



The Corporation of
THE TOWNSHIP OF LANARK HIGHLANDS

COMMITTEE OF THE WHOLE MINUTES

Tuesday, April 21st, 2009

2:30 p.m.

**Lanark Highlands Municipal Office - 75 George Street, Lanark, Ontario
Council Chambers**

ATTENDANCE:

Members Present: Chair, Deputy Mayor, Bruce Horlin
Mayor, Bob Fletcher
Councillor Tom Lalonde
Councillor Brian Stewart
Councillor Bob Sutcliffe
Councillor Peter McLaren
Councillor Leonard Echlin

Staff Present: Tom Derreck, Chief Administrative Officer
Amanda Mabo, Clerk/Deputy-CAO
Robert Bunker, Treasurer
Beth Peterkin, Community Services Coordinator
S. Cameron, Public Works Superintendent
D. Riis, Township Engineer (left at 3:59 p.m.)

Others Present: None.

Members & Staff Absent: None.

1. CALL TO ORDER

The meeting was called to order at 2:30 p.m.
A quorum was present.

2. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF

None at this time.

3. APPROVAL OF MINUTES

RESOLUTION #COW-2009-126

MOVED BY: Leonard Echlin
SECONDED BY: Tom Lalonde

“**THAT**, the minutes of the Committee of the Whole Committee meeting held on April 7th, 2009 be approved as circulated.”

ADOPTED

4. APPROVAL OF AGENDA

- i) Addition under Delegations & Presentations: Site Plan Application – Hogue.
- ii) Addition under New/Other Business: Arena Resolution
- iii) Addition under New/Other Business: BCF/Stimulus Funding Applications
- iv) Addition under New/Other Business: 2009 Senior of the Year Application.

RESOLUTION #COW-2009-127

MOVED BY: Tom Lalonde
SECONDED BY: Brian Stewart

“**THAT**, the agenda be adopted as amended.”

ADOPTED

5. DELEGATIONS & PRESENTATIONS

i) **2008 Watsons Corners Waste Site – Hydro-Geological Assessment Report.**

Jacques Sauriol, Stantec (formerly Jacques Whitford)

- was officially closed in 2008
- now a transfer station
- this is the first look at the site
- the MOE required the assessment of this site
- three bedrock stations have been reactivated in order to monitor the site
- agreement with MOE, that the Township for 2008 and 2009 to document the impacts of the site after 2 years of assessment
- because the site is small, there is really no buffer
- have identified a series of parameters in order to monitor the surface water
- have documented the surface water impact
- the full report is to be submitted to the Ministry by April 30th

RESOLUTION #COW-2009-128

MOVED BY: Tom Lalonde
SECONDED BY: Bob Fletcher

“**THAT**, Stantec (formerly Jacques Whitford) be authorized to forward the Annual Report for the Watsons Corners landfill site within the Township of Lanark Highlands to the Ministry of Environment that was presented at the Committee of the Whole meeting on April 21st, 2009.”

ADOPTED FORTHWITH

- ii) **Site Plan Application – Hogue (verbal).**
Bret Hogue.

Mr. Hogue addressed a number of concerns regarding the processing of his application.

Mr. Hogue circulated the following documents:

- a) Letter from MVC (May 12th, 2006) regarding Hogue Purchase from Fitzpatrick – *attached, page 14.*
- b) Email from Randy Hillier’s Office (April 21st, 2009) regarding Letter from MVC – *attached, page 16.*
- c) Revised Site Plan Sketch (April 21st, 2009) – *attached, page 18.*

The Chief Administrative Officer circulated an Information Memo for the Committees clarification, information and reference – *attached, page 19.*

RESOLUTION #COW-2009-129

MOVED BY: Tom Lalonde
SECONDED BY: Bob Sutcliffe

“**THAT**, Council approve the site plan and standard site plan condition as set forth for the Hogue’s lot at Widow Lake;

AND THAT, this be brought forth at tonight’s Council and that a building permit be issued pending confirmation from the Board.”

ADOPTED FORTHWITH

The Committee recessed at 3:27 p.m.
The Committee returned to regular session at 3:38 p.m.

RESOLUTION #COW-2009-130

MOVED BY: Bob Sutcliffe
SECONDED BY: Peter McLaren

“**THAT**, a copy of the letter that was sent to the Ontario Municipal Board (OMB) for clarification on OMB File #PL081152 be circulated.”

ADOPTED

A copy of the letter that was sent to the OMB for clarification on OMB File #PL081152 is *attached, page 31*.

6. COMMUNICATIONS

- i) **09-01-16 Councillor Communication Package.**

RESOLUTION #COW-2009-131

MOVED BY: Leonard Echlin
SECONDED BY: Tom Lalonde

“THAT, the communication items for the April 21st, 2009 Committee of the Whole Committee meeting be received for information only.”

ADOPTED

7. REPORTS

- i) **Report #PWWM-07-2009 Sewer & Water Project Update.**

RESOLUTION #COW-2009-132

MOVED BY: Peter McLaren
SECONDED BY: Brian Stewart

“THAT, Report #PWWM-07-2009 Sewer & Water Project Update be received for information.”

ADOPTED

D. Riis, Township Engineer left at 3:59 p.m.

- ii) **Report #PWWM-08-2009 Request to Reduce Speed Limit within Rosetta from 80km/hr to 50 km/hr and Place a “Village of Rosetta” sign at each of the Three Entrances Leading into the Area.**
Scott Cameron, Public Works Superintendent.

Council received a letter on December 26th 2008, from concerned residents on Purdy Road to place speed limit signs on Purdy Road, from Rosetta Road to Wolf Grove Road. The issue was discussed on March 26th 2009, and it was deferred to have the residents reconsider the option of reducing the speed limit from 80 km/hr to 50 km/hr within the built up area of Rosetta, which would include the portion of Purdy Road discussed in the letter dated December 26th 2008.

RESOLUTION #COW-2009-133

MOVED BY: Bob Fletcher
SECONDED BY: Tom Lalonde

“**THAT**, the request from the residents of Rosetta to reduce the speed limit within the built up area of Rosetta from 80 km/hr to 50 km/hr and place the speed limit signs at all three entrances into Rosetta, in accordance to the specifications within the Highway Traffic Act, be approved;

THAT, the necessary by-law be presented at the May 12th, 2009 Township Council meeting;

ADOPTED

RESOLUTION #COW-2009-134

MOVED BY: Leonard Echlin
SECONDED BY: Tom Lalonde

“**THAT**, the Public Works Superintendent look into how many hamlet signs throughout the Township may be required and how these signs would be funded.”

ADOPTED

- iii) **Report #CBO-05-2009 Building Department Report – February 2009.**
Phil Borrowman, Chief Building Official.

RESOLUTION #COW-2009-135

MOVED BY: Bob Sutcliffe
SECONDED BY: Tom Lalonde

“**THAT**, Report #CBO-05-2009 Building Department Report – February 2009 be received for information.”

ADOPTED

- iv) **Report #CBO-06-2009 Building Department Report – March 2009.**
Phil Borrowman, Chief Building Official.

