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837 5519 3342

Township of Amaranth
Council Agenda
Wednesday, June 17, 2020
6:00 p.m.

1. **Call to Order**
2. **Added Items (Late Submissions)**
3. **Approval of Agenda**
4. **Disclosure of Pecuniary Interest and General Nature Thereof**
5. **Approval of Minutes**
 - 5.1. Regular Meeting Minutes held June 3, 2020
 - 5.2. Special Meeting Minutes held June 10, 2020
 - 5.3. Special Meeting Minutes held June 15, 2020 to follow
6. **Public Question Period**

*A maximum of 15 minutes will be set aside for Public Question Period, with each speaker limited to two minutes. Questions will be responded to with a brief response from the Chair, who may also request a response from other Council members and/or staff.

Please send your name, email, comment and phone number to the Clerks Office at nmartin@amaranth.ca by NOON on Tuesday, June 16, 2020 to be added to the speaking list during the comment period. Additionally, questions can be submitted through the secure drop box located at the Municipal Office by NOON on Tuesday, June 16.

7. **Delegations/Presentations**
None at this meeting

8. **Public Meetings** (6:15 p.m. approximately)

Members of the public and agents or applicants are invited to submit their comments regarding the Planning files by email, indicating their name, comment and phone number to the Clerks Office at nmartin@amaranth.ca by NOON on Tuesday, June 16, 2020 to be added to the speaking list during the comment period. Additionally, questions can be submitted through the secure drop box located at the Municipal Office by NOON on Tuesday, June 16.

8.1 B02-2020 Consent Application

Application to sever 22.41 ha and retain 22.48 ha to create a new agricultural lot – 434201 4th Line, Amaranth (Owners: Ghanime, Antoine and Lucie
Agent: The Biglieri Group)

9. **Unfinished Business**

9.1 Ice River Springs

Memo 2020-07 Update and Ongoing

10. **Planning Department**

10.1. Other

11. **Public Works Department**

11.1. Report to Council 2020-13

Public Works Manager – update items

12. **County Council Business**

12.2 Other

13. **Committee Reports**

13.1. Building Department

MPAC Update – May 2020

13.2. Ontario Provincial Police

Change in security check and revenue distribution processes

13.3. Grand River Source Protection Plan and Assessment

[Update and Amendments Environmental Registry](#)

13.4. Provincial Offence Courts

Potential Amendments to the *Provincial Offence Act*

13.5. Other

14. **General Business and Correspondence**

14.1. [AMO WatchFile – June 4, 2020](#)

14.2. [AMO COVID-19 Update – June 8, 2020](#)

14.3. [AMO COVID-19 Update – Child Care and Patio Extensions](#)

14.4. [AMO 2020 Conference: Program Update](#)

14.5. [AMO WatchFile – June 11, 2020](#)

14.6. **Laurelwoods Elementary School**
Request for donation – Grade 8 Graduation Ceremony

14.7. **Sylvia Jones, MPP Dufferin-Caledon**
Letter of Support

14.8. **Township of Puslinch Council Resolution 2020-151**
Farm Property Class Tax Rate Program

14.9. **Township of Puslinch Council Resolution 2020-104**
Support for the Conservation Authorities

14.10. **Town of Bracebridge resolution**
Municipal Financial Assistance Program to offset the financial impact of COVID-19 pandemic

15. **Treasury/Accounts**

15.1. Bills and Accounts - General Accounts

15.2. Bills and Accounts - Road Accounts

15.3. Memo 2020-06 Penalty and Interest Charges

15.4. Other

16. **Added Items - Late Submissions (to be in office prior to meeting)**

17. **New Business**

17.1. **Memo to Council 2020-08**
Orangeville Rotary Club – Drive Through Ribfest

17.2. **Memo to Council 2020-09**
Summer Camp/Soccer/Recreation Classes

17.3. **Correspondence Received from Stutz Brown & Self**
Correia, Bruce and Silvia 513464 2nd Line, Amaranth

17.4. Draft Tidy Yards By-law for review purposes only

18. **Notice of Motions** – None

19. **Closed Meeting**

None at this meeting

20. **By-Laws**

Notice of intention to pass the following By-Laws:

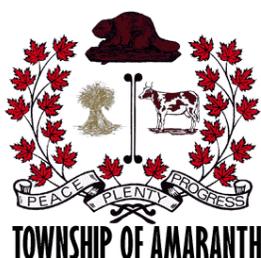
20.1 Acting CAO/Clerk By-law

Being a By-Law to appoint Nicole Martin as Acting CAO/Clerk for the Township of Amaranth

21. **Confirming By-Law**

22. **Adjournment**

22.1. To meet again for the Regular Meeting of Council on Wednesday, July 2, 2020 at 10:00 a.m. or at the call of the Mayor.



**Township of Amaranth
Regular Meeting of Council Minutes
Wednesday, June 3, 2020
10:00 a.m.**

Electronic Meeting

The Township of Amaranth Council held an electronic regular meeting on Wednesday, June 3, 2020, commencing at 10:00 a.m.

Council Present:

Mayor	B. Currie
Councillor	M. Tijssen
Councillor	G. Little
Councillor	H. Foster

Via Audio:

Deputy Mayor	C. Gerrits
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Staff Present:

Acting Clerk	N. Martin
Treasurer	F. Quadri (for parts)

The Acting Clerk having determined a quorum determined that the meeting would be able to continue. Electronic meeting technology features were reviewed, and the audio recording was started.

1. Call to Order

Mayor Currie called the Meeting to Order at 10:02 a.m.

2. Added Items (Late Submissions) – added items listed below

3. Approval of Agenda

Resolution #1

Moved by: M. Tijssen – Seconded by: H. Foster

BE IT RESOLVED THAT:

Council do hereby approve the agenda as amended.

The following items having been added to the agenda:

- 6.0 Public Question Period – Ratepayer Letters to be read
- 7.1 Presentation received from delegate E. Dean
- 9.0 Unfinished business – Ice River Springs
- 11.1 Bridge 6 Construction Summary May 18 to May 29, 2020
- 17.2 New Business – Integrity Commissioner report

CARRIED

Recorded Vote	Yea	Nay	Abstain
Deputy Mayor Chris Gerrits	X		
Councillor Heather Foster	X		
Councillor Gail Little	X		
Councillor Mark Tijssen	X		
Mayor Bob Currie	X		

4. Disclosure of Pecuniary Interest with Reasons

Deputy Mayor Gerrits declared a conflict of interest with item 9.0 as he does work for one of the parties involved.

5. Approval of Minutes

Mayor Currie addressed the Deputy Mayor by reading the following statement and requesting that it form part of the minutes

With reference to: Statement read by Deputy Mayor Gerrits at the Township of Amaranth Council meeting held on May 1, 2020; and Integrity Commissioner Response dated May 27, 2020 re: Code of Conduct

In your statement that was read into the public record on May 1, 2020, you made the troubling and concerning allegation that: “The examples of harassment and bullying by council are too numerous to list during this time.”

This was an open-ended statement now on public record whereby you referred to Council and therefore all members of Council, yourself included. Notwithstanding that the Integrity Commissioner has made clear his view that the act of making such a statement does not constitute a violation of the Township of Amaranth Code of Conduct, your allegation must be clarified in order to ensure that all instances of harassment and bullying are remedied; and even more importantly, not repeated.

As such, it is my request on behalf of this Council, that you present supplemental details to include: An enumerated list of all such instances of harassment or bullying that you have witnessed, and in the event that this list is in fact “too numerous to list”, that you limit yourself to the ten most egregious examples; For each listed example, give the date of occurrence and clearly state which member(s) of council were party to the harassment or bullying; and Furthermore, for each listed example, clearly explain how the action in question resulted in harassment or bullying.

You will be given the opportunity to present your response, on the public record at the Township of Amaranth Council meeting to be held on June 17, 2020.

Councillor Little pointed out that we are approving minutes of May 20 and this may not have been the appropriate time to read the statement.

Resolution #2

Moved by: G. Little– Seconded by: M. Tijssen

BE IT RESOLVED THAT:

Council do hereby adopt the minutes of the Regular Meeting of Council held on May 20, 2020 as circulated.

CARRIED.

Recorded Vote	Yea	Nay	Abstain
Deputy Mayor Chris Gerrits	X		
Councillor Heather Foster	X		
Councillor Gail Little	X		
Councillor Mark Tijssen	X		
Mayor Bob Currie	X		

6. Public Question Period

The following letter from a ratepayer was read and will form part of the minutes.

Thank you, Mayor Currie for your nickel. It did not go far.

The Mayor and the Council needs to show some respect for our residential properties. WE spent \$35,000 repairing your portion of our property. We dumped 8 to 10 loads of earth in the ditch. We had to level and grade it. It now needs to be redone. Either fill or stone needs to be added to the south of the culvert. We also removed two dead trees, stumps and all, along with old wire fence to make our property respectable. The Council needs to quit having the road allowances bush hogged and plant some trees. Old fence rows should be cleared. In the Elmira area, there are no old fence rows only nice trees. We need to have trees for future generations.

Although the Township adds calcium to the roads, we always have to add another bag or calcium to cut the dust. More needs to be added by your road crew.

The culvert south of us that was just added cost \$1654. Who has lowered the ditch down 12 to 16 inches below the culvert? Until the pond was created, there was no water standing in the ditch. Now we have a pond that breeds mosquitoes full of West Nile disease.

The ongoing discussion over the road and our property has wasted \$12,791 of the Township money through a lack of cooperation and compromise. The crown of the road remains 9 inches up from the edge of the road at our property. The culvert across the road still has not been replaced. In a flood situation, the water would cover our property. It would tax all culverts in the area. See pictures.

Thank you for cutting down the trees south of our property. However, was it spite that the dead trees next to our property were not removed? They could fall and cause injury to people or cars.

Our tax dollars stop here. Surely the Council can manage to stop wasteful spending. We are looking for changes by the end of June. We have waited 12 years. Time to act.

Keith McKibbin

7. **Delegations/Presentations**

7.1 Ward & Uptigrove –HR services brochure and replacement of CAO/Clerk presentation

7.2 Evelyn M. Dean – HR services and replacement of CAO/Clerk presentation

Both presenters were invited as requested to present to Council regarding the recruitment of a CAO/Clerk and some other HR services. Both delegates indicated the process would take a few months. The need for mentoring and training was stressed by both delegates to allow the new candidate to be successful. Compensation structure and organizational structure was discussed as well as staffing shortages. Support to staff should be provided now for the interim and allow the new candidate to determine what the further structure of the organization would look like. Learning and growing the new candidate is important for Council to realize that process could be required. Further training or development that Council would look for in a candidate could be addressed in an employment offer.

8. **Public Meetings – None Scheduled**

9. **Unfinished Business**

9.0 Ice River Springs

The Deputy Mayor declared a conflict and did not participate in this conversation.

Council discussed what type of compensation they would like to see from the use of the road side for the water pipeline. Council discussed the water and pipeline as two separate concerns. Staff has been asked to contact MPAC to determine if the pipeline is accessible and could be taxed as industrial infrastructure.

Council discussed the idea of an agreement with Ice River Springs to cover the construction of the pipeline and maintenance that would be required and if there would be any disruption to the roadway caused by the construction. Council also discussed the idea of requesting a royalty of 1 cent per litre of water taken. Input or clarification from Sylvia Jones on this matter and water taking permits in general was again requested from Council.

The Deputy Mayor Gerrits rejoined the meeting.

A brief break was taken from 11:45 am to 11:50 am.

10. **Planning Department**

10.1 Z02-2020 Rezoning Application Kapoor Planning Report

The Township Planner Valerie Schmidt reviewed the planning report and the purpose and effect of the application. A statutory public meeting under the Planning Act has been held and no further input was submitted at that time. The Planner recommended approval of the application.

Resolution #3

Moved by: H. Foster – Seconded by: M. Tijssen

BE IT RESOLVED THAT:

Zoning By-Law Amendment Application File Z02-2020 by Nitin and Anchal Kapoor (Applicant/Owner) and Laxman Patel (Agent) for Concession 2 West Part Lot 1 Parcel 6 being 473033 County Road 11, to rezone the subject lands from site specific M1-7 back to M1 to permit those uses listed in the M1 zone category subject to site plan control, be approved.

CARRIED.

Recorded Vote	Yea	Nay	Abstain
Deputy Mayor Chris Gerrits	X		
Councillor Heather Foster	X		
Councillor Gail Little	X		
Councillor Mark Tijssen	X		
Mayor Bob Currie	X		

10.2 SPAA1-16 OP Trust Revised Conditional Site Plan Approval Planners Report

The Planner gave an overview of the update of the water monitoring and stormwater management plan and monitoring. Site Plan approval was provided in December 2019 and Council had a few recommendations at that time that have been addressed in the update. The Planner suggested approval of the amended drawings and plans submitted.

Resolution #4

Moved by: H. Foster – Seconded by: G. Little

BE IT RESOLVED THAT:

The Staff Planning Report dated June 3, 2020 for By-law 71-2019 Conditional Site Plan Approval for Site Plan Application SPA1-16 for lands legally described as Part of the East Half of Lots 2 and 3, Concession 2, Township of Amaranth, County of Dufferin, be received as information.

That the drawings listed in Schedule “A” of By-law 71-2019 be replaced with a revised Schedule “A” in amending By-law 33-2020 and The By-law 71-2019 be amended by adding the following conditions to Schedule “B”:

6. That a Risk Management Plan be entered into between the Township and the Owner as required for Source Water Protection.

7. That a surface water and groundwater monitoring program be submitted by the Owner to the satisfaction of the Township. The monitoring program will address the quality of water exiting the stormwater management pond and monitor the groundwater quality entering the site from the west and exiting the site on the east. The surface water and groundwater monitoring plans will commence with the construction of the Stormwater Management Pond, which is anticipated to be constructed at the start of the development of the site. The monitoring period will last from the commencement of construction for a minimum of 5 years after construction is complete. An annual report will be required to be submitted to the Township detailing the status of the stormwater management facility over the year and results of the monitoring program over the life of the monitoring period. A stormwater management mitigation plan may also be required to be submitted by the Owner to the satisfaction of the Township in order to mitigate any negative impacts to the stormwater management pond as detailed in the monitoring

report. Any issues arising from the ground water monitoring will be addressed in the Risk Management Plan of Source Water Protection.
CARRIED.

Recorded Vote	Yea	Nay	Abstain
Deputy Mayor Chris Gerrits	X		
Councillor Heather Foster	X		
Councillor Gail Little	X		
Councillor Mark Tijssen	X		
Mayor Bob Currie	X		

10.3 Draft Plan of Subdivision 22T-02002 (Hamount Investments Ltd.) and Draft Plan of Subdivision 22T-04004 (Valleygrove Investments Ltd.) Planners Report and update

The Planner gave an overview of the report and update of application. Access to the well block was a concern and discussed. Council discussed the proposed street names and was not in agreement with what was proposed and would like to see full names for streets not just last names as proposed. A commercial development for a street name over a veteran name from the area would not be permitted. Council requested a plaque or monument be placed as well which is in accordance with the street naming by-law.

Resolution #5

Moved by: M. Tijssen – Seconded by: C. Gerrits

BE IT RESOLVED THAT:

The Staff Planning Report dated June 3rd, 2020 for Draft Plan of Subdivision 22T-02002 and Draft Plan of Subdivision 22T-04004 for lands legally described as the East Half of Lots 1 and 2, Concession 1 and the East Half of Lot 3, Concession 1 in the Township of Amaranth, County of Dufferin, be received as information. That Council approve the proposed Phasing Plan for Draft Plan of Subdivision 22T-02002 and Draft Plan of Subdivision 22T-04004 as attached to the June 3, 2020 report.

CARRIED.

Recorded Vote	Yea	Nay	Abstain
Deputy Mayor Chris Gerrits	X		
Councillor Heather Foster	X		
Councillor Gail Little	X		
Councillor Mark Tijssen	X		
Mayor Bob Currie	X		

Lunch was taken from 12:37 pm to 1:35 pm.

10.4 Update Township of Amaranth v. Ramdas appealed

The Acting Clerk updated Council of the Notice of Appeal.

Resolution #6

Moved by: G. Little – Seconded by: H. Foster

BE IT RESOLVED THAT:

Staff is directed to instruct the Township lawyer to respond to the Ramdas appeal.

CARRIED.

Recorded Vote	Yea	Nay	Abstain
Deputy Mayor Chris Gerrits	X		
Councillor Heather Foster	X		
Councillor Gail Little	X		
Councillor Mark Tijssen	X		
Mayor Bob Currie	X		

11. **Public Works Department**

11.1 **Bridge 6**
Construction Summary from R.J. Burnside
May 4 to May 15, 2020
May 18 to May 29, 2020

Council was updated on the project and given a bridge reopen date of June 13, 2020.

11.2 **Sideroad 20**
 Tender Award Recommendation

Council reviewed the tender results and generally agreed with the recommendations. Staff is instructed to order the signage required.

Resolution #7

Moved by: G. Little – Seconded by: M. Tijssen

BE IT RESOLVED THAT:

The 20 Sideroad Resurfacing project be awarded to the lowest bidder Cox Construction Limited in the total tender amount of \$1,639,861.99 including H.S.T. Further resolved that staff be directed to notify the bidders of the tender results.

CARRIED.

Recorded Vote	Yea	Nay	Abstain
Deputy Mayor Chris Gerrits	X		
Councillor Heather Foster	X		
Councillor Gail Little	X		
Councillor Mark Tijssen	X		
Mayor Bob Currie	X		

11.3 **Report 2020-12 Public Works Update**

The Director of Public Works reports that fuel has been stolen twice now by being siphoned out. Council discussed the purchase of surveillance camera and signage to help deter the situation from happening again. Line painting was discussed. Council indicated that the equipment list requires some updating. Ditching and culvert change outs were discussed. Council discussed the request from the Director of Public Works of completing a second roadside cut, Council was generally in agreement and awaiting the budget to confirm.

11.4 **Memo 2020-04 Roads Department Standard Procedures**

Council discussed the need to gather procedures and would like to have a standard binder to address that if equipment is damaged it is tracked and reported. Inspection sheets are completed for the commercial fleet but not for the patrol trucks.

11.5 **Other**

Discussion around the bridge of the Mono-Amaranth Townline and the safety concern previously raised by a ratepayer. The matter was brought up at the County council meeting and discussed. Council would like more information gathered to present back to the County.

Resolution #8

Moved by: G. Little – Seconded by: H. Foster

BE IT RESOLVED THAT:

Council authorize the installation of a yellow caution light over the narrow bridge sign on the Mono-Amaranth Townline. Council hereby request a traffic count on the Mono-Amaranth Townline north of 20 Sideroad.

CARRIED.

Recorded Vote	Yea	Nay	Abstain
Deputy Mayor Chris Gerrits	X		
Councillor Heather Foster	X		
Councillor Gail Little	X		
Councillor Mark Tijssen	X		
Mayor Bob Currie	X		

The following items were reviewed and acknowledged:

12. County Council Business

- 12.1 Dufferin Provincial Offences Act
 1st Quarter Payments to Dufferin Municipalities
 Dufferin POA – 2019 Year – End Report and supporting documents

13. Committee Reports

- 13.1 Shelburne and District Fire Department
 Response Report 20-080
- 13.2 Shelburne and District Fire Department
 2019 Financial Statements
- 13.3 Shelburne and District Fire Department
 Minutes March 3, 2020
- 13.4 Grand River Conservation Authority
 Summary of the General Membership Meeting May 22, 2020
- 13.5 Grand River Conservation Authority
 GRCA Planning Permit Program COVID 19 Service Update May 2020

14. General Business and Correspondence

- 14.1 Building Department MPAC report April 2020
- 14.2 AMO COVID-19 Update: Continued Fiscal Stabilization Request + Re-opening Start
- 14.3 AMO WatchFile – May 21, 2020
- 14.4 AMO COVID-19 Update – Emergency Orders Extended and Next Steps on Long-Term Care
- 14.5 AMO WatchFile – May 28, 2020
- 14.6 AMO COVID-19 Update – Looking Ahead
- 14.7 Kyle Seeback Member of Parliament – Letter of Support
- 14.8 Town of Shelburne
 Water Supply Schedule B Municipal Class Environments Assessment
 Schedule C Municipal Class Environmental Assessment for Increased Capacity of the Water Pollution Control Plant

15. Treasury/Accounts

15.1 Budget Comparison report

Council discussed the budget report prepared by the Treasurer. Staff is asked to confirm the Townships contribution to the 20th Sideroad project. Council requested that the costs for the Integrity Commissioner are to be on a separate line item so the costs can be tracked better for Council to see easily. Costs for the vehicles were discussed and asked to be updated with the new vehicle added. If each vehicle is going to be listed, then the corresponding costs for that vehicle should be associated to that vehicle. Council discussed the cemetery and the number of plots still available. Staff was asked to ensure that only residents of Amaranth be able to purchase plots and determine if a resident or non-resident price could be associated to the plots. Staff has been asked to determine the length of time left on the wind turbine agreements.

15.2 Other

Council discussed setting a budget meeting date.

Resolution #9

Moved by: M. Tijssen – Seconded by: H. Foster

BE IT RESOLVED THAT:

Council set Wednesday June 10, 2020 at 10:00 a.m. as a first budget open meeting.

CARRIED.

Recorded Vote	Yea	Nay	Abstain
Deputy Mayor Chris Gerrits	X		
Councillor Heather Foster	X		
Councillor Gail Little	X		
Councillor Mark Tijssen	X		
Mayor Bob Currie	X		

16. **Added Items (Late Submissions)**

Added Items were dealt with under the respective categories.

The following items were reviewed and acknowledged:

17. **New business**

17.1 Ministry of Municipal Affairs and Housing – Letter dated May 21, 2020

17.2 Memo 2020-05 Ministry of Labour Field Visit and Integrity Commissioner Report on Complaints

17.3 Introduction of a Property Standards by-law

Council discussed wanting a property standards by-law. The idea of a Tidy Yards by-law was examined as an alternative, the main difference is the examination of structures. Enforcement of by-laws was reviewed as well as the requirement and process to set fines under a by-law. Council has instructed staff to draft a Tidy Yards by-law for Council review.

Staff has been asked to review the Noise By-law and giving permission to the OPP to enforce noise complaints.

18. **Notice of Motions**

19. **Closed Meeting**

Resolution #10

Moved by: H. Foster – Seconded by: M. Tijssen

BE IT RESOLVED THAT:

Council move to a Closed Meeting pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reason(s):

- Personal matters about an identifiable individual, including municipal or local board employees
- Labour relations or employee negotiations
- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose

CARRIED.

Recorded Vote	Yea	Nay	Abstain
Deputy Mayor Chris Gerrits		X	
Councillor Heather Foster	X		
Councillor Gail Little	X		
Councillor Mark Tijssen	X		
Mayor Bob Currie	X		

Resolution #11

Moved by: H. Foster – Seconded by: C. Gerrits

BE IT RESOLVED THAT:

Council do now rise and report from Closed Meeting.

CARRIED.

Recorded Vote	Yea	Nay	Abstain
Deputy Mayor Chris Gerrits	X		
Councillor Heather Foster	X		
Councillor Gail Little	X		
Councillor Mark Tijssen	X		
Mayor Bob Currie	X		

It was confirmed that the only business discussed in closed meeting was that on the closed meeting agenda. Council further provided instructions to staff arising from the closed meeting direction.

Resolution #12

Moved by: G. Little – Seconded by: M. Tijssen

BE IT RESOLVED THAT:

Council accepts the Township Solicitor’s report and instruct him to proceed in accordance with same.

Council hereby remit payment to East Garafraxa in the amount of \$107,264.80.

CARRIED.

Recorded Vote	Yea	Nay	Abstain
Deputy Mayor Chris Gerrits	X		
Councillor Heather Foster	X		
Councillor Gail Little	X		
Councillor Mark Tijssen	X		
Mayor Bob Currie	X		

20. **By-Laws**

Notice of intention to pass the following By-Laws:

20.1 Z02-2020 Rezoning Application Kapoor Planning Report

Leave be given to introduce a by-law to amend Zoning By-law 2-2009; as amended to revise the site-specific provisions of the Industrial Exception Seven Zone (M1-7) zone; and that it be given the necessary readings and be passed and numbered 32-2020

Resolution #13

Moved by: H. Foster – Seconded by: M. Tijssen

BE IT RESOLVED THAT:

Leave be given to introduce a by-law to amend Zoning By-law 2-2009; as amended to rezone the lands described legally as Part Lot 1, Concession 2, Parcel 6, and known municipally as 473033 County Road 11, Township of Amaranth, from Industrial Exception Seven (M1-7) Zone to Industrial (M1) Zone; and hereby deleting Section 4.10.3.7 of By-law 2-2009 in its entirety; and that it be given the necessary readings and be passed and numbered 32-2020.

CARRIED.

Recorded Vote	Yea	Nay	Abstain
Deputy Mayor Chris Gerrits	X		
Councillor Heather Foster	X		
Councillor Gail Little	X		
Councillor Mark Tijssen	X		
Mayor Bob Currie	X		

20.2 SPAA1-16 OP Trust Revised Conditional Site Plan Approval Planners Report

Leave be given to introduce a by-law to grant conditional site plan approval of the OP Trust Amaranth 6 Inc. development; and that it be given the necessary readings and be passed and numbered as 33-2020.

Resolution #14

Moved by: M. Tijssen – Seconded by: G. Little

BE IT RESOLVED THAT:

Leave be given to introduce a by-law to grant conditional site plan approval for lands legally described as Part of the East Half of Lots 2 and 3, Concession 2, township of Amaranth; and that it be given the necessary readings and be passed and numbered 33-2020.

CARRIED.

Recorded Vote	Yea	Nay	Abstain
Deputy Mayor Chris Gerrits	X		
Councillor Heather Foster	X		
Councillor Gail Little	X		
Councillor Mark Tijssen	X		
Mayor Bob Currie	X		

Council discussed the delegations presented earlier in the meeting and discussed the cost estimates received by both delegates.

Resolution #15

Moved by: G. Little – Seconded by: H. Foster

BE IT RESOLVED THAT:

Council pursue Ward & Uptigrove to provide the CAO/Clerk recruitment as outlined in the email dated May 5, 2020.

CARRIED.

Recorded Vote	Yea	Nay	Abstain
Deputy Mayor Chris Gerrits	X		
Councillor Heather Foster	X		
Councillor Gail Little	X		
Councillor Mark Tijssen	X		
Mayor Bob Currie	X		

21. **Confirming By-Law**

Resolution #16

Moved by: M. Tijssen – Seconded by: H. Foster

BE IT RESOLVED THAT:

Leave be given to introduce a by-law to confirm the Regular Meeting of Council of the Township of Amaranth for June 3, 2020; and that it be given the necessary readings and be passed and numbered 34-2020.

CARRIED.

Recorded Vote	Yea	Nay	Abstain
Deputy Mayor Chris Gerrits	X		
Councillor Heather Foster	X		
Councillor Gail Little	X		
Councillor Mark Tijssen	X		
Mayor Bob Currie	X		

22. **Adjournment**

Resolution #17

Moved by: H. Foster – Seconded by: M. Tijssen

BE IT RESOLVED THAT:

Council do now adjourn to meet again for the Regular Meeting of Council on Wednesday, June 17, 2020 at 6:00 p.m. or at the call of the Mayor.

CARRIED.

Recorded Vote	Yea	Nay	Abstain
Deputy Mayor Chris Gerrits	X		
Councillor Heather Foster	X		
Councillor Gail Little	X		
Councillor Mark Tijssen	X		
Mayor Bob Currie	X		

There being no further business the meeting adjourned at 4:35 p.m.

Head of Council

Acting Clerk



**Township of Amaranth
Special Meeting of Council Minutes
Wednesday, June 10, 2020
10:00 a.m.**

Electronic Meeting

The Township of Amaranth Council held an electronic special meeting on Wednesday, June 10, 2020, commencing at 10:00 a.m.

Council Present:

	Mayor	B. Currie
	Councillor	M. Tijssen
	Councillor	G. Little
	Councillor	H. Foster

Via Audio:

	Deputy Mayor	C. Gerrits
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Staff Present:

	Acting Clerk	N. Martin
	Treasurer	F. Quadri
	Manager Public Works	B. Ryzebol (for parts)

The Acting Clerk having determined a quorum determined that the meeting would be able to continue. Electronic meeting technology features were reviewed, and the audio recording was started.

1. Call to Order

Mayor Currie called the Meeting to Order at 10:06 a.m.

2. Added Items (Late Submissions) – added items listed below

3. Approval of Agenda

Resolution #1

Moved by: M. Tijssen – Seconded by: H. Foster

BE IT RESOLVED THAT:

Council do hereby approve the agenda as circulated.

CARRIED

Recorded Vote	Yea	Nay	Abstain
Deputy Mayor Chris Gerrits	X		
Councillor Heather Foster	X		
Councillor Gail Little	X		
Councillor Mark Tijssen	X		
Mayor Bob Currie	X		

4. Disclosure of Pecuniary Interest with Reasons

5. Treasury/Accounts

5.1 2020 Draft Budget

Council discussed the budget as presented. The budget was discussed line by line and items removed or adjusted as requested. County of Dufferin rates were discussed. Staffing and training were discussed and decided to leave some room in the budget for further staff training. Legal services were discussed, and Council is concerned that the number of items going to need a professional legal opinion has increased. The Official Plan works were mentioned and costs that have already been incurred. Due to the COVID 19 pandemic the recreation revenues will be dramatically reduced. If running a

camp ends up being cost prohibitive then it most likely will not be able to be run. No capital infrastructure projects were decided upon for 2020, other than 20th Sideroad resurfacing which is currently underway. Costing for the 20th Sideroad resurfacing was discussed. Gravel and sand and the amounts still in the pits and able to be created were discussed. The new equipment grader was not authorized with this budget. Salaries and overtime were reviewed, the Treasurer added some additional information in this regard and the allowance of the maximum overtime was budgeted for. Prices for calcium have risen, a new contact for crack sealing is needed. Actual numbers for Bridge 6 was requested for next meeting. Council discussed the recoverable costs for fire calls, and the Township Planner and the possibility of creating a planning consultation fee.

Reserve Funds were discussed, it was asked that staff obtain actual amounts and start fresh with the new numbers not what should have been transferred as some transfers to reserves obviously did not occur. Staff has been asked to obtain actual numbers in reserve funds for next meeting.

Generally, Council expressed how happy they were with the work of the Acting Clerk and Treasurer on the budget so far.

6. Confirming By-Law

Resolution #2

Moved by: C. Gerrits – Seconded by: H. Foster

BE IT RESOLVED THAT:

Leave be given to introduce a by-law to confirm the Special Meeting of Council of the Township of Amaranth for June 10, 2020; and that it be given the necessary readings and be passed and numbered 35-2020.

CARRIED.

Recorded Vote	Yea	Nay	Abstain
Deputy Mayor Chris Gerrits	X		
Councillor Heather Foster	X		
Councillor Gail Little	X		
Councillor Mark Tijssen	X		
Mayor Bob Currie	X		

7. Adjournment

Resolution #3

Moved by: M. Tijssen – Seconded by: H. Foster

BE IT RESOLVED THAT:

Council do now adjourn to meet again for the Regular Meeting of Council on Wednesday, June 17, 2020 at 6:00 p.m. or at the call of the Mayor.

CARRIED.

Recorded Vote	Yea	Nay	Abstain
Deputy Mayor Chris Gerrits	X		
Councillor Heather Foster	X		
Councillor Gail Little	X		
Councillor Mark Tijssen	X		
Mayor Bob Currie	X		

A second budget meeting was scheduled for June 15, 2020 at 6:00 p.m. There being no further business the meeting adjourned at 12:28 p.m.

Head of Council

Acting Clerk

**The Township of Amaranth
Staff Planning Report to Council**

To: Mayor Currie and Members of Council

From: Valerie Schmidt, Consulting Township Planner
Steve Wever, Consulting Township Planner

Date: June 17th, 2020

Applicants/Owners: Antoine and Lucie Ghanime (Owners) &
Brayden Libawski c/o The Biglieri Group Ltd.

