



## **ELECTRONIC COUNCIL AGENDA September 1, 2021 – 9:00AM**

**This meeting is being conducted by means of Electronic Participation by a majority of members, as permitted by Section 238 (3.3) of the Municipal Act, 2001, as amended.**  
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Meeting ID: 848 2998 8171

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Meeting ID: 848 2998 8171

### **PAGE 1.0 CALL TO ORDER**

### **2.0 LAND ACKNOWLEDGEMENT**

**We begin this meeting by acknowledging that we are meeting upon the traditional Indigenous lands of the Tionontati (Petun) and Treaty 18 territory of the Anishinaabe peoples. We recognize and deeply appreciate their historic connection to this place and we also recognize the contributions Indigenous peoples have made, both in shaping and strengthening our community, province and country as a whole. Carried.**

### **3.0 APPROVAL OF THE AGENDA**

Staff Recommendation: THAT Council approve the agenda.

### **6 4.0 MINUTES OF THE PREVIOUS MEETING**

Staff Recommendation: THAT the Minutes of August 4, 2021 are approved.

**5.0 DISCUSSION ARISING OUT OF THE MINUTES**

**6.0 DISCLOSURE OF PECUNIARY INTERESTS**

**7.0 FIFTEEN MINUTE QUESTION PERIOD** (all questions must be submitted to the Clerk at info@mulmur.ca, a minimum of 24 hours before the meeting date)

**8.0 PUBLIC MEETINGS**

**16 8.1 Housekeeping Zoning By-law Amendment (9:30am)**

**9.0 DEPUTATIONS AND INVITATIONS**

**54 9.1 Rhonda Jackman – Fire Call Billing (9:10am)**

Staff Recommendation: THAT Council receive the delegation from Rhonda Jackman.

**10.0 PUBLIC WORKS - NONE**

**11.0 TREASURY**

**55 11.1 Fire Call Billing Report**

Staff Recommendation: THAT Council upholds the charges associated with the grass fire located at 598588 2<sup>nd</sup> Line West in accordance with By-Law #18-14;

AND THAT Council allow the Township Treasurer to coordinate a payment plan if necessary.

**71 11.2 Community Grant Applications**

Staff Recommendation: THAT Council receive and approve the following grant applications: Dufferin County Black Association \$500; Headwaters Food and Farming Alliance \$250; and Superburger \$500.

**12.0 ADMINISTRATION**

**77 12.1 Mansfield Park Advisory Committee Report**

Staff Recommendation: THAT Council receive the report titled Mansfield Community Park Committee;

AND THAT Council approve the establishment of the Mansfield Community Park Advisory Committee;

AND THAT Council honour current the current appointments of Paul Greer, Zolton Potovszky, Emerson Pendleton, Mandy Little and Earl Hawkins as Council representative;

AND FURTHER THAT the Mansfield Community Park Advisory Committee mandate and terms of reference be approved in accordance with the report of Roseann Knechtel, Deputy Clerk for immediate implementation.

**81            12.2    Truth and Reconciliation Calls to Action Report**

Staff Recommendation: As presented in the Truth and Reconciliation Calls to Action Report.

**13.0    PLANNING**

**103           13.1    Gray Second Dwelling Refund Request**

Staff Recommendation: THAT Council authorizes a refund in the amount of \$2,000 in relation to applications Z5-2020 and SPA6-2020 (Roll 4-01960)

**106           13.2    Monachino Development Agreement**

Staff Recommendation: THAT Council pass a by-law to authorize the Mayor and Clerk to enter into a severance (building envelop) agreement to fulfill a condition of provision consent for application B2-2021

**14.0    COMMITTEE MINUTES AND SUB-COMMITTEE REPORTS**

**108           14.1    Roads Safety Committee Minutes - August 9, 2021**

**110           14.2    Events Committee Minutes – August 18, 2021**

*MCEC Motion: THAT the Committee recommend Council advertise for 4 vacancies on the Mulmur Community Events Committee to be appointed by October 6, 2021.*

**112           14.3    Ad-Hoc Planning Advisory Committee Minutes – August 25, 2021**

Staff Recommendation: THAT Council receives the Committee Minutes and Sub-Committee Reports as copied and circulated.

AND THAT Council direct staff to advertise for four (4) vacancies on the Mulmur Community Events Committee.

**15.0 INFORMATION ITEMS (REPORTS, LETTERS)**

- 114 15.1 Notice for Mansfield Ski Development (Oct 6, 2021)  
116 15.2 Staff Memo: Tender Results  
117 15.3 Responses to Mulmur's Truth and Reconciliation Motion  
119 15.4 Dufferin Municipality's PSB Motions  
126 15.5 Main Street Recovery Act  
128 15.6 Draft Development Charges By-Law with Tracked Changes
- 139 15.7 AMO Truth and Reconciliation Motion  
141 15.8 City of Toronto Early Learning and Childcare Motion

Staff Recommendation: THAT Council receives the information items as copied;

AND THAT the following items be endorsed: \_\_\_\_\_

**143 15.9 Municipality of Leamington Motion**

Staff Recommendation: WHEREAS the current joint and several liability regime as set out in the Negligence Act financially impacts all municipalities across the province regardless of whether or not a claim occurred within a municipality's borders;

AND WHEREAS The Township of Mulmur's total annual cost of insurance premiums has grown by \$44,815.84 over the last 4 years which equals a percentage increase of approximately 68.5%;

AND WHEREAS municipalities are often added to claims as they are seen as having significant resources with the backing of taxpayers;

AND WHEREAS higher insurance costs divert property tax dollars from delivering public services to residents;

NOW THEREFORE the Council of the Township of Mulmur endorse the Motion of the Municipality of Leamington and recommendations proposed by the Association of Municipality of Ontario ("AMO") to address joint and several liability reform and rising insurance costs more generally.

NOW FURTHERMORE Council direct staff to forward a copy of this resolution to the Premier of the Province of Ontario and AMO.

**16.0 CLOSED SESSION - NONE**

**17.0 ITEMS FOR FUTURE MEETINGS**

- 17.1 Mansfield Ski Club Site Plan and Removal of Holding
- 17.2 Fireworks Report
- 17.3 Noise By-Law: Main Street Recovery Act Legislation
- 17.4 Housekeeping Zoning By-Law

**18.0 NOTICE OF MOTION (if any)**

**19.0 PASSING OF BY-LAWS**

- 145 19.1 Development Charges By-Law
- 154 19.2 Fees and Charges By-law
- 159 19.3 Traffic By-law
- 160 19.4 By-law to Enter into a Development Agreement (Monachino)
- 168 19.5 Confirmatory By-Law

Staff Recommendation: THAT By-Laws 19.1 to 19.5 be approved.

**20.0 ADJOURNMENT**

Staff Recommendation: THAT Council adjourns the meeting at \_\_\_\_\_ to meet again on October 6, 2021, or at the call of the Chair.



## **COUNCIL MINUTES**

### **August 4, 2021 9:00AM**

Council Present: Mayor Horner, Deputy Mayor Hawkins, Councillors Boxem, Clark and Cufaro

Staff Present: Tracey Atkinson - CAO, John Willmetts - Director of Public Works, Roseann Knechtel - Deputy Clerk

#### **1.1 CALL TO ORDER**

The Mayor called the meeting to order at 9:07 a.m.

#### **2.0 LAND ACKNOWLEDGEMENT**

We begin this meeting by acknowledging that we are meeting upon the traditional Indigenous lands of the Tionontati (Petun) and Treaty 18 territory of the Anishinaabe peoples. We recognize and deeply appreciate their historic connection to this place and we also recognize the contributions Indigenous peoples have made, both in shaping and strengthening our community, province and country as a whole.

#### **3.0 APPROVAL OF THE AGENDA**

**Moved by Cufaro and Seconded by Hawkins**

THAT Council approve the agenda as amended to remove item 9.1.

	<b>Yea</b>	<b>Nay</b>
Councillor Boxem	Y	
Councillor Clark	ABSENT	
Councillor Cufaro	Y	
Deputy Mayor Hawkins	Y	
Mayor Horner	Y	

**CARRIED.**

#### **4.0 MINUTES OF THE PREVIOUS MEETING**

**Moved by Boxem and Seconded by Cufaro**

THAT the Minutes of July 7, 2021 are approved.

	<b>Yea</b>	<b>Nay</b>
Councillor Boxem	Y	
Councillor Clark	ABSENT	
Councillor Cufaro	Y	
Deputy Mayor Hawkins	Y	
Mayor Horner	Y	

**CARRIED.**

**5.0 DISCUSSION ARISING OUT OF THE MINUTES**

Councillor Clark observed that the original meeting date for the Bruce Trail Parking Lot (Section 10.1) was set for September 2021 and that the organizations identified for consideration in the Enbridge Community grant (Section 12.1) were located in Mulmur Township.

**6.0 DISCLOSURE OF PECUNIARY INTERESTS - NONE**

**7.0 FIFTEEN MINUTE QUESTION PERIOD - NONE**

**Staff Recognition – Dean Morby 5 Years of Service**

Mayor Horner recognized Dean Morby for his five (5) years of service with the Township of Mulmur. Council congratulated Dean on the milestone.

**8.0 PUBLIC MEETINGS**

**8.1 Development Charges**

**Moved by Clark and Seconded by Boxem**

THAT Council recess the regular meeting at 9:19 a.m. to hold a public meeting in accordance with our procedural by-law and pursuant to Section 12 of the Development Charges Act, as amended, to present and obtain public input on the Municipality's proposed Development Charges By-law and underlying background study.

	<b>Yea</b>	<b>Nay</b>
Councillor Boxem	Y	
Councillor Clark	Y	
Councillor Cufaro	Y	
Deputy Mayor Hawkins	Y	
Mayor Horner	Y	

**CARRIED.**

Mayor Horner welcomed Sean-Michael Stephen of Watson & Associates. A presentation was provided outlining the requirements under the Development Charges Act and the Township's past amendments.

Discussion ensued surrounding second dwellings and at what time development charges are payable. Sean-Michael confirmed that changes to statutory exemptions surrounding second dwellings was passed on September 18, 2020 and that total floor area does not include garage space. Township Planner, Tracey Atkinson spoke on behalf of the Township's zoning

requirements for second dwellings. Development Charges for institutional development and rental properties become payable at time of occupancy.

Public comments were received. Cheryl Russel was recognized and asked for clarification surrounding intensification. Sean-Michael clarified that two apartment units are exempt from charges in a single detached home or ancillary to a single detached home, where permitted.

A by-law will be presented at the September Council meeting.

**Moved by Boxem and Seconded by Clark**

THAT Council adjourns the public meeting and return to the regular meeting at 10:04 a.m.

	<b>Yea</b>	<b>Nay</b>
Councillor Boxem	Y	
Councillor Clark	Y	
Councillor Cufaro	Y	
Deputy Mayor Hawkins	Y	
Mayor Horner	Y	

**CARRIED.**

**9.0 DEPUTATIONS AND INVITATIONS**

**9.1 Brian Whitney: Roads Safety Committee (Withdrawn)**

**9.2 Jeanette McFarlane: Site Plan**

Mayor Horner welcomed Jeanette McFarlane to the meeting who presented on behalf of Joan Vanduzer. Jeanette McFarlane provided a background to the Mansfield Heritage Farm, and the creation of a legacy project for farm succession. Dufferin SEEDS is a program that is being created to educate children about farming and food. Following the success of the spring pilot project, Joan Vanduzer would like to move forward with a dedicated building on the property to house the children and keep the program running year-round. The building would have heat, running water, and compostable toilets.

Jeanette McFarlane requested an exemption to a Site Plan Agreement due to time constraints.

Tracey Atkinson, Planner, confirmed that on-farm diversified use does require site plan approval and needs to be secondary to the farm operations.

**9.3 Bruce Trail Conservancy: COA Conditions of Consent**

Mayor Horner welcomed Antoin Diamond, representative of the Bruce Trail Conservancy to the meeting. Antoin Diamond spoke to the Bruce Trail's applications for consent (B7-2021, B11-2021 and B12-2021).



Antoin Diamond requested relief or amendment on conditions of consent for application B7-2021, specifically cash-in-lieu of parkland and the entering into a parking agreement.

Council discussed the creation of new parkland through the Bruce Trail network and Council's Parkland Bylaw #41-18 which required cash-in-lieu for each additional lot created through consent.

John Willmetts, Director of Public Works noted two areas where roadside parking has become a concern and highlighted that the proposed parking lots in Schedules A and B of the parking agreement are located on Township property and do not affect landowners.

Tracey Atkinson, CAO advised Council that a by-law granting authority to enter in a parking agreement in its substantial form is being presented to Council later in the meeting.

Antoin Diamond confirmed that she had no concerns with the draft agreement included in the Council package.

**Moved by Boxem and Seconded by Cufaro**

THAT Council receives the delegations from Jeanette McFarlane and the Bruce Trail Conservancy.

	<b>Yea</b>	<b>Nay</b>
Councillor Boxem	Y	
Councillor Clark	Y	
Councillor Cufaro	Y	
Deputy Mayor Hawkins	Y	
Mayor Horner	Y	

**CARRIED.**

**10.0 PUBLIC WORKS - NONE**

**11.0 TREASURY - NONE**

**12.0 ADMINISTRATION**

**12.1 Roads Safety Committee Mandate**

Mayor Horner acknowledged previous discussions surrounding the Roads Safety Committee Mandate.

**Moved by Cufaro and Seconded by Hawkins**

THAT Council approve the terms of reference and changes to the Roads Safety Committee mandate for immediate implementation as amended to include: "The Road Safety Committee uses data collected from Mulmur roads to identify areas for Paid Duty for recommendation to Council."

	<b>Yea</b>	<b>Nay</b>
Councillor Boxem	Y	
Councillor Clark	Y	
Councillor Cufaro	Y	
Deputy Mayor Hawkins	Y	
Mayor Horner	Y	

**CARRIED.**

## **12.2 Matthews House Hospice Noise Exemption**

Deputy Clerk, Roseann Knechtel provided a background to the Matthews House Hospice Permit Application and confirmed that no complaints were received following the last Drive-In Concert.

### **Moved by Hawkins and Seconded by Clark**

THAT Council grant a one-time exemption to the Township of Mulmur Noise By-Law No. 28-2020 for Friday September 24, 2021 until 11:30 p.m. at the Mansfield Ski Club to allow for amplified noise from a Drive-In Concert;

AND FURTHER THAT Council support the Matthews House Hospice event by waiving the special event permit fee for September 24, 2021.

	<b>Yea</b>	<b>Nay</b>
Councillor Boxem	Y	
Councillor Clark	Y	
Councillor Cufaro	Y	
Deputy Mayor Hawkins	Y	
Mayor Horner	Y	

**CARRIED.**

## **12.3 OPP Detachment Board Proposal**

Roseann Knechtel, Deputy Clerk provided a background to the request from the Office of the Solicitor General, Town of Mono proposal, Town of Grand Valley Proposal, past Council motions and the recommendation put forward from Mulmur's Police Services Board. Discussion ensued.

### **Moved by Cufaro and Seconded by Boxem**

THAT Council receives the letter from the Town of Grand Valley;

AND THAT Council receives the motion of recommendation from Mulmur's Police Services Board;

AND THAT Council express their support for the Town of Grand Valley's proposal to the Office of the Solicitor General regarding the Dufferin OPP Detachment Board Composition;

AND FURTHER THAT Council authorizes the Town of Grand Valley to submit the proposal as presented on behalf of the Township of Mulmur.

	<b>Yea</b>	<b>Nay</b>
Councillor Boxem	Y	
Councillor Clark	Y	
Councillor Cufaro	Y	
Deputy Mayor Hawkins	Y	
Mayor Horner	Y	

**CARRIED.**

### **13.0 PLANNING**

#### **13.1 Joan Vanduzer Site Plan Agreement**

**Moved by Boxem and Seconded by Clark**

THAT Council receive the report titled On-Farm Diversified Use – Site Plan Exemption Requests;

AND THAT Council request a formal site plan application, including fire, parking, access, buildings and operations, waiving the requirement for engineered grading and stormwater, with the intent of expediting a registrable agreement that is executed prior to the issuance of a building permit.

	<b>Yea</b>	<b>Nay</b>
Councillor Boxem	Y	
Councillor Clark	Y	
Councillor Cufaro	Y	
Deputy Mayor Hawkins	Y	
Mayor Horner	Y	

**CARRIED.**

#### **13.2 COA Conditions: Bruce Trail Conservancy**

**Moved by Cufaro and Seconded by Clark**

THAT Council uphold the Committee of Adjustment condition of consent for application B7-2021 to enter into a parking agreement;

AND THAT Council provide one-time financial support to the Bruce Trail Conservancy in the amount of \$5,000 to offset the Committee of Adjustment condition of consent for application B7-2021 for the payment in lieu of parkland.

	<b>Yea</b>	<b>Nay</b>
Councillor Boxem	Y	
Councillor Clark	Y	
Councillor Cufaro	Y	

Deputy Mayor Hawkins	Y
Mayor Horner	Y

**CARRIED.**

#### **14.0 COMMITTEE MINUTES AND SUB-COMMITTEE REPORTS**

- 14.1 Dufferin County Council Minutes – July 2021**
- 14.2 Joint Recreation Subcommittee Minutes - July 12, 2021**
- 14.3 Mulmur-Melancthon Fire Board – July 20 2021**
- 14.4 Committee of Adjustment, July 21, 2021**
- 14.5 Economic Development Committee July 26, 2021**
- 14.6 Police Services Board – July 28 2021**
- 14.7 NDCC Board Minutes – June 9 2021**

Councillor Clark sought clarification regarding the letter from KPMG discussed at the Joint Recreation Subcommittee and provided comments from members of the NDCC Board of Management.

Mayor Horner expressed interest to have both Mulmur and Melancthon Mayors attend an upcoming NDCC Board meeting to speak to the letter.

Councillor Clark provided an update on the NDCC including direction to install security cameras and that all fundraising events and summer camps for 2021 have been cancelled.

#### **Moved by Cufaro and Seconded by Boxem**

THAT Council receives the Committee Minutes and Sub-Committee Reports as copied and circulated.

	<b>Yea</b>	<b>Nay</b>
Councillor Boxem	Y	
Councillor Clark	Y	
Councillor Cufaro	Y	
Deputy Mayor Hawkins	Y	
Mayor Horner	Y	

**CARRIED.**

#### **15.0 INFORMATION ITEMS (REPORTS, LETTERS)**

- 15.1 2021 Development Charges Update Study**
- 15.2 Headwaters Poll Results**
- 15.3 Ontario Land Tribunal Process**
- 15.4 KPMG Letter re NDCC**
- 15.5 Response from MTO Stunt Driving Motion**
- 15.6 Dufferin County Notice of Decision: Mulmur OPA 2**
- 15.7 Town of Shelburne PSB Motion of Support**
- 15.8 Municipal Asset Management Program Funding**

**15.9 Town of Mono Conservations Authority Act**  
**15.10 Town of Shelburne Motion – Boards**

**Moved by Clark and Seconded by Boxem**

THAT Council receives the information items as copied;

AND THAT the following items be endorsed: 15.9

	<b>Yea</b>	<b>Nay</b>
Councillor Boxem	Y	
Councillor Clark	Y	
Councillor Cufaro	Y	
Deputy Mayor Hawkins	Y	
Mayor Horner	Y	

**CARRIED.**

**16.0 CLOSED SESSION**

**Moved by Hawkins and Seconded by Cufaro**

THAT Council adjourn to closed session at 2:07 p.m. pursuant to Section 239 (2)(b) personal matters about an identifiable individual, including municipal or local board employees and Section 239 (2)(e) litigation or potential litigation to discuss the following:

**16.1 Committee Applications**

**16.2 Liability Insurance Advice**

	<b>Yea</b>	<b>Nay</b>
Councillor Boxem	Y	
Councillor Clark	Y	
Councillor Cufaro	Y	
Deputy Mayor Hawkins	Y	
Mayor Horner	Y	

**CARRIED.**

**Moved by Cufaro and Seconded by Clark**

THAT Council do rise out of closed session and into open session with the following motion:

THAT Council select the following residents to represent the community on the Mulmur Ad-Hoc Planning Advisory Committee:

Home Business & Economic Development: Lisa Thomson  
Second Dwellings and Cottages: Grace Franco-Lloyd  
Recreation: Leah Pressey  
Environmental Protection: James MacDougall & Paul Cohen

Rural Character & View Shed Protection: Gregg Friday & Elisabeth Swinton  
Road Safety & Infrastructure: Mike Marcinkiewicz  
Farming & Agriculture – Nicole Hambleton  
Seniors & Aging in Place- Jan Benda

	<b>Yea</b>	<b>Nay</b>
Councillor Boxem	Y	
Councillor Clark	Y	
Councillor Cufaro	Y	
Deputy Mayor Hawkins	Y	
Mayor Horner	Y	

**CARRIED.**

Council expressed interest in allowing for additional representation to address the area of Farming and Agriculture.

A legal response for liability for individual Council members will also be sought.

#### **17.0 ITEMS FOR FUTURE MEETINGS**

**17.1 Truth and Reconciliation Actions**

**17.2 Noise Bylaw: Fireworks**

#### **18.0 NOTICE OF MOTION - NONE**

#### **19.0 PASSING OF BY-LAWS**

**19.1 By-law to Enter into a Parking Lot Agreement with BTC**

**19.2 Confirmatory By-law**

**Moved by Cufaro and Seconded by Clark**

THAT By-Law 19.1 to 19.2 be approved.

	<b>Yea</b>	<b>Nay</b>
Councillor Boxem	Y	
Councillor Clark	Y	
Councillor Cufaro	Y	
Deputy Mayor Hawkins	Y	
Mayor Horner	Y	

**CARRIED.**

#### **19.0 ADJOURNMENT**

**Moved by Hawkins and Seconded by Clark**

THAT Council adjourns the meeting at 3:00 p.m. to meet again on Wednesday September 1, 2021 at 9:00 a.m. or at the call of the Chair.

	<b>Yea</b>	<b>Nay</b>
Councillor Boxem	Y	
Councillor Clark	Y	
Councillor Cufaro	Y	
Deputy Mayor Hawkins	Y	
Mayor Horner	Y	

**CARRIED.**

.....  
**Janet Horner, Mayor**

.....  
**Tracey Atkinson, Clerk**



**CORPORATION OF THE TOWNSHIP OF MULMUR  
PUBLIC MEETING FOR A PROPOSED  
ZONING BY-LAW AMENDMENT  
2021 HOUSEKEEPING BY-LAW**

Dated: July 19, 2021

The Corporation of the Township of Mulmur will hold a Public Meeting pursuant to Sections 34 of the Planning Act (1990) to consider various amendments to the Zoning By-law and the Development Charges Act.

The public meeting will be held electronically Wednesday, September 1st, 2021 at 9:30am.

This meeting is being conducted by means of Electronic Participation by a majority of members, as permitted by Section 238 (3.3) of the Municipal Act, 2001, as amended.  
USING VIDEO AND/OR AUDIO CONFERENCING.

To connect only by phone, please dial any of the following numbers. When prompted, please enter the meeting ID provided below the phone numbers. You may be placed into the meeting in muted mode. If you encounter difficulty, please call the front desk at 705-466-3341, ext. 0

1 587 328 1099 Canada

1 647 374 4685 Canada

To connect to video with a computer, smart phone or digital device and with either digital audio or separate phone line, download the zoom application ahead of time and follow the link below. Enter the meeting ID when prompted.

<https://us02web.zoom.us/j/84829988171>

Meeting ID: 848 2998 8171

A copy of the proposed amendment is available for review at the municipal office during regular office hours. Anyone wishing to address Council with respect to the proposal may do so at the public meeting. Persons unable to attend the public meeting may provide written comments up until the time of the public meeting. If you wish to be notified of the decision on the proposed application, you must make an oral or written request to the Township of Mulmur. If a person or public body does not make oral submissions at the public meeting or make written submissions to Mulmur Township before the by-law is passed, the person or public body is not entitled to appeal the decision of Council and the Corporation of the Township of Mulmur to the Appeal Tribunal. Furthermore, the person or public body may not be added as a party to the hearing of an appeal before the Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

#### PURPOSE AND EFFECT OF THE AMENDMENTS

The proposed Zoning By-law Amendment would amend the Comprehensive Zoning By-law to address the following matters:

1. To provide additional regulations and review the minimum lot size requirements for second dwellings, and apartments in detached buildings, and to permit attached apartments in all dwellings that have a minimum lot size meeting the requirements of the by-law;
2. To provide direction regarding the application of Minimum Distance Separation to existing vacant lots;
3. To review setbacks to watercourses and ponds provisions in relation to the conservation regulatory mapping requirements;
4. To clarify that the provisions for apartments in detached buildings are notwithstanding the minimum lot area requirements;
5. To clarify the total size of a detached structure housing an apartment;
6. To clarify gross, ground and total floor areas and apply consistent terminology through the By-law;
7. To clarify the home occupation provisions related to catering versus take-out restaurants;
8. To clarify setbacks for pools and permitted encroachments;
9. To update references to legislation and municipal by-laws;
10. To add a definition for an Assembly Hall and Catering Business;
11. Require accessory apartments on commercial properties to be above or behind the commercial use;
12. To delete all provisions related to any tax programs which are currently administered through a Provincial program;
13. To revise the definition for on-farm diversified uses and strengthen provisions related to scale and outdoor uses;
14. To update definitions for medicinal marijuana facilities, marijuana growing and sales and cannabis facilities; and
15. To update provisions regarding buildings and structures on vacant lands

#### LANDS AFFECTED

The Zoning By-law Amendment affects all lands within the Township outside of the jurisdiction of the NEC. For this reason, no key map is provided.





# Housekeeping By-law, 2021

# Overview of Housekeeping By-law Process

- ▶ Overview of Proposed Changes
- ▶ Questions from the Public
- ▶ Questions from Council
- ▶ Next Steps:
  - ▶ Revised Draft Zoning By-law (to be available on the website through a future agenda package and provided to anyone requesting so in writing or by email to [planner@mulmur.ca](mailto:planner@mulmur.ca))
  - ▶ By-law to be passed by Council (or multiple by-laws if related to OP)
  - ▶ Notice of Passing to be sent to all individuals requesting notice, and also placed on the website and in the Council Highlights monthly digital newsletter
  - ▶ If no appeals within 20 days of the notice of passing, the by-law is enacted.
  - ▶ Other matters to be further developed through Official Plan process and incorporated into a future zoning amendment if appropriate.

# Overview of Amendment

The proposed Zoning By-law Amendment would amend the Comprehensive Zoning By-law to address the following matters:

1. Second dwellings and accessory apartments provisions
2. Minimum Distance Separation applicability to existing vacant lots;
3. Pool setbacks
4. Home occupation provisions related to food businesses;
5. Permitted uses within the definition of on-farm diversified use and Party Barns;
6. Definitions for medicinal marijuana facilities, marijuana growing and sales;
7. Floor Areas
8. To delete all provisions related to any tax programs; and
9. Aging in Place

# Second Dwellings

Minimum Lot Size	Zoning	Main Dwelling	Apartment in Main Dwelling	Apartment in Detached Building*	Either Second Dwelling or Apartment in Detached Building **
0.4ha	HR, ER, RR, A	Yes	Yes		
1.0ha	HR, ER, RR, A	Yes	Yes		
2.0ha - 7.9 ha	ER, RR, A	Yes	Yes	Yes	
8.0 ha	A	Yes	Yes		Yes

\*Apartment in detached structure subject to maximum floor area of 80m<sup>2</sup> and 50% of gross floor area of dwelling (excluding garages) and site plan approval

\*\* Second dwelling subject to site plan approval

# Proposed Amendment for Additional Dwellings

## 3.3.2 Additional Single Dwellings

Where an additional single dwelling is permitted, such dwelling shall only be permitted where there is a site plan agreement between the owner and Township, and where such agreement includes buffering, servicing, separation distances and access.

A *guest cabin*, second storey loft in any building or structure, or pool house having a floor area greater than 20 m<sup>2</sup>, or accessory structure other than a garage or workshop, shall be considered an additional single dwelling, regardless of whether bedroom, kitchen facilities or bathrooms have been installed, and regardless of whether it is attached to a non-residential use or within an accessory structure.

**Maximum separation distance between an existing dwelling and an Additional Single Detached Dwelling shall be 20 metres. An accessory dwelling unit in a detached structure constructed before January 1, 2021 shall not be required to meet the minimum separation between the main and additional dwelling unit.**

Where a lot has less than 8 ha of land, such additional single dwelling shall comply with the following additional provisions:

i) Minimum lot size shall be 1.0 ha

ii) The gross floor area of the additional single dwelling shall be no more than 50% of the gross floor area of the principal single detached dwelling, and no more than 80 m<sup>2</sup>, and shall not exceed the lot coverage for all accessory structures in subsection 3.2.3. **The maximum floor area of the detached structure (including the non-habitable area) shall be 120m<sup>2</sup>**

iii) Such dwelling shall only be permitted where there is a site plan agreement between the owner and Township, and where such agreement includes buffering, servicing, separation distances and access.

**iv) Minimum lot frontage of 100 metres**

# Proposed Amendments for Additional Dwellings

## 3.3.3 Attached Accessory Dwelling Unit

Where an attached accessory dwelling unit is permitted, the follow provisions shall apply;

- i) Minimum lot size shall be ~~0.4 ha~~ *in accordance with section 3.10.2.3, Existing Undersized Lots of Record.*
- ii) Water and septic services shall be adequately sized to allow for the accessory dwelling unit

Accessory dwelling unit and main dwelling shall be attached either through a common ceiling/floor or wall having a minimum face area of 12 m<sup>2</sup>. A common breezeway or any other form of roof connection or hallway shall not be considered attached.

