



**Town of Arnprior**  
**Regular Meeting of Council Agenda**  
**Date: Monday, February 28, 2022**  
**Time: 6:30 p.m.**  
**Location: Via Electronic Participation**

1. Call to Order
2. Roll Call
3. Land Acknowledgement Statement
4. Adoption of Agenda (Additions/ Deletions)
5. Disclosures of Pecuniary Interest
6. Question Period
7. Adoption of Minutes of Previous Meeting(s) (Except Minutes of Closed Session)  

**Regular Meeting of Council – February 14, 2022** (Page 1-10)
8. Awards/ Delegations/ Presentations
9. Public Meetings
10. Matters Tabled/ Deferred/ Unfinished Business
  - i. **Council Remuneration Summary of Recommendations** (Page 11-12)
  - ii. **Zoning By-law Amendment 4/21** (Page 13-37)
11. Staff Reports
  - a) **Official Plan Amendment Number 4 and Implementing Zoning By-law Amendment – 11 Lake Street, 321 Albert St, Vacant Lot at Lake Street**, Robin Paquette, CAO and Payton Hofstetter, Junior Planner (Page 38-46)

- b) **Awarding of Contract for Phase 1 Conceptual Design and Geotechnical Investigations for Replacement of the 400mm Watermain River Crossing**, Ryan Wall, Engineering Officer, Civil (Page 47-49)
- c) **Digital Access to Heritage – Museum Assistance Program – Grant Application**, Janet Carlile, Museum Curator (Page 50-56)
- d) **Municipal Tax Sales**, Jennifer Morawiec, GM Client Services / Treasurer, (Page 57-62)

**12. Committee Reports and Minutes**

**13. Notice of Motion(s)**

**14. County Councillor's Report from County Council**

**15. Correspondence & Petitions**

**a) Correspondence**

- i. Correspondence Package I-22-Feb-04

**16. By-laws & Resolutions**

**a) By-laws**

- i. **By-law Number 7268-22** – Adopt Election Sign (Page 63-69)
- ii. **By-law Number 7269-22** – Lease Agreement with Fisheries and Oceans (Municipal Marina) (Page 70-79)
- iii. **By-law Number 7270-22** – Award Watermain River Crossing Geotechnical, Hydrogeological and Environmental Investigation and Conceptual Design to J.L. Richards and Associates Ltd. (Page 80)

**17. Announcements**

**18. Media Questions**

**19. Closed Session**

**20. Confirmatory By-law**

By-law No. 7271-22 to confirm the proceedings of Council

**21. Adjournment**

Please note: Town Hall is following social distancing protocols that have been recommended by the federal and provincial governments to help protect the health and well-being of our community. Please see the Town's [Website](#) to view the live stream. The meeting will be uploaded to YouTube for future viewing.

The agenda is made available in the Clerk's Office at the Town Hall, 105 Elgin Street West, Arnprior and on the Town's [Website](#). Persons wishing to receive a print item on the agenda by email, fax, or picked up by hand may request a copy by contacting the Clerk's Office at 613-623-4231 ext. 1818. The Agenda and Agenda items will be prepared in an accessible format upon request.

**Full Distribution:** Council, C.A.O., Managers and Town Administrative Staff

**E-mail to:** Metroland Media; Oldies 107.7/My Broadcasting Corporation; Valley Heritage Radio; Ottawa Valley Business

Amended



**Minutes of Council Meeting  
February 14, 2022 6:30 PM  
Electronic Participation – Via Zoom**

**Council and Staff Attendance**

**Council Members Present:**

Mayor Walter Stack  
County Councillor Dan Lynch  
Councillor Ted Strike  
Councillor Tom Burnette  
Councillor Chris Toner  
Councillor Lisa McGee

**Council Members Absent:**

Councillor Lynn Grinstead

**Town Staff Present:**

Robin Paquette, CAO  
Maureen Spratt, Town Clerk  
Jennifer Morawiec, General Manager,  
Client Services/Treasurer  
Kaila Zamojski, Deputy Clerk  
Graeme Ivory, Director of Recreation  
John Steckly, GM, Operations  
Rick Desarmia, Fire Chief  
Janet Carlile, Museum Curator

**1. Call to Order**

Mayor Walter Stack called the Regular Council Meeting to order at 6:30 PM and welcomed those present.

**2. Roll Call**

The roll was called, with all Members of Council being present, except Councillor Lynn Grinstead.

**3. Land Acknowledgement Statement**

Mayor Walter Stack asked everyone to take a moment to acknowledge and show respect for the Indigenous Peoples as traditional stewards of the land we operate on, by stating:

I would like to begin by acknowledging that the land on which we work and gather is the traditional unceded territory of the Anishinaabe People. This Algonquin Nation have lived on this land for thousands of years, long before the arrival of the European settlers, and we are grateful to have the opportunity to be present in this territory.

**4. Adoption of Agenda**

Resolution Number 040-22

Moved by Tom Burnette

Seconded by Lisa McGee

**Be It Resolved That** the agenda, for the Regular Meeting of Council dated Monday, February 14, 2022 be adopted.

## 5. Disclosures of Pecuniary Interest

Councillor Strike declared the following:

"I Ted Strike declare a pecuniary Interest in Item Number 11 (a), Staff Report regarding Zoning By-law Amendment 4/21, due to the proximity of my property to the Thomas Street Site."

## 6. Question Period

None

## 7. Adoption of Minutes of Previous Meeting(s)

Resolution Number 041-22

Moved by Dan Lynch

Seconded by Ted Strike

**That** the minutes of the Regular & Special Meetings of Council listed under item number 7 (a) - (c) on the Agenda be adopted (Regular Meeting of Council – January 24, 2021; Special Meetings of Council – January 31, 2022 & February 7, 2022)

Resolution Carried

## 8. Awards/Delegations/Presentations

### a) Presentations

#### i) Recommendations for 2022-2026 Council Remuneration

Chair Chris Couper, Ad Hoc Committee Council Remuneration provided an overview of the committee's presentation. Chair Couper outlined the council compensation review and subsequent remuneration recommendations for consideration of Council to take effect in the 2022-2026 term of Council.

Resolution Number 042-22

Moved by Dan Lynch

Seconded by Ted Strike

That Council defer the matter on Council Remuneration until the next Regular Council meeting (February 28, 2022).

Resolution Carried

## 9. Public Meetings

None

## 10. Matter Tabled/ Deferred/ Unfinished Business

None

## 11. Staff Reports

### a) Zoning By-law Amendment 4/21 – Robin Paquette, CAO

Councillor Ted Strike vacated his seat in the electronic meeting at 7:17 pm.

Resolution Number 043-22

Moved by Dan Lynch

Seconded by Chris Toner

**That** Council adopt a by-law to amend Zoning By-law Number 6875-18 to redesignate the lands fronting on Thomas Street from Future Development (FD) to Residential Four (Exception 43)(Holding 15) [R4\*43(H15)] to allow for the development of apartment buildings with restrictions and requirements as outlined in this report.

**And That** Council consider all written and oral submissions received on this application, the effect of which is to help Council make an informed decision.

Resolution Deferred

Resolution Number 044-22

Moved by Dan Lynch

Seconded by Tom Burnette

That Council defer Resolution Number 043-22 regarding Zoning By-law Amendment 4/21 until, February 28, 2022.

Resolution Carried

Councillor Ted Strike resumed his seat in the electronic meeting at 7:59 pm

**b) 2022 Municipal Election – Town Clerk**

Resolution Number 045-22

Moved by Lisa McGee

Seconded by Chris Toner

That Council receive this report as information.

Resolution Carried

**c) Election Sign By-law – Town Clerk**

Resolution Number 046-22

Moved by Dan Lynch

Seconded by Chris Toner

**That** Council receive report number 22-02-14-03 Election Sign By-law; and

**That** Council direct staff to bring forward an Election Sign By-law for consideration of Council.

Resolution Carried

**d) Proclamation – Rare Disease Day – February 28, 2022, Deputy Clerk**

Resolution Number 047-22

Moved by Chris Toner

Seconded by Tom Burnette

That Council proclaim February 28, 2022 as Rare Disease Day in the Town of Arnprior.

Resolution Carried

The Deputy Clerk read the proclamation:

**Whereas** Rare Disease Day was established in 2008 and is coordinated by EURORDIS and 65+ national alliance patient organization partners; and

**Whereas** Rare Disease Day is the globally coordinated movement on rare diseases, working towards equity in social opportunity, healthcare, and access to diagnosis and therapies for people living with a rare disease; and

**Whereas** Rare Disease Day has played a critical part in building an international rare disease community that is multi-disease, global, and diverse, but united in purpose; and

**Whereas** there are more than 6,000 known rare diseases, including over 200 rare cancer types; and

**Whereas** up to 5.9% of the population has a rare disease with 79% of these diseases being classified as genetic disorders; and

**Whereas** [Rare Disease Day](#) takes place on the last day of February each year and is recognized globally; and

**Whereas** the colours of Rare Disease Day are blue, green, pink, and purple. Various monuments around the world are lit up in these colours, on the last day of February each year, to show support for individuals living with rare diseases.

**Now Therefore**, I Walter Stack Mayor of Arnprior, do hereby proclaim February 28, 2022 as Rare Disease Day in the Town of Arnprior, Ontario. I further note the Town of Arnprior Clock Tower will be lit up with the colours blue, green, pink and purple on February 28<sup>th</sup> to show our support.

**e) Proclamation – 2022 Black History Month, Deputy Clerk**

Resolution Number 048-22

Moved by Lisa McGee

Seconded by Chris Toner

That Council proclaim February 2022 as Black History Month in the Town of Arnprior.

Resolution Carried

The Deputy Clerk read the proclamation:

**Whereas** the Government of Canada is celebrating Black History Month in February, with this year's theme being "February and Forever: Celebrating Black History today and every day;" and

**Whereas** the Province of Ontario also recognizes Black History Month and its significance in February; and

**Whereas** the Town of Arnprior understands the importance of recognizing individuals in Arnprior, both past and present, who are members of the Black community; and

**Whereas** during Black History Month, we commemorate and celebrate the many achievements and contributions made by Black Canadians, who throughout our history have shaped our country's heritage and identity; and

**Whereas** through the month of February the Town of Arnprior has, and will continue to share information and resources pertaining to Black History Month via social media and the Town's website, including but not limited to:

- **Week of February 1, 2022** – "[28 Moments of Black Canadian History](#)" a series presented by Ottawa based @unilateral asking when it comes to Black Canadian History, what do you know?;

- **Week of February 7, 2022** – [“Black Health and Wellness” films and online activities](#) to honour and celebrate the contributions of Black Canadians, presented by the National Film Board of Canada;
- **Week of February 14, 2022** – [“Black History Month Virtual Celebration Event on February 17<sup>th</sup>”](#) hosted by the Government of Canada – Canadian Heritage, highlighting this year’s theme, and featuring performances, tributes, and interviews;
- **Week of February 21, 2022** – [“Slavery to Freedom”](#) online information presented by Ontario Heritage Trust as well as [“5 Canadian Settlements at the end of the Underground Railroad”](#) online information presented by CBC Kids.

**Therefore** I, Walter Stack, Mayor of the Town of Arnprior, do hereby proclaim February 2022, as Black History Month in the Town of Arnprior. I encourage all residents, staff, and Members of Council to take the time to participate and utilize these shared resources, and others, to learn more about these communities, and how they continue to help shape the story of Canada.

**12. Committee Reports and Minutes**

None

**13. Notice of Motions**

None

**14. County Councillor’s Report from County Council**

County Councillor Lynch noted the following information from the County of Renfrew:

- MIS Municipal Insurance Services advised the County that the annual insurance premium for the County of Renfrew for 2022 is \$703,467, which is an increase of 11% or \$70,908 more than 2021. Also, the County Cyber Insurance premium increased significantly over the past year due to the increase in the number and size of claims. The County’s premium is 45% higher than last year, equalling \$12,800 more than 2021.
- AMO is asking municipal councils to lend their support to the seven recommendations contained within the AMO submission for October 2019 entitled “Towards a Reasonable Balance: Addressing growing municipal liability and insurance costs.”
- The County Warden is sending a formal letter of support for the Pembroke and Area Airport and the Arnprior Airport, to use when the Airports are applying for grants.
- A Service Agreement between Arnprior Regional Health and the County of Renfrew Paramedic Service has been signed.
- A resolution was passed to direct staff to facilitate a delegation of a consultant to attend the March meeting of County Council to provide an overview on development charges for the County of Renfrew
- The Minister of Health has confirmed funding commitment for Renfrew County VTAC until March 2023.
- A letter has been sent to the Minister of Infrastructure, requesting more funds be added to critical infrastructure improvements in the Towns of Arnprior and Petawawa. The Town of Arnprior was mentioned as being one of the 10 fastest growing communities in Ontario, and this was mentioned to the Minister.



- The “Staycation” tax credit allows Ontarians to stay in Hotels, Motels, Campgrounds, Bed and Breakfasts in Ontario and claim the HST portion of their stay on their 2023 income tax to a maximum of \$300.
- 2022 Ottawa Valley Road Map will be arriving at residences in a short period of time. It will be a larger document due to the overwhelming amount of advertising demand.
- Staffing – Kim Fraser from Enterprise Renfrew County has submitted notice of retirement after 17 years of service with the County of Renfrew.
- County request through the Vehicle Infrastructure Program for the installation of 2 charging stations was unsuccessful.
- There are two Sub Water Shed planning information sessions on February 16 and 24, 2022. I will be attending on the 24<sup>th</sup> and this session will discuss drainage off of Campbell Drive.
- A new Tariff of Fees By-law has been created for the County, and this document will be coming forward to County Council for consideration at the end of the month. This document has been forwarded to our planning and CAO for review as there are a number of huge increases being proposed.
- County of Renfrew Committee meetings will remain via Zoom and the County Council meetings will be in person beginning the end of March.

Mayor Walter Stack asked County Councillor Lynch about the discussion surrounding cleaning up the County Trail property at the corner of Hugh, John and William Streets. County Councillor Lynch noted the request has been made and will be brought back to Committee.

## **15. Correspondence & Petitions**

### **a) Correspondence Package – I-22-FEB-03**

Resolution Number 049-22

Moved by Lisa McGee

Seconded by Dan Lynch

**That** the Correspondence Package Number I-22-FEB-03 be received as information and filed accordingly.

Resolution Carried

County Councillor Dan Lynch noted the following items:

- Page 10 – Effective February 21, 2022, general visitors five years and older who have had at least two doses of COVID-19 vaccine will be able to resume visits to long-term care residents. The number of visitors at a time, per resident will also increase from two to three, including caregivers.
- Page 12 – The Ontario government is investing almost \$1 million to prepare over 600 people across the province for rewarding careers in food and beverage processing.
- Page 63 – To further protect students and children, Ontario is becoming the first Canadian jurisdiction to publicly disclose and make parents and guardians aware of educators that have been involved in sexual abuse and other serious criminal proceedings.
- Page 66 – Ontario is extending free rides to vaccination sites for people with mobility issues until March 31, 2022.
- Page 120 – The Town of Arnprior is hosting FAMFEST, Monday, February 21, 2022 at the Nick Smith Centre. Join us for a day full of family activities which kicks off with a free breakfast, sponsored by the Lions Club, from 9 am to 12 pm and Optimist Club sponsored free skates and swims throughout the day.

- Page 133 – Applications are now open for the 2022-23 Inclusive Community Grants Program. Funding is available for local projects that will help older residents and people with disabilities participate in community life. The deadline to apply is March 3, 2022. Information and how to apply is found on the government website.
  - The CAO noted staff have a couple of ideas that might meet the criteria of this grant, and are reviewing to determine the best fit.
- Page 133 – Eye on Events AMO and LAS are excited to host a virtual Municipal Energy Symposium March 31 – April 1, 2022. This leading edge event takes a critical look at the intersection of climate change, land use planning and energy post-COP26. Explore examples of how municipalities are planning for the future and what this means to daily operations.
  - The CAO noted staff are considering attendance at this Symposium.
- Page 135 – On February 16, 2022 at 11:00 am, join eScribe, AMO's preferred partner for electronic meeting management, for a webinar to learn how you can prepare for a seamless election season.
  - The CAO noted the Town Clerk is planning to attend.

**b) Correspondence Package A-22-FEB-01**

Resolution Number 050-22

Moved by Tom Burnette

Seconded by Chris Toner

**That** the Correspondence Package Number A-22-FEB-01 be received and the recommendations outlined be brought forward for Council consideration.

Resolution Carried.

Resolution Number 051-22

Moved by Tom Burnette

Seconded by Chris Toner

**That** Council of the Corporation of the Town of Arnprior receive the Municipal Grant Policy Application from the Arnprior Regional Health Auxiliary; and

**Whereas** the Arnprior Regional Health Auxiliary is an eligible community organization under the Municipal Grants Policy.

**Therefore Be It Resolved That** Council supports the Arnprior Regional Health Auxiliary, by providing in-kind support of waiving the fees for 5 hours of Nick Smith Centre Community Hall Rental (value of approximately \$200.00), for the date of Monday, June 20, 2022 from 10:00 am – 3:00 pm, for an Annual General Meeting/Luncheon.

**Further That** the Arnprior Regional Health Auxiliary be advised that it is mandatory to carry sufficient liability insurance and have the Town of Arnprior added as an additional insured for the event; and

**Further That** the Arnprior Regional Health Auxiliary be advised that the Nick Smith Centre will determine event capacity based on the public health regulations at the time; and

**Further That** it is mandatory to follow all COVID-19 public health guidelines, including but not limited to proof of vaccination being required for all participants 12 years of age and older, social distancing, and masking where distancing is not possible.

## **16. By-laws & Resolutions**

### **a) By-laws**

Resolution Number 052-22

Moved by Dan Lynch

Seconded by Chris Toner

That the following by-laws be and are hereby enacted and passed:

- i. By-law Number 7259-22 – Part Lot Control By-law (Arnprior Fairgrounds)
- ii. By-law Number 7260-22 – Appointment to Committee of Adjustment / Property Standards Committee
- iii. By-law Number 7261-22 – Adopt 2022 Operating and Capital Budget
- iv. By-law Number 7262-22 – Adopt Works In Progress (WIP)
- v. By-law Number 7263-22 – Adopt User Fees and Charges By-law
- vi. By-law Number 7264-22 – Adopt Alternative Voting Method (Internet / Telephone) 2022 Municipal and School Board Election
- vii. By-law Number 7265-22 – Adopt Transfer Payment Agreement – Integrated Waste Management Program
- viii. By-law Number 7266-22 – Adopt Transfer Payment Agreement – Telecom Modernization

Resolution Carried

### **b) Resolutions**

#### **i. Long Range Capital Forecast**

Resolution Number 053-22

Moved by Dan Lynch

Seconded by Chris Toner

**That** Council approve the 2023-2042 Long Range Capital Forecast as presented to Council on January 10, 2022 and discussed on February 7, 2022, as a financial planning tool; and

**That** the 2023-2042 Long Range Capital Forecast be used to inform the annual budget process, as well as, other financial planning processes and documents; and

**That** staff continue to update the Long Range Capital Forecast as part of the annual budget process.

Resolution Carried

#### **ii. In-Kind Support – SALC**

Resolution Number 054-22

Moved by Ted Strike

Seconded by Lisa McGee

**Whereas** Council of the Town of Arnprior, at their budget meeting of December 8, 2021 received a request for \$5,000 of in-kind support from the Seniors Active Living Centre (SALC).

**Therefore be it resolved that** the Council of the Corporation of the Town of Arnprior authorize \$5,000 of in-kind support for services including staff and facility use of the Nick Smith Centre.

Resolution Carried

**iii. Development Charges Funding – Arnprior Public Library**

Resolution Number 055-22

Moved by Lisa McGee

Seconded by Ted Strike

**Whereas** the Arnprior Library Board at their budget presentation meeting on December 8, 2021 requested access to an additional \$1,000 of development charge monies for collection development.

**Therefore Be It Resolved That** the Council of the Corporation of the Town of Arnprior authorize the transfer of \$1,000 of development charge monies from the Development Charges Reserve Fund to the Arnprior Public Library for collection development.

Resolution Carried

**17. Announcements**

Mayor Walter Stack offered congratulations to the owners of Capital Asphalt in Arnprior who won the Mattaway Housing, Best Asphalt and Interlock Award for the year 2021 in Ottawa.

