

**AGENDA**  
**Township of North Dundas**  
**636 St. Lawrence Street Winchester ON**  
**Tuesday, July 27, 2021 7:00 PM**

Page

- 1. Call Meeting to Order by Resolution**
- 2. Adoption of Agenda**
  - a) Additions, Deletions or Amendments  
All matters listed under Consent Agenda, are considered to be routine and will be enacted by one motion. Should a Council member wish an alternative action from the proposed recommendation, the Council member shall request that this matter be moved to the appropriate section at this time.
- 3. Disclosure of Pecuniary Interest and General Nature Thereof**
- 4. Adoption of Minutes**
- 5. Delegations**
- 6. Closed Session**
  - a) Pursuant to Section 239 (2) of the Municipal Act, 2001  
(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
    - Property
    - Official Plan Appeal
  - (b) personal matters about an identifiable individual, including municipal or local board employees. - Staff
- 7. Open Session**
- 8. Action Requests**
  - a) **Finance**
  - b) **Economic Development and Communications**
  - c) **Public Works**

d) Waste Management	
e) Planning Building and Enforcement	
f) Recreation and Culture	
g) Fire	
h) CAO	
i. <a href="#">Communications Officer Contract</a>	4
ii. <a href="#">Director of Corporate Services-Clerk</a>	5 - 9
i) Clerk	
i. <a href="#">Drainage Maintenance Request - Moffat Creek</a>	10 - 17
ii. <a href="#">Drainage Maintenance Request - Bourgeois</a>	18 - 24
<b>9. Tenders and Quotations</b>	
a) <a href="#">Tender RC2021-04 South Mountain Tennis Courts</a>	25 - 26
<b>10. By-laws</b>	
<b>11. Key Information</b>	
a) <a href="#">Recreation and Culture - Purchase of Garbage Receptacles</a>	27
<b>12. Consent Agenda</b>	
<b>13. Boards and Committees</b>	
<b>14. Motions and Notices of Motions</b>	
<b>15. Petitions</b>	
<b>16. Council Comments and Concerns</b>	
<b>17. Unfinished Business</b>	
<b>18. Ratification By-law</b>	
a) <a href="#">By-law No. 2021-54</a>	28
<b>19. Adjournment by Resolution</b>	





<b>ACTION REQUEST – CAO</b>	
<b>To:</b>	Mayor and Members of Council
<b>Date of Meeting:</b>	July 27, 2021
<b>Subject:</b>	Communications Officer Contract

**RECOMMENDATION:**

That Council accept the recommendation of the hiring committee and approve the hiring of Jennifer Westendorp as part-time Communications Officer for a one-year term as per the employment contract dated July 23, 2021.

**BACKGROUND:**

Council directed that a part-time Communications Officer be hired and further, Council approved the associated job description in June. The position was advertised and eight applications were received. Three people were interviewed and the hiring committee selected Jennifer Westendorp for the position. Ms. Westendorp has extensive experience with local print and radio media. She has accepted the offer of employment and will start on August 3<sup>rd</sup>. We look forward to having her join our team and to her bringing her exciting communications strategies and project ideas to life for the Township of North Dundas.

**OPTIONS AND DISCUSSION:**

1. Approve the hiring. Recommended.
2. Do not approve and direct staff to re-advertise. Not recommended.

**FINANCIAL ANALYSIS:**

Funds for this position are included in the 2021 budget.

**OTHERS CONSULTED:**

- Mayor
- Deputy Mayor
- Deputy CAO/Clerk

**PREPARED BY:**

---

Angela Rutley, BBA  
CAO



<b>ACTION REQUEST – Clerk</b>	
<b>To:</b>	Mayor and Members of Council
<b>Date of Meeting:</b>	July 27, 2021
<b>Subject:</b>	Director of Corporate Services-Clerk

**RECOMMENDATION:**

**THAT Council approves the job description for the revised and renamed position of Director of Corporate Services/Clerk dated July 27, 2021.**

**BACKGROUND:**

Our Deputy CAO/Clerk, Jo-Anne McCaslin, has submitted notification of her intent to retire at the end of 2021, after 24 years of dedicated service with the Township of North Dundas and 5 years of prior experience at the Township of Mountain. Jo-Anne started with North Dundas as Administrative Assistant to the Administrator/Clerk at amalgamation in 1998. She was promoted to Clerk in 2002 when the positions of CAO and Clerk were separated. Throughout that time, she has provided dedicated and loyal service to the Township and particularly Council. In recent years, Jo-Anne also accepted the title of Deputy CAO. She is a wealth of knowledge and always strives to find a positive outcome for any issue that she deals with. Jo-Anne’s knowledge, experience, positive attitude, dedication and focus on team successes will be greatly missed when she retires.

We need to commence the hiring process to select Jo-Anne’s successor. Prior to posting any position, we review the job description to make any necessary changes to reflect the current duties of the position and to incorporate any revised duties that are desired in the position.

Currently, the position is titled Deputy CAO/Clerk, but the position has grown to incorporate much more than what was traditionally thought of as the duties of the Clerk. Therefore, I would like to recommend that the position be retitled Director of Corporate Services/Clerk. This title better indicates the much broader scope of duties that are required of the position. Other municipalities have adopted this title, including SDG County and the Township of South Stormont.

The attached job description includes the broader scope of the position that is currently being performed, as well as some additional responsibilities, including supervision of the new position of Communications Officer. The title of Deputy CAO has been removed as this will be reviewed to determine the best way of providing backup in the absence of the CAO. The salary grade remains unchanged as the overall level of responsibility remains unchanged.

Once the job description is approved, the position will be advertised both internally and externally, including through the Association of Municipal Clerks and Treasurers. Applications will be due in late August and interviews will be scheduled thereafter. Council is asked to select 2 members that would like to be part of the hiring committee, with the CAO and Deputy CAO/Clerk. Alternatively, all of Council can be part of the process. If all of Council wishes to participate, interviews will be scheduled as Special meetings of Council.

**OPTIONS AND DISCUSSION:**

1. **Approve the job description** - recommended.
2. **Do not approve the job description** - not recommended.
3. **Revise and approve the job description** - not recommended.

**FINANCIAL ANALYSIS:**

The salary is unchanged, but there will be overlap of the incumbent and the new candidate, so this may create an additional, unbudgeted expense, depending on whether the selected candidate is hired from within or externally.

**OTHERS CONSULTED:**

Deputy CAO/Clerk

**ATTACHMENTS:**

Director of Corporate Services/Clerk job description

**PREPARED BY:**



---

**Angela Rutley, BBA**  
**CAO**

**TOWNSHIP OF  
NORTH DUNDAS**  
*JOB DESCRIPTION*

<b>Title:</b> Director of Corporate Services/Clerk	<b>Department:</b> Corporate Services
<b>Reports To:</b> Chief Administrative Officer	<b>Date Approved:</b> July 27, 2021
<b>Wage Grade:</b> Grade 12	

**POSITION PROFILE:**

Reporting to the Chief Administrative Officer (CAO), the Director of Corporate Services/Clerk performs all statutory duties of the Clerk in accordance with the *Municipal Act* and various other legislation. The Director of Corporate Services/Clerk is also responsible for administering Access to Information requests and the corporate Records Management System.

