



Council Agenda

Tuesday, April 24, 2018

7:00 p.m.

Council Chambers

	Pages
1. Call to Order	
2. Disclosure of Pecuniary Interests Under the Municipal Conflict of Interest Act	
3. Motion to Convene into Open Session	
4. Minutes of Previous Meeting	
a. Regular Council Minutes of April 10, 2018	1
5. Additional Items Disclosed as Other Business	
6. Resolution Moving Council into Committee of the Whole to Consider Public Meetings, Delegations, Public Question Period, Correspondence, Reports, Motions for Which Notice Has Been Previously Given and Other Business	
7. Public Meeting	
8. Delegations	
a. Recognition Night of Champions	
b. County Councillor David Anderson, County Update	13
9. Public Question Period	
10. Correspondence Received for Information or Requiring Direction of Council	
a. Waterloo-Wellington LHIN, March 2018 Newsletter	41

b.	Township of Killaloe Hagarty & Richards, Resolution re Landfill Sites	50
c.	MPP Randy Pettapiece, Louise Marshall Hospital Expansion Goes Forward	52
d.	Wellington-Dufferin-Guelph Public Health, Board of Health Highlights April 2018	53
e.	Saugeen Valley Conservation Authority, 2017 Annual Report	54
f.	Halton Region, Seeking Support on the Court Application Involving the CN Truck-Rail Development in the Town of Milton	86
g.	Federation of Canadian Municipalities, Municipal Guide to Cannabis Legalization	90
h.	AMO, Companion Document to FCM Guide to Cannabis Legalization for Municipalities	142
i.	Youth For Christ / Youth Unlimited, March 2018 Updates	145
j.	Township of Wellington North, Public Meeting re Zoning Amendments Wellhead Protection Areas	146
k.	Township of Wellington North, Public Meeting re Zoning Housekeeping Amendments	147
l.	MPP Randy Pettapiece, Pettapiece Pushes Government to Fast-Track Rea and Walter Act	148
m.	AMO, Policy Update- Three Presumptive Cancers for Firefighters Announced	149

11. Reports of Committees and Town Staff, Matters Tabled and Motions for Which Notice Has Been Previously Given

a.	Committee Minutes for Receipt	
1.	Jamesway Manor Board Meeting Minutes of March 15, 2018	151
b.	Committee Minutes for Approval	
c.	Staff Reports	
1.	Recreation Services Manager After School Program Update	153
2.	Building & Planning Assistant - Site Plan Approval Shrimp Canada Minto Road Palmerston	156

3.	Chief Building Official, Appointment of Building Inspector	159
4.	Chief Building Official, February and March Building Permit Review	161
5.	Treasurer and Tax Collector, Section 357 Applications	168
6.	Treasurer, Approval of Accounts	170
7.	C.A.O. Clerk Municipal Act, Lane Duck Provisions	172
8.	C.A.O. Clerk Second Draft North Clifford Secondary Plan	174
d.	Additional Business Disclosed as Additional Items	
12.	Motion to Return To Regular Council	
13.	Notices of Motion	
14.	Resolution Adopting Proceedings of Committee of the Whole	
15.	By-laws	
a.	2018-25, Appointment of Building Inspector	205
b.	2018-26, Confirming Proceedings of April 24, 2018 Committee of the Whole/Council Meeting	206
16.	Adjournment	



Council Minutes
Tuesday, April 10, 2018 2:30 p.m.
Council Chambers

Council Present:

Mayor George A. Bridge
Deputy Mayor Ron Faulkner
Councillor Mary-Lou Colwell
Councillor Dave Turton
Councillor Judy Dirksen
Councillor Jean Anderson
Councillor Ron Elliott left at 5:00 p.m.

Staff Present for all or part of the meeting:

Bill White, C.A.O. Clerk	Annilene McRobb, Deputy Clerk, Recording Secretary
Gordon Duff, Treasurer	Allan Carr, Facilities Manager
Chris Harrow, Fire Chief	Belinda Wick-Graham, Business & Economic Manager
Michelle Brown, Building Assistant	Terry Kuipers, Chief Building Official
Mike McIsaac, Road Foreman	Mark Robertson, Wastewater Foreman
Matt Lubbers, Recreation Services Manager	
Greg Mallett, Recreation and Facilities Assistant	

1. Call to Order 2:30 p.m.
2. Disclosure of Pecuniary Interests Under the Municipal Conflict of Interest Act - None
3. Motion to Convene into Closed Session

RESOLUTION 2018-55

Moved By: Councillor Elliott; Seconded By: Councillor Dirksen

THAT The Council of the Town of Minto conduct a meeting Closed to the Public to discuss the following:

- Previous Minutes of the March 20, 2018 Closed Session
- Personal Matters about an Identifiable Individual- Minto Fire Organizational Structure
- Personal Matters about an Identifiable Individual- Department Heads

Carried

4. Motion to Convene into Open Session

RESOLUTION 2018-56

Moved By: Councillor Colwell; Seconded By: Councillor Turton

THAT The Council of the Town of Minto resume into open Council.

Carried

5. Minutes of Previous Meeting

- a. Budget Minutes of December 12, 2017

RESOLUTION 2018-57

Moved By: Deputy Mayor Faulkner; Seconded By: Councillor Anderson

THAT the minutes of the December 12, 2017 Budget Meeting be approved.

Carried

- b. Budget Minutes of January 11, 2018

RESOLUTION 2018-58

Moved By: Councillor Dirksen; Seconded By: Councillor Colwell

THAT the minutes of the January 11, 2018 Budget Meeting be approved.

Carried

- c. Regular Council Minutes of March 20, 2018

RESOLUTION 2018-59

Moved By: Councillor Turton; Seconded By: Deputy Mayor Faulkner

THAT the minutes of the March 20, 2018 Council Meeting be approved.

Carried

6. Additional Items Disclosed as Other Business

Councillors Turton and Dirksen and Mayor Bridge declared additional items.

7. Resolution Moving Council into Committee of the Whole to Consider Public Meetings, Delegations, Public Question Period, Correspondence, Reports, Motions for Which Notice Has Been Previously Given and Other Business

RESOLUTION 2018-60

Moved By: Councillor Anderson; Seconded By: Councillor Elliott

THAT The Town of Minto Council convenes into Committee of the Whole.

Carried

8. Public Meeting - 5 p.m.

- a. ZBA 2018-02- Frank Andrade 5892 Highway 9, Harriston, Town of Minto

Part Lot 79, Concession C,

Mayor Bridge called the meeting to order at 5:06 p.m., requested any member of the public present to sign the attendance record, and stated that if a person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Minto before the By-law is passed, the person or public body is not entitled to appeal the decision of the Town of Minto to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of the appeal before the Board unless, in the opinion of the Board, there are reasonable grounds to do so.

C.A.O. Clerk White described the location of the lands with legal description Part Lot 79, Concession C noting the proposed amendment rezones the severed agricultural portion of the property to prohibit future residential development, and the retained rural residential portion of the property to permit an increased ground floor area of 475 m² (5120 ft²) for an existing accessory building. Reports were received from Town staff and Curtis Marshall, Senior Planner, County of Wellington with no concerns.

No members of the Public or the applicants were in attendance, and members of Council had no questions.

Chair Bridge to state if you wish to be notified of the decision of the Council of the Town of Minto in respect to the proposed Zoning By-law Amendment application, you must make a written request to the Clerk of the Town of Minto at 5941 Highway 89, Harriston, NOG 1Z0 or by email at Bwhite@town.minto.on.ca. The meeting was adjourned at 5:10 p.m.

9. Delegations

- a. Luisa Artuso Director of Children's Early Years Division, Changes to Early Years Systems

Luisa Artuso advised as of January 1 the Province required the County plan and manage new EarlyON child and family services programs. EarlyON will offer free drop-in programs for caregivers and children from birth to 6 years old with some support for youth and families. Statistics for Minto show there is child care space for 3% of the population, but when 49 spaces are available at the new centre in Palmerston 11.5% of the need will be served. The minimum goal is 20% of the population served. There are currently no EarlyON services in Minto. As the program develops building space will be needed. The County requires a staff contact and Council representative for the advisory group developing programs.

Council discussed the presentation and implementation. Councillor Anderson is interested in becoming a member of the advisory group. Mayor Bridge thanked Luisa Artuso for the presentation and her hard work for new services in Minto.

MOTION: COW 2018-81

Moved by: Councillor Elliott; Seconded by: Councillor Dirksen

THAT Councillor Anderson becomes a member of the EarlyON Advisory Group and a staff member to be named as a contact person to advise on engagement strategies.

Carried

- b. Marlene Ottens, Wellington County Farm & Home Safety Association, Farm Safety Presentation

Marlene Ottens reviewed the Association's programs noting Councillor Dirksen is Minto's Rep. She advised farming is the 3rd most dangerous occupation and the only one where children live on the workplace. The Association participates in local events such as Minto Safe Kids Day May 4th at the Palmerston Arena and advocates for programs like ATV safety. The committee requests \$500 from each municipality for items for their displays and educational items.

MOTION: COW 2018-82

Moved by: Councillor Dirksen; Seconded by: Deputy Mayor Faulkner

THAT Council donate an additional \$200 to the Wellington County Farm & Home Safety Association.

Carried

10. Public Question Period - No one came forward.

11. Correspondence Received for Information or Requiring Direction of Council

- a. Crime Stoppers Guelph Wellington, Spring Newsletter
- b. Municipality of Grey Highlands, Increase base funding to Ontario Conservation Authorities
- c. Seniors' Centre for Excellence, April Newsletter and Calendar
- d. Association of Municipalities of Ontario, One-Third Tax Free Exemption for Municipal Officials
- e. MPP Randy Pettapiece, Reintroduced Rea and Walter Act
- f. Clifford Recreation Association, April 2018 Newsletter
- g. Ontario Ombudsmen, The Watchdog March Newsletter
- h. Township of Madawaska Valley, Asset Management Resolution
- i. Wellington County Farm and Home Safety Association, ATV Awareness Night

Council pulled items b) Municipality of Grey Highlands, Increase base funding to Ontario Conservation Authorities and e) MPP Randy Pettapiece, Reintroduced Rea and Walter Act and wished to support both.

MOTION: COW 2018-83

Moved by Councillor Colwell; Seconded by: Councillor Turton

THAT Council support the Municipality of Grey Highlands' resolution regarding funding for Ontario Conservation Authorities, and MPP Randy Pettapiece reintroduction of the Rae and Walter Act.

Carried

MOTION: COW 2018-84

Moved by: Deputy Mayor Faulkner; Seconded by: Councillor Elliott

THAT Council receive the correspondence for information.

Carried

12. Reports of Committees and Town Staff, Matters Tabled and Motions for Which Notice Has Been Previously Given

a. Committee Minutes for Receipt

1. Saugeen Valley Conservation Authority Minutes of February 13, 2018

MOTION: COW 2018-85

Moved by: Councillor Turton; Seconded by: Deputy Mayor Faulkner

THAT the Saugeen Valley Conservation Authority Meeting Minutes of February 13, 2018 be received for information.

Carried

b. Committee Minutes for Approval

1. Minto Trails Committee Minutes of March 21, 2018

Recreation & Facilities Coordinator Greg Mallett reviewed minutes noting committee 2018 goals.

MOTION: COW 2018-86

Moved by: Deputy Mayor Faulkner; Seconded by: Councillor Dirksen

THAT Council receives the Minto Trails Committee Minutes of March 21, 2018 and approves any recommendations contained therein.

Carried

2. Parks and Recreation Advisory Committee Minutes of March 22, 2018

Recreation Services Manager Matt Lubbers noted 60 children attended the March break program. Summer program registration will be streamlined with proposed changes to the pricing. Other fee changes include a rental fee for green spaces for outdoor fitness and advertising opportunities on the Olympia ice resurfacers.

MOTION: COW 2018-87

Moved by: Councillor Turton; Seconded by: Deputy Mayor Faulkner

THAT Council receives the Parks and Recreation Advisory Committee Minutes of March 22, 2018 and approves any recommendations contained therein.

c. Staff Reports

1. Building Assistant, Consent Application B37/18 Metzger Lot 7, N of Prospect St. Park Lots 12-14 North of Prospect St, Palmerston

Michelle Brown noted standard conditions apply. Council asked about original lot fabric.

MOTION: COW 2018-88

Moved by: Deputy Mayor Faulkner; Seconded by: Councillor Anderson

THAT the Council recommends the County of Wellington Land Division Committee approve Severance Application B37/18 Metzger, Lot 7, N of Prospect St. Subdivision Plan of Park Lots 12-14 North of Prospect Street, Palmerston, Town of Minto that the following conditions be considered:

1. THAT the applicant satisfies all requirements of the Town of Minto, financial and otherwise which the Town may deem to be necessary for the proper and orderly development of the subject lands.
2. THAT the applicant satisfies the requirements of the Town of Minto in reference to Parkland Dedication as provided for in the Planning Act including where applicable paying cash-in-lieu of parkland in the amount of \$500 per lot or other specified in the applicable policy of the Town at the time of consent.
3. That the applicant provide proof of payment from the Town of Minto that outstanding frontage charges for water, sanitary sewer, and or storm sewer where applicable and required by the Town for the severed lot(s) at the rate established by policy in place at the time of payment of the frontage charge (for reference only and subject to change, the rate applicable at the time of this decision is \$221.00 per metre lot frontage), and that the applicant is also advised this does not include paying the cost of lateral connections to any service which shall be payable to the Town at time of connection.
4. That the applicant obtains written confirmation from the Town of Minto Public Works Department that satisfactory access arrangements to the subject lands have been made including payment of applicable fees.

Carried

2. By-Law Enforcement Officer, Exemption and Licensing of Backyard Hens

By-law Officer Cam Forbes advised Norwell District Secondary School requested a licence to raise hens in the courtyard in the middle of the school as a part of the LEAF Program.

MOTION: COW 2018-89

Moved by: Councillor Elliott, Seconded by: Councillor Turton

THAT the Council of the Town of Minto receives the By-law Enforcement Officer's April 10, 2018 report regarding the exemption to By-law 02-80 for keeping backyard hens at 135 Cumberland St. Palmerston and approves the exemption.

Carried

3. Fire Chief, Minto Fire Wage Policy

Chief Harrow noted wages have not increased in 12 years and firefighters had not asked for changes which are needed due to the minimum wage increases. The proposal results in small increases. Council asked that a report come back looking at call-out rates.

MOTION: COW 2018-90

Moved by: Councillor Colwell; Seconded by: Councillor Turton

THAT Council approves the Wage Policy presented by the Fire Chief for all Minto Firefighters and implements it for the 2018 budget year, and that a report come forward to Council regarding call-out rates.

Carried

4. Facilities Manager, Proposal Results for Harriston Pool Repairs and Upgrades

Allan Carr noted pool problems requiring work and Harriston Kinsmen's support. Council discussed cost difference between quotes; the liner in the highest bid exceeds spec.

MOTION: COW 2018-91

Moved by: Deputy Mayor Faulkner; Seconded by: Councillor Dirksen

THAT Council of receives the April 4, 2018 report from the Facilities Manager entitled Proposal Results for Harriston Pool Repairs and Upgrades and approves the proposal from Rintoul's Pools & Spas at a price of \$77,166.62 plus HST funded from the 2018 capital budget.

Carried

5. C.A.O. Clerk, Facilities and Recreation Restructuring

C.A.O. Clerk White advised central booking works well and now includes central scheduling. Restructuring aligns duties by function rather than community.

MOTION: COW 2018-92

Moved by: Councillor Colwell; Seconded by: Councillor Elliott

THAT Council receives the April 4, 2018 report from the C.A.O. Clerk entitled Facilities and Recreation Restructuring and approves the restructuring outlined in that report.

Carried

6. C.A.O. Clerk, Greenbush Ground Mount Solar Panels

SunSaver's proposal for ground mount solar panels under FIT 4.0 was outlined. Trees cut will be replaced and the proposal includes picnic tables, a plaque recognizing the Fulton family and possibly an electric vehicle charging station. The CAO Clerk advised Bill Fulton had emailed about wording changes to the plaque.

MOTION: COW 2018-93

Moved by: Deputy Mayor Faulkner; Seconded by: Councillor Turton

That Council receives the CAO Clerk's April 5, 2018 report Site Plan Solar Installation Greenbush.

Carried

7. C.A.O. Clerk, Removing Holding Provisions Bylaws 2018-022 & By-law 2018-023

C.A.O. Clerk White outlined how bylaws to remove holding symbols work advising conditions were met on the Murray property (Clifford) and the First G Capital subdivision (Palmerston).

MOTION: COW 2018-94

Moved by: Councillor Colwell

Seconded by: Councillor Turton

THAT Council receives the C.A.O. Clerk's April 5, 2018 report Removing Holding Provisions Bylaws 2018-022 and By-law 2018-023 and considers the by-laws in regular session.

Carried

Councillor Colwell assumed the Chair

8. Treasurer, Main Street Revitalization Initiative - 2018 Municipal Funding Agreement.
Treasurer Duff noted terms of the funding agreement allowed the Town to allocate funds to physical work such as the Clifford downtown.

MOTION: COW 2018-95

Moved by: Mayor Bridge; Seconded by: Councillor Elliott

THAT Council receives the report from the Treasurer dated April 3, 2018 regarding the Municipal Funding Agreement for the Ontario's Main Street Revitalization Initiative Program and considers a by-law in open session authorizing the Mayor and C.A.O. Clerk to sign the agreement.

Carried

9. Treasurer, Debenture Financing

Treasurer Duff noted financing through the County covers the Town's share of 2018 Clifford Elora Street reconstruction and 2017 Harriston George Street South reconstruction.

MOTION: COW 2018-96

Moved by: Mayor Bridge; Seconded by: Councillor Turton

THAT Council accepts the Treasurer's report dated March 27th, 2018 regarding Debenture Financing and requests the County of Wellington to borrow \$2,100,000 on behalf of the Town of Minto with \$550,000 over ten years and \$1,550,000 over twenty years.

Carried

10. Treasurer, Budget Adoption

Treasurer Duff reviewed his report on the proposed 2018 operating and capital budget.

MOTION: COW 2018-97

Moved by: Mayor Bridge; Seconded by: Deputy Mayor Faulkner

THAT Council of the Town of Minto accepts the Treasurer's report dated March 29th, 2018 and considers the passage of the related Budget By-law in Regular Session.

Carried

11. Treasurer, Approval of Accounts

Treasurer Duff noted payments for MVCA Levy, insurance, Norgan Theatre sign and Live to Lead Event deposit. It was noted the Norgan sign is from funds raised by theatre volunteers.

MOTION: COW 2018-98

Moved by: Councillor Dirksen; Seconded by: Councillor Anderson

THAT Council receives the Treasurer's report regarding Approval of Accounts, and approves accounts by Department for March 30, 2018 as follows: Administration \$114,392.39, People & Property \$98,784.00, Building \$630.38, Economic Development \$12,840.21, Incubator \$1,738.00, Fire \$28,740.52, Roads \$78,333.07, Waste Water \$5,826.08, Streetlights \$603.51, Water \$8,186.74, Recreation \$8,300.63, Clifford \$5,685.00, Harriston \$7,029.95, Palmerston \$6,555.50, Norgan \$16,439.65 for a total of \$394,085.63.

Carried

Councillor Turton assumed the Chair

12. Wastewater Foreman, Tender 6629-18 Sanitary Sewer CCTV Inspection, Harriston
Wastewater Foreman Robertson described the video camera program for mains and laterals noting results will be compatible with CityWide software. Council asked for a follow up report on results.

MOTION: COW 2018-99

Moved by: Councillor Elliott; Seconded by: Councillor Dirksen

THAT Council receives the April 10, 2018 report from the Wastewater Foreman regarding Tender 6629-18 Sanitary Sewer CCTV Inspection, Harriston and awards the tender to DM Robichaud Associates Ltd at a price not to exceed \$126,750.00 excluding HST funded from the 2018 capital budget, and that staff report back with results of the inspections.

Carried

13. Roads & Drainage Foreman, Triton Engineering, Noble Family Road Construction

Road Foreman McIsaac stated that four submissions were received and the recommended contractor has done previous work for the Town

MOTION: COW 2018-100

Moved by: Councillor Colwell; Seconded by: Councillor Elliott

THAT Council receives the Road & Drainage Foreman's April 6, 2018 report Triton Engineering; Palmerston Noble Family Road Tender, and that the project be awarded to Hanna and Hamilton at a price of \$251,908.55 plus HST funded from the 2018 Capital Budget.

Carried

d. Other Business Disclosed as Additional Items

Councillor Dirksen congratulated the Wellington Advertiser on their 50 year anniversary, and advised the Louise Marshall Hospital Project has finally made it to the Tender stage.

Councillor Colwell reminded Council of the Minto Chamber Achievement awards April 26th at the Harriston Legion. Tickets are available through Launch It and Belinda Wick-Graham.

Councillor Turton noted the MVCA Annual Dinner & Auction April 14 at the Brussels Morris & Grey Community Centre and asked that Minto provide a prize basket as it had in past years.

Mayor Bridge stated the Clifford Diggin it public meeting at the Community Hall Wednesday April 11 6:30. He is attending the PRO Conference with MYAC to receive the Youth Friendly Designation Award. Mayor's Breakfast is Friday April 13 at 7:30 a.m. Jemstones in Clifford.

13. Motion to Return To Regular Council

RESOLUTION 2018-61

Moved By: Councillor Colwell; Seconded By: Deputy Mayor Faulkner

THAT the Committee of the Whole convenes into Regular Council meeting.

Carried

14. Notices of Motion - None

15. Resolution Adopting Proceedings of Committee of the Whole

RESOLUTION 2018-62

Moved By: Councillor Dirksen; Seconded By: Councillor Anderson

THAT The Council of the Town of Minto ratifies the motions made in the Committee of the Whole.

Carried

16. By-laws

- a. 2018-18, to Approve Exemptions in Schedule "A" of By-law Number 02-80 Chickens in Residential Area

RESOLUTION 2018-63

Moved By: Councillor Turton; Seconded By: Councillor Colwell

THAT By-law 2018-18; By-law to Approve Exemptions in Schedule "A" of By-law Number 02-80 Section 2 b) to permit chickens in a residential area; be introduced and read a first, second, third time and passed in open Council and sealed with the seal of the Corporation.

Carried

- b. 2018-19, Budget Bylaw

RESOLUTION 2018-64

Moved By: Councillor Anderson; Seconded By: Councillor Dirksen

THAT By-law 2018-19; To adopt the estimates of all sums required during 2018 for purposes of the Municipality; be introduced and read a first, second, third time and passed in open Council and sealed with the seal of the Corporation.

Carried

- c. 2018-20, 2018 Municipal Funding Agreement Main Street Revitalization Initiative

RESOLUTION 2018-65

Moved By: Deputy Mayor Faulkner; Seconded By: Councillor Anderson

THAT By-law 2018-20; to authorize execution of a Municipal Funding Agreement with The Association of the Municipalities of Ontario (AMO) for Ontario's Main Street Revitalization Initiative; be introduced and read a first, second, third time and passed in Open Council and sealed with the seal of the Corporation.

Carried

- d. 2018-21, ZBA 5892 Highway 9 Andrade

RESOLUTION 2018-66

Moved By: Councillor Dirksen; Seconded By: Councillor Turton

THAT By-law 2018-21; By-law to amend Zoning By-law Number 01-86 For 5892 Highway 9 in the Town of Minto; be introduced and read a first, second, third time and passed in open Council and sealed with the seal of the Corporation.

Carried

- e. 2018-22, Holding Removal Rick Murray

RESOLUTION 2018-67

Moved By: Councillor Colwell; Seconded By: Councillor Dirksen

THAT By-law 2018-22; to amend Zoning By-law Number 01-86 for Park Lot 8, West Side of Minto Street in the Town of Minto; be introduced and read a first, second, third time and passed in open Council and sealed with the seal of the Corporation.

Carried

f. 2018-23, Holding Removal Harj Gill - Dan Sinclair Palmerston

RESOLUTION 2018-68

Moved By: Councillor Dirksen; Seconded By: Deputy Mayor Faulkner

THAT By-law 2018-23; to amend Zoning By-law Number 01-86 for Part Lots 19 and 20, Concession 1 in the Town of Minto; be introduced and read a first, second, third time and passed in open Council and sealed with the seal of the Corporation.

Carried

g. 2018-24, Confirming Proceedings of April 10, 2018 Committee of the Whole/Council Meeting

RESOLUTION 2018-69

Moved By: Councillor Anderson; Seconded By: Councillor Colwell

THAT By-law 2018-24; To confirm actions of the Council of the Corporation of the Town of Minto Respecting a meeting held April 10, 2018; be introduced and read a first, second, third time and passed in open Council and sealed with the seal of the Corporation.

Carried

17. Adjournment

RESOLUTION 2018-70

Moved By: Deputy Mayor Faulkner; Seconded By: Councillor Turton

THAT The Council of the Town of Minto adjourn to meet again at the call of the Mayor.

Carried

Mayor George A. Bridge

C.A.O. Clerk Bill White

TOWN OF MINTO APRIL 24th COUNCIL MEETING

COUNTY OF WELLINGTON REPORT

1.COUNTY OF WELLINGTON OPP DETACHMENT REPORT.

2.WELLINGTON COUNTY LIBRARY USE STATISTICS.

3.MUSEUM AND ARCHIVES

4.SOCIAL SERVICES

COUNTY OF WELLINGTON SETTLEMENT SERVICES

HOUSING- 250 DALY ST PALMERSTON

CHILDRENS EARLY YEARS –NEW DAYCARE FACILTY PALMERSTON

GUELPH WELLINGTON PARAMEDIC SERVICES

Interpretation and Translation Services

Services for newcomers and immigrants are available in over 40 languages!

刚到加拿大?
我们可以帮助你!

Novi u Kanadi?
Možemo vam pomoći.
Pružamo usluge za imigrante.

Mới đến Canada?
Chúng tôi có thể giúp!
Dịch vụ! Cho người nhập cư

Újak Kanadába?
Segíthetük. Bevándorló
szolgáltatot nyújtunk.

¿Recien llegados a Ca
nadá? Podemos ayudar.

êtes-vous récemment
arrivés ?Nous pouvons
vous aider!

القادمون جدد في كندا?
نحن نساعدكم!!
في خدمات المهاجرين.

آیا تازه به کانادا وارد شده اید?
ما میتوانیم به شما کمک کنیم!
خدمات برای مهاجرین!

کیا آپ کینیڈا میں نئے ہیں ؟
ہم آپ کی مدد کر سکتے ہیں !!
تارکین وطن (امیگریشن) کیلئے خدمات

कनाडा में आप नए हैं?
हम तुम्हारी मदद कर सकते हैं!
आप्रवासियों के लिए सेवाएँ

Contact Information



FERGUS OFFICE (MAIN)

321 St. Andrew Street W.
Fergus, ON N1M 1P1
T 519.837.2670 x 4819
T 1.800.265.7294 x 4819



GUELPH OFFICE

138 Wyndham Street N.
Guelph, ON N1H 4E8
T 519.837.2670 x 4819
T 1.800.265.7294 x 4819

SATELLITE LOCATIONS

Arthur, Erin, Drayton, Mount Forest and Rockwood

To schedule an appointment at one of
the satellite locations, please call:

 or 1.226.979.0850



Funded by:
Immigration, Refugees
and Citizenship Canada

Financé par :
Immigration, Réfugiés
et Citoyenneté Canada



14
ALTERNATE FORMATS AVAILABLE UPON REQUEST

County of Wellington Settlement Services

New to Canada?
We can help!



"We all smile in the same language."

Helping newcomers and immigrant families
in Wellington County and Guelph.



www.wellington.ca

519.837.2670 | 1.800.265.7294

Free Settlement Services

Settlement Services staff help newcomers adjust to life in their new community by providing FREE services in the following areas:

- Housing
- Health Care
- Employment
- Education
- Taxes and benefits
- Immigration and citizenship
- Interpretation and translation
- Community and recreation
- Legal services
- Social Services



Other Services

We offer information sessions and workshops on topics of interest to newcomers.

Settlement Information and Referral

Our experienced Settlement Workers are able to help with a wide range of questions and challenges, including:

- Community information and resources
- Navigating and completing forms and applications
- Counselling on transition issues, family and emotional difficulties
- Initial employment and career counselling
- Accessing professional and essential services, such as doctors, lawyers and schools
- Completing language assessments and training
- Finding a place to live



Support

We assist clients in coping with the problems of everyday living and provide information about rights and responsibilities.

Who is Eligible?

- Permanent residents of Canada
- Convention Refugees
- Live-in Caregivers

Other eligible immigrants who need help in adapting to their new life in Canada may also qualify, regardless of how long they have been in Canada. They must not, however, be Canadian citizens.

This service is open to residents of both the City of Guelph and the County of Wellington.

We serve the following areas:

- Centre Wellington
- Wellington North
- Erin
- Mapleton
- Minto
- Guelph/Eramosa
- Puslinch
- City of Guelph





**Ontario Provincial Police
County of Wellington Detachment**

Inspector Scott Lawson

**Report for the
County of Wellington Police Services Board**

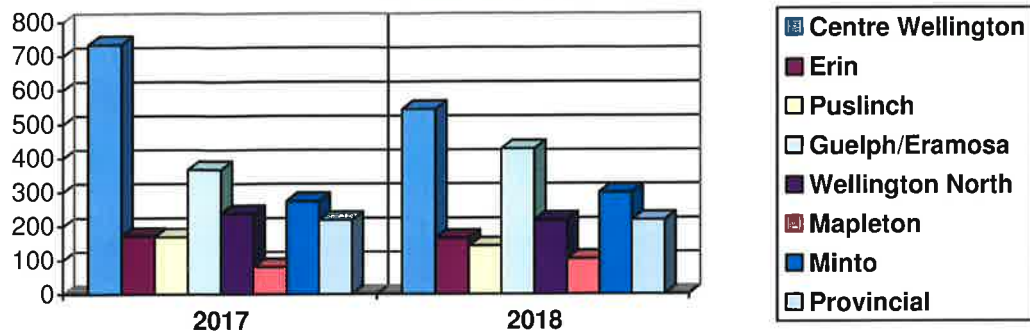
April 2018

This report covers the period from March 1st, 2018 to March 31st, 2018



Calls for Service

**Calls for Service March 2017
vs March 2018**



Calls For Service

Municipality	2012	2013	2014	2015	2016	2017	2018
Centre Wellington	6,449	5,961	5,917	5,686	5,891	8,028	1,685
Town of Erin	2,322	2,167	2,129	2,161	2,258	2,468	495
Puslinch Township	2,404	2,178	2,128	1,987	2,100	2,106	479
Guelph/Eramosa	3,272	3,397	3,462	3,227	3,597	4,949	1,184
Wellington North	3,136	3,337	2,905	2,796	2,929	3,031	634
Township of Mapleton	1,322	1,349	1,418	1,291	1,440	1,255	270
Town of Minto	2,725	2,524	2,438	2,398	2,479	3,684	902
Provincial	2,694	3,214	3,051	2,677	3,033	3,216	732
Totals	24,324	24,127	23,448	22,223	23,727	28,737	6,381

Victim Services Wellington

2018 YTD Calls for Assistance County of Wellington OPP	Previous Year Totals	
44	2015	76
	2016	111
	2017	98

911 Calls

2018 YTD	251
2015	1,513
2016	1,457
2017	1,297

Ontario Sex Offender Registry

2018 YTD OSOR Registrations	Previous Year Totals	
15	2015	72
	2016	77
	2017	73

False Alarms

2018 YTD	161
2015	766
2016	750
2017	653

****This is NOT the number of sex offenders residing in Wellington County**

*January – March 2017 stats



Crime

Crimes Against Persons	2017*	2018 YTD
Homicide	0	0
Sexual Assault	14	9
Robbery	0	1
Assault	46	64

Other Crime	2017*	2018 YTD
Fraud Investigations	57	74
Drug Investigations	37	66

Crimes Against Property	2017*	2018 YTD
Break & Enter	38	59
Auto Theft	18	22
Theft	168	172
Mischief	84	45

Other Investigations	2017*	2018 YTD
Domestic Disputes	98	69
Missing Persons	5	17
DNA Samples	15	19

Crime Breakdown 2018 YTD	North Wellington	Centre Wellington	South Wellington
Homicide	0	0	0
Sexual Assault	3	4	1
Robbery	1	0	0
Assault	21	28	15
Break & Enter	22	9	27
Auto Theft	8	2	12
Theft	67	32	70
Mischief	23	11	10
Fraud Investigations	26	24	24
Drug Investigations	19	11	20
Domestic Disputes	26	19	23
Missing Persons	8	6	3

*January – March 2017 stats



Major Crime Unit (MCU)

Supervisor: A/Detective Sergeant FOLEY

Wellington County Major Crime Unit commenced 10 new benchmark occurrences in March. This included four sexual assaults, two cases of child luring, a bank robbery, and a break & enter, one Human Trafficking case, one domestic and one non-consensual distribution of intimate images.

The Major Crime Unit is actively investigating the Moorefield bank robbery. The officer in charge of the investigation is Detective M. ALLEN.

Wellington County OPP continues to investigate and prepare evidence to support charges laid in October 2017 with regards to a series of multi-jurisdictional suspicious fires.

Domestic violence cases continue to be reviewed by the Wellington County Major Crime Unit.

The Major Crime unit also continues to investigate three historic CIB lead death/homicide investigations that occurred in Puslinch, Erin and Guelph-Eramosa.

Community Street Crime Unit (CSCU)

Supervisor: Detective Sergeant ANDERSON

March continued to be a productive month working cooperatively with front line officers to investigate property crime and street level drugs. Relentless follow up by CSCU conducting interviews, retrieving video surveillance has led to identifying and charging an accused. Follow-up investigation by CSCU has resulted in two "Smash and Grabs" that occurred in the Town of Erin to progress. It is anticipated that charges will be laid in these investigations.

The CSCU also assisted with a multi-jurisdictional investigation that involved an individual that was responsible for engaging police in pursuits, stolen vehicles, theft, and assault with a weapon. As a result, the male accused was charged with 26 criminal offences and \$41,000 worth of stolen goods was recovered.

CSCU assisted Major Crime with the Moorefield Royal Bank robbery by conducting canvassing and retrieving video surveillance.

A member of the CSCU was called in to assist front line officers after two adult males were arrested in a stolen vehicle with stolen property. Investigation led to one of the males providing officers with a false name when he was recognized while in cells by a CSCU member. Once identified, the male was re-arrested on several outstanding warrants from Caledon and Halton Region. The two males were charged with 10 criminal code offences between them. The recovered \$30,000 truck and other miscellaneous recovered stolen property were returned to their rightful owners.



**County of Wellington OPP
Report for the Police Services Board**

Traffic

Enforcement

Traffic	2018 YTD
Speeding	1,008
Seatbelt Offences	15
Careless Driving	33
Drive Under Suspended	46
Distracted Driver Offences	22
Other Moving Violations	64
Equipment and Other HTA	439
No Insurance - CAIA	31
Other Provincial Acts	2018 YTD
Liquor Licence Act	57
Trespass to Property Act	39
Other Provincial Acts	3
Other CAIA	10
By-Law Offences	
By-Law Offences (General)	429
Taxi By-Law	2
County of Wellington OPP 2018 Total	1,965
West Region Traffic Unit 2018 Total	233
2018 Total Traffic	1,658
2018 Total Other Provincial	109
2018 Total By-Law	431
2018 POA Charges	2,198
2017 POA Charges*	2,505

Drinking and Driving

Impaired Driving	2017*	2018
R.I.D.E. Vehicle Stops	4,755	3,747
Roadside Alcotests	68	39
Warn Suspensions	9	22
ADLS Suspensions	19	22
Persons Charged	20	22

Racing

2018 HTA Sec. 172 Impoundments	Previous Year Totals	
24	2015	110
	2016	192
	2017	183

Parking Enforcement

Municipality	2017*	2018
Centre Wellington	353	325
Erin	4	9
Puslinch	16	7
Guelph / Eramosa	17	96
Wellington North	0	4
Mapleton	0	16
Minto	20	7
County / Other	1	0
Parking Totals	411	464

*January – March 2017 stats



Traffic

Suspect Apprehension Pursuits

2018 YTD Pursuits / Fail to Stop for Police	Previous Year Totals	
4	2015	14
	2016	7
	2017	8

Traffic Initiatives

Mobile Speed signs are undergoing maintenance to be deployed as soon as possible.

Speed Spy units have returned from Grey County OPP and deployment has been initiated within Wellington County.

Automated Licence Plate Reader (ALPR)

Wellington County Traffic Management Unit members conducted 144.5 hours of patrol in the Automated Licence Plate Reader (ALPR cruiser) during the month of March. Officers laid a total of 112 charges under the Highway Traffic Act, 14 charges under the Compulsory Automobile Insurance Act and one other Provincial Offence notice. Officers also laid one Criminal Code charge, three Roadside Alcotests and issued one warn range suspension.

Snow Machine Patrol

Wellington County OPP Snow Machines have been stored away at North Wellington Operations Centre as the snow trails have been closed for the season.

Bicycle Patrol

Bicycle patrol will commence in the coming months. Three additional cruiser bicycle carriers have been purchased to complement officer deployment across the County.

Marine Patrol

The Marine Patrol boat has been serviced for the upcoming season and the marine schedule has been shared with GHQ.

Commercial Motor Vehicle (CMV)

There was a total of 12 Part I & Part III charges laid during the month of March including one for an over weight vehicle.

Distracted Driving Campaign

The annual Distracted Driving Campaign was held from March 12th to March 18th, 2018. Wellington County OPP officers issued multiple charges for use of a Handheld Communication Device.

*January – March 2017 stats



Traffic

Motor Vehicle Collisions

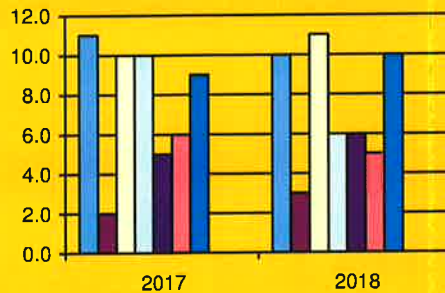
Month	Victims			Collisions								
	Total Victims	Persons Killed	Persons Injured	Total MVC	Fatal	PI	PD	Alcohol Involved			CMV	SMV
								Yes	No	Unk		
JAN	41	0	41	186	0	27	158	2	165	19	19	79
FEB	28	0	28	137	0	17	120	8	120	9	8	61
MAR	18	3	15	95	3	10	82	2	84	9	10	39
APR												
MAY												
JUN												
JUL												
AUG												
SEP												
OCT												
NOV												
DEC												
TOTAL	87	3	84	418	3	54	360	12	369	37	37	179

Yearly Collision Summary

Collision Type / Characteristic	2012	2013	2014	2015	2016	2017	2018
Total Reportable MVC	1,875	2,095	1,959	1,728	1,751	1,728	418
Property Damage MVC	1,565	1,761	1,758	1,418	1,446	1,408	360
Personal Injury MVC	302	326	195	297	288	313	54
Fatal MVC	8	8	6	6	11	7	3
Persons Killed	9	9	6	6	11	8	3
Persons Injured	442	481	330	428	388	456	84
Alcohol Involved	63	37	40	48	54	41	12
Total MVC	1,875	2,095	1,959	1,728	1,751	1,728	418

Car vs Deer Collisions

Municipality	2017*	2018
Centre Wellington	11	10
Erin	2	3
Puslinch	10	11
Guelph / Eramosa	10	6
Wellington North	5	6
Mapleton	6	5
Minto	9	10
City of Guelph	0	0
Provincial Highways	0	0
Total Collisions	53	51



*January – March 2017 stats



Youth Crime

Secondary School Resource Officer Program

School statistics are being reported by school year (September – June)

September 2017 – June 2018 - Criminal Code - Calls for Service (CFS)

Incident Type	CWDHS	EDHS	NDSS	WHSS	YTD Total
Assault	5	0	4	9	18
Mischief	2	0	7	4	13
Threats/Intimidation(Bullying)	11	5	7	5	28
Theft	4	5	2	6	17
Other Criminal/Cyber	5	4	6	11	26
Drugs	1	5	7	5	18
Sep 2017 – Jun 2018 (CFS)	28	19	33	40	120
Diversions	1	4	2	5	12
Warnings	33	4	25	24	86
Charges	2	0	8	4	14
Sep 2016 – Jun 2017 (CFS)	47	26	59	78	210

September 2017 – June 2018 - Provincial Offence - Calls for Service (CFS)

Incident Type	CWDHS	EDHS	NDSS	WHSS	YTD Total
Highway Traffic Act	1	1	14	18	34
Liquor Licence Act	0	1	2	1	4
Trespass to Property	6	0	14	8	28
MHA/Counselling	28	8	20	8	64
Sep 2017 – Jun 2018 (CFS)	35	10	50	35	130
Diversions	1	0	0	0	1
Warnings	16	11	28	9	64
Charges	0	0	3	3	6
Sep 2016 – Jun 2017 (CFS)	18	15	46	53	132

Meetings / Presentations

Centre Wellington DHS

- PC ROCKEFELLER attended a Parent Council meeting regarding Mental health
- PC ROCKEFELLER also attended a Muddy Grape Run Committee meeting and two Law Enforcement Torch Run Committee meetings

Erin DHS

- PC BORTOLATO held a talk on drugs with a Grade 10 Health class
- PC BORTOLATO also attended a VTRA meeting

Norwell DSS

- Attended Mental Health meeting for a public school student
- Assisted at Wellington Heights SS while the SRO was away on training

Wellington Heights SS

- PC EURIG assisted with a Crime Stoppers presentation

*January – March 2017 stats



Notable School Related Incidents and Events

Centre Wellington DHS

- Ongoing Mental health issues with various students
- PC ROCKEFELLER assisted with an assault/bullying incident involving three students, parents of students spoken too
- PC ROCKEFELLER also assisted with a separate assault involving two students

Erin DHS

- PC BORTOLATO investigated a threat call which was unfounded
- PC BORTOLATO investigated two separate occurrences this month. One involving a student bringing a weapon into the school and the other where two students were caught with drugs

Norwell DSS

Engaged IMPACT for three separate incidents

PC WING assisted with referring an incident to the Major Crime Unit for possible child luring

Wellington Heights SS

- PC EURIG investigated an assault and harassment occurrence, one youth was diverted



Youth Resiliency Officer (YRO)

Coordinator: PC Jen TSCHANZ #11483 - Centre Wellington Operations Centre (Fergus)

During the month of March, PC TSCHANZ was kept very busy within the community and elementary schools in Wellington County.

OPP KIDS is thriving and the winter school programs are coming towards an end. Many of the graduations will be occurring in the first two weeks of April for these schools.

March 1st, PC TSCHANZ met with parents and support staff regarding one grade 8 student who required strategies for support in school.

As well on March 1st, PC TSCHANZ attended Avalon youth services and met with a male youth resident who suffers from behavioral/social issues. Strategies and support are being provided to the youth while he is residing in Wellington County.

On March 2nd, PC TSCHANZ assisted St. Joseph Catholic School with a lockdown drill. PC TSCHANZ visited with a grade 2 class at St. John Brebeuf Catholic School in Erin this month. The students each received a safety book and were able to chat about how we stay safe in our community.

On March 29th, PC TSCHANZ attended the County Council meeting and presented on the topic of Human Trafficking. During the afternoon, PC TSCHANZ also attended a community meeting regarding a "youth hub" initiative.

Four THINK presentations have been booked for grade 8 students during the month of April.



Canine Unit

2018 YTD Calls for Service and Hours

Occurrence Type	Initial (Calls)	Initial (Hours)	Assist (Calls)	Assist (Hours)	2018 (Calls)	2018 (Hours)
Occurrence Totals (OPP)	21	115.00	0	0.00	21	115.00
Occurrence Totals (Other)	0	0.00	0	0.00	0	0.00
Occurrence Totals (Combined)	21	115.00	0	0.00	21	115.00

Canine Handler: Provincial Constable Barry REID

Notable Incidents

No notable Canine Unit call outs throughout the month of March.



Integrated Mobile Police and Crisis Team (IMPACT)

IMPACT Team Members

(CMHA clinicians):

Anita MATTHEWS

Kim HODDER

Julia VAN RYSWYK

Police Liaison:

Provincial Constable Chris BIONDI

IMPACT Wellington	total # hours
Total IMPACT live calls - called by OPP to attend at scene with officer	22
Total Referrals - Referrals from OPP to IMPACT either "live" or for follow up after the call.	50
Total Diversions to hospital by IMPACT- IMPACT assessment on scene avoided apprehension and transport to hospital for assessment.	19
Total # of Mental Health related police occurrences	61
Total # of officer hours related to Mental Health occurrences (occurrence CAD information, excludes follow-up and report writing)	252
Total # of "Officer Hours" spent at hospital with MHA patients	110

Good News from IMPACT

We are thrilled to announce the hiring and start of our third IMPACT worker, Kim HODDER. Ms. Hodder is a resident of Wellington County.

Kim has been working with CMHA WW in Waterloo Region, and has some experience with police services in that region, working with them over the past months as they transition to the IMPACT model as well.

She has provided Case Management in the past; as well she has worked in the area of hoarding. Her addition to our existing team means IMPACT services will now be offered through Wellington County OPP 7 days a week, from 9am to 11pm on weekdays, and 8am to 6pm on weekends. All three IMPACT staff will now be working rotating shifts, and the off-time calls will continue to be covered by Here 24/7.

*January – March 2017 stats



Media

Provincial Constable Joshua CUNNINGHAM & Provincial Constable Marylou SCHWINDT

Notable Incidents and Events

- The Wellington County O.P.P. Media Unit issued a total of 93 media releases in March for a year to date total of 239 media releases.
- Three classroom sessions of OPP KIDS
- The Media Unit attended the Erin High School vs OPP Hockey Game
- OPP Fraud talk to Family Group in Hillsburgh, approximately 12 attendees
- Hosted mock interview with Wellington Advertiser
- Met with Centre Wellington High School students and teachers regarding information on how sex assaults are investigated. The group has received a grant on this topic and are looking at possible barriers to reporting or how it can be improved
- The Media Unit held a fraud presentation for the United Church in Elora Women's' Group, approximately 10 attendees
- Finalization of Wellington OPP's Year in Review
- PC CUNNINGHAM attended a Human Trafficking information session



Auxiliary Unit

Unit Commander: Auxiliary Staff Sergeant B. HULL
Liaison: Provincial Constable Mike POLAN

Notable Incidents and Events

Unit Activities:

- SafeGuard Audits
- Monthly meeting
- General patrol
- Administrative duties
- Community Policing

Total hours March 2018 – 248.75

Administration	33.50
Community Policing	13.00
Court	0.00
Patrol	160.25
Training	42.00

Total hours for 2018 – 641.75

Auxiliary Recruiting

Aptitude and psychological testing is tentatively set for Saturday May 26th, 2018 for the eight Auxiliary Constable applicants.



