Minutes of Regular Council Meeting
April 9, 2018
6:30 PM
Town Hall, Council Chambers

Present:
Mayor David Reid
Reeve Walter Stack
Councillor Ted Strike
Councillor Dan Lynch
Councillor Lynn Grinstead
Councillor Frank Dugal
Councillor Tom Burnette

Also Present:
Michael Wildman, CAO
Maureen Spratt, Town Clerk
Jennifer Morawiec, GMCS/Treasurer
Kaila Zamojski, Deputy Clerk
John Steckly, GM, Operations
Jeff Crawford, Fire Chief
Estelle Moynes, Manager of Finance & Support Services
Ryan Wall, Engineering Officer
Deanna Nicholson, Env. Engineering Officer
Robin Paquette, Town Planner

Absent:

1. Call to Order
Mayor David Reid called the Council meeting to order at 6:31 PM and welcomed those present.

2. Roll Call
The roll was called, with all Members of Council being present.

   Mayor David Reid asked everyone to bow their heads for a moment of silence, out of respect for those families affected by the bus tragedy in Humboldt, Saskatchewan.

3. Adoption of Agenda
Resolution No. 120-18
Moved by Dan Lynch
Seconded by Tom Burnette

   Be It Resolved That the amended agenda for the Regular Meeting of Council dated Monday, April 9, 2018 be adopted, with the addition of item no. 7(b) (i) Presentation – Bill 139 Building Better Communities and Conserving Watersheds Act, 2017; and item no. 15(a) Resolution of Support for the Humboldt Saskatchewan tragedy.

   Resolution CARRIED As Amended

4. Disclosures of Pecuniary Interest
None

5. Question Period
None
6. **Adoption of Minutes of Previous Meetings**
   
   Resolution No. 121-18
   
   Moved by Lynn Grinstead
   Seconded by Frank Dugal
   
   **That** the Minutes of the Regular Meeting of Council listed under item 6 a) on the agenda be adopted (Regular Council Meeting – March 26, 2018).
   
   Resolution CARRIED

7. **Awards/ Delegations/ Presentations**
   
   a) **Delegation**
      
      i) **Rehabilitation of County Structure B258 Madawaska River Bridge – S. Boland, County of Renfrew and WSP**
      
      Steve Boland, of the County of Renfrew and Julia Marson, a representative of WSP provided a presentation to Council outlining the Rehabilitation of County Structure B258 Madawaska River Bridge, attached as Appendix A and forming part of these minutes.
      
      Discussion ensued among members of Council surrounding the various options presented, with Council noting they would send any feedback to the County within one month’s time. The CAO noted staff would bring forward a recommendation for Council consideration in the near future.

   b) **Presentations**
      
      i) **Bill 139 Building Better Communities and Conserving Watersheds Act, 2017 – Town Planner**
      
      The Town Planner provided an overview presentation of Bill 139, Building Better Communities and Conserving Watersheds Act, 2017, attached as Appendix B and forming part of these minutes.

8. **Public Meetings**
   
   a) **Zoning By-law Amendment – 275 Ida Street North (The Grove Nursing Home)**
   
   Resolution No 122-18 (7:35 pm)
   
   Moved by Lynn Grinstead
   
   Seconded by Frank Dugal
   
   That Council move into a public meeting pursuant to the requirements of Section 34(10.7) of the Planning Act, R.S.O 1990, c.P.13, as amended, to consider the proposed amendment to Comprehensive Zoning By-law No. 4990-01, regarding the lands known as 275 Ida St. N, being Part 1, of plan 49R-4104 and Part 1, of plan 49R-3337.
   
   Resolution CARRIED

Mayor Reid called the meeting to order at 7:35 p.m., welcomed those present and the Planner noted requirements for oral or written submissions prior to adoption of the amending by-law for the purposes of the Ontario Municipal Board requirements.
Staff advised written comments were received prior to the meeting and have been provided to Council for consideration.

Robin Paquette, Town Planner, explained the amendment being requested as follows: The purpose of the proposed zoning amendment is to recognize the two parcels as one for the purposes of interpreting the zoning by-law requirements and to recognize the south lot line as the ‘front lot line’.

The floor was opened to the public for comments, with the following being a summary of the comment received.

- Russ Corbett – 167 Dan Street, Arnprior ON.
  - Mr. Corbett provided an overview of the letter he submitted to Council, attached as Appendix C, and forming part of these minutes.
    - Mayor Reid noted that the Town has a record of Mr. Corbett’s concerns, and that an environmental study will be completed on the site, which should address the concerns noted.
  - In follow-up to his comments in the letter, Mr. Corbett also expressed concern with the potential flooding issues that could arise, due to the paving over of the large forested area.
    - Mayor Reid noted this will be considered through the various studies which will have to be completed for the site, prior to construction.