An attached accessory dwelling unit will not be permitted if there is already a second dwelling unit, unless the lot has a minimum area of 8 ha

## 4.1.1 Countryside Permitted Uses

*4.1.1 - Technical amendment to permitted use table to allow additional single dwellings (being restricted in size as per 3.3.2 ii) on lots from 2ha – 8ha.*

- ▶ Section 3.3.4, Garden Suites, is amended *by deleting subsection i) the unit is occupied by an immediate family member of the occupant of the primary residential use* (to reflect changes to the Planning Act)
- ▶ Amended definition for Dwelling Unit
- ▶ Means a building or part of a building occupied or capable of being occupied, in whole or in part as the home, residence or sleeping place of one or more persons either continuously, permanently, temporarily or transiently. ~~A dwelling may be a~~ *For the purpose of determining compliance with the zoning by-law, a modular home, guest cabin, loft, dwelling unit within a non-residential building, cottage, and habitable pool house and any similar structure regardless of whether or not it* contains full sanitary and kitchen facilities shall each be considered a dwelling. *Notwithstanding the forgoing, all dwellings shall be constructed in accordance with the applicable section/classification under the Building Code.*

# Additional Second Dwelling Issues

- ▶ What is the appropriate minimum lot size to allow a detached unit (in an accessory structure or as a separate structure) (currently 8ha)
- ▶ Should accessory structures with dwelling units be restricted in total size (to appear as garden suites opposed to large garages with loft area)?
- ▶ Should attached apartments be permitted in all homes, regardless of lot size, provided adequate servicing and parking?
- ▶ Should second dwellings be only permitted on lots with a certain lot frontage (e.g. 100m?)
- ▶ Should new dwellings have to be within a certain distance of a main dwelling? (e.g. 20m)
- ▶ How should dwellings proposed in existing buildings that don't meet the setback be dealt with? (site specific amendment or do not permit in existing buildings)
- ▶ Are there any changes that should be considered for the site plan process and site specific amendment applications?
- ▶ **NEXT STEP: Official Plan Round Table**

# Dwelling Units in Non-Residential Buildings

- ▶ Provisions to determine the appropriate location for dwelling units in a non-residential building
- ▶ Currently prohibition on locating dwelling units in noxious use buildings
- ▶ Intent is to maintain a commercial storefront/appearance
- ▶ Permitting owner to live on the same property as the business has benefits (business security, surveillance, additional hours or operation, family atmosphere, financial considerations for start-up/operation, work-from-home benefits)
- ▶ Disadvantages of permitting dwellings units in non-residential buildings include a lack of amenity space for residents, especially children, additional parking requirements

Proposed Amendment: to add the following at the end of section 3.3.9:

*Where a dwelling unit is permitted to be located within a non-residential building, such dwelling unit shall be located behind or above the non-residential use.*



# Setbacks for Pools

Except from Zoning by-law:

## 3.4 ENCROACHMENTS AND HEIGHT EXCEPTIONS

The following buildings, structures and fixtures shall be permitted to encroach into the required minimum yard requirement in accordance with the following:

Building, Structures & Fixtures	Permitted Encroachment
Swimming pool water circulating or pumping equipment	Minimum 3.0 m to any side or rear lot line

### INTENT:

- Allow for access around the pool
- Allow pools to be closer to the property lines than other accessory structures

Proposed Amendment: to delete section 3.4 (row in table above) and add the following into the section of the by-law dealing with swimming pools (3.2.6):

**No swimming pool water circulating or pumping equipment shall be located within 1.5 metres to any lot line.**

# Minimum Distance Separation

## 3.8.1 Livestock Facilities (Township Zoning By-law)

Notwithstanding any other yard or setback provisions in this By-law to the contrary, no residential, institutional, commercial, industrial or recreational use, located on a separate lot and otherwise permitted by this By-law shall be erected or altered unless it complies with the Ministry's Minimum Distance Separation (MDS I) calculations and Guidelines related thereto...

### MDS Guideline #7 (OMAFRA Guidelines, Publication 853)

While municipalities have the option to exempt buildings proposed through building permit applications on lots which exist prior to March 1, 2017, they are strongly discouraged from exempting these applications. If local exemptions are supported for building permits on existing lots, a municipality shall adopt provisions in their comprehensive zoning by-law which clearly state the details for such exemptions. Examples of such provisions may include, but are not limited to, those which only require an MDS I setback for building permit applications...

**Proposed Amendment:** to add the following at the end of section 3.8:

**MDS shall not apply to a new dwelling on an existing vacant lot that does not meet MDS.**

# On-Farm Diversified Use Definition

## EXCERPTS FROM THE ZONING BY-LAW

### 3.8.4 ON-FARM DIVERSIFIED USES

- ▶ Where permitted, *on-farm diversified uses* shall be subject to the following provisions:
  - maximum ground floor area of all buildings and structures: 1% lot coverage to a maximum of 2000 m<sup>2</sup>
  - maximum percentage of land required for the *on-farm diversified use*, including building footprint, landscaped area, servicing, buffering areas, setbacks, and access - 2% to a maximum of 1.0ha

### ON-FARM DIVERSIFIED USES:

- ▶ means uses that are secondary to the principal *agricultural use* of the property, and are limited in areas include, but are not limited to, *home occupations*, home industries, *agri-tourism uses*, distilleries, cideries and uses that produce value-added agricultural products, as well as other uses which may or may not be defined within this by-law, such as small motor vehicle repair garages, garden centers, veterinary clinics

# Party Barns

Special Event Permit	Permissive Zoning: On-farm diversified use?	Individual Venue Site Plan and Zoning
- Application per event	- Permitted everywhere (with the required zoning)	- One time application and approval for a venue
- insurance, permits, noise, notice circulation	- Circulated once as amendment	-supported by site plan application, engineering, traffic and noise analysis
-agreement puts onus on applicant to get required permits and clearances	-on municipal involvement on individual events	-fire, roads, engineering, County, conservation authority review of site plan
\$250/event	Township initiated (no fee)	\$2500 + \$3000 plus consultant costs

NEXT STEP: Official Plan Roundtable

# Proposed Amendment for On-Farm Diversified Uses:

- ▶ Add the following in section 3.8.4 requirements for use
  - except as otherwise permitted as an agricultural use, including but not limited to agri-tourism and farmer's market, all business use shall be conducted within a completely enclosed structure. No outdoor storage shall be permitted.
- ▶ Amend the second bullet point in section 3.8.4 such that it reads :
  - Maximum ~~percentage~~ amount of land consumed by an on-farm diversified use, including all buildings and structures footprint, landscaped area, servicing, buffering areas, setbacks, parking and access shall be 2% of the lot area to a maximum of 1.0ha
- ▶ Replace the definition for On-Farm Diversified Uses and add a definition for Party Barn (thereby prohibiting it):

**ON-FARM DIVERSIFIED USES:** means uses that are secondary to the principal *agricultural use* of the property, and are limited in areas include, but are not limited to, *home occupations*, home industries, *agri-tourism uses*, distilleries, cideries, veterinary clinics, garden centres and uses that produce value-added agricultural products, as well as other uses which may or may not be defined within this by-law but that are operated entirely within an enclosed structure. An assembly hall or *Party Barn* or any other event facility will only be considered through a site specific amendment to this by-law.

**PARTY BARN:** Means a multi-use structures that can host large events like weddings and live shows or serve as a casual backyard hangout and that can accommodate greater than 20 persons.

- ▶ **NEXT STEP:** Official Plan Roundtable to further discuss impacts on agricultural uses.  
Additional amendments may be required.

# Food Businesses

## 3.7 HOME OCCUPATION (EXCERPT FROM ZONING BY-LAW)

- i) There shall be no goods, wares, or merchandise offered for sale or rent on the premises other than what is produced on the premises
- ii) A *home occupation* shall not include a *boarding house*, an eating establishment, or a facility offering accommodation or meals other than a *Bed and Breakfast* establishment.

### HOME OCCUPATION

- ▶ An occupation or profession related to the provision of services, carried on primarily by the occupant of a dwelling within his/her dwelling as an accessory use in connection with which there is no display, no stock in trade nor commodity sold upon the premises, which is not produced on the premises.

### RESTAURANT

- ▶ A building or part of a building where food is offered for sale or sold to the public primarily for immediate consumption, which may include take-out and/or a drive through.

### PROVINCIAL DIRECTION

- ▶ Feb 11, 2021 Minister Hardeman announced new permissions for home food production under the Health Protection and Promotion Act, to permit home businesses to sell Low-risk foods are non-hazardous and do not require refrigeration. They include such items as baked goods, pickles, jams and preserves, chocolates, hard candies and brittles, fudge and toffees, granola, trail mix, nuts and seeds, and coffee beans and tea leaves.

**Proposed Amendment:** to add the following in section 3.7 (Home Occupations) and add a definition

A catering business shall be permitted but a take-out or restaurant shall not be permitted. Pick-up of frozen foods and bakery items is permitted.

Catering Business Means: a business that prepares food and/or beverage and does not include any on-site consumption of food and beverages.

# Accessory Buildings and structures on vacant lands

## 3.2.1.1 Accessory Buildings and Structures on Vacant Lands

- ▶ Accessory structures shall not be permitted on vacant land, including land used for a forestry or livestock use. No building or structure of less than 10 sq m in size and no temporary or seasonal buildings and structures that are designed to be dismantled and re-erected, such as fabric or plastic covered, metal or wood framed structures, shall be constructed on a lot unless it is accessory to a legal non-conforming, or to a permitted principal building or structure already in existence on the lot. Such structures shall be subject to the requirements of Section 3.2.

### PRINCIPAL OR MAIN BUILDING

- ▶ Any building which is carried on the principle purpose for which the building lot is used and shall include a *livestock facility* or silo used in conjunction with a *farm*.

### ACCESSORY

- ▶ A use, separate building or structure, which is usually incidental, subordinate, exclusively devoted to and located on the same lot as the principal use, building or structure.

*Issues: Small structures being used for temporary habitation on unserviced lots, emergency vehicle access, conversion to residential without permits and inspections*

NEXT STEP: Official Plan Roundtable on Cottages

# Gross, Ground and Total Floor Areas

## FLOOR AREA, GROSS

- ▶ The total floor area, as hereinafter defined, exclusive of any portion of the building or structure below finished grade measured between the exterior faces of the exterior walls which is used for heating, the storage of goods or personal effects, laundry facilities, recreational areas, the storage or parking of motor vehicles, exclusive of any private garage, carport, basement, walkout basement, cellar, porch, verandah or sunroom unless such sunroom is habitable during all seasons of the year.

## FLOOR AREA, GROUND

- ▶ The maximum ground floor area of a building measured by the outside walls, excluding, in the case of a single detached dwelling, any private garage, carport, porch, verandah or sunroom (unless such sunroom is habitable at all seasons of the year).

## FOOTPRINT FLOOR AREA

- ▶ The horizontal area of the ground covered by a permitted building or structure.



# Proposed Amendment for Floor Areas

The proposed amendment clarifies the application of terms such as building floor area, combined floor area, habitable floor area, floor area and how floor area is measured.

1. Section 3.2.2, 3.2.3, 3.3.10, 4.1.3.20, 4.2.3.10, 4.5.1ii, 4.10.2.1 xiii are amended by adding “gross” before “floor area” except where it is used as “ground floor area”
2. Section 3.3.10 is amended by replacing “building floor area” with “gross floor area”
3. Section 4.1.3.8 is amended by replacing “combined floor area” with “gross floor area”
4. “Total floor area” shall be replaced with “gross floor area” in all instances where it appears.
5. “Maximum floor area” shall be replaced with “maximum gross floor area” in all instances where it appears.
6. “Minimum floor area” shall be replaced with “minimum gross floor area” in all instances where it appears
7. “Habitable floor area shall be replaced with “gross floor area” in all instances where it appears.
8. The definition for Gross Floor Area shall be amended by adding the following at the end of the definition:

“Where a wall is shared with excluded floor areas, the calculation should be measured to the exterior of such shared wall.”

# Marijuana Definitions

- ▶ A Medicinal Marijuana Facility is permitted in the Countryside (A) zone with a minimum lot size of 8ha, subject to site plan control. The zoning by-law provides a definition for “Medicinal Marijuana Growing” which should be updated to “Medicinal Marijuana Facility” for consistency. The growing of hemp or marijuana is considered to be a crop, and therefore within the agricultural use definition, but this too should be clarified. Clarification should also be introduced regarding “Agriculture – Related Uses” and “On-Farm Diversified” uses. Changes in the Federal licensing and terminology should be reflected in the Township By-law.
- ▶ The Federal licensing legislation includes the following classes and subclasses: Cultivation (including micro and standard cultivation or nursery); Processing (including micro or standard processing) Sale for medical purposes; analytic testing and research.
- ▶ MEDICINAL MARIJUANA GROWING (FACILITY PERMITTED IN “A” ZONE) MEANS: The growing of marijuana (cannabis) for medical purposes for and as specifically authorized by the Government of Canada

## Proposed Amendments: (update terminology and definitions)

Marijuana Growing Facility and Medical Marijuana Facility shall be replaced with Cannabis Facility wherever they appear.

Cannabis Facility means: The growing of cannabis (marijuana) as authorized by the Government of Canada, either outdoor or within a building or structure. A cannabis facility may also include accessory research, accessory processing and accessory cannabis retail as licensed by the AGCO.

# Marijuana as an Agricultural Crop

## AGRICULTURAL USE

- ▶ means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, *implement sheds*, manure storages, value-retaining facilities, and accommodation for full-time *farm* labour when the size and nature of the operation requires additional employment.

## AGRICULTURE-RELATED USE

- ▶ means those farm-related commercial and farm-related industrial uses that are directly related to *farm* operations in the area, support agriculture, benefit from being in close proximity to *farm* operations, and provide direct products and/or services to *farm* operations as a primary activity, and may include uses which may be defined within this by-law.

**Proposed Amendment:** clarify the definition for Agricultural Use in section 5 by adding “including the growing of cannabis and hemp”.

# Assembly Halls

- ▶ “Assembly halls are permitted but not defined, leading to potential confusion.

Proposed Amendments: Add definition and permit within Institutional, Business Park Gateway and Business Park Transition zones.

**Assembly Hall Means:** a large room or building where people can congregate, hold meetings or events, but shall not include a *Place of Worship*

# Conservation Land Tax Incentive Program (CLTIP)

## EXCERPT FROM ZONING BY-LAW:

### 3.15 TAX EXEMPT LANDS

- ▶ No development shall be permitted on lands that are tax exempt (Conservation Land Tax Incentive Program) unless the Owner can provide proof of payment of full residential taxes for current plus 4 years previous or mapping to indicate that the development is outside of the exemption area and the financial requirements of the Township have been satisfied.

Proposed Amendment – delete this section

The tax programs follow Provincial and/or Federal legislation which includes the provisions for repayment if a building is proposed within the protected area.

# Aging in Place

- ▶ Group Homes (permitted in the Countryside (A) Zone means: A single housekeeping unit in a residential dwelling in which 3 to 9 unrelated residents excluding staff or receiving family, live as a family under responsible supervision consistent with the requirements of its residents and includes a home licensed or approved under the Provincial statute as a Special Care Residential Home, Supportive Housing Program, Adult Community Mental Health Program, Children's Residence, Accommodation Services for the Developmentally Handicapped, Satellite Residences for Seniors and Homes for Physically Disabled Seniors.
- ▶ Minimum Floor Areas
- ▶ Community Support, Services, Businesses and Institutional Uses geared to needs of Seniors
- ▶ Lot Coverage on small lots
- ▶ Design Guidelines
- ▶ Provincial Policy Statement (affordable and range of housing stock)

**NEXT STEP: OFFICIAL PLAN AMENDMENT – ROUND TABLE**

# Setbacks to Watercourses and Ponds

## 3.5.1 Watercourses and Ponds (Excerpt from Zoning By-law)

All buildings or structures shall be located a minimum of 30 metres from the high water mark of any lake or pond of more than 0.2 ha in size or the channel of any permanently flowing river, stream or creek with a drainage area of greater than 125 ha and a minimum distance of 15 m from a pond of less than 0.2 ha in size or a watercourse with a drainage area of less than 125 ha

As a result of Consultation with the Conservation Authority, no amendment is proposed.

NEXT STEP: Official Plan Roundtable

# NEXT STEPS

- ▶ Draft By-law to be updated to reflect comments from Public, Agencies and Council, as required.
- ▶ By-law to be brought forward for Council's consideration at a future meeting
- ▶ Anyone formally requesting Notice of a Decision on the by-law and providing complete mailing information will be mailed a decision
- ▶ Appeal period is 20 days after the date of the Notice of Decision
- ▶ Official Plan Roundtables to be facilitated to further clarify long-term goals and policies which can then be implemented through a zoning amendment
  - September 16 – Home Business, Economic Development & Removing Red Tape
  - September 29 – Second Dwellings & Cottages
  - October 13 – Recreation and Playing Around in Mulmur
  - October 20 – Protecting the Environment
  - October 27 – Rural Character & View Shed Protection
  - November 8 – Road Safety & Infrastructure
  - November 10 – Farm Protection & Opportunities
  - November 17 – Seniors & Aging in Place



# THE CORPORATION OF THE TOWNSHIP OF MULMUR

## BY-LAW NO. \_\_\_\_ – 21

Being a By-law to amend By-law No. 28-18, as amended, the Zoning By-law for the Corporation of the Township of Mulmur, County of Dufferin. (Housekeeping)

**WHEREAS** the Council of the Corporation of the Township of Mulmur is empowered to pass By-laws to regulate the use of land pursuant to Section 34 of the *Planning Act*, R.S.O.1990 c.P. 13, as amended;

**AND WHEREAS** Council hosted an electronic public meeting on September 1, 2021;

**AND WHEREAS** Council is satisfied that Notice of the Public Meeting have been given in accordance with the *Planning Act*, R.S.O.1990, c.P. 13, as amended, and that no further notice is required;

**AND WHEREAS** Council is satisfied that the proposed amendments are appropriate and in accordance with the Official Plan in effect at the time, as well as applicable Provincial policies and plans;

**NOW THEREFORE** the Council of the Corporation of the Township of Mulmur enacts as follows:

1. Section 3.3 Dwelling Units, Additional Single Dwellings & Attached Accessory Dwelling Units is amended by deleting section 3.3.2 and 3.3.3. and is replaced with the following:

### **3.3.2 Additional Single Dwellings**

*Where an additional single dwelling is permitted, such dwelling shall only be permitted where there is a site plan agreement between the owner and Township, and where such agreement includes buffering, servicing, separation distances and access.*

*A guest cabin, second storey loft in any building or structure, or pool house having a floor area greater than 20 m<sup>2</sup>, or accessory structure other than a garage or workshop, shall be considered an additional single dwelling, regardless of whether bedroom, kitchen facilities or bathrooms have been installed, and regardless of whether it is attached to a non-residential use or within an accessory structure.*

*Maximum separation distance between an existing dwelling and an Additional Single Detached Dwelling shall be 20 metres. An accessory dwelling unit in a detached structure constructed before January 1, 2021*

*shall not be required to meet the minimum separation between the main and additional dwelling unit.*

*Where a lot has less than 8 ha of land, such additional single dwelling shall comply with the following additional provisions:*

- i) Minimum lot size shall be 1.0 ha*
- ii) The gross floor area of the additional single dwelling shall be no more than 50% of the gross floor area of the principal single detached dwelling, and no more than 80 m<sup>2</sup>, and shall not exceed the lot coverage for all accessory structures in subsection 3.2.3. The maximum floor area of the detached structure (including the non-habitable area) shall be 120m<sup>2</sup>*
- iii) Such dwelling shall only be permitted where there is a site plan agreement between the owner and Township, and where such agreement includes buffering, servicing, separation distances and access.*
- iv) Minimum lot frontage of 100 metres*

### **3.3.3 Attached Accessory Dwelling Unit**

*Where an attached accessory dwelling unit is permitted, the follow provisions shall apply;*

- i) Minimum lot size shall be in accordance with section 3.10.2.3, Existing Undersized Lots of Record.*
- ii) Water and septic services shall be adequately sized to allow for the accessory dwelling unit*
- iii) Accessory dwelling unit and main dwelling shall be attached either through a common ceiling/floor or wall having a minimum face area of 12 m<sup>2</sup>. A common breezeway or any other form of roof connection or hallway shall not be considered attached.*
- iv) An attached accessory dwelling unit will not be permitted if there is already a second dwelling unit, unless the lot has a minimum area of 8 ha*

2. Section 4.1.1, Permitted Uses is amending by replacing the second permitted use, being an "Additional Single dwelling ASD (1)

<i>Additional Single dwelling ASD (1) in accordance with section 3.3</i>	<i>X</i>	<i>X</i>
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3. Section 3.3.4, Garden Suites, is amended by deleting subsection i), and renumbering the remainder of the section.
4. Section 3.3.9, Dwelling Units in Non-Residential Buildings shall be amended by adding the following at the end of the subsection:

*Where a dwelling unit is permitted to be located within a non-residential building, such dwelling unit shall be located behind or above the non-residential use.*

5. Section 3.4 is amended by removing the row including “swimming pools and pool circulating or pumping equipment.
6. Section 3.2.6 is amended by adding the following at the end of the section:

No swimming pool water circulating or pumping equipment shall be located within 1.5 metres to any lot line.

7. Section 3.8, Livestock and Minimum Distance Separation is amended by adding the following section following the second paragraph:

*MDS shall not apply to a new dwelling on an existing vacant lot that does not meet MDS.*

8. Section 3.7, Home Occupations is amended by adding the following to the end of subsection vii:

A catering business shall be permitted but a take-out or restaurant shall not be permitted. Pick-up of frozen foods and bakery items is permitted.

9. Section 3.8.4 On-Farm Diversified Uses is amended by replacing the second bullet point with the following:

- Maximum amount of land consumed by an *on-farm diversified use*, including all buildings and structures, landscaped area, servicing, buffering areas, setbacks, parking and access shall be 2% of the lot area to a maximum of 1.0ha

10. Section 3.8.4 is further amended by adding the following additional bullet point:

- Except as otherwise permitted as an agricultural use, including but not limited to agri-tourism and farmer’s market, all business use shall be conducted within a completely enclosed structure. No outdoor storage shall be permitted.

11. Section 3.15 shall be deleted in its entirety. The remainder of the section shall be renumbered.

12. Section 4.9, Institutional is amended by adding “assembly hall” to subsection 4.9.1, Permitted Uses.

13. Section 4.10.1 Business Park Gateway is amended by adding “assembly hall” to subsection 4.10.1.1, Permitted Uses.

14. Section 4.10.3. Business Park Transition is amended by adding “assembly hall” to subsection 4.10.3.1, Permitted Uses.

15. *Marijuana Growing Facility* and *Medical Marijuana Facility* shall be replaced with *Cannabis Facility* wherever they appear.

16. Section 5, Definitions, is hereby amended by adding the following definitions in alphabetic order:

**Assembly Hall**

Means: a large room or building where people can congregate, hold meetings or events, but shall not include a *Place of Worship or Party Barn*

**Catering Business**

Means: a business that prepares food and/or beverage and does not include any on-site consumption of food and beverages. A catering business shall comply with all regulations and licensing requirements.

**PARTY BARN:**

Means a multi-use structures that can host large events like weddings and live shows or serve as a casual backyard hangout and that can accommodate greater than 20 persons.

17. The definition for Agricultural Use in section 5 shall be amended by adding “including the growing of cannabis and hemp” after “biomass”.

18. The definition for Marijuana Facility in section 5 shall be deleted and replaced with the following:

**CANNABIS FACILITY**

The growing of cannabis (marijuana) as authorized by the Government of Canada, either outdoor or within a building or structure. A cannabis facility may also include accessory research, accessory processing and accessory cannabis retail as licensed by the AGCO.

19. The following definitions in section 5 are hereby deleted and replaced with the following:

**ON-FARM DIVERSIFIED USES:**

means uses that are secondary to the principal *agricultural use* of the property, and are limited in areas include, but are not limited to, *home occupations*, home industries, *agri-tourism uses*, distilleries, cideries, veterinary clinics, garden centres and uses that produce value-added agricultural products, as well as other uses which may or may not be defined within this by-law but that are operated entirely within an enclosed structure. An *assembly hall or Party Barn* or any other event

facility will only be considered through a site specific amendment, to this by-law, or a special event permit.

**DWELLING UNIT:**

Means a building or part of a building occupied or capable of being occupied, in whole or in part as the home, residence or sleeping place of one or more persons either continuously, permanently, temporarily or transiently. A dwelling may be a. For the purpose of determining compliance with the zoning by-law, a modular home, guest cabin, loft, dwelling unit within a non-residential building, cottage, and habitable pool house and any similar structure regardless of whether or not it contains full sanitary and kitchen facilities shall each be considered a dwelling. Notwithstanding the forgoing, all dwellings shall be constructed in accordance with the applicable section/classification under the Building Code.

20. Section 3.2.2, 3.2.3, 3.3.10, 4.1.3.20, 4.2.3.10, 4.5.1ii, 4.10.2.1 xiii are amended by adding "gross" before "floor area" except where it is used as "ground floor area"
21. Section 3.3.10 is amended by replacing "building floor area" with "gross floor area"
22. Section 4.1.3.8 is amended by replacing "combined floor area" with "gross floor area"
23. "Total floor area" shall be replaced with "gross floor area" in all instances where it appears.
24. "Maximum floor area" shall be replaced with "maximum gross floor area" in all instances where it appears.
25. "Minimum floor area" shall be replaced with "minimum gross floor area" in all instances where it appears
26. "Habitable floor area" shall be replaced with "gross floor area" in all instances where it appears.
27. The definition for Gross Floor Area shall be amended by adding the following at the end of the definition:  
"Where a wall is shared with excluded floor areas, the calculation should be measured to the exterior of such shared wall."

This By-law shall come into force upon the date of passage hereof and take effect on the day after the last day for filing appeals. Where objections to the By-law are received in accordance with the provisions of the *Planning Act*, R.S.O.1990, c.P 13, as amended, the By-law shall come into effect upon the approval of the Local Planning Appeal Tribunal.

READ A FIRST, SECOND and THIRD TIME, and finally passed this \_\_\_\_ day of \_\_\_\_\_, 2021

\_\_\_\_\_  
JANET HORNER, MAYOR

\_\_\_\_\_  
TRACEY ATKINSON, CLERK



## BUILDING SERVICES

Date: August 3, 2021

To: Tracey Atkinson, CAO / Planner  
Township of Mulmur

Re: Zoning file -Housekeeping By-law.  
Township of Mulmur, County of Dufferin.

This letter serves to confirm that I have commenced a preliminary review of the application to amend By-law 28-18 for the purposes of housekeeping and request for comment.

After review of the application/proposed By-law, the Building Division would like to note that we have no further concerns with this amendment.

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

Regards,

Doug Kopp CBCO  
Plans Examiner

## MEMO

**TO:** County of Dufferin

**FROM:** Matt Alexander, Project Manager, WSP  
Angela Zhao, Project Planner, WSP  
William Turman, Planner, WSP

**SUBJECT: Housekeeping Zoning By-law Amendment**  
**Mulmur, ON**

**DATE:** August 23<sup>th</sup>, 2021

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The following comments are provided in response to the Township of Mulmur's proposed amendment to Zoning By-law 28-18. We recommend that the County forward these comments to the Township for their consideration prior to adoption of the Zoning By-law Amendment in its role as a commenting agency.

The Township should ensure that the proposed amendment meets the requirements of the *Planning Act*, is consistent with the *Provincial Policy Statement, 2020* and conforms with the *Growth Plan for the Greater Golden Horseshoe*, Dufferin County Official Plan, and the Township of Mulmur Official Plan.

We have reviewed the proposed amendment in the context of the policies noted above, but our comments are focused on conformity with the Official Plan and general clarity and usability. Most of the proposed changes conform with the County OP and provincial legislation. However, there are several amendments that should be revised prior to approval.

We have provided our comments in a table format attached to this memo for the Township to review. We would be happy to discuss any of our comments with the Township in detail prior to adoption.

## Summary

The purpose of the proposed Amendment to the Zoning By-law 28-18 is to address the following matters:

1. Provide additional regulations and review the minimum lot size requirements for second dwellings, apartments in detached buildings, and to permit attached apartments in all dwellings that have a minimum lot size;

2. Provide direction regarding the application of Minimum Distance Separation to existing vacant lots;
3. Remove duplication regarding watercourses and pond provisions in relation to the conservation regulations;
4. Clarify gross, ground and total floor areas and apply consistent terminology throughout the By-law;
5. Clarify home occupation provisions related to catering versus take-out restaurants;
6. Clarify setbacks for pools and permitted encroachments;
7. Update references to legislation and municipal by-laws;
8. Add a definition for an Assembly Hall and Catering Business;
9. Require accessory apartments on commercial properties to be above or behind the commercial use;
10. Delete all provisions related to tax programs which are currently administered through a Provincial program;
11. Revise the definition for on-farm diversified uses and strengthen provisions related to scale and outdoor uses;
12. Update definitions for medicinal marijuana facilities, marijuana growing and sales and cannabis facilities; and
13. Update provisions regarding buildings and structures on vacant lands.

The documents received by WSP on July 29<sup>th</sup>, 2021 include:

- Notice of Public Meeting for a Proposed Housekeeping Zoning By-law Amendment; and
- Draft Housekeeping By-law

The circulation documents were reviewed against the Dufferin County Official Plan and other legislation or policy where warranted.

As attached to this memo, Table 1 includes comments and recommendations concerning the proposed zoning by-law amendments. Where applicable, we have identified the relevant section(s) of the Dufferin County Official Plan, and we have provided a rationale for the recommended change. Some of the comments provided are related to general clarity and usability.

Dufferin County is not the approval authority for the proposed amendment, therefore there will be no opportunity for the County to modify the amendment after it is adopted. The County may appeal to the Ontario Land Tribunal if, the adopted amendment is not consistent with the Provincial Policy Statement, 2020 or does not conform with the Dufferin County Official Plan or Growth Plan for the Greater Golden Horseshoe.

We recommend that the County provide the attached comments and respond to any follow-up questions from the Township.