Subject: Consent Application B2-20 – 434201 4TH Line
Concession 3, Lot 14, WPT, Township of Amaranth

Official Plan

Designation: Agricultural (A) and Environmental Protection (EP)

Zoning: Agricultural (A) Zone and Environmental Protection (EP)

1.0 Purpose of Application

An application for consent has been submitted by Brayden Libawski c/o The Biglieri Group Ltd. (the “Applicant”) on behalf of Antoine and Lucie Ghanime (the “Owners”) for the creation of one new lot from the property municipally known as 434201 4th Line (the “Subject Property”). The purpose and effect of the application is to sever the existing lot into two agricultural lots. The proposed severed lot will have an area of 22.41 hectares with 300.96 metres of frontage onto Fourth Line. The proposed retained lot will have an area of 22.48 hectares and will maintain 300.96 metres of frontage onto Fourth Line.

In addition to the proposed severance of the Subject Property, the applicant is requesting approval for an easement to be created to provide access to the severed parcel.

The existing parcel is 44.89 hectares and currently contains a family-owned and operated greenhouse business (GGG Greenhouses and Garden Centre) that grows annuals, hanging baskets, patio planters and perennials for their on-site retail operation.

2.0 Background

The Subject Property is municipally known as 434201 4th Line and is legally described as Concession 3, Lot 14, WPT in the Township of Amaranth, County of Dufferin. The property is owned by Antoine and Lucie Ghanime and is currently used as a family-owned and operated greenhouse business that employs two (2) full-time employees and three part-time student employees. The Subject Property is occupied by seven (7) climate-controlled greenhouses and an accessory structure (shed) that provides a total GFA of 3,250 square metres (35,000 square feet). A small residential dwelling is located within proximity to the greenhouses near the southwest corner of the Subject Property.

The Subject Property is located on the east side of 4th Line, approximately 1.0 kilometer south of the 4th Line and Sideroad 15 intersection. The Site is surrounded by agricultural properties and environmental features. A portion of the property is regulated by the Grand River Conservation Authority.

The Owners previously submitted an Application for Consent to the Township of Amaranth on July 11th, 2019. On September 11th, 2019 Township Council approved the application for Consent with a condition that the retained and severed lots meet the minimum farm size. The application was then appealed by the County of Dufferin. On November 15, 2019, the Owner had the application formally withdrawn from the LPAT. As the previous application file is closed, a new application has been filed.

3.0 Proposed Use

The proposed consent is to sever the Subject Property to create an agricultural lot to permit a new greenhouse development. The retained lot will continue to operate as GGG Greenhouses and Garden Centre, while the severed lot will provide for a new greenhouse facility known as “Amaranthus Nursery”. An existing driveway is located on the Subject Lands and is proposed to be a shared access to both the retained and severed lots. As such, an easement will be required for the existing driveway to permit access to the severed parcel.

The retained lot will have approximately 300 metres of frontage on 4th Line, with a depth of approximately 744 metres, and a lot area of 22.48 hectares.

The severed lot will have approximately 300 metres of frontage onto 4th Line, with a depth of approximately 740 metres, and a lot area of 22.41 hectares. The severed lot will facilitate a new wholesale nurseery for growing a variety of flowering shrubs in Dufferin County. The nurseery will include two (2) polytunnel/hoop house greenhouses that are 6 metres by 30 metres in size with a black fabric weed control facility located between the two (2) greenhouses. A small farm dwelling is proposed on the east side of the proposed greenhouse facility.

4.0 Analysis

The property is designated “Agricultural” and “Environmental Protection” in the Township Official Plan. The property is currently zoned “Agricultural (A)” and “Environmental Protection (EP)”.

Provincial Policy Statement (PPS)

The 2020 Provincial Policy Statement (PPS) provides direction on matters of Provincial interest related to land use planning and development and is relevant to the proposed application. All land use planning decisions shall be consistent with the PPS in accordance with section 3 of the Planning Act.

In the Province's draft agricultural land base mapping proposed to implement related policies in the Growth Plan, part of the subject land is located within the proposed Prime Agricultural Area. The Province's mapping of the Prime Agricultural Area and the Township Official Plan mapping of the Agricultural designation as they apply to the subject land are shown below for comparison. Although there are some differences in the mapping, both reflect the wetland feature in the front (west) portion of the property and the agricultural land in the back (east) portion of the property.

Township Official Plan, Schedule 'A' (excerpt)



Draft Agricultural Land Base (excerpt)



As per Section 2.3 of the PPS, Prime Agricultural Areas shall be protected for the long-term use of agriculture. Permitted uses and activities in these areas are restricted to agricultural uses, agricultural-related uses, and on-farm diversified uses.

According to Section 2.3.4 of the PPS, lot creation in a prime agricultural area is discouraged and may only be permitted for agricultural uses, agricultural-related uses, or a residence surplus to a farming operation and infrastructure.

Policy 2.3.4.1(a) states that lots created for agricultural uses must be a size appropriate for the type of agricultural uses common in the area and must be sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations.

An Agricultural Assessment was prepared by Watchurst Agricultural Services Inc. to address these policies of the PPS. The Agricultural Assessment concludes that the soil and land capability on the Subject Property can maintain the agricultural uses on both the retained and severed lands. According to the Agricultural Assessment, both the existing and proposed operations could be easily transferred to new owners if the properties were sold. The report provides examples of

intense agricultural operations working on smaller parcels of land across the province. These types of farms as identified in the examples provided in the report include growers and retailers for flowers and vegetables; organic growing of vegetables in fields and greenhouses, garlic production and hops. The report notes that these types of farming are trending and on the rise in rural Ontario. The report concludes that cropping alone on the field would provide over \$7000 gross income which is the minimum required to be considered a “farm” according to the Ontario Federation of Agriculture, as the income threshold required to attain Agricultural Tax Status. The report further concludes that, independently, both the retained and severed parcels could sustain viable agricultural uses.

Policy 2.3.3.3 of the PPS indicates that the creation of lots shall comply with the minimum distance separation (MDS) formulae. As stated in the Agricultural Assessment, the MDS 1 calculation was reviewed and the closest facility, a horse barn is located more than 400 metres away from the property.

The Planning Justification Report that was prepared by The Biglieri Group Ltd. detailed the land uses surrounding the Subject Property including the size of the property, and the approximate area of land for the particular land use. The parcels examined were located within an approximate 750 metres from the lot lines of the Subject Property. Based on the analysis of the surrounding properties, the following agricultural uses exist within the area including field crops (summer and winter wheat, corn, canola, and soya), horticultural crops (potatoes and annual/perennial plants) and livestock (dairy and equestrian).

The Subject Property also contains natural heritage features which are subject to the PPS. According to Section 2.1.8 of the PPS, development and site alteration shall not be permitted on adjacent lands to natural heritage features unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. Therefore, prior to any proposed development on the Subject Property, the owner will be required to submit an EIS to demonstrate there will be no negative impacts to the natural features. Furthermore, a permit from the GRCA will be required prior to any proposed development and site alteration on the Subject Property.

Therefore, the proposed consent is consistent and does not conflict with the PPS and is supported by the following PPS policies:

- In prime agricultural areas, permitted uses and activities are agricultural uses (s.2.3.3.1).
- In prime agricultural areas, all types, sizes and intensities of agricultural uses shall be promoted and protected (s.2.3.3.2).
- New lot creation shall comply with minimum distance separation formulae (s.2.3.3.3).
- Lot creation in prime agricultural areas may only be permitted for agricultural uses provided the lots are of a size appropriate for the type of agricultural uses common in the area and are sized to maintain flexibility for future changes in the type or size of agricultural operations (s.2.3.4.1.a). Examples of agricultural lots of similar size in the area include livestock operations and field crops.
- Prior to any development and site alteration, the adjacent natural heritage features will be evaluated through an EIS and demonstrate that there will be no negative impacts on

the natural features or on their ecological functions (s.2.1.8). As a condition of approval, an Environmental Impact Study will be required prior to final approval.

Growth Plan for the Greater Golden Horseshoe

The new Growth Plan for the Greater Golden Horseshoe (“Growth Plan”) came into effect on May 16, 2019 and applies to planning decisions after that date. The Growth Plan is intended to guide and manage growth and development in a way that supports economic prosperity, protects the environment, and helps communities achieve a high quality of life. As per Policy 4.2.6 of the Growth Plan, prime agricultural areas will be designated in accordance with mapping identified by the Province and these areas will be protected for long-term use for agriculture. As per the draft Agricultural Land Base Map for the Greater Golden Horseshoe, most of the area of the Subject Property is identified as a Prime Agricultural Area. A portion of property is also identified within the Natural Heritage System. The proposed consent conforms and does not conflict with the Growth Plan and addresses the following Growth Plan policies:

- Prime agricultural areas will be designated in accordance with mapping identified by the Province and these areas will be protected for long-term uses for agriculture (s.4.2.6.2);
- The retention of agricultural lots for non-agricultural uses is discouraged (s.4.2.6.5);
- Proposals for new development or site alteration within 120 metres of a key natural heritage features within the Natural Heritage System for the Growth Plan will require a natural heritage evaluation (s.4.2.4.1).

County of Dufferin Official Plan

The County Official Plan provides direction on Dufferin County matters and provides land use planning guidance to the local municipalities within the County. The Subject Site is designated as “Countryside Area” as illustrated on Schedule B and “Agricultural” on Schedule C in the County Official Plan. The application for consent conforms to the County of Dufferin Official Plan and is supported by the following policies:

- Protect agricultural area and recognize the importance of agriculture by promoting a range of agricultural uses (s.4.1.b).
- Maintain and enhance the agricultural resource based and farming operations within the County (4.2.1.b).
- Protect the County’s prime agricultural area from fragmentation, development and land uses unrelated to agriculture (4.2.1.d).
- Preserve and promote the agricultural and rural character of the County (4.2.1.f).
- The primary use of land is for agricultural uses including the growing of crops including nurseries (4.2.2.b.i).
- Lot creation in the Agricultural Area will generally be discouraged and only permitted in accordance with provincial policy and policies of the local municipal official plan (s.4.2.5.a).

Township of Amaranth Official Plan

The Township of Amaranth Official Plan is a planning policy document intended to guide land use and development within the Township. The Subject Site is designated as “Agricultural” and “Environmental Protection”. The application conforms to the Township Official Plan and is supported by the following policies:

- To encourage all forms of agriculture and protect the long-term ability of farming operations to contribute to the economy and lifestyle of the Township of Amaranth (s.3.1.2.a).
- To maintain the open landscape character of the Township by preserving large parcel sizes and minimizing the intrusion of non-agricultural uses into agricultural areas (s.3.1.2.c). The typical parcel size in the area ranges from 12 hectares to 45 hectares that support various agricultural uses including livestock operations and fields crops. The minimum lot size according the current Agricultural (A) Zone is 19 hectares.
- Lands in the Agricultural designation may be used for the following: agricultural uses that include the use of lands, building or structures for the growing of crops, including nursery and horticultural crops (s.3.1.3.a); and a single detached dwelling on existing or approved new lots (s.3.1.3.b).
- The severed and retained parcels are to be of an appropriate size for the type of agricultural uses common in the area and sufficiently large to maintain flexibility for future changes in the type or size of the agricultural operation (s.3.1.4.a).
- All farm and non-farm development will comply with the Minimum Distance Separation Formulae (MDS) (s.3.1.4.b).
- Existing agricultural operation should not be subdivided into smaller parcels of land where the severance would reduce the long-term flexibility and viability of the existing farm unit (s.3.1.4.d).
- In addition to farm related severances, consents may be permitted for an easement or right of way (s.3.1.4.d.i.).

According to Schedule B of the Township Official Plan, the property contains a provincially significant wetland and is partially located within a floodplain. A portion of the property is also identified as being within the regulated area of the Grand River Conservation Area. The application is supported by the following policies:

- Permitted uses include existing agricultural operations and expansions to existing agricultural buildings and structures, accessory uses to both (s.3.8.3.a).
- To establish criteria regarding the scope, content and evaluation of Environmental Impact Assessment undertaken in support of development within and adjacent to important natural features in the Township as per Section 4.1.13 (s.3.8.2.b).
- The Township will seek technical advice of the appropriate review agencies, including the appropriate Conservation Authorities when dealing with development proposals in and adjacent to this designation (s.3.8.4.c).

According to Section 4.1.13 of the Official Plan, an Environmental Impact Assessment shall be required for any development and site alteration proposed adjacent to provincially significant wetlands and the habitat of threatened and endangered species and within and adjacent to all other Natural Heritage features as shown on Schedule B. Adjacent lands are defined as 120 metres for provincially significant wetlands. The Grand River Conservation Authority (GRCA) has recommended deferral of this consent application to allow the applicant the opportunity to provide an Environmental Impact Study (EIS) to address the applicable policies. However, they have noted that if the Township considers approval of this application that the satisfactory EIS be made a condition of approval.

Zoning By-law

The Subject Property is currently zoned “Agricultural (A)” and “Environmental Protection (EP)” in the Township of Amaranth Zoning By-law #2-2009. The permitted uses in the Agricultural (A) Zone contain agriculture uses including a greenhouse and single detached dwelling. The table below outlines the Agricultural (A) zone regulations applying to the retained and severed lots.

Agricultural (A) Zone Regulations		Retained Lot	Severed Lot
Min. Lot Area	19 ha	22.48 ha	22.41 ha
Min. Lot Frontage	150 m	300.96 m	300.96 m
Min. Front Yard	30 m	550 m	600 m
Min. Rear Yard	30 m	60 m	30 m
Min. Interior Side Yard	15 m	105 m	30 m
Max. Lot Coverage	5%	3%	3%
Max. Height	12 m	4 m	4m
Min. Dwelling Unit GFA	111 sq.m	Existing	255 sq.m

Within the EP zone, permitted uses include existing agricultural uses, conservation, passive recreation such as hiking and bird watching, resource management and existing building and structures.

Section 3.25.5 of the Township’s Zoning By-law states that all buildings and structures shall be located a minimum of 120 metres from the boundary (edge) of a Provincially Significant Wetland (PSW). A Zoning By-law amendment is not required if a setback of less than 120 metres has been approved by the Conservation Authority. Before any structures or buildings are proposed on the severed lot, the Owner will be required to enter into a Development Agreement which will require further consultation with the Township and Conservation Authority to determine appropriate setbacks from the PSW or other wetland feature on the property.

The proposed severance meets the requirement of the Agricultural (A) Zone and EP Zone within the Township Zoning By-law. Additional information on servicing of the severed and retained lots have not been submitted to the Township for review. As a condition of approval and part of the consent agreement, the owner is required to demonstrate that the lots and uses can be adequately serviced with regard to site servicing (water and septic), grading and drainage.

5.0 Consultation and Communications

The application was circulated to the required agencies and the public meeting was advertised in accordance with the Planning Act. The public meeting notice sign was installed on the property on May 28, 2020. A copy of the circulation comments received are attached.

On behalf of the County of Dufferin, WSP provided pre-submission comments dated April 8, 2020. Based on their review of the materials submitted, the proposed consent is consistent with the Provincial Policy Statement and the Dufferin County Official Plan provided that the severed and retained lots are maintained for agricultural use; the lots sizes are appropriate for the type of agricultural uses(s) common in the area and are sufficiently large enough to maintain flexibility for future changes in the type and size of agricultural operations; and consultation occur with the Township of Amaranth and the Grand River Conservation Authority (GRCA) related to source water protection.

WSP submitted comments as of June 9th, 2020 indicating the proposal is consistent with the PPS and the Countryside Area and Agricultural Area designations and the related policies in the Dufferin County Official Plan.

GRCA has recommended deferral of the consent application to allow the applicant the opportunity to provide an Environmental Impact Study (EIS) to address applicable policies. If the Township considers approval of this application, it is requested that the satisfactory EIS be made a condition of approval.

Bell Canada was circulated and has no concerns.

Hydro One was circulated and has no concerns or comments.

The County of Dufferin Building Department has no comments at this time.

6.0 Recommendation

Be it Resolved that, subject to the consideration of the any input received at the public meeting, it is recommended that Council grant conditional approval of Consent Application B2-20 subject to the following:

1. Taxes paid in full on both the severed and retained parcels.
2. The Township is provided a solicitor's undertaking to maintain and register the easement on title for access to the severed lot.
3. Copy of the registered Reference Plan in digital and paper format on the severed and retained parcels.
4. That the owner enter into a consent agreement addressing site servicing and drainage requirements to the satisfaction of the Township.
5. An Environmental Impact Study to be submitted to the satisfaction of the GRCA and Township and the recommendations thereof to be included as requirements of the Consent Agreement.
6. That any road widening, easements, survey cost, legal costs and any other transaction pertaining to this application shall be borne by the applicant.

7. Certificate of Title to be supplied, showing no encumbrances on the land for road widening purposes.
8. That all conditions be fulfilled, and certificate of clerk issued within one year of the date of notice of decision was given, failing to do so will cause the application to be null and void.

7.0 Supporting Documentation

Consent Sketch

Signage Photo

Agricultural Assessment prepared by Watchurst Agricultural Services Inc.

MDS Analysis

Planning Justification Report prepared by the Biglieri Group

WSP Pre-Submission Comments dated April 8th, 2020

Response to WSP comments prepared by Biglieri Group

Agency Comments

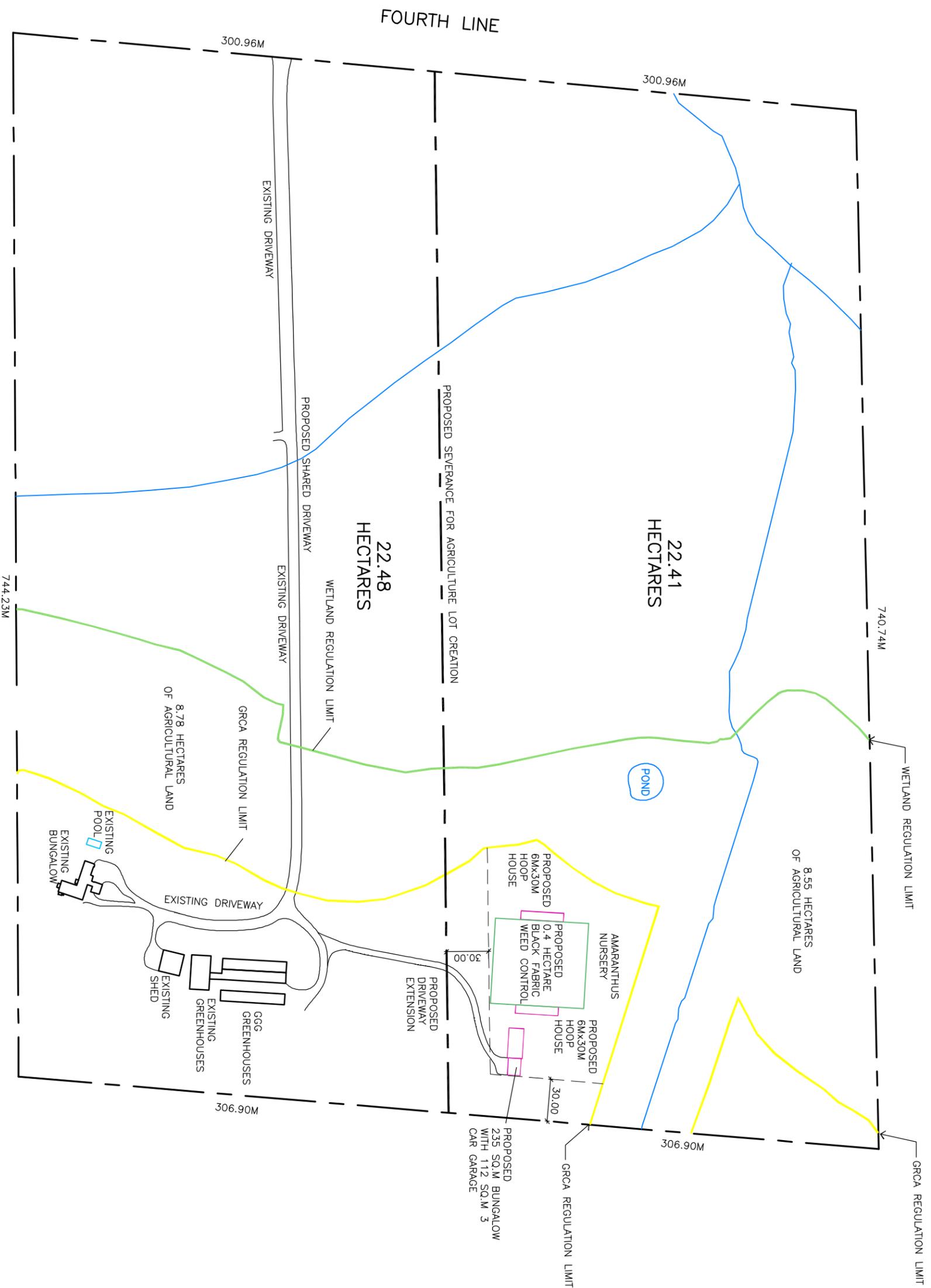
Respectfully submitted,

Reviewed by,



Valerie Schmidt, MCIP, RPP
Consulting Township Planner

Steve Wever, MCIP, RPP
Consulting Township Planner



PRESTIGE DESIGN & DRAFTING
 60 BRENDA BOULEVARD
 ORANGEVILLE
 TEL.: 519-940-9514
 BUILDING CODE IDENTIFICATION NUMBER 28863

PROJECT: PROPOSED DRIVEWAY WIDENING
GHANIME RESIDENCE
 434201 4TH LINE
 ONTARIO
 SHEET TITLE: **SITE PLAN**

DATE	REVISION	DATE	REVISION
2019	ISSUED FOR DESIGN REVIEW		

BCIN/NCB NO. 25210
 CHECKED BY NICOL CROLE
 DRAWN BY NLC
 DATE: OCTOBER 17, 2019
 SCALE: 1 : 900
 DATE PRINTED: NOVEMBER 20, 2019
 DRAWING NO. **A**

Valerie Schmidt

From: Nicole Martin <nmartin@amaranth.ca>
Sent: June 10, 2020 2:47 PM
To: Valerie Schmidt
Subject: FW: Sign

From: Brayden Libawski <blibawski@thebiglierigroup.com>
Sent: Thursday, May 28, 2020 12:07 PM
To: Nicole Martin <nmartin@amaranth.ca>
Cc: vschmidt@gspgroup.ca
Subject: Sign

Nicole, sign has been installed.



Township of Amaranth

Application File No.: B02-2020

Purpose: Create a new
22.41 ha agricultural lot.
Retain a 22.48 ha lot.

Public Meeting: June 17, 2020
6:00 p.m.

For more information about this matter,
contact 519-941-1007 or info@amaranth.ca
again information available

Watchurst Agricultural Services Inc.
320 Michael Drive, Orangeville, Ontario L9W 4M5
Phone 519 942-1181 Fax 519 307-1481 Cell 519 215-2188
email jonathan@watchurstagservices.com

Agricultural Assessment



Antoine Ghanime
434201 4th Line
Amaranth, Ontario
L9W 0P3

January 18, 2020

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Executive summary

An application was submitted July 11, 2019 to the Town of Amaranth to sever the Ghanime property in two parcels. This was done to provide a legal standing property for his son, Julien, to establish a container nursery operation. The application was approved by Township staff and committee of adjustment, September 11, 2019, with provisions to change size of the proposed lots to meet minimum farm size. The application was then appealed by the County of Dufferin, September 26, 2019. Town and county staff have requested that an agricultural assessment be prepared highlighting that the proposed and retained agricultural operations could operate successfully as independent farms. In addition, it should assess the viability of either of both parcels as agricultural operations; if the proposed businesses did not happen. Policy 3.1.4.a in the Official Plan states that "the severed and retained parcels are to be of an appropriate size for the type of agricultural uses common in the area and sufficiently large to maintain flexibility for future changes in the type or size of the agricultural operation."

This report will review background data to show that the proposed property and severed parcel would be suitable for agricultural uses. Soil and soil capability will be reviewed and illustrated in this report. Minimum Separation Distances will be quickly assessed to check with any farm or residential conflicts that may arise from severance.

Upper and lower tier municipal planning documents will be reviewed in regard to Agricultural use with respect to the capability of the property for agricultural uses. Definitions of what is a farm will be review and outlined. Finally, this report will assess existing and proposed agricultural uses for the severed parcels, and review comparable agri-business that can be established on a small-scale.

Jonathan Watchurst: Curriculum Vitae

Jonathan Watchurst graduated in 1987 from the University of Guelph with a Bachelor of Agriculture, majoring in Resources Management. Work experience includes:

- agricultural and environmental planner with Long Associates (5 years)
- program delivery associate with the Ontario Soil and Crop Improvement Association, delivering the Environmental Farm Plan and Growing Your Farm profits workshops in Dufferin and surrounding counties (18 years)
- agricultural consultant as principal for LEAP consulting (9 years)
- owner of Watchurst Agricultural Services Inc.: providing grant services for farmers across Ontario. Minor planning work (7 years)

Jonathan was a member of the Ontario Institute of Agrologists, and is in the process of reinstating his P.Ag status.

Soil Type

There are two soil types located on the property. The western 2/3 of the existing property is designated as muck soils. The muck soils are associated with the wetlands located on the property. The remaining 1/3 of the property are designated as Tavistock Silt Loam soils. Figure 1 illustrates the soil types on the property. Soil type was derived from the AgMaps website which is a web based GIS mapping program designed and maintained by the Ontario Ministry of Agriculture, Food and Rural Affairs. The soil type matches that as defined in the Dufferin County Soil Survey, published in 1964.

Figure 1: Soil Type



The Dufferin County Soil Survey states: *The Tavistock soils, imperfectly drained associates of the Bennington soils, occur on gently undulating areas where surface runoff is low and permeability is slow. The material from which these soils have been derived is the same as that of the Bennington series. These soils are classified as Grey- Brown Podzolic. Most of the Tavistock soils are cleared and used for hay, cereal grains and pasture. Seeding operations may be delayed in the spring by an excess of water*

Canadian Land Inventory (CLI) for agriculture

Agricultural capability for the Ghanime property was taken from the AgMaps website and confirmed using 1:50,000 CLI mapping created by Agricultural Canada in the 1970's. Figure 2 illustrated the agricultural capability for the property.

Figure 2: Canada Land Inventory Agricultural Capability



The part of the property designated as wetlands with muck soils are considered to have CLI Agricultural capability of Class “7”. These soils, indicated in black, are not considered capable to sustain agricultural use, due to extreme wetness. The Tavistock silt loam soils, though having imperfect drainage, are considered Class “1” soils, which are considered best for agricultural operations in Ontario. These soils are indicated on the map as brown. Class 1 soils have the capacity for growing most crops with minimal limitations.

Minimum Separation Distance (MDS)

Minimum separation distance (MDS) is a regulation to support agricultural operations and facilities and potential conflicts of land use. MDS 1 assesses new development, including lot creation and the distances to livestock facilities. MDS 1 calculation was reviewed when severance application was submitted. The closest livestock facility, a horse barn, is more than 400 metres away from the property.

Planning Document review

The Ghanime property is designated as “Agricultural” in the June 2018 Consolidated Official Plan for the Township of Amaranth. Permitted uses include use of land and buildings for the growth of crops, including nursery and horticultural crops. Severance policy states that the “Existing agricultural operations should not be subdivided into smaller parcels of land where the severance would reduce the long-term flexibility and viability of the existing farm unit.”

Zoning for the east 1/3 of the Ghanime property is Agricultural Zone, in the 2009 Township of Amaranth Zoning By-Law. Permitted uses are agricultural use, farm produce sales outlet accessory to an agricultural use, farm produce storage facility, greenhouse, etc.. Minimum lot area is 19 hectares and minimum frontage is 150 metres for any proposed severed parcel. The remaining portion of the property is Environmental Protection Zone. Permitted uses include existing agricultural use. Definition of agricultural use in the Zoning Bylaw is: *“Any agricultural use or uses, structures or buildings accessory thereto, including field crops, animal husbandry, horticultural nurseries, manure storage facilities and any other use customarily carried on in the field of general agriculture, including the sale on the premises, of produce grown or raised on the premises except specialized agricultural uses as defined herein. “Agricultural Use” includes a single-detached dwelling and such principal or main buildings and structures as a barn or silo, as well as accessory buildings and structures which are incidental to the operation of the agricultural use”*

The property is designated as Countryside area and specifically, Agricultural Area, in the 2017 Office Consolidation Dufferin County Official Plan. Agricultural lands are to be protected from incompatible uses. Objectives outlined in the Official Plan are:

- a) Recognize agriculture as the primary activity and land use in the Countryside Area.
- b) Maintain and enhance the agricultural resource base and farming operations within the County
- c) Protect the County’s prime agricultural area from fragmentation, development and land uses unrelated to agriculture.
- d) Promote normal farm practices and to protect the right to farm.
- e) Promote a diverse, innovative and economically strong agricultural industry and associated activities by enhancing their capacity to contribute to the economy by accommodating a range of agriculture-related uses and on-farm diversified use.
- f) Preserve and promote the agricultural and rural character of the County.

Permitted uses include; all types, sizes and intensities of agricultural uses and normal farm practices will be promoted and protected in accordance with provincial standards. Use of land is similar to that stated in the Township of Amaranth Official Plan. Lot creation must be in accordance with provincial policies and local official plans. The official plan states *“For agricultural uses, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large enough to maintain flexibility for future changes in the type or size of agricultural operations.*

What is a farm?

In the previous section, municipal planning document review, there have been definitions on what a farm or agricultural use are. The following section reviews other definitions of what a farm is. The Ontario Government's Farming and Food Production Protection Act and Normal Farming Practices Protection Board: defines a farm as “agricultural, aquacultural, horticultural or silvicultural operation that is carried on in the expectation of gain or reward”. Examples listed in the act include:

- draining, irrigating or cultivating land growing, producing or raising - livestock, poultry and ratites - fur-bearing animals - bees - cultured fish - deer and elk - game animals and birds, or - any additional animals, birds or fish prescribed by the minister
- the production of agricultural crops, greenhouse crops, maple syrup, mushrooms, nursery stock, tobacco, tree and turf grass, and any additional agricultural crops prescribed by the minister
- the production of eggs, cream and milk

The Ontario Federation of Agriculture, the largest agricultural organization in the province of Ontario, states a farm is that where the owner earns a minimum gross farm income of \$7000 or more. The \$7000 income threshold is also the minimum requirement to attain Agricultural Tax Status for municipal taxation.

The National Farmers Union, is an alternative farm organization founded in 1969. *The NFU believes that agriculture should be economically, socially, and environmentally sustainable and that food production should lead to enriched soils, a more beautiful countryside, jobs for non-farmers, thriving rural communities, and biodiverse natural ecosystems. The NFU is a leader in articulating the interests of Canada’s family farms, in analyzing the farm income crisis, and in proposing affordable, balanced, and innovative solutions that benefit all citizens*

The Census of Agriculture defines an agricultural operation as one that produces agricultural products intended for sale.

The Fraser Institute's “An Economic Analysis of Rural Land Use Policies in Ontario” January 2016 defines agricultural uses as a *“means the growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment. (Ontario, 2005c)”*

Agricultural Operational analysis

The Ghanime property has good soils and agricultural capability. Crops and hay can be grown on fields and produce more than \$7000 in gross farm income. The fields on the farms have been used by neighbouring farmer for hay production for the past 10 years. No fertilizers or pesticides have been used on fields. This lends for the use as “Organic” production of horticultural crops. This produce could be sold through on-farm sales, farmers markets or through local retailers.

