



The Corporation of  
**THE TOWNSHIP OF LANARK HIGHLANDS**

## **COMMITTEE OF THE WHOLE MINUTES**

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**Tuesday, October 6<sup>th</sup>, 2009**

**2:30 p.m.**

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

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### **ATTENDANCE:**

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

**Staff Present:** Amanda Mabo, Clerk/Deputy CAO  
Robert Bunker, Treasurer (left at 3:15 p.m.)

**Members & Staff Absent:** Tom Derreck, Chief Administrative Officer

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### **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-2009-265**

**MOVED BY:** Tom Lalonde

**SECONDED BY:** Leonard Echlin

**“THAT**, the minutes of the Committee of the Whole Committee meeting held on September 22<sup>nd</sup>, 2009 be approved as circulated;

**AND THAT**, the minutes of the “Special” Committee of the Whole Committee meeting held on September 29<sup>th</sup>, 2009 be approved as circulated.”

**ADOPTED**

#### **4. APPROVAL OF AGENDA**

- i) Addition under Delegations & Presentations: AMCTO 10 Year Award.
- ii) Addition under New/Other Business: Notice of Pre-Conference Hearing – McKinnon Pit.

#### **RESOLUTION #COW-2009-266**

**MOVED BY:** Leonard Echlin

**SECONDED BY:** Peter McLaren

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

**ADOPTED**

#### **5. DELEGATIONS & PRESENTATIONS**

- i) **AMCTO 10 Year Award** – *attached, page 9.*  
Mayor Bob Fletcher.

Mayor B. Fletcher congratulated Norma Melanson, the Township’s Accounts Payable/Payroll/Human Resources Clerk on receiving the AMCTO 10 Year Award for her longstanding commitment to the Association of Municipal Managers, Clerks and Treasurers of Ontario and to the municipal profession.

- ii) **Sewer & Water – Economic Impacts.**  
Rene Bosman, President Lanark Highlands Business and Tourism Association.

R. Bosman addressed the Committee – *attached, page 10.*

- iii) **Sewer & Water – Economic Impacts.**  
Brian Lillico, Clyde Hall Bed & Breakfast.

B. Lillico addressed the Committee – *attached, page 13.*

#### **6. COMMUNICATIONS**

None.

## 7. REPORTS

- i) **Report #PWWM-21-2009 Sewer & Water Project Update.**  
Amanda Mabo, Clerk/Deputy CAO.

The “Special” meeting will provide Councillors the opportunity to ask questions or make modifications prior to the information being presented at the Public Meeting.

Staff are in the process of putting together the costing, which includes operational and maintenance costs. Funds will also be put away for the replacement of the infrastructure once the system is in place.

The Mayor informed the Committee that he had the opportunity to quickly read the letter to the editor from Scott Reid which posed a number of questions. These questions will be answered as part of the financial report that staff are already preparing. The Township’s Auditor will also be present at the Public Meeting.

### **RESOLUTION #COW-2009-267**

**MOVED BY:** Bob Fletcher

**SECONDED BY:** Leonard Echlin

“**THAT**, a “Special” Committee of the Whole meeting be scheduled for Thursday, October 15<sup>th</sup> at 7:00 p.m. in order to receive a preview of the Sewer & Water Presentation to be made at the public meeting.”

**(SEE RESOLUTION #COW-2009-268)**

### **RESOLUTION #COW-2009-268**

**MOVED BY:** Tom Lalonde

**SECONDED BY:** Bob Sutcliffe

“**THAT**, Resolution #COW-2009-267 be amended so that the start time of the meeting is at 8:00 p.m. instead of 7:00 p.m.”

**ADOPTED**

### **RESOLUTION #COW-2009-267**

**MOVED BY:** Bob Fletcher

**SECONDED BY:** Leonard Echlin

“**THAT**, a “Special” Committee of the Whole meeting be scheduled for Thursday, October 15<sup>th</sup> at 8:00 p.m. in order to receive a preview of the Sewer & Water Presentation to be made at the public meeting.”

**ADOPTED FORTHWITH**

The information for the “Special” Committee of the Whole meeting will be sent to Councillors at the earliest opportunity for their review.

- ii) **Report #FIN-09-2009 Road Work Funding Options – Galbraith Road, Highland Line, Sheridan Rapids Road.**  
Robert Bunker, Treasurer.

The goal when writing the report was to keep the annual loan payments around \$88,000, the same payment as the previous loan that will expire at the end of 2009.

**RESOLUTION #COW-2009-269**

**MOVED BY:** Brian Stewart

**SECONDED BY:** Bob Sutcliffe

“**THAT**, a decision on Report #FIN-09-2009 Road Work Funding Options – Galbraith Road, Highland Line and Sheridan’s Rapids Road be deferred to the November 13<sup>th</sup>, 2009 Corporate Services Committee meeting in order to allow the Committee time to review the financial options and to be provided a report by the Public Works Superintendent at the October 29<sup>th</sup>, 2009 Public Works and Waste Management Committee meeting that outlines the Public Works Department 2010 work plan.”

**ADOPTED**

- iii) **Report #PWWM-22-2009 Winter Sand Tender Award for 2009/2010 – Contract #2009-03.**  
Scott Cameron, Public Works Superintendent.

