61M-79, have been constructed and installed in accordance with Town specifications;

NOW THEREFORE the Council of the Town of Erin hereby **ENACTS AS FOLLOWS:**

1. That the services in Registered Plan 61M-79, more particularly described in the Subdivision Agreement between the Corporation of the Town of Erin and Birdseye Farm Limited, 1130872 Ontario Inc., Ugo Gulia, Tical Painting & Decorating Limited, Security Recycling (Ontario) Limited, Vicmarelle Holdings Limited and Nadese General Contracting Inc. dated May 3, 2003, be and they are hereby assumed as public services.
2. That this By-law comes into force and takes effect upon the final passage thereof.

Passed on March 22, 2016.

Mayor

Clerk

CORPORATION OF THE TOWN OF ERIN

BY-LAW # 16 –

Being a By-Law to appoint the Water Superintendent
for the Corporation of the Town of Erin,
and to repeal By-law 14-36

WHEREAS the Corporation of the Town of Erin requires a Water Superintendent for the operation of the Town of Erin’s Water Department;

NOW THEREFORE the Council of the Corporation of the Town of Erin hereby ENACTS AS FOLLOWS:

1. That Joe Babin is hereby appointed Water Superintendent for the Corporation of the Town of Erin and Overall Responsible Operator for the Erin and Hillsburgh Drinking Water Systems.
2. That this appointment will be effective upon its final passing.
3. That this By-law hereby repeals By-law 14-36.

Passed in Open Council March 22, 2016.

Mayor

Clerk

THE CORPORATION OF THE TOWN OF ERIN

BY-LAW # 16 - _____

**Being a By-law to authorize borrowing
from time to time to meet current
expenditures during the fiscal
year ending December 31, 2016.**

WHEREAS the Municipal Act 2001, S. O. 2001, Section 407 allows a municipality at any time during a fiscal year to temporarily borrow, until the taxes are collected and other revenues received, an amount Council considers necessary to meet the current expenditures of the municipality for the year; and

WHEREAS the total amount which may be borrowed from all sources at any one time to meet the current expenditures of the Corporation, except with the approval of the Municipal Board, is limited by section 407 of the Municipal Act;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF ERIN ENACTS AS FOLLOWS;

1. The Treasurer is hereby authorized to borrow from time to time during the year 2016 (hereinafter referred to as the current year) such sums as may be necessary to meet, until the taxes are collected and other revenues received, the current expenditures of the Corporation and the other amounts that are set out in subsection 407.(1) of the Municipal Act.
2. The lender(s) from whom amounts may be borrowed under authority of this by-law shall be the **Royal Bank of Canada** and such other lender(s) as may be determined from time to time by resolution of Council.
3. The total amount which may be borrowed at any one time under this by-law, together with the total of any similar borrowing that have not been repaid, shall not exceed from January 1st to September 30th of the current year, 50 percent of the total, and from October 1st to December 31st of the current year, 25 percent of the total of the estimated revenues of the Corporation as set forth in the estimates adopted for the current year or **\$1,500,000.00**, whichever is less,
4. The Treasurer shall, at the time when any amount is borrowed under this by-law, ensure that the lender is or has been furnished with a certified copy of this by-law, (a certified copy of the resolution mentioned in section 2 determining the lender,) if applicable, and a statement showing the nature and amount of the estimated revenues for the current year and also showing the total of any other amounts borrowed from any and all sources under authority of section 407 of the Municipal Act that have not been repaid.
5. All of the sums borrowed under this by-law shall, with interest thereon, be a charge upon the whole of the revenues of the Corporation for the current year and for any preceding years as and when such revenues are received; provided that such charge does not defeat or affect and is subject to any prior charge then subsisting in favor of any other lender.
6. The Treasurer is hereby authorized and directed to apply in payment of all or any sums borrowed under this by-law, together with interest thereon, all or any of the moneys hereafter collected or received, either on account of or realized in respect of the taxes levied for the current year and preceding years or from any other sources, which may lawfully be applied for such purpose.
7. Promissory Notes or Banker's Acceptances made under section 1 shall be

signed by the Treasurer and the Head of Council or by such other person as is authorized by by-law to sign it.

- 8. That By-Law # 15-47 is hereby repealed and replaced with this By-law.
- 9. This by-law shall take effect upon third reading thereof.

Passed in Open Council on March 22, 2016.