The proposed retained parcel, GGG Greenhouses, is a well establish retail greenhouse operation, started in 1994. It was the first greenhouse operation in Dufferin county. It consists of 35,000 square feet under double poly. Future expansion will be viable on the additional 4.5 ha of land. The 2018 gross business income was \$179,683.00. If property was sold, new owners could easily take over the viable greenhouse operation.

The proposed severed parcel, Amaranthus Nursery, plans the production of potted flowering shrubs for wholesale & retail markets. This type of operation takes 3 years to establish a salable product. Once established the operation will be able to sustain a viable annual income stream. The severed lot would provide plenty of area to establish a viable operation, with future expansion area of 6.5 hectares. The operation will start with one acre of production. Experts from the Nursery industry indicate that 20,000 containers can be grown on a single acre. Lowest gross income based on a very low price per pot of \$14.00, would gross \$54,000.00; based on one acre of production. With expansion of up to an available 6.5 ha the potential income would be over \$850,000.00. If property was sold, prospective owners could easily take over the nursery operation.

The following farms illustrate that intensive agriculture on small acreage are viable and recognized as agricultural uses:

Ferragine Greenhouses in Bradford operates on a 2 acre parcel with 35,000 square feet under glass. This is a grower & retailer for flowers and vegetables. Operation has a gross business income of over \$250,000.00.

L&D Ferragina Ltd. Wholesaler greenhouse is an operation on 10 acres, has a gross business income of \$1,000,000. It grows flowers, vegetables and herbs under 115,000 square feet of glass.

Bradford greenhouses is a large wholesaler and retailer which works from a 26 acre facility with 912, 000 sq ft under glass and has an annual gross revenue of \$50 million

Cookstown Greens is a organic operation growing vegetables in fields and greenhouses. It is located on an 80 acre parcel of land and grosses over \$1,000,000 annually. Scaling down to 16 acres & 11 acres; sustainable farm income of \$200,000 and \$137,551 could be obtained respectively.

Commercial garlic production is gaining interest for small scaled farmers. Public demand for local garlic has increased substantially over the past decade. Production of garlic can gross \$7000 per acre.

The University of Michigan, has estimated that an acre of hops can yield 1500 pounds. Price for hops range from \$8 to\$20 per pound. This would provide an agricultural income of between \$12,000 to \$30,000 per acre grown.

Growing traditional crops, for example soybeans, can produce over \$7000 in gross business income. Based on an average price of soybeans of \$12.14 per bushel and a low average yield of 40 bushels per acre times 21 acres of agricultural land for each parcel; annual farm income for each parcel could be over \$10,000.00.

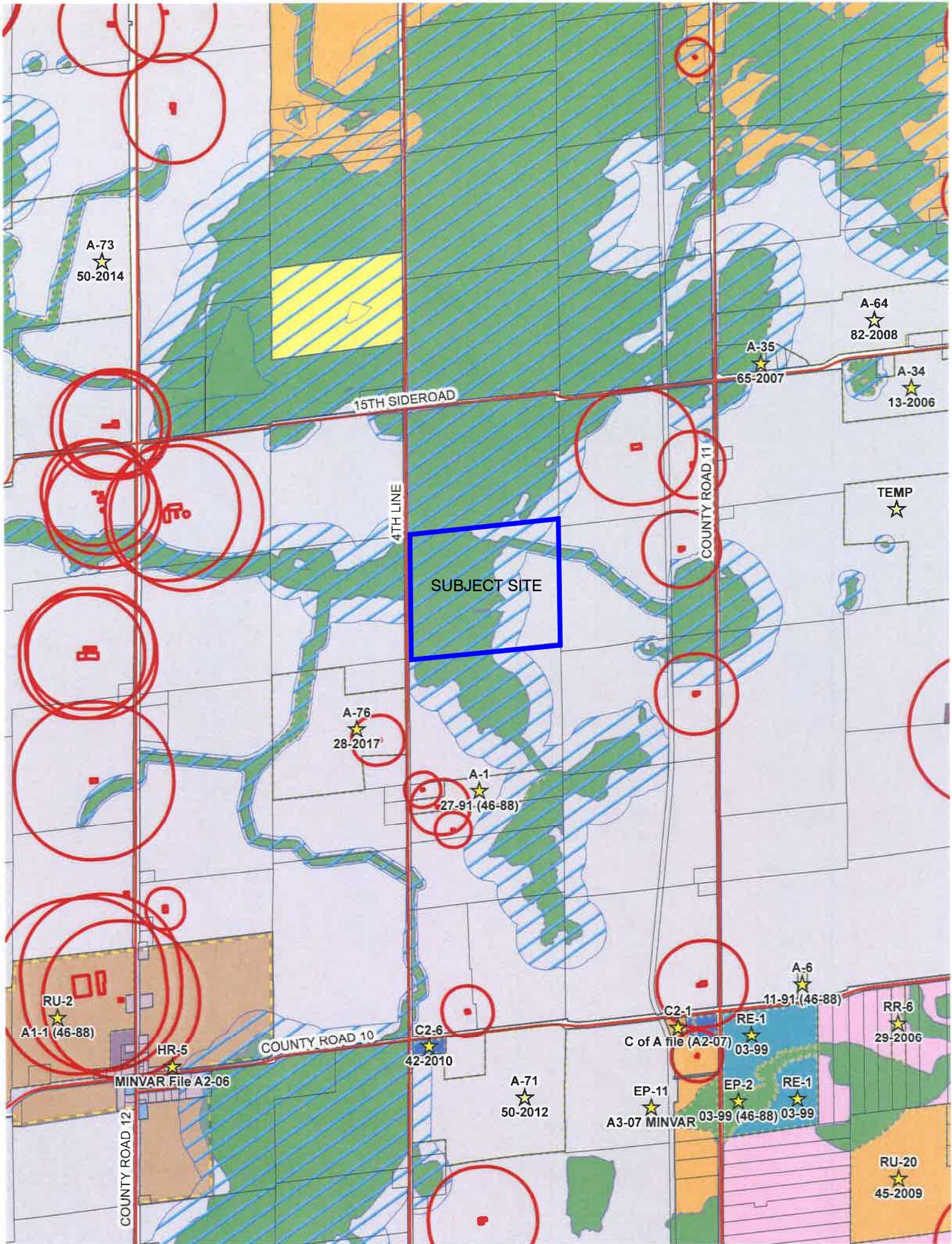
Conclusion

In conclusion, soil and land capability are such, that agricultural uses can be maintained on both parcels. Existing and proposed uses for both parcels are agricultural in nature, as defined by municipal planning documents. By creating a separate parcel, we are creating a new agricultural operation, enhancing the agricultural resource base and farming operations within the County.

Definitions of agriculture are such that intense agricultural uses on small available land are considered farms. Both existing and proposed operations could be easily transferred to new owners if property were sold. There are many examples of intense agricultural operations working on smaller parcels of land across the province. On the previous page there are several examples of farm operations that can be facilitated at a small-scale. Production of organic vegetables, garlic or hops are trending in rural Ontario and the demand for these products is on the rise. Cropping alone on the fields would provide well over the \$7000 gross income minimum required to be considered a farm in Ontario Growing . Independently, both parcels could sustain viable agricultural uses.



Jonathan Watchurst, Bsc-Agr. (Resources Management)



A-73
★
50-2014

A-64
★
82-2008

A-35
★
65-2007

A-34
★
13-2006

15TH SIDEROAD

4TH LINE

SUBJECT SITE

COUNTY ROAD 11

TEMP
★

A-76
★
28-2017

A-1
★
27-91 (46-88)

RU-2
★
A1-1 (46-88)

HR-5
★
MINVAR File A2-06

COUNTY ROAD 10

C2-6
★
42-2010

A-71
★
50-2012

C2-1
★
C of A file (A2-07)

A-6
★
11-91 (46-88)

RE-1
★
03-99

RR-6
★
29-2006

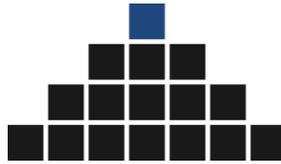
COUNTY ROAD 12

EP-11
★
A3-07 MINVAR

EP-2
★
03-99 (46-88)

RE-1
★
03-99

RU-20
★
45-2009



BUILDING YOUR IDEAS - INTO BIG PLANS
THE BIGLIERI GROUP LTD.

April 17th, 2020

Township of Amaranth
374028 6th Line
Amaranth, ON
L9W 0M6

Attention: Mr. Bob Black, Township Planner

Dear Mr. Bob Black,

RE: Consent Application
434201 4th Line
Amaranth, ON
L9W 0P3
TBG Project No. 19621

INTRODUCTION

The Biglieri Group Ltd. are the planning consultants for Antoine and Lucie Ghanime (the “Ghanime’s”), the owners of 434201 4th Line in the Township of Amaranth (“Subject Site”). The Ghanime’s wish to sever the property to create one (1) new agricultural lot. An existing agricultural lot with greenhouses, agricultural-associated structures, and an associated farm dwelling will be maintained on the retained lot. The severed lot is intended to be used for a new greenhouse facility, existing crop farming uses, and an associated farm dwelling. The enclosed Application for Consent to create a new agricultural lot complies with the Township of Amaranth’s Zoning By-law #2-2009 standards for lots zoned *Agricultural (A)* and *Environmental Protection (EP)*. This application and supporting documentation are being submitted in accordance with the application requirements determined through correspondence with Dufferin County and Township of Amaranth staff.

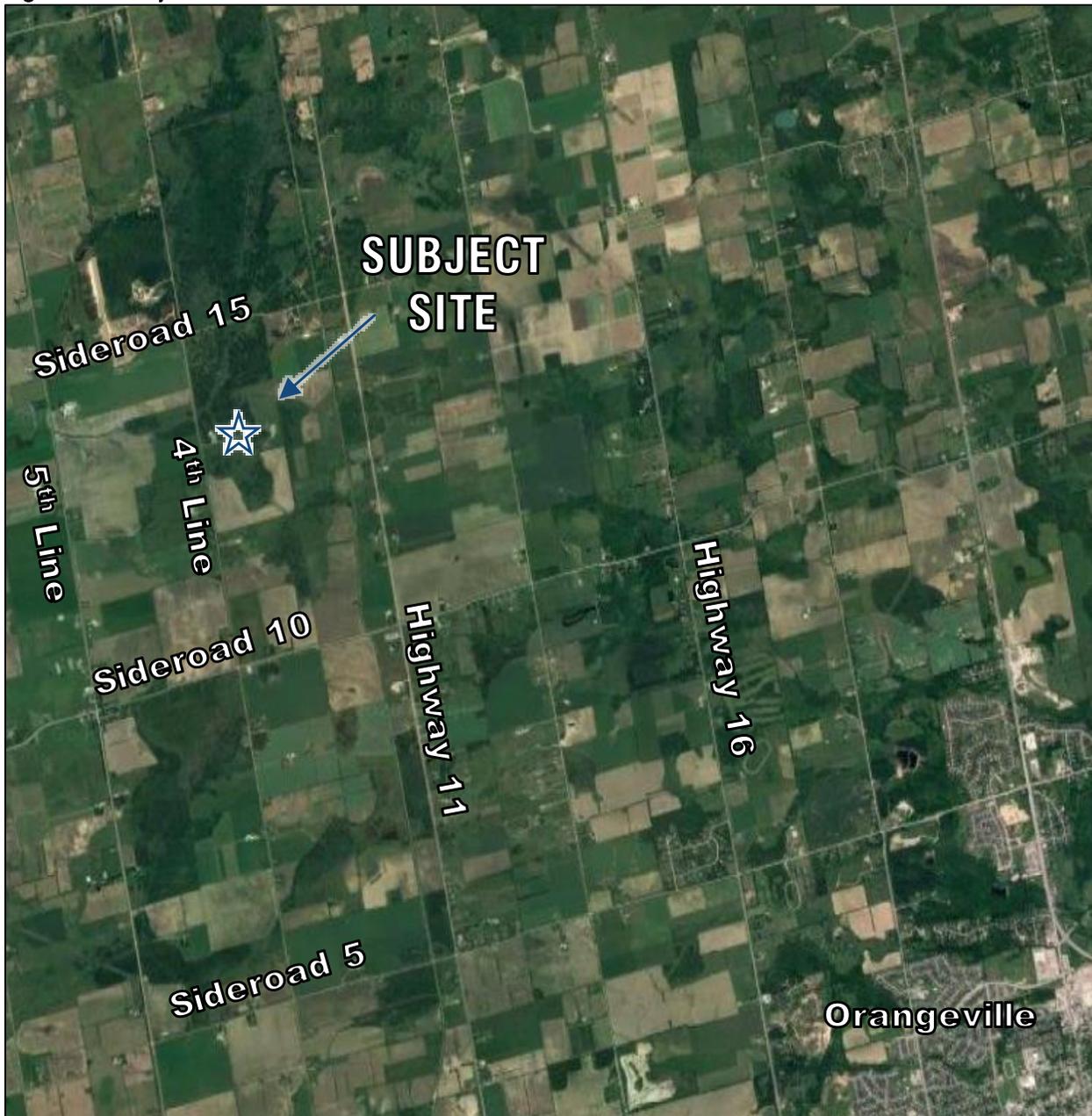
SUBJECT SITE

The Subject Site is located on the east side of 4th Line, approximately 1.0 kilometre’s south of the 4th Line and Sideroad 15 intersection (**Figure 1**). The Subject Site is a rhombus-shaped agricultural parcel of land and is 44.89 hectares in size, with 602 metres of frontage on 4th Line, 740.74 metres of depth along the northern lot line and 744.23 metres of depth along the southern lot line. The Subject Site is host to GGG Greenhouses and Garden Center (“GGG”); a family-owned and operated greenhouse business that grows annuals, hanging baskets, patio planters, and perennials for their on-site retail operation. GGG employs two (2) full-time employees and three part-time student employees during the Spring and Summer seasons; GGG does not operate in the Fall and Winter seasons. The Subject Site is currently occupied by seven (7) climate-controlled greenhouses (inclusive of space to provide on-farm retail for their product) and an accessory structure (shed); providing a total GFA of 3,250 square metres (35,000 square feet). A small residential dwelling is located within close proximity to the greenhouses near the southeast corner of the Subject Site (**Figure 2**).

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tbg@thebiglierigroup.com

Figure 1 – Subject Site Context



Source: Google Maps, 2020

Figure 2 – Subject Site Aerial



Source: Google Maps, 2020

SURROUNDING AREA

The Subject Site is surrounded by large agricultural properties and environmental features. A large wetland and environmental feature, regulated by Grand River Conservation Authority, bisects the front of the property and extends both south to the adjacent parcel as well as north past Sideroad 15, connecting into a larger environmental feature. The predominant use of land within 5.0 kilometres of the Subject Site is agricultural. Aside from the existing farm dwelling on the Subject Site, the next closest residential building is located over 725 metres southwest of the existing greenhouses. The nearest barn is located over 1.0 kilometres west of the Subject Site's front lot line, and over 1.75 kilometres from the existing farm dwelling.

HISTORY OF PROPOSED CONSENT APPLICATION – TOWNSHIP OF AMARANTH CONSENT APPLICATION FILE #B4-19

The Ghanime's previously submitted an Application for Consent to the Township of Amaranth on July 11th, 2019. The Application for Consent was received by the Township of Amaranth and was scheduled to be heard at the Corporation of the Township of Amaranth Council ("Township Council") on September 11th, 2019.

On August 20th, 2019 Dufferin County's Planning Consultant ("WSP") recommended that Council not approve the Ghanime's proposed Application for Consent (File #B4-19).

On September 11th, 2019 Township Council approved the Ghanime's Application for Consent with a condition that the retained and severed lots "meet minimum farm size".

Following this approval, on September 26th, 2019 – Dufferin County Council ("County Council") held a special meeting in regards to WSP's report on Township of Amaranth Consent Applications B1-19, B2-19/B3-19, and B4-19. As it related to the Ghanime's Application for Consent (B4-19), County Council carried a motion to direct staff to appeal the Township of Amaranth's consent decision for File #B4-19 to the Local Planning Appeal Tribunal ("LPAT"); the appeal to LPAT was later made by Dufferin County planning staff.

On October 21st, 2019 the LPAT acknowledged receipt of the case file for the Ghanime's Application for Consent (LPAT Case and File No. PL190489).

Lastly, on November 15th, 2019, the Ghanime's withdrew their application so they could proceed with holding discussions with Township of Amaranth and Dufferin County planning staff to resolve concerns with the Application for Consent, inclusive of retaining and Planning Consultant to proceed with the resubmission for an Application for Consent to the Township of Amaranth.

DESCRIPTION OF PROPOSAL

The proposed development is to sever the Subject Site into two (2) agricultural lots to permit a new greenhouse development in the future on the severed agricultural lot (**Figure 3**). Both the severed and retained lots will front onto 4th Line and will be serviced by private water and sanitary services. An existing driveway is located on the Subject Site and will serve as the access for both the retained and severed lots. An easement will be required for the existing driveway to permit access to the severed parcel, instead of providing for a new access for the property fronting onto 4th Line. The retained lot will continue its successful operation as GGG Greenhouses and Garden Center, while the severed lot will provide for a new greenhouse facility known as "Amaranthus Nursery"; a permitted agricultural use and successful agricultural business as exemplified by GGG.

In addition to the proposed severance of the Subject Site, we are requesting for the approval of an easement in accordance with Section 50(3) of the *Planning Act*. for the existing Subject Site access.

The retained lot (outlined in red on **Figure 3**) will continue its existing uses as GGG Greenhouses and Garden Center. The retained lot will have approximately 300 metres of frontage onto 4th Line, a depth of approximately 744 metres, and a lot area of 22.48 hectares. There is an estimated 8.78 hectares of land that is arable for growing and harvesting crops on the eastern portion of the retained lot, with further potential arable land located towards the west portion of the retained lot, south of the existing driveway. The existing structures are located outside of the Grand River Conservation Authority and environmental features.

The severed lot (outlined in orange on **Figure 3**) will provide for a new greenhouse operation known as "Amaranthus Nursery". The severed lot will have approximately 300 metres of frontage onto 4th Line, a depth of approximately 740 metres, and a lot area of 22.41 hectares. The severed lot will provide for the first and largest wholesale nursery for growing a variety of flowering shrubs in Dufferin County. There is an estimated 8.55 hectares of land that is arable for growing and harvesting crops on the eastern portion of the severed lot. The severed lot will provide for two (2) polytunnel/hoop house greenhouses that are 6 metres by 30 metres in size with a black fabric weed control facility (0.4 hectare's in size) located between the two (2) greenhouses. A small farm dwelling is proposed on the east side of the proposed greenhouse facility. The proposed black fabric weed control area, greenhouses, and associated farm dwelling are all located outside of the Grand River Conservation Authority Regulation Limit, outside of all environmental features, and greater than 30.0 metres away from the proposed lot line.

POLICY CONTEXT AND ANALYSIS

The proposed development is consistent with and conforms to the policies of the Provincial Policy Statement (2014), A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019), the Dufferin County Official Plan (Office Consolidation, July, 2017), and the Township of Amaranth Official Plan (Office Consolidation, June, 2018). Further it complies with the minimum lot size and frontage standards of the Township of Amaranth Zoning By-law #2-2009.

Provincial Policy Statement (2014)

The Provincial Policy Statement, 2014 (“PPS”) provides overall direction on matters of provincial interest related to municipal planning decisions. The PPS provides provincial direction in terms of land use planning and development in Ontario. Decisions related to planning shall be consistent with the PPS.

The PPS encourages efficient land use and development patterns to support healthy, livable and safe communities by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities (Policy 1.1.1.a). Rural areas are important to the economic success of the Province and overall quality of life; is it important to leverage rural assets and amenities, and to protect the environment as a foundation of a sustainable economy (Policy 1.1.4). The PPS encourages rural areas to promote the diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources (Policy 1.1.4.1.f)). The PPS also directs planning authorities to protect natural features and areas for the long term (Policy 2.1.1).

Section 2.3 of the PPS provides specific direction with respect to agricultural matters. Policy 2.3.1 states that “prime agricultural areas shall be protected for long-term use for agriculture”. Permitted uses and activities within prime agricultural areas include: agricultural uses, agriculture-related uses and on-farm diversified uses, and said uses shall be compatible with and not hinder surrounding agricultural operations (Policy 2.3.3.1). The PPS directs prime agricultural areas to both promote and protect all types, sizes, and intensities of agricultural uses (Policy 2.3.3.2).

As per Policy 2.3.4.1.a) of the PPS, within prime agricultural areas, while lot creation is discouraged, it may be permitted for agricultural uses, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations.

As will be demonstrated in the *Policy Analysis* section below, it is our professional opinion that the proposed Application for Consent is consistent with the Provincial Policy Statement, 2014.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (May, 2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (“Growth Plan”) was approved under the authority of the Places to Grow Act, 2005, and was most recently updated on May 16, 2019. The updated Growth Plan “builds on the success of the initial Growth Plan, 2006 and responds to the key challenges that the region continues to face over the coming decades with enhanced policy directions” (Section 1.2). The Subject Site is located within the Agricultural System of the Growth Plan.

The Growth Plan is a provincial planning document that builds on the PPS. The Growth Plan guides and manages growth and development in a way that supports economic prosperity, protects the environment, and helps communities achieve a high quality of life. A guiding principle of the Growth Plan is to “support and enhance the long-term viability and productivity of agriculture by protecting prime agricultural areas and the agri-food network” (Sub-section 1.2.1). Section 4.2.6 of the Growth

Plan provides policies with respect to the Agricultural System. Per the Agricultural Land Base Map for the Greater Golden Horseshoe the Subject Site is identified as being within the Prime Agricultural Area and a part of the property is also within the Natural Area. As such, the policies of the PPS apply. As identified in the previous section, prime agricultural areas:

- Are to be protected for long-term agricultural uses (Policy 2.3.1);
- Permit agricultural uses, agriculture-related uses, and on-farm diversified uses (Policy 2.3.3.1);
- Are directed to promote and protect all types, sizes, and intensities of agricultural uses (Policy 2.3.3.2); and,
- May proceed with lot creation for agricultural uses provided the lots are of appropriate size of the type of agricultural use in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations (Policy 2.3.4.1.a)).

As will be demonstrated in the **Policy Analysis** section below, it is our professional opinion that the proposed Application for Consent is consistent with the Provincial Policy Statement (2014), and as such conforms to the policies of A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019).

Dufferin County Official Plan (Office Consolidation, July, 2017)

The Dufferin County Official Plan ("County OP") was adopted by Dufferin Council on September 11th, 2014 and was approved by the Ministry of Municipal Affairs and Housing on March 27th, 2015. The most recent Office Consolidation is dated July, 2017. The County OP provides direction on Dufferin County matters and provides the land use planning guidance to the local municipalities within the Dufferin County. The Subject Site is designated as *Countryside Area* as shown on Schedule B of the County OP and *Agricultural* on Schedule C of the County OP.

Section 4.0 of the County OP provides policies and direction for *Countryside Areas* in Dufferin County. Policy 4.2.1 provides the objectives for the *Agricultural Area* designation, noting that the policies of the plan intent to recognize agriculture as the primary activity and land use in the *Countryside Area* and to promote a diverse, innovative and economically strong agricultural industry by accommodating a range of agriculture-related uses and on-farm diversified uses (Policies 4.2.1.a) and e)). Permitted uses within the *Agricultural Area* designation include, but are not limited to, all types, sizes and intensities of agricultural uses and normal farm practices (in accordance with provincial standards), a single residential dwelling (subject to the policies of the local municipal official plan and zoning by-law), agriculture-related uses, and new land uses, including the creation of new lots (Section 4.2.2).

Policy 4.2.3.b) of the County OP states that "In order to avoid land use conflicts within the *Agricultural Area* designation, new land uses, including lot creation, and new or expanding livestock facilities will comply with the Minimum Distance Separation Formulae, to ensure appropriate standards for separating incompatible uses from existing, new or expanding livestock facilities. The Minimum Distance Separation Formulae will be implemented through the applicable local municipal planning documents". Furthermore, proposed development in *Agricultural Areas* will be serviced with adequate sewage and water services (Policy 4.2.3.c)).

Section 4.2.5 of the County OP provides the policies for lot creation in *Agricultural Areas*. Policy 4.2.5.a) states that "Lot creation in the *Agricultural Area* will generally be discouraged and only permitted in accordance with provincial policy and the policies of the local municipal official plan. The minimum lot area of both the retained and severed lots will be established in the local municipal official plans in accordance with the lot creation policies for the uses set out below". The County OP further states that lot creation is permitted for agricultural uses, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large enough to maintain flexibility for future changes in the type or size of agricultural operations (Policy 4.2.5.b)).

As will be demonstrated in the *Policy Analysis* section below, it is our professional opinion that the proposed Application for Consent is consistent with the Dufferin County Official Plan (Office Consolidation, July, 2017).

Township of Amaranth Official Plan (Office Consolidation, June, 2018)

The Township of Amaranth Official Plan ("Township OP") was adopted by Township Council on December 15th, 2004 and was approved by the Ministry of Municipal Affairs and Housing on October 26th, 2005. The most recent Office Consolidation is June, 2018. The Township OP is a planning policy document intended to guide development within the Township of Amaranth. The Subject Site is designated as *Agricultural* and *Environmental Protection* in the Township OP.

The Township OP provides objectives as it relates to the entire Township and establishes the framework for the remaining policies of the Official Plan. The Township of Amaranth recognizes the importance of agriculture and the Township Op seeks to ensure that agricultural operations can adapt to changing economic and employment conditions and technology (Objective iii). Furthermore, environmental features in the Township of Amaranth are to be protected in a manner that recognizes the different ecosystem functions and groundwater resources in the community (Objective iv)).

It is the objective of lands designated as *Agricultural* in the Township OP to encourage all forms of agriculture and protect the long-term ability of farming operations to contribute to the economy and lifestyle of the Township of Amaranth, as well as to maintain the open landscape character of the Township of Amaranth through the preservation of large parcel sizes and minimizing the intrusion of non-agricultural uses into agricultural areas (Policy 3.1.2.a) and c)). Permitted uses within the *Agricultural* designation include, but are not limited to, agricultural uses, a single-detached dwelling for the owner or manager of a farm operation, a single detached dwelling on existing or approved new lots, agriculture-related commercial and agriculture-related industrial uses that are small in scale and directly related to the farm operation and required to be located in close proximity to the farm operation, and accessory buildings, structures and facilities and site modifications required to accommodate those uses permitted in the *Agricultural* designation (Section 3.1.3).

Section 3.1.4 of the Township OP provides severance policies for lands designated as *Agricultural* in the Township of Amaranth. The following policies of Section 3.1.4 are applicable to the proposed Application for Consent:

- a) "It is the policy of this Plan that the agricultural land base is to be preserved as much as possible in large parcels. The severed and retained parcels are to be of an appropriate size for the type of agricultural uses common in the area and sufficiently large to maintain flexibility for future changes in the type or size of the agricultural operation. In general, severances are discouraged. The basic farm unit in this category will be the original surveyed parcel of land, of approximately 40 hectares, the farm residence, barns and other buildings and structures which together support the farm operation.
- b) All farm and non-farm development will comply with the Minimum Distance Separation Formulae (MDS) established by the Province in order to minimize odour, conflicts between livestock facilities and development, as amended from time to time.
- c) Existing agricultural operations should not be subdivided into smaller parcels of land where the severance would reduce the long-term flexibility and viability of the existing farm unit."

Lands designated as *Environmental Protection* in the Township of Amaranth are to be protected and enhanced, and are encouraged to be maintained and improved on both public and privately-owned lands to provide for a sustainable natural ecosystem throughout the Township of Amaranth (Policy 3.8.2.a) and b)). Permitted uses within the *Environmental Protection* designation include, but are not limited to, existing agricultural operations and expansions to existing agricultural buildings and

structures, and accessory uses to both, legally existing uses, forest, wildlife and fisheries management and archaeological activities, and essential transportation and utility facilities (Section 3.8.3). Policy 3.8.4.i) of the Township OP states that “natural wetlands that are locally significant or have yet to be evaluated shall be protected from development. Development adjacent to natural wetlands shall only be permitted if it can be demonstrated that it will not result in any negative impact on the wetland”. Private sewer and water supplies will continue to be the preferred form of servicing outside of communities (Policy 4.2.5.a)).

As will be demonstrated in the *Policy Analysis* section below, it is our professional opinion that the proposed Application for Consent is consistent with the Township of Amaranth Official Plan (Office Consolidation, June, 2018).

Township of Amaranth Zoning By-law #2-2009

The Subject Site is zoned *Agricultural (A)* and *Environmental Protection (EP)* in the Township of Amaranth Zoning By-law #2-2009. The following uses are permitted in the *Agricultural (A)* zone:

- Agricultural use;
- Farm produce sales outlet accessory to an agricultural use;
- Farm produce storage facility;
- Greenhouse;
- Home occupation;
- Home industry;
- Kennel on a lot of at least 38 hectares;
- Resource management;
- Riding school or boarding stables;
- Single detached dwelling;
- Specialized agriculture not exceeding 300 Nutrient Units (NU);
- Veterinary clinic; and
- Wayside pit or wayside quarry including a portable asphalt plant.

The retained and severed parcels comply to the use provisions of the *Agricultural (A)* zone. **Table 1** below outlines the *Agricultural (A)* zone regulations applying to the retained and severed lots. Site statistics have been provided in the columns of **Table 1** to indicate how they meet the *Agricultural (A)* zone regulations.

Table 1 – Township of Amaranth Zoning By-law 2-2009 Agricultural (A) Zone Regulations

	<i>Agricultural (A)</i> Zone Regulations	Retained Lot	Severed Lot
Min. Lot Area	19 hectares	22.48 hectares	22.41 hectares
Min. Lot Frontage	150 metres	300.96 metres	300.96 metres
Min. Front Yard	30 metres	550 metres	600 metres
Min. Rear Yard	30 metres	60 metres	30 metres
Min. Interior Side Yard	15 metres	105 metres	30 metres
Max. Lot Coverage	5%	3%	3%
Max. Height	12 metres	4 metres	4 metres
Min. Dwelling Unit GFA	111 square metres	300 square metres	255 square metres

It is our professional opinion that the proposed Application for Consent complies with the provisions and regulations of the Township of Amaranth Zoning By-law #2-2009.

Policy Analysis

The Subject Site is located within a prime agricultural area and within a rural area based on provincial mapping. The proposed Application for Consent seeks to facilitate lot creation as defined in the PPS policy framework. The severance will create a new agricultural parcel on the severed lot, while maintaining the existing agricultural operation on the retained parcel. The Application will sever the existing 44.82-hectare property into two (2) equally sized lots: the retained lot will be 22.48 hectares in size and the severed lot will be 22.41 hectares in size. Both the severed and retained lots meet the Township of Amaranth's minimum required lot size of 19 hectares.

Pursuant to PPS Policies 2.3.3.2 and 2.3.4.1.a), County OP Section 4.2.5, and Township of Amaranth Section 3.1.4, lot creation on lands identified as Prime Agricultural Areas, *Agricultural Areas*, and *Agricultural* in their respective policy frameworks is permitted provided that:

- The nature of the lot creation is for an agricultural use;
- The severed and retained lot(s) are appropriate for the type of agricultural use; and
- The severed and retained lot(s) will maintain flexibility for future changes in the type and/or size of agricultural operations.

An Agricultural Assessment ("AA") was prepared by Watchurst Agricultural Services Inc. (dated January 18th, 2020) as requested by the Township of Amaranth and Dufferin County to address these policies. The AA supports the proposed severance application, reviews background data to justify the proposed Application for Consent, and concludes the following:

- Soil and land capability are such that agricultural uses can be maintained on both parcels;
- Existing and proposed uses for both parcels are agricultural in nature as defined by Municipal Planning documents;
- By creating a separate parcel, a new agricultural operation is created, which enhances the agricultural resource base and farming operations within the County;
- Definitions of agriculture are such that intense agricultural uses on small available land are considered farms;
- Both GGG and Amaranthus Nursery could be easily transferred to new owners if the properties were sold, and the continuation of the greenhouse operations, intense agricultural operations, or the transition to solely cropping alone would provide for viable farm operations; and
- Independently, both parcels could sustain viable and flexible agricultural operations into perpetuity.