The Director of Corporate Services/Clerk attends all Council and Committee of the Whole meetings and is responsible for the preparation of By-laws and resolutions, the accurate recording of all resolutions, decisions, and proceedings of Council.

**KEY DUTIES/RESPONSIBILITIES/ACTIVITIES**

Responsible for overseeing and managing the legislative processes and related activities for Council, standing committees and ad hoc committees. This includes attending Council and Committee meetings and accurately recording minutes of the proceedings and resulting decisions.

Ensures that Council’s decisions are communicated promptly with all applicants, petitioners and to persons, agencies and other interested parties required to be advised of decisions and/or proceedings. As required, disseminates corporate information to Township departments, the public, external agencies, and other levels of government.

Participates as a member of the Management Team providing input on corporate planning or strategic initiatives; attends Director’s meetings, lead and/or participates in project teams as assigned by the CAO.

Responsible for compiling and reviewing Council reports from Township Directors, preparation and circulation of Council packages, and meeting agenda preparation.

Researches and analyzes policy and By-law development and oversees all matters pertaining to the conduct of effective Council meetings. Ensures issuance of required public notices.

On his/her own authority or in conjunction with the Township solicitor, prepares or directs preparation of all required by-laws and motions for submission to Council for approval.

Responsible for audio-visual equipment, electronic recording and streaming of Council meetings as required.

Within the Corporate Services Department, manages/supervises the Emergency Management Coordinator, the Communications Coordinator and other staff as assigned. This includes responsibility for ensuring the effectiveness/efficiency of the emergency management, and communications services of the Township.

Acts as Emergency Programs Manager/CEMC or alternate.

Coordinates all Council/Committee appointments as required. Coordinates all requests for delegations before Council.

Responsible for the development and management of the Township's Records Management System, including, but not limited to, retention schedules/By-laws, needs assessment, policy development/implementation, archival selection, and destruction.

Acts as a Commission of Oaths.

Acts a Civil Marriage Officiant.

Responsible for Municipal Licensing and Lotteries.

Acts as a Signing Officer for the Municipality.

Performs the duties of Returning Officer for Municipal Elections.

Acts as the local registrar for all deaths occurring in the Township and directs the issuing of burial permits and other related documents as required.

Completes cemetery reports.

Processes applications for fence viewers and livestock evaluations.

Researches grant opportunities and prepares grant applications.

Acts as a resource person for Council by advising members of meeting procedures and their responsibilities as elected members, as well as providing administrative support to Council.

Communicates effectively, professionally and courteously with all levels of staff, elected officials, other levels of government and the general public, both verbally and in writing.

Maintains a thorough knowledge of trends and developments in legislation, provincial policy directives and other legal and economic matters that impact the Township.

Provides support services to and liaises with the Chief Administrative Officer and other Department Heads as required.

Prepares and monitors annual budget for various accounts related to Corporate Services.

Maintains corporate records including but not limited to policies, By-laws, resolutions, minutes, agendas, action requests, agreements, deeds, etc. Ensures secure storage of critical record and confidentiality of sensitive data.



Manages Municipal Archives

On behalf of the Township, administers the *Freedom of Information and Protection of Privacy Act*.

Fosters good rapport and cooperative business relationships; develops and maintains a contact network with professionals in the field and counterparts in other municipalities.

Participates in programs, attends conferences and courses which foster professional or technical development where applicable and approved.

Responsible for Accessibility reporting, including to the SDG Accessibility Advisory Committee.

Maintains municipal insurance portfolio and manages claims in co-ordination with the Township's insurance broker and insurance company.

Required to perform the statutory duties as required by the Ontario Drainage Act.

Follows all Health & Safety policies and procedures and report any non-compliance or any possible safety risks.

### **WORK RELATIONSHIPS**

Reports to the Chief Administrative Officer. Provides staff supervision/oversight as described herein. Liaise with other Township staff, federal/provincial representatives, local municipal staff and the general public.

### **WORK DEMANDS/STRESSES**

Operates in an environment that demands accuracy, attention to detail with concentration on continuous deadlines with the ability to set priorities and multi-task. Must maintain a thorough knowledge of all legislation and policies affecting the Township. The ability to maintain confidentiality is essential. Must be able to professionally and competently deal with lawyers, insurance adjusters, construction firms, contractors etc.

### **EDUCATION/EXPERIENCE/APTITUDES**

Degree/Diploma in Public/Business Administration, CMO or equivalent designation or equivalent combination of education/experience. Five to eight years of progressively responsible experience, preferably in a municipal environment. Thorough working knowledge of the *Municipal Act* as well as other relevant legislation/regulations. Superior communication skills, strong organizational, leadership, and analytical skills are required.

### **SALARY RANGE**

Permanent full-time position at 35 hours per week. Annual salary Grade 12 as per Salary Grid.

**Note:** *This job description is meant to describe the general nature and level of the work being performed; it is not intended to be construed as an exhaustive list of the responsibilities, duties and skills required for the position.*



<b>ACTION REQUEST – Clerk</b>	
<b>To:</b>	Mayor and Members of Council
<b>Date of Meeting:</b>	July 27, 2021
<b>Subject:</b>	Request for Drainage Maintenance

**RECOMMENDATION:**

**THAT Council accept the request for the drainage maintenance on the Undesignated Branch of the Moffat Creek Municipal Drain, and direct staff to proceed with the notification of South Nation Conservation Authority and Ontario Ministry of Agriculture, Food, and Rural Affairs regarding the request.**

**BACKGROUND:**

On July 15, 2021 a request for a drain re-alignment was filed with the Clerk for an undesignated branch of the Moffat Creek Municipal Drain. The Moffat Creek Municipal Drain is a large drain that was constructed in 1896. In 1925 the Township of Winchester passed by-law 466 to enable the Moffat Creek drain to become a Municipal Drain under the Drainage Act. The Moffat Creek Municipal drain is 17,900 feet long (5.45 km) within the Township of Winchester, and then it exits and continues into the Township of Russell. The Moffat Creek Municipal Drain has an existing Engineer’s Report last updated in 1978, and is classified as a Class C Drain, meaning drainage maintenance and improvement can only be completed prior to April 1<sup>st</sup> or after July 15<sup>th</sup> each year.

A request for drainage re-alignment is required to follow Section 78 of the Ontario Drainage Act, 1990. Section 78 of the Drainage Act reads as follows:

**Improving, upon examination and report of an engineer**

*78(1) Where, for the better use, maintenance or repair of any drainage works constructed under a by-law passed under this Act or any predecessor of this Act, or of lands or roads, it is considered expedient*

- *To change the course of the drainage works, or*
- *To make a new outlet for the whole or any part of the drainage works, or*
- *To construct a tile drain under the bed of the whole or any part of the drainage works as ancillary thereto, or*
- *To construct, reconstruct or extend embankment, walls, dykes, dams, reservoirs, bridges, pumping stations, and other protective works as ancillary to the drainage works, or*
- *To otherwise improve, extend to an outlet or alter the drainage works or*
- *To cover the whole or any part of it, or*
- *To consolidate two or more drainage works,*

*The council of any municipality whose duty it is to maintain and repair the drainage works or any part thereof may, without the petition required in section 4 but on the report of an engineer appointed by it, undertake and complete the drainage works as set forth in such report.*

The Clerk and the Drainage Superintendent reviewed the request and determined that a project scoping meeting was not required as the landowner's request for re-alignment was specific to a section on their property, and within the application the landowner declared that they would pay for any requirements for the re-alignment, rather than the Municipality assessing out the costs to the landowners benefiting from that specific section of the drain.