Administration

Revenue

Year	County	Provincial	Total
2013	\$70,202.29	\$5,373.66	\$75,575.95
2014	\$84,301.22	\$6,590.25	\$90,891.47
2015	\$86,730.00	\$10,139.75	\$96,869.75
2016	\$85,420.20	\$14,196.50	\$99,616.70
2017	\$84,086.30	\$17,722.50	\$101,808.80
2018	\$20,296.75	\$2,994.25	\$23,291.00

Paid Duties

Year	Paid Duties	Officers	Hours	Admin Fees
2014	239	433	3,076.00	\$2,625.00
2015	247	556	4,055.50	\$1,650.00
2016	160	448	3,212.50	\$900.00
2017	225	477	3,394.00	\$300.00
2018	41	101	795.50	\$0.00

Personnel

Complaints

Complaint Type by Status	2013	2014	2015	2016	2017	2018
Complaints Received	12	18	16	18	11	2
Complaints Not Proceeding	n/a	n/a	n/a	n/a	n/a	1
Complaints Resolved	3	5	5	4	0	0
Complaints Unfounded	5	7	5	6	8	0
Complaints Withdrawn	4	3	5	3	3	0
Complaints Ongoing	0	3	1	5	0	1

No	Complaint Type	Status	No	Complaint Type	Status
1	Public	Ongoing			
2	Public	Closed			

Internal Complaint is an allegation by someone who is not a member of the public concerning the policy, services, local policies of a contract location, or the conduct of an employee or volunteer of the OPP and includes a WDHP allegation, and/or an allegation of workplace violence.

Public Complaint is a complaint by a member of the public concerning the policy, services, local policies of a contract location, or the conduct of an employee of the OPP.

*January – March 2017 stats



County of Wellington OPP
Report for the Police Services Board

Personnel

Acknowledgements

Date	Member(s)	Particulars
22Mar18	PC M. WRAIGHT PC C. KEELER PC H. MILLSON PC W. ONTONOVICH PC D. GREEN PC J. MACKENZIE PC E. WHITEHEAD PC D. BANASIK	<p>On March 13th, 2018 a truck was reported stolen from a residence in Guelph-Eramosa Township. Approximately five minutes later the Blue GMC Sierra was observed traveling south on Wellington Road 29 in Guelph Eramosa. The suspect vehicle pulled over when police initiated a traffic stop, but upon exiting the cruiser to make contact, the suspect vehicle fled police at a high rate of speed.</p> <p>Police attempted to stop the motor vehicle. As the suspect vehicle continued it struck the rear passenger side of an occupied, fully marked police cruiser with its lights activated, which was attempting to assist in stopping the fleeing vehicle.</p> <p>For public and officer safety reasons he suspect vehicle, equipped with the feature, "On-Star Stolen Vehicle Slow-Down" was remotely disabled by On-Star. The suspect motor vehicle slowed and stopped on Wellington Road 124 where it was and was boxed-in by police cruisers. The lone male driver was arrested.</p> <p>The officers listed should be commended for their exceptional decision making in a highly stressful situation. Not only did they perform their duties as police officers at the highest level, they prioritized public safety while placing themselves in harms way.</p> <p>PC WRAIGHT, PC ONTONOVICH, PC GREEN, PC MILLSON and PC KEELER investigated this "crime spree" with professionalism and tenacity, zeroing in on their suspect.</p> <p>Street Crime Unit Detective WHITEHEAD and Detective BANASIK volunteered to complete the remaining investigation over the next three days. Their hard work resulted in 20 additional Criminal charges being laid in several other jurisdictions.</p>
26Mar18	PC C. KEELER PC K. MACDONALD PC D. UNGER	<p>On March 26th, 2018 D platoon members were on general patrol enroute to conduct investigative follow-up for another platoon member, PC KEELER observed a black 2014 GMC Sierra pick-up truck stopped with all its lights turned off partially obstructing the road way. The officer exited her police cruiser and approached the vehicle and immediately noticed a male walking away from the truck in the dark. Upon questioning the male PC KEELER confirmed him stating the vehicle did not belong to him and he was on the way to his girlfriend's place. PC KEELER then spoke to the passenger left within the vehicle to check on his well-being. He indicated that he was just waiting for a friend who had just left. Officers were able to quickly work together and PC UNGER intercepted the male party who had walked away from the vehicle initially.</p> <p>Confirmation of identification and motor vehicle status revealed the truck was confirmed stolen vehicle from the Waterloo Region</p>

*January – March 2017 stats



County of Wellington OPP Report for the Police Services Board

area. Both suspects were subsequently arrested for possession of property obtained by crime.

The officer's displayed a high level of investigative resulting in both suspects being charged 13 criminal offences.

Moreover, this investigation was further recognized by the Township and Wellington County Command.

The accused parties involved are prolific offenders and their arrests have had a positive impact on community safety.

Notable Events

Noteworthy Information and Events

Charity Hockey Game

Once again the Erin District High School (EDHS) senior boys challenged the Wellington County OPP to a charity hockey game. The game this year was in support of East Wellington Community Services, a group that supports families in the Erin & Hillsburgh area.

The game took place on March 8th, 2018 at the Erin Community Centre-Centre 2000 and raised \$350.00 for East Wellington Community Services.



Erin District High School (EDHS) hockey team and Wellington County OPP members at a charity game in support of East Wellington Community Services.

*January – March 2017 stats

Wellington County Library

MARCH 2018

Use Statistics

Prepared for: Wellington County Library Board

Meeting Date: April 11, 2018

Prepared by: Chanda Gilpin, Assistant Chief Librarian

Date: April 4, 2018



Use Statistics

	2017	2018	
System wide circulation:	March	March	Year over Year Change
Print, eBooks, cds, dvds, magazines and audiobooks:	90,773	89,424	-1%
Inter-library loan, material loaned:	465	469	1%
Public computer usage within the libraries:	7,003	8,387	20%
Programme attendance:	4,548	5,014	10%
Database usage:	10,254	2,167	-79%
Public wireless users:	8,782	9,213	5%

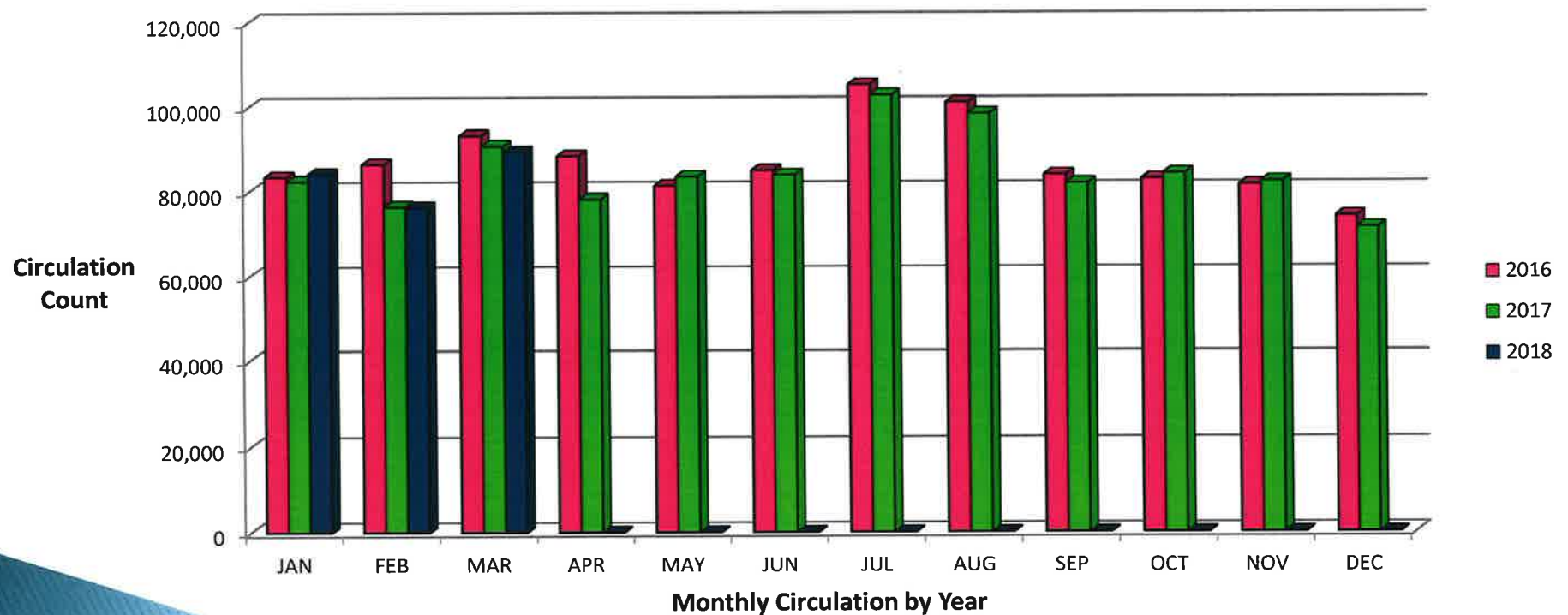
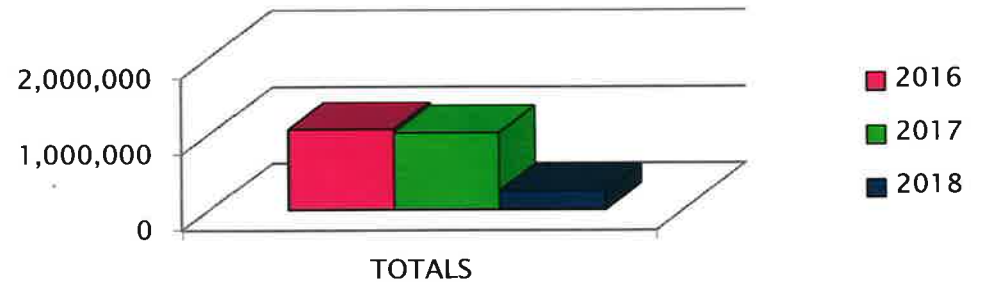
Circulation Statistics

		JAN	FEB	MAR	APR	MAY	JUN	JULY	AUG	SEP	OCT	NOV	DEC	TOTALS
ABOYNE	2016	9,598	8,849	9,183	8,547	7,806	8,821	9,741	9,370	3,215	1,132	1,093	1,155	78,510
	2017	1,154	1,166	5,819	7,564	7,972	9,057	10,386	9,632	7,336	7,266	7,026	6,272	80,650
	2018	7,543	6,772	8,798	0	0	0	0	0	0	0	0	0	23,113
ARTHUR	2016	4,905	5,271	5,831	5,103	4,882	5,204	5,353	6,061	5,135	5,131	5,956	4,614	63,446
	2017	5,028	4,780	5,643	4,759	5,594	5,271	5,205	5,711	5,231	5,603	5,665	4,650	63,140
	2018	5,197	4,670	4,992	0	0	0	0	0	0	0	0	0	14,859
CLIFFORD	2016	1,458	1,377	1,704	1,645	1,552	1,424	1,926	1,846	1,549	1,855	1,755	1,750	19,841
	2017	1,736	1,598	1,771	1,730	1,695	2,128	2,804	1,922	1,715	1,391	1,542	1,351	21,383
	2018	1,622	1,387	1,675	0	0	0	0	0	0	0	0	0	4,684
DRAYTON	2016	8,900	9,731	9,811	10,304	8,697	8,571	12,599	10,827	8,133	8,734	8,255	7,546	112,108
	2017	8,814	8,839	8,766	7,885	7,713	8,002	10,380	8,770	7,500	7,343	7,426	6,366	97,804
	2018	8,124	7,865	8,538	0	0	0	0	0	0	0	0	0	24,527
ELORA	2016	6,961	7,176	7,264	6,815	6,381	6,968	7,900	8,112	9,199	8,856	8,633	8,541	92,806
	2017	9,236	7,872	8,427	6,728	6,546	5,208	7,521	8,338	6,409	6,993	6,858	5,932	86,068
	2018	6,999	6,105	7,378	0	0	0	0	0	0	0	0	0	20,482
ERIN	2016	4,519	5,410	5,617	5,181	5,043	4,794	6,435	5,582	4,450	4,655	5,106	4,597	61,389
	2017	4,598	4,099	5,287	4,370	4,709	4,603	5,724	5,396	4,484	4,712	4,833	3,972	56,787
	2018	4,551	4,028	4,605	0	0	0	0	0	0	0	0	0	13,184
FERGUS	2016	14,728	16,746	17,776	16,537	15,128	16,103	21,085	19,747	18,338	18,784	17,347	15,595	207,914
	2017	18,337	16,521	18,025	13,803	14,676	14,700	18,913	18,272	14,954	15,621	14,718	13,197	191,737
	2018	15,212	14,069	17,094	0	0	0	0	0	0	0	0	0	46,375
HARRISTON	2016	4,186	4,267	4,581	3,931	3,985	3,953	4,546	4,523	3,938	4,047	3,943	3,586	49,486
	2017	3,919	3,488	3,882	3,461	3,849	4,381	5,225	5,005	4,116	4,128	4,011	3,365	48,830
	2018	4,072	3,638	4,095	0	0	0	0	0	0	0	0	0	11,805
HILLSBURGH	2016	3,120	3,257	3,510	3,195	2,960	2,977	3,602	3,729	3,215	3,172	3,231	2,559	38,527
	2017	3,033	2,828	3,119	2,724	2,760	2,795	3,511	3,428	3,171	3,037	3,088	2,967	36,461
	2018	3,169	2,789	3,505	0	0	0	0	0	0	0	0	0	9,463
MARDEN	2016	4,146	3,543	4,274	4,203	4,313	3,958	4,327	4,552	3,981	4,074	4,138	3,500	49,009
	2017	4,134	3,859	4,432	3,888	3,821	3,262	4,652	3,760	3,465	3,786	3,530	3,245	45,834
	2018	3,901	3,655	3,918	0	0	0	0	0	0	0	0	0	11,474
MT FOREST	2016	8,633	8,816	9,233	9,215	8,862	9,760	10,522	10,648	8,930	9,483	9,025	8,479	111,606
	2017	8,383	7,821	9,233	7,732	8,775	8,651	9,649	9,816	8,318	8,989	8,678	7,233	103,278
	2018	8,654	7,975	8,973	0	0	0	0	0	0	0	0	0	25,602
PALMERSTON	2016	2,612	2,530	3,504	3,977	3,348	3,508	4,444	4,715	3,618	3,216	3,233	3,108	41,813
	2017	3,374	3,142	3,996	3,102	3,748	3,887	4,416	4,428	3,898	4,212	3,773	3,236	45,212
	2018	3,901	3,686	4,644	0	0	0	0	0	0	0	0	0	12,231
PUSLINCH	2016	3,312	3,171	3,767	3,343	3,280	3,342	4,371	3,631	3,598	3,440	3,058	2,976	41,289
	2017	2,999	3,302	3,807	3,423	3,602	3,526	4,307	4,488	3,262	3,429	3,139	3,138	42,422
	2018	3,493	3,270	3,778	0	0	0	0	0	0	0	0	0	10,541
ROCKWOOD	2016	7,397	7,863	8,576	8,038	7,164	7,195	9,927	8,858	7,614	7,390	7,756	7,089	94,867
	2017	7,633	7,103	8,566	6,947	7,987	8,421	10,056	9,410	7,972	7,673	8,018	6,582	96,368
	2018	7,683	6,414	7,431	0	0	0	0	0	0	0	0	0	21,528
TOTALS	2016	83,473	86,494	93,217	88,422	81,291	84,909	105,205	100,990	83,851	82,892	81,541	74,157	1,062,611
	2017	82,378	76,418	90,773	78,116	83,447	83,892	102,749	98,376	81,831	84,183	82,305	71,506	1,015,974
	2018	84,121	76,323	89,424	0	0	0	0	0	0	0	0	0	249,868

Annual Change	2%	0%	-1%											340%
---------------	----	----	-----	--	--	--	--	--	--	--	--	--	--	------

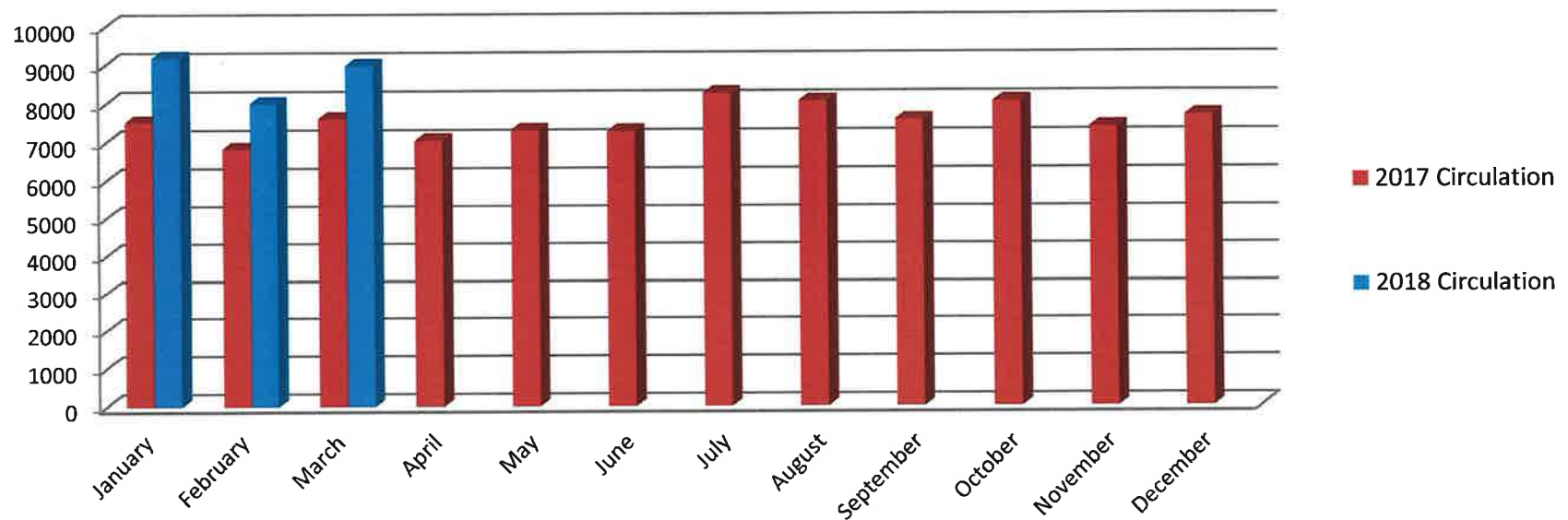
Circulation Activity

Wellington County Library
Total Circulation of Materials by Year



eBook Circulation Activity

eBook Circulation by Month*



*includes eBooks, eAudiobooks, eVideo and eMusic circulation from OverDrive.

Website Usage March 2018

Top Pages Visited

Library Home Page	10,509
About Us	2,812
Borrowing	2,174
Online Resources	1,647

Visits to Library Website

	Main site	Catalogue
# of total visits	10,826	12,709
# of pages viewed	20,765	83,872

People accessing site from outside Canada: United States, Peru, United Kingdom, Mexico, Philippines and Germany.

Monthly Highlight

Children of all ages were excited to attend special March Break programmes.



Programming Report

March 2017

March 2018

BRANCH	TOTAL NUMBER OF PROGRAMMES OFFERED	ATTENDEES			
		CHILDREN/ TEENS	PARENTS/ CAREGIVERS	ADULTS	
ABOYNE	10	131	85	11	
ARTHUR	30	200	62	92	
CLIFFORD	12	123	38	18	
DRAYTON	21	230	61	20	
ELORA	15	218	33	52	
ERIN	23	362	107	41	
FERGUS	25	270	28	128	
HARRISTON	24	252	47	94	
HILLSBURGH	25	220	68	56	
MARDEN	18	101	6	49	
MT FOREST	20	242	83	70	
PALMERSTON	34	298	81	70	
PUSLINCH	20	140	61	75	
ROCKWOOD	14	142	38	45	
	291	2,929	798	821	4,548
	Total Programmes				Total Participants

BRANCH	TOTAL NUMBER OF PROGRAMMES OFFERED	ATTENDEES			
		CHILDREN/ TEENS	PARENTS/ CAREGIVERS	ADULTS	
ABOYNE	22	345	167	44	
ARTHUR	28	258	103	70	
CLIFFORD	9	78	35	8	
DRAYTON	12	155	41	27	
ELORA	14	196	45	30	
ERIN	20	309	45	72	
FERGUS	37	371	154	102	
HARRISTON	23	236	61	85	
HILLSBURGH	22	267	100	30	
MARDEN	12	168	0	56	
MT FOREST	23	228	100	47	
PALMERSTON	32	239	66	70	
PUSLINCH	20	153	75	67	
ROCKWOOD	27	179	101	31	
	301	3182	1093	739	5014
	Total Programmes				Total Participants

Join Us to Celebrate a Special Birthday!

Please join us in the Archives and Aboyne Hall on Wednesday, April 4 from 3:00 - 6:00 pm, (special remarks by dignitaries at 4:00 pm), as the Adsett family celebrates a special anniversary and the founding of the Wellington Advertiser Newspaper in March of 1968.



At the same time, we will be launching our new digital, fully searchable Wellington Advertiser database as our latest online resource at the Archives. Everyone is welcome to come out and enjoy the celebration with complimentary food, refreshments and, of course birthday cake!

ArtiFACT: St. Patrick's Day and the Shamrock Squares

The Shamrock Squares was a local square dancing club based in Erin in the 1970s. Each year, the club held a special dance in a hall or gymnasium decorated with shamrocks and green decorations in celebration of St. Patrick's Day. In 2007, the Museum received a donation of Shamrock Squares artifacts and photographs that chronicled the club's ten-year history.



Shamrock Squares nametag, Eleanor McLean



St. Patrick's Day Dance, 1977



A NATIONAL HISTORIC SITE

located on Wellington Road 18 between Fergus and Elora

www.wellington.ca/museum

T 519.846.0916 x 5221 | Toll Free 1.800.663.0750 x 5221



Alternate formats available upon request.



LHIN NEWS

For Health Professionals



The Waterloo Wellington LHIN's news for health professionals provides the latest updates from across the local health system as we work together to deliver high-quality, integrated, and patient-centred care for local residents.



Allan and Helen: A True Love Story

Allan and Helen moved to Kitchener a year and a half ago from their hometown of Saskatoon to be closer to their son and two daughters. Though the decision to leave their home of 53 years was difficult, Helen needed extra support after her husband suffered two strokes and was recovering from a serious heart procedure.

Allan lost most of his speech as a result, and the couple finds new ways to communicate with each

other. They do whatever they can to enjoy life to the fullest and maintain their independence.

[Read more here.](#)



FACES of the Waterloo Wellington LHIN brings you closer to the people behind your health system – learn about their motivations, their experiences, and perhaps even more about your own health journey. Click on the image above to learn more about Blair and check [FACES](#) weekly for new stories.



Investing in Guelph's most vulnerable residents

Sleep. It's a basic human need. Imagine what you'd feel like after five days without it. What if one of the reasons you've been unable to sleep is that you're homeless? You're afraid to sleep because your belongings might be taken, or you could be assaulted. Your situation is compounded by substance use and mental health issues. After two overdoses in as many days, you're very sick. You're too sick to stay in a shelter. Not sick enough to be in the hospital.

In Guelph, individuals who are homeless with mental health and addictions challenges are high users of emergency medical services (EMS) and police services.

[Read more here.](#)

WWLHIN

Partner News

Alzheimer Waterloo Wellington - [Spring & Summer Program Guide](#)

Ministry of Health and Long-Term Care (Janet Beed's Report) - [Expanding Caregiver Support in Ontario](#)

Cambridge Memorial Hospital - [Construction Webcam Updates](#)

New Groves Memorial Hospital - [Follow the Construction Progress](#)

Region of Waterloo Public Health - [School Immunization Clinics](#)

Wellington-Dufferin-Guelph Public Health - [School Immunization Clinics](#)



Overdose Prevention Site in Guelph

A supervised injection site in Guelph will give individuals who inject drugs a safe location staffed by people trained to prevent overdoses. The Ministry of Health and Long-Term Care has approved an Overdose Prevention Site (OPS) at the downtown location of the Guelph Community Health Centre. It will complement existing resources and supports currently being offered and is scheduled to open in April.

The OPS will provide easy access to life-saving harm reduction services in an environment that is free of stigma. The goal is to help reduce the growing number of opioid-related overdose deaths.

The services will include supervised injection, the distribution of harm reduction supplies, the disposal of used supplies, and the distribution of naloxone.

The Guelph CHC will also connect those in need of health care to a team of professionals including addictions counselors.

Waterloo Region Hospice Funding Announcement

Residents in Waterloo Wellington will soon have expanded access to hospice services at a new 10-bed residential hospice. On March 2, the Ministry of Health and Long-Term Care announced two million dollars in funding for the hospice palliative care centre in Waterloo.

Annually, the new residential hospice will provide support for approximately 200 people and their families. The centre will also include expanded spaces for hospice support services currently being delivered by Hospice of Waterloo Region.

The funding announcement will help ensure that patients and families get the health care and support they need at an important stage in their lives when they are making difficult, end-of-life decisions.

Hospice of Waterloo Region has been making a tremendous impact in residents' lives for 25 years.

[Read more here.](#)



Quality Standards for Dementia Care

Health Quality Ontario has just released a new quality standard for the more than 111,100 Ontarians who have dementia and live in the community.

The quality standard focuses on primary care specialist care, hospital outpatient services, home care, and community support services. It also provides guidance on support for caregivers who are often stressed from the physical, emotional and financial demands of caring for someone living with dementia.

The standards in *Dementia: Care for People Living in the Community* were developed in consultation with clinicians, patients and caregivers, and are based on the best evidence.

[Read more here.](#)

Accessing Services from Stonehenge Therapeutic Community

It's now easier to get support and information about the Community Withdrawal Support Service and the Rapid Access Addiction Clinics through Stonehenge's new toll-free phone number:
1-844-RAACWSS (1-844-722-2977).

Stonehenge Therapeutic works with individuals, families and communities impacted by substance use and co-occurring mental health issues.

[Read more here.](#)

Four local municipalities recognized by province as age-friendly

Four municipalities in Waterloo Wellington were recognized with awards at the recent Ontario Age-Friendly Communities Symposium hosted by the Ministry of Seniors Affairs in Toronto on March 27.

- The City of Cambridge was recognized for initiatives to improve housing, transportation, health supports, social inclusion, and increased access to information for older adults.
- The City of Kitchener was recognized for its plan to create more accessible and affordable neighbourhoods, better access to information, and a greater sense of belonging, connectedness and wellbeing for seniors.
- The City of Waterloo was recognized for over 20 action items to create a more age-friendly

community, including improvements to housing, community and health services.

- The City of Guelph was recognized for the creation of a newsletter for seniors, and projects to inform seniors about local services to remove barriers faced by older adults.



Ontario College of Family Physicians Awards

The OCFP Awards recognize excellence in community and medical leadership, outstanding contributions in teaching, and exceptional teamwork among family physicians across Ontario.

Don't miss the opportunity to nominate a deserving colleague. Nominations are open until Friday, April 13 in the following categories:

- Ontario Family Physician of the Year
- Regional Family Physicians of the Year
- Community Teacher of the Year
- Family Medicine Resident of the Year
- Family Practice of the Year
- Awards of Excellence

[Read more here.](#)

We want to hear from you! As a recipient of the Waterloo Wellington LHIN newsletter, your opinion will help shape what we publish each month. Click below to fill out a quick survey.

Button



Waterloo Wellington LHIN
141 Weber Street South
Waterloo, ON N2J 2A9

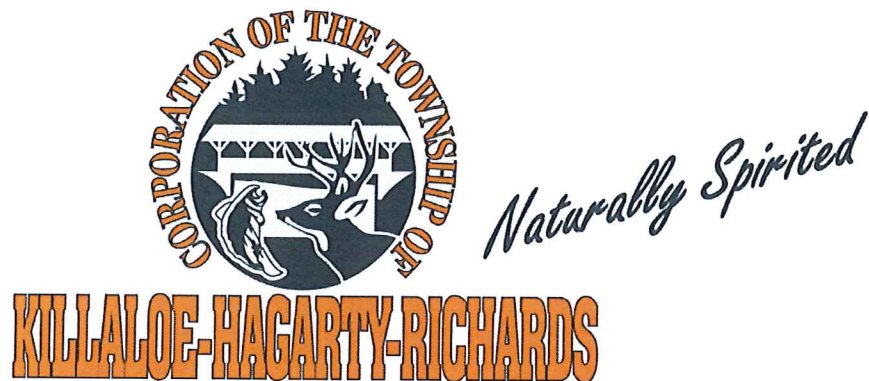
Like

Tweet

Share

Forward

[Preferences](#) | [Unsubscribe](#)



TOWNSHIP OF KILLALOE, HAGARTY AND RICHARDS

Date: April 3, 2018

Resolution No.: 9

Moved By: T. R. C.

Seconded By: John H. Jeffrey

WHEREAS municipal governments in Ontario do not have the right to approve landfill projects in their communities, but have authority for making decisions on all other types of development;

AND WHEREAS this out-dated policy allows private landfill operators to consult with local residents and municipal Councils, but essentially ignore them;

AND WHEREAS proposed Ontario legislation (Bill 139) will grant municipalities additional authority and autonomy to make decisions for their communities;

AND WHEREAS municipalities already have exclusive rights for approving casinos and nuclear waste facilities within their communities,

AND FURTHER that the province has recognized the value of municipal approval for the siting of power generation facilities;

AND WHEREAS the recent report from Ontario's Environmental Commissioner has found that Ontario has a garbage problem, particularly from Industrial, Commercial and

Institutional (ICI) waste generated within the City of Toronto, where diversion rates are as low as 15%;

AND UNLESS significant efforts are made to increase recycling and diversion rates, a new home for this Toronto garbage will need to be found, as landfill space is filling up quickly;

AND WHEREAS municipalities across Ontario are quietly being identified and targeted as potential landfill sites for future Toronto garbage by private landfill operators;

AND WHEREAS other communities should not be forced to take Toronto waste, as landfills can contaminate local watersheds, air quality, dramatically increase heavy truck traffic on community roads, and reduce the quality of life for local residents;

AND WHEREAS municipalities should be considered experts in waste management, as they are responsible for this within their own communities, and often have decades' worth of in-house expertise in managing waste, recycling, and diversion programs;

AND WHEREAS municipalities should have the exclusive right to approve or reject these projects, and assess whether the potential economic benefits are of sufficient value to offset any negative impacts and environmental concerns;

THEREFORE BE IT RESOLVED THAT the Township of Killaloe, Hagarty and Richards calls upon the Government of Ontario, and all political parties, to formally grant municipalities the authority to approve landfill projects in or adjacent to their communities, prior to June 2018;

AND THAT in the case of a two-tier municipality, the approval be required at both the upper-tier and affected lower-tier municipalities;

AND FURTHER THAT the Township of Killaloe, Hagarty and Richards encourage all other municipalities in Ontario to consider this motion calling for immediate provincial action.

Carried: ✓

Not Carried: _____



FOR IMMEDIATE RELEASE
April 10, 2018

Pettapiece pleased as Louise Marshall Hospital expansion moves ahead

(Queen's Park) – The long-awaited emergency and ambulatory care expansion at Louise Marshall Hospital in Mount Forest is one step closer to reality. In a press release yesterday, North Wellington Health Care reported that the Ministry of Health and Long-Term Care gave its approval to move ahead with the final stage of planning.

Perth-Wellington MPP Randy Pettapiece called it great news for local health care.

"I know that hospital officials have worked hard on this proposal, and I'm very pleased the government has acknowledged the need to move this project forward," Pettapiece said.

Pettapiece is a long-time supporter of the project. His actions have included organizing a ministry briefing with hospital officials in Toronto; offering support to the current and former hospital CEOs; advocating for the project with the Waterloo Wellington Local Health Integration Network (LHIN); and, last year, pushing the government to support the project via an Order Paper question.

"This project is absolutely essential, and I stand ready to do everything I can, in cooperation with hospital officials, to continue supporting it," Pettapiece said.

North Wellington Health Care states the project will improve patient access and quality of care for residents. It will also improve infection prevention and control, patient privacy, accessibility and operational efficiencies.

With the ministry's approval, the project now moves to Stage 4 of the government's Capital Planning process. More information on that process can be found on the LHIN's website:

<http://www.wwlhlin.on.ca/forhsps/hsptools.aspx>

- 30 -

Randy Pettapiece, MPP | 416-325-3400 | www.pettapiece.ca

WDG Board of Health

Highlights

Board of Health Members

Nancy Sullivan

Chair
City of Guelph

Allen Taylor

Vice-Chair
County of Dufferin

Dennis Lever

Secretary – Treasurer
Warden, County of Wellington
Mayor, Township of Puslinch

Dr. Nicola Mercer

Ex-Officio Member
Medical Officer of Health & CEO,
WDG Public Health

Margaret Abbink

City of Guelph

William Baxter

County of Wellington

Christine Billings

Councillor, City of Guelph

George Bridge

Warden, County of Wellington
Mayor, Town of Minto

Cam Guthrie

Mayor, City of Guelph

Guy Gardhouse

Councillor, County of Dufferin
Mayor, Township of East Garafraxa

June Hofland

Councillor, City of Guelph

Lambert Otten

County of Wellington

Nancy MacDonald,

County of Wellington

Ken McGhee

Councillor, County of Dufferin
Deputy Mayor, Town of Mono

Keith Perron

City of Guelph

Chris White

Councillor, County of Wellington
Mayor, Township of Guelph-Eramosa

Public Health is governed by a Board of Health consisting of provincially appointed local municipal councillors, mayors and community members and is mandated to support the well-being of individuals and communities.

Dr. Nicola Mercer, Medical Officer of Health, updated the Board on:

Wee Talk: Wee Talk is a preschool speech and language program delivered in partnership with Public Health, St. Joseph's Health Care and Groves Memorial Community Hospital. Speech and language disorders affect approximately 5-10% of children ages 0-6. Communication disorders in children are often misdiagnosed as learning disabilities or behavioural problems. 35% of children referred to Public Health for screening and assessing communication difficulties require speech therapy services. Parents are critical to the success of any speech therapy service and currently, parents must attend an in-person orientation before services can commence. In September 2018, an interactive online parent orientation will reduce wait times between referral and direct therapy, as parents will be able to complete the online program rather than wait for an in-person session. A full report is available here: <https://bit.ly/2qhFvTp> or at wdgpublichealth.ca.

Oral Health: Children and youth at risk of poor oral health receive timely and effective detection and identification through Public Health's Oral Health programs staffed by dental hygienists and dental assistants. Children and youth from low-income families have improved access to oral health care through preventative dental clinics at Public Health offices, as well as the five portable clinics which are held in rural areas to reach priority populations which may face transportation barriers. In 2017, oral health screening was provided for 11,905 children in their schools where 237 children were identified with urgent dental needs and 1000 with non-urgent needs. Another 1,699 children were seen at a Public Health preventative dental clinic where 579 children were identified as having urgent dental needs. Once identified, Public Health can help families get the treatment needed through Health Smiles Ontario. In the fall of 2018, Public Health will expand its free dental program by having a dentist on site in its Guelph offices to assist children directly. A full report is available here: <https://bit.ly/2H8BZVg> or at wdgpublichealth.ca.

Lyme Disease: Public Health has seen an increase in tick submissions, as well as an increase in the rate of Lyme disease, which corresponds to increases seen provincially. This may be due in part to increased awareness of ticks and Lyme disease among the public. However, it is known that the population and geographic range of blacklegged ticks is growing in Ontario, and is expected to continue to grow with this region's favorable habitat for ticks. Public Health's tick and Lyme disease program will focus on surveillance, as well as public communication and education. A full report is available here: <https://bit.ly/2HI0KJJ> or at wdgpublichealth.ca.



Annual Report 2017





Photo by David Bartus

About Us

The Saugeen Valley Conservation Authority was established in 1950 under Ontario's Conservation Authorities Act to further the conservation, restoration, development and management of natural resources on a watershed scale, in partnership with its 15 member municipalities, the Province of Ontario and its watershed residents.

Saugeen Conservation is one of 36 Conservation Authorities across Ontario and is a member of Conservation Ontario.

SVCA's watershed jurisdiction covers 4,632 sq. km (1,788 sq. miles), consisting of the drainage basins of the Saugeen, Penetangore and Pine Rivers, as well as those watercourses along the adjoining Lake Huron shoreline.

In delivering its programs, Saugeen Conservation has acquired over 8,498 ha (21,000 acres) of land for a variety of purposes, ranging from the protection of important wetlands and significant forests to the provision of recreation areas and campgrounds.

In addition to its main focus as a conservation agency, Saugeen Conservation is involved in provincial conservation issues, as a voting member of Conservation Ontario.





A message from our Chair

Welcome to Saugeen Conservation's 2017 Annual Report

It gives me great pleasure to present to you, our accomplishments over the past year. In reading over these pages, it will become clear why an agency like Saugeen Conservation is essential to the well-being of this watershed, now, and into the future.

Over the past year, members and staff have implemented a number of environmental endeavours throughout this vast watershed. On the top of the list are projects such as the acquisition of **new flood warning software, agricultural workshops, the removal of a dam and the naturalization of two waterways.**

Staff also secured the help and support of numerous partners in implementing **stewardship projects ranging from the greening of stormwater management ponds, to the mechanical removal of invasive *Phragmites australis*** at Brucedale Conservation Area, on Lake Huron. In addition to the above, Saugeen Conservation ordered over **120,000 seedlings in 2017 for a total of 33 landowners.**

We certainly cannot forget **June 23rd**, when **a total of 149mm of rain fell in the Mount Forest area**, mostly within a five hour period. This rain event caused significant flooding on the South Saugeen River and in neighbouring watersheds. Staff provided ongoing messaging throughout the event.

This past year also saw the development of new tourism packages that combined local culture with the unique features of the **Greenock Swamp, Ontario's single largest forested wetland**. Once packaged and promoted, with the help of Regional Tourism Organization 7, interest soared beyond expectations.

The final adoption of the new **Planning and Regulations Policies Manual** was an important step for our regulations officers in 2017. This document is an excellent tool in providing guidance to SVCA's planning and regulations department.

In addition, the long-anticipated **floodplain mapping** for the Village of Teeswater was completed. This project allowed a regionally important industrial expansion to take place, compliant with SVCA regulations.

We were extremely fortunate this past year to be the recipients of two **significant property donations**, courtesy of the Woods Family and Mr. Brian Powers. A total of 99 ha (246 acres), of forested land and important wetlands are permanently protected for future generations.

I would be remiss if I did not recognize our friends and **partners with the Saugeen Valley Conservation Foundation**. They work tirelessly to advance the message of conservation, while raising funds for conservation efforts.

We are also very fortunate to have an **abundance of volunteers**, partner organizations, local groups and businesses, who help further conservation in countless ways. Without their support, much of what we do would not be possible.



During and after photos of a flooded property along the South Saugeen River in June.



Participants of the 'Legends of the Great Swamp' tours enjoying a day of fun and entertainment.

In closing, we look forward to the changes and challenges of 2018. **Together, we really can make a difference.**

Yours in conservation,

Luke Charbonneau
Chair



A total of 6,719 trees were sold during SVCA's 13th Annual Arbour Day Tree Sale in April.

In this issue...

Water

- 5 Water Management
- 6 Flood Warning
- 7 Drinking Water Source Protection
- 8 Hands-on Environmental Projects and Agricultural Stewardship
- 12 Environmental Planning and Regulations
- 14 Water Quality



Lands

- 16 Forestry Services
- 18 Conservation Areas

Communications

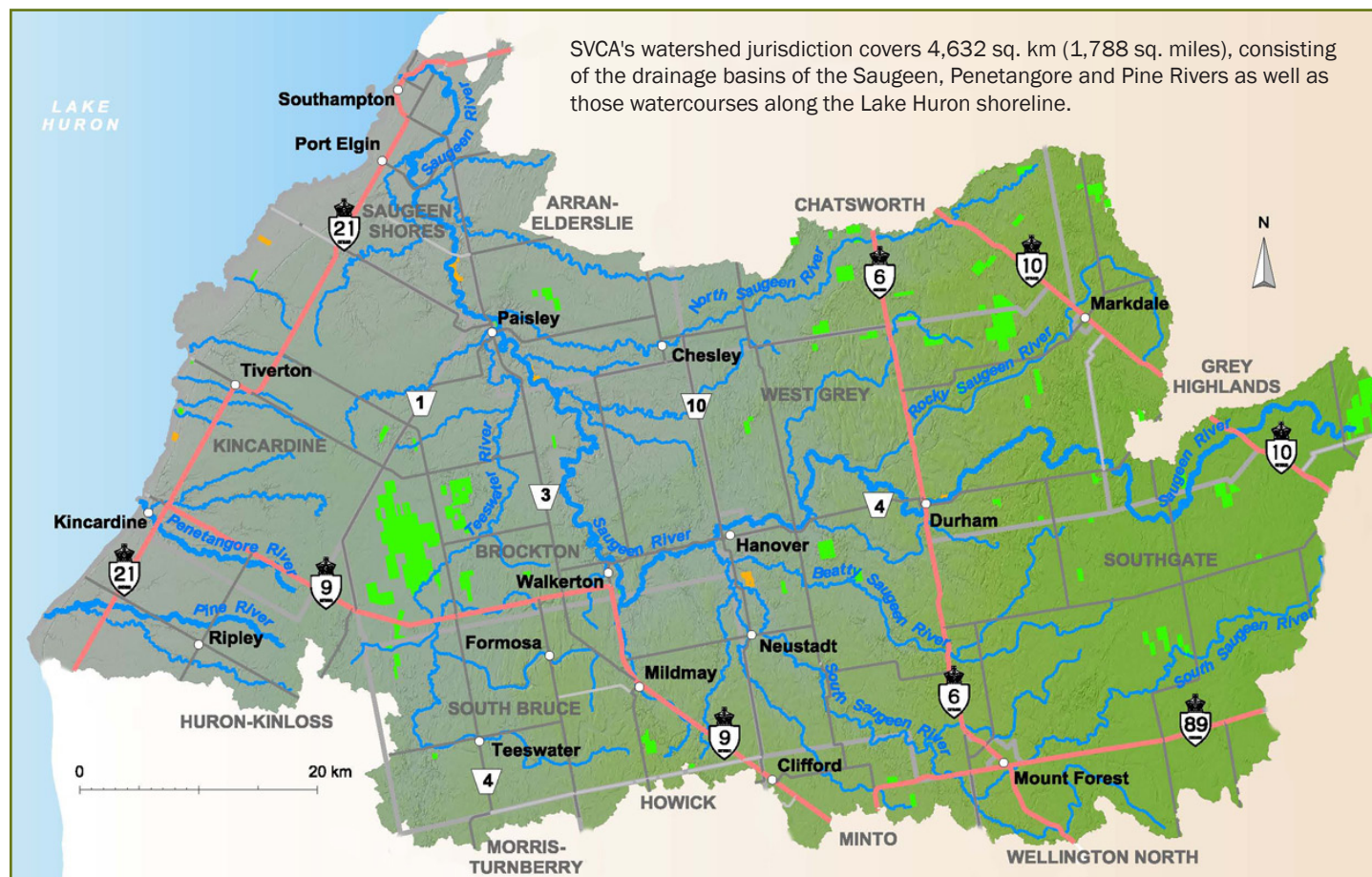
- 20 Communications
- 22 Conservation Education
- 24 Saugeen Valley Conservation Foundation



Administration

- 26 Behind the Scenes
- 27 Volunteers and Sponsors
- 28 Staff and Members

Front Cover: Great Blue Heron nest by David Bishop



Water Management

SVCA provides ongoing maintenance on capital structures designed to protect life and property from flood and erosion hazards.

2017 Highlights



SVCA field staff **removed trees** along the Walkerton Dyke and the Kincardine Penetangore Slope Stability project.



A temporary **repair was made to a corroded stormwater outlet pipe** that conveys water to the Saugeen River through the base of the Walkerton dyke.



A large endeavour in 2017 was the **removal of the Markdale Dam** (right), in the Village of Markdale on Armstrong Creek. The dam reservoir was transformed into a newly established natural stream channel with free-flowing water.

Staff organized the **planting of 200 trees and shrubs** along both sides of the creek. Staff, volunteers, the Department of Fisheries and Oceans, Municipality of Grey Highlands, Stewardship Grey Bruce, the Ministry of Natural Resources and Forestry, the Great Lakes Guardian Community Fund and the Saugeen Valley Conservation Foundation provided financial assistance. Happy Trout, a chapter of Trout Unlimited Canada, and the Markdale Rotary Club were also key participants.



Before and after photos showing the removal of the Markdale Dam on Armstrong Creek.



Flood Warning

Flooding has always been a concern on the Saugeen River and this past year was no exception. **A significant flood event occurred on June 23 and 24**, within the South Saugeen Watershed, unusual for that time of year. It was the first time the highest flow of the year occurred in the month of June, as indicated by five of SVCA's monitoring stations.

The flood resulted from 149 mm of rain falling mostly within a five-hour period. The water level at the Mount Forest stream gauge station was the **highest since the gauge became operational in 1985**. The flood exceeded a 1 in 200-year event. Numerous municipal roads were flooded and/or damaged, and many rural properties were affected.

Late in 2017, new water resources software was acquired for the **flood forecasting system**, coinciding with SVCA joining a **Southwest Ontario WISKI hub** (Water Information System Kisters), in partnership with six other Conservation Authorities. This new stream flow and weather data collection and analysis system will gradually become operational in 2018, and will replace outdated software.

In November, staff assisted with an **Emergency Management Training Exercise** for the Town of Hanover which focussed on emergency measures during a flood event.

Numbers



- 3 Presentations
- 2 Workshops Attended
- 5 Flood Messages issued


Affiliates

Conservation Ontario
MNR (Surface Water Monitoring Centre)
SW Ontario Flood Forecast Alliance


Drinking Water Source Protection


The jurisdiction of this Drinking Water Source Protection program includes the watersheds of Saugeen and Grey Sauble Conservation Authorities as well as the Municipality of Northern Bruce Peninsula.


2017 Highlights


 An **Open House** was held for realtors at the Grey Sauble Conservation office to learn about Land Use Planning. Presentations were also made by Drinking Water Source Protection staff.

 In April, CAOs, Clerks, Planners and CBOs met at a **Municipal Risk Management Implementation Planning Meeting** to discuss how to fund Part IV Responsibilities, Official Plan Updates and Septic Inspections.

 A study was completed on the Ripley and Point Clark Well Technical Work, which included a delineation for the Wellhead Protection Area (a new well). An **Open House** was also held. The amended Source Protection Plan was submitted to the Ministry of the Environment and Climate Change on May 31st for review and approval.

 **Justine Lunt was hired as the new Source Protection Supervisor/Risk Management Inspector.**


 **Angela Newman was appointed as the new Health Sector Representative** for the Drinking Water Source Protection Committee for the local source protection planning region.


 Grey Sauble Conservation staff partnered with five landowners to **plant 5,400 trees** along the Sauble River.




Drinking Water Source Protection is about protecting local municipal drinking water sources from both quality and quantity threats, to ensure clean water for all of us.

Stewardship in the Source Protection Region

 Desboro and Tara 4-H leaders, members of the Desboro Potato and Beef Calf Clubs volunteered to plant **80 red maple trees** in Tara. This is part of a stewardship initiative to improve water quality in the Upper Sauble River. Funding for this project was made available through the Ministry of the Environment and Climate Change's Great Lakes Guardian Fund and Stewardship Grey Bruce.

 GSCA staff worked with a landowner to install **1,156 meters of fencing to prevent cattle from accessing a 700 meter stretch of the Upper Sauble River**. By partnering with Alternate Land Use Services (ALUS), this landowner, who took 5 ha (13 acres) out of pasture, is eligible for an annual payment.

 A **First Responders Guide** was sent to fire departments that serve areas near municipal drinking water systems/drinking water protection zones. A copy of the guide and factsheet was also sent to CAOs and clerks across the Source Protection Region. Staff also started conducting training sessions with fire departments.

Numbers



- 2 Press releases
- 29 Meetings attended
- 3 Workshops organized
- 144 Mail-outs
- 2 Publications produced
- 15 Meetings hosted

A Source Protection Committee of local representatives oversees this program.





Hands-On Environmental Projects

Stewardship

Staff is continually involved with stewardship activities to ensure the health and well-being of the watershed in which we live, work and play. These hands-on efforts depend on the commitment and dedication of local volunteers, groups, organizations and sponsors to make them happen.

