TOWNSHIP OF LANARK HIGHLANDS

AGENDA

A regular meeting of the Corporation of the Township of Lanark Highlands to be held in the Municipal Council Chambers, 75 George Street, Lanark ON on Tuesday March 11 2008 – 7:00 p.m.

<table>
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<th>ITEM</th>
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<td>A. CALLING THE ROLL</td>
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<td>Present</td>
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<td>Bob Fletcher</td>
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<td>Bob Sutcliffe</td>
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<td>Bruce Horlin</td>
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<td>Leonard Echlin</td>
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<td>Peter McLaren</td>
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<td>Brian Stewart</td>
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B. DECLARATION OF PECUNIARY INTEREST and THE GENERAL NATURE THEREOF

C. ADDITIONS TO AGENDA
1. Provide Clerk with items to be added for discussion under New Business (“L” below).
2. 
3. 

D. CONFIRMATION OF PREVIOUS MINUTES AND BUSINESS ARISING THEREFROM

By-law No. 2008-869 – Minutes of February 12 (Regular session), February 19 (Special sessions), February 28 (Special session) 2008 and March 4 2008 (Special Session – two meetings)

Adopt resolution

E. PETITIONS AND DEPUTATIONS
(In accordance with the Procedural Bylaw, delegations/presentations are provided with 15 minutes unless otherwise agreed upon)

1) Wendy Vallilee – Era – 7:00 p.m.

2) Minor Variance Public Hearing – 7:15 p.m.

See separate agenda

F. COMMITTEE of the WHOLE REPORTS

Corporate Services Committee of the Whole February 19 2008

THAT the Corporate Services Report of January 22 2008 be adopted.

Adopt resolution

THAT Mayor Fletcher be authorized to provide assistance and support to the Township in the absence of the CAO between March 3rd 2008 and April 30th 2008 for an average of 15-20 hours per week at an honorarium of $20 per hour. Deputy-Mayor Horlin shall be the approved alternate for Mayor Fletcher as per the same terms;
AND THAT the Township’s Human Resource Consultant begin a search for an interim CAO immediately.

Building/Planning/Protective Services Committee of the Whole February 19 2008
THAT the Planning Building Protective Services Report of January 22 2008 be adopted.

LDNS Surplus Van
THAT the 1986 Ford Equipment Van of McDonald's Corners be declared a surplus vehicle;
AND THAT the surplus equipment van of McDonald’s Corners be sold to the Snow Road Station of the North Frontenac Fire Department at a minimum price of $5,000;
AND THAT Council waives the requirement of the Procurement Policy to dispose of surplus equipment by sealed bid.

Public Works Waste Management Committee of the Whole March 4 2008

Community Services Committee of the Whole March 4 2008
THAT the Community Services Report of February 5th 2008 be adopted.

G. READING OF BYLAWS
NOTE – the following by-laws are dependant on the outcome of the March 10 2008 meeting.

By-law No. 2008-870 – to enter into an Agreement with Crain’s Construction Ltd.(Off-site road improvement to the Highlands Line).
By-law No. 2008-871 - to adopt an Official Plan Amendment (OPA #4) to the Official Plan of the Township of Lanark Highlands to redesignate land in Part Lot 6, Concessions 10 and 11, geographic Township of Dalhousie from Rural and Aggregate Reserve to Mineral Resources Area – Pit.
**By-law No. 2008-872** - to approve an amendment to the Township of Lanark Highlands Zoning By-law No. 20030451, to rezone land in Part Lot 6, Concessions 10 and 11, geographic Township of Dalhousie from Rural Zone (RU) and Mineral Aggregate Resources Reserve (MAR).

**By-law No. 2008-873** – to stop-up, close and sell the unopened allowance for road between Concession 10 and 11 at Lot 6 – subject to condition outlined in the Agreement authorized by By-law No. 2008-871 and to stop-up, close and sell the unopened allowance for road between the West Halves of Lots 5 and 6 at Concession 10, geographic Township of Dalhousie, to the adjacent landowners or any of them.

