CALL TO ORDER

ADOPTION OF AGENDA

2.1 Adopt Agenda

Recommendation: That the Agenda of the Special Session of Council dated July 18, 2017 be adopted as presented.

DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

PUBLIC MEETING UNDER THE PLANNING ACT

Resolution to Convene Public Meeting

Recommendation: That the public meeting under the Planning Act is hereby convened.

Zoning By-law Amendment Application: PLZACO 2017 025
Applicant: McCully Cabinet Ltd.
Legal Description: 127 Milligan Lane within the Napanee Industrial Park. The lands are legally described as Part of Park Lot 12, and Parts 1 and 2 on 29R-5374, in the Town of Greater Napanee.

Effect of Zoning By-law Amendment: The Zoning By-law Amendment would recognize an existing non-conforming use by permitting a cabinet making workshop use on the subject property.

Zoning By-law Amendment Application: PLZACO 2017 028
Applicant: Scherdale Enterprises Ltd.
Legal Description: 520 County Road 8. The lands are legally described as Part of Lots 18 and 19, Concession 6, Geographic Township of North Fredericksburgh, in the Town of Greater Napanee.

Effect of Zoning By-law Amendment Application: The Zoning By-law Amendment will permit the expansion of the existing mini storage warehouse use on the adjacent property to which the 0.68 ha severed parcel is being added.

Adjourn Public Meeting

Recommendation: That the public meeting under the Planning Act is hereby adjourned.
ITEMS FOR DISCUSSION

27 - 29  5.1 Infrastructure Services (Facilities) - Aquatics Feasibility Study Final Phase  
**Staff Recommendation:** That Council receive for information the Infrastructure Services (Facilities) - Aquatics Feasibility Study Final Phase report;  
And further that Council authorize the Chair of the Pool Task Force Committee to negotiate with LeisurePlan International Inc. the scope, terms and conditions for the final phase of the market research feasibility study to an upset limit of $15,000.00;  
And further that Council approve an extension of the Terms of Reference and Committee appointments for the Pool Task Force Committee to November 30, 2018.

30 - 33  5.2 CAO - Respect in the Workplace Policy  
**Staff Recommendation:** That Council receive for information the CAO - Respect in the Workplace Policy report;  
And further that a by-law be brought forward later in the meeting to adopt a Respect in the Workplace Policy, which will reflect requirements under the Town’s Harassment and Violence in the Workplace policies to deal with complaints regarding non-employees;  
And further that this policy take effect on September 29, 2017.

34 - 36  5.3 Community & Corporate Services - Request for Closing and Conveying Part of the Boundary Road Allowance between the Township of Stone Mills and the Town of Greater Napanee, East Side of County Road 41, Roblin  
**Staff Recommendation:** That Council receive for information the Community & Corporate Services - Request for Closing and Conveying Part of the Boundary Road Allowance between the Township of Stone Mills and the Town of Greater Napanee, East Side of County Road 41, Roblin report;  
And further that Council approve proceeding with the joint road closing of the boundary road allowance with the Township of Stone Mills, as requested by Bryan Trimble, in accordance with the Town’s Road Closing policy.

37 - 39  5.4 Community & Corporate Services - Request for Closing and Conveying an Unopened Road Allowance between Concessions 4 and 5, Geographic North Fredericksburgh  
**Staff Recommendation:** That Council receive for information the Community & Corporate Services - Request for Closing and Conveying an Unopened Road Allowance between Concessions 4 and 5, Geographic North Fredericksburgh report;  
And further that Council approve proceeding with the closing of the road
allowance, as requested by Michael and Maria Hunt, in accordance with the Town’s Road Closing policy.

40 - 44  5.5 Community & Corporate Services - Request for Closing and Conveying an Unopened Road Allowance between County Road 2 West and Napanee River

**Staff Recommendation:** That Council receive for information the Community & Corporate Services - Request for Closing and Conveying an Unopened Road Allowance between County Road 2 West and Napanee River report;
And further that Council defer a decision regarding the request from Peter Hayes to close and convey the unopened road allowance located on the east side of the westerly half of Lot 13, Concession 1, geographic Township of Richmond, lying between County Road 2 and the Napanee River, until staff can conduct a further review of the property.

45 - 47  5.6 Mike Bossio, MP Hastings-Lennox & Addington - June 22, 2017
Re: Request for Town Letter of Support for Xplornet Communications’ Application to the Connect to Innovate (CTI) Program

**Staff Recommendation:** That Council receive the correspondence from Mike Bossio, MP dated June 22, 2017;
And further that Council authorize the Mayor to sign the Town's letter of support as provided in draft to the Minister of Innovation, Science and Economic Development for the Xplornet Communications’ application to the Connect to Innovate (CTI) Program.

5.7 Change of Date for the August 2017 Council Meeting

**Staff Recommendation:** That due to a conflict with the Association of Municipalities of Ontario (AMO) conference, Council hereby authorize the change of date for the August Committee of Adjustment and Regular Session of Council meetings to Tuesday, August 22, 2017 at 6:45 p.m. and 7:00 p.m. respectively;
And further that staff be directed to advertise this change of meeting date accordingly.

48 - 50  5.8 By-law No. 2017-0034 - To Adopt a Respect in the Workplace Policy

6  CONFIRM PROCEEDINGS

51  6.1 A By-law to Confirm the Proceedings of Council of the Corporation of the Town of Greater Napanee at its Special Session held July 18, 2017.

7  ADJOURNMENT
TOWN OF GREATER NAPANEE

ZONING BY-LAW AMENDMENT

NOTICE OF PUBLIC MEETING

The Council of the Corporation of the Town of Greater Napanee intends to consider a Zoning By-law Amendment to Zoning By-law 02-22 of the Town of Greater Napanee. Pursuant to Section 34(12) of the Planning Act (R.S.O. 1990), Council will hold a public meeting on Tuesday, July 18, 2017, to outline the content and effect of the Zoning By-law amendment, as well as showing the lands affected. All those interested are hereby invited to attend the public meeting and express their view on the Zoning By-law amendment.

PURPOSE

A rezoning application (PLZACO 2017 025) was received from McCully Cabinet Ltd. to amend Zoning By-law 02-22 for a parcel of land located at 127 Milligan Lane within the Napanee Industrial Park. The subject lands are the site of McCully Cabinets, a custom cabinetry business which includes a showroom/office for the retail of cabinets as well as on-site cabinet making. The applicant is proposing an addition to the existing building. In consulting with the Town with respect to the proposed addition, the applicant was advised the existing use is non-conforming. The proposal is to amend the zoning to recognize the existing cabinet making use.

The site is designated Industrial in the Town of Greater Napanee Official Plan and is zoned Business Park (BP) in Zoning By-law 02-22. The BP Zone permits a wide variety of uses. The subject property would be rezoned to a site-specific Business Park (BP-XX) Zone to permit a workshop for cabinet making.

EFFECT OF THE ZONING BY-LAW REQUEST

The Zoning By-law Amendment recognize an existing non-conforming use by permitting a cabinet making workshop use on the subject property.