Phragmites Information Workshop

Staff organized a full day information seminar about the invasive *Phragmites australis*, which has taken over many locations along the Lake Huron shoreline as well as other wetland areas throughout the watershed. The day was very successful with 70 participants in attendance.

Wonders of Wetlands

This was the third year that Enbridge supported the **Wonders of Wetland program** at Brucesdale Conservation Area, for **70 elementary students from Paisley and Chepstow schools**.

Grey Bruce Sustainability Network (GBSusNet)

Saugeen Conservation partnered with GBSusNet on the implementation of **educational units entitled CareerWORKS**, sponsored by RBC's Bluewater Fund. CareerWORKS consists of a series of educational pieces, namely; WaterWORKS, EnergyWORKS, FoodWORKS, and ClimateWORKS.

A total of 230 students attended the WaterWORKS event to raise awareness about water resources, climate change, soil health and careers in a related field.

Youth Expo 2017

Staff hosted the **Youth Expo** again this year, free to youth ages 10 to 17. This program offers a variety of outdoor activities ranging from archery to aquatic studies, fishing, hiking, etc. A total of 15 adult volunteers were involved and 67 youth at the Sydenham Sportsmen's Club near Owen Sound. Other partners included Ontario Ministry of Natural Resources and Forestry, Sydenham Sportsmen's Association, Ontario Power Generation (OPG) and Stewardship Grey Bruce.

"Environmental stewardship is the responsible use and protection of the natural environment through conservation and sustainable practices" Aldo Leopold

TD Friends of the Environment Tree Days

TD Friends of the Environment Tree Days celebrated their **fourth year planting trees** in the Town of Walkerton. Approximately **300 trees and shrubs were planted** this past year. Staff was also successful in their application to extend the TD FEF program to include Port Elgin, where an **additional 150 trees and shrubs were planted**.

Bruce Grey Federation of Agriculture Politicians Day

Staff attended the **Grey and Bruce Federation of Agriculture's 'Politicians Day'** in late March, where a brief overview was provided on SVCA's involvement and accomplishments with the agricultural community.

Lake Huron Centre for Coastal Conservation(LHCCC)

Everyone at the LHCCC mourned the loss of an incredible individual in January of 2017; Geoff Peach, Co-Founder and Coastal Resources Advisor to the Centre. Geoff was a wealth of knowledge and dedicated to conservation initiatives pertaining to Lake Huron and the Great Lakes in general. He will be sorely missed.

The LHCCC and SVCA, with funding from Enbridge and the National Wetland Conservation Fund, were instrumental in the continued **removal of the invasive *Phragmites australis*** plant from areas along the Lake Huron shoreline, specifically at Brucedale Conservation Area (right). This invasive plant is extremely aggressive and has taken over many shoreline areas, replacing valuable native species.

Canadian Nuclear Safety Commission – Lake Huron and Saugeen Watershed Workshop

Staff was involved with the **Canadian Nuclear Safety Commission (CNSC)** workshop, held in Kincardine. The workshop involved environmental organizations and First Nations around Lake Huron, as well as those who review industry compliances related to the operations of Bruce Power with respect to licencing.

Phragmites Lunch & Learn

The SVCA, in partnership with the Lake Huron Centre for Coastal Conservation and Enbridge, hosted a very successful **'Lunch and Learn'** in July at Brucedale Conservation Area. The session featured guest speaker Dr. Janice Gilbert speaking on the invasive *Phragmites australis*. In attendance were seasonal campers, as well as Kincardine staff and shoreline residents.



Top right: Staff manually removing phragmites at Brucedale Conservation Area.



Lower right: An amphibious machine called a Truxor was used to mechanically cut Phragmites from the shoreline.



Penetangore Watershed Group

This group is involved with the planting of **3,500 trees** every year! In addition, the group implements **Tall Tree and Shade Tree initiatives** in the Municipality of Kincardine with support from Bruce Power. A total of 60 students from Kincardine District SS as well as 10 volunteers assisted with the planting of trees along Kincardine Creek.

Pine River Watershed Initiative Network (PRWIN)

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA), the SVCA and the PRWIN assisted landowners with **soil conservation measures**. This past year, PRWIN was also involved with the **planting of 15,000 trees**.

Affiliates

Brockton Emergency Management	Ontario Envirothon - Forests Ontario
Brockton Fisheries Task Force	Ontario Ministry of Natural Resources & Forestry
Bruce County Federation of Agriculture	Ontario Power Generation
Grey County Federation of Agriculture	Penetangore Watershed Group
Happy Trout, Chapter of Trout Unlimited Canada	Pine River Watershed Initiative Network
Healthy Lake Huron - South East Lake	RBC's Bluewater Fund
Huron Technical Working Group	Saugeen River Fisheries Task Force
Lake Huron Centre for Coastal Conservation	SaugGreen
Lake Huron Fishing Club	Stewardship Grey Bruce
Markdale Rotary Club	Sydenham Sportsmen's Association
National Wetland Conservation Fund	Walkerton Rotary Club
Ontario Ministry of Agriculture, Food and Rural Affairs	
Ontario Ministry of Environment and Climate Change	

Numbers



370	Students involved in stewardship endeavours
240	Volunteers involved in stewardship projects
1,500	Trees planted by SVCA
7	Events
22	Presentations
14	Workshops
38	Meetings
4	Conferences
2	Radio interviews

Partners



Agricultural Stewardship

Saugeen Conservation works with local and provincial agricultural groups, organizations and agencies in furthering the work of stewardship.

Coffee, Crops & Donuts

SVCA continued to work with **16 farmers and eight Ag industry partners to host farmer-led workshops on soil conservation.** Topics ranged from identifying and monitoring soil health to pest and disease management.

Staff worked with six farmers on the **Demonstration Plot Project**, focussing on inter-seeding, planting green, manure applications and feed quality.

The Dirt on Phosphorus

The SVCA and Maitland Valley Conservation hosted a conference entitled “**The Dirt on Phosphorus**”. The all-day event included classroom sessions and field trips about nutrient management and phosphorus research in Ontario. A total of 98 participants attended.



The last Coffee, Crops and Donuts workshop of the year, on December 15th, was on conservation farming with horses. Approximately 35 participants attended at the Belmore Community Centre.

Cover Crop Incentive Program

The SVCA had the opportunity to deliver a second year of the **Cover Crop Incentive Program** to support farmers interested in cover crops.

Community Outreach

Staff represented the SVCA at the Ontario **Soil Network**, and the **Bruce County Soil and Crop Committee**. They attended meetings and sponsored Ag events.

Education Outreach

Staff built an augmented **reality sandbox** for exploring the concept of water movement over land and to learn about the effects of flooding and erosion. Stewardship principles and practices were also demonstrated.



Ontario

Canada

Affiliates

Agronomy Advantage, Dundalk
Bogle Pass Angus, Holstein
Bruce County Plowmen's Association
Brussels Agri-Service
D&I Wattam, Wingham
Dave Gowan, Tara
Environmental Tillage Systems
Germar Farms, Mildmay
Grey Ag Services, Markdale
Grey Bruce Sustainability Network, Walkerton
Harry Biermans, Paisley
Highland Custom Farming, Grey Highlands
Hill & Hill Farms, Varna
Lewis Land and Stock, Holstein
Local Farmers

Lystek, Dundalk
Maitland Conservation
Mapleseed, Lindsay
North Wellington Co-op, Mount Forest
Ontario Biomass Producers Association
Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA)
Parrish and Heimbecker, Goderich
Paul Legge, Paisley
Peter Johnson, Real Agriculture
Peter Kotzef, Paisley
Robert DeBrabandere, Paisley
Sprucedale Agromart, Hanover
Schaus Land and Cattle Company, Elmwood
Thomas Lennox, Deemerton

Numbers



- 10 Cover Crop Incentive Program participants
- 10 Coffee, Crops & Donut sessions involving 266 farmers
- 748 Ha (1848 acres) of farmland protected in cover crops through the Ag Outreach program
- 100 High school students and 300 elementary students were 'Soil Health Certified' by the Ag Outreach Program



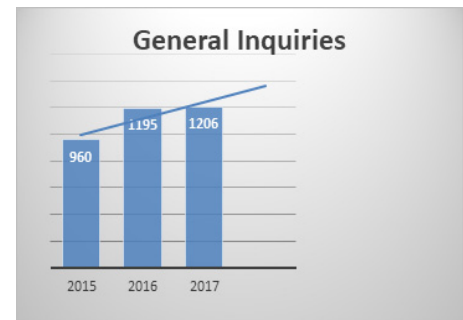
Environmental Planning and Regulations

1 A new comprehensive **Environmental Planning and Regulations Policies Manual** was approved. This document is a step toward transparency, consistency, and local awareness on the role of SVCA's Environmental Planning and Regulations Department.

2 The implementation of a **Two Zone Floodplain Policy Area** in the **Village of Teeswater** was made possible through updated floodplain mapping by the Municipality of South Bruce and SVCA.

3 Staff followed up on two charges laid against landowners in 2016. The landowners **restored the site** to the satisfaction of the SVCA. As a result, charges were withdrawn.

4 Staff reviewed the Grey County, Huron County, and initial stages of the Wellington County **Natural Heritage System Studies**. They also began the review process of the new Grey County Official Plan, Municipality of South Bruce Official Plan, and Township of Huron-Kinloss Zoning By-law.

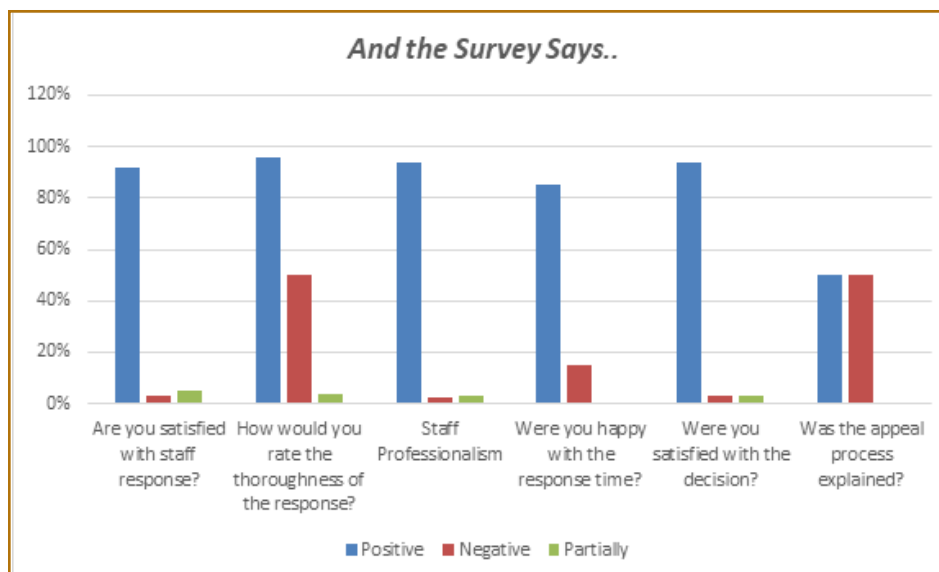


Graph showing the trend associated with general enquiries.

5 A new **file management system** is being created to enhance efficiency in this department. This system will represent a massive step forward for the department into 2018.

6 Staff implemented a '**within 5 business days response required**' process for 'rush' legal inquiries. In many cases, responses took less than a day.

7 SVCA continues to use the **Drainage Act Review Team Protocol (DART)**, to ensure that both the Conservation Authorities Act and the Drainage Act work in concert. New drains also continued to be reviewed.



In 2015, an anonymous customer service survey was made available for those who received a permit. Results over the past three years are shown above.

Numbers



238	Development permits issued
118	Violations of Regulation 169/06 investigated
66	Enforcement matters resolved
402	Planning Act comments issued - 99.75% submitted on time
1200	Files processed in 2017
0	Charges laid associated with Violations of Ontario Regulation 169/06, as amended, in 2017
4	Section 28 Hearings held by the SVCA
2	Permit denials by SVCA
0	Decisions, or conditions of SVCA approval, appealed by proponents associated with Section 28 permission
1	Open House attended in Huron-Kinloss
133	Inquiries by legal firms processed in 2017; 99.2% processed on time
22	New municipal drains reviewed as well as 15 maintenance projects



Culvert installation in Town of Chesley.

8 This department continued a winter **radio awareness campaign in 2017**. Watershed residents were reminded to contact SVCA in advance of proposed works. The campaign also served as an educational piece about how regulations fulfill one of the key mandates of Conservation Authorities; 'preventing loss of life and property damage from flood and erosion hazards'.

9 **Planning Services Agreements** clarify the SVCA's role in Planning Act comments. These agreements **are being renegotiated/negotiated** with all Member Municipalities involved with the Planning Act process.

Staff Attended the Following:

- Level 2 Provincial Offenses Act Training, a first-time course offered specifically for Conservation Authorities staff. New staff tools and knowledge of evidence collection, court document production, interview techniques etc., were acquired during this training
- Meetings with both the MNRF and MOECC on shoreline mapping and high lake levels
- DFO Drain Classification meetings to have additional drains classified by DFO and to help clarify maintenance needs
- Agricultural education events regarding stewardship and best management practices concerning soil health and conservation
- Two Conservation Authority Coastal Working Group meetings for Conservation Authorities with shoreline areas
- Meetings with area Drainage Superintendents and contractors concerning tile drainage challenges in the watershed
- Town of Hanover Mock Emergency training related to flooding
- SVCA's Agricultural Advisory Committee meetings
- Conservation Ontario's Section 28 Compliance Committee
- Community presentation in Belmore



Water Quality

Surface Water Sampling

Saugeen Conservation conducts **monthly surface water quality sampling at 29 sites** within the Saugeen and lake-fringe watersheds, during ice free periods. Sampling has occurred at some of these sites since the 1970s. Samples are **analyzed by the Ministry of the Environment and Climate Change (MOECC), and private laboratories for general chemistry, phosphorus, nitrates, metals, and *E. coli*.**

This data allows staff to detect changes in water quality, identify sources of pollution, and prioritize areas for protection and restoration. For example, one of these indicators is phosphorus, an element which contributes to algae growth in aquatic environments. In 2017 the average total phosphorus concentration **showed early signs of improvement.**

Sources of phosphorus include but are not limited to: runoff of household fertilizers, (soaps/cleaners, and faulty septic systems), agricultural runoff, industrial effluent. Algae blooms are harmful to aquatic organisms as they deplete oxygen, prevent the penetration of sunlight, and can contain toxins.

Groundwater Monitoring

Knowing how groundwater levels and quality changes from year-to-year assists the SVCA in making informed comments with regard to land use planning. Rain gauges that were previously installed at three well sites, with support from the MOECC, help monitor the relationship between precipitation and groundwater.

The SVCA **monitors 23 aquifers in 13 locations** throughout the watershed. Ten wells monitor bedrock aquifers, while thirteen monitor overburden aquifers, or aquifers located in loose soil, sand, or gravel overlying solid rock. A bedrock aquifer is an aquifer confined within bedrock layers. Nitrates and chloride are two of the main parameters measured.

Water level is logged hourly, while water quality samples are collected annually in the fall. (Any exceedances of the Ontario Drinking Water Standards are reported to municipalities and the local Health Unit for follow-up.) This program is supported by funds from the Ministry of the Environment and Climate Change (MOECC).

Photo above: Shaun Anthony, Water Quality Specialist, identifies organisms taken from local waterways.

Biomonitoring

Benthic invertebrates (i.e. bottom dwelling organisms), **are collected at surface water sampling sites across the watershed annually.** These organisms are excellent indicators of water quality due to their sensitivity to pollution. The presence or absence of different species can indicate a great deal about habitat quality.

Results indicate that the **benthos have changed in some locations**, favouring those more tolerant of polluted conditions. Staff will continue to closely monitor these organisms and investigate possible causes of water quality deterioration.

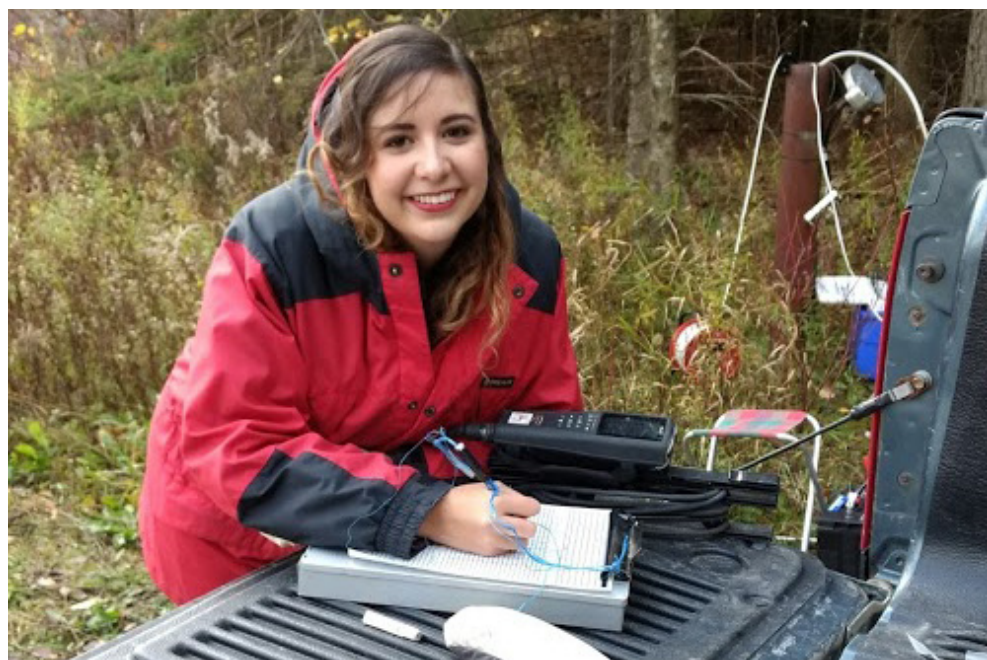
Healthy Lake Huron

Since 2011, the SVCA, neighbouring Conservation Authorities, government agencies and NGOs, have worked together **to protect and improve overall water quality along the southeast shores of Lake Huron.** SVCA has been collecting monthly baseline and storm-event samples from the South Pine River in Huron-Kinloss.

Last year SVCA **collected 16 baseline and 49 storm-event samples.** This data will be used in a computer-based model to allow SVCA to better understand and predict how sediments and pollutants move from land to watercourses.

Restoration

The SVCA, in partnership with the Grey Bruce Sustainability Network, hosted a **'Restoration Day'** at Riverstone Retreat, near Durham. Attendees learned the basics of bank stabilization and erosion control by building a "wing-deflector" (directing water away from an eroding bank), and "fascines" (rope-shaped bundles of live cuttings, lashed together with twine).



Staff welcomed exchange student Denisse Inman from Mexico as part of the Walkerton Rotary Club Exchange Program. Denisse worked with Water Quality Specialist, Shaun Anthony, to learn about water quality programs in Ontario.

Staff was also involved at Fairy Lake in Southampton to shore **up eroding banks and control stormwater runoff.** Cleared debris and fallen trees from an inlet channel were used to protect the "toe" of the banks from erosion. A native-plants garden with a series of "step-pools" was also constructed to hold back and filter pollutants in stormwater runoff.

Affiliates

Great Lakes Guardian Community Fund
Grey Bruce Sustainability Network
Healthy Lake Huron Technical Working Committee
Ontario Benthos Biomonitoring Network
Ontario Ministry of Natural Resources and Forestry
Ontario Ministry of the Environment and Climate Change
Provincial Groundwater Monitoring Network
Provincial Water Quality Monitoring Network
SauGreen
Town of Saugeen Shores

Numbers



- 232 Water samples taken at 29 surface water sampling sites
- 26 Water samples taken from 20 groundwater monitoring wells
- 35 Benthic invertebrate samples taken at 15 sampling sites (OBBN)
- 65 Healthy Lake Huron (rural stormwater) samples taken
- 9 Workshops
- 23 Meetings and conference calls
- 3 Presentations
- 9 Outreach engagements
- 5 Webinars

Partners





Forestry

2017 Highlights

Plantation Thinning

There were **three plantation thinnings** organized in 2017. The total revenue generated was \$190,000.

Hazard Tree Removal Program

Portions of the Mildmay-Carrick and Allan Park trail systems were inspected and potentially hazardous trees removed.

Tree Marking

Tree marking on SVCA lands was carried out by forestry staff and a private contractor. The marking resulted in **\$145,000 in harvest revenue**.

Emerald Ash Borer

The Saugeen Bluffs Conservation Area was **monitored for Emerald Ash Borer (EAB)** and its presence was confirmed. Removal of the trees will be difficult, especially within the camping park. Staff are consulting with arborists to determine the scope and cost of tree removal.

EAB Control

Staff assisted the Town of Saugeen Shores with the **identification and marking of ash trees within their municipality** as well as other hazardous trees. The evaluation of contractor bids and supervision of the tree removal process was completed. These efforts resulted in revenue of \$14,776.

Marketing and Promotion

The Grey Bruce Forestry Service was promoted in a variety of ways. Displays were prepared and staffed at the following events:

- Chesley Agri-fair
- Welbeck Wood Show
- Grey Bruce Woodlot Conference
- Holstein Maplefest
- Tree planting, MFTIP and EAB workshops



Donna Lacey, Forestry Technician, prepares an ash tree for inoculation against the Emerald Ash Borer.

Numbers



- \$300,327 Revenue generated by forest product sales. Budgeted revenue for the year was \$210,000, resulting in a surplus of \$90,327
- 93 Ha (232 acres) of SVCA forests marked in 2017
- 118,600 Seedlings ordered in the spring of 2017. Of this total, over the counter sales amounted to 54,900 trees for 33 landowners
- 63,700 Trees planted by the SVCA for 16 landowners with funding from the 50 Million Tree Program
- 280 Landscape trees provided to 5 landowners and municipalities
- 6,719 Trees and shrubs sold during the 13th Annual Arbour Day Tree Sale in April
- 22 Landowners involved with the Emerald Ash Borer control program, resulting in the treatment of 37 ash trees
- 35 Landowners assisted by staff in the preparation of new or renewed Managed Forest Tax Incentive Plans (MFTIP), involving a total of 2,287 acres



Events and Shows Attended

Annual MNRF Somerville Stock Viewing
 Brockton Horticulturalists
 Bruce Grey Forest Festival
 Community Forest Managers Meeting
 EAB Working Group Meeting
 Forests Ontario - AGM
 Forests Ontario - Post Plant Meeting
 Forest Health Review
 FSC Southern Ontario Certification
 Greenock Members Tour
 Grey Bruce Woodlot Conference
 OFAH Zone H

Affiliates

Bruce Grey Forest Festival

Bruce Grey Woodlands Association
 Emerald Ash Borer Working Group
 Forests Ontario
 Ontario Invasive Plant Council
 Ontario Professional Foresters Association
 Ontario Woodlot Association
 Ontario Maple Syrup Producers Association
 School Groups
 Town of Saugeen Shores

Projects

Financial Ecological Assessment of
 Forests for Bruce Power
 TD FEF Walkerton and Port Elgin Tree
 Planting



Photo by Tim Gow

Conservation Areas & Lands

Saugeen Bluffs Conservation Area

An **Open House** was held on May 28th. Staff was on hand to provide tours and answer questions.

Two **ford-type stream crossings** were **constructed** by staff to provide a safe and environmentally friendly way for horseback riders to **cross streams and creeks**. This pilot project is intended to be an alternative to more costly bridges.

An additional **eight corrals** were constructed at four campsites at the Campbell Horse Campground.

In November, the water system was extended to an **additional 30 camping sites in the horse campground**.

Two new horse-crossing bridges were constructed by members of the Chesley Saddle Club, volunteers and staff.

A children's **splash pad** was constructed with assistance from Emke Schaab Climate Care (Hanover and Walkerton), as well as Dave Hawkins Line Service (Mildmay), and the seasonal campers.

Staff, volunteers and the Bruce County Innovation Program assisted in the **construction of two pedestrian bridges** along one of the main trails.



McBeath Conservation Area

The laneway at this property was improved to allow service vehicles access to the rear of the property. This park is accessible (for visitors), by canoe only.

Bruce Dale Conservation Area

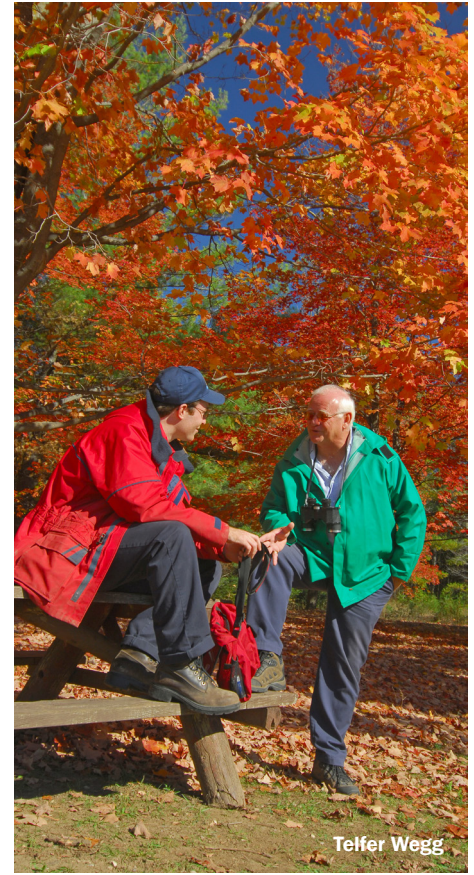
In August, an **amphibious cutting machine** called a **Truxor** was employed to remove invasive *Phragmites* from the shore area. Almost all the invasive plants were removed resulting in a remarkable change to the viewscape.

Durham Conservation Area

An **Open House** was held on June 4th. This provided the public with an opportunity to view the park, check out the features and ask staff questions about the camping experiences available.

Horse Friends of Saugeen Bluffs

A new club called **Horse Friends of Saugeen Bluffs** was formed by local equestrians to foster promotion and further development of the horse camp and trail riding experience. This group **assisted with the construction of two new bridges, park promotion, trail maintenance and fundraising events**.



Telfer Wegg

Changes & Improvements

• **A new trail system** was developed at Stoney Island Conservation Area as part of the Canada 150 Celebrations.

• In April the Ministry of Natural Resources and Forestry (MNRF) **stocked fish at Allan Park and Bell's Lake Conservation Areas** and **Durham Conservation Area** below McGowan Falls.

The species and numbers are as follows:
Allan Park 2,000 Brown Trout; Bell's Lake 3,500 Brook Trout and, Durham 1,000 Brook Trout.

All fish are 28 months old with an average weight of 1lb plus. The fish are stocked at no cost to the Authority.

Land Donations

SVCA was extremely fortunate to be the recipient of two **significant property donations**, courtesy of the Woods Family and Mr. Brian Powers. A total of 99 ha (245 acres), of forested land and important wetlands are permanently protected for future generations.

Partners, Groups, Volunteers and Agencies

Bruce County Campers
Bruce County Tourism
Bruce County Innovation Program
Chesley Saddle Club
Conservation Ontario
Enbridge Inc.
Great Lakes Guardian Community Fund
Grey County Tourism
Horse Friends of Saugeen Bluffs
Kincardine Ski Club
Lake Huron Centre for Coastal Conservation
Ontario Ministry of Natural Resources & Forestry

Ontario Steelheader's Association
RT07 (Tourism Grey, Bruce, Simcoe)
Saugeen Valley Children's Safety Village
Saugeen Bluffs and Durham Seasonal Campers
Town of Saugeen Shores
Trails Ontario
Canada Summer Jobs Program

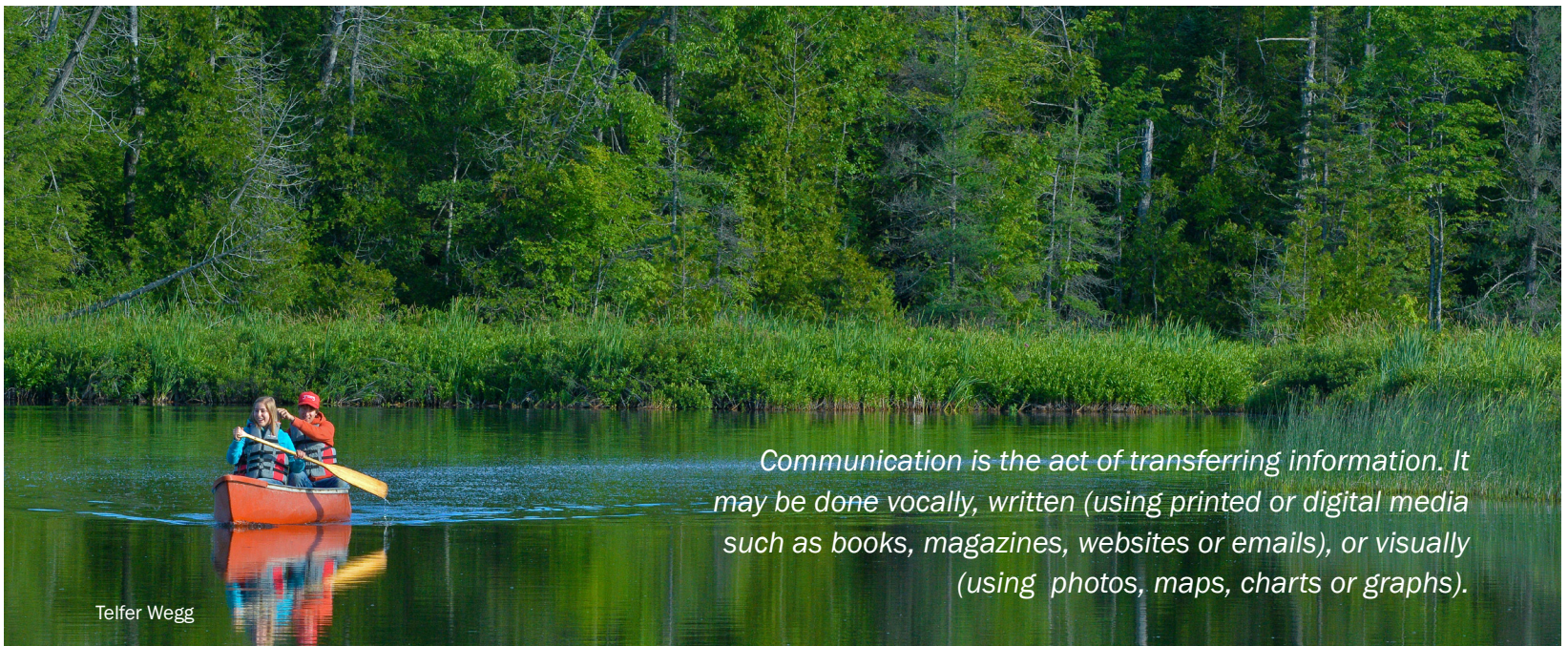
Meetings Attended

Horse Friends of Saugeen Bluffs
Saugeen Bluffs Maple Syrup Committee

Numbers



10,383	Campers at Brucedale Conservation Area
32,487	Campers at Durham Conservation Area
33,505	Campers at Saugeen Bluffs Conservation Area
2	Open Houses



Telfer Wegg

Communication is the act of transferring information. It may be done vocally, written (using printed or digital media such as books, magazines, websites or emails), or visually (using photos, maps, charts or graphs).

Communications

Combining Tourism and the Environment

The Greenock Swamp, the largest single forested wetland in Southern Ontario, steeped in culture, history and environmental importance, was the focus of a **new tourism product** in 2017, entitled **'Legends of the Great Swamp'**.

The tours were organized by staff with input from the local community. Regional Tourism Organization 7 assisted with seed monies. When the tours were advertised, bookings flooded in. Not only did staff host the two planned tours, but four additional tours were accommodated due to demand.



Saugeen Bluffs Marketing Plan

This Department continued to implement recommendations outlined in the 2016 Saugeen Bluffs Marketing Plan.

Staff coordinated volunteers to assist with the following:

- Spring workbee
- Open House
- Trail development
- Construction of pedestrian bridges
- Construction of horse bridges
- Displays

Social Media Policy

According to Higher Ed Marketing Journal, there are almost **3 billion social media users worldwide**. Facebook, for example, has over 2 billion users, 88% of those between the ages of 18 – 29. Twitter is next with 328 million users. Snapchat is leading the way in allowing users to share content for a limited time. Instagram (owned by Facebook) is hugely popular among younger generations with 59% of users in the 18 – 29 age brackets. Instagram now has 250 million daily users!

In response to the growing popularity of social media as a communications tool, a **Social Media Policy** was developed in 2017.



Two new tours were developed as part of a new culture/environmental promotion. 'Legends of the Great Swamp' attracted over 250 participants last summer.

Numbers



Radio/Television/Print

- 12 Press releases
- 10 Weeks of radio advertising for events, functions and programming
- 12 Display ads

Functions/Events

- 5 Seminars / workshops attended
- 48 Meetings
- 17 Presentations and hikes
- 1 Evening Conservation Tours (SVCA /SVCF staff & Members)
- 1 Volunteer appreciation evening
- 1 Volunteer/Sponsor Recognition ceremony
- 3 SVCA/SVCF major events, (11,000 combined attendance)
- 16 Shows, events and fairs attended by SVCA/SVCF, organized by others
- 2 Campground Open Houses
- 1 River Clean-up Operation
- 1 Memorial Tree Ceremony

Publications & Promotions

- 6,500 Campground Guidebooks
- 8,000 Produced and distributed (flyers, placemats, coupons, etc.)
- 1 Newsletter (Green Side Up)
- 1 Annual Report (350 copies)
- 12 Advertisements in tourism publications
- 3 Trade show displays



Shows

Staff attended two major promotional shows, namely the **Toronto Spring Camping and RV Show** to promote the campgrounds and the **Mane Event Equine Show** in London to promote horse camping at Saugeen Bluffs Conservation Area. Both shows were well attended.

Staff also dedicated a great deal of time attending shows and events throughout the watershed to promote SVCA's programs, parks and services. It's incredibly important to interact one-on-one with the public and to establish an **active presence in the watershed**.



Affiliates

Bruce County Innovation Program
Community Living (Walkerton and District)
Conservation Ontario
Grey Bruce Sustainability Network
Grey Sauble Conservation
Healthy Lake Huron
Lake Huron Centre for Coastal Conservation
Lake Huron Fishing Club
Maitland Valley Conservation
Watershed Media
Member Municipalities
Ontario Driftboat Displays

Ontario Ministry of the Environment and Climate Change
Ontario Ministry of Natural Resources and Forestry
Ontario Power Generation
RT07 (Tourism Grey, Bruce, Simcoe)
Saugeen Bluffs Seasonal Campers
Saugeen Valley Conservation Foundation
Grey Bruce Tourism Association
Brockton Fisheries Task Force
Watershed Groups and Organizations
Watershed Schools



Conservation Education

The Natural Way to Learn

The goal of the conservation education program is “to assist watershed residents in developing an awareness of, and the knowledge, skills and commitment required, to make informed decisions and constructive actions concerning the wise use of our natural resources.”

2017 Highlights

Enbridge sponsored the Wonders of Wetlands program again in 2017. This one-day program focusses on the importance of coastal wetlands to over 75 grade 4 students and takes place at Bruce’s Conservation Area. Students learn about the importance of wetlands and wildlife habitat. This program complements Enbridge’s on-going support for the removal of *Phragmites*.

This year marked the **sixth anniversary of The World of Trees program** presented in cooperation with Grey Sauble Conservation Authority’s Arboretum Alliance. The program is delivered over two days to Owen Sound area grade 3 students and focusses on trees and how they grow. Students also plant additional trees at the Arboretum during the program.

The WREN Program

A cooperative effort between Saugeen and Grey Sauble Conservation, this program offers schools throughout Grey, Bruce, Wellington and Huron Counties **40 different hands-on curriculum based studies**.

Each unit investigates interactions within ecosystems, biodiversity, sustainability, and the responsibility of everyone to protect and conserve our natural environment.

Flood Waters & You Program

This is a hands-on program focussed on **floodings and cold-water safety**. It is offered free of charge to watershed elementary schools and community youth groups.

The DEER Program

Sponsored by Bruce Power, **over 30 different curriculum based programs** are available to schools in the Bluewater District and Bruce Grey Catholic District School Boards, grades 2 to 12. These full day, hands-on programs take place at the Bruce Power Visitors' Centre, Inglis Falls and Sulphur Spring Conservation Areas.

Earth Week Program

Fully sponsored by Enbridge, these in-school programs were first developed in 2007 in response to a growing interest in Earth Week celebrations. **Six different curriculum based presentations** offer students the chance to learn about local ecosystems and how we all play a role in caring for the planet.

Wild Encounters Nature Day Camp

This week-long camp is a cooperative effort between Hanover Recreation Department and Saugeen Conservation. Its goal is to **get kids involved in the outdoors**, having fun, and learning about conservation and the environment.

The Grey Bruce Children's Water Festival

This Festival is held each May for grade 4 students in Grey and Bruce and features **46 different curriculum based, hands-on demonstrations and activities** focussed on water.

Youth Expo

This program is geared to **youth aged 9 to 16** and offers a wide variety of **outdoor activities** from fishing and hiking, archery, bird watching and more. The 11th annual Expo was held in June at the Sydenham Sportsmen's Club and is hosted by several organizations interested in **offering youth the opportunity to explore the outdoors**.

Bruce Grey Forest Festival

Initiated in 2010 by Saugeen Conservation, this Festival was the second of its kind in the province. Grade 7 students from Grey and Bruce participate in **35 hands-on curriculum based activities**, focussed on forests. This year's three-day festival took place in early October at Allan Park Conservation Area.

Numbers



379	Presentations
346	Classes
58	Education programs

Participating Students

6,145	Bluewater School Board
1,484	Bruce Grey Catholic School Board
498	Community Youth Groups
575	Other Groups

Participating Students (Programs)

2,200	WREN
2,260	DEER
75	Floodwaters & You
53	Conservation Badge
295	Summer Programs
1,217	Earthweek
1,527	Grey Bruce Children's Water Festival
1,000	Bruce Grey Forest Festival
75	Youth Expo

Our Partners



Wellington Catholic
District School Board
We Have Faith in Education



Upper Grand
District School Board



Saugeen
Valley
Conservation
Foundation



Saugeen Valley Conservation Foundation

The Communications Department works hand-in-hand with the Foundation and its volunteers. Foundation programs and events accomplish a number of objectives, such as public awareness, increased profile and fundraising.

Fundraising Events

The Saugeen Valley Conservation Foundation was established in 1973 and is the fundraising arm of Saugeen Conservation. Its Board of Directors consists of three staff and 10 keen individuals from across the watershed who have a sincere interest and dedication to conservation. Direction for fundraising projects is provided by Saugeen Conservation.

2017 Highlights

The Saugeen Bluffs Maple Syrup Festival

This festival has been ongoing since 1969. Between 5,000 – 7,000 people attend this event, the largest of its kind in Grey and Bruce Counties!



Above: Dana Bernier with Pioneer Popcorn is a huge hit with visitors and attends SVCF events on a regular basis.

Right: Over 600 people attended SVCF's Annual Memorial Grove Ceremony.

Christmas in the Country

This festive event is held at Sulphur Spring Conservation Area. Tree-lined pathways are adorned with **hundreds of candle jar lanterns** to set the mood of this **one-of-a-kind event**. Trees and buildings throughout the park are decorated with thousands of lights and activities are featured in every building on the grounds. Between 5,000 – 7,000 people attend this unique event.

Memorial Grove Ceremony

The Foundation organizes a special ceremony for families and friends of those who have had trees planted in their memory. This annual function is **attended by hundreds** of people and is very meaningful for all involved.



Conservation Dinner

In October, the Foundation held the **Wine & Wise Things Dinner and Auction**. It was a great evening of fun and entertainment.

Funding Projects in 2017

Markdale Dam Removal

The Foundation provided monetary **support toward the removal of the Markdale Dam** and the rehabilitation of the channel on Armstrong Creek in the Village of Markdale.

Wildlife Centre

The Foundation has adopted a new project involving the construction of a new Wildlife Centre at Sulphur Spring Conservation Area. The current structure, which houses domestic birds, is in a state of disrepair. The **new facility will focus on housing animals that have been rehabilitated** but cannot be released into the wild. Education and awareness will be a big part of the new facility.

Conservation Area Improvements

Monies were directed to improvements at **Saugeen Bluffs Conservation Area** including the construction of a new **splash pad**.



Numbers



276	Active volunteers
11,500	People attended Foundation events throughout the year
1	Evening Conservation Tour
121	Memorial Grove trees planted
3	Major events





Above: Rick Rowbotham, Field Services Coordinator, clears snow in preparation for the Saugeen Bluffs Maple Syrup Festival.

Behind the Scenes

The individuals behind the scenes play an integral role to any organization. They **work with virtually every department** to ensure that projects run smoothly, finances are looked after, mapping is updated and computers and software are current.

The **administration and finance staff**, for example, are responsible for the day-to-day finances, including billing, invoices, payables, and so much more. They are also available to answer phones, direct calls and forward messages. These staff function

as the **front lines** of this organization, handling calls and providing information and direction to visitors.

The **maintenance staff**, as well, **assist in a multitude of duties**, each and every day. They look after capital projects, keep Conservation Areas well maintained, build and look after trails, repair fences, assist with tree planting, make repairs to Authority buildings, and so much more.

GIS staff work continuously in the quest to provide up-to-date mapping for staff, essential for the daily operations of the SVCA.

'Behind the scenes' staff are key to any organization to ensure the continued efficiency and operations of its programs and services.

Volunteers & Sponsors

Major Sponsors (over \$1,000 cash or In-kind)

Brian Powers, *Tiverton*
 Bruce Power, *Tiverton*
 Community Foundation Grey Bruce
 Dave Hawkins Line Service, *Mildmay*
 Department of Fisheries and Oceans
 Emke Schaab Climate Care, *Hanover and Walkerton*
 Enbridge Inc.
 Great Lakes Guardian Community Fund, MOECC
 Grey Bruce Sustainability Network
 GSS Engineering, *Owen Sound*
 John Sutherland and Sons, *Guelph*
 Lake Huron Fishing Club
 Markdale Rotary Club
 Ontario Ministry of Agriculture, Food and Rural Affairs
 Ontario Power Generation
 Ontario Soil and Crop Improvement Association
 RBC Bluewater Fund
 Stewardship Grey Bruce
 TD Friends of the Environment
 Walkerton Rotary Club
 The Woods Family, *Dundas*

Major Event Sponsors (over \$1,000 cash or in-kind)

Bruce Power, *Tiverton*
 CRS, *Walkerton*
 Grant's Your Independent Grocer, *Hanover*
 K's Country Kitchen, *Walkerton*
 Love's Sweetness Maple Syrup, *Holstein*
 Town of Saugeen Shores
 Ontario Power Generation, *Tiverton*
 Pine River Watershed Initiative Network
 Saugeen Shores Chamber of Commerce
 Scotiabank, *Hanover*
 The Post, *Hanover*
 Trillium Mutual Insurance Company, *Listowel*

Major Volunteers - Groups and Organizations (over 100 hours)

1st Chesley Scouts
 1st Hanover Scouts
 Bruce County Campers
 Bruce County Family Living Centre, *Walkerton*
 Bruce County Trappers and Crappers
 Chesley Saddle Club
 Kincardine Ski Club
 Ontario Steelheader's Association
 Saugeen Bluffs Seasonal Campers
 South Bruce Buckskinners
 West Grey Police Department
 West Grey Fire Department

Our Volunteers

Due to the Access to Information Act, we are unable to publish the individual names of all our incredible volunteers.

Both SVCA and the Saugeen Valley Conservation Foundation are indebted to the over 300 volunteers who dedicate their time and efforts for the betterment of conservation!



Top right: Volunteers Wayne and Margaret Yeoman help construct a corral.

Centre Right: Bruce County Campers assist with projects at Saugeen Bluffs CA.

Bottom Right: SVCF's dedicated sponsors, John and Cheryl Grant with Grant's, Your Independent Grocer, pose for a photo with Catherine Dickison, Chair, SVCF, (left) and Ruby McCracken, Director, SVCF (right).





Members

Luke Charbonneau, Chair, *Town of Saugeen Shores*
 Dan Gieruszak, 1st Vice Chair, *Municipality of Brockton*
 Maureen Couture, 2nd Vice Chair, *Municipality of Kincardine*
 Kevin Eccles, Member at Large, *Municipality of West Grey*
 John Bell, *Municipality of West Grey*
 Robert Buckle, *Municipalities of Morris-Turnberry/South Bruce/Township of Howick*
 Mark Davis, *Municipality of Arran-Elderslie*
 Barbara Dobreen, *Township of Southgate*
 Brian Gamble, *Township of Chatsworth*
 Wilf Gamble, *Township of Huron-Kinloss*
 Stewart Halliday, *Municipality of Grey Highlands*
 Steve McCabe, *Township of Wellington North/Town of Minto*
 Sue Paterson, *Town of Hanover*
 Mike Smith, *Town of Saugeen Shores*
 Andrew White, *Municipality of Kincardine*

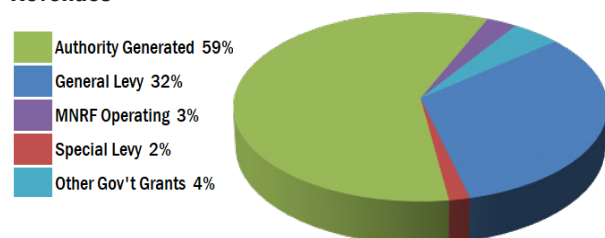


Directors

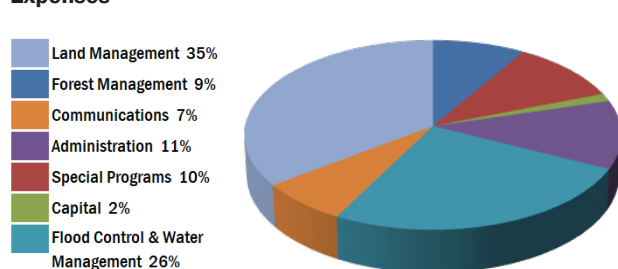
Catherine Dickison, Chair, *Walkerton*
 Ed Moric, 1st Vice Chair, *Durham*
 Carol Kraft 2nd Vice Chair, *Hanover*
 Laura Molson, Treasurer (staff)
 Shannon Wood, Secretary (staff)
 Wayne Brohman, General Manager/Secretary-Treasurer (staff)
 Luke Charbonneau, (Chair, SVCA, ex-officio)
 Sherri Hachey, *Walkerton*
 Jack MacLeod, *Hanover*
 Ruby McCracken, *Hanover*
 Rick Pake, *Hanover*
 Jim & Barbara Potts, *Clifford*
 Gary Thomas, *Hanover*

2017 SVCA Financial Summary (unaudited)

Revenues



Expenses



Staff

Corporate Services

Wayne Brohman	General Manager/Secretary-Treasurer
Laura Molson	Manager, Accounting
Janice Hagan	Accounts Payable/Administrative Assistant
Dale Schaefer	Accounting Clerk

Communications

Shannon Wood	Manager, Communications
Nancy Griffin	Conservation Education Coordinator
Catherine Billings	Communications Assistant/Graphic Artist

Information Technology & GIS

Les McKay	Manager, Information Technology
Rene Kleinecke	GIS Coordinator
Lauriss Detzler	Scanning Clerk

Environmental Planning and Regulations

Erik Downing	Manager, Environmental Planning and Regulations
Matt Armstrong	Regulations Officer
Paul Elston	Regulations Officer
Michelle Gallant	Regulations Officer
Candace Hamm	Environmental Planning Coordinator
Michael Oberle	Environmental Planning Technician
Emily Payton	Environmental Planning Technician
Valerie Lamont	Resources Information Technician

Forestry

Jim Penner	Manager, Forestry
Donna Lacey	Forestry Technician

Land Management

Barry Skinn	Park Superintendent, Durham CA
Sandra Howe	Park Superintendent, Saugeen Bluffs CA
Caralynn Kamerman	Park Superintendent, Bruceedale CA
Bruce Martin	Assistant Park Superintendent, Durham CA
Elijah Wilson	Assistant Park Superintendent, Saugeen Bluffs CA

Maintenance

Rick Rowbotham	Field Services Coordinator
Brian Oberle	Sulphur Spring CA Attendant

Water Management

Gary Senior	Sr. Manager, Flood Warning and Land Management
Jo-Anne Harbinson	Manager, Water Resources and Stewardship Services
Shaun Anthony	Water Quality Specialist
Tori Waugh	Agricultural Outreach Coordinator

Special Assistance Staff

Julie Henhoeffter and Community Living Support Worker, Melissa Henkusens

Drinking Water Source Protection Staff

Carl Seider	Project Manager
Justine Lunt	Program Supervisor
Nancy Guest	Administrative Assistant
Karen Gillan	Communications Specialist



Mission

To provide leadership through coordination of watershed planning, implementation of resource management programs, and the promotion of conservation awareness, in cooperation with others.



