



The Corporation of
THE TOWNSHIP OF LANARK HIGHLANDS

COUNCIL AGENDA

Thursday, January 26th, 2012

**Immediately Following the Public Meeting- Official Plan Amendment/Zoning
Amendment at 7:00 p.m.**

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

**7:00 p.m. Public Meeting – Official Plan Amendment & Zoning Amendment*

**Following Council Meeting*

Chair, Mayor Peter McLaren

- 1. CALL TO ORDER**
- 2. MOMENT OF SILENT MEDITATION**
- 3. ROLL CALL**
- 4. DISCLOSURE OF PECUNIARY INTEREST & GENERAL NATURE THEREOF**
- 5. APPROVAL OF AGENDA**

*Suggested Motion by Councillor Bob Sutcliffe
“**THAT**, the agenda be adopted as presented.”*

- 6. APPROVAL OF COUNCIL MINUTES**

*Suggested Motion by Councillor Derek Love
“**THAT**, the minutes of the Lanark Highlands Township Council meeting held on
December 15th, 2011 be approved as circulated.”*

- 7. DELEGATIONS & PRESENTATIONS**

None

- 8. COMMUNICATIONS**

None

- 9. REPORTS**

- i) **Committee of the Whole: December 13th, 2011 Meeting – attached pages 5-9.**
Chair, Deputy Mayor Brian Stewart.

Suggested Motion by Deputy Mayor Brian Stewart

“THAT, the Thirty Sixth (36th) Report of the Committee of the Whole for 2011 be adopted as presented.”

- ii) **Committee of the Whole: January 10th, 2011 Meeting – attached pages 10-11.**
Chair, Deputy Mayor Brian Stewart.

Suggested Motion by Deputy Mayor Brian Stewart

“THAT, the First (1st) Report of the Committee of the Whole for 2012 be adopted as presented.”

10. MOTIONS

- i) None.

11. BY-LAWS

- i) **By-Law No. 2012-1159: Interim Tax Levy By-Law – attached, pages 12-14.**

Suggested Motion by Councillor Ken Sinclair:

“THAT, By-Law No. 2011-1159, being a by-law to provide for an interim tax levy for the year 2012 , be read a first, second and third time short and passed and signed by the Mayor and Clerk.”

- ii) **By-Law No. 2012-1160: Borrowing for Current Expenditures By-Law – attached, pages 15-16.**

Suggested Motion by Councillor Bob Mingie:

“THAT, By-Law No. 2011-1160, being a by-law for the borrowing of money to meet current expenditures for the year 2012 , be read a first, second and third time short and passed and signed by the Mayor and Clerk.”

- iii) **By-Law No. 2012-1161: Official Plan Amendment No.5 By-Law – attached, page 17.**

Suggested Motion by Councillor Bob Mingie:

“THAT, By-Law No. 2011-1161, being a by-law to adopt Official Plan Amendment No.5 , be read a first, second and third time short and passed and signed by the Mayor and Clerk.”

- iv) **By-Law No. 2012-1162: Zoning Amendment By-Law – attached, pages 18-20.**

Suggested Motion by Councillor Tom Lalonde:

“THAT, By-Law No. 2012-1162, (File #ZA10/006) being a by-law to amend the Township of Lanark Highlands Zoning By-Law No. 2003-451 be read a first, second and third time short and passed and signed by the Mayor and Clerk.”

12. IN-CAMERA ITEMS

None.

13. NEW/OTHER BUSINESS

- i) **County of Lanark Update(s) (verbal).**
Mayor Peter McLaren and Deputy Mayor Brian Stewart.

A copy of the County’s Agendas and Minutes can be found on the County website at the following link: <http://www.county.lanark.on.ca/Page418.aspx>

Suggested Motion by Councillor Bob Sutcliffe:

“THAT, the County of Lanark Update(s) (verbal) be received for information.”

14. NOTICE OF MEETINGS

Committee of the Whole (budget)	1:00 p.m.	Monday, January 30 th , 2012
Committee of the Whole:	2:30 p.m.	Tuesday, February 14 th , 2012
Committee of the Whole:	2:30 p.m.	Tuesday, February 21 st , 2012
Council:	7:00 p.m.	Thursday, February 23 rd , 2012

15. CONFIRM COUNCIL PROCEEDINGS

- i) **By-Law No. 2011-1163: Confirmation By-Law – attached, pages 21-22.**

Suggested Motion by Councillor Derek Love:

“THAT, By-Law No. 2011-1163, being a by-law to confirm the proceedings of the Council meeting held on January 26th, 2012, be read a first, second and third time short and passed and signed by the Mayor and Clerk.”