### **Analysis**

The next step in the Drainage Act process is whether Council should accept the Section 78 request (see attached flowchart). If council accepts the request notice will be send to the Conservation Authority and OMAFRA to allow these agencies to request an environmental appraisal or benefit cost statement. Council will receive feedback on this and then have the opportunity to request an environmental appraisal or benefit cost statement on its own behalf, Council should note that any environmental appraisal or benefit cost statement that they determine is required shall not be assessed back to the watershed or the property owner, meaning the appraisal or the benefit cost statement would be paid through the tax base. Once 30 days has passed and no comments have been received, Staff will then bring an Action request back to Council in order to appoint an engineer to prepare a report regarding the work.

With regards to this request, in determining whether to accept the request submitted, there are two main components to this decision.

1. Is this a valid request under the Drainage Act?
2. Should Council proceed to accept the request or are there justifiable reasons to deny the request?

With regards to component 1, to determine whether this is a valid request, Section 78 (1) of the Drainage Act states:

*“ If a drainage works has been constructed under a by-law passed under this Act or any predecessor of this Act, and the council of the municipality that is responsible for maintaining and repairing the drainage works considers it appropriate to undertake one or more of the projects listed in subsection (1.1) for the better use, maintenance or repair of the drainage works or of lands or roads, the municipality may undertake and complete the project in accordance with the report of an engineer appointed by it and without the petition required by section 4. 2010, c. 16, Sched.1, s.2 (27).”*

Projects referred to in subsection 1.1 that pertain to this specific request are changing the course of drainage works, making a new outlet for the whole or any part of the drainage works, and covering all or part of the drainage works.

With regards to component 1, Staff feel that based on the Ontario Drainage Act this is a valid request. However, Staff will note that this particular section of the Moffat Creek is undesignated meaning it does not have a designated branch name as part of the Moffat Creek, and therefore the Engineer will be responsible for determining how a Section 78 will be processed.

With regards to component 2, to examine if there are justifiable reasons to deny the request, Staff feel that since the property owner is willing to accept all associated costs with the engineer's report and work required to cover the drain that there is currently no valid reason to deny the request being reviewed by the Conservation Authority and OMAFRA. Should issues be identified by the Conservation Authority or OMAFRA upon review, this information will return to Council prior to the appointment of an Engineer.

Overall, it is Council's responsibility to make the decision on whether to accept the Section 78 request.

**OPTIONS AND DISCUSSION:**

1. **Accept the request for drainage maintenance** – recommended.
2. **Do not accept the request for drainage maintenance** – not recommended.

**FINANCIAL ANALYSIS:**

There are no direct financial implications to the recommendation. There will be costs incurred once the engineer has been appointed to the project. If the request is denied by Council there may be costs for legal representation if the property owner appeals to the Referee for a decision.

**OTHERS CONSULTED:**

**ATTACHMENTS:**

- Flow-chart- Drain Improvement Procedure under the Drainage Act (Section 78)
- Request for Maintenance – Section 78 form
- Map Area of Request

