



**AGENDA
COMMITTEE OF THE WHOLE
COMMUNITY DEVELOPMENT**

Monday, July 4, 2022, 6:30 PM

**Corporation of The Township of Edwardsburgh Cardinal
Council Chambers, Spencerville Ontario**

- 1. Call to Order – Chair, Tory Deschamps**
- 2. Approval of Agenda**
- 3. Disclosure of Pecuniary Interest & the General Nature Thereof**
- 4. Business Arising from Previous Committee Meeting Minutes (if any)**
- 5. Delegations and Presentations**
None
- 6. Action/Information/Discussion Items**
 - a. Live: Land Use Planning
 1. Application for Severance, 1902 Crowder Road (Hunter)
 2. Telecommunications Tower, 9066 County Road 44 (Stratus-Group Inc. o/b Xplornet Communications Inc.)
 - b. Work: Economic Development
 1. Community Improvement Project Areas
 - c. Play: Recreation
- 7. Inquiries/Notices of Motion**
- 8. Question Period**
- 9. Closed Session**
None
- 10. Adjournment**

MINUTES
COMMUNITY DEVELOPMENT COMMITTEE

Monday, June 6, 2022, 6:30 PM
Corporation of The Township of Edwardsburgh Cardinal
Council Chambers, Spencerville Ontario

PRESENT: Deputy Mayor Tory Deschamps
Mayor Pat Sayeau
Councillor Hugh Cameron
Councillor Stephen Dillabough
Councillor John Hunter
Conor Cleary
Greg Modler
Chris Ward

REGRETS: Cody Oatway

STAFF: Dave Grant, CAO
Rebecca Williams, Clerk
Wendy VanKeulen, Community Development Coordinator
Candise Newcombe, Deputy Clerk

Others Present Katie Nolan - GCFDC
Steve Pentz - Novatech
Jordan Jackson - Novatech

1. Call to Order – Chair, Tory Deschamps

Deputy Mayor Deschamps called the meeting to order at 6:30 p.m.

2. Approval of Agenda

Moved by: Councillor Hunter

Seconded by: G. Modler

That the agenda be approved as presented.

Carried

3. Disclosure of Pecuniary Interest & the General Nature Thereof

None.

4. Business Arising from Previous Committee Meeting Minutes (if any)

Members confirmed that the discussions regarding the setback distance to quarries would continue from the May 16 meeting.

Members noted that the Centre St. MCR zoning discussions from the previous meeting minutes may not have captured the belatedness of the Centre St. issue.

5. Delegations and Presentations

a. Katie Nolan, Grenville Community Futures Development Corporation

Ms. Nolan introduced herself as the new director of the Grenville Community Futures Development Corporation (GCFDC). She highlighted business loans, business advice and community economic development assistance as the primary services offered by the corporation.

Ms. Nolan noted that the Grenville CFDC is federally funded by the Federal Economic Development Agency (FedDev) for Southern Ontario and is a non-profit corporation mandated to assist with growth in the local economy. Loans of up to \$300,000 with customized financing as well as knowledgeable staff to assist throughout the process were highlighted as a small portion of the services offered through the Grenville CFDC.

Committee inquired about current grant programs and if aid was extended to agricultural businesses. Ms. Nolan noted that there are no current grant programs offered and that the programs offered extend to agricultural businesses.

Ms. Nolan noted that the Grenville CFDC was accountable to a volunteer Board of Directors which was currently seeking members.

Committee thanked Ms. Nolan for her presentation and congratulated her on her new position.

b. Philip Bury, Alternate Proposal for Centre St., Spencerville

Mr. Bury noted his disappointment following Committee's decision to maintain the proposed MCR zoning on Centre St. He noted the purpose of his delegation was to implore Committee to enforce stricter control over commercial development on Centre St.

Members inquired if Mr. Bury had received support from other members of the community. Mr. Bury conceded that he became aware of this issue late in the process and had not surveyed the community for support.

Committee discussed the reduction of the proposed MCR zoning, the use of a site plan control agreement and the possibility of imposing limitations on the MCR zoning. Mr. Pentz noted that limitations on the MCR zoning would ultimately create an alternate zone category. Committee briefly discussed increased traffic, parking concerns and added benefits of burying utility lines along Centre St.

Committee thanked Mr. Bury for his presentation.

6. Action/Information/Discussion Items

a. Live: Land Use Planning

1. Comprehensive Zoning Bylaw Review, Proposed Final Draft

RLS Zone - Comments #83 & #93:

Committee discussed the accuracy of the International Boundary map provided and the proposed 10% lot coverage for the RLS zone. A brief history of past discussions surrounding the decision to change the lot coverage for the RLS zone was provided. Mr. Pentz reiterated the recommendation to limit lot coverage to 10% on waterfront properties. He noted the limited lot coverage in RLS zones was consistent with neighbouring municipal zoning bylaws and highlighted that the limited lot coverage was a positive contributing factor to the limited feedback received from SNC. Committee briefly discussed the implications of changing the lot coverage back to 20% and bringing private roads up to municipal standards. Committee reached consensus to keep the recommended 10% lot coverage in RLS zones.

Recreational Vehicles - Comment #84:

Committee noted the level of public interest on this topic and discussed the possibility of implementing a permit system to manage the range of time permitted for RV use on a residential property. There was discussion on the use of the burn permit system to issue parking or temporary occupancy permits to address and circumvent complaints of the use of RV's as residential dwellings.

Members discussed the implementation of an events bylaw that includes restricted times of the year, the benefits of outlining restrictions for events and the added burden this would present to the part-time Township BLEO. Committee reached consensus to maintain the provisions in the current draft zoning bylaw and discuss possible alternate options at a future meeting.

Centre St. Zoning - Comment #85:

Committee noted that this issue had been thoroughly discussed during the review process and during Mr. Bury's delegation presentation. Consensus was reached to maintain the current provisions in the zoning bylaw.

Adelaide St. Zoning - Comment #89:

Committee discussed options for the resident to apply for a zoning bylaw amendment (ZBA), changing the zoning to either CG or MCR and the implications of changing the zoning. Committee noted the possibility of implementing MCR zoning in the area as a compromise that would allow both commercial and residential

development. Members noted lot characteristics such as size and location that would not be congruent with the MCR zoning parameters. Conversely, it was noted that CG zoning would not allow for future residential development including renovations to existing residences without the appropriate Planning Act application and approval.

There was a brief discussion on rezoning the lots on County Road 22 within the village of Cardinal as MCR. It was noted that additional public feedback would be required as that change would affect several residences.

Members sought clarification about if residential uses were permitted in the CG zone. It was noted that commercial must be the primary use and a residential use is only allowed as an accessory use. Committee inquired if the resident who provided the comment was aware of the restrictions the CG zone placed on residential uses and the implications of the legal non-conforming status.

Moved by: Mayor Sayeau

Seconded by: C.Ward

That 41 Adelaide St. presently zoned R2 on the draft zoning bylaw be changed to CG subject to an agreement with the property owner.

Defeated

It was noted that the zoning bylaw was intended to blanket the entire municipality and highlighted the option for the resident to apply for a ZBA.

Residential Quarry Setbacks - Comment #92, #94 & #95:

Committee discussed possible addendums to the proposed quarries and pits setback and creating exception to permit existing landowners to build according to the provisions of the current 2012-35 zoning bylaw. It was noted that the recommended setbacks are a general provision outlined in the Provincial Policy Statement as well as the UCLG's Official Plan of which the Township must remain congruent.

Members discussed implications of obtaining a building permit under the current zoning bylaw and the length of time a building permit is valid for. It was noted that following the application for a building permit, progress in construction must be made within 6-months of the issuance or the permit is no longer valid.

Members discussed the zoning bylaw review process noting the Township has 3-years following the implementation of its Official Plan (OP) to review and update the zoning bylaw to bring it into

conformity with the OP. It was noted that the OP was approved by the UCLG in January 2020.

Committee discussed the possibility of reducing or waiving fees of future ZBA applications for residences affected by the setback change.

Committee reached consensus to adopt the 500m setback to ensure Township compliance and directed staff to consider the reduction of fees for future ZBA applications for affected properties.

A member of the public expressed concern regarding the quarries near Rock St. and Buckwheat Rd. It was noted that quarry and pit licenses are approved and managed by the Ministry of Northern Development, Mines, Natural Resources and Forestry, noting the resident may make a complaint/inquiry with the Ministry should they feel the parameters of the license are not being adhered to. It was noted that the Ministry contact information would be provided to the resident.