RESOLUTION #COW-2009-136

MOVED BY: Bob Sutcliffe
SECONDED BY: Tom Lalonde

“**THAT**, Report #CBO-06-2009 Building Department Report – March 2009 be received for information.”

ADOPTED

- v) **CBO Report - Halls Capital Improvements.**
Phil Borrowman, Chief Building Official.

RESOLUTION #COW-2009-137

MOVED BY: Tom Lalonde
SECONDED BY: Bob Fletcher

“**THAT**, the CBO Report – Halls Capital Improvements be received for information.”

ADOPTED

- vi) **Report #FIN-03-2009 Grant Funding.**
Robert Bunker, Treasurer.

At any point during a fiscal year there may be opportunities that arise giving the Township the chance to apply for and receive grant funding for various projects. In many cases these opportunities are unknown at the time the Township budget is being developed.

RESOLUTION #COW-2009-138

MOVED BY: Tom Lalonde
SECONDED BY: Leonard Echlin

“**THAT**, any unbudgeted expenses incurred during the fiscal year for the purpose of satisfying any grant application funding obligations be paid from the Working Fund Reserve;

THAT, the total amount of the funds spent to receive grant funding appear as a budgeted reimbursement to the Working Fund Reserve in the following year;

AND THAT, Council give prior approval of any expense to be incurred to receive grant funding.”

ADOPTED FORTHWITH

- vii) **Report #FIN-04-2009 Lanark Highlands Youth Centre Mortgage – *attached, page 33.***
Robert Bunker, Treasurer.

The Township entered into a mortgage agreement with Jim Closs on December 21, 2000. The purpose for this agreement was to acquire the IOOF hall located on Princess Street in the Village of Lanark. The building is currently used by the Lanark Highlands Youth Centre. The original mortgage was for the sum of \$50,000 amortized over 15 years at 6% interest commencing February 2, 2001.

The Committee requested that when the new study is conducted for development charges, that the Youth Centre be looked at as a recipient.

RESOLUTION #COW-2009-139

MOVED BY: Bob Fletcher
SECONDED BY: Brian Stewart

“**THAT**, the mortgage currently owed by the Township of Lanark Highlands to Mr. Jim Closs for the Lanark Highlands Youth Centre be paid out effective May 2, 2009;

AND THAT, the funds required to pay out the Closs Mortgage be paid from the Capital Reserve.”

ADOPTED FORTHWITH

- viii) **Report #C-05-2009 Council Meals** – *attached, page 35.*
Amanda Mabo, Clerk/Deputy CAO.

RESOLUTION #COW-2009-140

MOVED BY: Bob Fletcher
SECONDED BY: Leonard Echlin

“**THAT**, the current practice for Council Meals as outlined in Report #C-05-2009 Council Meals continue.”

(SEE RESOLUTION #COW-2009-141)

The Clerk was requested to provide a report on a fourth option of Tuesday meals versus other meals.

RESOLUTION #COW-2009-141

MOVED BY: Bob Sutcliffe
SECONDED BY: Tom Lalonde

“**THAT**, RESOLUTION #COW-2009-141 be deferred until after the budget process.”

ADOPTED

RESOLUTION #COW-2009-140

MOVED BY: Bob Fletcher
SECONDED BY: Leonard Echlin

“**THAT**, the current practice for Council Meals as outlined in Report #C-05-2009 Council Meals continue.”

DEFERRED

ix) **Report #CAO-07-2009 Request from the Town of Perth for Court Security Contribution.**

Tom Derreck, Chief Administrative Officer.

Town of Perth representatives recently made a round of visits to area municipalities to request financial contributions to help offset the increasing cost of services provided at the provincial court house located in Perth.

RESOLUTION #COW-2009-142

MOVED BY: Tom Derreck

SECONDED BY: Peter McLaren

“THAT, the Treasurer advise the Town of Perth that the Township of Lanark Highlands will not be making a contribution to offset the cost of court services.”

ADOPTED FORTHWITH

x) **Report #CSC-10-2009 Open Space Maintenance in Lanark Village –**
attached, page 38.

Beth Peterkin, Community Services Coordinator.

Green Acres Greenhouses has held this contract in Lanark Village for the past three years. A recent Request for Quotations resulted in two bids being submitted. The Green Acres Greenhouses bid is the low bid.

RESOLUTION #COW-2009-143

MOVED BY: Bob Fletcher

SECONDED BY: Tom Lalonde

“THAT, Council accepts the bid of Green Acres Greenhouses for the grass cutting and open space maintenance in Lanark Village for the years 2009, 2010 and 2011;

THAT, Council authorizes the Community Services Coordinator to enter into a contract with Green Acres Greenhouses at the following costs:

- \$9,774.00 for 2009
- \$9,874.00 for 2010
- \$9,974.00 for 2011;

AND THAT, these funds be drawn from the Recreation and Culture section of the 2009 budget, subject to final approval of the overall budget.”

ADOPTED FORTHWITH

- xi) **Report #CSC-11-2009 Supply of Hanging Baskets and Flowers in Lanark Village** – *attached, page 40.*
Beth Peterkin, Community Services Coordinator.

Green Acres Greenhouses held these contracts in Lanark Village in 2008. A recent Request for Quotations resulted in only one bid submitted for the baskets and flowers and two bids received for the watering and maintenance.

RESOLUTION #COW-2009-144

MOVED BY: Bob Fletcher

SECONDED BY: Tom Lalonde

“THAT, Council accepts the bid of Green Acres Greenhouses for the supply, delivery and hanging of the flower baskets in Lanark Village at a cost for 2009 of \$2,347.00;

THAT, Council accepts the bid of Green Acres Greenhouses for the supply and planting of the flowers in the street flower boxes in Lanark Village at a cost for 2009 of \$975.00;

THAT, Council accepts the bid of Providence Point for the watering and maintenance of the hanging baskets and street flower boxes for 2009 at a cost of \$1,577.00;

THAT, Council authorizes the Community Services Coordinator to enter into contracts with the recommended suppliers;

THAT, these funds be drawn from the Recreation and Culture section of the 2009 budget, subject to final approval of the overall budget;

AND THAT, new Requests for Quotation be issued in the fall of 2009 for the 2010 and 2011 seasons.”

ADOPTED FORTHWITH

RESOLUTION #COW-2009-145

MOVED BY: Bob Fletcher

SECONDED BY: Tom Lalonde

“THAT, the Community Services Coordinator prepare a report with a recommendation for issuing a RFQ (Request for Quotation) for inserts for the village flower boxes;

AND THAT, a subsequent report be prepared that outlines a policy for requests from other built up areas for hanging baskets and flowers.”

ADOPTED

- xii) **Report #CSC-09-2009 Grass Cutting and Park Maintenance at Robertson Lake – attached, page 42.**
Beth Peterkin, Community Services Coordinator.

Wilson Enterprises has held this same contract at the Robertson Lake Park for the past three years. A recent Request for Quotations resulted in just the one bid being submitted.