The following table, and in relation to the map in **Appendix A**, breaks down and details the land uses near to the Subject Site, the size of the property, and the approximate area of land for the particular land use. The column labelled "Parcel #" in **Table 1** refers to a given property that has been numerically labelled in a **red box** on **Appendix A**. The **orange** polygons in **Appendix A** represent small residential parcels of land located near to the Subject Site and do not have any visible agricultural operations on the property. The **red** polygon represents the Subject Site. The parcels were selected based on an approximate 750m radius from the lot lines of the Subject Site and represents the Context Area.

Table 1: Breakdown of Agricultural Uses and Parcel Sizes Near the Subject Site

Parcel #	Approximate Lot Size (ha)	Land Use(s) and Approximate Area of Land Use(s)
1	1.25	Residential Dwelling and Accessory Structures/Buildings Livestock – Equestrian: 0.23 ha
2	71.75	Crops: 68.0 ha
3	38.75	Crops: 36.0 ha
4	37.5	Residential Dwelling and Accessory Structures/Buildings Crops: 35.0 ha Livestock – Dairy: 0.6 ha
5	36.50	Crops
6	1.75	Vacant, Environmental
7	38.00	Crops: 38.0 ha
8	38.25	Crops: 29.75 ha
9	4.00	Residential Dwelling Crops: 1.0 ha
10	31.25	Residential Dwelling and Accessory Structures/Buildings Livestock – Equestrian: 3.8 ha
11	3.12	Residential Dwelling and Accessory Structures/Buildings Crops: 2.46 ha Livestock – Equestrian: 0.23 ha
12	10.25	Residential Dwelling and Accessory Structures/Buildings Environmental Features Crops: 4.0 ha Livestock – Equestrian: 0.8 ha
13	9.00	Residential Dwelling and Associated Structures/Buildings Livestock - Equestrian:1.2 ha
14	1.25	Residential Dwelling Livestock – Equestrian: 0.7 ha
15	43.75	Crops: 26.0 ha
16	43.25	Vacant, Environmental
17	44.96	Vacant, Environmental
18	28.16	Environmental, Residential
19	30.50	Residential Dwelling and Accessory Structures/Buildings Crops:15.34 ha
20	30.50	Crops: 26.25 ha
21	30.50	Crops: 18.0 ha
22	28.50	Crops: 18.15 ha
23	12.25	Residential Dwelling and Accessory Structures/Dwellings Crops: 6.4 ha
24	11.75	Residential Dwelling and Accessory Structures/Dwellings Crops:3.81 ha
25	12.91	Residential Dwelling and Accessory Structures/Buildings Crops: 6.2 ha Livestock – Equestrian: 1.7 ha

After review of the properties in the Context Area, as well as correspondence with Township of Amaranth staff, the Ghanime's, and landowners in the area, the following agricultural uses exist in the Context Area:

- Field crops, such as summer and winter wheat, corn, canola, and soya;
- Horticultural crops, such as potatoes and annual/perennial plants; and
- Livestock, such as dairy and equestrian.

Table 1 breaks down and details the land uses near to the Subject Site, the size of the property, and the approximate area of land for the particular land use. There are several parcels of land in the Context Area that contain residential dwellings and no agricultural, agricultural-related, or on-farm diversified uses (identified by orange polygons on **Appendix A**). The size of lots in the Context Area ranges from approximately 1.25 hectares in size to 44.96 hectares. For agricultural uses containing equestrian livestock uses, the lot sizes range from 0.23 hectares to 3.8 hectares in size (seven (7) parcels in total, being parcel numbers 1, 10, 11, 12, 13 14 and 25); the amount of area used for equestrian livestock operations in the Context Area is not only less than the lot sizes of the proposed retained and severed parcels, but is also less than the arable land available on the retained and severed parcels. Furthermore, any required farm structure for a future equestrian operation on the severed or retained parcel could be located outside of environmental features and associated buffers while still providing for the successful operation of the equestrian farm. Should a pig or a dairy farm operation be sought in the future, the retained and severed lots are of sufficient size to host a dairy or pig farming agricultural operation; however, in comparison to the dairy farm operation located within the Context Area, a proposed dairy operation would be of a smaller scale than the one located on parcel number 4.

Both the retained and severed lots currently possess 8.55 ha and 8.75ha, respectively, of arable land for growing, cultivating, and harvesting both field and horticultural crops; this represents sufficient enough land for these agricultural land uses. This is further analyzed and justified in the Agricultural Assessment. Furthermore, there are six (6) properties (parcel numbers 9, 11, 12, 23, 24 and 25) within the Context Area that have both a smaller lot area and a lesser amount of arable land for field and/or horticultural crops than the proposed and severed parcels of land provide. There are four (4) properties in the Context Area that utilize a mix of both livestock and crop agricultural uses on their property (parcel numbers 4, 11, 12 and 25); three (3) of those properties (parcel numbers 11, 12 and 25) have a smaller approximate lot size and lesser amount of arable land than what the proposed severed and retained lots possess.

After further analysis and comparison of the proposed retained and severed lot sizes and the amount of arable land available on them, to the Context Area properties lot sizes, the amount of land used for a properties respective agricultural land use(s), and the type and/or mix of agricultural land uses on the property, the proposed retained and severed parcels are of appropriate size for the types of agricultural uses common in the area and are sufficiently large enough to maintain flexibility for future changes in the type of agricultural operations on both the proposed severed and retained parcels.

Pursuant to PPS Policy 2.1.1, Dufferin County Official Plan Section 5.3.1, and Township OP Policies 3.8.2. a), 3.8.2.b) and Policy 3.8.4.i), environmental features are to be protected for the long term, and development is not permitted within PSW's or wetlands. Furthermore, an EIS is required to support development within 120 metres of a PSW or wetland. Policy 4.4.1 of the Natural Heritage Reference Manual, 2nd Edition (March 18th, 2010) identifies that the distance for consideration of potential negative impacts for significant wetlands shall be 120 metres. For the severed parcel, all proposed structures and new agricultural activities are located at or greater than 120 metres from the PSW and Wetland as identified by the Ministry of Natural Resources and Forestry and on Schedule B of the Township OP. The existing access for the Subject Site will serve as the access for both the severed and retained parcels. This is an existing feature and does not further impact the PSW's, wetlands, or environmental features and an Environmental Impact Study is not necessary. In addition, all existing structures on the

retained parcel and all proposed structures and new agricultural activities on the severed parcel are located outside of the Grand River Conservation Association regulation limit.

As per Policy 4.2.3.c) of the County OP and 4.2.5.a) of the Township OP, *Agricultural Areas* and lands outside of communities are to be serviced with adequate sewage and water services. Both the retained and severed lots will be serviced with private water and sanitary servicing.

Lastly, pursuant to County OP Policy 4.3.2.b) and Township OP Policy 3.1.4.b), lot creation must comply with the Minimum Distance Separation Formulae to ensure appropriate standards for separating incompatible uses from existing, new or expanding livestock facilities. The Township of Amaranth prepared a list of properties within 750 metres of the Subject Site which may contain livestock facilities. The proposed severed and retained parcels comply with the Minimum Distance Separation Formulae.

SUMMARY

The proposed Application for Consent has been prepared to facilitate the creation of a new agricultural lot at 434201 4th Line in the Township of Amaranth. The severance will permit a new greenhouse development on the severed lot, a permitted and encouraged agricultural use as per the planning policy framework applicable to the Subject Site. Amaranthus Nursery will provide an additional greenhouse nursery to expand on similar surrounding agricultural uses and therefore promotes and diversifies the economic base and employment opportunities for agricultural operations in the Township of Amaranth and Dufferin County, as well as maintains flexibility for future changes in the type and size of agricultural operations.

The proposed Application for Consent is consistent with the Provincial Policy Statement, 2014 and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, May, 2019. The retained and severed lots conform to the policies of both the Dufferin County Official Plan (Office Consolidation, July, 2017) and the Township of Amaranth Official Plan (Office Consolidation, June, 2018). Furthermore, the retained and severed lots will comply with the zoning provisions of the Township of Amaranth Zoning By-law #2-2009.

For all of the foregoing reasons, it is our professional opinion that the proposed Application for Consent is appropriate and desirable lot creation, represents good planning and warrants the support of planning staff from Dufferin County and The Township of Amaranth, as well as both Dufferin County Council and Township of Amaranth Council.

SUPPORTING DOCUMENTATION

In support of the Application for Consent, please find enclosed the following items:

- Two (2) copies of this Planning Justification and Covering Letter, prepared by The Biglieri Group Ltd., dated March 18th, 2020;
- Two (2) copies of the Township of Amaranth Application for Consent form;
- Two (2) copies of the Township of Amaranth Agent Authorization form;
- Two (2) copies of the Site Plan prepared by Prestige Design and Drafting, dated November 20th, 2019, detailing the proposed severance of the Subject Site;
- Two (2) copies of the Agricultural Assessment, prepared by Watchurst Agricultural Services Inc., dated January 18th, 2020; and
- One (1) digital copy of the Application for Consent Submission Package coordinated by The Biglieri Group Ltd.

Should you have any questions or require further information, please contact the undersigned at your earliest convenience.

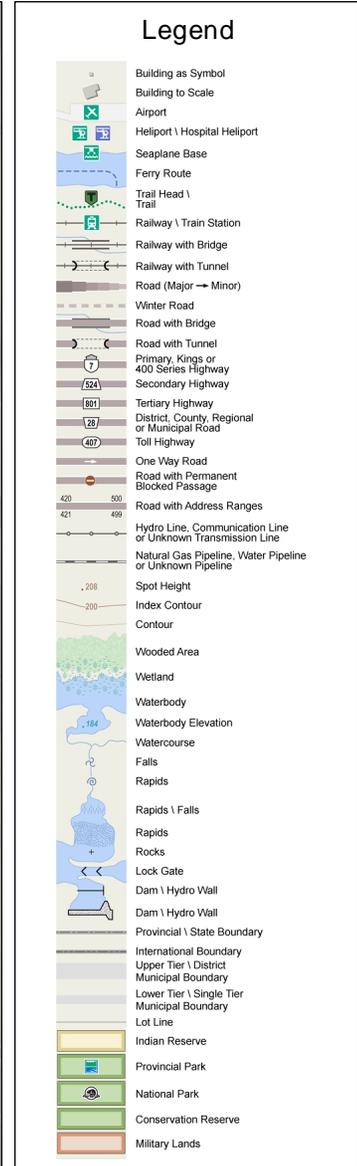
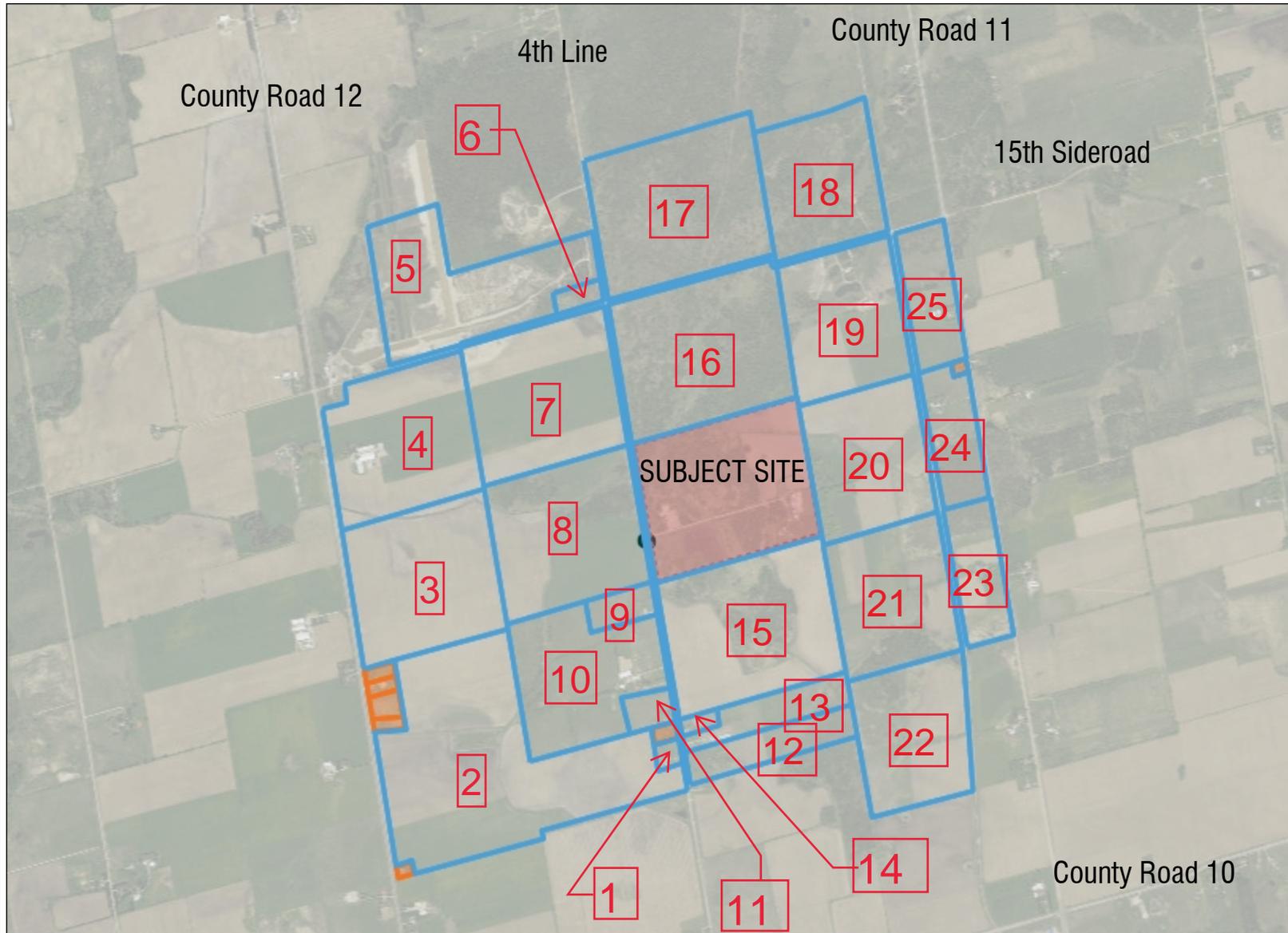
Respectfully,
THE BIGLIERI GROUP LTD.

A handwritten signature in black ink, appearing to read "Brayden Libawski". The signature is stylized and cursive.

Brayden Libawski, MSc.PI.
Planner

Cc: Antoine and Lucie Ghanime, Owners and Operators of GGG Greenhouses and Garden Center and residents of 434201 4th Line, Amaranth, ON

APPENDIX A – PROPERTIES IN CONTEXT AREA



Projection: Web Mercator 

The Ontario Ministry of Natural Resources and Forestry shall not be liable in any way for the use of, or reliance upon, this map or any information on this map. This map should not be used for: navigation, a plan of survey, routes, nor locations.

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MEMO

TO: Jenny Li, Planning Coordinator, County of Dufferin

FROM: Gregory Bender, Manager, Municipal Planning, WSP

Matt Alexander, Senior Planner, WSP

Tommy Karapalevski, Planner, WSP

SUBJECT: Application for Consent to Sever (File #: B4/19) – 434201 4th Line,
Amaranth, ON

DATE: April 8th, 2020

Recommendation

The memo is in response to a draft application for Consent for the creation of a new agricultural lot. Based on our review of the materials submitted, the proposal is consistent with the Provincial Policy Statement, 2014, the Countryside Area and Agricultural Area designations and the related policies in the Dufferin County Official Plan provided that:

- The severed and retained lots are maintained for agricultural use;
- The lot sizes are appropriate for the type of agricultural use(s) common in the area and are sufficiently large enough to maintain flexibility for future changes in the type and size of agricultural operations; and
- Consultation occur with the Township of Amaranth and the Grand River Conservation Authority (GRCA) related to the potential impacts to source water because the subject properties are located within a source water protection area (Low Vulnerability Aquifer).

Summary

The purpose of the application is to sever the subject property to create one (1) new agricultural lot intended to be used for a new greenhouse facility, existing crop farming uses and an associated farm dwelling.

The severed parcel of land would have:

- a frontage of approximately 300 metres;
- a depth of approximately 740 metres; and
- a lot area of approximately 22.41 ha.

The retained parcel of land would have:

- a frontage of approximately 300 metres;
- a depth of approximately 744 metres; and
- a lot area of approximately 22.48 ha.



This application is a resubmission of an application filed on July 11, 2019 to create a new “building lot”. On August 20, 2019, WSP provided a memo to Dufferin County identifying a number of issues with the initial Application for Consent, primarily related to the apparent use of the proposed lot for residential development on Prime Agricultural lands. The application was approved, but the applicant subsequently withdrew the application following an appeal filed by the County.

The new application proposes to create a new agricultural lot with two greenhouses, a black fabric weed control facility/area, and a farm dwelling. The severed lot is proposed to be 22.48 hectares with 300 metres of frontage accessed via a private driveway shared with the retained lot. The retained lot is proposed to be 22.41 hectares with 300 metres frontage.

The documents received by WSP on March 26th, 2020 include:

- Application for Consent – File No. B4/19;
- Planning Justification and Covering Letter dated March 18th, 2020;
- Pig Farm MDS 1 Application dated March 18th, 2020;
- Horse Farm MDS 1 Application;
- Agricultural Assessment dated January 18th, 2020;
- Site Plan dated November 20, 2019.

The circulation documents were reviewed against the Province of Ontario’s Agricultural Area and Natural Heritage mapping, the Provincial Policy Statement, 2014 and the Dufferin County Official Plan.

Provincial Policy Statement, 2014 (PPS) and Province of Ontario’s Agricultural Area and Natural Heritage Mapping

As a result of Growth Plan 2019, the Province’s Agricultural Area and Natural Heritage mapping must be studied and implemented into the County’s Official Plan before it can be applied at a local level. However, as it relates to land use designations, the mapping should continue to be used as a guide to determine if the subject property is identified as agriculturally sensitive or with identified Natural Heritage features, should the County or local Official Plans not reflect current mapping.

Under Ontario’s Agricultural Area mapping, part of the subject property is located within Prime Agricultural Lands. Per Section 2.3 of the PPS, Prime Agricultural Areas shall be protected for the long-term use of agriculture. Permitted uses and activities in these areas are restricted to agricultural uses, agriculture-related uses and on-farm diversified uses.

Policy 2.3.4.1(a) directs that lots created for agricultural uses must be a size appropriate for the type of agricultural uses common in the area and must be sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations. The Planning Justification Report submitted in support of the application indicates that the

proposed lot sizes are adequately large to accommodate the proposed use in general, but does not address whether the size is appropriate for the type of agricultural uses common in the area. Based on a review of aerial imagery, it appears the proposed lot sizes are similar to agricultural lots in the area. This should be clarified in the formal submission.

Under Ontario's Natural Heritage Area mapping, the subject property contains some woodlands, unevaluated wetlands and provincially significant wetlands.

Dufferin County Official Plan (2017)

The subject property is designated as Countryside Area as shown under Schedule B (Community Structure and Land Use) of the County Official Plan. Part of the subject property is further designated as Agricultural Area under Schedule C (Agricultural Area and Rural Lands). The Agricultural Area designation consists primarily of prime agricultural lands, which are in accordance with Provincial policies. The County Official Plan requires that lands within these areas will be protected for agricultural uses, agriculture-related uses, and on-farm diversified uses, unless appropriate justification is provided for alternative uses.

Per Policy 4.2.2(h), new land uses will comply with the Minimum Distance Separation Formulae, as implemented through the applicable local municipal planning documents. Policy 4.2.3(b) states that in order to avoid land use conflicts within the Agricultural Area designation, new land uses will comply with the MDS formulae, to ensure appropriate standards for separating incompatible uses from existing, new or expanding livestock facilities. The MDS formulae will be implemented through the applicable local municipal planning documents. The Township of Amaranth Zoning By-law states in Policy 3.25.1 that no livestock facility or manure storage facility shall be erected or expanded unless it complies with the MDS formulae. The MDS guidelines discourage setback reductions but allow reductions in limited site-specific circumstances that meet the intent of the MDS Document. The Planning Justification Report submitted in support of the application indicates that MDS I calculations for nearby horse and pig farm operations will have no impact on the proposed application.

The subject property is not located on a County road and as such the Township should provide any comments regarding access.

Under Appendix 2 (Source Water Protection) the subject properties are located within a source water protection area (Low Vulnerability Aquifer). Policy 5.4.2(c) states that prior to the approval of development applications within designated vulnerable areas, the proponents shall demonstrate to the satisfaction of the County, local municipality, Conservation Authority and Province, where necessary, that the quality and quantity of municipal drinking water sources will not be negatively impacted. It is anticipated that the



GRCA will provide further review and comments with respect to the requirements for Source Water Protection as it relates to the changes proposed on the subject properties.

Recommendation

Based on our review of the materials submitted, the proposal is consistent with the Provincial Policy Statement, 2014, the Countryside Area and Agricultural Area designations and the related policies in the Dufferin County Official Plan provided that:

- The severed and retained lots are maintained for agricultural use;
- The lot sizes are appropriate for the type of agricultural use(s) common in the area and are sufficiently large enough to maintain flexibility for future changes in the type and size of agricultural operations; and
- Consultation occur with the Township of Amaranth and the Grand River Conservation Authority (GRCA) related to the potential impacts to source water because the subject properties are located within a source water protection area (Low Vulnerability Aquifer).

ITEM	REFERENCE MEMO/LETTER	DRAWING/REPORT	COMMENT/PARAGRAPH #	COMMENT	RESPONSE
1	Gregory Bender, Manager, Municipal Planning ,WSP Matt Alexander, Senior Planner, WSP Tommy Karapalevski, Planner, WSP WSP Subject: Application for Consent to Sever (File #: B4/19) April 8th, 2020	Consent to Sever Application File #: B4/19	Recommendation	Based on our review of the materials submitted, the proposal is consistent with the Provincial Policy Statement, 2014, the Countryside Area and Agricultural Area designations and the related policies in the Dufferin County Official Plan provided that:	n.a.
2			1	The severed and retained lots are maintained for agricultural use;	The severed and retained lots will be maintained for agricultural use(s).
3			2	The lot sizes are appropriate for the type of agricultural use(s) common in the area and are sufficiently large enough to maintain flexibility for future changes in the type and size of agricultural operations; and	Please refer to the "Policy Analysis" section of the Planning Justification and Covering Letter, prepared by The Biglieri Group Ltd., dated April 17th, 2020; as well as "Table 1: Breakdown of Agricultural Uses and Parcel Sizes Near the Subject Site" and the paragraphs within the "Policy Analysis" that addresses same. The lot sizes are appropriate for the type of agricultural use(s) common in the area and are sufficiently large enough to maintain flexibility for future changes in the type and size of agricultural operations.
4			3	Consultation occur with the Township of Amaranth and the Grand River Conservation Authority (GRCA) related to the potential impacts to source water because the subject properties are located within a source water protection area (Low Vulnerability Aquifer).	Consultation has began, and is ongoing, with Township of Amaranth and Grand River Conservation Authority staff to ensure that no potential impacts to source water will occur.



MEMO

TO: Jenny Li, Planning Coordinator, County of Dufferin

FROM: Gregory Bender, Manager, Municipal Planning, WSP
Matt Alexander, Senior Planner, WSP
Tommy Karapalevski, Planner, WSP

SUBJECT: Application for Consent to Sever (File #: B4/19) – 434201 4th Line, Amaranth, ON

DATE: June 9th, 2020

Recommendation

The memo is in response to the resubmission of a draft application for Consent for the creation of a new agricultural lot. Based on our review of the materials submitted, the proposal is consistent with the Provincial Policy Statement, 2020, the Countryside Area and Agricultural Area designations and the related policies in the Dufferin County Official Plan.

The resubmission clarifies the intended use of the proposed lot and provides further analysis of surrounding agricultural land uses in the area. Based on the materials provided, it appears the proposed retained and severed parcels are of appropriate size for the types of agricultural uses common in the area and are sufficiently large enough to maintain flexibility for future changes in the type of agricultural operations on site. The applicant has confirmed that the severed and retained lots will be maintained for agricultural use(s). This information helps to demonstrate the proposal is consistent with the Provincial Policy Statement, 2020 and conforms to the Dufferin County Official Plan.

Summary

The purpose of the application is to sever the subject property to create one (1) new agricultural lot intended to be used for a new greenhouse facility, existing crop farming uses and an associated farm dwelling.

The severed parcel of land would have:

- a frontage of approximately 300 metres;
- a depth of approximately 740 metres; and
- a lot area of approximately 22.41 ha.

The retained parcel of land would have:

- a frontage of approximately 300 metres;



- a depth of approximately 744 metres; and
- a lot area of approximately 22.48 ha.

This application is a resubmission of an application initially filed on July 11, 2019 to create a new “building lot”. On August 20, 2019, WSP provided a memo to Dufferin County identifying a number of issues with the initial Application for Consent, primarily related to the apparent use of the proposed lot for residential development on Prime Agricultural lands. The application was approved, but the applicant subsequently withdrew the application following an appeal filed by the County.

A revised application (B4/19) was submitted in April 2020 to create a new agricultural lot to accommodate two greenhouses, a black fabric weed control facility/area, and a farm dwelling. The severed lot is proposed to be 22.48 hectares with 300 metres of frontage accessed via a private driveway shared with the retained lot. The retained lot is proposed to be 22.41 hectares with 300 metres frontage. WSP reviewed the revised proposal and provided a memo noting that the applicant should demonstrate that: the severed and retained lots are maintained for agricultural use; and the lot sizes are appropriate for the type of agricultural use(s) common in the area and are sufficiently large enough to maintain flexibility. This information is required to demonstrate consistency with the Provincial Policy Statement, 2020 and conformity with the Dufferin County Official Plan.

The application was resubmitted in May 2020 (B2/20) with an additional request for the approval of an easement in accordance with Section 50(3) of the *Planning Act* to allow the proposed severed lot to be accessed by an existing driveway on the retained lot. Additional supporting documentation was also provided to address the concerns outlined in the April, 2020 commenting memo.

It is also understood that consultation has begun, and is ongoing, with Township of Amaranth and GRCA staff to ensure that no potential impacts to source water will occur.

The documents received by WSP on May 26th, 2020 include:

- Application for Consent – File No. B2/20;
- Revised Planning Justification and Covering Letter dated April 17th, 2020;
- Appendix A – Context Area Properties;
- Agricultural Assessment dated January 18th, 2020; and,
- Site Plan dated November 20, 2019 including comment responses.

The circulation documents were reviewed against the Province of Ontario’s Agricultural Area and Natural Heritage mapping, the Provincial Policy Statement, 2020 and the Dufferin County Official Plan.

Provincial Policy Statement, 2020 (PPS) and Province of Ontario's Agricultural Area and Natural Heritage Mapping

As a result of Growth Plan 2019, the Province's Agricultural Area and Natural Heritage mapping must be studied and implemented into the County's Official Plan before it can be applied at a local level. However, as it relates to land use designations, the mapping should continue to be used as a guide to determine if the subject property is identified as agriculturally sensitive or with identified Natural Heritage features, should the County or local Official Plans not reflect current mapping.

Under Ontario's Agricultural Area mapping, part of the subject property is located within Prime Agricultural Lands. Per Section 2.3 of the PPS, Prime Agricultural Areas shall be protected for the long-term use of agriculture. Permitted uses and activities in these areas are restricted to agricultural uses, agriculture-related uses and on-farm diversified uses.

Policy 2.3.4.1(a) directs that lots created for agricultural uses must be a size appropriate for the type of agricultural uses common in the area and must be sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations. The Planning Justification Report submitted in support of the application indicates the proposed retained and severed parcels are of appropriate size for the types of agricultural uses common in the area and are sufficiently large enough to maintain flexibility for future changes in the type of agricultural operations on both the proposed severed and retained parcels.

Under Ontario's Natural Heritage Area mapping, the subject property contains some woodlands, unevaluated wetlands and provincially significant wetlands.

Dufferin County Official Plan (2017)

The subject property is designated as Countryside Area as shown under Schedule B (Community Structure and Land Use) of the County Official Plan. Part of the subject property is further designated as Agricultural Area under Schedule C (Agricultural Area and Rural Lands). The Agricultural Area designation consists primarily of prime agricultural lands, which are in accordance with Provincial policies. The County Official Plan requires that lands within these areas will be protected for agricultural uses, agriculture-related uses, and on-farm diversified uses, unless appropriate justification is provided for alternative uses.

Per Policy 4.2.2(h), new land uses will comply with the Minimum Distance Separation Formulae, as implemented through the applicable local municipal planning documents. Policy 4.2.3(b) states that in order to avoid land use conflicts within the Agricultural Area designation, new land uses will comply with the MDS formulae, to ensure appropriate

standards for separating incompatible uses from existing, new or expanding livestock facilities. The MDS formulae will be implemented through the applicable local municipal planning documents. The Township of Amaranth Zoning By-law states in Policy 3.25.1 that no livestock facility or manure storage facility shall be erected or expanded unless it complies with the MDS formulae. The MDS guidelines discourage setback reductions but allow reductions in limited site-specific circumstances that meet the intent of the MDS Document. The Planning Justification Report submitted in support of the application indicates that MDS I calculations for nearby horse and pig farm operations will have no impact on the proposed application.

The subject property is not located on a County road and as such the Township should provide any comments regarding access.

Under Appendix 2 (Source Water Protection) the subject properties are located within a source water protection area (Low Vulnerability Aquifer). Policy 5.4.2(c) states that prior to the approval of development applications within designated vulnerable areas, the proponents shall demonstrate to the satisfaction of the County, local municipality, Conservation Authority and Province, where necessary, that the quality and quantity of municipal drinking water sources will not be negatively impacted. It is anticipated that the GRCA will provide further review and comments with respect to the requirements for Source Water Protection as it relates to the changes proposed on the subject properties.

Recommendation

The resubmission clarifies the intended use of the proposed lot and provides further analysis of surrounding agricultural land uses in the area. Based on the materials provided, it appears the proposed retained and severed parcels are of appropriate size for the types of agricultural uses common in the area and are sufficiently large enough to maintain flexibility for future changes in the type of agricultural operations on site. The applicant has confirmed that the severed and retained lots will be maintained for agricultural use(s). This information helps to demonstrate the proposal is consistent with the Provincial Policy Statement, 2020 and conforms to the Dufferin County Official Plan.



**PLAN REVIEW REPORT: Township of Amaranth
Nicole Martin, Acting Clerk**

DATE: June 10, 2020

YOUR FILE: B02-2020

**RE: Application for Consent B02-2020
434201 4th Line, Township of Amaranth
Antoine Ghanime and Lucie Cote-Ghanime**

GRCA COMMENT: *

The Grand River Conservation Authority (GRCA) recommends deferral of this consent application to allow the applicant the opportunity to provide an Environmental Impact Study (EIS) to address applicable policies. However, if the Township considers approval of this application, we request that the satisfactory EIS be made a condition of approval. Please see below for detailed comments.

BACKGROUND:

1. Resource Issues:

Information currently available at this office indicates that both the retained and severed parcels contain the Provincially Significant Whittington Wetland Complex (AM7), additional wetlands, watercourses, floodplain, and the regulated allowance adjacent to these features.

2. Legislative/Policy Requirements and Implications:

Portions of the proposed severed and retained lands contain natural heritage features as identified by the Provincial Policy Statement (PPS, 2020), and designated as Environmental Protection within the Township of Amaranth's Official Plan (June 2018). The PPS defines development as "*the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the Planning Act*".

The Township of Amaranth Official Plan and the PPS suggest that where development or site alteration, including lot creation, is proposed within or adjacent to natural heritage features such as the Provincially Significant Wetland noted above, an Environmental Impact Study is required to determine that there will be no negative impacts on the natural features or their ecological function.