16. DEFERRED ITEMS

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

- *None at this time.*

17. ADJOURNMENT

18. SINGING OF “O CANADA”

*Ross Trimble,
CAO/Clerk*

*Peter McLaren,
Mayor*



**THIRTY SIXTH
REPORT OF THE COMMITTEE OF THE WHOLE
December 13th, 2011**

To the Members of Lanark Highlands Township Council.

We, the Members of your Committee of the Whole beg leave to report Section “A” as information and Section “B” as follows:

Building, Planning & Protective Services

“A” 1. **Report #PD-39-2011 Consent Application B11/105 – Lot Addition (McLaren) Pt of Lot 3, Concession 4, Geographic Township of Lanark**

“B” 1. **RESOLUTION #COW-2011-607**

MOVED BY: Bob Sutcliffe
SECONDED BY: Tom Lalonde

“**THAT** Council recommends to the Land Division Committee of County of Lanark that consent application B11/105 be approved subject to the following conditions;

1. An acceptable reference plan or legal description of the severed lands be submitted to the township.
2. That the applicant pays any outstanding fees to the Township prior to final approval.”

ADOPTED

“A” 2. **Report #PD-40-2011 Consent Application B11/137 – New Lot (Neilson) Pt of Lot 7, Concession 2, Geographic Township of Lanark**

“B” 2. **RESOLUTION #COW-2011-608**

MOVED BY: Peter McLaren
SECONDED BY: Ken Sinclair

“**THAT** Council recommends to the Land Division Committee of County of Lanark that consent application B11/137 be approved subject to the following conditions;

1. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.
2. An acceptable reference plan or legal description of the severed lands and the deed be submitted to the township.

3. That the applicant pays any outstanding fees to the Township prior to final approval.
4. That the applicant submits the 5% cash-in-lieu of parkland dedication fee to the Township.
5. The applicant shall obtain a Civic Address Number from the Township. The applicant shall consult directly with the Township in this regard.”

ADOPTED

**“A” 3. Report #PD-40-2011 Consent Application B11/138 – New Lot (Neilson)
Pt of Lot 7, Concession 2, Geographic Township of Lanark**

“B” 3. RESOLUTION #COW-2011-609

MOVED BY: Tom Lalonde
SECONDED BY: Derek Love

“THAT Council recommends to the Land Division Committee of County of Lanark that consent application B11/138 be approved subject to the following conditions;

1. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.
2. An acceptable reference plan or legal description of the severed lands and the deed be submitted to the township.
3. That the applicant pays any outstanding fees to the Township prior to final approval.
4. That the applicant submits the 5% cash-in-lieu of parkland dedication fee to the Township.
5. The applicant shall obtain a Civic Address Number from the Township. The applicant shall consult directly with the Township in this regard.”

ADOPTED

**“A” 4. Report #PD-41-2011 Consent Application B11/139 – New Lot (Henckel)
Pt of Lot 27, Concession 8, Geographic Township of Lanark**

“B” 4. RESOLUTION #COW-2011-610

MOVED BY: Bob Sutcliffe
SECONDED BY: Tom Lalonde

“THAT Council recommends to the Land Division Committee of County of Lanark that consent application B11/138 be approved subject to the following conditions;

1. The balance of any outstanding taxes, including penalties and interest, (and any local improvement charges, if applicable) shall be paid to the Township.
2. An acceptable reference plan or legal description of the severed lands and the deed be submitted to the township.
3. That the applicant pays any outstanding fees to the Township prior to final approval.
4. That the applicant submits the 5% cash-in-lieu of parkland dedication fee to the Township.
5. The applicant shall obtain a Civic Address Number from the Township. The applicant shall consult directly with the Township in this regard."

ADOPTED

“A” 5. Report #PD-42-2011 Consent Application B11/140 – Lot Addition (Ladley) Pt of Lot 5, Concession 8, Geographic Township of Lavant

“B” 5. RESOLUTION #COW-2011-611

MOVED BY: Tom Lalonde

SECONDED BY: Peter McLaren

“THAT Council recommends to the Land Division Committee of County of Lanark that consent application B11/140 be approved subject to the following conditions;

1. An acceptable reference plan or legal description of the severed lands be submitted to the township.
2. That the applicant pays any outstanding fees to the Township prior to final approval.”