Mayor

Clerk

THE CORPORATION OF THE TOWN OF ERIN

BY-LAW NO. 16 -

Being a By-Law to Authorize the Mayor and Clerk to execute a Maintenance Agreement between the Corporation of the Town of Erin and the Corporation of the County of Wellington

WHEREAS Section 8 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, provides that the powers of a municipality under this or any other Act shall be interpreted broadly to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 9 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

NOW THEREFORE Council for The Corporation of the Town of Erin hereby enacts as follows:

- a) That the Mayor and Clerk are hereby authorized to execute, on behalf of the Corporation of the County of Wellington and seal with the corporate seal, the Maintenance Agreement attached and forming part of this by-law as Schedule "A" between the Corporation of the County of Wellington and the Corporation of the Town of Erin.
- b) That this by-law comes into force on the day of its passing.

Passed in Open Council on March 22, 2016.

Allan Ails - Mayor

Dina Lundy - Clerk

MAINTENANCE AGREEMENT

This agreement made this 22nd day of March , 2016.

Between

The Corporation of the County of Wellington
herein called the “County”
of the First Part

and

The Corporation of the Town of Erin
hereinafter called the “Municipality”
of the Second Part

PREAMBLE

Historically the County has carried out road maintenance operations within urban areas of Wellington but not consistently across Wellington. Ad hoc Agreements between County Foremen and local Road Superintendents were common and included sharing road maintenance operations, exchange of services or one party paying for the road maintenance operations done by the other. Although the system worked well, it was not consistent across Wellington.

Further, when twenty-one former municipalities were amalgamated into seven new municipalities, new Road Supervisors became responsible for areas formerly maintained by others.

In addition, in some Municipalities, the downloading of some provincial highways, connecting links which shared responsibility between the Ministry of Transportation of Ontario and the local municipality have now been transferred back to the local municipality who in turn has transferred those roads to the County.

In other municipalities, the provincial highways were not downloaded and therefore “Connecting Links” still exist in those municipalities though these are no longer funded by the Province.

As a result of the above, road maintenance operations in urban areas in Wellington are generally done through guidelines used in the former “Connecting Link Agreement” and in other areas in Wellington maintained by “gentlemen’s” agreements between County Foremen and the local Road Manager.

The purpose of this Maintenance Agreement is to clarify what the County **IS** responsible for and by default what the County is **NOT** responsible for on County roadways within rural, semi urban and urban centres throughout Wellington.

This is not a policy statement of how, when or the level of service to be provided but by whom. This is maintenance agreement only. Capital works will be dealt with through other agreements.

WHEREAS the County wishes to enter into a Maintenance Agreement with the Municipality to clarify the role of the County and the Municipality in road maintenance operations;

AND WHEREAS the purpose of the Maintenance Agreement is to clarify what the County is responsible for on County roads within rural, semi urban and urban centres throughout the County of Wellington (“Wellington”).

DEFINITIONS

“bridge” means a public bridge forming part of a highway or on, over or across which a highway passes;

“century trees” in the context of this policy shall mean trees approximately 50 to 100 years old that were generally planted on the property line within urban areas with a 24” or greater diameter,

“city”, “town”, “village”, “township” and “county” respectively means a city, town, village, township, or county; the inhabitant of which as a body corporate within the meaning and purpose of the Municipal Act;

“highway” means a common and public highway and includes any bridge, trestle, viaduct or other structure forming part of the highway and, except as otherwise provided, includes a portion of a highway;

“local municipality” means a city, town, village and township;

“maintenance” or “maintained” means the act of keeping something in a state of good repair;

“municipal water system” means underground system of pipes for residential, commercial and industrial potable water and includes but is not limited to fire hydrants, water services, and valve boxes;

“road” refers specifically to the travelled road surface on a roadway assumed by a road authority;

“roadside” refers to all the elements or conditions which make up the roadway within the jurisdiction of the roadway authority except for the road surface itself;

“roadway” in the contents of this policy means any publicly assumed road right of way, for vehicular traffic and includes the road plus roadside. For “rural” this definition will imply property line to property line. For “semi-urban” and “urban” areas this definition will imply back of curb to back of curb or where there is no curb to front edge of sidewalk or where there is no sidewalks to property line;

“rural” light density agricultural and residentially undeveloped with generally open ditches and generally speed limits of 80 km/hr;

“sanitary sewer system” underground collection system for residential, commercial and industrial liquid waste and includes sanitary sewer manholes;

“semi-urban” medium density residential industrial commercial with open or closed drainage and generally speed limits of 50-60 km/hr or less;

“sidewalks” for the purpose of this agreement shall mean a walkway of concrete, asphalt, brick or dirt that runs parallel and between the curb and if no curb the shoulder of the road and the adjacent property line and is used for pedestrian traffic;