**RESOLUTION #COW-2009-270**

**MOVED BY:** Bob Sutcliffe

**SECONDED BY:** Brian Stewart

“**THAT**, the Winter Sand Contract 2009-03 be split and award the **Middleville** portion of the contract to Cavanaugh Construction, and the **McDonalds Corners / Joe’s Lake / Tatlock** portions of the contract to Crain’s Construction;

**AND THAT**, the Mayor and Clerk be authorized to sign the separate Contracts for both Crain’s Construction and Cavanaugh Construction for their portions of the Winter Sand Contract 2009-03.”

**ADOPTED**

- iv) **Winter Road Maintenance Agreement – County Road #9 and 8<sup>th</sup> Concession of Dalhousie.**  
Scott Cameron, Public Works Superintendent.

**RESOLUTION #COW-2009-271**

**MOVED BY:** Tom Lalonde  
**SECONDED BY:** Brian Stewart

“**THAT**, the Council of the Corporation of the Township of Lanark Highlands authorize the Execution of a Winter Roads Maintenance Agreement with the County of Lanark for County Road #9 and the 8<sup>th</sup> Concession of Dalhousie;

**AND THAT**, the necessary by-law be presented at the October 6<sup>th</sup>, 2009 Township Council meeting.”

**ADOPTED FORTHWITH**

The Committee recessed at 3:15 p.m.  
R. Bunker, Treasurer left at 3:15 p.m.  
The Committee returned to regular session at 3:30 p.m.

**5. DELEGATIONS & PRESENTATIONS**

- iv) **Unopened Road Allowance between Christini and McLenaghan Properties (376 North Shore Road and 417 North Shore Road).** – 4:00 p.m.  
Susan McLenaghan, Resident.

S. McLenaghan gave a PowerPoint presentation on the history – *attached, page 17.*

Gravel was placed on the 66’ road allowance at the end of 2008.

The final Agreement between the Township and S. McLenaghan was distributed to the Committee – *attached, page 24.*

- v) **Property Purchase & Easement at 417 North Shore Road (verbal).**  
– 4:00 p.m.  
Jim Christini, Resident.

J. Christini distributed letters to the Committee – *attached, page 30.* J. Christini requested that he would like to purchase the parcel of land in the “green” portion and have the gravel removed from the “green” portion between the Christini driveway and the 66’ road allowance. He also requested that the culvert and ditch be re-worked to comply with the original intent of the project.

**RESOLUTION #COW-2009-272**

**MOVED BY:** Bob Fletcher

**SECONDED BY:** Bob Sutcliffe

“**THAT**, the decision regarding the Christini property at 417 North Shore Road be deferred until the Christini’s are available to attend a Committee meeting in the Spring of 2010.”

**ADOPTED**

The Public Works Superintendent will be meeting with J. Christini on Tuesday, October 13<sup>th</sup> before the Christini’s leave for the winter. The remediation of the road will continue separately from the other discussions with regards to the property. The Committee will continue to work towards resolving J. Christini’s and S. McLenaghan’s concerns and will defer the decision.

**7. REPORTS**

- v) **Report #PWWM-23-2009 Request for Sidewalk Extension along Robertson Drive.**

Scott Cameron, Public Works Superintendent.

**RESOLUTION #COW-2009-273**

**MOVED BY:** Tom Lalonde

**SECONDED BY:** Leonard Echlin

“**THAT**, Council agrees to consider the request by Ms. Tammy Rintoul to have a sidewalk constructed on Robertson Drive from George Street to Forbes Road within the 2010 Budget process;

**AND THAT**, during the 2010 Budget Process the Public Works Superintendent provide Council with a summary of the various works to be undertaken on Robertson Drive, including those to be undertaken if and when water and sewer is installed (hole in road, sidewalk, drainage, etc.), along with various options to undertake the work.”

**ADOPTED**

- vi) **Discussion: Municipal Drug Strategy Committee Establishment (verbal).**  
Amanda Mabo, Clerk/Deputy CAO.

The Clerk/Deputy CAO will draft a terms of reference for Council’s discussion and approval.

**8. IN-CAMERA ITEMS**

None.

## 9. NEW/OTHER BUSINESS

- i) **Notice of Pre-Conference Hearing – McKinnon Pit.**  
Amanda Mabo, Clerk/Deputy CAO.

The Township received notice that a Prehearing Conference will be held on November 25<sup>th</sup>, 2009 at 10:30 a.m. in the Council Chambers with regards to the Official Plan Amendment, Zoning By-Law Amendment and Pit License Application for McKinnon Pit.

To determine next steps, Wib Crain along with his planner and legal counsel will be meeting with the Mayor, Clerk/Deputy CAO and the Township's legal counsel on October 8<sup>th</sup>. All Council Members were invited to attend this meeting. The results of the meeting will be brought forward to Council at the Building, Planning and Protective Services Committee meeting that same night.

## 10. DEFERRED ITEMS

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

- **Council Preview of Sewer & Water Public Meeting Presentation.** (October 15<sup>th</sup>)
- **Downtown Village Parking (verbal).** (October 27<sup>th</sup>)  
Councillor Peter McLaren.

## 11. ADJOURNMENT

The Committee adjourned at 4:15 p.m. on motion by Councillors B. Sutcliffe and P. McLaren.