RESOLUTION #COW-2009-146

MOVED BY: Tom Lalonde

SECONDED BY: Leonard Echlin

“THAT, Council accepts the bid of Wilson Enterprises for the grass cutting and park maintenance at Robertson Lake Park for the years 2009, 2010 and 2011;

THAT, Council authorizes the Community Services Coordinator to enter into a contract with Wilson Enterprises at the following costs:

- \$5,136.00 for 2009
- \$5,290.00 for 2010
- \$5,449.00 for 2011;

AND THAT, these funds be drawn from the Recreation and Culture section of the 2009 budget, subject to final approval of the overall budget.”

ADOPTED FORTHWITH

8. IN-CAMERA ITEMS

- i) **CONFIDENTIAL: Property Purchase - Middleville Community Centre.**
Tom Derreck, Chief Administrative Officer.

RESOLUTION #COW-2009-147

MOVED BY: Bob Sutcliffe

SECONDED BY: Tom Lalonde

“THAT, the Committee move “in camera” at 4:58 p.m. to address a matter pertaining to a proposed or pending acquisition or dispersion of land by the municipal or local board;

AND THAT, T. Derreck, Chief Administrative Officer; A. Mabo, Clerk/Deputy CAO; R. Bunker, Treasurer and B. Peterkin, Community Services Coordinator remain in the room.”

ADOPTED

RESOLUTION #COW-2009-149

MOVED BY: Tom Lalonde
SECONDED BY: Leonard Echlin

“**THAT**, the Committee return to regular session at 5:13 p.m.”

ADOPTED

RESOLUTION #COW-2009-150

MOVED BY: Tom Lalonde
SECONDED BY: Leonard Echlin

“**THAT**, the Chief Administrative Officer proceed as directed “in camera” during the CONFIDENTIAL: Property Purchase – Middleville Community Centre discussion.”

ADOPTED

- ii) **CONFIDENTIAL: Report #CAO-06-2009 Joint Hiring of a Planner.**
Tom Derreck, Chief Administrative Officer.

RESOLUTION #COW-2009-151

MOVED BY: Tom Lalonde
SECONDED BY: Leonard Echlin

“**THAT**, the Committee move “in camera” at 5:13 p.m. to address a matter pertaining to personal matters about an identifiable individual, including municipal or local board employees;

AND THAT, T. Derreck, Chief Administrative Officer; A. Mabo, Clerk/Deputy CAO and R. Bunker, Treasurer remain in the room.”

ADOPTED

RESOLUTION #COW-2009-152

MOVED BY: Bob Sutcliffe
SECONDED BY: Peter McLaren

“**THAT**, the Committee return to regular session at 5:33 p.m.”

ADOPTED

The Chair rose and reported that the Mayor was directed to contact the Reeve of Drummond/North Elmsley for clarification, such clarification to be provided at the 7:00 p.m. Council meeting tonight.

9. **NEW/OTHER BUSINESS**

RESOLUTION #COW-2009-153

MOVED BY: Bob Fletcher
SECONDED BY: Tom Lalonde

“**THAT**, the remainder of the agenda items be deferred to the 7:00 p.m. Council meeting tonight.”

ADOPTED

- i) **Arena Resolution** – *deferred until 7:00 p.m. Council meeting.*
Beth Peterkin, Community Services Coordinator.
- ii) **BCF/Stimulus Funding Applications** - *deferred until 7:00 p.m. Council meeting.*
Tom Derreck, Chief Administrative Officer.
- iii) **2009 Senior of the Year Application** – *deferred until 7:00 p.m. Council meeting.*
Amanda Mabo, Clerk/Deputy CAO.

10. **DEFERRED ITEMS**

**The following items will be discussed at the next and/or future meeting:*

- **2008 Employee Service Awards.**
- **Report #FIRE-XX-2009 Admin Review Plan of Action.**
Gord Kemp, Fire Chief.
- **Report #PWWM-XX-2009 Illegal Dumping Fines.**
Scott Cameron, Public Works Superintendent.
- **Wabalac Road Warriors.**

6. **ADJOURNMENT**

The Committee adjourned at 5:35 p.m. on motion by Councillors B. Sutcliffe and T. Lalonde.



**Amanda Mabo,
Clerk/Deputy-CAO**

DELEGATIONS & PRESENTATIONS



Mississippi Valley Conservation

File: W09-08

May 12, 2006

L. G. William Chapman
Barrister, Solicitor & Notary Public
P.O. Box 362, 77 Little Bridge Street
Almonte, ON K0A 1A0

Dear Mr. Chapman:

Re: Hogue purchase from Fitzpatrick
Lot 20, Concession 5, Township of Lanark Highlands (Lavant)
Widow's Lake Road
Assessment Roll No.: 09-40-001-010-27900
Your file no.: L20C5 Widow's Lake Road

→ Mississippi Valley Conservation (MVC) has not completed formal flood risk mapping for this part of the watershed, so the location of the flood lines and regulatory limits with respect to the above noted property are not available. Therefore, development activities (construction, excavation, site grading or stockpiling of fill) above the seasonal high water mark are not regulated by MVC at this location. However, under Ontario Regulation 153/06, the Development, Interference with Wetlands and Alteration to Shorelines and Watercourses Regulation, written permission is required from MVC prior to the initiation of any alterations to the shoreline of a waterbody. This part of the Regulation would apply to Widow Lake.

There are no known breaches and MVC has not issued any notices, orders or directives pursuant to Section 28 of the *Conservation Authorities Act*, R.S.O. 1990, Chapter C. 27, with respect to the current use of the property.

We recommend reviewing the Township of Lanark Highlands' Official Plan and zoning documents to determine land use designations and zoning provisions that may pertain to this property.



4175 Hwy. 511, RR#2

Lanark, ON K0G 1K0 • Tel. (613) 259-2421 • Fax (613) 259-3466 • info@mvc.on.ca

Please take notice that Ontario Regulation 153/06 replaced Ontario Regulation 159/90, the Fill, Construction and Alteration to Waterways Regulation, as of May 2006. All future applications and reviews will be processed in relation to Ontario Regulation 153/06.

If you have any further questions, please contact the undersigned.

Yours truly,



Julie Scott
Assistant Environmental Planner

Regen 153-06.doc

Amy Hogue

From: "Elaine Bowes" <elaine@randyhillier.com>
To: <amybret@mondenet.com>
Sent: Tuesday, April 21, 2009 12:21 PM
Subject: Letter from MVC

Hi Amy,

Below is the letter from the MVC. See you sometime soon.

Elaine Bowes
Constituent Assistant for
Randy Hillier MPP
Lanark, Frontenac, Lennox & Addington

Dear Ms. Bowes:

Just a few points for clarification.

Mississippi Valley Conservation (MVC), as all Conservation Authorities in the Province, administer regulations under Section 28 of the *Conservation Authorities Act* that require permits for certain activities in the vicinity of watercourses and wetlands. Our local regulation number is Ontario Regulation 153/06 – Development, Interference with Wetlands and Alterations to Shorelines and Watercourse. Specifically for the Hogue property, their proposed development does not require a specific approval from MVC under the *Conservation Authorities Act*. However, any physical alteration to the shoreline of Widow Lake would require prior approval from MVC.

Conservation Authorities are commenting agencies for applications under the *Planning Act*, but approval responsibility rests with the municipality. Due to the small size of the lot and substandard set back to water, the Hogue's required a amendment to Township of Lanark Highland's Zoning By-law, to build a structure on the property.