**TABLE 1**

	<b>Proposed amendment</b>	<b>Conformity Issue/comments</b>
1	<p>Section 3.3 Dwelling Units, Additional Single Dwellings &amp; Attached Accessory Dwelling Units is amended by deleting section 3.3.2 and 3.3.3. and is replaced with the following:</p> <p><b>3.3.2 Additional Single Dwellings</b></p> <p>Where an additional single dwelling is permitted, such dwelling shall only be permitted where there is a site plan agreement between the owner and Township, and where such agreement includes buffering, servicing, separation distances and access.</p> <p>A guest cabin, second storey loft in any building or structure, or pool house having a floor area greater than 20 m<sup>2</sup>, or accessory structure other than a garage or workshop, shall be considered an additional single dwelling, regardless of whether bedroom, kitchen facilities or bathrooms have been installed, and regardless of whether it is attached to a non-residential use or within an accessory structure.</p> <p>Minimum separation distance between an existing dwelling and an Additional Single Detached Dwelling shall be 20 metres. An accessory dwelling unit in a detached structure constructed before January 1, 2021 shall not be required to meet the minimum separation between the main and additional dwelling unit.</p> <p>Where a lot has less than 8 ha of land, such additional single dwelling shall comply with the following additional provisions:</p> <p>i) Minimum lot size shall be 1.0 ha</p>	<p>Please clarify the intentions of the ‘Additional Single Dwelling’. Please note the following section of the County OP:</p> <p>4.2.2 One single residential dwelling is permitted per lot, subject to the policies of the local municipal official plan and zoning by-law. A secondary farm residence may be permitted when the size and nature of the operation requires additional employment and provided the secondary farm residence is on the same lot, is accessory to the main farm operation, is used for full time farm help, and servicing is adequate. A consent for land division for such a dwelling will not be permitted.</p> <p>Please confirm if the ‘additional single dwelling’ is intended as a farm residence as a second residential dwelling on a lot is not permitted by the County OP.</p> <p>If the ‘additional single dwelling’ is the use of a residential unit in a building or structure ancillary to a detached house as per sub-section 16 (3) of the <i>Planning Act</i>, please revise the language for clarity to avoid confusion. Recommend amending the definition and adopting language that aligns with the County OP and provincial legislation around dwelling units and secondary units. Particularly, the County OP defines ‘Dwelling unit’ as follows:</p> <p>Dwelling unit: means a room or suite of rooms designed and intended for use by one household in which full culinary and sanitary facilities are provided for the exclusive use of that household.</p> <p>As such, a building or structure cannot be considered a dwelling without full culinary and sanitary facilities.</p> <p>Please clarify this provision:</p>

<p>The gross floor area of the additional single dwelling shall be no more than 50% of the gross floor area of the principal single detached dwelling, and no more than 80 m<sup>2</sup>, and shall not exceed the lot coverage for all accessory structures in subsection 3.2.3. The maximum floor area of the detached structure (including the non-habitable area) shall be 120m<sup>2</sup></p> <p>ii) Such dwelling shall only be permitted where there is a site plan agreement between the owner and Township, and where such agreement includes buffering, servicing, separation distances and access.</p> <p>iii) Minimum lot frontage of 100 metres</p> <p><b>3.3.3 Attached Accessory Dwelling Unit</b></p> <p>Where an attached accessory dwelling unit is permitted, the follow provisions shall apply;</p> <p>i) Minimum lot size shall be in accordance with section 3.10.2.3, Existing Undersized Lots of Record.</p> <p>ii) Water and septic services shall be adequately sized to allow for the accessory dwelling unit</p> <p>iii) Accessory dwelling unit and main dwelling shall be attached either through a common ceiling/floor or wall having a minimum face area of 12 m<sup>2</sup>. A common breezeway or any other form of roof connection or hallway shall not be considered attached.</p> <p>iv) An attached accessory dwelling unit will not be permitted if there is already a second dwelling unit, unless the lot has a minimum area of 8 ha</p>	<p><i>iv) An attached accessory dwelling unit will not be permitted if there is already a second dwelling unit, unless the lot has a minimum area of 8 ha.</i></p> <p>Please confirm what the ‘second dwelling unit’ is referring to. Is it the additional dwelling unit as permitted in Section 3.3.2? Please consider reviewing the by-law to ensure consistent terminology is used for clarity.</p> <p>In addition, please consider updating language in the by-law to be consistent with the provincial legislation (including the Building Code). For example, as previously described, a dwelling must contain culinary and sanitary facilities, whereas the proposed amendment defines a dwelling regardless of whether it has culinary or sanitary facilities.</p> <p>Please consider revisions to other parts of the zoning by-law regarding secondary and dwelling units for clarity:</p> <ul style="list-style-type: none"> <li>- Update definition for additional single dwelling to reflect the suggested definition of Dwelling and specify that it is a secondary dwelling on the lot.</li> <li>- Update definition of Attached Accessory Dwelling Unit to reflect the suggested definition of Dwelling. Recommend specifying that it is accessory to a primary dwelling.</li> <li>- Change the language of 3.3.3(iv) for clarity as to what constitutes a second dwelling unit.</li> <li>- Delete clause 3.3.4(i) that requires a garden suite to be occupied by a relative. Section 35(2) of the <i>Planning Act</i> does not give the authority to pass by-laws that distinguish between persons who are related or unrelated.</li> </ul>
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2	<p>Section 3.5.1, Watercourses and Ponds is hereby deleted in its entirety.</p> <p>(All buildings or structures shall be located a minimum of 30 metres from the high water mark of any lake or pond of more than 0.2 ha in size or the channel of any permanently flowing river, stream or creek with a drainage area of greater than 125 ha and a minimum distance of 15 m from a pond of less than 0.2 ha in size or a watercourse with a drainage area of less than 125 ha)</p>	<p>The section to be deleted provides minimum setbacks from high water marks of rivers and lakes. According to the County policy 6.2.1, development should not be permitted in areas prone to flooding.</p> <p>It is recommended for the Township to consult with the conservation authority to ensure the proposed amendment is appropriate.</p>
3	<p>Section 3.7, Home Occupations is amended by adding the following to the end of subsection vii:</p> <p>A catering business shall be permitted but a take-out or restaurant shall not be permitted. Pick-up of frozen foods and bakery items is permitted.</p>	<p>No conformity issues. Recommend permitting catering as a home occupation subject to a zoning by-law amendment to ensure compliance with Ontario Food Premises Regulations. Also please consider adding a definition for catering business that emphasizes the need for a license under the regulations.</p>
4	<p>Section 3.8.4 On-Farm Diversified Uses is amended by adding the following additional bullet points:</p> <ul style="list-style-type: none"> <li>The business capacity shall no greater than the floor area that would result in the by-law requiring 10 parking spaces</li> </ul> <p>except as otherwise permitted as an agricultural use, all business use shall be conducted within a completely enclosed structure</p>	<p>Please clarify the intent of this provision. Is the intent to limit the size of the on-farm diversified use or to limit the size of the parking lot?</p> <p>If the intent is to limit the size of the on-farm diversified use, please consider limiting it through a more direct provisions i.e floor area of the use, seating capacity, etc.</p> <p>Limiting the use through parking space may have unintended consequences. If the intent is to limit the size of the parking lot, please consider limiting the maximum number of parking spaces, or the size of the parking area.</p> <p>Limiting uses within an enclosed structure may have unintended consequences for on-farm diversified uses such as agri-tourism and farmer's market.</p>

5	<p>Section 5, Definitions, is hereby amended by adding the following definitions in alphabetic order:</p> <p>Assembly Hall</p> <p>Means: a large room or building where people can congregate, hold meetings or events, but shall not include a Place of Worship</p> <p>Catering Business</p> <p>Means: a business that prepares food and/or beverage and does not include any on-site consumption of food and beverages.</p> <p>PARTY BARN:</p> <p>Means a multi-use structures that can host large events like weddings and live shows or serve as a casual backyard hangout and that can accommodate greater than 20 persons.</p>	<p>Please consider adding a statement to the definition for Catering Business that indicates it must be licensed.</p> <p>Please consider clarifying the language for ‘Party Barn’. Current definition is open ended and can be interpreted to include a variety of uses. Consider an expansion to the definition of Assembly Hall to incorporate elements of the Party Barn that are appropriate.</p> <p>Note: Assembly Hall and Party Barn may conflict with the definition of On-Farm Diversified Use and the Land Use Guidelines for Permitted Uses in Prime Agricultural Lands.</p>
6	<p>The definition for Agricultural Use in section 5 shall be amended by adding “including the growing of cannabis and hemp” after “biomass”.</p>	<p>Consider specifying if the cannabis is grown outdoors or in greenhouses, since cannabis is often grown indoors.</p>
7	<p>The definition for Marijuana Facility in section 5 shall be deleted and replaced with the following:</p> <p>CANNABIS FACILITY</p> <p>The growing of marijuana (cannabis) for medical purposes for and as specifically authorized by the Government of Canada. A marijuana facility may also include a non-medical facility, facility with a cannabis retail license and/or a facility for the growing and related retail sales of marijuana or cannabis. A cannabis facility shall not be a stand-alone retail business (that is typically licensed by the AGCO).</p>	<p>No conformity issues.</p> <p>Suggest rewording the definition for clarity. Definition currently includes cannabis grown for medical purposes but may also include a non-medical facility. Could reword to:</p> <p>The growing of marijuana (cannabis) as authorized by the Government of Canada. A marijuana facility may also include accessory cannabis retail as licensed by the AGCO.</p>

8	<p>The definition for On-Farm Diversified in section is deleted and replaced with the following:</p> <p><b>ON-FARM DIVERSIFIED USES:</b></p> <p>means uses that are secondary to the principal agricultural use of the property, and are limited in areas include, but are not limited to, home occupations, home industries, agri-tourism uses, distilleries, cideries, veterinary clinics, garden centres and uses that produce value-added agricultural products, as well as other uses which may or may not be defined within this by-law but that are operated entirely within an enclosed structure. A Party Barn or any other event facility will only be considered through a site-specific amendment to this by-law.</p>	<p>Please consider removing language regarding party barn from on-farm diversified use. On-farm diversified use is defined in the Guideline on Permitted Uses in Ontario's Prime Agricultural Areas as being <i>related to agriculture, supportive of agriculture or able to co-exist with agriculture without conflict</i>. The guideline specifically notes the following uses would not be a on-farm diversified use:</p> <ul style="list-style-type: none"> <li>• uses with high water and sewage needs and/or that generate significant traffic, such as large food processors, distribution centres, full-scale restaurants, banquet halls</li> <li>• large-scale recurring events with permanent structures</li> </ul> <p>Suggest removing the section or clarify the definition of a 'party barn' to be appropriate as an on-farm diversified use.</p>
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Staff had a telephone discussion with the County of Dufferin on August 24, 2021. Minor amendments have been reflected in the Draft Housekeeping By-law to address all concerns raised in this report.

June 25/21

Dear Sir/Madam.

I am writing this letter regarding an incident to a Grass Fire back in April. my husband and kids were outside in the mid Evening they had wanted to put a pool. my husband hte a small Fire for the area where they had wanted to put the pool to burnt the Grass, the little daughter ask him to put the out and take the weed wacker and clean the Grass. he then come over to the house and takes the watering can and pour the water around the Fire, thinking that the Fire would go out; the Fire was in a small area at the time. and he left and return over to the other side of the property attending to the chickens. Shortly after my daughter return back at the front. and say the fire and ask him if he did not put the Fire out, then is when told her what he had done. at this time the fire had spread faster in the Grass we all come with hose/bucket and tried to put the Fire out we get most of the Fire put out. and it stop at the Swamp then I ask my older daughter to call for help. because if the Fire should spread more its not good. the person that my daughter was giving the statement to was concern/mention to her that we were burning things that we were not to burn. which was true. there were two mattress spring that I brought from a friend apartment I did not know that they had bed bug when we take her in while moving her things I take the mattress in the open spot with her other clothes and we burnt it when my daughter come home she let me know that not to do that again, those springs was lying there from the mattress over 2 yrs ago they were all started to burn in the dust those was not recent burnt. I am asking to please forgive us because I knew if my husband had knew that fire would not of go out he would not knowingly walk away and leave it unattended. even though I <sup>am</sup> not the one like the Fire I ~~to~~ take full Responsibility for my husband action. thank you please forgive us please.

Jack ~~1993~~ Family





## **STAFF REPORT**

**TO:** Council  
**FROM:** Roseann Knechtel, Deputy Clerk  
**MEETING DATE:** September 1, 2021  
**SUBJECT:** Fire Call Billing

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### **PURPOSE:**

The purpose of this report is to provide background information to a fire call attended by the Mulmur-Melancthon Fire Department on April 4, 2021.

### **BACKGROUND:**

At 14:53 on April 4, 2021 the Mulmur-Melancthon Fire Department received a 911 call for a 40-50 acre grass fire at 598588 2<sup>nd</sup> Line West.

Firefighters arrived on scene at 15:00. The fire was attended by 15 personnel from the Mulmur-Melancthon Fire Department. A total time of 3 hrs 36 mins was spent extinguishing the fire, with a grand total of 54 (Mulmur-Melancthon) staff hours being utilized.

Mutual aid was required from the following departments:

- Shelburne & District Fire Department (pumper, tanker, fire fighters and Chief Officer)
- Clearview Fire Department (tanker, fire fighters, Chief Officer)
- Adjala/Tosorontio Fire Department: Everett (tanker, Chief Officer)

Deputy Fire Chief Waterfield (now Chief) spoke with the homeowner who stated a pile of garbage was being burned, when they returned into the home. Shortly after they noted the grass fire and notified 911. Homeowner was advised of the contravention of the Bylaw by burning garbage and leaving it unattended. The homeowner was advised that a possible fine/charge could be levied.

Photographs of the fire damage can be found as Schedule A.

### **ANALYSIS:**

The invoice for the fire is broken down as follows:

Squad 44 - 3.5hrs @ \$665/hr

Pumper 41 - 3.5hrs @ \$665/hr  
Tanker 43 - 3.5hrs @ \$665/hr  
Rescue 42 - 3.5hrs @ \$665/hr  
**GRAND TOTAL: \$9,310.00**

By-law #18-14 regulates the setting of open-air fires and prevents the spreading of fires in the Township (Schedule B). By-law #18-14 states:

9. Should the Fire Chief(s) or his/her designate find that a fire has been started/set and does not conform to the provisions of this by-law and/or could pose a safety hazard or concern, the Treasurer of the Township of Mulmur shall be notified in writing and the Township of Mulmur shall invoice the property owner for the cost of any firefighting equipment, personnel and/or clean-up costs required as designated in the Fire Department Tariff of Fees.

### **STRATEGIC PLAN ALIGNMENT:**

1. Growing a Prosperous Mulmur: Responsibly managing the fiscal resources of Mulmur and providing opportunities for success.

### **FINANCIAL IMPACTS:**

The property owner has the ability to claim/recover the costs associated with the grass fire (minus any deductible) through personal insurance.

The charges invoiced are in accordance with the Township's cost recovery fees & charges. Fire calls are only billed back to property owners when the Fire Chief(s) finds that a fire was started/set contrary to regulations set out in By-law #18-14, as noted above in section 9 of the By-law.

If Council were to waive the costs associated with responding to this fire call, the costs would be recovered through general tax levies and show as an operational expense to the Mulmur-Melancthon Fire Department.

### **RECOMMENDATION:**

THAT Council upholds the charges associated with the grass fire located at 598588 2<sup>nd</sup> Line West in accordance with By-law #18-14;

AND THAT Council allow the Township Treasurer to coordinate a payment plan if necessary.

Respectfully submitted,

*Roseann Knechtel*

Roseann Knechtel, Deputy Clerk























**SCHEDULE A**













SCHEDULE A









**CORPORATION OF THE TOWNSHIP OF MULMUR  
BY-LAW NO. 18-14**

**BEING A BY-LAW TO REGULATE THE SETTING OF OPEN AIR FIRES AND  
TO PREVENT THE SPREADING OF FIRES IN THE TOWNSHIP OF MULMUR**

**WHEREAS** the Ontario Fire Code, Ontario Regulation 213/07, 2.6.3.4 (1) provides that open air burning shall not be permitted unless approved, or unless such burning consists of a small, confined fire, supervised at all times, and used to cook food on a grill or a barbeque;

**AND WHEREAS** the *Fire Prevention and Protection Act*, 1997, S.O. 1997, c.4, as amended, that a Council of a municipality may pass by-laws regulating fire prevention, including the prevention of spreading of fires and regulating the setting of open air fires, including establishing the times during which open air fires may be set;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE  
TOWNSHIP OF MULMUR HEREBY ENACTS AS FOLLOWS:**

1. Every person setting, permitting to be set, maintaining, or permitting to be maintained, an open air burn authorized under any section of this by-law shall comply with all the conditions set out herein.
2. Every person shall have read and understand the provisions of this By-law and if the person setting the fire is not the owner of the land, the owner shall ensure that the person setting the fire or is responsible for the fire has read and understands the provisions of this By-law.
3. Every person shall comply with the following regulations:
  - A. The fire must be under constant supervision, have an extinguishing agent on hand and be under control from the time of lighting until it is totally extinguished;
  - B. The fire must be located no closer than 15 metres, (50 feet), from any building, structure, hedge, fence, road or overhead wire or obstruction of any kind;
  - C. There must be a space free and clear of combustible material around the perimeter of such fire of at least 4.5 metres, (15 Feet);
  - D. A fire shall not be burned during periods of dry conditions or drought or when a prohibition has been declared pursuant to Section 11 of this by-law;
  - E. A fire shall not be burned when the wind velocity exceeds 16 k.p.h. (10 m.p.h.);
  - F. The dimension of a fire shall not exceed 3 metres, (10 feet), in diameter or 2 metres, (6 feet), in height for rural properties;



- G. The dimension of a fire shall not exceed 1 metre, (3 feet), in diameter or 2 metres, (6 feet), in height for urban properties;
  - H. Fires shall be set only during daylight hours;
  - I. The burning of tires, materials such as paint, asphalt material, chemical wastes or any other materials considered to create excessive smoke or any materials that the Ministry of the Environment states can not be burned is prohibited;
  - J. All persons setting open fires shall be totally responsible and liable for any damage to property occasioned by the said fire, and
  - K. All persons setting open fires may be liable for the cost of any fire fighting equipment and personnel necessary and called in to extinguish the said fire, if conditions of this by-law are not complied with.
4. Small, confined fires and contained camp fires used for cooking are permitted but must comply with the following regulations:
    1. Such fires shall be located no closer than 6 metres, (20 feet), from any building, structure, hedge, fence, road or overhead wire or obstruction of any kind;
    2. Such fires shall not exceed 1 metre, (3 feet), in diameter or 1 metre, (3 feet), in height and be contained;
    3. Sections 3 (b), (f), (g) (h) shall not apply to fires burned pursuant to this section; and
    4. All other sections/subsections of this by-law shall apply
  5. This By-Law shall not apply to portable barbecue appliances.
  6. In the event any person proposes to start or set a fire which is larger than the maximum size provided in Section 3 or 4, such person shall contact the Fire Chief, or his/her designate, to request a site inspection. If the Fire Chief or his/her designate deems it necessary to conduct an on site inspection, a fee according to the Fire Department Tariff of Fees By-law shall apply. The Fire Chief or his/her designate may or may not authorize the fire to be ignited, subject to such conditions as the Fire Chief or his/her designate may impose, issued in writing. The person requesting permission for this authorization shall comply with all provisions of this by-law.
  7. Any fire authorized under this By-Law must not in any way cause discomfort, danger, irritation or create a nuisance for other residents of the Township of Mulmur and must comply with all relevant provisions of the *Environmental Protection Act*, R.S.O. 1990, Chapter E. 19.
  8. The Fire Chief(s) or his/her designate is authorized to order any person to extinguish any fire or to cause such fire to be extinguished when there is a breach of any of the provisions of this By-Law or where, in his/her opinion, there is a

danger of such fire spreading or otherwise endangering life or property and the person shall comply with any such order.

9. Should the Fire Chief(s) or his/her designate find that a fire has been started/set and does not conform to the provisions of this by-law and/or could pose a safety hazard or concern, the Treasurer of the Township of Mulmur shall be notified in writing and the Township of Mulmur shall invoice the property owner for the cost of any firefighting equipment, personnel and/or clean-up costs required as designated in the Fire Department Tariff of Fees.
10. Should the fees as stated in Section 9, not be paid within 30 days, the Treasurer may place these costs on the property, to be collected in the same manner as taxes.
11. The Fire Chief(s) or his/her designate may declare a total prohibition against outdoor burning when in his/her opinion atmospheric conditions or local circumstances make such fires hazardous and every person shall comply with such prohibition.
12. The Fire Chief(s) or his/her designate appointed by the Township of Mulmur are hereby authorized to enforce the provisions of this By-Law.
13. Should any section, paragraph, clause or provision of the By-law be held by a court or competent jurisdiction to be invalid, the same shall not affect the validity of the remainder of the By-law.
14. Mulmur Township By-Law No. 10-2004 is hereby repealed.
15. This By-Law shall take effect and come into force on the passing thereof.

Read a FIRST and SECOND time this 2 day of July, 2014.

Read a THIRD time and finally passed this 2 day of July, 2014.

  
.....  
MAYOR

  
.....  
CLERK.



## **STAFF REPORT**

**TO:** COUNCIL  
**FROM:** Heather Boston, Treasurer  
**DATE:** September 1, 2021  
**SUBJECT:** Community Grant Applications

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### **PURPOSE**

The purpose of this report is to provide Council with the 2021 community grant late applications for consideration.

### **BACKGROUND & DISCUSSION**

Following is a list summarizing the applications attached and the amounts requested. Mulmur's budget for 2021 is \$3,000. Council has given out \$1,085 of these funds already and there is \$1,915 remaining in the budget.

<b>Applicants</b>	<b>Amounts Requested</b>
Dufferin County Black Association	\$ 500.00
Headwaters Food and Farming Alliance	\$ 250.00
Superburger (Primrose Projects Inc.)	\$ 500.00
<b>Total Amount Requested</b>	<b>\$ 1,250.00</b>

As the amounts requested are within the approved Township 2021 budget it is recommended that all grants are approved as submitted.

### **STRATEGIC PLAN ALIGNMENT**

1. Growing a Prosperous Mulmur
2. Growing a Connected Mulmur
3. Growing a Supportive Mulmur
4. Growing a Sustainable Mulmur

### **FINANCIAL IMPACT**

The total amount requested is \$1,250 and the remaining budget amount is \$1,915, therefore the financial impact on the Township has already been considered through the approval of the budget.

### **RECOMMENDATION**

THAT Council receive and approve the following grant applications: Dufferin County Black Association \$500; Headwaters Food and Farming Alliance \$250; and Superburger \$500.

Respectfully submitted:

*Heather Boston*

Heather Boston, CPA, CA, CGA, BComm  
Treasurer



## Community Grant Application Form

Name of Organization: \_\_\_\_\_

Address: \_\_\_\_\_

Amount Requested: \_\_\_\_\_ (max \$500)

1. What type of organization are you?

☐ Charitable organizations and foundations registered as a charity with the Canada

Revenue Agency

☐ Organizations incorporated as not-for-profits

☐ Volunteer, sports and community clubs/groups providing services in the Township

of Mulmur

☐ Schools

☐ Individual, one-time special request

2. Describe the project and specify what expense the funds will be used to offset. Please attach a budget for the project.

3. How does your project align with the Townships Strategic Plan?

4. Do you provide service to Mulmur residents?

☐ Yes

☐ No





5. How does your project benefit the community of Mulmur?

6. What is the total cost of the project? \_\_\_\_\_

**Community Grant Application Form**

Name of Organization: Headwaters Food and Farming Alliance

Address: 246372 Hockley Rd. Mono L9W6K4

Amount Requested: \$250 (max \$500)

**1. What type of organization are you?**

☐ Charitable organizations and foundations registered as a charity with the Canada

Revenue Agency

☒ Organizations incorporated as not-for-profits

☐ Volunteer, sports and community clubs/groups providing services in the Township

of Mulmur

☐ Schools

☐ Individual, one-time special request

**2. Describe the project and specify what expense the funds will be used to offset. Please attach a budget for the project.**

The project is Headwaters Farm Fresh local food map. The map connects consumers with farmers. It includes farms in Dufferin, Caledon and Erin that produce food for the public to purchase —either on farm, through Farmers Markets and now because of Covid, purchasing on line and contactless pick up on farm. The map is now available in the centre of the summer edition of In the Hills magazine which goes to 45,000 households. Each year we run an over printing of several thousand copies which are distributed to various locations in our region. We use the funds raised to help pay for the over run--an integral part of our distribution.

**3. How does your project align with the Townships Strategic Plan?**

The map helps to connect people in the community. Besides connecting consumers to their farmers, it connects farmers with other farmers to grow their offerings and the economic development of their community. It provides people with a healthy choice of food shopping. By buying direct from their farmers, it is putting money into the farmer's pocket, which then gets spent in their own community. The farmers' market brings people together as well as provides a stop for tourists visiting our region (when they can again).

**4. Do you provide service to Mulmur residents?**

☒ Yes



5. How does your project benefit the community of Mulmur?

The map is often the "bible" of where to find fresh, local, nutritious food. Mulmur residents seek out local food knowing it is the healthiest choice for them and their families. They enjoy knowing where their food is coming from, building a relationship with their farmers and supporting them financially. They know that many of the farmers are also donating food to their local food banks. By supporting the farmers/producers, they are supporting their community economically.

6. What is the total cost of the project? \$6000.00

**BUDGET**  
**Superburger**  
**Township of Mulmur Flag Project**

**EXPENSES**

Flag Production (Kennedy's Flags, Erin) 12' x 24' Digital Print on 70D nylon	1830.25
Flag Design	250*
Total Cost	2080.25

\*Allowance for a designer, if the Township can't provide us with the layout/design

**REVENUES**

Township of Mulmur Community Grant	500
Superburger/Primrose Projects	1580.25
Total Revenues	2080.25



## **STAFF REPORT**

**TO:** Council  
**FROM:** Roseann Knechtel, Deputy Clerk  
**MEETING DATE:** September 1, 2021  
**SUBJECT:** Mansfield Community Park Committee

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### **PURPOSE:**

The purpose of this report is to recommend establishing the Mansfield Community Park Committee as an Advisory Committee of Council.

### **BACKGROUND:**

The Township of Mulmur recently completed a recreational efficiency study that highlighted Mansfield as one of the primary hubs for recreation, focusing facility development and programming in this area. Recommended actions identified in the Recreational Efficiency Study included but were not limited to the maintenance and upgrades to the Mansfield Baseball Diamond, playgrounds, basketball court and other recreational amenities.

Council's Strategic Plan identifies the need to promote and facilitate recreational opportunities and services for youth and the local community. The Strategic Plan also aims to encourage community conversations, to better understand the needs of residents in the hamlets and to encourage resident involvement in decision making through participation in committees (Supportive, Goal 2 & 3).

### **ANALYSIS:**

The current Mansfield Community Parks Board is not a Committee of Council and therefore leaves a disconnect between staff and the residents/user groups of the facilities.

Establishing the Board as a Committee of Council will ensure lines of communication between residents, user groups and staff are open and transparent. It will allow the community to come together to request and identify areas for upgrade/improvement and recognize areas of opportunity to better meet the needs of the community.

A recommended mandate and terms of reference can be found as Schedule A.

### **STRATEGIC PLAN ALIGNMENT:**

3. Growing a Supportive Mulmur: Providing local services to support the needs of Mulmur residents and businesses.

**FINANCIAL IMPACTS:**

Costs of having an additional committee include Councilor per-diem and staff time for secretarial duties.

**RECOMMENDATION:**

THAT Council receive the report titled Mansfield Community Park Committee;

AND THAT Council approve the establishment of the Mansfield Community Park Advisory Committee;

AND THAT Council honour the current appointments of Paul Greer, Zolton Potovszky, Emerson Pendleton, Mandy Little and Earl Hawkins as Council representative;

AND FURTHER THAT the Mansfield Community Park Advisory Committee mandate and terms of reference be approved in accordance with the report of Roseann Knechtel, Deputy Clerk for immediate implementation.

Respectfully submitted,

*Roseann Knechtel*

Roseann Knechtel, Deputy Clerk



Mansfield Park Advisory Committee  
TERMS OF REFERENCE

**1. PURPOSE**

The Mansfield Park Advisory Committee ("MPAC") is an advisory committee of Council with a purpose to recommend actions and initiatives to assist in achieving the goals of Council's Strategic Plan to help increase recreational opportunities for local residents.

**2. MANDATE**

The Mandate of the Township MPAC is to:

- 1. Pursue new opportunities identified in the Recreation Efficiency Study**  
(Connected, G2, A3)
- 2. Make recommendations to Council and staff in regard to user fees, future maintenance and park improvements.** (Transfer Agreement 2009/10)

**3. ACCOUNTABILITY**

Report to Council annually on progress and achievements. Council may request update reports at any time on specific projects or initiatives.

**4. REMUNERATION**

No compensation shall be provided to members of the MPAC for their participation.

**5. MEMBERS/VOTING**

Committee structure to be comprised of five (5) members who are appointed by Council, each of which have voting rights. Membership will include:

- One (1) Mansfield Minor Ball Representative
- One (1) Mansfield Cubs Senior Ball Representative
- One (1) Council Representative
- Two (2) Community Representatives, with at least one being from the Mansfield Area

Openings for the membership shall be publicly advertised as appointment opportunities arise or upon a new term of Council.

## **6. MEETING DETAILS, AGENDA, MINUTES & PROCEDURE**

- a) The MPAC will meet a minimum of four (4) and a maximum of six (6) times a year.
- b) The Recording Secretary shall send out meeting invites to all MPAC members and post notice of the meeting to the Township website.
- c) Agenda items shall be set by the Committee Chair, in consultation with and under approval of the Recording Secretary.
- d) Members who wish to include an item on the Agenda shall contact the Recording Secretary for consideration.
- e) All meetings shall be conducted in accordance with the Township of Mulmur Procedural By-law.