ADOPTED

Public Works & Waste Management Committee

“A” 6. Report #PMMW-14-2011 Engineering Technician Position

“B” 6. RESOLUTION #COW-2011-615

MOVED BY: Peter McLaren

SECONDED BY: Bob Sutcliffe

“THAT, the Committee choose option #3 from Report #PWWM-14-2011.”

DEFEATED

“C” 6. RESOLUTION #COW-2011-616

MOVED BY: Tom Lalonde
SECONDED BY: Bob Mingie

“THAT, staff is directed to bring other options forward as part of the 2012 budget approval process.”

ADOPTED

In Camera Items

“A” 7. Security of Property – Request by Lanark County OPP

“B” 7. RESOLUTION #COW-2011-623

MOVED BY: Bob Mingie
SECONDED BY: Ken Sinclair

“THAT, the Committee of the Whole recommends to Council to support the request by Lanark OPP to assist them in the purchase of equipment to be used in Lanark County in the amount of \$500;

AND THAT, the funds be allocated form the 2011 Municipal Drug Strategy Budget.”

ADOPTED

All of which is respectfully submitted by:

Chair, Brian Stewart

**Direction by the Mayor:
Council may remove items in Section "B" to be voted on separately prior to
introducing a motion to accept the report in its entirety.**

Moved and Seconded by:

Moved By:

Seconded By

Adopted this 26th, day of January 2012

Peter McLaren, Mayor

Ross Trimble, Clerk



To the Members of Lanark Highlands Township Council.

We, the Members of your Committee of the Whole beg leave to report Section “A” as information and Section “B” as follows:

Building, Planning & Protective Services

“A” 1. Report on Township Official Plan - next steps (verbal).

Planning Administrator/Deputy Clerk Rob Wittkie reported on the following:

- Obtaining a quote for Planning Consultant services to proceed with the Townships Official Plan Review.
- To include in the quote, Planning Consultant services on an hourly basis for day to day business.

“B” 1. RESOLUTION #COW-2012-004

“THAT, staff obtains a quote from Delcan to review the Ministry of Municipal Affairs comments and provide a report for the next Committee of the Whole meeting;

AND THAT the quote also include an hourly rate for Planning consulting services on an hourly basis.”

New/Other Business

“A” 2. 2012 Frosty Fling

“B” 2. RESOLUTION #COW-2012-005

“THAT the Committee of the Whole supports the 2012 Lanark Highlands Frosty Fling by providing a \$500 donation.

All of which is respectfully submitted by:

Chair, Brian Stewart

**Direction by the Mayor:
Council may remove items in Section "B" to be voted on separately prior to
introducing a motion to accept the report in its entirety.**

Moved and Seconded by:

Moved By:

Seconded By

Adopted this 26th, day of January 2012

Peter McLaren, Mayor

Ross Trimble, Clerk

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

BY-LAW NO. 2012-1159

**BEING A BY-LAW TO PROVIDE FOR AN INTERIM TAX LEVY
FOR THE YEAR 2012**

WHEREAS, Section 317 (1) and (2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a local municipality may, before the adoption of the estimates for the year under Section 290, may pass a by-law levying amounts on the assessment of property in the local municipality rateable for local municipal purposes;

AND WHEREAS, Section 317 (3), provides the rules regarding the amounts to be levied;

AND WHEREAS, Section 342, provides that a local municipality may pass by-laws providing for instalments of taxes;

AND WHEREAS, Section 345, provides that a local municipality, in accordance with this section, pass by-laws to impose late payment charges for the non-payment of taxes or any instalment by the due date;

AND WHEREAS, the Council of the Corporation of the Township of Lanark Highlands deems it expedient to provide for an Interim Tax Levy for the year 2012 and to fix the dates upon which Interim and Final Tax Levies shall become due and payable;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of the Township of Lanark Highlands enacts as follows:

1. GENERAL REGULATIONS

1.1 THAT, the amounts to be levied are subject to the following rules:

- a)** The amount levied on a property shall not exceed the prescribed percentage or 50 per cent if no percentage is prescribed, of the total amount of taxes for municipal and school board purposes levied on the property for the previous year.
- b)** The percentage under paragraph a) may be different for different property classes but shall be the same for all properties in a property class.