LOCATION OF PROPERTY

The property is located at 127 Milligan Lane within the Napanee Industrial Park. The lands are legally described as Part of Park Lot 12, and Parts 1 and 2 on 29R5374, in the Town of Greater Napanee (see key map).

OTHER APPLICATIONS

The lands are not subject to other applications.
NOTICE OF APPEAL

If a person or public body does not make oral submission at a public meeting or make written submission to the Town of Greater Napanee before the Zoning By-law Amendment is passed, the person or public body is not entitled to appeal the decision of the Council for the Town of Greater Napanee to the Ontario Municipal Board.

If a person or public body does not make oral submissions at a public meeting, or make written submission to the Town of Greater Napanee before the Zoning By-law Amendment is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

PUBLIC MEETING PLACE

The public meeting will be held at the Council Chamber of the Town Hall, Greater Napanee, Tuesday, July 18, 2017 at 7:00 p.m.

For further information contact:

Gib Garrett, Planning Clerk
Town of Greater Napanee
45 Commercial Court
Napanee, ON  K7R 4A2

Or phone (613) 354-5931 (Extension 2114) during regular business hours.

Susan Beckel (Clerk)
# Application for an Amendment to the Zoning By-law of the Town of Greater Napanee

## 1.0 APPLICANT INFORMATION

1.1 Complete the information below and indicate which contact is the Prime Contact (to whom all communications will be directed).

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Phone/Fax/E-mail</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registered Owner(s)</td>
<td>127 Milligan Lane</td>
<td>613-354-2266</td>
</tr>
<tr>
<td>Mcullay Cabinet Ltd</td>
<td>Napanee, Ont. K7R 3Z4</td>
<td>613-354-8120</td>
</tr>
<tr>
<td>Applicant(s)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agent, if any (eg. Planning Consultant)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Solicitor</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* If a company, please give name and phone number(s) of principal owner (or president).

## 2.0 PROPERTY INFORMATION

<table>
<thead>
<tr>
<th>Lot(s)/Block(s)</th>
<th>Concession</th>
<th>Registered Plan No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Part Phase Lot 12</td>
<td>1 + 2</td>
<td></td>
</tr>
<tr>
<td>Reference Plan No.</td>
<td>2985374</td>
<td></td>
</tr>
<tr>
<td>Former Municipality</td>
<td>Napanee</td>
<td></td>
</tr>
<tr>
<td>Municipal Address</td>
<td>127 Milligan Lane</td>
<td>K7R 3Z4</td>
</tr>
<tr>
<td>Assessment Roll #:</td>
<td>1721 030 02624000</td>
<td></td>
</tr>
</tbody>
</table>
2.1 Particulars of the Subject Land (use metric units):

<table>
<thead>
<tr>
<th>Frontage</th>
<th>Average Depth</th>
<th>Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>26 Meters</td>
<td>78.4 m</td>
<td>2025 sq m</td>
</tr>
</tbody>
</table>

Current Official Plan Designation: INDUSTRIAL
Current Zoning Designation: BUSINESS PARK

2.2 Provide the names and addresses of the holders of any mortgages, charges or other encumbrances in respect of the subject land.

2.3 Date the subject land was acquired by the current owner: MAY 31, 2010

3.0 EXISTING AND PREVIOUS USES OF THE SUBJECT LANDS

3.1 Existing use(s) and duration:

CABINET MAKING 7 yrs.

3.2 Previous uses (if known) and duration:

3.3 List any existing Buildings or Structures on the Property

<table>
<thead>
<tr>
<th>Building/Structure</th>
<th>Yard Setbacks</th>
<th>Year Built</th>
<th>Number of Storeys</th>
<th>Building Height</th>
<th>Ground Floor Area</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Front</td>
<td>Rear</td>
<td>Side</td>
<td>Side</td>
<td></td>
</tr>
</tbody>
</table>

3.4 Is the subject land (or buildings) subject to a demolition control by-law or is it designated or identified for possible designation under the Ontario Heritage Act?

☐ YES  ☑ NO  ☐ DON'T KNOW

4.0 PROPOSED USE OF THE SUBJECT LANDS

4.1 What is the proposed use of the subject lands?

CABINET MAKING
4.2 List any Proposed Buildings and Structures (attach a separate page if necessary)

<table>
<thead>
<tr>
<th>Building/Structure</th>
<th>Yard Setbacks</th>
<th>Number of Storeys</th>
<th>Building Height</th>
<th>Ground Floor Area</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Front</td>
<td>Rear</td>
<td>Side</td>
<td>Side</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

4.3 Attach a sketch showing (in metric units):
   a) The boundaries and dimensions of the subject land;
   b) The location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the lot lines;
   c) The approximate location of all natural and artificial features located on the subject land or adjacent land that might affect that application;
   d) The current uses of land that is adjacent to the subject land;
   e) The location, width, name and type of any roads within or abutting the subject land;
   f) The location of parking and docking facilities if access is to be by water only; and
   g) The location and nature of any easements affecting the subject land.

5.0 NATURE OF PROPOSED REZONING

5.1 Describe the nature and extent of the rezoning requested.

5.2 State the reason(s) why the rezoning is requested.

5.3 Does the requested rezoning conform to the Official Plan?  

If yes, explain how it conforms.

If no, has an application for an Official Plan amendment been completed?  

6.0 STATUS OF OTHER PLANNING APPLICATIONS

6.1 Have there been any previous applications made under the Planning Act for a consent, approval of a plan of subdivision or an amendment to the zoning by-law or has the subject land ever been the subject of a Minister's Zoning Order?
6.2 If YES to 6.1, and if known, list below or attach on a separate page:

<table>
<thead>
<tr>
<th>Type of Application</th>
<th>File Number/Ontario Regulation Number</th>
<th>Details</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

7.0 SERVICING

7.1 Indicate the existing and proposed servicing type for the subject land.

<table>
<thead>
<tr>
<th>Water Supply</th>
<th>Existing</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public piped water system</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Private communal well(s)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Private individual well(s)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lake or other water body</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other means</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sewage Disposal</th>
<th>Existing</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public piped sewage system</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Private communal septic system</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Individual septic system(s)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Privy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other means</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Storm Drainage</th>
<th>Existing</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sewers</td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>Ditches or swales</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Other means</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Access</th>
<th>Existing</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provincial highway</td>
<td></td>
<td></td>
</tr>
<tr>
<td>County Road</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Municipal road</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Water</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other means</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

8.0 PLANNING JUSTIFICATION

8.1 Indicate how the proposed use(s) will be compatible with the surrounding land uses.

McElroy Cabinet is in the area of small industrial businesses, etc. MTS truck service, brewery, other auto shops, empty lot to the east back business electric supplies etc.

8.2 Indicate how the proposed amendment relates to the overall goals and objectives of the Provincial Policy Statement issued under the Planning Act.
9.0 DECLARATION

I.  [Name of Applicant] of the [Name of Municipality/Township] in the County of [Name]

solemnly declare that all the information contained in this application and any supporting
documents is true.

Declared before me at the Town of Greater Napanee in the County of Lennox and Addington this 26
day of May, 2017.