1078 Bruce Rd. 12, P.O. Box 150, Formosa ON N0G 1W0
 Tel. 519-367-3040 Fax 519-367-3041
 Email: publicinfo@svca.on.ca

www.svca.on.ca



VIA EMAIL

Legislative & Planning Services
Department
Office of the Regional Clerk
1151 Bronte Road
Oakville ON L6M 3L1

April 11, 2018

Federation of Canadian Municipalities, Brock Carlton
Association of Municipalities of Ontario, Pat Vanini
Large Urban Municipal Caucus of Ontario (LUMCO), Mayor Jeffrey
Mayors and Regional Chairs Caucus of Ontario (MARCO), Ken Seiling
Rural Ontario Municipal Association (ROMA), Mayor Ronald Holman
Northwestern Ontario Municipal Association (NOMA), Mayor Wendy Landry
Federation of Northern Ontario Municipalities (FNOM), Mayor Alan Spacek
Conservation Authority of Ontario, Richard Hibma
all Ontario municipalities

Please be advised that at its meeting held Wednesday, March 28, 2018, the Council of the Regional Municipality of Halton adopted the following resolution:

**RESOLUTION: Seeking Support on the Court Application Involving the CN
Truck-Rail Development in the Town of Milton**

WHEREAS under the Municipal Act, Ontario municipalities have the authority and responsibility to advance and protect the “economic, social and environmental well-being of the municipality” and the “health, safety and well-being of persons”;

WHEREAS the Provincial Government has designated Ontario municipalities to have responsibility to establish official plans that meet or exceed provincial standards for managing and directing physical change and effects on the social, economic, built and natural environment;

WHEREAS Halton Region and its area municipalities (“Halton Municipalities”), in partnership with Conservation Halton, have carried out multi-year, multi-phase planning processes to update their applicable official plans to address all relevant provincial plans and policy and foster healthy communities;

WHEREAS the most recent Halton Region official plan process engaged railways, including CN Rail, and was amended to accommodate stated railway plans for rail-supported development;

Regional Municipality of Halton

HEAD OFFICE: 1151 Bronte Rd, Oakville, ON L6M 3L1

905-825-6000 | Toll free: 1-866-442-5866

WHEREAS contrary to its own stated plans, CN Rail has declared its intention to proceed with a new stand-alone, truck-rail development in the Town of Milton that would operate 7 days a week, 24 hours a day and add at least 1,600 truck trips a day on regional roads located in close proximity to existing and planned residential communities;

WHEREAS CN Rail has declared that Ontario and the Halton Municipalities have no regulatory role whatsoever with respect to the truck-rail development;

WHEREAS the Halton Municipalities, Conservation Halton, and Halton residents have concerns about the impacts of CN's proposed development on traffic congestion, community growth, health and safety, and the local environment;

WHEREAS the Halton Municipalities and Conservation Halton recognize that railways are a matter of federal jurisdiction, but assert that truck-rail developments have non-rail aspects that engage multiple areas of provincial and municipal government regulatory responsibility;

WHEREAS CN's truck-rail development engages numerous provincial and municipal by-laws, policies and plans that govern growth in the Halton Municipalities, including but not limited to, policies in Ontario's Growth Plan, Greenbelt Plan, the Provincial Policy Statement, and the provincially approved Official Plan for Halton Region and the Town of Milton;

WHEREAS CN's position that its proposed truck-rail development falls exclusively under federal jurisdiction, if upheld, would create a regulatory gap that would prevent the Province of Ontario, the Halton Municipalities and Conservation Halton from discharging their statutory responsibilities, and leave CN Rail, a for-profit company, to self-regulate on matters that engage provincial and municipal responsibilities;

WHEREAS the Halton Municipalities and Conservation Halton have commenced a Court Application (the "Application") to confirm their legitimate regulatory role in respect of the proposed CN development; and

WHEREAS irrespective of the merits of CN's proposed development, CN's interpretation of jurisdiction over this development, if upheld, would be detrimental to all provinces and municipalities that contain existing or proposed developments that engage matters of federal, provincial and municipal regulatory interest.

NOW THEREFORE BE IT RESOLVED:

1. THAT Regional Council endorse the principles that:
 - a. there must be a cooperative approach to all developments that engage federal, provincial and municipal regulatory matters.

- b. the existence of federal regulation over a development does not preclude and may require provincial and municipal regulation of the proposed development to avoid regulatory gaps.
2. THAT Halton Region calls on the Government of Ontario to join the Court Application of the Halton Municipalities.
3. THAT a copy of this resolution be forwarded to the Honourable Kathleen Wynne, Premier of Ontario; the Honourable Bill Mauro, Minister of Municipal Affairs; the Honourable Yasir Naqvi, Attorney General of Ontario; Halton's Members of Parliament (MPs), Members of Provincial Parliament (MPPs), and Leaders of the Opposition Parties.
4. THAT a copy of the attached resolution be forwarded to the Federation of Canadian Municipalities (FCM), the Association of Municipalities of Ontario (AMO), the Large Urban Municipal Caucus of Ontario (LUMCO), the Mayors and Regional Chairs Caucus of Ontario (MARCO), the Rural Ontario Municipal Association (ROMA), the Northwestern Ontario Municipal Association (NOMA), Federation of Northern Ontario Municipalities (FNOM), the Conservation Authority of Ontario, and to all Ontario municipalities for their endorsement.

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

If you have any questions please contact me at extension 7110 or the e-mail address below.

Sincerely,



Graham Milne
Regional Clerk
graham.milne@halton.ca

Resolution for Endorsement by Other Municipalities

WHEREAS under the *Municipal Act*, Ontario municipalities have the authority and responsibility to advance and protect the “economic, social and environmental well-being of the municipality” and the “health, safety and well-being of persons”;

WHEREAS the Provincial Government has designated Ontario municipalities to have responsibility to establish official plans that meet or exceed provincial standards for managing and directing physical change and effects on the social, economic, built and natural environment;

WHEREAS CN Rail has declared that the Province of Ontario and the Halton Municipalities (the City of Burlington, the Town of Halton Hills, the Town of Milton and the Town of Oakville) and Conservation Halton have no regulatory role whatsoever with respect to a proposed truck/rail development that will have a direct impact on the economic, social and environmental well-being of the municipality and health, safety and well-being of residents;

WHEREAS the Halton Municipalities and Conservation Halton recognize that railways are a matter of federal jurisdiction, but assert that truck-rail developments have non-rail aspects that engage multiple areas of provincial and municipal government regulatory responsibility;

WHEREAS the Halton Municipalities and Conservation Halton have commenced a Court Application to confirm their legitimate regulatory role in respect of the CN development;

WHEREAS CN’s position that its proposed truck-rail development falls exclusively under federal jurisdiction, if upheld, would create a regulatory gap that would prevent the Province of Ontario, the Halton Municipalities and Conservation Halton from discharging their statutory responsibilities, and leave CN Rail, a for-profit company, to self-regulate on matters that engage provincial and municipal responsibilities; and

WHEREAS irrespective of the merits of CN’s proposed development, CN’s interpretation of jurisdiction over this development, if upheld, would be detrimental to all provinces and municipalities that contain existing or proposed developments that engage matters of federal, provincial and municipal regulatory interest;

NOW THEREFORE BE IT RESOLVED:

1. THAT the [insert municipality name] endorse the principles that:
 - a. there must be a cooperative approach to all developments that engage federal, provincial and municipal regulatory matters.
 - b. the existence of federal regulation over a development does not preclude and may require provincial and municipal regulation of the proposed development to avoid regulatory gaps.
2. THAT the [insert municipality name] calls on the Government of Ontario to join the court Application of the Halton Municipalities.

A close-up photograph of vibrant green cannabis leaves with serrated edges, filling the background. A semi-transparent dark green horizontal band is positioned across the middle of the image, serving as a backdrop for the title text. A small, solid maroon triangle is located on the left edge of the page, partially overlapping the green band.

Municipal Guide to Cannabis Legalization

A roadmap for Canadian
local governments



Disclaimer

This guide provides general information only. It is not meant to be used as legal advice for specific legal problems. This guide should not be used as a substitute for obtaining legal advice from a lawyer licensed or authorized to practice in your jurisdiction.

Information about the law in this guide has been checked for legal accuracy at the time of its publication, but may become outdated as laws or policies change. Links to non-FCM resources are provided for the convenience of readers of this guide. FCM does not create or maintain these non-FCM resources, and is not responsible for their accuracy.

© Federation of Canadian Municipalities. All rights reserved.

Federation of Canadian Municipalities
24 Clarence Street
Ottawa, ON, K1N 5P3

www.fcm.ca

Rising to the local challenge of cannabis legalization



To municipal leaders and staff across Canada,

The nationwide legalization of non-medical cannabis by the summer of 2018 presents major challenges for all orders of government.

And of course, municipalities form the order of government closest to daily life and commerce—building more livable communities, handling crises, and doing what it takes to keep residents safe and well-served. We are also very much on the front lines of implementing this new federal commitment. Our cities and communities, after all, are the places where non-medical cannabis will be legally sold and consumed.

Getting this right is a big job.

Local governments will face significant new enforcement and operational challenges in the months and years ahead. And those challenges don't end with policing. There is a world of bylaws to develop and business licensing rules to review. There are processes to adopt across as many as 17 municipal departments. And that's where this guide comes in.

FCM worked with legal, land-use planning and policy experts to develop a roadmap for how municipalities might choose to adapt and develop bylaws in domains ranging from land use management to business regulation to public consumption.

Building on last summer's [Cannabis Legalization Primer](#), this guide offers policy options and practical suggestions for local rules and by-laws. And this roadmap was strengthened by technical and financial contributions from your provincial and territorial municipal associations across the country.

As you forge ahead locally, FCM continues to advocate at the federal level for deeper engagement with municipalities. Municipalities also need new financial tools—and we're making progress on accessing a fair share of cannabis excise tax revenues. While local policing is largely outside the scope of this guide, its costs are inside the scope of many municipal budgets. Those costs, layered onto the new administrative costs you will face, need to be sustainable.

This work and this guide are designed to help you do what you do best: protect and strengthen your communities as sustainably and durably as possible. Legalizing non-medical cannabis across this country requires a strong partnership among orders of government. And your tireless efforts, in communities of all sizes, from coast to coast to coast, are central to getting the job done.

A handwritten signature in black ink that reads "J Gerbasi".

Jenny Gerbasi

Deputy Mayor of Winnipeg
President, FCM

Acknowledgements

This guide was made possible by the financial and technical contributions of FCM's provincial and territorial municipal association partners:

Alberta Urban Municipalities Association
Association francophone des municipalités du Nouveau-Brunswick
Association of Manitoba Municipalities
Association of Municipalities of Ontario
Association of Yukon Communities
Cities of New Brunswick Association
Federation of Prince Edward Island Municipalities
Fédération Québécoise des Municipalités
Municipalities Newfoundland and Labrador
Northwest Territories Association of Communities
Nunavut Association of Municipalities
Rural Municipalities of Alberta
Saskatchewan Association of Rural Municipalities
Saskatchewan Urban Municipalities Association
Union des Municipalités du Québec
Union of British Columbia Municipalities
Union of Municipalities of New Brunswick
Union of Nova Scotia Municipalities

This project's Technical Advisory Group has worked tirelessly to keep it grounded in the realities of communities addressing all aspects of legalization:

Ashley Wedderburn, Strategist, Intergovernmental & Corporate Strategy, City of Calgary
Ben Sivak, Principal Planner, Halifax Regional Municipality / Union of Nova Scotia Municipalities
Bhar Sihota, Policy Analyst, Community Safety, Union of BC Municipalities
Chelsea Parent, Policy Analyst, Rural Municipalities of Alberta

Christine Hartig, Strategic Support Officer, By-law Services, City of Ottawa

Craig Reid, Senior Advisor, Association of Municipalities Ontario

Jeff O'Farrell, Manager, Legislative Services, City of Whitehorse / Association of Yukon Communities

Jerrold Riley, By-law Review Specialist, City of Ottawa

John Dewey, Executive Director, Federation of PEI Municipalities

Judy Harwood, Reeve of RM Corman Park/Director, Saskatchewan Association of Rural Municipalities

Katherine Pihooja, Planner with the Zoning Bylaw Team, Development Services Branch, City of Edmonton

Kathryn Holm, Director, Licensing, Property Use Inspections and Animal Services, City of Vancouver

Kaye Krishna, General Manager of Development, Buildings, and Licensing, City of Vancouver

Kelly Santarossa, Senior Policy Analyst, Alberta Urban Municipal Association

Kerry Penny, Director of Policy, Communications & Economic Development, City of Yellowknife / NWT Association of Communities

Leanne Fitch, Chief of Police, Fredericton Police Force/Cities of New Brunswick Association

Marie-Pierre Rouette, Government Relations Advisor, City of Montreal

Marnie McGregor, Director of Intergovernmental Relations & Strategic Partnerships, City of Vancouver

Matthew Zabloski, Business Strategist, City of Calgary

Mélanie Lazure, Senior Health and Workplace Safety Advisor, Human Resources Service, City of Montreal

Michael Jack, Chief Corporate Services Officer, City of Winnipeg/Association of Manitoba Municipalities

Rebecca Anderson, Solicitor, Law Branch, City of Edmonton

Sara Brown, Chief Executive Officer, NWT Association of Communities

Sean McKenzie, Senior Policy Advisor, Saskatchewan Urban Municipalities Association

Steven Dribnenki, Policy and Legal Advisor, Saskatchewan Urban Municipalities Association

Sylvie Pigeon, Policy Advisor, Union des municipalités du Québec

Terry Waterhouse, Director, Public Safety, City of Surrey

Tracey Cook, Executive Director, Municipal Licensing and Standards, City of Toronto

Wyatt Skovron, Policy Analyst, Rural Municipalities of Alberta

FCM acknowledges the expertise and professionalism provided by the legal team at Young Anderson Barristers and Solicitors who spearheaded the drafting of this guide. We specifically want to thank Stefanie Ratjen, Bill Buholzer and Alyssa Bradley for tackling this challenging assignment head-on with sharp research and analysis on a topic with little precedence to draw on.

Finally, FCM thanks its nearly 2,000 members—Canadian municipalities of all sizes and regions, from coast to coast to coast. These are the local governments on the front lines of implementing the federal commitment to legalize non-medical cannabis. They are the fuel that powers FCM's policy and advocacy work.

Contents

1

Federal framework2

- 1.1 Bill C-45, the proposed *Cannabis Act* 3
- 1.2 Bill C-46, on impaired driving 3
- 1.3 Medical vs. non-medical cannabis regimes 5
- 1.4 Jurisdictional issues 6

2

Land use management 8

- 2.1 Jurisdictional issues 9
- 2.2 Location and scale of commercial cultivation and processing 10
- 2.3 Location and density of retail facilities 12
- 2.4 Personal cultivation 15

3

Business regulation 20

- 3.1 Jurisdictional issues 21
- 3.2 Business regulation power 22
- 3.3 Cannabis retail businesses 23
- 3.4 Commercial cultivation and processing facilities 24

4

Public consumption26

- 4.1 Jurisdictional issues 27
- 4.2 Provincial smoking restrictions 27
- 4.3 Public health and welfare 28
- 4.4 Municipally-owned or managed property 29
- 4.5 Promotions, advertising and signage 31

5

Cannabis in the workplace 32

- 5.1 Maintaining safe municipal workplaces 33
- 5.2 Existing medical cannabis regime 33
- 5.3 Determining impairment 33
- 5.4 Zero-tolerance policies 35
- 5.5 Disclosure of cannabis consumption 36
- 5.6 Substance use policies 37
- 5.7 Substance testing 38
- 5.8 Duty to accommodate 40

6

Enforcement issues 42

- 6.1 Cultivation: Building code and bylaw enforcement 43
- 6.2 Nuisance bylaws and enforcement issues 45
- 6.3 Potential liability and non-enforcement 45
- 6.4 Enforcement tools and policies 46

1 Federal framework

On April 13, 2017, the federal government tabled two bills to legalize and regulate cannabis in Canada:

- [Bill C-45](#), *An Act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts* (**the “Cannabis Act”**).
- [Bill C-46](#), *An Act to amend the Criminal Code (offences relating to conveyances) and to make consequential amendments to other Acts*.

With a planned Summer 2018 adoption date, the *Cannabis Act* creates a regulatory framework for the production, distribution, sale, cultivation, and possession of cannabis across Canada. Bill C-46 addresses offences relating to cannabis trafficking, and focuses on strengthening impaired-driving measures.



1.1 Bill C-45, the proposed *Cannabis Act*

As outlined by the federal government, the *Cannabis Act* seeks to achieve the following objectives:

- ▶ Restrict youth access to cannabis.
- ▶ Regulate promotion or enticements to use cannabis.
- ▶ Enhance public awareness of the health risks associated with cannabis.
- ▶ Impose serious criminal penalties for those breaking the law, especially those who provide cannabis to young people.
- ▶ Establish strict product safety and quality requirements.
- ▶ Provide for the legal production of cannabis.
- ▶ Allow adults to possess and access regulated, quality-controlled, legal cannabis.
- ▶ Reduce the burden on the criminal justice system.

For local governments, the *Cannabis Act* has significant implications for local land use regulation, business regulation and licensing, and the regulation of public consumption and personal cultivation of cannabis. There will also be, to a certain extent, variations across provincial and territorial jurisdictions. The most significant variance will be whether these jurisdictions choose to distribute non-medical cannabis through a government or a privately run system.

When implementing a strategy to regulate cannabis locally, municipal governments should first consider and work within any existing or anticipated provincial/territorial and federal initiatives that affect the public consumption of cannabis. Under the *Cannabis Act*, the federal government proposed significant restrictions on the marketing

and promotion of cannabis products. We address this in [CHAPTER 2: LAND USE MANAGEMENT](#) and [CHAPTER 4: PUBLIC CONSUMPTION](#).

Public smoking and alcohol consumption legislation varies greatly across provinces and territories. We anticipate that many will extend existing legislation to public cannabis consumption.

Local governments should be attuned to where consumption of cannabis is, or is not, permitted in their province or territory. Local governments should also be aware of what cannabis consumption regulations the federal and provincial/territorial governments introduce. This will help them determine whether or how the local government wishes to contribute to and work within those regulations in their community.

1.2 Bill C-46, on impaired driving

While the *Cannabis Act* and Bill C-46 were proposed at the same time and relate to the regulation of cannabis, they have distinct focuses. Bill C-46 addresses offences relating to cannabis conveyancing and trafficking, as well as enhancing impaired-driving investigation and enforcement measures.

Bill C-46 has significant implications for law enforcement as well as individual rights protected by the Charter. A brief summary of the proposed legislation follows, but Bill C-46 is otherwise outside the scope of this guide.

- ▶ **Part 1 creates three new offences** for having specified levels of a drug in the blood within two hours of driving. The penalties would depend on the drug type and the levels of drug or the combination of alcohol and drugs, with the drug levels to be set by regulation.



For THC, the main psychoactive compound in cannabis, a person found driving with a blood content of 2 or more nanograms of THC would be subject to a summary conviction criminal offence. A person found driving with higher THC blood content levels, or a combined alcohol and THC blood content level, would be subject to even more severe criminal penalties.

- **Part 2 replaces the current Criminal Code** regime dealing with transportation offences. It would allow for mandatory alcohol and drug screening by police at roadside stops, as well as increased minimum fines for impaired driving.

Under the proposed mandatory alcohol and drug screening provisions, law enforcement officers would

be able to demand an oral fluid sample at roadside if they suspect a driver has a drug, including THC, in their body. For alcohol, if law enforcement officers have an “approved screening device” at hand, they will be permitted to demand breath samples of any drivers they lawfully stop without first suspecting that the driver has alcohol in their body.

The proposed legislation would also allow for police officers to provide opinion evidence in court, as to whether they believe a driver was impaired by a drug at the time of testing. This is without the need for an expert witness in each trial.

► **Law enforcement practices by local police forces and the RCMP will be affected if Bill C-46 is enacted.**

Many of the legislative changes in Bill C-46 relate to amending the Criminal Code or involve policing and law enforcement practices. The focus of this Guide is to assist local governments in the regulation of cannabis under the *Cannabis Act*. If a local government is concerned about the impact of Bill C-46, consultation with local police forces and the RCMP is recommended.

1.3 Medical vs. non-medical cannabis regimes

The laws regarding cannabis do not change until the *Cannabis Act* has passed. Until such time, the [Access to Cannabis for Medical Purposes Regulations](#) (ACMPR), released August 2016, remain the authority for lawful cannabis production and possession. Currently, cannabis may be grown by registered persons and licensed producers for medical purposes only, unlicensed possession of any cannabis is illegal, and the retail distribution of cannabis in “dispensaries” and other storefront operations is also illegal.

Although the federal government has indicated it may revisit the ACMPR regime if the *Cannabis Act* becomes law, the current ACMPR regime continues under the Act. Medical practitioners will continue to be able to prescribe cannabis for medical purposes. Individuals with a prescription, including those under 18, will continue to

be able to access medical cannabis. The *Cannabis Act* also provides that those licensed under the ACMPR for commercial medical cannabis production will continue to be authorized to produce medical cannabis under the *Cannabis Act*, and be deemed to hold licenses for the production of non-medical cannabis.

Definitions: Cannabis vs marihuana

Cannabis is commonly used as a broad term to describe the products derived from the leaves, flowers and resins of the *Cannabis sativa* and *Cannabis indica* plants, or hybrids of the two. These products exist in various forms, such as dried leaves or oils. They are used for different purposes, including medical, non-medical, and industrial purposes. Under the *Cannabis Act*, cannabis is broadly defined and includes:

- Any part of the cannabis plant, other than mature stalks that do not contain leaves, flowers or seeds, the cannabis plant fibre, or the plant root.
- Any substance or mixture of substances that contains or has on it any part of a cannabis plant.
- Any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.

Marihuana (marijuana) is commonly used to refer to parts of a cannabis plant, such as the leaves or flowers. It is not a defined term under the *Cannabis Act*. Under the *Controlled Drugs and Substances Act*, marihuana is referred to as a form of cannabis.

“Cannabis” is preferable to “marihuana” for the regulatory context. Furthermore, “marihuana” is often seen spelled two different ways: the “h” is common in federal communications, while the “j” is associated with a phonetic Mexican Spanish usage—which has also drawn critique for a xenophobic association. Although cannabis and marihuana have historically been used interchangeably, the definition for cannabis is broader, and better able to include cannabis products and other substances than marihuana.

1.4 Jurisdictional issues

Federal responsibilities

Under the *Cannabis Act*, the federal government is responsible for establishing and maintaining a comprehensive and consistent national framework for regulating production of cannabis. This also includes setting standards for health and safety and establishing criminal prohibitions. Under the *Cannabis Act*, the federal government is specifically responsible for:

- Individual adult possession of cannabis, including determining the maximum allowable cannabis possession and home cultivation quantities.
- Promotions and advertising, including regulating how cannabis or cannabis accessories can be promoted, packaged, labelled and displayed.
- Licensing commercial cannabis production.
- Industry-wide regulations on the quantities, potency, and ingredients in the types of products that will be allowed for sale.
- Registration and tracking of cannabis from seed to sale.
- Minimum conditions for provincial/territorial distribution and retail sale; and allowing for the federal government to license distribution and sale in any province/territory that does not enact such legislation.
- Law enforcement at the border.
- Criminal penalties for those operating outside the legal system.

Provincial and territorial responsibilities

Under the proposed federal legislation, the provinces and territories are authorized to license and oversee the distribution and sale of cannabis, subject to minimum federal conditions. Some of these minimum conditions are that cannabis, including cannabis accessories and other products, may only be sold if it:

- qualifies as fresh cannabis, cannabis oil, cannabis plants or seeds;
- does not have an appearance, shape or attribute that could be appealing to a young person;
- does not contain ingredients such as caffeine, alcohol, or nicotine; and
- has not been recalled.

Edibles, or foods such as candy and baked goods that have been infused with cannabis, are not currently authorized under the proposed federal regime. Although these additional forms of cannabis may be authorized and regulated in the future.

All retailers must be authorized to sell cannabis under the proposed federal Act, or by provincial legislation that meets the minimum federal conditions on retail sale. These minimum conditions are that an authorized retailer can only sell cannabis produced by a federally authorized producer that is sold:

- to a person older than 18;
- with appropriate record-keeping measures in place;
- under conditions to prevent diversion to an illegal market or activity; and
- not through a self-service display or vending machine.

Delegation of authority

Many of the activities involved in cannabis legalization fall within the exclusive jurisdiction of provinces. Federal enabling legislation may grant similar legislative powers to the territorial governments. In some circumstances, provincial or territorial governments have further delegated or recognized local government authority to address certain matters. As a general principle, a federal role does not necessarily oust provincial/territorial or local government jurisdiction. Throughout this guide, we examine how jurisdictional authority is applied in the context of non-medical cannabis.

Municipal governments should examine their enabling legislation, as well as federal legislation and regulations, to understand the full extent of their potential scope of action.

Summary of possible roles and responsibilities

Federal	Provincial/Territorial	Municipal
Cannabis production Cannabis possession limits Trafficking Advertising Minimum age limits (18) Oversight of medical cannabis regime, including personal cultivation registration	Wholesale and retail distribution of cannabis Selection of retail distribution model Workplace safety Discretion to set more restrictive limits for: <ul style="list-style-type: none"> • minimum age for consumption • possession amount 	Zoning (density, location) Retail locations Home cultivation Business Licensing Building Codes Nuisance Smoking restrictions Odours Municipal workplace safety Enforcement Regulations around public consumption Personal possession Municipal cost considerations related to local policing

Charter issues

Over the past few years, the *Controlled Drugs and Substances Act* provisions dealing with the possession of medical cannabis have been held to be contrary to the *Canadian Charter of Rights and Freedoms*. But there currently does not appear to be a basis in the Charter for a challenge on local government restrictions applying to the production, distribution, retail sale or consumption of cannabis for non-medical purposes. Neither the right to life, liberty and security of the person, nor any other right guaranteed by the Charter, would be infringed by such restrictions.

As an example, the Charter should not prevent local governments from enforcing building construction and safety standards in relation to home cultivation of cannabis. These would likely qualify as “reasonable limits” on any Charter right to access a supply of non-medical cannabis. We note other specific Charter considerations in subsequent sections of this guide.

2 Land use management

The location, scale and density of cannabis cultivation and retail facilities will have real impacts for local communities. Commercial cultivation presents challenges ranging from odours to use of public water and energy utilities. Retail facilities influence the social and economic character of neighbourhoods, and residents have concerns about proximity to parks and schools.

Local governments' ability to manage land use with tools like zoning will depend on the authority that provinces and territories delegate, as will as the retail models they choose to adopt. Personal cultivation of cannabis is an issue that will require extensive public consultation—and municipalities will face difficult decisions about whether to develop a regulatory response.



2.1 Jurisdictional issues

Planning and zoning regulations fall within the scope of matters for which the *Constitution Act*, 1867 assigns exclusive jurisdiction to the provinces. This includes matters of a merely local and private nature, and property and civil rights. Federal enabling legislation grants similar legislative powers to the territorial governments.

In most circumstances, local government regulations addressing land use activities related to the cultivation, processing, retail sale and consumption of non-medical cannabis would fall within the scope of these provincial/territorial matters. They could fall to local governments, depending on the extent to which the relevant provincial or territorial government delegates appropriate powers.

If a business obtains a federal licence under the *Cannabis Act*, it will not mean that the company will not be subject to provincial/territorial or local government regulations dealing with land use management. Locally, this constitutional arrangement can provide municipalities with the authority to prohibit particular land uses. We recommend that municipalities consult their individual provincial/territorial enabling land use laws for specific direction. But generally, there is no obligation for municipalities to permit cannabis cultivation in specific areas.

Delegation of land use regulation

The provinces and territories have largely delegated their authority over planning and land use management to local and, in some cases, regional governments. The wording of the enabling legislation defines the precise scope of planning and land use management authority. This can be done through stand-alone legislation like Prince Edward Island's

Planning Act, or through a more general statute like Alberta's *Municipal Government Act*.

Local governments are entitled to interpret enabling legislation broadly enough to address emerging issues and respond effectively to community objectives. However, they cannot extend its scope beyond what the wording of the legislation can reasonably bear. Some enabling legislation across Canada may allow local governments to deal with particular uses on a "conditional use" or "direct control" basis, which might be particularly appropriate in the case of new land use activities (such as those associated with cannabis) whose impacts are not well-understood at the outset.

Note that a provincial or territorial government might choose to exercise its jurisdiction over planning and land use management to control cannabis-related activities directly. For example, as a matter of general policy, the government might not wish to allow the use of residential premises for the cultivation of cannabis plants for non-medical use, as is the case in Quebec. This is despite the federal government's willingness to allow that type of private production under the *Cannabis Act*. Municipal governments should monitor the development of the relevant provincial or territorial regime before initiating their own regulations.

What does this mean for municipalities?

None of the land use activities that are expected to result from the legalization of cannabis are likely to diverge from the existing enabling legislation and interpretations noted above. The land use activities contemplated relative to the *Cannabis Act* are similar to activities associated with other consumable commodities such as food, beverages and tobacco.

Given the existing regulatory framework and role of municipal governments, there are several issues related to land use management that local governments may have to address.

2.2 Location and scale of commercial cultivation and processing

This section addresses commercial-scale cannabis production. For information on personal cultivation of cannabis for non-medical consumption, see [SECTION 2.4: PERSONAL CULTIVATION](#).

Typical land use impacts: agriculture and production

Producing cannabis for non-medical use at a commercial scale is an activity that has some similarities to certain agricultural uses carried out in greenhouses, usually but not necessarily in agricultural zones. Greenhouse agriculture is sometimes carried out in industrial zones and business parks as well.

Federal authorization for commercial cannabis cultivation under the *Cannabis Act* will address two scales of cultivation: standard cultivation and micro-cultivation. It will authorize activities typically associated with this type of land use, including research and development, product storage and transportation—but not packaging, labelling or retail sale to the public.

Whether local government regulations should distinguish between standard and micro-cultivation will depend, in part, on whether the distinction the federal licensing regime is making would be practical as a local government distinction. It might be if it is based on cultivation area, but might not be if it is based on product weight or volume. This issue is addressed in greater detail below.

Municipally-operated utilities

As a type of intensive agriculture, cannabis production needs a supply of water for irrigation, of electricity for lighting, and of energy for heating. The availability of adequate utilities is a basic land use management consideration.

As a result, zoning regulations whether for agricultural or industrial zones should always be in step with the capacity of utility systems to support the permitted land uses.

Cannabis production has some special impacts in relation to odour emissions and a need for heightened security that can be associated with high-value crops. All of these factors can reasonably inform locational criteria for land use management purposes.

There are currently around 90 commercial-scale facilities in Canada licensed by Health Canada for medical cannabis production, and many more worldwide. Municipalities may wish to examine these existing facilities to identify and evaluate likely land use impacts and assess the need for a local regulatory framework. Locations of licensed Canadian facilities can be found on the [Health Canada website](#).

Other considerations

Commercial-scale processing of cannabis may give rise to additional considerations. Extraction of cannabis oil, for example, can involve the use of butane, which is explosive at ordinary temperatures. This is an industrial-type activity, which may be appropriate only in industrial zones, or in buildings with particular design and construction characteristics.

The federal government is proposing to license cannabis processing separately from cultivation and retail sales. These authorizations will include research and development activities, product storage and transportation, and the sale of product to licensed retail distributors. Again, both standard-scale and micro-scale processing facilities might be authorized. This suggests that land use regulations should address cannabis production and cannabis processing as separate activities. In addition, local regulations could distinguish between different scales of processing reflecting the federal licensing regime, if such a distinction is practical to enforce.

Typical land use restrictions

As noted earlier, commercial-scale cannabis production is a form of agriculture. Most zoning bylaw definitions of agriculture would include it, unless the cultivation of this particular crop has been carved out of the permitted use category.

A carve-out for cannabis would have been rare prior to the enactment of federal legislation permitting the cultivation of

cannabis for medical use. In general, most zoning bylaws are designed to prohibit land uses in particular zones unless the regulations expressly permit the use.

For clarity, some bylaws also contain a list of expressly prohibited uses, to avoid any doubt. Explicitly forbidding a specific land use would provide more certainty than relying on an omission in the list of permitted activities.

The Land Use Bylaw of Grande Prairie, AB, is typical and defines an “agricultural operation” as *“An agricultural activity conducted for gain or reward or in the hope of expectation of gain or reward, and includes, but is not limited to ... the production of fruit, vegetables, sod, trees, shrubs and other specialty horticultural crops.”*

Municipalities can write land use regulations to make very fine distinctions, for example between manufacturing plants for furniture and manufacturing plants for automobiles, if the uses have different land use impacts and there is accordingly a policy reason for making the distinction. Likewise, a local government could distinguish between the cultivation of cannabis and the cultivation of other types of crops—prohibiting one but not others.

Similarly, regulations can reflect distinctions that the federal government may be making between standard-scale cannabis production and micro-production facilities run by small-scale growers. Enforcing such a distinction could be difficult, though, if the federal distinction is based on a revenue or production criterion rather than plant numbers or growing area. It is a good practice to establish a basis for such distinctions by documenting and analyzing a comparison between potential impacts.

Proximity and clustering restrictions

Once Health Canada began licensing commercial production facilities for medical cannabis, some local governments amended their land use regulations to address community concerns. This included clustering cannabis businesses in certain districts by imposing minimum distances between the facilities. In some cases, cities established minimum distances between the production facilities and land uses involving children, such as parks and schools. In

these cases, municipalities did not feel that the equivalent federal licensing criteria were sufficient.

To this extent, the facilities were being dealt with in the same manner as pawnshops and adult entertainment venues. Applying similar criteria should be considered carefully in the context of local considerations, including health, safety, and economic development. This is an example of an instance where the federal role does not necessarily oust provincial/territorial or local government’s jurisdiction.



What can municipalities do?

Policy options

- ▶ Simply allow the activities to occur within the rubric of existing land use regulations, as agricultural or industrial activities in the case of production and industrial or manufacturing activities in the case of processing.
- ▶ Carve the activities out from existing permitted use categories, to be permitted only at locations specified in the regulations or under the authority of a special use permit.
- ▶ Carve the activities out from existing permitted use categories, with an exception for existing cannabis production operations that were established under the medical cannabis regime.
- ▶ Prohibit the activities entirely, as activities that the local government simply does not wish to permit within its jurisdiction, if the enabling legislation permits prohibition of uses.

Regulatory options

- ▶ Make no regulatory change, or amend existing regulations to make it clear that activities related to the commercial production or processing of cannabis are included in permitted or permissible use categories.
- ▶ Amend existing permitted or permissible use categories to exclude commercial cannabis production or processing activities, except at specific locations or under the authority of a special permit.
- ▶ As immediately above, but limit production to the scale that is appropriate to supply cannabis for medical uses.

- Add these activities to a list of prohibited uses, or amend all permitted or permissible use categories that could conceivably include them, to specifically exclude the activities.

Possible regulatory language

A land use bylaw definition of “agriculture” usually refers to the cultivation of crops. A definition could be modified to reflect a local regulatory choice about cannabis cultivation, adding wording that excludes “the cultivation of cannabis, other than cultivation authorized under either Part 1 or Part 2 of the Access to Cannabis for Medical Purposes Regulations under the *Controlled Drugs and Substances Act* (Canada).”

The reference to the ACMPR would reflect a policy choice to allow this use only to the extent that it serves a medicinal market. The exclusion could be narrowed to refer to specific locations where cannabis cultivation or processing is allowed, or to a local conditional use permit or other discretionary authorization being obtained.

Under the *Cannabis Act*, Part 1, authorizations are for commercial-scale operations. Part 2 deals with personal use and designated person production as originally authorized under the [Medical Marihuana Access Regulations](#). Excluding cannabis production from permitted “agricultural” uses could either permit or forbid both types of production—or allow one of them but not the other.

2.3 Location and density of retail facilities

Anticipated land use impacts

One of the key variations in provincial/territorial frameworks is the type of retail model that will be implemented. There are exclusively public models where the province or territory takes control of the entire retail system. There are hybrid models where a mix of private retailers and government

run stores will be present. There is also the option of an exclusively private model where the province controls distribution but private businesses are responsible for retail sale.

Diverse retail sales models

At the time of writing, six provinces/territories are moving toward a Crown corporation (public) distribution model for cannabis retail sales. Four other jurisdictions signalled they will develop a private retail system. One territory will run a public retail system but with no bricks and mortar storefronts—online sales only. Another two provinces/territories will have a hybrid system with both private and public retail distribution.

Municipalities should consult their specific provincial/territorial cannabis legislation as well as general enabling land use planning legislation to better understand where their own municipal roles and responsibilities will originate on the issue of non-medical cannabis.

The storefront sale of cannabis for non-medical use is essentially a type of retail trade with similarities to the sale of other consumable commodities such as food and beverages. Cannabis is already being sold in Canada, in illegal storefront dispensaries that some local governments have tolerated in mixed-use neighbourhoods.

The use does not appear to have any unusual characteristics in relation to functional aspects such as deliveries of product, off-street parking or signage requirements. It has some similarity to pharmacy uses and banks in relation to the need for secure storage. Hours of operation may be different from other types of business, but would usually be addressed via business regulations. See [CHAPTER 3: BUSINESS REGULATION](#) for more information.

Local governments will have to consider what behaviours they wish to incent. And they may be limited in this regard by restrictions set out in a specific province or territory. For example, if a municipality wants to use the availability of non-medical cannabis to promote tourism, they may wish to focus on creating tourist commercial districts.

Local governments would benefit from speaking with municipal staff members from U.S. cities where retail cannabis sale is already permitted. Even some bigger Canadian cities have a good sense of the challenges associated with cannabis clientele, based on their experience with storefront dispensaries. This could help guide Canadian municipalities in deciding whether to enact special land use restrictions to either encourage or control the growth of cannabis-related businesses.

Commercial consumption facilities

Smoking tobacco is illegal in most enclosed public places in Canada. The legalization of cannabis use for non-medical purposes will mean that municipalities must clarify whether smoking laws automatically include cannabis. This would mean examining both provincial/territorial and municipal laws.

In Vancouver, for example, the Public Health Bylaw is drafted in such a way that cannabis is likely covered.

Vancouver's Health Bylaw No. 9535 defines “smoking” as including *“burning a cigarette or cigar, or burning any substance using a pipe, hookah pipe, lighted smoking device or electronic smoking device.”*

Municipalities may have to amend smoking bylaws that contain narrower definitions restricting their scope to tobacco use. The same policy concerns that gave rise to this type of public health bylaw, including second-hand tobacco smoke, would presumably extend equally to cannabis.

Assuming that provincial/territorial health laws allow local governments the flexibility to consume publicly, local governments wishing to allow smoking in particular types of premises such as “cannabis cafés” may need to make an exception in their own smoking bylaws. This is in addition to addressing this land use category in zoning and business regulations.

Provincial and territorial occupational health and safety regulations that require employers to protect workers from second-hand smoke in the workplace may complicate the operation of such premises, or even make it impossible.

Alberta's proposed Act to Control and Regulate

Cannabis provides that: *“No person may smoke or vape cannabis ... in any area or place where that person is prohibited from smoking under the Tobacco and Smoking Reduction Act or any other Act or the bylaws of a municipality.”*

Proximity and clustering restrictions

Municipalities can use local land use regulations to prevent the clustering of too many of one kind of business. They can also keep similar types of businesses or activities in one place, and/or away from other land uses. Common candidates for such treatment are so-called “adult” businesses, arcades, pawnshops and thrift stores.

In terms of restrictions on cannabis consumption and sales or production, regulations about minimum distance from other facilities like schools should be specific. Does the distance requirement refer to a school site on which a school might be built? Or is a school scheduled to be built there? Does the regulation refer to an unused school building, or only a school that is actually in operation? Also, regulations should address what kind of school needs to be a minimum distance away from a cannabis business—public, private, commercial, technical or post-secondary.

In the case of spacing between retail cannabis sales outlets, local governments should consider several questions as they develop regulations:

- ▶ When exactly does a “cannabis sales use” start, and therefore become subject to proximity or clustering considerations?
- ▶ Is a building permit or business licence sufficient, or must the use actually be in operation?
- ▶ Is an application for a building permit or business licence sufficient?

In all cases, details on how the requisite distance is to be measured need to be defined and could include how the distance is calculated, and how variances will be approached.

Some local governments will be permitted by their land use management enabling legislation to deal with retail cannabis sales as a conditional use. This would allow them to use direct control as well as or in the place of zoning, taking clustering and spacing considerations into account when issuing site-specific land use approvals. In these cases, they will not need to address those matters in generally applicable regulations. The one-off nature of such approvals does not eliminate the need, though, for conditions to be grounded in an evidence-based land use impact analysis and for the clustering and spacing requirements to be communicated clearly to stakeholders.

Considerations for medical cannabis

Prohibitions and regulations regarding retail sales of cannabis will have to acknowledge that sales of cannabis for medical purposes will continue. Pre-legalization, pharmacists in some jurisdictions were allowed to dispense cannabis to patients with appropriate prescriptions, though most preferred not to stock or dispense the drug. This may change after legalization if the black market for cannabis is substantially reduced and having the drug in inventory no longer constitutes a special security risk. Local governments should therefore be careful not to restrict this type of cannabis sales with overly broad regulations.

Retail signs

Retail trade facilities require signage. Under the *Canadian Charter of Rights and Freedoms*, there is a right to freedom of commercial expression. Local government regulations that limit the types and sizes of signs that can be used in commercial areas are generally acceptable. Examples include prohibitions on large window signs and other types of signage that detract from the visual attractiveness of an area, or restrictions on temporary signage associated with the opening of a new business.

Sign regulations that attempt to directly control the message conveyed by a commercial sign could, however, potentially risk interfering with the right to freedom of commercial expression under the Charter.

The federal government intends to address the packaging and labelling of cannabis products with regulations under the *Cannabis Act*. These regulations will have to respect provincial and territorial jurisdiction over land use management, and are therefore unlikely to touch on retail signage.

For their part, provincial and territorial governments may choose to address advertising issues as they create their own cannabis distribution regimes. Neither of these regimes is likely to deprive local governments of their entire jurisdiction over the use of commercial signage.

Typically, local government signage regulations address the types of signs that are permitted on particular premises—whether freestanding or mounted on a building, for example. These regulations can also specify the extent of sign area permitted in relation to the size of the business premises. Business operators are often subject to landlord controls as well, such as those requiring a consistent signage format or theme in a retail mall.

Quebec's proposed ***Cannabis Regulation Act*** contains the following: *"All direct or indirect advertising for the promotion of cannabis, a brand of cannabis, the Société québécoise du cannabis or a cannabis producer is prohibited where the advertising ... is disseminated otherwise than ... in printed newspapers and magazines that have an adult readership of not less than 85%; or ... by means of signage visible only from the inside of a cannabis retail outlet."*

Another aspect of signage relates to public health and the desire to reduce public consumption through marketing and advertising. We address this in [CHAPTER 4: PUBLIC CONSUMPTION](#).



What can municipalities do?

Policy options

- ▶ Allow and issue authorization for cannabis shops. Permit this as you would any other business in a commercial district.
- ▶ Carve this type of retail sales out of existing permitted use categories. Only permit cannabis businesses at particular locations or under the authority of a special permit.
- ▶ Prohibit cannabis retail stores completely if the enabling legislation permits prohibition of uses.

Regulatory options

- ▶ Make no regulatory change, or amend existing regulations to make it clear that retail cannabis sales are included in permitted retail trade land use categories.
- ▶ Amend existing permitted use categories to exclude retail cannabis sales activities, except at specific locations or under the authority of a special permit, from all land use categories that could conceivably include the use.
- ▶ Add these activities to a list of prohibited uses.

Possible regulatory language

- ▶ “Retail trade” means the sale of consumer goods at retail, including retail trade in bakeries, but excludes the retail sale of cannabis other than in licensed pharmacies.

2.4 Personal cultivation

Personal use and designated personal cultivation

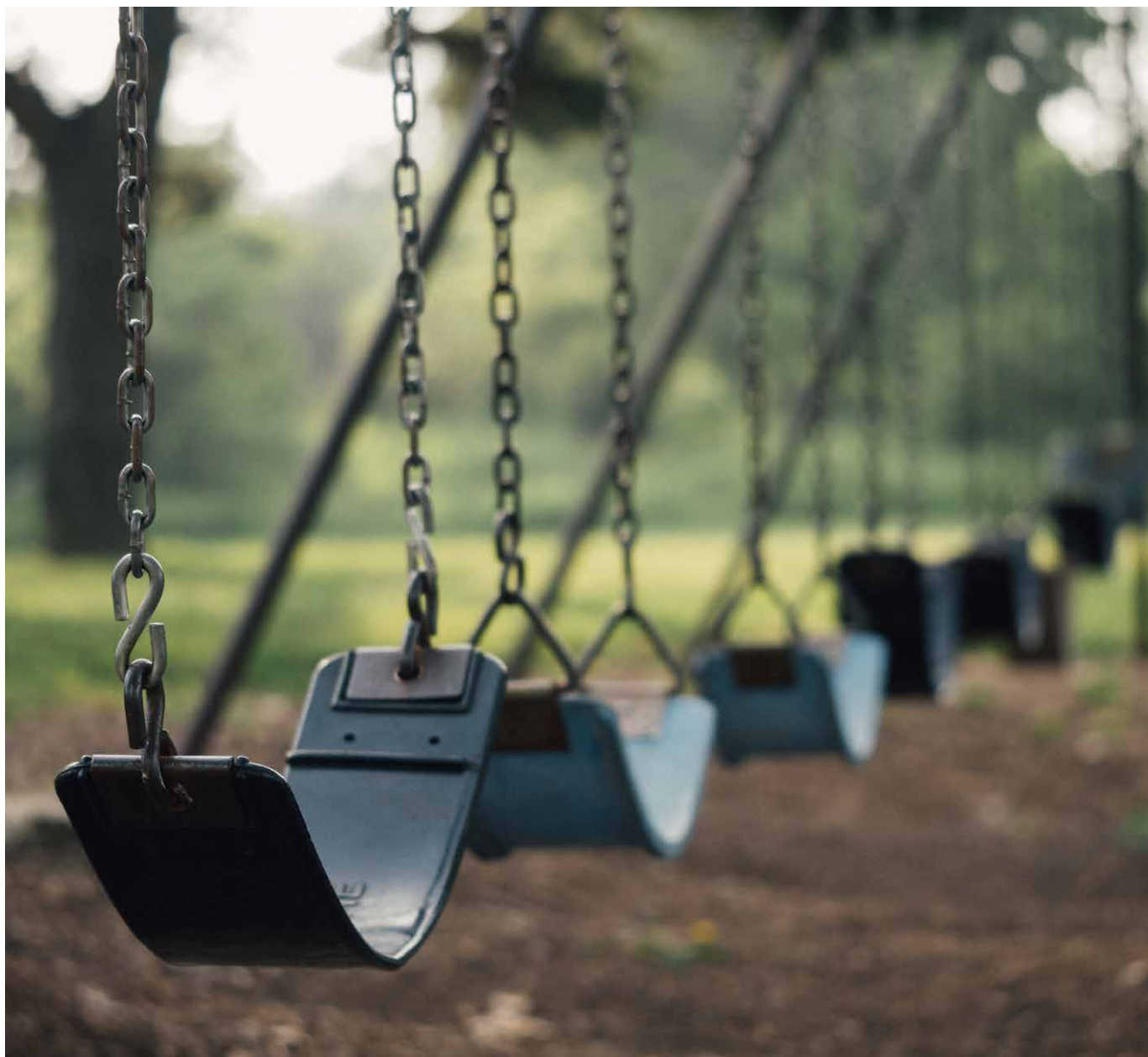
The use of residential premises for the cultivation of medical cannabis plants has caused major problems for Canadian municipalities over the past several decades. It has meant a significantly compromised housing stock, heavy demands on policing resources, local nuisance complaints, and erosion of the culture of compliance on which the effectiveness of local bylaws largely depends.