**THE CORPORATION OF THE TOWNSHIP OF LANARK HIGHLANDS
BY-LAW NO. 2012-1159**

c) For the purposes of calculating the total amount of taxes for the previous year under paragraph a), if any taxes for municipal and school purposes were levied on a property for only part of the previous year because assessment was added to the tax roll during the year, an amount shall be added equal to the additional taxes that would have been levied on the property if the taxes for municipal and school purposes had been levied for the entire year.

1.2 THAT, the interim tax levies and final tax levies shall be levied and collected upon the whole of the rateable properties.

1.3 THAT, the **Interim Tax Levy** shall become due and payable in two equal instalments on February 29th, 2011 and April 30th, 2011.

1.4 THAT, the **Final Tax Levy** shall become due and payable in two equal instalments on August 31st, 2012 and October 31st, 2012.

1.5 THAT, when payment of any instalment or any part of any instalment of taxes levied by this by-law is in default, a **penalty** of 1.25 per cent per month that the default continues shall be imposed.

1.6 THAT, **interest** and/or **penalty** charges shall be added on the first day of each and every month that the default continues.

1.7 THAT, the following **Alternative Payment Methods** may be used:

- “Pre-Authorized Payment Agreement”
(requires completion of “Enrolment Authorization Card”)
- “Interac” (Municipal Office only).
- “On-Line”
- “Telephone”
- “Internet”

1.8 THAT, the interim tax levy rates and final tax levy rates shall also apply to any property added to the assessment roll after this by-law is enacted.

2. ULTRA VIRES

Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

**THE CORPORATION OF THE TOWNSHIP OF LANARK HIGHLANDS
BY-LAW NO. 2012-1159**

3. BY-LAWS TO BE RESCINDED

THAT, By-Law No. 2010-1101 is hereby rescinded.

4. EFFECTIVE DATE

THAT, this by-law shall come into force and effect as of the 1st day of January 2012.

ENACTED AND PASSED this 26th day of January, 2012.

Peter McLaren, Mayor

Ross Trimble, Clerk

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

BY-LAW NO. 2012-1160

**BORROWING OF MONEY TO MEET CURRENT EXPENDITURES
FOR THE YEAR 2012**

WHEREAS, Section 407 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that at any time during a fiscal year, a municipality may authorize temporary borrowing, until the taxes are collected and other revenues are received, of the amounts that the municipality considers necessary to meet the expenses of the municipality for the year ;

AND WHEREAS, the Council of the Corporation of the Township of Lanark Highlands deems it necessary to arrange credit in the sum of up to Three Million Dollars (\$3,000,000.00) to meet, until the taxes are collected, the expenses of the municipality for the year 2012;

AND WHEREAS, the amount of estimated revenues to the municipality for 2011 have not yet been adopted;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of the Township of Lanark Highlands enacts as follows:

1. GENERAL REGULATIONS

- 1.1 THAT**, the Mayor and Treasurer or their designates are authorized on behalf of the Corporation of the Township of Lanark Highlands to borrow from time to time from the Bank of Montreal, by way of promissory note or an overdraft, a sum not to exceed Three Million Dollars (\$3,000,000.00), with interest charged at a rate not exceeding prime percent per annum.
- 1.2 THAT**, the Treasurer is authorized and directed to make repayments of all sums borrowed on a temporary basis as per the requirements of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, and as per the terms and conditions of the overdraft agreement.

**THE CORPORATION OF THE TOWNSHIP OF LANARK HIGHLANDS
BY-LAW NO. 2012-1160**

2. ULTRA VIRES

Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

3. BY-LAWS TO BE RESCINDED

THAT, By-Law No. 2010-1103 is hereby rescinded.

4. EFFECTIVE DATE

THAT, this by-law shall come into force and effect as of the 26th day of January 2012 and remain in effect until December 31st, 2012.

ENACTED AND PASSED this 26th day of January, 2012.

Peter McLaren, Mayor

Ross Trimble, Clerk

THE CORPORATION OF THE
TOWNSHIP OF LANARK HIGHLANDS

BY-LAW NO. 2012 - 1161

BEING A BYLAW TO ADOPT AMENDMENT NO. 5
TO THE LANARK HIGHLANDS OFFICIAL PLAN

WHEREAS Section 17 of the *Planning Act*, provides authority to municipal Councils to adopt Official Plans and amendments thereto to manage and direct physical change and the effects of social, economic and natural environment of the municipality;

AND WHEREAS the recommendation has been made to the Township of Lanark Highlands Council by the Planning Department that the Explanatory Text and Schedules constituting Amendment No. 5 to the Lanark Highlands Official Plan be adopted by the Council in accordance with the provisions of *the Planning Act*;

NOW THEREFORE the Corporation of the Township of Lanark Highlands ENACTS AS FOLLOWS:

- 1/ **THAT** Amendment No. 5 to the Lanark Highlands Official Plan, a copy of which is attached to and forms part of this By-law be and is hereby adopted.
- 2/ **THAT** the Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs and Housing for the approval of the aforementioned Amendment No. 5 to the Lanark Highlands Official Plan.