[Signature]

[Name]

Applicant

10.0 OWNER’S AUTHORIZATION (if the applicant is not the owner)

1. [Name of Owner] of the [Name of Municipality/Township] in the County of [Name]

am the owner of the land that is the subject of this application for a zoning by-law amendment

and hereby authorize [Name] to act as my agent in this application.

[Signature of Owner]

11.0 ACKNOWLEDGEMENT

In accordance with the provisions of the Planning Act, it is the policy of the Town of Greater Napanee to
provide public access to all development applications and supporting documentation.

[Name], [Date],

agree and acknowledge that this application and any supporting material, including studies and
drawings, filed with the application is public information, and forms part of the public record. As public
information, I hereby consent to the Town photocopying and releasing the application and supporting
materials for either its own use in the processing of the application or at the request of any third party.

[Signature] [Date]
The municipality requires an applicant to submit a $500.00 application fee when applying for a zoning amendment and a $1,500.00 deposit to cover all costs associated with processing the application. Any costs above the $1,500.00 deposit will be invoiced to the owner/applicant who has submitted the application. These costs include consultant fees and advertising costs.

The municipality has found, on average, a zoning amendment application will cost an owner/applicant approximately $5,000.00 to process. The owner/applicant is responsible for all fees related to process the zoning application.

I, ________________, have read the above and agree to reimburse the Town of Greater Napanee for all costs related to my zoning amendment application, once invoiced by the Town.

Dated this ______ day of ____________________, 2017.

Name of Applicant

Municipal Staff
SCHEDULE “B”
TO
PLANNING FEES BY-LAW

AGREEMENT TO INDEMNIFY

The applicant hereby agrees to indemnify and save harmless The Corporation of the Town of Greater Napanee ("the Municipality") from all costs and expenses that the Municipality may incur in connection with the processing of the applicant's application for approval under the Planning Act.

Without limiting the foregoing, such costs and expenses will include all legal, engineering, planning, advertising and consulting fees and charges incurred or payable by the Municipality to process the application together with all costs and expenses arising from or incurred in connection with the Municipality being required, or requested by the applicant, to appear at the hearing of any appeal to the Ontario Municipal Board from any decision of the Council or Committee of Adjustment, as the case may be, approving the applicant's application.

The applicant acknowledges and agrees that if any amount owing to the Municipality in respect of the application is not paid when due, the Municipality will not be required to process or to continue processing the application, or to appear before the Ontario Municipal Board in support of a decision approving the application until the amount has been paid in full.

The applicant further acknowledges and agrees that any amount owing by the applicant to the Municipality is, when due, a debt of the applicant and the Municipality may, in addition to any other remedies available to it at law, recover the amount owing together with interest from the applicant by action.

Witness

Applicant

Witness

Applicant
The Council of the Corporation of the Town of Greater Napanee intends to consider a Zoning By-law Amendment to Zoning By-law 02-22 of the Town of Greater Napanee. Pursuant to Section 34(12) of the Planning Act (R.S.O. 1990), Council will hold a public meeting on **Tuesday, July 18, 2017**, to outline the content and effect of the Zoning By-law amendment, as well as showing the lands affected. All those interested are hereby invited to attend the public meeting and express their view on the Zoning By-law amendment.

**PURPOSE**

A rezoning application (PLZACO 2017 028) was received from Scherdale Enterprises Ltd. to amend Zoning By-law 02-22 for a 0.68 ha parcel of land to be severed from the subject property located at 520 County Road 8. The subject lands are largely vacant apart from two buildings which formerly accommodated a driving range use. The applicant is proposing to sever a 0.68 ha parcel of land from the subject property in order to add the lands to an abutting 0.4 ha parcel previously severed from the subject property. The parcel previously severed accommodates a mini storage warehouse use. The lot addition is proposed to enable the expansion of the existing mini storage warehouse use. Rezoning of the severed lot is required to place the lands in the same zoning as the parcel to which the lands are being added. The parcel to be severed is designated Environmentally Sensitive Area and Rural in the Town of Greater Napanee Official Plan and is zoned Environmental Protection (EP) and site-specific Rural (RU-14) in Zoning By-law 02-22. The site-specific zoning permits a number of rural uses including a golf driving range but mini storage warehouses are not a permitted use. The parcel to be severed would be rezoned a site-specific Rural Industrial (M3-7) Zone to be consistent with the parcel to which the lands are being added and to permit the expansion of the mini storage warehouse use.

**EFFECT OF THE ZONING BY-LAW REQUEST**

The Zoning By-law Amendment will permit the expansion of the existing mini storage warehouse use on the adjacent property to which the 0.68 ha severed parcel is being added.

**LOCATION OF PROPERTY**

The property is located at 520 County Road 8. The lands are legally described as Part of...
Lots 18 and 19, Concession 6, Geographic Township of North Fredericksburgh, in the Town of Greater Napanee (see key map).

OTHER APPLICATIONS
The lands are subject to severance application PLCOR 2017 027.

NOTICE OF APPEAL
If a person or public body does not make oral submission at a public meeting or make written submission to the Town of Greater Napanee before the Zoning By-law Amendment is passed, the person or public body is not entitled to appeal the decision of the Council for the Town of Greater Napanee to the Ontario Municipal Board.

If a person or public body does not make oral submissions at a public meeting, or make written submission to the Town of Greater Napanee before the Zoning By-law Amendment is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

PUBLIC MEETING PLACE
The public meeting will be held at the Council Chamber of the Town Hall, Greater Napanee, Tuesday, July 18, 2017 at 7:00 p.m.

For further information contact:

Gib Garrett, Planning Clerk
Town of Greater Napanee
45 Commercial Court
Napanee, ON  K7R 4A2

Or phone (613) 354-5931 (Extension 2114) during regular business hours.

Susan Beckel (Clerk)
Application for an Amendment to the Zoning By-law of the Town of Greater Napanee

1.0 APPLICANT INFORMATION

1.1 Complete the information below and indicate which contact is the Prime Contact (to whom all communications will be directed).

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Phone/Fax/E-mail</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registered Owner(s)*</td>
<td>517 County Road 8</td>
<td>Business</td>
</tr>
<tr>
<td>Scherndale Enterprises Ltd</td>
<td>Napanee, Ontario</td>
<td>Fax</td>
</tr>
<tr>
<td></td>
<td>K7R 3K7</td>
<td>Home/Cell</td>
</tr>
<tr>
<td></td>
<td></td>
<td>E-mail</td>
</tr>
<tr>
<td>Applicant(s)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agent, if any (eg. Planning Consultant)</td>
<td>Business</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Solicitor</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* If a company, please give name and phone number(s) of principal owner (or president).