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

# **DELEGATIONS & PRESENTATIONS**



LANARK HIGHLANDS

SEP 22 2009

RECEIVED

September 14, 2009

Mayor Bob Fletcher  
Township of Lanark Highlands  
P.O. Box 340  
75 George Street  
Lanark, ON K0G 1K0

Dear Mayor Fletcher:

AMCTO (Association of Municipal Managers, Clerks and Treasurers of Ontario) recognizes the importance of celebrating the achievements of our members. To this end, AMCTO annually recognizes its members - in 10 year increments - for longstanding commitment to the Association and to the municipal profession. A certificate recognizing each member's years of service to AMCTO has been forwarded to them directly.

This year in your municipality, we acknowledge the commitment of the following valued members of your staff:

Norma Melanson, AMCT 10 year award

We ask you to assist us in recognizing these individuals for their ongoing support for the Association and for the part they continue to play in helping to improve the municipal profession and in making AMCTO the leading organization in fostering and sustaining municipal excellence.

Our sincere gratitude to you for your continued support for these valued AMCTO members and dedicated employees of your organization. We trust that your municipality has tremendously benefited from their membership in AMCTO and we are confident that it will continue to do so.

Sincerely,

Christine Norris, CMO  
President

cc: Chief Administrative Officer

AMCTO (ASSOCIATION OF MUNICIPAL MANAGERS, CLERKS AND TREASURERS OF ONTARIO)

2680 Skymark Avenue, Suite 910, Mississauga, Ontario L4W 5L6

Tel: (905) 602-4294 Fax: (905) 602-4295 Email: amcto@amcto.com Web: www.amcto.com

Dear Councilors

I am representing the Lanark Highlands business and tourism association and other businesses of the Lanark Highlands. We come to you today to ask that we go forward with water and sewer. It seems some of you are not seeing the long term benefits of sewer and water. We believe that going forward at this time is the wisest move. It is most important right now to have all our ducks in a row. WE need all you councilors to get on the same page and work together for once. Water and sewer is the only thing that is going to make Lanark Highlands prosper. We have builders in the wings waiting to build, but not until water and sewer comes, We have businesses anxious to move in or to expand, not until sewer and water. Highway 7 is being worked on as we speak. Are we not in the greatest position to grow as a bedroom community? Not until sewer and water. Putting all the preliminary work that has been done so far on a shelf is not going to help us get sewer and water. Telling our members of parliament two different stories, and having half our council not wanting what's best for our community is not going to get us sewer and water.

As a council its your job to sell the benefits to the people.

The people of Lanark Highlands need to know that without it we cannot grow or even survive. They need to know their property values will increase. Lets not scare people by telling them arbitrary costs of water hook up. This township needs to grow its tax base to maintain the roads, community hall, Library, fire stations and the like. As you can see by all the for sale signs in town , Lanark is not

currently a sought after place to live. Lets change that. The glory days of the Kitten mills will not come back by themselves, you guys need to step up and move forward to bring back to those prosperous days.

Many of us have businesses here in the village, or would like to start new ones. We cannot do anything with the state of our current infrastructure, or lack there of. We wonder how many more times you want to start this over? How many studies and meetings do we need? Is it not time to get off the fence and get it done. If I were a councilor, the legacy I would like to leave is that I was instrumental in making water and sewer a reality for this town.

As councilors you want to increase your <sup>Tax Revenue</sup> so build a place where people want to live and start businesses. Your tax base will soar very quickly. To us it's simple math and common sense, why are you fighting it? The people we are supposed to look up to are not the ones we should have to convince! We need to educate the people of this township of the benefits of healthy water for all. Just because no one has died in the last 100 years from the water, does not mean we should wait for that to happen before we do something. Then it would be to late. No one wants to live in a town with that stigma. It is <sup>Your</sup> ~~our~~ duty to carry out this project now!!

I am personally stunned at how far behind this township is in this regard. We can blame amalgamation , different politicians, <sup>Lack of Funding</sup> or we could fix it. We say fix it, sooner than later.

The costs are just going to go up. Look at our friends in Ottawa with their light rail proposal. It has gone up 300 million in less than a week. Now is **not** the time to put this

project on the shelf again.

It is time you work together as a council for the greater good of Lanark Highlands, work as a team, Listen to the people that voted you in. Talk to business owners and individuals. I think you find that once you explain the true benefits, people will not be in opposition. As a large part of your tax revenue represented here today, we see it as important that this project gets completed. If it takes hiring a lobbyist, do it. If it takes visiting the Prime Minister, do it. AS a business community we will help in any way we can, letter writing, phoning and talking to people, whatever is needed..

As the LHBTA we feel that this project must go through now. We want this area to grow. Enough of the excuses. As our representatives We need you to work as a team, overcome the obstacles and pressure our MP's to fix, not bandage our sewer and water problems.

Step up and do your part!