**PREPARED BY:**  
Danielle Ward

**REVIEWED & APPROVED BY:**



---

**Jo-Anne McCaslin, CMO  
Municipal Clerk**

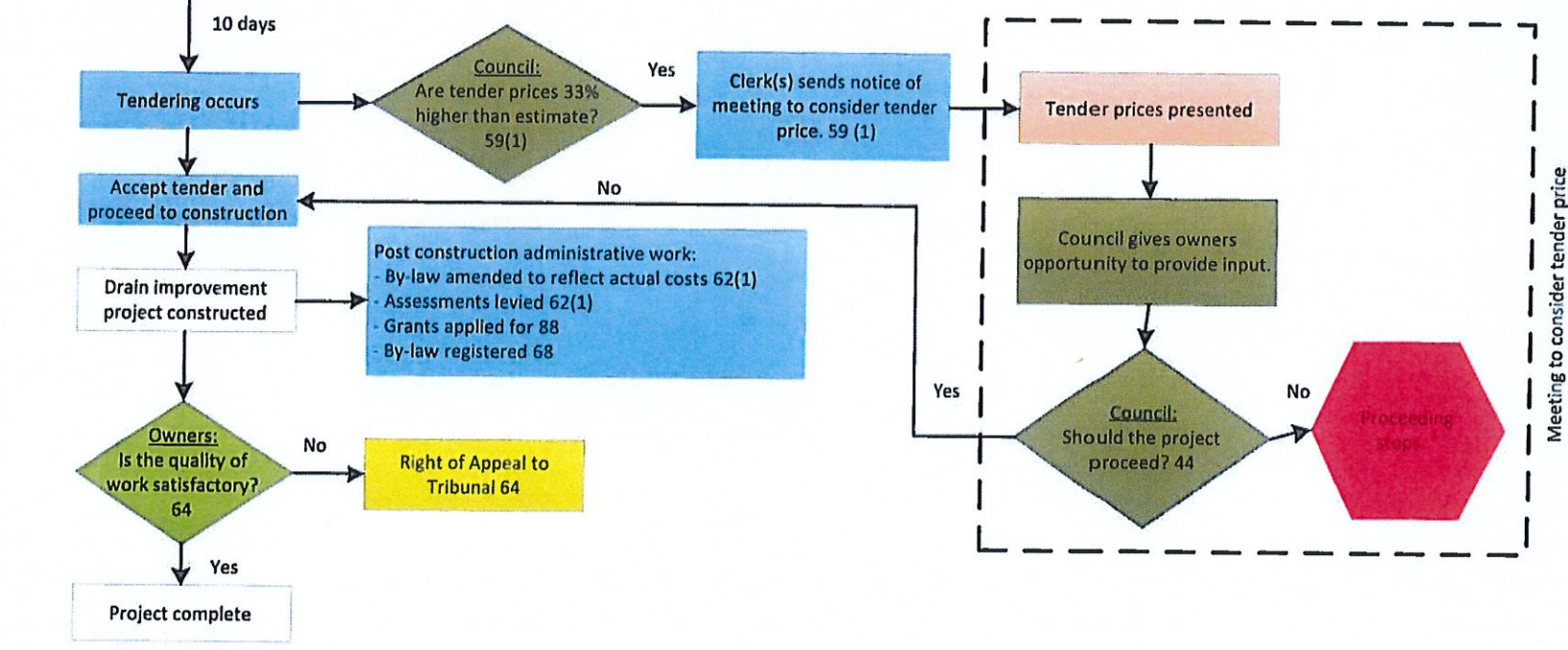
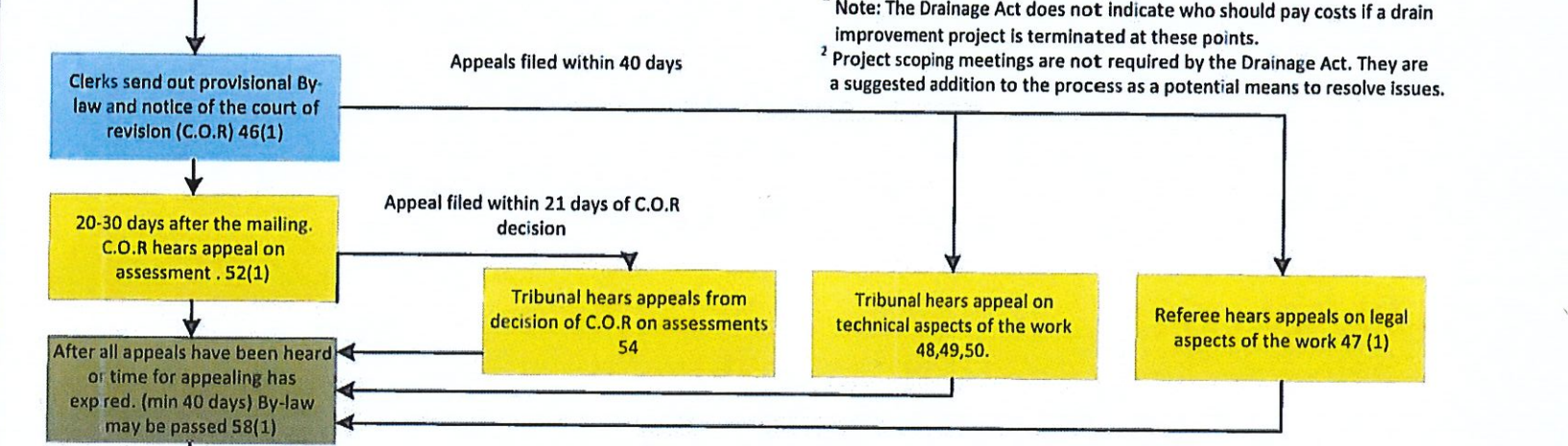
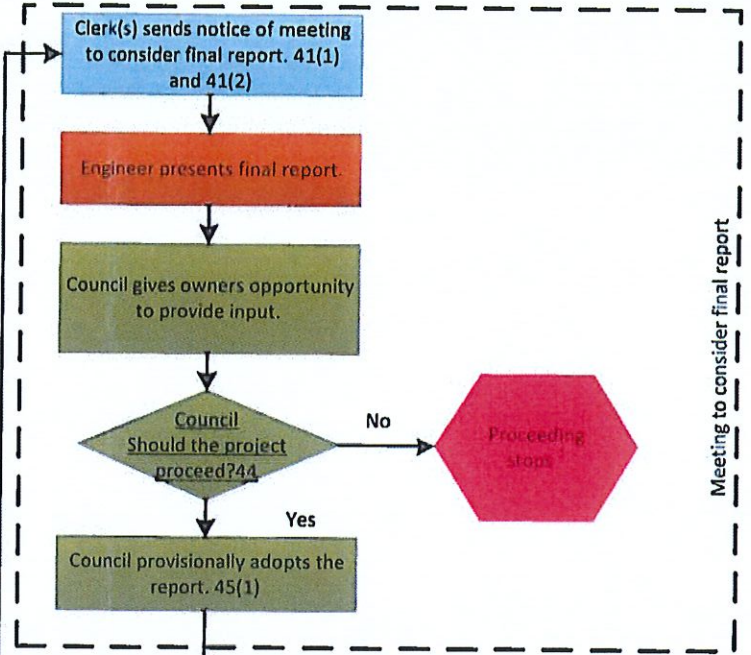
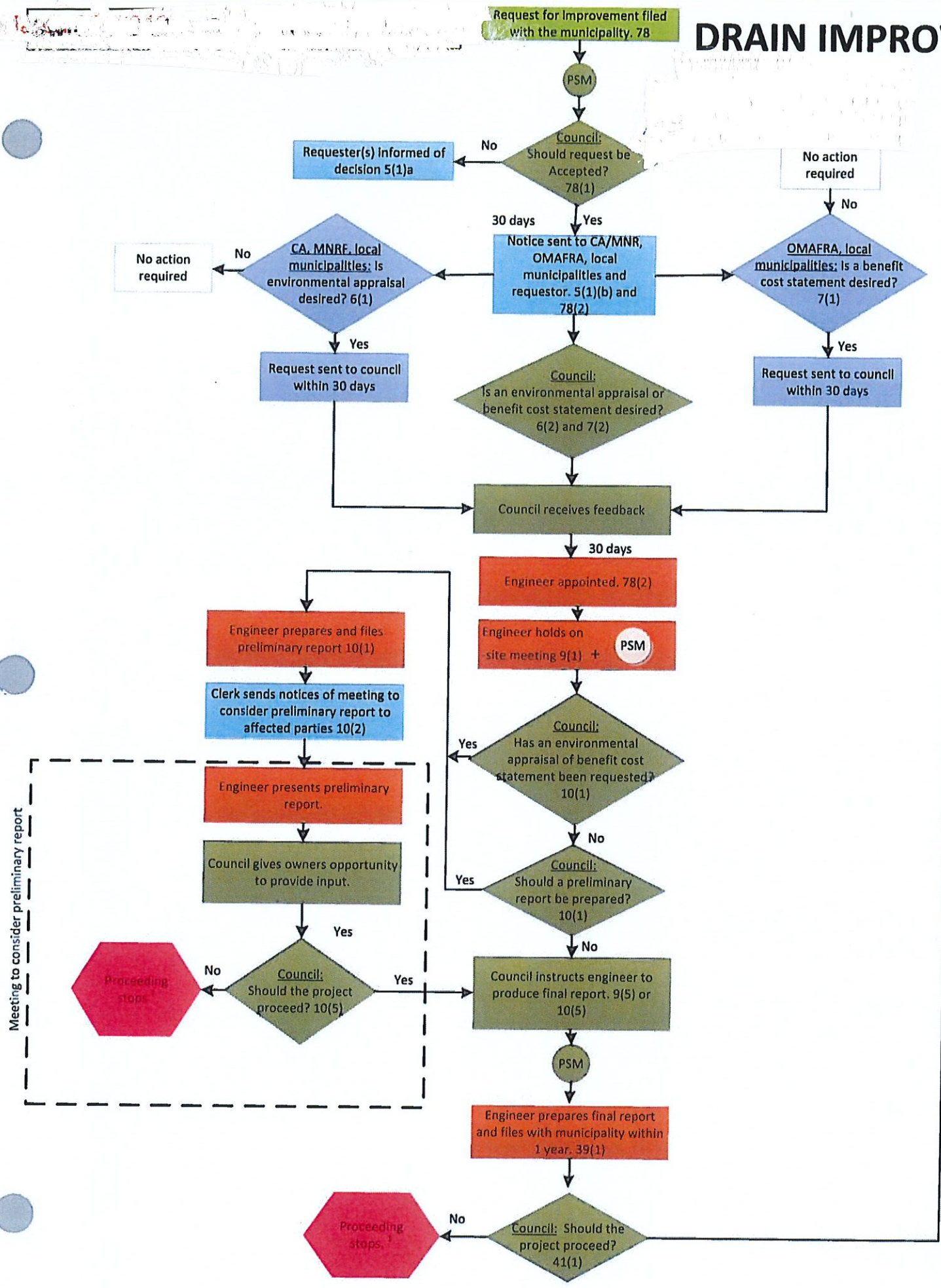


---

**Angela Rutley, BBA  
CAO**



# DRAIN IMPROVEMENT PROCEDURE UNDER THE DRAINAGE ACT (SECTION 78)



Ontario  
Ministry of Agriculture, Food and Rural Affairs

### Drain Improvement Procedure FLOWCHART LEGEND

SHAPE LEGEND		COLOURS LEGEND	
	Proceedings Stop		Council of initiating Municipality
	General Actions		Engineer
	Decision Point		Owners
	Project Scoping Meeting <sup>2</sup>		Municipal Staff
			CA, Provincial or Local Governments
			Appeals

<sup>1</sup> Note: The Drainage Act does not indicate who should pay costs if a drain improvement project is terminated at these points.  
<sup>2</sup> Project scoping meetings are not required by the Drainage Act. They are a suggested addition to the process as a potential means to resolve issues.