**H. BUDGETS / RESERVES**

No items at this time.

**I. EXTERNAL AFFAIRS**

- **County of Lanark**
  - Public Information Centre results and design County Road 8 report
  - OGRA Long Service Award recipient – Walter Warwick
  - Media Release – Feb 21 2008
  - Notice of AGM for the Lanark County Municipal Trails Corporation – April 17 2008 at 7:00 p.m.
  - EOWC – Provincial Eastern Ontario Development Fund

- **Provincial / Federal / Other**
  - Emergency Planning and Management – notice that Lanark Highlands as fulfilled the municipal requirements of the Emergency Management and Civil Protection Act.

- **LGL Health Unit**
  - Lanark County Official Location – notice that the Board approved that the Health Unit locate the Lanark Office in Smith’s Falls and Carleton Place.

  Per capita Funding formula – request that Council support resolution **“THAT the Ministry of Health fund the 2008 budget of the Leeds Grenville and Lanark District Health Unit as approved by the Board of Health which would allow the Health Unit to fully meet mandatory programs at a ratio of 75% provincial cost and 25% municipal cost.”**

**J. DATES TO REMEMBER**

- Corporate Services & Planning/Building/Protective Service – March 18 2008 @ 6:00 p.m.
- Committee of the Whole – March 25 @2:30 p.m.
- Council – March 25 @7:00 p.m.
- Public Works/Waste Management & Community Services – April 1 2008 @ 6:00 p.m.
### K. NEW and UNFINISHED BUSINESS

1/ Mississippi-Rideau Source Protection Region – questionnaire on Terms of Reference  

2/ Highland Line – that the Clerk draft a By-law to Post a reduced Speed Limit on the Highland Line and that this By-law be reviewed by the Corporate Services Committee on March 18 2008.

| Adopt resolution |

### L. CONFIDENTIAL ITEMS (Closed Session) if required

| Municipal Act Section | Subject |

### N. ADJOURNMENT

That the meeting do now adjourn. p.m.

| Adopt resolution |
THE CORPORATION OF THE
TOWNSHIP OF LANARK HIGHLANDS

BY-LAW NO. 2008-869
BEING A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE
CORPORATION OF THE TOWNSHIP OF LANARK HIGHLANDS
AT ITS MEETINGS HELD ON
FEBRUARY 12, 19 AND 28 AND MARCH 4 2008

WHEREAS by 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 by Section 8 of the said Municipal Act, 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 Subsection 3 of the said Section 5, provides that a municipal power, including a municipality’s capacity, rights, powers and privileges under section 8, 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 the Council of the Corporation of the Township of Lanark Highlands ENACTS AS FOLLOWS:-

1/ THAT the actions of the Council of the Corporation of the Township of Lanark Highlands at its meeting held on the 12th day of February 2008 (Regular Session), the 19th day of February 2008 (Special Session), the 28th day of February 2008 (Special Session) and 4th day of March 2008 (Two Special Session) 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.

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.

3/ THAT the Mayor and/or Deputy Mayor and Clerk are 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.

ENACTED AND PASSED this 11th day of March, A.D. 2008.
MINOR VARIANCE (Permission) TO ZONING BY-LAW NO. 2003-451 - A07/006

PUBLIC HEARING – A07/006 - HOLLINGTON

APPLICANT: Timothy O Hollington - Conc. 10 Pt Lot 2 Plan 26R1481 Part 1 – 631 Ferguson Falls Road

AGENDA: Chair: Mayor Fletcher

Call to Order: 7:15 p.m.

Recording Secretary – Report on Notice
Notice was forwarded as required under O.Reg. 200/96.

Presentations on Proposed Variance

PURPOSE and PLANNING REPORT – the purpose of the minor variance (permission) is to authorize the reduction of the minimum lot size and the minimum lot frontage as set out in Zoning By-law No. 2003-451 to permit the applicant to make application for a land severance / consent.