“shoulder” is that maintained surface immediately adjacent to the traveled surface of the road. The shoulder may be partially or fully hardtop, loose top, grassed or earth. It is not considered a part of the road for this policy;

“storm sewer system” an open ditch including culverts, or buried pipe including catch-basins, manholes, curb and gutter, designed for the purposes of collecting and disposing of storm water;

“urban” all densities, all types, generally closed drains and 50 km/hr or less;

“utilities” means gas, hydro, street illumination, telephone, television cable, and includes valve boxes, overhead or underground cables, or pipes to conduct same;

RURAL AREAS

The County will be responsible for all road maintenance operations in accordance with County standards on all County roadways within rural areas subject to agreement with other road authorities who have been contracted to undertake this work on behalf of the County.

At intersections of County road and municipal roads where a stop bar is required, as per Books 5 and 11 of the Ontario Traffic Manual, the County will paint the stop blocks.

In winter, it is very difficult for County staff to visually inspect these Stop and Stop Ahead signs. If in the course of the municipalities winter maintenance of their respective roads they have an opportunity to observe these Stop and Stop Ahead signs, Municipality staff shall, for the safety of those traveling municipal roadways, assist to notify the County, at the Counties Central garage, of any damaged, missing or obstructed signs so that the County can correct the deficiency as soon as practicable. The County continues to remain liable with respect to the said signage irrespective of any action or inaction by the Municipality in undertaking this visual inspection on behalf of the County.

SCHEDULE 1 details the cost sharing for roads maintenance operations in Rural Areas and the scope of work by the County and the Municipality.

SEMI URBAN AREAS

The County will be responsible for all road maintenance operations in accordance with the County standard on all County roadways within a semi-urban area including the storm sewer system, whether open or closed, catch basins and curb and gutter, where applicable.

The County assumes no financial or legal liability for maintenance of any sidewalk, municipal water system, utility or sanitary sewer system which is placed within the County roadway.

At intersections of County road and municipal roads where a stop bar is required, as per Books 5 and 11 of the Ontario Traffic Manual, the County will paint the stop blocks.

In winter, it is very difficult for County staff to visually inspect these Stop and Stop Ahead signs. If in the course of the municipalities winter maintenance of their respective roads they have an opportunity to observe these Stop and Stop Ahead signs, Municipality staff shall, for the safety of those traveling municipal roadways, assist to notify the County, at the Counties Central garage, of any damaged, missing or obstructed signs so that the County can correct the deficiency as soon as practicable. The County continues to remain liable with respect to the said signage irrespective of any action or inaction by the Municipality in undertaking this visual inspection on behalf of the County.

SCHEDULE 2 details the cost sharing for roads maintenance operations in Semi Urban Areas and the scope of work by the County and the Municipality.

URBAN AREAS

County roads in Urban Areas have unique characteristics and demands that are not found in Rural Areas. Quite often the County road is a major street within a Town or Village that shares the same road allowance with sidewalks, storm and sanitary systems, water, utilities, street lights etc. Because of this it is necessary to establish who does what and who pays for what. The following is a list of maintenance activities and cost allocation to each party.

- 1) During winter operations, where on street parking is provided, the County will maintain the equivalent of three traveled lanes. The Municipality will be responsible for the maintenance of the remainder of the right of way. During the balance of the year the County will maintain the road allowance from back of curb to back of curb.
- 2) If snow banks reach a point where it is necessary to remove (lift or blow the snow and haul away) the County will pay 50% of that cost.