To: The Council of the Corporation of the TWP of NORTH DUNDAS

Re: Moffat, Creek Municipal Drain  
(Name of Drain)

In accordance with section 78 (1.1) of the *Drainage Act*, take notice that I, as owner of land affected, request that the above mentioned drain be improved.

The Major Improvement Project work being requested is (check all appropriate boxes):

- Changing the course of the drainage works;
- Making a new outlet for the whole or any part of the drainage works;
- Constructing a tile drain under the bed of the whole or any part of the drainage works;
- Constructing, reconstructing or extending bridges or culverts;
- Extending the drainage works to an outlet;
- Improving or altering the drainage works if the drainage works is located on more than one property;
- Covering all or part of the drainage works;
- Consolidating two or more drainage works; and/or
- Any other activity to improve the drainage works, other than an activity prescribed by the Minister as a minor improvement.

Provide a more specific description of the proposed drain major improvement you are requesting:

We would like to clean ditch (938') to original grade & install a 15" drainage tile to join the small fields together. Existing culvert at farm centre is barely 12" open and seems to handle spring flow.

**Property Owners**

- Your municipal property tax bill will provide the property description and parcel roll number.
- In rural areas, the property description should be in the form of (part) lot and concession and civic address.
- In urban areas, the property description should be in the form of street address and lot and plan number, if available.

Property Description

<u>Conc. 10, Part Lot 22</u>	
Ward or Geographic Township <u>North Dundas</u>	Parcel Roll Number <u>Not Assigned</u>

If property is owned in partnership, all partners must be listed. If property is owned by a corporation, list the corporation's name and the name and corporate position of the authorized officer. Only the owner of the property may request a drain improvement.

**Ownership**

Select Ownership Type

If you need to provide additional information, please attach along with this form.

Enter the mailing address and primary contact information of property owner below:

Last Name <i>MacGregor</i>	First Name <i>Tom</i>	Middle Initial <i>E.</i>
-------------------------------	--------------------------	-----------------------------

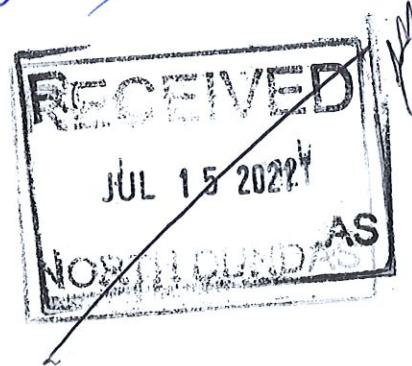
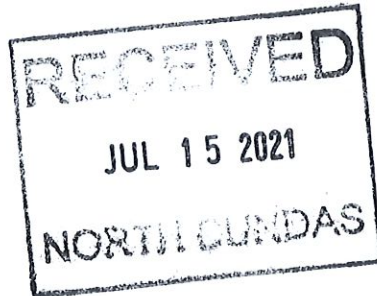
**Mailing Address**

Unit Number	Street/Road Number <i>13805</i>	Street/Road Name <i>County Road 13</i>	PO Box
City/Town <i>Cryster</i>	Province <i>ONT.</i>		Postal Code <i>K0A 1R0</i>
Telephone Number <i>613-448-3350</i>	Cell Phone Number (Optional) <i>613-227-3654</i>	Email Address (Optional) <i>tom.janet@xplbrnet.com</i>	

To be completed by recipient municipality:

Notice filed this 15 day of July 20 21

Name of Clerk (Last, First Name) <i>McCASLIN JO-ANNE</i>	Signature of Clerk <i>J McCaslin</i>
---	---





UNDESIGNATED MOFFAT CREEK- SECTION 78 REQUEST  
Highlighted Section to be Completed





<b>ACTION REQUEST – Clerk</b>	
<b>To:</b>	Mayor and Members of Council
<b>Date of Meeting:</b>	July 27, 2021
<b>Subject:</b>	Request for Drainage Maintenance

**RECOMMENDATION:**

**THAT Council accept the request for the drainage maintenance on the Bourgeois Municipal Drain, and direct staff to proceed with the notification of South Nation Conservation Authority and Ontario Ministry of Agriculture, Food, and Rural Affairs regarding the request.**

**BACKGROUND:**

On July 12, 2021 a request for a drain re-alignment was filed with the Clerk for the Bourgeois Municipal Drain. The Bourgeois Municipal Drain is located in Lots 11 to 13, Concessions 10, 11 & 12 and is approximately 16,200 feet long. The Bourgeois Municipal Drain has an existing Engineer’s Report created in 1974, and is classified as a Class F Drain, meaning drainage maintenance and improvement can only be completed whenever there is no flow (no water in drain).

A request for drainage re-alignment is required to follow Section 78 of the Ontario Drainage Act, 1990. Section 78 of the Drainage Act reads as follows:

**Improving, upon examination and report of an engineer**

*78(1) Where, for the better use, maintenance or repair of any drainage works constructed under a by-law passed under this Act or any predecessor of this Act, or of lands or roads, it is considered expedient*

- *To change the course of the drainage works, or*
- *To make a new outlet for the whole or any part of the drainage works, or*
- *To construct a tile drain under the bed of the whole or any part of the drainage works as ancillary thereto, or*
- *To construct, reconstruct or extend embankment, walls, dykes, dams, reservoirs, bridges, pumping stations, and other protective works as ancillary to the drainage works, or*
- *To otherwise improve, extend to an outlet or alter the drainage works or*
- *To cover the whole or any part of it, or*
- *To consolidate two or more drainage works,*

*The council of any municipality whose duty it is to maintain and repair the drainage works or any part thereof may, without the petition required in section 4*

*but on the report of an engineer appointed by it, undertake and complete the drainage works as set forth in such report.*

The Clerk and the Drainage Superintendent reviewed the request and determined that a project scoping meeting was not required as the landowner's request for re-alignment was specific to a section on their property, and within the application the landowner declared that they would pay for any requirements for the re-alignment, rather than the Municipality assessing out the costs to the landowners benefiting from that specific section of the drain.

### **Analysis**

The next step in the Drainage Act process is whether Council should accept the Section 78 request (see attached flowchart). If council accepts the request, notice will be sent to the Conservation Authority and OMAFRA to allow these agencies to request an environmental appraisal or benefit cost statement. Council will receive feedback on this and then have the opportunity to request an environmental appraisal or benefit cost statement on its own behalf. Council should note that any environmental appraisal or benefit cost statement that they determine is required shall not be assessed back to the watershed or the property owner, meaning the appraisal or the benefit cost statement would be paid through the tax base. Once 30 days has passed and no comments have been received, Staff will then bring an Action Request back to Council in order to appoint an engineer to prepare a report regarding the work.

With regards to this request, in determining whether to accept the request submitted, there are two main components to this decision.