It is our recommendation that the application be considered incomplete until the applicant has prepared and submitted an Environmental Impact Study to assess the potential impacts on the adjacent natural heritage features. The study should examine the features and identify any required mitigation measures to protect the features and to identify the lot limits required to allow for development without impacting the adjacent natural heritage features.

We suggest that prior to undertaking any study, that terms of reference be circulated for review and acceptance to ensure the study is scoped to the specific features and proposal.

Due to the presence of the above-noted features, the majority of both the proposed severed and retained parcels are regulated by the GRCA under the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ontario Regulation 150/06). Any future development or site alteration within the regulated areas will require a permit from our office.

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

With a copy of this correspondence, the applicant will be invoiced in the amount of \$420.00 for our review of this application. Please be advised that with the submission of the EIS this application will be assessed as a Major Consent application and the fee will be \$1,085, requiring the differential of \$665 to be submitted at that time

Should you have any questions or require additional information, please contact the undersigned at 519-621-2763 ext. 2231.

Yours truly,



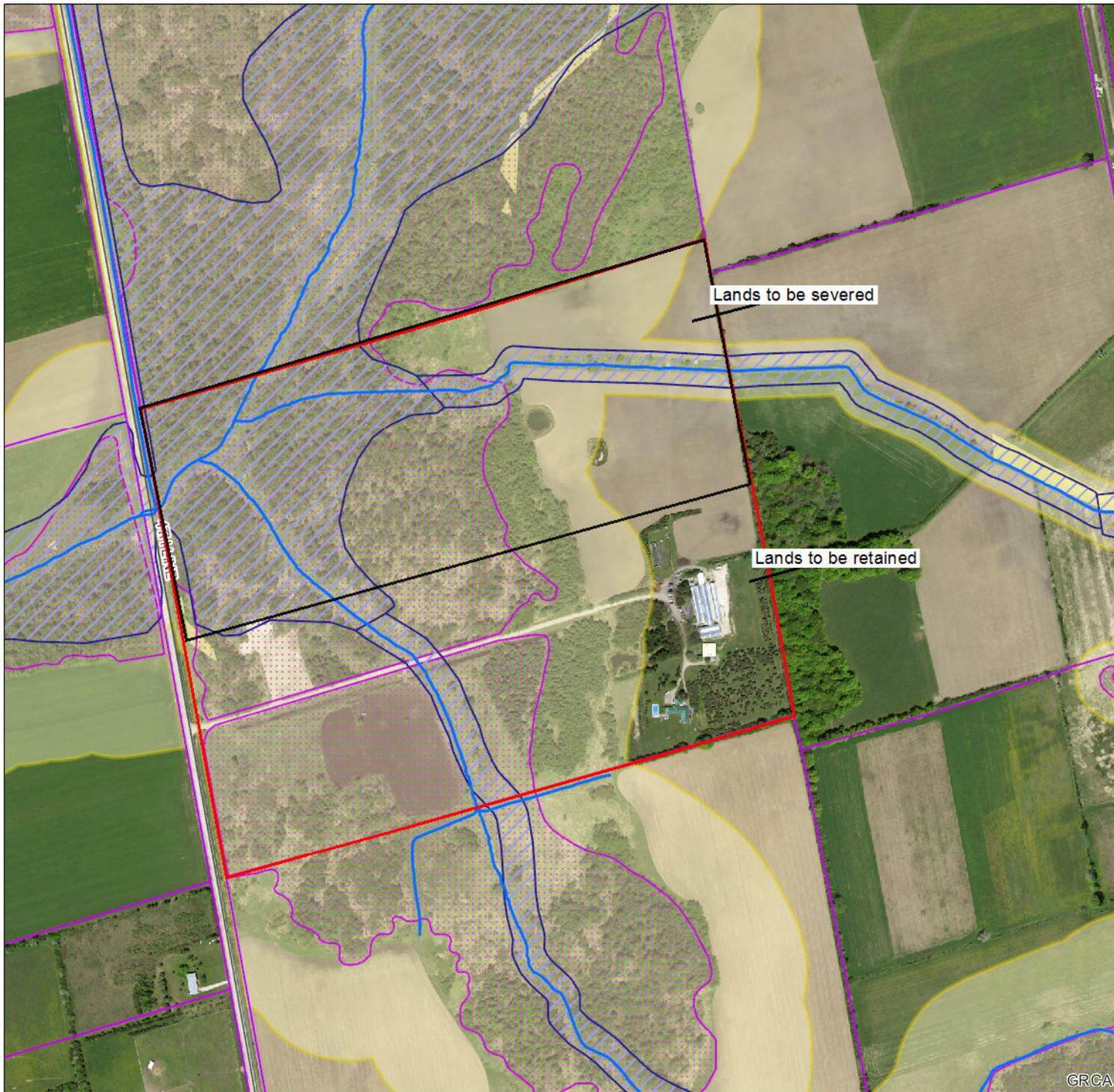
Laura Warner
Resource Planner
Grand River Conservation Authority
LW

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

c.c. Antoine and Lucie Ghanime, 434201 4th Line, Amaranth, ON L9W 0P3
Brayden Libawski, The Biglieri Group Ltd, 20 Leslie Street, Suite #121, Toronto, ON
M4M 3L4



B02-2020



Legend

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

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

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Valerie Schmidt

From: Nicole Martin <nmartin@amaranth.ca>
Sent: June 10, 2020 2:47 PM
To: Valerie Schmidt
Subject: FW: 519-20-249 - Consent Application B2-2020 - 434201 4th Line

From: Hall, Charleyne <charleyne.hall@bell.ca>
Sent: Thursday, May 28, 2020 8:09 AM
To: Deputy Clerk of Amaranth <deputy.clerk@amaranth.ca>
Subject: 519-20-249 - Consent Application B2-2020 - 434201 4th Line

Good morning,

Bell Canada has no concerns with Application for Consent B2-2020 regarding 434201 4th Line.

Thank you,

Charleyne



Right of Way Associate
140 Bayfield Street, Floor 2, Barrie ON L4M 3B1
T: 705-722-2264 Toll Free: 1-888-646-4817

Recognizing traditional territory of Haudenosaunee and Anishnaabeg Peoples; part of the Upper Canada Treaties.

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For more information please visit <http://www.symanteccloud.com>

Valerie Schmidt

From: Nicole Martin <nmartin@amaranth.ca>
Sent: June 10, 2020 2:47 PM
To: Valerie Schmidt
Subject: FW: Township of Amaranth - 434201 4th Line - B02-2020

From: Kevin.Balkaran@HydroOne.com <Kevin.Balkaran@HydroOne.com> **On Behalf Of**
LandUsePlanning@HydroOne.com
Sent: Tuesday, May 26, 2020 12:30 PM
To: Nicole Martin <nmartin@amaranth.ca>
Subject: RE: Township of Amaranth - 434201 4th Line - B02-2020

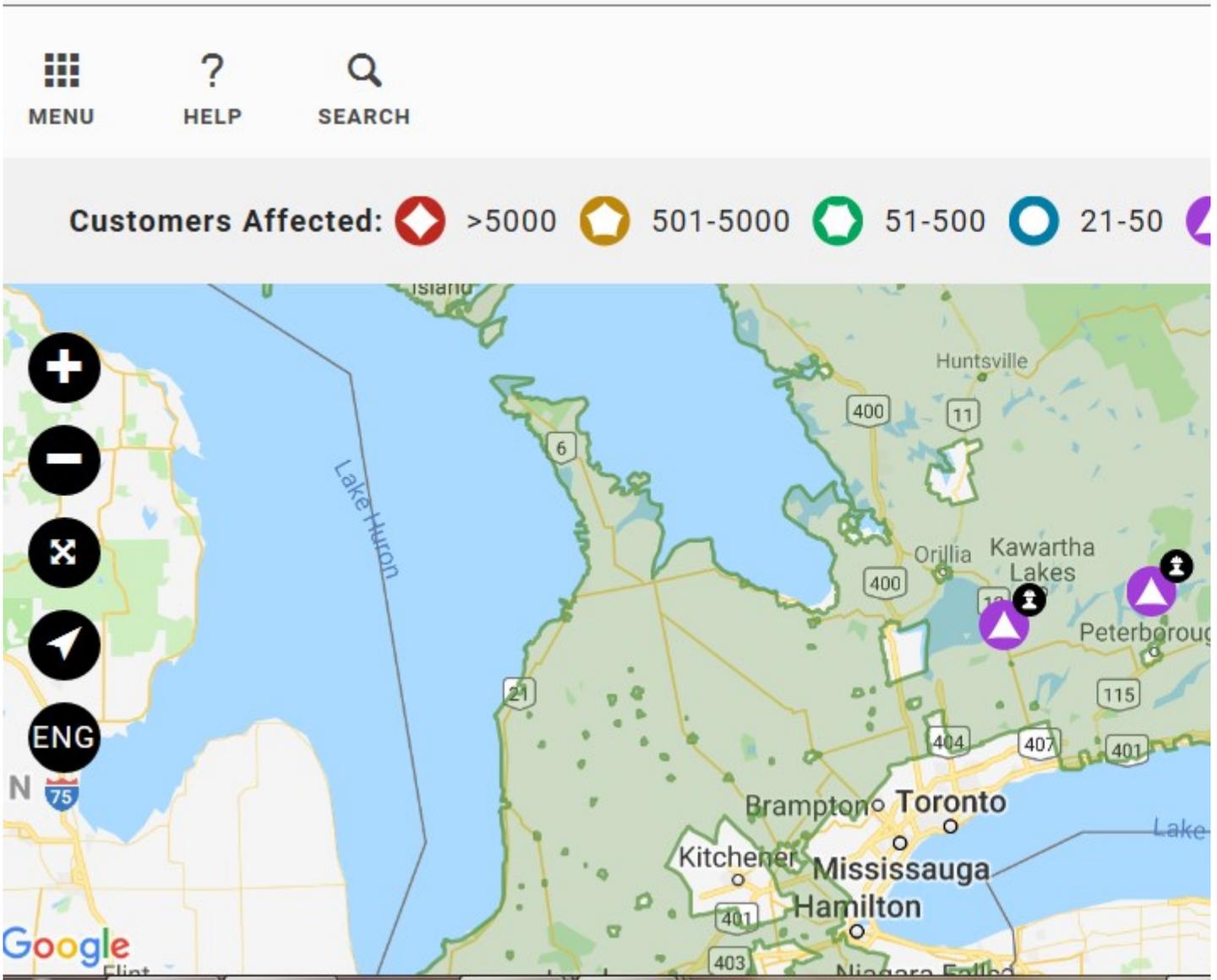
Hello,

We are in receipt of your Application for Consent, B02-2020 dated May 26, 2020. We have reviewed the documents concerning the noted Application and have no comments or concerns at this time. **Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.**

For proposals affecting 'Low Voltage Distribution Facilities' please consult your local area Distribution Supplier.

To confirm if Hydro One is your local distributor please follow the following link:
<http://www.hydroone.com/StormCenter3/>

Please select " Search" and locate address in question by entering the address or by zooming in and out of the map



If Hydro One is your local area Distribution Supplier, please contact Customer Service at 1-888-664-9376 or e-mail CustomerCommunications@HydroOne.com to be connected to your Local Operations Centre

Please let me know if you have any questions or concerns.

Thank you,

Kevin Balkaran
University Co-Op Student, Real Estate Department
185 Clegg Road
Markham, ON L6G 1B7

Kevin.Balkaran@HydroOne.com

www.HydroOne.com

From: Nicole Martin <nmartin@amaranth.ca>

Sent: Tuesday, May 26, 2020 12:10 PM

To: lpuconsents@mpac.ca; municipal.circulations@ugdsb.org; Stephanie.Cox@dpcdsb.org; planification@csdccc.edu.on.ca; municipalnotices@enbridge.com; LANDUSEPLANNING <LandUsePlanning@HydroOne.com>; executivevp.lawanddevelopment@opg.com; lorraine.fArquarson@canadapost.ca; MOB.permits@rci.rogers.com; circulations@wsp.com; avahill@sixnations.ca; hd12@bellnet.ca

Subject: Township of Amaranth - Consent application B02-2020

***** Exercise caution. This is an EXTERNAL email. DO NOT open attachments or click links from unknown senders or unexpected email. *****

Attached please find documents for the above noted application. Please note comments are requests by **June 10, 2020**.

Should you have any further questions, please contact the office.

Thank you, Nicole

Nicole Martin, Dipl. M.A.

Interim Clerk | Township of Amaranth

374028 6th Line | Amaranth | ON | L9W 0M6

Tel: 519-941-1007 ext. 227 | Fax: 519 - 941-1802

All municipal facilities and parks are closed until further notice during the COVID-19 pandemic. Staff is working to keep critical services operational during this difficult time. Updates will be posted to our website (www.amaranth.ca) and through our Facebook accounts. Calls to the office at 519-941-1007 will be answered as soon as possible.

For accurate information on COVID-19 please visit: www.ontario.ca/COVID-19



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BUILDING AND BY-LAW

Date: May 27, 2020

To: Nicole Martin
Acting Clerk
Township of Amaranth

Re: Application Number B20-2020
Creation of a new agricultural lot

Antoine and Lucie Ghanime
Concession 3, West Part Lot 14
Amaranth

This letter serves to confirm that I have commenced a preliminary review of the application and other information submitted with your request for comments.

Please be advised that the application for the above noted address has not revealed any issues. The Building Department has no other comments at this time.

If you should have any questions pertaining to this letter, please do not hesitate to contact the undersigned.

Regards,

Rita Geurts, M.A.A.T.O., CBCO
Building Inspector / Plans Examiner
T: 519-941-2816 ext. 2704
rgeurts@dufferincounty.ca



MEMO TO COUNCIL 2020-07

TO: Mayor Currie and Members of Council
FROM: Nicole Martin, Acting CAO/Clerk
DATE: June 17, 2020
SUBJECT: Ice River Springs

Recommendation

That Council accept the Acting CAO/Clerk memo 2020-07 as an update.

Background

Further to the May 20, 2020 meeting with Crozier Consulting Engineers and Ice River Springs; wherein Council requested some sort of compensation to the Township for the Raw Water Transmission Pipeline both parties have responded and enclosed are the correspondence from each.

I have reached out to MPAC to determine if the pipeline can be assessed as industrial infrastructure and the response from MPAC was that they believed there would be a case for it to be assessable and they are determining how and what they would assess. The MPAC valuation team is currently reviewing the information along with the legislation department and they will get back to us with further information.

Summary

Parties are anxious to build the pipeline this year and cooperation from the Township is requested. Council is asked to direct staff accordingly.

Respectfully Submitted,

Nicole Martin

Nicole Martin, Acting CAO/Clerk

JUNE 3, 2020

PROJECT NO: 1837-5491

**SENT VIA: E-MAIL
NMARTIN@AMARANTH.CA**

Township of Amaranth
374028 6th Line
Amaranth ON, L9W 0M6

**Attention: Nicole Martin, Dipl. M.A.
Interim Deputy Clerk**

**RE: RAW WATER TRANSMISSION PIPELINE – AMARANTH TO SHELBURNE
ICE RIVER SPRINGS WATER CO. INC.
TOWNSHIP OF AMARANTH, COUNTY OF DUFFERIN**

Dear Nicole,

Crozier Consulting Engineers has been retained by Ice River Springs Water Co. Inc. (IRS) to complete the detailed design of a private raw water transmission pipeline from their current Amaranth site to their new bottling facility, currently under construction adjacent to their existing facility at 485387 County Road 11, Town of Shelburne. We would like to thank the Mayor and Council of the Township of Amaranth for their time to discuss this project during the recent Town Council Meeting of May 20, 2020.

Several of the questions posed during the meeting were on the details and history of the Permit To Take Water (PTTW) issued by the Ministry of the Environment and Climate Change for the IRS operations. The PTTW was issued in February 2018, and a copy of this document is attached for the information of the Township, Mayor and Council.

Further to the discussions during the Council meeting, we respectfully request permission from the Township to commence detailed design of the raw water pipeline along 25 Side Road and 2nd Line. The first step will be to complete topographic survey of the alignment to collect information on the existing conditions, including utilities, natural features, and private driveways. We will coordinate the timing of this survey and the review of the design documentation with Mr. Ben Ryzebol (Township Director of Public Works).

Construction of the pipeline will be subject to Township approval, as well as execution of an Agreement detailing the terms of Ice River Springs' lease of a corridor within the aforementioned rights-of-way. We understand that the Township is currently collecting feedback from Council members, and that a copy of the same will be circulated to our Client and office. It is understood that IRS will also have to obtain approval from the County to install the last run of the pipeline within the 30 Side Road right-of-way.

Should you have any questions or require any further information, please do not hesitate to contact the undersigned. Thank you.

Sincerely,

CROZIER CONSULTING ENGINEERS



Kevin Morris, P. Eng.
Founding Partner

CROZIER CONSULTING ENGINEERS



Brady Ellsworth, E.I.T.
Engineering Intern

Enclosure: Ministry of the Environment and Climate Change Permit To Take Water

C.c. Sandy Gott, Executive Vice President and Co-Owner, Ice River Springs Water Co. Inc.
Ben Ryzebol, Director of Public Works, Township of Amaranth
Scott Burns, Director of Public Works and County Engineer, County of Dufferin

J:\1800\1837-Ice River Springs\5491_Ice River Pipeline\Letters\2020.06.03 Pipeline Initiation Amaranth.docx



WATER. BOTTLED. RESPONSIBLY.
EAU. RESPONSABLEMENT EMBOUTEILLÉE.

June 11, 2020

Att: Nicole Martin, Dipl. M.A.

Interim Clerk | Township of Amaranth

374028 6th Line | Amaranth | ON | L9W 0M6

Dear Nicole, Mayor and Council,

Further to our call of May 20th, we are pleased to submit the following information;

Background:

As discussed, we are currently building a new plant in the Shelburne industrial park. We chose to do this because current plant site on 25 Side Road lacks sufficient warehouse space which creates issues for staffing. When our warehouse is full, shifts are often cancelled with short notice. The new plant will allow for reliable shifts for our staff. A larger warehouse will also allow for building inventory for busy season which we cannot do today. Current staffing at the bottling plant is about 24 people who will all transition to the new plant. Overall, Ice River employs 150 people in our Shelburne recycling facilities, most of whom live in Shelburne/Amaranth/Dufferin area.

The new plant will significantly reduce truck traffic and noise from the current plant site which is a benefit for local Amaranth residents in the area surrounding the current plant.

Our proposal is for the installation of approximately 4.9 km pipeline to transport raw groundwater from the existing source on 25 Side Road to the new bottling facility on County Road 11. This pipeline will eliminate heavy tanker traffic on municipal and county roads and reduce our carbon footprint for water transport.

Due to existing overhead hydro lines on the north side of 25 Sideroad and east side of 2nd Line, Crozier is recommending an alignment for the pipeline along the south side of 25 Sideroad and west side of 2nd Line.

The pipeline would be installed along the backslope of the roadside ditch wherever possible. Since pipe alignment is outside of the roadway and will be drilled construction is not as dependent on weather and the ability to reconstruct roadways.

Traffic flow along the Township roadways will also face minimal restrictions due to the location of the pipeline outside of the travelled roadway.

IRS will contract with an experienced heavy civil contractor regarding the proposed installation process for the pipeline. This contractor installed the previous pipeline for IRS' Feversham facility. It is proposed to directional drill most of the pipeline, which will minimize surface disturbance and areas requiring remedial clean-up as well as traffic disturbance during construction as lane closures will not be required.

Design & Approval Process

Process is to be coordinated with Mr. Ben Ryzebol (Township Director of Public Works).

Construction of the pipeline will be subject to Township approval, as well as execution of an Agreement detailing the terms of Ice River Springs' lease of a corridor within the aforementioned rights-of-way.

It is understood that IRS will also have to obtain approval from the County and Town of Shelburne to install the last run of the pipeline within the 30 Side Road right-of-way. Crozier has initiated discussions with both agencies.

Sections of the route in 25 Side Road and 2nd Line are regulated by the Nottawasaga Valley Conservation Authority, so it will likely be necessary to obtain a permit from this agency. Since it is proposed to use non-invasive installation method (directional drill) there will be minimal impact on the regulated areas.

IRS has no intentions to modify or request to increase the existing PTTW. The pipeline will be designed to convey only the permitted flows on a demand basis. The new plant is specifically designed for the current permitted volume. Water meters and on-site monitoring will continue to operate and we are subject to MOECC approvals and inspection under the PTTW Program.

IRS is a Canadian, family owned and operated Company and has been in the bottled water industry for over 25 years. We are the only beverage company in North America operating our own recycling facility, self-manufacturing our bottles from 100% recycled, post consumer packaging. Our head office and recycling operations are in Shelburne, Ontario.

Timing

Pending approvals, we plan to install this pipeline in 2020. In the interim, we will move the water using tanker equipment. For environmental reasons and to ensure supply in periods of bad weather when trucking can be interrupted, we would prefer to use a pipeline as we do at our Feversham plant. Our Feversham pipeline has been operational for almost 15 years with no issues or leaks. We are attaching a copy of our Agreement with the County of Grey for that installation for Council's review and information.

Township comments;

In response to excerpts from email from Nicole Martin, Interim Clerk Township of Amaranth, dated June 6, 2020.

1. In summary, Council is seeking some sort of compensation for the Township for the use of the road side for the pipeline. Council discussed what type of compensation they would like to see from the use of the road side for the pipeline.

We are prepared to invest in a pipeline as it will keep trucks off the road and over time will provide return on investment vs using tankers.

IRS is prepared to enter into an agreement with the Township for the use of a corridor within the public roadways.

A similar transmission pipeline was installed for the Feversham facility, and a copy of the License Agreement with the County of Grey is attached. The Feversham pipeline is constructed for a much larger PTTW volume (approximately 6 times) and supplies a much larger plant.

We request that the Grey County lease form be the basis of an agreement with the Town of Amaranth. We are willing to pay a similar amount for an Agreement with Amaranth Township. Respectfully, if council requests additional funds, at some point it becomes cheaper to use tankers instead of a pipeline.

2. Council discussed the water and pipeline as two concerns. Staff has been asked to contact MPAC to determine if the pipeline is accessible and could be taxed as industrial infrastructure.

Crozier has been involved in the design and installation of several raw water transmission pipelines for the golf and ski industries and have never encountered a situation where the infrastructure was taxed as an industrial use. We've inquired with Ducharme, McMillen and Associates (Property tax specialists) and they've advised it's not done.

3. The idea of an agreement with Ice River Springs for the pipeline, the structure of pipeline and what maintenance would be required and the disruption to the roadway that could cause.

The type of pipe material, fittings and other appurtenances would be designed per industry standards to meet or exceed the anticipated required design pressures and flows. Crozier has designed larger diameter transmission lines for other applications (400mm and greater) with far greater flows, so they are familiar with the best practices for the design of this type of system.

One of the conditions in the agreement would be the requirement for IRS to provide securities for the restoration of any disturbed areas along the pipeline's route.

The pipeline will remain private under the ownership and maintenance of IRS. There will be no maintenance obligations for the Township, and any future repairs would be the responsibility of IRS solely.

It is proposed to install the pipeline in the back slope of the ditches in the roadway, which would result in an offset of 2 to 3 metres from the edge of the right-of-way. Therefore, the pipeline would have no short or long term impact on the roadway proper.

Attached is a copy of the County of Grey Agreement and our PTTW for the Amaranth plant for your review.

Thank you for your consideration. When social distancing allows, we would be pleased to provide a tour of our Shelburne facilities to Council and staff.

Regards,

A handwritten signature in blue ink, appearing to read 'Sandy Gott', with a long horizontal flourish extending to the right.

Sandy Gott

Executive VP, Co-Owner

Ice River Springs Water Co. Inc.

485387 30 Sideroad

Shelburne, ON

L9V 3N5

P: 519-925-2929 X239

sgott@iceriversprings.com

LICENSE AGREEMENT FOR USE OF PART OF HIGHWAY

THIS AGREEMENT made this 1st day of March, 2006.

BETWEEN

**THE CORPORATION
OF THE COUNTY OF GREY**
hereinafter called the "County"

of the First Part,

AND

**AQUAFARMS '93, a partnership
between Aquafarms 93 Inc. and
1459449 Ontario Inc.**
hereinafter called the "Licensee",

of the Second Part,

WHEREAS the public highway(s) referred to in schedule A (the "Highway") are within the jurisdiction of the County pursuant to the *Municipal Act, 2001*;

AND WHEREAS the Licensee is the owner of lands being Part of Lot 20, Concession 13, Municipality of Grey Highlands (Former Osprey Township), County of Grey (the "Water Source"), and Part of Lot 15, Concession 9, Municipality of Grey Highlands (Former Osprey Township), County of Grey (the "Feversham plant") which lands abut the Public Highway;

AND WHEREAS the Licensee has requested that the County grant a non-exclusive license to install, maintain and use a water pipeline from the Water Source to the Feversham plant, for the purpose of enabling the Licensee to transfer water from the Water Source to the Feversham plant and the County is prepared to grant the said license subject to the terms and conditions hereinafter set forth.

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT:

1. Grant

In consideration of the covenants and conditions herein contained and to be observed by the Licensee, the County hereby grants to the Licensee a non-exclusive license to install, maintain and use a water pipeline (the "Works") at the location indicated in the site plan and built to specifications attached hereto as Schedule A (the "Plans").

2. **Licensee Representations**

The Licensee represents and warrants (and acknowledges that it is an express condition of the grant of license herein) that Licensee is the sole owner of the lands described in the second recital above and that the Works shall originate from the part of the Water Source lands that is zoned industrial and not any part zoned rural.

3. **Obtaining Approvals and Compliance with Plans**

The Licensee shall install the pipeline in accordance with the Plans. Prior to commencing the Works, the Licensee shall obtain and provide to the County all required approvals from all governmental organizations having jurisdiction, including, without limitation, Site Plan approvals from the Municipality of Grey Highlands showing the installation of the Works on revised approved site plans, and approval under the *Environmental Assessment Act*, if required. All costs and expenses incurred in connection with obtaining all approvals and the installation, maintenance and use of the Works shall be borne by the Licensee. All construction work on the said water pipeline shall be carried out under the supervision of the County, its successors and assigns, if so required by the County and in addition to all other costs, the Licensee shall pay all costs of such supervision. Upon completion of construction, the Licensee shall obtain and provide to the County certification from the Licensee's engineer that the construction was completed in accordance with the Plans and shall provide the County with as-built plans in the format the County requests.

Subject to section 15 (which addresses the Licensee's bankruptcy) and except in the event that the Licensee fails to remove the Works as required pursuant to this Agreement upon termination, in which event, the Works may become property of the County upon the County giving the Licensee notice to that effect, and notwithstanding any rule of law or equity, the Works and all other equipment or appurtenances brought onto the Highway by the Licensee shall at all times remain the property of the Licensee even though the same may be annexed or affixed to the Highway and shall at all times and from time to time be removable in whole or in part by the Licensee.

4. **Meter**

Once the Works are installed, the Licensee shall install and maintain meters at both ends of the Works which shall be monitored to confirm that the Works are not leaking water. The meter at each end of the Works shall be capable of keeping a cumulative annual total of gallons or litres going through the pipeline. This meter shall be reset to zero as of midnight on the last day of December in each year. The County will have access to this meter by remote read out or access to the meter itself by whatever other means.

5. **Security**

Prior to commencement of the work with respect to installation of the Works, the Licensee shall deliver to the County either an irrevocable letter of credit (in the form of Schedule B) or cash security to cover the due performance by the Licensee of its obligations pursuant to this Agreement in an amount of \$ 25,000.00 . Upon completion of the Works to the satisfaction of the County, the amount of the irrevocable letter of credit or cash security may be reduced to \$ 5,000.00, which amount shall remain in place during the currency of this agreement. In the event of any default by the Licensee in complying with its obligations under this agreement, the County shall be authorized to apply such security in payment of any costs the County incurs in enforcing its rights and remedying such default including a contribution toward the County's staff and administration costs which contribution shall be determined by the County, acting reasonably. Prior to drawing on the security the County shall provide the Licensee with written notice of default and shall allow the Licensee at least 30 days from the receipt of such notice to remedy the default.

6. **Contribution to Road Repair Costs**

Prior to commencement of any work with respect to installation of the Works the Licensee shall deliver to the County payment of \$30,000.00 toward road repair costs for the first year of this Agreement. Each year for the following four years, the Licensee shall pay by April 1 of that year, an additional \$30,000.00 to the County. In the event that the Licensee sells the business prior to the final payment being received, the Licensee shall pay the County all outstanding contributions owed at the time of sale. The payments herein are one time payments only and no further payments in this regard shall be required at the time of any renewal of this Agreement.

7. **Ongoing Maintenance**

All Works, once constructed or provided in accordance with the requirements of this Agreement shall be properly maintained and repaired as required to the satisfaction of the County at the Licensee's sole expense and in the event that the Licensee fails to maintain and repair the County may, but shall not be obligated, to do so and any cost incurred (including any reasonable charge for County's own personnel and equipment) together with an administrative charge of 15% thereof shall immediately be paid by the Licensee to the County.

8. **Waiver of Claims**

The Licensee shall make no claim or demand against the County or any of its council members or employees for any injury, including injury resulting in death, loss or damage to property suffered or sustained by the Licensee or by any other person or corporation which is based upon, arises out of or is connected with this agreement or anything done or maintained hereunder or anything not done or maintained as required hereunder and

Licensee hereby waives as against the County and its employees all such claims or demands.

9. Indemnification and Insurance

a) The Licensee shall indemnify and hold the County, its council members and employees harmless with respect to any claim or demand against the County or any of its council members or employees for any injury, including injury resulting in death, loss or damage to property suffered or sustained by the Licensee or by any other person or corporation which is based upon, arises out of or is connected with this agreement or anything done or maintained hereunder or anything not done or maintained as required hereunder.

b) The Licensee shall obtain and maintain insurance that provides coverage with respect to claims by third parties with respect to damage or loss to property and injury to or death of persons which is based upon, arises out of or is connected with this agreement or anything done or maintained hereunder or anything not done or maintained as required hereunder, and names the County as an additional insured in such amounts as the County may from time to time determine is reasonable but in no case in an amount that provides less than \$5 million of coverage for any one claim. With respect to the period of construction, the Licensee will obtain, or cause to be obtained, construction liability insurance for the period of construction including twenty-four (24) months Completed Operations coverage and ensure that the County is shown as an Additional Insured under this policy.

The Licensee must provide evidence of the above policies, and any renewals thereof, in a form acceptable to the County, and ensure that the County receives thirty (30) days written notice of cancellation or materially detrimental change.

10. Interference with Highway and Requirement to Reconfigure Works

a) This license is granted on the condition that in exercising the rights granted herein, the Licensee and any other person exercising the rights granted to the Licensee, shall not interfere with the County's use, including use by members of the public or other persons invited or authorized by the County, of the Highway without the prior written consent of the County's Director of the Department of Transportation and Public Safety.

b) The Licensee acknowledges that the County's use of the Highway may change from time to time and may occasionally result in temporary disruption of the Licensee's use or otherwise imposes limitations on when and how it may be used (such as in the event the Highway is partially excavated to install utility lines or for road resurfacing). Licensee also acknowledges and agrees that the County may, at any time, require the Licensee to reconfigure the Works in order to accommodate the County's use of the Highway in which case the Licensee shall complete any work required by the County at the Licensee's expense to the satisfaction of the County. Licensee shall be given prior written notice of not less than 45 days by the County of the temporary disruption in order

to allow the licensee to make alternate arrangements for the transportation of water during the period of the temporary disruption.

c) In the event this agreement is terminated pursuant to the terms of the Agreement, or in the event the Licensee is required, for maintenance or reconfiguration purposes or for any other reason, to temporarily cease the use of the Works, the Licensee shall be permitted to transport and deliver water from the Water Source to the Feversham plant in such manner and by such means as the Licensee is and has been transporting and delivering water between the Water Source and Feversham plant prior to entering into this Agreement and prior to the installation of the Works

11. Termination

a) This Agreement may be terminated by the Licensee at any time upon notice to the County. In the event of termination prior to completion of the payment of \$150,000 as provided for in section 6, the Licensee, shall complete payment of all unpaid instalments under section 6, notwithstanding termination of the license, provided installation has been completed.

b) If the Licensee defaults pursuant to this agreement or its obligations under the Agreement, the County shall notify the Licensee of such default and the Licensee shall attend to and remedy the default within sixty days of such notice, failing which this Agreement may be terminated by the County.

c) In the event of termination of this Agreement, the Licensee shall, within six months of termination, excavate and remove all the Works and refill and resurface that part of the Highway disrupted, all to the satisfaction of the County, unless the County delivers notice in writing to the Licensee within 60 days of such termination, that the County does not require the removal of the Works, in which case the Works may remain installed on the Highway and shall thereafter be the property of the County.