The original 4.7 acre parcel of land was created by consent in 1990. Council reviewed the new application for consent (B07/134) and submitted their comments to the Land Division Committee in October 2007, which recommended that the consent be granted subject to an application for minor variance. The Land Division Committee deferred a decision to give the applicant an opportunity to obtain relief from the provisions of the zoning by-law.

Through the consent process the Conservation Authority provided the report attached hereto, advising that they have no objection to the proposal provided that new development is directed outside any areas containing organic soils.

Reading of Written Comments – none received

Oral and Written Presentations by those in attendance
- no persons have applied to be heard

Questions / Comments

Decision of Committee

That the minimum lot area of the lot to be retained through application to sever (B07/134) at Part Lot 10 Conc. 2 Lanark (Roll Number 0940 934 035 02801) be reduced from 1.0 hectares to 0.89 hectares and that the frontage be reduced from 60.0 m to 53.0 m. And that no development be permitted on lands designated as containing organic soils in accordance with the Zoning By-law.

The Audience is reminded to leave their name and address if they wish to receive formal notice of the decision.

Adjournment
Moved by
Seconded by
THAT the Committee of Adjustment hearing for A07/006 do now adjourn.
Sylvia G. Coburn, Planning Approvals Co-ordinator
County of Lanark
Engineering Building
99 Christie Lake Road
Perth, ON K7H 3E2

Dear Ms. Coburn:

Re: Application for Consent – B07/134
Part Lot 2, Concession 10, Township of Lanark Highlands (Lanark)
631 Ferguson Falls Rd
HOLLINGTON, Timothy

Mississippi Valley Conservation (MVC) has been circulated the above noted application to conduct a review in terms of MVC Regulations and Provincial Planning Policy for Natural Heritage and Natural Hazard issues. Specifically, the purpose of this review is to assess potential impacts of the proposed development on known natural heritage features on and adjacent to the subject property. These features could include wetlands, wildlife habitat and areas of natural and scientific interest. This review also includes an evaluation of the subject property for natural hazards such as unstable slopes and areas prone to flooding and erosion.

According to the information provided, the purpose of the proposed severance is to sever a 1.03-hectare vacant building lot and retain 0.89 hectares with an existing single family residence.

A review of available mapping shows an unnamed tributary of Haley Lake extending from the southwest corner of the proposed severed parcel. And, a site visit conducted by MVC staff on October 24, 2007 showed some evidence of what may be this tributary, although it was not conveying water at the time of the site visit. This potential tributary appeared to begin in the southern half of the proposed severed parcel within a low, marshy area of the property which covers more than the southern half of the proposed severed parcel. This marshy area consisted of an abundance of cattails and likely organic soils.

Although organic soils were determined to be likely present on the proposed severed parcel, sufficient area appeared to exist on the property for development outside of these soils. In addition, a review of available literature and mapping revealed no other issues with respect to natural hazard and natural heritage features. With all of this in consideration, MVC has no objection to the proposed severance provided that new development is directed outside of any areas containing organic soils.
THE CORPORATION OF THE
TOWNSHIP OF LANARK HIGHLANDS

BY-LAW NO. 2008-870

BEING A BY-LAW TO AUTHORIZE
THE MAYOR AND CLERK TO
EXECUTE AN AGREEMENT WITH
CRAINS CONSTRUCTION LTD

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 Crains Construction Ltd. to facilitate the continued use of the existing well at Part 2, Reference Plan No. 27R-9268.

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

1. THAT the Mayor and Clerk be and are hereby authorized to execute the agreement attached hereto with Crains Construction Ltd. 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 attached hereto as Schedule “A” and titled “McKinnon Pit Agreement” shall form part of this By-law.

3. THAT this By-law shall come into force and effect immediately upon the passage thereof.

ENACTED AND PASSED this 11th day of March, A.D. 2008.