ENACTED AND PASSED this 26th day of January, 2012.

Peter McLaren, Mayor

Ross Trimble, Clerk

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

BY-LAW NO. 2012-1162

**A BY-LAW TO AMEND ZONING BY-LAW NO. 2003-451
(Acorn Envirocon – File #ZA10/006)**

WHEREAS, the *Planning Act, R.S.O. 1990, Chapter P.13 Section 34 as amended*, provides that the Councils of local municipalities may enact by-laws regulating the use of land and the erection, location and use of buildings and structures within the municipality;

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

AND WHEREAS, the Council of the Corporation of the Township of Lanark Highlands deems it advisable to amend By-Law No. 2003-451 as hereinafter set out;

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

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of the Township of Lanark Highlands enacts as follows:

1. GENERAL REGULATIONS

- 1.1 THAT**, By-Law No. 2003-451, is hereby amended by amending the zoning on the lands legally described as Part Lot 3 Concession 6, Geographic Township of Lanark now in the Township of Lanark Highlands, County of Lanark from Mineral Aggregate Resource Area (MXP), to Rural (RU) in accordance with Schedule “A” attached hereto and forming part of this By-Law.
- 1.2 THAT**, all other applicable standards and requirements of the Official Plan and of By-Law No. 2003-451 shall apply to the subject property.
- 1.3 THAT**, this By-Law shall come into force and effect with the passing thereof, in accordance with *the Planning Act*.

2. ULTRA VIRES

Should any sections of this by-law, including any section or part of any schedules attached hereto, be declared by a court of competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

**THE CORPORATION OF THE TOWNSHIP OF LANARK HIGHLANDS
BY-LAW NO. 2012-1162**

3. EFFECTIVE DATE

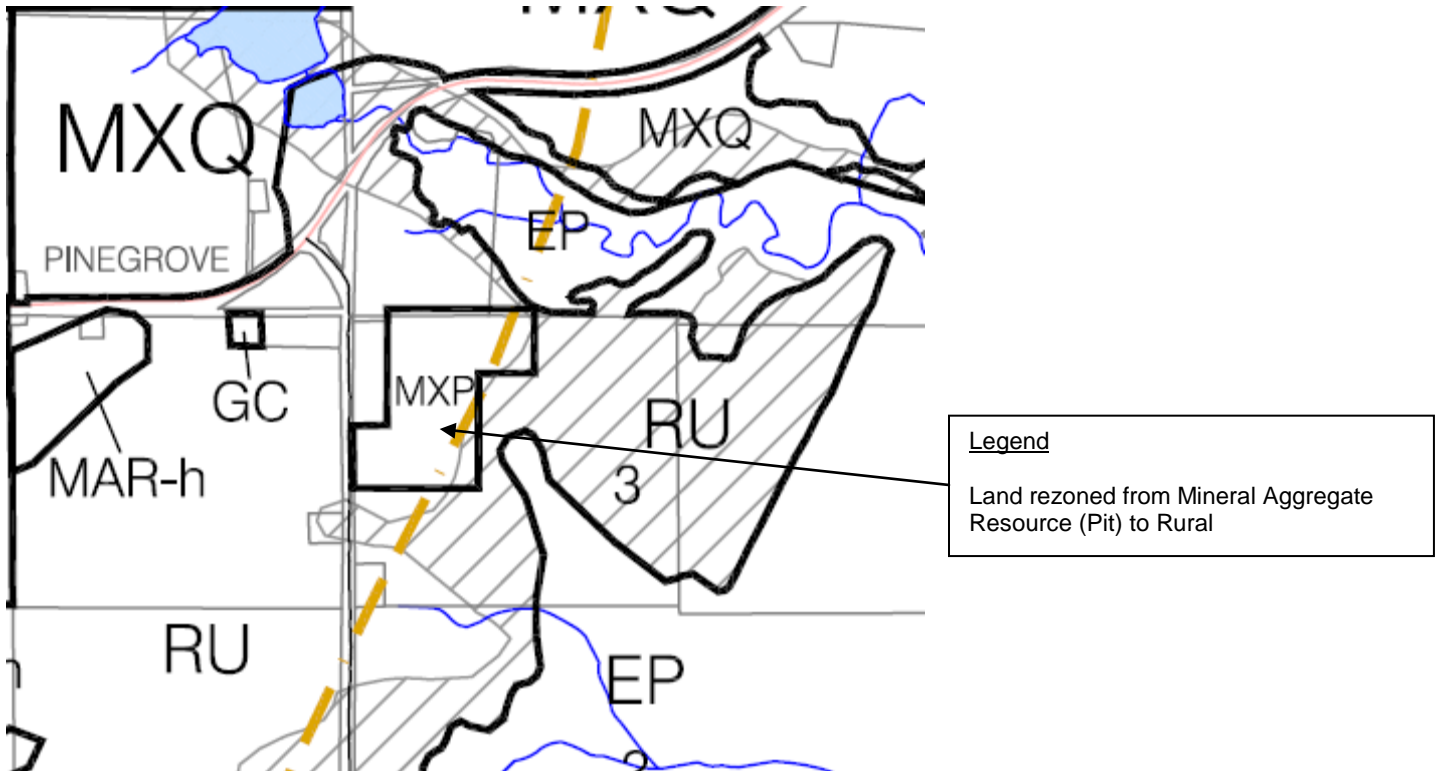
ENACTED AND PASSED this 26th day of January, 2012.