2.0 PROPERTY INFORMATION

<table>
<thead>
<tr>
<th>Lot(s)/Block(s)</th>
<th>Concession</th>
<th>Registered Plan No.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pt Lot 18 &amp; 19</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>Reference Plan No.</td>
<td>Part(s)</td>
<td>Parcel No.</td>
</tr>
<tr>
<td>Former Municipality</td>
<td>Municipal Address</td>
<td>520 County Road 8</td>
</tr>
<tr>
<td>North Fredericksburgh</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Assessment Roll #.</td>
<td>11 21 100 010 03600</td>
<td></td>
</tr>
</tbody>
</table>

Town of Greater Napanee Zoning By-law Amendment Application
2.1 Particulars of the Subject Land (use metric units):

<table>
<thead>
<tr>
<th>Frontage</th>
<th>Average Depth</th>
<th>Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>+/- 95 metres</td>
<td>+/- 50-65 metres</td>
<td>1.7 acres</td>
</tr>
</tbody>
</table>

Current Official Plan Designation: Rural  
Current Zoning Designation: Rural Exception 14 Zone (RU-14)

2.2 Provide the names and addresses of the holders of any mortgages, charges or other encumbrances in respect of the subject land:

____________________________________________________________________________________

____________________________________________________________________________________

____________________________________________________________________________________

2.3 Date the subject land was acquired by the current owner:

____________________________________________________________________________________

3.0 EXISTING AND PREVIOUS USES OF THE SUBJECT LANDS

3.1 Existing use(s) and duration:

Vacant - Community Garden

3.2 Previous uses (if known) and duration:

same

3.3 List any existing Buildings or Structures on the Property

<table>
<thead>
<tr>
<th>Building/Structure</th>
<th>Yard Setbacks</th>
<th>Year Built</th>
<th>Number of Storeys</th>
<th>Building Height</th>
<th>Ground Floor Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>none</td>
<td>Front</td>
<td>Rear</td>
<td>Side</td>
<td>Side</td>
<td></td>
</tr>
</tbody>
</table>

3.4 Is the subject land (or buildings) subject to a demolition control by-law or is it designated or identified for possible designation under the Ontario Heritage Act?

[ ] YES  [ ] NO  [ ] DON'T KNOW

4.0 PROPOSED USE OF THE SUBJECT LANDS

4.1 What is the proposed use of the subject lands?

Extension of existing mini storage business on adjoining land - subject to a concurrent lot addition application

____________________________________________________________________________________

____________________________________________________________________________________

____________________________________________________________________________________
4.2 List any Proposed Buildings and Structures (attach a separate page if necessary)

<table>
<thead>
<tr>
<th>Building/Structure</th>
<th>Yard Setbacks</th>
<th>Number of Storeys</th>
<th>Building Height</th>
<th>Ground Floor Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>unknown</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

4.3 Attach a sketch showing (in metric units):
   a) The boundaries and dimensions of the subject land;
   b) The location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the lot lines;
   c) The approximate location of all natural and artificial features located on the subject land or adjacent land that might affect that application;
   d) The current uses of land that is adjacent to the subject land;
   e) The location, width, name and type of any roads within or abutting the subject land;
   f) The location of parking and docking facilities if access is to be by water only; and
   g) The location and nature of any easements affecting the subject land.

5.0 NATURE OF PROPOSED REZONING

5.1 Describe the nature and extent of the rezoning requested.
   To permit mini storage buildings

5.2 State the reason(s) why the rezoning is requested.
   As a result of a concurrent lot addition request, wish to permit the possible expansion of existing mini storage operation

5.3 Does the requested rezoning conform to the Official Plan?  ✔ YES  ☐ NO
   If yes, explain how it conforms.

5.4 If no, has an application for an Official Plan amendment been completed?  ☐ YES  ✔ NO

6.0 STATUS OF OTHER PLANNING APPLICATIONS

6.1 Have there been any previous applications made under the Planning Act for a consent, approval of a plan of subdivision or an amendment to the zoning by-law or has the subject land ever been the subject of a Minister's Zoning Order?  ✔ YES  ☐ NO
6.2 If YES to 6.1, and if known, list below or attach on a separate page:

<table>
<thead>
<tr>
<th>Type of Application</th>
<th>File Number/Ontario Regulation Number</th>
<th>Details</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Consent application</td>
<td>PLCON 2012 047</td>
<td>create new rural commercial lot</td>
<td>approved</td>
</tr>
<tr>
<td>Rezoning application</td>
<td>PLZACO 2012 049</td>
<td>rezone to permit mini storage</td>
<td>approved</td>
</tr>
</tbody>
</table>

7.0 SERVICING

7.1 Indicate the existing and proposed servicing type for the subject land.

<table>
<thead>
<tr>
<th>Water Supply</th>
<th>Existing</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public piped water system</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Private communal well(s)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Private individual well(s)</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Lake or other water body</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other means</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sewage Disposal</th>
<th>Existing</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public piped sewage system</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Private communal septic system</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Individual septic system(s)</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Privy</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other means</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Storm Drainage</th>
<th>Existing</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sewers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ditches or swales</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Other means</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Access</th>
<th>Existing</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provincial highway</td>
<td></td>
<td></td>
</tr>
<tr>
<td>County Road</td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Municipal road</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other means</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

8.0 PLANNING JUSTIFICATION

8.1 Indicate how the proposed use(s) will be compatible with the surrounding land uses.
Proposed use is the same as neighbouring use, will be adjoining. Lot addition keeps mini storage use on one property

8.2 Indicate how the proposed amendment relates to the overall goals and objectives of the Provincial Policy Statement issued under the Planning Act.
9.0 DECLARATION

I, Gordon Schermerhorn, of the Town of Greater Napanee in the County of Lennox & Addington solemnly declare that all the information contained in this application and any supporting documents is true.

Declared before me at the Town of Greater Napanee in the County of Lennox and Addington this 27th day of April, 2017.

Commissioner of Oaths

10.0 OWNER’S AUTHORIZATION (if the applicant is not the owner)

I, of the in the County of the owner of the land is the subject of this application for a zoning by-law amendment and I hereby authorize to act as my agent in this application.

Signature of Owner

11.0 ACKNOWLEDGEMENT

In accordance with the provisions of the Planning Act, it is the policy of the Town of Greater Napanee to provide public access to all development applications and supporting documentation.

I, Gordon Schermerhorn, agree and acknowledge that this application and any supporting material, including studies and drawings, filed with the application is public information, and forms part of the public record. As public information, I hereby consent to the Town photocopying and releasing the application and supporting materials for either its own use in the processing of the application or at the request of any third party.

Signature: ___________________________ Date: April 27th, 2017
SCHEDULE “B”
TO
PLANNING FEES BY-LAW

AGREEMENT TO INDEMNIFY

The applicant hereby agrees to indemnify and save harmless The Corporation of the Town of Greater Napanee (“the Municipality”) from all costs and expenses that the Municipality may incur in connection with the processing of the applicant's application for approval under the Planning Act.

Without limiting the foregoing, such costs and expenses will include all legal, engineering, planning, advertising and consulting fees and charges incurred or payable by the Municipality to process the application together with all costs and expenses arising from or incurred in connection with the Municipality being required, or requested by the applicant, to appear at the hearing of any appeal to the Ontario Municipal Board from any decision of the Council or Committee of Adjustment, as the case may be, approving the applicant's application.

The applicant acknowledges and agrees that if any amount owing to the Municipality in respect of the application is not paid when due, the Municipality will not be required to process or to continue processing the application, or to appear before the Ontario Municipal Board in support of a decision approving the application until the amount has been paid in full.