These problems were exacerbated because people holding Health Canada production licenses failed to adhere to the terms of their licence regarding plant quantities. Health Canada also failed to enforce those terms. And many of these licences actually authorized cannabis production at a scale (hundreds of plants) that is simply inappropriate for a typical residential dwelling.

Residential buildings are usually not designed or constructed to accommodate cannabis production. The mechanical systems in non-industrial buildings are usually not appropriate to support this kind of use without modifications (that are often carried out by unqualified persons and without permits). The location of dwellings where cannabis is being grown exposes neighbours to odours and other impacts. The federal government’s initiatives in commercial production of medical cannabis were, in part, an attempt to alleviate these problems by shifting cannabis production from residential premises to properly designed and constructed facilities.

Personal use under the *Cannabis Act*

The *Cannabis Act* permits people over 18 to grow up to four cannabis plants within a “dwelling-house.” Provincial and territorial governments will be able to exercise their own jurisdiction to prohibit or regulate this scale of production, although only Manitoba and Quebec have announced the intention to do so.



The relevant definition of “dwelling-house” makes no distinction between a detached dwelling and a dwelling in a multiple-unit building. It also includes any adjacent yard or garden where the plants could be grown outdoors. No federal permit or licence would be required.

The *Cannabis Act* prohibits the use of residential premises for the production of cannabis for non-medical use at a larger scale. Health Canada will continue to authorize,

however, the production of medical cannabis under Part 2 of the ACMPR, including production under up to four registrations per production site.

Local regulation of medical cannabis production in residential premises will continue to engage Charter issues. We suggest that you carefully consider these issues before attempting to further regulate medical cannabis production.

The courts have found that commercial-scale cannabis production facilities were not a complete answer, constitutionally, to patients' needs for medical cannabis, and assumed that cannabis production, distribution and possession were otherwise illegal. Legalization profoundly undermines that assumption, and will likely result in broad availability of the drug across the country.

Ordinary land use regulations prohibiting cannabis production in residential premises may, over time, become a reasonable limit on access to medical cannabis, and therefore wholly constitutional, if there are plentiful alternative sources of supply.

Manitoba's proposed *Safe and Responsible Retailing of Cannabis Act* provides that *"a person must not cultivate cannabis at his or her residence."* The Act does not apply to the *"cultivation of cannabis for medical purposes that occurs in accordance with the requirements of the applicable federal law."*

Land use impacts

Local governments in provinces and territories that have not prohibited this activity will need to consider whether personal use cannabis production in a dwelling, at the minor scale permitted by the *Cannabis Act*, will raise land use management issues.

Residence-based cannabis production under the federal medical cannabis regime did cause certain challenges from a municipal health and safety perspective. But this regime is likely not an accurate predictor of how non-medical personal cultivation will be taken up by the public at large.

Regardless, municipalities may be skeptical about whether or not people will comply with the four-plant limit and if federal government will enforce the rule. Personal-use cannabis production at the scale permitted by the *Cannabis Act* would seem to engage no different land use management issues than the cultivation of other types of domestic plants. Possible exceptions could be odour issues and those associated with the risks of outdoor cultivation to children and domestic pets.

This all assumes an adequate commercial supply of cannabis that will eliminate the black market. In an ideal world, an adequate legal supply would eliminate the security issues associated with cannabis production in residential premises. The incentive to obtain a licence to produce medical cannabis and then violate the terms of that licence, may significantly reduce after legalization.

Local governments might consider whether any of this could be addressed by requiring licences for personal home cultivation. A registration system could help identify where cannabis production is actually occurring—though it is worth evaluating whether citizens would be likely to comply with such a requirement.

In the land use management context, growing four cannabis plants either indoors or outdoors in residential premises would probably be like growing other types of domestic plants. It would constitute an ordinary incidental, accessory or ancillary use of the premises not requiring express authorization in the relevant land use regulations.

Local governments contemplating a regulatory response to this aspect of the *Cannabis Act* should examine their accessory or ancillary use regulations. If the regulations already address in detail the types of plant cultivation that is permitted and cannabis is not mentioned, the regulations might be interpreted, by implication, to prohibit the cultivation of this particular plant species.

The *Land Use Bylaw* of the Town of Truro, NS defines an *"accessory use"* as *"the use or uses which take place on the same site as the principal use, and of a nature customarily and clearly secondary and incidental to the principal use."*

Nuisance regulation

An alternative approach to the issue would be to address the actual impacts of cannabis cultivation in residential areas. This would mean enacting regulations that deal directly with the physical impacts of the activity. A local government may have nuisance regulation and abatement powers that have already been, or could be, exercised in

relation to odour-producing activities. In that case, cannabis production would not need to be addressed at all via land use regulations. We examine nuisance regulations in greater detail in the [CHAPTER 6: ENFORCEMENT ISSUES](#).

B.C.'s Community Charter authorizes local governments, under their authority to deal with nuisances, to regulate, prohibit and impose requirements in relation to *“the emission of smoke.”*

Proprietary jurisdiction of other entities

Cultivation of cannabis in residential premises, while potentially subject to local government regulation, is also subject to supervision by other interested parties including landlords, condominium corporations and co-operative boards. They deal more directly with complaints from neighbours and may therefore seek to regulate its cultivation or use to some degree.

Saskatchewan's Condominium Property Act, Section 47(1)(e), gives a condominium corporation the authority to pass bylaws *“governing the management, control, administration, use and enjoyment of the units, common property and common facilities.”*

Landlords, including local governments that manage their own rental housing portfolio, have an interest in ensuring that their premises are not used in a manner that is inherently damaging or unsafe. Boards composed of owners

have a similar interest in ensuring that multi-unit buildings are not used in such a way as to create nuisances or unsafe conditions. Local governments with concerns about this use in multiple-unit buildings might reasonably conclude that they can manage the four-plant scenario in their own rental housing portfolio via tenancy agreements. They may also choose to leave the management of home cannabis cultivation in other buildings for owners to deal with as they see fit.

Choosing to regulate

The issue of home cultivation of cannabis—even with a four-plant limit in place—is one that will require public consultation. It is also the issue that will be the most challenging for municipalities to decide on whether to develop a regulatory response. The impacts of cannabis cultivation at this scale are perhaps minor, and other actors may be likely to address them via separate mechanisms such as tenancy agreements and strata association bylaws.

Citizens expect governments to enforce regulations. The issue of how to regulate home cultivation of cannabis will apply to the greatest number of properties. Of all the regulations that might be considered in relation to the legalization of cannabis, this one has the potential to generate the greatest number of enforcement complaints.



What can municipalities do?

Policy options

- ▶ Accept minimum-scale plant cultivation (four plants) in residential premises without a local regulatory response.
- ▶ Require some type of permit for this scale of cannabis cultivation in residential premises. Clarify that this is not a commercial activity that would require a business licence. Local government permit records would be public.
- ▶ Regulate the activity by permitting indoor production only, or by permitting it only in certain areas such as detached-dwelling zones.
- ▶ Prohibit the activity in all residences. (Accepting that such a prohibition could be unenforceable in relation to individuals who hold a personal use production licence for medical cannabis.)

Regulatory options

- ▶ Do nothing.
- ▶ Amend the zoning regulations to require a land use permit for the cultivation of cannabis in residential premises, and establishing a permit application procedure.
- ▶ Amend the zoning regulations to specify that accessory cultivation of cannabis is permitted only in certain zones, or is only permitted indoors.
- ▶ Amend the zoning regulations by adding a prohibition on cannabis cultivation in residential premises generally, or by excluding cannabis cultivation from the “accessory use” category that is permitted in residential zones.

Possible regulatory language

This suggested language could support the options above. A definition of the term “cannabis” could be included, referring to its definition in the *Cannabis Act*, or it could be left undefined. Consider these options for amending the land use regulations:

- ▶ Add a regulation along these lines: “No person, other than a person who is authorized to do so under Part 2 of the Access to Cannabis for Medical Purposes Regulation under the *Controlled Drugs and Substances Act* (Canada), shall use any residential premises for the growing of a cannabis plant, unless the person has registered the premises with the [municipality] as a residential cannabis production site.”
- ▶ Establish a registration process that includes a registration fee sufficient to cover the costs of administering the process.
- ▶ Specify that the use of residential premises for the growing of a cannabis plant is permitted only if the premises are [a detached dwelling] [located in a single-family residential (RS1) or two-family residential (RS2) zone].
- ▶ Specify that the use of residential premises for the growing of a cannabis plant is permitted only if the plant is located within a dwelling unit.
- ▶ Specify that the use of residential premises for the growing of a cannabis plant is prohibited, except in the case of premises in respect of which a registration has been issued by Health Canada under Part 2 of the Access to Cannabis for Medical Purposes Regulation under the *Controlled Drugs and Substances Act* (Canada).

3

Business regulation

Local governments expect to have some scope to regulate cannabis cultivation, processing and retail businesses in their communities. Once again, that scope will depend on the specific regulatory authority that individual provinces and territories choose to delegate to municipalities in their enabling legislation.

Local governments may use tools like business licensing to protect public health and safety, to protect youth and restrict their access to cannabis, to deter illicit activities, to mitigate public nuisances, and more. In doing so, it will be essential to strike an effective balance between empowering legal cannabis businesses to operate and addressing legitimate community concerns.



3.1 Jurisdictional issues

Constitution Act

Business regulations are exclusively the domain of provinces. According to the [*Constitution Act, 1867*](#), provinces have 1) the power to regulate particular trades or callings under “property and civil rights”; and 2) the power to make laws in relation to “shop, saloon, tavern, auctioneer and other licences in order to the raising of a revenue for provincial, local, or municipal purposes.”

Federal enabling legislation grants similar legislative powers to territorial governments. In many cases, provinces or territories have delegated this authority to local governments. In these cases, municipalities are free to regulate business activities related to the cultivation, processing, retail sale and consumption of non-medical cannabis.

Provincial/territorial delegation of regulation

The extent to which provinces and territories delegate their authority over business regulation to local governments will depend on the wording of the enabling legislation. For example, in British Columbia, local governments but not regional governments have been delegated the authority to regulate businesses. The authority does not include the authority to prohibit businesses. It also requires that before council adopts a business regulation bylaw, it give notice and provide an opportunity for people who say they are affected to make representations to council.

In New Brunswick, local governments do not have the broad general powers to make business licensing bylaws but do have the power to regulate and license only certain businesses. In Winnipeg, the municipal charter states that a bylaw passed under the general authority to regulate businesses must not require a licence to be obtained for “selling agricultural produce grown in Manitoba if the sale is made by the individual who produced it, a member of the immediate family of the individual or another individual employed by the individual.”

Conflicts with legislation

Business regulations would only be rendered inoperative if there is a conflict with federal or provincial/territorial legislation regulating the same subject matter. In this regard, a conflict may arise where one enactment says “yes” and the other says “no.” In these cases, citizens are being told to do inconsistent things. The exception is in cases in where the relevant provincial/territorial legislation specifies a different legal test.

This is another example where the mere existence of federal or provincial/territorial legislation does not oust local government jurisdiction to regulate the same subject matter. Thus, as discussed in [CHAPTER 2: LAND USE MANAGEMENT](#), a federal licence does not automatically mean a business is immune from local business regulations.

Local government business regulations may, for example, enhance the statutory scheme by complementing or filling in certain gaps in the federal or provincial/territorial legislation. They may also impose higher standards of control than those in related federal or provincial/territorial legislation.

Federal and provincial lands and cannabis businesses

One restriction on a local government's delegated authority in relation to business regulation is in relation to any cannabis businesses operated by the federal government or on land owned by the federal government. The *Constitution Act* gives exclusive jurisdiction over the use of federal lands to the federal government. As a result, neither the provincial/territorial governments nor local governments may regulate in relation to the use of federal lands.

A further restriction in some provinces/territories is in relation to cannabis businesses operated by the provincial/territorial government or on land owned by the provincial/territorial government. As noted in [CHAPTER 2: LAND USE MANAGEMENT](#), at least six provinces/territories will run public retail distribution models, meaning there is likely to be legislation that grants provincial/territorial governments immunity from some or all local government regulations. In most cases this will mean a limited role on the land management and business licensing aspects of retail cannabis sales in jurisdictions with government run stores as the exclusive retail distributor.

In Ontario, the *Legislation Act* is broadly worded such that no Act or regulation binds or affects the provincial Crown unless it expressly states an intention to do so. This would include local government business regulations. In contrast, in British Columbia, the *Interpretation Act* only makes local government regulations inapplicable to the provincial Crown in its use and development of land.

3.2 Business regulation power

Scope and municipal purpose

To the extent that a province or territory has delegated business regulation powers to local governments, local governments may place restrictions on businesses. This is true even if those restrictions may adversely affect the

profitability of the business in some circumstances. Local governments should ensure, however, that such regulations are enacted for a proper municipal purpose.

There are several “municipal purposes” that support regulating cannabis businesses. For example, a local government may wish to regulate such businesses to protect public health and safety, to protect youth and restrict their access to cannabis, to deter illicit activities, and to mitigate nuisances.

Types of business regulations

One of the most common business regulations is a requirement that people obtain a licence from the local government in order to run a business. The local government may establish in the bylaw terms and conditions that must be met for obtaining, continuing to hold or renewing a business licence. It can also designate someone to impose these terms and conditions. The bylaw may suspend or cancel a business licence for failing to comply with the terms and conditions.

The local government may set out in the bylaw specific regulations for certain types of businesses. Types of regulations may include, for example: the days and hours of operation of the business, the age of individuals on the premises, the keeping of records, or the display and advertising of products at the premises.

The City of Whitehorse's Business Licence Bylaw

requires every person who offers adult books, adult magazines or adult videos for sale where such items are on display to the public to place such items:

- at a distance not less than 1.5 meters above the floor;
- in display cases in such a manner that only the title is displayed; and
- in display cases that are within clear view of the area
- where payment is made for purchased items.

Another common type of business regulation is a requirement in the bylaw that the business comply with all applicable federal and provincial laws. In British Columbia,

local governments have been successful in enforcing such a provision in their business licence bylaws against storefront medical cannabis retailers. The business licence applications were rejected on the basis that the retail sale of cannabis was unlawful under the federal law.

In this regard, the business bylaw may be a helpful tool to address any ongoing issues with cannabis retail businesses that are operating without a business licence.

Business bylaws may also require that the business comply with all applicable municipal bylaws such as zoning and building bylaws. Local governments should be careful, however, not to use their business regulation powers to prevent, for land use management reasons, a particular type of business that is permitted by the applicable zoning regulations.

It is usually also a general requirement in the bylaw for people to pay a fee to obtain a business licence. Such a fee should be calculated to correspond with the cost of administering and enforcing the regulatory scheme, to preserve its constitutionality as a regulatory charge.

3.3 Cannabis retail businesses

Typical business regulations

As noted in [CHAPTER 2: LAND USE MANAGEMENT](#), storefront cannabis retailers have been lawful in some U.S. states for several years now. Despite their illegal status in Canada, these storefront operations have proliferated under many local governments. To manage these businesses, some jurisdictions have enacted specific regulations. Others may choose to do so before cannabis becomes legal in 2018.

Many of these regulations parallel alcohol and tobacco related regulations. For example, Alberta, Manitoba and Newfoundland and Labrador are proposing to amend their

liquor legislation to impose a licensing regime for the sale of cannabis with some similarities to liquor sales. These provinces are considering allowing private retailers to sell cannabis administered through the applicable liquor commission or corporation.

The manner and extent to which the applicable provincial/territorial government intends to regulate such businesses may prevent or influence a local government's decision whether to implement its own regulations. An example is how the LCBO in Ontario will have the exclusive right to sell cannabis.

Typical business regulations for cannabis retail businesses might include:

- ▶ Requiring the applicant to submit certain documents such as a security plan, proof of a security alarm contract, 24/7 contact information, a list of employees and a police information check.
- ▶ Prohibiting minors on the premises, limiting the hours of operation and requiring security measures.
- ▶ Prohibiting consumption on the premises.
- ▶ Restricting the sale of other products on the premises.
- ▶ Prohibiting the display and advertising to minors.
- ▶ Prohibiting online sales and home delivery.
- ▶ Requiring business owners to keep records of all business activities.
- ▶ Restricting the number of licences that may be issued to each person and the total number of licences that may be issued in the jurisdiction.
- ▶ Requiring that a minimum number of employees with specific qualifications be on the premises when open.
- ▶ Restricting the advertising and signs visible from the outside of the premises.
- ▶ Requiring a transparent storefront.
- ▶ Requiring measures to prevent nuisances.

The City of Vancouver's Licence Bylaw requires the following security measures to be installed and maintained on the business premises of a medical marijuana-related retail business:

- Video surveillance cameras that monitor all entrances and exits and the interior of the business premises at all times.
- Video camera data must be retained for at least 21 days after it is gathered.
- A security and fire alarm system must be monitored at all times.
- Valuables must be removed from the business premises or locked in a safe on the business premises at all times when the business is not in operation.

Local governments should monitor the development of the relevant provincial or territorial regime and may wish to seek legal advice before initiating their own business regulations.



What can municipalities do?

Policy options

- Simply allow the activities to occur within existing business regulations as business activities, which may or may not require a business licence under the applicable regime and which are not subject to any particular regulations.
- Specifically regulate cannabis retail businesses to address issues related with these types of businesses, if the provincial/territorial enabling legislation permits this.

Regulatory options

- Make no regulatory change, or amend existing regulations to specify the applicable business licence fee for this category of business, if the enabling legislation permits this.
- Amend existing regulations to set out specific business regulations for cannabis retail businesses, if the enabling legislation permits this.

3.4 Commercial cultivation and processing facilities

Typical business regulations

Most municipal governments have yet to enact specific regulations for cannabis-related businesses. It could be because the [Access to Cannabis for Medical Purposes Regulations](#) (ACMPR) already addresses the commercial cultivation and processing of cannabis for medical purposes. Regulations under ACMPR include:

- Requiring a criminal record check.
- Security features such as video surveillance cameras and an intrusion detection system.
- Detailed record-keeping.
- Air filter equipment to prevent the escape of odours.

At the time of writing, the proposed Health Canada *Cannabis Act* regulations have established similar licensing requirements related to location, physical and personal security, record keeping and good production practices.

This does not mean local governments cannot also manage such businesses. Some of the types of business regulations for cannabis retailers noted above may be equally

applicable to cannabis cultivation and processing businesses. In the U.S., some states and local governments have enacted specific regulations to manage these businesses, including:

- ▶ Prohibiting minors on the premises.
- ▶ Prohibiting consumption on the premises.
- ▶ Restricting the advertising and signs on the premises.

Local governments may also wish to enact specific regulations in relation to cannabis cultivation and processing businesses to:

- ▶ Prevent nuisances by requiring the annual maintenance and documentation of odour control equipment.
- ▶ Support community aesthetics by prohibiting the outdoor storage of production or processing equipment.



What can municipalities do?

Policy options

- ▶ Allow the activities to occur within the existing regulations as business activities, which may or may not require a business licence under the applicable regime and which are not subject to any particular regulations.
- ▶ Specifically regulate cannabis cultivation and processing businesses to address any related issues.

Regulatory options

- ▶ Make no regulatory change, or amend existing regulations to specify the applicable business licence fee for this category of business.
- ▶ Amend existing regulations to set out specific business regulations for cannabis cultivation and processing businesses.



4 Public consumption

The public consumption of cannabis is associated with a range of potential public harms, from health impacts of second-hand smoke to behavioural modelling effects for children and youth. The tools and options available to municipalities to mitigate potential harms will depend on the space of authority that provinces and territories choose to delegate.

Established practices in regulating tobacco and alcohol consumption offer a foundation for developing a strategy that reflects local priorities. Many factors other than the law influence how and when people consume cannabis—from social customs to product availability—and no single regulatory approach eliminate all harmful public impacts.



4.1 Jurisdictional issues

As with most local governance matters, municipalities must consider the extent to which they are authorized to regulate cannabis consumption. This chapter addresses how local governments can regulate public consumption through bylaws and policies. As the factors influencing public consumption of cannabis are diverse, we recommend that municipalities consider a combination of these approaches, alongside consultation with legal counsel.

Public consumption cannot be regulated by a local government on the moral grounds that cannabis consumption should be considered a criminal activity. Under the constitutional division of powers, the federal government has the exclusive authority to regulate with respect to criminal law matters. Local bylaws or regulations that are based on a moral position, or perceptions and stereotypes about people who consume cannabis, are unlikely to withstand a challenge before the courts.

Many aspects of cannabis consumption, such as possession, advertising and smoking, are regulated by the federal and provincial/territorial orders of government. Most local governments are able to regulate cannabis only as it relates to a power that has been granted to the local government by the provincial or territorial government.

In assessing how to effectively address issues associated with public cannabis consumption, local governments must first consider the aspects of public cannabis consumption it intends to regulate, and determine whether it is authorized, or necessary, to do so.

4.2 Provincial smoking restrictions

Across Canada, provincial and territorial governments have regulated, or indicated they will regulate, aspects of public consumption of cannabis. They plan to use a combination of cannabis-specific legislation, tobacco smoking legislation, as well as occupational health and safety regulations.

Smoking is the most common form of cannabis consumption, and most provincial/territorial governments have sought to incorporate cannabis into the legislation addressing tobacco smoking. Some provinces have done so through expanding the definition of “smoke” to include cannabis as well as tobacco and other vapour products. This approach results in existing tobacco smoke restrictions also applying to cannabis.

New Brunswick's *Smoke-Free Places Act* contains a broad definition for smoking that extends to cannabis. Specifically, “smoke” means:

- (a) to smoke, hold or otherwise have control over an ignited tobacco product or another ignited substance that is intended to be smoked, or
- (b) to inhale or exhale vapour from, or to hold or otherwise have control over, (i) an activated electronic cigarette, (ii) an activated water pipe, or (iii) another activated device containing a substance that is intended to be inhaled or exhaled.

In addition to including cannabis in the relevant definitions under the smoking legislation, many provincial/territorial governments have enacted specific legislation or regulations to restrict the places in which cannabis may be consumed.

In some cases, these prohibitions on the public consumption of cannabis are broader than the prohibitions on smoking tobacco. In Ontario's *Cannabis Act*, for example, consuming cannabis for non-medical purposes is specifically prohibited in all public places in the province. This applies in workplaces under the *Occupational Health and Safety Act*, as well as in vehicles or boats. By comparison, the prohibitions under the *Smoke-Free Ontario Act*, establish that tobacco smoking is prohibited in enclosed public places and enclosed workplaces, and that no person shall smoke tobacco in a vehicle while another person who is less than 16 years old is present in the vehicle.

Put simply, someone accustomed to walking through an Ontario town smoking a tobacco cigarette will not be able to do the same with non-medical cannabis. But how local rules will be enforced remains to be clarified (see [CHAPTER 6: ENFORCEMENT ISSUES](#).)

In other regions, occupational health and safety regulations address the public consumption of cannabis by limiting the places in which a person may smoke any substance. In the Northwest Territories, smoking in public is primarily regulated in this way. Under those regulations, smoking is prohibited in almost all enclosed workplaces, within a buffer zone around those workplaces, as well as in outdoor bus shelters.

Ontario's *Cannabis Act*, 2017, Section 11, prohibits the non-medical consumption of cannabis in public places, workplaces, vehicles or boats, or any other place prescribed by the regulations. A “public place” is defined as “any place to which the public has access as of right or by invitation, whether express or implied, and whether or not a fee is charged.” These prohibitions are broader than those in the provincial tobacco smoking legislation.

New Brunswick's *Cannabis Control Act* (Bill 16)

proposes restrictions on the places in which cannabis may be consumed in addition to those in the provincial smoking legislation:

- 17 (1) No person who is 19 years of age or older shall consume cannabis unless the person is in lawful possession of the cannabis and
- a) is in a private dwelling and has obtained the consent of the occupant,
 - b) is on vacant land and has obtained the consent of the owner or occupant, or
 - c) is in a place prescribed by regulation and in the circumstances prescribed by regulation, if any
- (2) For greater certainty, no person who is 19 years of age or older shall consume cannabis in a place to which the public has access as of right or by express or implied invitation, or any other place prescribed by regulation.

[...]

19 Despite any other provision of this Act or the regulations, no person shall smoke cannabis or medical use cannabis in a place where smoking is prohibited under the *Smoke-free Places Act*.

4.3 Public health and welfare

Where a local government has been empowered to regulate the public health or welfare of its community, it may be able to further regulate the public areas in which cannabis may be consumed.

In British Columbia and Ontario, many of the municipal bylaws regulating the areas in which smoking is permitted

have been enacted through such authority. Generally, the understanding that tobacco consumption can be harmful to respiratory health and contribute to cancers, and that second-hand smoke can have similar negative health impacts, has qualified as health-related reasons for municipal restrictions on tobacco consumption. Local governments are likely to be able to draw on a similar approach for cannabis consumption where authorized.

In Vancouver, the Parks Board was delegated authority to enact bylaws to regulate smoking in parks to protect and promote public health—adopting language like the following:

3.1 A person must not smoke:

- (a) in a park;
- (b) on a sea wall or beach in a park;
- (c) in a building in a park, except in a caretaker's residence;
- (d) in a customer service area in a park;
- (e) in a vehicle for hire in a park;
- (f) on public transit in a park; or
- (g) in an enclosed or partially enclosed shelter in a park where people wait to board a vehicle for hire or public transit.

3.2 Except as permitted by Section 3.1, a responsible person must not suffer or allow a person to smoke in:

- (a) a building in a park;
- (b) customer service area in a park; or
- (c) a vehicle for hire in a park.

4.4 Municipally-owned or managed property

Local governments can also regulate the locations in which cannabis may be consumed as owners or operators of property. In the event that provincial/territorial smoking legislation does not already prohibit cannabis consumption in a park, a local government may be able to enact such a prohibition through its authority as the owner of that park. A similar approach can be taken to municipally-operated property, such as community centres or recreational facilities.

Community events and municipal alcohol policies

The approach many municipalities have taken in developing a municipal alcohol policy could be adapted to apply to cannabis. For example, an agreement for the use of municipal property for special events, such as festivals or sporting events, could also be used to manage the public consumption of cannabis. This could also apply to community centre and arena rentals.



The City of Ottawa's **Municipal Alcohol Policy** applies to all City Staff, volunteers, community partners who either manage or have control over City property, rental clients, and organizers of events, on City property, at which alcohol will be sold, served or consumed. This Policy applies to the sale, serving and consumption of alcohol on City property, or at locations or for events under the City's control (collectively "City Property"), whether or not a facility is operating under a liquor licence issued by the Alcohol and Gaming Commission of Ontario (AGCO), a Special Occasion Permit, a liquor licence with a Catering Endorsement, or any other approval that has been issued by the AGCO.

City Property includes the following:

- All City-owned properties,
- All properties leased by the City,
- City Highways (including the travelled portion of the Highway (roadway), boulevards, side-walks or other areas of the Highway),
- Properties controlled by local boards over which City Council may require that general policies be followed,
- Events held by the City at partner or third-party premises, and,
- City Properties under a Public-Private Partnership Agreement, as determined on a case-by-case basis by the General Manager of Recreation, Cultural and Facility Services

Special challenges for municipalities

Regulating cannabis consumption presents multiple challenges and options for local governments. Their authority to regulate smoking cannabis in public depends on provincial or territorial legislation. Their authority, and need, to regulate smoking also varies greatly across the provinces and territories.

Regulating the public consumption of cannabis that is not smoked presents further challenges as identifiable markers of consumption, such as smoke or odours, are not as easy to detect. The health risks associated with smoking are also less present.

In regulating public consumption, local governments should be aware that cannabis may be consumed in many different forms. The *Cannabis Act* allows the production of cannabis as fresh, dried or oil-based products. While smoking remains the most common, consumption methods that do not produce smoke, including herbal vaporizers or e-cigarettes, or other cannabis-oil based products such as skin creams, are also available.

"Edibles," or foods such as candy and baked goods that have been infused with cannabis, are not currently authorized under the proposed federal regime, although such additional forms of cannabis may be authorized and regulated in the future.

Public consumption exceptions for the use of cannabis for medical purposes, or for traditional ceremonial practices, must also be considered.



What can municipalities do?

Policy options

- Allow cannabis smoking within the framework of the existing provincial and federal regulations.
- Regulate the conditions under which the smoking of cannabis may occur in public places.
- Prohibit the locations in which the smoking of cannabis may occur in public places.

Regulatory options

- ▶ Make no regulatory changes to public place policies or bylaws.
- ▶ Amend existing bylaws and policies to clarify that smoking cannabis is only permitted in accordance with the regulations and policies.
- ▶ Specifically regulate conditions under which the smoking of cannabis may occur in public places, or specific public places.
- ▶ Prohibit the smoking of cannabis on specific public places, such as parks, community centres, and sports arenas.
- ▶ For special events, develop policies regarding an event host's responsibility to control and be accountable for the smoking of cannabis.

4.5 Promotions, advertising and signage

Local governments should also be aware of how other orders of government have responded to concerns relating to public consumption of cannabis. Similar to the *Tobacco Act*, the federal government has set standards on how cannabis can be marketed across Canada, as well as minimum standards for the packaging of cannabis products. When a local government is concerned about how promotion and advertising may influence public consumption, an important first step is to be aware of the federal regulations on these matters.

Federal regulation of cannabis promotions

Under the *Cannabis Act*, the federal government has prohibited cannabis products from being promoted in a manner that:

- ▶ Refers to its price or distribution.
- ▶ Is appealing to young people.

- ▶ Uses testimonials or endorsements.
- ▶ Uses depictions of real or fictional characters.
- ▶ Presents cannabis brand elements as glamorous, risky, exciting or daring.
- ▶ Induces the purchase of cannabis through monetary incentives, lotteries, or contests.
- ▶ Is misleading about the characteristics, safety, and health effects of cannabis.

The federal government has also proposed restrictions on the venues in which advertising for cannabis may occur. The *Cannabis Act* prohibits the use of cannabis branding elements in locations where people under the age of 18 are permitted, in sponsorships for people, events and facilities, as well as in foreign media.

Marketing regulation and content

Local governments may have the authority to regulate business and public health regulations and business marketing options when it comes to cannabis. But the rules must be consistent with the federal *Cannabis Act* and any related federal or provincial enactments.

Awareness of the impact of cannabis consumption on human functioning and development can influence and reduce the consumption of cannabis. Some local governments may have the ability to regulate aspects of how cannabis is promoted, which may indirectly affect cannabis consumption levels.

In considering this approach, municipal governments should be aware that regulating expressive content, which includes advertising, has the potential to conflict with the right to freedom of expression under the *Canadian Charter of Rights and Freedoms*.

Any content-related signage regulations must be connected to a proper municipal purpose and should not infringe on this right. This is an area where it is extremely important to consult legal counsel familiar with the applicable municipal regulatory framework and expression rights.

5 Cannabis in the workplace

As employers, municipalities have a duty to ensure safe workplaces—and a cannabis-impaired employee can pose safety risks to co-workers and the public. This duty may sometimes collide with an employer's duty to accommodate people with medical needs or disabilities. Achieving the right balance is vital.

Municipalities will face practical and policy challenges here. Cannabis impairment remains difficult to establish objectively. Banning cannabis use among all employees is problematic because some may be using it as prescribed by a doctor. Fundamentally, human resources policies and interventions need to be based on an employee's ability to do their job, rather than stereotypes or moral judgements about cannabis use.



5.1 Maintaining safe municipal workplaces

Employers are required to ensure a safe workplace, and an impaired employee can pose a safety risk to themselves, their co-workers, or the public. Whether an employee consumes a substance that may cause impairment for medical or non-medical purposes, the basic principles around impairment in the workplace continue to apply.

It is generally acceptable to maintain a policy that all employees arrive at work fit for duty and to conduct themselves in a safe and lawful manner while on duty.

When considering changes to human resource policies with respect to non-medical cannabis, municipal employers should not make any decisions about impairment based on assumptions about cannabis use and its impact on an employee's ability to do their job. Employers must rely on their observations to establish reasonable grounds to determine whether an employee is impaired or not.

5.2 Existing medical cannabis regime

Access to medical cannabis is currently permitted only under the terms and conditions set out in the Access to Cannabis for Medical Purposes Regulations (ACMPR). Although the federal government has indicated it will revisit the ACMPR regime if and once the *Cannabis Act* becomes law, the current ACMPR regime would continue under the *Cannabis Act*.

An employer should treat medically prescribed cannabis similar to other prescription medication. As outlined below, there are additional considerations for cannabis consumption for non-medical purposes.

5.3 Determining impairment

The legalization of non-medical cannabis does not affect an employer's duty to ensure a safe workplace—as well as to accommodate employees with disabilities who are being prescribed medical cannabis or employees with disabilities stemming from an addiction to cannabis. These duties to accommodate are addressed in [SECTION 5.8](#).

If an employer suspects that an employee is impaired, they must observe that the employee's conduct in the workplace and their ability to perform their work-related duties are compromised.

Employers must not make decisions based on assumptions about the use of cannabis and its impact on an employee's ability to do their jobs. On its own, information about the consumption of an impairment-causing substance, or whether it has been consumed for non-medical or medical purposes, will not determine whether an employee is impaired or not.

Accurately assessing whether a person is impaired as a result of consuming cannabis is difficult. There are limited methods to determine impairment from cannabis through testing. The effects of an average dose of cannabis for an average user will vary. And unlike the use of a blood-content level to determine impairment from alcohol, THC levels in bodily fluids cannot reliably indicate the degree of current impairment.

As it stands, blood-content levels for THC (the main psychoactive compound in cannabis) are considered under Bill C-46 in the context of impaired driving offences. Bill C-46 proposes to create three new Criminal Code offences for having specified levels of THC within two hours of driving.

However, there is no universally agreed-upon standard of measurement to determine whether a person is impaired as a result of consuming cannabis. The proposed blood content thresholds under Bill C-46 are of limited relevance

for employers, as a determination of impaired driving requires different considerations than determining that an employee is impaired in the performance of their job duties.

In considering whether an employee is impaired, a supervisor of the employee should be able to respond to the issues outlined in the following table.

Reasonable grounds for impairment: Five factors to consider

1 Impairment	<ul style="list-style-type: none"> • Are there facts to indicate that the employee has shown a form of impairment? • Is there a change in physical appearance, behaviour, actions or work performance? • Observations may include: slurred speech, tardiness, unsteadiness, yelling, odours, admissions of use.
2 Reliable facts	<ul style="list-style-type: none"> • Are the facts reliable? • Did you witness a situation personally, or are you sure that the witness(es) are reliable and have provided first-hand information?
3 Reasonable facts	<ul style="list-style-type: none"> • Can you explain the facts? • Would you be able to describe the observations to another person who does not know the people involved?
4 Documentation	<ul style="list-style-type: none"> • Are the facts capable of documentation? • Can the dates, times, names and locations be documented?
5 Timeliness	<ul style="list-style-type: none"> • Is the impairment situation current, today, while on the job or company property? • Is this a repeated or ongoing situation?

– Adapted from the City of Edmonton ‘Drug and Alcohol Operating Procedures’, March 2016

Once a supervisor can reasonably demonstrate that an employee may be impaired, an employer should consider the following questions:

- ▶ Is there a safety risk, or a risk of injury, illness or incident in the workplace?
- ▶ Is the safety risk based on an employee's change in behaviour or ability?
- ▶ Is the change in the employee's behaviour or ability related to the consumption of cannabis?

As the effects of cannabis will vary among consumers, employers must assess people on a case-by-case basis. The specific performance requirements of a position, as well as the individual's capacity to fulfill those requirements, must be taken into consideration.

In evaluating whether there is a safety risk as a result of an employee's consumption of cannabis, the Canadian Centre for Occupational Health and Safety has recommended employers consider additional questions such as:

- ▶ Does the person have the ability to perform the job or task safely while impaired? For instance, is the employee driving, operating machinery or equipment, or using of sharp objects?
- ▶ Is there an impact on cognitive ability or judgment while impaired?
- ▶ Are there other side effects of the medical condition or the treatment that need to be considered?

5.4 Zero-tolerance policies

A zero-tolerance policy on the use of a substance in the workplace can result in discrimination against employees who are prescribed that substance. A person who has a medical prescription for a substance, including cannabis, is generally entitled to consume that substance in accordance with their prescription.

Whether the prescribed substance is available for non-medical or medical purposes does not affect an employee's entitlement to use it in accordance with their prescription.

Zero tolerance: alcohol vs. cannabis

In most cases, the non-medical use of cannabis and alcohol can be regulated similarly in the workplace. However, the history of cannabis as a medically prescribed substance provides context for why implementing a zero-tolerance policy toward cannabis is not as straightforward as a similar prohibition on alcohol.

In developing a regulatory framework for the non-medical use of alcohol, its treatment as a medical necessity has been given significantly less attention than it has for cannabis. The regulation of alcohol has largely been developed from the perspective that it is a non-medical substance. Alcohol regulation has taken place without comparable judicial commentary on the right to access it for medical purposes, or a comparable legislative regime to enable such access.

When alcohol became regulated for non-medical consumption, the existence of a right to access it for medical purposes was unclear, and there were significantly fewer people who were prescribed alcohol for medical purposes in the first place.

Workplace policies that include a prohibition on alcohol consumption are generally justified on workplace health and safety considerations. As outlined below, a policy that is *prima facie* discriminatory may be justified on the basis of being a bona fide occupational requirement (BFOR).

An actual safety risk as a result of impairment from a substance can justify a prohibition on the use of that substance in the workplace. With alcohol, there are generally accepted methods and standards—such as a blood alcohol content and a *per se* limit—for determining an impairment threshold. As there is an accepted correlation between alcohol consumption and impairment, as well as

established thresholds to determine impairment, a specific prohibition on the use of alcohol in the workplace may be justified with regard to those standards and workplace safety considerations.

Comparable methods or norms to determine impairment do not yet exist for cannabis. It is generally accepted that the effects of cannabis consumption differ from person to person. If two people consume the same amount of cannabis within the same time frame, there is the potential that this would result in one person not being impaired and other being significantly impaired. This environment underlines the need for an observation-based approach to determining impairment.

Bona fide occupational requirements

A zero-tolerance policy may be relevant in a workplace where the employer can demonstrate that sobriety is a bona fide occupational requirement (BFOR). A BFOR is a requirement that is essential to the safe and proper performance of the job.

As a BFOR is an exception to the general prohibition against discrimination, whether a policy meets the standard of a BFOR will be given very close consideration by the courts, human rights tribunals, and labour arbitrators. A BFOR will only be valid where the employer is able to demonstrate that the requirement meets three conditions:

- It was adopted for a purpose rationally connected to the performance of the job.
- It was adopted in an honest and good faith belief that it was necessary to the fulfillment of that legitimate work-related purpose.
- It is reasonably necessary to the accomplishment of the legitimate work-related purpose, in the sense that the employer cannot accommodate the affected employee without incurring undue hardship.

A BFOR must clearly relate to the needs and performance of the job. A requirement to be able to lift a certain amount of weight may discriminate against people who have a physical disability, but may qualify as a BFOR in the context of a care home where staff are required to assist people with mobility issues. Similarly, minimum eyesight

and hearing requirements can discriminate on the basis of physical disability but may qualify as a BFOR in the context of a position as a vehicle driver.

In establishing a job requirement as a BFOR, an employer should be able to demonstrate, with credible evidence, they have considered the specific requirements of the job, and have explored alternatives to fulfill these requirements that did not result in a discriminatory effect.

5.5 Disclosure of cannabis consumption

Non-medical cannabis use

The general rule is that employers have no authority over what employees do outside working hours, unless it can be shown that an employer's legitimate business interests are affected in some way. An employee's decision to frequent a particular pub on a Monday night, for example, should not affect their employment, unless their Monday night activities impaired the employee's ability to do their job when they reported for work on Tuesday morning.

General practice suggests that a workplace standard of requiring employees to show up fit for work is acceptable. A requirement that employees self-disclose to their supervisor, or not attend work, if they believe they are impaired as a result of consuming a substance is also consistent with an employer's duty to maintain a safe workplace.

An employer is generally not entitled to request information about an employee's use of substances while off-duty. An important consideration in dealing with employees who use cannabis is to not make decisions based on assumptions about the use of cannabis and its impact on an employee's ability to do their job. An employer may, however, investigate an employee's off-duty conduct if the employer has reasonable grounds to believe that the employee's off-duty conduct is negatively affecting their ability to fulfil the requirements of their job. An employer's reasonable grounds must be based on observations of the employee in the workplace, and a connection between the alleged off-conduct impairing the employee while on-duty.

Medical cannabis use

Employers may be able to require that employees disclose their use of medical cannabis in the same manner as other prescription drugs that cause impairment. In obtaining this information, an employer's right to medical information does not typically extend to the right to learn about specific illness or conditions for which an employee may have a drug prescription.

The focus of any employer enquiries should be on the impact on the ability of the employee's ability to perform their job duties. Questions about the likelihood of the prescribed medication causing impairment while on duty are more likely to be acceptable than those that ask for information about why the medication was prescribed.

If there are reasonable concerns about impairment, employers may be able to request confirmation from the doctor that the prescribed cannabis usage does not impair an employee's ability to perform their job duties safely. Depending on the requirements of an employee's position, the employer may also be able to request medical information about the amount and type of cannabis that has been prescribed, as well as the frequency of use. The more safety-sensitive the workplace or position is, the more medical information an employer will be able to justify requesting.

If an employer has reasonable concerns that an employee is impaired while at work, even if as a result of consuming cannabis for medical purposes, the employer may be able to require the employee to provide medical information about their consumption of impairment-causing substances. Decisions on any further actions should be based on the nature of the job duties and appropriate medical evidence.

5.6 Substance use policies

Employers should update their substance use policies to address any changes to the legal status of cannabis possession and consumption. Any substance use policy must focus on impairment, and what it means to be fit for duty.

At a minimum, substance use policies should address:

- ▶ Employee conduct standards.
- ▶ Guidelines for the use of substances that may cause impairment.
- ▶ Standards and procedures for supervisors and managers to address impairment.
- ▶ Consequences of violating the policy.

Employee conduct standards

A workplace standard requiring employees to show up fit for work is acceptable. Similar to alcohol or smoking, employers may be able to prohibit the consumption of cannabis for non-medical purposes while in the performance of one's employment duties or on a worksite.

Employer policies prohibiting alcohol consumption in the workplace and during work hours can be amended to include the use of non-medical cannabis once it is legal. Anti-smoking laws will likely apply to cannabis as they do to tobacco, in that smoking in most enclosed workplaces is likely to be prohibited.

Local governments should review such legislation from their province/territory to evaluate the extent to which, if at all, cannabis smoking may be permissible in the workplace.

Guidelines for employee use of substances

A substance use policy should identify the circumstances in which an employee should report the use of substances that may cause impairment. It should also specify any requirements to provide appropriate medical information. A standard that employees self-disclose to their supervisor—or not attend work—if they believe they are impaired as a result of consuming a substance is consistent with an employer's duty to maintain a safe workplace.

Addressing substance-related impairment

Guidelines for supervisors and managers to assist in evaluating whether an employee is impaired in the workplace should be included in a substance use policy ([SEE REASONABLE GROUNDS FOR IMPAIRMENT: FIVE FACTORS](#)). Employers may wish to establish a documentation or

reporting procedure, such as a checklist, to help determine whether indicators of impaired behaviour are present in the workplace.

Where an employer has reasonable grounds to believe that an employee is impaired in the workplace, they may request additional information from that employee. The level of information that can be requested, including medical documents where appropriate, will depend on the circumstances and must be assessed case-by-case. Policies will need to incorporate flexibility and focus on impairment and safety, not the use of cannabis or other substances.

Employers are also required to accommodate employees with disabilities. Substance use policies should provide managers and supervisors with guidelines for situations where an employee may be misusing substances in connection with a substance dependence.

The policy should outline any consequences of a policy violation, including disciplinary action, or assessment and rehabilitation measures. For unionized workplaces, consultation with the union regarding any proposed changes to the current substance use policies is recommended.

5.7 Substance testing

We strongly suggest that municipalities consult with legal counsel if they are considering a workplace substance testing policy.

Workplace safety concerns vs. privacy interests

Privacy and safety are highly sensitive and significant workplace interests that are occasionally in conflict. The right to privacy and the related right to security of the person are fundamental individual rights protected by the *Canadian Charter of Rights and Freedoms*. A workplace substance testing policy will often infringe on some aspect of these individual rights. This is because substance testing typically involves some

form of bodily intrusion and surrender of bodily substances in a coercive environment, and can result in disciplinary consequences or public embarrassment.

Employer substance testing policies tend to be motivated by employer perceptions of workplace safety risks. Any substance testing policy must balance an employee's privacy and human rights with an employer's ability to require personal information to achieve worksite safety.

The courts, arbitrators and tribunals have overwhelmingly rejected employer-imposed substance testing policies, particularly those involving mandatory random testing of employees. The only exception is if there is evidence of enhanced safety risks, including evidence of workplace substance misuse problems.

Employers should also be aware there is a growing body of research questioning the efficacy of drug testing programs for establishing impairment. Drug testing indicates the presence of a substance, not how the body interacts with it. With cannabis, it is recognized that a standard dose will affect individuals differently. Technology to establish a standard mechanism to determine impairment from cannabis consumption is being researched and developed, particularly in the context of tools to assist law enforcement in determining impaired driving in a roadside stop. But at this point, there is no reliable measurement on which employers can rely.

In considering any workplace substance testing policy, the onus is on the employer to establish the reasonableness of its policy. The evidence to demonstrate that the extent of the safety risk justifies the imposition of a substance testing policy will depend on the circumstances of the specific case. The jurisprudence has outlined that, where a substance testing policy is motivated by safety concerns, those concerns must be real and tangible. Uncertain or speculative health and safety risks, including those based on stereotypes or perceptions of substances or disabilities, will not justify such an invasion of employee privacy.