**18. Media Questions**

None

**19. Closed Session**

Resolution Number 056-22 (8:33 pm)

Moved by Tom Burnette

Seconded by Dan Lynch

That Council move into closed session regarding:

- One (1) matter pursuant to Section 239 (2)(c) of the Municipal Act, 2001, to discuss a proposed or pending acquisition or disposition of land by the municipality or local board (Property Acquisition).

Resolution Carried

Resolution Number 057-22 (8:45 pm)

Moved by Dan Lynch

Seconded by Chris Toner

That Council resume to open session.

Resolution Carried

Resolution Number 058-22

Moved by Tom Burnette

Seconded by Chris Toner

That Council authorize the Mayor to proceed as directed in Closed Session.

Resolution Carried

**20. Confirmatory By-Law**

Resolution Number 059-22

Moved by Dan Lynch

Seconded by Tom Burnette

**That** By-law No. 7267-22 being a By-law to confirm the proceedings of the Regular Meeting of Council held on February 14, 2022 be and it is hereby enacted and passed.

Resolution Carried

**21. Adjournment**

Resolution Number 060-22

Moved by Lisa McGee

Seconded by Ted Strike

**That** this meeting of Council be adjourned at 8:47 p.m.

Resolution Carried

**Signatures**

Walter Stack, Mayor

Maureen Spratt, Town Clerk

## **Ad Hoc Remuneration Committee Presentation (February 14, 2022):**

### **Summary of Recommendations**

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- Align Councillor salaries with 2020 Carleton Place rate @ \$22,400 plus 2021 COLA and COLA applies annually after.
- Compensate Mayor on full-time basis at a rate of appx \$59,000-\$65,000.
- Maintaining the following expense coverages:
  - \$50 / month internet costs
  - \$35 / month cell phone costs
  - Mileage: In-Town \$30 / month
  - Mileage: Out of Town – As per CRA rates
  - Laptop: Provided by Town for term of Council
  - Current Drug & Health Care Benefits
  - \$750 / year HCSA
  - Current Insurance coverage (life/AD&D etc.)
- For meal expenses incurred, the meal allowance(s) shall be reimbursed in accordance with the Canada Revenue Agency established rates:
  - CRA: \$91 full-day: Breakfast \$20, Lunch \$21, Dinner \$50
  - Current Rates: \$75 full-day: Breakfast \$15, Lunch \$25, Dinner \$35
- Maintain the current out of town per diem:
  - Out of Town Expenses
    - Per diem is a daily stipend that traveling members of Council receive in addition to regular pay.
    - A half-day event shall be defined as an event that is three and one-half hours in duration or less, exclusive of breaks.
    - A full-day event shall be defined as an event that extends in excess of three and one-half hours in duration, exclusive of breaks.
- Amend the Council Conferences, Training & Functions Policy as follows:
  - The Town will budget and Members of Council shall be entitled to attend an equivalent of one (1) three (3) day Conference, Training or other Function per calendar year with the Mayor being entitled to attend an equivalent of two (2) three (3) day Conference, Training and other Function per calendar year.
- Investigate a method which unused budgeted training entitlements can be placed in a reserve fund exclusively for the use of Council. The allocation of additional training / education must be voted upon / approved by a majority of Council.

- Implement a policy that “within 90 days after attending the conference, a report must be submitted to Council for knowledge sharing purposes”.
- Greater community outreach leading up to next election:
  - Outline the role of being on Council to the public at large: outreach campaign(s).
  - Appoint youth ambassadors to committees from local secondary school students: encourage youth civic engagement on all committees.
  - Outline expense coverages including the ability to receive family benefits.
  - Have Committee Chairs proactively address Citizen Members on Town Advisory committees: this encourages involvement from an established pool of civic-minded leaders in the community.



## **Town of Arnprior Staff Report**

**Subject:** Staff Response (Zoning By-law Amendment 4/21)

**Department:** Community Services Branch

**Report Number:** 22-02-28-01

**Report Author:** Robin Paquette, CAO

**Meeting Date:** February 28, 2022

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### **Recommendation**

**That** Council receive Staff Report Number 22-02-28-01 for information.

### **Background**

Council received Report Number 22-02-14-01, titled Zoning By-law Amendment 4/21, which provided an update and staff recommendation to Council with respect to the vacant lands on Thomas Street at William Street. Council deferred the report and requested responses to the questions raised by Council in the February 14<sup>th</sup>, 2022 Council Meeting, as well as any further questions provided by Council by February 16<sup>th</sup>.

The following questions were received from members of Council. Other questions raised in the Council meeting on February 14<sup>th</sup>, 2022 regarding Zoning By-law Amendment application ZBA 4/21 are also addressed below.

### **Discussion**

***Privacy for residences at 18, 24 Thomas St and 58 Havey Street, and possible noise issues with parking lot proximity.***

As indicated in Staff Report Number 2022-02-14-01, neighbouring residents have asked for privacy fences to be installed. 1.5 m privacy fencing is a recommended zoning requirement. It was also recommended in this report that the required minimum setback for all buildings proposed to be adjacent to 18 Thomas or 58 Havey Street be 5.0m rather than the zone standard 2.5m. Additionally, it was recommended that the building adjacent to these residents be a maximum height of 10.5m (three storeys), as is permitted in the R4 zone. Balconies are also proposed to be restricted adjacent to the existing residential units. Fencing around the parking areas will be also required in the Site Plan Approval process and will provide a sound barrier.



***How will the additional traffic in the area affect the Algonquin Trail crossing in this area?***

The County Public Works and Engineering staff have reviewed the Traffic Impact Study. The study indicates that left turn lanes will be warranted on Daniel Street at the intersection of William Street. The developer will be responsible for constructing the turn lanes to the satisfaction of the County of Renfrew. A design drawing will be required for review and approval of the new lanes. They do expect that the new lanes will fit within the existing Daniel Street cross-section.

***How will the contaminated soil on the site be addressed?***

It is the developer's responsibility to comply with all applicable MOECC policy and the Environmental Protection Act. They will be required to provide a Record of Site Condition prior to construction, which will include a soil management plan. This is not a zoning concern, but it is a condition for development.

***Is the proposal too dense for the location, and proximity to single family dwellings?***

The Official Plan encourages and permits a mix of housing types. As discussed in Staff Report Number 21-10-25-01: "A wide variety of residential uses are permitted within the designation, including townhouse and low-rise apartments (maximum height – 6 storeys). The proposed use conforms to the general housing policies by permitting residential development in a location that can support higher-density residential development due to its amenity-rich location. The policies of this designation permit the proposed building form of low-rise apartment buildings. Section C2.4 gives direction for development of over 20 units having a minimum of 50% single detached dwellings in a contiguous development area. In this case, it can be argued that the subject lands are not compatible for single-detached dwelling design due to the size and shape of the parcel, allowing for limited internal road configuration and lots. Furthermore, the development area is not contiguous, being only one parcel. Finally, the area of the proposed development is traditionally single-detached dwelling development, and therefore allowing for the development of low-rise apartments within the existing neighbourhood increases the range of housing options in this area." The proposed development would increase the supply and diversity of the housing supply in Arnprior. This is supported by the recently tabled *Provincial Task Force on Affordability* which is now being discussed at the Provincial legislature.

***What are the rental prices going to be for these proposed apartment building?***

*From the applicant:*

Our business model is to construct modern, efficient, and practical apartments which will appeal to household incomes in the \$60,000 to \$80,000 range. The buildings will not have underground parking or inhouse amenities. This will reduce costs and bring the rents down to more affordable levels compared to Sawmill Landing and the proposed Lepine Apartments.

It is our intention to provide 20% of the units as affordable housing as defined by CMHC application criteria. Once we apply, CMHC will undertake a market study to determine what is affordable in this market. We have been unable to apply to CMHC to start the market study process as we must submit detailed building drawings and have a zoned parcel of land. We also need to have a Record of Site Condition registered in order to build residential units.

***Can the developer provide information as to how they see the buildout timeline for the entire site? Will a longer build out mean the residents are dealing with construction for a longer period of time?***

The developer has indicated the project will be constructed in three phases and will take between 5 to 7 years to complete, subject to changes in market demand. Please note that the Town cannot refuse a zoning application due to the construction activity to implement the land use. By-laws are in place to control noise and work schedules and control the impact to the community.

***Can the applicant provide an updated Concept Plan that highlights the existing green space, and that shows less asphalt, more landscaping?***

A complete landscaping plan will be required as part of a formal site plan application which indicate how the development meets the standards set in the approved zoning bylaw and any other Town standards. The concept plan was created to show the placement of buildings and the supporting parking count for the density shown. The parking shown is more than what is required. The site plan application and supporting documentation will be reviewed by staff and brought to Council for final approval. At this point the zoning is not in place which would permit residential development to provide the developer with the parameters to complete a detailed site plan and landscape plan. Again, it should be noted that the site will include a large green space along the waterfront that can be considered as parkland for the site. The Town has not in the past required site plans to provide the 5% parkland requirement which is a standard requirement for new plans of subdivision, while the Planning Act does allow municipalities to include this requirement in site plan approvals.

***What are the policies specifically regarding Brownfield Site redevelopment?***

The Official Plan and Provincial Policy encourage the redevelopment of brownfield properties and is identified as a preferred site for intensification and infill. The redevelopment of Brownfield sites is a Key Objective identified in Section 5 of the Town's Official Plan. Specifically, it is listed as a Goal in the Housing Policy provided in Section B9 in the Official Plan. Section D6.4 of the Official Plan provides direction for the redevelopment of Contaminated Sites, requiring applicants to:

- Provide an ESA I and ESA II if there is suspected contamination (which the applicant has provided)
- Provide an RSC prior to the issuance of building permits
  - A site clean-up plan in accordance with the O. Reg. 153/04, as amended and with MOECC guideline "Records of Site Condition – A Guide on Site Assessment, the Clean-up of Brownfield Sites and the Filing of Records of Site

Condition” dated October 2004 or associated guidelines.

- Remediation efforts undertaken in accordance with MOECC guidelines

This proposed project will allow development on an underutilized, contaminated, vacant industrial property which has sat vacant for over 30 years. The developer is required to risk assess and remediate the site to allow residential land uses in accordance with MECP regulation and legislation.

***Outline clearly for Council and the Public the changes/concessions the Developer has made to date. Also identify at what stage of the process each of the concerns will be addressed.***

The application received for this site originally requested the following zoning amendment:

#### Residential Four (R4)

- Request to increase the height to 15.5 m, to accommodate the proposed four storey structures.
- Seeking relief from Section 6.4.2 (b), Permitted Location for Parking which restricts motor vehicle parking in the front or exterior side yard only on a driveway.

After receiving comments from the County and the public, the developer provided the following changes to address public concern.

#### Residential Four (R4)

- that the requested maximum height of 14.5m be approved for all buildings except any building proposed to be adjacent to 18 Thomas or 58 Havey Street, which will be subject to the required maximum height of 10.5m;
- that the required minimum setback for all buildings proposed to be adjacent to 18 Thomas or 58 Havey Street be 5.0m rather than 2.5m;
- that the by-law provisions include restriction of balconies on proposed building faces directly adjacent to existing residential uses;
- that 1.5m privacy fences be provided along property lines directly adjacent existing residential properties;
- that the location of parking be permitted in the front yard exclusive of the required minimum front yard setback of 4.5m and that a planting strip be provided within the 4.5m setback for screening; and
- that there be a minimum setback of 7.5m from the Algonquin trail for any building/structure, per the request of the County of Renfrew.

Additionally, as indicated on the concept plan the developer is working with the Town regarding a request for an additional 6m to the easement in place for the storm outlet located on the property. This requirement has impacted the developable area of the site.

The Town has also requested that the owner consider the potential need for easement for

the river-crossing watermain in the vicinity of the waterfront, which is anticipated to only affect the greenspace in the future.

What must be determined by Council in a rezoning application, is whether the proposed zoning conforms with the Official Plan and surrounding land uses, the suitability of the land for the proposed purpose (including size and shape), if there are adequate servicing and infrastructure available and that there are no environmental concerns.

The recommended zoning above, addresses concerns with privacy and land use compatibility. The applicant has provided the required studies to determine adequate servicing and infrastructure for the proposed use.

Concern raised about landscaping, specifically open green space, size of parking lot, traffic, fencing and building design (to some extent) can be addressed in the Site Plan Approval process.

If the zoning is approved, the applicant will be required to enter into a site plan agreement with Council. The Site Plan Control application requires the applicant to submit drawings in accordance with Schedule A of the Site Plan Control Application form.

### **Infrastructure & Servicing**

#### ***What percentage are our plants currently operating at?***

Based on the 2021 annual figures from the Town's Water Filtration Plant (WFP) and Water Pollution Control Centre (WPCC), the Town's two facilities are currently operating at the following capacity percentages of their design capacities:

- WFP average daily treated water flow: 39%
- WFP maximum daily treated water flow: 59% (\*water tower refill day after painting)
- WPCC average daily treated sewage flow: 49%

#### ***How close are we to needing to expand our services and at what cost?***

In accordance with MECP Guideline D-5-1, Staff regularly track the Town's uncommitted reserve capacity at both the WFP and WPCC and continue to add additional developments to these calculations as planning approvals are granted. Currently, the Town has committed reserve capacity up to 80% capacity of both the WFP and WPCC, however it is important to note that some of these developments are not anticipated to be built out for another 5-10 years. This 80% figure is inclusive of the demands and density for Thomas Street apartment development as currently proposed in ZBA 4/21.

It is difficult to provide an anticipated timeframe and estimated cost for the next expansion to the Town's treatment facilities at this time, however this information will be developed in more detail as part of the Town's recently initiated Water and Wastewater Master Plan assignment. It is typically recommended that municipalities begin the Environmental Assessment (EA) process for necessary plant expansions once the WFP max day and WPCC average day

actual flows reach 80%. Further, it is the position of the Province that the number of lots in approved plans of subdivisions, developments committed by virtue of approved zoning, new official plans or site-specific official plan amendments, should not exceed the design capacity of the sewage and/or water system.

***What is the County's plan for Traffic Light signalization along Daniel, specifically at the William/Daniel Street intersection?***

Staff have been advocating for the County to undertake a County-wide Transportation Master Plan to review traffic flows and volumes, forecast growth as it relates to the County's road network and ultimately plan and budget for the necessary upgrades and expansions to their network. The intersection of Daniel Street and William Street is another prime example of an intersection that has seen a steady increase in traffic volumes in recent years which will continue to increase as growth and development progresses throughout the Town of Arnprior.

Strong requests from numerous lower tier municipalities in the County have urged the County to consider initiating a Transportation Master Plan now. At the County's recent Operations Committee meeting held on February 8<sup>th</sup>, 2022, the committee tabled and passed a motion directing County Staff to move forward with the County-wide Master Plan and directed staff to bring back more information on the matter to their next meeting in March.

As per Town staff's recent report approved by Council dated January 10<sup>th</sup>, 2022, Town staff have and continue to advocate to the County the urgent need for the County to undertake a County-wide transportation master plan. This same staff report also included a resolution from Town Council as follows:

*That Council request that the County of Renfrew undertake a more thorough review of the option of Development Charges (DCs) at the County level with assistance from a consulting firm that specializes in development charges;*

Town staff maintain the position that a more thorough review of development charges at the County level is an extremely important component of this discussion. At a minimum, Town staff have, and continue to urge the County to adopt a Local Service Policy in accordance with the *Development Charges Act* to provide additional clarity on the potential funding responsibilities of the development industry in the future for growth related projects. As it relates to the future signalization of Daniel Street and William Street specifically, it is likely that this project would be considered to be a DC funded project as opposed to direct developer responsibility.

***Can the County comment on its plan to address Traffic concerns on Daniel St in general? When will the Town receive a detailed Town Traffic Study? Can the Staff comment on the importance of Development Charges for addressing immediate traffic concerns?***

See response above.

***Could the following be considered?***

- ***Making Thomas from Havey to William a one way (moving north) and traffic would have to move to Havey? There are only three houses that this would affect currently on Thomas and would prevent traffic from the development from moving through the neighborhood streets going south.***

Staff would not recommend converting Thomas Street to a one-way street for the sole purpose of trying to prevent vehicles from the proposed development to travel through the neighborhood. Instead, staff would recommend that the Town continue to advocate to the County to undertake a County-wide Transportation Master Plan which would include a review and consideration for the future warrants and anticipated timing for additional intersection improvements or signalization at Daniel Street and William Street which will encourage motorists to use this intersection as opposed to other adjacent intersections such as Daniel Street and Havey Street.

- ***Opening the road along Thomas Street across the trail. There are at least 6 or 7 streets in Arnprior now that cross the trail. This would allow some traffic to go north as an alternative to taking William Street.***

Staff recommend that the consideration for opening additional road crossings across the Algonquin Trail be included in the scope of work for the Town's upcoming Transportation Master Plan assignment. There may be some advantages to opening up additional crossings now that this is no longer an active railway, however there may also be subsequent disadvantages that should be considered from a Town-wide traffic perspective. Staff would also suggest that this review be considered as part of the County's future Transportation Master Plan assignment, from a trails perspective, as the Algonquin Trail falls under the County's jurisdiction.

- ***The installation of a sidewalk on William Street from Thomas Street towards Daniel Street. This will address safety concerns for walking and cycling.***

William Street East between Daniel Street and Thomas Street is currently a Class 5 local road in the Town's road network. Based on the anticipated increased traffic volumes as a result of the proposed development, this section of road is expected to remain as a Class 5 local roadway, which would not necessarily require a sidewalk, however, could be considered as part of the Town's upcoming Transportation Master Plan as a DC funded project. This section of William Street currently has a rural cross section with open ditch drainage along the north side of the street. As a result, the installation of a sidewalk would lead to additional challenges with respect to drainage. Further, the installation of sidewalk along the south side would pose some challenges due to the existing steep grading and minimal setbacks of structures.

As outlined in the Traffic Impact Study for the proposed development, the existing sidewalk along the east side of Thomas Street S will be extended across the entrance to the development which would provide for the safe movement of pedestrians from the proposed development and existing municipal sidewalks to the Ottawa Valley Rail Trail (Algonquin Trail). Staff support this proposed plan and believe that it is a better use of existing pedestrian infrastructure as it follows the same alignment of William Street East and is located less than 15m away.

***Regarding the submitted Traffic Study, it was suggested that:***

- ***The Official Plan Population census (2016-2021 numbers) were used to determine a compound annual increase in the Traffic Study, which is not representative of the real population numbers today. Recent census data shows population numbers for Arnprior are well above this prediction.***

*Answers were provided by the applicant's Traffic Engineer, David J Halpenny:*

"The study examined the Census Canada growth rate for the Town of Arnprior which stated that the population has been increasing at 1.057 percent annually between 2011 and 2016. The Town of Arnprior Official Plan of 2017 stated that the population forecast is an annual increase of 1.5 percent between 2016 and 2036. The Town of Arnprior 2008 Master Traffic Study has stated that the background growth factor to be used was 1.0 percent per annum which was applied to several key study corridors to account for background traffic growth. The Ottawa Valley Development TIS has assumed an average annual compounded growth of 2.0 percent which is greater than Census Canada or Town of Arnprior documents and is similar to the growth of other smaller municipalities. Population growth does fluctuate but the 2.0 percent used in the TIS study is representative of the long-term growth."

Staff note that the recently released 2021 census data also revealed a population percentage increase of 9.5% over five years from 2016-2021. When converted to an annual increase, this would be an average of 1.9% per year.

- ***The Traffic Study data was conducted (July 2021) during peak mandate enforcement when stores and schools were closed. The Traffic Study uses a 10% increase to account for this, but it was found online that a 30% increase was more commonly used.***

"The study has utilized a COVID -19 adjustment factor of 10 percent which was determined from traffic counts taken in the United Counties of Prescott and Russell along Russell Road in the community of Cheney. The counts compared the 2018 counts taken by the County (Pre-COVID) with 2020 counts taken by the consultant at the time of school closures and office employees working remotely. The traffic along Russell Road represents a high volume of employees working for the Federal Government in Ottawa. The counts determined a decrease on traffic of 11 percent during the peak AM hour and 15 percent during the peak PM hour.

Other locations found online to have 30 percent decrease were mainly large cities with a high amount of office space where employees were able to work remotely. Arnprior is a smaller community with less employees working remotely. The study has assumed a 10 percent reduction in traffic due to COVID -19 which is considered reasonable for the area. The consultant has completed a quick analysis of the impact of a 25 percent decrease in traffic due to COVID -19 and the results would remain the same.”