The applicant further acknowledges and agrees that any amount owing by the applicant to the Municipality is, when due, a debt of the applicant and the Municipality may, in addition to any other remedies available to it at law, recover the amount owing together with interest from the applicant by action.

Witness

Applicant

Witness

Applicant
Parcel to be RETAINED

AREA = 11.5 ha ±
(28.4 acres ±)
Dear Sir. or Madam:

I would like to object to the rezoning of PLZACO 2017 028 from Schedale Enterprises rezoning by low-02-22

1. Due to the volume of traffic + Heavy trucks using this RD. there is potential for accidents.
2. There is no lighting in the area of the sheds.
3. There are no turning signs in this area.
4. We have had an accident in this area recently & people were taken to Hospital with injuries.
5. Traffic will increase with more Storage.
6. It is a nice place to Party at the Sheds with out Supervision.
7. On July 4 there were a Fire Works Display.
8. There is no Security around the Sheds.
9. We believe this is a potential to Build more Storage Sheds in this Area like the ones that are obstructing the view of traffic on the corner.

Yours Truly,

Shirley Lloyd Hawley

George W. Hawley
There are several drive ways with in a short distance a part making turning difficult. For the above reason's I think this regoning is a bad Idea.
Staff Report to Council

To: Mayor Schermerhorn and Members of Council

Date: July 18, 2017

Prepared By: Peter Dafoe, General Manager of Infrastructure Services

Presented By: Peter Dafoe, General Manager of Infrastructure Services

Re: Infrastructure Services (Facilities) - Aquatics Feasibility Study Final Phase

Staff Recommendation:

That Council receive for information the Infrastructure Services (Facilities) - Aquatics Feasibility Study Final Phase report;

And further that Council authorize the Chair of the Pool Task Force Committee to negotiate with LeisurePlan International Inc. the scope, terms and conditions for the final phase of the market research feasibility study to an upset limit of $15,000.00;

And further that Council approve an extension of the Terms of Reference and Committee appointments for the Pool Task Force Committee to November 30, 2018.

Financial Implications: Upon review, $15,000.00 can be financed through existing Development Charges.

Accessibility Implications: This report may be available in alternate format upon request.

Information Technology Implications: Upon review, there are no information technology implications.

Energy Management Implications: Upon review, there are no energy management implications.
Background Information:
LeisurePlan International presented the findings of the Aquatics Feasibility Study Final Report, dated April 2017, to Council on June 13, 2017. The professional market research study presentation outlined such things as a phased approach to decision making, a comprehensive assessment of current and potential future demand, potential target markets, survey research methodology, survey questionnaires, as well as opinions and factors that influence participation in aquatic programs and activities. Survey results, findings and conclusions were presented by age groups and included information such as demand, types of memberships and price points.

The June 13, 2017 presentation by LeisurePlan Inc. stated:

Conclusion and Recommendation

We conclude that, based on the findings of the market research and the magnitude and characteristics of the potential future demand identified for participation in indoor aquatic programs and activities among the three age groups studied, there is sufficient potential demand to justify undertaking the next steps in the facility feasibility planning process.

We recommend that the Municipality proceed to the next steps in the facility feasibility planning process, which should include analysis of:

- facility space planning, design and development options and their financial implications
- partnership opportunities
- facility management and operation approaches and implications
- aquatic service delivery options
- the financial viability of facility operation and service provision

Discussion

What does “margin of error and confidence level mean”?
It is important to note that the market research is not a public opinion poll but rather a statistically valid and representative sample of the Town’s population based upon selected age groups. Statistical rules associated with a confidence level have proven over time that a specific margin of error can be achieved in a conservation manner without the need to include every person as a respondent. This research produced key data that is within a 95% confidence level (meaning that if all residents were surveyed the results would lie within a range of +/- 2.5%). LeisurePlan’s methodology and proven track record have provided the Town of Greater Napanee with study results that can be trusted and relied upon in the future planning process.

Is this “final phase” necessary?
Absolutely! Based upon the findings of the market research, Council will also require key information such as facility design, including capital and operating costs, prior to considering any potential new service delivery. The final phase will discuss considerations with respect to potential partnerships versus a proposed facility that is operated exclusively by the Town. This phase will also provide sufficient financial
information in order to help determine the answer to the big question “Can the Town of Greater Napanee afford the provision of aquatics?”.

**Will the final phase provide enough background information to make an informed decision?**

Yes! There will be no requirement for further studies or market research. The Terms of Reference for the Pool Task Force Committee refer to fundraising and financing strategies but these are primarily a staff and/or committee level undertaking. In addition to operating and capital costs, it is anticipated that Council, and indeed, residents of Greater Napanee will also want to see financing options and fundraising initiatives prior to making the ultimate decision.

**What’s next?**

The Pool Task Force Committee is recommending that the Town of Greater Napanee undertake this final phase of work in order to have the results available in the fall of 2017. Pending Council approval, the results would likely be received around the same time as the public release of the *Town of Greater Napanee Strategic Plan*. In addition to final phase work, the Task Force will be recommending that the Town advertise for potential partnerships and require that all interested parties provide a detailed presentation to Council regarding their operating methodology and overall vision within the community. This would be recommended after completion of the final phase. Fundraising and financial strategies would likely be an initiative best suited for early 2018.

**When will the Pool Task Force Committee make a recommendation to Council with respect to the future of aquatics in the Town of Greater Napanee?**

There is no set date for a recommendation by the Pool Task Force Committee to Council at this point in time. The Task Force requires the supplemental information that would be provided within the final phase prior to making any recommendation. In addition, the Committee is cognisant that consideration for all current and future financial commitments for the entire community as well as strategic priorities set by Council must be taken into consideration.

**Summary**

The Task Force intends to continue with a methodical approach to their mandate within the approved Terms of Reference ensuring both human and financial resources are allocated in a responsible manner. A professional and unbiased opinion recommends that the municipality proceed to the next step of the facility feasibility planning process and following that the results of the research be utilized to ensure consistency in any potential facility planning.

The Task Force remains committed to their mandate and look forward to the opportunity to provide Council with recommendations in the near future.

Respectfully submitted,

Pool Task Force Committee
Staff Report to Council

To: Mayor Schermerhorn and Members of Council
Date: July 18, 2017
Prepared By: Raymond Callery, CAO
Presented By: Mark Day, Deputy CAO/Director of Finance
Re: CAO - Respect in the Workplace Policy

Staff Recommendation: That Council receive for information the CAO - Respect in the Workplace Policy report;

And further that a by-law be brought forward later in the meeting to adopt a Respect in the Workplace Policy, which will reflect requirements under the Town’s Harassment and Violence in the Workplace policies to deal with complaints regarding non-employees;

And further that this policy take effect on September 29, 2017.

Financial Implications: This by-law will make clear policies for public interactions and could help reduce future legal and ancillary costs.

Accessibility Implications: This report can be made available in alternate formats upon request.

Energy Implications: On review, there are no energy implications to this report

Information Technology Implications: On review, there are no technology implications to this report.