The site specific Zoning By-law amendment would permit

A decrease in the minimum lot area from 1 hectare to 0.09 hectares (0.23 acres)

A decrease in the minimum lot frontage from 50 metres to 30.68 metres

A decrease in the lot depth from 80 metres to 28.55 metres

A decrease in the waterbody setback from 30 metres to 17 metres

4/21/2009

A decrease in the rear yard setback from 10 metres to 3 metres

This Zoning By-law amendment application, following the standard process, was circulated to MVC for comment. After reviewing the application, MVC determined that we could not support the proposed development and we recommended that the Township not approve the Zoning By-law amendment application. The Township of Lanark Highlands did refuse the application and the Hogues appealed this decision to the Ontario Municipal Board (OMB).

Prior to the start of the OMB Hearing the Township of Lanark Highlands Council approved a settlement proposal submitted by the Hogues. Several neighbouring property owners, in opposition to the proposed Zoning By-law amendment, were also parties at the Hearing. Again following standard procedures, after the resolution of the Zoning By-law amendment the development proposal will still have to obtain site plan approval under the *Planning Act* from the Township of Lanark Highlands.

On March 30, 2009 the OMB member issued the following order:

The Board orders the appeal is allowed in part, and the Zoning By-law No. 2003-451 is amended as set out in Attachment "1" to this Order, subject to the following conditions:

That all conditions necessary for site plan approval are met to the satisfaction of the municipality and all other relevant public authorities;

The above conditions must be satisfied no later than six months from the Date of Issue of the Decision.

The final Order is withheld pending confirmation to the Board of site plan approval, by the Township of Lanark Highlands.

Subsequent to the OMB Hearing MVC has been circulated the site plan application for proposed development on the property. Since MVC did not support the original Zoning By-law amendment application we also cannot support the site plan application. Although MVC, as explained above, is not an approval authority for *Planning Act* applications, we are unsure what the resulting final OMB order will be, if all the conditions imposed by the member cannot be met.

John Price, P.Eng.

Watershed Management Coordinator

4/21/2009



LANARK HIGHLANDS

75 George Street
P.O. Box 340
Lanark, Ontario
K0G 1K0
613-259-2398 x222

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

INFORMATION MEMO

April 21.09

To: Mayor and Members of Council

Re: Site Plan Application – Hogue

Appended for clarification, information and reference, please find:

- a. A copy of the OMB decision issued on March 30, 2009. See the comments highlighted in yellow on pages 5, 6 and 7.

Those comments note that;

- i. The main point of issue in the rezoning application is the protection and preservation of Widow Lake and the fish habitat
 - ii. The dispute to be resolved is whether or not those concerns can be satisfactorily addressed in the rezoning proposal made by Mr. and Mrs. Hogue
 - iii. Neither the Hogue's planner (Mr. Grant) nor the Township's planner (Mr. Mercier) provided conclusive evidence to substantiate their positions to the OMB's satisfaction
 - iv. Sufficient protection and preservation of Widow Lake and the fish habitat can only be determined through site plan control measures that will require approval by public agencies with expertise in those areas. (*ie: In Lanark Highlands' case, the Mississippi Valley Conservation Authority*)
 - v. The OMB only allowed the Hogue appeal - in part - and subject to conditions, including the satisfaction of all site plan approval conditions imposed by both the Township - and by relevant public authorities. (*ie: In Lanark Highlands' case, the Mississippi Valley Conservation Authority*)
- b. A copy of an email message provided toady by the Township's planner confirming that;

- i. Application materials provided to date by Mr. and Mrs. Hogue have been duly circulated to the Mississippi Valley Conservation Authority and the Leeds Grenville and Lanark Health Unit for comment.
- ii. Those agencies have been requested to provide their comments within a shortened time in order to accommodate the September 30th deadline imposed by the OMB for Mr. and Mrs. Hogue to satisfy any approval conditions that may be imposed.
- iii. Mr. and Mrs. Hogue's planner, Mr. Doug Grant, has advised his clients to prepare and submit a building location plan prepared by a surveyor with sufficient information to address drainage issues.

These materials are provided to reassure the Council that the Hogue application is being dealt with as expeditiously as possible while keeping to the provisions of the OMB's interim order.

As Council requested, a letter was faxed then mailed to the OMB offices on April 14th requesting clarification of those parts of the decision that were deemed to be needing interpretation.

M. A. Sills, the OMB member who chaired the hearing and rendered the decision, has been on vacation until this week. Her reply is expected in the near future.

T. Derreck

ISSUE DATE:

March 30, 2009



Ontario

Ontario Municipal Board
Commission des affaires municipales de l'Ontario

PL081152

Brett and Amy Hogue has appealed to the Ontario Municipal Board under subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, from Council's refusal or neglect to enact a proposed amendment to Zoning By-law 2003-451 of the Township of Lanark Highlands to rezone part of Lot 20 Concession 5, from LD to LD-33 to permit the construction of a hunting camp.

OMB File No. PL081152

APPEARANCES:

Parties

Amy & Brett Hogue

Township of Lanark Highlands

David Annett and Neighbours

Counsel

J. L. Cohen

G. Meeds

DECISION DELIVERED BY M.A. SILLS

Amy and Brett Hogue (Applicants/Appellants) have appealed the decision by the Township of Lanark Highlands which denied their application for a Zoning By-law Amendment for their property consisting of Part Lot 20, Concession 5 in the Township of Lanark Highlands, and municipally known as 457 Jackson Lane.

Background:

The subject land is a Lot of Record under the Township of Lanark Highlands Official Plan (OP) and a legal non-conforming lot under Zoning By-law No. 2003-451. This property has a lot frontage of 30.68 metres on Jackson Lane, a lot depth of 28.55 metres and a lot area of 727.29 square metres. The property, which is currently vacant, is well treed and generally slopes downward to the lake. Jackson Lane is a private road and the subject property owner has legal access registered on title. On either side of the site there are existing seasonal dwellings with access to Timber Ridge Drive. This

subject property is designated Rural Area - Lakefront Development District (LDD) in the Township of Lanark Highlands Official Plan (OP) and zoned Lakefront Development (LD) in By-law 2003-451.

The applicant proposes to construct a small impact structure to provide basic shelter while the property is being used as a hunting/fishing camp. The proposed cabin measures 18 by 16 foot with an attached 10 by 16 foot deck on the shoreline side of the building. The Applicant proposes to site the cabin on a relatively flat section of the property and water and sewer services will not be required. A privy and a boathouse are to be constructed as accessory buildings. This undersized lot is not capable of conforming to development standards with respect to minimum lot area, lot frontage, lot depth, and front and rear yard setbacks from lot lines. In order to proceed with the proposed development, the applicant requires authorization of a site-specific Zoning By-law Amendment. The requested zoning would permit the following:

- a decrease in minimum lot area from 1 hectare to 0.09 hectares (0.23 acres)
- a decrease in minimum lot frontage from 50 metres to 30.68 metres
- a decrease in lot depth from 80 metres to 28.55 metres
- a decrease in water body setback from 30 metres to 17 metres
- a decrease in rear yard setback from 10 metres to 3 metres

This matter was first before Township Council in July 2008, at which time the application was deferred for one month to allow further review by the Township's planning consultant. After a second review, the planning consultant continued to recommend that the rezoning request not be approved and in August 2008, Council denied the application. In September 2008, the applicant retained a professional planner (Mr. D. Grant) to review and make recommendations with respect to the proposal. In December 2008, the applicant presented a settlement proposal to the Township which effectively deleted the following permitted uses:

- accessory dwelling, unit dwelling – single detached, home based business, marina, mobile home, parking area, parking lot-commercial, public service use and public utility

Subsequently, the settlement proposal was reviewed by Stantec planning consultant, Mr. Pierre Mercier, who continues to recommend that the rezoning not be approved. However, at a Special Meeting held on January 22, 2009, Council approved the proposed settlement which would result in the property being rezoned to Lakefront Development – Exception.