Thanks,  
Rene Bosman

President LHBTA

## Economic Impact of Lack of Sewer and Water

- 1 Folks have a right to expect clean water and a reliable sewer system in their homes and businesses and to insist their politician's deliver this basic necessity.
- 2 Lack of this basic necessity affects the community in the following ways:

Health  
Real Estate  
Business  
Taxes

- 1 Health – the County Health Dept. wrote to express the need for a communal water and sewer system in Lanark Village to resolve the long standing problem of 42% contaminated wells. The Health Dept knows these numbers can grow because of cross contamination. And yet in the face of this information and direction it is hard to understand why some of our councillors, MP and MPP do not use this information to pursue the necessary funding of the water and sewer project. (could it be they want to spend the money elsewhere) I guess we have learned nothing from Walkerton. We have a state of the Art Medical Centre displaying signs do not drink the water. Medical Centre is a training ground for young doctors giving them experience in rural Ontario with the expectation they will relocate to centres like Lanark Village upon graduation. Their primary question is why do we put up with bad water and why have the authorities not done anything about it.
- 2 Real Estate – Land values in general in Lanark Highlands

are depressed compared to neighbouring municipalities due to a lack of water and sewer. The Highlands should be a destination for tourists, new residents with young families and new businesses creating employment. Newcomers are reluctant to visit or relocate because of the stigma of bad water. We know for a fact that real estate agents tell buyers to stay way from Lanark Village because of the bad water and high taxes. This label is affixed to all the Highlands not just the Village. \

- 3 Business – the economic impact of the lack of communal water system affects the existing businesses and our ability to attract new ones. Existing business cannot expand because most water and septic systems are at maximum capacity and limited space. This present business climate is a deterrent to growth. Examples include Clyde Hall B&B who has been patiently waiting for 7 years for water and sewer – we came here –did our job by establishing a business and growing it and now when we need to expand our business we are handcuffed by the present situation. Other examples include the brewing company who wanted to make the Village its new home last summer but could not and a recent proposition by a local company to open a fine dining restaurant was abandoned because of the high cost of building a private water/sewer system. What about Kitten Mill one and the business person’s vision of making it a Code’s Mill. None of the growth above was achieved and you ask why not...because of the lack of infrastructure!!!
- 4 Taxes – We hear folks complain about high taxes in Lanark Highlands and we do too, but, this year we decided to see how our tax dollars are spent and how decisions are made within council, by attending the budget process meetings. What we learned from observing this process was:

The cost to operate the Highlands is high because of its size and the major Portion of our taxes go to road maintenance.

The tax burden is borne primarily by Residential property owners.

More businesses mean more taxes, more jobs and new development which would reduce the burden on residents.

We must insist upon a shared vision for the Highlands by its business and public leaders, if not, taxes will remain an issue. Instead of growing the Highlands and receiving more tax funds across a broader tax base to implement our vision we will be stuck in a 1950's mode. There was a report written for Council and adopted by Council 6 years ago that set out a vision for growth with the first recommendation "implement A communal water and sewer project as a start to growing the Highlands. We have a growth plan contained in this report – Why Not implement its recommendations.

In conclusion, it is essential we continue to take the necessary steps to finalize this project by establishing real costs, defined benefits and a business case thus enabling provincial officials to decide how much money they will give us.

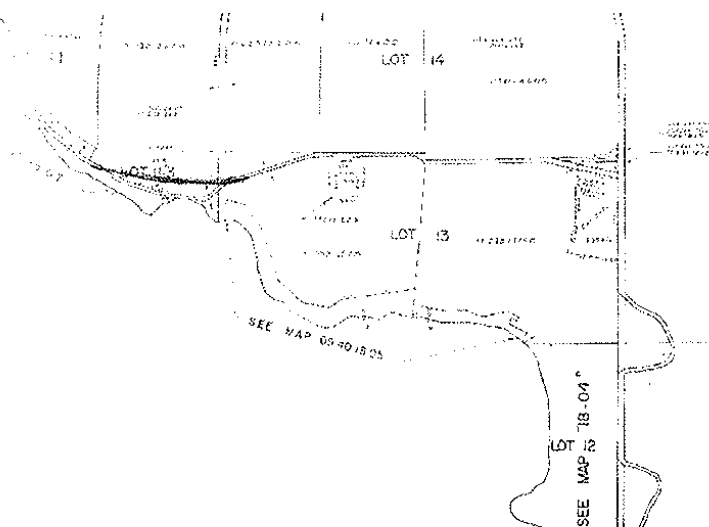
Decision making by successful and progressive councils must set aside petty personal differences and agendas, use and value expert advice available to them and move forward to accomplish the project i.e. a communal water and sewer system. Only when the above decision making process is followed will Council members

have met the obligation required of them when they chose to seek public office.

# Realignment of Northshore Road, Dalhousie Lake

Spring 2005 -

## History of Project



## Original Township Proposal Spring 2005

- ◆ Widening of 40' road allowance to 66' to allow for road to be constructed to current road standards with appropriate ditching to address erosion concerns.
- ◆ Widening to extend from the top of the hill to the creek.
- ◆ Road to be hard-topped from top of the hill to the creek.

## Concerns About The Proposal

- ◆ We were concerned about safety issues. Widening the road and hard topping it would encourage higher rates of speed by motorists. The road would narrow to approximately 20' at the creek where there was a blind curve. This is where the entrance to our lakeshore property is located.

- ◆ Township proposal did not address the blind curve or proximity of the road to Dalhousie Lake with associated drainage issues and run-off into the lake on the west end of the property.
- ◆ We had a hard time accepting that 66' was required to address a drainage issue.