Agency Comments - Enbridge - Comment #86:

Committee reviewed the comments provided by Enbridge. No additional comments or concerns were raised.

Agency Comments - SNC - Comment #88:

Committee briefly discussed the reasoning for the increase to the required minimum lot size where a septic system is required. It was noted that the draft bylaw allows for the development of 1-acre lots in certain zones, with the possibility to reduce the size to 0.5 acres if supported by a servicing report. There was a brief discussion on the implications this change would have to the Township's partial servicing in Spencerville.

IO - Comment #91:

Committee reviewed the comment from IO and noted that there were no recommended changes.

It was noted that any new comments received regarding the new zoning bylaw will be provided at the Regular meeting of Council.

Committee noted the extensive process dedicated to reviewing the zoning bylaw and thanked all members involved in the process.

Moved by: Councillor Cameron

Seconded by: C. Cleary

That Committee recommend that Council adopt the final draft of the new Comprehensive Zoning bylaw, with the proposed revisions.

Carried

2. Proposed Bylaw to Regulate the Erection, Height and Maintenance of Boundary Fences

Committee reviewed the report and discussed the appropriate positioning of the fence to accommodate maintenance and permitted building materials. Members briefly discussed where the onus of fence placement rests and possible minimum setback of 12-inches to allow access to the side of the fence for maintenance. Members debated the implications of a 12-inch setback, specifically; loss of use of property, ease of access between the fence and neighbouring property, and maintenance.

Moved by: G. Modler

Seconded by: Councillor Hunter

That Committee recommend that Council adopt a bylaw to regulate the erection, height and maintenance of boundary fences, as attached.

Carried

3. Site Plan Control Approval Process and Delegation of Authority

Committee reviewed the report and noted that in the past the Province delegated authority to Council for site plan control approval (SPC) and Council is now being required to delegate to staff by bylaw as of July 1, 2022, to be able to continue the use of the SPC process. Members noted their confidence in staff to thoroughly execute this task, however, acknowledged this as an unnecessary intrusion on Council. Members requested monthly reports on all SPCA applications.

Moved by: G. Modler

Seconded by: Councillor Hunter

That Committee recommend that Council appoint the CAO as the authorized person to give site plan approval required by section 41(4.0.1) of the Planning Act and direct staff to provide monthly reports for all site plan control applications.

Carried

b. Work: Economic Development

1. Information Item: UCLG Tourism Strategy Virtual Consultation

Committee reviewed the report and suggested members promote public involvement in the program through social media.

c. Play: Recreation

None.

7. Inquiries/Notices of Motion

Councillor Hunter noted the 2022 Ride for Dad fundraiser that visited the Spencerville arena this past weekend. He noted the event organizers did a thorough job of ensuring all the attendee's needs were met, however, noted Township involvement was not as harmonious. Traffic flow and parking was unorganized resulting in some near misses. Enhanced preparations on the part of the Township for subsequent events were suggested through the use of road blockades and traffic directors.

Mr. Modler announced the upcoming Johnstown yard sale to be held on June 11 and the Johnstown pool opening on June 25.

Mr. Ward suggested building permit fee reductions be given consideration to support the affordable housing initiative.

8. Question Period

The following questions/comments were raised:

- Inquiries about implementing similar restrictions to the quarries on Rock Street as there are for Buckwheat Road.

Moved by: G. Modler

Seconded by: Mayor Sayeau

That Committee extend beyond the 10:00 p.m. curfew.

Carried

- Clarification was requested on how the setback distance from a quarry is measured.
- Clarification was requested on the timeline of validity of a building permit and if it is transferrable.

9. Closed Session

None.

10. Adjournment

Moved by: C.Ward

Seconded by: G. Modler

That Committee does now adjourn at 10:07 p.m.

Carried

Chair

Deputy Clerk



TOWNSHIP OF EDWARDSBURGH CARDINAL ACTION ITEM

Committee: Committee of the Whole – Community Development

Date: July 4, 2022

Department: Community Development

Topic: Application for Severance, 1902 Crowder Road (Hunter)

Purpose: To review and make a recommendation on severance application B-84-22, which proposes to create a new lot for residential use from the existing lot at 1902 Crowder Road.

Background: John Hunter is the owner of a 115.4ha lot at 1902 Crowder Rd with frontage on Crowder Road, Rock Street and County Road 21, just east of the Village of Spencerville. The property is home to a maple syrup farm with accessory structures, including a sugar shanty. There is a licensed and active quarry on the property. The application proposes to create a new 1.1ha lot as the future home for a dwelling and accessory garage. The retained 114.3ha will remain with the maple syrup farm and active quarry operations.

The parcel immediately to the west is zoned for agricultural machinery sales and service. Other adjacent properties are zoned Rural, with residential and agricultural uses.

The proposed new lot is outside of the area of influence of the licensed quarry area. There are significant woodlands over the entire area to be severed and the Township's Official Plan indicates a watercourse on the retained parcel, approximately 120m from the proposed new lot.

The application indicates the total frontage on County Road 21 is 170m, which would include a previous road allowance between lots 18 and 19, concession 6. It is noted that the road allowance was stopped up and closed by bylaw 1988-30. The Counties may request proof of ownership (deed) for this land if it is to be included as part of the severed lot.

Policy Implications: The subject land is designated Rural Policy Area and Mineral Aggregate Resource Policy Area in the Township's Official Plan and zoned Rural and

Mineral Extraction as per the Township's Zoning Bylaw 2012-35. The proposed new lot is entirely within the Rural area of this parcel.

Official Plan: In the Rural Policy Area, the Official Plan provides policies to provide for the long-term orderly development of the rural lands in a manner which is consistent with ensuring the protection of natural and environmental resources, while providing opportunities for a modest amount of compatible development and a diversified rural economy. The OP permits limited, low-density development such as the proposed single detached dwelling.

The proposed new lot contains significant woodlands, identified on schedule B of the Township's Official Plan. The OP provides that development on lands within or adjacent to significant woodlands shall not be permitted unless it has been demonstrated that there will be no negative impacts to the woodlands or their ecological functions (Section 6.17.5).

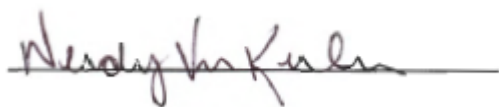
Section 6.10.4 of the Township's Official Plan provides that the Township, in consultation with the Conservation Authority, may either waive the requirement for an environmental impact assessment, require a scoped assessment or require the completion of a screening checklist to be submitted to the approval authority.

Comments from the Conservation Authority are attached to this report, which recommend that as a condition of final approval, the applicant submit a scoped environmental impact assessment for the proposed severed lot, demonstrating there will be no negative impacts on the present natural heritage features. Additionally, the recommendation provides that the assessment can be completed by the landowner and should include a screening for species at risk and species at risk habitat, identify any unmapped natural features and identify a building envelope and mitigations.