_________________________                          ______________________
Mayor – Bob Fletcher             Clerk – Mary Kirkham
Schedule “A” By-law No. 2008-870

McKinnon Pit Agreement

This Agreement made in triplicate this day of , 2008

BETWEEN

The Corporation of the Township of Lanark Highlands
Hereinafter referred to as “Lanark Highlands”

-and-

Crains’ Construction Ltd.
Hereinafter referred to as “Crains”

WHEREAS Crains’ has applied for a pit licence pursuant to the Aggregate Resources Act to develop a Category 3 Class ‘A’ Pit Above Water providing for a maximum extraction rate of 150,000 tonnes per year at East Pt. Lot 6, Concession 10 and West Pt. Lot 6, Concession 11, geographic Township of Dalhousie, Township of Lanark Highlands; and

WHEREAS Lanark Highlands and Crains’ agree that is mutually beneficial and in the public interest to mitigate potential impacts associated with the pit operation as hereinafter set forth.

NOW THEREFORE THE PARTIES AGREE AS FOLLOWS:

1.0 UNOPENED ROAD ALLOWANCE BETWEEN CONCESSIONS 10 AND 11, LOT 6 DALHOUSIE

1.1 Upon the completion of this Agreement and the issuance of the pit license, Lanark Highlands shall commence the process to stop up, close, and deed in fee simple to Crains’ that portion of the unopened road allowance between Concessions 10 and 11, Lot 6 Dalhousie within the boundary of the licence area. All costs associated therewith shall be the responsibility of Crains’.

1.2 It is estimated that 19,000 cubic metres of aggregate material is located beneath the lateral boundaries of the road allowance in the area depicted in Schedule ‘A’. The estimated market value of this material is $30,000. Crains’ shall pay to Lanark Highlands $6,000 per year over a period of 5 years, commencing in the year 2008. Payment shall be made by June 1st of each year in 2008, 2009, 2010, 2011, and 2012.

1.3 Prior to the relinquishment or expiry of the aggregate licence, Crains’ shall reconvey to Lanark Highlands that portion of road allowance deeded to it under Article 1.1 above at no cost to Lanark Highlands. The area occupied by the road allowance shall be rehabilitated to a state consistent with its potential use as a public highway and in accordance with the approved Rehabilitation Plan.

1.4 Notwithstanding anything contained in Articles 1.1 to 1.3 above, Crains’, shall, upon request and the provision of at least one (1) years notice by the Township, reconvey to the Township that portion of road allowance described in Article. 1.1 above without cost or penalty to the Township.
2.0 OFF-SITE ROAD IMPROVEMENTS

2.1 In recognition of the impact of the pit operation on the Highland Line, Crains’ and Lanark Highlands agree to the financial contribution outlined in Schedule ‘B’ attached hereto and made part of this Agreement.

2.2 Lanark Highlands hereby agrees to implement a 5-year Road Plan to upgrade the Highland Line as outlined in Schedule “C” attached hereto and forming part of this agreement. Notwithstanding the foregoing, the Township may undertake all the works in one year. The exact location and nature of annual improvements will be approved by Township Council upon receipt of a report from the Superintendent of Public Works developed in consultation with Crains’. In relation to any work performed by Crains’ under this Article, Township Council hereby waives its Procurement Policy in force from time to time.

2.3 In recognition that improvements to the Highland Line may take up to five (5) years to complete, Crains’ agrees to extract the maximum tonnages outlined in Schedule ‘D’ attached hereto and made part of this Agreement.

3.0 Haul Route

3.1 All truck traffic entering or exiting the McKinnon Pit shall utilize the Highland Line from the primary point of entry/exit to the pit easterly to McDonald’s Corners Road (County Road 12).

3.2 Notwithstanding Article 3.1 above, all public highways may be utilized by Crains’ for local deliveries within five (5) kilometers of the pit site, or in the event of exigencies (e.g. temporary road closures, etc.) necessitating same.

3.3 Haulage to/from the site shall occur between Monday and Friday, between the hours of 6:00 am and 6:00 pm. There shall be no truck haulage on Saturday or Sunday, or on Statutory Holidays.

3.4 In the event that the Township undertakes upgrading to other roads in the vicinity of the pit with potential to be utilized as haul routes, the parties agree to review Article 3.1.