Several neighbouring property owners in opposition to the proposed Zoning By-law Amendment were in attendance at the hearing. The property owners, represented by their solicitor, Mr. G. Meeds, requested and were granted party status. The specific concern of the neighbours is the potential adverse impacts to the water quality and fish habitat of Widow Lake.

Both the Township and the neighbouring property owners have only recently retained legal counsel to represent their respective positions at this hearing. The Applicants were not represented by Counsel. As the Township does not have a planner on staff, Mr. Grant gave planning evidence in support of the settlement proposal on behalf of the Applicant and the municipality. Mr. P. Mercier of Stantec gave evidence in opposition to the proposal, under subpoena by the opposing party.

Planning Evidence:

Mr. Douglas Grant is a professional planner with more than 30 years experience dealing with municipal planner matters.

Mr. Grant told the Board that there are a significant number of undersized lots of record within the Township. Currently, there are some 504 vacant residential lots of one hectare or less, and 363 of these are lots of less than 0.5 hectares of which ten, are located on Widow Lake. He testified that, although the Zoning By-law restricts certain development within 30 metres of Widow Lake, it is the first 15 metres from the shoreline that is considered to be the "Ribbon of Life". Consequently, this area requires a higher

level of protection and is a more restricted zone than the second 15-metre area which permits development such as accessory buildings. He said a camp is a permitted use within the LLD designation and the property is subject to site plan control. The proposed septic system will require approval of the local Health Unit and the proposed works will require the authorization of Mississippi Valley Conservation (MVC).

Mr. Grant opined that the proposed development is consistent with objectives of the Provincial Policy Statement (PPS) and the OP with respect to the protection of water quality and natural heritage features. He said the camp shelter represents a low impact structure which does not require water and sewer servicing. The Applicants propose to install a Class 2 (grey water) Sewage System and the 15-metre natural vegetation buffer will not be disturbed. It was his opinion that water quality objectives can be met by the requirement of site plan and MVC approvals.

Mr. Grant contended that some provisions of the existing Zoning By-law conflict with the OP. He said that while the municipality has designated undersized lots of record for development in the OP, the Zoning By-law has set standards that do not allow these lots to be developed; if the lot is 0.5 hectares or more, the lot can be developed, if less than 0.5 hectares, no development is permitted. He said there are numerous lots of record in the same predicament and adequate controls for the development of these can best be determined through the site plan process. It was his opinion that the proposed Zoning By-law Amendment conforms to the general intent of the OP and is consistent with PPS objectives respecting the protection of natural features, water quality and fish habitat. He is satisfied the required development approvals serve to protect the public interest and the proposal represents good planning.

Mr. Pierre Mercier, who is employed by Stantec, is the current planner of record for the Township. (The original planning report with respect to this application dated July 2, 2008, was prepared by a different planning consultant from the Stantec firm).

Mr. Mercier testified that the preservation of natural heritage features is vital to the economic well-being of the Township. He said the many bodies of water located in the Township are not only a valuable natural resource, but are also a focal point of residential and recreational activity. He told the Board the Township recognizes the

largest potential impact to any lake may come from redevelopment of existing lots; in particular, parcels of record which are undersized and do not meet development standards. It was his evidence that both the OP and the PPS are clear and emphatic that shoreline development along Widow Lake must be treated with sensitivity in order to protect the lake water quality and fish habitat. He opined the 30-metre setback is required to protect the ecosystems from the effects of increased nutrients entering the lake from overland runoff. He contended that although the current proposal is for a camp with no water or sewer services, it could morph into a seasonal residence at some point in the future. He opined the lot size and building setback reductions requested in the application are too great in magnitude to be supported and that the water quality and natural environment will be compromised if the rezoning is approved.

Mr. Mercier is of the opinion that the proposed Zoning By-law Amendment is not consistent with OP policies and PPS objectives with respect to directing growth away from sensitive areas, and promoting land use patterns which stimulate economic growth and protect the environment.

Disposition:

The Board has carefully considered the concerns of surrounding landowners and the professional opinion evidence of Mr. Grant and Mr. Mercier, while giving regard to the decision of Council.

The Board was told the municipality is aware there are significant challenges to environmentally sustainable development which result from the existence of numerous undersized lots of records bordering Township lakes. In recognizing the need to determine how to deal with these lots, the Township has conceded it needs to conduct a review to determine the appropriate development standards. The Board was not given any indication of the status of such a review or an expected completion date.

The central issue respecting the rezoning application relates to the potential impact of the proposed development on the water quality and fish habitat of Widow Lake. There is no dispute that, in accordance with municipal and provincial planning policies and regulations, the water quality and fish habitat must be preserved and

protected. The dispute arises as a result of a professional difference of opinion related to whether or not these objectives can be achieved, considering the development standards set out in the proposed Zoning By-law Amendment. In this regard, Mr. Grant is of the opinion that they can be met, while Mr. Mercier is not convinced they can. The Board was not provided with any conclusive evidence to substantiate either position. Mr. Grant is of the opinion a Class 2 Sewage System will provide the necessary protection for the lake water and fish habitat, and can be accommodated on the property. Further, he is of the opinion that the requirement for site plan and MVC approval adequately serves to protect the public interest respecting water quality and natural heritage features. Adversely, Mr. Mercier is "concerned with the proposed settlement as he is unsure that it is acceptable from a planning perspective". He told the Board that it is his opinion that the rezoning is premature in that it should first be determined whether or not the appropriate septic system and MVC approvals will be granted. However, in response to a question from this Member, Mr. Mercier conceded he would not have any objection to the rezoning if it can be demonstrated that the proposed standards will not result in adverse impacts to the fish habitat and natural features, or the water quality of Widow Lake.

The Board must consider whether or not the development standards necessary to accommodate the intended use of this property, can satisfy provisions of the PPS and the OP with respect to the preservation and protection of water quality, fish habitat and nature heritage features. In this regard, the Board agrees with Mr. Grant that this can best be determined through site plan control measures which will require the approval of public agencies with expertise in these areas.

The Board finds that the planning merits of this application can only be fully evaluated at such time that it has been determined that all requirements of development approvals can be met in accordance with municipal and provincial planning policies. Accordingly, the Board will impose an applicable condition to the approval of the Zoning By-law Amendment.