Background Information:
Senior Management have recently begun a review of our internal policies as they relate to health and safety. This is the second in a series of recommendations that have come before Council on changes that need to be considered as part of an updating of policies meant to ensure we have safe working environment for all employees.

Discussion:
As Council is aware a new confidential reporting system has been adopted by Council to identify potential risks within the workplace and create an early intervention process for potential conflict situations. Training for all employees was also recently held on changes to departmental Health and Safety meetings, changes to our Joint Health and
Safety Committee and amendments to the Service Area Updates report regarding health and safety initiatives.

This new policy will assist in increasing public awareness of corporate safety policies and how they relate to interactions within workplaces as defined under provincial legislation and municipal policies.

This by-law has been reviewed by our legal counsel and is recommended to assist in clarifying and making more transparent existing municipal policies.

The next steps in this process will include:

1. Begin a complete review of all municipal workspaces which include a potential threat assessment.
2. Updating our existing Harassment and Violence in the Workplace policies based on a recent legal review.
3. Creating new signage for all public spaces
4. Develop training plans for all staff on existing health and safety policies, the use of safety equipment provided within workspaces and provide information on new and updated policies.

The recommended implementation date of the September 29, 2017 for the by-law allows for proper training and signage to be developed and implemented.

Management appreciates Council’s continued support of a healthy and safe work environment. The passing of this by-law is an important step forward in meeting legislative and operational needs, as Management continues a comprehensive review of this area.

Respectfully Submitted,

Raymond D. Callery, BA, CMO, CMMIII-HR Professional
Whereas the Town of Greater Napanee has a Harassment and Violence in the Workplace Policy which is amended from time to time, to reflect the expectation of how people will be treated in our workplace;

Whereas the Town of Greater Napanee also has additional Health and Safety Policies that are amended from time to time, meant to protect employees from unacceptable behaviour;

And Whereas it is deemed necessary to further develop policies to reflect that safe and respectful workplace expectations also extend to third parties that interact with staff and municipal elected officials and volunteers;

And Whereas disciplinary measures for employees who are found to violate policies are not relevant to third party, elected official and volunteer interactions in the workplace;

Now Therefore, the Council of the Town of Greater Napanee deems it appropriate to enact the following policies:

1. That the Town shall post in all buildings where the public has access, in a conspicuous location, appropriate signage that identifies expectations of a respectful workplace;

2. That copies of the Harassment and Violence in the Workplace Policies be readily available to anyone entering municipal facilities;

3. That should a member of the public, volunteer, elected official or other third party have been found to violate a Town Health and Safety Policy, they shall be subject to the following measures:

   a) Should a member of the public, volunteer, an elected official or other third party contravene a Town Health and Safety policy meant to protect employees from unacceptable behaviour, the person will immediately be asked to leave the municipal property or the employee will immediately leave the private property, and a written notice will be sent to the individual outlining the unacceptable behaviour by the appropriate Manager.

   b) Should a member of the public, volunteer or other third party contravene a Town Health and Safety policy meant to protect employees from unacceptable behaviour a second time within twenty-four months of receiving a written notice under Section 3a) above, they will be required to act through an agent on all dealings with Town employees for a period of six months, and this written notice will be sent by a Manager. For an Elected Official, the term
will be three months except for attending a Council meeting or Committee meeting for which they are the Council Appointee.

c) Should a member of the public, volunteer or other third party contravene a Town Health and Safety policy meant to protect employees from unacceptable behaviour, within twenty-four months of the ending of a six-month agent period, they shall be required to deal through an agent indefinitely, and written notice will be sent by a Manager. For an Elected Official, the term will be at the determination of Council, except for attending a Council meeting or Committee meeting for which they are the Council Appointee.

d) Staff shall immediately notify police if a person who has been suspended from entering a municipal building or property does so during the period of suspension.

4. That this policy shall be adopted by By-law No. 2017-0034 on July 18, 2017 and shall take effect on September 29, 2017.

Dated at Napanee, ON this 18th day of July, 2017
Staff Report to Council

To: Mayor Schermerhorn and Members of Council

Date: July 18, 2017

Prepared By: Susan Beckel, Clerk

Presented By: Susan Beckel, Clerk

Re: Community & Corporate Services - Request for Closing and Conveying Part of the Boundary Road Allowance between the Township of Stone Mills and the Town of Greater Napanee, East Side of County Road 41, Roblin

Staff Recommendation: That Council receive for information the Community & Corporate Services - Request for Closing and Conveying Part of the Boundary Road Allowance between the Township of Stone Mills and the Town of Greater Napanee, East Side of County Road 41, Roblin report; And further that Council approve proceeding with the joint road closing of the boundary road allowance with the Township of Stone Mills, as requested by Bryan Trimble, in accordance with the Town’s Road Closing policy.

Financial Implications:
As per the Town’s Road Closing policy, all associated costs for the road closure, including legal fees for the transfer of the property and land survey costs would be assumed by the proponent. The proponent would also be required to compensate the Town for the purchase of the portion of the road allowance lands at the rate of $4,000/acre (the rate established by Council for road allowance lands that lead to water).

Accessibility Implications:
This report may be available in alternate format upon request.

Information Technology Implications:
Upon review, there are no information technology implications.

Energy Management Implications:
Upon review, there are no energy management implications.
**Background Information:**
The Town has received a request from Bryan Trimble, owner of Concession 9, Part Lot 22, being Part 2 on Reference Plan 29R-2902, 3313 County Road 41, Roblin, to close and convey part of the unopened boundary road allowance adjacent to his property and between the Township of Stone Mills and the Town of Greater Napanee from the east side of County Road 41 to the Salmon River. Mr. Trimble intends to add the road allowance lands as a lot addition to his property (in Greater Napanee) to create a building lot, and has discussed these plans with Town planning staff. As this is a boundary road allowance, it must be jointly closed by the Town and the Township of Stone Mills.

**Discussion:**
Before the Town can close the road allowance and convey the lands to the adjacent property owner(s) as per the request, that portion of the road allowance must be surveyed, public notice of Councils’ intent to adopt road closing by-laws given and the by-laws adopted and registered.

Although, Mr. Trimble is the adjacent property owner on both sides along much of the road allowance, there is a southerly portion of the road allowance where there are other adjacent property owners to the west (see attached Reference Plan 29R-2902 as marked). These property owners must also be consulted to determine their interest, if any, in the road allowance lands.

The application has been circulated to the Public Works, Planning and Emergency Services departments for review. Staff has determined that, although the portion of the road allowance does lead to the Salmon River, it is unopened and not needed by the Town. Staff, therefore, has no objection to it being closed and the lands conveyed to the adjacent property owner(s).

In conclusion, it is staff’s recommendation that Council authorize proceeding with this road closing as per the Town’s Road Closing policy.
Staff Report to Council

To: Mayor Schermerhorn and Members of Council

Date: July 18, 2017

Prepared By: Susan Beckel, Clerk

Presented By: Susan Beckel, Clerk

Re: Community & Corporate Services - Request for Closing and Conveying an Unopened Road Allowance between Concessions 4 and 5, Geographic North Fredericksburgh

Staff Recommendation: That Council receive for information the Community & Corporate Services - Request for Closing and Conveying an Unopened Road Allowance between Concessions 4 and 5, Geographic North Fredericksburgh report;
And further that Council approve proceeding with the closing of the road allowance, as requested by Michael and Maria Hunt, in accordance with the Town’s Road Closing policy.