When substance testing policies may be permitted

Substance testing policies have been upheld by the courts in situations where they represent a proportionate response to legitimate safety concerns as well as privacy interests. In those cases, evidence of the following factors has supported the implementation of a substance testing policy:

- ▶ The workplace or industry is safety-sensitive.
- ▶ There are known problems involving impaired employees in the workplace.
- ▶ The procedures for and methods of testing for substance are minimally invasive.
- ▶ Affected employees are given advance notice of the substance testing policy, including prior to the commencement of their employment.

Workplace substance testing for individual employees may be justifiable for individual employees as part of a post-incident response. A post-incident substance test should only be conducted when the employee's actions or lack of actions have contributed to the cause of the incident, a "near-miss" or a potentially dangerous situation.

Prior to any testing, an employer should have a post-incident substance testing protocol in place that identifies the specific circumstances in which testing will take place. Language should not be retaliatory, or discourage the reporting of illnesses or injuries.

Workplace substance testing may also be permissible as part of a return-to-work program, including a last-chance agreement or a contingency behaviour contract. For example, substance testing may be part of return-to-work conditions for an individual employee who is returning to a safety-sensitive job after treatment for a substance addiction.

In safety-sensitive worksites, reasonable cause testing may be permitted. Individual employees may be required to undergo substance testing where the employer believes on reasonable grounds that an employee is impaired while on duty or their actions are in contravention of an established workplace substance use policy.

In all cases, the onus is on the employer to establish the reasonableness of any workplace substance testing policy, and employers must ensure that any substance testing procedures and methods are reasonable, not onerous, and minimally invasive.

The Halifax Regional Municipality's Substance Abuse Prevention Policy specifies that alcohol and drug testing is appropriate for employees working in safety sensitive positions and are subject to testing for alcohol and drugs, as funded by the applicable business unit, under the following situations:

- Post-accident, near miss, or potentially dangerous incidents;
- Reasonable grounds;
- Return to work program after primary treatment;
- Return to work program while in aftercare.

The policy contains checklists to assist in documenting observations about the potential impairment of an employee, as well as procedures for testing based on reasonable grounds or post-incidents.

Whether a particular risk is sufficient to justify an employer's drug-testing policy will depend on a variety of circumstances and considerations, including the employer's evidence to demonstrate these factors. Legal counsel is strongly encouraged if an employer is considering a workplace substance testing policy.

5.8 Duty to accommodate

Employers are required to accommodate employees with disabilities. With cannabis, this duty is likely to arise in two ways in the workplace:

- The employee is addicted to cannabis, which is a disability in and of itself under the *Canadian Human Rights Act*.
- An employee is not addicted to cannabis, but uses cannabis to treat a disability.

The laws in regard to employees who are addicted to cannabis will not necessarily change when it is legalized, as employers already have the duty to accommodate employees addicted to substances like alcohol and prescription drugs. Where an employee has a legal prescription for medical cannabis, there are three requirements to trigger an employer's duty to accommodate:

- the employee has a disability;
- the employee has been legally prescribed cannabis by a medical practitioner in accordance with the relevant regulations to treat the disability; and
- the employee is using cannabis in accordance with the prescription.

Accommodations for the use of medical cannabis will need to be treated in the same manner as when other employees are prescribed medication that could cause impairment. That the prescribed medication is cannabis as opposed to another type of prescription medication does not change the employer's obligations in the consideration of whether an employee can be accommodated. This is the case even for employees in safety-sensitive positions, though the duty to accommodate may be different than for employees who are not in safety-sensitive positions.



6 Enforcement issues

For years, local governments have faced enforcement issues arising from illegal cannabis production and sale. While enforcing federal law on controlled substances falls to local police and the RCMP, municipalities have also developed by-laws to address community impacts. Though the former is beyond this guide's scope, we explore interplays between local police and bylaw services.

With legalization, municipal enforcement roles will include inspection and compliance with provincial building codes and municipal bylaws, including regulating neighbourhood disputes over nuisance issues. Critically, in designing new bylaws and tools, municipalities must carefully weigh how practical they will be to enforce, and how well they can align with the work of police services.



6.1 Cultivation: Building code and bylaw enforcement

Building code compliance issues related to illegal cannabis production are well known to local governments. Cannabis production in residential premises has been associated with shoddy construction, overloaded or bypassed electrical wiring, and private security measures that block required fire exits. Other dangers include unauthorized municipal water connections that risk back-flow into municipal water services, and mould and air quality issues that endure even after cannabis production has ended.

Local governments have had a role to play in inspecting such operations, and enforcing building codes and other construction standards. Some local governments have passed bylaws specifically aimed at addressing these building code, fire, health and safety issues—recovering investigation and enforcement costs from building owners.

Context: medical cannabis

With the advent of the Access to Cannabis for Medical Purposes Regulations (ACMPR) and predecessor federal regulations, some cannabis cultivation for medical purposes within residences became legal under federal law. Under the ACMPR, a registered person is permitted to grow up to five indoor cannabis plants for each daily gram of dried cannabis they have been prescribed for medical purposes.

A registered person may grow cannabis plants themselves, or assign a designated person to do so. A designated person may grow plants for up to two registered persons, and any particular civic address can be used for production under up to four registrations. This can result in a significant number of cannabis plants being cultivated by one or more designated people, including within residential premises. While the ACMPR regime may be amended or replaced at some point, there has been no indication that these arrangements will change once non-medical cannabis is legalized.

As this level of cannabis cultivation is completely legal under federal law, there is no reason (other than avoiding costs) for those engaged in the activity not to comply with applicable building construction and safety standards. They don't need to stay “under the radar” of law enforcement. Nevertheless, building code compliance issues in relation to such matters as electrical safety and air quality may continue to arise in these lawful production sites, as owners and tenants attempt to alter their premises to accommodate activities for which they were not originally designed or constructed.

If the *Cannabis Act* has its desired effect, the commercial availability of an adequate, quality supply of cannabis will reduce the need for people to grow the plants themselves. Local governments may, however, wish to consider how they will inspect for and properly enforce building code requirements in relation to large scale indoor operations that the ACMPR allows in residential premises.

Provincial/territorial or municipal building construction and safety laws could be found to infringe a person's right under

the *Canadian Charter of Rights and Freedoms* to a reasonable supply of medical cannabis. But this infringement would have a good chance of being found to be a justifiable limit of that right under Section 1 of the Charter, given the compelling rationale for building safety requirements. Local governments have little reason to be timid about enforcing these types of standards.

Non-medical cannabis

The non-medical cannabis regime will authorize a maximum of four plants per household for personal cultivation, which may be indoors or outdoors. Provincial and territorial regimes may further restrict or prohibit this type of cannabis production, which may pose risks for young children and domestic pets, particularly if carried on outdoors.

This minor scale of production may not ordinarily create health or safety issues or lead to contraventions of building safety standards. There are no *Charter of Rights and Freedoms* issues with laws restricting or prohibiting the production of cannabis that has no medical purpose.

The extent to which federal officials will police and enforce the four-plant limit is unknown. For the same reasons that federal officials may have little inclination to enforce this limit, local governments should carefully consider whether they have the resources to monitor compliance with any overlapping local limit, whether enacted in a zoning bylaw or some other regulatory bylaw.

Unlawful production operations

One of the goals of the legalization of non-medical cannabis is to undermine its unlawful production. However, local governments may still be called upon to inspect illegal cannabis production facilities operating without federal permits or at a scale that exceeds the federal authorization.

Municipalities should take care both to protect the safety of inspectors and to act within the authority they have to inspect and enforce bylaws, without allowing the inspection to become an unlawful search and seizure for the purposes of enforcing federal law. However, these operations may be unlawful under applicable local government land use and/or business regulations, or may involve contraventions of building construction or fire safety standards. Inspections are wholly appropriate for those purposes.

Many local governments have found it helpful to coordinate inspections of known or suspected unlawful cannabis production operations with police and provincial health inspectors. While police cannot participate in inspections for enforcement of federal law without a warrant, they can accompany other inspectors for the purposes of ensuring their safety. In some cases, a warrant may also be advisable. This is an example of the interplay between local police and municipal bylaw services that will need to drive successful enforcement approaches.

The Coordinated Safety Response Team (CSRT) in

Calgary provides a coordinated approach to identifying potentially unsafe conditions on construction sites or buildings and conducts comprehensive joint reviews, inspections and investigations of these sites. CSRT members include:

- City of Calgary: Safety Response Unit, Calgary Community Standards, Calgary Police Service
- Occupational Health and Safety Alberta
- ALERT: Green Team South and Safer Communities and Neighbourhoods
- Alberta Health Services

The team is designed to quickly respond to incidents and help ensure public safety. It also builds strategies to help the construction industry decrease risk, including through the remediation and demolition of cannabis grow-op sites.

Local government permits and licences

Permit and licence issuance remains an important part of the bylaw enforcement function for many local governments. Its application will vary across provinces and territories depending on the regulations and authorities they

provide to local governments. Broadly speaking, building permit and business licence applications are a significant opportunity for local governments to review bylaw compliance. This includes a review of zoning, provincial and local building and fire safety standards. In the case of business licences, local governments may review any federal and provincial/territorial authorizations that may be required.

6.2 Nuisance bylaws and enforcement issues

Local governments are key regulators when it comes to neighbourhood disputes over nuisance issues. Many local governments have special powers in this regard, and may even be able to make nuisance abatement orders. As a starting point, though, local governments should be cognizant of all nuisance management aspects of regulations from other orders of government.

As noted in [CHAPTER 3: BUSINESS REGULATION](#), federal government authorizations for medical cannabis production facilities have, from the outset, required the installation of odour control equipment. This suggests that local governments might wish to focus efforts on proper use and operation of the equipment—a matter that the federal government may tend to leave unaddressed.

Odours

As local governments anticipate an increase in nuisance complaints with legalized cannabis, odour issues rank among their top concerns—and these are notoriously difficult to regulate and remediate.

Because odours are hard to quantify objectively in terms of strength or character, setting regulatory standards is challenging. While some odour testing labs exist in Canada, their usefulness for regulatory purposes is questionable, and testing can be onerous and expensive. Even if and when the quantification of odour can be satisfactorily addressed, an odour's source can be challenging to prove to the standard needed in court.

Proactive approaches to cannabis-related odour and nuisance abatement are therefore preferable. For example,

odour impact assessments and control plans might be included in requirements for rezoning applications or development approvals in circumstances where these are authorized and warranted.

Zoning setbacks, landscaping, buffer or similar requirements may be considered for certain types of facilities that are anticipated to cause odour or other nuisances. This is in addition to the basic locational criteria that have traditionally restricted problem activities to their own special zones.

Municipalities may also want to set business licence conditions that could reduce nuisance concerns around cannabis production and retail facilities. For more on this, see [CHAPTER 3: BUSINESS REGULATION](#). In addition, public consumption regulations, where authorized, may be used to contain or limit public exposure to odours and smoke. For more on this, see [CHAPTER 4: PUBLIC CONSUMPTION](#).

6.3 Potential liability and non-enforcement

Given the potential nuisance, health and safety issues that might arise, responsibility for cannabis-related regulation and enforcement has led to some concern over potential liability issues for local governments. However, the liability potential in this area is no more significant than any other area of local government regulation.

It is sometimes alleged in lawsuits against local governments that failure to enforce local regulations in relation to a nuisance has depressed the value of adjacent properties. These lawsuits claim that the local government is under a legal duty to enforce its regulations to prevent the nuisance, and that it must therefore compensate property owners for the reduced value. Generally, this legal proposition is not sound. (The property owner may have a good claim in nuisance against their neighbour, however.)

Local governments can decide, for *bona fide* reasons, not to enforce particular regulations in relation to particular factual circumstances, even if non-enforcement might cause financial harm to affected neighbours or owners. *Bona fide* reasons include such factors as the severity, scale or duration of the contravention and the cost to the local government of securing compliance with the regulation.

Further, enforcement is sometimes suspended while a regulation is under review or in the process of being amended or repealed. However, the position of any citizen complainant must also be considered. Good governance suggests that the maker of a valid complaint is entitled to an explanation of any local government decision not to investigate or enforce.

Building inspection is an established area where local governments owe a duty of care to those who may occupy or purchase property. Ensuring a consistent level of care in monitoring building code compliance will be important once non-medical cannabis is legalized. No local government is required to establish any particular type of regime for inspection and enforcement of building standards, except in some jurisdictions in relation to fire safety inspections. However having established a particular regime, such as one based on complaints from tenants or neighbours, local governments should be diligent about following that regime in relation to each individual complaint.

6.4 Enforcement tools and policies

Bylaw drafting

Residents will likely expect enforcement of any regulations that have been adopted with regard to the legalization of cannabis. This expectation should be kept in mind as regulations are drafted and considered for enactment. Enacting regulations that the local government has no realistic intention or ability to enforce is not a good governance practice. It can lead to reduced voluntary compliance with respect to that regulation as well as other enforcement areas.

Having elected to regulate, local governments should keep enforcement practicalities in mind when drafting the regulations, consulting with legal counsel as to the elements of any offence that will have to be proven to obtain a conviction or fine.

Enforcement practices

Enforcement policies are an important tool for managing expectations and resources. Local governments should consider whether to implement proactive enforcement and investigations, or only to investigate where complaints have been made.

Any complaints made under a complaint-based enforcement policy should be documented. Proactive enforcement practices should also be documented so staff, elected officials and the public know what they can expect, and the extent of resources that may be invested.

Generally speaking, prompt attention to bylaw contraventions once discovered, whether by complaint or proactive investigation, will result in better compliance rates overall.

Enforcement remedies for cannabis-related complaints and contraventions may vary greatly, depending on the enactment that has been breached. Self-help remedies are often attempted first.

Businesses breaching zoning or business licensing conditions, or even federal or provincial/territorial enactments—depending on how the business licensing regulations have been drafted—may be subject to licence suspension or revocation.

Building permits may be withheld or stop-work orders issued if proposed or actual construction does not respect applicable building codes or bylaw standards—including those pertaining to signage on retail premises. Remedial action orders can be considered for existing buildings in which contraventions are detected, such as bypassed electrical breaker panels or barricaded exit doors.

Municipal ticketing, injunctions and other court proceedings are usually a last resort. These remedies are almost always more expensive, and to some degree take the matter out of the local government's hands, exposing it to procedural delays.





FCM

FCM.CA



FCM's Municipal Guide to Cannabis Legalization Now Available

What You Need to Do to Focus Action in Ontario

AMO Contact:

Craig Reid, Senior Advisor

P: (416) 971-9856 ext. 334 | E: creid@amo.on.ca

Introduction

Legalized non-medical cannabis will have many impacts on municipal governments and the communities they serve. Community and neighbour concerns related to safety enforcement, nuisance, public health and economic development are just some of the issues municipal governments will need to deal with.

In partnership with AMO and municipal governments across Canada, the Federation of Canadian Municipalities (FCM) has released a guide ([EN](#) [FR](#)) to legalized non-medical cannabis to help communities understand the impacts and choices they will face. The guide helps municipal governments understand their responsibilities regarding legal cannabis as well as policy and regulatory options to respond to local interests.

FCM developed this guide for municipalities in all jurisdictions across Canada. General considerations and specific examples from municipal governments in various provinces and territories will help councillors and officials tailor their actions on cannabis to their local circumstances. Understanding Ontario's context will help councillors and staff to make effective decisions on local needs.

The guide lays out a number of issues, considerations for local governments and councils and potential responses in areas such as:

- Federal framework
- Land use management
- Business regulation
- Public consumption
- Cannabis in the workplace for municipal employers
- Enforcement issues. ■

Ontario Context:

Ontario's [Cannabis Act and Smoke Free Ontario Act](#) and Ontario Government action to date set out requirements and a regional context which will affect what municipalities can and cannot do in relation to cannabis in the province. For instance, Ontario has raised the minimum age for possession to 19. It is 18 under federal law. The following are specific Ontario policies that municipalities need to be aware of as they develop a local strategy to be ready for legalized cannabis. ■

Ontario Cannabis Retail Corporation (Ontario Cannabis Store)

Ontario has chosen to regulate cannabis through a provincial monopoly, opening 40 storefronts in communities across the province when legalization takes effect. Outlets may increase to up to 150 by 2020. Online sales by the [Ontario Cannabis Store](#) will be available to all Ontarians regardless of their locale.

A provincial monopoly means that Ontario municipalities will not regulate cannabis retail outlets the way they license private businesses. Ontario will administer these outlets, their policies and manage staff in compliance with provincial and federal laws and corporate responsibility practices. As requested by AMO, the provincial government has committed to respect municipal land use by-laws, seek all necessary permits and consult with municipalities regarding appropriate locations for these stores in a community.

However, licensing of grow operations remains a federal responsibility and municipal governments need to consider where to best locate these facilities if they are approached by a licensee. These facilities can generate significant economic activity and jobs for a local economy and impact municipal service needs. A considered planning approach to manage these facilities, their benefits and impacts is advisable. ■

Municipal To Do:

To prepare for the expansion of the outlet network in the coming years, AMO suggests municipalities start to define areas that they believe are appropriate or inappropriate for these uses in cooperation with other local groups and organizations such as school boards and health units.

Cannabis Consumption and Smoke Free Ontario Act Rules

Ontario is restricting non-medical cannabis [consumption](#) to private dwellings. Non-medical users will be unable to use cannabis in workplaces, vehicles or on public property. Medical cannabis users will be subject to rules and regulations for cannabis use (smoked or vaporized) in environments such as vehicles when they are passengers.

The Ministry of the Attorney General is [considering](#) some limited exemptions for hotel rooms, stationary boats, long-term care facilities and other environments. Owners and operators of multi-unit dwellings will have the ability to designate outdoor consumption areas through proposed regulations. ■

Municipal To Do:

As owners and operators of housing and long term care homes, municipal governments may wish to consider facility practices, employee safety and tenancy agreements to protect tenants, staff and property.

Consumption Venues – Cannabis Lounges

Cannabis consumption is restricted to private residences in Ontario. However, Ontario has [signalled](#) that it may consider regulatory authority to allow cannabis consumption venues at a future time and has recently sought feedback on this proposal. AMO has supported this proposal where a municipal government is able to control whether it is desirable in a community and where and under what circumstances it may be able to operate. ■

Municipal To Do:

Municipalities should begin to consider appropriateness of these facilities in their communities and what criteria to apply.

Policing and Enforcement and Support for Municipalities from the Provincial Excise Duty Share

The FCM guide does not cover policing, however, it acknowledges this activity will have a major impact on communities and municipal government budgets. Ontario has [responded](#) to concerns from [AMO](#) and our members regarding the impact of cannabis legalization on municipal government fiscal sustainability with a recent funding approach to support municipalities through the transition.

The approach provides \$40 million provided over two years distributed to all municipal governments as follows:

- Per household formula allocation – adjusted to provide a minimum of \$10,000 to each municipality
- Split 50/50 between Upper Tier and Lower Tier municipal governments
- To be provided soon after Royal Assent of the federal [Cannabis Act](#)
- Eligible categories such as policing and by-law and/or public health enforcement, paramedic costs, and streamlined reporting requirements will be established
- Municipal avoidance of the costs for policing impairment evaluation certification and public health education

If Ontario's share of the Federal Excise Duty exceeds \$100 million in the first two years of legalization, the government has committed to sharing the surplus with municipalities on a 50/50 basis.

Looking forward, Ontario has committed to engage AMO in developing the province's approach to federal Excise Duty Sharing after the current two-year agreement. Canadian youth use cannabis at amongst the highest rates in the world and the legal, regulated system aims to reduce youth access. Long-term, AMO believes there is a strong case for investments in local youth skills building and engagement activities to strengthen communities.

Finally, Ontario's legislation also allows a council to request that municipal enforcement staff be designated to carry out some policing duties

associated with illegal storefront enforcement where it is in the municipal interest. ■

Municipal To Do:

Work with municipal staff, police, public health, and any other local organizations to gather information about how activities may change when cannabis is legal. Ask what the incremental impact is on the activity (i.e. what activities will increase demanding more resources than previously and why)? Will there be current activities that may diminish over time as experience with the legalization grows? How can you track these activities and costs?

Finally, AMO believes over the long-term there is a strong case for investments in local youth services (such as skills building and recreation). What needs does your community foresee?

Provincial Offences Act Fines and Youth Justice

Many fines under the Ontario *Cannabis Act* are Provincial Offences and municipalities will prosecute them and administer the courts at the local level. *Provincial Offences Act* fine revenues are payable to the municipal government.

One of the main objectives of legalizing non-medical cannabis is to protect youth. Federally, young people possessing up to five grams of cannabis will not face prosecution under the justice system. Ontario has chosen to lower that limit and will set up a diversionary program for youth caught in possession of cannabis to keep these young people out of the justice system. The province will operate this diversion system. ■

Municipal To Do:

Assess the legislation for new impacts on municipal courts services and prosecutions.

RECEIVED APR 16 2018



YFC/Youth Unlimited of Minto

16 Young St, Box 673, Harriston, Ontario N0G 1Z0

Phone: 519-781-5311 Email: kenneth.m@yfcmino.com

"We see the **hope** and **potential** in every young person"

Dear friends and family,

March 2018

Greetings and a very belated *Happy New Year* to all of you! My prayer is that 2018 is going well for you.

I'm excited to announce that **Aaron Foell** has begun, as we say, *face-to-face* ministry with youth! He began ministry to/with youth on February 1st and has been fitting into both the Harriston drop-in ministry and ministry in **Norwell** (the high school in Palmerston). His support raising has gone so well that he has decided he is able to work $\frac{3}{4}$ time. In addition to that he has been given a $\frac{1}{4}$ time position as youth pastor at **White's Road Pentecostal Church** near Harriston. It's so great to be working with you, Aaron!

Another exciting development has been the beginning of programs in the schools of Minto. This has been initiated with the leadership of YFC North Perth staff, which Aaron is starting to be involved as well! The Christian group of youth that meets weekly at Norwell has been named **Abound**. Also, a YFC North Perth staff person is helping out at **Palmerston Public**. Such great things are happening! Please pray for guidance and wisdom as we continue to do ministry in the schools.

And, in other news, we've got gas! ☺ What I mean is, at the Deck, the new furnace is now connected to natural gas. I know it's mundane news but it's exciting for us and a significant cost reduction.

In Harriston at **the Deck**, during drop-in, when the youth play *manhunt*, it is a good thing. On the cold nights, I'm trying to convince myself that this is true. On some of the cold nights I'm wishing that we wouldn't have to take turns to be outside to supervise them. But, the thought came to me, they are not on their phones or another device! They are outside! They are interacting! These are things that we like to see in all youth. Sure, they need some supervision to make sure they are not bothering the neighbors, but, it's mostly good. I should add that we had the opportunity to share the true message of Christmas back in December as we also did at the Palmerston drop-in. Please pray for the drop-in ministries.

Speaking of the **Palmerston drop-in**, there is a good core-group of youth developing in this ministry which is also exciting! However, we need another place. The **Norgan** theatre is nice, it's affordable, but it's not completely compatible with the ministry we are trying to do. There are too many hiding places and, frankly, it's too big! Please pray for us as we continue to search for a new venue.

Credentialing: In the past 2 years I have been doing several courses and working toward the goal of being credentialed. This is part of the process for all staff of YFC since YFC is considered a **religious order**. My completion interview is on May 17th, which, I admit, makes me nervous. There is a lot of work still to be done but the end is in sight. That will probably be a rather hectic time. Please pray that all will go well.

Health Update: In the continuing search to determine how serious my heart ailment is, I'm going to see specialists at the Toronto General Hospital for more tests on May 18th. Please pray that this, too, will go well.

Many great things are happening! Praise God! Thank you so much for your support! My prayer is that you are experiencing God's love, comfort and blessings in the season of Lent and Easter!


Ken Mohle

*Thank so much for your
support of YFC/YU Minto!*

Km

YFC/Youth Unlimited - Minto is a division of **Southwestern Ontario Youth for Christ**

94 Graham Street, Suite 4, Woodstock ON N4S 4C6 Phone: (519) 537-5219 Fax: (519) 537-6744 E-mail: admin@swoyfc.com

TOWNSHIP OF WELLINGTON NORTH

A NOTICE OF A PUBLIC MEETING TO CONSIDER AMENDMENTS TO THE COMPREHENSIVE ZONING BY-LAW 66-01

TAKE NOTICE that the Council of the Corporation of the Township of Wellington North has received a complete application to consider a proposed amendment to the Comprehensive Zoning By-law 66-01, pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, as amended.

A Public Meeting will be held by the Wellington North Council to consider this on:

May 7, 2018

Township of Wellington North Municipal Offices
Council Chambers
7490 Sideroad 7 West, Kenilworth
2:00 p.m.

Location of the Subject Land

The subject lands are the lands within the Wellhead Protection Areas shown in the key maps below.

The Purpose and Effect of the Application

The purpose and effect of the proposed amendment is to bring the Wellington North Zoning By-Law into conformity with the Grand River, Saugeen Valley and Maitland Valley Source Protection Plans by:

- i) Adding the Saugeen Valley and Grand River Wellhead Protection Area Overlays to Maps 1, 2, 3 and 3A.
- ii) Adding provisions that any use that is, or would be, a significant drinking water threat is required to conform with all policies of the applicable Source Protection Plan and, as such, may be prohibited, restricted, or otherwise regulated by the applicable Source Protection Plan;
- iii) Revising Section 6.35.2 Restricted Uses to update the wording and to conform with Saugeen Source Protection Plan significant threat policies on waste disposal.
- iv) Including new definitions as needed.

Oral or Written Submissions

Any person or public body is entitled to attend the public meeting and make written or oral submissions in support of or in opposition to the proposed zoning by-law amendment. Written comments should be submitted to the Township Clerk at the address shown below.

Power of OMB to Dismiss Appeals

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Wellington North before the by-law is passed, the person or public body is not entitled to appeal the decision of the Council of the Township of Wellington North to the Ontario Municipal Board.

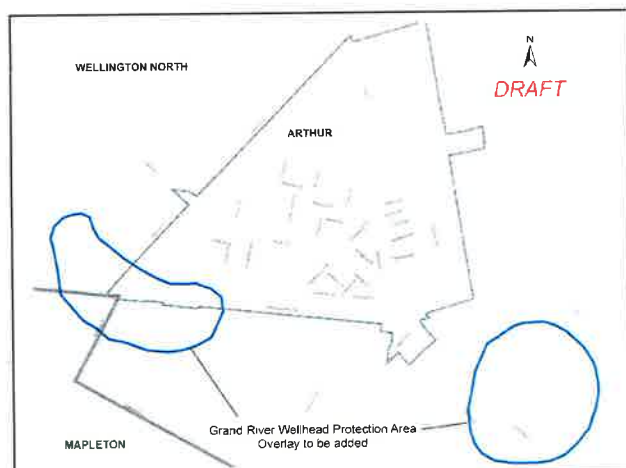
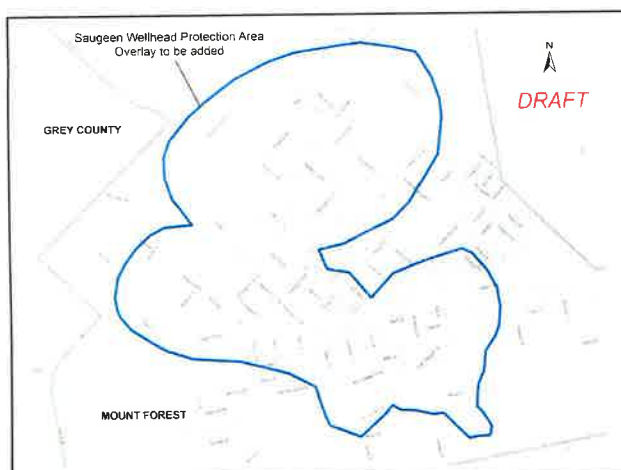
If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Township of Wellington North before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Request for Notice of Decision

If you wish to be notified of the decision in respect of the proposed Township of Wellington North Zoning By-law Amendments, you must make a written request to the Clerk.

Additional Information

Additional information regarding this application is available for inspection at the Township of Municipal Office at the address shown below.



This 13th day of April 2018

Darren Jones, Building/Zoning Dept.

TOWNSHIP OF WELLINGTON NORTH

A NOTICE OF A PUBLIC MEETING TO CONSIDER AMENDMENTS TO THE COMPREHENSIVE ZONING BY-LAW 66-01

TAKE NOTICE that the Council of the Corporation of the Township of Wellington North has received a complete application to consider a proposed amendment to the Comprehensive Zoning By-law 66-01, pursuant to Section 34 of the *Planning Act, R.S.O. 1990*, as amended.

A Public Meeting will be held by the Wellington North Council to consider this on:

Monday, May 7, 2018
Township of Wellington North Municipal Offices
Council Chambers
7490 Sideroad 7 West, Kenilworth
2:00 p.m.

Location of the Subject Land

The proposed amendment affects all lands in the Township of Wellington North.

The Purpose and Effect of the Application

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

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

Oral or Written Submissions

Any person or public body is entitled to attend the public meeting and make written or oral submissions in support of or in opposition to the proposed zoning by-law amendment. Written comments should be submitted to the Township Clerk at the address shown below.

Power of Tribunal to Dismiss Appeals

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Township of Wellington North to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Wellington North before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Township of Wellington North before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Request for Notice of Decision

If you wish to be notified of the decision in respect of the proposed Township of Wellington North Zoning By-law Amendments, you must make a written request to the Clerk.

Additional Information

For more information about this matter, including information about appeal rights, please contact or visit the Municipal Office at the address shown below. O. Reg. 470/09, s. 2: 179/16, s. 2. The details of the amendment and any additional information is available to the public for inspection at the Township of Wellington North Municipal Office during office hours.

Dated at the Township of Wellington North
This 12th day of April, 2018.

Darren Jones, Building/Zoning Dept.
Township Wellington North
7490 Sideroad 7, W
Kenilworth, ON N0G 2E0
Phone: (519) 848-3620
Fax: (519) 848-3228



FOR IMMEDIATE RELEASE
April 10, 2018

Pettapiece pushes government to fast-track Rea and Walter Act

(Queen's Park) – Perth-Wellington MPP Randy Pettapiece questioned the government in the legislature yesterday about the *Rea and Walter Act*, a Private Member's bill that would enhance firefighter safety. The bill was wiped off the legislative agenda when the government suddenly prorogued the legislature ahead of the June election. Pettapiece reintroduced the bill on March 27th.

"The Rea and Walter Act passed unanimously at second reading, but the bill died when this government, for political reasons, decided to prorogue the Legislature," said Pettapiece during Question Period. He asked community safety minister Marie-France Lalonde to agree to fast-track it.

In her response the minister encouraged Pettapiece to "reintroduce that bill again in this session," clearly unaware that Pettapiece already reintroduced the *Rea and Walter Act* nearly two weeks ago. She also ignored Pettapiece's request to fast-track the bill and blamed "the new management" of the PC caucus.

"I was surprised the minister chose to make a partisan issue out of this," noted Pettapiece. "Our bill passed over a year ago, and the government has had over a year to move it forward."

"And now, just before an election, she tries to blame the brand-new PC leader for her own government's failure to act? Give me a break."

Pettapiece continued: "Firefighter safety is something we should all be able to agree on. It's no wonder so many people are so frustrated with this government and with Ontario politics today."

Pettapiece restated his strong support for seeing the *Rea and Walter Act* passed into law before the election. He called on the government to help make that happen.

"It's time to take action," Pettapiece said in his question. "If the government doesn't agree, why did they support the *Rea and Walter Act* at second reading, and when will they finally act on it?"

Unsatisfied with the minister's response, Pettapiece took the extra step of forcing a "late show" debate on the issue. That debate is scheduled for this evening.

- 30 -

Link to Question Period video: https://youtu.be/6JK_fRoAYHE

Related: <http://pettapiece.ca/2018/03/27/pettapiece-reintroduces-rea-and-walter-act/>

Randy Pettapiece, MPP | 416-325-3400 | www.pettapiece.ca

April 19, 2018

Three Presumptive Cancers for Firefighters Announced

Today the Minister of Labour, Kevin Flynn, announced that the Ontario Government is expanding the current regulation to include three additional cancers presumed to be work-related for firefighters under the Workplace Safety and Insurance Act (WSIA), Ontario Increases Cancer Coverage for Firefighters.

The regulation adds ovarian and cervical presumptive cancers for female firefighters, and penile cancer for male firefighters. With the expanded presumption, once a firefighter is diagnosed with cervical, ovarian or penile cancer, the claims process for WSIB benefits is expedited, and a causal link between these cancers and a workplace exposure is not required.

The health and safety of municipal employees remains a top priority for municipal governments, as demonstrated by their continuing training and equipment investments to maximize employee safety.

The additional cancers announced today, as with the previous ones, apply to full-time, part-time and volunteer firefighters and fire investigators, and are retroactive to January 1, 1960 (as currently set out in the WSIA). Under the Act, certain prescribed cancers are treated as work-related unless the contrary can be shown.

For Schedule 1 municipalities who pay premiums, there will likely be a small premium increase. Most volunteer firefighters work for Schedule 1 municipalities. For Schedule 2 municipalities (who pay the full costs of claims plus a 30% WSIB Administrative Rate), it is expected that there will be a small fiscal impact for today's presumptive cancer additions. Most full-time firefighters work for Schedule 2 municipalities.

In May 2007, the WSIA was amended to establish presumptions that could be work-related for firefighters and fire investigators. It also provided for regulation-making power to prescribe the diseases and conditions. In 2007 and 2009, the government established a list of eight cancers and associated service criteria, as well as the circumstances respecting heart injuries. Six presumptive cancers were added in 2014.

It can be noted that the municipal sector has received the highest WSIB Schedule 1 rate increases compared to other Schedule 1 employers over the past few years.

AMO Contact: Monika Turner, Director of Policy, E-mail: mturner@amo.on.ca, 416.971.9856 ext. 318.

PLEASE NOTE: AMO Breaking News will be broadcast to the member municipality's council, administrator, and clerk. Recipients of the AMO broadcasts are free to redistribute the AMO broadcasts to other municipal staff as required. We have decided to not add other staff to these broadcast lists in order to ensure accuracy and efficiency in the management of our various broadcast lists.

DISCLAIMER: Any documents attached are final versions. AMO assumes no responsibility for any discrepancies that may have been transmitted with this electronic version. The printed versions of the documents stand as the official record.

OPT-OUT: If you wish to opt-out of these email communications from AMO please [click here](#)

Jamesway Board Meeting March 15, 2018

Attendance - Randy Kuetz, Larry Drummett
Jean Anderson, Marvin Skyle Karen Dowlen

Minutes from the January 10th 2018 - Motion by
Larry Drummett to accept seconded by Marvin Skyle
Update to Existing Business

Renewable cashable GIC of \$15M at 1/2%.
Added \$3,000 from General Account to the other
2 maturing GIC's and renewed \$40,000 in a 5 in
1 GIC at a rate of 1.3%.

Sent Registered Letter to Waste Management to
cancel our contract effective June 1st, 2018
Wasteco - Motion by Larry Drummett that
we sign with Wasteco for 3 years seconded
by Marvin Skyle. Carried

New Business Would like to have Matthews
tree removal come back this Spring & Trim Trees
at front entrances & by the Dumpsters.

Jamesway Anniversary 30th on May 1st Discussion
Flag Pole Larry Lett knocked over the Flag Pole
with the Snow Blower, he will replace it. Discussion
on moving it back further from the Parking Lot.

Grass Cutting - Brian Hemerling will cut it
again this year at a cost of \$70 per time.

Motion to accept - Larry Drummett seconded
by Jean Anderson. Carried

Flag Pole to be ordered motion by Larry
Drummett seconded by Jean Anderson Carried.

Over

GIC for \$5,200 maturing. Karen Howden has
\$45,000 sitting in current account and should
invest some of it also. Rates are 1 yr. .90,
2 yrs. 1.25, 3 yrs 1.35, 4 yrs 1.5
5 yrs 1.6 and 5 in 1 GIC is 1.3.

Motion - Karen will renew the \$5,200
maturing plus \$25000 from the
account using.

Motion by Jean Anderson. seconded by
Larry Drummett Carried

Review Profit & Loss

Accounts Payable -

February - \$18,807.91

March \$28,202.40

Motion by Larry Drummett to pay
seconded by Jean Anderson Carried

Next Meeting Linda from BDO will be here
Wed. April 18 @ 9 AM.

President

Secretary
Barrie M. Hylie



TOWN OF MINTO

DATE: April 17th, 2018

REPORT TO: Mayor and Council

FROM: Matthew Lubbers, Recreation Services Manager

SUBJECT: After School Program Update

STRATEGIC PLAN:

9.4 Provide strong community development policies and practices that support a family friendly environment, attract family oriented businesses, and enhance Minto as a welcoming, attractive, and safe location.

BACKGROUND:

On January 18th, 2018 Council received report from the Recreation Services Manager entitled After School Program. As directed by Council, a proposal to run an after school program at local schools was submitted to the Upper Grand District School Board subject to Council having a chance to review the business plan for the program that addresses partnership, need, standards of care, revenue and expenses.

The school board has notified the Town that they are prepared to accept our proposal, subject to proof of insurance as well as proof of purchase of a service fee subsidy agreement in good standing with the County prior to August 31st, 2018.

School board staff has asked for our confirmation of interest by April 25th, 2018. If we confirm our interest for one or both locations, an agreement would need to be negotiated prior to August 31st, 2018.

The notification from the school board was brief. The results of their online survey for care for grades 1-6 aged students were summarized:

- 8 interested at Palmerston Public School
- 4 interested at Minto-Clifford Public School

COMMENTS:

Registration revenue would fluctuate based on attendance and a daily rate around \$10 per child is being charged at nearby after school programs. Up to 15 students can be supervised by one staff person. Up to 30 are permitted in a program and would require two staff people.

Expenses include staffing (both direct and indirect), facility rental fees and program supplies. Programs must have adult supervision on-site at all times and at least one adult must meet the requirements below or be enrolled as a student in the fields identified below:

- Is a member in good standing with the College of Early Childhood Educators; or
- Is a member in good standing with the Ontario College of Teachers; or
- Has a diploma or degree in child and youth care; or
- Has a diploma or degree in recreation and leisure services; or
- Has a diploma or degree in social work, psychology, sociology, kinesiology with a focus/experience working with children aged 6-12 years old.

Certain Town staff holds these qualifications. They could serve as backup on occasion should the qualified leader be unavailable. The second adult, if required based on registration, would not be required to meet the aforementioned criteria.

Off-site duties including program planning and registration would also be required.

The RFP suggested an hourly rate of \$6 per space, most likely a classroom, or \$18 assuming up to 3 hours of care will be provided. Program supplies costs would be minimal and providing snacks are optional.

FINANCIAL CONSIDERATIONS

Staff has prepared an estimate of program costs based on the following costs per day:

1. Qualified Staffing	3 hours @ \$25/hour	= \$75/day
2. Benefits and Payroll	+/- 25% of wages	=\$18.75/day
3. Classroom Rental	3 hours @ \$6/hour	= \$18/day
4. Supplies etc.	\$5 per day	= \$5/day
Total Estimated Cost up to 15 children 1 location		=\$117/day

Program Revenues would vary based on actual use

1. Current identified Harriston Capacity	4 children@\$10/day	=\$40/day
2. Required uptake Harriston Cost Recovery	12 children@\$10/day	=\$120/day
1. Current identified Palmerston Capacity	8 children@\$10/day	=\$80/day
2. Required uptake Palmerston Cost Recovery	12 children@\$10/day	=\$120/day

Total number of days operating (weekends, stat holidays, PD days not included) 194 days

Annual Budget one Location Max 15 children

Staff Wages	\$14,550
Staff Benefits and Payroll costs	\$ 3,640
Board Rental	\$ 3,492
Materials	<u>\$ 970</u>
Total Annual Cost Per Location (not including preparation time)	\$22,652

Based on the above analysis the program would have to grow from 12 children to 24 children to make operating two sites approach cost recovery. Since the Town operates

summer and March Break programming with some success, some parents may choose a Minto option for their after school child care if it were available. The Town anticipates some synergies between its current programming and the proposed after school program.

Since Palmerston has more interest and would only have to grow a few children to approach cost recovery, the Town could begin with Palmerston in 2018-19 and branch into Harriston in 2019-20. The intent would be to market the program over the spring and summer with availability for fall 2018.

RECOMMENDATION:

That Council receives the April 17th, 2018 report from the Recreation Services Manager entitled After School Program Update, and approves moving forward in phased approach with Palmerston first year and Harriston in subsequent years based on the preliminary costing outlined in the report.

Matthew Lubbers
Recreation Services Manager



TOWN OF MINTO

DATE: April 20, 2018

REPORT TO: Mayor and Council

FROM: Michelle Brown, Building & Planning Assistant

SUBJECT: Shrimp Canada Site Plan Approval Minto Road

STRATEGIC PLAN:

9.1 Establish and maintain streamlined planning approval processes that use innovative and cost effective tools to protect Town and public interest and ensure development proceeds quickly and affordably.

9.7 Promote environmentally friendly development through subdivision and site plan control such as naturalized stormwater management, low maintenance landscaping using native species, and energy and water preservation techniques that enhance design and improve the cosmetics of the community.

BACKGROUND

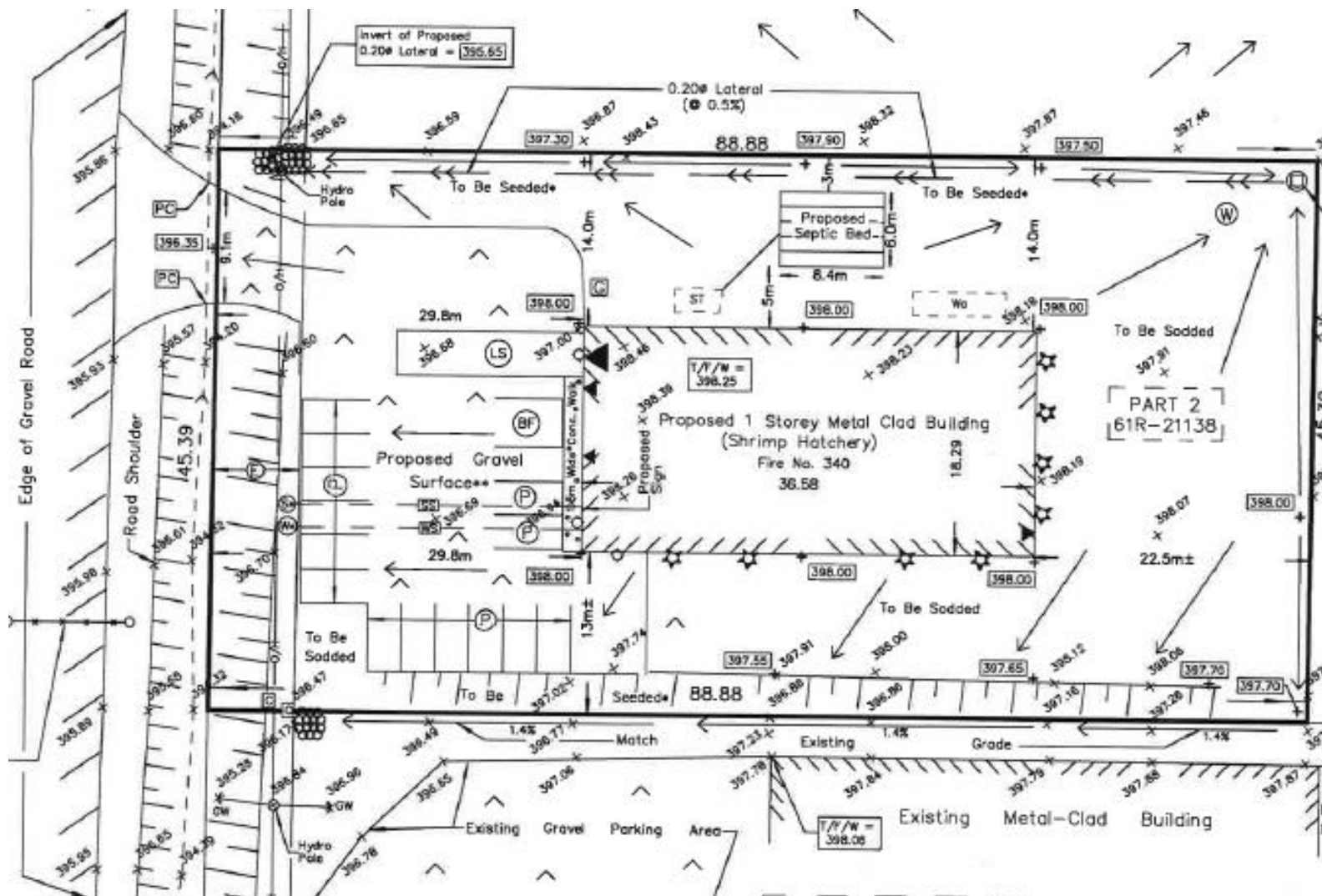
In 2017 Council signed an agreement of Purchase and Sale with Shrimp Canada to permit construction of a shrimp hatchery on Minto Road north of Tri-coat Wood Finishing. Under the agreement the Town initiated a zoning amendment to permit construction of the hatchery on private services (well and septic system). Bylaw 2017-48 passed June 6, 2017 permits the proposed use in the existing M1-30(H) as per the requirement below:



e) An aquaculture production facility within an enclosed building on private services (well and septic) is permitted. An aquaculture production facility may include: a hatchery/nursery, office, processing, packaging, warehousing and shipping of product.

In this case the Town does not need to remove the holding provision on the zoning because the aquaculture facility does not require full municipal services. When the Town extends water and sewer further north on Minto Road as per plan below, Shrimp Canada will connect to the municipal services. This will allow them additional development capacity on their lands; they have first right of refusal on additional acreage beside the property.

The site plan below was recently submitted by Shrimp Canada who proposes to begin construction very soon.



A conditional approval is recommended because servicing design is preliminary as water and sewer connection to Minto Road may not be for a couple of years. Staff proposes to review details with the developer on service connections, septic location and loading area before a building permit is issued. The Chief Building Official and C.A.O. Clerk have reviewed the site plan and are satisfied it can proceed to Council approval. The following summarizes the detailed site plan

- 7,244 square foot metal clad building with front loading area for hatchery

- The location, size and design of the building comply with applicable zoning.
- Single entrance to site accesses 16 parking spaces includes one barrier free space as required by zoning; front parking area should have some paving within 2 years of water and sanitary sewer being installed on Minto Road
- Design and location of loading area to be confirmed to ensure proper traffic flow on and off site into parking area
- Septic system on north side of building and well in northeast corner of lot; Chief Building Official to approve final design of septic system; staff will work with developer on location of water and sanitary sewer connections to avoid internal disruption to building
- Surface water swale shared with Tri-coat Wood Finishing along south lot line; north half of property drains to catch basin in northeast corner of lot with outlet to rip rap area within Minto Road ditch
- Proposed front sidewalk in front of building; plan shows shrubbery placed around foundation of building; additional site landscaping details can be required at a later date

COMMENTS:

The aquaculture use involves a hatchery, nursery and grow-out phase for fresh seafood species production of up to 50,000kg. At the time the lot was bought a minimum 5,000 square foot building was proposed on the one acre. This building is 2,244 square feet larger than originally proposed. Initially three to five employees are to work in the building. Product would grow from hatchlings cared for within tanks contained inside. The private well and septic system will service the hatchery and associated processing and packaging for the time being. A processing building is proposed to be constructed in the future which is to be connected to municipal services.

Overall the site plan submission includes sufficient detail to permit approval. Final details on grading, drainage, landscaping, servicing, loading and similar will be confirmed prior to the site plan agreement being signed and a building permit being issued. Council approval is recommended subject to a standard site agreement being executed.

FINANCIAL CONSIDERATIONS

Council typically retains the \$3,600 site plan application fee as security for the development and has not required additional security.