The public meeting was declared closed at 7:47 p.m.

Resolution No. 123-18 (7:47 p.m.)
Moved by Dan Lynch
Seconded by Tom Burnette
That Council resume to the Regular Meeting of Council.

Resolution CARRIED

None

10. Staff Reports
a) Water Rescue – Fire Chief
Resolution No. 124-18
Moved by Lynn Grinstead
Seconded by Frank Dugal
That Council authorize the Arnprior Fire Department to offer water rescue to neighbouring municipalities including the Township of Greater Madawaska, the Town of Renfrew, Horton Township, the Township of McNab/Braeside and the City of Ottawa, and

That the CAO, in consultation with the Fire Chief and Town Solicitor, is authorized to execute the necessary documentation to implement water rescue services between the municipalities listed herein should they wish to avail themselves of the offer.

Report and Resolution CARRIED

The Fire Chief provided an overview of the report, and responded to questions.
b) Proclamation Emergency Preparedness Week – Town Clerk
Resolution No. 125-18
Moved by Lynn Grinstead
Seconded by Frank Dugal

Report and Resolution CARRIED

11. Committee Reports and Minutes
   a) Operations Advisory Committee Minutes – January 2, 2018
Resolution No. 126-18
Moved by Dan Lynch
Seconded by Tom Burnette
That Council receive the Operations Advisory Committee Minutes of January 2, 2018, for information.

Resolution CARRIED

12. Notice of Motions
   None

13. Reeve’s Report From County Council
   Reeve Walter Stack provided an overview of the following County Council meetings, with the information being filed in the Clerk’s Office for review by members of the public:
   • County Council Meeting – March 28, 2018

   Reeve Stack also noted the Warden’s Golf Tournament will take place on September 7, 2018.

   Councillor Dugal vacated his seat at the Council table at 8:10 pm and returned to his seat at 8:12 pm.

14. Correspondence & Petitions
   a) Correspondence Package No. I-18-APR-07
Resolution No. 127-18
Moved by Ted Strike
Seconded by Lynn Grinstead
That the Correspondence Package No. I-18-APR-07 be received as information and filed accordingly.

Resolution CARRIED

Councillor Dan Lynch referred to various items from the Correspondence Package No. I-18-APR-07, noting the following:
• Item #2 – Page 2 – Correspondence from Ontario Association of Fire Chiefs – Letter from the President
The Ontario Fire Chiefs correspondence indicates that our response was one of 400 received, concerning mandatory training, delivery of protection services and response times.

- Item #4 – Page 11 – Correspondence from the Province of Ontario – Funding to Help People Save Energy
  - The Governments of Canada and Ontario announced funding to help people in Ontario save energy and money in their homes and businesses. Through Green ON, property owners are currently eligible for rebates up to $7,200 in savings on new insulation; $5,000 in savings on replacement windows; $5,800 in savings on some air source heat pumps; and $20,000 in savings on installation of some certified ground source heat pumps.

- Item #10 – Page 29 – Ottawa Valley Business – April 3, 2018
  - The OPP is holding a Gun Amnesty during the month of April. Any Ontario resident can voluntarily surrender unwanted or illegally owned firearms, weapons, accessories or ammunition. Call 1-888-310-1122.

- Item #11 – Page 36 – Correspondence from AMO – Watch File – March 22, 2018
  - In response to Councillor Lynch the CAO noted that staff is reviewing the P.J. Marshall Municipal Innovation Award, from an eligibility and applicability standpoint.

b) Correspondence Package No. A-18-APR-07

Resolution No. 128-18
Moved by Tom Burnette
Seconded by Dan Lynch
That the Correspondence Package No. A-18-APR-07 be received and the recommendations be brought forward for Council consideration.

Resolution CARRIED

Resolution No. 129-18
Moved by Tom Burnette
Seconded by Dan Lynch
That Council receive and support the following resolution passed by the Township of Madawaska Valley, on March 5, 2018:

Whereas small, rural Municipalities face significant resource capacity challenges in the collection and maintenance of accurate data for asset management planning, standardized tools should be developed at the cost of the provincial government;

And Whereas these standardized tools should be piloted in a number of small rural municipalities with provincial government guidance and resources to ensure evidence based outcomes that satisfy the regulatory frameworks outlined in O.Reg. 588/17, and the expectations of the province going forward;
And Whereas these standardized tools should be designed with service level metrics for baseline data and automatic calculations and formulas that bring forward the data required to update the asset management plan in prescribed 5 year intervals and, with built in verification of data to be uploaded electronically for reporting.