1. Is this a valid request under the Drainage Act?
2. Should Council proceed to accept the request or are there justifiable reasons to deny the request?

With regards to component 1, to determine whether this is a valid request, Section 78 (1) of the Drainage Act states:

*“ If a drainage works has been constructed under a by-law passed under this Act or any predecessor of this Act, and the council of the municipality that is responsible for maintaining and repairing the drainage works considers it appropriate to undertake one or more of the projects listed in subsection (1.1) for the better use, maintenance or repair of the drainage works or of lands or roads, the municipality may undertake and complete the project in accordance with the report of an engineer appointed by it and without the petition required by section 4. 2010, c. 16, Sched.1, s.2 (27).”*

Projects referred to in subsection 1.1 that pertain to this specific request are changing the course of drainage works, making a new outlet for the whole or any part of the drainage works, and covering all or part of the drainage works.

With regards to component 1, Staff feel that based on the Ontario Drainage Act this is a valid request.

With regards to component 2, to examine if there are justifiable reasons to deny the request, Staff feel that since the property owner is willing to accept all associated costs with the engineer's report and work required to re-align the drain that there is currently no valid reason to deny the request being reviewed by the Conservation Authority and OMAFRA. Should issues be identified by the Conservation Authority or OMAFRA upon review, this information will return to Council prior to the appointment of an Engineer.

Overall, it is Council's responsibility to make the decision on whether to accept the Section 78 request.

**OPTIONS AND DISCUSSION:**

1. **Accept the request for drainage maintenance** - recommended.
2. **Do not accept the request for drainage maintenance** - not recommended.

**FINANCIAL ANALYSIS:**

There are no direct financial implications to the recommendation. There will be costs incurred once the engineer has been appointed to the project. If the request is denied by Council there may be costs for legal representation if the property owner appeals to the Referee for a decision.

**OTHERS CONSULTED:**

**ATTACHMENTS:**

- Flow chart- Drain Improvement Procedure under the Drainage Act (Section 78)
- Request for Maintenance- Section 78 form
- Map Area of Request

**PREPARED BY:**  
**Danielle Ward**



---

**Jo-Anne McCaslin, CMO**  
**Municipal Clerk**

**REVIEWED & APPROVED BY:**



---

**Angela Rutley, BBA**  
**CAO**





Ministry of Agriculture,  
Food and Rural Affairs

**Notice of Request for Drain  
Major Improvement  
Drainage Act, R.S.O.  
1990, c. D.17, subs. 78 (1.1)**

To: The Council of the Corporation of the Township of North Dundas

Re: Bourgeois Municipal Drain  
(Name of Drain)

In accordance with section 78 (1.1) of the *Drainage Act*, take notice that I, as owner of land affected, request that the above mentioned drain be improved.

The Major Improvement Project work being requested is (check all appropriate boxes):

- Changing the course of the drainage works;
- Making a new outlet for the whole or any part of the drainage works;
- Constructing a tile drain under the bed of the whole or any part of the drainage works;
- Constructing, reconstructing or extending bridges or culverts;
- Extending the drainage works to an outlet;
- Improving or altering the drainage works if the drainage works is located on more than one property;
- Covering all or part of the drainage works;
- Consolidating two or more drainage works; and/or
- Any other activity to improve the drainage works, other than an activity prescribed by the Minister as a minor improvement.

Provide a more specific description of the proposed drain major improvement you are requesting:

We would like to transfer the current drain over to the edge of the property as marked on the attached map.

**Property Owners**

- Your municipal property tax bill will provide the property description and parcel roll number.
- In rural areas, the property description should be in the form of (part) lot and concession and civic address.
- In urban areas, the property description should be in the form of street address and lot and plan number, if available.

Property Description

Con 12 PT Lot 12 (97.27 acres)

Ward or Geographic Township

North Dundas

Parcel Roll Number

051101601220400000

If property is owned in partnership, all partners must be listed. If property is owned by a corporation, list the corporation's name and the name and corporate position of the authorized officer. Only the owner of the property may request a drain improvement.

Ownership 2188448 ON INC

Select Ownership Type If you need to provide additional information, please attach along with this form.

Enter the mailing address and primary contact information of property owner below:

Last Name Jaquemet	First Name Jean-Luc	Middle Initial
-----------------------	------------------------	----------------

Mailing Address


Unit Number 13077	Street/Road Number 13077	Street/Road Name COUNTY RD 3	PO Box
----------------------	-----------------------------	---------------------------------	--------

City/Town WINCHESTER	Province ON	Postal Code K0C 2K0
-------------------------	----------------	------------------------

Telephone Number 613-880-0754	Cell Phone Number (Optional)	Email Address (Optional) jlkjaquemet@gmail.com
----------------------------------	------------------------------	---

To be completed by recipient municipality:

Notice filed this 12 day of JULY 20 21

Name of Clerk (Last, First Name) McCASLIN JO-ANNE	Signature of Clerk 
--	--



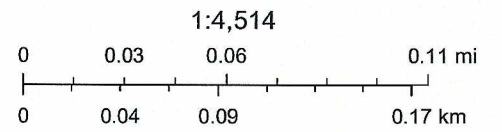
# North Dundas SDG Explorer Map



Page 23 of 28

2021-07-08, 1:55:16 p.m.