RECOMMENDATION:

That Council receives the Planning Assistants report dated April 20, 2018 and approves Site Grading Plan and Illustration of Existing Topography for the Shrimp Canada hatchery subject to execution of a development agreement with the Town requiring, among other matters, completion of the work within two years, and final tree planting, servicing, grading and drainage, loading area and similar being provided to the satisfaction of the Town prior to issuance of a building permit.

Michelle Brown Building & Planning Assistant

Reviewed by Bill White, C.A.O. Clerk

**TOWN OF MINTO****DATE:** April 30, 2018**REPORT TO:** Mayor and Council**FROM:** Terry Kuipers, C.B.O**SUBJECT:** Appointment of Building Inspector

STRATEGIC PLAN:

9.1 Establish and maintain streamlined planning approval processes that use innovative and cost effective tools to protect Town and public interest and ensure development proceeds quickly and affordably

BACKGROUND:

The Town of Minto has seen an influx of development across all sectors in the past couple of years. In addition to this, the Building Department is dealing with a maternity leave which reduced the number of qualified Inspectors to just the Chief Building Official.

Staff had discussions to determine the best method to address this short term staffing issue and due to the lack of available Building Inspectors and the common elevated workload other local Building Departments are experiencing, it was decided that the best method would be to cross-train internal staff to provide coverage during this leave. During the recent months, Cam Forbes has been taking Building Code courses and exams, and has received his qualifications to be able to review plans and inspect residential buildings. He is now able to provide inspection coverage during until our current Building Inspector has returned and during vacations and other busy periods.

COMMENTS:

The residential construction sector has the highest demand on the Building Department, with each new house requiring 13-15 inspections each. New residential construction accounts for roughly 18.2% of the permits issued, but staff time allocation has been calculated to be roughly 21 weeks (5.25 months) per year in dealing strictly with this type of permit. Having Cam Forbes qualified in this category is a great benefit to the Building Department and the service levels it provides.

He will continue with By-Law Enforcement and Fire Prevention duties but will prioritize his time based on the demands in each area of responsibility. In the Building Department, inspections are prioritized above by-law enforcement. In the Fire Department, he will complete f his mandated duties, but unlegislated duties will be completed as time permits.

Staff is very pleased to continue to cross train within this Department. In addition to the duties noted above, staff took on Risk Management Inspection when Source Water

Protection was mandated a few years ago. Having a good mix of qualifications is of benefit to the Town and staff members.

FINANCIAL CONSIDERATIONS:

There is no financial consideration with this proposal at this time. In the event this changes the job classification through salary review, any increase in salary will be offset by permit fees which are to cover the cost of the service.

RECOMMENDATION:

That Council receives the Chief Building Official's report dated April 20, 2018, and considers a bylaw in regular session to appoint Gordon Cameron Forbes as a Building Inspector for the Town of Minto.

Terry Kuipers, C.B.O

Building Department Monthly Review



February/March 2018



February/March Permit Activity

- Permit Activity in February was slow, resulting in 2 Permits being issued
- Rebounded in March, with 19 Permits being issued

	2018		2017	
PERMIT TYPE	PERMITS ISSUED	DOLLAR VALUE	PERMITS ISSUED	DOLLAR VALUE
Single Family Dwelling	6	\$ 1,735,000.00	2	\$ 725,000.00
Multiple Family Dwelling		\$ -	1	\$ 2,585,000.00
Accessory Appartments				
Residential Additions/Renovations	3	\$ 209,000.00	3	\$ 351,000.00
Residential Accessory Structures	2	\$ 130,000.00	1	\$ 3,000.00
Residential Pool Enclosures/Decks				
Commercial Permits		\$ -	1	\$ 150,000.00
Industrial	1	\$ 100,000.00	1	\$ 150,000.00
Institutional			1	\$ 50,000.00
Agricultural	6	\$ 3,490,000.00	2	\$ 1,050,000.00
Sewage Systems	1	\$ 10,000.00	1	\$ 15,000.00
Demolitions				
Monthly Total	19	\$ 5,674,000.00	13	\$ 5,079,000.00
Total Year to Date	27	\$ 6,712,000.00	37	\$ 8,694,000.00

Year To Date Permit Activity

- Total numbers are strong for this time of year, but are lower than those of 2017
- Residential and Agricultural Sectors are strong

	2018		2017	
PERMIT TYPE	PERMITS ISSUED	DOLLAR VALUE	PERMITS ISSUED	DOLLAR VALUE
Single Family Dwelling	6	\$ 1,735,000.00	6	\$ 1,589,000.00
Multiple Family Dwelling	0	\$ -	4	\$ 4,035,000.00
Accessory Appartments	0	\$ -	0	\$ -
Residential Additions/Renovations	4	\$ 214,000.00	7	\$ 455,000.00
Residential Accessory Structures	2	\$ 130,000.00	1	\$ 3,000.00
Residential Pool Enclosures/Decks	0	\$ -	0	\$ -
Commercial Permits	2	\$ 268,000.00	2	\$ 165,000.00
Industrial	1	\$ 100,000.00	3	\$ 255,000.00
Institutional	1	\$ 55,000.00	2	\$ 52,000.00
Agricultural	10	\$ 4,200,000.00	7	\$ 2,085,000.00
Sewage Systems	1	\$ 10,000.00	5	\$ 55,000.00
Demolitions	0	\$ -	0	\$ -
Total	27	\$ 6,712,000.00	37	\$ 8,694,000.00

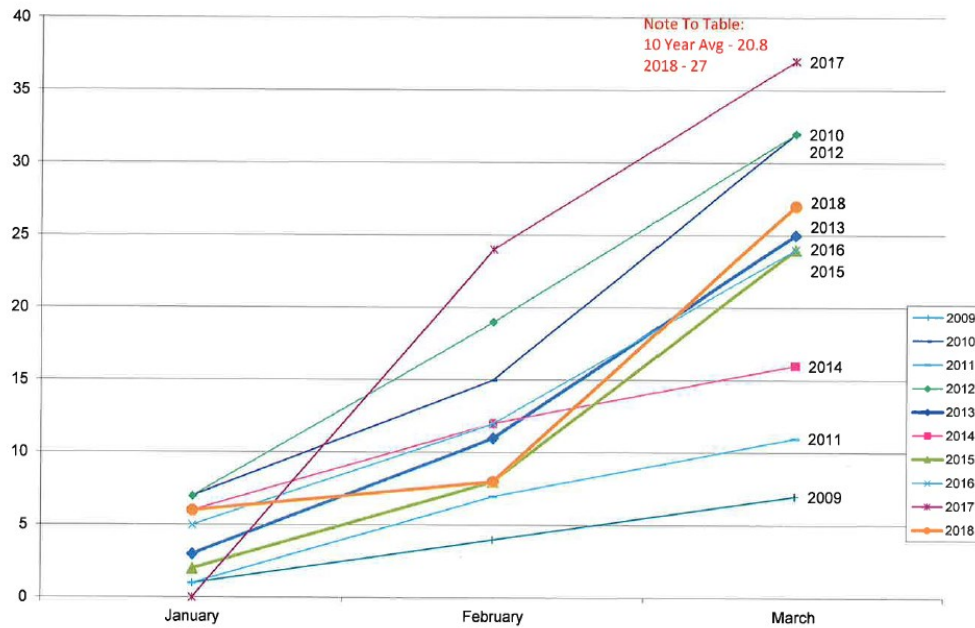
February/March's Highlights

- Highlights include:
 - 7 Agricultural Permits, including 2 new Dairy Barns
 - 6 new Single Family Dwellings (2 each in Harriston, Palmerston, Clifford)



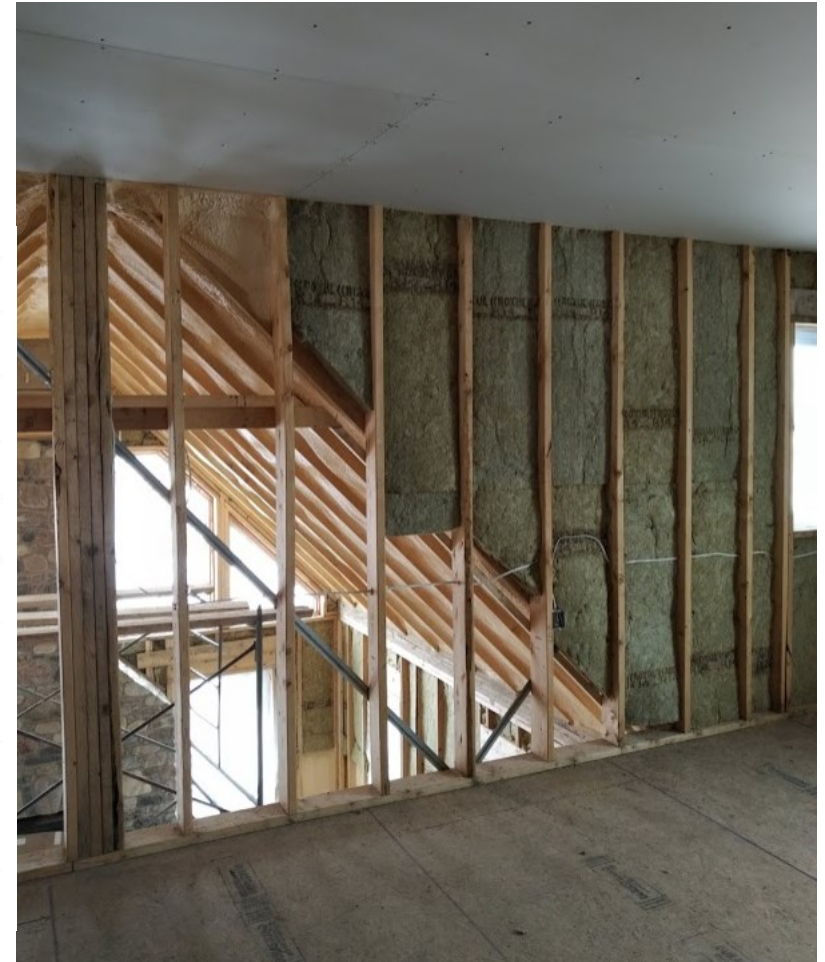
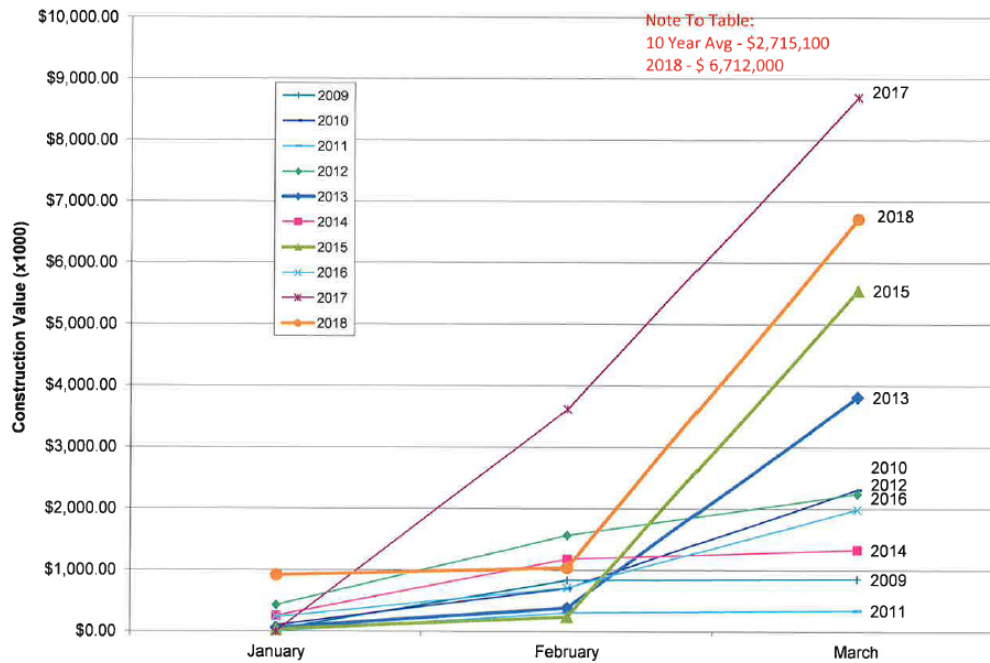
10 Year Permit Numbers

- 10 Year Average – 20.8
- Year To Date – 27 Permits



10 Year Construction Value

- 10 Year Average - \$2,715,100
- Year To Date - \$6,712,000



Questions/Comments





TOWN OF MINTO

DATE: April 19th, 2018

REPORT TO: Mayor Bridge and Members of Council

FROM: Gordon Duff, Treasurer and Janet Klemp, Tax Collector

SUBJECT: Section 357 Applications

STRATEGIC PLAN:

Manage Town finances in a transparent and fiscally responsible manner using a wide variety of accepted methods such as maintaining healthy reserves, investing conservatively, sensible user fees, property tax control, and responsible borrowing.

BACKGROUND:

Section 357 and 358 of The Municipal Act, S.O. 2001, c. 25, as amended are submitted to the Municipal Property Assessment Corporation (MPAC) for several reasons including fire loss, demolitions, mobile unit removed and gross or manifest errors.

COMMENTS:

The attached list is for the 2015 to 2017 taxation years and is the result of a demolition of a house razed by fire, demo of shed and barns, property that is no longer commercial due to closure of kennel and removal of two mobile units and change of use at the landfill site.

FINANCIAL CONSIDERATIONS:

The Town of Minto bears the cost of its share of the almost \$6,500 tax reductions, while the portions relating to the County of Wellington and the related School Boards are charged back to these bodies.

RECOMMENDATION:

THAT Council receives the April 2018 report from the Treasurer and Tax Collector regarding Section 357 Applications and that these applications be approved.

Respectfully submitted by,

Reviewed by,

Janet Klemp, AMCT
Tax Collector

Gordon R. Duff, CPA, CGA
Treasurer

TOWN OF MINTO

Section 357 / 358

April 2018

Roll Number	Assessment Change	Effective Date				
			General	County	School Board	Total
2341 000 001 04000	FT decreased by 11,006 Barn Demo	Mar 02 - Dec 31, 2017	(12.53)	(14.72)	(4.12)	(31.37)
2341 000 001 04100	FT decreased by 17,177 Barn Demo	Mar 03 - Dec 31, 2017	(19.49)	(22.90)	(6.40)	(48.79)
2341 000 001 14401	CF decreased by 124,200 HF decreased by 112,584 RT added of 264,903 Change of Use	Jan 01 - Dec 31, 2017	(455.06)	(534.79)	(1,872.27)	(2,862.12)
2341 000 002 18500	RT decreased by 47,075 Demo of buildings	Apr 23 - Dec 31, 2017	(191.24)	(224.75)	(62.84)	(478.83)
2341 000 002 21360	CT decreased by 14,400 RT added by 14,400 Closed Kennel	Feb 01 - Dec 31, 2016	(35.16)	(40.58)	(110.54)	(186.28)
2341 000 002 21360	CT decreased by 14,400 RT added by 14,400 Closed Kennel	Jan 01 - Dec 31, 2017	(101.05)	(118.76)	(319.68)	(539.49)
2341 000 006 12900	RT decreased by 75,250 Mobile Units Removed	Sept 01 - Dec 31, 2017	(146.15)	(161.04)	(45.02)	(352.21)
2341 000 012 07820	RT decreased by 52,000 House Demo	May 05 - Dec 31, 2016	(203.19)	(220.09)	(64.37)	(487.65)
2341 000 012 07820	RT decreased by 49,000 House Demo	Jan 01 - Dec 31, 2017	(284.72)	(313.73)	(87.71)	(686.16)
2341 000 012 10200	RT decreased by 6,767 Shed Demo	July 01 - Dec 31, 2015	(20.16)	(22.14)	(6.65)	(48.95)
2341 000 012 10200	RT decreased by 7,000 Shed Demo	Jan 01 - Dec 31, 2016	(41.54)	(44.99)	(13.16)	(99.69)
2341 000 012 10200	RT decreased by 7,500 Shed Demo	Jan 01 - Dec 31, 2017	(43.58)	(48.02)	(13.43)	(105.03)
2341 000 013 04600	RT decreased by 76,209 House Razed by Fire	June 20 - Dec 31, 2017	(236.58)	(260.68)	(72.88)	(570.14)
						-
			\$ (1,790.45)	\$ (2,027.19)	\$ (2,679.07)	\$ (6,496.71)

FT - Farmland

RT - Residential

CF - Commercial PIL

HF - Landfill PIL

**TOWN OF MINTO**

DATE: Apr 13, 2018
REPORT TO: Mayor and Council
FROM: Gordon Duff, Treasurer
SUBJECT: Approval of Accounts

STRATEGIC PLAN:

Manage Town finances in a transparent and fiscally responsible manner using a wide variety of accepted methods such as maintaining healthy reserves, investing conservatively, sensible user fees, property tax control, and responsible borrowing.

BACKGROUND

The following is a summary of accounts by Department paid for April 13, 2018

Administration	\$ 196,460.68
People & Property	3,949.81
Health & Safety	
Health Services	
Building	
Economic Development	5,119.96
Incubator	534.06
Tourism	
Fire	1,480.18
Drains	
Roads	126,898.60
Cemetery	
Waste Water	33,416.09
Streetlights	6,355.77
Water	9,869.20
Town Landscaping Care	656.26
Recreation	2,731.21
Clifford	4,896.53
Harriston	9,923.68
Palmerston	17,083.92
Norgan	2,126.03
	<hr/> <hr/>
	\$ 421,501.98

COMMENTS:

The above information is provided to provide an update on monthly spending by Department as public information. Council also receives three budget update reports per year outlining the status of budget to actual for the capital plan and operating budgets.

Council receives by email a detailed summary of accounts including personal information about identifiable individuals that is protected under the Municipal Freedom of Information Act. The auditor supports Council approving the accounts in this fashion.

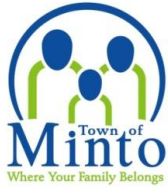
FINANCIAL CONSIDERATIONS:

Council's approval of the accounts increases transparency by disclosing monthly spending by Department.

RECOMMENDATION:

That Council of the Town of Minto receives the Treasurer's report dated April 13, 2018 regarding Approval of Accounts, and approves the Town of Minto accounts by Department for March and April 2018.

Gordon Duff, Treasurer



TOWN OF MINTO

DATE: April 5, 2014

REPORT TO: Mayor and Council

FROM: Bill White, C.A.O. Clerk

SUBJECT: Municipal Act, Lame Duck Provisions

STRATEGIC PLAN:

12.7 Demonstrate innovation in all aspects of municipal business acknowledging the importance of training, succession planning, transparency, communication and team-based approaches to municipal operations.

BACKGROUND

Section 275 of the Municipal Act contains provisions regarding when a Council enters a “lame duck” period. There are two times when this can occur:

1. after nomination day July 27, but before voting day October 22 based on certified nominations and acclamations
2. after voting day October 22 based on the declaration of the results of the vote.

The calculation made on whether Council becomes lame duck is that “the new Council will include less than three quarters of the members of the outgoing Council.” For a Council of seven this means at least 6 members would need to be acclaimed.

If one of seven members of Minto Council chooses not to run then 85.7% of the outgoing Council may be part of the new Council. If two of seven members chose not to run then only 71.4% of the outgoing Council may be included in the new Council. This calculation is first made after nomination day July 27. If six of seven Councillors have their nominations certified, or are acclaimed, then the lame duck provisions do not apply until a second calculation is made election day.

After the election on October 22, if two of seven members of Minto Council are not successful in the election based on the declared results, Council enters the lame duck period on October 22. This will run through until the inaugural Council meeting currently scheduled for December 4, 2018.

During the lame duck period outgoing councils may not undertake the following actions:

- Appoint or remove any officer
- Hire or dismiss an employee
- Dispose of any real or personal property valued at \$50,000 or more when acquired by the Town (unless provided for in the most recent budget adopted by Council)
- Make any expenditures or incur any other liability of \$50,000 or more (unless provided for in the most recent budget adopted by Council).

COMMENTS:

These rules are intended to ensure outgoing members do not make significant personnel or financial decisions for which they will not be held responsible.

Almost all expenditures and land acquisitions are identified in the 2018 budget. Sometimes there is a need for an unanticipated expenditure or property matter during the lame duck period. Also there may be a reason to terminate an officer, hire or dismiss employees during the period. In this case Council can delegate this authority so the Town can act if necessary. Such a delegation is not to be taken lightly or misused and would only be applied in circumstances where there is no other choice available. In 2014 Council delegated certain authority to the C.A.O. Clerk and Treasurer Deputy C.A.O.

FINANCIAL CONSIDERATIONS:

There is no cost for this delegation of authority. Under Section 275(4.1), nothing in the Act prevents expenditures being made in the case of an emergency.

RECOMMENDATION:

That Council of receives the C.A.O. Clerk's report dated April 5, 2018 Municipal Election Act, Lame Duck Provisions and that the following delegations of authority pursuant to the Municipal Act 275(6) be made to apply, if necessary, during the restricted period following nomination day or election day as the case may be:

1. Appoint or remove any officer to the C.A.O. Clerk
2. Hire or dismiss an employee to the C.A.O. Clerk
3. Dispose of any real or personal property valued at \$50,000 or more when acquired by the Town (unless provided for in the most recent budget adopted by Council) to the C.A.O. Clerk, and Treasurer Deputy C.A.O.
4. Make any expenditure or incur any other liability of \$50,000 or more (unless provided for in the most recent budget adopted by Council) to the C.A.O. Clerk and Treasurer Deputy C.A.O.

Bill White, C.A.O. Clerk



TOWN OF MINTO

DATE: April 19, 2018

REPORT TO: Mayor and Council

FROM: Bill White C.A.O. Clerk

SUBJECT: Second Draft North Clifford Secondary Plan

STRATEGIC PLAN:

4.0 Pursue initiatives that improve the Town's economy, increase employment opportunities, enhance the skilled workforce, increase competitiveness, attract investment and maintain affordability for local residents and business.

9.0 Ensure growth and development in Clifford, Palmerston and Harriston makes cost effective and efficient use of municipal services, and development in rural and urban areas is well planned, reflects community interests, is attractive in design and layout, and is consistent with applicable County and Provincial Policies.

11.0 Maintain and enhance infrastructure to protect public health and safety, prevent property damage, maintain high quality of life, and effectively manage financial resources to ensure Minto is an attractive and viable community for family living and business investment.

BACKGROUND:

At the July 18, 2017 meeting staff reported on the benefits of secondary plans and how they might augment current planning policy for the Town. A secondary plan is a useful planning tool in Clifford and Palmerston to ensure infrastructure work relates to future growth. At the meeting Council discussed implications of Provincial Planning initiatives (Places to Grow) that links boundary adjustments to five year official plan reviews. Besides helping plan infrastructure on Elora Street Clifford, a secondary plan will help Wellington County's growth management work during the five year review starting in 2019. At that time the Town will likely want to expand the urban area of Palmerston. Council passed the following resolution:

MOTION: COW 2017-185

That Council receive the C.A.O. Clerk's July 13, 2017 report Minto Secondary Plans and the County of Wellington Provincial Plan Updates and directs staff to start a secondary planning process in northwest Clifford and west Palmerston.

Staff prepared the first draft of the Clifford Secondary Plan in house and presented it to Council at their November 7, 2017 meeting. The draft was also made available to the public at an open house that same evening when public comment on the Elora Street reconstruction project was considered. Council passed the following resolution November 7:

MOTION: COW 2017-270

THAT the draft North Clifford Secondary Plan is received and circulated for public and agency comments.

Some comments from the open house and from other development interests since February 2018 resulted in changes to the document in the second draft. One landowner provided feedback that resulted in a slight change to the road system plan. The draft secondary plan was available on the Town's website, and Wellington County provided preliminary comment.

Attached is a revised draft official plan amendment in the required County format for consideration by Council. The following summarizes noteworthy changes to the proposed secondary plan:

- Identifies specific changes to County official plan maps to locate the North Clifford Secondary Planning Area, and a new map to provide for proposed new land uses.
- Updated Provincial Policy section reflecting July 2017 approved policies in the Greater Golden Horseshoe Plan
- Additional information regarding urban area policies in the County Official Plan related to balancing development, "livability" and "small town lifestyle".
- Changes to the road system plan to show as an alternative a servicing corridor or local road north of the proposed new east-west collector to allow flexibility for development concepts being considered by area landowners.
- Added detail regarding municipal servicing policy issues and the need for a frontage fee to be collected as a condition of site plan approval, severance or subdivision to obtain access to services for development fronting on Elora Street. Council can determine the exact frontage fee at its sole discretion
- Including six criteria the Town might consider for cross boundary connections to the Redwood property including the owner obtaining approvals and easements at his/her cost, paying the full cost of extending the services, paying applicable frontage fees, contribute toward Town development charges, paying added engineering fees the Town incurs during the process of considering the development of the Redwood Lands; and paying up to two times the water and rates of in Town users.
- Species goals and objectives of the secondary plan consistent with Provincial Policy and the Greater Golden Horseshoe Plan

The proposed changes place the Secondary Plan in the correct Provincial Policy context and are in a form that would permit its submission to the County for consideration. If Council is generally in agreement with the form and content of the amendment the Town can submit a formal application to the County. The County will circulate the amendment and arrange to conduct a public meeting pursuant to the Planning Act. This process may result in further changes to the policy. The Town will be able to consider such changes before adoption by the County.

This secondary plan should be relatively straight forward and will set the stage for the Palmerston Secondary Plan which will be available in draft form later this year.

FINANCIAL CONSIDERATIONS

The Secondary Plan has been prepared in-house with some minor engineering costs which are attributed to the capital construction project.

RECOMMEDATION:

That Council receive the C.A.O. Clerk's April 19, 2018 report Second Draft North Clifford Secondary Plan and associated draft amendment to the County Official Plan, and Council direct staff to file a formal application to amend the County Official Plan accordingly.

Bill White MCIP RPP
C.A.O. Clerk

AMENDMENT NUMBER ____

TO THE OFFICIAL PLAN FOR THE

COUNTY OF WELLINGTON

April 2018

This draft amendment to the Official Plan for the County of Wellington was prepared by the Town of Minto based on information in its application to the County of Wellington. Please be advised that this amendment may be revised at any point prior to County Council's consideration as a result of public input, agency comments, and further review by the County Planning and Development Department.

THE CORPORATION OF THE COUNTY OF WELLINGTON

BY-LAW NO. _____

A By-law to adopt Amendment No. _____
to the Official Plan for the County of Wellington.

The Council of the Corporation of the Wellington, pursuant to the provisions of the Planning Act, R.S.O. 1990, as amended, does hereby enact as follows:

1. THAT Amendment Number _____ to the Official Plan for the County of Wellington, consisting of the attached maps and explanatory text, is hereby adopted.
2. THAT this By-law shall come into force and take effect on the day of the final day of passing thereof, subject to the provisions of the Planning Act, R. S. O., 1990 as amended

READ A FIRST AND SECOND TIME THIS _____ DAY OF _____, 2018.

READ A THIRD TIME AND PASSED THIS _____ DAY OF _____, 2018.

WARDEN

CLERK

AMENDMENT NUMBER _____
TO THE
COUNTY OF WELLINGTON OFFICIAL PLAN

INDEX

PART A - THE PREAMBLE

The Preamble provides an explanation of the proposed amendment including the purpose, location, and background information, but does not form part of this amendment.

PART B - THE AMENDMENT

The Amendment describes the changes and/or modifications to the Wellington County Official Plan, which constitute Official Plan Amendment No. _____.

PART C - THE APPENDICES

The Appendices, if included herein, provide information related to the Amendment, but do not constitute part of the Amendment.

PART A - THE PREAMBLE

PURPOSE

The Town of Minto was awarded grants under the Provincial Connecting Link Program to reconstruct 1.6 km of Elora Street from the southerly limits of Clifford through the urban area to the intersection of West Heritage Street and County Road 1. The project has three phases with the second and third phases of the work involving replacing or upgrading underground infrastructure where appropriate.

Phase three of the work on Elora Street North includes extending sanitary sewer northerly from James Street as well as water and storm water upgrades to provide full municipal services to large under-developed parcels fronting on the most northerly 0.6 km of Elora Street North. While the underground infrastructure is not funded by the Provincial Connecting Link program, the Town wants to ensure sewer, water, electrical and streetscape was upgraded and improved in concert with badly needed roadwork to open up the area for re-development.

Secondary plans are a useful planning tool to ensure infrastructure work relates to future land use and growth, particularly in light of the implications of new Provincial Planning initiatives and policies in the Growth Plan for the Greater Golden Horseshoe linking boundary adjustments to five year official plan reviews. Besides helping plan infrastructure on Elora Street in Clifford, a secondary plan will help Wellington County's growth management work during the five year review starting in 2019.

According to Wellington County growth projections Minto could grow by 3,745 people living within 1330 new homes, or a rate of 53 units per year. The County allocated 165 new units to Clifford in the 2016 projection. This results in Clifford's population increasing 475 persons over 25 years or 2.17% growth per year. The North Clifford Secondary Plan has the following broad purpose:

- Adapts and implements the objectives, policies, land use designations and overall planning approach of the Official Plan to fit with local area.
- Establishes local development policies unique to an area to guide growth and change in that area.
- Promote a desired type and form of physical development in a specific area.
- Guide public and private investment to meet County and Provincial growth targets.

LOCATION

The North Clifford Secondary Planning area is located in the northwest part of the Town of Minto consisting of about 115 acres of land in north end of the former village. The triangular shaped planning area is bounded by the Town Wastewater Lagoons, West Heritage Street (County Road 1) and James/Queen Street at the edge of the built up area. The North Clifford Secondary Planning area border the Town of Minto's municipal boundary with Howick Township along West Heritage Street.

BASIS

The planning area is characterized by several large under-developed parcels some of which support smaller buildings and low lot coverage. Some vacant lands support agriculture. The current official plan designation and zoning of some of these larger parcels allows considerable amounts of commercial floor space that if developed would dramatically impact the market and the form of development in Clifford.

There are about 6 hectares (+-15 acres) of lands zoned residential or future development lands that should be considered for future residential development in order to meet growth targets in the County Official Plan. There are no lands designated or zoned industrial in the secondary plan area which may be necessary employment lands for the Town of Minto.

Proposed secondary planning policies provide for a more reasonable mix of land use to meet County growth related plans for residential development, decrease the amount of land available for commercial development, and to add industrial, residential and open space land uses to more reflect appropriate settlement area development policies.

OTHER APPLICATIONS

Once the policies for the North Clifford Secondary Plan have been established through the Official Plan amendment application, the Town will initiate a zoning amendment to implement development zoning to reflect these policies.

PART B - THE AMENDMENT

All of this part of the document entitled **Part B - The Amendment**, consisting of the following text and map constitutes **Amendment No. ___** to the Official Plan for the County of Wellington.

DETAILS OF THE AMENDMENT

The Official Plan of the County of Wellington is hereby amended as follows:

1. THAT **Schedule A5-1 (Clifford)** of the County of Wellington Official Plan is hereby amended by identifying the North Clifford Secondary Planning Area on Elora Street North bounded on the north and west by West Heritage Road, the south by James Street East and Queen Street West, and the east by the Town Waste Water Treatment Plan as identified on Schedule “A1” of this amendment.
2. THAT the **Schedule A5-2 (North Clifford Secondary Plan)** is hereby added to the County of Wellington Official Plan including the land use, road classification, trail location and other such information as identified on Schedule “A2” of this amendment.
3. THAT the following text be added to the end of Section 9.6:

“PA5-11 North Clifford Secondary Plan

The following policies are intended to augment and support policies within Part 8 Detailed Urban Centre Policies and other applicable policies of the County Official Plan respecting the growth and development of Clifford within the Town of Minto.

Secondary Plan Purpose

A secondary plan establishes “local development policies to guide growth and development in defined areas of a municipality where major physical changes are expected and desired” A Secondary Plan:

- Adapts and implements the objectives, policies, land use designations and overall planning approach of the Official Plan to fit with local area.
- Establishes local development policies unique to an area that will guide growth and change in that area.
- Promotes a desired type and form of physical development in a specific area.
- Guides public and private investment.

The secondary planning process differs from the Class EA process which is a legislated tool in place to evaluate the potential impacts of constructing new municipal road extensions to service lands planned for future development primarily on public lands. Secondary planning and the draft plan of subdivision process when applied to private lands typically replace the

need for a Class EA. The Town is preparing secondary plans for key parts of Minto to guide growth and where necessary policies in the next County Official Plan five year review.

Description of Area

The North Clifford Secondary Planning area is located in the northwest part of the Town of Minto consisting of about 115 acres of land in north end of the former village. The triangular shaped planning area is bounded by the Town Wastewater Lagoons, West Heritage Street (County Road 1) and James/Queen Street at the edge of the built up area. The map below on the following page shows the location of the lands relative to Howick Township which shares the municipal boundary along West Heritage Street.



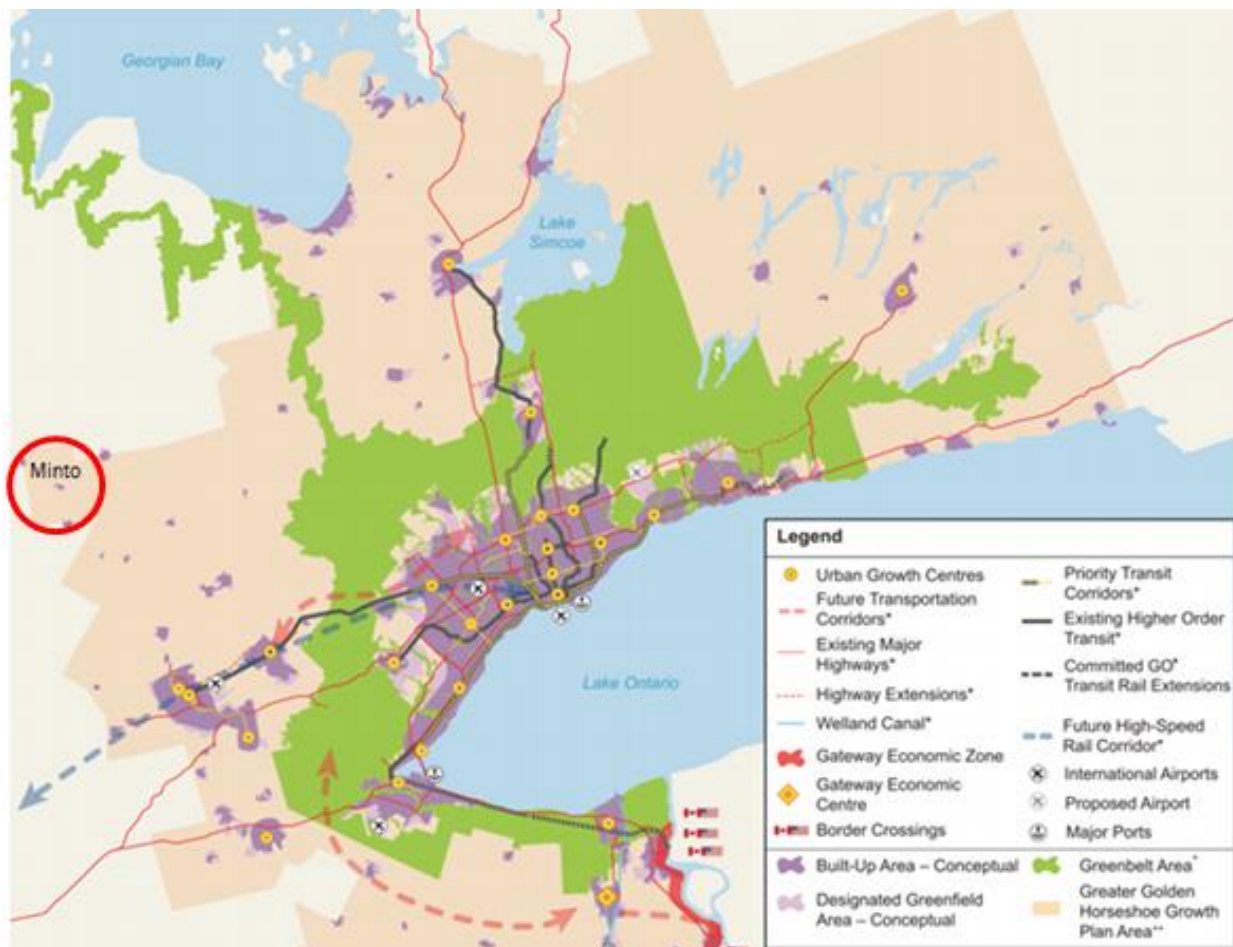
The planning area is characterized by several large under-developed parcels some of which support smaller buildings and low lot coverage. Some vacant lands support agriculture.

Businesses in the area include Wightman Telecom, Wicked Sticks Family Golf Centre, Van Eyl Trailers and W.C. Smith. Pike Lake displays trailers on land it owns on Elora Street. There are several smaller lots with single family homes inside the planning area. On the edge of the planning area sits the Jamesway Manor housing project, and the Redwood Restaurant just outside of Minto in Howick Township.

Elora Street North (Highway 9) crossing the North Clifford Planning Area is a connecting link that intersects with County Road 1 before becoming Highway 9. Brown, William, Clarke and Ann Street all end at the edge of the planning area. Unopened sections of James Street road allowance cross the southern part of the planning area. The Clifford Trail follows the former rail line into the area.

Provincial Policy

Minto is located within the most northwesterly edge of the “outer ring” of the Greater Golden Horseshoe Plan Area outlined in the Growth Plan approved by the Province in May 2017. Land use policies in the Growth Plan for the Greater Golden Horseshoe were approved by Order in Council and came into effect July 1, 2017. The Growth Plan “builds upon the policy foundation” of Provincial Policy, but takes “precedence over” it by providing more specific direction on future land use for the Greater Golden Horseshoe (see map below).



The plan designated Clifford, Harriston and Palmerston as “Built-up Areas Conceptual”, the same designation as the City of Toronto, Guelph, Waterloo and other large urban centres. Although nearly invisible on the map, both Clifford and Harriston have sections designated as “Greenfield Areas – Conceptual” but no such area is identified in concert with Palmerston. Perth, Huron and Grey County on Minto’s borders, are excluded from the Growth Plan such that in the specific case of Clifford Secondary Plan adjacent lands in Howick Township are not subject to the higher level planning policies of the Growth Plan.

Specific policies in the Growth Plan require the following:

- Upper and lower tier municipalities to establish a “hierarchy of settlement areas”
- Establish infrastructure plans based on full “life cycle costs” including options to pay the costs over time
- Optimize infrastructure along “transit and transportation corridors” and create “complete communities” using a “compact built form”
- Protect the environment and agricultural lands
- Apply a “municipal comprehensive review” which means a new official plan or amendment apply Growth Plan Policies

Essentially the Province through the Growth Plan dictates development follow a much more regimented process coordinated between the County and Local municipalities to ensure a diversity of land use is provided and key natural and agricultural areas are protected. This policy work is in a context of climate change and other Provincial directives. Within the “Outer Ring” of the Greater Golden Horseshoe, designated greenfield areas (newly developing settlement areas) shall develop at no less than 80 “residents and jobs combined” per hectare.

The Minister has established a “methodology for assessing land needs to implement” the growth plan. This methodology was out for public consideration through February 28, 2018. Town of Minto Council commented on the methodology which now dictates how the County, Minto and other local tiers plan for growth. The County has advised Minto it will include the relevant “hierarchy of settlement areas” and establish parameters for future growth and boundary expansions within its next five year review of the official plan scheduled for 2019-20. Local tiers like Minto are to have specific growth policies within one year of the County approval.

Because lands covered by the North Clifford Secondary Plan are within the current urban boundary identified in the County Official Plan, the Town has greater flexibility to plan for future land uses provided Council is consistent with elements of the Growth Plan and Provincial Policy. The secondary plan promotes efficient use of infrastructure, which the Town will be installing, development of a complete community (mix of land use, parks, trails

etc.) and compact form of development. The secondary plan confirms the amount of land needed in Clifford to meet County growth targets, and where future development should be directed in the next 25 years.

Demographics

The Town population in 2016 recorded by Stats Canada is 8,671 people up 4% from 2011. There were 3,370 private dwellings in Minto in 2016 increased 3.9% since 2011. The adjacent County growth forecast indicates there were 875 people and 355 households in Clifford in 2016, about 10% of the total Minto population.

In March 2016 the County growth forecast was provided to the Town as a basis for implementing major changes to Provincial planning legislation (Growth Plan) effective July 1, 2017. The growth forecast includes population and household projections from 2016 through 2031, 2036 and 2041. County population is projected to increase nearly 45,000 people living within 15,780 new households over 25 years. 62% of people will live in urban areas up from 51% in 2016.

	2016	2036	2041
CLIFFORD			
<i>Total Population¹</i>	875	1,270	1,350
<i>Households</i>	355	490	520
HARRISTON			
<i>Total Population¹</i>	2,095	3,260	3,240
<i>Households</i>	795	1,195	1,195
PALMERSTON			
<i>Total Population¹</i>	2,875	4,310	4,660
<i>Households</i>	1,080	1,590	1,715
OUTSIDE URBAN CENTRES			
<i>Total Population¹</i>	3,220	3,530	3,560
<i>Households</i>	1,050	1,160	1,180

Minto is projected to grow by 3,745 people living within 1330 new homes, or a rate of 53 units per year. If Clifford achieved housing unit creation proportional to its population (10%) about 133 homes would be built in 25 years. The County allocated 165 new units to Clifford in the 2016 projection. This results in Clifford's population increasing 475 persons over 25 years or 2.17% growth per year.

There is enough land within the current urban boundaries to accommodate 165 more homes in Clifford subject to services becoming available. Most of the housing unit growth could occur in the North Clifford Planning Area. Reconstruction of Elora Street from James to West Heritage will open up this area for development as trunk municipal sewer and water is constructed and upgraded in concert with the connecting link road project.

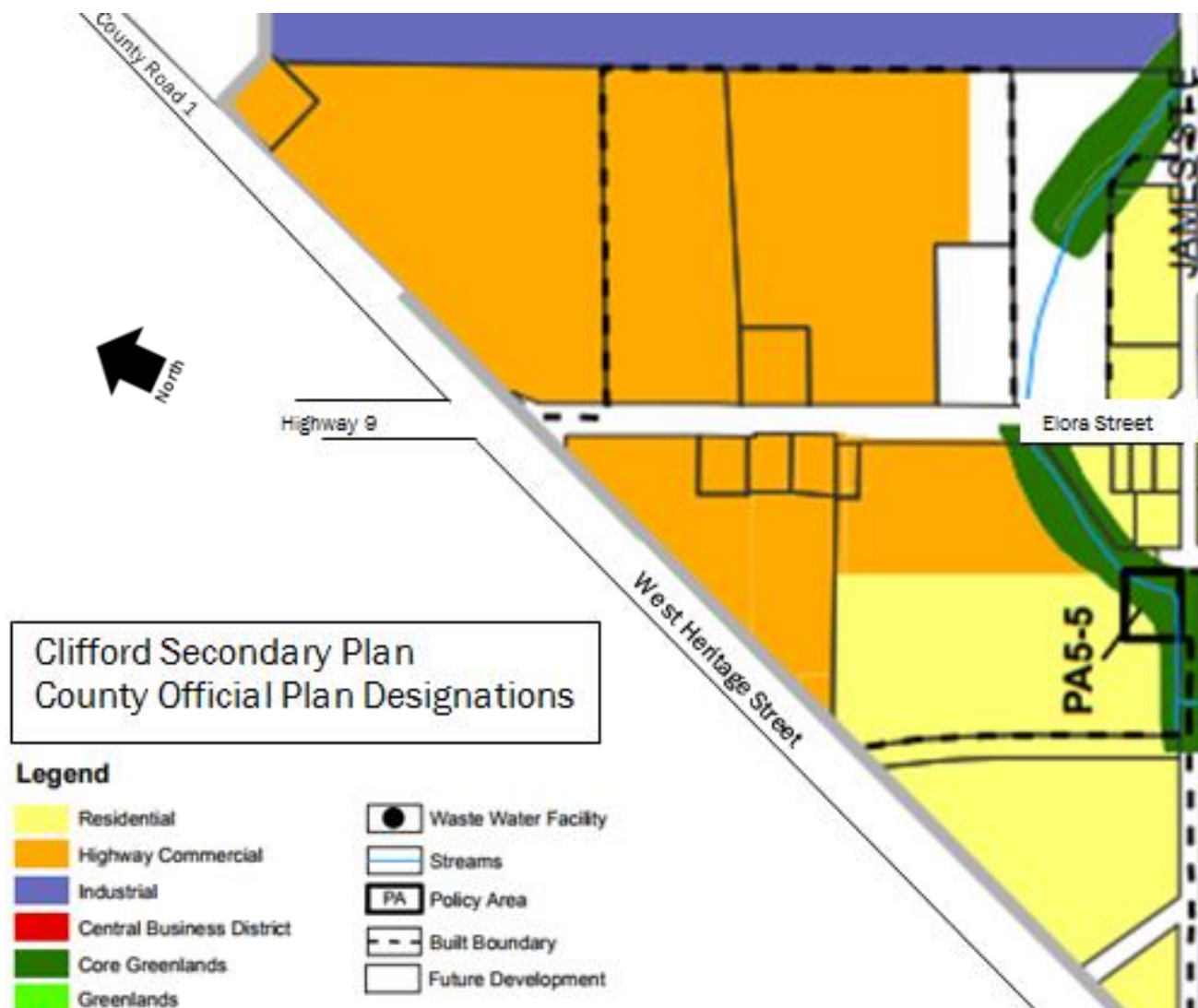
Official Plan and Zoning

The County Official Plan consists of text and land use schedules to describe the "long term vision for Wellington County's communities and resources". Policies in the Plan outline how rural and urban portions of the County are to develop. Clifford is identified as an Urban Centre which is to be the "primary focus for housing, commerce, services, job creation, recreation, and community facilities". The Plan reinforces the role of urban centres in the County while maintaining "livability" recognizing "a small town lifestyle" distinct from larger

urban centres. The Plan contains goals, objectives and policies to maintain livability and the small town lifestyle while encouraging growth and commerce.

Most of the lots in the North Clifford Secondary Plan are designated Highway Commercial in the County Official Plan with lands in the southern corner designated Residential. Sections of Municipal Drain 93 are designated Core Greenlands while land along the Drain are designated Future Development. The Town sewage lagoons are designated Industrial. The PA5-5 designation refers to special policies in the County Plan implementing a severance from several years back.