- ***Councilors request an updated Traffic Study to reflect the above noted concerns.***

“The study has utilized traffic counts which have been taken in 2021 which would be representative of the existing volume of traffic within the study area. The adjustment for COVID -19 was determined from counts taken at other locations within smaller communities. A larger COVID -19 adjustment factors would be for large downtown cities where a large population is working remotely and would not be applicable to this location.

The annual growth in background traffic used in the TIS study was greater than that documented in the Town of Arnprior Official Plan and 2008 Master Traffic Study. It would be representative of the community.

The TIS has recommended a westbound left turn lane along Daniel Street. It has also recommended an eastbound left turn lane along Daniel Street onto William Street which is currently warranted and is not impacted by the proposed residential development. Updating the Traffic Study with updated numbers would not be necessary.”

It is important to note as well, that the existing and proposed traffic volumes at the William Street West approach to Daniel Street are greater than that of the William Street East approach, which will likely trigger the need for future intersection improvements (ie. signalization) at a later date despite the proposed increased traffic flow in and out of the Thomas Street development.

County roads are considered as arterial roads which serve the major traffic flows between the principal areas of traffic generation and also connect collector roads. Daniel is one of the most heavily used arterial road within the Town and as such will experience higher traffic volumes as developments within the Town proceed. This is anticipated to occur whether they are directly linked or near Daniel Street, such as the proposed development, or farther afield. However, the subject development is one of many being considered by Council, all of which cumulatively will put pressure on this arterial. As such and as noted above, staff would recommend that the Town continue to advocate to the County the need to undertake a County-wide Transportation Master Plan and that they begin planning and budgeting for necessary future growth related upgrades to their road network.

***Lastly, what are the implications if this application is denied by Council?***

As indicated, Council's options include:



1. Proceed to pass an amending bylaw to approve the zoning amendment requests as outlined in the staff report or with any other amendment Council directs staff to include in the by-law. If Council passes an amending by-law, it will be subject to a 20-day appeal period. Appeals of the decision, including appeals to any or all of the parts of the amendment by-law, are made to the Ontario Land Tribunal.
2. Defer the application for additional information.
3. Refuse the application. If Council refuses the application, an explanation will need to be provided and again, the decision of Council will be subject to a 20-day appeal period. Appeals of the decision to refuse are made to the Ontario Land Tribunal. As staff have recommended the passing of the amendment to allow for the proposed development in accordance with the Provincial Policy Statement and Official Plan policies, support at the OLT for Council's position may require the hiring of outside professionals to represent the Town at any hearings of the OLT on this matter.

### **Information Received to Date:**

- Staff Report No. 21-10-25-01 in the October 25<sup>th</sup>, 2021 Council Agenda Package
- Public Meeting, held at the December 13<sup>th</sup>, 2021 Council Meeting.
- Staff Report No. 22-02-14-01, in the February 14<sup>th</sup>, 2022 Council Agenda Package.
- All public comment received to-date.

### **Documents**

1. Comments from Traffic Engineers: "Ottawa Valley Development – Arnprior, ON. Traffic Impact Study"
2. Correspondence from County of Renfrew Public Works and Engineering dated February 14, 2022

### **Signatures**

**Reviewed by Department Head:** Robin Paquette

**Reviewed by General Manager, Client Services/Treasurer:** Jennifer Morawiec

**CAO Concurrence:** Robin Paquette

**Workflow Certified by Town Clerk:** Maureen Spratt

**D. J. Halpenny & Associates Ltd.**

CONSULTING TRANSPORTATION ENGINEERS

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February 22, 2022

File: 121-748

Ottawa Valley Developments GP Inc. Arnprior OVD LP  
60 Disera Drive, Suite 103  
Thornhill ON L4J 9G1

Attention: Dennis Eberhard - CEO

**RE: OTTAWA VALLEY DEVELOPMENT - Arnprior ON  
Traffic Impact Study**

Dear Mr. Eberthard:

This letter is in response to comments from an Arnprior Councillor which you listed in your email of February 22, 2022 concerning the Traffic Impact Study (TIS) report dated September 7, 2021 for the proposed residential development at Thomas Street and William Street. The three comments are addressed below:

- 1) Comment - The Official Plan population census (2016-2021 numbers) were used to determine a compound annual increase in the Traffic Study, which is not representative of the real population numbers today. Recent census data shows population numbers for Arnprior are well above this prediction.

*Response - The study examined the Census Canada growth rate for the Town of Arnprior which stated that the population has been increasing at 1.057 percent annually between 2011 and 2016. The Town of Arnprior Official Plan of 2017 stated that the population forecast is an annual increase of 1.5 percent between 2016 and 2036. The Town of Arnprior 2008 Master Traffic Study has stated that the background growth factor to be used was 1.0 percent per annum which was applied to several key study corridors to account for background traffic growth. The Ottawa Valley Development TIS has assumed an average annual compounded growth of 2.0 percent which is greater than Census Canada or Town of Arnprior documents and is similar to the growth of other smaller municipalities. Population growth does fluctuate but the 2.0 percent used in the TIS study is representative of the long term growth.*

- 2) Comment - The Traffic Study data was conducted (July 2021) during peak mandate enforcement when stores and schools were closed. The Traffic Study uses a 10% increase to account for this, but it was found online that a 30% increase was more commonly used.

*Response - The study has utilized a COVID -19 adjustment factor of 10 percent which was determined from traffic counts taken in the United Counties of Prescott and Russell along Russell Road in the community of Cheney. The counts compared the 2018 counts taken by*

*the County (Pre-COVID) with 2020 counts taken by the consultant at the time of school closures and office employees working remotely. The traffic along Russell Road represents a high volume of employees working for the Federal Government in Ottawa. The counts determined a decrease on traffic of 11 percent during the peak AM hour and 15 percent during the peak PM hour. Other location found online to have 30 percent decrease were mainly large cities with a high amount of office space where employees were able to work remotely. Arnprior is a smaller community with less employees working remotely. The study has assumed a 10 percent reduction in traffic due to COVID -19 which is considered reasonable for the area. The consultant has completed a quick analysis of the impact of a 25 percent decrease in traffic due to COVID -19 and the results would remain the same.*

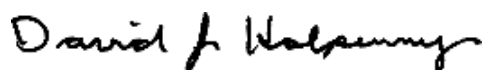
- 3) Comment - The Councillor has requested an updated Traffic Study with updated numbers.

*Response - The study has utilized traffic counts which have been taken in 2021 which would be representative of the existing volume of traffic within the study area. The adjustment for COVID -19 was determined from counts taken at other locations within smaller communities. A larger COVID -19 adjustment factors would be for large downtown cities where a large population is working remotely and would not be applicable to this location.*

*The annual growth in background traffic used in the TIS study was greater than that documented in the Town of Arnprior Official Plan and 2008 Master Traffic Study. It would be representative the community.*

*The TIS has recommended a westbound left turn lane along Daniel Street. It has also recommended an eastbound left turn lane along Daniel Street onto William Street which is currently warranted and is not impacted by the proposed residential development. Updating the Traffic Study with updated numbers would not be necessary.*

Prepared by:



David J. Halpenny, M. Eng., P. Eng.

c.c. Forbes Symon, Jp2g Consultants Inc.

Department of Public  
Works & Engineering



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February 14, 2022

Payton Hofstetter, Junior Planner  
Town of Arnprior  
105 Elgin Street West  
Arnprior ON, K7S 0A8

Dear Ms. Hofstetter:

**RE: Thomas Street and William Street Apartments**  
**Owner: Ottawa Valley Developments GP Inc.**  
**Traffic Impact Study Prepared by D.J. Halpenny and Associates Ltd.**

We have reviewed your email of February 7, 2022 and the Traffic Impact Study prepared by D.J. Halpenny and Associates Ltd. and wish to provide the following comments.

The study indicates that left turn lanes will be warranted on Daniel Street at the intersection of William Street. The developer will be responsible for constructing the turn lanes to the satisfaction of the County of Renfrew. A design drawing will be required for review and approval of the new lanes. We do expect that the new lanes will fit within the existing Daniel Street cross-section.

Thank you for the opportunity to provide comments on this application. If further information is required, please do not hesitate to contact the undersigned or Nathan Kuiack of this office.

Yours truly,

Lee Perkins  
Director of Public Works & Engineering  
[lperkins@countyofrenfrew.on.ca](mailto:lperkins@countyofrenfrew.on.ca)



## Town of Arnprior Staff Report

**Subject:** Zoning By-law Amendment 4/21

**Department:** Community Services Branch

**Report Number:** 22-02-14-01

**Report Author:** Robin Paquette, CAO

**Meeting Date:** February 14, 2022

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### Recommendations:

**That** Council adopt a by-law to amend Zoning By-law Number 6875-18 to redesignated the lands fronting on Thomas Street from Future Development (FD) to Residential Four (Exception 43)(Holding 15) [R4\*43(H15)] to allow for the development of apartment buildings with restrictions and requirements as outlined in this report.

**And That** Council consider all written and oral submissions received on this application, the effect of which is to help Council make an informed decision.

### Background:

**Owner:** Ottawa Valley Developments Inc.

**Description of Subject Lands:** Vacant lands along Thomas Street South at William Street. (See Key Plan).

**Legal Description:** Part of Lot 3, Concession B, former Township of McNab, now in the Town of Arnprior, Lot 97 and 98, Plan 115 (Document 1 is a Key Plan)

**Area of Land:** 1.86 ha (4.6 acres)

**Existing Structures:** Vacant lands

**Official Plan:** Low/Medium Density Residential Area

**Zoning:** Future Development (FD)

The Zoning By-law amendment application seeks to rezone the subject lands from Future Development (FD) to Residential Four (R4) to permit apartment buildings as a permitted use on the property. The application proposes site specific zoning exceptions as follows:

- An increase in the maximum height from 10.5m to 15.5m and;
- Relief from the restriction on location of parking from the front or exterior side yard only.

It is also understood that the “Residential Four (R4)” zoning will require the use of the holding symbol (h), to be removed once Council is satisfied with the site plan and have received the necessary supporting information on the remediation of the brownfield site.

## **Summary of Proposal**

The applicants are seeking an amendment to permit the development of three four-storey apartment buildings with approximately 144 units total with vehicle access from the corner of Thomas and William Street and parking proposed to meet the requirements of the Zoning By-law. A concept plan was submitted in support of the application.

A detailed summary of the proposal and planning analysis were included in the planning report before Council on the [October 25<sup>th</sup>, 2021 Council Agenda](#).

## **Discussion:**

Schedule A of the Town’s Official Plan designates the lands as ‘Low/Medium Density Residential Area’. This site sits on lands adjacent to an Established Residential Area neighbourhood. The Official Plan encourages neighbourhoods to provide a mix of housing and in a manner that is compatible with the adjacent surrounding neighbourhood. West of the site is what is known as Tank Hill, while the Algonquin Trail abuts to the East of the site. South of the site is the Madawaska River, and 3 single family dwelling properties directly abut the northwest corner of the property. It is Planning Staff’s opinion that the proposed development meets these requirements and offers an alternative housing option that is close to the Downtown core and other amenities such as the Nick Smith Centre.

The provisions of the Low/Medium Density Residential Area designation provide direction for apartment buildings, suggesting that they be visually attractive and compatible with surrounding uses, include adequate lands for snow storage and parking, effective stormwater management and minimizing the impacts on neighbouring properties. The applicant has provided the required studies detailing how these requirements can be met.

Residential intensification and infill are encouraged by the province to combat urban sprawl. It should be noted that the Official Plan includes a number of goals, objectives and policies which support all forms of residential infill and intensification. The OP contemplates 37% of future housing to be medium density development. Further, the OP encourages the redevelopment of brownfield properties.

## **Public Comment**

Notice of Public Meeting was circulated in accordance with the Planning Act. The public meeting was held on December 13<sup>th</sup>, 2021.

In advance of and following the public meeting, comments and questions were received from neighbouring property owners. All comments provided by members of the public are attached to this report (Document 3). A group of residents also requested a meeting with the developer and the planning consultant, which was held electronically in late January, with the Jr. Planner in attendance to hear concerns.

A petition in opposition to permit four-storeys was received – Dated December 10<sup>th</sup> and December 13<sup>th</sup> 2021. A copy of the petition has been included in the comments package.

Specific Requests from Landowners Directly Abutting Property:

18 Thomas St S. – the owners of this property, directly abutting the subject lands, have requested a five-foot high privacy fence and tree removal along the east property line that abuts the vacant lands. The developers have agreed to have further discussions with property owners to address privacy concerns in the site plan approval process.

58 Havey Street – the owners of this property requested consideration for an increased side yard setback (minimum requirement is 2.5m) and a restriction on balconies on the side of the building abutting their property, as well as a privacy fence on their property boundary to discourage trespass. The developer has taken this concern into consideration and suggests that the minimum required side yard abutting this property be increased to 5m to provide more of a buffer to the resident.

General Comments:

Generally, many of the comments received by members of the public were related to the compatibility with the mainly single detached dwelling the neighborhood adjacent to the site, the request to increase building height from 3 storeys to 4 storeys and the anticipated increase in traffic.

Compatibility

Several members of the public raised the concern that the proposed development is not compatible with the character and pattern of adjacent surrounding development.

It is important to note that while the site is surrounded by lands designated by the Town's Official Plan as Established Residential Area, the site itself was designated as Low/Medium Density Residential Area. The designation recognizes lands that are considered recently developed and vacant residential areas on the edges of the built up area of the Town, and which are planned for a variety of housing forms. Certain redevelopment sites that are surrounded by existing development are also included within this designation, such as the subject lands. Infill and intensification within existing neighbourhoods is encouraged for the efficient use of land by the Province, County, and the Town through Official Plan policies. Existing neighbourhoods are changing in character in many small towns because of larger house lots and brownfield sites in residential areas being considered as appropriate for this type of intensification and infilling. This type of development is in keeping with the policies of the Provincial Policy Statement around efficient use of lands.

It should be noted that the Official Plan includes a number of goals, objectives and policies which support all forms of residential infill and intensification. The OP contemplates 37% of future housing to be medium density development. Further, the OP encourages the redevelopment of brownfield properties.

It is the objective of the Low/Medium Density Residential Area designation to:

- a) Provide for new housing opportunities to meet the Town's projected housing needs;
- b) Provide for a range of housing types and forms to ensure accessible, affordable, adequate, and appropriate housing for all socio-economic groups;
- c) Achieve more compact forms of residential development in a manner that is compatible with the character and pattern of adjacent surrounding development;
- d) Ensure that new residential areas permit a variety of complementary and compatible land uses, including community facilities, open space areas; and,
- e) Establish a comprehensive set of design guidelines and policies for new residential development that fosters the establishment of an urban environment that is safe, functional, sustainable, and attractive.

Of particular concern to the existing residents is clause c) which suggests that while the objective is to achieve some more compact forms of development, as supported by the permitted uses included in the Low/Medium Density Residential Area being townhouses and low rise (up to 6 story) apartment buildings, there is a desire to ensure the developments are compatible with the character and pattern of adjacent surrounding development. The existing character of the area is predominately single detached dwellings. It is not the intent of the policy to limit all development in the area to single detached dwellings to achieve compatibility with the character but rather staff would suggest, to ensure that the impact of the different form of development is appropriate, suitable and does not have a negative effect on the existing neighbourhood. This objective must be balanced with the other objectives of the designation.

As indicated in the earlier staff report, the provisions of the Low/Medium Density Residential Area designation provide direction for apartment buildings, suggesting that they be visually attractive and compatible with surrounding uses, include adequate lands for snow storage and parking, effective stormwater management and minimizing the impacts on neighbouring properties.

The conceptual plan provided in support of this development shows three structures on the site, having little direct impact on the neighbourhood, except for the abutting three dwellings. These lots are not anticipated to be impacted by any sun shadows. The proposal includes allowing the use of the 'front yard', being the lands immediately adjacent to Thomas Street at the entrance to the development to be used for parking, rather than having one of the proposed buildings in this area. The impact is that, rather than a multi-story building in the immediate side yard of the dwelling at 18 Thomas Street, the space will accommodate a parking area. The owner of 18 Thomas, as indicated, has requested a proper privacy fence which is anticipated to address the impacts of the parking area, in particular the lights from vehicles. As such, staff would recommend support of the exception requested to allow parking in the front yard. Staff would further recommend that the parking area be required to be setback the required front setback of 4.5m for buildings, and that the developer be required to provide a planting strip within the 4.5m to screen the visual effects of the parking area from Thomas Street.



With respect to other issues identified, such as stormwater management and snow storage, these issues can and will be addressed through the Site Plan Control approval process.

### Building Height

Many concerns were with the proposed height increase from 10.5 to 15.5 m to permit four-story buildings on the site. The Low/Medium Density Area permits apartment buildings up to six-stories. Residents cited the Official Plan provisions that encourage the development be compatible with surrounding uses. The surrounding neighbourhood is an Established Residential Area that contains older, single, and semi-detached dwellings and within the surrounding neighbourhood are three and four-story apartment buildings (41 and 63 Russel St. N & 46 Thomas St. N) which help to achieve the prescribed mix of housing. Planning staff note that the location of the site offers an ideal placement for this type of density, as it sits below the general topography of the neighbourhood, there being approximately 10m (32.5') from the elevation of James Street to the elevation of Havey Street. The extra story, or additional 5m should have little impact on surrounding residences due to the nature of its location. Please note that after consultations with the public, the developer has reduced the request for height to 14.5m to more accurately reflect the four-story height required.

It should be noted that within the abutting Residential One (R1) zone, the maximum building height for single or semi-detached dwellings is 9m. For any new single or semi-detached dwelling in Residential Three (R3) zone, which would be typical for the subject lands as per the Low/Medium Density Residential Area designation, the maximum height would be 10.5m, as it is for the Residential Four (R4) zone for a three-story structure.

The town has recently permitted four-story apartment developments in areas where the impact on the abutting lands would be considered minimal, including the HYOR Apartments and proposed Lepine Apartments on Madawaska Blvd. The owner of the lands at the corner of Fourth Avenue and McNab Street recently received approval for 4 story and 6 story apartments for a potential retirement home development.

### Density

The concept plan proposes 144 dwelling units. For similar developments typical calculations, such as those used by the consultant in preparing the servicing study, suggest 2.1 persons per unit. This would equate to an anticipated 302 people. Good planning principles, including those enshrined in Ontario's overarching policy document (the Provincial Policy Statement, 2020), state that density makes sense where it can support and be supported by existing services and infrastructure. The developer has provided both a servicing study and a transportation impact study which indicate that the existing municipal services and the road network could support the development.

In review of the concerns raised, particularly the impact noted to the abutting existing dwelling at 58 Havey Street, the developer has indicated that the proposed building shown on the concept plan to be 24 units could be restricted to 3-stories to assist in alleviating the impacts. This would reduce the total number of units proposed by 10, to 134, or approximately 281 people.

It should also be noted that of the 4.6 acre site, approximately 1 acre is intended for greenspace along the Madawaska River. This would be considered well in excess of the 5% parkland required for subdivision development.

While increased density can bring challenges that must be considered and mitigated, it also brings benefits. New, higher-density development supports local businesses and amenities, while putting little extra requirements for maintaining infrastructure on the municipality. Infill development is considered a more fiscally efficient and affordable development for municipalities.

### Traffic

Residents raised concerns with traffic, including increased street parking throughout the neighbourhood and safety concerns with volume of traffic anticipated at the intersections with Daniel Street, due to the density proposed for this site. As noted earlier, the developer has suggested that the building of 24 units be capped at 3-stories thereby reducing the proposed density of the site by 10 units.

William Street East has a road allowance width which is narrower than the Town's standard road allowance at 12m (40'), however there is typical pavement width which is anticipated to manage the volumes of traffic. William Street could be considered a partially rural cross section with the lack of sidewalk or curbs. The need for sidewalks has not been identified however, should the need be determined due to growth, the project may be eligible for development charges funding in accordance with the Town's Local Service Policy.

The draft Traffic Impact Study determined that the proposed development at 144 units would have minimal impact on traffic flows and operations in the area, with nearby intersections still operating at an acceptable level. An updated Traffic Impact Study will be required at the time of site plan approval. Should additional infrastructure upgrades be warranted, these standards will be included in the site plan agreement. The Study has been reviewed by the County of Renfrew Roads department as the road authority responsible for Daniel Street.

