



Agenda
The Township of Cavan Monaghan
Regular Council Meeting

Monday, March 18, 2024

1:00 p.m.

Council Chambers

Members in attendance are asked to please turn off all electronic devices during the Council Meeting. Any special needs requirements pertaining to accessibility may be directed to the Clerk's Office prior to the meeting. A link to the livestreaming is available at www.cavanmonaghan.net. Council Members may be participating remotely.

Pages

1. Call to Order

2. Land Acknowledgement

We respectfully acknowledge that the Township of Cavan Monaghan is located on the Treaty 20 Michi Saagiig territory, in the traditional territory of the Michi Saagiig Anishnaabeg. We offer our gratitude to First Nations for their care for and teachings about these lands. May we honour these teachings.

3. Approval of the Agenda

4. Disclosure of Pecuniary Interest and the General Nature Thereof

5. Closed Session

6. Minutes

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7.5	Report - Public Works 2024-01 Annual MECP Drinking Water Reports (JF)	61 - 83
7.6	Report - Public Works 2024-02 Millbrook Wastewater Treatment Plant Wet Well Upgrades (JF)	84 - 91
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7.8	Report - Corporate Services 2024-03 173rd Millbrook Fair – Community Festival Designation (CP)	98 - 105
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11.1	By-law No. 2024-16 being a by-law to appoint Building Inspectors for the Township of Cavan Monaghan	109 - 109
12.	Unfinished Business	
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14.	Confirming By-law	
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15.	Adjournment	
16.	Upcoming Events/Meetings	
16.1	Cavan Monaghan Public Library Board Meeting Tuesday, March 19, 2024 at 7:00 p.m., Millbrook Branch Library	

- 16.2 **Municipal Revitalization and Heritage Advisory Committee Meeting
Thursday, March 21, 2024 at 9:00 a.m.**
- 16.3 **Regular Council Meeting Tuesday, April 2, 2024 at 1:00 p.m.**
- 16.4 **Millbrook Downtown BIA Board of Management Meeting Thursday, April
11, 2024 at 8:00 a.m.**
- 16.5 **Regular Council Meeting Monday, April 15, 2024 at 1:00 p.m.**



**Minutes
The Township of Cavan Monaghan
Regular Council Meeting**

**Monday, March 4, 2024
11:30 a.m.
Council Chambers**

Those members in attendance were:

Council	Matthew Graham	Mayor
	Ryan Huntley	Deputy Mayor
	Nelson Edgerton	Councillor
	Gerry Byrne	Councillor
	Lance Nachoff	Councillor (joined at 11:38 a.m.)
Staff	Yvette Hurley	CAO
	Cindy Page	Clerk
	Karlie Hartman	Deputy Clerk
	Karen Ellis	Director of Planning
	Matt Wilkinson	Planner
	Kyle Phillips	Chief Building Official/By-law Enforcement Officer

1. Call to Order

Mayor Graham called the meeting to order at 11:30 a.m.

2. Land Acknowledgement

Mayor Graham recited the land acknowledgement.

3. Approval of the Agenda

R-2024-61

Moved by: Byrne

Seconded by: Huntley

That the agenda for the Regular Council Meeting be approved as presented.

Carried

4. Disclosure of Pecuniary Interest and the General Nature Thereof

There were no pecuniary interests noted.

5. Closed Session

5.1 Resolution to move into Closed Session

R-2024-62

Moved by: Byrne

Seconded by: Edgerton

That the Council for the Township of Cavan Monaghan move into Closed Session under Section 239(2) of the Municipal Act (2001), as amended, to consider:

a proposed or pending acquisition or disposition of land by the municipality or local board, and

personal matters about an identifiable individual, including municipal or local board employees.

Carried

5.2 Minutes of the Closed Session held February 20, 2024

5.3 Proposed Property Acquisition Update

5.4 Report - PEB 2024-12 Building and By-law Enforcement Activity

Mayor Graham recessed at 12:16 p.m. until 1:00 p.m.

6. Regular Session will reconvene at 1:00 p.m.

Mayor Graham reconvened the meeting at 1:00 p.m.