Financial Implications: As per the Town’s Road Closing policy, all associated costs for the road closure, including legal fees for the transfer of the property and land survey costs would be assumed by the proponent. The proponent would also be required to compensate the Town for the purchase of the portion of the road allowance lands at the rate of $2,000/acre (the rate established by Council for road allowance lands that do not lead to water).

Accessibility Implications: This report may be available in alternate format upon request.

Information Technology Implications: Upon review, there are no information technology implications.

Energy Management Implications: Upon review, there are no energy management implications.

Background Information: The Town has received a request from Michael and Maria Hunt, owners of Concession 4, Part Lot 23, geographic Township of North Fredericksburgh, being Part 1 on Reference Plan 29R-7537 (see attached plan), to close and convey part of the unopened road allowance adjacent to their property.
The highlighted section of the unopened road allowance on the map above is being requested to be closed.

The purpose of the request is to provide a lot addition.

Discussion: Before the Town can close the road allowance and convey the lands to the adjacent property owner(s) as per the request, that portion of the road allowance must be surveyed, public notice of Council's intent to adopt a road closing by-law given and the by-law adopted and registered.

Mr. and Mrs. Hunt are the only adjacent property owners to the south of the road allowance; however on the north side of the road allowance there is another adjacent property owner along the westerly half (see property roll no. 112110001005400 above) that must also be consulted to determine their interest, if any, in the road allowance lands.

The application has been circulated to the Public Works, Planning and Emergency Services departments for review. Staff has determined that this portion of the unopened is not needed by the Town, and therefore recommend Council authorize proceeding with closing it and conveying the lands to the adjacent property owner(s) as per the Town’s Road Closing policy.
Staff Report to Council

To: Mayor Schermerhorn and Members of Council

Date: July 18, 2017

Prepared By: Susan Beckel, Clerk

Presented By: Susan Beckel, Clerk

Re: Community & Corporate Services - Request for Closing and Conveying an Unopened Road Allowance between County Road 2 West and Napanee River

**Staff Recommendation:** That Council receive for information the Community & Corporate Services - Request for Closing and Conveying an Unopened Road Allowance between County Road 2 West and Napanee River report;
And further that Council defer a decision regarding the request from Peter Hayes to close and convey the unopened road allowance located on the east side of the westerly half of Lot 13, Concession 1, geographic Township of Richmond lying between County Road 2 and the Napanee River, until staff can conduct a further review of the property.

**Financial Implications:**
As per the Town’s Road Closing policy, all associated costs for the road closure, including legal fees for the transfer of the property and land survey costs would be assumed by the proponent. The proponent would also be required to compensate the Town for the purchase of the portion of the road allowance lands at the rate of $4,000/acre (the rate established by Council for road allowance lands that lead to water).

**Accessibility Implications:**
This report may be available in alternate format upon request.

**Information Technology Implications:**
Upon review, there are no information technology implications.

**Energy Management Implications:**
Upon review, there are no energy management implications.

**Background Information:**
The Town has received a request from Peter Hayes, owner of Concession 1, Part Lot 13, being Part 1 on Reference Plan 29R-3181 (see attached plan), County Road 2
West, to close and convey part of the unopened road allowance adjacent to his property from County Road 2 West to Napanee River. (see approximate location below)

Mr. Hayes did make the same request in 2007, at which time Council received a staff report and adopted the following resolution on May 28, 2007:

Resolution #152/07: Veltheer & Grant
That Council decline the request to close the road allowance located on the east side of the westerly half of Lot 13, Concession 1, geographic Township of Richmond lying between County Road 2 and the Napanee River. CARRIED.

The 2007 staff report stated the following:
“Staff has received comments from one neighbouring owner who does not wish the road allowance closed as it is currently used by them for cross country skiing and hiking. This neighbour would also like the chance to purchase this road allowance.”

“As this piece of land has waterfront access (albeit very limited at the moment) staff do not endorse its sale at this time.”

Discussion:
Before the Town can close the road allowance and convey the lands to the adjacent property owner(s) as per the request, that portion of the road allowance must be surveyed, public notice of Council’s intent to adopt road closing by-law given and the by-law adopted and registered.
As Mr. Hayes is the adjacent property owner on the east side of the road allowance only, the adjacent property owner to the west must also be consulted to determine their interest, if any, in the road allowance lands. Mr. Hayes has advised Town staff that he has spoken to the adjacent property owner to the west who has indicated verbally to him that he has no interest in these lands. This would have to be confirmed in writing by the Town if Council were to approve proceeding with the road closing and conveyance.

The application has been circulated to Public Works, Planning and Emergency Services departments for review. Staff comments received to date suggest that the Town may wish to retain this property for future access to the Napanee River; however not all departmental comments have been received. Staff would therefore recommend deferral of Council's consideration regarding this request until further staff review can be conducted on the property.
Mayor Gordon Schermerhorn

This property is located Approx. 1.2 Km, west of Napanee on the south side of County Road 2 towards Deseronto

On the survey it is documented as part 1, 57.13 meters of frontage and 526.96 deep to the Napanee River.

There is a 12.192 (40 ft) road allowance on the west side of the property running from the road 526.96 (1728 ft) to the river.

This is not a open road allowance and has not for many years, in fact there are several mature trees on the allowance.

I believe this is a liability to the municipality rather than an asset and therefore would be of benefit for me to purchase.

Thanks you for your direction with this matter.

Pete Hayes
Hi David,

Wonderful speaking with you today. As discussed, attached is the letter of support Mike has request from the Mayor & Council.

Please let me know if you have any questions.

Thanks!

Valerie Watts
Constituency Manager to Mike Bossio
Member of Parliament for Hastings—Lennox and Addington
Follow Mike on Facebook, Twitter, and Instagram
20-B Richmond Blvd, Greater Napanee, Ontario K7R 4A4
Tel: (613) 354-0909 | Toll Free: 1-866-471-3800 | Fax: (613) 354-0913
www.mikebossiomp.ca

I am writing today to let you know about a crucially important opportunity for our shared community, which has great potential not only for economic development, but also for the improved social wellbeing of our constituents in a modern digital age.

As you may already know, Xplornet has submitted an application to the federal Connect to Innovate program. At $500 million over five years, this program is the largest ever federal investment in rural high-speed internet, and one that I have fought very hard to see come to fruition. Xplornet’s project proposal would, by combining both fiber wireline and fixed wireless technology, have the capacity to deliver urban-like speeds (ie: 100 mbps download) to our rural community.

I am very excited by the potential results of this kind of service, and I know that our constituents would be as well. By delivering increased broadband coverage to underserved areas across the rural parts of our community, we are enabling our constituents to unleash their entrepreneurial spirit, push employment and business opportunities up, and grow the middle class. When we talk about high-speed internet connection, of course what we’re really talking about is a human connection. Connecting a child to the online tools they need for school; connecting the small scale entrepreneur to online markets for their products; and connecting rural Canadians to each other, and to the world. There has been a wealth of success stories that have emerged from communities across the country when they have truly become

1
digitally engaged. We can learn from their success and not just replicate, but expand upon their economic potential—not just for the near future but for generations to come.