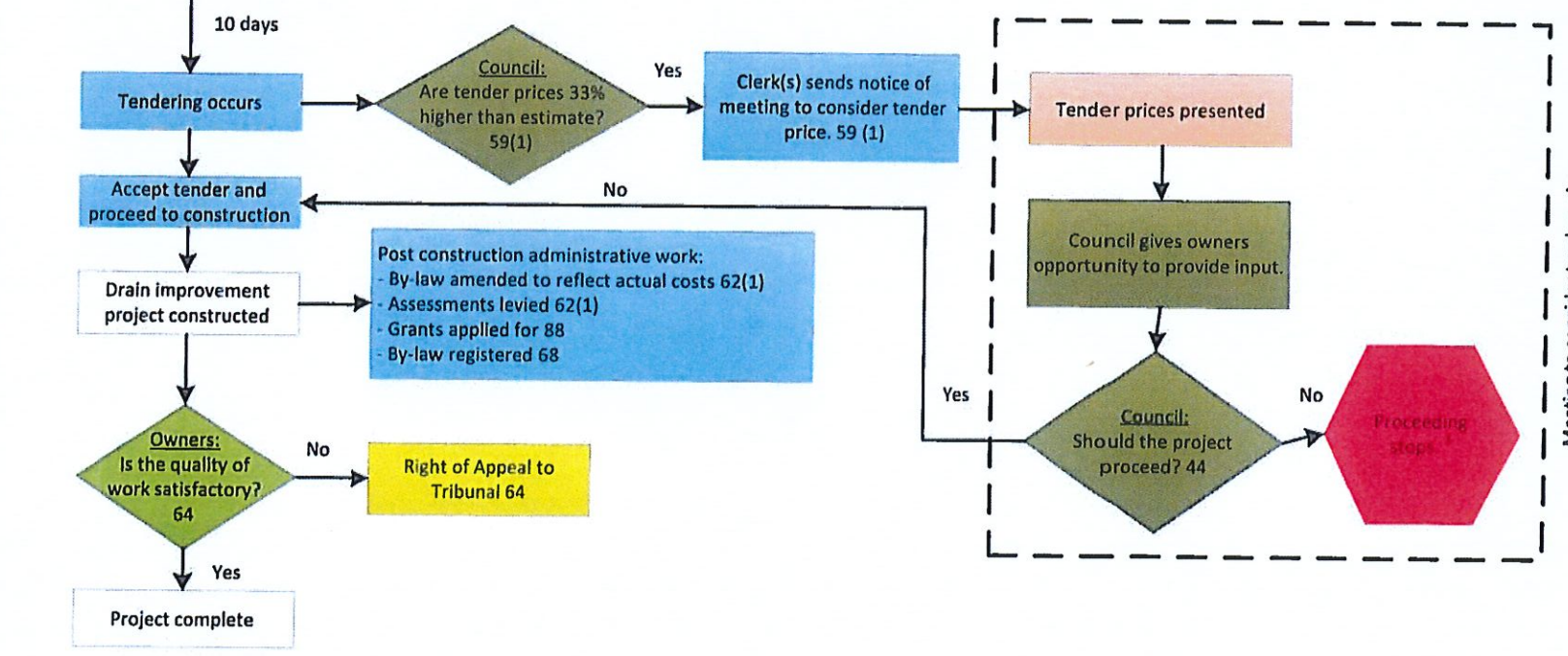
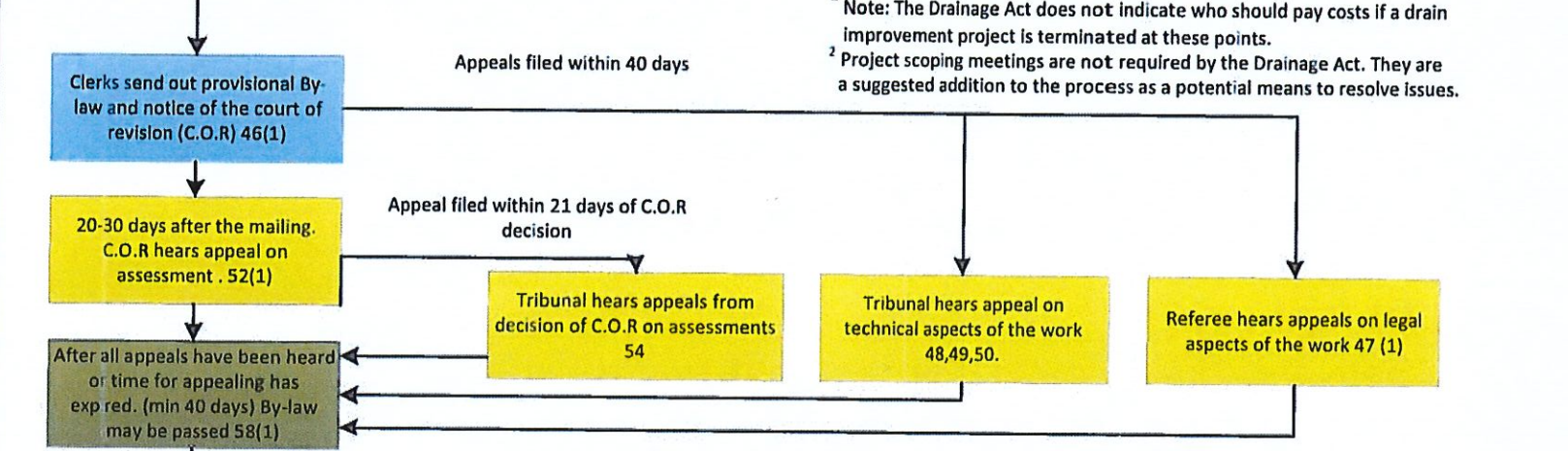
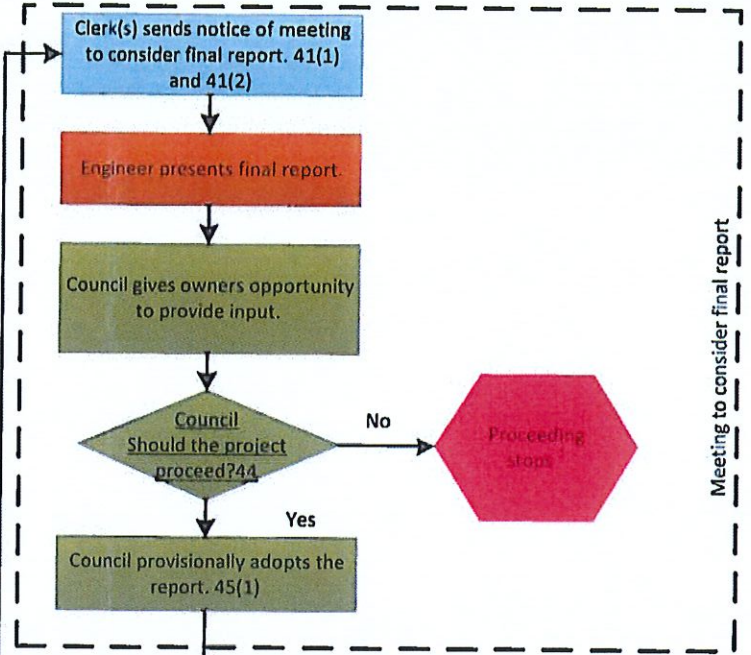
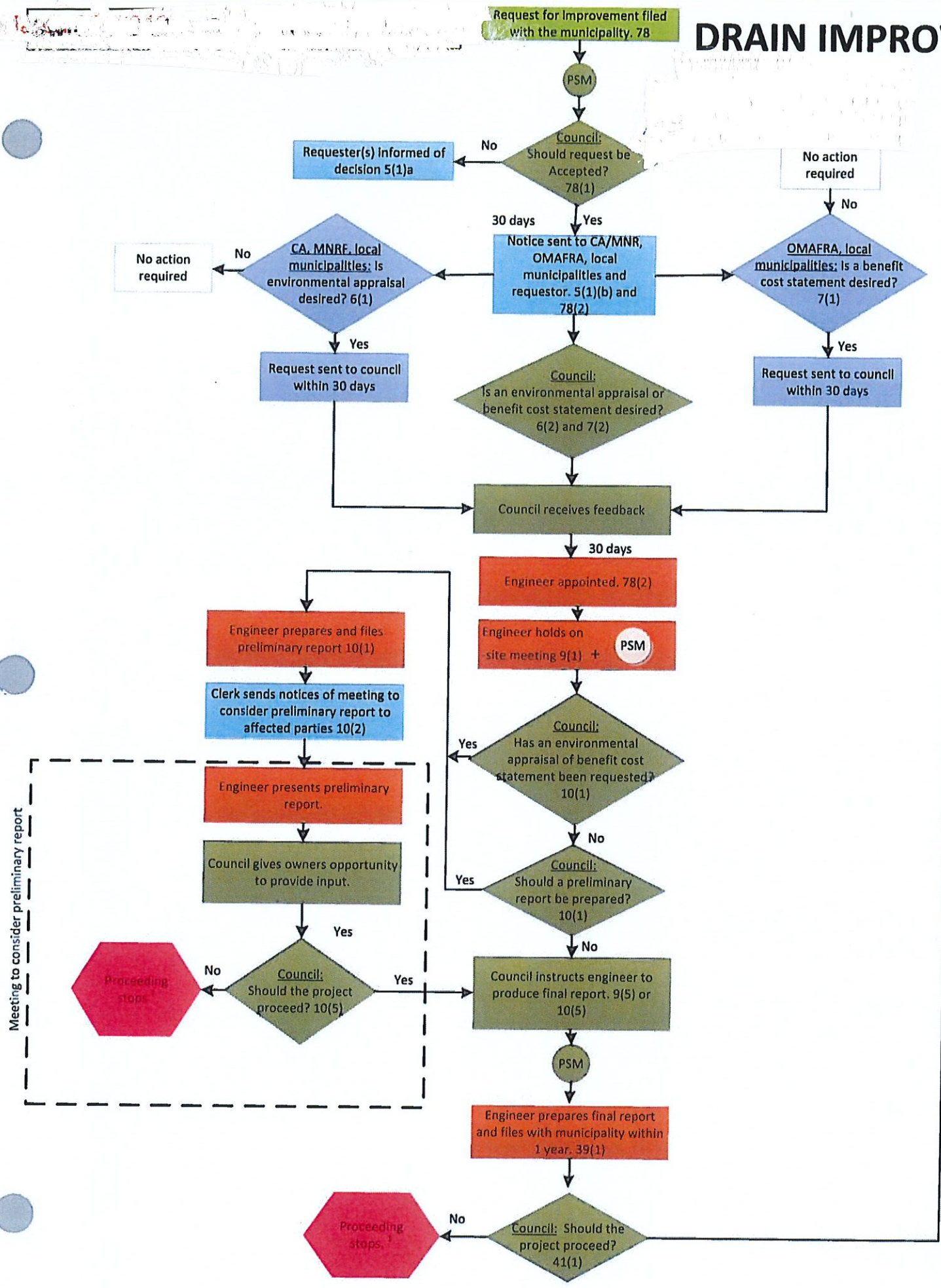
- Constructed Drain
- Assessment Parcel (Roll)
- River or Stream
- Permanent