The draft Traffic Impact Study recommends the following traffic measures be implemented in the site plan approval process:

- All-way stop at the William Street East and Thomas Street intersection at the site entrance.
- Sidewalk be installed across the Thomas Street frontage for pedestrian access to active transportation pathway which runs adjacent to William St., providing linkages to existing sidewalk network.
- The analysis determined that a northbound Daniel Street S left turn lane with 30 m storage is required, and southbound Daniel Street N left turn lane with 15 m of storage is required (left turn lane to William Street E and the site). The left turn lanes could be accommodated within the existing 11 m width of Daniel Street by use of pavement markings. On-street parking would be prohibited along both the east and west sides of Daniel Street within the influence of the intersection.

- At the year 2030 with exclusive opposing northbound/southbound left turn lanes, the intersection would operate at an acceptable level of service during the peak AM hour, but at a Level of Service “E” during the peak PM hour. It is recommended that by the year 2030 or when dictated by the operation of the intersection, new traffic counts are taken, and the length of the left turn lanes be calculated and the warrants for traffic control signals be conducted.

Most of the traffic entering and exiting the site are expected to travel on William Street to and from Daniel Street. Havey Street, after the last existing dwelling at 58 Havey Street, is not an open road allowance available for access to the site.

### Open/Green Space

Concern was raised by the lack of green space shown on the concept plan, with large areas planned for parking. A landscape plan will be required to be submitted for review with any site plan application for the site to ensure green space is incorporated into the design. As noted, the subject lands are located on the Madawaska River and subject to a 30m waterfront setback which provides for approximately 1 acre of green space on the 4.6 acre property. Furthermore, this site is located along the multi-use Algonquin Trail. As noted in the previous report, the County of Renfrew has requested that a 7.5m minimum setback be maintained for all buildings/structures from the Algonquin Trail property.

### Environmental Concerns

Residents questioned the need to clean up former contamination of the site, as well as the potential run-off from the site to the river.

As a former brownfield, the site is subject to Ministry of the Environment, Conservation and Parks legislations regarding the need for remediation. A Phase 1 and a Phase II Environmental Site Assessment (ESA) has been prepared for the site. Based on the findings of the Phase II ESA “it is recommended that a soil remediation program be carried out to support the filing of a Record of Site Condition (RSC). It is recommended that the soil remediation be carried out in conjunction with the construction excavation at the time of redevelopment of the property. A representative sample of impacted soil must be submitted for a leachate analysis in accordance with O. Reg. 347/558 prior to disposal at an approved landfill site. Any excess soil that meets site standards but requires removal for construction purposes must be handled in accordance with O. Reg. 406/19, On-Site and Excess Soil Management.”

Therefore, a Record of Site Condition will be required to show how contamination of the site is being addressed, prior to building permits being issued. Materials will be required to be either removed from the site or capped. Green or open space areas would be required to be remediated.

Concerns raised around the outlet for stormwater on the site as a result of a large paved area. The need for stormwater management for both quality and quantity control was addressed in the serviceability study submitted. Approval of stormwater management will be reviewed and addressed in further detail as part of the site plan approval and be subject to all regulations of the Province and Town.

## Infrastructure

Planning staff consulted with the Public Works Department with respect to engineering considerations for the site. The General Manager, Operations advised, that a preliminary servicing feasibility study was completed in support of the application, and there were no concerns noted or identified as it relates to existing capabilities of water, sanitary or storm systems. Detailed design of new service connections to service the property will be required to be completed as part of the future site plan application.

## Conclusion

The developer has recognized some of the concerns raised by the residents and amended their request to mitigate the issues as follows:

- That the requested maximum height be reduced to 14.5m to reflect the proposed 4 story buildings
- That the building immediately adjacent 58 Havey Street be restricted to 10.5m, being 3 stories
- That the minimum required side yard setback from the adjacent 58 Havey Street property be doubled to 5m
- That a privacy fence be required abutting the existing residential properties

Many of the residents' concerns will be addressed through the site plan approval process which will require the applicant to enter into a Site Plan Agreement with Council. The holding symbol ensures that the applicant must address concerns identified by staff prior to lifting it and allowing development to proceed.

Additional specific questions raised during the process have been provided answers for consideration in Document #4 attached hereto.

## **Recommendation**

Planning staff are recommending the following;

- that the requested maximum height of 14.5m be approved for all buildings except any building proposed to be adjacent to 18 Thomas or 58 Havey Street, which will be subject to the required maximum height of 10.5m;
- that the required minimum setback for all buildings proposed to be adjacent to 18 Thomas or 58 Havey Street be 5.0m rather than 2.5m;
- that the by-law provisions include restriction of balconies on proposed building faces directly adjacent to existing residential uses;
- that 1.5m privacy fences be provided along property lines directly adjacent existing residential properties;

- that the location of parking be permitted in the front yard exclusive of the required minimum front yard setback of 4.5m and that a planting strip be provided within the 4.5m setback for screening; and
- that there be a minimum setback of 7.5m from the Algonquin trail for any building/structure, per the request of the County of Renfrew.

## Options

Council may proceed to pass an amending bylaw to approve the zoning amendment requests, may defer the application for additional information, or may refuse the application. If Council passes an amending by-law, it will be subject to a 20-day appeal period. If Council refuses the application, an explanation will need to be provided.

## Process

A by-law to effect the recommended zoning and exceptions will be brought forward on the next Council agenda for consideration. Once a by-law is adopted, Notice of Decision will be circulated to all who requested to be notified of the decision.

Should Council pass the amending by-law or refuse to pass the by-law, a 20-day appeal period to the Ontario Land Tribunal will apply.

It is anticipated that once all necessary approvals are in place, the applicant will file an application for Site Plan Control Approval for the subject lands, with all the supportive studies and plans included.

## Policy Considerations:

As outlined in the Staff Report in the [October 25<sup>th</sup>, 2021, Council Agenda](#).

## Financial Considerations:

Not applicable.

## Consultation:

- County of Renfrew
- General Manager of Operations
- Public Meeting held December 13<sup>th</sup>, 2021

## Documents:

1. Key Plan
2. Concept Plan
3. [Written Public Comment Package including the following:](#)
  - **Betty Michalowski:** November 9<sup>th</sup>, 2021, November 17<sup>th</sup>, 2021, December 12<sup>th</sup>, 2021, January 6<sup>th</sup>, 2022,

- **Peter & Rilla Prince:** November 13<sup>th</sup>, 2021
- **Jana Prince:** November 27<sup>th</sup>, 2021
- **Randy Whyte:** December 1<sup>st</sup>, 2021
- **Fred Delamico:** December 7<sup>th</sup>, 2021, January 3<sup>rd</sup>, 2022, January 27<sup>th</sup> 2022
- **Robert Brossard:** December 7<sup>th</sup>, 2021
- **Richard White:** December 8<sup>th</sup>, 2021
- **Jack Perreault & Sonia Vangenderen:** December 12<sup>th</sup>, 2021
- **Jerika Bradford:** December 14<sup>th</sup>, 2021
- **Adrienne Soucy:** December 30<sup>th</sup>, 2021, January 3<sup>rd</sup>, 2022
- **Katie Farrimond:** January 20<sup>th</sup>, 2022
- **Letisha and Dean DiMonte:** February 1<sup>st</sup>, 2022
- **Rebecca Leavers:** January 22<sup>nd</sup>, 2022

4. Additional Q&A

## Signatures

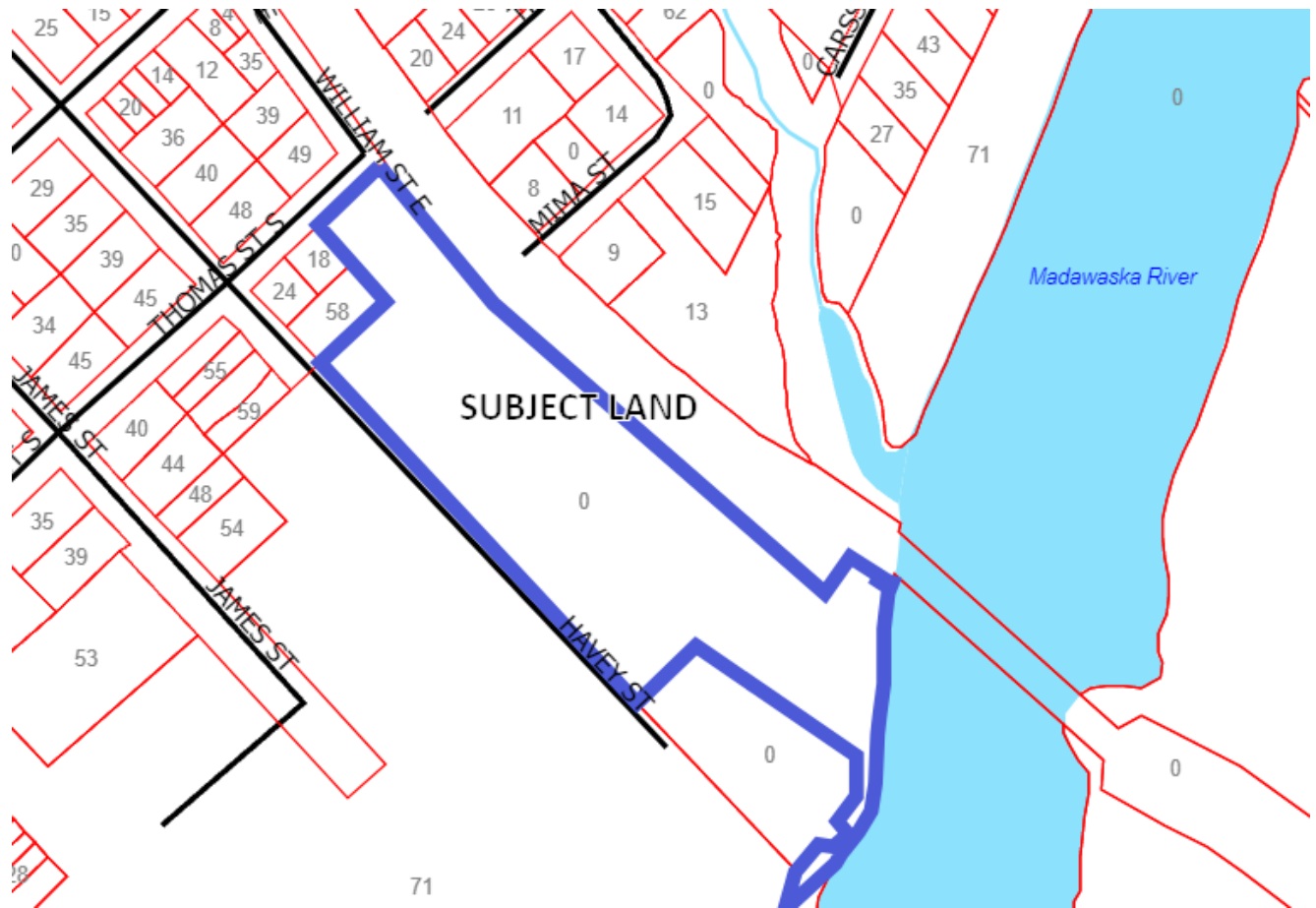
**Reviewed by Department Head:** Robin Paquette

**Reviewed by General Manager, Client Services/Treasurer:** Jennifer Morawiec

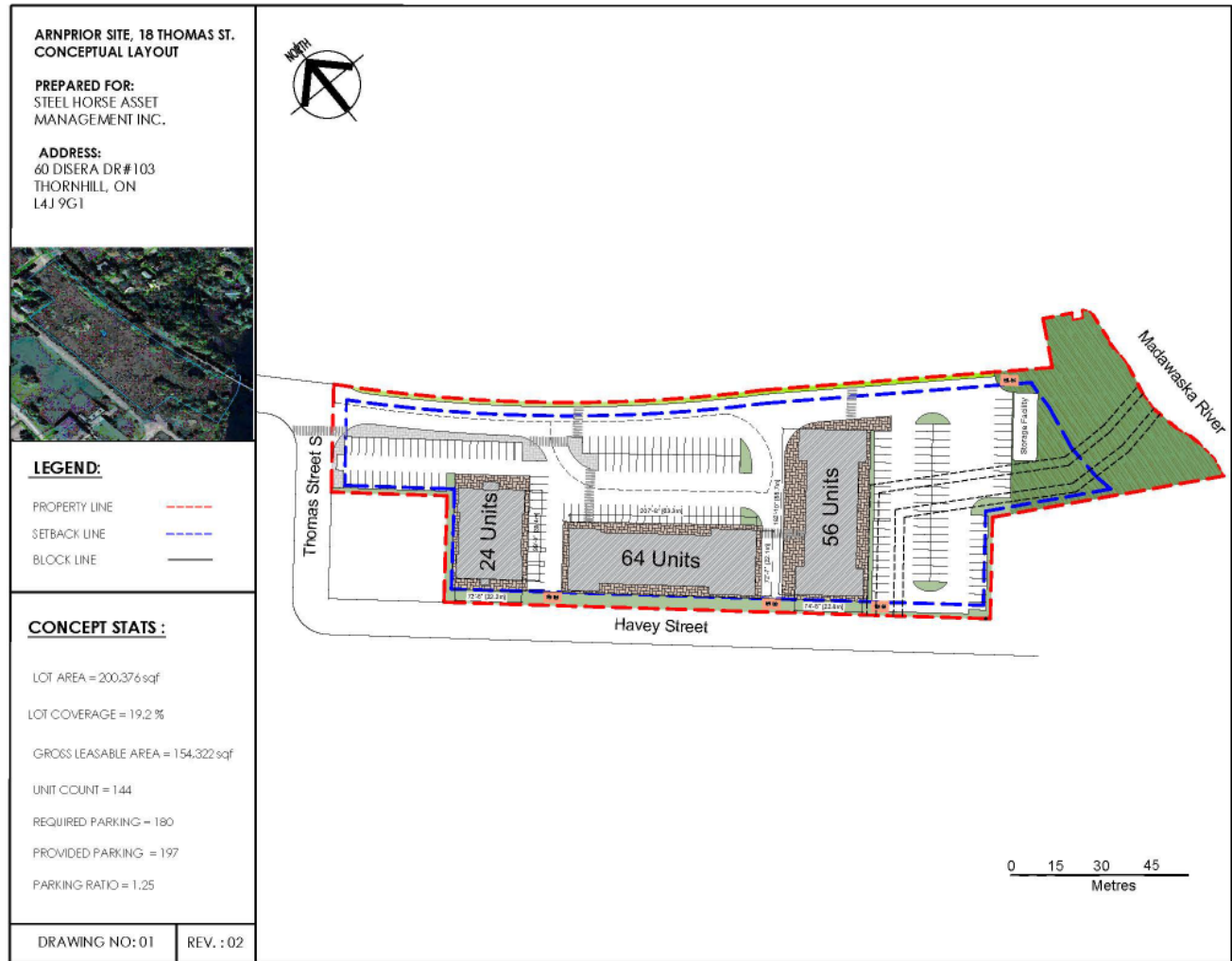
**CAO Concurrence:** Robin Paquette

**Workflow Certified by Town Clerk:** Maureen Spratt

## Document 1 – Key Plan



## Document 2 – Concept Plan



**Document 3** – Please see attached file containing all public comment received to date.





## **Town of Arnprior Staff Report**

**Subject:** Official Plan Amendment No. 4 & Implementing Zoning By-law Amendment – 11 Lake St., 321 Albert St., Vacant Lot at Lake St.

**Department:** Community Services Branch

**Report Number:** 22-02-28-02

**Report Author:** Robin Paquette, CAO and Payton Hofstetter, Jr. Planner

**Meeting Date:** February 28th, 2022

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### **Recommendations:**

**That** Council receive report number 22-02-28-02 regarding the need for an Official Plan Amendment and implementing Zoning By-law amendment to address an error in the land use designation for the lots described as 11 Lake Street, 321 Albert Street and a vacant lot along Lake Street (legally described as Part Reserve N S, Plan 33), Arnprior.

**Further That** Council direct staff to provide notice and hold a public meeting at the March 28<sup>th</sup>, 2022 Council meeting to initiate the amendment process and seek comments from the public.

### **Background:**

The purpose of this report is to provide Council with an overview of the mapping errors identified in Schedule "A" Town of Arnprior Official Plan Land Use and Town of Arnprior Zoning By-law 6875-18 Schedule A mapping and the proposed amendments and process to fix the mapping. The error affects three properties as follows:

#### 11 Lake Street:

Legal Description: Part Lot 29 Plan 77, Part Reserve N, Plan 33

Area of Land: 768.9 square metres (0.19 acres)

Frontage: 13.7m (45') on Lake Street

Depth: 20.65m (67.75')

Current Uses: Semi-detached dwelling (1890)

321 Albert Street

Legal Description: legally described as Part Lot 29, Plan 77

Area of Land: 647.5 square metres (0.16 acres)

Frontage: 20.65m (67.75) on Albert Street and 32m (105') on Lake Street (corner lot)

Current Uses: single detached dwelling (1885)

0 Lake Street

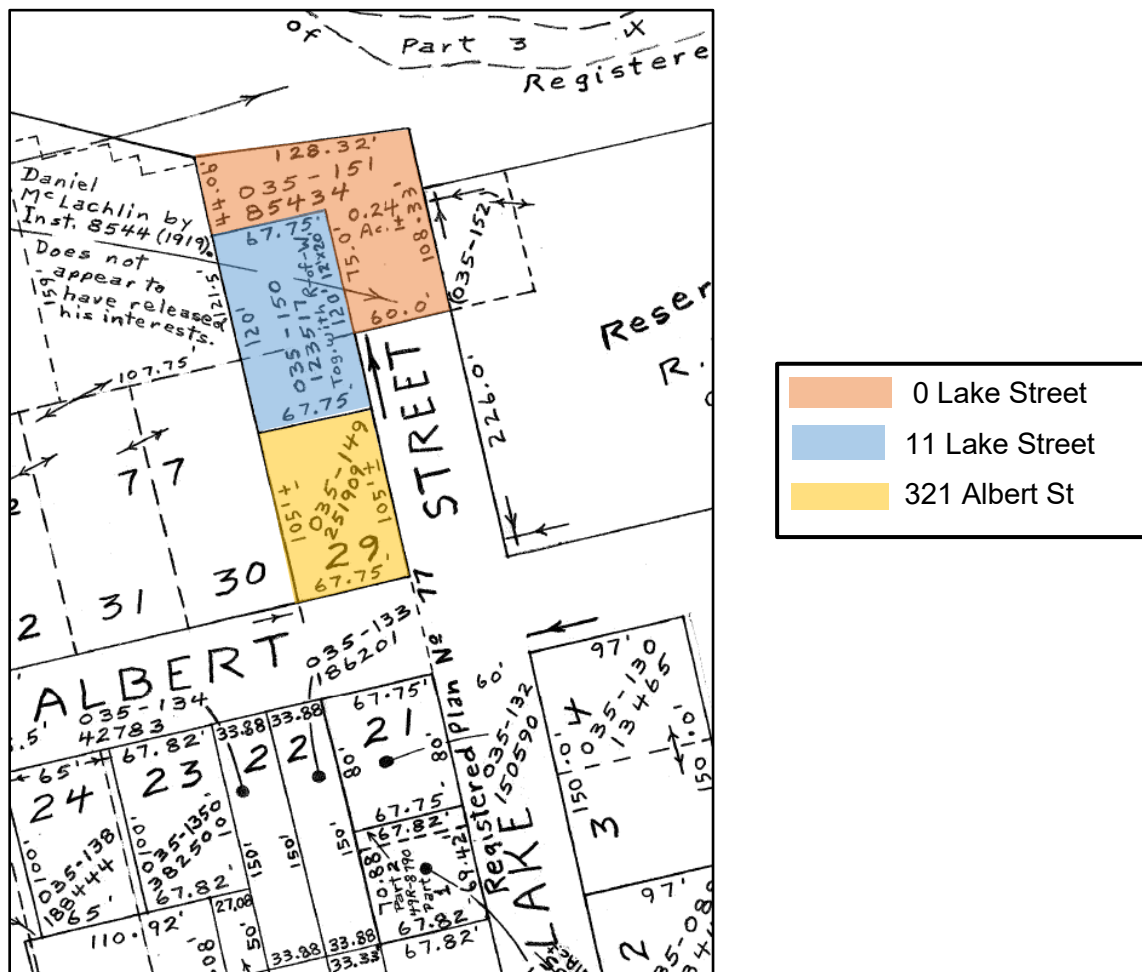
Legal Description: legally described as Part Reserve N S, Plan 33