- 3) The County will pay 100% of the cost for the first spring cleanup. This will include street sweeping and the sucking out of catch basins. All subsequent sweeping will be 50 -50 to a maximum of 4 times.
- 4) County will be responsible to paint centre line, stop bars at intersections with other County Roads as well as Municipal streets if required under Books 5 and 11 of the Ontario Traffic Manual. All special markings such as parking stalls on the County Roads will be 100% cost to the local municipality.
- 5) The County will maintain, including paint, signage and where applicable signals, on all crosswalks that currently exist on County roads.
- 6) Traffic signals on County roads will be maintained at 100% cost to the County with the exception of Traffic signals on roads specified in **Schedule 4** details of special cost sharing at shared intersections.
- 7) Traffic signs, route makers, direction signs erected by the County will be 100% to the County. All other signs will be 100% cost to the Municipality.
- 8) In Urban Areas, the County will only mow the roadside grass where there is a rural cross section. The County will not cut grass boulevards or do weed control or litter pickup.
- 9) Illumination (Street Lights) – Unless installed by the County, 100% cost will be to the Municipality. Those installed by the County will be at 100% to the County.
- 10) Pavement Patching – 100% to the County unless road surface is open cut for placement of utility in which case the utility company and/or Municipality will be 100% responsible.
- 11) All existing storm sewer works within the limit of the County road allowance will be maintained 100% by the County. That portion of the system contained within the local road allowance will be 100% Municipality cost. Major upgrades to the current system will be done through Capital Works agreements.
- 12) All sanitary sewer system, municipal water systems, utilities will be at 100% by the Municipality. If the County resurfaces the road, the adjustment of all manholes, catch basins, valve boxes will be 100% by the County. At all other times, 100% to the municipality or utility company whichever applies.
- 13) All bridges and culverts, under the jurisdiction of the County, will be maintained at 100% cost to the County.
- 14) The Ontario Municipal Act 2001 S.O. 2001, Chapter 25 Sections 55 (1), (2) and (3) states that an Upper-Tier Municipality being the County is not responsible for the construction and maintenance of sidewalks on its highways and the lower-tier municipality in which the highways are located being the Municipality is responsible for the construction and maintenance of the sidewalks and also is liable for any injury and damage arising from the construction or presence of the sidewalk and the County and the Municipality confirm that there is no change to this obligation.
- 15) Any retaining walls within the County road allowance will be maintained at 100% cost to the County.
- 16) The County will be financially responsible for all maintenance for “Roundabouts” on County roads.
- 17) All financial or legal liability associated with sidewalks whether concrete, brick, asphalt or dirt will be at 100% cost to the Municipality.
- 18) All “century trees” will be maintained at 100% of the responsibility of the County if within the County road allowance. They will be maintained at 100% of the responsibility of the property owner when they are located outside the County roadway.
- 19) Trees planted within the boulevard of urban areas will be maintained at 100% of the responsibility of the Municipality. Any future planting within these boulevards will be permitted only if approved by the County.

- 20) Stop and Stop Ahead signs fronting onto County Roads are County owned and as such to be maintained 100% by the County. However, in winter, it is very difficult for County staff to visually inspect these Stop and Stop Ahead signs. If in the course of the municipalities winter maintenance of their respective roads they have an opportunity to observe these Stop and Stop Ahead signs, Municipality staff shall, for the safety of those traveling municipal roadways, assist to notify the County, at the Counties Central garage, of any damaged, missing or obstructed signs so that the County can correct the deficiency as soon as practicable. The County continues to remain liable with respect to the said signage irrespective of any action or inaction by the Municipality in undertaking this visual inspection on behalf of the County.

SCHEDULE 3 details the cost sharing for roads maintenance operations in Urban Areas and the scope of work by the County and the Municipality.

IN WITNESS WHEREOF the County has hereunto affixed its corporate seal attested by the hands of its Warden and Clerk and the Municipality has affixed its corporate seal attested to by the hands of its proper officers duly authorized in that behalf.

MUNICIPALITY
OF ERIN

THE CORPORATION OF
THE COUNTY OF WELLINGTON

Per:

Per:

ALLAN ALLS - MAYOR

GEORGE BRDGE, WARDEN

DINA LUNDY-CLERK

DONNA BRYCE, CLERK

SCHEDULE 1

(details the cost sharing for roads maintenance operations in Rural Areas and the scope of work by the County and the Municipality)

RURAL AREA				
Maintenance Activity	Cost Sharing		Performance of Work	
	County	Municipality	County	Municipality
All maintenance activities (note 1)	100%		YES (note 2)	
Visual inspection and reporting of Stop and Stop Ahead Sign issues	100%			YES (note 3)
<p>Note</p> <p>1) The County assumes no financial or legal liability for maintenance of any sidewalk, municipal water system, utility or sanitary sewer system which is placed within the County roadway.</p> <p>2) Some Winter Maintenance may be carried out by neighboring County or Regional Road Authorities under Maintenance Agreements, as well as work which is carried out by Local Municipalities at the Counties expense.</p> <p>3) In winter, it is very difficult for County staff to visually inspect these Stop and Stop Ahead signs. If in the course of the municipalities winter maintenance of their respective roads they have an opportunity to observe these Stop and Stop Ahead signs, Municipality staff shall, for the safety of those traveling municipal roadways, assist to notify the County, at the Counties Central garage, of any damaged, missing or obstructed signs so that the County can correct the deficiency as soon as practicable. The County continues to remain liable with respect to the said signage irrespective of any action or inaction by the Municipality in undertaking this visual inspection on behalf of the County.</p>				

SCHEDULE 2

(details the cost sharing for roads maintenance operations in Semi Urban Areas and the scope of work by the County and the Municipality)