7. Report from Closed Session

There was no report from Closed Session.

8. Public Meeting

8.1 Resolution to open the Public Meeting

R-2024-63

Moved by: Byrne

Seconded by: Edgerton

That the Public Meeting be opened in accordance with Section 34 of the Planning Act, R.S.O. 1990.

Carried

8.2 Report PEB 2024-11 Giroux - Zoning By-law Amendment (ZBA-04-24)

Matt Wilkinson, Planner reviewed the report and spoke to the Zoning By-law Amendment application received on January 31, 2024, from Mr. Giroux for lands in Part Lot 16, Concession 1 (Cavan), known municipally as 1215 Carmel Line.

The Applicant built a new accessory building on the property without obtaining a building permit. In accordance with Section 11.4.2 of the Zoning By-law, the lot coverage for accessory building and structures cannot exceed the ground floor area of the principal building. The total lot coverage for all accessory buildings on the site exceeds the lot coverage of the existing house on the property. As such, an amendment to the zoning by-law is required to permit the building. As drafted, By-law No. 2024-13 will rezone the subject lands from the Oak Ridges Moraine Countryside (ORMCO) Zone to the Oak Ridges Moraine Countryside Exception Five (ORMCO-5) Zone. In the ORMCO-5 Zone, the maximum lot coverage for accessory buildings and structures will be 9% of the total lot area. By-law No. 2024-13 is limited to permit existing accessory buildings would not support any further expansion. The lot coverage is less than the standard maximum lot coverage for accessory buildings and structures in residential zones lots (10%).

8.3 Questions/Comments from members of Council

There were no questions or comments from members of Council.

8.4 Questions/Comments from members of the public

There were no questions or comments from members of the public.

8.5 Consideration of the Report

R-2024-64

Moved by: Byrne

Seconded by: Nachoff

That Council receive and consider any public comments received on March 4th 2024; and

That By-law No. 2024-13 be approved to rezone the subject lands from the Oak Ridge Moraine Countryside (ORMCO) Zone to the Oak Ridges Moraine Countryside Exception Five (ORMCO-5) Zone.

Carried

8.6 Resolution to close the Public Meeting

R-2024-65

Moved by: Byrne

Seconded by: Edgerton

That the Public Meeting be closed.

Carried

9. Minutes

9.1 Minutes of the Regular Meeting held February 20, 2024

R-2024-66

Moved by: Byrne

Seconded by: Edgerton

That the minutes of the Regular Meeting held February 20, 2024 be approved as presented.

Carried

10. Minutes from Committees and Boards

10.1 Committee of Adjustment Meeting Minutes of January 27, 2023 and March 14, 2023

R-2024-67

Moved by: Huntley

Seconded by: Nachoff

That the Committee of Adjustment Meeting Minutes of January 27, 2023 and March 14, 2023 be received for information.

Carried

10.2 Cavan Monaghan Public Library Board Meeting Minutes of January 16, 2024

R-2024-68

Moved by: Nachoff

Seconded by: Edgerton

That the minutes of the Cavan Monaghan Public Library Board Meeting Minutes of January 16, 2024 be received for information.

Carried

11. Reports

11.1 Report - PEB 2024-9 Building Inspector/By-law Enforcement Officer Appointment By-law

R-2024-69

Moved by: Huntley

Seconded by: Nachoff

That Council appoint Lauren Hood as a Building Inspector/By-Law Enforcement Officer for the Township of Cavan Monaghan.

Carried

11.2 Report - PEB 2024-12 City of Peterborough - Cross Border Servicing Official Plan Amendment

R-2024-70

Moved by: Byrne

Seconded by: Nachoff

That Report PEB 2024-12 be received for information; and

That the following comments be forwarded to the City of Peterborough for consideration:

- a. the Township of Cavan Monaghan generally supports the proposed official plan amendment to permit the consideration of cross-border servicing under certain circumstances; and
- b. the Township respectfully requests that the proposed official plan amendment include a requirement for a motion of support from the municipality in which the development opportunity is located prior to the City consideration of service extension beyond the City boundary; and
- c. the Township respectfully requests that the City establish and publish guidelines for the evaluation of “mutually beneficial development opportunities”.