THE BOARD ORDERS the appeal is allowed in part, and Zoning By-law No. 2003–451 is amended as set out in Attachment “1” to this Order, subject to the following conditions:

1. that all conditions necessary for site plan approval are met to the satisfaction of the municipality and all other relevant public authorities;
2. the above condition must be satisfied no later than six months from the Date of Issue of this Decision.

The final Order is withheld pending confirmation to the Board of site plan approval, by the Township of Lanark Highlands.

If difficulties arise, the Board may be spoken to further.

“M. A. Sills”

M. A. SILLS
MEMBER

ATTACHMENT "1"

THE CORPORATION OF THE TOWNSHIP OF LANARK HIGHLANDS

BEING A BY-LAW TO AMEND BY-LAW NO. 2003-451

WHEREAS pursuant to the provisions of the Planning Act, RSO 1990, Section 34, by-laws may be enacted to regulate the use of land and the erection of buildings and structures thereon;

AND WHEREAS By-law No. 2003-451 regulates the use of land and the erection of buildings and structures within the Township of Lanark Highlands;

AND WHEREAS this By-law implements the policies and intentions of the Official Plan for the Township of Lanark Highlands;

THEREFORE By-law No. 2003-451 is hereby amended as follows:

1. THAT By-law No. 2003-45, be and is hereby amended by changing Schedule "A1" thereto in accordance with Schedule "A" attached hereto and forming part of this By-law, for lands located at Part Lot 20, Concession 5, geographic Township of Lavant, so that the subject lands shall henceforth be zoned Lakefront Development-Exception xx (LD-xx).
2. THAT notwithstanding Section 11.1 of By-law 2003-451, the permitted uses are restricted to the following:

11.1 Permitted Uses – Lakefront Development – xx LD-xx

- accessory use (see also Section 4.1)
- camp
- dwelling – seasonal
- marine facility
- shoreline structure (see also Sections 4.8 and 11.3)

3. THAT notwithstanding Section 11.2 of By-law 2003-451, the following minimum standards shall apply to the subject property:

11.2 Zone Requirements – Lakefront Development – xx LD-xx

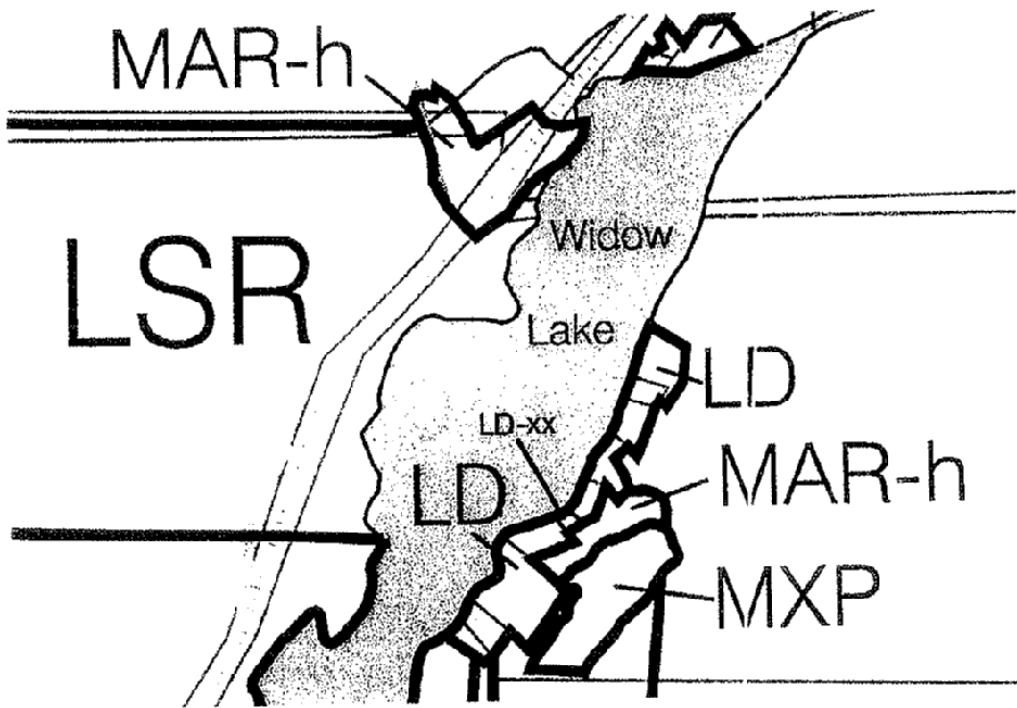
- Minimum Lot Area 0.09 ha (0.23 ac.)
- Minimum Lot Frontage 30.68 m (100.6 ft.)
- Minimum Lot Depth 28.55 m (93.6 ft.)
- Minimum Yard Requirements - Main Building
 - front yard (1) with shoreline frontage 17 m (55.7 ft.)
 - rear yard 3 m (9.8 ft.)

4. THAT all other applicable standards of By-law No. 2003-451 shall continue to apply to the subject property.

THE CORPORATION OF THE
TOWNSHIP OF LANARK HIGHLANDS

Schedule "A" to
ZONING BY-LAW AMENDMENT

Part Lot 20, Concession 5,
Township of Lavant



Part Lot 20, Concession 5
Geographic Township of Lavant
Township of Lanark Highlands

Area affected by this By-law

Lakefront Development (LD-xx)



Legend

Land rezoned from Lakefront
Development LD to
LD-xx Lakefront Development
Exception xx

Tom Derreck

From: Almond, Jane [jane.almond@stantec.com]
Sent: Tuesday, April 21, 2009 12:09 PM
To: Tom Derreck; Amanda Mabo (Lanark Highlands)
Cc: Mercier, Pierre
Subject: Hogue matter


Tom and Amanda further to our conversation this morning and review of the circulated latest plan submitted by Mr. Hogue I can provide you with the following comments. To date we have circulated to the Conservation Authority and the Health Unit the application and supporting submissions provided by Mr. Hogue in order to facilitate a timely review, with the exception of the plan forwarded today. We have also scheduled with staff a meeting with Council in order to review and allow for a decision on this matter. That meeting is on May 15, 2009 and the agencies have been requested to provide comments within a shortened timeline due to the deadlines imposed by the Board member.

Our approach on this matter has been to inform Mr. Hogue of what we believe will be required by the CA and Health Unit in order for these agencies to deal with the application expeditiously. You have received copies of our emails to that effect. Our only concern in this matter is to ensure that the application can be processed in accordance with the OMB's deadline and as such there is a need for sufficient and clear information and plans.

Mr. Hogue had indicated that he would consult with his planner with respect to our request for contour lines at 1 metre interval. Mr. Grant has confirmed with us that he had advised his client to submit a building location plan prepared by a surveyor with sufficient information to address drainage issues. (i.e. top or slope and information on slope of roofs, location of drains, slope of parking area etc.) This is consistent with what the CA will need (at the least) to do their job. Without this info their is a risk that the file will be delayed.

Jane Almond, AICP MCIP RPP
Senior Planner
Stantec
1505 Laperriere Avenue
Ottawa ON K1Z 7T1
Ph: (613) 724-4377
Fx: (613) 722-2799
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jane.almond@stantec.com
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The Corporation of
THE TOWNSHIP OF LANARK HIGHLANDS

**75 George Street
P.O. Box 340
Lanark, Ontario
K0G 1K0**



OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER

April 14, 2009

M.A. Sills, Member
Ontario Municipal Board
655 Bay Street Suite 1500
Toronto, Ontario M5G 1E5

Re: OMB File #PL081152
Hogue - Township of Lanark Highlands – Annet & Neighbours
Order Rendered – March 30, 2009

Thank you for providing the Township with a copy of the above referenced Order.

It was discussed by the Township Council at its regular meeting conducted on April 7th, at which time questions arose about how to interpret the Order's intent.

For convenient reference, the Order is copied here;

"THE BOARD ORDERS the appeal is allowed in part, and Zoning By-law No. 2003-451 is amended as set out in Attachment "1" to this Order, subject to the following conditions:

- 1. that all conditions necessary for site plan approval are met to the satisfaction of the municipality and all other relevant public authorities;*
- 2. the above condition must be satisfied no later than six months from the Date of Issue of this Decision.*

The final Order is withheld pending confirmation to the Board of site Plan approval, by the Township of Lanark Highlands.

If difficulties arise, the Board may be spoken to further."

REPORTS

**THE CORPORATION OF THE
TOWNSHIP OF LANARK HIGHLANDS**

COMMITTEE OF THE WHOLE

April 21, 2009

Report #FIN-04-2009
of the Treasurer

**LANARK HIGHLANDS YOUTH CENTRE MORTGAGE
PAY-OUT OF CLOSS MORTGAGE**

STAFF RECOMMENDATION(S)

“**THAT**, The mortgage currently owed by the Township of Lanark Highlands to Mr. Jim Closs be paid out effective May 2, 2009

THAT, The funds required to pay out the Closs Mortgage be paid from Capital Reserve

BACKGROUND

The Township entered into a mortgage agreement with Jim Closs on December 21, 2000. The purpose for this agreement was to acquire the IOOF hall located on Princess Street in the Village of Lanark. The building is currently used by the Lanark Highlands Youth Centre. The original mortgage was for the sum of \$ 50,000 amortized over 15 years at 6% interest commencing February 2, 2001.

DISCUSSION

The original five year term of this mortgage ended January 2, 2006. Mr. Closs did not request that the outstanding balance be paid at that time nor has he at any time since. A report submitted to Council by the Treasurer in February 2006 recommending that the remaining balance be paid was not approved. Since that time, monthly payments have continued at the 6% interest rate. The current balance of this mortgage is \$ 27,979.

FINANCIAL IMPLICATIONS

If this mortgage is paid off effective May 2, 2009, the Township would save \$ 6,036 in future interest payments.

The \$ 27,979 would be paid from the Capital Reserve. This reserve currently has a balance of \$ 305,943 with an additional \$ 50,000 included in the 2009 budget to be added to this account.

CONCLUSION

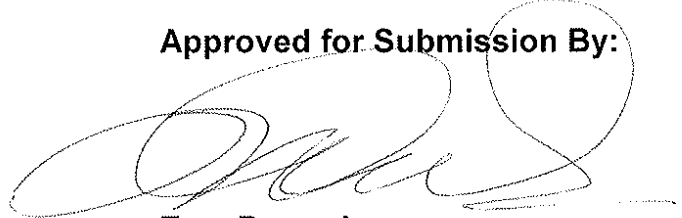
Due to the relatively small balance of this outstanding mortgage and the relatively high 6% interest rate, staff is recommending that the outstanding balance of this mortgage be paid.

Prepared and Submitted By:



**Robert Bunker,
Treasurer**

Approved for Submission By:



**Tom Derreck,
Chief Administrative Officer**

**THE CORPORATION OF THE
TOWNSHIP OF LANARK HIGHLANDS**

COMMITTEE OF THE WHOLE

April 21st, 2009

Report #C-05-2009
of the Clerk

COUNCIL MEALS

STAFF RECOMMENDATION(S)

“**THAT**, the current practice for Council Meals as outlined in Report #C-05-2009 Council Meals continue.”

BACKGROUND

At the April 9th Budget meeting, Council requested that a report on Council Meals be provided to outline the process for when meals are expensed to the Council Meals budget line item.

DISCUSSION

The Councillor Meals budget line item currently includes charges for meals for Councillors and Staff on the Tuesdays when Committee of the Whole is held at 2:30 p.m. and Council is then held at 7:00 p.m. It also includes meals for Councillors and Staff on the Thursdays when Corporate Services and Building, Planning & Protective Services meetings are held at 6:30 p.m. or when Public Works & Waste Management and Community Services meetings are held at 6:30 p.m. Occasionally it also includes meals for those Staff and Councillors that have other meetings and are at the Township over the lunch or supper hour.

Meals on Tuesdays are provided to provide Council and Staff the opportunity to have supper in between meetings. Meals on Thursdays are provided to those Councillors who are coming from work and therefore do not have an opportunity to have supper and are provided for those Councillors who have a long distance to travel and would have had to eat in the afternoon. Meals are also provided for those Councillors that are already at the Township because they have been in meetings in the afternoon. Meals on Thursdays are also provided to those Staff that are attending the 6:30 p.m. meeting to provide them the opportunity to have supper in between work and the meetings.

OPTIONS CONSIDERED

Option #1 – Current Practice

The current practice allows costs for meals to be charged for exactly what food is required. It also indicates the meal cost to hold meetings and should be a factor considered when additional Committees of Council are established.

Option #2 - Caterer

A caterer could be brought in for the Tuesday and Thursday Council and Committee meetings as has been done in the past. This option is not recommended as it would require additional staff time to coordinate. Food would be wasted if someone did not like what was being served or if not everyone ate. Catering would also incur additional costs in staff time, in food costs and in preparation costs. For instance, if a meeting was cancelled the Township would still have to pay for the cancelled meal.

Option #3 – Budget Line Item – Council Meals vs Individual Meals

Whether meals for Thursdays are charged to the Council Meals budget line item or to an individual Councillor Meal expense line item, the dollar amount in the overall budget remains the same. The current financial system is not set up for a separate G/L (General Ledger) for each individual Councillor or employee for meals. The G/L's are set up by department (ex. Councillor Meals). The auditors strongly recommend consolidation of G/L's and would not recommend a separate G/L for each individual. Individual G/L's would also require additional staff time to set-up the separate G/L's and to break out the receipts.

FINANCIAL IMPLICATIONS

Option #1 - \$7,500

Option #2 - \$10,000 to \$15,000

Option #3 - \$7,500 + additional staff time

CONCLUSIONS

The recommendation is to continue with Option #1 – Current Practice.

ATTACHMENTS

None.

Prepared and Submitted By:

Handwritten signature of Amanda Mabo in cursive script.

**Amanda Mabo,
Clerk/Deputy CAO**

Approved for Submission By:

Handwritten signature of Tom Derreck in cursive script.