Now Therefore Be It Resolved That the Town of Arnprior strongly urges Premier Kathleen Wynne and the Province of Ontario to provide adequate financial resources for both staff and infrastructure to ensure successful compliance and implementation of the required municipal function for asset management planning in small, rural municipalities;

And Further That a copy of this resolution be sent to the Honourable Premier Kathleen Wynne, John Yakabuski, MPP, Cheryl Gallant, MP, Doug Ford, Leader of the Progressive Conservative Party of Ontario, Andrea Horwath, Leader of the Ontario New Democratic Party, AMO, the Rural Ontario Municipal Association, and the Township of Madawaska Valley.

Resolution CARRIED

Resolution No. 130-18
Moved by Tom Burnette
Seconded by Dan Lynch
That Council receive the correspondence from Nathan Hisko and the Teachers Against Poverty Team, dated March 28, 2018; and

Further That Council approve of the request to waive the fees for the rental of two (2) Ball Diamonds (valued at approximately $1,002.30 plus HST) to allow the Teachers Against Poverty Team host a fundraising softball tournament on June 8th from 6:00 pm-11:00 pm and June 9th from 8:00 am-9:00 pm; and

Further That the Teachers Against Poverty Team be advised that it is mandatory to carry sufficient liability insurance and have the Town of Arnprior added as an additional insured for the Tournament.

Resolution CARRIED

15. Bylaws/ Resolutions
Resolution No. 131-18
Moved by Dan Lynch
Seconded by Tom Burnette
That Council support the Mayor sending a letter of condolences and support on behalf of the Town of Arnprior to Humboldt Saskatchewan; and

Further That Council authorize the donation of $200 to support the Humboldt “gofundme” page.

Resolution CARRIED
16. Announcements

Councillor Dan Lynch made the following announcements:

- The Renfrew County Senior Games are quickly approaching. Applications for participants are available at Nick Smith Centre. Dead line is April 26, 2018. Arnprior will be hosting Carpet Bowling on May 16, 2018 at the Nick Smith Centre.
- It is a couple months away but the Special Olympics Golf Tournament is scheduled to take place on July 6, 2018 and they are accepting registrations.
- I declare that “Winter” is now over. I want to thank our Operations Department for the super job they did in this year’s snow removal. The number of calls I received about snow was the lowest since I have been on Council. The CAO has also confirmed this winter control season has produced the least amount of complaints for him also. Again thank you.
- Congrats to the “Ranch Night Organizers” on a very successful night.
- Welcome to our newest part time employee, Ruth Jones, who is our temporary Client Service Administrative Assistant. Also, welcome to Estelle Moynes who started as the Manager of Finance and Support Services last Tuesday.
- This Wednesday, Island View is having a Pancake Breakfast from 8:00 am – 10:00 am at a cost of $10/person.
- On Friday, April 13, 2018, the Legion is hosting a “Fish Fry” from 4:00 pm to 7:00 pm.
- Again, this Friday Ducks Unlimited are holding their annual Fund Raising dinner at the Parish Hall. Doors open at 5:30 pm.

Mayor David Reid made the following announcement:

- Congratulations to Jeanette Grant as this year’s Town of Arnprior Volunteer of the Year, and congratulations to all of the other Greater Arnprior Chamber of Commerce Gala Award winners. The Greater Arnprior Chamber of Commerce hosted another fantastic evening, which was enjoyed my many.

Councillor Ted Strike made the following announcement:

- On Canada Day Last year, the Arnprior Airport made history by being the first stop for a C150 Global Odyssey helicopter that was part of Canada’s 150th Celebration. This helicopter was going to visit 150 countries flown by Bob and Steve Dengler. The first stop was supposed to be Ottawa Science and Technology but weather dictated that they had to land in Arnprior. Today we received an autographed pictorial book of their trip; and more importantly, we received a pennant that was in the aircraft for the tour and has been autographed by the pilots.