Carried

11.3 Council/Committee Verbal Reports

Councillor Byrne spoke to the upcoming Farm Show on Wednesday and Thursday being held in Lindsay and noted it is Maple Syrup Season and there is an event being held on 7A Highway.

Councillor Nachoff spoke to his attendance at the Millbrook Valley Trails Advisory Committee meeting thanking the Committee and Staff and noted they discussed the 2024 Budget, the workplan and projects to be completed on the trails this year and into the future.

R-2024-71

Moved by: Nachoff

Seconded by: Byrne

That Council receive the Council/Committee verbal reports for information.

Carried

12. General Business

There was no General Business.

13. Correspondence for Information

There was no Correspondence for Information.

14. Correspondence for Action

14.1 Letter for Enbridge: Securing the future of natural gas in Ontario - Mayor Graham

R-2024-72

Moved by: Huntley

Seconded by: Nachoff

That Council receive the letter from Enbridge regarding securing the future of natural gas in Ontario for information.

Carried

15. By-laws

15.1 By-law No. 2024-12 being a by-law to appoint Building Inspector/By-law Enforcement Officers for the Township of Cavan Monaghan

15.2 By-law No. 2024-13 Zoning By-law Amendment 1215 Carmel Line

15.3 By-law No. 2024-14 being a by-law to execute an agreement between the Peterborough Humane Society and The Township of Cavan Monaghan to set terms for the provision of pound services

R-2024-73

Moved by: Huntley

Seconded by: Edgerton

That By-law No. 2024-12 being a by-law to appoint Building Inspector/By-law Enforcement Officers for the Township of Cavan Monaghan and By-law No. 2024-13 Zoning By-law Amendment 1215 Carmel Line and By-law No. 2024-14 being a by-law to execute an agreement between the Peterborough Humane Society and The Township of Cavan Monaghan to set terms for the provision of pound services be read a first, second and third time and passed this 4th day of March signed by the Mayor and Clerk and the Corporate Seal attached.

Carried

16. Unfinished Business

There was no Unfinished Business.

17. Notice of Motion

There were no Notices of Motion.

18. Confirming By-law

18.1 By-law No. 2024-15 being a by-law to confirm the proceedings of the meeting held March 4, 2024

R-2024-74

Moved by: Edgerton

Seconded by: Nachoff

That By-law No. 2024-15 being a by-law to confirm the proceedings of the meeting held March 4, 2024 be read a first, second and third time and passed this 4th day of March signed by the Mayor and Clerk and the Corporate Seal attached.

Carried

19. Adjournment

R-2024-75

Moved by: Byrne

Seconded by: Edgerton

That the Regular Council Meeting of the Township of Cavan Monaghan adjourn
at 1:23 p.m.

Carried

Matthew Graham
Mayor

Cindy Page
Clerk



Regular Council Meeting

To:	Mayor and Council
Date:	March 18, 2024
From:	Kimberley Pope, Finance Department
Report Number:	Finance 2024-03
Subject:	2023 Statement of Council Remuneration and Expenses Report

Recommendation:

That Council receives the 2023 Statement of Council Remuneration and Expense Report.

Overview:

Under Section 283 (1) of the Municipal Act 2001, a municipality may pay any part of the remuneration and expenses of the members of any local board of the municipality and of the officers and employees of the local board. 2001, c. 25, s. 283 (1).

Under Section 284 (1) of the Municipal Act 2001, the treasurer of a municipality shall in each year provide to the council of the municipality an itemized statement on remuneration and expenses paid in the previous year to;

- (a) each member of council in respect of his or her services as a member of the council or any other body, including a local board, to which the member has been appointed by council or on which the member holds office by virtue of being a member of council; and
- (b) each member of council in respect of his or her services as an officer or employee of the municipality or other body described in clause (a); and
- (c) each person, other than a member of council, appointed by the municipality to serve as a member of any body, including a local board, in respect of his or her services as a member of the body. 2001, c. 25, s. 284 (1).