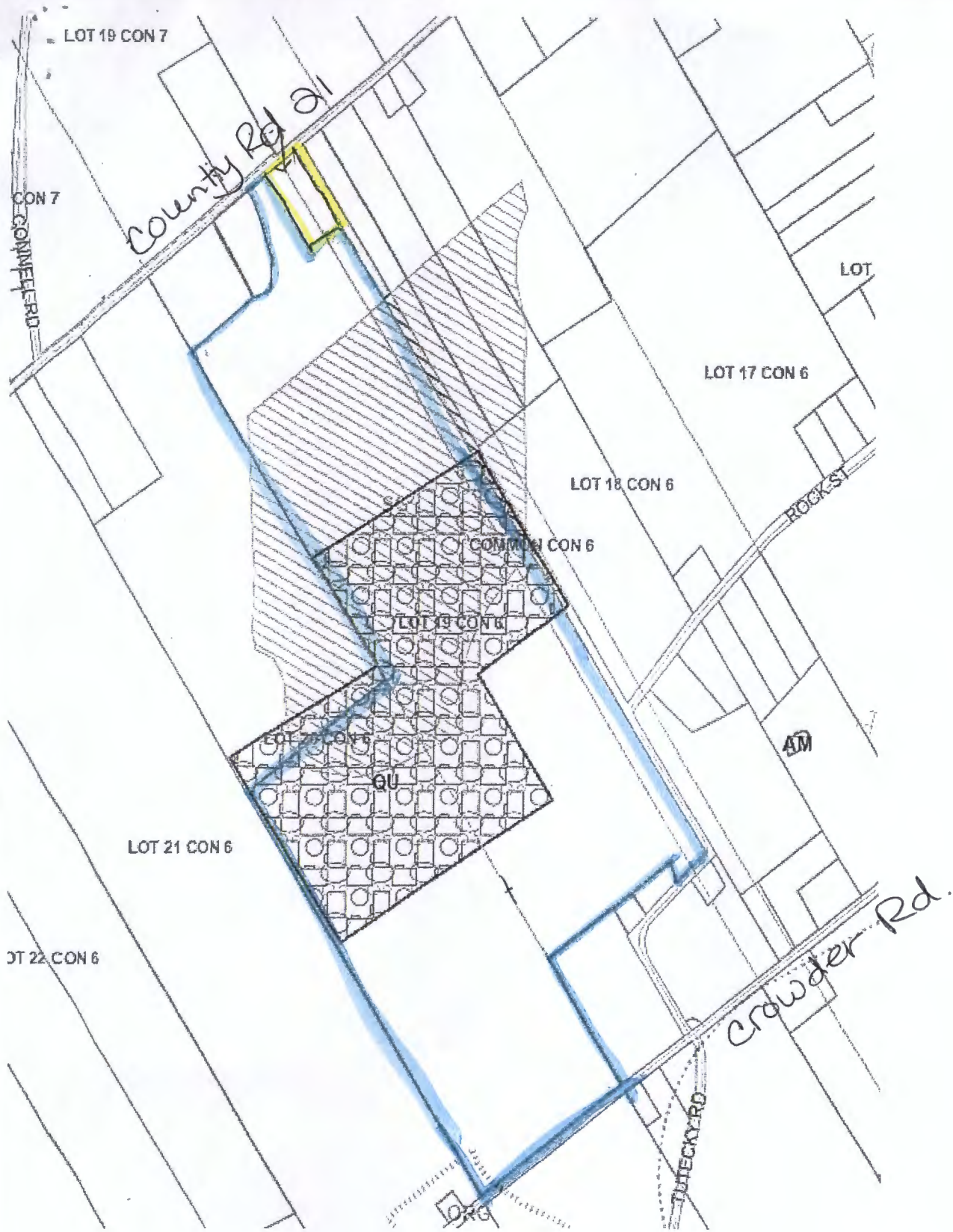
Zoning Bylaw: The proposed severed and retained lots meet the minimum size and frontage requirements for the Rural zone. The proposed new dwelling and accessory garage are permitted uses in the Rural zone.



Financial Considerations: The applicant has remitted the required fee for severance to the municipality.

Recommendation: That Committee recommend that Council recommend in favour of severance B-84-22, with the condition that an environmental impact assessment be submitted to the approval authority, to the satisfaction of the Conservation Authority.

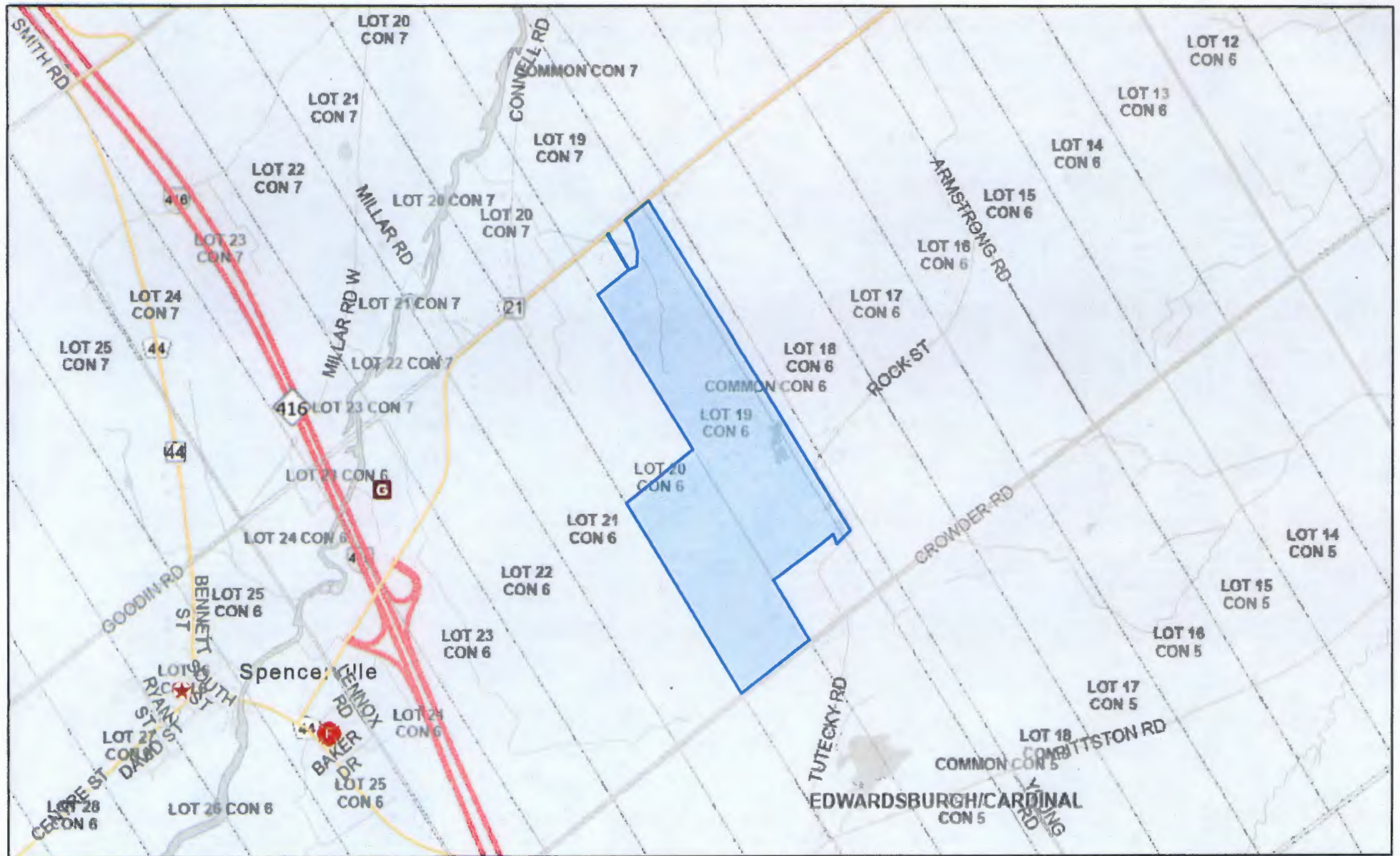


Community Development Coordinator

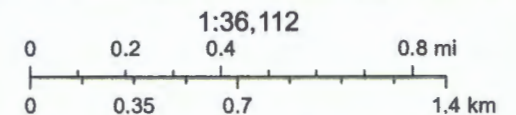


-  Severed Lands (1.1 hectares)
-  Retained Lands (114.299 hectares)

B-84-22 Hunter Severance

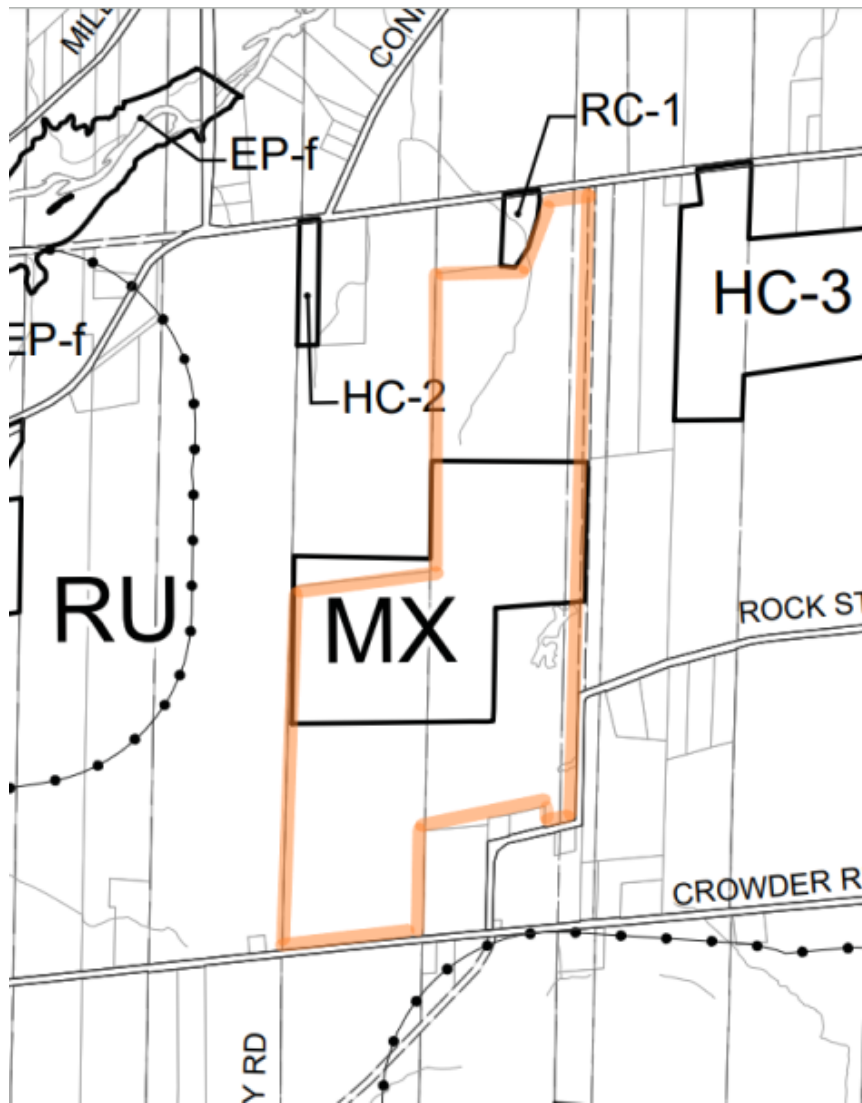


6/16/2022, 9:06:23 AM

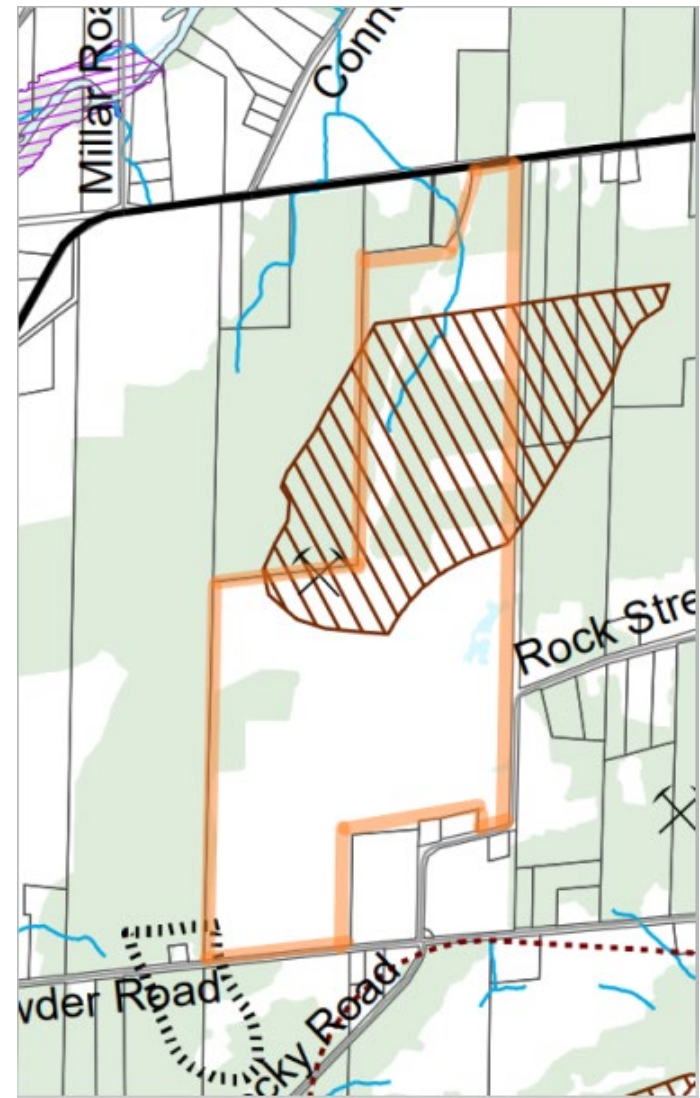


Province of Ontario, Esri Canada, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, MET/NASA, USGS, EPA, NPS, US Census Bureau.

Leeds Grenville GIS



Zoning Bylaw 2012-35
Schedule A



Township Official Plan
Schedule A

Conservation Partners Partenaires en conservation



Via E-mail (Krista.Wiedenaar@ucfg.on.ca)

June 30, 2022

Ms. Krista Wiedenaar
Secretary/Treasurer of Consent Granting Authority
25 Central Ave. West, Suite 100
Brockville, ON
K6V 4N6

Re: Application for Consent (B-84-22)
1902 Crowder Road, Township of Edwardsburgh-Cardinal
Applicant: John Hunter
Roll Number: 070170103511100

Dear Ms. Wiedenaar,

South Nation Conservation (SNC) has reviewed the above-noted consent application to create a new residential lot.

We have considered the potential impacts of this application on the local environment, as outlined under Sections 2.1 (Natural Heritage) and 3.1 (Natural Hazards) of the Provincial Policy Statement (May 2020), issued under Section 3 of the *Planning Act*, 1990. The following natural heritage and natural hazards were considered, based on a desktop review.

Natural Heritage Features (S.2.1 PPS):	Natural Hazards (S.3.1 PPS):	Clean Water Act (2006)
Significant wetlands	Hazardous lands	Source Protection Areas
Significant woodlands	<i>Flooding</i>	
Significant valleylands	<i>Erosion</i>	
Significant wildlife habitat	Hazardous sites	
Significant Areas of Natural and Scientific Interest	<i>Unstable soils</i>	
	<i>Unstable bedrock</i>	
Fish habitat		

In addition, we review the application in accordance with the Source Water Protection Agreement between the Township of Edwardsburgh-Cardinal and SNC.

Natural Heritage

Fish Habitat

The retained lot contains a mapped watercourse that flows north connecting to the South Nation River.

Section 6.17.7 of the Edwardsburgh-Cardinal Official Plan requires the preparation of an environmental impact assessment for development and site alteration within or 120 metres adjacent to fish habitat to demonstrate there is no negative impacts on the fish habitat or their ecological function.

We note that no new development is proposed on the retained parcel. The severed parcel will be developed with a new residential use; however, the severed lot is more than 120 meters from the mapped watercourse.

The Official Plan of Leeds and Grenville section 4.2.14. b) allows local municipalities to scope EIA requirements in consultation with the appropriate Conservation Authority. Since no new development is proposed on the retained lot the Environmental Impact Assessment (EIA) could be scoped to address only the features on the severed lot. A scoped EIA can be completed by the landowner and would require ground truthing for any watercourses within 120 m of the severed lot.

If future development is proposed near any watercourses, please note that SNC implements Ontario Regulation 170/06, made under Section 28 of the *Conservation Authorities Act*. Any interference or alteration to a watercourse requires a permit from SNC, and restrictions may apply.

Significant Woodlands

The severed and retained lots contain significant woodlands identified on Schedule B of the Township of Edwardsburgh-Cardinal Official Plan.

Section 6.17.5 of the Edwardsburgh-Cardinal Official Plan requires the preparation of an environmental impact assessment for development and site alteration proposed within or 120 metres adjacent to the significant woodlands to demonstrate there is no impact to the woodlands or their ecological function.

The Official Plan of Leeds and Grenville section 4.2.14. b) allows local municipalities to scope EIA requirements in consultation with the appropriate Conservation Authority. The proposed single residential development is considered minor and is not expected to have a significant negative impact on the woodland. A scoped EIA, completed by the landowner, should be completed including an assessment for species at risk, location of any unmapped features within 120 meters of the proposed property lines, building envelope, and mitigations for construction. South Nation Conservation can assist with the format and details of this scoped EIA.

Natural Hazards

SNC's review did not identify any natural hazards on the proposed severed or retained lots.

Municipal Source Water Protection

The proposed severed and retained lots are not within a Municipal drinking water Intake Protection Zone or Wellhead Protection Area.

Conclusion

SNC does not object to the application; however, should the Approval Authority conditionally approve the application, SNC requests the following condition be included in the decision:

- 1. The applicant submits a scoped environmental impact assessment for the proposed severed lot, demonstrating there will be no negative impacts on the present natural heritage features.**

The assessment can be completed by the landowner and should include a screening for species at risk and species at risk habitat, identify any unmapped natural features, identify a building envelope and mitigations, to the satisfaction of South Nation Conservation.

I trust the above is to your satisfaction. Please feel free to contact our office if there are any questions or concerns.