12. Nature of Agreement

The Licensee acknowledges that this Agreement shall not grant to the Licensee any legal interest in the subject lands and the Licensee shall assert no claim to any title or rights other than set out in this agreement.

13. Term

The term of this agreement will be twenty-five (25) years, renewable thereafter for terms of ten (10) years. In the event the Licensee wishes to renew the term, the Licensee shall give notice requesting renewal no earlier than three years and no later than two years prior to the last date of the term and in the event that the County agrees to such request for renewal, the County shall, upon agreement by both parties and within 6 months of the receipt of the request, renew this agreement by issuing the Licensee a letter stating that this Agreement has been extended for a further ten (10) year period failing which this agreement shall terminate at the end of the then current term. In the event of renewal, the

terms of this provision with respect to the procedure for requesting further renewal shall apply to the renewed term.

14. Location

The Licensee shall provide the County with the final georeferenced location of the pipeline (UTM NAD 83 Zone 17 preferred).

15. Bankruptcy

If the Licensee becomes bankrupt, or makes an assignment for the benefit of creditors, or if it ceases to operate the water pipeline for a period of six (6) consecutive months, the rights, powers, and privileges granted to the Licensee under this Agreement will terminate and the Licensee will, at its own expense, remove the water pipeline within ninety (90) days or the water pipeline will become the property of the County and may be removed, operated, sold, leased, or otherwise disposed of as the County may consider proper.

16. Notice

All notices required pursuant to this agreement shall be delivered by hand to the party for which it is intended, sent by facsimile transmission or similar form of transmitted message or sent by prepaid courier directed to such party at the address indicated below, or at such other address as either party may stipulate by notice to the other. Any notice delivered by hand or prepaid courier shall be deemed to be received on the date of actual delivery thereof. Any notice so sent by facsimile transmission or similar form of transmitted message shall be deemed to have been received on the next day following transmission.

The Corporation of the County of Grey
County Administration Building
595 9th Avenue East
Owen Sound, Ontario
N4K 3E3
Attention: Director, Department of Transportation and Public Safety

Aquafarms '93
Grey Road #2
Feversham, Ontario
N0C 1C0

17. Enforceability of Agreement

It is understood and agreed that the Licensee shall not call into question, directly or indirectly, in any proceeding whatsoever, in law or in equity, or before any administrative tribunal, the right of the County to enter into this Agreement and to enforce each and

every term, covenant and condition herein contained, and this Agreement may be pleaded as an estoppel against the Licensee by the County in any such proceeding.

18. Amendment

No change or modification of this agreement shall be valid unless it be in writing and signed by each party.

19. Entire Agreement

It is agreed that there is no representation, warranty, collateral agreement or condition affecting this agreement except as expressed in it.

20. Further Assurances

The parties agree that each of them shall, upon reasonable request of the other, do or cause to be done all further lawful acts, deeds and assurances whatever for the better performance of the terms and conditions of this agreement.

21. Validity and Interpretation

The headings used in this agreement are for convenience only and are not to be considered a part of this agreement and do not in any way limit or amplify the terms and provisions of this agreement.

It is intended that all provisions of this agreement shall be fully binding and effective between the parties, but in the event that any particular provision or provisions or a part of one is found to be void, voidable or unenforceable for any reason whatever, then the particular provision or provisions or part of the provision shall be deemed severed from the remainder of this agreement and all other provisions shall remain in full force.

It is agreed that unless the context of this agreement requires otherwise, the singular number shall include the plural and vice versa, the number of the verb shall be construed as agreeing with the word so substituted, words importing the masculine gender shall include the feminine and neuter genders, and words importing persons shall include firms and corporations and vice versa.

22. Heirs, Successors, Assigns

This agreement shall enure to the benefit of and be binding on the respective heirs, executors, administrators and permitted assigns of each of the parties.

23. **Counterparts**

This agreement may be executed in any number of counterparts and all of these counterparts shall for all purposes constitute one agreement, binding on the parties, notwithstanding that all parties are not signatory to the same counterpart.

24. **Assignment**

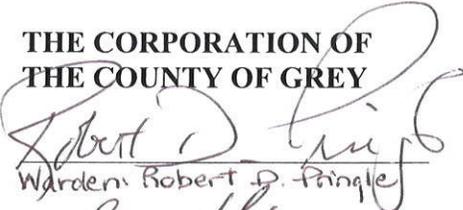
The County may assign this agreement to another municipal or governmental organization in the event that the jurisdiction over the Highway is transferred to such municipal or governmental organization. This agreement shall not be assigned to any other person without the written consent of the parties.

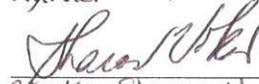
25. **Governing Law**

This Agreement shall be governed by the laws of the Province of Ontario and the laws of Canada applicable therein.

IN WITNESS WHEREOF the parties hereto have executed this agreement as of the date first hereinabove written.

**THE CORPORATION OF
THE COUNTY OF GREY**


Warden Robert D. Pringle


 Clerk: Sharon Vokes

We have the authority to bind the
Corporation

AQUAFARMS '93



We have the authority to bind the
Corporation

Schedule A
Approved Site Plan and Specifications

1. Schad Engineering Drawing SP3, February 2003
2. C.C. Tatham & Associates Ltd., Job No. 102268, Dwg. PP-3, Aug/05
3. C.C. Tatham & Associates Ltd., Job No. 102268, Dwg. PP-8, Aug/05

Schedule B
Sample Letter of Credit

AMENDED PERMIT TO TAKE WATER
Ground Water
NUMBER 7535-AQBNX8

Pursuant to Section 34.1 of the Ontario Water Resources Act, R.S.O. 1990 this Permit To Take Water is hereby issued to:

Gott Enterprises Inc.
485387 30 Sideroad
Shelburne, Ontario L9V 3N5

For the water PW5 & PW3, PW4
taking from:

Located at: Lot 25 West Part, Concession 2, Geographic Township of Amaranth
Amaranth, County of Dufferin

For the purposes of this Permit, and the terms and conditions specified below, the following definitions apply:

DEFINITIONS

- (a) "Director" means any person appointed in writing as a Director pursuant to section 5 of the OWRA for the purposes of section 34.1, OWRA.
- (b) "Provincial Officer" means any person designated in writing by the Minister as a Provincial Officer pursuant to section 5 of the OWRA.
- (c) "Ministry" means Ontario Ministry of the Environment and Climate Change.
- (d) "District Office" means the Guelph District Office.
- (e) "Permit" means this Permit to Take Water No. 7535-AQBNX8 including its Schedules, if any, issued in accordance with Section 34.1 of the OWRA.
- (f) "Permit Holder" means Gott Enterprises Inc..
- (g) "OWRA " means the *Ontario Water Resources Act*, R.S.O. 1990, c. O. 40, as amended.

You are hereby notified that this Permit is issued subject to the terms and conditions outlined below:

TERMS AND CONDITIONS

1. Compliance with Permit

- 1.1 Except where modified by this Permit, the water taking shall be in accordance with the application for this Permit To Take Water, dated September 14, 2016 and signed by Alexandra Gott, and all Schedules included in this Permit.
- 1.2 The Permit Holder shall ensure that any person authorized by the Permit Holder to take water under this Permit is provided with a copy of this Permit and shall take all reasonable measures to ensure that any such person complies with the conditions of this Permit.
- 1.3 Any person authorized by the Permit Holder to take water under this Permit shall comply with the conditions of this Permit.
- 1.4 This Permit is not transferable to another person.
- 1.5 This Permit provides the Permit Holder with permission to take water in accordance with the conditions of this Permit, up to the date of the expiry of this Permit. This Permit does not constitute a legal right, vested or otherwise, to a water allocation, and the issuance of this Permit does not guarantee that, upon its expiry, it will be renewed.
- 1.6 The Permit Holder shall keep this Permit available at all times at or near the site of the taking, and shall produce this Permit immediately for inspection by a Provincial Officer upon his or her request.
- 1.7 The Permit Holder shall report any changes of address to the Director within thirty days of any such change. The Permit Holder shall report any change of ownership of the property for which this Permit is issued within thirty days of any such change. A change in ownership in the property shall cause this Permit to be cancelled.

2. General Conditions and Interpretation

- 2.1 Inspections
The Permit Holder must forthwith, upon presentation of credentials, permit a Provincial Officer to carry out any and all inspections authorized by the OWRA, the *Environmental Protection Act*, R.S.O. 1990, the *Pesticides Act*, R.S.O. 1990, or the *Safe Drinking Water Act*, S. O. 2002.
- 2.2 Other Approvals
The issuance of, and compliance with this Permit, does not:
 - (a) relieve the Permit Holder or any other person from any obligation to comply with any other

applicable legal requirements, including the provisions of the *Ontario Water Resources Act* , and the *Environmental Protection Act* , and any regulations made thereunder; or

(b) limit in any way any authority of the Ministry, a Director, or a Provincial Officer, including the authority to require certain steps be taken or to require the Permit Holder to furnish any further information related to this Permit.

2.3 Information

The receipt of any information by the Ministry, the failure of the Ministry to take any action or require any person to take any action in relation to the information, or the failure of a Provincial Officer to prosecute any person in relation to the information, shall not be construed as:

(a) an approval, waiver or justification by the Ministry of any act or omission of any person that contravenes this Permit or other legal requirement; or

(b) acceptance by the Ministry of the information's completeness or accuracy.

2.4 Rights of Action

The issuance of, and compliance with this Permit shall not be construed as precluding or limiting any legal claims or rights of action that any person, including the Crown in right of Ontario or any agency thereof, has or may have against the Permit Holder, its officers, employees, agents, and contractors.

2.5 Severability

The requirements of this Permit are severable. If any requirements of this Permit, or the application of any requirements of this Permit to any circumstance, is held invalid or unenforceable, the application of such requirements to other circumstances and the remainder of this Permit shall not be affected thereby.

2.6 Conflicts

Where there is a conflict between a provision of any submitted document referred to in this Permit, including its Schedules, and the conditions of this Permit, the conditions in this Permit shall take precedence.

3. **Water Takings Authorized by This Permit**

3.1 **Expiry**

This Permit expires on **July 31, 2021**. No water shall be taken under authority of this Permit after the expiry date.

3.2 Amounts of Taking Permitted

The Permit Holder shall only take water from the source, during the periods and at the rates and amounts of taking specified in Table A. Water takings are authorized only for the purposes specified in Table A.

Table A

	Source Name / Description:	Source: Type:	Taking Specific Purpose:	Taking Major Category:	Max. Taken per Minute (litres):	Max. Num. of Hrs Taken per Day:	Max. Taken per Day (litres):	Max. Num. of Days Taken per Year:	Zone/ Easting/ Northing:
1	PW5 &PW3	Well Drilled	Bottled Water	Commercial	227	24	327,000	365	17 564768 4876721
2	PW4	Well Drilled	Bottled Water	Commercial	227	24	327,000	365	17 564807 4876729
						Total Taking:	654,000		

3.3 Notwithstanding Table A, if wells PW5 and PW3 are to be pumped together, the combined pumping rate and amount from both wells shall not exceed 227 litres per minute or 327,000 litres per day.

4. Monitoring

4.1 Under section 9 of O. Reg. 387/04, and as authorized by subsection 34(6) of the *Ontario Water Resources Act*, the Permit Holder shall monitor and record the total volume of water taken each day under the authority of this Permit. A separate record shall be maintained for each source authorized by this Permit. The Permit Holder shall use a device or devices that are capable of direct volumetric flow measurement and data recording and that cannot be readily reset by the Permit Holder. The Permit Holder shall keep all records required by this condition current and available at or near the site of the taking and shall produce the records immediately for inspection by a Provincial Officer upon his or her request. The Permit Holder, unless otherwise required by the Director, shall submit, on or before March 31st in every year, the records required by this condition to the ministry's Water Taking Reporting System.

4.2 The Permit Holder shall implement the following ground and surface water monitoring program for the duration of the Permit:

Ground Water:

- (i) Continuous monitoring of ground water levels in on-site wells:
 - PW-5 (Well Tag #: A210943)
 - PW-3 (WWR # 1704767)
 - PW-4 (WWR # 1705572)
- (ii) Monthly monitoring of ground water levels at on-site well:
 - MW1
- (iii) Monthly monitoring of ground water levels at the following off-site wells, if accessible (with permission of the owner).
 - OW1 (Clark)

- OW2 (Burden)
- OW3R (Braiden)
- OW4 (Mirander)
- OW5 (Hawkins)
- OW6 (Cushion)

Surface Water:

- (i) Monthly monitoring of shallow and deep ground water levels in piezometers GS1 and GS2 installed in Myer Drain.
 - (ii) Monthly flow measurements at SG1 and SG2.
- 4.3 Continuous ground water monitoring shall be datalogged at 60 minute intervals and downloaded monthly. The monthly monitoring shall be conducted in the same week in each calendar month.
- 4.4 The Permit Holder shall identify to the Director in writing, within 15 days of any monthly monitoring event, any monitoring locations identified in Condition 4.2 which are not accessible and/or abandoned along with a recommendation for replacement monitoring location(s). Upon approval of the Director the monitoring program shall be appropriately modified.
- 4.5 The Permit Holder shall tabulate the following on a calendar year basis:
- (i) Location and name of the facilities to which water is delivered in bulk (containers greater than 20 L) from this source (if any).
 - (ii) If the bulk water transported is containerized at the receiving location identified in 4.6(i), the size of the container(s) into which the water is transferred.
 - (iii) Total volume of the water transported in bulk in each calendar year to each remote facility.
- 4.6 The Permit Holder shall submit to the Director, a monitoring report after every 5 years, which presents and interprets the monitoring data required as per Conditions 4.1 to 4.5 in conjunction with annual precipitation data. This report shall be prepared and stamped by a licensed Professional Geoscientist or a licensed Professional Engineer specializing in hydrogeology who shall take responsibility for its accuracy. The next report is due on or before April 30, 2021.

5. Impacts of the Water Taking

5.1 Notification

The Permit Holder shall immediately notify the local District Office of any complaint arising from the taking of water authorized under this Permit and shall report any action which has been taken or is proposed with regard to such complaint. The Permit Holder shall immediately notify the local District Office if the taking of water is observed to have any significant impact on the surrounding waters. After hours, calls shall be directed to the Ministry's Spills Action Centre at

1-800-268-6060.

5.2 For Groundwater Takings

If the taking of water is observed to cause any negative impact to other water supplies obtained from any adequate sources that were in use prior to initial issuance of a Permit for this water taking, the Permit Holder shall take such action necessary to make available to those affected, a supply of water equivalent in quantity and quality to their normal takings, or shall compensate such persons for their reasonable costs of so doing, or shall reduce the rate and amount of taking to prevent or alleviate the observed negative impact. Pending permanent restoration of the affected supplies, the Permit Holder shall provide, to those affected, temporary water supplies adequate to meet their normal requirements, or shall compensate such persons for their reasonable costs of doing so.

If permanent interference is caused by the water taking, the Permit Holder shall restore the water supplies of those permanently affected.

5.3 The Permit Holder shall investigate any complaints received from the public or agency with regard to this water taking in accordance with the interference complaints resolution protocol to be submitted to the Director as per Condition 4.6 and notify the Manager, MOECC District Guelph Office within two (2) working days of receiving the complaint. Details of any complaints and its resolution shall be outlined to the Director in the reports required under Condition 4.6.

5.4 The Permit Holder shall not discharge water to the natural environment unless applicable regulatory approval to do so has been obtained. This prohibition includes, but is not necessarily limited to, the discharge of excess water from a free-flowing well.

6. Director May Amend Permit

The Director may amend this Permit by letter requiring the Permit Holder to suspend or reduce the taking to an amount or threshold specified by the Director in the letter. The suspension or reduction in taking shall be effective immediately and may be revoked at any time upon notification by the Director. This condition does not affect your right to appeal the suspension or reduction in taking to the Environmental Review Tribunal under the *Ontario Water Resources Act* , Section 100 (4).

The reasons for the imposition of these terms and conditions are as follows:

1. Condition 1 is included to ensure that the conditions in this Permit are complied with and can be enforced.
2. Condition 2 is included to clarify the legal interpretation of aspects of this Permit.
3. Conditions 3 through 6 are included to protect the quality of the natural environment so as to safeguard the ecosystem and human health and foster efficient use and conservation of waters. These conditions allow for the beneficial use of waters while ensuring the fair sharing, conservation and sustainable use of the waters of Ontario. The conditions also specify the water takings that are authorized by this Permit and the scope of this Permit.

In accordance with Section 100 of the Ontario Water Resources Act, R.S.O. 1990, you may by written Notice served upon me and the Environmental Review Tribunal within 15 days after receipt of this Notice, require a hearing by the Tribunal. Section 101 of the Ontario Water Resources Act, R.S.O. 1990, as amended, provides that the Notice requiring the hearing shall state:

1. The portions of the Permit or each term or condition in the Permit in respect of which the hearing is required, and;
2. The grounds on which you intend to rely at the hearing in relation to each portion appealed.

In addition to these legal requirements, the Notice should also include:

- a. The name of the appellant;
- b. The address of the appellant;
- c. The Permit to Take Water number;
- d. The date of the Permit to Take Water;
- e. The name of the Director;
- f. The municipality within which the works are located;

This notice must be served upon:

*The Secretary
Environmental Review Tribunal
655 Bay Street, 15th Floor
Toronto ON
M5G 1E5
Fax: (416) 326-5370
Email: ERTTribunalsecretary@ontario.ca*

AND

*The Director, Section 34.1, Ministry of the
Environment and Climate Change
12th Floor
119 King St W
Hamilton ON L8P 4Y7
Fax: (905) 521-7820*

Further information on the Environmental Review Tribunal's requirements for an appeal can be obtained directly from the Tribunal:

by Telephone at
(416) 212-6349
Toll Free 1(866) 448-2248

by Fax at
(416) 326-5370
Toll Free 1(844) 213-3474

by e-mail at
www.ert.gov.on.ca

This Permit cancels and replaces Permit Number 2773-9G2RXX, issued on 2014/02/06.

Dated at Hamilton this 23 rd day of February, 2018.



Belinda Koblik
Director, Section 34.1
Ontario Water Resources Act , R.S.O. 1990

Schedule A

This Schedule "A" forms part of Permit To Take Water 7535-AQBNX8, dated February 23, 2018.



REPORT TO COUNCIL 2020-13

TO: Mayor Currie and Members of Council
FROM: Ben Ryzebol, Director of Public Works
DATE: June 17, 2020
SUBJECT: Update

Recommendation

That Council accept the Director of Public Works report 2020-13 and provide any direction accordingly.

Update as of June 12, 2020

- Spring Calcium application is complete as of Wednesday June 17, 2020. (depending on weather)
- Road side cutting will begin this weekend on the paved roads as a priority.
- As time permits we are working on ditching and culvert replacements
- Bridge 6 was open as of June 10, 2020 and the work complete and cleaned up

Budget Concerns

- We attended a 20th Sideroad pre construction meeting to discuss a few areas of concern that may need replacement or repair depending on the additional cost associated.

Summary

Council accept the report of the Director of Public Works and provide any direction accordingly.

Respectfully Submitted,

Ben Ryzebol, Director of Public Works

Dufferin County
Permits Submitted to MPAC [Date of Submission]
From: 5/21/2020 To: 6/13/2020

Permit #	Type	Parcel #	Last Sent	Date Issued	Date Occupancy	Revoked	Final Inspection
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Amaranth	D000004527	Addition	220800000101159	15 MCKIBBON AVE, Amaranth, ON			Permit(s) Issu
	Jun-11-20	May-26-20					
	PRDK202000150	Deck	220800000322450	384345 20TH SIDEROAD, Amaranth, ON			Permit(s) Issu
	Jun-11-20	May-21-20					

ued
ued

Ontario
Provincial
Police

Police
provinciale
de l'Ontario



Municipal Policing Bureau
Bureau des services policiers des municipalités

777 Memorial Ave.
Orillia ON L3V 7V3

777, ave Memorial
Orillia (ON) L3V 7V3

Tel: (705) 329-6200

Fax: (705) 330-4191

File Reference: 600

June 8, 2020

Dear Mayor / Worship,

Re: Change in security check and revenue distribution processes

The Ontario Provincial Police (OPP) is doing our part to help reduce the risk of spreading COVID-19 by restricting access to detachments across the province. We have already taken the step of limiting the processing of routine security checks (criminal record checks/vulnerable sector checks) by detachment staff. We are committed to processing security checks deemed to be necessary, or for emergency circumstances, and mitigating any potential COVID-19 related health risks, as much as possible.

In late April 2020, the OPP adopted a new procedure for processing emergent security checks that reduces the risk to applicants and improves on the efficiency of the process by:

- Moving the security check application form to an online submission, reducing applicants' detachment visits to one visit in most circumstances; a visit to pick up the completed security check.
- Centralizing the vetting of applications for emergent needs and oversight of the process.
- Providing applicants access to a paperless payment method to a provincial Point of Sale terminal over the phone, further reducing the risk of potential exposure to a COVID-19 transmission vector.

Under the new process, applicants will make their payment over the telephone to detachments that currently have provincial Point of Sale (POS) machines. The funds will be deposited directly to the Consolidated Revenue Fund (CRF) of the provincial government in accordance with the Financial Administration Act, RSO 1990 (FAA). Security check revenue is tracked to ensure these funds are allocated to the municipality where applicants reside.

Revenue will now be credited back to municipal policing accounts quarterly throughout the year. The credit will be provided to municipalities approximately two months after the end of the quarter (May, August, November, and February). The credit process for 2020 is impacted by the in-year implementation of the new process and details on the timing of the credit will be provided to municipalities in future correspondence.

All revenue collected by OPP detachments for security checks, finger prints and reports provided to the public for a fee will follow this process to ensure compliance with the FAA.

Should you have any further questions regarding this process please email OPP.MPB.Financial.Services.Unit@opp.ca. Members of the public can find the most up-to-date information on obtaining a record check by visiting www.OPP.ca.

Yours truly,

A handwritten signature in black ink, appearing to read "Phil Whitton", with a long horizontal flourish extending to the right.

Phil Whitton
Superintendent
Bureau Commander
Municipal Policing Bureau

c. CAO / Treasurer / Clerk
PSB chair

Attorney General
McMurtry-Scott Building
720 Bay Street
11th Floor
Toronto ON M7A 2S9
Tel: 416-326-4000
Fax: 416-326-4007

Procureur général
Édifice McMurtry-Scott
720, rue Bay
11^e étage
Toronto ON M7A 2S9
Tél.: 416-326-4000
Télec.: 416-326-4007



Our Reference #: M-2020-6196

June 4, 2020

Municipal Chief Administrative Officers

Re: Potential Amendments to the *Provincial Offences Act* to Expand the Availability of Remote Proceedings in Provincial Offences Courts

Please Distribute to POA By-law Enforcement and Parking Administration

In a collective effort to keep Ontarians safe and maintain the administration of justice during the COVID-19 outbreak, the Ministry of the Attorney General has worked closely with justice partners to establish new and innovative ways of delivering justice remotely and online.

As you are aware, at the direction of the Chief Justice of the Ontario Court of Justice (OCJ), *Provincial Offences Act* (POA) matters scheduled from March 16, 2020 to July 3, 2020 have been rescheduled to a later date.

As the Ministry of the Attorney General works with the OCJ to plan for resumption of municipal court operations, I am reaching out to you and other key stakeholders to ask for your feedback and comment on potential amendments to the *Provincial Offences Act* to enable the enhanced use of remote appearances in POA proceedings. The objective of these potential amendments would be to broaden the options available to the court and to municipal partners as they plan for the resumption of POA court operations and to increase efficiencies in POA proceedings in the longer-term.

The needs of the justice sector have changed during this outbreak, and the demands on the system will continue to evolve as we begin to see the province reopening in stages. To address these changes, we will continue to act on the guidance of public health experts, and we will continue to work together to develop new ways of conducting matters.

In addition to helping the justice system resume operations at greater capacity, your valued input will help us continue to work with partners to build a justice system for the 21st century that is more accessible, responsive and resilient for Ontarians.

Further details about the changes under consideration are available in the attached.

We are requesting that you send your written comments to JUS.G.MAG.POASupport@ontario.ca by June 10, 2020.

If you have any questions or if you would like further information on this initiative, please contact Wendy Chen, A/Manager, POA Unit, at the email address above or at (437) 244-8733.

Thank you in advance for your support of this important initiative and your continued collaboration during this unprecedented challenge.

Sincerely,

A handwritten signature in black ink that reads "Doug Downey". The signature is written in a cursive style with a long horizontal flourish at the end of the name.

Doug Downey
Attorney General

c: Sheila Bristo, Assistant Deputy Attorney General, Court Services Division
Jaimie Lee, A/Director, Program Management Branch
Jane Marshall, A/Deputy Director, Operational Support Branch
Wendy Chen, A/Manager, POA Unit

MINISTRY OF THE ATTORNEY GENERAL

CONSULTATION DOCUMENT Enabling Remote Proceedings in Provincial Offences Courts

BACKGROUND:

On March 13, the government announced a series of measures to restrict the progress and spread of the COVID-19 virus across the province. This included the closure of publicly funded schools and calls to practice social distancing.

On March 15, the Chief Justice of the Ontario Court of Justice (OCJ) advised that provincial offences matters scheduled between March 16, 2020 and April 3, 2020 will be adjourned and rescheduled to a later date.

On March 17, Ontario declared a province-wide emergency to continue to protect the health and safety of all individuals and families. An order was subsequently made under the *Emergency Management and Civil Protection Act* (O. Reg. 73/20) suspending all limitation periods and timelines for taking steps in a proceeding under statutes and regulations, including those under the *Provincial Offences Act* (POA).

The Chief Justice's direction has since been extended and POA proceedings have been suspended until July 6, 2020 at the earliest.

The Ministry wishes to consult with key stakeholders on potential amendments to the POA that would expand the availability of remote proceedings. It is intended that the amendments would:

- Promote access to justice by removing current statutory barriers to remote proceedings, providing flexibility and enabling remote services;
- Broaden the options available to the OCJ and municipal partners when they resume normal POA court operations and increasing efficiencies in POA courts in the longer-term;
- Foster public health and safety by limiting the need to attend at a courthouse in person during the COVID-19 pandemic and thereafter; and
- Preserve judicial oversight to ensure in-person appearances could continue where defendants or other participants have difficulty participating remotely or the interests of justice or a fair trial require.

Members of the media would have an interest in ensuring that electronic proceedings are in line with the constitutional principle of open courts. As part of implementation, the Ministry would work with the court and municipal partners on how best to facilitate access to electronic proceedings for media and members of the public.

MINISTRY OF THE ATTORNEY GENERAL

CONSULTATION DOCUMENT Enabling Remote Proceedings in Provincial Offences Courts

Below is a brief summary of the amendments under consideration:

- Allow any participant, including a justice and witness, to attend electronically at any proceeding or step in a proceeding, unless a justice orders otherwise where it would be in the interests of justice to do so, or to ensure a fair trial;
- Suspend geographical limitations so that defendants and prosecutors may conduct early resolution hearings electronically in all cases;
- Remove restrictions for audio appearances so that any proceeding or step in a proceeding can be conducted by audio; and
- Allow the LGIC to specify proceedings (or steps in proceedings) that are restricted to in-person or to a specified electronic method (e.g., video only) through regulation.

Consequential regulatory amendments may be made to support these amendments, as appropriate.

Current Provision	Summary of Proposal	Comments
<p>Notice of intention to appear to be filed in person</p> <p>5(3) If the offence notice requires the notice of intention to appear to be filed in person, the defendant must give the notice of intention to appear by,</p> <ul style="list-style-type: none">(a) attending in person or by representative at the court office specified in the offence notice at the time or times specified in the offence notice; and(b) filing a notice of intention to appear in the form prescribed under section 13 with the clerk of the court.	<p>Introduce authority for defendants in early resolution (ER) locations to file notices of intention to appear by mail or other methods established by the Municipal Partner.</p> <p>The Ministry is considering whether this would be a temporary (during COVID only) or permanent measure.</p>	<p>If permanent, the ticket book and other forms will need to be amended. However, this process can take several months.</p> <p>To permit immediate implementation, enforcement officers would be temporarily asked to include an insert (e.g., a flyer) with the offence notice served on a defendant to set out:</p> <ul style="list-style-type: none">a. In ER locations, how to file notice of intention to appear without attending in personb. In all locations, that a defendant may participate in a proceeding by remote method.