SEMI-URBAN AREA				
Maintenance Activity	Cost Sharing		Performance of Work	
	County	Municipality	County	Municipality
All maintenance activities (see note 1) & (see note 2)	100%		YES (note 3)	
Visual inspection and reporting of Stop and Stop Ahead Sign issues.	100%			YES (note 4)
<p>Note</p> <ol style="list-style-type: none"> 1) The County assumes no financial or legal liability for maintenance of any sidewalk, municipal water system, utility or sanitary sewer system which is placed within the County roadway. 2) As some areas contain a combination open and closed storm sewer system the County will maintain the entire system including where applicable curb and gutter, catch basins and man holes. 3) Some Winter Maintenance may be carried out by neighboring County or Regional Road Authorities under Maintenance Agreements, as well as work which is carried out by Local Municipalities at the Counties expense. 4) In winter, it is very difficult for County staff to visually inspect these Stop and Stop Ahead signs. If in the course of the municipalities winter maintenance of their respective roads they have an opportunity to observe these Stop and Stop Ahead signs, Municipality staff shall, for the safety of those traveling municipal roadways, assist to notify the County, at the Counties Central garage, of any damaged, missing or obstructed signs so that the County can correct the deficiency as soon as practicable. The County continues to remain liable with respect to the said signage irrespective of any action or inaction by the Municipality in undertaking this visual inspection on behalf of the County. 				

SCHEDULE 3

(details the cost sharing for roads maintenance operations in Urban Areas and the scope of work by the County and the Municipality)

URBAN AREA				
Maintenance Activity	Cost Sharing		Performance of Work	
	County	Municipality	County	Municipality
Spring clean up	100%			YES (note 1)
Centreline, stop bars, crosswalks	100%		YES	
Special marking Stop bars on municipal streets, parking stalls		100%		YES (note 2)
Traffic signals	100%		YES (note 3)	
Traffic signs, route markers, other signs erected by the County	100%		YES	
Business signs, street signs, local signs		100%		YES
Grass moving, weed control, litter pickup		100%		YES
Illumination		100%		YES
Pavement Patching	100%		YES (note 4)	
Storm sewer system	100%		YES	
Sanitary sewer system		100%		YES
Sidewalks and boulevards		100%		YES
Bridges and culverts	100%		YES	
WINTER MAINTENANCE				
Snow plowing	100%		YES (note 5)	
Snow removal	50 %	50 %		YES (note 6)
Visual inspection and reporting of Stop and Stop Ahead Sign issues.	100%			YES (note 7)
Note				
<p>1) The County will pay 100% of the cost for one spring cleanup of sand and salt from the County roadway and 50% of subsequent sweeping to a maximum of 4 times in total. The municipality can have the work done and bill the County or the County will have the work done.</p> <p>2) County will be responsible to paint centre line, stop bars at intersections with other County Roads as well as Municipal streets if required under Books 5 and 11 of the Ontario Traffic Manual. All special markings such as parking stalls on the County Roads will be 100% cost to the local municipality. In the Rural Area the County will paint all the stop blocks at intersections of County and municipal roads where applicable.</p> <p>3) See SCHEDULE 4</p> <p>4) If the road surface has to be removed to install any utilities the parties responsible for the work will be required to return the road surface to the pre-installation condition at 100% of the cost.</p> <p>5) The County will maintain the equivalent of 3 lanes (33 feet) of road surface.</p> <p>6) If snow banks reach a point where it is necessary to remove (lift or blow the snow and haul away) the County will pay 50% of that cost.</p> <p>7) In winter, it is very difficult for County staff to visually inspect these Stop and Stop Ahead signs. If in the course of the municipalities winter maintenance of their respective roads they have an opportunity to observe these Stop and Stop Ahead signs, Municipality staff shall, for the safety of those traveling municipal roadways, assist to notify the County, at the Counties Central garage, of any damaged, missing or obstructed signs so that the County can correct the deficiency as soon as practicable. The County continues to remain liable with respect to the said signage irrespective of any action or inaction by the Municipality in undertaking this visual inspection on behalf of the County.</p>				

SCHEDULE 4**MAINTENANCE AT INTERSECTIONS OF COUNTY ROADS AND CONNECTING LINKS**

(details of special cost sharing at shared intersections)

Where a municipality has a Connecting Link and County Road that intersect, the County will pay the proportional share of all maintenance costs at that intersection based on the number of legs that are County Roads. For example 1 leg County 3 legs municipal would equal 25% County cost.

NOT APPLICABLE