Maxar



# DRAIN IMPROVEMENT PROCEDURE UNDER THE DRAINAGE ACT (SECTION 78)



Ontario  
Ministry of Agriculture, Food and Rural Affairs

### Drain Improvement Procedure FLOWCHART LEGEND

SHAPE LEGEND		COLOURS LEGEND	
	Proceedings Stop		Council of initiating Municipality
	General Actions		Engineer
	Decision Point		Owners
	Project Scoping Meeting <sup>2</sup>		Municipal Staff
			CA, Provincial or Local Governments
			Appeals

<sup>1</sup> Note: The Drainage Act does not indicate who should pay costs if a drain improvement project is terminated at these points.  
<sup>2</sup> Project scoping meetings are not required by the Drainage Act. They are a suggested addition to the process as a potential means to resolve issues.





<b>ACTION REQUEST – Recreation and Culture</b>	
<b>To:</b>	Mayor and Members of Council
<b>Date of Meeting:</b>	July 27, 2021
<b>Subject:</b>	Tender RC2021-04 - South Mountain Tennis Courts Lighting & Pole Replacement

**RECOMMENDATION:**

**THAT Council award the tender for the replacement of the lights and poles at the South Mountain Tennis Courts, located at 10543 Main St., to Dundas Power Line Ltd., for the stipulated price of \$20,195 excluding HST.**

**BACKGROUND:**

The tender for the replacement of the lights and poles for the South Mountain Tennis Courts was awarded to Devries Electric Inc. in May. Due to COVID-19, the small business has experienced labour shortages and a rise in material costs. For these reasons, Devries Electric Inc. was not able to complete the tendered project.

Dundas Power Line Ltd. was the next bidder according to the evaluation system that was published in the tender. They have agreed to uphold their total bid price of \$20,195.

**OPTIONS AND DISCUSSION:**

- 1. Award the project to Dundas Power Line Ltd., for the stipulated price of \$20,195 excluding HST - recommended.**
- 2. Request that an alternate company be awarded the project - not recommended.**

**FINANCIAL ANALYSIS:**

\$39,050 was included in the 2021 budget for updates to the South Mountain Tennis Courts, including replacing the lights and poles, painting lines on the courts, and installing asphalt around the perimeter of the fence. The bid submitted by Dundas Power Line Ltd. is within the budgeted amount for this project.

**OTHERS CONSULTED:**

CAO  
Facilities Manager

**PREPARED BY:**



---

**Meaghan Meerburg**  
Director of Recreation

**REVIEWED & APPROVED BY:**



---

**Angela Rutley, BBA**  
CAO



## KEY INFORMATION REPORT Recreation and Culture July 27, 2021

### **SUBJECT: Purchase of Garbage Receptacles**

Each year, the Recreation & Culture Dept. budgets to purchase some black, steel cages for the plastic garbage drums that are located throughout the municipality. This helps to create a classic, aesthetically pleasing, and uniform look throughout our villages.

To date, the steel cages have been fabricated locally and are either powder coated locally or sent to a business that is located outside of the municipality. The most recent cost to commission a steel cage was \$650 and the cost for powder coating was \$250 per cage. The total cost per cage was \$900.

A non-local retailer recently contacted a representative of the municipality to offer the opportunity for us to purchase up to 19 blue, steel cages with black containers and lids, for the price of \$50 per set. The price to have each cage buffed & painted (not powder coated) by a local business, is \$125. This would bring the total unit cost to \$175.

Council expresses a strong desire for our municipal departments to purchase products locally, whenever possible. For this reason, this purchasing option is being presented for Council consideration and feedback.

**THE CORPORATION OF THE TOWNSHIP OF NORTH DUNDAS**

**BY-LAW No. 2021-54**

***Being a By-law of the Corporation of the Township of North Dundas to adopt, confirm and ratify matters dealt with by resolution.***

**WHEREAS** the *Municipal Act, 2001*, as amended, provides that the powers of the Corporation of the Township of North Dundas, shall be exercised by By-law.

**AND WHEREAS** in many cases, action which is taken or authorized to be taken by the Township of North Dundas does not lend itself to the passage of an individual By-law;

**NOW THEREFORE** the Council of the Township of North Dundas enacts as follows:

- 1.0** That the actions of the Township of North Dundas at the Special Meeting held on July 27<sup>th</sup>, 2021 in respect of each motion, resolution and other action taken by the Township of North Dundas at its meeting are, except where the prior approval of the Ontario Land Tribunal or other authority is required by law, hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this By-law.
- 2.0** That where no individual By-law has been or is passed with respect to the taking of any action authorized in or by the above-mentioned minutes or with respect to the exercise of any powers by the Township of North Dundas in the above-mentioned minutes, then this By-law shall be deemed for all purposes to be the By-law required for approving and authorizing and taking of any action authorized therein and thereby or required for the exercise of any powers therein by the Township of North Dundas.
- 3.0** That the Mayor and Members of Council of the Township of North Dundas are hereby authorized and directed to do all things necessary to give effect to the said action of the Township of North Dundas to obtain approvals where required and except as otherwise provided, the Mayor, or in the absence of the Mayor the alternate Head of Council, and the Municipal Clerk, or in the absence of the Municipal Clerk, the Deputy Clerk, are hereby directed to execute all documents necessary on behalf of the Township of North Dundas.

**READ and passed in Open Council, signed and sealed this 27<sup>th</sup> day of July, 2021.**

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK