



The TOWNSHIP of  
**NORTH DUMFRIES**

## MEMORANDUM

**To:** Mayor Foxtan & Members of Council

**From:** Ashley Sage, Clerk

**Re:** **ADDENDUM TO AGENDA – Regular Council Meeting Agenda for September 26, 2022**

**Date:** September 26, 2022

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Staff are seeking the authority of Council to add as an Addendum to the September 26, 2022 Regular Council Meeting Agenda the following items:

1. Add correspondence received for item 7.1 Isaura Melo requesting the Speed Limit on Greenfield Road be reduced to 40 km/h.
2. Add correspondence received for item 9.1 Report No. PD-33-2022: Consideration of an Interim Control By-law – Aggregate Operations.
3. Add correspondence received for item 9.4 Report No. BLD-05-2022: Septic Reinspection Program.
4. Add item 11.1.10 Correspondence received from the Chief Veterinarians for Ontario

**From:** [mike voll](#)  
**To:** [Clerk](#)  
**Subject:** Greenfield Rd speed limit reduction  
**Date:** September 25, 2022 11:04:32 PM

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Hello Mayor Foxton and Council,

We live on Greenfield Rd to the west of Home Hardware and understand that our neighbour Isaura Melo is requesting a speed limit reduction on our road. We'd like to support this request, given that there are many children living on this street (our children included), and we have witnessed time and time again how a large number of vehicles continue to ignore the posted speed limit of 50 km/hr and zoom by at often speeds exceeding 80 km/hr.

The children on this street are often walking back and forth along the road to visit their friends and we are very concerned for their safety given that many of these vehicles don't even bother to slow down at the sight of them. I have seen this multiple times first hand as a jogger or a biker and have had to jump off the shoulder of the road to avoid being hit by reckless and speeding vehicles.

I feel that most, if not all of the families living along this section of Greenfield have similar concerns, and would appreciate some sort of consideration for this matter so as to avoid a potential tragedy.

Thanks kindly,

Mike and Elayna

Sent from my iPad

September 25, 2022

Mayor and Council  
Township of North Dumfries  
c/o [clerk@northdumfries.ca](mailto:clerk@northdumfries.ca)

Dear Mayor Foxton and Council Members

**Comments on Report No. PD-33-2022: Consideration  
of an Interim Control Bylaw – Aggregate Operations**

The purpose of this letter is to provide comments on the above-mentioned report, and express support for the North Dumfries Conservation Alliance's request that the Township adopt an Interim Control Bylaw – Aggregate Operations. For context, we have a personal interest in this matter. As you will recall, we wrote to you earlier this year to express our opposition to a development proposal for the new Dance Pit that, if approved would extend gravel mining operations to within 60 m of our property line. Adoption of the Interim Control Bylaw would give everyone up to a year to carry out the assessment of existing policies governing aggregate extraction and update the Regional Official Plan, as described in the report.

The Region of Waterloo is known for being one of the most progressive and environmentally conscious municipalities in Ontario. It has adopted a firm line between its urban and rural lands, concentrating housing developments in the former and agricultural and other uses (conservation, natural interest, etc.) in the latter. Some areas have also been set aside for industrial parks, such as the one in the City of Cambridge, and separated from residential and other sensitive areas by suitable buffer zones. The newer urban areas have been planned to divert heavy truck traffic away from the centre of the cities, further making the urban areas more hospitable and livable. Unfortunately, older areas (e.g. Galt) are not able to divert traffic from the urban cores, leading to traffic congestion and safety issues.

Another specific example of good planning is the Region's requirement that before any new aggregate operation is approved, an assessment must be done by the proponent, to the satisfaction of the Region, that shows that the cumulative impacts of the new development will not have significant adverse impacts on sensitive receptors.

These above are examples of the good planning the Region is known for.

The Region of Waterloo is home to large deposits of aggregate; this is both a blessing and a curse. Aggregates are essential materials in housing, infrastructure and other construction. Aggregate developers pay royalties to provincial and municipal governments and this can help reduce the tax burden on residential property owners. Unfortunately, aggregate mining is not a benign operation. During operation, gravel mines are sources of dust, noise and vibration which, if close to residential areas can cause health, nuisance (dust deposits on exposed surfaces), and monetary (frequent cleaning, chipped windshields and car paint) impacts. And,

while provincial and municipal policies require that aggregate sites be progressively rehabilitated, very few sites are in fact being rehabilitated while most are left dormant for a long time or abandoned. When rehabilitated, the land is never returned to the original state, which very often was prime agricultural land.

Unfortunately, the current provincial government seems to favour development over all other considerations, and has implemented policies that gradually transfer decisions over aggregate resource development from municipalities to the province. Citizen groups and municipalities have taken some steps to push back with initiatives such as support for a moratorium on new gravel pits, declaring a climate change emergency or crisis or flooding the province with comments on proposed policy changes (e.g. Land Use Compatibility Guidelines, which were abandoned likely as a result of the comments.) Some municipalities (e.g. Zorra Township) enacted an Interim Control Bylaw establishing a moratorium on new aggregate operations for 2 years and then, in 2017 added requirements in their Official Plan to achieve better protection of residents and other sensitive receptors.

The decision Council needs to make is not an easy one. You will need to balance doing what is right for all your constituents (the environment, citizens – living and future generations, other levels of government.) The current planning process seems to be broken as it is totally biased to the benefit of developers, and is leading to such a concentration of gravel pits in North Dumfries that the area has been described as resembling a moonscape.

We therefore urge you to adopt the one year moratorium on approving new aggregate operations and, as recommended in the report, use that time to update the Official Plan to reflect good planning processes, that are fair to all parties; are based on common sense; restrict the fraction of land that is available for aggregate development at any time, depending on the total municipal land, and the extent of rehabilitation of exhausted operations; and provide a proper financial benefit to the municipality or, otherwise provide other benefits such as converting the mined area to a park, other recreational facility or a naturalized area, with ownership transferred to the municipality. The moratorium would also afford the opportunity to gather monitoring data on existing air quality (silica, PM2.5, PM10 and TSM) and noise to test modeling results submitted in support of new aggregate operation permits.

Thank you for your consideration; have the wisdom to make the right decision.

Yours truly,

Octavio Melo & Neusa Fernandes



Cc: Regional Chair Karen Redman – Region of Waterloo  
Mayor Kathryn McGarry – City of Cambridge

Submission to North Dumfries Council September 26, 2022

RE:

Septic Inspections

Good day Mayor, Members of Council and Staff

My name is Bob Howison and I reside at [REDACTED] in Branchton. My house property abuts the pump house off Hughson Street.

I would have liked to attend Monday's meeting either virtually or in person, but I have a previous commitment that unfortunately prevents this.

I have read the staff report on the Municipal Wellhead Protection Area- Septic Inspection Program. I obviously can not disagree with the facts in the report. What it comes down to is what is the fairest way to pay for this process. I doubt that there are many if any situations that an expense to one property provides a benefit to many. I understand that the money can not come from taxes collected but I wonder what the costs to we as homeowners is considered.

I view the situation as a matter of fairness.

The protection and maintenance of a safe water supply is certainly something I support. My understanding is that the water supply is the responsibility of The Region. It would appear to me that the 5-year mandatory pumping and inspection is a fixed cost that should be built in to the cost of delivering the water. This would be viewed the same as chlorine or repairing and maintaining the pumps and infrastructure. In this model the cost of maintain a safe supply would be shared by at least those being supplied by a particular well., or maybe by the entire Region.

Under the present model those 5 or 6 properties that fall within a prescribed radius of the well are paying more for their water than others when you build in the costs for pumping and inspection.

Which brings me back to my original statement about fairness.

I would ask that the Council start discussions with the Region to correct what I view is an unfair situation.

Thank you  
Bob Howison  
[REDACTED]

**From:** [Brenda Bowie](#)  
**To:** [Ashley Sage](#)  
**Subject:** Municipal Wellhead Protection Area - Septic Inspection Program  
**Date:** September 24, 2022 1:01:19 PM

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We are unable to speak to the contents of the Staff Report in person or remotely at the Regular Council Meeting on September 26th, as such we would request that the following correspondence to Council be circulated in advance of the Meeting and form part of the Public record.

We request that the Township of North Dumfries follow practice with the Councils for the Township of Wellesley and Woolwich for the 2022 time period and fund the completion of the septic inspection programs through the property tax base.

**We request that Council waive the mandatory septic inspection fee (required by WHPA legislation) for 2022 by a Resolution of Council.**

We understand that in 2016 the Township adopted a program to make the Building Division financially self-sufficient. However, mandatory septic inspections required by provincial mandates should not be the responsibility of only the few property owners affected.

The region provides a rebate to offset some cost, however, pump outs cost \$450 rebate of \$225 plus inspection fee of \$178 results in affected homeowners being responsible for \$403.00 for these legislated mandatory inspections within the WHPA, even with council waiving the fee, it is still a cost to property owners that should be better coordinated to ensure unnecessary pump outs are not required.

50% of the affected properties have been inspected, we believe that those who have complied in a timely manner and followed the WHPA requirements should not be charged the inspection fee and that impact to the building budget of \$8,010 (45 properties x \$178) should not be borne solely by those living on residential properties mapped within the WHPA and the septic system boundary. (Of note, the boundary area in Branchton has changed since the previous inspection)

As stated we request that Council waive the inspection fee for 2022 by a Resolution of Council, and further, that this fee be re-evaluated for the inspections that will be required again in 5 years.

Thank you  
Sincerely,  
Bob & Brenda Bowie



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**From:** noreply@salesforce.com <noreply@salesforce.com> **On Behalf Of** Ag Info  
**Sent:** September 23, 2022 3:43 PM  
**To:** Andrew Mcneely <amcneely@northdumfries.ca>  
**Subject:** Letter from the Chief Veterinarian for Ontario



Office of the Chief Veterinarian for Ontario (OCVO)

September 23, 2022

Andrew Mcneely  
Township of North Dumfries  
CAO  
amcneely@northdumfries.ca

Dear Andrew Mcneely:

The Canadian Food Inspection Agency (CFIA) has confirmed cases of highly pathogenic avian influenza (H5N1) in Ontario domestic poultry. While the CFIA leads the disease response for highly pathogenic avian influenza and may impose [permitting requirements in defined areas of the province](#), I am writing to inform you and your members of the action that the province is taking to help limit the spread of the virus.

On my advice and recommendation as Chief Veterinarian for Ontario, the Minister of Agriculture, Food and Rural Affairs has issued a [Minister's Order](#) under the *Animal Health Act, 2009*, for the purpose of limiting the commingling of birds from different locations in Ontario to reduce the likelihood of disease transmission in domestic birds by limiting direct contact.

Effective September 23, 2022, this Order temporarily prohibits events where birds commingle, such as bird shows, bird sales and swaps, portions of fairs where birds are exhibited, sport and educational displays where birds are brought from multiple locations, vaccination gatherings for birds from multiple locations, and prohibits the movement of birds to those events. Temporarily reducing direct contact between birds from different locations will limit the spread of avian influenza and protect flock health. This Order will expire on October 22, 2022 but may be extended if required. This Order is similar to the one issued during the Spring 2022 wave of the avian influenza outbreak, with which you may already be familiar.

I also encourage your members to maintain strict biosecurity measures to

help reduce the risk of introducing avian influenza to their birds. Avian influenza is not a threat to food safety but impacts domesticated and wild birds. Ontario poultry and eggs are safe to eat when, as always, proper handling and cooking takes place. People working with poultry should take additional precautions and are strongly encouraged to follow all public health guidelines and maintain strict biosecurity.

For more information on the Minister's Order, please visit [OMAFRA's Avian Influenza webpage](#).

I continue to monitor this quickly developing situation and may implement further measures as part of the response to this disease.

I appreciate your cooperation in working together to enhance biosecurity and reduce the spread of avian influenza.

Sincerely,

*Original signed by*

Cathy Furness, DVM  
Chief Veterinarian for Ontario





*The TOWNSHIP of*  
**NORTH DUMFRIES**

## MEMORANDUM

**To:** Mayor Foxtan & Members of Council

**From:** Ashley Sage, Clerk

**Re:** **ADDENDUM TO AGENDA – Regular Council Meeting Agenda for September 26, 2022**

**Date:** September 22, 2022

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Staff are seeking the authority of Council to add as an Addendum to the September 26, 2022 Regular Council Meeting Agenda the following items:

1. Add item 9.13 Report No. CAO-29-2022: CP Rail Holiday Train Event – November 30, 2022.
2. Add item 14.10 By-law No. 3355-22 – Being a By-law to Provide Temporary Closure of Part of Inglis Street and Temporary No Parking on Willison, Colquhoun, Elliot, Thompson, Cooper and Newell Streets to Accommodate the CP Holiday Train Event.



**REGULAR COUNCIL MEETING**  
**September 26<sup>th</sup>, 2022**

**CP RAIL HOLIDAY TRAIN EVENT – NOVEMBER 30, 2022**  
**TEMPORARY ROAD CLOSURE: PART OF INGLIS STREET**  
**TEMPORARY NO PARKING: WILLISON, COLQUHOUN, ELLIOT, THOMPSON,**  
**COOPER AND NEWELL STREETS**  
**DECLARATION OF SPECIAL EVENT AS PER MOBILE FOOD VENDOR BYLAW**

**RECOMMENDATION**

The Chief Administrative Officer recommends:

- 1. THAT CAO Report No. 29-2022 be received;**
- 2. AND THAT By-law No. 3355-22, being a By-law to establish a Temporary Road Closure for a portion of Inglis Street, and, Temporary No Parking restrictions for Willison, Colquhoun, Elliot, Thompson, Cooper and Newell Streets to facilitate the CP Rail Holiday Train Event scheduled for Wednesday November 30<sup>th</sup>, 2022, be enacted**
- 3. AND THAT in accordance with By-law No. 3305-22 [Mobile Food Vendors] Schedules 'B' and 'C', that the CP Rail Holiday Train scheduled for November 30<sup>th</sup>, 2022 be adopted as a Special Event and further that food truck operations be permitted to be located within the Temporary Road Closure area of the Inglis Street Road Allowance at locations to be determined by Township Staff.**

**1. PURPOSE**

The purpose of this Report is to advise Council that the CP Rail Holiday Train Event is scheduled for Wednesday November 30<sup>th</sup>, 2022, and per the practice, Staff are seeking the authorization to establish a temporary road closure from 3:00 p.m. to 7:00 p.m. on a portion of Inglis Street, and, temporary no parking on specific adjacent side streets from 3:00 p.m. to 7:00 p.m.

Staff are also seeking permission of Council to declare the CP Rail Holiday Train Event as a Special Event and to allow for the operation of food trucks within a defined area of the Inglis Street road allowance as per the Mobile Food Vendors By-law 3305-22.

## **2. BACKGROUND**

After a two year hiatus due to the COVID-19 Pandemic, the “CP Rail Holiday Train” is stopping again this year in Ayr between the hours of (approximate) 5:20 p.m. and 6:00 p.m. on Wednesday November 30<sup>th</sup>, 2022.

Based upon past experience of hosting the CP Rail Holiday Train, it is anticipated that thousands of people will attend the event from across the Township and from surrounding municipalities. As such access and parking have been an issue surrounding the event area and filtering into the adjacent neighbourhoods.

To respond to the issue of congestion and pedestrian safety, in 2016 in concert with the Waterloo Regional Police Service (WRPS), measures were introduced to restrict vehicle movements in and around the venue of the CP Rail Holiday Train.

A logistics meeting will be convened in the next few weeks with the WRPS, CP Rail Police and Staff to assess the 2019 event and identify any necessary adjustments for this years program.

To accommodate the CP Rail Holiday Train, it is necessary to close temporarily Inglis Street from Northumberland Street to Willison Street, and to restrict vehicular traffic to emergency vehicles and vehicles with valid disability plates / permits.

Additionally, it is necessary to temporarily restrict parking on only one side of the street and to accommodate parked vehicles on only the west side on the side streets of Willison, Colquhoun, Elliot and Thompson Streets. It is also proposed to restrict parking on only one side of the street and to allow vehicles to park on the south side on Cooper Street and Newell Streets. For the first time Staff are recommending the inclusion of Newell Street into the mix for the temporary no parking restriction, and, extending the no parking restriction on Cooper Street from Upton Court through to Main Street.

The proposed temporary parking restrictions on these referenced streets is designed to facilitate the movement of emergency vehicles, pedestrian flow to and from the event, and, to allow residential property owners on these streets to safely access their homes.

### **2.1 Location**

Temporary Road Closure:

*Inglis Street from Northumberland Street to Willison Street*

Temporary No Parking East Side:

*Thompson, Elliot, Colquhoun and Willison Streets*

Temporary No Parking North Side:  
*Cooper and Newell Streets*

Please see Attachment No. 1 to this Report which conceptually outlines the affected areas.

## 2.2 Legislation

Municipal Act, 2001, S.O. 2001, c. 25, as amended, Sections 8(1), 9 11(3) and 35 authorizes municipalities to pass by-laws removing or restricting the common law right of passage by the public over a highway.

## 2.3 Mobile Food Vendor By-law 3305-22

In recognition of the hour of the day when the event is scheduled, and, the extensive number of people that are expected to attend, it is reasonable to assume that there will be a need or demand for mobile food vendors to operate.

Schedules B & C of Mobile Food Vendor By-law 3305-22 do allow for the operation of food trucks at locations approved by the Township as a Special Event, and, to operate a food truck on a public highway and/or municipal road allowance where the Township has approved a Special Event.

Staff will be proposing that Council by Resolution designate the CP Rail Holiday Train venue as a Special Event and to allow the operation of food trucks within the temporarily closed portions of the Inglis Street road allowance.

## 3. OPTIONS AND ANALYSIS

To resolve the congestion/co-mingling of pedestrian and vehicular traffic, Staff are recommending that temporary measures be deployed on certain streets adjacent to the CP Rail Holiday Train venue. These measures are aligned with the timeline associated with this event in recognition that the members of the Public start to appear on-site shortly before 3:30 pm based upon previous experience.

Staff are seeking the authorization through the enactment of a By-law that provides restrictions as follows:

- Temporary road closure on Inglis Street from Northumberland Street to Willison Street during the hours of 3:00 p.m. to 7:00 p.m. (November 30, 2022)
- Temporary no parking on the East Side of Thompson, Elliot, Colquhoun and Willison Streets during the hours of 3:00 p.m. to 7:00 p.m. (November 30, 2022)

- Temporary no parking on the North Side of Cooper and Newell Streets during the hours of 3:00 pm to 7:00 pm (November 30, 2022)

The temporary no parking restriction has been consciously identified for the east side of the above referenced north / south oriented streets. The basis is that with Inglis Street closed, cars will be parked on the west side of the side streets and can then access Hall Street at the conclusion of the event without having to turn around or conduct a three point turn.

In the example of Cooper and Newell Streets, the premise is that vehicles would move easterly toward Main Street when the event is over and not require to conduct a three point turn or turn around.

Parking in this area is of concern. Staff propose to utilize the social media platforms of the adjacent Municipalities in Cambridge, Kitchener, Waterloo and Brant County to inform their residents that plan on attending the event that parking is limited. Suggested at-distance parking areas will be highlighted with the recommendation that patrons to the event walk to the venue.

#### **4. FINANCIAL IMPLICATIONS**

There are minimal costs associated with the recommended closure of a portion of Inglis Street, and, the provision of No Parking on the one side of Willison, Colquhoun, Elliot Thompson, Cooper and Newell Streets. With the advent of an afternoon shift in Public Works, these two staff personnel will deliver and set up the traffic barricades, no parking signs and waste receptacles. At the conclusion of the event, the duty crew will remove these elements.

By-law Enforcement Staff have been assigned to patrol the side streets where parking restrictions have been previously identified. By-law Enforcement Staff will be assisted where necessary by supervisory staff that will be present for logistical support and coordination.

Staff are suggesting that local advertising be undertaken linking the “Holiday Train” event with the road closure/no parking restrictions for information purposes.

Separate to this Report there will be other expenses incurred by the Municipality associated with hosting the CP Rail Holiday Train. These expenses include:

Paid Duty Police Officers

Porta Potty Rentals

Council as part of the 2022 Budget approval set aside \$3,500 to host the 2022 CP Rail Holiday Train event.

## 5. ATTACHMENTS

- 1 Map showing conceptual outline of affected area

For further information on the contents of this Report, please contact Andrew McNeely, Chief Administrative Officer, at 519-632-8800 ext. 121 or via email at [amcneely@northdumfries.ca](mailto:amcneely@northdumfries.ca)

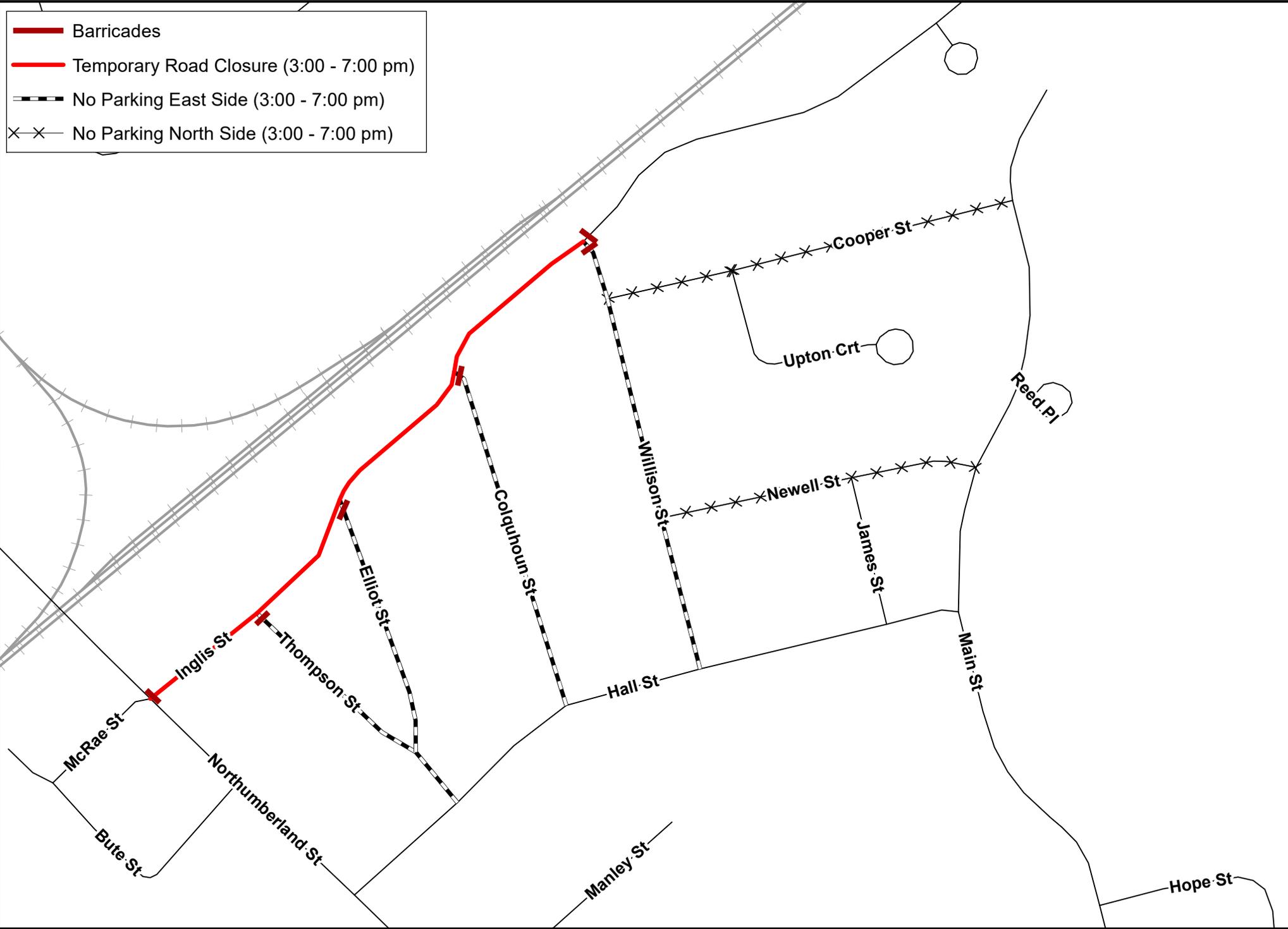
Report Prepared By & Respectfully Submitted,



Andrew McNeely,  
Chief Administrative Officer

# ROAD CLOSURE AND PARKING RESTRICTIONS

## CP Holiday Train Event - November 30, 2022



**THE CORPORATION OF THE TOWNSHIP OF NORTH DUMFRIES  
BY-LAW NUMBER 3355-22**

**BEING A BY-LAW TO PROVIDE TEMPORARY CLOSURE OF PART OF  
INGLIS STREET AND TEMPORARY NO PARKING ON WILLISON, COLQUHOUN,  
ELLIOT, THOMPSON, COOPER AND NEWELL STREETS TO ACCOMMODATE  
THE CP HOLIDAY TRAIN EVENT.**

**AUTHORITY:** Municipal Act, 2001, S.O. 2001, c. 25, as amended, Sections 8(1), 9 11(3) and 35.

**WHEREAS** Section 11 (3) of *the Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality may pass by-laws, respecting matters within the sphere of jurisdiction of highways, including parking and traffic on highways;

**AND WHEREAS** pursuant to the said *Municipal Act*, Sections 8 (1) and 9 provide that the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues and has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

**AND WHEREAS** pursuant to the said *Municipal Act*, Section 35 a municipality may pass by-laws removing or restricting the common law right of passage by the public over a highway and the common law right of access to the highway by an owner of land abutting a highway

**AND WHEREAS** the Council of The Corporation of the Township of North Dumfries deems it advisable to temporarily close Inglis Street from Northumberland Street to Willison Street, temporarily provide for no parking on the East Side of Thompson, Elliot, Colquhoun and Willison Streets, and to temporarily provide for no parking on the North side of Cooper Street and Newell Street all for the purposes to restrict unauthorized traffic in order to facilitate the CP Holiday Train event.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF NORTH DUMFRIES ENACTS AS FOLLOWS:**

1. **THAT** the following street be temporarily closed to vehicular traffic on November 30, 2022 from 3:00 p.m. to 7:00 p.m.; maintaining the road be used as emergency access.
  - a) *Inglis Street from Northumberland Street to Willison Street*
2. **AND THAT** the following streets have temporary no parking on November 30, 2022 from 3:00 p.m. to 7:00 p.m.
  - a) *Thompson Street, Elliot Street, Colquhoun Street and Willison Street (east side)*
  - b) *Cooper Street and Newell Street (north side)*
3. **THAT** this by law shall come into full force and effect upon its final passage.

**READ** a First and Second Time this 26<sup>th</sup> day of September, 2022.

**READ** a Third Time and Finally Passed this 26<sup>th</sup> day of September, 2022.

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Susan Foxtton, Mayor

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Ashley Sage, Clerk