## Counter Proposal

- ◆ We proposed deeding land to the Township to eliminate the blind curve at the creek and allow the Township to move the road away from the lake to improve the drainage and run-off issues in this area.
- ◆ In return, we asked that the *unopened road allowance* that ran through our property be closed. We agreed to deed a 66' portion of our lakeshore to the Township as an *alternate unopened road allowance* to facilitate this closing.

## Safety

- ◆ Our *safety concerns* around the width of the road remained, particularly on the west end by the entrance to Dalhousie Lodge where the road narrows sharply with large pine trees on either side. The main entrance to Dalhousie Lodge is located there. We have three field entrances along that stretch of road.



## The Agreement, July 2006

- ◆ Section 2 - "Said lands shall be sixty-six feet in width ....tapered to forty feet at the western extremity"
- ◆ Our Expectation - To address *drainage issues*, that the entire length of the road (including the 66' deeded to the Township) would be ditched.
- ◆ To address *safety concerns*, that the roadbed would begin tapering to 40' at the creek and funnel into the existing roadbed at the western extremity

## Agreement cont'd.

- ◆ Section 5 – “the Township shall fence both sides of the new *roadway* with fencing similar to the existing fence”
- ◆ Our Expectation – that the entire *roadway* on both sides would be fenced.

## Agreement cont'd.

- ◆ Section 3 ... “Upon completion of the realignment, any lands not required by the Township will be deeded to McLenaghan.”
- ◆ Our Expectation – any lands not required for the *realignment* would be deeded to me.

## Agreement cont'd.

- ◆ Section 6 – Following the closure of the unopened road allowance...McLenaghan agrees to transfer to the Township a sixty-six foot right-of-way...in lieu of the unopened road allowance”
- ◆ Our Expectation – that the shoreline exchange was an exchange *in kind*; that it would be ditched, fenced and maintained in its *natural state*.

## What Happened?

- ◆ The 66' was not ditched.
- ◆ The 66' was not fenced.
- ◆ The 66' was covered in gravel.
- ◆ Superfluous land was not deeded to me.
- ◆ No consultation



## Additional Facts

- ◆ There were no construction drawings to help us understand how the work would proceed, or what the road might look like upon completion.
- ◆ We were told the construction would take about 4 weeks. It took two years.

- ◆ From the fall of 2007 until the fall of 2008 we had no access/fencing to our fields forcing us to make costly and temporary arrangements for the care of horses.
- ◆ There was no dust suppression during construction
- ◆ There was no sediment control unless and until I requested it.
- ◆ There was drainage failure in the spring of '09
- ◆ Dealing with the many issues associated with this project has been time consuming and stressful for both the Christinis and us. We are appealing to the township at this time to honor the terms and spirit of the agreement.

THE CORPORATION OF THE  
TOWNSHIP OF LANARK HIGHLANDS

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BY-LAW NO. 2006 - 713

BEING A BYLAW TO AUTHORIZE THE  
CHIEF ADMINISTRATIVE OFFICER TO EXECUTE  
AN AGREEMENT WITH SUSAN McLENAGHAN RESPECTING  
THE REALIGNMENT OF THE NORTH SHORE ROAD  
GEOGRAPHIC TOWNSHIP OF DALHOUSIE

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**WHEREAS** Section 8 of the *Municipal Act, 2001* provides the municipality with the powers of a natural person and the authority to govern their affairs as they consider appropriate;

**AND WHEREAS** the Council of the Corporation of the Township of Lanark Highlands deems it expedient to enter into an Agreement with Susan McLenaghan respecting the realignment of the North Shore Road in the geographic township of Dalhousie.

**NOW THEREFORE** the Corporation of the Township of Lanark Highlands enacts as follows:

1. **THAT** the Chief Administrative Officer be and is hereby authorized to execute the attached Agreement with Susan McLenaghan and to do or to cause to be done all manner or act or anything to give full force and effect to this By-law.
2. **THAT** the Agreement and Schedules annexed hereto be made part of this By-law.
3. **THAT** this By-law shall come into force and effect immediately upon the passage thereof.

**READ** a FIRST, SECOND and THIRD TIME Short this 11th day of July 2006.

  
\_\_\_\_\_  
Mayor - Lawrence McDermott

  
\_\_\_\_\_  
Clerk - Mary Kirkham

# AGREEMENT

**BETWEEN:**

*The Corporation of the Township of Lanark Highlands (the "Township")  
of the First Part*

*-and-*

*RIDGEMOUNT RIDGE REALTY LTD. SM.  
Susan McLenaghan ("McLennaghan")  
of the Second Part*

In consideration of the obligations stipulated herein, the parties hereto covenant and agree as follows:

1. Following the closure of the road allowances described in Section 12 herein, McLennaghan agrees to transfer to the Township the property identified, staked, and reviewed by McLennaghan and Superintendent of Public Works Glenn Kargus on September 29, 2005 between the east limit of the McLennaghan property to the McLennaghan house for the purpose of widening the North Shore Road in the vicinity of Sugar Bush Hill. The property to be transferred to the Township is shown on the sketch attached hereto as Schedule "A" (Proposed Sugarbush Hill Improvements).
2. The "Additional Land Required to Accommodate Future Works" highlighted on Schedule "A" Rev. 1 shall be deeded to the Township. Said lands shall be sixty-six (66) feet in width, centered on the large culvert at the eastern edge, and tapered to forty (40) feet at the western extremity of the "Additional Lands" measured from the existing fence line northerly forty (40) feet. McLennaghan shall retain the use of said lands within the X Concession until the North Shore Road is constructed to its new alignment by the Township.
3. The Township, in its sole discretion, will determine the date that the North Shore Road in Concession X will be realigned. Upon completion of the realignment, any lands not required by the Township will be deeded to McLennaghan.
4. The Township shall retain that portion of the existing roadway adjacent to the sixty-six (66) feet of frontage being deeded to the Township by McLennaghan as an alternate access to Dalhousie Lake.
5. Upon completion of the works associated with the realignment of the North Shore Road in Concession X the Township shall fence both sides of the new roadway, with fencing similar the existing fence, inclusive of two entrances and gates.
6. Following the closure of the unopened road allowance between Concessions IX and X, geographic Township of Dalhousie, from North Shore Road southerly to Dalhousie Lake, McLennaghan agrees to transfer

*SM.*

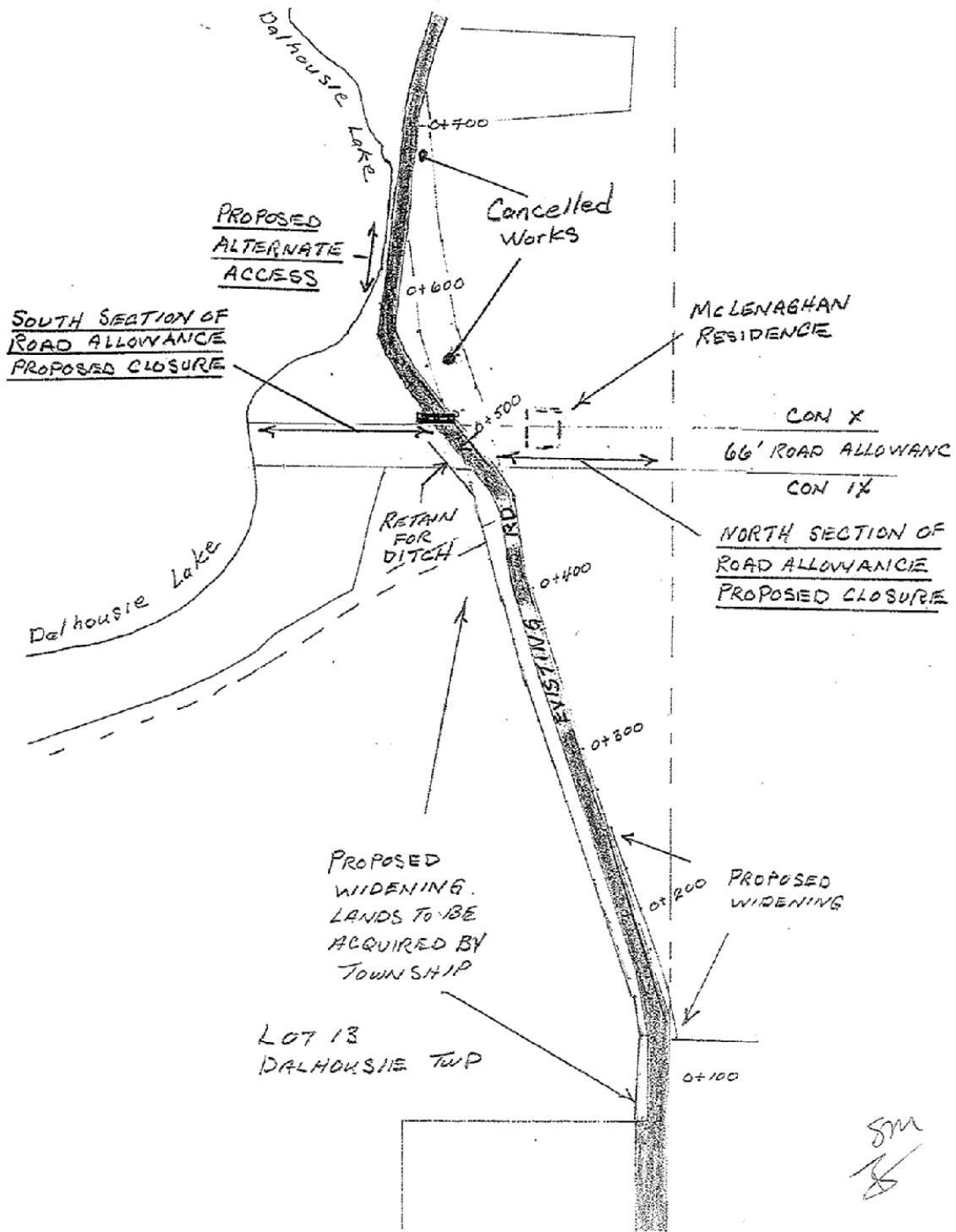
to the Township a sixty-six (66) foot right-of-way from the North Shore Road southerly to Dalhousie Lake at the west boundary of the McLenaghan property in lieu of the unopened road allowance conveyed to McLenaghan by the Township.