Kind regards,



Alison McDonald
Team Lead, Approvals
South Nation Conservation

SNC-2810-2022

TOWNSHIP OF EDWARDSBURGH CARDINAL ACTION ITEM

Committee: Committee of the Whole – Community Development

Date: July 4, 2022

Department: Community Development

Topic: Telecommunications Tower, 9066 County Road 44 (Stratus-Group Inc. o/b Xplornet Communications Inc.)

Purpose: To review an application to install a Telecommunications Tower at 9066 County Road 44

Background: The Township has received a proposal to install a 45m self-support tower site at 9066 County Road 44. The application has been made by Stratus-Group Inc., contracted by Xplornet Communications Inc. and acting with approval from the property owner, Josef Graf. The application provides that the proposed facility would provide greater internet access to the residents of Groveton and the surrounding area. Further details are included in the attached report, prepared by Stratus-Group Inc.

The subject property is zoned Rural as per the Township's zoning bylaw and designated Rural Policy Area in the Official Plan. There are significant woodlands over the area of the proposed facility and a watercourse approximately 60m from the proposed site. The Site Selection and Justification report provides that the tower is planned within an existing clearing and will not cause negative impacts to the woodlands. The property is home to a residential dwelling at the south end of the parcel.

The proposed facility would require a 15m x 15m land area for the compound which would include the 45m tower, an equipment cabinet and backup generator. The facility will be sited at the north end of the parcel. Access to the site is planned via an existing entranceway at the north end of the parcel.

As a Federal Undertaking, telecommunications infrastructure is not subject to site plan control, therefore site plan control bylaws have no effect on or do not apply to antenna sites. In the past, the Township has used the site plan control process where a telecommunication site is proposed. With more recent applications, the Township has requested that the proponent provide a letter of undertaking which would include the

requirements of our standard site plan control agreement. Xplornet has provided a signed letter of undertaking to the Township.

Policy Implications: As a federal undertaking, Xplornet is required by Innovation, Science and Economic Development Canada (ISED) to consult with land-use authorities in siting new tower locations. The application is intended to provide the municipality an opportunity to address land-use concerns while respecting the federal government's exclusive jurisdiction in the siting and operation of wireless communication facilities.

As the provisions of the Ontario Planning Act and other municipal bylaws do not apply to federal undertakings, wireless communication facilities are not required to obtain municipal permits of any kind. Xplornet is required to follow established and documented telecommunication protocols or processes set forth by land-use authorities.

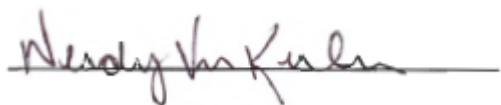
The Site Selection and Justification Report provided by the applicant outlines how Xplornet has met ISED's requirements regarding; the Canadian Environmental Assessment Act; Transport Canada's Aeronautical Obstruction Marketing; Engineering Practices; Industry Canada's Spectrum Management; and Health Canada's Safety Code 6 Compliance.

Financial Considerations: The application fee for a telecommunications tower has been submitted to the municipality.

Recommendation: That Committee recommends that Council accept a letter of undertaking from Xplornet Communications Inc., as attached, regarding a telecommunications facility at 9066 County Road 44;

and that Council request that Xplornet Communications Inc. provide the Township with a copy of any comments or concerns raised during the public consultation period;

and that, provided no concerns are raised during the public consultation period, Council direct staff to provide a letter of concurrence to Xplornet Communications Inc.

A handwritten signature in dark ink, appearing to read "Nancy K...", is written over a horizontal line.

Community Development Coordinator



Xplornet Communications Inc.
Site Selection and Justification Report

Proposed Network Site
Site Name: Groveton- ON7938

45m Self-Support Tower Installation
High-Speed Internet and Home Phone Services

Xplornet Communications Inc.

Prepared by its agent

Stratus-Group Inc.

472 Palmerston Blvd

Toronto, ON

M6G 2P1

INTRODUCTION

Xplornet Communications Inc. provides greater access to high-speed internet and improved home phone services to residents throughout rural areas of Ontario. In response to the increase in demand for telecommunication services, Xplornet is expanding its network, building new sites and upgrading its existing sites to extend coverage and provide greater access to the communities that are currently underserved.

Xplornet would like to install a new 45 metre self-support tower site to provide greater internet access to the residents of Groveton and the surrounding area. The new network facility requires a land area of approximately 15m by 15m for the compound, which includes the tower structure, an equipment cabinet, and a backup generator.

The information below provides the details of the proposed telecommunications site and summary of the site selection process. Xplornet has placed careful consideration to ensure sustainable co-existence of land use that respects the interests of the municipality, the residents, and satisfies the coverage objective.

BACKGROUND & COVERAGE OBJECTIVES

Reliable access to the internet and telecommunication services allow individuals and families to facilitate the needs of their everyday life. The events of the past few years have revealed that it is essential to improve the quality of these services in rural communities to ensure they can stay connected.

Xplornet is working to provide these services by building new network sites in underserved areas, as well enhancing its services by upgrading the existing sites. As seen in **Figure A**, the area of Groveton has been identified by Xplornet as having insufficient coverage.

Figure A – Map of the Existing Telecommunications Infrastructure in Edwardsburgh/Cardinal

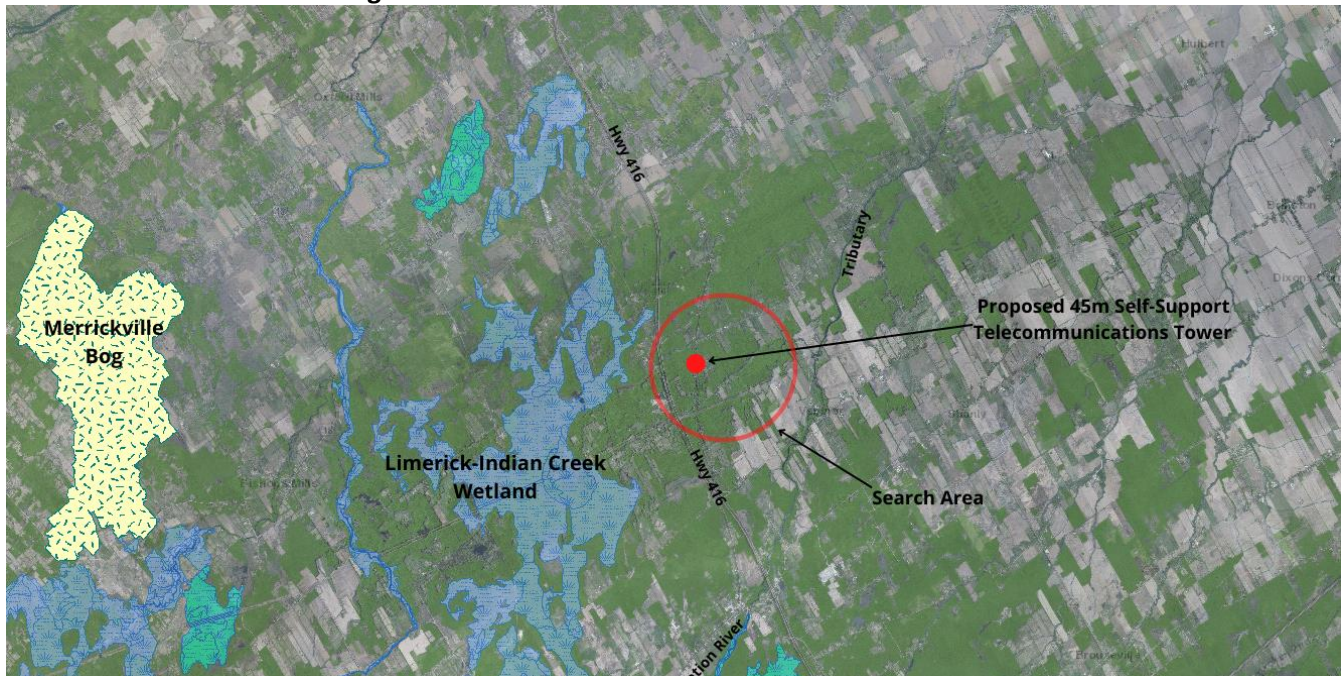


SITE SELECTION CRITERIA

To ensure an appropriate use of land and co-existence for new network facilities, Xplornet is mindful of the existing structures and land uses, proximity of the sites to sensitive natural areas, as well as the guidance and regulations of the land use authorities. To this end, Xplornet has followed the set of criteria listed below in the site selection process for the Groveton site.

- I. Natural Heritage Considerations
 - This area posed significant challenges because of its sensitive land areas. See **Figure B**.
 - The proposed tower site is located within a Woodland, as identified in Schedule B of the Township of Edwardsburgh-Cardinal's Official Plan. However, the site is located within a pre-existing clearing and will not have require extensive removal of trees or cause negative impacts on the woodlands.
 - The tower site has been selected with careful consideration of appropriate setback from the watercourse on the property. The site is located at a 60 metres distance of the watercourse and satisfies the township's setback requirements.
- II. Municipally Owned Land
 - The proposed site is located on a privately owned property and Xplornet has not found municipally owned lands in the search area.
- III. Radio-Frequency Requirements
 - Xplornet's sites are algorithmically placed to mitigate coverage gaps and network inferences.
 - General search area location was chosen to the southwest of the intersection of Hyndman Rd and Country Rd 44. See **Figure A**.
- IV. Existing Structures for Tower Sharing
 - As the nearest existing telecommunications structure is 6KM east of the search area, it would not meet Xplornet's coverage objectives and thus is unsuitable for tower sharing.
- V. Proximity to Residential Uses
 - To provide the greatest coverage benefits to the residents, Xplornet's network sites must be sited in proximity to the residential areas.
 - In order to maintain the aesthetics of the area, the base of the tower has been placed strategically, setback from the road and concealed behind a row of mature trees.

Figure B – Considerations for Groveton Site's Location

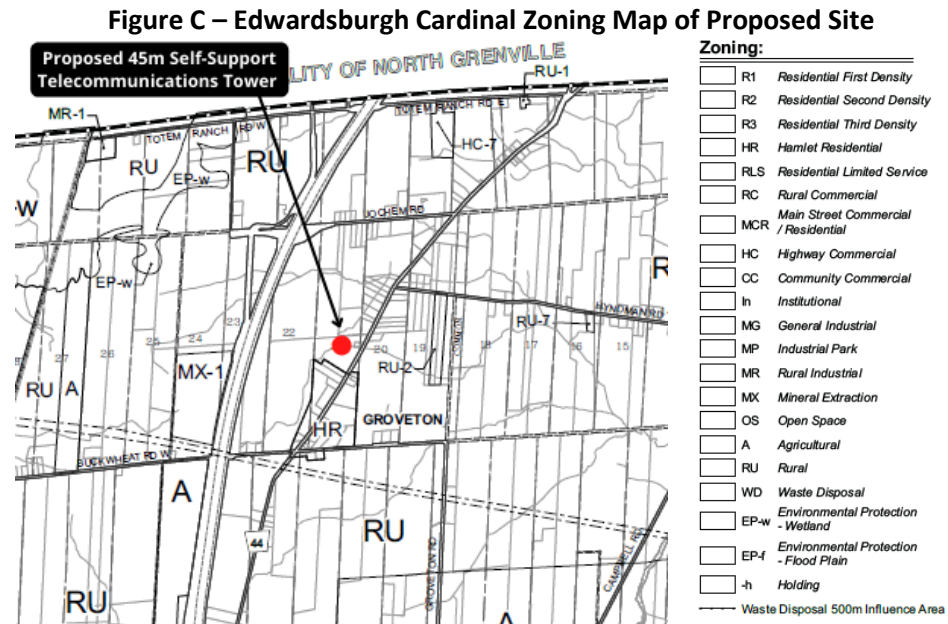


Xplornet has been mindful to stay away from sensitive lands and waterways



COMPLIANCE AND EVALUATION OF LAND USE DESIGNATION

This site installation will not affect sensitive land uses, natural heritage, significant vegetation, or agricultural uses. The site is zoned as rural and therefore is a permitted use.



The proposed site is located on rural zoned land.

PROPOSED SITE LOCATION

The proposed location for a network site installation in Edwardsburgh Cardinal is on the property known as:

Municipal Address	9066 County Rd 44, Spencerville, ON, K0E 1X0
Legal Description	PT LT 20-21 CON 9 EDWARDSBURGH TOGETHER WITH AN EASEMENT OVER PT 2, 15R11172 AS IN GC8389
Proposed Tower Coordinates	44.901778, -75.562550

Figure D –Site Plan



The site’s base will be naturally concealed by existing vegetation and is setback from the road



DESCRIPTION OF PROPOSED SITE & CONTROL OF ACCESS

Please see below for a description & control of access.

- Site Installation Description
 - 45m self-support lattice tower
 - Walk-in equipment shelter and Backup generator
- Access Control
 - Access the site off of County Rd 44. **See Figure D.**
 - All Xplornet towers are engineered with anti-climb systems for public safety. The proposed structure and compound layout can be seen below. **See Figure E.**

Figure E – Proposed Xplornet 45m Self-Support Telecommunications Tower



Figure E is to be used as reference; some aspects of the design of the tower may vary

PUBLIC CONSULTATION AND NOTIFICATION

Xplornet recognizes and respects the importance of land use Authorities' visions of their communities and understands the importance of land-use protocols and transparency in consultation. As directed by The Township of Edwardsburgh Cardinal, Xplornet will complete the necessary notification process as outlined in the CPC-2-0-03 — Radiocommunication and Broadcasting Antenna Systems, by placing an ad in the local newspaper for the public to ask questions or make comments on the network site. Additionally, Xplornet will diligently mail out notice packages to neighbouring residents within the area radius three times the tower's height from the base of the tower. **See Figure F.**

Figure F – Properties Within Three Times Towers Height (135m Radius)



Highlighted properties fall within the radius three times the height of the tower



FEDERAL REQUIREMENTS

In addition to the requirements for consultation with municipal authorities, Xplornet Communications must also satisfy and comply with the following federal requirements:

1. CANADIAN ENVIRONMENTAL ASSESSMENT ACT

Xplornet attests that the radio antenna system as proposed for this site will comply with the Canadian Environmental Assessment Act, as this facility is excluded from assessment.

2. TRANSPORT CANADA'S AERONAUTICAL OBSTRUCTION MARKING REQUIREMENTS

Xplornet attests that the radio antenna system described in this notification package will comply with Transport Canada / NAV CANADA aeronautical safety requirements. Xplornet has made all necessary applications to Transport Canada and NAV CANADA. For additional detailed information, please consult Transport Canada at: <https://tc.canada.ca/en>

3. ENGINEERING PRACTICES

Xplornet attests that the radio antenna system for this site will be constructed in compliance with the National Building Code of Canada and comply with engineering practices including structural adequacy.

4. INDUSTRY CANADA'S SPECTRUM MANAGEMENT

Please be advised that the approval of this site and its design is under the exclusive jurisdiction of the Government of Canada through Industry Canada.

For more information on Industry Canada's public consultation guidelines including CPC-2-0-03 contact:

<https://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf08777.html> or the local Industry Canada office, details below:

Innovation Science and Economic Development Canada
Spectrum Management Office
Eastern and Northern Ontario District Office
2 Queen Street East
Sault Ste. Marie ON
P6A 1Y3
Tel: 1-855-465-6307
Fax: 705-941-4607
spectrumnod-spectredeno@ised-isde.gc.ca

General information relating to antenna systems is available on Industry Canada's Spectrum Management and Telecommunications website:

<http://www.ic.gc.ca/epic/site/smt-gst.nsf/en/home>

5. HEALTH CANADA'S SAFETY CODE 6 COMPLIANCE

Health Canada is responsible for research and investigation to determine and promulgate the health protection limits for Exposure to the RF electromagnetic energy. Accordingly, Health Canada has developed a guideline entitled "Limits of Human Exposure to Radiofrequency Electromagnetic Field in the Frequency Range from 3kHz to 300 GHz – Safety Code 6". The exposure limits specified in Safety Code 6 were established from the results of hundreds of studies over the past several decades where the effects of RF energy on biological organisms were examined. Canada's exposure limits are among the most stringent guidelines that are based on established effects.

Telecommunications facilities, including technical aspects related to broadcasting, is under responsibility of the Department of Industry (Industry Canada), which has the power to establish standards, rules, policies and procedures. Industry Canada, under this authority, has adopted Safety Code 6 for the protection of the general public. As such, Industry Canada requires all proponents and operators to ensure that their installations and apparatus comply with Safety Code 6.



Xplornet Communications Inc. attests that the radio antenna system described in this notification package complies with Health Canada's Safety Code 6 limits, as may be amended from time to time, for the protection of the general public including any combined effects of additional carrier colocations and nearby installations within the local radio environment.

More information in the area of RF exposure and health is available at the following website:

Safety Code 6:

http://www.hc-sc.gc.ca/ewh-semt/pubs/radiation/radio_guide-lignes_direct-eng.php

<http://www.hc-sc.gc.ca/ewh-semt/radiation/cons/stations/index-eng.php>

CONCLUSION

Now more than ever, Canadians rely on home-phone and high-speed internet services to function in their everyday lives. These services allow individuals and families to stay connected and reach emergency services in times of need. Xplornet understands that rural communities in Ontario have long been underserved and is working to build new network sites and upgrade its existing facilities. The proposed Xplornet tower will bring the aforementioned services to Groveton and its surrounding communities.

The proposed new network tower site has been selected to have minimal impact on the surrounding land use and simultaneously be able to provide enhanced high-speed internet and home phone services to the targeted area. Xplornet is committed to effective public and municipal consultation, and as such, should you have any questions or require further information regarding this proposal, please do not hesitate to contact the signed below.

Sincerely,



Jay Park
Project Coordinator
647-997-4870
jay@stratus-group.ca

Stratus Group Inc.
472 Palmerston Blvd
Toronto, Ontario
M6G 2P1
*Site Acquisition | Project Management | Land Use
Consultation*



Graham Lewis
Principle
416-725-7442
info@stratus-group.ca

Stratus Group Inc.
472 Palmerston Blvd
Toronto, Ontario
M6G 2P1
*Site Acquisition | Project Management | Land Use
Consultation*





LETTER OF UNDERTAKING made this _____ day of _____, 2021

FROM:

Xplornet Communications Inc.

Hereinafter referred to as "Xplornet Communications Inc."

TO:

THE CORPORATION OF THE TOWNSHIP OF EDWARDSBURGH/CARDINAL

Hereinafter referred to as the "TOWNSHIP"

WHEREAS Xplornet Communications Inc. proposes to erect a 45m self-support steel lattice telecommunications facility and associated equipment shelter ("Facility") on a portion of certain lands more particularly described in Schedule "A" ("Lands") and as shown on Schedule "B" ("Site Plan").

AND WHEREAS, Section 5 of the *Radiocommunication Act* states that the Minister may, taking into account all matters the Minister considers relevant for ensuring the orderly development and efficient operation of radiocommunication in Canada, issue radio authorizations and approve each site on which radio apparatus, including antenna systems, may be located. The Minister may approve the erection of all masts, towers and other antenna-supporting structures. Proponents of radiocommunication and broadcast antenna systems must follow the land-use authority consultation process, CPC-2-0-03 – *Radiocommunication and Broadcasting Antenna Systems (Issue 5)* ("CPC") when installing or modifying an antenna system. The installation of an antenna system or the operation of a currently existing antenna system that is not in accordance with this process may result in its alteration or removal and other sanctions against the operator in accordance with the *Radiocommunication Act*;

AND WHEREAS, the TOWNSHIP is the local land-use authority;

AND WHEREAS the TOWNSHIP adheres to Innovation, Science, and Economic Development Canada's default consultation procedure CPC, which Xplornet Communications Inc., followed;

AND WHEREAS Stratus-Group Inc., circulated an information package pursuant to the requirements of the CPC in order to inform the public of its plans to construct the Facility and obtain public comment;

AND WHEREAS the TOWNSHIP has considered this matter and approved the Facility subject to this undertaking and conditions described below;

AND WHEREAS this Letter of Undertaking contains the undertaking of Xplornet Communications Inc. to the TOWNSHIP to develop the Facility in accordance with its submissions, plans, and representations and to satisfy the conditions of the TOWNSHIP outlined in Section 7;

NOW THEREFORE, Xplornet Communications Inc. hereby acknowledges and undertakes to the TOWNSHIP as follows:

1. STATUTES, BYLAWS, LICENSES, PERMITS, AND REGULATIONS

Xplornet Communications Inc. undertakes and agrees that prior to the commencement of any development, redevelopment, site alteration, construction or other works, Xplornet Communications Inc. shall obtain all necessary permits and approvals required by the Government of Canada, the Province of Ontario, or any agency thereof, the Township and any other affected agency. Xplornet

Communications Inc. undertakes and agrees to comply with the requirements of all relevant municipal bylaws, provincial and federal statutes, and regulations, permits, approvals or licenses.

2. SCHEDULES

Xplornet Communications Inc. hereby agrees that prior written approval by the Township and/or an amendment to a Schedule shall be required for any departure, change, or modification from the Schedules.

The following list of schedules attached hereto are deemed to be and form part of this undertaking:

2.1 Schedule "A" – Legal Description of the Land to which this undertaking applies.

2.2 Schedule "B" – Site Plan.

3. LAND TO WHICH THIS UNDERTAKING APPLIES

This undertaking is deemed to apply to a property known as the following legal description, PT LT 20-21 CON 9 EDWARDSBURGH TOGETHER WITH AN EASEMENT OVER PT 2, 15R11172 AS IN GC8389 shown in the site plan forming Schedule "B" of the lands described in Schedule "A".

4. COMPLETION DATE

Xplornet Communications Inc. agrees to complete the work required in this undertaking within one (1) year of the date of the commencement of works. Notwithstanding, if exceptional circumstances prevent Xplornet Communications Inc. from complying with the requirements, the TOWNSHIP may extend the completion date.

5. FACILITIES AND WORK TO BE PROVIDED AND MAINTAINED

Xplornet Communications Inc. covenants and agrees to provide and maintain, at his/her/their sole expense each and every facility, work, or other matter illustrated on the Schedules to the satisfaction of the TOWNSHIP, acting in a commercially reasonable manner, and to engage qualified professionals, where required, to design and carry forth any of the work described in this undertaking. This shall include the restoration of any faulty workmanship or materials.

6. NOTICE TO PARTIES

Any Notice by any party to this undertaking to another shall be given in writing and mailed or delivered to the Party at the addresses shown below, or such other address as communicated to the other Party in writing:

6.1 In the case of the TOWNSHIP

To the Clerk of the Township of Edwardsburgh/Cardinal
18 Centre Street
P.O. Box 129
Spencerville, ON K0E 1X0

6.2 In the case of the proponent Xplornet Communications Inc.

Tanya O'Leary
Tanya.OLeary@corp.xplornet.com
902-410-4112

7. CONDITIONS

a.) ACCESS FACILITIES

The sites' primary access will be via an existing entrance off of County Road 44, approximately 200m north of the property's owner's private driveway, see Schedule B. Secondary access is through a right-of-way, whose entrance is found at the north end of the property, off County Road 44.

b.) REFUSE STORAGE AND DISPOSAL

Xplornet Communications Inc. shall be responsible for the disposal of refuse resulting from the development of the Facility from this property.

c.) LOCATION OF BUILDING STRUCTURES AND FACILITIES

As per site plan forming Schedule "B" of this undertaking.

d.) ELEVATIONS

As per Tower Elevation Profile, forming Schedule "B" to this undertaking.

e.) REMOVAL OF STRUCTURE AND FACILITIES

Xplornet Communications Inc. agrees that the TOWNSHIP may issue a request to clarify whether or not the Facility is still required to support wireless network activity. Xplornet Communications Inc. will respond within 60 days of receiving the request and will provide any available information on the future status or planned decommissioning of the Facility (if applicable).

Where Xplornet Communications Inc. confirms that the Facility is redundant, Xplornet Communications Inc. and the TOWNSHIP will mutually agree on a timeframe to remove the system and all associated buildings and equipment from the site. Removal will occur no later than 2 years from when the Facility was deemed redundant.

SIGNED

Xplornet Communications Inc.

Signature: 

NAME: CJ Prudham

TITLE: Executive Vice President , General Counsel

XPLORNET COMMUNICATIONS INC. – GROVETON ON7938 - TELECOMMUNICATIONS FACILITY

Schedule "A" – Legal Description of the Land to which this undertaking applies.

Municipal Address: 9066 County Rd 44, Spencerville, ON K0E 1X0

Legal Description: PT LT 20-21 CON 9 EDWARDSBURGH TOGETHER WITH AN EASEMENT OVER PT 2, 15R11172 AS IN GC8389

PIN: 681390515

Coordinates of Site: 44.901778, -75.562550

Schedule "B" – Site Plan.



- 15m x 15m Compound
- Hydro Access
- Primary Road Access
- Secondary Road Access

Committee: Committee of the Whole – Community Development

Date: July 4, 2022

Department: Community Development

Topic: Community Improvement Project Areas

Background: At the Community Development Committee meeting on April 4th, Committee members requested that a report be prepared to outline the process to include Johnstown as a Community Improvement Project Area.