MINISTRY OF THE ATTORNEY GENERAL

**CONSULTATION DOCUMENT
Enabling Remote Proceedings in Provincial Offences Courts**

		For Red Light Camera offences (or other mailed offences), the Joint Processing Centre would include this information as part of the mail out.
<p>Availability of meeting procedure</p> <p>5.1 (1) This section applies where the offence notice requires the notice of intention to appear to be filed in person in the form prescribed under section 13.</p> <p>...</p> <p>Meeting by electronic method</p> <p>(6) The defendant and the prosecutor may, if unable to attend in person because of remoteness, attend their meeting by electronic method in accordance with section 83.1.</p>	<p>Allow remote ER (by audio or video), regardless of remoteness.</p> <p>Walk-in guilty pleas under s. 7 would also be permitted to occur remotely (see comments below for further information).</p> <p>The Ministry is considering whether this would be a temporary (during COVID only) or permanent measure.</p>	N/A
<p>Reopening</p> <p>Application to strike out conviction</p>	<p>Allow alternatives to affidavit evidence (e.g., signed statement).</p>	<p>This would make s. 11 consistent with re-opening applications for parking under s. 19(2)</p>

MINISTRY OF THE ATTORNEY GENERAL

CONSULTATION DOCUMENT Enabling Remote Proceedings in Provincial Offences Courts

<p>11 (1) A defendant who was convicted without a hearing may, within 15 days of becoming aware of the conviction, apply to a justice to strike out the conviction. Striking out the conviction</p> <p>(2) Upon application under subsection (1), a justice shall strike out a conviction if satisfied by affidavit of the defendant that, through no fault of the defendant, the defendant was unable to appear for a hearing or for a meeting under section 5.1 or the defendant did not receive delivery of a notice or document relating to the offence.</p>		
<p>Application</p> <p>17.1 (1) This section applies where the parking infraction notice requires the notice of intention to appear to be filed in person at a place specified in the parking infraction notice.</p> <p>Filing</p> <p>(3) A defendant who is served with a parking infraction notice may give notice of intention to appear in court for the purpose of entering a plea and having a trial of the matter by attending in person or by representative at the place specified in the parking infraction notice at the time or times specified in the parking infraction notice and filing a notice of intention to appear with a person designated by the regulations.</p>	<p>Introduce authority for defendants to file notices of intention to appear in parking matters by mail or other methods established by the municipality instead of in-person.</p> <p>The Ministry is considering whether this would be a temporary or permanent measure. If permanent, this would involve repeal of provisions permitting First Attendance.</p>	<p>N/A</p>

MINISTRY OF THE ATTORNEY GENERAL

CONSULTATION DOCUMENT Enabling Remote Proceedings in Provincial Offences Courts

<p>Application</p> <p>18.1.1 (1) This section applies where the notice of impending conviction requires the notice of intention to appear to be filed in person at a place specified in the notice of impending conviction.</p> <p>...</p> <p>Filing notice of intention to appear</p> <p>(3) A defendant who receives a notice of impending conviction may give notice of intention to appear in court for the purpose of entering a plea and having a trial of the matter by attending in person or by representative at the place specified in the notice of impending conviction at the time or times specified in the notice of impending conviction and filing a notice of intention to appear with a person designated by the regulations.</p>		
<p>Territorial jurisdiction</p> <p>29 (1) Subject to subsection (2), a proceeding in respect of an offence shall be heard and determined by the Ontario Court of Justice sitting in the county or district in which the offence occurred or in the area specified in the transfer agreement made under Part X.</p>	<p>Create saving provision so that physical location of justice does not determine the jurisdiction/court service area in which the matter is heard.</p>	<p>This is a housekeeping amendment complementary to amendments permitting justice to sit remotely discussed in s. 83.1 below.</p>

MINISTRY OF THE ATTORNEY GENERAL

CONSULTATION DOCUMENT Enabling Remote Proceedings in Provincial Offences Courts

<p>Idem (2) A proceeding in respect of an offence may be heard and determined in a county or district that adjoins that in which the offence occurred if,</p> <p>(a) the court holds sittings in a place reasonably proximate to the place where the offence occurred; and</p> <p>(b) the place of sitting referred to in clause (a) is named in the summons or offence notice.</p>		
<p>Appearance by electronic method</p> <p>83.1(2) Subject to this section, in any proceeding under this Act or any step in a proceeding under this Act, if the appropriate equipment is available at the courthouse where the proceeding occurs,</p> <p>(a) a witness may give evidence by electronic method;</p> <p>(b) a defendant may appear by electronic method;</p> <p>(c) a prosecutor may appear and prosecute by electronic method; and</p> <p>(d) an interpreter may interpret by electronic method.</p>	<p>Allow remote participation by any person in any proceeding or step in a proceeding. In particular, authorize judicial officials to also preside by remote method.</p> <p>Ability to attend and participate remotely would remain subject to</p> <ul style="list-style-type: none"> the court location making electronic methods of appearance available (i.e., where video and audio technology is available in that location) and judicial scheduling and direction. <p>Defendant would retain ability to attend court in person if they cannot attend by the electronic method. This is permissive and would only increase options for the defendant, where other appearance methods available.</p>	<p>If the defendant is not able to participate by remote attendance, they would be asked to say so on the notice of intention to appear (Part I and II tickets).</p> <p>Section 7 walk-in guilty pleas and speak to sentence proceedings could be held via teleconference during scheduled time slots.</p> <p>In Part I or III proceedings commenced by information, the process would be developed locally.</p>
<p>Consent required</p>	<p>Allow remote proceedings (including where witnesses are providing evidence in Part III matters) to move forward without</p>	<p>A process would be established to notify the court where a defendant or prosecutor wishes for a witness or other</p>

MINISTRY OF THE ATTORNEY GENERAL

CONSULTATION DOCUMENT Enabling Remote Proceedings in Provincial Offences Courts

<p>83.1(3) A witness may appear by electronic method to give evidence in a proceeding commenced by information under Part III only with the consent of both the prosecutor and the defendant.</p>	<p>requiring the consent of any participants (including defendant and prosecutor).</p> <p>Remote attendance and participation would also be subject to a justice ordering otherwise where it would be in the interests of justice to do so, or to ensure a fair trial, and after considering any criteria set out in statute or regulation. Such criteria could include:</p> <ul style="list-style-type: none"> ○ whether the prosecutor and the defendant consent to the method of participation by a person, for example, a witness; ○ availability of the appropriate equipment; ○ location and personal circumstances of the participants; ○ nature and seriousness of the offence; ○ suitability of the location from where the participants will participate ○ accused's right to a fair and public hearing; ○ prejudice of holding the hearing remotely, including the accused not seeing the witnesses directly; ○ nature of the anticipated evidence; and ○ costs that would be incurred if the participant were to participate personally. 	<p>participant to attend in person, or where a witness is unable to participate in a proceeding by remote method. A judicial order for in-person participation would be required.</p> <p>Process for requesting a judicial order to compel in-person attendance could vary locally and depend on circumstances (e.g., if opposed, by motion or pre-trial conference; if all parties consent, email to court office).</p>
<p>Attendance by justice</p> <p>83.1(3.1) A justice may attend and conduct a sentencing hearing under sections 5.1 and 7 and any other proceeding or any step in a proceeding determined by the regulations, by means of electronic method, if the appropriate</p>	<p>Justice would presumptively be able to attend remotely.</p>	<p>N/A</p>

MINISTRY OF THE ATTORNEY GENERAL

CONSULTATION DOCUMENT Enabling Remote Proceedings in Provincial Offences Courts

<p>equipment is available at the courthouse where the proceeding occurs, and the justice may,</p> <p>(a) adjourn the sentencing hearing to have the defendant appear in person before the justice for the purpose of ensuring that the defendant understands the plea; and</p> <p>(b) adjourn any other proceeding or step in a proceeding determined by the regulations if he or she is satisfied that the interests of justice require it or it is necessary for a fair trial.</p>		
<p>Limited use of certain electronic methods</p> <p>83.1(4) Attendance by audio conference or telephone conference may only be used for the purpose of,</p> <p>(a) attending a pre-trial conference;</p> <p>(b) attending a meeting between the defendant and the prosecutor under section 5.1; or</p> <p>(c) attending or appearing at any other proceeding or step in a proceeding determined by the regulations.</p>	<p>Enable the use of audio conference or telephone conference, where locally available, for any proceeding or step in a proceeding.</p> <p>This would also be subject to any proceedings listed by regulation that may specify type of electronic method (i.e., audio or visual) in a proceeding or step in proceeding <u>(see below for discussion of potential regulation-making powers)</u>.</p>	<p>N/A</p>
<p>Appearance in person</p> <p>83.1(5) The court may order any person described in subsection (2) to appear in person</p>	<p>Authority for justice to order any participant to attend in person to ensure a fair trial would be retained.</p>	<p>N/A</p>

MINISTRY OF THE ATTORNEY GENERAL

CONSULTATION DOCUMENT Enabling Remote Proceedings in Provincial Offences Courts

<p>if it is satisfied that the interests of justice require it or it is necessary for a fair trial.</p>	<p>Add ability for justice to specify type of electronic hearing that would be required (e.g., video only) where the interests of justice require.</p>	
<p>Regulations</p> <p>83.1(7) The Lieutenant Governor in Council may make regulations,</p> <p>(a) respecting the conditions for using any electronic method, including the degree of any remoteness required;</p> <p>(b) determining proceedings where attendance or appearance may be made by electronic method;</p> <p>(c) requiring the payment of fees for using electronic methods, fixing the amounts of the fees, and prescribing the circumstances in which and the conditions under which a justice or another person designated in the regulations may waive the payment of a fee.</p>	<p>Establish new regulation-making authority to:</p> <ul style="list-style-type: none"> • Determine proceedings where appearance may <u>not</u> be made by electronic method. • Specify type of electronic method for specific proceedings (or steps in proceedings) • Establish a list of factors that a justice must consider before ordering that a step in a proceeding or proceeding occur at the courthouse or by specified electronic method. 	<p>The Ministry would consult with affected stakeholders on any proposed regulatory criteria.</p>
<p>Certiorari</p> <p>141 (1) A notice under section 140 in respect of an application for relief in the nature of certiorari shall be given at least seven days and not more than ten days before the date fixed for the hearing of the application and the notice shall be served within thirty days after the occurrence of the act sought to be quashed.</p>	<p>Expressly provide that judicial officials (i.e., the persons making the decision), as respondents, are not required to personally file materials in response to judicial review applications.</p>	<p>Housekeeping</p>

MINISTRY OF THE ATTORNEY GENERAL

CONSULTATION DOCUMENT Enabling Remote Proceedings in Provincial Offences Courts

<p>Filing material</p> <p>(2) Where a notice referred to in subsection (1) is served on the person making the decision, order or warrant or holding the proceeding giving rise to the application, such person shall forthwith file with the Superior Court of Justice for use on the application, all material concerning the subject-matter of the application.</p>		
<p>Telewarrants</p> <p>Submission of information</p> <p>158.1 (1) Where a provincial offences officer believes that an offence has been committed and that it would be impracticable to appear personally before a justice to make application for a warrant in accordance with section 158, the provincial offences officer may submit an information on oath, by a means of telecommunication that produces a writing, to a justice designated for the purpose by the Chief Justice of the Ontario Court of Justice.</p>	<p>Determine whether to remove the need for personal appearance to be “impracticable” so that telewarrants are available in all instances.</p>	<p>N/A</p>



LAURELWOODS ELEMENTARY SCHOOL

374027 6th Line, Amaranth, ON L9W 0M6
519-940-3666

Darren Hale, Principal

Karen Gardhouse, Office Coordinator



June 3, 2020

Amaranth Municipal Council
374028 6th Line
Amaranth, ON
L9W 0M6

RE: GRADE 8 GRADUATION CEREMONY

On behalf of the staff and students at Laurelwoods Elementary School, I would like to thank you for your ongoing sponsorship of the Academic Achievement Award for our Grade Eight graduation. We appreciate your efforts to support our students.

If you would like to continue to sponsor this award again this year, please send a cheque for \$25.00 payable to Laurelwoods Elementary School by September 14, 2020. We will use these funds to purchase a "keeper plaque" for the student who receives the award.

The engraving will be set as follows:

Academic Achievement Award
Sponsored by:
Amaranth Municipal Council

The graduation ceremony will be held at a later date in the 2020 – 2021 school year in the gymnasium. We will inform you of the date as soon as it is confirmed.

Again, we would like to thank you for your interest in and support of our initiatives here at Laurelwoods.

Yours sincerely,

D. Hale,
Principal



Sylvia Jones, MPP
Dufferin-Caledon

180 Broadway, 3rd Floor, Suite A
Orangeville, ON L9W 1K3
Tel: 519-941-7751
Fax: 519-941-3246
1-800-265-1603
Email: Sylvia.jonesco@pc.ola.org

May 27, 2020

Mayor Bob Currie and Council
Township of Amaranth
374028 6th Line
Amaranth, ON L8W 0M6

Dear Mayor Currie and Members of Council:

Thank you for your letter dated May 13, 2020 and your interest in additional help to offset the costs incurred by your municipality as a result of the COVID-19 pandemic.

The province has established a technical table with the Association of Municipalities of Ontario and are tracking costs and revenue shortfalls associated with COVID-19 to better understand how to support our municipal partners. Additionally, given the national scale and magnitude of the shortfalls facing Canadian municipalities, it is imperative that the Federal government join the province in developing a plan to help municipalities recover from the impacts of COVID-19.

I appreciate knowing your concerns and will keep you apprised of decisions made that will help your council plan for recovery and eventual reopening of municipal buildings and programs, when it is safe to do so.

Sincerely,

A handwritten signature in blue ink, appearing to be "SJA", written over a horizontal line.

Sylvia Jones, MPP
Dufferin-Caledon



June 5, 2020

RE: Mapleton Resolution 2020-04-14 to request the Province review the Farm Property Class Tax Rate Programme, dated May 27, 2020.

- a) Correspondence from Wellington Federation of Agriculture regarding Mapleton Resolution 2020-04-14, dated May 28, 2020.

Please be advised that Township of Puslinch Council, at its meeting held on June 3, 2020 considered the aforementioned topic and subsequent to discussion, the following was resolved:

Resolution No. 2020-151: Moved by Councillor Sepulis and
Seconded by Councillor Goyda

That the Intergovernmental Affairs correspondence items listed on the Council Agenda for JUNE 3, 2020 Council meeting be received; and

Whereas the Township of Puslinch received correspondence from the Township of Mapleton with respect to requesting the Province of Ontario to review the Farm Property Class Tax Rate Programme in light of economic competitiveness concerns between rural and urban municipalities;

BE IT RESOLVED that the Township of Puslinch hereby supports their Resolution 2020-04-14 passed on March 10, 2020; and

BE IT FURTHER RESOLVED THAT this motion be sent to Hon. Doug Ford, Premier of Ontario, Hon. Steve Clark, Minister of Municipal Affairs and Housing, Hon. Rod Phillips, Minister of Finance, Hon. Ernie Hardeman, Minister of Agriculture, Food & Rural Affairs, MPP Randy Pettapiece, Hon. Ted Arnott, all Ontario Municipalities, Rural Ontario Municipal Association (ROMA) and Association of Municipalities of Ontario (AMO).

CARRIED



As per the above resolution, please accept a copy of this correspondence for your information and consideration.

Sincerely,
Courtenay Hoytfox
Deputy Clerk



June 3, 2020

RE:

B1. Centre Hastings motion for support for the role of Conservation Authorities (resolution attached)

B2. City of Sault Ste. Marie motion for Support for Conservation Authorities (resolution attached)

B3. Town of Ajax motion for supporting Conservation Authorities (resolution attached)

Please be advised that Township of Puslinch Council, at its meeting held on April 22, 2020 considered the aforementioned topic and subsequent to discussion, the following was resolved:

Resolution No. 2020-104: Moved by Councillor Sepulis and
Seconded by Councillor Bulmer

That the Intergovernmental Affairs correspondence Motions for Support items B1, B2, and B3 be received; and

WHEREAS, the Township of Puslinch is committed to planning for a sustainable future for its resources and environment;

AND WHEREAS Township of Puslinch is a member of the Grand River Conservation Authority (GRCA) , Conservation Halton (CH), and the Hamilton Conservation Authority (HCA)and has representatives on each Board of Directors;

AND WHEREAS the GRCA, CH, and HCA provide the Township of Puslinch with expert advice on the environmental impact of land use planning proposals and that the Township of Puslinch does not have staff with comparable expertise or experience;

AND WHEREAS the GRCA, CH, and HCA

(a) provide programs to the residents of Township of Puslinch that include recreation, education, water quality monitoring, reduction of vegetation loss and soil erosion, preservation of species at risk,



(b) complete restoration projections as well as protect life and property through a variety of measures, all of which the Township of Puslinch does not have staff with comparable expertise or experience;

THEREFORE IT BE RESOLVED that the Township of Puslinch supports continuation of the programs of the GRCA, CH, and HCA both mandatory and non-mandatory;

AND THAT this resolution be forwarded to the Minister of the Environment, Conservation and Parks, Premier Doug Ford, MPP Ted Arnott, the Association of Municipalities of Ontario, GRCA, CH, HCA, Conservation Ontario and all Ontario municipalities.

CARRIED

As per the above resolution, please accept a copy of this correspondence for your information and consideration.

Sincerely,
Courtenay Hoytfox
Deputy Clerk



March 18th, 2020

The Honourable Jeff Yurek
Minister of Environment, Conservation and Parks
College Park 5th Floor, 777 Bay Street
Toronto, ON M7A 2J3

Re: Resolution to Support the Role of Conservation Authorities

Please be advised the Council of the Municipality of Centre Hastings at its regular meeting held on March 18th, 2020 passed the following resolution:

WHEREAS the Lower Trent Conservation Authority and the Quinte Conservation Authority along with other Conservation Authorities have been protecting people and conserving and restoring watersheds with local communities for over 50 years, and

WHEREAS municipalities must work together to ensure resilient and healthy watersheds for residents, and

WHEREAS Conservation Authorities will be important partners in concrete and cost-effective initiatives to address the climate change,

NOW THEREFORE BE IT RESOLVED

THAT the Municipality of Centre Hastings supports the important role Conservation Authorities provide to local communities in delivering watershed management programs.

AND THAT the Municipality of Centre Hastings circulate that support to municipalities, conservation authorities and the Minister of Environment, Conservation and Parks in Ontario.

Jennifer Nielsen
Deputy Clerk

OFFICE OF THE MAYOR



CORPORATION OF THE
CITY OF SAULT STE. MARIE

March 13, 2020

The Honourable Doug Ford, Premier of Ontario
The Honourable Jeff Yurek, Minister of the Environment, Conservation and Parks
The Honourable John Yakabuski, Minister of Natural Resources and Forestry

Dear Premier Ford, Minister Yurek and Minister Yakabuski:

RE: Support for Conservation Authorities

You will find attached hereto a resolution passed by the Corporation of the City of Sault Ste. Marie City Council on March 9, 2020 regarding support for conservation authorities in Ontario.

We trust that this matter will receive the appropriate time and attention from your respective offices.

Yours truly,

A handwritten signature in black ink, appearing to read 'Christian C. Provenzano'. The signature is fluid and cursive, with a large initial 'C'.

Christian C. Provenzano, B.A., LL.B., LL.M

CC City Council
Association of Municipalities of Ontario
Conservation Ontario



CITY COUNCIL RESOLUTION

Agenda Number: 8.1
Title: Conservation Authorities
Date: Monday, March 9, 2020

Moved by: Councillor M. Bruni
Seconded by: Councillor R. Niro

Whereas the City of Sault Ste. Marie has been well served by the Sault Ste. Marie Region Conservation Authority; and

Whereas Sault Ste. Marie values the efforts of the Conservation Authority to monitor floods, to manage source water protection and to ensure the integrity of the watersheds within our municipality and conserve our natural environment; and

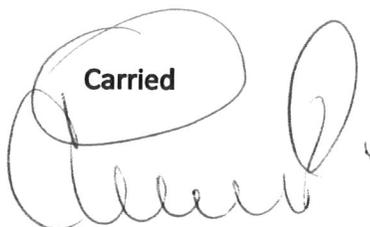
Whereas the Province of Ontario is currently reviewing the mandate and operations of Conservation Authorities; and

Whereas Conservation Authorities provide essential services to municipalities in their watersheds;

Now Therefore Be It Resolved that the Council of the City of Sault Ste. Marie encourages the Province to continue to support the principle of planning on a watershed basis in the ongoing review and prioritize the allocation of adequate funding to support the core mandate of conservation authorities while preventing any downloading of costs to municipalities;

Further that the Province of Ontario be requested to maintain and not diminish the core mandate of Conservation Authorities; and

That this resolution be forwarded to Premier Doug Ford, the Minister of the Environment, Conservation and Parks, the Minister of Natural Resources and Forestry, Conservation Ontario, the Association of Municipalities of Ontario and all Ontario municipalities.

Carried


Tied, Defeated

Defeated

**Officially Read and Not
Dealt With / Postponed**



TOWN OF AJAX
65 Harwood Avenue South
Ajax ON L1S 3S9
www.ajax.ca

Honourable Doug Ford
Premier of Ontario
Room 281
Legislative Building, Queen's Park
Toronto, ON M7A 1A1

March 5, 2020

Re: **Supporting Conservation Authorities**

Please be advised that the following resolution was endorsed by Ajax Town Council at its Meeting held February 24, 2020:

WHEREAS, the Town of Ajax is committed to planning for a sustainable future, protecting human life and property from natural hazards, and promoting environmental education and stewardship;

AND WHEREAS the Town of Ajax is located within the Toronto and Region Conservation Authority (TRCA) and the Central Lake Ontario Conservation Authority (CLOCA) jurisdiction and has representatives on both Board of Directors;

AND WHEREAS each respective Board of Directors determine the policies, priorities and budget of the TRCA and CLOCA;

AND WHEREAS the TRCA and CLOCA provide valuable non-mandatory programs and services including expert advice on the environmental impacts associated with land use planning and source water protection, environmental restoration services, educational and recreational opportunities, and community engagement programs, in an efficient manner delivered at a watershed scale;

THEREFORE BE IT RESOLVED that the Town of Ajax supports the continuation of both mandatory and non-mandatory programs and services provided by the TRCA and CLOCA, and that no programs or services of the TRCA or CLOCA, or the other Conservation Authorities in Ontario be "wound down" at this time;

AND THAT the Province engage in early consultations with the TRCA, CLOCA, and other Conservation Authorities, and member municipalities including the Region of Durham, to fully understand the funding structure and local benefits of programs delivered by the Conservation Authorities;

AND THAT a copy of this resolution be forwarded to the Honourable Doug Ford, Premier of Ontario; Jeff Yurek, Minister of Environment, Conservation and Parks; Rod Philips, MPP Ajax; the Association of Municipalities of Ontario; the Toronto and Region Conservation Authority; Central Lake Ontario Conservation Authority; Conservation Ontario; and all Ontario Municipalities.

If you require any additional information please do not hesitate to contact Sean McCullough, Senior Planner, at 905-619-2529 ext. 3234 or sean.mccullough@ajax.ca

Sincerely

A handwritten signature in cursive script that reads "S. Moore". The signature is written in black ink on a white background.

Sarah Moore
Acting Manager of Legislative Services/Deputy Clerk

Copy: Jeff Yurek, Minister of Environment, Conservation and Parks
Rod Philips, MPP Ajax
Association of Municipalities of Ontario
Toronto and Region Conservation Authority
Central Lake Ontario Conservation Authority
Conservation Ontario; and
S. McCullough, Senior Planner,
all Ontario Municipalities



June 12, 2020

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

Dear Minister Clark,

RE: Town of Bracebridge Resolution regarding the establishment of a Municipal Financial Assistance Program to offset the financial impact of the COVID-19 pandemic

At its meeting of June 4, 2020, the Council of the Corporation of the Town of Bracebridge ratified motion 20-TC-089, regarding the Town of Bracebridge support for the Federation of Canadian Municipalities (FCM) recommendations contained in their report titled "Protecting Vital Municipal Services", as follows:

"WHEREAS the Federation of Canadian Municipalities (FCM) issued a report titled "[Protecting Vital Municipal Services](#)" on April 23, 2020 which included recommendations to the federal government to provide financial assistance for municipalities across the country;

AND WHEREAS the Association of Municipalities of Ontario (AMO) recognizes that a collaborative federal-provincial effort is required to provide much needed financial assistance to municipalities and their May 14, 2020 letter (attached) to the Prime Minister and the Premier urges Canada and Ontario to extend their successful collaboration through financial support for municipalities;

NOW THEREFORE BE IT RESOLVED THAT the Town of Bracebridge supports the FCM recommendation and requests that both the Federal and Provincial Governments establish a municipal financial assistance program to offset the financial impact of the COVID-19 pandemic;

AND FURTHER THAT the Town of Bracebridge supports the Association of Municipalities of Ontario (AMO) in lobbying the Provincial Government for financial assistance to support Municipalities in offsetting the financial impact of the COVID-19 pandemic;

AND FURTHER THAT this resolution be forwarded to the Honorable Steve Clark, Minister, Municipal Affairs and Housing, local Member of Parliament (MP) and local Member of the Ontario Legislature (MPP), FCM, AMO and its member municipalities, and the Muskoka municipalities."

In accordance with Council's direction I am forwarding you a copy of the associated memorandum for your reference.

1000 Taylor Court
Bracebridge, ON
P1L 1R6 Canada

telephone: (705) 645-5264
corporate services and finance fax: (705) 645-1262
public works fax: (705) 645-7525
planning & development fax: (705) 645-4209

Please do not hesitate to contact me if I can provide any additional clarification in this regard.

Yours truly,

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

Lori McDonald
Director of Corporate Services/Clerk

Copy: Scott Aitchison, MP, Parry Sound-Muskoka
The Honourable Norm Miller, MPP, Parry Sound-Muskoka
The Federation of Canadian Municipalities
Association of Municipalities Ontario and member municipalities
Muskoka Municipalities

Accounts Payable

GENERAL BILLS & ACCOUNTS APPROVED JUNE 17, 2020

Vendor 000000 Through 999999

Invoice Entry Date 05/14/2020 to 06/10/2020 Paid Invoices Cheque Date 05/14/2020 to 06/10/2020

Account	Vendor Number Name	Invoice Number Item Description	Invoice Date	Entry Date	Chq Nb Item Amount
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Department Summary

01-1000	REVENUE FUND	56,333.34
01-1091	GENERAL GOVERNMENT	576.17
01-1092	ADMINISTRATION	23,210.33
01-1093	RECREATION COMPLEX	582.01
01-1101	FIRE	104,053.13
01-1102	CONSERVATION AUTHORITY	12,645.00
01-1103	PROTECTIVE INSPECTION	725.04
01-1300	CEMETERY	1,279.21
01-1321	LANDFILL SITE	2,869.52
01-1401	RECREATION AND CULTURE	17,003.95
01-1420	LIBRARY	12,306.19
01-1501	PLANNING AND ZONING	4,274.66
01-5000	MUNICIPAL DRAINS	5,491.80
02-8000	WALDEMAR WATER SYSTEM	16,061.19

Report Total 257,411.54

TOTAL GENERAL BILLS & ACCOUNTS APPROVED JUNE 17, 2020

\$257,411.54

Accounts Payable

ROAD BILLS & ACCOUNTS APPROVED JUNE 17, 2020

Vendor 000000 Through 999999

Invoice Entry Date 05/14/2020 to 06/10/2020 Paid Invoices Cheque Date 05/14/2020 to 06/10/2020

Account	Vendor Number Name	Invoice Number Item Description	Invoice Date	Entry Date	Chq Nb Item Amount
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Department Summary

01-1252	ROADWAYS - EXPENSES				305,252.89
				Report Total	305,252.89

TOTAL ROADS BILLS & ACCOUNTS APPROVED JUNE 17, 2020

\$305,252.89



MEMO TO COUNCIL 2020-06

TO: Mayor Currie and Members of Council
FROM: Nicole Martin, Acting CAO/Clerk
DATE: June 17, 2020
SUBJECT: Penalty and Interest for Tax and Water accounts

Recommendation

That Council accept the Deputy Clerk memo 2020-06 as an update and provide direction.

Background

At the May 6, 2020 Regular Meeting of Council, Council resolved to waive penalty and interest for tax arrears accounts to June 30, 2020. The next tax bill will be sent towards the end of July when the final tax rate has been set. However, staff needs to know if penalty and interest are going to be added to the tax arrears accounts before printing the tax bills.

At the same meeting Council resolved to waive adding penalty and interest to water accounts for April, May and June, 2020. A new water bill will be sent in September, but penalty and interest are added every monthly for quarterly billing. Does Council want July and August penalty and interest to be added?

Summary

Council direct staff accordingly.

Respectfully Submitted,

Nicole Martin

Nicole Martin, Acting CAO/Clerk



MEMO TO COUNCIL 2020-08

TO: Mayor Currie and Members of Council
FROM: Nicole Martin, Acting CAO/Clerk
DATE: June 17, 2020
SUBJECT: Orangeville Rotary club – Drive through Ribfest

Recommendation

That Council accept the Acting CAO/Clerk memo 2020-08 as information and direct staff accordingly.

Background

A request was received from the Orangeville Rotary Club to hold its annual Ribfest at the Headwaters Racquet Club located within the Township of Amaranth. Due to restrictions from the COVID-19 pandemic the Rotary Club would be holding a drive through style ribfest on the grounds. See email request below.

The Township does not have a special events permit application and no temporary road closures are required. Participants are not exiting their vehicles and there will be no alcohol for sale.

Summary

Council is asked to support the idea and encourage the Orangeville Rotary Club to proceed with their ongoing efforts to raise funds for local projects and charities.

Respectfully Submitted,

Nicole Martin

Nicole Martin, Acting CAO/Clerk

My name is Richard I am the president of the Orangeville Rotary Club. As you may know the Orangeville Rotary Club has held its annual Ribfest in Orangeville for the past 10 years.

We have had to cancel this year's event due to COVID-19. But we are thinking of trying to do a modified version of our Ribfest they would have a couple of the Ribfest trucks set up at headwaters racquet club located in Amaranth. The public would be allowed to drive in we would have a drive through set up for people to purchase ribs and take them home.

100% of the proceeds of Ribfest are used to support local projects and charities.

We are where we are aware of the risks posed by COVID-19 So what we are proposing All staff and volunteers would be required to wear face masks while on site.

All the visitors would have to remain in their vehicles they would purchase their food through a drive through set up and take it home.

We are wondering if this would be permitted by the town and if we would need any types of permits?

We will also contact the public health Department to find out if this is OK and what requirements they may have. Please feel to contact me my email or by.

Regards Richard Delongte

Richard Delongte
President 2019-2020
Rotary Club of Orangeville





MEMO TO COUNCIL 2020-09

TO: Mayor Currie and Members of Council
FROM: Nicole Martin, Acting CAO/Clerk
DATE: June 17, 2020
SUBJECT: Summer Camp/Soccer Program/Recreation Classes

Recommendation

That Council accept the Acting CAO/Clerk memo 2020-09 and direct staff accordingly.

Background

Council discussed the Camp Amaranth for 2020 season at the March 4, 2020 Regular Meeting. It was decided at that time to proceed with a Summer Camp and last years lead camp councillor was to be contacted regarding this upcoming season.

Council was presented with a delegation at the March 18, 2020 meeting from Kevin Ewen regarding the recreational soccer program and the upcoming 2020 soccer season. Staff was directed to place the information for soccer registration on the website. To date, no one has registered for soccer.

With the Ministry of Health COVID-19 guidance regarding Summer Day Camps (see attached information) it is going to be very costly for the Township to run either program this season.

Summary

Council is asked to direct staff to proceed with the Summer Camp Amaranth program and Amaranth Soccer or cancel both programs for the 2020 summer season.

Respectfully Submitted,

Nicole Martin

Nicole Martin, Acting CAO/Clerk

Ministry of Health

COVID-19 Guidance: Summer Day Camps

Version 1 – June 1, 2020

This guidance provides basic information only. It is not intended to take the place of medical advice, diagnosis, treatment, or legal advice.

In the event of any conflict between this guidance document and any orders or directives issued by the Minister of Health or the Chief Medical Officer of Health (CMOH), the order or directive prevails.

- Please check the [Ministry of Health \(MOH\) COVID-19 website](#) regularly for updates to this document, Reference Document for Symptoms, mental health resources, and other information.
- Please check the [Directives, Memorandums and Other Resources](#) page regularly for the most up to date directives.

In order to support phased reopening of Ontario businesses, services and public spaces during the post-peak period of the COVID-19 pandemic, certain summer day camps are permitted to operate during the months of July and August 2020.

Overnight camps are prohibited from operating during the summer of 2020.

Summer day camps are required to follow all existing worker health and safety requirements as outlined in the [Occupational Health and Safety Act](#) and its regulations, public health requirements as directed by the local medical officer of health, and other relevant requirements as outlined in policies and guidelines issued by the Ministry of Education and Ministry of Heritage, Sport, Tourism and Culture Industries. Plans must also be in place to respond should any staff, camp participant, or parents/guardians be exposed to or diagnosed with COVID-19.

Requirements for Health and Safety

1. Ensure all current infection prevention and control practices are adhered to. This includes, but is not limited to:
 - Ensuring all toys and equipment used at the summer day camps are made of material that can be cleaned and disinfected (i.e., avoid plush toys, playdough) or are single use and are disposed of at the end of the day (e.g., craft supplies);
 - Minimizing the sharing and frequency of touching of objects, toys, equipment and surfaces, and other personal items;
 - Increasing the frequency (minimum twice a day) of cleaning and disinfecting objects, toys, equipment and frequently touched items;
 - Cleaning and disinfecting, at least twice a day, frequently touched surfaces. These surfaces are most likely to become contaminated, including doorknobs, water fountain/cooler knobs, light switches, toilet and faucet handles, electronic devices, and tabletops. Refer to PHO's [Environmental Cleaning fact sheet](#);
 - Only using cleaning and disinfectant products that have a Drug Identification Number (DIN). Low-level hospital grade disinfectants may be used;
 - Checking expiry dates of cleaning and disinfectant products used and always following the manufacturer's instructions. Ensure that the product used are compatible with the item to be cleaned and disinfected;
 - Performing and promoting frequent, proper hand hygiene (including supervising or assisting camp participants with hand hygiene). Hand washing using soap and water is recommended over alcohol-based hand rub (ABHR) for children. Refer to PHO's [How to Wash Your Hands fact sheet](#); and,
 - Incorporating additional hand hygiene opportunities into the daily schedule. This may be needed in instances where toileting and assistance with activities of daily living are provided to camp participants.

2. Encourage physical distancing of at least 2 metres between camp participants, parents/guardians and staff by:
 - Spreading camp participants out into different areas;
 - Spreading furniture, camp equipment, and activity stations out into different areas;
 - Using visual cues (e.g., signs, posters, floor markings, etc.);
 - Staggering or alternating lunchtime and outdoor playtime to reduce number of individuals in lunch area;
 - Incorporating more individual activities or activities that encourage more

- space between camp participants; and,
- Using telephone or video conferencing when possible for meetings between staff and parents/guardians.
3. Operate programs in consistent cohorts of no more than 10 individuals including both staff and camp participants who stay together throughout the duration of the program for minimum 7 days, with the following considerations:
- While close contact may be unavoidable between members of a cohort, physical distancing and general infection prevention and control practices should still be encouraged, where possible;
 - Face coverings (non-medical masks) should be used if physical distancing of at least 2-metres cannot be maintained between cohorts:
 - Face coverings may not be tolerated by everyone based on underlying health, behaviour issues or beliefs. Consideration should be given to mitigating any possible physical and psychological injuries that may inadvertently be caused by wearing a face covering (e.g., interfering with the ability to see or speak clearly, or becoming accidentally lodged in equipment the wearer is operating).
 - Face coverings should be changed if visibly soiled, damp, or damaged.
 - Education must be provided about the safe use, limitations and proper care (e.g., cleaning) of face coverings. See Ontario's [COVID-19 website](#) and [PHO's website](#) for additional information.
 - Cohorts cannot mix with other cohorts or be within in the same room/space at the same time, including pick-ups and drop-offs, mealtimes, playtime, outdoor activities, program spaces, tents, staff areas/rooms, etc.;
 - Programs that utilize a room/space that is shared by cohorts or has other user groups (e.g., programs in museums, community centres, etc.) must ensure the room/space is cleaned and disinfected before and after using the space. A cleaning log must be posted and used to track cleaning;
 - Each cohort should have designated equipment (e.g., balls, loose equipment) or clean and disinfect equipment between cohort uses;
 - Personal belongings brought to camp should be minimized. If brought to camp, personal items (e.g., backpack, clothing, towel, water bottles,

food, etc.) should be labeled and kept in an area designated for the individual's cohort and should not be handled by individuals from other cohorts;

- Camp participants should bring their own sun protection, and this should not be shared;
 - In shared outdoor space, cohorts must maintain a distance of at least 2 metres between groups and any other individuals outside of the cohort;
 - Play structures can only be used by one cohort at a time and must be cleaned and disinfected before and after use by each cohort; and,
 - Plans should be made to prevent mixing of cohorts in washrooms/changerooms and to frequently clean and disinfect shared surfaces in washrooms/changerooms.
4. Avoid getting close to faces of camp participants, where possible.
 5. Avoid singing activities indoors and ensure physical distancing for singing activities outdoors.
 6. Do not use water or sensory tables.
 7. Do not plan field trips and activities requiring group transportation.
 8. Aquatic activities (e.g., pool, lake, beach, splash pad, wading pool etc.) must adhere to regulated requirements as well as to municipal guidance and restrictions at the time of activity.
 9. Do not plan activities with exposures to animals or pets.
 10. Do not plan activities that involve camp participants in preparing or serving of food.
 11. If meals or snacks are provided by the program or brought by the camp participant:
 - Ensure camp participants and staff perform proper hand hygiene before and after eating;
 - Ensure each camp participant has their own drink bottle that is labeled, kept with them during the day, and not shared;
 - Fill water bottles rather than drink directly from the mouthpiece of water fountains;
 - Ensure each camp participant has their own individual meal or snack with no common food items (e.g., salt/pepper shaker, condiments);
 - Remove self-serving food items and open access dishware;
 - Multi-use utensils must be cleaned after each use;

- Reinforce “no food sharing” policies; and,
 - Physical distancing should be maintained while eating.
12. If the program includes naps, increase the distance between nap mats of cohorts to at least 2 metres, if possible. If space is tight, place camp participants head-to-toe or toe-to-toe and use temporary barriers, where possible. Linens must be laundered between camp participants.
 13. Pick-up and drop-off of camp of camp participants should happen outside the program setting unless it is determined that there is a need for the parent/guardian to enter the setting.
 14. Pick-up and drop-off procedures should support physical distancing and cohorting using strategies such as, but not limited to: avoiding group transportation, separate cohort entrances, having one designated parent/guardian pick-up and drop-off each camp participant, staggering entry, or limiting the numbers of people in entry areas.

Screening

15. All individuals, including camp participants, parents/guardians, staff, and visitors must be screened including daily temperature checks either at home prior to arrival or upon arrival at program setting prior to entry. Deny entry to any individual who has any of the symptoms outlined in the [COVID-19 Reference Document for Symptoms](#) on the Ministry of Health's COVID-19 [website](#) or who has come in close contact with a person with symptoms of or confirmed COVID-19 in the past 14 days. Camp participants, in particular, should be monitored for atypical symptoms and signs of COVID-19.
16. Where possible, daily screening should be done electronically (e.g., via online form, survey, or e-mail) prior to arrival at camp. If screening is done at the camp setting, screeners should take appropriate precautions when screening, including maintaining a distance of at least 2 metres (6 feet) from those being screened, being separated by a physical barrier (such as a plexiglass barrier), or wearing personal protective equipment (PPE) (i.e., surgical/procedure mask and eye protection (goggles or face shield)). Refer to [Public Health Ontario resources](#) for how to properly wear and take-off masks and eye protection.
17. Alcohol-based hand sanitizer containing at least 60% alcohol content should be placed at all screening stations and entrances to the program. Dispensers should not be in locations that can be accessed by young children.
18. Summer day camps requiring licensing under the [Child Care and Early Years Act, 2014](#), have a duty to report suspected or confirmed cases COVID-19 under the [Health Protection and Promotion Act](#). The program should contact their local public health unit

to report a camp participant suspected to have COVID-19. The local [public health unit](#) will provide specific advice on what control measures should be implemented to prevent the potential spread and how to monitor for other possible infected staff members and camp participants.

19. Thermometers must not be used between camp participants/staff without single-use protective covers or disinfecting between use.
20. Do not permit camp participants who are ill to attend the program. Signs should be posted at screening stations and entrances to the program to remind staff, parents/guardians, and other visitors.
21. Programs must have protocols in place to notify parents/guardians if their camp participant begins to show symptoms of COVID-19 while in camp, including the need for immediate pick-up and an area to isolate the camp participant until pick-up.
22. Programs must keep daily records of anyone (e.g., camp participants, parent/guardian, staff and visitors) entering the program setting who stays for 15 minutes or longer. Records (e.g., name, contact information, time of arrival/departure, screening completion etc.) must be kept up-to-date and available to facilitate contact tracing in the event of a confirmed COVID-19 case or outbreak.

Management of Camp Participants with Suspected COVID-19

23. If a camp participant begins to experience symptoms of COVID-19 while attending day camp, it is recommended that:
 - Symptomatic camp participants be immediately separated from others in a supervised area until they can go home. In addition, where possible, anyone who is providing care to the camp participant should maintain a distance of at least 2 metres.
 - If a 2-metre distance cannot be maintained from the ill camp participant, advice from the local public health unit will be necessary to prevent/limit virus transmission to those providing care.
 - Contact the local public health unit to notify them of a potential case and seek advice regarding the information that should be shared with other parents/guardians of camp participants in the program.
 - While contacting the public health unit, at a minimum the camp participant and staff member should wear a surgical/procedure mask (if tolerated), and the staff member should also wear eye protection (goggles or face shield).

- Camp participants should be reminded of hand hygiene and respiratory etiquette while waiting to be picked-up.
- Tissues should be provided to the camp participant to support proper respiratory etiquette, along with proper disposal of the tissues.
- Environmental cleaning/disinfection of the space and items used by the camp should be conducted once the camp participant has been picked up. Items that cannot be cleaned and disinfected (e.g., paper, books, cardboard puzzles) should be removed from the program and stored in a sealed container for a minimum of 7 days.
- Camp participants with symptoms should be tested (see "Testing for COVID-19" section below for details).
- Other camp participants and staff who were present while a camp participant or staff member became ill should be identified as a close contact and further cohorted (i.e., grouped together) until they can be picked up by parents/guardians to self-isolate at home. The local public health unit will provide any further direction on testing and isolation of these close contacts.
- Camp participants or staff who have been exposed to a confirmed case of COVID-19 should be excluded from the program setting for 14 days.

Testing for COVID-19

24. Symptomatic staff and camp participants should be referred for testing. Testing of asymptomatic persons should only be performed as directed by the local public health unit as part of case/contact and outbreak management. A list of symptoms, including atypical signs and symptoms, can be also be found in the [COVID-19 Reference Document for Symptoms](#) on the Ministry of Health's COVID-19 [website](#).

- Those who test negative for COVID-19 must be excluded from the program until 24 hours after symptom resolution. If a symptomatic person receives a negative result, a repeat test within 24-48 hours can be considered if clinical suspicion is high.
- Those who test positive for COVID-19 must be excluded from the program for 14 days after the onset of symptoms and clearance has been received from the local public health unit.

25. Day camps must consider a single, symptomatic, laboratory confirmed case of COVID-19 in a staff member or camp participant as a confirmed COVID-19 outbreak in consultation with the local public health unit. Outbreaks should be declared in collaboration between the program and the local public health unit to ensure an outbreak number is provided.

26. Camp participants or staff who have been in contact with a suspected COVID-19 case should be monitored for symptoms and further cohorted (i.e., grouped together) until laboratory tests, if any, have been completed or until directed by the local public health unit.
27. Staff members and camp participants awaiting test results should be excluded from camp.

Occupational Health & Safety

28. Employers must have written measures and procedures for staff safety, including for infection prevention and control. Detailed guidelines for COVID-19 are available on the Ministry of Health's [COVID-19 website](#).
29. If a staff member is diagnosed with COVID-19, the staff member must remain off work for 14 days following symptom onset and has received clearance from the local public health unit.
30. If a staff member is a close contact of an individual diagnosed with COVID-19, the staff member must remain off work for 14 days from last exposure.
31. The staff member should consult with the local public health unit to determine when they can return to work. Staff members should also report to their Employee Health/Occupational Health and Safety department prior to return to work.
32. If the staff member's illness is determined to be work-related, in accordance with the [Occupational Health and Safety Act](#) (OHSa) and its regulations, the employer must provide a written notice within four days of being advised that a staff member has an occupational illness, including an occupationally-acquired infection, or if a claim has been made to the Workplace Safety and Insurance Board (WSIB) by or on behalf of the staff member with respect to an occupational illness, including an occupational infection, to the:
 - Ministry of Labour, Training and Skills Development;
 - Joint health and safety committee (or health and safety representative); and
 - Trade union, if any.
33. Any instances of occupationally acquired infection shall be reported to WSIB within 72 hours of receiving notification of said illness.



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DELIVERED BY EMAIL: deputy.clerk@amaranth.ca

June 10, 2020

The Corporation of the Township of Amaranth
374028 6th Line
Amaranth, Ontario L9W 0M6

Dear Madam:

Re: Bruce and Silvia Correia
513464 2nd Line, Amaranth (the "Property")
Our File No.: C-2643-20

I have been retained by Bruce Correia and Silvia Correia in connection with the Resolution of Council, which was passed at the Regular Meeting of Council on January 15, 2020.

In accordance with the said Resolution of Council, Mr. Correia has been directed to provide the Township of Amaranth with a deposit of \$5,000.00, which is to be applied to the cost of conducting soil testing on the fill that is currently located on the Property. Based upon my review of the Site Alteration By-Law and the information provided to me by my clients, I would argue that no such testing is required in these circumstances and respectfully request that Council reconsider its position on this matter.

Overview of Events

It is my understanding that in and around 2015, the Township of Amaranth issued Mr. Correia a Building Permit to construct a new home on the Property. To date, this Building Permit remains open.

On September 6, 2019, Eugene Lammerding, a By-Law Enforcement Officer with the Township of Amaranth, attended the Property and observed what he believed to be an excessive amount of fill installed on the Property. On November 22, 2019, based on his observations during the above-noted visit to the Property, Mr. Lammerding issued a Stop Work Order and Remedial Order, which instructed the owners of the Property to either (a) apply for a permit for importation of fill or soil onto the property or (b) restore the property to its original condition.

On December 10, 2019, in response to the above-noted Stop Work Order and Remedial Order, Mr. and Mrs. Correia submitted a written request to the Township of Amaranth for a permit for importation of fill or soil. It is my understanding that, as part of their consideration of the said permit application, Council has required the existing soil to be tested at Mr. and Mrs. Correia's expense and that it is for this reason that the above-noted Resolution of Council of January 15, 2020 was passed.

Site Alteration By-Law

Sections 2 through 4 of the existing Site Alteration By-Law include the following prohibitions:

2. No person shall dump, place or remove fill or cause or permit fill to be dumped, placed or removed on any property in the Township.
3. No person shall alter the grade of any land or cause or permit the grade of any land to be altered on any property in the Township.
4. No person shall dump, place or remove soil or cause or permit soil to be dumped, placed or removed on any property in the Township.

Section 5 of the said By-Law then lists several exemptions to the above-noted prohibitions. Of note in these circumstances are clauses c, and i, which state that the prohibitions set out in Sections 2, 3, and 4 do not apply to:

- (c) the placing of a reasonable amount of fill in an approved building envelope, in conjunction with a building permit issued under the Building Code Act;
- (i) The placing or dumping of fill, removal of topsoil or alteration of the grade of land for the purpose of landscaping any residential property in the Township which is not subject to the exemption in clause b. above;

Requirement for a Permit

Based upon the explanation provided in the Stop Work Order and Remedial Order, it is my understanding that Mr. Lammerding has acknowledged that the installation of fill and soil on the Property would be permitted in accordance with Subsection 5(c) provided that the amount of fill and soil installed on the Property was "reasonable".

Based upon the information that has been relayed to me by my clients, in order to ensure the integrity of their foundation and to minimize the potential for water to infiltrate into their basement, they constructed their house at a relatively high elevation. This is noted by Mr. Lammerding who has indicated in the Stop Work Order and Remedial Order that he attended the Property on September 2, 2015. At that time he observed the house being built at a relatively high elevation and noted that it would require a "lot more fill considering the nature of the house to reasonably blend it in with the surrounding grades."

Mr. Lammerding has also noted, however, that in comparing his observations in 2015 with his observations in 2019, he believes the installation of fill and grading “far exceed in all directions what might reasonably be considered the building envelope.”

Unfortunately, the Site Alteration By-Law does not provide any clear guidelines as to what would be a “reasonable amount” of fill in an approved building envelope. Although the amount of fill that was observed by Mr. Lammerding in 2019 was more than he might have expected, that does not necessarily mean that the amount was unreasonable. As was indicated in Mr. and Mrs. Correia’s written correspondence of December 10, 2019, despite their best efforts to decrease the likelihood of water filtration into their basement, once their house had been constructed, they were in fact having issues with water flooding into their basement during the spring months when the snow and ice began to thaw. In the circumstances, Mr. and Mrs. Correia thought it was only reasonable to bring in the additional fill that was required in order to successfully divert water away from their house.

In light of the fact that the fill was to be installed within what Mr. and Mrs. Correia believed to be the approved building envelope and the fact that the building permit remained open, Mr. and Mrs. Correia had no reason to believe that they would be required to seek a permit for this additional fill. Based upon my read of the Site Alteration By-Law, I have come to the same conclusion. Although the amount of fill that was ultimately installed on the Property may have appeared excessive based on Mr. Lammerding’s initial observations in 2015, in light of the intervening flooding that occurred prior to his reattendance at the Property in 2019, the installation of additional fill to remedy this issue was not at all unreasonable.

Further, while the ultimate location of the fill that was required to be installed may have extended beyond what, in the opinion of Mr. Lammerding “might reasonably be considered the building envelope” the installation of this fill was required in order to blend it in with the original natural grades of the area (as anticipated during Mr. Lammerding’s September 2015 attendance at the Property) and to complete the landscaping of the Property (as permitted by Subsection 5(i) of the Site Alteration By-Law).

Chemical Analysis of the Fill

Notwithstanding the fact that the installation of fill falls within the Subsection 5(c) and 5(i) exemptions and that there is no requirement for a chemical analysis of fill to be provided when any such exemption applies, Mr. and Mrs. Correia have sought out additional information to satisfy any concerns with respect to the quality of fill installed on the Property.

Attached for your reference is a letter provided by Jesse Sandbrook, confirming that he was the subcontractor retained by Loc-Pave Construction Ltd. to dispose of the fill located at Edward Jeffreys Avenue, West of Markham Road, in the City of Markham and that this is the site from which he sourced the fill that was later installed on the Property. In his letter, Mr. Sandbrook notes that he has provided soil reports from Soil Engineers Ltd. to confirm that the said fill was clean. A copy of the Certificate of Analysis to which Mr. Sandbrook is referring is also attached for your review. You will note that the cover letter attached to the said Certificate of Analysis is addressed to Loc-Pave Construction Ltd. and

makes reference to the soil samples taken from the same location described in Mr. Sandbrook's letter. Based upon the analysis conducted by Soil Engineers Ltd., there was no evidence of potential contamination documented in the soil samples retrieved from this site.

With this information now having been provided, I can only assume that any concerns Council may have had in connection with the quality of the soil have been addressed and that conducting any further (and costly) analysis of the fill located on the Property would be unwarranted in the circumstances.

Next Steps

In light of the foregoing, I respectfully request that Council take such steps as are necessary to revoke the existing Stop Work Order and to rescind their previous direction for Mr. Correia to deposit funds in the amount of \$5,000.00 with the Township.

At this stage, my clients have advised that they do not require any additional fill to be installed on the Property in order to complete their ongoing project. They will, however, require some topsoil to be delivered to the Property so that they can complete their landscaping and some gravel/asphalt to be delivered to the Property so that they can complete their driveway. I trust that Council will be in agreement that these final deliveries to the Property will fall under the 5(i) exemption and that there is no further involvement of Council necessary at this time.

Once you have had an opportunity to review the foregoing, I look forward to hearing from you.

Yours very truly,

STUTZ BROWN & SELF
PROFESSIONAL CORPORATION

Carey A. Allen

Encl.

c.c. Mr. Ben Ryzebol

THE CORPORATION OF THE TOWNSHIP OF AMARANTH

BY-LAW NUMBER ____-2020

**BEING A BY-LAW TO REGULATE THE MAINTENANCE OF LAND IN THE
TOWNSHIP OF AMARANTH**

WHEREAS Section 11 (2)(6) of The *Municipal Act; 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may pass by-laws respecting the health, safety and well-being of persons; and

WHEREAS by Section 127 of The *Municipal Act; 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may require the owner or occupant to clean and clear the property, not including buildings, or to clear refuse or debris from the property, not including buildings; and

WHEREAS by Section 131 of The *Municipal Act; 2001*, S.O. 2001, c. 25, as amended, provides that a local municipality may prohibit and regulate the use of any property for the storage of used motor vehicles for the purpose of wrecking or dismantling them or salvaging parts from them for sale or other disposition;

NOW THEREFORE BE IT ENACTED as a By-law of the Corporation of the Township of Amaranth as follows:

1 DEFINITIONS

1.1 In this by-law:

“**Debris**” shall mean any material whatsoever capable of holding water, and without limiting the generality of the foregoing, includes, but is not limited to:

- a) Material of any kind which has been discarded by its rightful owner;
- b) Composting heaps, which are not appropriately contained in a composting container for efficient composting purposes, including tree or brush cuttings;
- c) Litter;
- d) Waste, which includes pet excrement;
- e) Items which cannot be used for their rightful or originally intended purpose due to their placement or situation;
- f) Unlicensed items;
- g) Inoperative vehicles;
- h) Construction debris;
- i) Shipping container;
- j) Recovered or recycled materials including firewood, which are haphazardly strewn about and not stored or piled neatly;

k) Dead and/or decaying trees, that due to their location or situation on private property may be a health or safety hazard to public property or the users of public property;

“Derelict Motor Vehicle” shall mean a vehicle having missing bodywork components or parts, including tires or damaged components, parts, bodywork, glass or deteriorated or removed aides, which prevents its mechanical function, and includes a motor vehicle that is not licensed for the current year;

“Good Repair” means not unsightly by reason of deterioration, neglect, damage or defacement and free from injury accident hazard or health hazard;

“Inoperative Motor Vehicle” means same as derelict motor vehicle and includes any vehicle that does not display a vehicle permit number plate with evidence of the current validation of the permit affixed to it, issued under the Highway Traffic Act, or as issued by another provincial, state or national government;

“Land” shall mean to include any part of a yard or lot within the Township of Amaranth and is the land in common ownership with , and around to a residential or non-residential building, which is used or capable of being used in connection with the property. The definition includes any land which is not in common ownership with the lot on which the building is situating, but is actually used in connection with the property;

“Nuisance” means that which causes offence, annoyance, trouble or injury;

“Occupant” means any person or persons over the age of eighteen year occupying a lot at any given time;

“Officer” means a bylaw enforcement officer, inspector or other person appointed or employed by the Township of Amaranth to enforce bylaws, statutes and /or regulations;

“Owner” includes:

- a) The registered owner of the lot or land as revealed in the Land Registry Office;
- b) The person managing or receiving the rent from a building on the lot or land whether on the person’s own account or as agent or trustee of any other person, or who would receive the rent if the building on the lot were rented; and
- c) A lessee or occupant of a land on the lot who under the terms of a lease is required to repair and maintain the lot in accordance with the standards set out in this by-law;

“Pests” means rodents, vermin or insects;

“Refuse” means any article or thing, organic or inorganic that;

- a) Has been cast aside, discarded or abandoned, whether of any value or not;
 - b) Has been used up, in whole or in part, whether of any value or not;
- or,

- c) Has been expended or worn out, in whole or in part, whether of any value or not.

“**Waste**” means garbage, special collection materials, recyclable materials, organic materials, yard waste;

“**Weeds**” means all noxious and local weeds designated as such under the *Weed Control Act* R.S.O. 1990, C.W. 5.

2 CLEAN AND CLEAR RESIDENTIAL YARDS

- 2.1 Every owner, lessee or occupant shall keep their grounds yard or vacant land clean and free of litter, rubbish, waste, salvage, refuse, decaying or damaged trees, branches and limbs, objects or conditions that might create a health, fire, or accident hazard or unsightly condition.
- 2.2 Without restricting the generality of Section 2.1, such maintenance includes that every owner, lessee or occupant shall provide for:
 - a) The removal of rubbish, refuse, garbage, waste and litter;
 - b) The removal of injurious insects, termites, rodents, vermin and other pests, and any condition which may promote an infestation;
 - c) The removal of trees, bushes and hedges, including any branches or limbs thereof, which are dead, decayed or damaged, and brush;
 - d) The removal of noxious weeds pursuant to the *Weed Control Act* and any excessive growth of other weeds, grass and bushes;
 - e) The removal of wrecked, dismantled, inoperative, discarded or unlicensed vehicles, trailers, machinery or parts thereof, except in an establishment licenses or authorized to conduct a salvage, wrecking or repair business; and
 - f) The removal of collapsed buildings, structures or erections.

3 CLEAN AND CLEAR NON-RESIDENTIAL YARDS

- 3.1 Every owner, and every occupant in that part of non-residential property that is occupied or controlled by the occupant, shall maintain to the standards as described in Part 2 of this By-law and shall keep the yard:
 - a) in a sanitary and safe condition, free from litter, refuse and waste including such litter and refuse as may be left by customers or other members of the general public and shall provide containers for the disposal of such litter or refuse;
 - b) free from objects conditions which are health, fire or safety hazards; and
 - c) free from rodents, insects or vermin.

4 EXCEPTIONS

- a) Nothing in this by-law applies to prevent a lawfully licensed premises operating within the scope of a license that specifically permits that which is prohibited by this by-law;
 - i. Construction proceeding under a valid building permit.

5 INSPECTIONS

- a) The Township may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not the following are being complied with:
 - i. This by-law; or,
 - ii. An order made under s. 431 of the *Municipal Act 2001, S.O. 2001, c. 25*, as amended.

- b) For the purpose of conducting an inspection pursuant to s. 7 (a) of this by-law, the Township may exercise its rights provisions of Section 436 of the *Municipal Act 2001, S.O. 2001, c. 25*, as amended:
 - 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 examination or take tests, samples, or photographs necessary for the purpose of the inspection.
 - v. No person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this by-law.

6 NOTICE OF REMEDY

- 6.1 An Officer may give an owner notice in accordance with Section 435 of the *Municipal Act 2001, c. 25*, as amended, requiring the Owner within the time specified in the notice to clean, clear or remedy any contravention indicated in section 2.

- 6.2 Every notice sent by the Offices shall:
 - a) Give the address of the yard or vacant lot (or the legal description of the property) where the offence has occurred.
 - b) Define with reasonable particularity and detail the material on the yard or vacant lot that is the subject of the offence;
 - c) Prescribe a time period which is not less than fourteen (14) days and is not more than thirty (30) days, within which the owner is required to remedy the offence;
 - d) Notice regarding the fees and charges.

- 6.3 Every notice to an Owner shall be sent to the address shown on the last revised assessment roll or to the last known address of such Owner.
- 6.4 In the event the Officer is unable to serve such notice under the provisions of this Section, the notice may be posted in a conspicuous place on the property, and the placing of the notice shall be deemed to be sufficient service of the notice on the property Owner.
- 6.5 Method of Delivery of Notice: the notice, and any subsequent written notice amending or withdrawing the notice, may be delivered by any one or more of the following methods:
- a) Personal delivery to the person to whom it is addressed;
 - b) Personal or couriered delivery to either an adult person, or to the mailbox, of the residential address of the addressee;
 - c) Delivered by registered or certified mail;
 - d) Delivered by facsimile transmission; or
 - e) Posted in a conspicuous location at the site which is the subject matter of the notice.
- 6.6 Deemed delivery:
- a) Where a notice is personally delivered, it is considered to have been delivered at the date and time at which it was handed to the addressee;
 - b) Where a notice is personally delivered to the residential address of the addressee, it is considered to have been delivered on the next business day following the date of delivery;
 - c) Where a notice is delivered by registered or certified mail, it is deemed to have been delivered on the fifth day after the day of mailing;
 - d) Where a notice is posted on occupied property in accordance with section 5.5e, it is considered to have been delivered the next business day following the date it is posted;
 - e) Where a notice is posted on unoccupied property in accordance with section 8.5e, it is considered to have been delivered five (5) days after the date it is posted.

7 REMEDIATION AND FULFILLMENT OF OWNER'S OBLIGATIONS

- 7.1 Where the owner is in default of doing any matter or thing directed or required to be done under this by-law, the Township may:

- a) Issue an Order to discontinue the contravening activity pursuant to Section 444 of the *Municipal Act 2001, S.O. 2001, c. 25*, as amended.
- b) Issue a Work Order pursuant to section 445 of the *Municipal Act 2001, S.O. 2001, c. 25*, as amended.
- c) Where an owner fails to comply with a notice within the specified time frame, a Municipal Law Enforcement Officer, may in addition to any enforcement of this By-law, cause the Township or a representative thereof, to complete the required work by the notice, without further notice to the owner.
- d) Where any matters or things are removed in accordance with subsection 6.1 c), such matters or things may be immediately disposed of by the Officer.
- e) Where Section 6.1 c) or d) of this by-law is invoked, all costs associated with the work shall be added to the tax roll of the property which is the subject of the notice and shall be collected in like manner as municipal taxes.

8 ENFORCEMENT AND PENALTIES

Any person who contravenes any provision of this By-law is guilty of an offence, and upon conviction is liable to a fine in accordance with the provisions of the Provincial Offences Act, R.S.O. 1990 c.P.33 as amended, and where any provision of this by-law is contravened and a conviction entered, in addition to any other remedy and to any other penalty, a person so convicted may also be prohibited from continuing or repeating the offence in accordance with the provisions of s. 444 of the *Municipal Act 2001, S.O. 2001*, as amended.

9 MUNICIPALITY NOT LIABLE

The Municipality assumes no liability for property damage or personal injury resulting from remedial action, remedial work and enforcement undertaken with respect to any person or property that is subject of this by-law.

10 VALIDITY AND SEVERABILITY

Should any section, subsection, clause, paragraph or provision of this by-law be declared by a Court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity of the enforceability of any other provision of this by-law, or of the by-law as a whole.

11 SEPARATE OFFENCE

For the purpose of this by-law, each day of a continued offence shall be deemed to be a separate offence.

12 SHORT TITLE

The short title of this by-law is the "Tidy Yards" By-law.

13 ENACTMENT

This by-law shall come into force and take effect immediately upon the final passing thereof.

BY-LAW READ A FIRST AND SECOND TIME THIS 3rd DAY OF **JUNE 2020**.

BY-LAW READ A THIRD TIME AND PASSED THIS 3rd DAY OF **JUNE 2020**.

Head of Council

Clerk

ITEM	COLUMN 1	COLUMN 2	COLUMN 3
	SHORT FORM WORDING	PROVISION CREATING OR DEFINING THE OFFENCE	SET FINE
1	Fail to keep grounds clean and free of litter, rubbish, waste, salvage, refuse, decaying or damaged trees, branches and limbs; objects or conditions that might create a health, fire, or accident hazard or unsightly condition	2.1	\$250.00
2	Fail to remove rubbish, garbage, waste, litter and waste	2.2(a)	\$250.00
3	Fail to remove injurious insects, termites, rodents, vermin and other pests; and fail to remove any condition which may promote an infestation	2.2(b)	\$250.00
4	Fail to remove dead or damaged trees, bushes and hedges, branches or limbs	2.2(c)	\$250.00
5	Fail to remove noxious weeds or excessive growth of other weeds, grass and bushes	2.2(d)	\$250.00
6	Fail to remove wrecked, dismantled, inoperative, discarded or unlicensed vehicles, trailers, machinery or parts thereof	2.2(e)	\$250.00
7	Fail to remove collapsed buildings, structures or erections	2.2(f)	\$250.00
8	Fail to keep yard in sanitary and safe condition, free from litter, refuse and waste	3.1(a)	\$250.00
9	Fail to keep yard free from objects or conditions which are health, fire or safety hazards	3.1(b)	\$250.00
10	Fail to keep yard free from rodents, insects or vermin	3.1(c)	\$250.00

THE CORPORATION OF THE TOWNSHIP OF AMARANTH

BY-LAW NUMBER ____-2020

BEING A BY-LAW TO APPOINT AN ACTING CHIEF ADMINISTRATIVE OFFICER / CLERK FOR THE TOWNSHIP OF AMARANTH

WHEREAS the Municipal Act, 2001, S.O. 2001, c.25, Section 229 (1) defines that the municipality may appoint a Chief Administrative Officer/Clerk;

AND WHEREAS the Municipal Act, 2001 S.O.2001, c.25 Section 227 states the role of the municipal administration and its role as officers of the municipality;

AND WHEREAS Council has deemed it expedient to have an Acting CAO/Clerk to assume the role of the CAO/Clerk for a transitional period;

NOW THEREFORE the Corporation of the Township of Amaranth, hereby officially appoints Nicole Martin as the Acting CAO/Clerk and provide the appointed duties of CAO/Clerk for the Township of Amaranth.

This By-law shall be deemed to have come into force and effect as of May 6, 2020

This By-law hereby repeals By-law 17-2020 and By-law 30-2020.

BY-LAW READ A FIRST AND SECOND TIME THIS 17th DAY OF **JUNE 2020**

BY-LAW READ A THIRD TIME AND PASSED THIS 17th DAY OF **JUNE 2020**

Head of Council

Clerk