Peter McLaren, Mayor

Ross Trimble, Clerk

THE CORPORATION OF THE TOWNSHIP OF LANARK HIGHLANDS
BY-LAW NO. 2012-1162

SCHEDULE "A"



To By-Law No. 2012-1162
Geographic Township of Lanark
Township of Lanark Highlands

Area affected by this By-Law

Mineral Aggregate Resource to Rural

Certificate of Authentication.

This is Schedule "A" to By-Law 2012-1162
passed this 26th day of January 2012.

Mayor

Clerk

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

BY-LAW NO. 2012-1163

**A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE
CORPORATION OF THE TOWNSHIP OF LANARK HIGHLANDS
AT ITS MEETING HELD ON
January 26th, 2012**

WHEREAS, Section 5 of *the Municipal Act, 2001 S.O. 2001, c.25, as amended*, provides that the powers of a municipality shall be exercised by its council;

AND WHEREAS, Section 9 of *the Municipal Act, 2001 S.O. 2001, c.25, as amended*, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Municipal Act or any other Act;

AND WHEREAS, Section 5(3), provides that a municipal power, including a municipality's capacity, rights, powers and privileges under Section 9, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS, it is deemed expedient that the proceedings of the Council of the Corporation of the Township of Lanark Highlands at its meeting be confirmed and adopted by By-Law;

NOW THEREFORE BE IT RESOLVED THAT, the Council of the Corporation of the Township of Lanark Highlands enacts as follows:

1. GENERAL REGULATIONS

- 1.1 THAT**, the actions of the Council of the Corporation of the Township of Lanark Highlands at its meetings held on the 26th, day of January, 2012 in respect of each recommendation contained in the reports of the Committees and each motion and resolution passed and other action taken by the Council of the Corporation of the Township of Lanark Highlands at its meetings is hereby adopted and confirmed as if all such proceedings were expressly embodied in this By-Law.
- 1.2 THAT**, the Mayor and Proper Signing Official of the Corporation of the Township of Lanark Highlands are hereby authorized and directed to do all things necessary to give effect to the action of the Council of the Corporation of the Township of Lanark Highlands referred to in the preceding section hereof.

**THE CORPORATION OF THE TOWNSHIP OF LANARK HIGHLANDS
BY-LAW NO. 2012-1163**

1.3 THAT, the Mayor and/or Deputy Mayor and Clerk and/or Deputy Clerk are hereby authorized and directed to execute all documents necessary in that behalf and to affix thereto the Seal of the Corporation of the Township of Lanark Highlands.

2. ULTRA VIRES

Should any sections of this by-law, be declared by a court competent jurisdiction to be ultra vires, the remaining sections shall nevertheless remain valid and binding.

3. EFFECTIVE DATE

ENACTED AND PASSED this 26th, day of January, 2012.

Peter McLaren, Mayor

Ross Trimble, Clerk