**Tom Derreck,
Chief Administrative Officer**

**THE CORPORATION OF THE
TOWNSHIP OF LANARK HIGHLANDS**

COMMITTEE OF THE WHOLE

Date April 21, 2009

Report #C-10-2009
of the Community Services Coordinator

OPEN SPACE MAINTENANCE IN LANARK VILLAGE

STAFF RECOMMENDATION(S)

“THAT, Council accepts the bid of Green Acres Greenhouses for the grass cutting and open space maintenance in Lanark Village for the years 2009, 2010 and 2011;

AND THAT, Council authorizes the Community Services Coordinator to enter into a contract with Green Acres Greenhouses at the following costs:

- \$9,774.00 for 2009
- \$9,874.00 for 2010
- \$9,974.00 for 2011;

AND THAT, these funds be drawn from the Recreation and Culture section of the 2009 budget., subject to final approval of the overall budget;

AND THAT these recommendations are considered forthwith.

BACKGROUND

Green Acres Greenhouses has held this contract in Lanark Village for the past three years. A recent Request for Quotations resulted in two bids being submitted. The Green Acres Greenhouses bid is the low bid.

DISCUSSION

This contract in Lanark Village includes grass cutting and maintenance on all Township property including the waterfront park, Clyde Memorial Ball Park, the tennis court area, the Lanark Museum, the Lanark and District Community Centre, the boulevards from Timber Run Golf Course to Maple Grove School as well as the area behind the Squirrels Nest. It includes caring for the trees and shrubs as well as the gardens around the municipal office, the Post Office, the parkette at Pretty Goods and Lanark Museum. It also includes caring for the trees in the waterfront park area. In addition, weeding and general maintenance of the above mentioned areas is included.

Two bids were received with the following results:

Bidder	2009	2010	2011
Green Acres Greenhouses	\$9,774.00	\$9,874.00	\$9,974.00
Providence Point	\$13,965.00	\$14,384.00	\$14,815.50

The Green Acres Greenhouses bid is less than the Providence Point bid by \$13,542.00 over the three year term of this contract,

OPTIONS CONSIDERED

1. Accept the recommendations.
2. Do nothing.

FINANCIAL IMPLICATIONS

The 2009 price of the Green Acres Greenhouses bid is less than the amount of the 2008 contract. Each subsequent year represents a 1% increase over the previous year.

CONCLUSIONS

We are confident Green Acres Greenhouses will complete this work to the satisfaction of the Township.

Prepared and Submitted By:



**Beth Peterkin
Community Services Coordinator**

Approved for Submission By:



**Tom Derreck,
Chief Administrative Officer**

**THE CORPORATION OF THE
TOWNSHIP OF LANARK HIGHLANDS**

COMMITTEE OF THE WHOLE

Date April 21, 2009

Report #C-11-2009
of the Community Services Coordinator

SUPPLY OF HANGING BASKETS AND FLOWERS IN LANARK VILLAGE

STAFF RECOMMENDATION(S)

“THAT, Council accepts the bid of Green Acres Greenhouses for the supply, delivery and hanging of the flower baskets in Lanark Village at a cost for 2009 of \$2,347.00;

AND THAT, Council accepts the bid of Green Acres Greenhouses for the supply and planting of the flowers in the street flower boxes in Lanark Village at a cost for 2009 of \$975.00;

AND THAT, Council accepts the bid of Providence Point for the watering and maintenance of the hanging baskets and street flower boxes for 2009 at a cost of \$1,577.00;

AND THAT, Council authorizes the Community Services Coordinator to enter into contracts with the recommended suppliers;

AND THAT, these funds be drawn from the Recreation and Culture section of the 2009 budget, subject to final approval of the overall budget;

AND THAT, new Requests for Quotation be issued in the fall of 2009 for the 2010 and 2011 seasons;

AND THAT these recommendations are considered forthwith.

BACKGROUND

Green Acres Greenhouses held these contracts in Lanark Village in 2008. A recent Request for Quotations resulted in only one bid submitted for the baskets and flowers and two bids received for the watering and maintenance.

DISCUSSION

The Township's Request for Quotation was very late in being circulated and advertised for the current year due to recent staffing changes and reallocation of workloads. As a result, the only bid received for the supply of the flowers came from Green Acres Greenhouses that operates a full greenhouse operation. The owner of the business decided to plant the appropriate flowers for our needs (based on his previous year's contract) on speculation that

the RFQ would be forthcoming. As a result, he had the flowers and baskets on hand to supply our needs.

The second bidder, Providence Point, was unable to secure flowers sufficient for the Township's needs given the late issuance of the RFQ. As a result, although the RFQ called for a three year bid, staff is recommending the contract for the supply of baskets and flowers be let for a one year term and be re-issued in the fall of 2009 for the 2010 and 2011 seasons.

The bid results for 2009 were as follows:

Bidder	Baskets	Flowers for Boxes	Watering and Maintenance
Green Acres Greenhouses	\$2,347.00	\$975.00	\$4,400.00
Providence Point	No bid	No bid	\$1,577.00

OPTIONS CONSIDERED

3. Accept the recommendations.
4. Do nothing.

FINANCIAL IMPLICATIONS

The combined price of these contracts represents an increase in estimated budget figures of \$399.00 as presented to Council during the April 14th budget meeting.

CONCLUSIONS

We are confident that both suppliers recommended will complete this work to the satisfaction of the Township.

Prepared and Submitted By:



**Beth Peterkin
Community Services Coordinator**

Approved for Submission By:



**Tom Derreck,
Chief Administrative Officer**

**THE CORPORATION OF THE
TOWNSHIP OF LANARK HIGHLANDS**

COMMITTEE OF THE WHOLE

Date April 21, 2009

Report #C-09-2009
of the Community Services Coordinator

GRASS CUTTING AND PARK MAINTENANCE AT ROBERTSON LAKE

STAFF RECOMMENDATION(S)

“**THAT**, Council accepts the bid of Wilson Enterprises for the grass cutting and park maintenance at Robertson Lake Park for the years 2009, 2010 and 2011;

AND THAT, Council authorizes the Community Services Coordinator to enter into a contract with Wilson Enterprises at the following costs:

- \$5,136.00 for 2009
- \$5,290.00 for 2010
- \$5,449.00 for 2011;

AND THAT, these funds be drawn from the Recreation and Culture section of the 2009 budget., subject to final approval of the overall budget;

AND THAT these recommendations are considered forthwith.

BACKGROUND

Wilson Enterprises has held this same contract at the Robertson Lake Park for the past three years. A recent Request for Quotations resulted in just the one bid being submitted.

DISCUSSION

The Robertson Lake Park encompasses a beach area, ballpark, boat launch and ball field. It is heavily used by the community in the summer months for a variety of family activities. The work of Wilson Enterprises over the past three years has been entirely successful and we are confident that our experience will be the same in years to come. This contract is providing employment to a local resident.

OPTIONS CONSIDERED

5. Accept the recommendations.
6. Do nothing.

FINANCIAL IMPLICATIONS

The 2009 price of the contract represents a 3% increase over the 2008 rate and each subsequent year of this contract represents a 3% increase over the year before.

CONCLUSIONS

We are confident Wilson Enterprises will complete this work to the satisfaction of the Township.

Prepared and Submitted By:



**Beth Peterkin
Community Services Coordinator**

Approved for Submission By:



**Tom Derreck,
Chief Administrative Officer**