Area of Land: 971.2 square metres (0.24 acre)

Frontage: 18m (60') on end of Lake Street (irregular shaped lot)

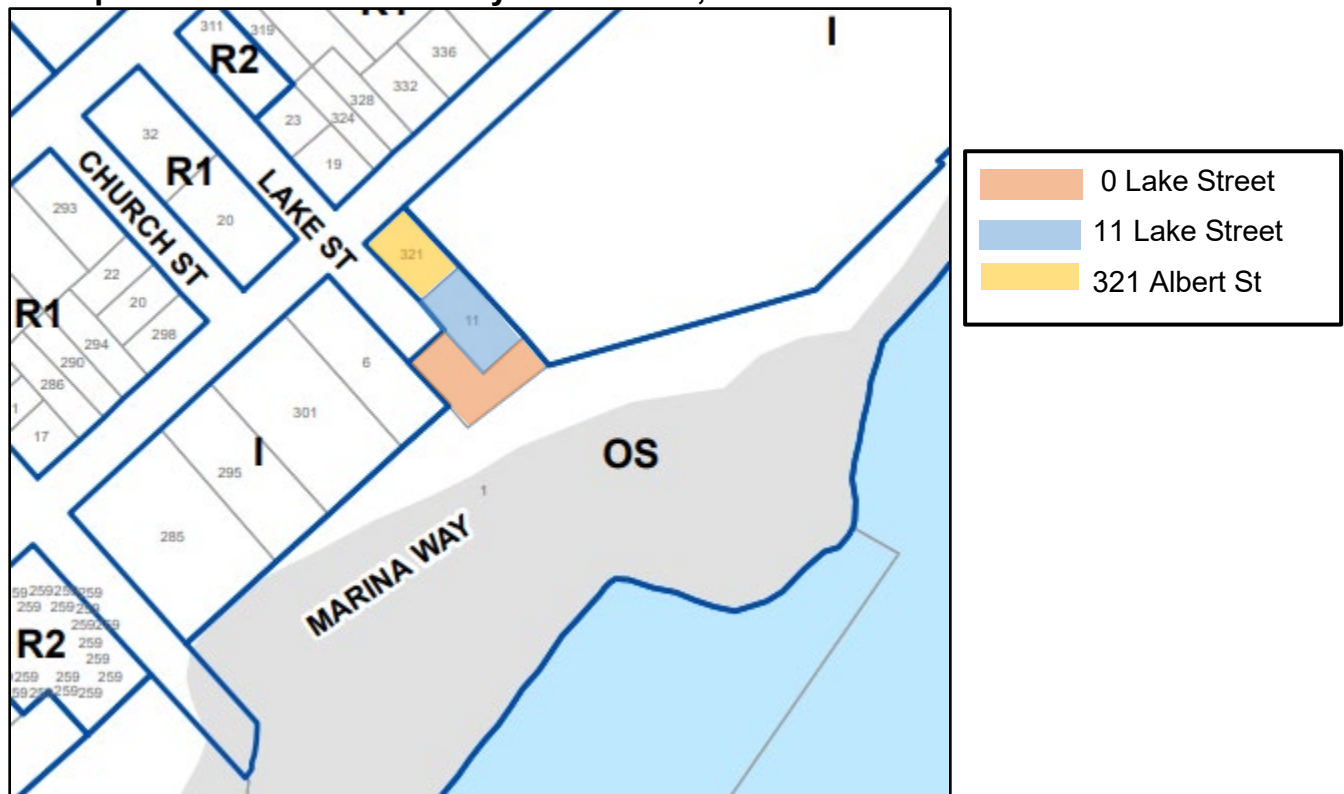
Depth: irregular

Current Uses: Vacant



**Current Official Plan Designation:** Open Space (waterfront development study area)

**Current Zoning Designation:** Open Space (OS)

**Excerpt from Schedule “A” to By-law 6875-18, as amended:****Discussion:**

The Town of Arnprior Official Plan was approved December 19<sup>th</sup>, 2017, and the Comprehensive Zoning By-law, 6875-18, was adopted October 9<sup>th</sup>, 2018. Staff have identified technical errors in the existing mapping.

Staff have identified three properties have been incorrectly designated. 321 Albert Street and 11 Lake Street have been long standing residential properties adjacent to an Established Residential Area. The L-shaped vacant lot at the end of Lake Street is currently owned by the St. John Chrysostom Catholic Church and is vacant and heavily-treed lands.

All three properties are currently designated as Parks and Open Space and being with the Waterfront Development Study Area on Schedule “A” of the Town of Arnprior Official Plan Land Use map. Staff believe that the boundary was incorrectly drawn to include the three properties, using Lake Street as a designation boundary for the Open Space lands. The intent of the Parks and Open Space designation in the Town of Arnprior Official Plan is to provide parks and open space for residents and only permits passive and active recreational uses. Furthermore, the Waterfront Development Study Area is intended to recognize public and private lands within the Waterfront of the Madawaska and Ottawa Rivers intended for development or redevelopment. These lands are beyond the scope of the Study Area and should not have been included.

Subsequently to align with the designations of the Official Plan, all three properties were zoned Open Space (OS) in the Town of Arnprior Zoning By-law 6875-18 Schedule A mapping. Permitted uses in the OS zone include Conservation Uses, Public Parks and Stormwater Management Ponds.

Staff believe that all three properties should be designated as Established Residential Area in the Town's Official Plan. Established Residential Areas are residential areas that were established and completed 5 years prior to the adoption of the Official Plan (2017). The purpose and goals of the Established Residential Area are to recognize low density housing, as well as local institutional uses, such as churches, day cares and schools.

The Residential One (R1) Zone is intended to implement the policies of the Established Residential Area designation in the Official Plan. The R1 Zone is intended to generally permit single-detached, semi-detached and duplex dwellings.

The St. John Chrysostom Catholic Church and its properties sit directly adjacent to the L-shaped vacant lot at the end of Lake Street, which are zoned Institutional (I). Institutional zones permit the use of land for places of worship, and as the Church owns this property this zoning would better reflect the use of land. Institutional uses are permitted in the Established Residential Area.

The Town of Arnprior Official Plan, Section F2 Official Plan Administration, permits alteration of the Plan to correct errors in the text or schedules without an Amendment to this Plan provided the alterations do not change the effect of the policies of the Plan. Staff have determined that the correction to the designation changes the policies which affect the development and use of the subject properties and therefore recommend that the error be corrected through an Official Plan Amendment. Section F3 requires that the Zoning By-law shall be amended to conform with this Plan pursuant to Section 27(1) of the Planning Act, therefore staff are of the opinion that an implementing Zoning By-law Amendment be required as well.

## **Recommendation:**

Staff recommend that the following zoning and designations are updated as follows:

- 11 Lake Street (legally described as Part Lot 29 Plan 77, Part Reserve N, Plan 33) be designated in the Established Residential Area in Schedule "A" Town of Arnprior Official Plan Land Use map and be zoned as Residential One (R1) on Town of Arnprior Zoning By-law 6875-18 Schedule A.
- 321 Albert Street (legally described as Part Lot 29, Plan 77) be designated in the Established Residential Area in Schedule "A" Town of Arnprior Official Plan Land Use map and be zoned as Residential One (R1) on Town of Arnprior Zoning By-law 6875-18 Schedule A.
- Vacant Lot on Lake Street (legally described as Part Reserve N S, Plan 33) be designated in the Established Residential Area in Schedule "A" Town of Arnprior Official Plan Land Use map and be zoned as Institutional (I) on Town of Arnprior Zoning By-law 6875-18 Schedule A.

Recommended mapping updates can be seen below in Documents 2 & 3.

### **Process**

Council is required to hold a Public Meeting under Sections 17(15) and 34(12) of the Planning Act giving the public an opportunity to make representations in respect of the proposed amendments and by-law. 20 days' notice of the public meeting will be provided by mailing to all landowners within 120m of the subject properties and posting of notice on the properties. If no concerns are raised at the public meeting, by-laws will be brought forward for Council's consideration; one to adopt the Official Plan amendment and one to amend the zoning by-law.

The Official Plan amendment is subject to the approval of the County of Renfrew. Should concerns be raised that need to be addressed, the by-laws may be deferred by Council. Zoning By-law Amendment by-laws are subject to a 20-day appeal period before they are considered final and binding, provided no appeals to the Ontario Land Tribunal are filed. However, in the case of a by-law implementing an Official Plan amendment, the by-law will not be in full force and effect until the Official Plan amendment has received approval from the County, which approval is also subject to an appeal process.

### **Options:**

Council may determine that an amendment not be initiated at this time, however due to the error identified by staff with respect to the proper designation of these lands, staff recommend proceeding per this report at this time.

### **Policy Considerations:**

The proposed amendments are consistent with the Town of Arnprior Official Plan and the Town of Arnprior Zoning By-law 6875-18.

### **Financial Considerations:**

The amendments are being initiated by the Town and therefore the costs to process the applications will be required to be funded through the Planning Department Operating Budget. There are sufficient funds to address these costs.

### **Meeting Dates:**

1. Proposed Public Meeting – March 28, 2022

### **Consultation:**

Bruce Howarth, Senior Planner, County of Renfrew

**Documents:**

1. Key Plan
2. Proposed zoning updates on Town of Arnprior Zoning By-law 6875-18 Schedule A
3. Proposed designation updates on Schedule "A" Town of Arnprior Official Plan Land Use Map

**Reviewed by Department Head:** Robin Paquette

**Reviewed by General Manager, Client Services/Treasurer:** Jennifer Morawiec

**CAO Concurrence:** Robin Paquette

**Workflow Certified by Town Clerk:** Maureen Spratt








★ Properties to be shown as Residential One (R1)

★ Properties to be shown as Institutional (I)





-  Established Residential Area
-  Parks and Open Space
-  Lots to be designated as Established Residential Area



## **Town of Arnprior Staff Report**

**Subject:** Awarding of Contract for Phase 1 Conceptual Design and Geotechnical Investigations for Replacement of the 400mm Watermain River Crossing

**Report Number:** 22-02-28-03

**Report Author and Position Title:** Ryan Wall, Engineering Officer

**Department:** Operations Department

**Meeting Date:** February 28, 2022

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### **Recommendations:**

That Council award the 400 mm Diameter Watermain River Crossing Geotechnical, Hydrogeological and Environmental Investigation, and Conceptual Design assignment to J.L. Richards and Associates Ltd. in the amount of \$126,491.00 plus HST; and

That Council authorize the CAO to execute the necessary documents to award the contract.

### **Background:**

The Town of Arnprior has three watermain river crossings that connect the water system on the west side of the Madawaska River, where the Water Filtration Plant (WFP) is located, to the water system on the east side of the Madawaska River, where the Town's elevated storage tank is located. The largest, and most critical of these three watermains is the 400mm water main that connects the WFP to Decosta street, where the elevated storage tank is located, by way of a water main that is submerged on the bottom of the Madawaska River. In 2017 the 400mm watermain broke prompting an inspection of the main, which emphasized the need to upgrade that main which is approximately 60 years old and has failed twice in its lifetime. The cost of the 2017 repair was approximately \$230,000.00.

The Works in Progress list of capital works, as approved by Council on February 14, 2022, included a capital project for designing a new 400mm watermain river crossing with a budget of \$200,000. This planned construction of this watermain is forecasted for the year 2023 in the Town's Long Range Capital Forecast (LRCF) and has received funding approval under the ICIP Green Stream grant. The grant will cover 73.33% of the project cost up to a maximum of \$2,006,418.80. The estimated cost of the project is \$3,637,920.00.

## **Discussion:**

The scope of the project to replace the existing 400 mm diameter steel watermain between the Decosta Street/Hartney Street intersection and the WFP, including the Madawaska River crossing, will be broken down into several phases. It is anticipated that the scope of each phase will generally consist of the following:

1. Phase 1 – Conceptual Design and preliminary Geotechnical, Hydrogeological and Environmental Investigations (to assess the feasibility of installing the water crossing via trenchless methods).
2. Phase 2 – Additional Field Investigations (as required), Preliminary, Detailed Design, and Tender Documents.
3. Phase 3 – Construction.

Following the receipt of the formal Transfer Payment Agreement (TPA) for the ICIP Green Stream funding in 2021, staff proceeded to negotiate a scope of work to be included in a proposal to complete a geotechnical, hydrogeological and environmental investigation, and conceptual design for the watermain river crossing. The outcome of this investigation will determine the approximate location and construction methods to be used to replace the existing water main. Once these determinations are made, a proposal for detailed design and development of tender documents will be required.

J.L. Richards provided a proposal to complete the preliminary design, geotechnical and environmental investigations for a cost of \$126,491.00 plus HST. Their level of effort includes the following:

1. Project Management and Client Liaison
2. Base Plan Preparation
3. Geotechnical, Hydrogeological and Environmental Engineering Services including Phase I ESA / APU Report and Bathymetric Survey
4. Conceptual Design

## **Options:**

Council could choose not to award the project, though this is not recommended as the submission is within budget and is a necessary next phase of this critical infrastructure replacement project.

## **Policy Considerations:**

The completion of the Geotechnical, Hydrogeological and Environmental Investigation, and Conceptual Design for the 400mm watermain river crossing supports the following visions and goals identified in the Town of Arnprior's 2020-2023 Strategic Plan:

- Built infrastructure to support future development and protect the environment with increased access to transportation options.
- Road/Linear Assets Rehabilitation including major reconstruction and rehabilitation projects.

Staff recommend this project be awarded under standing offer in accordance with FS-AD-01 Procurement Policy which states that standing offers or multi-use lists of suppliers may be utilized as an efficient method of managing the delivery of goods and services. JL Richards and Associates Ltd. was approved to be included on the Town's engineering services standing offer list under Bylaw Number 7145-21.

### **Financial Considerations:**

The 2022 Capital budget includes \$200,000.00, which was included as a work in progress from 2021, for the design of this project. When accounting for net HST the cost of this assignment is \$128,717.24, of which 70% will be funded by the Water Reserve Fund and 30% funded by Development Charges Reserve Fund.

### **Meeting Dates:**

N/A

### **Consultation:**

- JL Richards and Associates Ltd.

### **Documents:**

N/A

### **Signatures**

**Reviewed by Department Head:** John Steckly

**Reviewed by General Manager, Client Services/Treasurer:** Jennifer Morawiec

**CAO Concurrence:** Robin Paquette

**Workflow Certified by Town Clerk:** Maureen Spratt



## **Town of Arnprior Staff Report**

**Subject:** Digital Access to Heritage – Museum Assistance Program – Grant Application

**Report Number:** 22-02-28-04

**Report Author and Position Title:** Janet Carlile, Museum Curator

**Department:** Community Services Branch

**Meeting Date:** February 28, 2022

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### **Recommendations:**

That Council direct staff to make an application to the Digital Access to Heritage – Museum Assistance Program for the proposed Digitization of the Arnprior and District Museum Collection Project as presented to further accessibility while facilitating Canadians' access to our heritage.

### **Background:**

The Museums Assistance Program (MAP) supports heritage institutions and workers in the preservation and presentation of heritage collections in Canada. The Program provides financial assistance to Canadian museums and related institutions for activities that:

- facilitate Canadians' access to our heritage;
- foster the preservation of Canada's diverse and rich cultural heritage (other than built heritage), including representative collections of Indigenous cultural heritage; and
- foster professional knowledge, skills and practices related to key museum functions.

Expected results could include activities that achieve the:

- development and circulation of Canadian travelling exhibitions and associated interpretive material;

- preservation and presentation of Indigenous cultural heritage;
- implementation of key collections management systems; and
- sharing of best practices related to key museum functions, to the benefit of multiple institutions.

The aim of the Digital Access to Heritage component of the Museums Assistance Program (MAP) is to foster improved access to heritage collections through collections digitization and digital content development, as well as activities that build capacity in these areas. The component also supports the development and delivery of related training, resources and services that benefit multiple museums.

#### Eligible Projects:

The following are eligible for funding from the Component:

- Projects to build capacity to support digitization of and digital access to heritage collections, including the development of a digitization strategy and training.
- Projects to digitize collections, which must be guided by a digitization strategy and must include making the majority of digitized heritage collections accessible to the general public, through various means such as a websites, social media posts, virtual exhibitions, interactive media and collection portals.
- Projects to develop digital content, based on digitized heritage collections, which is delivered online and/or in person and published using a variety of digital programs, platforms, and channels.
- Projects to share best practices, develop and deliver training, resources, and services, which must involve more than one organization and/or be developed by one organization to benefit multiple organizations.

All products being presented to the public must be developed in both official languages.

To ensure the success of our project, we are encouraged to have other funding sources. This may include contributions from our organization, the private sector or other levels of government.

The total financial assistance received from the Program and other levels of government (federal, provincial, territorial, and municipal) cannot exceed 100% of the total project-related costs.

Project funding under the Digital Access to Heritage component will not normally exceed 70% of eligible expenses with the remaining 30% to be covered by “in-kind” donation.

### Project funding for Digital Access to Heritage component

Maximum funding per project	\$900,000 (for projects taking place over three fiscal years)
Maximum project duration	Projects must be completed by March 31, 2024.
Maximum funding per fiscal year	\$300,000

### Discussion:

The Museum Curator has reviewed the application and guideline for the Digital Access to Heritage Grant. The project has been considered through the creation of a Digitization Strategy which provides the following information in support of the grant application.

### Why Digitize?

We are living in a digital age where people want and expect to have access to information at their fingertips. With the onset of the pandemic, the need for access to digital information has increased and more and more heritage organizations are undergoing digitization projects to meet this need. Various levels of government are actively promoting grant programs to enable small and medium-sized heritage organizations to do just this.

Collection digitization is not just about access for the public - it is also about accessibility for all. Whether your audience is 5 or 5,000km away, the ability to search through images and learn about the Arnprior and District Museum's collections will open up a new route of engagement and outreach. It will allow the museum to engage with people who may never be able to physically come to the site. It will allow the museum to monetize its collections and generate revenue in the form of reproduction fees, merchandise, and publications.

A completely digitized collection is advantageous for the museum because it allows for a visual inventory of all objects and archival material. From this, staff can meet the museum mandate to serve as a medium to educate and communicate the history, social history, records, and other information of the past to current and future generations of all abilities. By digitizing collections, the ADM will prevent the unnecessary handling of objects, which may cause damage and will allow for access to fragile artifacts, which might not otherwise be on display.

## Project Scope

The ADM uses the Past Perfect Collections Management software to manage its collections. Currently there are approximately 10,000 catalogue records in the database and a further 1,500-2,000 objects to be catalogued. The majority of objects in the database have low quality thumbnail images, which are not suitable for use beyond identification by collections staff. With a complete digitization of the ADM collections, each object will have a full-colour, high-quality image that can be used for identification, reproduction, dissemination via the web and educational purposes.

In terms of collection priorities, collections not currently on exhibit will be digitized first, starting with small to medium-sized objects such as archaeological specimens, clothing and textiles, household items, ceramics and glass, and art and sculpture. Larger items such as machinery, furniture and oversized items located at the museum's off-site storage facility would follow. Artifacts on exhibit will be digitized during off-peak visitation times to reduce visitor disruption in the gallery. Finally, archival material would be digitized last.

## Demand, Access and Usability

In alignment with the museum mandate to collect, preserve and exhibit, in a secure and safe environment, artefacts, archaeological specimens, textiles, and archival documents of the Town of Arnprior and surrounding area, the digitization project aims to visually record every object held within the museum's collection in order to:

- **Expand Engagement and Outreach:** to share the collections with a broad digital audience. The museum welcomes visitors from the Arnprior and National Capital Region area including residents, tourists, school groups, clubs and organizations. A digital collection will allow this group to expand to include a national and international audience. Organizations will also be able to use the online database to make loan requests which may result in the ADM's collections reaching an even wider audience.
- **Increase Access:** to welcome visitors to the collections who cannot physically come to Arnprior. Access is not just about geography - a digital collection will allow people to access parts of the collection that are not on view to the public. People with disabilities will also be able to interact with the collections. At present, the ADM does not have an elevator preventing mobility-impaired visitors from accessing exhibitions on upper floors.
- **Enhance Learning:** to engage with students and enhance educational programming offered at the museum. The ADM welcomes hundreds of students from the Arnprior area each year. A digital collection will compliment in-person school visits and make collections information and images available to students who are not able to visit in person.



- **Connect with First Nations:** to share the collections of the Algonquin Nation and acknowledge their presence in this area as First Nations. The ADM is extremely honoured to have a beautiful collection of Indigenous objects representing artisans from the Algonquin Nation. A digital collection will allow these unique objects to be shared with a wider audience.
- **Share data to improve material history research:** to work with genealogists, historians, researchers, educators and the curious in the sharing of information and disseminate the history and culture of the area. The ADM currently strives to assist with access to information for inquiries that present themselves via in-person and electronic requests. A digital collection would allow researchers to utilize our collections information and access images directly - something which could be monetized at a later date.

### **Project Resources**

The project would be undertaken through the award of Contract. It is anticipated that two full-time consultants and potentially 2 part-time assistants would be required to fulfill the contract. Other material resources would be eligible for grant funding. The grant does require 30% in-kind contributions which, for the Town, would include project management and administration provided by the Curator and administrative staff, use of the town's facilities and equipment on hand.

### **Project Budget**

The proposed funding request of approximately \$249,500 includes the costs for the consultant to undertake the project over the two year timeframe based on the estimates from the Digitization Strategy prepared, costs for materials and anticipated software program and licensing. The town's in-kind contribution would amount to approximately \$84,000, being just over the required 30% contribution requirement. While this attributes a fairly substantial portion of time dedicated by the Curator to manage the project over the two-years, staff recognize the value in this project for the long term benefits and understand the need for the Curator to be heavily involved in the management and success of the project.

### **Timelines**

Important MAP Grant timelines are as follows:

- Applications due by 11:59 PM, March 1, 2022;
- Project Completion: March 31, 2024.

### **Conclusion**

The Digitization project makes the Museum collection a public facing project for the Town of Arnprior and ultimately ensures the accessibility of the Town's collection to the public for research and information purposes.

The project will take two years to complete and will involve the hiring of two consultants for the period. Their task will be to take professional high-resolution images of the collection, which will be, along with necessary provenance, information, and measurements, placed into a new, Canadian based, database called Argus. This very user-friendly database will make the material culture and history of Arnprior accessible virtually through various search engines and will enable future exhibits to be made using the images. Importantly, our First Nations partners will help in identification and will provide information, which may be lacking in our current database. The pandemic has created many opportunities in the museum world to devise new ways of reaching the public with exhibitions and Arnprior is fortunate to have this opportunity through the Museum Assistance Program.

## **Options:**

Council may choose:

- Not to endorse the project as presented.
- To endorse a modified version of the presented scope of work.

For the reasons in support of the application outline in this report, neither of these options are recommended.

## **Policy Considerations:**

The work proposed for the digitization of the Museum Collection is aligned with the following town of Arnprior plans and policies:

- Multi-Year Accessibility Plan;
- Age-Friendly Community Plan;
- Museum Strategic Plan; and
- Town Strategic Plan.

## **Financial Considerations:**

As outlined in this report 70% of costs for this project would be covered by the MAP grant. The remaining 30% would be covered by in-kind time of staff museum, Town Staff, and volunteers, as outlined in the funding section of this report.

Council should be aware that while the implementation and two years of proposed software programming and licensing would be obtained through the grant funding, on going operational costs with respect to the virtual component would need to be addressed yearly in the Operating Budget. These costs are estimated between \$6,000 and \$7,000 yearly.

## **Meeting Dates:**

Not applicable

**Consultation:**

Not applicable

**Documents:**

Not applicable

**Signatures**

**Reviewed by Department Head:** Robin Paquette

**Reviewed by General Manager, Client Services/Treasurer:** Jennifer Morawiec

**CAO Concurrence:** Robin Paquette

**Workflow Certified by Town Clerk:** Maureen Spratt



## **Town of Arnprior Staff Report**

**Subject:** Municipal Tax Sales

**Report Number:** 22-02-28-05

**Report Author and Position Title:** Jennifer Morawiec, GM Client Services / Treasurer

**Department:** Client Services

**Meeting Date:** February 28, 2022

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### **Recommendations:**

That Council receive report number 22-02-28-05 as information.

### **Background:**

If property taxes remain unpaid for a specific period of time, the Municipal Act provides for the sale of the property. As per the Town's Property Tax Billing and Collection Policy, the Town may register a Tax Arrears Certificate if taxes remain unpaid on properties for two years prior to January 1 of any year. These timelines apply to both residential and non-residential classes of property.

A Tax Arrears Certificate indicates that the property will be sold if taxes, penalties, interest and reasonable costs incurred by the Town are not paid within one year of registration of the certificate. Once a certificate has been registered, partial payments cannot be accepted, but an approved repayment schedule may be arranged with the owner prior to the expiry of the one-year period.

The Town may advertise the property for sale for non-payment of taxes if the cancellation price is not paid within one year of registration of the certificate. Ontario Regulation 181/03: Municipal Tax Sales Rules, s13 (20) indicates that the treasurer shall advertise the land for sale once in The Ontario Gazette and once a week for four weeks in a newspaper that, in the opinion of the treasurer, has such circulation within the municipality as to provide reasonable notice of the sale or, if there is no such newspaper, post a notice in the municipal office and one other prominent place in the municipality.

## Discussion:

The following four properties will be advertised for tax sale by public tender, with the tender opening scheduled for April 14, 2022 at 3:00pm. A flowchart outlining Tax Sale Procedures by Tender is attached to this report. A tax sale of any property is subject to cancellation up to the time of the tender opening without any further notice.

	Roll #	Legal Description	Lot Size
1	4702 000 02006705.0000	Plan 89 PT LOTS 1 2 3	0.04 (AC)
2	4702 000 02011803.0000	MCNAB CON B PT LOT 3	2529.52 (SF)
3	4702 000 07002700.0000	CON 12 E PT LOT 4	0.48 (AC)
4	4702 000 02005900.0000	PLAN 34 LOT 34 S PT LOT 33	13903.00 (SF)

Advertisements will be included on the town website, the Ontario Gazette and Arnprior Chronicle Guide to meet advertising requirements. Advertisements in the Arnprior Chronicle Guide are scheduled for March 10<sup>th</sup>, 17<sup>th</sup>, 24<sup>th</sup> and 31<sup>st</sup>.

Minimum tender amounts will be set as of the first day of advertising and include taxes, penalty, interest, advertising, legal, survey, tax registration and sale costs. All tax properties are sold without warranty and are sold as is.

The Town is not obliged to provide a survey or reference plan for any parcel of land being sold under tax sale. The tender packages may include an assessment map, provided as a courtesy, however it should be noted that this mapping is not a survey and is for approximate location purposes only.

The Treasurer is not obliged to inquire into the value of land prior to conducting a sale. Further, there is no obligation to obtain fair market value for the land or to ensure that land being sold under tax sale may obtain fair market value at the time of the sale or in the future.

Prior to submitting a tender, the onus is on the potential bidder to conduct his/her own inquiries into such matters as zoning, access, work orders, water/hydro and other arrears, building restriction, title problems and/or liens, which may survive the tax sale. The Town makes no representations whatever as to the quality and/or quantity of the land being purchased.

Tender packages will be prepared and bids must be submitted using the forms provided. To be eligible all bids must be at least equal to the advertised minimum tender amount. Bids plus a certified cheque for 20 per cent of the tendered amount must be submitted in a sealed envelope prior to the specified time. The successful purchasers will be required to pay the amount tendered plus accumulated taxes, penalties and interest, HST if applicable and the relevant land transfer tax. Further information will be made available at the time of advertising of the Tax Sale properties.

**Failed Tax Sales**

Should any of the above property not receive any tender bids, this is considered a failed tax sale. After a failed tax sale, the Treasurer will write off the uncollectible taxes and charge back appropriate portion to upper tier and school boards. An allowance for doubtful accounts is maintained to offset the municipal portion of these write off expenses.

Another report will be brought back to Council as Council will then need to determine if the property is to be vested or re-advertise for a second tax sale. A property can only be advertised a second time within the two years of the first tax sale.

**Options:**

Council could choose to not proceed with tax sale of the four noted properties however that is not recommended at this time.

**Policy Considerations:**

Policy FS-BR-02: Property Tax Billing and Collection  
Ontario Regulation 181/03

**Financial Considerations:**

All tax registration and sale costs including advertising are added to the respective tax rolls and form part of the minimum tender amount.

**Meeting Dates:**

N/A

**Consultation:**

Realtax Recovery Specialists

**Documents:**

1. RealTax – Tax Sale Procedures by Tender
2. Property Location Maps

**Signatures**

**Reviewed by Department Head:** Jennifer Morawiec

**Reviewed by General Manager, Client Services/Treasurer:** Jennifer Morawiec

**CAO Concurrence:** Robin Paquette

**Workflow Certified by Town Clerk:** Maureen Spratt

**One year after the registration of the Tax Arrears Certificate on title:  
(or after 90 days under expedited process for Forfeited Corporate Property)**

**Send Mining Information Form 9 To Ministry of Northern Development and Mines**  
for completion, *if required by Municipal Act, 2001 section 384 and Municipal Tax Sale Rules section 24*



**Calculate Minimum Tender Amount**

as of First day of advertising to include taxes, penalty, interest, advertising, legal, survey, tax registration and sale costs



**Prepare tax sale Form 6 advertisement**



**Place ads in local paper**

Full Form 6 ad to be published once and abbreviated ad once a week for three more weeks  
with the last ad at least 7 days prior to sale



**Place ad in Ontario Gazette**

To be published once at least 7 days before the tax sale



**Make Tender Packages available to the public**



**Hold tender opening in public place**  
as soon as possible after 3pm on date of tax sale as per MTSR



**IF TENDERS RECEIVED**



**Determine Highest and Second Highest Tenderers**  
per sections 9 and 6 of MTSR



**Return rejected tenders and deposits**



**Send Notice to Highest Tenderer**  
showing balance owing  
(including accumulated taxes, LTT and HST)



**Declare “Successful Purchaser”**  
if balance paid within 14 days



**If balance not paid by Highest Tenderer within 14 days**  
Deposit is forfeited

**Send Notice to Second Highest Tenderer**  
showing balance owing



**Declare “Successful Purchaser”**  
once balance has been paid



**Prepare Tax Deed to Successful Purchaser**  
along with Statement of Compliance and Land Transfer Tax  
Affidavit and get signed by Treasurer and Purchaser



**Register tax deed on title**  
and give copy to purchaser and send copy to Minister of  
Infrastructure



**Prepare Form 5 Notice of Payment Into Court along with**  
list of names and addresses to where Notice will be sent.  
**File in court along with surplus tax sale funds**



**Send Form 5 Notices**  
to Public Trustee, Minister Responsible for the Administration  
of the Forfeited Corporate Properties Act and Interested  
Parties as per updated title and execution searches and any  
updated assessment information



**IF NO TENDERS**



**Write off uncollectible taxes and charge back**  
appropriate portion to upper tier, school board (&/or  
other levying bodies)



**If crown interests, find out balances owing**  
Negotiate with federal interest to clear title.  
If provincial interest, calculate share of proceeds  
they would be entitled to from a subsequent sale



**Determine if property to be vested or**  
**advertised a 2<sup>nd</sup> time within two years**  
Conduct inspections if appropriate, per MA s. 386.1  
to determine if desirable to vest land



**IF VESTING**



**Register Notice of Vesting**  
**within 2 years**  
**or Tax Arrears Certificate**  
**deemed cancelled**



**If vested property sold**  
**within 7 years and MTA**  
**over \$10,000.00**  
share proceeds with upper  
tier, school board, etc and  
provincial crown interests,  
as per MA s. 353  
and federal crown if  
required

**If vested property sold 7**  
**years after original Tax**  
**Sale date or MTA under**  
**\$10,000.00**  
there is no requirement to  
share proceeds with upper  
tier, school board, etc and  
provincial crown interests.  
Property will remain subject  
to Federal interests until  
negotiated settlement  
reached



**IF PROPERTY IS TO  
BE RE-ADVERTISED**



**Send out Form 10**  
**Notices of**  
**Readvertisement**  
30 days prior to First  
ad



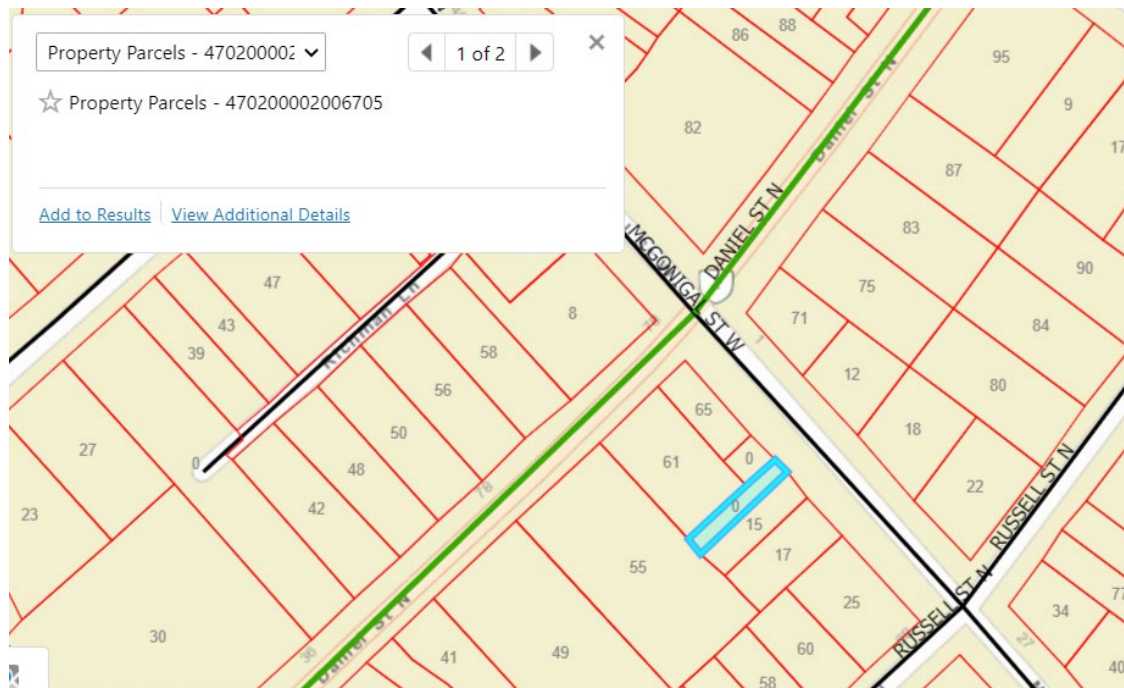
**Proceed with**  
**readvertising**  
**second sale after**  
**Notice period**  
**expires**  
as per MA s 380.1(3)  
**Return to top of**  
**chart**

Note: a property can  
only be advertised a  
2<sup>nd</sup> time (not a 3<sup>rd</sup> or  
4<sup>th</sup>) within 2 years of  
the 1<sup>st</sup> sale

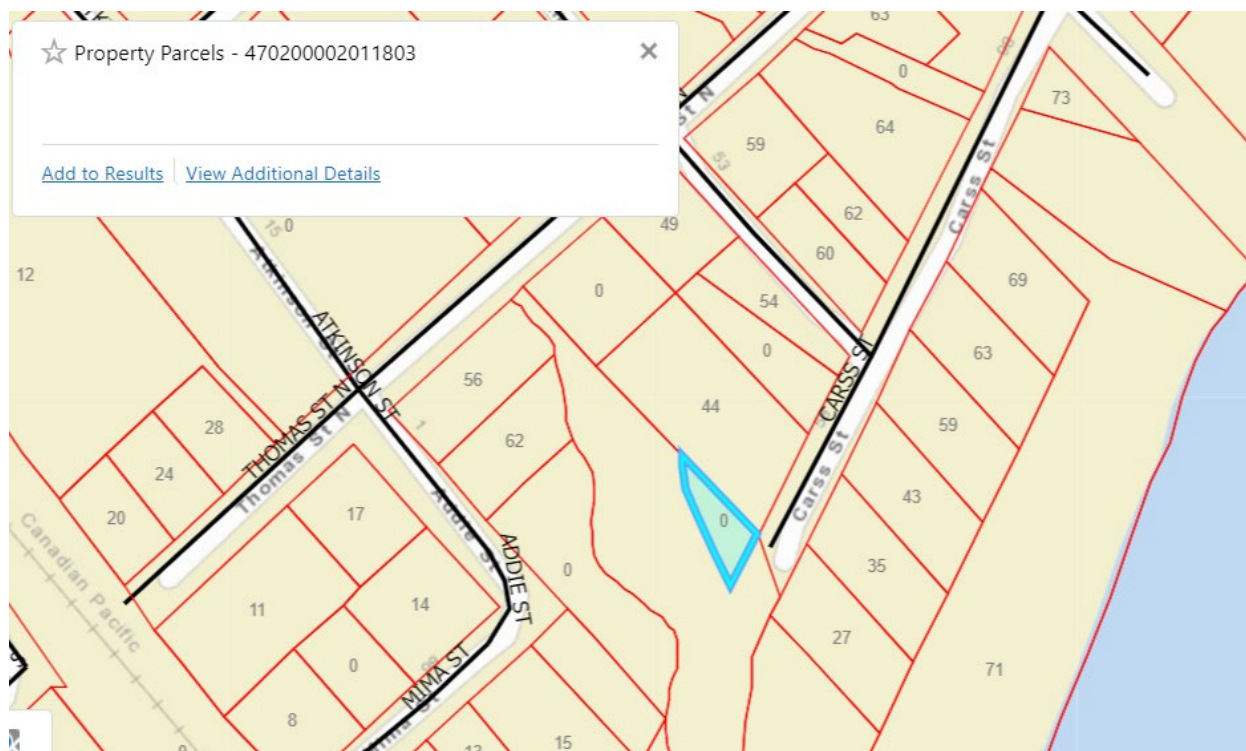
**If the property is not sold or vested within 2 years of the 1<sup>st</sup> tax sale, the Tax Arrears Certificate shall be deemed  
to be cancelled as per *Municipal Act, 2001* section 379(15)**

Note: all legislation sections refer to either the *Municipal Act, 2001* (MA) or the  
*Municipal Tax Sale Rules Ontario Regulation 181/03* (MTSR)  
as amended

1. 4702 000 02006705.0000

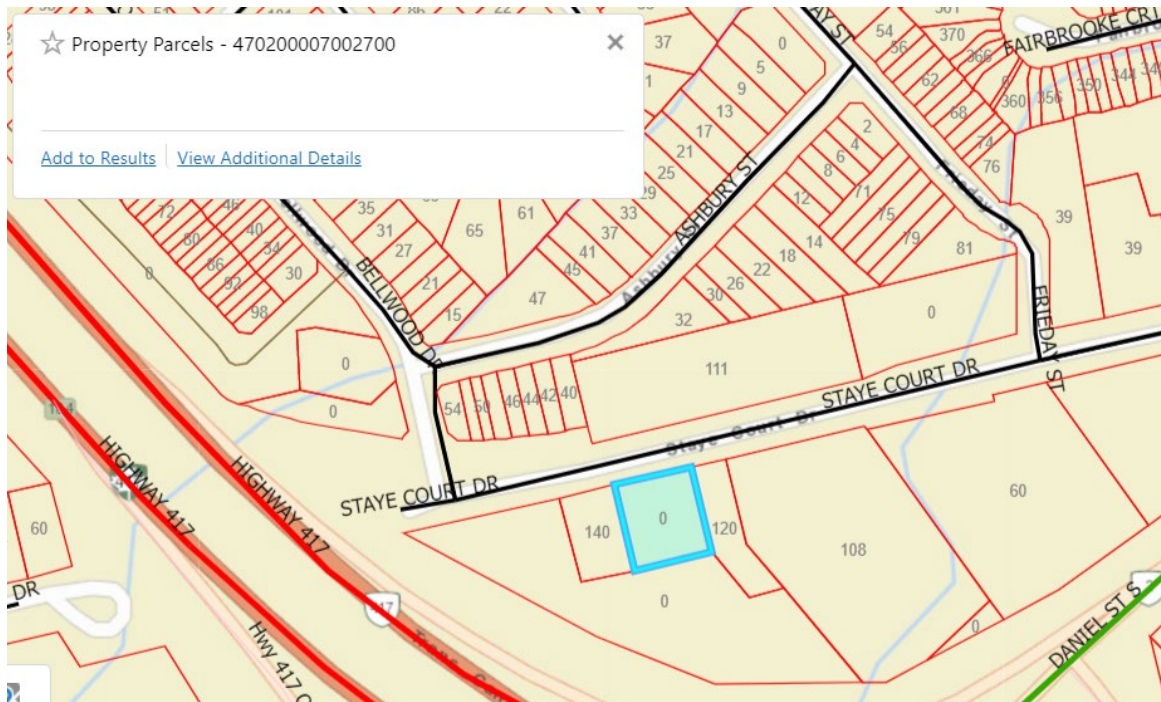


2. 4702 000 02011803.0000

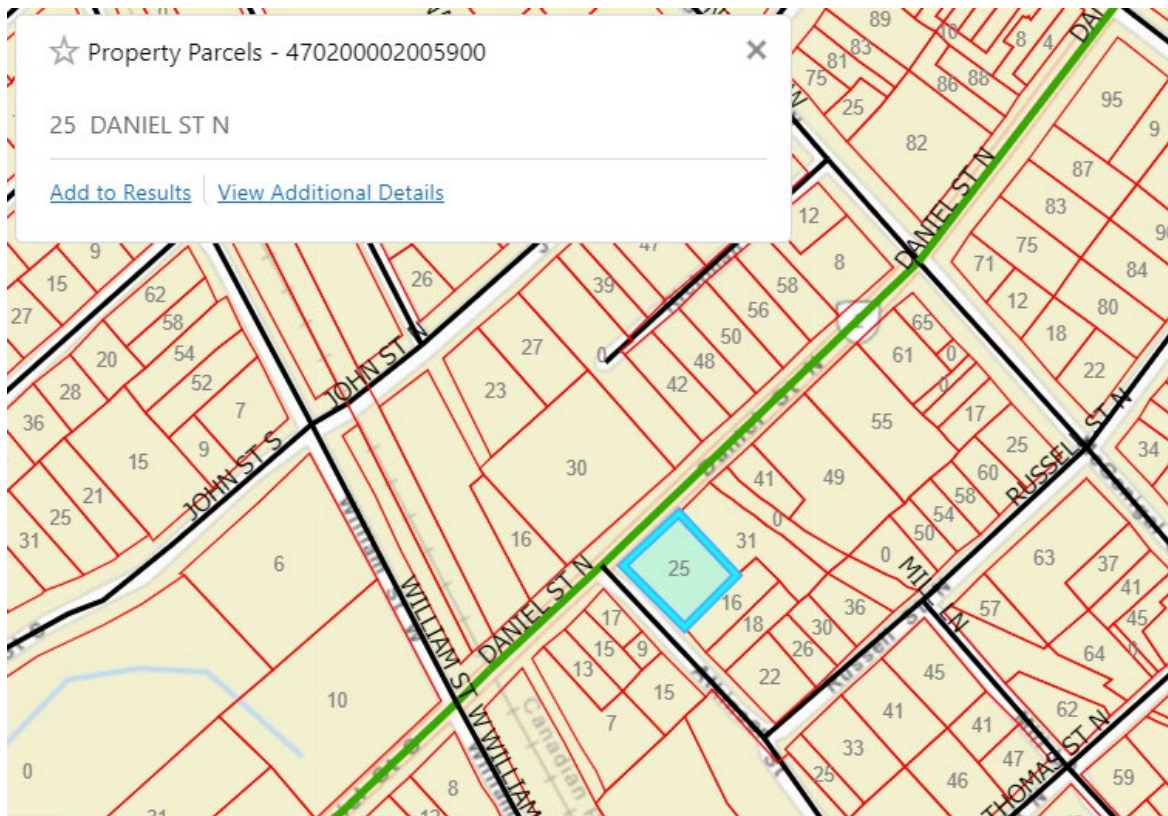




3. 4702 000 07002700.0000



4. 4702 000 02005900.0000



## **The Corporation of the Town of Arnprior**

### **By-law Number 7268-22**

A by-law to regulate election signs in the Town of Arnprior.

**Whereas** subsection 5(3) of the *Municipal Act*, 2001 provides that a municipal power shall be exercised by By-law; and

**Whereas** section 11 of the *Municipal Act*, 2001 authorizes the Town of Arnprior to pass By-laws respecting highways over which it has jurisdiction, and to pass by-laws respecting signs; and

**Whereas** subsection 63 of the *Municipal Act*, 2001 authorizes the municipality, if it passes a by-law for prohibiting or regulating the placing of an object on or near a Highway, to provide for the removal and impounding of such object placed on or near a Highway in contravention of that by-law; and

**Whereas** the Municipal Elections Act, 1996 provides provisions for election campaign advertising which includes but is not limited to election signs; and

**Whereas** By-law Number 5209-04 was enacted and passed to regulate or prohibit signs and other advertising devices within the municipality; and a

**Whereas** the Council of the Town of Arnprior deems it necessary to remove the election sign provisions currently in By-law Number 5209-04 and form a separate by-law for the regulation of elections signs for clarity and to reflect the addition of third party advertisers as per the Municipal Elections Act;

**Whereas** section 425 of the *Municipal Act*, establishes that any person who contravenes any By-law of the Corporation of the Town of Arnprior is guilty of an offence;

**Therefore**, the Council of the Town of Arnprior enacts as follows:

## 1.0 Short Title

1.1 This By-law may be referred to as the “Election Sign By-law”.

## 2.0 Scope

2.1 If any provision of this By-law conflicts with any provision of any other Town of Arnprior By-law, the provision of this By-law shall take precedence.

## 3.0 Definitions

In this By-law:

- 3.1 **“Billboard Election Sign”** means an outdoor sign erected and maintained by a Person engaged in the sale or rental of the space on the Billboard Election Sign to a Candidate or Registered Third Party for the purposes of advertising, promoting, opposing or taking a position with respect to any Candidate or political party, or influencing electors to vote for or against an issue associated with a Candidate or political party, or influencing electors to vote for or against any Candidate or any question, law or by-law submitted to the electors
- 3.2 **“By-Election”** means any Election other than a regular Election in the case of a Municipal Election or a General Election in the case of a provincial or federal Election;
- 3.3 **“Candidate”** means a person who has been nominated to run in a municipal, provincial or federal election;
- 3.4 **“Clerk”** means the Town Clerk or their designate;
- 3.5 **“Election ”** means a general Federal or Provincial Election or a regular Municipal Election and any question or by-law submitted to the electors and includes an Election to a Local Board or commission;
- 3.6 **“Election Sign”** means any sign which:
  - 3.5.1 Advertises, promotes, opposes or takes a position with respect to any candidate or political party in a federal, provincial or municipal election or by-election, including an election of a local Board or commission; or
  - 3.5.2 Is intended to influence electors to vote for or against any candidate issue associated with a Candidate or political party in a federal, provincial or municipal Election or By-Election; or

- 3.5.3 Is intended to influence electors to vote for or against any Candidate or any question, law or by-law submitted to the electors under the *Canada Elections Act*, the *Election Act (Ontario)*, or section 8 of the *Municipal Elections Act, 1996*; or
- 3.5.4 A “Vehicle Election Sign” means any form of Election Sign displayed in or on a vehicle, including a vehicle wrap.
- 3.7 **“Highway”** means a common and public walkway, lane, street, avenue, parkway, driveway, square, place and includes any bridge, trestle, viaduct or trestle, designed and intended for, or used by, the public for the passage of vehicles and pedestrians and the untraveled portion of a road allowance;
- 3.8 **“Municipal Act”** means the *Municipal Act, 2001, S.O. 2001, c.25*, as amended;
- 3.9 **“Private Property”** means real property that is not a Highway or Public Property;
- 3.10 **“Public Property”** means property owned by or under the control of the Town, of Arnprior, any of its agencies, local boards or commissions, including highways, street and road allowances, median strip, traffic islands; and, shall be deemed to include public utility poles, regardless of whether the public utility poles are owned by or under the control of the Town; and, shall also be deemed to include, benches, municipal garbage containers or other structures located on a highway regardless of whether the containers or structures are owned by the Town;
- 3.11 **“Registered Third Party” or “Third Party Advertiser”** means one of the following whose notice of registration has been certified by the Clerk pursuant to section 88.6 of the *Municipal Elections Act, 1996*:
  - 3.10.1 An individual who is normally a resident in Ontario; or
  - 3.10.2 A corporation that carries on business in Ontario; or
  - 3.10.3 A Trade Union that holds bargaining rights for employees in Ontario.
- 3.12 **“Road Allowance”** means the allowance for a public road and includes the travelled and untraveled portions of the road allowance, the road shoulders, ditches, boulevards and sidewalks;
- 3.13 **“School Crossing”** means any portion of a highway designated by the Town, indicating a school Zone;

- 3.14 **“Sight Triangle”** means the triangular space on a lot formed by two intersecting street lines and a line drawn from a point in one street line across such lot to a point in the other street line, each such point being 9.0 metres from the point of intersection of the street lines (measured along the street lines). Where two street lines do not intersect at a point, the point of intersection of the street lines shall be deemed to be the intersection of the tangents to the street;
- 3.15 **“Sidewalk”** means that part of a Highway with a surface that is improved, designed or ordinarily used for the use of pedestrians or bicycles and includes a multi-use path;
- 3.16 **“Vehicle Election Sign”** means any form of Election Sign displayed in or on a vehicle, including a vehicle wrap

## 4.0 General Provisions

- 4.1 No person shall place or permit to be placed an election sign within the geographic limits of the Town except in accordance with this by-law and all applicable legislation.
- 4.2 This by-law shall not apply to signs placed by the Town or the provincial or federal government to provide information concerning an election or by-election or any part of an election or by-election.
- 4.3 No person shall pull down or remove an election sign without the consent of the Candidate or Registered Third Party to whom the election sign relates or the owner or occupant of the property on which the election sign was placed, except as otherwise provided for by this by-law.
- 4.4 No person shall deface or willfully cause damage to an election sign.
- 4.5 No candidate or third-party advertiser, as the case may be, to whom an election sign relates shall permit an election sign to be left in a state of disrepair.
- 4.6 On Advance Voting Day(s) and Voting Day, no person shall place or permit to be placed an election sign on, in, or within 50 m of a Voting Place or a place where the administration of Election processes are conducted on Advance Voting Days or Voting Day; unless such land is on private property.
- 4.7 No person shall place or permit to be placed an election sign to a tree, pipe, telephone pole, hydro pole, light standard or any other utility infrastructure.

4.8 No person shall place or permit to be placed an election sign within a sight triangle.

4.9 No person shall place or permit to be placed an election sign that:

4.9.1 Is illuminated, has flashing lights, or rotating parts;

4.9.2 Measures more than 1.5 square metres and has a height that is more than 2.15 metres above the ground;

4.9.3 Obstructs or impedes any fire escape, fire exit, door, window, skylight, flue, air intake or air exhaust or prevents or impedes the free access of emergency personnel to any part of a building, including any emergency water connection or fire hydrant;

4.9.4 Impedes, hinders or prevents parking by vehicles on private lands;

4.9.5 Impedes or obstructs the passage of pedestrians where they are reasonably expected to walk;

4.9.6 Interferes with the safe operation of vehicular traffic or the safety of pedestrians, including the visibility of warning devices and traffic signals.

4.9.7 Sub-clauses 4.9.1 and 4.9.2 of this By-law shall not apply to Billboard Election Signs or specified Vehicle Election Signs (i.e. vehicle wrap)

4.10 No person shall place or permit to be placed an election sign within:

4.10.1 One (1) metre of the street lot line;

4.10.2 One and One Half (1.5) metres of the interior lot line;

4.10.3 One (1) metre of a driveway;

4.10.4 Ten (10) metres of traffic lights;

4.10.5 Three (3) metres of a school crossing.

## **5.0 Contents of election signs**

5.1 Each election sign shall identify who is responsible for the messaging.

5.2 Each third-party sign shall identify the name of the registered third party, the municipality where the third party is registered and a telephone number, mailing address or email address at which the registered third party may be contacted.

- 5.3 No person shall display the Town's logo or the Town's municipal election logo, in whole or in part, on any Election Sign.

## **6.0 Election Signs on Private Property**

- 6.1 No person shall place or permit to be placed an election sign on private property without permission or consent of the owner or occupant of the property.

## **7.0 Election Signs on Public Property**

- 7.1 No person shall place or permit to be placed an election sign anywhere on public property, including within a road allowance.
- 7.2 Notwithstanding the above, this By-law shall not apply to the road allowance on the North Side of William Street.

## **8.0 Timing of placement**

- 8.1 No person shall place or permit to be placed an Election Sign for a federal or provincial election or by-election earlier than the day the writ of election or by-election is issued.

- 8.2 No person shall place or permit to be placed an Election Sign for a municipal election no earlier than:

8.2.1 Six (6) weeks prior to Election Day in the year of a regular election; or

8.2.2 Six (6) weeks Nomination Day for a by-election.

## **9.0 Removal of Election Signs**

- 9.1 All election signs shall be removed within seven (7) days of the day on which the election or by-election is held.

- 9.2 Where an election sign has been placed on private property, it is the responsibility of the owner or occupant of the property to ensure the election sign is removed within the required time period.

- 9.3 Where election signs have been posted in contravention of this policy or any other by-law, the Town may:

9.3.1 Notify the candidate or third-party advertiser to repair or remove the sign, or take the necessary action to make the sign comply with the provisions of this policy;

9.3.2 Remove the sign.

- 9.4 If a sign is erected or displayed in violation of this by-law, the Town may cause the sign to be removed immediately without notice if it poses an immediate safety hazard.
- 9.5 Where an election sign has been placed in contravention of any provision of this by-law, a By-law Enforcement Officer, or any other individual designated by the Clerk may cause the election sign to be removed immediately without notice.
- 9.6 Signs that have been removed pursuant to this by-law shall be stored by the Town for a maximum of fifteen (15) days, during which time the candidate or third party advertiser may retrieve the sign.
- 9.7 The Town may destroy any election sign which has been seized and is not claimed and retrieved by the sign owner within fifteen (15) days without compensation to the candidate or third-party advertiser.

## **10.0 Severance**

- 10.1 If any section or part of a section of this By-law is found by any Court to be illegal or beyond the power of Council to enact, such section or part of a section shall be deemed to be severable and all other sections or parts of sections of this By-law shall be deemed to be separate and independent, and shall continue in full force and effect

## **11.0 Offence and penalty**

- 11.1 Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended.

## **12.0 Force and Effect**

- 12.1 **That** Section 6.6 of By-law Number 5209-04 be hereby repealed, including any reference to elections signs throughout the by-law.
- 12.2 **That** this By-law shall come into force and effect on the day of its passing.

**Enacted and passed** this 28<sup>th</sup> day of February, 2022.

### **Signatures:**

Walter Stack, Mayor

Maureen Spratt, Town Clerk



**The Corporation of the  
Town of Arnprior**

**By-law Number 7269-22**

Being a by-law to authorize the Corporation of the Town of Arnprior to enter into an Agreement with Her Majesty the Queen in right of Canada, as represented by the Minister of Fisheries and Oceans Canada, Small Craft Harbours Branch for the Lease of the Waterfront Premises

**Whereas** Section 8 of the Municipal Act, 2001, S.O. 2001, c.25 empowers and authorizes a municipality to govern their affairs as they consider appropriate; and

**Whereas** the Arnprior Municipal Marina is located on lands owned by the Department of Fisheries and Oceans, and is managed and operated by the Town of Arnprior; and

**Whereas** the municipality wishes to enter into a five (5) year lease agreement, beginning April 1, 2022, with Fisheries and Oceans Canada for the continued use of the Arnprior waterfront premises described as all of PIN 57307-0029 (LT) and part of the bed of the Madawaska River and Islands in Madawaska River being Water LT CL5636, in the Town of Arnprior, together with the Government improvements located thereon, designated as Parts 1 - 3 on Plan 49R9570.

**Therefore** the Council of the Town of Arnprior enacts as follows:

- 1. That** the Mayor and Clerk are hereby authorized to execute the Agreement with Her Majesty The Queen In Right of Ontario, as represented by the Minister of Fisheries and Oceans Canada for the continued use of the waterfront premises, attached hereto as Schedule A and forming part of this by-law.
- 2. That** this by-law come into force and effect on the day of it's passing.

**Enacted and passed** this 28<sup>th</sup> day of February, 2022.

**Signatures:**

Walter Stack, Mayor

Maureen Spratt, Town Clerk

Fisheries and Oceans  
CanadaPêches et Océans  
Canada

ORIGINAL

**OP-4506-H-2202****LEASE****BAIL**SMALL CRAFT HARBOURS BRANCH  
ANDDIRECTION DES PORTS POUR PETITS BATEAUX  
ET**THE CORPORATION OF THE TOWN OF ARNPRIOR**AUTHORITY  
Autorisation

DATE OF DOCUMENT

Document daté du February 7, 2022

BEGINNING OF TERM

La période de location commence le April 1, 2022

END OF TERM

La période de location se termine le March 31, 2027

RENT PAYABLE

Loyer payable \$500.00 (FIVE HUNDRED DOLLARS) PLUS TAXES PER ANNUM OR 20% OF

GROSS REVENUE PLUS TAXES

LANDS OR RIGHTS DEMISED

Cession ou transfert **ALL AND SINGULAR** that certain parcel or tract of land and land covered by water, being All of PIN 57307-0029 (LT). Pt bed of the Madawaska River & Islands in Madawaska River being Water LT CL5636, and being in the Town of Arnprior – McNab, and Province of Ontario, **TOGETHER** **WITH** the Government improvements located thereon (hereinafter referred to as "the said premises"), designated as Parts 1-3 on Plan 49R9570 hereto annexed and designated Schedule "A".

FILE No.

No de dossier 5882 Arnprior

REMARKS / Remarques

**THIS AGREEMENT** made in duplicate this 7th day of February, 2022;

**BETWEEN –**

**HER MAJESTY THE QUEEN**, in right of Canada,  
represented herein by the Minister of Fisheries and Oceans  
(hereinafter called “the Minister”)

**OF THE FIRST PART;**

**-and-**

**THE CORPORATION OF THE TOWN OF ARNPRIOR**, incorporated  
as a corporation under the laws of the Province of Ontario  
(hereinafter called “the Agent”)

**OF THE SECOND PART;**

**WITNESSETH** that the Minister, in consideration of the rents, covenants,  
provisos, and conditions hereinafter contained, hereby leases unto the Agent:-

**Description**

**ALL AND SINGULAR** that certain parcel or tract of land and land covered  
by water, being All of PIN 57307-0029 (LT) and part of the bed of the Madawaska  
River & Islands in Madawaska River being Water LT CL5636, in the Town of Arnprior  
– McNab, Province of Ontario, **TOGETHER WITH** the Government improvements  
located thereon (hereinafter referred to as “the said premises”), designated as Parts 1-3  
on Plan 49R9570 hereto annexed and designated Schedule “A”.

**Habendum**

**TO HAVE TO HOLD** the said premises unto the Agent for a term of five  
(5) years from and including April 1, 2022 to March 31, 2027 and then fully to be  
complete and ended.

**Reddendum**

**YIELDING AND PAYING** therefor, during the currency of this Agreement,  
unto the Minister, to the Receiver General of Canada, in lawful money of Canada the  
following rent or sum, namely:-

- (a) FIVE HUNDRED DOLLARS (\$500.00) PLUS TAXES per annum, payable each  
year in advance, or
- (b) TWENTY PER CENT (20%) PLUS TAXES of all gross revenue derived by the  
Agent from the management and operation of the said premises, whichever is the  
greater amount, and the difference between the \$500.00 paid in advance and 20% gross  
revenue is payable within sixty days of the end of each agreement-year.

**Interpretation**

**IN THIS AGREEMENT;**

- (i) “Minister” means the Minister of Fisheries and Oceans and any person he has  
delegated to act on his behalf.
- (ii) “Regional Director” means the Regional Director of Small Craft Harbours  
Branch of the Department of Fisheries and Oceans and any person he has  
delegated to act on his behalf.

It is agreed by and between the said parties hereto that these Presents are made  
and executed upon and subject to the covenants, provisos, conditions and reservations  
hereinafter set forth and contained, namely:

**Purpose**

1. a) The Agent shall use and occupy the said premises and carry out the management and operation of the said premises in accordance with the Fishing and Recreational Harbours Act and the Fishing and Recreational Harbours Regulations as amended from time to time, or any other applicable act or regulations enacted or made during the currency of this Agreement.

b) Nothing in Clause No. 1a) hereof, shall relieve the Minister from discharging any of his duties under the said Fishing and Recreational Harbours Act and the said Fishing and Recreational Harbours Regulations.

c) That the Minister shall supply to the Agent, one copy of the said Act and Regulations, as amended from time to time.

**To Pay Rent**

2. That the Agent will pay all annual rental fees herein reserved at the time and in the manner in these Presents set forth, without any abatement or deduction whatever.

**Taxes**

3. That the Agent will pay or cause to be paid all rates, taxes and assessments, of whatsoever description, that may at any time during the existence of these Presents be imposed, or become due and payable upon, or in respect of the said premises.

**Compliance with Law**

4. The Agent shall in all respects abide by and comply with all rules, regulations and by-laws of municipalities and other governing bodies, in any manner affecting the said premises.

**Public Use**

5. Subject to Clause No. 19 hereof, the Agent shall not interfere with the public use of the said premises during the currency of this Agreement; it being expressly understood and agreed, however, that the Agent may refuse the use of the said premises to any vessel on which tolls and dues are outstanding and the Agent may take all lawful action through Small Debts Court or otherwise to obtain payment of outstanding or overdue accounts.

**Access**

6. a) That the Minister, his servants or agents shall, at all times and for the purpose of inspecting the said premises, have full and free access to any and every part of the said premises.

b) The Minister shall, upon reasonable notice to the Agent, except in the case of emergency, have full and free access to the said premises for the purposes of repairing and maintaining the said premises.

**Assignment**

7. That the Agent shall not make any assignment of these Presents, nor any transfer or sub-lease of any of the premises, rights or privileges demised or leased hereunder, without obtaining the prior consent in writing of the Minister to such assignment, transfer or sub-lease. The Agent shall pay to the Minister a reasonable charge for the preparation of any consent thereto expressed in writing, and shall be responsible for any costs incurred by the Minister in addressing the request for consent, provided that such costs are reasonable.

**Repair and Maintenance**

8. That the Agent shall not, during the currency of this Agreement, do, suffer or permit to be done any act or thing which may impair, damage or injure the said premises beyond the damage occasioned by reasonable use, and shall inspect, maintain, and effect minor repairs of the said premises which may at any time become damaged, whether due to the negligence of the Agent or otherwise. Nothing in this provision shall obligate the Agent to be responsible to effect repairs of any major or structural kind but, in the event that such repairs are needed, it shall be the responsibility of the Agent to provide notice to the Minister of the need for major or structural repairs, and to take whatever steps are appropriate to deal with continued use of the premises while such repairs are pending. When such repairs are warranted, the parties hereto shall consider, and together decide how and when to effect such repairs.

**Care of Property**

9. That the Agent shall, at its own cost and expense, at all times during the currency of this Agreement, keep the said premises in a neat and tidy condition, removing or causing to be removed therefrom all papers, refuse, litter, waste or rubbish arising out of the operations of the Agent under this Agreement, all to the satisfaction of the Regional Director.

**Improvements**

10. That any improvements made to the said premises by the Agent at any time during the term of this Agreement, to make the said premises suitable for the purpose referred to in Clause No. 1 hereof, shall be at the risk, cost and expense of the Agent and to the satisfaction of the Regional Director.

**Construction of Buildings or Structures**

11. That the Agent shall not construct or erect any buildings or other structures on the said premises without obtaining the approval of the Regional Director, of plans showing the design and nature of construction of such buildings or structures and their proposed locations.

**Annoyance Nuisance and Disturbance**

12. That the Agent shall not, at any time during the currency of this Agreement do, cause or permit to be done, any act or thing in or upon the said premises which shall, or may be, or might become, an annoyance, nuisance or disturbance to the occupiers of any lands or premises adjoining or in the vicinity of the said premises.

**Title**

13. That is hereby declared, and this Agreement is accepted by the Agent, upon the express condition that the Agent shall have no recourse against the Minister, should the minister's title to the said premises be found to be defective, or should these Presents prove ineffectual by reason of any defect in such title.

**Claims and Damages**

14. That the Agent shall not have any claims or demand against the Minister for loss, damage or injury of any nature whatsoever, or howsoever caused to the said premises or to any person or property, at any time brought, placed, made or being on the said premises unless such damage or injury is due to the negligence of any officer, servant, agent, contractor or sub-contractor of Her Majesty the Queen in right of Canada while acting within the scope of his duties or employment.

**Indemnification**

15. That the Agent shall at all times indemnify and save harmless Her Majesty the Queen in respect of any action, claim, cause of action, suit, debt, loss, damage, cost, expense or demand whatsoever, at law or in equity, arising by way of any breach by the Agent, its employees, servants, agents, sub-lessees or persons for whom it is by law responsible, of any provisions of this Agreement or arising by way of the Agent and her Majesty's ownership, occupation and control of the premises, except claims for damages resulting from the negligence of any officer, servant, agent, contractor or sub-contractor of Her Majesty the Queen while acting within the scope of his duties.

**Termination**

16. That this Agreement may be terminated at any time:

(a) By the Agent upon sixty (60) days' notice in writing, such notice to be signed by the Agent and delivered to or mailed addressed to the Regional Director, Small Craft Harbours Branch, Department of Fisheries and Oceans, 867 Lakeshore Road, Burlington, Ontario, L7S 1A1, or

(b) By the Minister upon sixty (60) days' notice in writing, signed by the Minister, and either delivered to the Agent or any officer of the Agent, or mailed addressed to the last known place of business or office of the Agent, and thereupon, after the expiration of such period of notification, these Presents shall be determined and ended, and the Agent shall thereupon, and also in the event of the determination of this Agreement in any other manner, except re-entry under Clause No. 17 hereof, forthwith remove from the said premises all things at any time brought or placed thereon by the Agent and shall also to the satisfaction of the Regional Director repair all and every damage and injury occasioned to the said premises by reason of such removal or in the performance thereof, but the Agent shall not, by reason of any action taken or things performed or required under this Clause, be entitled to any compensation whatsoever, provided that, unless required by the Minister, no goods, chattels, materials, effects or things shall be removed from the said premises until all rent due or to become due under this Agreement, is fully paid.

**Default**

17. That, notwithstanding anything in this Agreement contained, if the rent above reserved or any part thereof, shall be in arrears or unpaid, whether or not the same shall have been in any manner demanded, or in the case of default, breach or non-observance to be made or suffered by the Agent at any time or times, in, or in respect of any of the covenants, provisos, conditions, and reservations herein contained, which on the part of the Agent ought to be observed and performed, then, and in every such case, provided such non-payment of rent, default, breach or non-observance is not cured within thirty (30) days from the date of notice thereof in writing from the Minister to the Agent, the Minister may terminate this Agreement by giving to the Agent a notice in writing, signed by the Minister, and either delivered to the Agent or any officer of the Agent, mailed addressed to the last known place of business or office of the Agent, and thereupon after delivery or mailing of such written notification, this Agreement shall be determined and ended, and in that event, it shall be lawful for the Minister, his servants or agents, to re-enter and thereafter to have, possess and enjoy the said premises and all improvements thereon.

And no acceptance of rent subsequent to any breach or default, other than non-payment of rent, nor any condoning, excusing or overlooking by the Minister on previous occasions of breaches or defaults similar to that for which re-entry is made shall be taken to operate as a waiver of this condition nor in any way defeat or affect the rights of the Minister hereunder.

The Agent shall pay in addition to any other provisions hereof the reasonable fees and disbursements of counsel to the Minister in connection with the enforcement of this Agreement, or in the event of default hereunder.

**Hold Over**

18. Provided always and that it is hereby agreed by and between the parties hereto that if the said Agent shall hold over after the expiration of the term hereby granted, and if the Minister shall accept rent, the new tenancy thereby created shall be a tenancy at will and not a tenancy from year to year, and the Agent shall pay as rent during the time of such occupancy a rental to be determined at the discretion of the Minister, and shall be subject to the covenants and conditions herein contained so far as the same are applicable to tenancy at will.

**Tolls, Dues  
& Charges**

19. That the Agent shall, during the currency of this Agreement, charge tolls or dues established under the authority of the Fishing and Recreational Harbours Act or by Regulations approved from time to time by the Governor in Council respecting the said premises. The Agent may collect additional reasonable charges for services such as electrical power outlets, water outlets, watchman services, etc., provided at the Agent's expense for the benefit and use of the boating public using said premises.

**Accounting  
Records**

20. That during the currency of this Agreement, the Agent shall cause to be kept records of its operation hereunder, such records to be kept according to accepted principles of accounting, and the Agent shall supply to the Regional Director, a certified statement for each accounting period during the currency of this Agreement.

**Audit  
Inspection**

21. That the books of the Agent concerning the operation and management of the said premises, shall be open for audit and inspection at all times during business hours, by the accredited officers of the Minister.

**Pollution**

22. That the Agent shall not place or deposit, or cause or permit to be placed or deposited, any fill, sand, gravel, detritus, waste, debris or other materials, articles or things on the said premises which may form a deposit thereon or therein without the prior consent, in writing, of the Regional Director.

**Environmental  
Protection**

23. (i) The Agent agrees to abide by and comply with all federal environmental legislation, including the relevant provisions of the Canadian Environmental Protection Act, affecting the said premises, as well as with the regulations and guidelines made and established under it, and all applicable Provincial, Territorial and municipal environmental legislation, regulations, rules or guidelines affecting the said premises.

(ii) The Agent shall not process, use, deposit or store on the said premises or in its subsoil any toxic substances, as defined in the Canadian Environmental Protection Act, nor any other substance that constitutes or may constitute a danger to the environment or to human life or health.

(iii) The Agent agrees to clean up, at its expense, to then current federal and provincial standards, any part or all of the said premises contaminated during the term of this Lease or any renewal of it immediately upon becoming aware of the contamination.

**Service  
Reservation**

24. That this Agreement is granted strictly subject to the right of the Minister and Lessees and Licensees of the Minister to maintain and operate services installed on the said premises at the date of this Agreement, and to the right of the Minister to grant leases or licences, as the case may be, at any time during the currency of this Agreement, covering the right and privilege or permission to install, lay, maintain and use services on, over or across the said premises and the Agent shall not, at any time during the currency hereof, do anything or cause or permit anything to be done which will in any way interfere with the rights and privileges or permissions thereby granted, provided however, that such leases or licences will be granted subject to this Agreement and provided that the Lessees or Licensees thereunder shall not commence to exercise the rights and privileges or permissions thereby granted unless and until the consent in writing is first obtained from the Agent, and which consent shall not be unreasonably withheld.

**Concession**

25. That no application for permission to establish concessions of any kind shall be granted without the prior approval in writing of the Regional Director.

- Use by Agent** 26. That in the event that any portions of the said premises are used for the purposes of the Agent, the Agent shall establish a market rental for such use and the Reddendum Clause shall be applied to such rental.
- Fire Prevention** 27. That the Agent shall take all necessary precautions against fire occurring in or on the said premises.
- Navigation Protection Act** 28. That the Agent shall fulfill in all respects the requirements of "Works" Section of the Navigation Protection Act, Chapter N-22 of the Revised Statutes of Canada 1985.
- Members of Parliament** 29. No member of the House of Commons shall be admitted to any share or part of this Agreement or to any benefit to arise therefrom.
- Discrimination** 30. That the Agent and any Sub-lessee shall not discriminate against any person by reason of race, colour or creed, in any manner whatsoever, pertaining to the operation of the said premises.
- Sale or Transfer** 31. (i) Notwithstanding any other provision of this Agreement, in the event that the Minister disposes of its interest in the leased premises, or any part thereof, by way of sale, transfer or other conveyance, including a transfer of administration and control to Her Majesty the Queen in right of the Province of Ontario, the Minister shall be entitled at their sole option to assign this Agreement, or such portion thereof, to the transferee, or to terminate this Agreement, and the Agreement shall upon notice thereof be terminated forthwith.
- (ii) In the event of notice of termination being given by the Minister to the Agent, the Agent agrees that it shall forthwith vacate the said premises, and remove any chattels from the said premises in accordance with the provisions of this Agreement. The Agent further agrees and acknowledges that it shall have no cause of action against the Crown arising out of early termination of the Agreement, and hereby releases the Minister from any liability or otherwise that may be said to flow from the aforesaid early termination of this Agreement.
- Financial Administration Act** 32. If the Agent defaults in the payment of any amount due under this Agreement, the Agent shall be responsible for and pay interest on such defaulted payment (to the extent permitted by the Financial Administration Act R.S.C. 1985, Chapter F-11 and the Interest and Administration Charges Regulations SOR/96-188 (the Regulations) or any amendments thereto) up to the date payment is received by or on behalf of Her Majesty. For greater certainty and until such time as the Regulations are amended, in the case of default in respect of any monetary amount due, interest on the amount in default shall be calculated and compounded monthly at the average bank rate plus three per cent and accrue from the due date of the payment, until paid. Furthermore, in the event that any instrument is tendered in payment or settlement of any amount due to Her Majesty hereunder which for any reason is dishonoured, the Agent shall be responsible and pay an administrative charge of \$15.00 to Her Majesty, or any amount prescribed therefor by the Regulations will be applicable and in addition to the outstanding amount due.
- Insurance** 33. That the Agent shall, in addition to the payment of yearly rental hereunder, at its own cost, insure concurrently with the execution of this Agreement, and thereafter during the currency of this Agreement, maintain in force, a policy of liability insurance for the ownership, possession and control of the said premises with coverage of at least Two Million Dollars (\$2,000,000.00) per occurrence and including Her Majesty as a named co-insured in that policy. The Agent, on the anniversary of this Agreement, in each and every year, shall submit to the Regional Director, proof of such insurance.






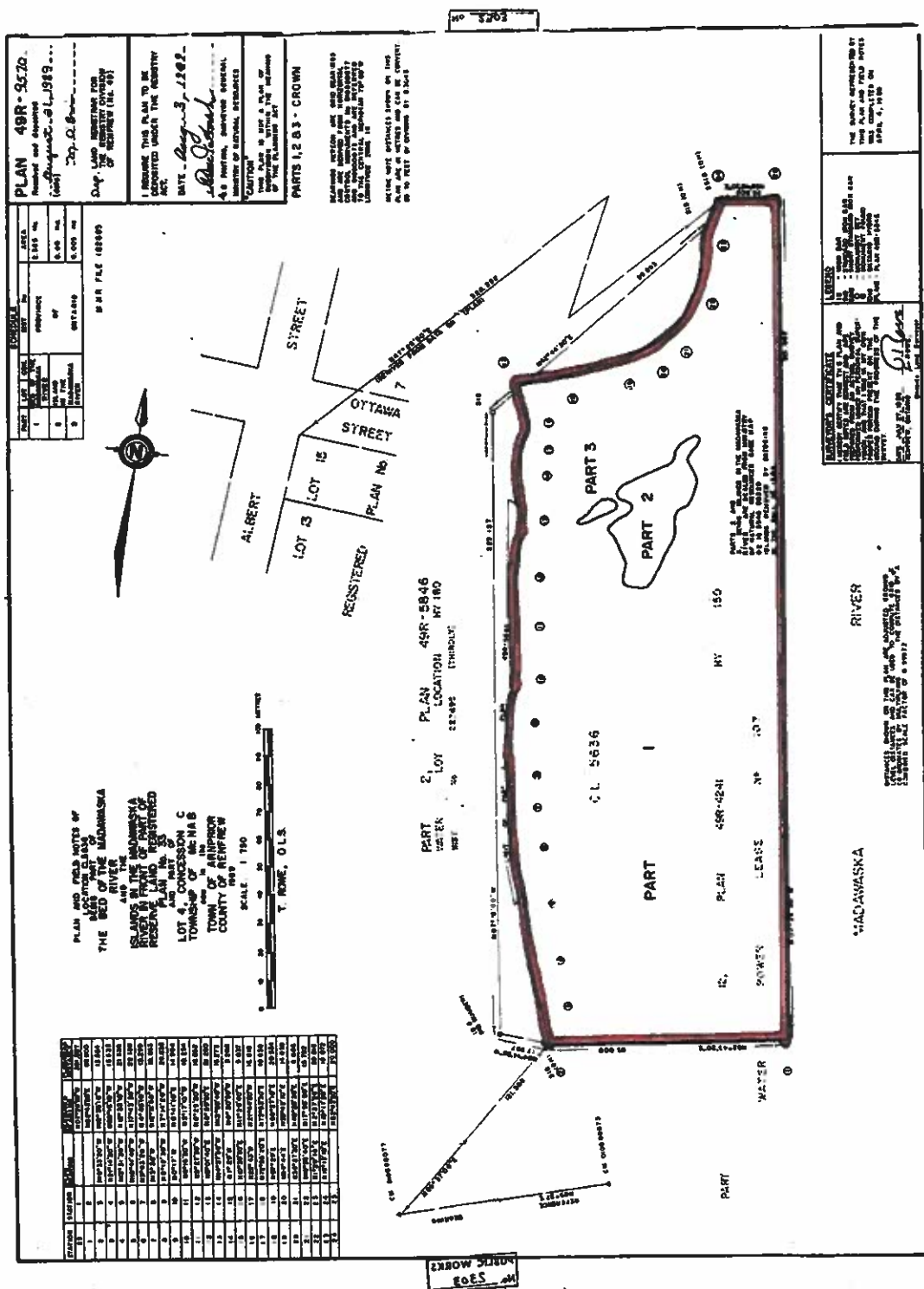
**Gender**

34. (i) Wherever the singular or masculine form are used in this Agreement, they shall be construed as meaning the plural or feminine or body corporate or politic where the context or the parties hereto so require.

(ii) The form of this Agreement shall not be construed against the drafter.

**IN WITNESS WHEREOF** the duly authorized officials or officers of the parties have executed these Presents.

<b>EXECUTED BY THE AGENT</b>	)	<b>THE CORPORATION OF THE TOWN OF ARNPRIOR</b>
 this      day of                      , 2022	)	
	)	
	)	
	)	
	)	
	)	
	)	
 _____	)	_____
Witness	)	Agent
	)	
	)	
	)	
	)	
	)	
	)	
	)	_____
	)	Agent c/s
	)	
<b>EXECUTED BY THE MINISTER</b>	)	
this      day of                      , 2022	)	
	)	
	)	
	)	
	)	
	)	
_____	)	_____
Witness	)	For the Minister of Fisheries and Oceans 



**The Corporation of the  
Town of Arnprior**

**By-Law No. 7270-22**

A by-law to award a contract for the Town of Arnprior – 400 mm Diameter Watermain River Crossing Geotechnical, Hydrogeological and Environmental Investigation, and Conceptual Design.

**Whereas** Section 8 of the *Municipal Act* S.O. 2001, c.25 provides broad authority on municipalities to enable municipalities to govern their affairs as considered appropriate and to enhance the municipality's ability to respond to municipal issues, and

**Whereas** on February 14<sup>th</sup>, 2022 Council passed by-law 7262-22 to carry over WIP projects from 2021, including a budget of \$200,000.00 for the design of the 400mm watermain river crossing replacement, and

**Whereas** in accordance with the Town's Procurement Policy (By-Law 6942-19) the Town acquired a proposal for the design assignment from an engineering firm under standing offer; and

**Whereas** J.L. Richards and Associates Ltd. submitted a financial proposal for the Town of Arnprior – 400 mm Diameter Watermain River Crossing Geotechnical, Hydrogeological and Environmental Investigation, and Conceptual Design, at a cost of \$126,491.00 plus HST.

**Therefore** the Council of the Town of Arnprior enacts as follows:

1. **That** Council award the Town of Arnprior – 400 mm Diameter Watermain River Crossing Geotechnical, Hydrogeological and Environmental Investigation, and Conceptual Design to J.L. Richards and Associates Ltd. for a total of \$126,491.00 plus HST; and
2. **That** Council authorize the CAO to execute the necessary documents to award the contract; and
3. **That** any by-laws, resolutions, or parts of by-laws inconsistent with this by-law be hereby repealed.
4. **That** this by-law come into force and effect on the day of it's passing.

**Enacted and Passed** this 28<sup>th</sup> day of February 2022.

Walter Stack, Mayor

Maureen Spratt, Clerk