## **STAFF REPORT**

**TO:** Council  
**FROM:** Roseann Knechtel, Deputy Clerk  
**MEETING DATE:** September 1, 2021  
**SUBJECT:** Calls to Action: Truth and Reconciliation Report

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### **PURPOSE:**

The purpose of this report is to advise Council of the Calls to Action that pertain to municipal government and actions that can be taken to accomplish those calls.

### **BACKGROUND:**

The Truth and Reconciliation Commission released 94 Calls to Action in June 2015, urging all levels of government to work together to change policies and programs in a concerted effort to repair the harm caused by residential schools and move forward with reconciliation. To date, the majority of actions have not been accomplished. As remains continue to be discovered at former residential school sites, there is a renewed need for the Calls to Action to be addressed. There are 13 actions that call upon municipal government for completion.

A copy of the TRC's Calls to Action can be found as Schedule A.

### **ANALYSIS:**

**Action #3: We call upon all levels of government to fully implement Jordan's Principle.**

**WHAT IS IT?** Jordan's Principle is named in honour of Jordan River Anderson, a First Nations boy from Norway House Cree Nation in northern Manitoba, who spent his entire life in hospital caught in a jurisdictional dispute between the governments of Canada and Manitoba, which both refused to pay for the in-home medical care necessary for Jordan to live in his home and community.

Jordan's Principle is a legal requirement resulting from the Orders of the Canadian Human Rights Tribunal (CHRT). Jordan's Principle states that any public service ordinarily available to all other children must be made available to First Nations children without delay or denial. Any government-provided service available to all other children, is included in Jordan's Principle coverage. Examples of the services covered by Jordan's Principle include, but are not limited to:

- Health: Mobility aids, Wheelchair ramps, Services from Elders, Assessments and screenings, Medical supplies and equipment, Mental health services

- Social: Social worker, Land-based activities, Respite care (individual or group), Specialized programs based on cultural beliefs and practices, Personal support worker
- Education: School supplies, Tutoring services, Teaching assistants, Psycho-educational assessments, Assistive technology and electronics

**RECOMMENDED ACTION:** THAT Council address the Truth and Reconciliation Commission's Call to Action #3 as cases arise that relate to a service offered by the municipality.

**Action #17: We call upon all levels of government to enable residential school Survivors and their families to reclaim names changed by the residential school system by waiving administrative costs for a period of five years for the name-change process and the revision of official identity documents, such as birth certificates, passports, driver's licenses, health cards, status cards, and social insurance numbers.**

**Recommended Action:** THAT Council permanently waives all administrative fees related to name changes and revision of official documents for residential school survivors, including but not limited to for commissioning, photocopies, facsimile etc.

**Action #23: We call upon all levels of government to:**

- Increase the number of Aboriginal professionals working in the health-care field.**
- Ensure the retention of Aboriginal health-care providers in Aboriginal communities.**
- Provide cultural competency training for all healthcare professionals.**

**Recommended Action:** THAT Council of the Township of Mulmur calls for the Ontario Government to take action on the Truth and Reconciliation Commission's Call to Action #23 to increase the number of Aboriginal professionals working in the healthcare field, ensure retention of Aboriginal healthcare providers in Aboriginal communities, and provide cultural competency training for all healthcare professionals;

AND THAT this motion be forwarded to the Premier of Ontario, Ministry of Health and Long-Term Care, Central West Local Health Integration Network, Dufferin Caledon MPP Sylvia Jones, Dufferin County, and all Ontario municipalities.

**Action #40: We call on all levels of government, in collaboration with Aboriginal people, to create adequately funded and accessible Aboriginal-specific victim programs and services with appropriate evaluation mechanisms.**

**Recommended Action:** THAT Council of the Township of Mulmur calls for the Ontario Government to take action on the Truth and Reconciliation Commission's Call to Action #40 to create adequately funded and accessible Aboriginal-specific victim programs and services with appropriate evaluation mechanisms;

AND THAT this motion be forwarded to the Premier of Ontario, Ministry of the Attorney General, Dufferin Caledon MPP Sylvia Jones, Dufferin County, and all Ontario municipalities.

**Action #43: We call upon federal, provincial, territorial, and municipal governments to fully adopt and implement the *United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)* as the framework for reconciliation.**

**WHAT IS IT?** UNDRIP is a legally non-binding resolution passed by the United Nations in 2007. It defines individual and collective rights, protection of intellectual and cultural property, prohibits discrimination and promotes participation in matters that concern the right to remain distinct. The goal of the declaration is to encourage governments to work alongside indigenous peoples to solve issues such as development, multicultural democracy and decentralization.

In 2020 the Federal Government passed Bill C-15, The United Nations Declaration on the Rights of Indigenous Peoples Act to establish a legal framework and timeline to bring Canadian law into alignment with UNDRIP. Bill C-15 only imposes obligations on the federal government, and at present British Columbia is the only province to pass legislation to implement UNDRIP provincially. The Province of Ontario introduced UNDRIP Bill 76 in 2019. It has since been stalled at the Standing Committee of General Government following the Second Reading, with the Premier taking no action since March 2019.

**Recommended Action:** THAT Council of the Township of Mulmur calls for the Ontario Government to take action on the Truth and Reconciliation Commission's Call to Action #43 and move forward with passing Bill 76, the United Nations Declaration on the Rights of Indigenous People Act;

AND THAT this motion be forwarded to the Premier of Ontario, Ministry of Indigenous Affairs, Dufferin Caledon MPP Sylvia Jones, Dufferin County, and all Ontario municipalities.

**Action #47: We call upon federal, provincial, territorial, and municipal governments to repudiate concepts used to justify European sovereignty over Indigenous peoples and lands, such as the Doctrine of Discovery and *terra nullius*, and to reform those laws, government policies, and litigation strategies that continue to rely on such concepts.**

**WHAT IS IT?** The Doctrine of Discovery provided a framework for Christian explorers, in the name of their sovereign, to lay claim to vacant lands (*terra nullius*) uninhabited by Christians. If the lands were vacant, they could then be defined as "discovered" and sovereignty claimed.

**Recommended Action:** THAT the Council direct staff to initiate discussions with the Metis Nation of Ontario to develop a protocol for consultation on proposed or pending, acquisitions or dispositions of land.

**Action #55: We call upon all levels of government to provide annual reports or any current data requested by the National Council for Reconciliation so that it can report on the progress towards reconciliation. The reports or data would include, but not be limited to:**

- i. The number of Aboriginal children—including Métis and Inuit children—in care, compared with non-Aboriginal children, the reasons for apprehension, and the total spending on preventive and care services by child-welfare agencies.
- ii. Comparative funding for the education of First Nations children on and off reserves.
- iii. The educational and income attainments of Aboriginal peoples in Canada compared with non-Aboriginal people.
- iv. Progress on closing the gaps between Aboriginal and non-Aboriginal communities in a number of health indicators such as: infant mortality, maternal health, suicide, mental health, addictions, life expectancy, birth rates, infant and child health issues, chronic diseases, illness and injury incidence, and the availability of appropriate health services.
- v. Progress on eliminating the overrepresentation of Aboriginal children in youth custody over the next decade.
- vi. Progress on reducing the rate of criminal victimization of Aboriginal people, including
- vii. data related to homicide and family violence victimization and other crimes.
- viii. Progress on reducing the overrepresentation of Aboriginal people in the justice and correctional systems.

**Recommended Action:** THAT Council of the Township of Mulmur calls for the Ontario Government to take action on the Truth and Reconciliation Commission's Call to Action #55 to provide annual reports or any current data requested by the National Council for Reconciliation including but not limited to data on child-welfare, comparative funding for education, educational and income attainments, health indicators, children in youth custody, criminal victimization, homicide and family violence, and overrepresentation in the justice and correctional systems;

AND THAT this motion be forwarded to the Premier of Ontario, Ministry of Children, Community and Social Services, Ministry of the Solicitor General, Ministry of Health and Long-Term Care, Ministry of Education, Dufferin Caledon MPP Sylvia Jones, Dufferin County, and all Ontario municipalities.

**Action #57: We call upon federal, provincial, territorial, and municipal governments to provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the *United Nations Declaration on the Rights of Indigenous Peoples*, Treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.**

**Recommended Action:** THAT Council provide skill-based training and/or information sessions including but not limited to intercultural competency, conflict resolution, human rights and anti-racism in the month of June each year for all elected officials and staff at the Township of Mulmur in recognition of National Indigenous History Month.

**Action #64: We call upon all levels of government that provide public funds to denominational schools to require such schools to provide an education on comparative religious studies, which must include a segment on Aboriginal spiritual beliefs and practices developed in collaboration with Aboriginal Elders.**

**Recommended Action:** THAT Council of the Township of Mulmur calls for the Ontario Government to take action on the Truth and Reconciliation Commission's Call to Action #64 to provide an education on comparative religious studies, which includes a segment on Aboriginal spiritual beliefs and practices developed in collaboration with Aboriginal Elders;

AND THAT this motion be forwarded to the Premier of Ontario, Ministry of Education, Dufferin Caledon MPP Sylvia Jones, Dufferin County, and all Ontario municipalities.

**Action #75: We call upon the federal government to work with provincial, territorial, and municipal governments, churches, Aboriginal communities, former residential school students, and current landowners to develop and implement strategies and procedures for the ongoing identification, documentation, maintenance, commemoration, and protection of residential school cemeteries or other sites at which residential school children were buried. This is to include the provision of appropriate memorial ceremonies and commemorative markers to honour the deceased children.**

**Recommended Action:** No action to be taken by Mulmur Township.

**Action #77: We call upon provincial, territorial, municipal, and community archives to work collaboratively with the National Centre for Truth and Reconciliation to identify and collect copies of all records relevant to the history and legacy of the residential school system, and to provide these to the National Centre for Truth and Reconciliation.**

**Recommended Action:** THAT Council of the Township of Mulmur calls upon the County of Dufferin and the Museum of Dufferin to initiate discussions with the National Centre for

Truth and Reconciliation to identify and provide copies of all relevant and requested archival records relating to the Truth and Reconciliation Commission's Call to Action #77.

**Action #87: We call upon all levels of government, in collaboration with Aboriginal peoples, sports halls of fame, and other relevant organizations, to provide public education that tells the national story of Aboriginal athletes in history.**

**Recommended Action:** THAT Council direct staff, in consultation with the Museum of Dufferin, Indigenous Sport & Wellness Ontario, and/or other applicable agencies, to aim to feature a story, athlete and/or sport in the monthly June newsletter each year.

**Action #88: We call upon all levels of government to take action to ensure long-term Aboriginal athlete development and growth, and continued support for the North American Indigenous Games, including funding to host the games and for provincial and territorial team preparation and travel.**

**Recommended Action:** THAT Council direct staff to amend the Community Grant Policy to include a section to support Aboriginal athletic development/growth and support for the North American Indigenous Games.

#### **STRATEGIC PLAN ALIGNMENT:**

2. Growing a Connected Mulmur: Communication with and social connectivity within the Mulmur community.
3. Growing a Supportive Mulmur: Providing local services to support the needs of Mulmur residents and businesses.

#### **FINANCIAL IMPACTS:**

The loss of potential administrative revenue related to name changes and revision of official documents for residential school survivors; and minor costs associated with annual training for staff and elected officials.

#### **RECOMMENDATION:**

WHEREAS the Truth and Reconciliation Commission released 94 Calls to Action to redress the legacy of residential school and advance the process of reconciliation;

AND WHEREAS the Council of the Township of Mulmur has reviewed the Calls to Action directed at municipal government;

NOW THEREFORE Council approve the following recommended actions:

THAT Council address the Truth and Reconciliation Commission's Call to Action #3 as cases arise that relate to a service offered by the municipality;

AND THAT Council permanently waives all administrative fees related to name changes and revision of official documents for residential school survivors, including but not limited to commissioning, photocopies, facsimile etc;

AND THAT Council of the Township of Mulmur calls for the Ontario Government to take action on the Truth and Reconciliation Commission's Call to Action #23 to increase the number of Aboriginal professionals working in the healthcare field, ensure retention of Aboriginal healthcare providers in Aboriginal communities, and provide cultural competency training for all healthcare professionals;

AND THAT Council of the Township of Mulmur calls for the Ontario Government to take action on the Truth and Reconciliation Commission's Call to Action #40 to create adequately funded and accessible Aboriginal-specific victim programs and services with appropriate evaluation mechanisms;

AND THAT Council of the Township of Mulmur calls for the Ontario Government to take action on the Truth and Reconciliation Commission's Call to Action #43 and move forward with passing Bill 76, the United Nations Declaration on the Rights of Indigenous People Act;

AND THAT the Council direct staff to initiate discussions with the Metis Nation of Ontario to develop a protocol for consultation on proposed or pending, acquisitions or dispositions of land;

AND THAT Council of the Township of Mulmur calls for the Ontario Government to take action on the Truth and Reconciliation Commission's Call to Action #55 to provide annual reports or any current data requested by the National Council for Reconciliation including but not limited to data on child-welfare, comparative funding for education, educational and income attainments, health indicators, children in youth custody, criminal victimization, homicide and family violence, and overrepresentation in the justice and correctional systems;

AND THAT Council provide skill-based training and/or information sessions including but not limited to intercultural competency, conflict resolution, human rights and anti-racism in the month of June each year for all elected officials and staff at the Township of Mulmur in recognition of National Indigenous History Month;

AND THAT Council of the Township of Mulmur calls for the Ontario Government to take action on the Truth and Reconciliation Commission's Call to Action #64 to provide an education on comparative religious studies, which includes a segment on Aboriginal spiritual beliefs and practices developed in collaboration with Aboriginal Elders;

AND THAT Council of the Township of Mulmur calls upon the County of Dufferin and the Museum of Dufferin to initiate discussions with the National Centre for Truth and Reconciliation to identify and provide copies of all relevant and requested archival records relating to the Truth and Reconciliation Commission's Call to Action #77;

AND THAT Council direct staff, in consultation with the Museum of Dufferin, Indigenous Sport & Wellness Ontario, and/or other applicable agencies, to aim to feature a story, athlete and/or sport in the monthly June newsletter each year.

AND THAT Council direct staff to amend the Community Grant Policy to include a section to support Aboriginal athletic development/growth and support for the North American Indigenous Games.

AND FURTHER THAT this motion be forwarded to the Premier of Ontario, Ministry of the Attorney General, Ministry of Children, Community and Social Services, Ministry of Education, Ministry of Health and Long-Term Care, Ministry of Indigenous Affairs, Ministry of the Solicitor General, Dufferin Caledon MPP Sylvia Jones, Central West Local Health Integration Network, Dufferin Family and Child Services, Museum of Dufferin, County of Dufferin, and all Ontario municipalities.

Respectfully submitted,

*Roseann Knechtel*

Roseann Knechtel, Deputy Clerk



# SCHEDULE A



Truth and  
Reconciliation  
Commission of Canada

## **Truth and Reconciliation Commission of Canada: Calls to Action**



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**2015**

Truth and Reconciliation Commission of Canada, 2012

1500-360 Main Street

Winnipeg, Manitoba

R3C 3Z3

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# Calls to Action

In order to redress the legacy of residential schools and advance the process of Canadian reconciliation, the Truth and Reconciliation Commission makes the following calls to action.

## Legacy

### CHILD WELFARE

1. We call upon the federal, provincial, territorial, and Aboriginal governments to commit to reducing the number of Aboriginal children in care by:
  - i. Monitoring and assessing neglect investigations.
  - ii. Providing adequate resources to enable Aboriginal communities and child-welfare organizations to keep Aboriginal families together where it is safe to do so, and to keep children in culturally appropriate environments, regardless of where they reside.
  - iii. Ensuring that social workers and others who conduct child-welfare investigations are properly educated and trained about the history and impacts of residential schools.
  - iv. Ensuring that social workers and others who conduct child-welfare investigations are properly educated and trained about the potential for Aboriginal communities and families to provide more appropriate solutions to family healing.
  - v. Requiring that all child-welfare decision makers consider the impact of the residential school experience on children and their caregivers.
2. We call upon the federal government, in collaboration with the provinces and territories, to prepare and

publish annual reports on the number of Aboriginal children (First Nations, Inuit, and Métis) who are in care, compared with non-Aboriginal children, as well as the reasons for apprehension, the total spending on preventive and care services by child-welfare agencies, and the effectiveness of various interventions.

3. We call upon all levels of government to fully implement Jordan's Principle.
4. We call upon the federal government to enact Aboriginal child-welfare legislation that establishes national standards for Aboriginal child apprehension and custody cases and includes principles that:
  - i. Affirm the right of Aboriginal governments to establish and maintain their own child-welfare agencies.
  - ii. Require all child-welfare agencies and courts to take the residential school legacy into account in their decision making.
  - iii. Establish, as an important priority, a requirement that placements of Aboriginal children into temporary and permanent care be culturally appropriate.
5. We call upon the federal, provincial, territorial, and Aboriginal governments to develop culturally appropriate parenting programs for Aboriginal families.

### EDUCATION

6. We call upon the Government of Canada to repeal Section 43 of the *Criminal Code of Canada*.
7. We call upon the federal government to develop with Aboriginal groups a joint strategy to eliminate

educational and employment gaps between Aboriginal and non-Aboriginal Canadians.

8. We call upon the federal government to eliminate the discrepancy in federal education funding for First Nations children being educated on reserves and those First Nations children being educated off reserves.
9. We call upon the federal government to prepare and publish annual reports comparing funding for the education of First Nations children on and off reserves, as well as educational and income attainments of Aboriginal peoples in Canada compared with non-Aboriginal people.
10. We call on the federal government to draft new Aboriginal education legislation with the full participation and informed consent of Aboriginal peoples. The new legislation would include a commitment to sufficient funding and would incorporate the following principles:
  - i. Providing sufficient funding to close identified educational achievement gaps within one generation.
  - ii. Improving education attainment levels and success rates.
  - iii. Developing culturally appropriate curricula.
  - iv. Protecting the right to Aboriginal languages, including the teaching of Aboriginal languages as credit courses.
  - v. Enabling parental and community responsibility, control, and accountability, similar to what parents enjoy in public school systems.
  - vi. Enabling parents to fully participate in the education of their children.
  - vii. Respecting and honouring Treaty relationships.
11. We call upon the federal government to provide adequate funding to end the backlog of First Nations students seeking a post-secondary education.
12. We call upon the federal, provincial, territorial, and Aboriginal governments to develop culturally appropriate early childhood education programs for Aboriginal families.

#### **LANGUAGE AND CULTURE**

13. We call upon the federal government to acknowledge that Aboriginal rights include Aboriginal language rights.

14. We call upon the federal government to enact an Aboriginal Languages Act that incorporates the following principles:
  - i. Aboriginal languages are a fundamental and valued element of Canadian culture and society, and there is an urgency to preserve them.
  - ii. Aboriginal language rights are reinforced by the Treaties.
  - iii. The federal government has a responsibility to provide sufficient funds for Aboriginal-language revitalization and preservation.
  - iv. The preservation, revitalization, and strengthening of Aboriginal languages and cultures are best managed by Aboriginal people and communities.
  - v. Funding for Aboriginal language initiatives must reflect the diversity of Aboriginal languages.
15. We call upon the federal government to appoint, in consultation with Aboriginal groups, an Aboriginal Languages Commissioner. The commissioner should help promote Aboriginal languages and report on the adequacy of federal funding of Aboriginal-languages initiatives.
16. We call upon post-secondary institutions to create university and college degree and diploma programs in Aboriginal languages.
17. We call upon all levels of government to enable residential school Survivors and their families to reclaim names changed by the residential school system by waiving administrative costs for a period of five years for the name-change process and the revision of official identity documents, such as birth certificates, passports, driver's licenses, health cards, status cards, and social insurance numbers.

#### **HEALTH**

18. We call upon the federal, provincial, territorial, and Aboriginal governments to acknowledge that the current state of Aboriginal health in Canada is a direct result of previous Canadian government policies, including residential schools, and to recognize and implement the health-care rights of Aboriginal people as identified in international law, constitutional law, and under the Treaties.
19. We call upon the federal government, in consultation with Aboriginal peoples, to establish measurable goals to identify and close the gaps in health outcomes

between Aboriginal and non-Aboriginal communities, and to publish annual progress reports and assess long-term trends. Such efforts would focus on indicators such as: infant mortality, maternal health, suicide, mental health, addictions, life expectancy, birth rates, infant and child health issues, chronic diseases, illness and injury incidence, and the availability of appropriate health services.

20. In order to address the jurisdictional disputes concerning Aboriginal people who do not reside on reserves, we call upon the federal government to recognize, respect, and address the distinct health needs of the Métis, Inuit, and off-reserve Aboriginal peoples.
21. We call upon the federal government to provide sustainable funding for existing and new Aboriginal healing centres to address the physical, mental, emotional, and spiritual harms caused by residential schools, and to ensure that the funding of healing centres in Nunavut and the Northwest Territories is a priority.
22. We call upon those who can effect change within the Canadian health-care system to recognize the value of Aboriginal healing practices and use them in the treatment of Aboriginal patients in collaboration with Aboriginal healers and Elders where requested by Aboriginal patients.
23. We call upon all levels of government to:
  - i. Increase the number of Aboriginal professionals working in the health-care field.
  - ii. Ensure the retention of Aboriginal health-care providers in Aboriginal communities.
  - iii. Provide cultural competency training for all health-care professionals.
24. We call upon medical and nursing schools in Canada to require all students to take a course dealing with Aboriginal health issues, including the history and legacy of residential schools, the *United Nations Declaration on the Rights of Indigenous Peoples*, Treaties and Aboriginal rights, and Indigenous teachings and practices. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.

## JUSTICE

25. We call upon the federal government to establish a written policy that reaffirms the independence of the

Royal Canadian Mounted Police to investigate crimes in which the government has its own interest as a potential or real party in civil litigation.

26. We call upon the federal, provincial, and territorial governments to review and amend their respective statutes of limitations to ensure that they conform to the principle that governments and other entities cannot rely on limitation defences to defend legal actions of historical abuse brought by Aboriginal people.
27. We call upon the Federation of Law Societies of Canada to ensure that lawyers receive appropriate cultural competency training, which includes the history and legacy of residential schools, the *United Nations Declaration on the Rights of Indigenous Peoples*, Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.
28. We call upon law schools in Canada to require all law students to take a course in Aboriginal people and the law, which includes the history and legacy of residential schools, the *United Nations Declaration on the Rights of Indigenous Peoples*, Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.
29. We call upon the parties and, in particular, the federal government, to work collaboratively with plaintiffs not included in the Indian Residential Schools Settlement Agreement to have disputed legal issues determined expeditiously on an agreed set of facts.
30. We call upon federal, provincial, and territorial governments to commit to eliminating the overrepresentation of Aboriginal people in custody over the next decade, and to issue detailed annual reports that monitor and evaluate progress in doing so.
31. We call upon the federal, provincial, and territorial governments to provide sufficient and stable funding to implement and evaluate community sanctions that will provide realistic alternatives to imprisonment for Aboriginal offenders and respond to the underlying causes of offending.
32. We call upon the federal government to amend the Criminal Code to allow trial judges, upon giving reasons, to depart from mandatory minimum sentences and restrictions on the use of conditional sentences.

33. We call upon the federal, provincial, and territorial governments to recognize as a high priority the need to address and prevent Fetal Alcohol Spectrum Disorder (FASD), and to develop, in collaboration with Aboriginal people, FASD preventive programs that can be delivered in a culturally appropriate manner.
34. We call upon the governments of Canada, the provinces, and territories to undertake reforms to the criminal justice system to better address the needs of offenders with Fetal Alcohol Spectrum Disorder (FASD), including:
  - i. Providing increased community resources and powers for courts to ensure that FASD is properly diagnosed, and that appropriate community supports are in place for those with FASD.
  - ii. Enacting statutory exemptions from mandatory minimum sentences of imprisonment for offenders affected by FASD.
  - iii. Providing community, correctional, and parole resources to maximize the ability of people with FASD to live in the community.
  - iv. Adopting appropriate evaluation mechanisms to measure the effectiveness of such programs and ensure community safety.
35. We call upon the federal government to eliminate barriers to the creation of additional Aboriginal healing lodges within the federal correctional system.
36. We call upon the federal, provincial, and territorial governments to work with Aboriginal communities to provide culturally relevant services to inmates on issues such as substance abuse, family and domestic violence, and overcoming the experience of having been sexually abused.
37. We call upon the federal government to provide more supports for Aboriginal programming in halfway houses and parole services.
38. We call upon the federal, provincial, territorial, and Aboriginal governments to commit to eliminating the overrepresentation of Aboriginal youth in custody over the next decade.
39. We call upon the federal government to develop a national plan to collect and publish data on the criminal victimization of Aboriginal people, including data related to homicide and family violence victimization.

40. We call on all levels of government, in collaboration with Aboriginal people, to create adequately funded and accessible Aboriginal-specific victim programs and services with appropriate evaluation mechanisms.
41. We call upon the federal government, in consultation with Aboriginal organizations, to appoint a public inquiry into the causes of, and remedies for, the disproportionate victimization of Aboriginal women and girls. The inquiry's mandate would include:
  - i. Investigation into missing and murdered Aboriginal women and girls.
  - ii. Links to the intergenerational legacy of residential schools.
42. We call upon the federal, provincial, and territorial governments to commit to the recognition and implementation of Aboriginal justice systems in a manner consistent with the Treaty and Aboriginal rights of Aboriginal peoples, the *Constitution Act, 1982*, and the *United Nations Declaration on the Rights of Indigenous Peoples*, endorsed by Canada in November 2012.

## Reconciliation

### **CANADIAN GOVERNMENTS AND THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLE**

43. We call upon federal, provincial, territorial, and municipal governments to fully adopt and implement the *United Nations Declaration on the Rights of Indigenous Peoples* as the framework for reconciliation.
44. We call upon the Government of Canada to develop a national action plan, strategies, and other concrete measures to achieve the goals of the *United Nations Declaration on the Rights of Indigenous Peoples*.

### **ROYAL PROCLAMATION AND COVENANT OF RECONCILIATION**

45. We call upon the Government of Canada, on behalf of all Canadians, to jointly develop with Aboriginal peoples a Royal Proclamation of Reconciliation to be issued by the Crown. The proclamation would build on the Royal Proclamation of 1763 and the Treaty of Niagara of 1764, and reaffirm the nation-to-nation relationship between Aboriginal peoples and the Crown. The proclamation would include, but not be limited to, the following commitments:

- i. Repudiate concepts used to justify European sovereignty over Indigenous lands and peoples such as the Doctrine of Discovery and *terra nullius*.
  - ii. Adopt and implement the *United Nations Declaration on the Rights of Indigenous Peoples* as the framework for reconciliation.
  - iii. Renew or establish Treaty relationships based on principles of mutual recognition, mutual respect, and shared responsibility for maintaining those relationships into the future.
  - iv. Reconcile Aboriginal and Crown constitutional and legal orders to ensure that Aboriginal peoples are full partners in Confederation, including the recognition and integration of Indigenous laws and legal traditions in negotiation and implementation processes involving Treaties, land claims, and other constructive agreements.
46. We call upon the parties to the Indian Residential Schools Settlement Agreement to develop and sign a Covenant of Reconciliation that would identify principles for working collaboratively to advance reconciliation in Canadian society, and that would include, but not be limited to:
- i. Reaffirmation of the parties' commitment to reconciliation.
  - ii. Repudiation of concepts used to justify European sovereignty over Indigenous lands and peoples, such as the Doctrine of Discovery and *terra nullius*, and the reformation of laws, governance structures, and policies within their respective institutions that continue to rely on such concepts.
  - iii. Full adoption and implementation of the *United Nations Declaration on the Rights of Indigenous Peoples* as the framework for reconciliation.
  - iv. Support for the renewal or establishment of Treaty relationships based on principles of mutual recognition, mutual respect, and shared responsibility for maintaining those relationships into the future.
  - v. Enabling those excluded from the Settlement Agreement to sign onto the Covenant of Reconciliation.
  - vi. Enabling additional parties to sign onto the Covenant of Reconciliation.

47. We call upon federal, provincial, territorial, and municipal governments to repudiate concepts used to justify European sovereignty over Indigenous peoples and lands, such as the Doctrine of Discovery and *terra nullius*, and to reform those laws, government policies, and litigation strategies that continue to rely on such concepts.

#### **SETTLEMENT AGREEMENT PARTIES AND THE UNITED NATIONS DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES**

48. We call upon the church parties to the Settlement Agreement, and all other faith groups and interfaith social justice groups in Canada who have not already done so, to formally adopt and comply with the principles, norms, and standards of the *United Nations Declaration on the Rights of Indigenous Peoples* as a framework for reconciliation. This would include, but not be limited to, the following commitments:
- i. Ensuring that their institutions, policies, programs, and practices comply with the *United Nations Declaration on the Rights of Indigenous Peoples*.
  - ii. Respecting Indigenous peoples' right to self-determination in spiritual matters, including the right to practise, develop, and teach their own spiritual and religious traditions, customs, and ceremonies, consistent with Article 12:1 of the *United Nations Declaration on the Rights of Indigenous Peoples*.
  - iii. Engaging in ongoing public dialogue and actions to support the *United Nations Declaration on the Rights of Indigenous Peoples*.
  - iv. Issuing a statement no later than March 31, 2016, from all religious denominations and faith groups, as to how they will implement the *United Nations Declaration on the Rights of Indigenous Peoples*.
49. We call upon all religious denominations and faith groups who have not already done so to repudiate concepts used to justify European sovereignty over Indigenous lands and peoples, such as the Doctrine of Discovery and *terra nullius*.

#### **EQUITY FOR ABORIGINAL PEOPLE IN THE LEGAL SYSTEM**

50. In keeping with the *United Nations Declaration on the Rights of Indigenous Peoples*, we call upon the federal government, in collaboration with Aboriginal organizations, to fund the establishment of Indigenous law institutes for the development, use, and

understanding of Indigenous laws and access to justice in accordance with the unique cultures of Aboriginal peoples in Canada.

51. We call upon the Government of Canada, as an obligation of its fiduciary responsibility, to develop a policy of transparency by publishing legal opinions it develops and upon which it acts or intends to act, in regard to the scope and extent of Aboriginal and Treaty rights.
52. We call upon the Government of Canada, provincial and territorial governments, and the courts to adopt the following legal principles:
  - i. Aboriginal title claims are accepted once the Aboriginal claimant has established occupation over a particular territory at a particular point in time.
  - ii. Once Aboriginal title has been established, the burden of proving any limitation on any rights arising from the existence of that title shifts to the party asserting such a limitation.

#### **NATIONAL COUNCIL FOR RECONCILIATION**

53. We call upon the Parliament of Canada, in consultation and collaboration with Aboriginal peoples, to enact legislation to establish a National Council for Reconciliation. The legislation would establish the council as an independent, national, oversight body with membership jointly appointed by the Government of Canada and national Aboriginal organizations, and consisting of Aboriginal and non-Aboriginal members. Its mandate would include, but not be limited to, the following:
  - i. Monitor, evaluate, and report annually to Parliament and the people of Canada on the Government of Canada's post-apology progress on reconciliation to ensure that government accountability for reconciling the relationship between Aboriginal peoples and the Crown is maintained in the coming years.
  - ii. Monitor, evaluate, and report to Parliament and the people of Canada on reconciliation progress across all levels and sectors of Canadian society, including the implementation of the Truth and Reconciliation Commission of Canada's Calls to Action.
  - iii. Develop and implement a multi-year National Action Plan for Reconciliation, which includes research and policy development, public education programs, and resources.

- iv. Promote public dialogue, public/private partnerships, and public initiatives for reconciliation.

54. We call upon the Government of Canada to provide multi-year funding for the National Council for Reconciliation to ensure that it has the financial, human, and technical resources required to conduct its work, including the endowment of a National Reconciliation Trust to advance the cause of reconciliation.
55. We call upon all levels of government to provide annual reports or any current data requested by the National Council for Reconciliation so that it can report on the progress towards reconciliation. The reports or data would include, but not be limited to:
  - i. The number of Aboriginal children—including Métis and Inuit children—in care, compared with non-Aboriginal children, the reasons for apprehension, and the total spending on preventive and care services by child-welfare agencies.
  - ii. Comparative funding for the education of First Nations children on and off reserves.
  - iii. The educational and income attainments of Aboriginal peoples in Canada compared with non-Aboriginal people.
  - iv. Progress on closing the gaps between Aboriginal and non-Aboriginal communities in a number of health indicators such as: infant mortality, maternal health, suicide, mental health, addictions, life expectancy, birth rates, infant and child health issues, chronic diseases, illness and injury incidence, and the availability of appropriate health services.
  - v. Progress on eliminating the overrepresentation of Aboriginal children in youth custody over the next decade.
  - vi. Progress on reducing the rate of criminal victimization of Aboriginal people, including data related to homicide and family violence victimization and other crimes.
  - vii. Progress on reducing the overrepresentation of Aboriginal people in the justice and correctional systems.

56. We call upon the prime minister of Canada to formally respond to the report of the National Council for Reconciliation by issuing an annual "State of Aboriginal Peoples" report, which would outline the government's plans for advancing the cause of reconciliation.



## PROFESSIONAL DEVELOPMENT AND TRAINING FOR PUBLIC SERVANTS

57. We call upon federal, provincial, territorial, and municipal governments to provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the *United Nations Declaration on the Rights of Indigenous Peoples*, Treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.

## CHURCH APOLOGIES AND RECONCILIATION

58. We call upon the Pope to issue an apology to Survivors, their families, and communities for the Roman Catholic Church's role in the spiritual, cultural, emotional, physical, and sexual abuse of First Nations, Inuit, and Métis children in Catholic-run residential schools. We call for that apology to be similar to the 2010 apology issued to Irish victims of abuse and to occur within one year of the issuing of this Report and to be delivered by the Pope in Canada.
59. We call upon church parties to the Settlement Agreement to develop ongoing education strategies to ensure that their respective congregations learn about their church's role in colonization, the history and legacy of residential schools, and why apologies to former residential school students, their families, and communities were necessary.
60. We call upon leaders of the church parties to the Settlement Agreement and all other faiths, in collaboration with Indigenous spiritual leaders, Survivors, schools of theology, seminaries, and other religious training centres, to develop and teach curriculum for all student clergy, and all clergy and staff who work in Aboriginal communities, on the need to respect Indigenous spirituality in its own right, the history and legacy of residential schools and the roles of the church parties in that system, the history and legacy of religious conflict in Aboriginal families and communities, and the responsibility that churches have to mitigate such conflicts and prevent spiritual violence.
61. We call upon church parties to the Settlement Agreement, in collaboration with Survivors and representatives of Aboriginal organizations, to establish permanent funding to Aboriginal people for:
- i. Community-controlled healing and reconciliation projects.

- ii. Community-controlled culture- and language-revitalization projects.
- iii. Community-controlled education and relationship-building projects.
- iv. Regional dialogues for Indigenous spiritual leaders and youth to discuss Indigenous spirituality, self-determination, and reconciliation.

## EDUCATION FOR RECONCILIATION

62. We call upon the federal, provincial, and territorial governments, in consultation and collaboration with Survivors, Aboriginal peoples, and educators, to:
- i. Make age-appropriate curriculum on residential schools, Treaties, and Aboriginal peoples' historical and contemporary contributions to Canada a mandatory education requirement for Kindergarten to Grade Twelve students.
  - ii. Provide the necessary funding to post-secondary institutions to educate teachers on how to integrate Indigenous knowledge and teaching methods into classrooms.
  - iii. Provide the necessary funding to Aboriginal schools to utilize Indigenous knowledge and teaching methods in classrooms.
  - iv. Establish senior-level positions in government at the assistant deputy minister level or higher dedicated to Aboriginal content in education.
63. We call upon the Council of Ministers of Education, Canada to maintain an annual commitment to Aboriginal education issues, including:
- i. Developing and implementing Kindergarten to Grade Twelve curriculum and learning resources on Aboriginal peoples in Canadian history, and the history and legacy of residential schools.
  - ii. Sharing information and best practices on teaching curriculum related to residential schools and Aboriginal history.
  - iii. Building student capacity for intercultural understanding, empathy, and mutual respect.
  - iv. Identifying teacher-training needs relating to the above.
64. We call upon all levels of government that provide public funds to denominational schools to require such schools to provide an education on comparative religious studies, which must include a segment on

Aboriginal spiritual beliefs and practices developed in collaboration with Aboriginal Elders.

65. We call upon the federal government, through the Social Sciences and Humanities Research Council, and in collaboration with Aboriginal peoples, post-secondary institutions and educators, and the National Centre for Truth and Reconciliation and its partner institutions, to establish a national research program with multi-year funding to advance understanding of reconciliation.

## YOUTH PROGRAMS

66. We call upon the federal government to establish multi-year funding for community-based youth organizations to deliver programs on reconciliation, and establish a national network to share information and best practices.

## MUSEUMS AND ARCHIVES

67. We call upon the federal government to provide funding to the Canadian Museums Association to undertake, in collaboration with Aboriginal peoples, a national review of museum policies and best practices to determine the level of compliance with the *United Nations Declaration on the Rights of Indigenous Peoples* and to make recommendations.
68. We call upon the federal government, in collaboration with Aboriginal peoples, and the Canadian Museums Association to mark the 150th anniversary of Canadian Confederation in 2017 by establishing a dedicated national funding program for commemoration projects on the theme of reconciliation.
69. We call upon Library and Archives Canada to:
  - i. Fully adopt and implement the *United Nations Declaration on the Rights of Indigenous Peoples* and the *United Nations Joint-Orontlicher Principles*, as related to Aboriginal peoples' inalienable right to know the truth about what happened and why, with regard to human rights violations committed against them in the residential schools.
  - ii. Ensure that its record holdings related to residential schools are accessible to the public.
  - iii. Commit more resources to its public education materials and programming on residential schools.
70. We call upon the federal government to provide funding to the Canadian Association of Archivists to undertake, in collaboration with Aboriginal peoples, a national review of archival policies and best practices to:

- i. Determine the level of compliance with the *United Nations Declaration on the Rights of Indigenous Peoples* and the *United Nations Joint-Orontlicher Principles*, as related to Aboriginal peoples' inalienable right to know the truth about what happened and why, with regard to human rights violations committed against them in the residential schools.
- ii. Produce a report with recommendations for full implementation of these international mechanisms as a reconciliation framework for Canadian archives.

## MISSING CHILDREN AND BURIAL INFORMATION

71. We call upon all chief coroners and provincial vital statistics agencies that have not provided to the Truth and Reconciliation Commission of Canada their records on the deaths of Aboriginal children in the care of residential school authorities to make these documents available to the National Centre for Truth and Reconciliation.
72. We call upon the federal government to allocate sufficient resources to the National Centre for Truth and Reconciliation to allow it to develop and maintain the National Residential School Student Death Register established by the Truth and Reconciliation Commission of Canada.
73. We call upon the federal government to work with churches, Aboriginal communities, and former residential school students to establish and maintain an online registry of residential school cemeteries, including, where possible, plot maps showing the location of deceased residential school children.
74. We call upon the federal government to work with the churches and Aboriginal community leaders to inform the families of children who died at residential schools of the child's burial location, and to respond to families' wishes for appropriate commemoration ceremonies and markers, and reburial in home communities where requested.
75. We call upon the federal government to work with provincial, territorial, and municipal governments, churches, Aboriginal communities, former residential school students, and current landowners to develop and implement strategies and procedures for the ongoing identification, documentation, maintenance, commemoration, and protection of residential school cemeteries or other sites at which residential school children were buried. This is to include the provision of

appropriate memorial ceremonies and commemorative markers to honour the deceased children.

76. We call upon the parties engaged in the work of documenting, maintaining, commemorating, and protecting residential school cemeteries to adopt strategies in accordance with the following principles:
- i. The Aboriginal community most affected shall lead the development of such strategies.
  - ii. Information shall be sought from residential school Survivors and other Knowledge Keepers in the development of such strategies.
  - iii. Aboriginal protocols shall be respected before any potentially invasive technical inspection and investigation of a cemetery site.

#### **NATIONAL CENTRE FOR TRUTH AND RECONCILIATION**

77. We call upon provincial, territorial, municipal, and community archives to work collaboratively with the National Centre for Truth and Reconciliation to identify and collect copies of all records relevant to the history and legacy of the residential school system, and to provide these to the National Centre for Truth and Reconciliation.
78. We call upon the Government of Canada to commit to making a funding contribution of \$10 million over seven years to the National Centre for Truth and Reconciliation, plus an additional amount to assist communities to research and produce histories of their own residential school experience and their involvement in truth, healing, and reconciliation.

#### **COMMEMORATION**

79. We call upon the federal government, in collaboration with Survivors, Aboriginal organizations, and the arts community, to develop a reconciliation framework for Canadian heritage and commemoration. This would include, but not be limited to:
- i. Amending the Historic Sites and Monuments Act to include First Nations, Inuit, and Métis representation on the Historic Sites and Monuments Board of Canada and its Secretariat.
  - ii. Revising the policies, criteria, and practices of the National Program of Historical Commemoration to integrate Indigenous history, heritage values, and memory practices into Canada's national heritage and history.

- iii. Developing and implementing a national heritage plan and strategy for commemorating residential school sites, the history and legacy of residential schools, and the contributions of Aboriginal peoples to Canada's history.

80. We call upon the federal government, in collaboration with Aboriginal peoples, to establish, as a statutory holiday, a National Day for Truth and Reconciliation to honour Survivors, their families, and communities, and ensure that public commemoration of the history and legacy of residential schools remains a vital component of the reconciliation process.
81. We call upon the federal government, in collaboration with Survivors and their organizations, and other parties to the Settlement Agreement, to commission and install a publicly accessible, highly visible, Residential Schools National Monument in the city of Ottawa to honour Survivors and all the children who were lost to their families and communities.
82. We call upon provincial and territorial governments, in collaboration with Survivors and their organizations, and other parties to the Settlement Agreement, to commission and install a publicly accessible, highly visible, Residential Schools Monument in each capital city to honour Survivors and all the children who were lost to their families and communities.
83. We call upon the Canada Council for the Arts to establish, as a funding priority, a strategy for Indigenous and non-Indigenous artists to undertake collaborative projects and produce works that contribute to the reconciliation process.

#### **MEDIA AND RECONCILIATION**

84. We call upon the federal government to restore and increase funding to the CBC/Radio-Canada, to enable Canada's national public broadcaster to support reconciliation, and be properly reflective of the diverse cultures, languages, and perspectives of Aboriginal peoples, including, but not limited to:
- i. Increasing Aboriginal programming, including Aboriginal-language speakers.
  - ii. Increasing equitable access for Aboriginal peoples to jobs, leadership positions, and professional development opportunities within the organization.
  - iii. Continuing to provide dedicated news coverage and online public information resources on issues of concern to Aboriginal peoples and all Canadians,

including the history and legacy of residential schools and the reconciliation process.

85. We call upon the Aboriginal Peoples Television Network, as an independent non-profit broadcaster with programming by, for, and about Aboriginal peoples, to support reconciliation, including but not limited to:
  - i. Continuing to provide leadership in programming and organizational culture that reflects the diverse cultures, languages, and perspectives of Aboriginal peoples.
  - ii. Continuing to develop media initiatives that inform and educate the Canadian public, and connect Aboriginal and non-Aboriginal Canadians.
86. We call upon Canadian journalism programs and media schools to require education for all students on the history of Aboriginal peoples, including the history and legacy of residential schools, the *United Nations Declaration on the Rights of Indigenous Peoples*, Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations.

#### **SPORTS AND RECONCILIATION**

87. We call upon all levels of government, in collaboration with Aboriginal peoples, sports halls of fame, and other relevant organizations, to provide public education that tells the national story of Aboriginal athletes in history.
88. We call upon all levels of government to take action to ensure long-term Aboriginal athlete development and growth, and continued support for the North American Indigenous Games, including funding to host the games and for provincial and territorial team preparation and travel.
89. We call upon the federal government to amend the Physical Activity and Sport Act to support reconciliation by ensuring that policies to promote physical activity as a fundamental element of health and well-being, reduce barriers to sports participation, increase the pursuit of excellence in sport, and build capacity in the Canadian sport system, are inclusive of Aboriginal peoples.
90. We call upon the federal government to ensure that national sports policies, programs, and initiatives are inclusive of Aboriginal peoples, including, but not limited to, establishing:
  - i. In collaboration with provincial and territorial governments, stable funding for, and access to, community sports programs that reflect the diverse

cultures and traditional sporting activities of Aboriginal peoples.

- ii. An elite athlete development program for Aboriginal athletes.
- iii. Programs for coaches, trainers, and sports officials that are culturally relevant for Aboriginal peoples.
- iv. Anti-racism awareness and training programs.
91. We call upon the officials and host countries of international sporting events such as the Olympics, Pan Am, and Commonwealth games to ensure that Indigenous peoples' territorial protocols are respected, and local Indigenous communities are engaged in all aspects of planning and participating in such events.

#### **BUSINESS AND RECONCILIATION**

92. We call upon the corporate sector in Canada to adopt the *United Nations Declaration on the Rights of Indigenous Peoples* as a reconciliation framework and to apply its principles, norms, and standards to corporate policy and core operational activities involving Indigenous peoples and their lands and resources. This would include, but not be limited to, the following:
  - i. Commit to meaningful consultation, building respectful relationships, and obtaining the free, prior, and informed consent of Indigenous peoples before proceeding with economic development projects.
  - ii. Ensure that Aboriginal peoples have equitable access to jobs, training, and education opportunities in the corporate sector, and that Aboriginal communities gain long-term sustainable benefits from economic development projects.
  - iii. Provide education for management and staff on the history of Aboriginal peoples, including the history and legacy of residential schools, the *United Nations Declaration on the Rights of Indigenous Peoples*, Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations. This will require skills based training in intercultural competency, conflict resolution, human rights, and anti-racism.

#### **NEWCOMERS TO CANADA**

93. We call upon the federal government, in collaboration with the national Aboriginal organizations, to revise the information kit for newcomers to Canada and its citizenship test to reflect a more inclusive history of the diverse Aboriginal peoples of Canada, including

information about the Treaties and the history of residential schools.

94. We call upon the Government of Canada to replace the Oath of Citizenship with the following:

I swear (or affirm) that I will be faithful and bear true allegiance to Her Majesty Queen Elizabeth II, Queen of Canada, Her Heirs and Successors, and that I will faithfully observe the laws of Canada including Treaties with Indigenous Peoples, and fulfill my duties as a Canadian citizen.

## Truth and Reconciliation Commission of Canada

1500-360 Main Street

Winnipeg, Manitoba

R3C 3Z3

Telephone: (204) 984-5885

Toll Free: 1-888-872-5554 (1-888-TRC-5554)

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E-mail: [info@trc.ca](mailto:info@trc.ca)

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





## **STAFF REPORT**

**TO:** Council  
**FROM:** Tracey Atkinson, CAO/Clerk/Planner  
**MEETING DATE:** September 1, 2021  
**SUBJECT:** Refund for Planning Fees

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### **PURPOSE:**

The purpose of this report is to provide background information on a request for a partial refund for the Gray zoning amendment and site plan applications, which have been withdrawn.

### **BACKGROUND:**

The following applications were submitted by Michelle and Robert Gray on November 3, 2020 with the corresponding fees:

- 1) Second Dwelling Site Plan Approval Application, \$2500
- 2) Zoning By-law Amendment, \$2000

The application was reviewed and a site visit undertaken.

A sign was prepared and posted, and formal notice for a public meeting was circulated in accordance with the Planning Act on December 16, 2020.

A Statutory Public Meeting was held on January 13, 2021. The agenda included a planning report as well as draft by-law.

The following motion was passed at the January 13, 2021 Council meeting:

**Moved by: Cufaro and Seconded by: Hawkins**

THAT Council defer the application pending a staff report;  
AND THAT said staff report include an analysis on minimum lot size, servicing, frontage and rural character regarding second dwellings.

**CARRIED**

Since the application was deferred there was no notice of passing, no by-law consolidation and no mapping updates required.

A site plan agreement was not drafted.

### **ANALYSIS:**

The majority of funds associated with the Zoning Amendment application were utilized to take the application forward to the Public Meeting.

While the planning report makes reference to the site plan agreement and staff commenced review of the application, staff did not initiate drafting the agreement, and the Township did not expend funds on engineering review, title searches or registering a site plan agreement.

### **STRATEGIC PLAN ALIGNMENT:**

1. Growing a Prosperous Mulmur: Responsibly managing the fiscal resources of Mulmur and providing opportunities for success.

### **FINANCIAL IMPACTS:**

The intent of application fees is to cover the cost of processing planning applications, such that development pays for itself and that the taxpayers do not subsidize development application.

In this instance it would be appropriate to refund the majority of the site plan application fees as there was limited staff time and no external consulting costs.

### **RECOMMENDATION:**

THAT Council authorizes a refund in the amount of \$2,000 in relation to applications Z5-2020 and SPA6-2020 (Gray, Roll 4-01960)

Respectfully submitted,

*Tracey Atkinson*

Tracey Atkinson, BES MCIP RPP  
CAO/Clerk/Planner

**Roseann Knechtel**

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**Subject:** Gray Second Dwelling

To Council and Township staff,  
We wish to cancel our second dwelling and bylaw amendment applications on our property at 958471 7th line Mulmur.  
We are also hoping for a partial refund on our application.

Robert and Michelle Gray



## **STAFF REPORT**

**TO:** Council  
**FROM:** Tracey Atkinson, CAO/Clerk/Planner  
**MEETING DATE:** September 1, 2021  
**SUBJECT:** Monachino Building Envelop Agreement

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### **PURPOSE:**

The purpose of this report is to provide background information and a recommendation related to a building envelop agreement in relation to severance application B02-2021.

### **BACKGROUND:**

Application B02-2021, which was approved by the Committee of Adjustment on May 12, 2021, included the following condition to enter into an agreement:

That the registered owner shall enter into a severance agreement pursuant to Section 51(26) of the Planning Act to address all planning matters, including, but not limited, to establishing building envelopes on the severed and retained lots that are in keeping with the severance sketch, MDS setbacks and include all applicable mitigation measures from the Colville EIS and any requirements from the NVCA, and tree planting along the southern lot line of the severed lot. The setback between the closest dwelling and the proposed building envelop on the southern parcel shall be a minimum of 255m from the front lot line and a minimum of 50m from the abutting lot line of roll no. 221600000201450000. The proposed building envelop on the severed portion shall be a minimum of 93m from the front lot line and 90m from the southern lot line.

A severance agreement (building envelop) application was submitted on August 17, 2021. Staff undertook a site visit on August 25th with the applicant and property owners to the South to assess the landscaping requirements and opportunities for screening.

A full copy of the planning report, Colville EIS and decision are available in the Committee of Adjustment May 12, 2021 agenda package available on the Township's website.

### **ANALYSIS:**

Staff are satisfied that the proposed agreement would fulfill the requirements of the consent condition noted above.

**STRATEGIC PLAN ALIGNMENT:**

This application is aligned with the following strategic plan path:

4. Growing a Sustainable Mulmur: Being Proactive in Sustainable Initiatives to ensure the long term well being of Mulmur (includes Resources/Financial/People).

**FINANCIAL IMPACTS:**

None

**RECOMMENDATION:**

THAT Council pass a by-law to authorize the Mayor and Clerk to enter into a severance (building envelop) agreement to fulfill a condition of provision consent for application B2-2021

Respectfully submitted,

*Tracey Atkinson*

Tracey Atkinson, BES MCIP RPP  
CAO/Clerk/Planner



## **ROADS SAFETY COMMITTEE MINUTES (RSC)**

August 9th, 2021 – 1:00 pm / Zoom

Present: Brian Whitney - Chair  
Cheryl Russel – Vice-Chair  
Ken Cufaro  
Yvonne Graf  
John Willmetts – Director of Public Works  
Lexi Phillips – Secretary

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

The meeting was called to order at 1:06 pm.

### **2. Approval of the Agenda**

Moved by Cheryl Russel Seconded by Yvonne Graf

THAT the agenda for August 9, 2021 be approved.  
Carried.

### **3. Approval of Past Minutes**

Moved by Cheryl Russel Seconded by Brian Whitney

THAT the minutes of the May 10, 2021 meeting be approved as circulated.  
Carried.

### **4. Discussion Arising Out of the Minutes**

### **5. Declaration of Pecuniary Interest**

The Chair stated that if any member had a disclosure of pecuniary interest that they could declare now or at any time of the meeting.

### **6. Public Works**

#### **6.1) Road Safety Committee Mandate**

The committee reviewed the mandate.

#### **6.2) Paid Duty and HTA Reports**

The report has shown reduced speeding in the Township and a decrease in accidents involving animals.



### **6.3) ATV Complaint Instructions**

The committee will create a plan for distributing information regarding the prohibition of ATVs on Township roads for the next meeting.

### **6.4) Goal 1: Areas for Paid Duty**

The committee will request to receive police reports prior to future meetings so the data can be discussed.

### **6.5) Goal 2: Public Awareness and Education**

The committee will identify areas of concern to move forward with public awareness and education for the next meeting.

### **6.6) Goal 3: Safety Items, Programs and Projects**

Programs will be discussed at future meetings to coordinate public awareness.

## **7. Information Items**

- 7.1) Traffic Signage**
- 7.2) MOMS Council Motion**

## **8. Items for Future Meetings**

- 8.1) Data Requirements**
- 8.2) Communications Strategy**
- 8.3) ATV Bylaw follow up with OPP**

## **9. Adjournment**

Moved by Cheryl Russel Seconded by Yvonne Graf

THAT we do now adjourn at 1:53 PM and agree to meet again on November 22<sup>nd</sup>, 2021 at 1:00 PM or at the call of the Chair.  
Carried.

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**Chair**

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**Secretary**



**MINUTES**  
**MULMUR COMMUNITY EVENTS COMMITTEE**  
**Wednesday, August 18, 2021**  
**ZOOM - 7:00 pm**

Present: Ruth Rindinella – Chair  
Shirley Boxem  
Geoff Parker  
Komal Patel  
Sylvia Durance  
Lexi Phillips - Secretary

Absent with regret: Sarah Cameron  
Jag Saini

**1. Call to Order**

The meeting was called to order by the Chair at 7:10 pm.

**2. Approval of the Agenda**

Moved by Shirley Boxem Seconded by Sylvia Durance

**THAT the Agenda for August 18, 2021 be approved.**  
**Carried.**

**3. Approval of Past Minutes**

Moved by Geoff Parker Seconded by Sylvia Durance

**THAT the Minutes dated March 11, 2020 be approved.**  
**Carried.**

**4. Discussion Arising out of the Minutes**

**5. Disclosure of Pecuniary Interest**

Chair Rindinella stated that if any member had a disclosure of pecuniary interest that they could declare nature thereof now or at any time during the meeting.

**6. Administration**

**6.1 Events Committee Mandate**

Moved by Sylvia Durance Seconded by Komal Patel

**THAT the Committee receive the mandate as presented.  
Carried.**

## **6.2 2021 Budget and Events**

The Committee will move forward with trying to determine an event for later this year with the allocated 2021 budget of \$3, 000.

## **6.3 Budget and Events**

Moved by Shirley Boxem Seconded by Komal Patel

**THAT the Committee request a budget of \$10, 000 for 2022.  
Carried.**

## **6.4 Future Committee Member Appointments**

Moved by Shirley Boxem Seconded by Sylvia Durance

**THAT the Committee recommend Council advertise for 4 vacancies on the Mulmur Community Events Committee to be appointed by October 6, 2021.  
Carried.**

## **7. Information Items**

## **8. Items for Future Meetings**

**8.1 Invite Terrilyn Kunopaski, Dufferin County Tourism Manager**

**8.2 Event for 2021 with the remaining budget**

**8.3 Possible event ideas for 2022**

## **9. Adjournment**

Moved by Sylvia Durance Seconded by Komal Patel

**THAT the meeting be adjourned at 7:40pm with the next meeting being scheduled for October 13, 2021 or at the call of the Chair.  
Carried.**

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Chair

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Secretary



**MINUTES**  
**AD-HOC PLANNING ADVISORY COMMITTEE**  
**AUGUST 25, 2021 1:00 PM**

Present: Jan Benda  
Paul Cohen  
Grace Franco Lloyd  
Nicole Hambleton  
Jim Macdougall  
Mike Marchinkiewicz  
Lisa Swinton  
Lisa Thompson  
Tracey Atkinson – CAO/Clerk/Planner  
Roseann Knechtel – Deputy Clerk

Absent: Gregg Friday

**1. CALL TO ORDER**

Tracey Atkinson, CAO/Clerk/Planner called the meeting to order at 1:02 p.m.

**2. APPOINTMENT OF A CHAIR**

**Moved by Thompson Seconded by Franco-Lloyd**  
THAT the Committee appoint Lisa Thompson as Chair.

**CARRIED.**

Chair Thompson assumed the position of Chair at this time.

**3. APPROVAL OF THE AGENDA**

**Moved by Cohen Seconded by Pressey**  
THAT the Agenda for August 25, 2021 be approved.

**CARRIED.**

**4. DISCLOSURE OF PECUNIARY INTERESTS**

Chair Thompson stated that members can declare now or at any time in the meeting.

**5. ADMINISTRATION**

Members and staff introduced themselves and provided a background to their time in Mulmur, experience, and hopes they have for participating in the Official Plan update.

**5.1 Overview of Official Plan Process**

Tracey Atkinson, CAO/Clerk/Planner provided an overview to the Official Plan process and the Provincial legislation, policies and plans that dictate and contribute to the update. Members reviewed each section of the Official Plan and topics to be addressed in the review of each section.

Tracey Atkinson summarized the relationship between Mulmur Township, County of Dufferin and the Niagara Escarpment Commission.

*Direction was given to the Secretary to circulate the Round Table information session dates and times to the Shelburne Diversity, Equity and Inclusion Committee as well as the Primrose Elementary School.*

## **5.2 Round Table Sessions/Schedules**

The Committee set the following meeting times for each of the round table information sessions:

Home Business, Economic Development, Removing Red Tape – Sept 16 @ 7pm  
Second Dwellings & Cottages - Sept 29 @ 5 pm  
Recreation & Playing Around in Mulmur – Oct 13 @ 5 pm  
Protecting the Environment – Oct 20 @ 5 pm  
Rural Character & View Shed Protection – Oct 27 @ 5 pm  
Roads and Infrastructure – Nov 8 @ 1 pm  
Farming Protection & Opportunities – Nov 10 @ 7 pm  
Seniors & Aging in Place – Nov 17 @ 10 am

## **6. INFORMATION ITEMS**

- 6.1 Ad-Hoc Planning Advisory Committee Mandate**
- 6.2 Township of Mulmur Official Plan (current)**
- 6.3 Provincial Policy Statement**
- 6.4 Provincial Growth Plan**
- 6.5 Greenbelt Plan**
- 6.6 Niagara Escarpment Plan**
- 6.7 County of Dufferin Municipal Comprehensive Review**

## **7. ITEMS FOR FUTURE MEETINGS**

- 7.1 Round Table Findings**
- 7.2 Growth Targets for the County of Dufferin and Township of Mulmur**

## **8. ADJOURNMENT**

**Moved by MacDougall Second by Hambleton**

THAT the meeting adjourns at 2:31 p.m. and meet again in January 2022, or at the call of the Chair.

**CARRIED.**



**CORPORATION OF THE TOWNSHIP OF MULMUR  
NOTICE OF SITE PLAN AGREEMENT &  
Z01-2016 MANSFIELD SKI CLUB (PHASE ONE)  
ZONING BY-LAW AMENDMENT TO REMOVE A HOLDING SYMBOL**

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The Corporation of the Township of Mulmur will hold a meeting pursuant to Sections 34 of the Planning Act (1990) to consider an amendment to the Zoning By-law. The earliest date on which Mulmur Council proposes to meet to pass the amending by-law to remove the Holding Provisions for Phase One is **October 6, 2021, at 9:30AM.** The meeting will be held using an electronic format, with detail available on our website a minimum of 48 hours in advance of the meeting.

A copy of the proposed amendment is available for review at the municipal office during regular office hours and online. Anyone wishing to ask questions at the public meeting is asked to submit such questions a minimum of 24 hours before the meeting, to [planning@mulmur.ca](mailto:planning@mulmur.ca). Anyone wishing to address Council with respect to the proposal may do so at the public meeting. Persons unable to attend the public meeting may provide written comments up until the time of the public meeting. If you wish to be notified of the decision on the proposed application, you must make an oral or written request to the Township of Mulmur.

**PURPOSE OF THE AMENDMENT:** The proposed Zoning By-law Amendment would remove the holding provision from the Recreation Exception One Holding (RE-1-H) Zone for phase one and revise the zoning to maintain a holding provision on the subject lands for phase 2, allowing for phase one of the development, being 48 accommodation units and associated works to proceed in accordance with the proposed site plan agreement.

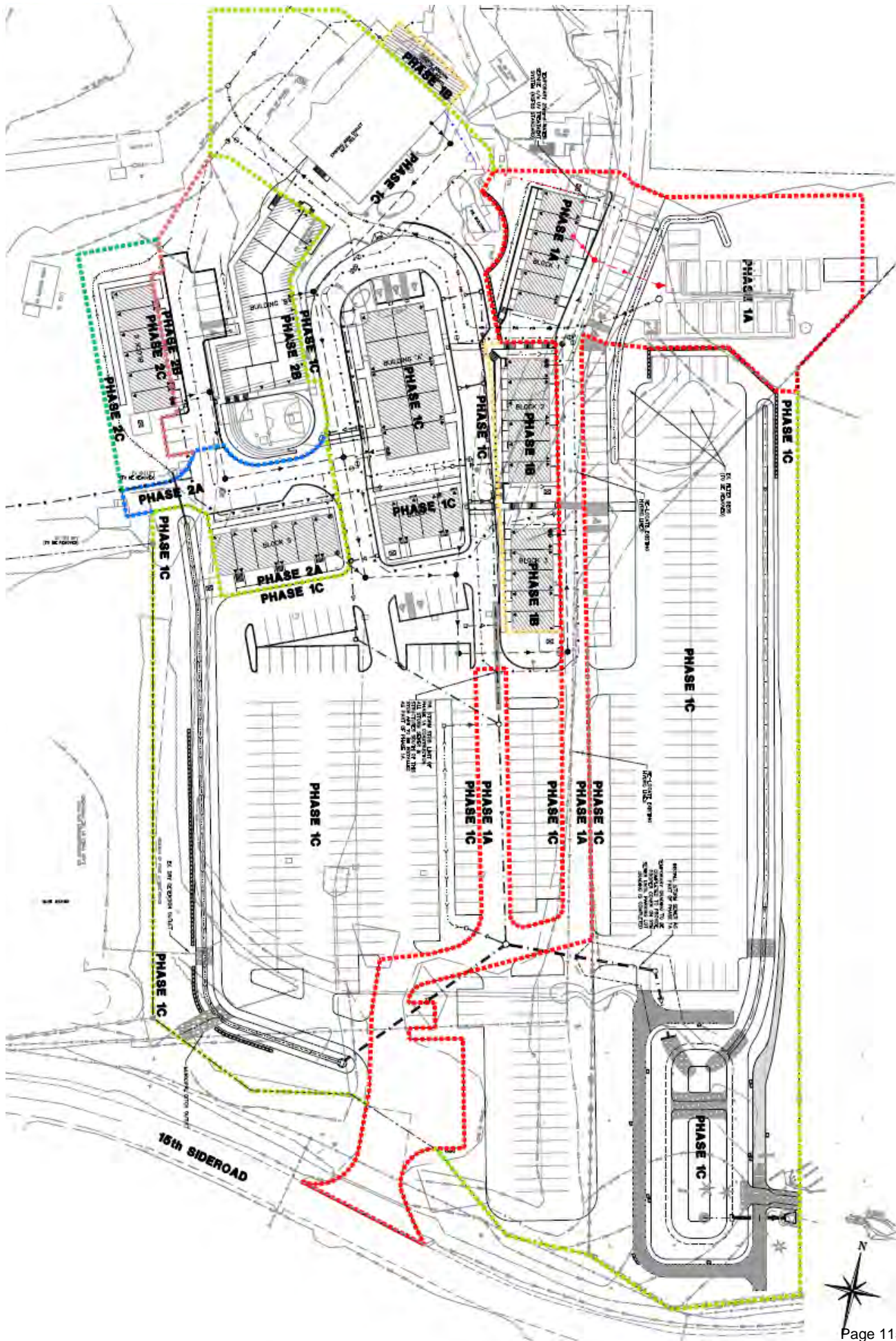
**A SITE PLAN AGREEMENT FOR PHASE ONE WILL BE PRESENTED TO COUNCIL FOR CONSIDERATION ON OCTOBER 6, 2021:** Mansfield Ski Club has received Environmental Compliance Approval from the Ministry of the Environment, Conservation for the establishment of stormwater management works for the collection, transmission, treatment and disposal of stormwater runoff (#8394-C3DKVS) and for the establishment, usage and operation of new non-municipal sewage works (#5564-C4WR49). The project has received a permit to take water from the Ministry of the Environment and Climate Change (#2542-AZHML3). The NVCA has provide comments through the process, and a permit will be required at the Building Permit stage.

**LANDS AFFECTED:** The Zoning By-law Amendment affects the lands described in the table below and identified in the map on reverse.

For more information contact:  
Tracey Atkinson, CAO/Clerk/Planner  
705-466-3341 | [planning@mulmur.ca](mailto:planning@mulmur.ca)  
DATED: September 8, 2021

ROLL NUMBER	2216000001242000000
OWNER	MANSFIELD SKI CLUB INC
STREET ADDRESS	628213 15TH SIDEROAD
LEGAL DESCRIPTION	MULMER CON 6 E PT LOTS 15 16 17 PT RD ALLOW PLAN 86 PT BLK B PLAN 7M4 PT BLKS 19 AND 20 RP 7R2240 PART 1 RP 7R455 PARTS 1 AND 2







## **MEMO**

To: Council  
From: Roseann Knechtel, Deputy Clerk  
Date: September 1, 2021  
Re: Public Works Tenders

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The following tenders have been completed and awarded.

### **RFQ-2021-03: LED Retrofit Streetlights**

**Successful Bidder:** C.I.D. Powerline

**Amount:** \$31,245 plus HST

### **3<sup>rd</sup> Line E Emergency Culvert Replacement**

**Successful Bidder:** Drexler Construction Limited

**Amount:** \$235,900 plus HST

Respectfully submitted,

*Roseann Knechtel*

Roseann Knechtel, Deputy Clerk



# KYLE SEEBACK

MEMBER OF PARLIAMENT  
DUFFERIN—CALEDON



August 18, 2021

Tracey Atkinson  
CAO/Clerk/Planner  
Township of Mulmur  
758070 2<sup>nd</sup> Line E  
Mulum, ON  
L9V 0G8

**Re: August 13, 2021 Correspondence – Truth & Reconciliation Calls to Action**

Dear Ms. Atkinson,

Thanks for contacting me to advise of Council's July 07, 2021 resolution regarding the Truth and Reconciliation Commission's Calls to Action. I always appreciate you taking the time to keep me informed on Council's initiatives and activities.

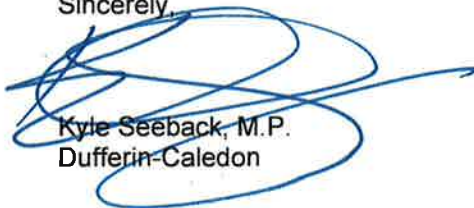
The tragic discoveries of mass graves at former residential schools this spring and summer, are a somber reminder that so much more work needs to be done to address the devastating and harmful effects that residential schools had, and still have, on many survivors today. It also underscores the need for action to finally be taken on the Truth and Reconciliation Commission's Calls to Action.

Following the heartbreaking discovery of the mass graves in Kamloops, B.C., my Conservative colleagues and I called on the government to take immediate action and support the Indigenous communities, and our country, in mourning. We put forth a list of meaningful actions that can assist families and Indigenous communities during this time which include: i) developing a comprehensive plan to implement TRC Calls to Action 71 through 76 by July 1, 2021; ii) funding the investigation at all former residential schools in Canada where unmarked graves may exist, including the site where 215 children have already been discovered; iii) ensuring that proper resources are allocated for communities to reinter, commemorate, and honour any individuals discovered through the investigation, according to the wishes of their next of kin; and iv) developing a detailed and thorough set of resources to educate Canadians of all ages on the tragic history of residential schools in Canada.

Words and apologies are not enough for survivors and families who've lost loved ones. We must begin the hard work of tackling issues to improve the lives of Indigenous peoples across Canada.

Please continue to contact me regarding any federal concerns Council may have.

Sincerely,



Kyle Seeback, M.P.  
Dufferin-Caledon

**PARLIAMENT HILL**

HOUSE OF COMMONS  
OTTAWA, ONTARIO, K1A 0A6  
PHONE: 613-995-7813



WWW.KYLESEEBACK.CA  
KYLE.SEEBACK@PARL.GC.CA

**CONSTITUENCY**

229 BROADWAY, UNIT 2  
ORANGEVILLE, ONTARIO, L9W 1K4  
PHONE: 519-941-1832

## **Roseann Knechtel**

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**Subject:** FW: Office of the Prime Minister / Cabinet du Premier ministre  
**Attachments:** Township\_of\_Mulmur\_-\_TRC\_Resolution.pdf

-----Original Message-----

From: Prime Minister | Premier Ministre  
Sent: August 16, 2021 12:11 PM  
To: Roseann Knechtel  
Cc: Carolyn Bennett; Marc Miller  
Subject: Office of the Prime Minister / Cabinet du Premier ministre

Dear Tracey Atkinson:

On behalf of Prime Minister Justin Trudeau, I would like to acknowledge receipt of your correspondence of August 13, 2021, attaching a resolution regarding the Truth and Reconciliation Commission's Calls to Action.

Thank you for taking the time to write. Please be assured that your comments, offered on behalf of the Township of Mulmur, have been carefully reviewed.

I have taken the liberty of forwarding your email to the Honourable Carolyn Bennett, Minister of Crown-Indigenous Relations, and the Honourable Marc Miller, Minister of Indigenous Services, for their information and consideration.

Once again, thank you for writing to the Prime Minister.

H. Clancy  
Executive Correspondence Officer  
/Agente de correspondance  
Executive Correspondence Services/  
Services de la correspondance de la haute direction



## Roseann Knechtel

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**Subject:** FW: OPP Detachment Boards - proposal

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**From:** Susan Stone <[ssstone@eastgarafraxa.ca](mailto:ssstone@eastgarafraxa.ca)>

**Sent:** August 17, 2021 11:04 AM

**Subject:** RE: OPP Detachment Boards - proposal

Hi Meghan/All

At the East Garafraxa Council meeting held August 10, 2021, the following resolution was passed:

Moved by Nevills – Seconded by Pinkney

BE IT RESOLVED THAT Council receives the Town of Grand Valley letter dated July 20, 2021, Request for Consideration for OPP Detachment Board Composition;

AND THAT Council do hereby support the proposal;

AND FURTHER THAT Council authorize the Town of Grand Valley to submit the proposal to the Solicitor General as presented on behalf of the Township of East Garafraxa.

CARRIED.

Sue

*Susan M. Stone, A.M.C.T.*

*CAO/Clerk-Treasurer*

*Township of East Garafraxa*

[ssstone@eastgarafraxa.ca](mailto:ssstone@eastgarafraxa.ca)

065371 Dufferin County Road 3, Unit 2 | East Garafraxa | ON | L9W 7J8

Tel: 226-259-9400 | Toll Free: 877-868-5967 | Fax: 1-226-212-9812



***The Township of East Garafraxa's Administration Office and Public Works Yard are closed to the public due to the ongoing COVID-19 Pandemic. The Township will continue to provide online/remote services through phone, email and fax.***

***Please check our website/social media for further updates. We thank you for your patience and understanding during these unprecedented times.***

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**Corporation of the Town of Shelburne**  
**Council Minutes**

July 26, 2021  
6:30 pm  
Electronic Participation  
203 Main St. E, Shelburne

Letter from the Town of Grand Valley Request for Consideration regarding OPP Detachment Boards.

**Motion # 8**

**Moved By Mayor Mills Seconded By Councillor Benotto**

THAT Council receives the letter from the Town of Grand Valley for information;

AND THAT Council expresses their support for the proposal.

**CARRIED, W. Mills**

**Roseann Knechtel**

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**Subject:** FW: OPP Detachment Boards - proposal

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**From:** Denise Holmes

**Sent:** August 17, 2021 9:12 AM

**Subject:** RE: OPP Detachment Boards - proposal

Good morning Meghan,

At the Council meeting held on August 12, 2021, the following motion was introduced and passed:

*Moved by McLean, Seconded by White*

**Be it resolved that: "Council supports one Rural Detachment Board and two Urban Detachment Boards (Orangeville and Shelburne). This composition to be re-evaluated at the end of the transitional contracts." Carried.**

Thank you.

***Denise B. Holmes, AMCT  
CAO/Clerk, Township of Melancthon  
519-925-5525 Ext. 101***



## Roseann Knechtel

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**Subject:** FW: OPP Detachment Boards - proposal  
**Attachments:** Solicitor General, PSB Detachments.pdf

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**From:** Fred Simpson  
**Sent:** August 25, 2021 8:19 AM  
**To:** Meghan Townsend  
**Cc:** Denise Holmes; Jennifer Willoughby; Karen Landry; Nicole Martin; Susan Stone; Tracey Atkinson  
**Subject:** FW: OPP Detachment Boards - proposal

Good morning Meghan,

During their meeting on August 24<sup>th</sup>, Mono Council decided to continue to endorse the proposal they put forward in a letter to the Solicitor General on April 16, 2021. Notwithstanding maintaining the status quo, Mono Council favours three POA Boards:

1. Orangeville and Shelburne
2. Amaranth, Grand Valley and East Garafraxa
3. Mono, Mulmur and Melancthon

**Fred Simpson**  
*Clerk*  
*Town of Mono*  
519.941.3599, 234



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April 16, 2021

Hon. Sylvia Jones,  
Solicitor General  
18th Floor, 25 Grosvenor Street  
Toronto, Ontario M7A 1Y6

Dear Madame Minister:

We are in receipt of your letter of March 17, 2021 regarding a OPP Detachment Board Framework. This response includes comments on your proposal and incorporates suggestions we were in the process of developing when your letter arrived.

### **Police Service Board Experience in the Town of Mono**

At the outset, you should know the current Police Services Board (PSB) model has served Mono well since 1998 when we became one of the first municipalities in Ontario to enter into a contract with the OPP.

The original contract reflected the same level of policing we received prior to 1998. Within a few years we elected to further contract for three-quarters of a full-time officer specifically to address speeding and other Highway Traffic Act offences. That arrangement has worked so well that last year, we increased this enhancement by a further 50% of a full-time officer's time.

Our PSB has three members, one of whom is appointed from the community, the other is a member of Mono Council while the third is a provincial appointee. A member of Mono staff serves as secretary. The Mono PSB meets at most quarterly. Meetings are open to the public. Per diems paid last year totalled \$540. The Council representative is not remunerated and the municipality remunerates the Province's appointee.

### **The Association of Ontario Municipalities (AMO) Position on PSBs**

*All municipalities should have representation on a Detachment PSB.*

We agree.

*The Province should cease making appointments to OPP Detachment PSBs.*

We agree.

AMO argues provincially appointed members bring nothing to their role that isn't covered by community members appointed by municipalities. There is good precedence for exclusive municipal appointment of community representatives, Alberta, Quebec, Saskatchewan and Manitoba being examples of provinces where municipalities name community representatives.

Moreover, the rate at which provincial appointees are named is a problem that spans multiple governments and is on-going. There are currently no fewer than 31 vacancies province wide representing over 12% of all provincially appointed PSB positions including one in Melancthon; vacant now for 3 years.

### **The Detachment Model as Applies to Dufferin**

When the process to examine PSB structure started we were assured of two things. First, flexibility to meet local circumstances and second, consultation. Dufferin County's opportunity to participate in a Regional Roundtable on PSB structure occurred on February 28, 2020 in Orillia. Due to one of the worst storms that winter, only one person from Dufferin was able to attend this last in a series of consultations. An email was sent that day to Ministry organizers asking for another opportunity to present our views. It went unanswered.

The current request for a position on PSB structure lacks any flexibility. We are directed to submit a form to be filled out by one municipality on behalf of all municipalities. The Province's insistence on matching local community appointments effectively forces us to choose between elected or community representation on PSBs or potentially no representation at all for some if we are to keep PSBs reasonably sized.

Dufferin County is not monolithic in terms of policing needs and priorities. Orangeville and Shelburne have challenges and issues not shared by rural neighbours including a recent transition to OPP policing. Rural municipalities have issues with speeding and property issues not shared to the same extent by urbanized municipalities.

All municipalities share in common a very sharp decline in Provincial Offence charge revenue (50% or more) This revenue offsets, at least in part, policing costs. This is a problem that remains unaddressed by the Province and the Courts.

### **Options for Dufferin**

Our preferred option is to leave the current structure and governance in place, at least for the time being. The Provincial initiative appears to be a solution searching for a problem. Local PSBs cost the Province nothing as we remunerate membership. If the issue is that OPP Detachment Commanders are forced to attend too many meetings, this can be addressed. We take no issue with capping the number of meetings or per diem paid to PSB members. If there are other problems with some PSBs, then address those problems individually.

If the status quo is not possible, another possible model could be three PSBs representing the following municipal groupings:

1. Orangeville and Shelburne
2. Amaranth, Grand Valley and East Garafraxa
3. Mono, Mulmur and Melancthon

## **Rationale**

Orangeville and Shelburne are urbanized and share similar challenges. Moreover, they are new to OPP policing and will have transitional issues for some time.

The other two municipal groupings: Amaranth, Grand Valley and East Garafraxa; and Mono, Mulmur and Melancthon, have very similar policing issues and challenges. Both groupings have urbanized areas but are predominantly rural in nature.

## **Membership**

The overall objective is to ensure council, local and Provincial representation in an appropriate balance. This can be achieved with each municipality appointing at least one councillor and a member of the public. If the Province also appoints a representative, it will result in 9 member PSBs for Mono, Mulmur and Melancthon; and Amaranth, Grand Valley and East Garafraxa.

The PSB for Orangeville/Shelburne could have three councillors for each municipality along with one community member appointed by each Council. If matched by Provincial appointments, the result would be a 10 member board. This option would reduce the number of attendances for the Detachment Commander while preserving elected and community representation on Dufferin PSBs.

We are pleased to discuss this further with you and your officials.

Regards,

**TOWN OF MONO**



Laura Ryan  
Mayor

cc: All Dufferin Municipalities



August 3, 2021

**SUBJECT:     *Main Street Recovery Act: Proclamation of Amendments to the  
Municipal Act and City of Toronto Act***

Dear Chief Administrative Officers and Clerks:

As you may know, in fall 2020, the government introduced amendments to the *Municipal Act, 2001* and *City of Toronto Act, 2006* through [Bill 215, \*Main Street Recovery Act, 2020\*](#). I am writing to update you that these legislative changes are scheduled to come into force on **September 19, 2021**.

As we collectively work to recover from the impacts of the pandemic, these legislative changes will help support economic recovery on main streets across Ontario and help ensure that important goods can continue to be delivered to businesses in our communities as efficiently as possible. Past pilot projects, which worked with municipal partners, have shown that the changes could also help reduce rush-hour traffic, lower fuel costs for businesses, and reduce greenhouse gas and other emissions.

From September 19, 2021 onwards, municipalities will not be able to regulate noise related to the delivery of goods to the following destinations:

1. Retail business establishments;
2. Restaurants, including cafes and bars;
3. Hotels and motels; and
4. Goods distribution facilities.

These changes will come into force on the same day as the expiry of temporary regulations (O. Reg. 70/20 and O. Reg. 71/20). These regulations, introduced at the outset of the pandemic, limit municipalities from regulating all noise related to the delivery of goods. From September 19, 2021 onwards, once the temporary regulations expire, municipalities will again have the authority to regulate delivery noise to destinations other than the four categories listed above.

Many municipalities, as well as business and logistics sector stakeholders, have expressed support for providing more flexibility for deliveries because of the benefits they offer Ontario's main street businesses and the local communities these businesses serve. Local businesses also have an interest in working to ensure that they continue to be good neighbours while planning for deliveries of goods to their businesses.

.../2

Prior to these amendments coming into force and for clarity for your stakeholders, your municipality may wish to review any applicable bylaws and consider whether any changes are necessary to align with the new framework. If your municipality has any questions on these changes, I would encourage you to contact your local [Municipal Services Office](#).

We will continue to monitor the implementation of this new framework. The Minister of Municipal Affairs and Housing has regulation-making authority to authorize municipalities to regulate delivery noise to the businesses noted above. No regulations are proposed to be made at this time to minimize burden for municipalities and businesses but may be considered in the future if deemed necessary.

Thank you for your continued support and collaboration as we work to support economic recovery in Ontario's communities.

Yours truly,

A handwritten signature in black ink, appearing to read "K. Manson-Smith".

Kate Manson-Smith

Deputy Minister

c: Laurie LeBlanc, Deputy Minister, Transportation  
Giles Gherson, Deputy Minister, Economic Development, Job Creation and Trade  
Brian Rosborough, Executive Director, Association of Municipalities of Ontario  
Bill Bond, President, Municipal Law Enforcement Officers' Association  
Jonathan Lebi, Assistant Deputy Minister, Local Government and Planning Policy Division, Ministry of Municipal Affairs and Housing  
Hannah Evans, Assistant Deputy Minister, Municipal Services Division, Ministry of Municipal Affairs and Housing

*A BY-LAW OF THE CORPORATION OF THE TOWNSHIP OF MULMUR TO AMEND  
DEVELOPMENT CHARGES BY-LAW 30-19*

WHEREAS Section 2(1 ) of the Development Charges Act, 1997 ("Act") enables the Council of a municipality to pass By-laws to impose development charges against lands located in the Township to pay for increased capital costs where the development of the land would increase the need for municipal services as designated in the By-law and the development requires one or more of the actions set out in Section 2(2) of the Act; and

AND WHEREAS The Corporation of the Township of Mulmur has determined that the development of lands within the Township will increase the need for municipal services and Council has confirmed it's intent to provide the said services; and

AND WHEREAS a Development Charge is intended to ensure that the increase in the need for services attributed to the anticipated growth will be met; and

AND WHEREAS the Council of the Corporation of the Township of Mulmur (hereinafter called "the Council") has determined that certain amendments should be made to the Development Charge By-law of the Township of Mulmur, being By-law 30-19;

AND WHEREAS the Council has given Notice of its Development Charges proposal in accordance with Section 12(1) of the Act, and held a public meeting on August 4, 2021 and is satisfied that no further notice is required.

NOW THEREFORE BE IT HEREBY RESOLVED THAT The Corporation of the Township of Mulmur hereby enacts the following:

**1. DEFINITION**

- 1.1 Act means the Development Charges Act, 1997 as amended from time to time and includes the Regulations passed under the Act, as amended from time to time.
- 1.2 In this By-law
  - 1.2.1 All words and phrases used in this By-law that have been defined in the Act shall have the same meaning as those words and phrases in the Act;
  - 1.2.2 Where the Development Charges Act does not specify a definition, the following definitions shall apply to the extent that they are not in conflict with the definitions in the Act;
- 1.3 Apartment Dwelling means a building containing 3 or more dwelling units which have a common entrance from the street level, and the occupants of which have the right to use common elements, including units defined as Special Care Dwelling Units
- 1.4 Board Of Education means a board of education, public school board, secondary school board, Catholic school board or Protestant school board.
- 1.5 Building Or Structure means a structure occupying an area greater than 10 square metres consisting of walls and a roof or a structural system serving the same purpose as defined in the Building Code and including carports and cloth, plastic or vinyl materials supported by structural frames but does not include awnings or an exterior storage tank.
- 1.6 Building Code Act means the *Building Code Act*, S.O. 1992, chapter 23, as amended and all Regulations thereto including the Ontario Building Code, 1997, as amended.
- 1.7 Building Permit means a Permit issued in accordance with the Building Code Act.



- 1.8 Commercial Use means, notwithstanding any other provisions of this By-law, lands, buildings or structures to be developed within a Commercial zone as defined by the Township's Zoning By-law.
- 1.9 Council means the Council of the Corporation of the Township of Mulmur.
- 1.10 Development means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of increasing the Total Floor Area, and includes Redevelopment.
- 1.11 Development Charge means a charge imposed pursuant to this By-law.
- 1.12 Duplex means a building that is divided horizontally into two dwelling units each of which has an independent entrance either directly or through a common vestibule.
- 1.13 Dwelling Unit means a combination of rooms where generally a kitchen, living quarter and sanitary conveniences are provided for habitation for the exclusive use of the occupants and with a private entrance from outside the building or from a common hallway or stairway inside. It may include a modular home constructed in accordance with the Building Code and C.S.A. A-277 Regulations. Any "dwelling", and "additional second dwellings" as defined by the Township of Mulmur Comprehensive Zoning By-Law 28-18, as amended or replaced, shall also be considered a "dwelling unit" under this By-law
- 1.14 Existing Lot of Record means a parcel of land which existed prior to the date of passing of this Development Charges By-law.
- 1.15 Gross Floor Area means the total floor area, as hereinafter defined, exclusive of any portion of the building or structure below finished grade measured between the exterior faces of the exterior walls which is used for heating, the storage of goods or personal effects, laundry facilities, recreational areas, the storage or parking of motor vehicles, exclusive of any private garage, carport, basement, walkout basement, cellar, porch, verandah or sunroom unless such sunroom is habitable during all seasons of the year.
- 1.16 Institutional means development of a building or structure intended for use:
- 1.16.1 As a long-term care home within the meaning of Subsection 2 (1) of the Long-Term Care Homes Act, 2007;
  - 1.16.2 As a retirement home within the meaning of Subsection 2(1) of the Retirement Homes Act, 2010.
  - 1.16.3 By any institution of the following post-secondary institutions for the objects of the institution:
    - 1.16.3.1 a university in Ontario that receives direct, regular and ongoing operation funding from the Government of Ontario;
    - 1.16.3.2 a college or university federated or affiliated with a university described in subclause 1.16.3.1; or
    - 1.16.3.3 an Indigenous Institute prescribed for the purposes of section 6 of the Indigenous Institute Act, 2017;
  - 1.16.4 As a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion; or
  - 1.28.1 As a hospice to provide end of life care.
- 1.17 Multi-Unit means, for the purposes of this By-law, any combination of two (2) or more dwelling units on a lot which is not defined as a Semi-Detached Dwelling. Includes an Apartment, Townhouse and Duplex as defined herein.
- 1.18 Non-Residential Uses means land, buildings or structures or portions thereof used, or designed or intended to be used for a use other than for a residential use.
- 1.19 Owner means the owner of land or a person who has made application for an approval for the development of land upon which a development charge is imposed.

- 1.20 Redevelopment means the construction, erection or placing of one or more buildings or structures on land where all or part of a building or structure has previously been demolished on such land, or changing the use of a building or structure from residential to non-residential or from non-residential to residential.
- 1.21 Residential Uses means land, buildings or structures or portions thereof used, designed, or intended to be used principally (or primarily) as living accommodation for one or more individuals.
- 1.22 Semi-Detached Dwelling means the whole of a building divided vertically into two separate dwelling units.
- 1.23 Services means services designated in this By-law including Schedule A to this By-law or in agreement under Section 44 of the Act, or both.
- 1.24 Single Detached Dwelling means a detached building containing one dwelling unit only.
- 1.25 Temporary Building Or Structure means a building or structure constructed or erected or placed on land for a continuous period not exceeding eight months, or an addition or alteration to a building or structure that has the effect of increasing the total floor area thereof for a continuous period not exceeding eight month.
- 1.26 Townhouse Dwelling means a dwelling unit in a building divided vertically into no less than three nor more than eight dwelling units attached by common walls extended from the base of the foundation to the roof line, each dwelling unit having a separate entrance at grade.
- 1.27 Township means The Corporation of the Township of Mulmur.
- 1.28 Non-profit housing development means development of a building or structure intended for use as residential premises by:
- 1.28.1 A corporation without share capital to which the Corporations Act applies, that is in good standing under that Act and whose primary objective is to provide housing;
- 1.28.2 A corporation without share capital to which the Canada Not-for-profit Corporation Act applies, that is in good standing under that Act and whose primary objective is to provide housing; or
- 1.28.3 A non-profit housing co-operative that is in good standing under the Co-operative Corporations Act.
- 1.29 Rental housing means development of a building or structure with four or more dwelling units all of which are intended for use as rented residential premises.
- 2. IMPOSITION OF DEVELOPMENT CHARGES**
- 2.1 Development charges shall be imposed on all lands, buildings or structures that are developed for residential or non-residential uses if the development requires:
- 2.1.1 the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the Planning Act;
- 2.1.2 the approval of a minor variance under section 45 of the Planning Act;
- 2.1.3 a conveyance of land to which a by-law passed under subsection 50 (7) of the Planning Act applies;
- 2.1.4 the approval of a plan of subdivision under section 51 of the Planning Act;
- 2.1.5 a consent under section 53 of the Planning Act;
- 2.1.6 the approval of a description under section 9 of the Condominium Act, 1998; or
- 2.1.7 the issuing of a permit under the Building Code Act, 1992 in relation to a building or structure.

**3. APPLICATION OF THIS BY-LAW**

- 3.1 This By-law shall apply to all lands within The Corporation of the Township of Mulmur.
- 3.2 No land, except land owned by and used for the purposes of a municipality or a board as defined in subsection 1 (1) of the *Education Act*, is exempt from a development charge by reason only that it is exempt from taxation under section 3 of the *Assessment Act*.
- 3.3 Nothing in this By-law prevents the approval authority or Council, as the case may be, from requiring, as a condition of an agreement under the Planning Act, SS. 51 or 53, that the owner at his or her own expense shall install or pay for local services as the approval authority or Council may require.

**4. CALCULATION OF DEVELOPMENT CHARGES - GENERAL**

- 4.1 Development charges shall be calculated in accordance with Schedule "B"

**5. INDEXING OF THE DEVELOPMENT CHARGE**

- 5.1 Development Charges may be adjusted, without amendment to this By-law, on the first day of January in each year, beginning with January 1, 2021, in accordance with the then most recent Statistics Canada Quarterly, Construction Price Index (Toronto).

**6. CALCULATION OF DEVELOPMENT CHARGES - RESIDENTIAL**

- 6.1 Development Charges shall apply to each dwelling unit in every development, whether single-use or mixed-use.
- 6.2 No Development Charges are payable in the following cases:
  - 6.2.1 An enlargement to an existing dwelling unit;
  - 6.2.2 The creation of a maximum of two additional dwelling units in an existing single detached dwelling or structure ancillary to such dwelling. The total gross floor area of the additional dwelling unit or units must be less than or equal to the gross floor area of the dwelling unit already in the existing residential building/dwelling;
  - 6.2.3 The creation of additional dwelling units equal to the greater of one or 1% of the existing dwelling units in an existing residential rental building containing four or more dwelling units or within a structure ancillary to such residential building;
  - 6.2.4 The creation of one additional dwelling unit in any other existing residential building/dwelling or within a structure ancillary to such residential building/dwelling. The gross floor area of the additional dwelling unit must be less than or equal to the gross floor area of the smallest dwelling unit already in the existing residential building/dwelling;
  - 6.2.5 The creation of a second dwelling unit in a proposed new Single Detached, Semi-Detached or Row Townhouse dwelling or in a building ancillary to such dwelling, subject to the following restrictions:

Item	Name of Class of Proposed New Residential Buildings	Description of Class of Proposed New Residential Buildings	Restrictions
1	Proposed new detached dwellings	Proposed new residential buildings that would not be attached to other buildings and that are permitted to contain a second dwelling unit, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units.	<p>The proposed new detached dwelling must only contain two dwelling units.</p> <p>The proposed new detached dwelling must be located on a parcel of land on which no other detached dwelling, semi-detached dwelling or row dwelling would be located.</p>
2	Proposed new semi-detached dwellings or row dwellings	Proposed new residential buildings that would have one or two vertical walls, but no other parts, attached to other buildings and that are permitted to contain a second dwelling unit, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units.	<p>The proposed new semi-detached dwelling or row dwelling must only contain two dwelling units.</p> <p>The proposed new semi-detached dwelling or row dwelling must be located on a parcel of land on which no other detached dwelling, semi-detached dwelling or row dwelling would be located.</p>
3	Proposed new residential buildings that would be ancillary to a proposed new detached dwelling, semi-detached dwelling or row dwelling	Proposed new residential buildings that would be ancillary to a proposed new detached dwelling, semi-detached dwelling or row dwelling and that are permitted to contain a single dwelling unit.	<p>The proposed new detached dwelling, semi-detached dwelling or row dwelling, to which the proposed new residential building would be ancillary, must only contain one dwelling unit.</p> <p>The gross floor area of the dwelling unit in the proposed new residential building must be equal to or less than the gross floor area of the detached dwelling, semi-detached dwelling or row dwelling to which the proposed new residential building is ancillary.</p>

6.3 For the purposes of Section 6.2 “existing residential building/dwelling”, means:

- 6.3.1 A residential building/dwelling, containing at least one dwelling unit, that existed on a parcel of land as of September 1, 2021 and which was not exempt from the payment of development charges pursuant to Section 2(3)(b) of the Act; or
- 6.3.2 The first residential building/dwelling, containing at least one dwelling unit, constructed on a vacant parcel of land after September 1, 2021 and for which development charges were paid.

6.4 In addition to the restrictions outlined in Subsection 6.2.5, for the purposes of the exemption for an additional residential unit in a building ancillary to a proposed new Single Detached, Semi-Detached or Row Townhouse Dwelling, the proposed new Single Detached, Semi-Detached or Row Townhouse Dwelling must be located on a parcel of land on which no other Single Detached, Semi-Detached or Row Townhouse dwelling is or would be located.

- 6.5 For the purposes of Subsection 6.2.5, "parcel of land" means a lot or block within a registered plan of subdivision or draft plan of subdivision or any land that may be legally conveyed under the exemption provided in clause 50 (3) (b) or clause 50 (5) (a) of the Planning Act.

## **7. CALCULATION OF DEVELOPMENT CHARGES - NON-RESIDENTIAL**

- 7.1 If the development is the enlargement of the gross floor area of a non-residential building and the gross floor area is enlarged by 50% or less of the size of the building, as of the date of passing of this Development Charges By-law, there shall be no development charge.
- 7.2 If the development is the enlargement of the gross floor area of a non-residential building and the gross floor area is enlarged by more than 50%, the amount of the development charge shall be based on the size of the enlargement that exceeds the exemption outlined in paragraph 7.1 above.

## **8. EXEMPT BUILDINGS**

- 8.1 Non-residential buildings used accessory to an agricultural operation shall be exempt from the development charge.
- 8.2 Buildings owned and used by the Township, or any Board of Education used for school purposes shall be exempt from the Development Charge.
- 8.3 Temporary buildings where the owner has completed an agreement with the Township specifying the owner's obligation to remove the building.
- 8.4 Places of Worship for religious uses, excluding those lands contained within the Township's employment lands as defined in the Township's Official Plan, that are exempt from Provincial taxes pursuant to the Provincial Land Tax RSO 1990, cP32 as amended, shall be exempt from the Development Charge.
- 8.5 Land vested in or leased to a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education if the development is intended to be occupied and used by the university, shall be exempt from the Development Charge.

## **9. REDEVELOPMENT**

- 9.1 In accordance with Subsections 9.2, 9.3 & 9.4 where there is a redevelopment, conversion, demolition or change of use of a building or structure or part thereof, the development charges payable by the new or proposed development shall be credited by the amount to which the previous use of the building or structure was subject to development charges at the time this By-law was passed.
- 9.2 A credit shall not be warranted where a building or structure or part thereof was demolished and no building permit has been issued within 2 years from the date of issuance of the demolition permit.
- 9.3 The credit with respect to a redevelopment, conversion, demolition, or change of use of a building or structure or part thereof shall not exceed the amount of the development charges payable with respect to new or proposed development.
- 9.4 No credit shall be given with respect to the redevelopment, conversions, demolition, or change of use of a building or structure or part thereof where the existing building or structure or part thereof would have been exempt from development charges in accordance with this By-law.
- 9.5 Where a non-residential building and associated use is proposed to be relocated to a different lot and the existing building demolished, the new building shall be credited in accordance with Subsections 9.1, 9.2, 9.3 & 9.4. If the relocation of the non-residential building and use results in



an increased demand on services, the increase in demand for services shall be payable in accordance with the provisions of this By-law. If in the future, redevelopment of the demolished site is proposed, the new proposed development of the site shall be subject to the full Development Charge as the service capacity associated with the demolished site has effectively been transferred.

- 9.6 No credit shall be given with respect to the demolition of derelict buildings as determined by the Chief Building Official of the Township

## **10 PAYMENT OF DEVELOPMENT CHARGES**

- 10.1 Except as otherwise provided in this By-law, Development Charges shall be calculated and payable in full in cash or certified cheque in Canadian funds or by credits granted by the Act, on the date that the first building permit is issued.
- 10.2 Except as otherwise provided in this By-law, a building permit shall not be issued until the development charge has been paid in full.
- 10.3 Development charges for rental housing and institutional developments are due and payable in 6 equal installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest, payable on the anniversary date each year thereafter.
- 10.4 Development charges for non-profit housing developments are due and payable in 21 installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest, payable on the anniversary date each year thereafter.
- 10.5 Where the development of land results from the approval of a Site Plan or Zoning By-law Amendment made on or after January 1, 2020, and the approval of the application occurred within 2 years of building permit issuance, the Development Charges under Subsections 10.1, 10.3 and 10.4 shall be calculated on the rates set out in Schedule “B” on the date of the planning application, including interest. Where both planning applications apply, Development Charges under Subsections 10.1, 10.3 and 10.4 shall be calculated on the rates, including interest, set out in Schedule “B” on the date of the later planning application, including interest
- 10.6 Interest for the purposes of Subsections 10.3, 10.4 and 10.5 shall be determined as defined in the Township’s Council approved Development Charge Interest Rate Policy.

## **11. WRITTEN AGREEMENTS WITH THE MUNICIPALITY**

- 11.1 Pursuant to the provisions of the Act, Council may enter into written agreements in regard to all matters authorized by the Act and general law.
- 11.2 The applicable provisions of this By-law may be varied in individual instances by the written agreements, as permitted by the Act.
- 11.3 Council has the power to enter into agreements to reduce or waive development charges that are payable under the Act and this By-law.
- 11.4 Agreements may give credit to the owner equal to the reasonable cost of providing services in addition to, or of a greater size or capacity, than would be required under this By-law. The credit shall not exceed the service standard used in the calculation of the development charge, and no credit shall be charged to any development charges reserve fund prescribed in this By-law or exceed the proportion of the development charge related to that service, payable by the owner to the Township.
- 11.5 Agreements may provide for all or any part of a development charge to be paid before or after it would otherwise be payable.

- 11.6 Front-ending agreements entered into under the provisions of s. 44 of the Act shall be deemed to be agreements under this section.
- 11.7 This By-law shall prevail over any previous agreements between a property owner and the Township with respect to the payment of impost fees, but levies or Development Charges. However, where fees or charges have been paid for services included in this By-law pursuant to an agreement that was registered on the title of the lands prior to the passing of this By-law, the Township shall apply that fee as a credit against the applicable Development Charge.
- 12. ADMINISTRATION**
- 12.1 A certified copy of this By-law may be registered on title to any land to which the By-law applies.
- 12.2 This By-law shall be administered by the Treasurer of the Township.
- 13. RESERVE FUNDS**
- 13.1 Monies received from payment of Development Charges shall be maintained in a separate reserve fund, and shall be used only to meet the growth-related net capital costs for which the Development Charge was levied under this By-law.
- 13.2 Where any Development Charge, or part thereof, remains unpaid after the due date, the unpaid amount shall be added to the tax roll and shall be collected as taxes. Where any unpaid Development Charges are collected as taxes, the monies so collected shall be credited to the development charge reserve fund.
- 13.3 The Treasurer of the Township shall, in each year, furnish to Council, a statement in respect of the reserve fund established hereunder for the prior year.
- 14. REFUNDS**
- 14.1 Where this By-law or any Development Charge prescribed hereunder is amended or repealed either by order of the Local Planning Appeal Tribunal (LPAT) or by Council, the Township shall forthwith pay the appropriate refund, calculated in accordance with the Act and Regulations passed under the Act.
- 15. SCHEDULES**
- 15.1 The following schedules to this By-law form an integral part of this By-law;
- Schedule "A" - Classification of Services and Classes of Service;
- Schedule "B" - Components of Development Charge;
- 16. GENERAL**
- 16.1 This By-law comes into full force and effect upon the final passing thereof.
- 16.2 Unless repealed earlier, or unless the term of the By-law is extended by legislation, this By-law expires five years from the day it comes into force.
- 16.3 Where in this By-law the context so requires, words in the singular include the plural and words in the plural include the singular, and words importing the masculine gender include feminine and neuter gender.
- 16.4 Any portion of this By-law found to be invalid shall be severed,



and the balance of the By-law shall be deemed to be valid and enforceable and shall be construed without reference to the invalid portions.

**17. REPEAL**

By-law 30-19 is hereby repealed upon the coming into full force and effect of this by-law.

**FINALLY PASSED AND ENACTED THIS 1st DAY OF SEPTEMBER, 2021**

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Clerk**

Schedule "A"  
Classification of Services and Classes of Service

<b>Transportation</b>  Roads Sand Storage Buildings Vehicles and Equipment
<b>Fire Services</b>  Honeywood and Rosemont Buildings Shelburne Building Fire Vehicles Fire suits Small equipment
<b>Recreation</b>  Recreation/Community Buildings Arena Recreation Vehicles and Small Equipment Developed Parkland Growth-Related Studies (Service Specific)
<b>Library Services</b>  Library Circulation and Equipment/Furniture Shelburne Library Expansion
<b>Class of Growth-Related Studies</b>  Transportation Fire Services Recreation Library Services

**Schedule “B”**  
**Components of Development Charge**

Service/Class	Residential (per Dwelling Unit)	Percent of Residential Charge	Non-Residential (per sq.ft. of Gross Floor Area)	Percent of Non-Residential Charge
Transportation	6,798	56%	0.79	68%
Fire Services	2,135	17%	0.25	21%
Recreation	2,035	17%	-	-
Library Services	29	0%	-	-
Growth-Related Studies	1,227	10%	0.12	10%
<b>Total</b>	<b>12,225</b>	<b>100%</b>	<b>1.16</b>	<b>100%</b>

August 23, 2021

\*Disclaimer: The Association of Municipalities of Ontario (AMO) is unable to provide any warranty regarding the accuracy or completeness of third-party submissions. Distribution of these items does not imply an endorsement of the views, information or services mentioned.

## **AMO Policy Update – Draft Resolution for Municipal Recognition of September 30<sup>th</sup> as National Day for Truth and Reconciliation, and New Municipal Resource Materials**

Recent discoveries of remains and unmarked graves across Western Canada have led to increased calls for all levels of government to immediately address the recommendations in the Truth and Reconciliation Commission's (TRC) Calls to Action.

All Canadians and all orders of government have a role to play in reconciliation. The TRC's 94 Calls to Action are addressed primarily to the federal, provincial, and territorial governments but also to municipal governments, the corporate sector, and the broader Canadian society. They cover a wide range of government responsibilities including child welfare, education, language and culture, health, justice, commemoration, museums and archives, training for public servants, and a few specific initiatives related to reconciliation.

At the August 14<sup>th</sup> Board Meeting, the AMO Board of Directors approved two resource papers to assist municipal councils' efforts to support Truth and Reconciliation.

The first resource paper provides an overview of the [Truth and Reconciliation Commission's \(TRC's\) Calls to Action](#) that municipal governments can address themselves.

The second resource paper provides ideas and options for [what municipal leaders, councils can do to better support and engage Indigenous residents and neighbours at this time](#).

These AMO resource papers are meant to be organic and to be revised/updated when appropriate and more municipal resource materials are available.

### **Municipal Recognition of September 30<sup>th</sup> as National Day for Truth and Reconciliation – Draft Resolution**

The AMO Board of Directors encourages members to recognize September 30<sup>th</sup> as National Day for Truth and Reconciliation (also known as Orange Shirt Day with the adoption of the following resolution:

*WHEREAS the Truth and Reconciliation Commission released its final report on June 2, 2015, which included 94 Calls to Action to redress the legacy of residential schools and advance the process of Canadian reconciliation;*

*AND WHEREAS the recent discoveries of remains and unmarked graves across Canada have led to increased calls for all levels of government to address the recommendations in the TRC's Calls to Action;*

*AND WHEREAS all Canadians and all orders of government have a role to play in reconciliation;*

*AND WHEREAS Recommendation #80 of the Truth and Reconciliation Commission called upon the federal government, in collaboration with Aboriginal peoples, to establish, as a statutory holiday, a National Day for Truth and Reconciliation to ensure that public commemoration of the history and legacy of residential schools remains a vital component of the reconciliation process;*

*AND WHEREAS the Federal Government has announced September 30th, 2021, as the first National Day for Truth and Reconciliation (National Orange Shirt Day) and a statutory holiday;*

*THEREFORE, BE IT RESOLVED THAT the Council of the [municipality] of [placename] does hereby commit to recognizing September 30th, 2021, as the National Day for Truth and Reconciliation (National Orange Shirt Day) by sharing the stories of residential school survivors, their families, and communities.*

AMO's [COVID-19 Resources](#) page is being updated continually so you can find critical information in one place. Please send any of your municipally related pandemic questions to [covid19@amo.on.ca](mailto:covid19@amo.on.ca).

## City Council

### Member Motions - Meeting 32

<b>MM32.12</b>	<b>ACTION</b>	<b>Adopted</b>		<b>Ward: All</b>
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### **Building the Early Learning and Child Care System Toronto Needs - by Councillor Mike Layton, seconded by Councillor Shelley Carroll**

#### **City Council Decision**

City Council on May 5 and 6, 2021, adopted the following:

1. City Council reaffirm the City of Toronto's support for building a system of early learning and child care services that are high-quality, public and not-for profit, affordable, inclusive and accessible for all families.
2. City Council express its support for the Government of Canada's April 19, 2021 budget announcement to invest in building a Canada wide system of Early Learning and Child Care and Indigenous Early Learning and Child Care, that builds on City of Toronto policies and service plans, and has adequate and ongoing operating and capital funding.
3. City Council communicate to the Provincial and Federal Governments, the City of Toronto's interest in working collaboratively, and participating in tri-lateral discussions as soon as possible, with the goal of achieving intergovernmental agreements by Fall 2021, and City Council make these negotiations a priority in our intergovernmental strategies.
4. City Council direct the General Manager, Children's Services to include in the June 2021 Growth Strategy Update report to the Economic and Community Development Committee and City Council, the opportunities and funding the Federal announcement could provide to expedite the Growth Strategy in Toronto, and to report to the Budget Committee on the City's share of new committed funding for child care once it is known.
5. City Council direct the General Manager, Children's Services to work closely with, and leverage the expertise of partners including the Province, City divisions, school boards and service providers to expand existing and develop new licensed child care services.
6. City Council request the City Clerk to distribute City Council's decision to other municipalities in Ontario, the Ontario Municipal Social Services Association and the Association of Municipalities of Ontario.

#### **Summary**

The lack of affordable, high-quality early learning and child care is one of the most significant challenges for families in our City. The pandemic has exacerbated the situation, and

accentuated the importance of child care for Toronto parents.

We have seen the gendered-impact of the pandemic on women. We have experienced the toll on parents, particularly mothers, because of the lack of access to child care. We know women will continue to face huge barriers to equitable participation in our economy if child care is not at the centre of COVID-19 recovery strategies. We also know that underserved communities, low-income and BIPOC families, people with disabilities, and those who are precariously-employed will not share in the benefits of economic renewal without access to affordable child care.

A broad consensus has emerged across all sectors, including business, academic, social service and feminist organizations, that a robust system of accessible, high-quality child care services is essential for Canada's economic renewal. The time is now to make long-awaited progress on child care for Toronto families.

The Government of Canada has recognized that investment in child care is urgently needed, and of national importance, for families and the economy. As part of the Budget 2021, it has committed to build a Canada-wide Early Learning and Child Care system that is affordable, high-quality and accessible for all families. The plan calls for \$30 Billion over 5 years, with an ongoing annual expenditure of \$8.3 Billion. The goal is to reduce fees by 50 percent by 2022, and achieve an average cost of \$10.00 per day by 2026.

The announcement is welcome news for women, their families, and cities across the Country. Toronto manages the second largest system of child care services in the Country, and it is important for our City to show its support for building a strong system of Early Learning and Child Care in Toronto and across Ontario – and that we are ready to work with the Federal and Provincial governments to achieve it.

City Council must reinforce the urgency, and express our willingness to be partners with all levels of government, and to act now, with urgency, to ensure this promise becomes a reality for Toronto children and families.

### **Background Information (City Council)**

Member Motion MM32.12

(<http://www.toronto.ca/legdocs/mmis/2021/mm/bqrd/backgroundfile-166359.pdf>)





August 17, 2021

To Whom it May Concern:

Please be advised that the Council of The Corporation of the Municipality of Leamington, at its meeting held Tuesday, July 13, 2021 enacted the following resolution:

**No. C-208-21**

Whereas the current joint and several liability regime as set out in the Negligence Act financially impacts all municipalities across the province whether or not a claim occurred within a municipality's borders.

Whereas municipalities are often added to claims as they are seen as having significant resources with the backing of taxpayers.

Whereas insurance companies ultimately recover their losses by way of, among other things, increased annual premiums from their insureds.

Whereas the Municipality's total annual cost of all insurance premiums has grown by \$148,869.28 over the last 5 years which equals a percentage increase of approximately 23%. Liability insurance premiums account for \$64,638.68 of this amount, an approximate 16% increase when comparing premiums from 2017 to 2021.

Whereas higher insurance costs diverts property tax dollars from delivering public services to the Municipality's residents.

Be it resolved that Council supports the recommendations proposed by the Association of Municipalities of Ontario ("AMO") to address joint and several liability reform and rising insurance costs more generally, which recommendations include:

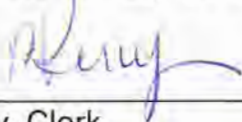
1. The provincial government adopt a model of full proportionate liability to replace joint and several liability.
2. Implement enhancements to the existing limitations period including the continued applicability of the existing 10-day rule on slip and fall cases given recent judicial interpretations, and whether a 1-year limitation period may be beneficial.
3. Implement a cap for economic loss awards.

4. Increase the catastrophic impairment default benefit limit to \$2 million and increase the third-party liability coverage to \$2 million in government regulated automobile insurance plans.
5. Assess and implement additional measures which would support lower premiums or alternatives to the provision of insurance services by other entities such as non-profit insurance reciprocals.
6. Compel the insurance industry to supply all necessary financial evidence including premiums, claims, and deductible limit changes which support its, and municipal arguments as to the fiscal impact of joint and several liability.
7. Establish a provincial and municipal working group to consider the above and put forward recommendations to the Attorney General.

Be it further resolved that Council direct Administration to forward a copy of this resolution to the Premier of the Province of Ontario and AMO

**Carried**

Dated today, the 17<sup>th</sup> day of August, 2021.



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Brenda Percy, Clerk  
The Corporation of the Municipality of Leamington

cc: Hon. Doug Ford, Premier of Ontario  
Association of Municipalities of Ontario



## **THE CORPORATION OF THE TOWNSHIP OF MULMUR**

### **BY-LAW NO. \_\_\_\_\_ - 2021**

#### **A BY-LAW OF THE CORPORATION OF THE TOWNSHIP OF MULMUR TO AMEND DEVELOPMENT CHARGES BY-LAW 30-19**

WHEREAS Section 2(1) of the Development Charges Act, 1997 ("Act") enables the Council of a municipality to pass By-laws to impose development charges against lands located in the Township to pay for increased capital costs where the development of the land would increase the need for municipal services as designated in the By-law and the development requires one or more of the actions set out in Section 2(2) of the Act; and

AND WHEREAS The Corporation of the Township of Mulmur has determined that the development of lands within the Township will increase the need for municipal services and Council has confirmed its intent to provide the said services; and

AND WHEREAS a Development Charge is intended to ensure that the increase in the need for services attributed to the anticipated growth will be met; and

AND WHEREAS Section 19 of the Act provides for amendments to be made to development charges by-laws;

AND WHEREAS the Council of the Corporation of the Township of Mulmur (hereinafter called "the Council") has determined that certain amendments should be made to the Development Charge By-law of the Township of Mulmur, being By-law 30-19;

AND WHEREAS the Council has given Notice of its Development Charges proposal in accordance with Section 12(1) of the Act, and held a public meeting on August 4, 2021 and is satisfied that no further notice is required.

**NOW THEREFORE BE IT HEREBY RESOLVED THAT The Corporation of the Township of Mulmur hereby enacts the following:**

**1. By-law 30-19 is hereby amended as follows**

1.1 Sections 1.13 and 1.16 are deleted and replaced with the following:

- 1.13 **Dwelling Unit** means a combination of rooms where generally a kitchen, living quarter and sanitary conveniences are provided for habitation for the exclusive use of the occupants and with a private entrance from outside the building or from a common hallway or stairway inside. It may include a modular home constructed in accordance with the Building Code and C.S.A. A-277 Regulations. Any “dwelling”, and “additional second dwellings” as defined by the Township of Mulmur Comprehensive Zoning By-Law 28-18, as amended or replaced, shall also be considered a “dwelling unit” under this By-law
- 1.16 **Institutional** means development of a building or structure intended for use:
- 1.16.1 As a long-term care home within the meaning of Subsection 2 (1) of the Long-Term Care Homes Act, 2007;
  - 1.16.2 As a retirement home within the meaning of Subsection 2(1) of the Retirement Homes Act, 2010.
  - 1.16.3 By any institution of the following post-secondary institutions for the objects of the institution:
    - 1.16.3.1 a university in Ontario that receives direct, regular and ongoing operation funding from the Government of Ontario;
    - 1.16.3.1 a college or university federated or affiliated with a university described in subclause 1.16.3.1; or
    - 1.16.3.1 an Indigenous Institute prescribed for the purposes of section 6 of the Indigenous Institute Act, 2017;
  - 1.16.4 As a memorial home, clubhouse or athletic grounds by an Ontario branch of the Royal Canadian Legion; or
  - 1.16.5 As a hospice to provide end of life care.
- 1.2 The following definitions are added to Section 1 of the By-law:
- 1.28 **Non-profit housing development** means development of a building or structure intended for use as residential premises by:

1.28.1 A corporation without share capital to which the Corporations Act applies, that is in good standing under that Act and whose primary objective is to provide housing;

1.28.2 A corporation without share capital to which the Canada Not-for-profit Corporation Act applies, that is in good standing under that Act and whose primary objective is to provide housing; or

1.28.3 A non-profit housing co-operative that is in good standing under the Co-operative Corporations Act.

1.29 **Rental housing** means development of a building or structure with four or more dwelling units all of which are intended for use as rented residential premises.

1.3 Section 2.1 is deleted and replaced with the following:

2.1 Development charges shall be imposed on all lands, buildings or structures that are developed for residential or non-residential uses if the development requires:

2.1.1 the passing of a zoning by-law or of an amendment to a zoning by-law under section 34 of the Planning Act;

2.1.2 the approval of a minor variance under section 45 of the Planning Act;

2.1.3 a conveyance of land to which a by-law passed under subsection 50 (7) of the Planning Act applies;

2.1.4 the approval of a plan of subdivision under section 51 of the Planning Act;

2.1.5 a consent under section 53 of the Planning Act;

2.1.6 the approval of a description under section 9 of the Condominium Act, 1998; or

2.1.7 the issuing of a permit under the Building Code Act, 1992 in relation to a building or structure.



1.4 Section 6.2 is deleted and replaced with the following:

6.2 No Development Charges are payable in the following cases:

6.2.1 An enlargement to an existing dwelling unit;

6.2.2 The creation of a maximum of two additional dwelling units in an existing single detached dwelling or structure ancillary to such dwelling. The total gross floor area of the additional dwelling unit or units must be less than or equal to the gross floor area of the dwelling unit already in the existing residential building/dwelling;

6.2.3 The creation of additional dwelling units equal to the greater of one or 1% of the existing dwelling units in an existing residential rental building containing four or more dwelling units or within a structure ancillary to such residential building;

6.2.4 The creation of one additional dwelling unit in any other existing residential building/dwelling or within a structure ancillary to such residential building/dwelling. The gross floor area of the additional dwelling unit must be less than or equal to the gross floor area of the smallest dwelling unit already in the existing residential building/dwelling;

6.2.5 The creation of a second dwelling unit in a proposed new Single Detached, Semi-Detached or Row Townhouse dwelling or in a building ancillary to such dwelling, subject to the following restrictions:

Item	Name of Class of Proposed New Residential Buildings	Description of Class of Proposed New Residential Buildings	Restrictions
1	Proposed new detached dwellings	Proposed new residential buildings that would not be attached to other buildings and that are permitted to contain a second dwelling unit, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units.	<p>The proposed new detached dwelling must only contain two dwelling units.</p> <p>The proposed new detached dwelling must be located on a parcel of land on which no other detached dwelling, semi-detached dwelling or row dwelling would be located.</p>

Item	Name of Class of Proposed New Residential Buildings	Description of Class of Proposed New Residential Buildings	Restrictions
2	Proposed new semi-detached dwellings or row dwellings	Proposed new residential buildings that would have one or two vertical walls, but no other parts, attached to other buildings and that are permitted to contain a second dwelling unit, that being either of the two dwelling units, if the units have the same gross floor area, or the smaller of the dwelling units.	<p>The proposed new semi-detached dwelling or row dwelling must only contain two dwelling units.</p> <p>The proposed new semi-detached dwelling or row dwelling must be located on a parcel of land on which no other detached dwelling, semi-detached dwelling or row dwelling would be located.</p>
3	Proposed new residential buildings that would be ancillary to a proposed new detached dwelling, semi-detached dwelling or row dwelling	Proposed new residential buildings that would be ancillary to a proposed new detached dwelling, semi-detached dwelling or row dwelling and that are permitted to contain a single dwelling unit.	<p>The proposed new detached dwelling, semi-detached dwelling or row dwelling, to which the proposed new residential building would be ancillary, must only contain one dwelling unit.</p> <p>The gross floor area of the dwelling unit in the proposed new residential building must be equal to or less than the gross floor area of the detached dwelling, semi-detached dwelling or row dwelling to which the proposed new residential building is ancillary.</p>

1.5 The following is added to the by-law:

6.3 For the purposes of Section 6.2 “existing residential building/dwelling”, means:

6.3.1 A residential building/dwelling, containing at least one dwelling unit, that existed on a parcel of land as of September 1, 2021 and which was not exempt from the payment of development charges pursuant to Section 2(3)(b) of the Act; or

6.3.2 The first residential building/dwelling, containing at least one dwelling unit, constructed on a vacant parcel of land after September 1, 2021 and for which development charges were paid.



- 6.4 In addition to the restrictions outlined in Subsection 6.2.5, for the purposes of the exemption for an additional residential unit in a building ancillary to a proposed new Single Detached, Semi-Detached or Row Townhouse Dwelling, the proposed new Single Detached, Semi-Detached or Row Townhouse Dwelling must be located on a parcel of land on which no other Single Detached, Semi-Detached or Row Townhouse dwelling is or would be located.
- 6.5 For the purposes of Subsection 6.2.5, “parcel of land” means a lot or block within a registered plan of subdivision or draft plan of subdivision or any land that may be legally conveyed under the exemption provided in clause 50 (3) (b) or clause 50 (5) (a) of the Planning Act.
- 1.6 Section 8.4 is deleted and replaced with the following:
- 8.4 Places of Worship for religious uses, excluding those lands contained within the Township’s employment lands as defined in the Township’s Official Plan, that are exempt from Provincial taxes pursuant to the Provincial Land Tax RSO 1990, cP32 as amended, shall be exempt from the Development Charge.
- 1.7 The following is added to Section 8 of the By-law:
- 8.5 Land vested in or leased to a university that receives regular and ongoing operating funds from the government for the purposes of post-secondary education if the development is intended to be occupied and used by the university, shall be exempt from the Development Charge.
- 1.8 The following is added to Section 9 of the by-law:
- 9.6 No credit shall be given with respect to the demolition of derelict buildings as determined by the Chief Building Official of the Township
- 1.9 The following is added to Section 10 of the by-law:
- 10.3 Development charges for rental housing and institutional developments are due and payable in 6 equal installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest, payable on the anniversary date each year thereafter.

- 10.4 Development charges for non-profit housing developments are due and payable in 21 installments commencing with the first installment payable on the date of occupancy, and each subsequent installment, including interest, payable on the anniversary date each year thereafter.
- 10.5 Where the development of land results from the approval of a Site Plan or Zoning By-law Amendment made on or after January 1, 2020, and the approval of the application occurred within 2 years of building permit issuance, the Development Charges under Subsections 10.1, 10.3 and 10.4 shall be calculated on the rates set out in Schedule “B” on the date of the planning application, including interest. Where both planning applications apply, Development Charges under Subsections 10.1, 10.3 and 10.4 shall be calculated on the rates, including interest, set out in Schedule “B” on the date of the later planning application, including interest.
- 10.6 Interest for the purposes of Subsections 10.3, 10.4 and 10.5 shall be determined as defined in the Township’s Council approved Development Charge Interest Rate Policy.
- 1.10 Section 15.1 is deleted and replaced with the following:
- 15.1 The following schedules to this By-law form and integral part of this By-law:
- Schedule “A” – Classification of Services and Classes of Service;
- Schedule “B” – Components of Development Charge
- 1.11 Schedule “A” is deleted and the attached Schedule “A” substitutes therefore.
- 1.12 Schedule “B” is deleted and the attached Schedule “B” substitutes therefore.
- 1.13 This By-law shall come into force and effect on September 1, 2021.

FINALLY PASSED AND ENACTED THIS 1<sup>st</sup> DAY OF SEPTEMBER, 2021

---

**Mayor**

---

**Clerk**

**Schedule “A”**  
**Classification of Services and Classes of Service**

<b>Transportation</b>  Roads Sand Storage Buildings Vehicles and Equipment
<b>Fire Services</b>  Honeywood and Rosemont Buildings Shelburne Building Fire Vehicles Fire suits Small equipment
<b>Recreation</b>  Recreation/Community Buildings Arena Recreation Vehicles and Small Equipment Developed Parkland Growth-Related Studies (Service Specific)
<b>Library Services</b>  Library Circulation and Equipment/Furniture Shelburne Library Expansion
<b>Class of Growth-Related Studies</b>  Transportation Fire Services Recreation Library Services

**Schedule “B”  
Components of Development Charge**

Service/Class	Residential (per Dwelling Unit)	Percent of Residential Charge	Non- Residential (per sq.ft. of Gross Floor Area)	Percent of Non- Residential Charge
Transportation	6,798	56%	0.79	68%
Fire Services	2,135	17%	0.25	21%
Recreation	2,035	17%	-	-
Library Services	29	0%	-	-
Growth-Related Studies	1,227	10%	0.12	10%
<b>Total</b>	<b>12,225</b>	<b>100%</b>	<b>1.16</b>	<b>100%</b>

THE CORPORATION OF THE TOWNSHIP OF MULMUR



BY-LAW NO. \_\_\_\_-2021

BEING A BY-LAW TO ESTABLISH FEES OR CHARGES FOR SERVICES OR  
ACTIVITIES PROVIDED OR DONE ON BEHALF OF THE CORPORATION OF THE  
TOWNSHIP OF MULMUR

**WHEREAS** Section 390 of the *Municipal Act*, S.O. 2001 c.25 as amended, authorizes the Council of a local municipality to pass by-laws imposing fees or charges on persons for services or activities provided or done by or on behalf of the municipality;

**AND WHEREAS** Section 150 of the *Municipal Act*, S.O. c. 25, as amended, authorizes a local municipality to pass a by-law requiring the payment of license fees;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF MULMUR HEREBY ENACTS AS FOLLOWS:**

1. That the fees set out in the attached schedules shall be paid for the services or activities listed.
2. That Schedules A, B, C and D attached hereto form part of this by-law.
3. That this by-law supersedes other by-laws in terms of fees and payments only.
4. That this by-law shall be known and may be cited as the "Township of Mulmur User Fees and Charges By-Law."
5. That By-Laws 08-2021 and any amendments thereto are hereby repealed.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED on this 1<sup>st</sup> day of September 2021.

.....  
MAYOR

.....  
CLERK



## SCHEDULE OF USER FEES & CHARGES 2021

(Updated June 2021)

<b>ADMINISTRATION</b>	<b>FEES</b>	<b>PUBLIC WORKS DEPARTMENT</b>	<b>FEES</b>
Arrears Statement by Mail	\$5	Annual Trailer Licence	\$240
Colour 11x17 Zoning/OP Maps	\$3 each	Annual Wide Load Permit	\$50
Commissioner of Oaths	\$15 for non-resident	Annual Wrecking Yard Licence	\$10
Fax	\$2 per page	Entrance Permit (Twp. rds only: \$100 Non Refundable)	\$400
Late Payments Penalty	1.25%	Road Occupancy Permit-Construction	\$50
Lottery Licensing Fee	3% of Prize Value	Road Occupancy Permit-Comm./Events	\$250
NSF Returned Cheques	\$40	<b>Road Occupancy Permit-Forestry</b>	<b>\$500</b>
OPP False Alarms ( <b>3<sup>rd</sup> offence &amp; subsequent</b> ) (see By-law 16-2014)	\$500 per offence	<b>WASTE</b>	
Photocopying	\$0.50 per copy	Composter (Black-Backyard)	\$35 each
Refreshment Vehicles/Stand	\$250 annually	Garbage Bag Stickers	\$ 2 per bag
Satellite Photos	\$10	Green Bin (roadside pick-up)	\$15 each
Search of Records or Admin work required	\$15/qtr hr.	Kitchen Catcher (additional)	\$5 each
Tax & A/R Bill/Statement Reprints by mail	\$5		
Tax Certificates	\$75	<b>DOG LICENSE FEES</b>	
<b>Tent Rentals</b>	<b>\$50/day*</b>	Replacement Tag	\$ 5 each
Township Baseball Caps	\$14	<b>SPAYED/NEUTERED</b>	
Township Basement Hall Rental - Non Resident/Commercial use	\$100/day*	First Dog	\$20
Township Basement Hall Rental - Resident	\$50/day*	Second Dog	\$30
<b>Township Basement Hall Rental Hourly Rate - Resident</b>	<b>\$15/hr*</b>	Third Dog	\$80
Township Pins	\$3	<b>NOT SPAYED OR NEUTERED</b>	
Transfer unpaid accounts to taxes	\$10	First Dog	\$30
<b>MANSFIELD PARK RATES</b>		Second Dog	\$40
Adult Baseball per hour fee	\$11/hr.*	Third Dog	\$90
Minor Baseball per hour fee	\$8/hr.*	<b>Kennel Licence first year</b>	<b>\$300</b>
Pavilion Rental (includes use of washrooms, ball diamond, children's playground, picnic tables and garbage cans). Half a day is 4 hours or less.	\$50/half day* \$100/full day*	<b>Kennel Licence after first year</b>	<b>\$150</b>
Sign Sponsorship (sign 40 inches x 40 inches)	\$140 per sign*	Penalty for obtaining kennel licence late (after April 1st)	\$100

\* Plus HST



## SCHEDULE OF USER FEES & CHARGES 2021

(Updated June 2021)

<u>Water</u>	<u>Rate/Fee</u>
<b><u>Consumption Charges</u></b>	
Quarterly Base Charge up to 3/4" Meter Size	\$91.00
Quarterly Base Charge up to 1" Meter Size	\$154.70
Quarterly Base Charge up to 1 1/2" Meter Size	\$300.30
Quarterly Base Charge up to 24" Meter Size	\$482.30
Quarterly Base Charge up to 3" Meter Size	\$910.00
Quarterly Base Charge up to 4" Meter Size	\$1,519.70
Quarterly Base Charge up to 6" Meter Size	\$3,030.30
Volumetric Charges/cubic metre	4.63/M <sup>3</sup>
<b><u>Service Charges</u></b>	
Individual or Final meter reading fee	\$50
Turning water on or off	\$50
Inspection for construction/repairs	Actual Cost
Individual municipal services	\$60 per hour + plus 20% for overhead
Services during non-office hours	\$90 per hour + plus 20% for overhead
<b><u>Water Connection Fees</u></b>	
Deposit	\$500
Inspection Fee	\$50
Water Meter Installation Charge	actual cost
Cost of Water Meter	actual cost
Cost of backflow preventer	actual cost
<b><u>Capital Charges</u></b>	
Property within area serviced by former private system (whether connected or not)	\$11,940
Property not falling within former private system or municipal system	\$11,625





## SCHEDULE OF USER FEES & CHARGES 2021

(Updated June 2021)

<b>APPLICATION &amp; AGREEMENT FEES</b>	<b>FEES</b>	<b>DEVELOPMENT CHARGES</b>	
Any Other Agreement	\$2,000	Development Charges	\$12,317.10
Committee of Adjustment Certificate	\$200	Residential (Township portion) all except Mansfield	
Consent Entrance Letter	\$50	Non-Residential	\$1.26/sq. foot
Consent Agreement	\$2,000	<b>PLANNING FEES</b>	
Consent Application (includes boundary adjustment and easement)	\$2,500	Demolition Permit Only	\$50
Consent Condition Amendment	\$1,000	Minimum Distance Setback Calculation	\$100
Development Agreement	\$2,000	Municipal Approval	\$150
Encroachment Agreement	\$2,000	Municipal Approval after construction has commenced	\$500
Lot Grading/Drainage Plan Review	\$500	Paper Copy of the Official Plan	\$75
Minor Variance (as part of Zoning By-Law amendment process)	\$1,500	Paper Copy of the Zoning By-Law	\$40
Official Plan Amendment	\$5,000	Property Information Report, Zoning/Subdivision Compliance Letter	\$100
Part Lot Control	\$3,000	Risk Management Plan Application/Source Protection Plan Agreement, RMO and amendments thereto	\$300
Plan of Subdivision/Condominium	\$10,000	Special Events Permit	\$250
Posting Sign	\$100		
Pre Consultation Deposit (for peer review and consultant review if required)	\$2,500		
Pre Consultation Fee	\$500		
Removal of Holding By-Law	\$1,000		
Second Dwelling Agreements	\$2,000		
Security for new dwelling without proof of demolition of previous dwelling unit	\$12,000		
Site Plan Approval	\$3,000		
Site Plan Deposit	\$3,500 minimum		
Subdivision Applications Deposit	\$10,000 minimum		
Validation of Title	\$800		
Zoning By-Law Amendment	\$2,500		



## SCHEDULE OF USER FEES & CHARGES 2021

(Updated June 2021)

<u>Fire</u>	<u>FEES</u>
Shelburne & District Fire Department Response Fee	\$665 per hour, per vehicle for the first hour
	\$332.50 each additional half hour per vehicle
	\$665 flat fee for calls where services not required.
Mulmur Melancthon Fire Department Response Fee	\$665 per hour, per vehicle for the first hour
	\$332.50 each additional half hour per vehicle
	\$665 flat fee for calls where services not required.
Rosemont District Fire Department	\$665 per hour, per vehicle for the first hour
	\$332.50 each additional half hour per vehicle
For Fire Response fees/Indemnification Technology	\$665 plus the rate per person per hour or portion thereof for each firefighter plus other costs - see cost recovery by-law



## THE CORPORATION OF THE TOWNSHIP OF MULMUR

### BY-LAW NO. \_\_\_\_ - 2021

BEING A BY-LAW TO AMEND BY-LAW 43-05 BEING THE TRAFFIC BY-LAW

**WHEREAS** the Municipality has a Traffic and Roads By-Law;

**AND WHEREAS** it is desirable to amend By-law 43-05, to include no parking zones within the Township of Mulmur.

**NOW THEREFORE** THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF MULMUR HEREBY ENACTS AS FOLLOWS:

1. That Schedule "A" (No Parking) to By-Law 43-05 is amended as follows:

*Add*

2<sup>nd</sup> Line EHS: From the south property line of R#3-00900 to a point 170 meters north, on both sides of the travel portion

Centre Road: From a point 250 meters south of the intersection of Centre Road & 5 Sideroad to a point 180 meters south, on both sides of the travel portion

3<sup>rd</sup> Line EHS: From the entrance to R#2-04600 to a point 100 meters north, on both sides of the travel portion

2. This by-law shall become effective upon the erection of required signage.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED on this 1st day of September 2021.

.....  
JANET HORNER, MAYOR

.....  
TRACEY ATKINSON, CLERK



## THE CORPORATION OF THE TOWNSHIP OF MULMUR

### BY-LAW NO. \_\_\_\_\_ - 2021

#### A BY-LAW TO AUTHORIZE THE TOWNSHIP OF MULMUR TO ENTER INTO A DEVELOPMENT AGREEMENT (Monachino)

**WHEREAS** the *Planning Act*, R.S.O. 1990, chapter P.13, Sections 53(12) and 51(26) authorizes the execution and registration of agreements to provide for additional regulation and control of development of lands that are the subject of severance (the Subject Lands);

**AND WHEREAS** it is a condition of approval of severance application B02/2021 in the West Half Lot 1, Concession 5 EHS which was granted by the Corporation of the Township of Mulmur, that a development agreement be executed and registered against the Subject Lands

**NOW THEREFORE** the Municipal Council of The Corporation of the Township of Mulmur hereby enacts as follows:

1. That the Township enter into a development agreement substantially in the form attached hereto as Schedule 1.
2. That the Mayor and the Clerk are hereby authorized to execute the Agreement and all documents in connection with the Agreement.
3. That the Township's solicitor be authorized to register the agreement on title against the land to which each applies.

READ a first, second and a third time and finally passed this \_\_\_\_ day of \_\_\_\_\_, 2021

.....  
Janet Horner, MAYOR

.....  
Tracey Atkinson, CLERK

THIS AGREEMENT made this    day of \_\_\_\_\_, 2021

B E T W E E N

2407951 ONTARIO INC.

(Hereinafter called the "Owner")

OF THE FIRST PART

-    and    -

The Corporation of the Township of Mulmur

(Hereinafter called the "Township")

OF THE SECOND PART

WHEREAS the Owner is the registered owner of Part of Lot 1, Concession 5 EHS, Township of Mulmur, County of Dufferin, as set out on Schedule "A" attached hereto and forming part hereof;

AND WHEREAS the Owner has applied to the Committee of Adjustment of the Township of Mulmur for consents to create a building lot, pursuant to Committee of Adjustment Files No. B02/2021 (Monachino)

AND WHEREAS the Committee of Adjustment has granted the consent, subject to certain conditions, one of which is that the owner enters into this Agreement pursuant to Sections 53(12) and 51(26) of the *Planning Act*, RSO 1990, chapter P.13, as amended, to provide for additional regulation and control over the development of the lots and, more specifically, to establish building envelopes on the lots, described in Schedule "C" attached hereto and forming part hereof, hereinafter referred to as the "Subject Lands";

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and other good and valuable consideration, the parties hereby covenant and agree as follows:

1. The Owner agrees to develop the Subject Lands in accordance with Schedule "C" attached to and forming part of this Agreement.
2. The Owner agrees that any development of the Subject Lands which is not consistent with or in conformity with Schedule "C" shall first be approved by the Council of the Township of Mulmur and the owner acknowledges that such approval may not be granted if the change could be deemed, in the sole discretion of Council, to significantly affect the purpose of the Agreement, which is generally to establish building envelopes for dwellings, preserve trees, privacy, rural character and ensure the proper location of entrances. The Township agrees that such approval shall not be unreasonably withheld and that such changes as are approved by Council shall not require an amendment to this Agreement.
3. The Owner grants the right of entry to the Township, its servants and agents, for the

purposes of this Agreement.

4. The breach of any term of this Agreement may be deemed by the Township to be default, and the Township shall be entitled to the remedies set out in this Agreement.

Upon the Owner failing to cure any default upon notice (or without notice in case of emergencies), the Township may enter upon the lands and cure the default, and the cost of curing the default shall be recoverable from the Security, and any excess from the Owner, together with interest at 12% per annum, shall be recoverable from the Owner. The cost of curing the default shall include the Township's external and internal expenses and administrative costs, as reasonably determined by the Township. The Township shall not be responsible for any damages or cost of restoration.

5. The provisions of the *Municipal Act*, 2001, s. 446 shall apply to matters covered by this agreement.
6. The Owner indemnifies the Township from and against all suits and claims of any nature arising out of or connected with this Agreement. This indemnity does not extend to the negligence of the Township, its officers, employees, agents or contractors.
7. The Owner shall pay all reasonable costs as incurred by the Township for its Solicitor (on a solicitor and client basis), staff, agents, officers or consultants, for the preparation, registration, administration and enforcement of this Agreement. The Owner is responsible for the costs of performance of all of the Owner's obligations unless specifically relieved from such by this Agreement.
8. The Owner and Encumbrancer, if any, hereby consent to the registration of this Agreement on the title of the lands described in Schedule "B". This executed agreement shall serve as the Acknowledgement and Direction by each executing party as authority for the solicitors for the Township to register this Agreement electronically.
9. The terms of this Agreement may be enforced by the Township against the Owner and, subject to the provisions of the *Registry Act* and the *Land Titles Act*, any and all subsequent Owners of the lands described in Schedule "B", with all the rights of action given to the Township by the *Municipal Act*, 2001.
10. The Owner agrees that this Agreement shall be binding on the Owner's heirs, successors, administrators and assigns. The Owner agrees to execute such further and other documents, consents or applications as required for the purpose of giving effect to the provisions of this Agreement.
11. The Owner agrees to confirm a final driveway location with Public Works and obtain an entrance permit for its construction prior to the issuance of a building permit for the severed lands. The driveway will be constructed to the Township's standards and shall be in accordance with any permit(s) granted.
12. The Owner agrees to discharge or postpone any mortgages on the Subject Lands.





SCHEDULE "A"

Property Description

Part of the West Half of Lot 1, Concession 5

Township of Mulmur, County of Dufferin

PIN 34107-0002

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## SCHEDULE "B"

### Lands Affected by this Agreement

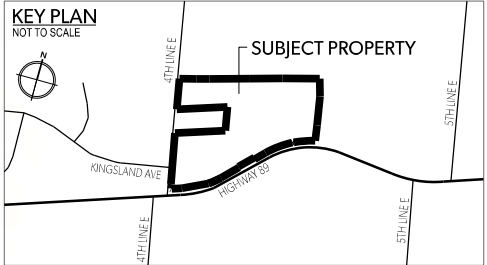
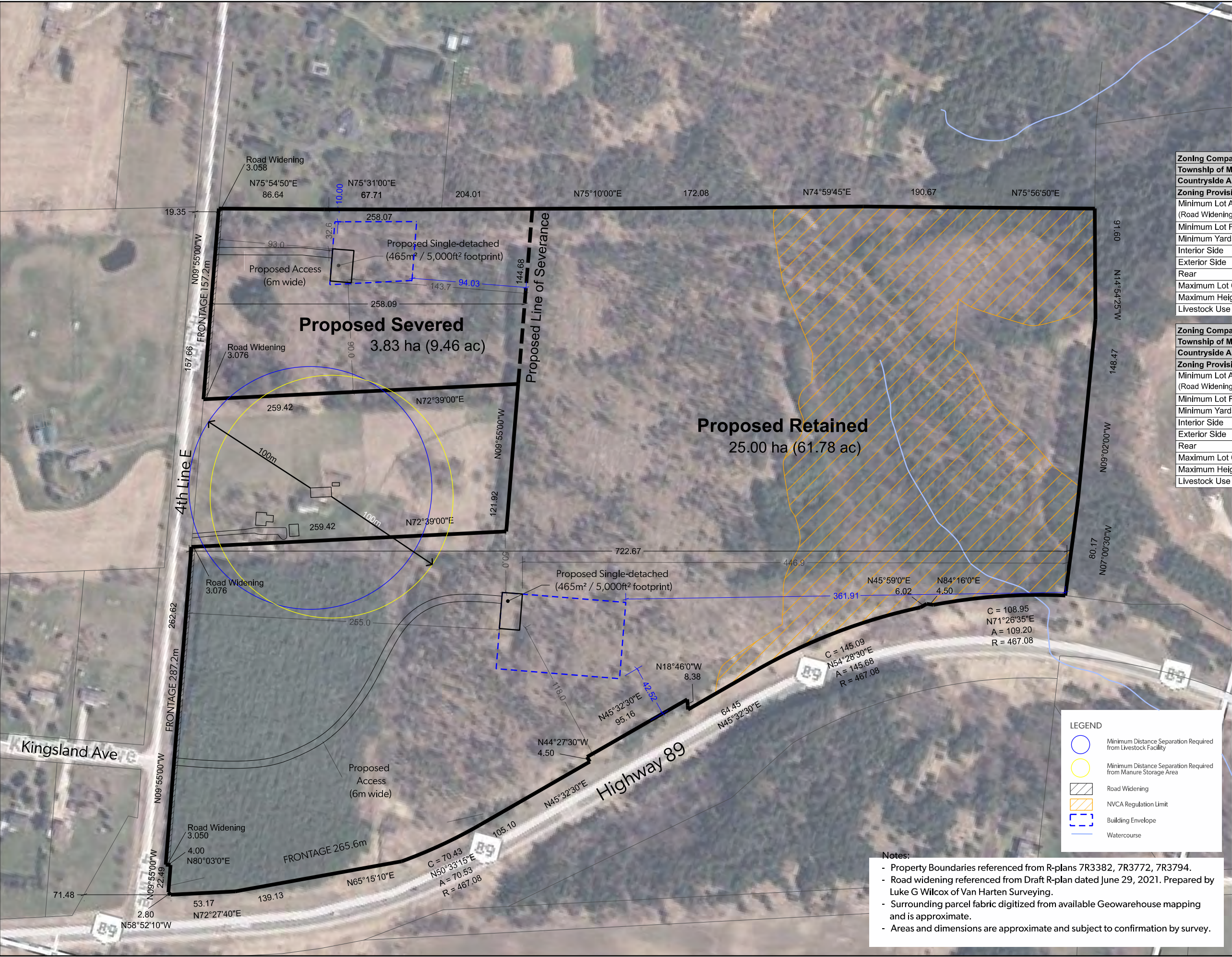
- 1) Part 3, Plan 7R-6707, Part of Lot 1, Concession 5 East of Hurontario Street, Township of Mulmur, County of Dufferin (PIN \_\_\_\_\_)
- 2) Part of Lot 1, Concession 5 East of Hurontario Street, Township of Mulmur, County of Dufferin, (PIN 34107-0002)

## SCHEDULE "C"

The Owner agrees to carry out the works as shown on a development plan labeled as SEVERANCE SKETCH, Part of the West Half of Lot 1, Concession 5 EHS, Mulmur, and dated 2021-08-13, subject to revisions which may be made from time to time with the approval of the Council of the Township of Mulmur:

1. The dwelling and any attached or detached accessory garage and all other buildings and structures shall be located within a defined building envelope and as otherwise defined by the Township's Zoning By-law, and as shown on the said lot development plan held in the offices of the Township of Mulmur.
2. The removal of trees, with the exception of dead and diseased trees shall be prohibited, except within the Building Envelop, as identified on the Severance Sketch and only in accordance with all applicable law, including the Mulmur Township Tree-Conservation By-laws. Trees are to be retained as much as possible.
3. A landscaping screen shall be planted and maintained along the south lot line of Part 3 Plan 7R-6707, Part of Lot 1, Concession 5 EHS, Township of Mulmur, County of Dufferin. Such landscaping screen shall consist of a minimum of 12 deciduous trees (either nursery stock, or transplanted from within the building envelop), having a minimum height of 2 metres, and shall be planted using a staggered alignment to create a visual screen from the building envelop to the dwelling and amenity area located directly south of said lands.
4. All works on site shall conform to the recommendations of the Colville Consulting Inc report dated January 2021, being:
5. Sediment and erosion control fencing shall be installed prior to any construction or site alteration works to prevent transfer to natural heritage features. Exclusion fencing shall be installed around the perimeter of the construction area, including access areas no less than 1m from the dripline of trees to be retained to ensure roots are not compacted or injured, prior to any construction or site alteration works.
6. Any required removal of trees and vegetation shall be prior to March 15 or after October 31 to minimize impacts to birds and bat species that may be utilizing the woodland on the property.
7. An engineered grading plan shall be submitted for the development at the building permit stage. All grading or filling to be conducted on the property shall be designed to maintain the existing overland flow patterns. Narrow diameter culverts shall be installed under the driveway to maintain surface flow patterns and minimize the potential for water impoundment.
8. All exterior lighting shall be dark-sky compatible and shall be directed away from the woodland and always from neighboring properties.





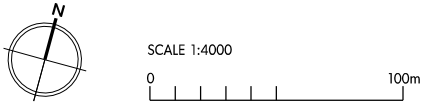
Zoning Comparison for Proposed Retained Lot			
Township of Mulmur Comprehensive Zoning By-law 28-18			
Countryside Area (A) Zone 8.00ha and over			
Zoning Provision	Required	Proposed	Compliance
Minimum Lot Area (ha.) (Road Widening Considered)	8.00ha and over	25.00	Yes
Minimum Lot Frontage (m.)	100	287.2	Yes
Minimum Yards - Front (m.)	30	255.0	Yes
Interior Side	20	50.0	Yes
Exterior Side	30	118.0	N/A
Rear	20	446.9	Yes
Maximum Lot Coverage (%)	5%	0.19	Yes
Maximum Height	10.5	N/A	N/A
Livestock Use (Max NU/ha.)	N/A	N/A	N/A

Zoning Comparison for Proposed Severed Lot			
Township of Mulmur Comprehensive Zoning By-law 28-18			
Countryside Area (A) Zone - 2.00ha to 7.99ha			
Zoning Provision	Required	Proposed	Compliance
Minimum Lot Area (ha.) (Road Widening Considered)	2.00ha to 7.99ha	3.83	Yes
Minimum Lot Frontage (m.)	100	157.2	Yes
Minimum Yards - Front (m.)	20	93.0	Yes
Interior Side	10	32.6	Yes
Exterior Side	20	N/A	N/A
Rear	10	143.7	Yes
Maximum Lot Coverage (%)	10%	1.2	Yes
Maximum Height	10.5	N/A	N/A
Livestock Use (Max NU/ha.)	N/A	N/A	N/A

Road Widening Conveyance	Area
Road Widening for Retained Lot (sq.m)	801.4
Road Widening for Severed Lot (sq.m)	480.7

DRAWN / REVISED	
13 AUG 2021	Adding Building Envelope
19 JULY 2021	Adding Road Widening
04 FEB 2021	Adding Minimum Distance Separation
04 JAN 2021	Revised driveway
26 NOV 2020	Revised building location
29 JUN 2020	Revised severance location
23 JUN 2020	First Draft

SEVERANCE SKETCH  
WEST HALF OF LOT 1, CONCESSION 5  
TOWNSHIP OF MULMUR  
COUNTY OF DUFFERIN



File Number: 9953  
Date: 2021-08-13  
Drawn By: CB  
Planner: SP  
CAD: 9953/schedules/severance.dgn

Drawing  
SS

- Notes:
- Property Boundaries referenced from R-plans 7R3382, 7R3772, 7R3794.
  - Road widening referenced from Draft R-plan dated June 29, 2021. Prepared by Luke G Wilcox of Van Harten Surveying.
  - Surrounding parcel fabric digitized from available Geowarehouse mapping and is approximate.
  - Areas and dimensions are approximate and subject to confirmation by survey.





## THE CORPORATION OF THE TOWNSHIP OF MULMUR

### BY-LAW NO. \_\_\_\_\_ - 2021

BEING A BY-LAW TO CONFIRM THE PROCEEDINGS  
OF THE COUNCIL OF THE CORPORATION OF THE  
TOWNSHIP OF MULMUR FOR SEPTEMBER 1, 2021

**WHEREAS** Section 5(1) of the *Municipal Act*, 2001, as amended, provides that the powers of a municipality shall be exercised by Council;

**AND WHEREAS** Section 5 (3) of the *Municipal Act*, 2001, as amended, provides that municipal powers shall be exercised by by-law;

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF MULMUR HEREBY ENACTS AS FOLLOWS:**

1. All actions of the Council and Committees of Council of the Corporation of the Township of Mulmur for the aforementioned date in respect to every report, motion, by-law or other action passed and taken by Council or Committees of Council, including the exercise of natural person powers, are hereby adopted, ratified and confirmed by its separate by-law.
2. The Mayor of the Township and the proper officers of the Corporation of the Township of Mulmur are hereby authorized and directed to do all things necessary to give effect to the said action, to obtain approvals where required and except where otherwise provided, to execute all documents necessary in that behalf.

PASSED on this 1<sup>st</sup> day of SEPTEMBER 2021.

.....  
JANET HORNER, MAYOR

.....  
TRACEY ATKINSON, CLERK