7. Following construction of the new road by the Township, any disturbed fences will be replaced by the Township with a fence of similar construction on the new property line. The new right-of-way from the McLenaghan house to the west limit of the new road shall be fenced by the Township at its expense on both sides with a cedar patent fence 4 rails high tying into existing fences at both ends. Existing cedar rails may be dismantled and reused wherever possible however the Township will be responsible for supplying additional cedar rails as required to complete the fence.
8. All existing field entrances shall be retained or, if disturbed, reconstructed by the Township at its expense (including culverts and gates).
9. Any trees cleared as a result of construction activity shall be sorted into saw log lengths (8ft+) or firewood lengths (4ft) depending on diameter and species. Generally those trees to be saved for saw logs will be 10" + in diameter. All logs and firewood will be placed on McLenaghan's property in areas designated by McLenaghan.
10. The Township will be responsible for all survey and legal costs associated with completing the transactions described herein.
11. At no cost to the Township, McLenaghan will provide the Township with copies of surveys prepared in 2004 by George Bracken, OLS to describe the road allowances referred to in this Agreement.
12. At its expense, the Township will prepare, advertise and introduce By-laws to:
  - a) Close the road allowance between Concessions IX and X, geographic Township of Dalhousie, from North Shore Road southerly to Dalhousie Lake.
  - b) Close the road allowance between Concessions IX and X, geographic Township of Dalhousie, from North Shore Road northerly to the northern limit of the McLenaghan property presently occupied by buildings.
13. The Township acknowledges that a portion of the lands being transferred by McLenaghan include a demonstration forest developed in cooperation with the Eastern Ontario Model Forest (Scott Davis, Project Coordinator). The uniqueness of this forest relates to the natural regeneration of the red oak trees that dominate the plantation. To this end, during road construction activities, the Township agrees to disturb as little of the demonstration forest land as possible and allow the EOMF group to measure and monitor what effects, if any, the roadwork will have on the forest in this area. For the purposes of this clause, the Township's responsibility will be strictly limited to ensuring that the equipment



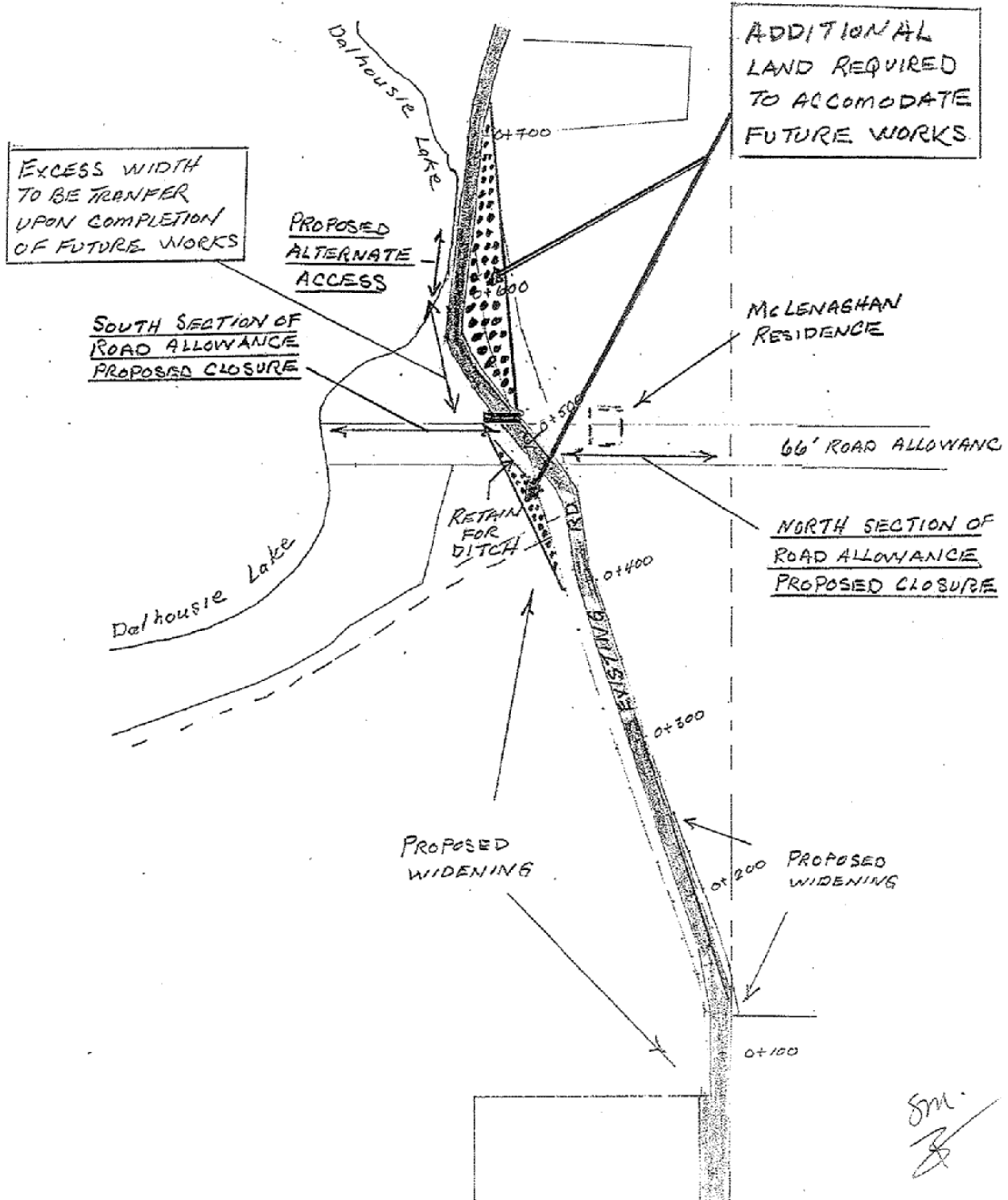
# SCHEDULE "A"