3.5 During the half-load season prescribed each year by Lanark Highlands, no haulage or truck traffic shall enter/exit the site.

3.6 Notwithstanding Article 3.5 above, haulage may occur during half-load season in the event of emergency situations (e.g. flooding) and upon the approval of the Municipality.

4.0 GENERAL

4.1 Crains’ shall limit on-site crushing activities to the following two time periods:
   • Between May 15th and July 1st;
   • Between October 15th and March 15th

There will be no crushing between July 1st and October 15th unless by special agreement with the Township of Lanark Highlands.

4.2 At least seven (7) calendar days prior to commencing aggregate crushing operations, Crains’ shall give written notice of its intention to all property owners abutting the pit property as well as to the owners of Wheeler’s Pancake House.
4.3 This Agreement shall be registered on the title of the property to which it pertains and enure to the benefit of all parties or successors in title. All expenses therewith shall be the responsibility of Crains’.

4.4 The parties agree to the inclusion of a condition of the Aggregate Licence stipulating that Crains’ shall at all times be in compliance with the provisions of this Agreement.

4.5 This Agreement shall be reviewed by the parties at least once per year for the first five (5) years. Said review shall be completed prior to the anniversary date of the Agreement.

THE CORPORATION OF THE TOWNSHIP OF LANARK HIGHLANDS

__________________________  ____________________________
Bob Fletcher, Mayor                                      Mary Kirkham, Clerk

CRAINS’ CONSTRUCTION LTD.

__________________________
Per: Wilburt Crain

“I have the authority to bind the Corporation”
Crains’ Construction Limited
R.R. #1, Maberly, Ontario KOH 2B0
Office: 613-268-2308
Fax: 613-268-2466

Schedule “B”

Crains’ Construction does so agree to do improvements to Highland Line to a value of $20,000 per year for 5 years, of which could be grading, realignment, dust control, etc. We will help to maintain this road to equal or better than current conditions till such time as it is hard surfaced.

Any and all improvements to the Highland Line will be controlled by the Township of Lanark highlands.

Wilbur D. Crain
President
## SCHEDULE "C"
### 5-YEAR ROAD PLAN FOR IMPROVEMENTS TO

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<th>Structural Issues</th>
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### Project Total

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Cycle 2

- Roadway Improvement
- Sidewalk Improvement
- Storm Sewer Design
- Storm Sewer Construction
February 8, 2008

Township of Lanark Highlands
P.O. Box 340
Lanark, Ontario
K0G 1K0

RE: McKinnon Pit License Application

In regards to proposed Highland Line Progressive 5 year upgrade plans, we of Crains’ Construction does so agree to also a Progressive Pit License in regards to the road up grade.

Year One (1) – Proposed License Tonnage of 50,000 Tonne/year
Year Two (2) – Proposed License Tonnage of 60,000 Tonne/year
Year Three (3) – Proposed License Tonnage of 70,000 Tonne/year
Year Four (4) – Proposed License Tonnage of 80,000 Tonne/year
Year Five (5) – Proposed License Tonnage of 150,000 Tonne/year

This proposal is based on a phase out of “The Hall Pit” located on the Sheridan Rapids Road. This has a 20,000 Tonne/year Tonnage, but will be depleted in 5 years.

At the term of 5 years, the Highland Line should be up to standard, but if not totally complete, we would hold back another year or to what time is required to complete the road.

Regards,

Wilbur D. Crain
President
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. 4 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. 4 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. 4 to the Lanark Highlands Official Plan.

READ a FIRST, SECOND and THIRD TIME Short this 11th day of March 2008.
WHEREAS pursuant to the provisions of the Planning Act, RSO 1990, Section 34, the Council of a municipality may enact bylaws regulating the use of land and the erection of building and structures thereon;

AND WHEREAS Bylaw No. 2003-451 regulates the use of land and the erection of building 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 Bylaw 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 the Council of the Corporation of the Township of Lanark Highlands ENACTS AS FOLLOWS-

1. THAT By-Law No. 2003-451, be and is hereby amended by changing Schedule “A2” thereto in accordance with Schedule “A” attached hereto and forming part of this By-law, for lands located at Part Lot 6, Concessions 10 and 11, geographic Township of Dalhousie, so that the subject ands shall henceforth be zoned Mineral Aggregate Resources – Special Exception One Zone (MXP-1).