Planning Act Requirements and Official Plan Policies

Section 28 of the *Planning Act* provides that where there is an Official Plan in effect that contains provisions relating to community improvement in the municipality, the council may, by bylaw, designate the whole or any part of an area covered by the Official Plan as a Community Improvement Project Area (2). When this bylaw is passed, the Council may prepare a plan for the project area, which may be adopted and come into effect as a Community Improvement Plan (4). The adoption of a Community Improvement Plan (CIP) requires consultation with the Ministry of Municipal Affairs and Housing and at least one public meeting. The plan is subject to appeal to the Ontario Land Tribunal (5).

The Township's Official Plan designates the entire Township as a Community Improvement Area and provides that Council may, by bylaw, designate lands within this area as a Community Improvement Project Area. Section 7.5, included with this report, provides policy objectives (OP Section 7.5.4), matters to consider in the preparation of a Community Improvement Plan (OP Section 7.5.5), and direction on the implementation of the community improvement principles (OP Section 7.5.6).

Subject to Section 28 of the *Planning Act*, in pursuing the objectives of the Township's Official Plan's community improvement policies, Council may:

- Sell, lease or dispose of lands and buildings acquired or held by the Township;
- Give loans and grants to owners, tenants and their assignees for rehabilitation purposes; and
- Provide tax assistance by freezing or cancelling the municipal portion of the property tax on eligible properties for remediation purposes.

Current Community Improvement Project Areas and Plans

The Township designated the Village of Cardinal as a Community Improvement Project Area by bylaw 2012-03 and approved the CIP in January, 2012. The preparation of the CIP included a background report, prepared by MMM Group Ltd. Consulting Team; a public open house and workshop; and 2 meetings with the Community Development Committee to discuss preliminary direction and a review of the plan. The statutory Public Meeting was held in January, 2012. A Streetscape Plan was prepared later that year, with direction from the Plan and the Township's 2012 Economic Development Strategy.

In 2013, the Village of Spencerville and the area west of Spencerville was designated a Community Improvement Project Area by bylaw 2013-71 and a subsequent CIP for this area was prepared. The Spencerville CIP was prepared by MMM Group through a review of background materials; a SWOT analysis; and a public open house and workshop; followed by the statutory Public Meeting in October 2013, before the plan was approved by Council in December, 2013.

The Cardinal and Spencerville CIPs include specific goals and objectives that aim to create walkable, well-connected communities; promote tourism through waterfront improvements, festivals and events; offer a range of housing opportunities; take pride in landscaping and public spaces; encourage new development and redevelopment of underutilized space; and create attractive Village streetscapes.

The CIP includes financial incentive programs aimed at improving the downtown core areas, including;

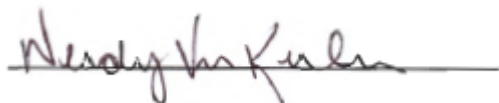
- Façade and Property Improvement Program;
- Application and Building Permit Fees Rebate Program;
- Heritage Property Improvement Program;
- Tax Increase-Based Equivalent Rebate Program;
- Downtown Housing Improvement Program; and
- Project Feasibility Program (Cardinal Only)

Next Steps

The Committee has requested that this report outline the steps required to create a CIP area for the Village of Johnstown. It is recommended that members review section 7.5 of the Township's Official Plan to determine whether their goals for the Village of Johnstown align with the Official Plan policy objectives for community improvement. Section 7.5.5(1) provides that Council should have consideration for the following items in the selection of a Community Improvement Project Area:

- That there is evidence of a need to improve municipal services such as roads, sidewalks, cycle lanes, active transportation routes, street lighting, vehicle and bicycle parking, sanitary and storm sewers, water supply, parks and recreation, community facilities, the waterfront areas or streetscaping. Improvements may apply to some or all of the above services.
- That the phasing of improvements corresponds to the timing of improvements by the Township and/or senior governments and is within the financial capability of the Township.
- That a significant number of buildings in an area show signs of deterioration and need of repair.
- That there is evidence that a site can be classified as a brownfield and that the adoption of a Community Improvement Plan would assist in the remediation, rehabilitation and/or redevelopment of a property or area.
- That improvement to the visual appearance or aesthetics be required.
- That improvements will have a significant impact on strengthening the economic base of the community.

If the Committee would like to designate the Village of Johnstown as a Community Improvement Project Area, they may recommend that Council direct Staff to engage with a consulting firm to lead this process and the preparation of the CIP, which would be consistent with the approach taken for Cardinal and Spencerville. It may be timely to conduct a review of the Township's current CIPs to determine if amendments are appropriate.



Community Development Coordinator

7.5 COMMUNITY IMPROVEMENT

- 7.5.1 The entire Township is designated a Community Improvement Area.
- 7.5.2 Council may, by by-law, designate the lands within a Community Improvement Area as a Community Improvement Project Area whereupon Council shall undertake the preparation of a Community Improvement Plan for such area or areas. Prior to designating a Community Improvement Area, Council shall repeal all previous designating by-laws adopted under the *Planning Act* for Community Improvement purposes in the area to be designated as a Community Improvement Project Area.
- 7.5.3 Subject to Section 28 of the *Planning Act*, in pursuing the objectives of the Official Plan's Community Improvement Policies, Council may:
- Sell, lease or dispose of lands and buildings acquired or held by the Township;
 - Give loans and grants to owners, tenants and their assignees for rehabilitation purposes;
 - Provide tax assistance by freezing or cancelling the municipal portion of the property tax on eligible properties for remediation purposes; and
 - Issue debentures with the approval of the Local Planning Appeal Tribunal.
- 7.5.4 The policy objectives for community improvement are as follows:
- To foster the improvement of businesses and public spaces to remove barriers which may restrict their accessibility;
 - To upgrade and maintain all essential municipal services and community facilities;
 - To encourage residential intensification and potential affordable housing opportunities such as mixed use and infill developments, second units, and residential conversion of upper floors of commercial buildings;
 - To ensure that community improvement projects are carried out within the built up areas of the Township;
 - To ensure the maintenance of the existing building stock;
 - To preserve heritage buildings;
 - To facilitate the remediation, rehabilitation and/or redevelopment of existing brownfield sites;
 - To encourage private sector investment and the strengthening of the economic base;
 - To enhance the visual appearance of Community Improvement Areas.
- 7.5.5 Council shall have regard for the following matters in the preparation and adoption of a Community Improvement Plan:
1. The basis for selection of the community improvement project areas with specific consideration of the following:
 - That there is evidence of a need to improve municipal services such as roads, sidewalks, cycle lanes, active transportation routes, street lighting, vehicle and bicycle parking, sanitary and storm sewers, water supply, parks and recreation, community facilities, the waterfront areas or streetscaping. Improvements may apply to some or all of the above services.
 - That the phasing of improvements corresponds to the timing of improvements by the Township and/or senior governments and is within the financial capability of the Township.

- That a significant number of buildings in an area show signs of deterioration and need of repair.
 - That there is evidence that a site can be classified as a brownfield and that the adoption of a Community Improvement Plan would assist in the remediation, rehabilitation and/or redevelopment of a property or area.
 - That improvement to the visual appearance or aesthetics be required.
 - That improvements will have a significant impact on strengthening the economic base of the community.
2. The boundary of the area and the land use designations contained in this Plan;
 3. Properties proposed for acquisition and/or rehabilitation;
 4. The estimated costs, means of financing and the staging and administration of the project;
 5. The provision of sufficient flexibility, as circumstances warrant, where project and costing revisions are necessary;
 6. The phasing of improvements and the means of their implementation; and
 7. Citizen involvement during the preparation of a Community Improvement Plan.

7.5.6 Council shall implement the general principles and policies of this Section as follows:

1. Through the identification of specific community improvement projects and the preparation of Community Improvement Plans;
2. Through participation in programs with senior levels of government;
3. Through the acquisition of land to implement adopted Community Improvement Plans;
4. Through the encouragement of the orderly development of land as a logical and progressive extension of development which provides for the infilling of underutilized land;
5. Through the encouragement of the private sector to utilize available government programs and subsidies;
6. Through the enactment of a comprehensive Zoning By-law which provides for a range of appropriate uses, for the intensification and integration of land uses, and which stimulates the economic and/or functional role of the areas; and
7. By encouraging the rehabilitation of existing buildings and structures which will be used for a purpose compatible with the surrounding area.

7.5.7 Council shall have regard for the phasing of improvements in order to permit a logical sequence of events to occur without unnecessary hardship to area residents and the business community. The improvements should be prioritized having regard for available municipal funding.