Letters of support have been submitted from EORN and from EOWC; however, I respectfully ask that your municipality also give consideration to writing a letter to the Ministry of Innovation, Science, and Economic Development to indicate your support for this important project. A template has been attached to this email that you may use and change as you see fit. The letters can be sent to my office, and I will deliver them as a whole to the minister personally.

I am happy to follow up with you to discuss this in more detail, as are officials from Xplornet. Please reach out to my office and they will be happy to set up a phone call or meeting.

Yours in service,

Mike Bossio

Member of Parliament for Hastings—Lennox and Addington
Dear Minister Bains,

I am writing regarding the application Xplornet Communications Inc. has submitted regarding the Connect to Innovate (CTI) program.

As you may know, Xplornet is proposing to build a significant fiber backbone network in the region of [name of municipality or township]. A significant portion of this project would be delivered using private capital.

[Insert short paragraph about the region – resident requirements, and current internet capacity)

Xplornet proposes to augment this fibre infrastructure with improvements to its existing wireless sites, and by deploying “small cell” technology in order to bring this proposed network even closer to homes, businesses, and public institutions in the area. This investment in fiber infrastructure to increase the speed and capacity in the region would be of great benefit for the residents of [name of municipality or township].

Based on my discussions with Xplornet I am confident that [name of municipality or township] would stand to benefit significantly from this project.

I am strongly supportive of Xplornet’s application and believe it would is precisely the type of investment that is required to promote job creation and economic growth in our area. Please do not hesitate to contact me should you have any questions.

Yours sincerely,

[First Name Last Name]
[Title, Name of municipality or township]
WHEREAS the Municipal Act, 2001, S.O. 2001, c.25, as amended, (the “Act”) provides that a municipal power shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS Council of the Town of Greater Napanee deems it expedient to adopt a Respect in the Workplace Policy;

NOW THEREFORE Council of The Corporation of the Town of Greater Napanee hereby enacts as follows:

1. That the Town of Greater Napanee Respect in the Workplace Policy attached hereto as Schedule “A” and forming part of this by-law, be hereby adopted.

2. That any by-law or policy or amendments thereto or part thereof that contradict the contents of this by-law are hereby repealed.

3. That the Respect in the Workplace Policy attached hereto as Schedule “A” shall take effect on September 29, 2017.

4. That this by-law shall come into force and take effect on the date of final passing.

Read a first and second time and finally passed this 18th day of July, 2017.

Gordon Schermerhorn, Mayor

Susan Beckel, Clerk
Schedule “A”
to
Town of Greater Napanee By-law No. 2017-0034

Respect in the Workplace Policy

Whereas the Town of Greater Napanee has a Harassment and Violence in the Workplace Policy which is amended from time to time, to reflect the expectation of how people will be treated in our workplace;

Whereas the Town of Greater Napanee also has additional Health and Safety Policies that are amended from time to time, meant to protect employees from unacceptable behaviour;

And Whereas it is deemed necessary to further develop policies to reflect that safe and respectful workplace expectations also extend to third parties that interact with staff and municipal elected officials and volunteers;

And Whereas disciplinary measures for employees who are found to violate policies are not relevant to third party, elected official and volunteer interactions in the workplace;

Now Therefore, the Council of the Town of Greater Napanee deems it appropriate to enact the following policies:

1. That the Town shall post in all buildings where the public has access, in a conspicuous location, appropriate signage that identifies expectations of a respectful workplace;

2. That copies of the Harassment and Violence in the Workplace Policies be readily available to anyone entering municipal facilities;

3. That should a member of the public, volunteer, elected official or other third party have been found to violate a Town Health and Safety Policy, they shall be subject to the following measures:

   a) Should a member of the public, volunteer, an elected official or other third party contravene a Town Health and Safety policy meant to protect employees from unacceptable behaviour, the person will immediately be asked to leave the municipal property or the employee will immediately leave the private property, and a written notice will be sent to the individual outlining the unacceptable behaviour by the appropriate Manager.

   b) Should a member of the public, volunteer or other third party contravene a Town Health and Safety policy meant to protect employees from unacceptable behaviour a second time within twenty-four months of receiving
Schedule “A”

to

Town of Greater Napanee By-law No. 2017-0034

Respect in the Workplace Policy

a written notice under Section 3a) above, they will be required to act through an agent on all dealings with Town employees for a period of six months, and this written notice will be sent by a Manager. For an Elected Official, the term will be three months except for attending a Council meeting or Committee meeting for which they are the Council Appointee.

c) Should a member of the public, volunteer or other third party contravene a Town Health and Safety policy meant to protect employees from unacceptable behaviour, within twenty-four months of the ending of a six-month agent period, they shall be required to deal through an agent indefinitely, and written notice will be sent by a Manager. For an Elected Official, the term will be at the determination of Council, except for attending a Council meeting or Committee meeting for which they are the Council Appointee.

d) Staff shall immediately notify police if a person who has been suspended from entering a municipal building or property does so during the period of suspension.

4. That this policy shall be adopted by By-law No. 2017-0034 on July 18, 2017 and shall take effect on September 29, 2017.

Dated at Napanee, ON this 18th day of July, 2017

Date                                                                 Signature of Clerk
A By-Law to Confirm the Proceedings of the Council of 
The Corporation of the Town of Greater Napanee 
at a Special Council Meeting Held on July 18, 2017

WHEREAS Section 5 of the Municipal Act, 2001, S.O. 2001, c.25, as amended (the “Municipal Act, 2001”), gives Council the authority to exercise the powers of the municipal corporation and requires that the powers of every Council are to be exercised by by-law;

AND WHEREAS Council has passed By-law No. 2008-58, being a By-law to Govern the Calling, Place and Proceedings of Council and Committees of Council and the Conduct of its Members;

AND WHEREAS it is deemed expedient that the proceedings of the Council of the Town of Greater Napanee at this meeting be confirmed and adopted by by-law;

NOW THEREFORE the Council of the Corporation of the Town of Greater Napanee enacts as follows:

1. The actions of the Council of The Corporation of the Town of Greater Napanee, at a Special Council Meeting held on July 18, 2017 at 7:00 p.m., in respect of each motion and resolution passed and other actions taken by the Council of the Town of Greater Napanee at this meeting, are hereby adopted and confirmed, as if all such proceedings were expressly embodied in this by-law.

2. The proper officials of the Town of Greater Napanee are hereby authorized and directed to do all things necessary to give effect to the actions of the Council of the Town of Greater Napanee, referred to in the preceding section.

3. The Mayor, or in the absence of the Mayor, the Deputy Mayor and the Clerk, or in the absence of the Clerk, the Deputy Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of the Town of Greater Napanee.

4. This by-law shall come into force and take effect on the date it is finally passed.

Read a first and second time and finally passed this 18th day of July 2017.