2. THAT Section 18.4 of By-law No. 2003-451, is amended by adding the following;

   MXP-1 (Part of Lot 6, Concession 10 and 11, Dalhousie Township)
   By-law #: 2008-872
   Zone: MXP-1
   Uses Prohibited: asphalt and concrete batching plants

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

4. THAT this By-law shall come into force and effect with the passing thereof, in accordance with the Planning Act.

ENACTED and PASSED this 11th day of March, 2008.

_________________________                             _____________________
                             Mayor Mayor Mayor Mayor –– –– Bob FletcherBob Fletcher Bob FletcherBob Fletcher                        Clerk     Clerk     Clerk     Clerk –– –– Mary Kirkham Mary Kirkham Mary Kirkham Mary Kirkham
THE CORPORATION OF THE
TOWNSHIP OF LANARK HIGHLANDS

Schedule “A” to

BY-LAW NO. 2008-872
ZONING BY-LAW AMENDMENT

Part Lot 6, Concessions 10 and 11
Township of Dalhousie

To By-Law No. 2008-872
Part Lot 6, Concessions 10 and 11
Geographic Township of Dalhousie

Legend

MXP-1  Mineral Aggregate
        Resources -Pit ,
        Special Exception 1

Township of Lanark Highlands

Area affected by this By-Law

MINERAL AGGREGATE
RESOURCES – PIT (MXP-1)

Certificate of Authentication.
This is Schedule “A” to By-Law 2008-872 passed this 11th day of March, 2008.

________________________
Mayor

________________________
Clerk
WHEREAS it is deemed expedient in the interest of the Municipal Corporation of the Township of Lanark Highlands, that a the allowance for road set out and described below, be closed and stopped up and the lands sold to the adjoining landowners as they may direct;

AND WHEREAS the lands were declared ‘surplus’ to the needs of the municipality in accordance with Bylaw No. 2001-202 passed January 9th, 2001;

AND WHEREAS notice of this bylaw was provided in accordance with Bylaw No. 2002-376 “Being a Bylaw to adopt a Policy for the Giving of Public Notice (Township of Lanark Highlands)”;

AND WHEREAS the Council of the Corporation of the Township of Lanark Highlands has heard in person or by his counsel, solicitor or agent all persons claiming that their land will be prejudicially affected by this bylaw and who applied to be heard;

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

1. THAT upon and after the passing of this By-law, all that portion of the unopened allowance for road as set out and described and the same is hereby closed and stopped up:
   Part of the unopened allowance for road at between Concessions 10 and 11 at Lot 6, geographic township of Dalhousie, Municipality of Lanark Highlands all in the County of Lanark.

2. THAT Section 1 of By-law No. 2008-873 be subject to the terms and conditions of the McKinnon Pit Agreement authorized by By-law No. 2008-870.

3. THAT upon and after the passing of this By-law, all that portion of the unopened allowance for road set out and described and the same is hereby closed and sold:
   Part of the unopened allowance for road (Cross Road) between the East Halves of Lots 5 and 6 Concession 10, geographic township of Dalhousie, Municipality of Lanark Highlands all in the County of Lanark.

4. ALL THAT part of the said unopened allowance for road hereinbefore described in Section 1 and 2 above shall be sold to the adjoining landowners or any of them.

5. THAT the Mayor and Clerk of the Corporation of the Township of Lanark Highlands are hereby authorized to sign and execute such deeds and other documents as may be necessary to effect conveyance of those parts of the unopened street hereinbefore described and which has been stopped up and closed.

6. THAT this By-law shall come into force and effect upon the approval of By-law No. 2008-871 by the Ministry of Municipal Affairs and Housing.

ENACTED and PASSED this 11th day of March 2008.