## PROPOSED SUGARBUSH HILL IMPROVEMENTS



SCHEDULE "A" REV. 1

PROPOSED SUGARBUSH HILL IMPROVEMENTS



CHRISTINI'S  
DALHOUSIE LODGE COTTAGES

WINTER

One York Avenue  
Towanda, Pennsylvania 18848-1921  
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e-mail [jnchome@cpix.net](mailto:jnchome@cpix.net)

SUMMER

Box 132  
McDonalds Corners, Ont. K0G 1M0  
613-278-2114  
e-mail [jnclake@superaje.com](mailto:jnclake@superaje.com)

Council, Township of Lanark Highlands  
75 George St. PO Box 340  
Lanark, ON K0G 1K0

October 5, 2009

Re: Background documents

Council Members:

In 2006, we were approached by our neighbor, Susan McLenaghan, to see if we had any objections to having the unopened road allowance which went through her property moved to its western boundary. This would then locate it at the eastern edge of our property. We were assured that it should not affect us in any way so we readily agreed. She then proceeded to work on the agreement with the Township.

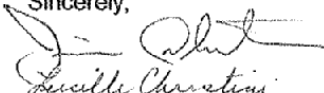
In 2007 when we returned to the lake, we were informed that the Sugar Bush Hill project was scheduled for the fall and noted that there were survey stakes on our property. These seemed to indicate that our lane/driveway entrance apparently would also be involved. We immediately sent an e-mail to Glenn Kargus requesting a meeting to discuss the project and asked him if there were any changes planned for the entrance to our driveway. The attached e-mail response indicated only that our driveway would be tied into the realigned roadway. (e-mails attached) That was our only response from Glenn or anyone else representing the township prior to the actual construction.

In the late fall of 2008 as the project was being finished, I approached Glenn as he visited the project to see if a culvert was going to be installed across the end of our driveway. His intention was to allow the water to drain down our driveway so I requested that he install a culvert to alleviate the erosion of our driveway. Without any further dialogue between us, a culvert was installed across our land instead of along the realigned roadway. Gravel was then dumped on all of the rest of the land between our property and realigned roadway – again without any input from us – just as we were closing up our cottages and going home for the winter.

This spring (2009) we realized that the culvert was a safety hazard, both upon entering our property and for those traveling east on the roadway since it could not be seen at night. Not only did our formerly rustic-looking entrance now look bad; it was also dangerous as people could easily end up in that ditch. So we decided to build a patent fence to match that which was installed along the rest of the new roadway – both for safety and to make the entrance to our business once again look attractive. This fence does not project onto the new realigned roadway but it does protect the culvert and makes the entranceway to our business look much more attractive and welcoming to our customers. The gravel parking lot still detracts from the appearance of our property and we would like it removed, seeded with grass and eventually allowed to return to its former natural look. If permitted to purchase it, we would plant trees and flowers in that area and maintain it.

Attachments A, B & C show the area as it is now, how it should have been constructed and what parcel we would like to purchase.

Sincerely,



Jim & Lucille Christini

CHRISTINI'S  
DALHOUSIE LODGE COTTAGES

WINTER  
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Council, Township of Lanark Highlands  
75 George St. PO Box 340  
Lanark, ON K0G 1K0

October 5, 2009

Re: Purchase of parcel of land.

Council Members:

We are requesting to purchase the parcel of land as described below if it is not returned to Susan McLenaghan per her agreement with the Township prior to the construction of the Sugar Bush Hill project.

**Description:**

Triangle of land bounded by the western edge of the new unopened road allowance, the southern edge of the new aligned North Shore Rd. and the property of James N. & E. Lucille Christini. More accurately decribed as the the triangle of land bounded by the new 66 foot unopened road allowance starting at the North East corner of the property of James N. & E. Lucille Christini and going N44°47'W for 38.04' to the southern edge of the new aligned North Shore Rd.; then going ~257' along the southern edge of the the new aligned North Shore Rd. to a SiB located west end of the new aligned North Shore Rd. ; then going N63°10'15"E for 133.77' then continuing at N63°42'40"E for 136.08'to the starting point. All data is from the survey (Plan 27R-5956 dated 6-21-1994) of properties of James N. & Lucille Christini and the survey developed for the transfer of land as agreed on by the Township and Susan Mclenaghan.

We are also requesting that the gravel be removed from the areas not used for the driveway and that it be allowed to return to its natural state by covering with top soil and then seeded with grass. In addition, we would like to have the ditch and culvert re-worked to comply with the original intent of the project as outlined in attachment B.

Thank you for your consideration to these matters.

Sincerely,

  
Jim & Lucille Christini