17. Media Questions

None
18. **Closed Session**  
**Resolution No. 132-18 (8:26 pm)**  
Moved by Dan Lynch  
Seconded by Tom Burnette  
That Council move into Closed Session pursuant to Section 239(2)(f) and (b) of the Municipal Act, 2001, regarding advice that is subject to solicitor-client privilege, including communications necessary for that purpose and personal matter about an identifiable individual including municipal or local board employees (Brownfield Site); and one (1) matter regarding personal matter about an identifiable individual including municipal or local board employees. (Ad Hoc Committee).  
Resolution CARRIED

**Resolution No. 133-18 (9:11 pm)**  
Moved by Tom Burnette  
Seconded by Dan Lynch  
That Council resume to Open Session.  
Resolution CARRIED

**Resolution No. 134-18**  
Moved by Walter Stack  
Seconded by Dan Lynch  
That Council direct staff to proceed with the site management analysis activities on the Brownfield Site - Daniel Street, at a cost of up to $40,000.00, with the funding source to be determined by the CAO.  
Resolution CARRIED

**Resolution No. 135-18**  
Moved by Dan Lynch  
Seconded by Tom Burnette  
That Council direct staff to prepare the necessary appointment by-law for the Ad Hoc Committee on Child Poverty and Homelessness, to include those individuals identified in Closed Session.  
Resolution CARRIED

19. **Confirmatory By-Law**  
**Resolution No. 136-18**  
Moved by Dan Lynch  
Seconded by Tom Burnette  
That By-law No. 6813-18 being a By-law to confirm the proceedings of the Regular Meeting of Council held on April 9, 2018 be and it is hereby enacted and passed.  
Resolution CARRIED
20. **Adjournment**  
Resolution No. 137-18  
Moved by Lynn Grinstead  
Seconded by Ted Strike  
That this meeting of Council be adjourned at 9:12 pm.

Resolution CARRIED

David Reid, Mayor  
Maureen Spratt, Town Clerk
Appendix A

REHABILITATION
OF COUNTY
STRUCTURE B258
MADAWASKA
RIVER BRIDGE

Presentation to Council of
Town of Arnprior
Monday, April 9, 2018
PURPOSE OF THE PRESENTATION AND MEETING

To provide Town of Arnprior with background information on County Structure B258 – Madawaska River Bridge in Arnprior and magnitude and details of proposed work by the County

— To provide Town with available rehabilitation options and associated costs,

— To advise Town of separate liaison that is being carried out with utility agencies.

— To advise Town of costs and cost sharing opportunities

— To discuss next steps for project for Town to decide on their recommended option
GENERAL INFORMATION

WSP was retained by County of Renfrew to carry out preliminary and final design of rehabilitation of the structure.

Work completed to date:

— Compiled all available information
— Deck condition survey (corrosion/delaminated concrete),
— Underwater investigation of piers & Soffit and bearings investigation,
— Topographic survey.
— Consultation with Town and Stakeholders was initiated and is ongoing.

Work to be completed:

— Continued Consultation with Stakeholders and Public,
— Receiving direction from County on final approach for sidewalk/utility issues
— Finalizing Preliminary Design,
— Completion of Detailed Design and Preparation of Construction Contract Package.
PRINCIPLE STAKEHOLDERS AND THEIR INTERESTS

— **Town of Arnprior**: Town owns watermain on structure, Town is also responsible for maintenance of sidewalks and responsible for street lighting on structure and wiring, pedestrian path under west abutment.

— **Bell Canada**: Owner of utilities on structure

— **Hydro One**: Owner of utilities on structure

— **OPG**: Owner of upstream hydro generating facility. OPG may also own or have easement agreements in place for some land along shores of Madawaska River in proximity of structure.

— **MTO**: CR 29 north of Hwy 417 and up to intersection with Madawaska Blvd has signs indicating Madawaska Blvd as EDR in west and east directions. County has no records of such a designation or specific agreement. No EDR signage noted on the Madawaska Boulevard west of County Road 29.

— **Local Residents and Businesses**
MATERIAL CONDITION OF THE STRUCTURE

The inspections and review of available information revealed the following primary findings:

— Structure: 44 years old and due for major rehabilitation,
— Deck: repairable to last 25 years,
— Sidewalks: repairable if utility ducts are removed,
  - can not be permanently repaired if utility ducts are left in,
— Expansion joints: need to be replaced,
— Bearings: selected and possibly all bearings may need to be replaced,
— West abutment: requires extensive repairs,
— Approach slabs: need to be replaced,
— Parapet walls: repairable to last 25 years
PRINCIPAL APPROACH TO THE STRUCTURAL REHABILITATION

In general during structural rehabilitation the roadway width and sidewalks on bridges are maintained in their geometry unless critical deficiency is identified.

- No critical deficiencies were recognized at the structure.

The railing on the structure is controlled by CHBDC requirements and deficiencies are generally addressed by Authorities when major rehabilitation project is undertaken and railing is in poor condition.

- These conditions exist and an upgrade in the railing is warranted.
COMPARISON OF BEFORE AND AFTER OF THE RAILING

BEFORE
(similar to existing)

AFTER
(similar to proposed in Basic Rehabilitation)
CONSTRUCTION DURATION

The actual duration of construction will depend primarily on the methodology agreed to with utility agencies in regards to their approach in utility relocation:

The possible scenario provided Town and Utility agreements are in place shortly:

— relocate utilities in 2018,
— bridge rehabilitation will take place in 2019 and 2020 with winter shutdowns.
— anticipated winter shutdown - between December and the end of March.
— However, utility relocation construction may extend into winter months of 2018/2019.

If agreements can not be reached in a timely fashion, the schedule may need to be postponed for a year. It is anticipated that the rehabilitation will be accomplished in two years regardless of the final approach to the sidewalk issue.
TRAFFIC CONTROL

DURING UTILITY RELOCATION

Roadway
- Closures will be relatively mobile,
- Lane closures with TCBs for approach slab removals,
- Only one lane closed at any time,

Pedestrians
- One sidewalk open to pedestrians,

Pathway Under the Bridge
- Pathway will be closed during construction.

DURING BRIDGE REHABILITATION

Roadway
- One lane in each direction open with work area separated by TCBs
- Short duration closure of one of the open lanes (weekends/ nights),

Pedestrians
- One sidewalk open to pedestrians,

Pathway Under the Bridge
- Pathway will be closed during construction.
IMPACT ON APPROACH ROADWAYS AND PATHWAYS

Following construction:
- Intersection will be repaved with some work on County storm sewer
- East approach roadway up to first signalized intersection will be repaved.
- Storm sewer catchbasins will be adjusted.
- Pedestrian pathway under the bridge on west side will remain.

Traffic will be tapered to one lane
Parking will be removed
• All turning operations will be maintained
• Island and poles will be removed temporarily for construction
• Install temporary utilities
EXISTING CONDITIONS
The watermain condition and potential modifications/replacement will need to be reviewed by Town especially in consideration of:

— Recent December watermain failure under west approach slab as the condition of watermain may impact the structure (example washouts of fill at wingwall).

— The watermain in its current configuration at the approaches may present hindrance in the required utilities relocation. Town has provided some information already.

— The watermain in its current location on approaches will be under planned utility banks and there may be complications should work on watermain be required.

— Town may have a need for watermain replacement and upgrades in near future and construction to replace now should be considered.

— Relocation of watermain is required for one of the rehabilitation options.
OPTION 1 – BASIC REHABILITATION WITH RELOCATED UTILITIES

UTILITY RELOCATION OPTIONS:

• 2 SUSPENDED DUCT BANKS BOTH SIDES (SHOWN)
• SINGLE SUSPENDED DUCT BANK ON SOUTH
• SUBMARINE CABLES (UPSTREAM OR UPSTREAM/ DOWNSTREAM)

COST - $6,190,000 - $7,030,000
COST (WITHOUT UTILITY RELOCATION) - $5,269,000
OPTION 2 - REHABILITATION WITH WIDENED 2.0m SIDEWALKS
(UTILITIES RELOCATED)

COST - $6,530,000 - $7,370,000
COST (WITHOUT UTILITY RELOCATION) - $5,610,000
OPTION 3 – REHABILITATION WITH ONE 3.0 m SIDEWALK ON NORTH AND NO SIDEWALK ON SOUTH (UTILITIES & WATERMAIN RELOCATED)

COST - $9,990,000 - $10,820,000
COST (WITHOUT UTILITY RELOCATION) - $9,064,000
<table>
<thead>
<tr>
<th>Alternatives</th>
<th>Option 1 Basic Rehab</th>
<th>Option 2 2m Sidewalks</th>
<th>Option 3 1-3m Sidewalk</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basic Structural Work including 1.5m sidewalk repairs on both sides</td>
<td>$4,720,000</td>
<td>$4,720,000</td>
<td>$4,720,000</td>
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<tr>
<td>Utility Relocation</td>
<td></td>
<td>$840,000 - $1,600,000</td>
<td></td>
</tr>
<tr>
<td>Street Light Modifications</td>
<td>$70,000</td>
<td>$70,000</td>
<td>$150,000</td>
</tr>
<tr>
<td>Relocation of Watermain</td>
<td></td>
<td>$1,170,000</td>
<td></td>
</tr>
<tr>
<td>Additional Costs Associated with Widening Sidewalks to 2.0 m</td>
<td></td>
<td>$310,000</td>
<td></td>
</tr>
<tr>
<td>Additional Costs Associated with new 3.0m Sidewalk on North Side &amp; Removal of Sidewalk on South Side</td>
<td></td>
<td>$2,200,000</td>
<td></td>
</tr>
<tr>
<td>Subtotal</td>
<td>$5,630,000 - $6,390,000</td>
<td>$5,940,000 - $6,700,000</td>
<td>$9,080,000 - $9,840,000</td>
</tr>
<tr>
<td>10% Design and Construction Contingency</td>
<td>$560,000 - $640,000</td>
<td>$590,000 - $670,000</td>
<td>$910,000 - $980,000</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$6,190,000 - $7,030,000</td>
<td>$6,530,000 - $7,370,000</td>
<td>$9,990,000 - $10,820,000</td>
</tr>
</tbody>
</table>
NEXT STEPS

The County of Renfrew and WSP require, as a minimum, the following information to continue the design of the:

— Confirmation that the Watermain will be repaired as part of the County of Renfrew Construction Project?

— What would the Town like to see done with the sidewalks on the bridge?

— Does the Town wish to have any other improvements they would like to have included within the Construction Project?
Appendix B

Bill 139, Building Better Communities and Conserving Watersheds Act, 2017
Robin Paquette, Town Planner
Council Meeting, April 9, 2018

Bill 139 Milestones

- Introduction / First Reading  
  May 30, 2017
- Second Reading / Referred to Standing Committee  
  September 27, 2017
- EBR / Regulatory Registry Postings  
  (proposed regulation changes)  
  December 7, 2017
- Third Reading / Royal Assent  
  December 12, 2017
Bill 139 Highlights

- Building Better Communities and Conserving Watersheds Act, 2017 (Bill 139) received Royal Assent December 12, 2017
- Makes transformative changes to the land use planning and appeal system
- Repeals Ontario Municipal Board Act and replaces it with Local Planning Appeal Tribunal Act, 2017
- Enacts the Local Planning Appeal Support Centre Act, 2017 which establishes a new independent agency
- Makes changes to the Planning Act and various other Acts

Bill 139 Highlights

- Planning Act changes:
  - provide more municipal control
  - provide a strong community voice for local land use decisions
  - protect public interests
- Local Planning Appeal Tribunal Act, 2017
  - establishes Local Planning Appeal Tribunal (LPAT) as the province-wide appeal body for land use planning matters
- The LPAT:
  - is an independent, dispute-resolution body
  - is governed by the Local Planning Appeal Tribunal Act
  - reports administratively through Environment and Land Tribunals Ontario to the Ministry of the Attorney General
- Local Planning Appeal Support Centre Act, 2017
  - creates the Local Planning Appeal Support Centre (LPASC)
  - establishes LPASC as a new independent agency
  - gives LPASC the mandate to establish and administer a cost-effective and efficient system for providing support services to persons determined to be eligible for matters governed by the Planning Act that are under the jurisdiction of the Tribunal
Timing

- Bill 139 changes to the land use planning and appeal system come into force upon proclamation.
- There are some corresponding technical changes required to existing regulations under the Planning Act.
- There will also be new regulations under the Planning Act and the Local Planning Appeal Tribunal Act, 2017 setting out:
  - transition for certain planning matters in process at the time the legislation comes into force
  - rules for matters and proceedings that come to the LPAT under the Planning Act.
- Changes not addressed in the transition regulation would apply immediately upon proclamation.

Planning Act Changes
Key Areas of Change

More Municipal Control
- Two-Year “Time-Out” – New Secondary Plans
- No Appeal of Interim Control By-laws When First Passed
- More Authority for Local Appeal Bodies (LABs)
- Longer Decision Timelines
- Protected Major Transit Station Area (PMTSA)

Strong Community Voice
- Consistency / Conformity Standard
- Requirement to Send New Information Back to Approval Authority
- LPAT Authority Limited to Matters that were Part of Council Decision

Protecting Public Interests
- No Appeal of Major Provincial Decisions
- Minister’s Zoning Orders
- Climate Change
- Affordable Housing

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Two-Year “Timeout” - New Secondary Plans

Cannot apply to amend new secondary plans for two years, unless amendment is municipally-supported

Intended Outcomes
- Give municipalities more control over development in their communities
- Increase certainty in local planning processes, facilitate implementation of local policies

Previously
- Applications to amend a secondary plan could be made at any time

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No Appeal of ICBLs When First Passed

No appeal of municipal interim control by-laws when first passed (except by Province)

Intended Outcomes
- Give municipalities more control over development in their communities
- Allow municipalities to redirect limited resources from responding to appeals to carrying out the planning studies intended by interim control by-laws

Previously
- Appeal of an interim control by-law could be made within 60 days of the passing or extension of the by-law
More Authority for LABs

Authority of local appeal bodies (LABs) expanded to include adjudicating appeals related to site plans

Intended Outcomes
- Provide option to adjudicate additional appeals locally (i.e., site plan control)

Previously
- Changes made in 2007 provided municipalities with authority to establish a LAB for appeals regarding applications for minor variances and consents to sever land

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Longer Decision Timelines

Decision timelines extended for official plans, official plan amendments and zoning by-law amendments

Intended Outcomes
- More time to assess planning matters and hear input from the public before making a decision
- More time to negotiate solutions to possible issues and potentially avoid appeals

Previously
- Official plans and official plan amendments - 180 days
- Zoning by-law amendments - 120 days
- Holding by-laws - 120 days

Implementation Considerations
- Timelines extended by 30 days:
  - official plans and official plan amendments - 210 days
  - zoning by-law amendments and holding by-laws - 150 days
- Decision timeline is 210 days where there are concurrent official plan amendment and zoning by-law amendment applications to a local municipality for the same proposal (joint applications)
Consistency / Conformity Standard

Restrict appeal grounds for official plans/amendments, zoning by-laws/amendments and community planning permit by-laws to only matters of consistency and/or conformity with provincial and/or municipal policies/plans

Intended Outcomes
- Increase deference to municipal decisions
- Provide more certainty in local planning process

Previously
- When appeal was lodged, OMB could make any planning decision that council or an approval authority could have made

Implementation Considerations
- Change limits ability of LPAT to overturn decisions made by locally-elected councils – LPAT must dismiss an appeal of a local decision unless it is inconsistent with the Provincial Policy Statement (PPS), does not conform / conflicts with provincial plans, does not conform with applicable official plan (e.g., upper-tier official plan)
- Municipalities will be better positioned to defend their decisions when official plans are consistent / conform with provincial policies and plans
- Onus is on appellant to set out reasons why council decision is inconsistent / does not conform with provincial policy and / or applicable official plan
- For appeals of a non-decision or a refusal, onus is on the applicant to demonstrate: (1) how their proposal would be consistent with provincial and local policies and (2) how existing official plan policies or zoning provisions fall short
- LPAT has authority to approve a settlement to which all specified parties have agreed – LPAT is required to confirm that any such settlement aligns with provincial and local policies / plans

Consistency / Conformity Standard: Opportunity to Reconsider (Remedial Authority)

Requirement to return matter to municipality for new decision when LPAT determines that municipal decision / settlement on a major land use planning matter did not follow provincial / local policies

Intended Outcomes
- Increase deference to municipal decisions and more certainty in local planning process
- Provide municipalities an opportunity to reassess their original decision and address any shortcomings

Previously
- OMB was not required to return matter to municipality but instead had authority to make the final decision on an appeal

Implementation Considerations
- Change applies to appeals of official plans/amendments, zoning by-laws/amendments, and community planning permit by-laws where there are consistency / conformity issues
- Municipality has opportunity to address local matters in making a new decision
- If a matter is returned, municipality has up to 90 days to issue a new decision on an application
- 90 day timeline does not apply to municipally-initiated matters
- When reconsidering a planning application returned by LPAT, a municipality would need to reassess the application, provide notice of a public meeting, hold the public meeting and issue a new decision
- If a new municipal decision is not made within the timeframe, the matter can be appealed and LPAT makes the final decision
Requirement to Send New Information Back to Municipality

Requirement for LPAT to send new information and material at subdivision hearings back to municipality for re-evaluation of original decision if the municipality requests the information and material be returned

**Intended Outcomes**
- Increase certainty for municipalities that would like the opportunity to review new information on a subdivision application submitted during an appeal

**Previously**
- OMB had authority to determine whether to send new materials back to municipalities, based on test of whether it would have "materially affected" appealed decision

**Implementation Considerations**
- Gives municipalities the ability to require the LPAT to send material back
- Does not require all new information to be sent to municipalities, only information that is requested
- If sent back, a municipality would have 60 days to reconsider its decision and make a written recommendation to the LPAT, as per O. Reg. 549 / 06

LPAT Authority Limited to Matters that were Part of Council Decision

Clarification that LPAT authority is limited to only dealing with parts of an official plan that were part of Council’s decision

**Intended Outcomes**
- Support local decision-making
- Recognize the role of municipalities as primary decision makers on their official plans

**Previously**
- Tribunal did not have authority to approve or modify any part of an official plan that was already in effect that was not part of the original municipal decision

**Implementation Considerations**
- Technical change that further clarifies existing Planning Act provision
- Change clarifies that the LPAT does not have authority to approve or modify any part of an official plan that is already in effect and was not added, amended, or revoked by the municipality when making their original decision
No Appeal of Major Provincial Decisions

No appeal of provincial decisions on official plans and major official plan updates (s. 26)

Intended Outcomes
- Reduce number of appeals, including conformity exercises to provincial plans
- Increase certainty regarding implementation of provincial policies and interests
- Protect important provincial interests, such as public health and safety

Previously
- Provincial decisions, including provincial plan conformity exercises, could be appealed

Implementation Considerations
- Change means there is no appeal of a provincial decision to approve, modify or refuse all or part(s) of a new official plan or an official plan update where the Minister is the approval authority, including conformity exercises to provincial plans done through section 26 of Planning Act
- Province's decision cannot be appealed whether it is made within the statutory timeframe (210 days) or once the timeframe has expired - however, an appeal can be made if no provincial decision is issued when statutory timeframe has expired
- If the Province issues a partial decision, an appeal can be made on any part of an official plan or amendment where no provincial decision was made within the statutory timeframe (210 days)
- Appeals of non-decisions (and partial non-decisions) by the Province are not subject to hearings based solely on consistency / conformity; however, other reforms apply (e.g., timelines for oral hearings)
- Province and municipalities will continue to work together to ensure both local and provincial matters are adequately addressed

Climate Change

Requirement for all municipal official plans to include climate change policies

Intended Outcomes
- Support Ontario’s Climate Change Action Plan 2016-2020
- Support proactive planning for climate change

Previously
- Climate change policies were not explicitly required through section 16 of Planning Act; this section sets out goals, objectives and policies that need to be included in municipal official plans

Affordable Housing

Requirement for all municipal official plans to include policies dealing with the adequate provision of affordable housing

Intended Outcomes
- Support implementation of provincial policies and plans that require an adequate supply of housing, including affordable housing

Previously
- Policies dealing with the adequate provision of affordable housing were not explicitly required through Section 16 of the Planning Act; this section sets out goals, objectives and policies that must be included in municipal official plans
Changes to the Appeal Hearing Process

Key Areas of Change

Local Planning Appeal Tribunal ("LPAT" or the "Tribunal")
- Establishing the LPAT as the province-wide body for land use planning matters

Local Planning Appeal Support Centre ("LPASC" or the Support Centre)
- Establishing LPASC as a new independent agency

Supporting Citizens
- Establishing the Local Planning Appeal Support Centre ("LPASC" or the "Support Centre")
- Creating User-friendly Websites for LPAT and LPASC
- Making LPAT Decisions Publicly-accessible

Modernized Processes and Reducing Adversarial Hearings
- Introducing Mandatory Case Management Conference Process
- Changing Requirements for Oral Testimony and Evidentiary Record
- Promoting Active Adjudication
### Local Planning Appeal Tribunal

The Ontario Municipal Board Act is repealed and LPAT is established as the province-wide appeal body for land use planning matters.

### Local Planning Appeal Support Centre

The new Local Planning Appeal Support Centre provides information and support for citizens who want to participate in the land use planning appeal process before the LPAT.

### User-friendly Websites

New, user-friendly websites for the Tribunal and the Local Planning Appeal Support Centre.

### Making LPAT Decisions Publicly-Accessible

Public posting of Tribunal decisions, including use of plain language.

### Mandatory Case Management Conference Process

Implement mandatory case management conference process for major planning matters to narrow issues and promote settlement.

### Oral Testimony and Evidentiary Record

Statutory rules regarding the conduct of proceedings which limit oral testimony and the evidentiary record.

### Active Adjudication

The LPAT Act clarifies the Tribunal’s power to ask questions, examine a party and require a party to produce evidence.
Questions?
Apr 3, 2018

Arnprior Town Council,

As one of few living directors of Save the Grove Committee, allow me to speak in support of Gilada Grove. At the Public Meeting April 4, 2018 I wish to speak to the following:

1) Impact on the environment generally and the ecology in particular the old growth forest of G.G.

2) The site plan drawing illustrates conifer and deciduous trees surrounding the current and proposed site. Are they within the development site?

3) The aquifer headbrook/wetland property bordering the “proposed front line” requires a 10 metre buffer strip. Is this impacted by the subject development?

Yours Truly,

Russ Corbett
613 623 3859