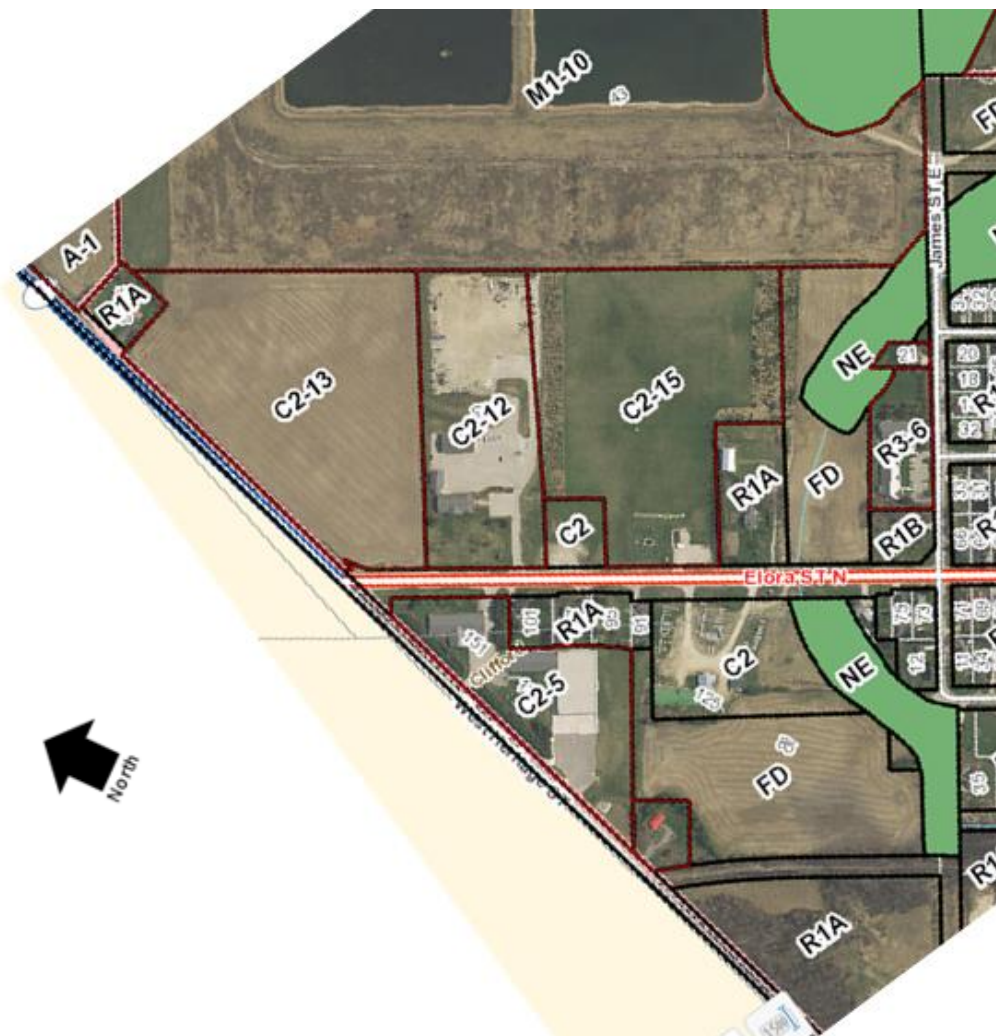
The map below illustrates the County Official Plan designation.



The Highway Commercial designation recognizes the importance of Main Streets in Urban Centres like Clifford. Highway Commercial land is primarily for uses geared to the travelling

public including those with floor space and parking characteristics that cannot reasonably be provided in a central downtown. Permitted commercial includes motels, automotive sales and service, restaurants and banquet halls, liquor sales and such. Residential uses may be permitted above street levels or accessory to a commercial use.

As shown in the map below zoning for lands in the secondary planning area implements the official plan.



Lands designated Highway Commercial in the official plan are zoned C2 with special site specific rules in each variation of that zone (C2-5, C2-13, C2-15). Smaller lots designated highway commercial lands are zoned R1A. Future development zoning restricts land use until servicing is available and impacts on the floodplain related to the major drainage course are addressed.

Lands zoned C2, C2-5 and C2-13 permit a full range of highway commercial uses. The lands zoned C2-12 and C2-15 have zoning that restricts development to certain identified uses but does not permit a full range of highway commercial uses.

The Van Eyls property and the Smith lands zoned C2-12 could allow about 21,000 square metres (226,000 sq. ft) plus of commercial development (assume 25% coverage with buildings). This is equal to two smaller Home Depot Stores, and constitutes a substantial increase in commercial floor space that would dramatically impact the market. An additional 15,000 square metres (160,000 sq. ft) of commercial could be permitted on the Wicked Sticks lands if municipal services were available and the lot was rezoned to a full range of commercial uses. This is similar in floor space to a new format Canadian Tire.

There are about 6 hectares (+-15 acres) of R1A or future development lands that might be considered for future residential development. At a medium density this will allow for over 200 dwelling units. There are no lands designated or zoned industrial in the secondary plan area. A more reasonable mix of land use might be considered for the area to decrease the amount of land available for commercial development, and to add industrial, residential and open space land uses to more reflect what is found within a traditional small urban area.

Water and Sewer System Capacity

The Clifford Water System (Water Distribution and Supply Subsystem Class II) serves just over 350 homes and about 20 businesses, or an estimated population of 800 persons. The system has three drilled wells, two wellhouses, an elevated 1275 m³ storage tank and a distribution network of watermains ranging in diameter from 100mm to 300mm. The system is used for fire protection with about 46 fire hydrants in the distribution system.

The following demonstrates water use in Clifford since 2009:

Population	2016 m ³	2015 m ³	2014 m ³	2013 m ³	2012 m ³	2011 m ³	2010 m ³	2009 m ³
800	96,529	82,547	93,995	92,619	168,662	146,880	122,525	123,886

This chart shows average annual water consumption of 115,955 cubic metres since 2009. In the two years water meters were installed average consumption dropped to just under 90,000 cubic metres representing about 22% decrease. In 2015 B.M. Ross calculated water reserve capacity of 634 persons, which is more than adequate to for the additional 475 more people (135 households) projected by the County for Clifford by 2041.

The Clifford Waste Water Treatment Lagoon System design capacity is 500 cubic metres per day. In 2017 Triton Engineering reported average daily flow 2012 through 2016 is 266 cubic metres per day, and reserve capacity is about 234 cubic metres per day. The highest average daily flow in those five years was 349 cubic metres in 2014 and the lowest in 2016

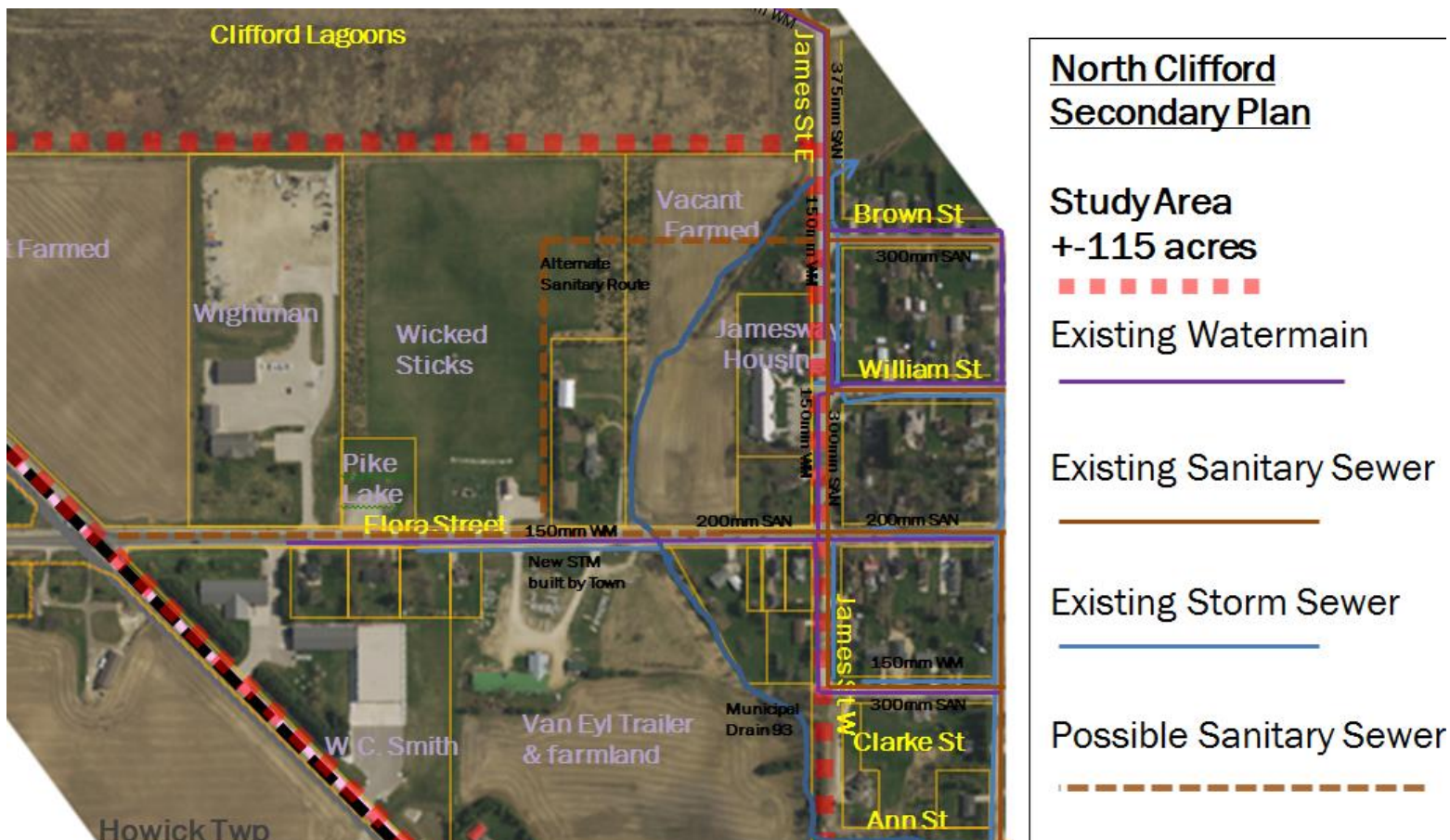
at 139 cubic metres per day. A good part of that reduction is from water meter installation in Minto which decreased overall maximum daily water use by about 25%.

Triton Engineering's calculation for Minto sewer systems, based on August 2017 analysis, indicates reserve capacity in the Clifford sewage system of 311 households (equals 236 cubic metres per day) is available. This is equivalent to about 699 persons based on a household size of 2.25 persons per unit (Triton estimates 770 more persons can be accommodated). More than adequate sewage capacity is available for the projected 475 people (135 households) projected by the County for Clifford by 2041.

The Clifford Water System and the Wastewater Treatment Facility has capacity for the 475 people (135 households) projected for Clifford between 2016 and 2041.

Available Water, Sanitary Sewer and Storm Sewer

The map below shows current available services to the area.



Water - The existing 150mm (6") watermain on Elora Street services W.C. Smith and Wightman will not support development of the larger lots in the area, and will need to be reviewed and possibly upgraded either by upsizing to 200mm (8") minimum, or by

installation of a future looped system some of which could be achieved through the reconstruction project. Watermains should eventually loop back into the existing 150mm (6") main on James Street possibly through a future servicing corridor on Brown Street. Looping watermains ensures more consistent pressure and water quality due to constant flow through the system.

Sewer - The sanitary sewer system in Clifford was built in the mid 1990's using "ultra-rib" piping very deep within the roadways. Video camera work in 2017 showed very low inflow and infiltration in the Clifford sewage collection system, and that much of the piping remains in adequate condition with only a few areas to be monitored to evaluate any change in pipe shape and connections. The Town has found that locations requiring multiple service laterals cannot easily connect to "ultra-rib" without potential failure. On Ann Street for example "ultra-rib" was removed and replaced to ensure proper connection for 24 residential lots. Any sanitary sewer extension into the North Clifford Secondary Planning Area will be standard PVC installation.

There is currently a 200mm (8") sanitary sewer installed along Elora Street about 100 meters northwesterly of James Street. To provide for development beyond that point the sanitary sewer would have to be extended northwesterly into the planning area either on Elora Street or alternatively extended via another corridor. On the map on the previous page one option shows a corridor along the southern side of the Wicked Sticks lands with outlet to Brown Street. This opens up the back part of the larger lots fronting on the northeast side of Elora Street (Wicked Sticks etc.), but does not improve access to sewer for larger lots fronting on the other side of the street (Van Elys etc.). A corridor has not been secured for constructing a sewer in this location, which would most likely require a Class EA.

The 200 mm sanitary sewer where a new main would be connected on Elora Street is very deep (6.0 metres). To access the sewer at that location, and obtain gravity flow above or below the drainage culvert to the Municipal Drain, full depth excavation to the 6.0 metres and road repair will be required. This excavation and restoration could add considerable cost and create delays in the Elora Street reconstruction. To stay within a 2018 construction time frame the sewer work in this area may have to begin at the same time as work between Park and James Street.

Preliminary assessment suggests a sanitary sewer can be constructed along the 580 metre length of Elora Street placing it 4.0 metres deep at the Town limits. This would provide gravity flow to the front of lots on to Elora Street. Existing homes may need to pump into the new system pending re-development, but lands fronting on Elora will have gravity access to sewer for development closer to the roadway, depending on the type of project and building

elevation. The feasibility of connecting to such a sewer will be determined by gathering information from landowners along Elora Street as well as survey work.

The back portion of all the larger lots fronting on Elora Street will not have ready access to the sanitary sewer on Elora Street. To efficiently service the back of these lots, a new sewer would need to be constructed as a condition of development in accordance with the provisions in this plan. Developers would need to hire an engineer to design the sanitary sewer system needed for their developments on the back of these lands, and then sign an agreement with the Town to dedicate the roadway corridor and completed sanitary sewer to the municipality. The secondary plan provides a preliminary road system that could accommodate a form of development that allows the back of the lots to be serviced.

The design could be changed to a shallower sewer on Elora Street with a lift station installed to avoid full depth excavation, but this creates costly maintenance concerns for the Town. Regardless of the option selected, roadway and servicing along Elora Street that benefits developers will require a financial contribution from private landowners before development proceeds on the lands, or individual connections are allowed.

Lands in the southern part of the secondary plan area toward Minto Street and West Heritage do not have easy access to municipal water or sanitary sewer. The nearest available connections would be at the intersection of Queen and Ann Street. No design work has been completed on these service extensions although the Town does own six lots on Ann Street between Queen and James that could factor into the servicing of the area.

Stormwater– The Town constructed a storm sewer from Municipal Drain 93 northerly to W.C. Smith on the southwest side of Elora Street. Municipal Drain 93 is a partly open drainage system intersecting Elora Street east of Wicked Sticks with outlet to Coon Creek through Rotary Park. Some upgrades to the stormwater system through highway reconstruction will be accommodated including providing for any future roads that may intersect with Elora Street to allow for development of the back part of these larger parcels.

As a condition of development sites will require stormwater management to ensure peak flow from the site matches pre-development levels. The adequacy of Municipal Drain 93 as an outlet needs to be assessed. One option is for the Town to assume the drain once urban development is more imminent.

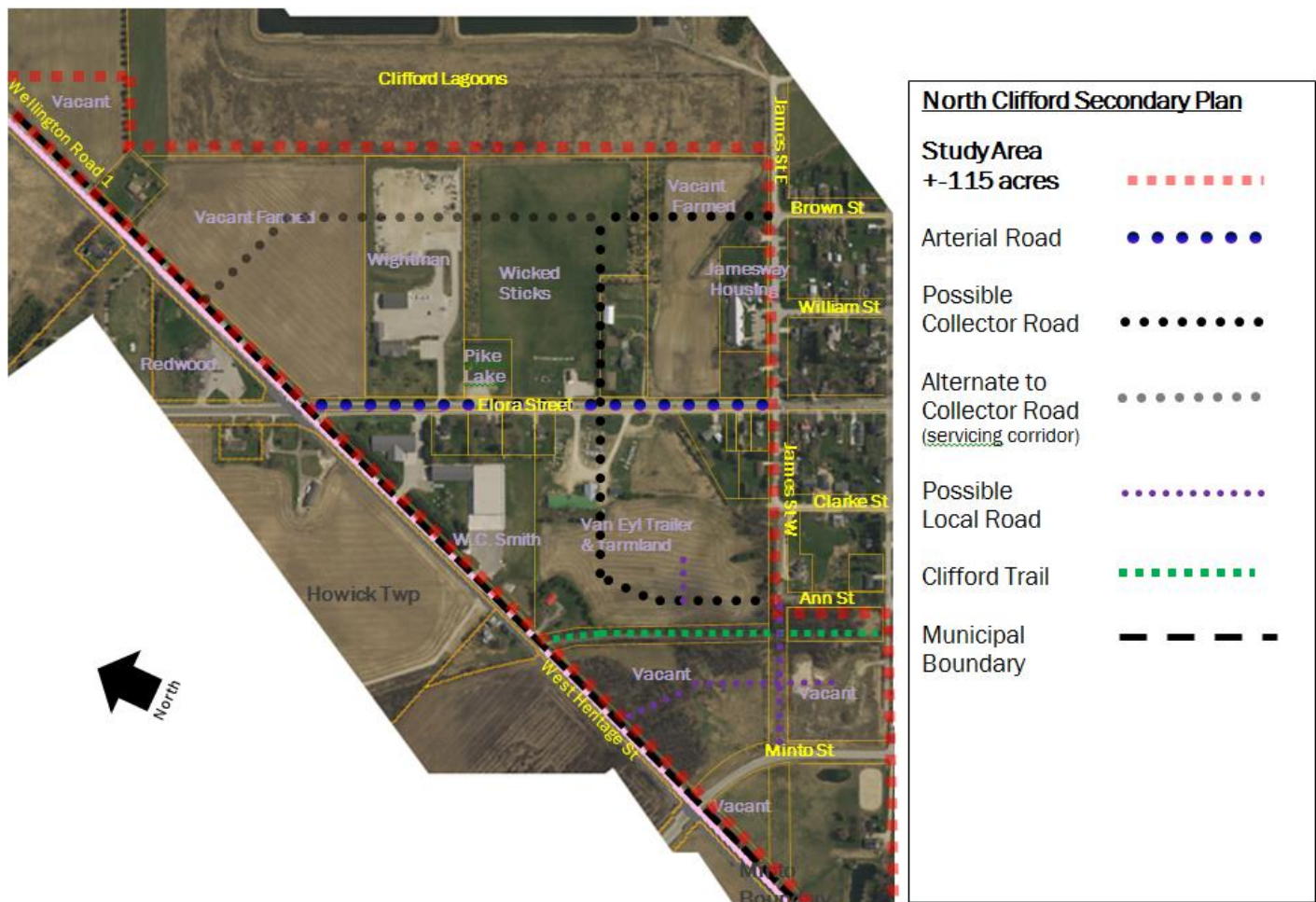
Roadways

Typical roadway systems consist of arterial, collector and local roads. Arterial roads are designed to carry higher volumes of traffic between major destinations. Elora Street (Highway 9) and West Heritage Road are the only arterial roads in the North Clifford

Secondary Planning Area. Collector Roads accommodate less traffic than arterial roads and are designed to accept local traffic from neighbourhoods and smaller sections of the planning area. James Street North and Minto Street are collector roads, while remaining streets such as Brown, Clark and Ann are local roads.

Elora Street will be improved through the connecting link program when reconstructed in 2018 from Park Street to West Heritage Road. To provide for development in the area that suits this market, larger parcels should be subdivided into smaller lots. As a condition of splitting lands into smaller developable parcels an interior roadway system is needed. The roadway system must allow for efficient municipal sewer and water servicing.

One option shown below sets a general road pattern for the planning area that seems to suit where trunk water and sanitary services will be needed. Policies in the secondary plan will require developer contributions toward funding trunk services, and the dedication of necessary roadway corridors at no cost to the Town.



The roadway layout shown has one north-south collector extending Brown Street northerly to West Heritage Street, and one east-west collector between the Brown Street extension and

Ann Street. Future Local Roads might include extending James Street West to Minto Street, and another local road joining West Heritage Street and the James Street extension. Interior cul-de-sac's could efficiently service part of the Van Eyl lands or the vacant parcel at the between the trail and Minto Street at James.

Development plans are being considered for the Wightman property and the vacant farmland to the north that might eliminate the need for the collector roadway from Wellington Road 1 through to Brown Street. If the vacant farmland can be serviced with sanitary sewer from Elora Street extended northerly along Wellington Road 1 then a collector road may not be needed through the Wightman property to Brown Street. Development options for the Wightman property may be more flexible without a roadway corridor.

Policies in the secondary plan would allow the collector roadway corridor to be removed from the road system plan if it is not needed for sanitary sewer and traffic movement purposes, but the Town will require a servicing corridor to provide for a "water main loop" to these developments to consistent pressure and water quality by constant flow in the system

The roadway system shown is only one option for the Clifford Secondary Plan. The roadway system will primarily be development driven but must reflect trunk servicing opportunities in the area and the type of land use that might be proposed. The intent is to provide for efficient and cost effective development making efficient use of land and servicing capacity.

Municipal Servicing Policy Issues

Servicing lands within the North Clifford Planning Area was estimated to cost in the range of \$1.2 to \$1.5 million. Normal practice is that landowners and developers wanting to connect to services contribute toward the cost of this work in order use these systems. The roadway work including associated drainage is estimated at \$2.8 million of which \$1.936 million (70%) is covered under two grants from the Province under the connecting link program. Overall the grants are less than 50% of total project cost.

The Town estimates a frontage charge of \$650 per meter would pay back about one-half of an initial \$1.5 million investment in water and sewer work. Current frontage charges for infill lots created through severance in Minto are \$221 per meter. The secondary plan permits the Town to identify a fair frontage fee for new development on this section of Elora Street. The frontage fee would be collected as a condition of site plan approval, severance or subdivision, providing access to services for development fronting on Elora Street.

The frontage fee contribution would not cover internal roadway work, such as the collector roadway identified in the road system plan. Developing the back of some of the larger parcels fronting on Elora Street requires additional servicing work at the developer's cost.

The Town will enter into subdivision/servicing agreements requiring developers construct internal municipal sewer, water and roadways, and to dedicate them to the Town at no cost. The Elora Street design will accommodate where possible future service connections.

Cross Boundary Issues

The Town must consider whether sewer and water services would be provided beyond its boundary to the Redwood property in Howick Township. The Redwood Lands front on County and Provincial roads and receive fire protection from the Clifford Station. Howick receives property taxes from the property, but provides few services directly to the lands. The development creates a net increase in service demand for Minto and Wellington County.

The Town does have some capacity in its water and sewer systems, and understands the economic and environmental benefit of re-developing the Redwood Lands with full municipal services. The Town and owners of the Redwood will need to negotiate contributions toward any water and sewer extensions beyond Minto boundaries. The Town may limit the amount of municipal service capacity available to the property. Such an agreement dealing with “cross-boundary issues” between Howick and Minto would address, among other matters, obligations on the Owners of the Redwood such as the following:

- a) Obtaining approvals and easements required to extend municipal services across Wellington Road 1, and needed private services, to the Redwood Lands using servicing design prepared by a professional consulting engineer and approved by the Town;
- b) Paying the capital cost of extending municipal services, and any private services, from the end of the Town construction project to the Redwood Lands;
- c) Paying the same frontage fee applicable to the lands within the secondary plan to share in the cost of extending municipal services to the area;
- d) Contributing toward commercial development charges applicable in Minto to the Town as a condition of connecting to municipal services;
- e) Covering any added engineering fees the Town incurs during the process of considering the development of the Redwood Lands; and
- f) Paying up to two times the water and rates applicable to users within the Town based on the fees and charges set by Council from time to time.

Any cross boundary servicing agreement requires Minto Council approval who may add, remove or alter any of the above requirements where it is in the best interest of the Town of.

Alternative Development Areas for Clifford

The North Clifford Secondary Plan area is not the only part of the settlement area that can accommodate future growth. The southern end of Clifford has about 65 acres within the urban boundary south of Mill and Park Streets and in the area Allan Street. Lands inside the urban boundary include the Schaus (48 acres), Reiner (35 acres) and Tegler (36 acres)

farms plus another 45 acres or so on smaller properties nearby Grein Lumber and Brett Young Seeds. These lands are shown on the map below:



Under the County Official Plan the Reiner Farm is designated Residential, the Schaus lands and others near Grein’s are Future Development, and Tegler Farm Industrial. Coon Creek and its floodway has a Core Greenland designation. With few exceptions all lands are zoned for future development due to the lack of sewer and water in the area. This section of Clifford is about 50% larger in land area than the North Clifford Planning Area, but has much less infrastructure to accommodate development.

There have been no recent development initiatives on these lands, and very few non-farm land uses that would significantly restrict agriculture on these farms. The Town should ensure these farms are not fragmented into smaller lots so as to limit options for future comprehensive development proposals and restrict agricultural use. When Park Street and Mill Street are reconstructed the Town should evaluate trunk infrastructure to determine if water and sewer mains should be “upsized” to accommodate future growth. So long as these farms remain in tact, future developer driven proposals are more likely to succeed.

Since much of the future growth in this part of Minto can be accommodated in the North Clifford Secondary Plan, during the County Five Year review in 2019-20 parts of the southern section of Clifford may be considered for removal from the urban area in favour of increasing

the urban boundary in other parts of the County. If this is proposed, the Town should attempt to retain as much of the land inside the urban area as possible. If any section of the Clifford urban boundary is to be re-allocated, it should first be considered for Palmerston where there is much less land within the urban boundary.

Future Town and County Council's will make these decisions, driven by more restrictive Provincial Policy (Growth Plan) adopted in 2017. Under the Growth Plan Clifford will be considered within the County's hierarchy of settlement areas which will be used to allocate future growth. Even when the North Clifford Secondary Plan is fully developed, there will be some capacity within the water and waste water systems to accommodate some growth in this area. Because of this capacity, Clifford should be given consideration for development in the County's hierarchy of settlement areas.

Goals and Objectives Secondary Plan North Clifford Planning Area

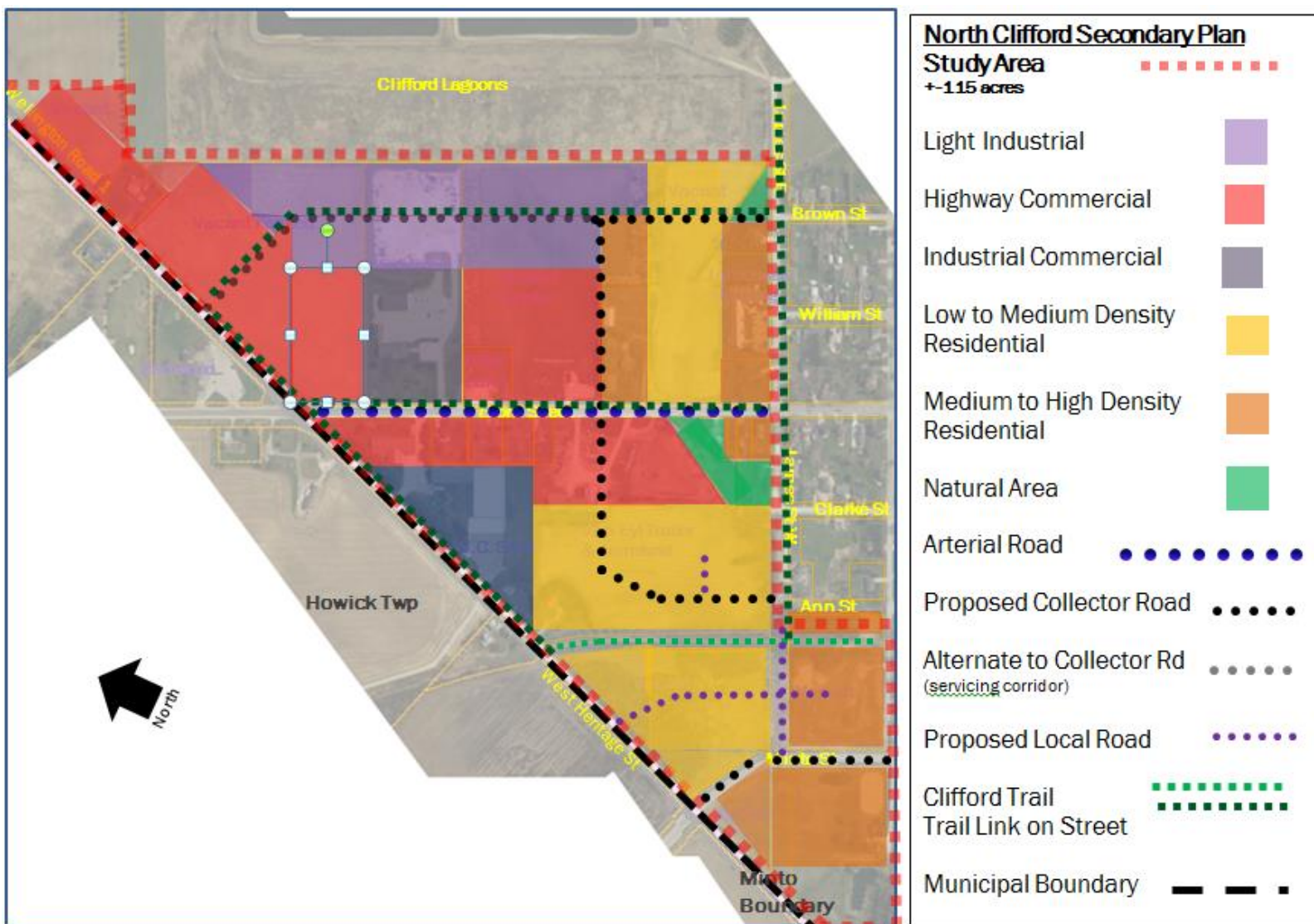
Considering current land use, projected need outlined in County growth forecasts, Official Plan policies, current zoning, available infrastructure, and the opportunity created from the Elora Street reconstruction, it is clear that growth needs in Minto from Clifford can be met in the North Clifford Secondary Planning Area in the short to medium term.

The main goal of the secondary plan is to provide a general form of development making efficient use of current and future municipal services, ensure a mix of land use, and direct investment in development suited to the market, that integrates with the character of Clifford. The secondary plan promotes efficient use of infrastructure, development of a complete community (mix of land use, parks, trails etc.) and compact form of development.

Objectives for the secondary planning include the following:

1. Current commercial zoning on large parcels should be reconsidered for smaller scale developments. Limited retail might be considered for such uses as a local food store, liquor store or similar.
2. Light industrial and industrial commercial designations could augment highway commercial designations on Elora Street, and should be encouraged as a transition between the Town's sewage lagoons and nearby commercial and residential uses.
3. Residential designations adjacent to current apartment and neighbourhood developments should allow for a variety of housing types, forms and tenures.
4. Medium and high density residential developments may be constructed in combination with or adjacent to highway commercial uses where design measures are in place such as buffering and screening to improve compatibility, and active transportation links, common landscaping and shared parking is available where practical.
5. Combining highway commercial and residential developments in creative ways other than above first stories may be considered.

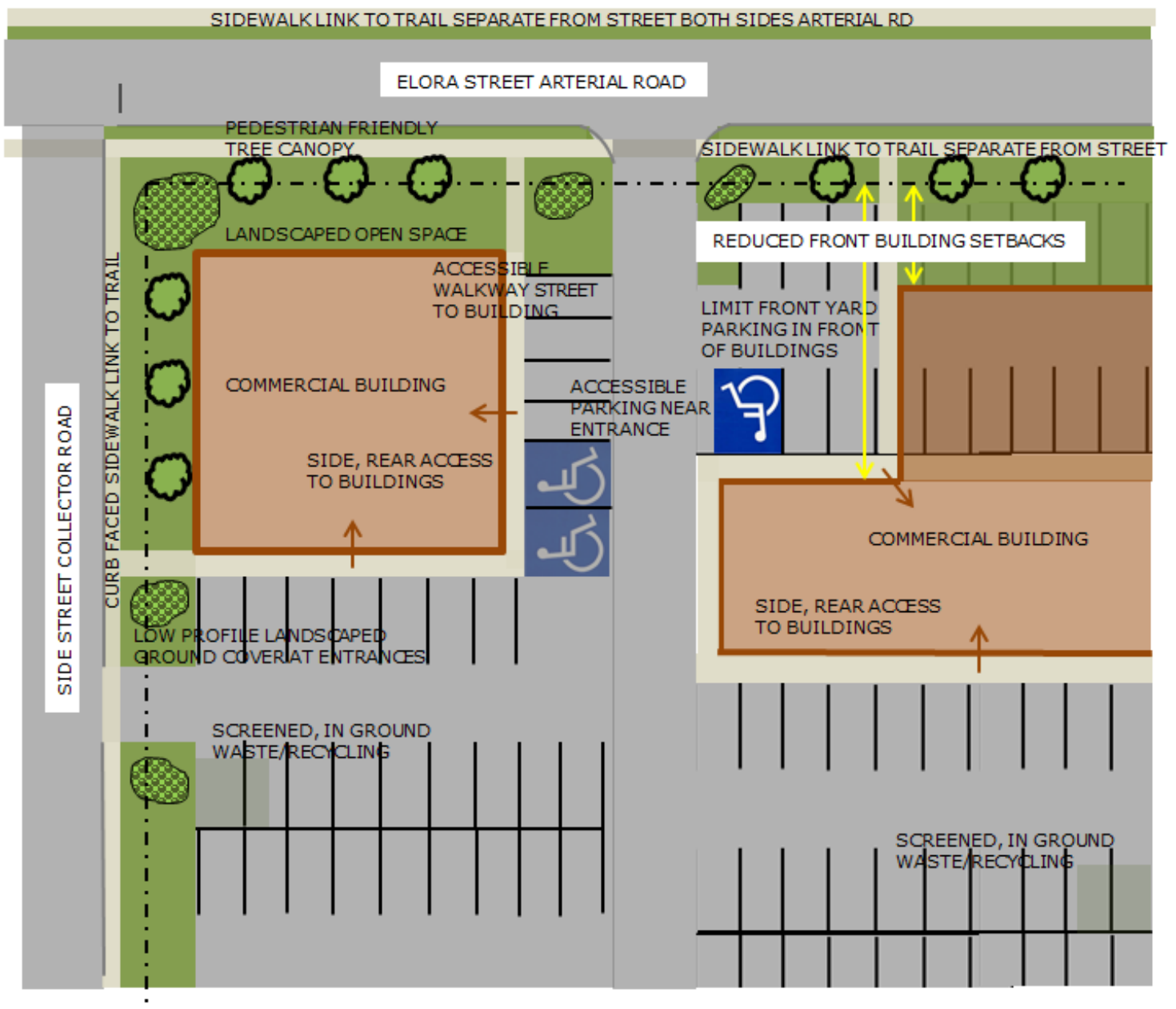
6. Trails and open space should be integrated into the secondary plan around Municipal Drain 93 and with extension of the trail system through to West Heritage Street.
7. Commercial, industrial and residential designations should allow the Town to site a park in the area in concert with future development in a location to be determined.
8. Pedestrian linkages from the Clifford Trail, along West Heritage Road, Elora Street and Brown Street extensions should be provided for as development proceeds.
9. Movement of pedestrian, vehicle of all types and persons of all abilities within and through the area must be accommodated in future development proposals.
10. The Road System Plan is conceptual and may be varied as to specific location to reflect servicing and development options that make efficient and effective use of the lands. In particular the Collector Road System may be altered to a servicing corridor or local road north of the proposed east-west collector depending on future development proposals.
11. Land uses shall make efficient use of infrastructure, promote development of a complete community, and ensure a compact form based on the secondary plan below:



Design Issues “Village Feel”

Within the various land use designations, the compact form of development should extend the “village feel” into the area. Planning policies could limit traditional highway commercial form with reduced front building setbacks and limits on large front yard parking areas. The policies should direct building mass closer to arterial and collector roads with some convenience parking in the front, while large parking areas might be situated behind buildings. This allows buildings to better relate to pedestrians along the street, while still accommodating members of the travelling public who frequent new business in the area.

The sketch below illustrates some design details for a corner lot commercial development on Elora Street.



General design requirements within the sample development to create a “village feel” can be achieved through zoning rules and site plan control standards such as the following:

- Minimum front building setback 6m to 7.5m; maximum front building setback 25m but only for maximum one half of the building face
- Minimum 50% of parking to be in side or rear of buildings
- Parking lot setback minimum 2m from a street line
- Restaurant drive thru cueing lanes should be in the side or rear of buildings and not constitute a front yard
- Accessible parking spaces must be the closest parking spaces to main building entrance; accessible concrete sidewalks shall be provided from public sidewalk to building entrance
- Sidewalks should be continued through paved entrances
- Landscaped open space shall be maximum 1.5m in height within any daylighting or corner triangle; all parking lots shall be screened from the street with a tree canopy planted as per Town tree policy
- Arterial Roads shall have sidewalks both sides; collector roads shall have sidewalks at least one side; local roads may have sidewalks if accessing parks or major developments
- Waste and recycling encouraged to be located within ground or shall be visibly screened and landscaped.

In addition to design requirements for private developments the Town should consider:

1. Street lighting along Elora Street that allows for banners and decorative features.
2. Sidewalks minimum 1.5m wide and increased to 2m in width where links are made to the Clifford Trail system.
3. Bike lanes considered for Elora Street, West Heritage Road and Brown Street extension within an active transportation corridor.
4. Elora Street to be a two lane arterial road with no more than one additional lane added for turning purposes in the future.
5. Entrances shall be controlled on Elora Street to provide separation from street intersections and should be offset or aligned to allow safe left hand turn movements.
6. Streets shall have concrete curbing and sidewalks as per County Accessibility Guidelines

THE CORPORATION OF THE COUNTY OF WELLINGTON

OFFICIAL PLAN AMENDMENT NO. _____

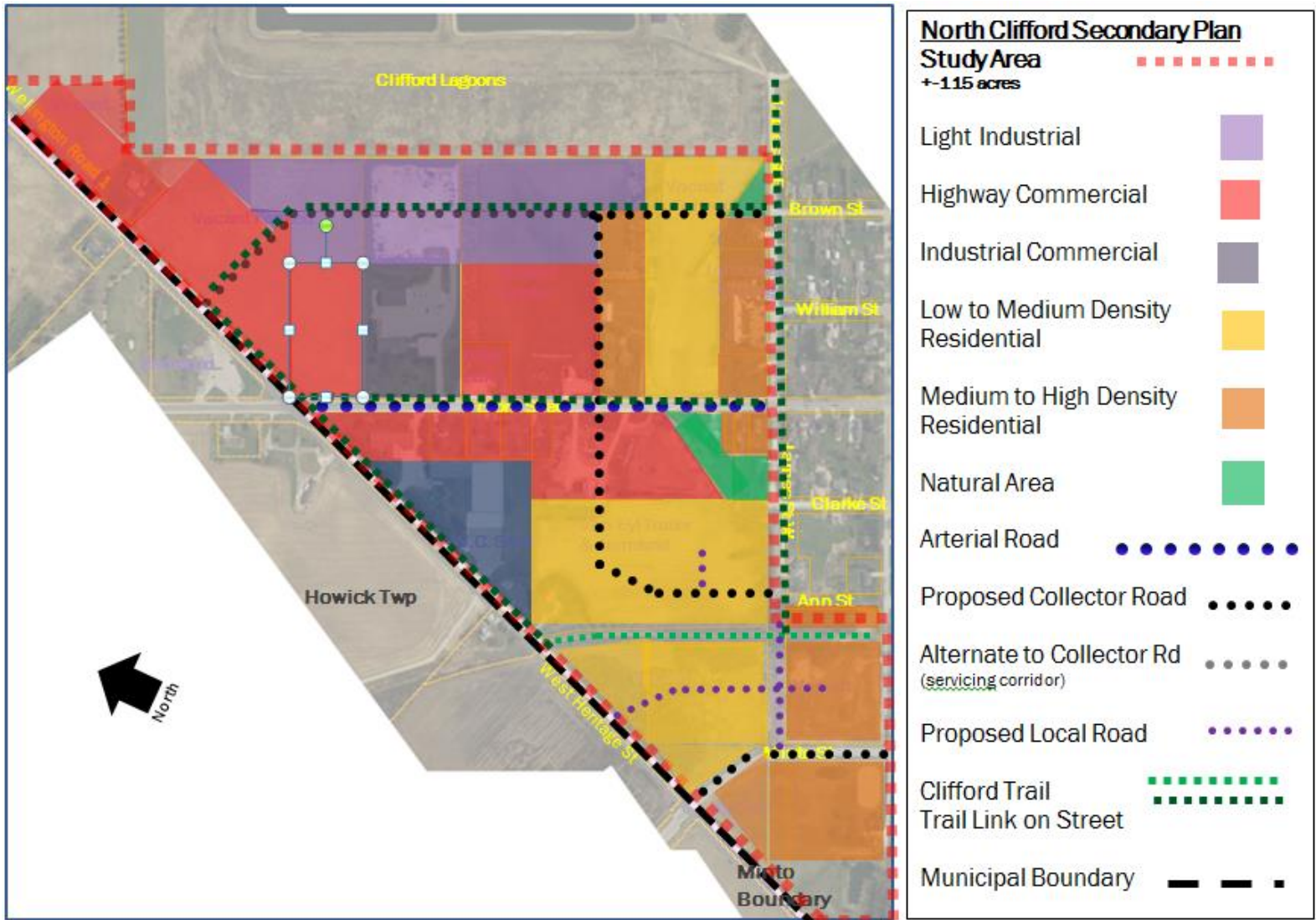
SCHEDULE "A1"



THE CORPORATION OF THE COUNTY OF WELLINGTON

OFFICIAL PLAN AMENDMENT NO. _____

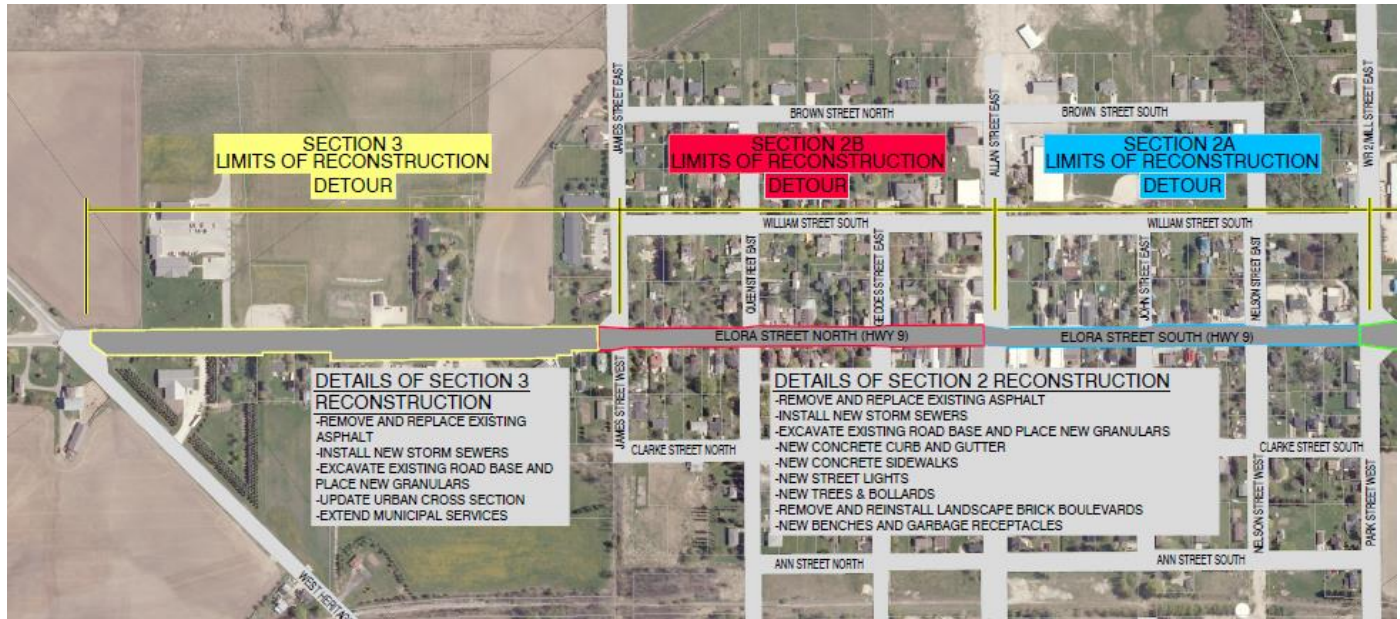
SCHEDULE "A2"



PART C - THE APPENDICES

Municipal Servicing Policy Issues

The Town intends to include construction of some municipal services in the Elora Street reconstruction. The map below shows phases of the work to be completed.



For phases 2a, 2b, and 3 the cost of water, sanitary sewer, roads and drainage to support development of some part of the lands fronting on Elora Street is estimated in the range of \$1.2 to \$1.5 million. Normal practice is that landowners and developers wanting to connect to services contribute toward the cost of this work in order use these systems. The roadway work including associated drainage is estimated at \$2.8 million of which \$1.936 million (70%) is covered under two grants from the Province under the connecting link program. Overall the grants are less than 50% of total project cost.

The Town estimates a frontage charge of \$650 per meter would pay back about one-half of an initial \$1.5 million investment in water and sewer work. Current frontage charges for infill lots created through severance in Minto are \$221 per meter. The secondary plan will require the Town identify a fair frontage fee for new development on this section of Elora Street. The frontage fee would be collected as a condition of site plan approval, severance or subdivision, providing access to services for development fronting on Elora Street.

The contribution would not cover any internal roadway work, such as the collector roadway identified in the road system plan. Developing the back of some of the larger parcels fronting on Elora Street requires additional servicing work at the developer's cost. The Town will enter into subdivision/servicing agreements requiring developers construct

internal municipal sewer, water and roadways, and to dedicate them to the Town at no cost. The Elora Street design will need to accommodate these future service connections. It may be some time before market conditions warrant this kind of investment in servicing by developers of these lands.

The Corporation of the Town of Minto
By-law No. 2018-25

**Being a By-law to appoint Gordon Cameron Forbes as a
Building Inspector for the Town of Minto**

WHEREAS Section 9 of the Municipal Act, S.O. 2001, c.25; the Corporation of the Town of Minto has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority.

AND WHEREAS section 3(2) of the Building Code Act, S.O. 1992, as amended, requires the Council of each municipality to appoint such inspectors as are necessary for the purposes of enforcement of the Building Code Act in the areas in which the municipality has jurisdiction;

AND WHEREAS section 1.1 (7) of the Building Code Act, 1992 S.O. 1992, as amended, sets forth the role of the inspector to exercise powers and perform duties under this Act and the building code in connection with reviewing plans, inspecting construction, conducting maintenance inspections and issuing orders in accordance with this Act and the building code; to exercise powers and perform duties in respect of only those matters for which he or she has the qualifications required by this Act and the building code; and to exercise powers and perform duties in accordance with the standards established by the applicable code of conduct.

AND WHEREAS the Corporation of the Town of Minto deems it appropriate to appoint Gordon Cameron Forbes as Building Inspector for the Corporation of the Town of Minto;

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

1. That Gordon Cameron Forbes is hereby appointed as the Building Inspector for the Corporation of the Town of Minto.
2. That the Building Inspector shall be responsible for the enforcement of The Building Code Act, R.S.O., 1990 Ch. B 13, as amended and the Regulations thereunder.
3. This By-law shall come into force and takes effect on the date of its final passing.

Read a first, second, third time and passed in open Council this 24th day of April 2018.

Mayor George A. Bridge

C.A.O. Clerk Bill White

The Corporation of the Town of Minto
By-law No. 2018-26

To confirm actions of the Council of the
Corporation of the Town of Minto
Respecting a meeting held April 24, 2018

WHEREAS the Council of the Town of Minto met on April 24, 2018 and such proceedings were conducted in accordance with the Town's approved Procedural By-law.

NOW THEREFORE the Council of the Corporation of the Town of Minto hereby enacts as follows:

1. That the actions of the Council at its Committee of the Whole/Council meeting held on April 24, 2018 in respect to each report, motion, resolution or other action passed and taken by the Council at its meeting, is hereby adopted, ratified and confirmed, as if each resolution or other action was adopted, ratified and confirmed by its separate By-law.
2. That the Mayor and the proper officers of the Corporation are hereby authorized and directed to do all things necessary to give effect to the said action, or obtain approvals, where required, and, except where otherwise provided, the Mayor and the C.A.O. Clerk are hereby directed to execute all documents necessary in that behalf and to affix the Corporate Seal of the Town to all such documents.
3. This By-law shall come into force and takes effect on the date of its final passing.

Read a first, second, third time and passed in open Council this 24th day of April, 2018.

Mayor George A. Bridge

C.A.O. Clerk Bill White