Financial Impact:

None.

Attachments:

- 2023 Statement of Council Remuneration and Expenses
- 2023 Ganaraska Statement of Remuneration
- 2023 Otonabee Statement of Remuneration
- 2023 Kawartha Statement of Remuneration

Respectfully Submitted by,

Reviewed by,

Kimberley Pope
Director of Finance/Treasurer

Yvette Hurley
Chief Administrative Officer

Township of Cavan Monaghan
Statement of Remuneration and Expenses
Year ending December 31, 2023
Section 284(1) of the Municipal Act, SO, 2001 as Amended
By-law 2015-15

	Wages & Benefits	Seminars, Conferences & Expenses	Mileage & General Expenses	Total
Mayor Matthew Graham	\$55,068.78	\$1,137.92	\$1,243.16	\$57,449.86
Deputy Mayor Ryan Huntley	\$40,320.73	\$2,673.72	\$753.04	\$43,747.49
Councillor Nelson Edgerton (Ward 1)	\$23,432.29	\$574.94	\$287.64	\$24,294.87
Councillor Gerry Byrne (Ward 2)	\$27,595.64	\$2,737.34	\$414.70	\$30,747.68
Councillor Lance Nachoff (Ward 3)	\$32,051.22	\$4,224.64	\$1,184.18	\$37,460.04
Total Remuneration	\$178,468.66	\$11,348.56	\$3,882.72	\$193,699.94

Ganaraska, Kawartha & Otonabee Region Conservation Authority
Board & Authorities Remuneration and Expense Summary
Year ending December 31, 2023
Section 284 (1) of the Municipal Act, SO, 2001 As Amended

	Honorarium	Per Diem	Mileage	Total
Councillor Nachoff (GCAR)	\$0.00	\$600.00	\$0.00	\$600.00
Councillor Huntley (ORCA)	\$2,000.00	\$1,170.00	\$425.41	\$3,595.41
Councillor Byrne (KRCA)	\$0.00	\$750.00	\$405.00	\$1,155.00



**Ganaraska Region Conservation Authority
Township of Cavan Monaghan Representatives Remuneration
January 1 - December 31, 2023**

Total number of meetings eligible to attend 9

	Meetings Attended	Per Diems	Mileage
Lance Nachoff	8	\$600.00	\$0.00

Note: There was no January, July or August meeting.



January 30, 2024

Township of Cavan Monaghan
Yvette Hurley, CAO
988 County Rd 10, RR #3
Millbrook, ON L0A 1G0

Dear Ms. Hurley:

As per Section 284(3) of the Municipal Act, 2001, please find below a statement of remuneration and expenses paid to Ryan Huntley, your municipality's appointment to the Otonabee Region Conservation Authority during 2023.

Please note that the number of per diems paid is not necessarily equal to the number of meetings attended due to the manner in which per diems are paid. Authority Directors receive remuneration for attending meetings on a per day basis. For example, Directors attending Audit Committee, Executive Committee or Source Protection Authority meetings followed by the regular Conservation Authority Board meeting receive remuneration equal to one per diem plus related expenses.

Total number of meetings eligible to attend	24
Total number of meetings attended	24

18 Per Diems paid at \$65.00	\$ 1,170.00
Mileage (in person meetings only)	425.41
Chair Honorarium	<u>2,000.00</u>
Total Remuneration	\$3,595.41

If you require a more detailed record of the meetings attended by your municipal representative, please contact the undersigned.

Yours very truly

Denyse Landry Harvey
Manager, Corporate Services

cc: Ryan Huntley

The Otonabee Region Conservation Authority
250 Milroy Drive, Peterborough, ON K9H 7M9
Phone: 705-745-5791, Fax: 705-745-7488,
Email: otonabee.ca@otonabee.com, Website: www.otonabee.com

Member of Conservation Ontario

**Council of Cavan, Monaghan
Appointees - 2023**

Organization: Kawartha Region Conservation Authority

Cavan Appointees	Remuneration or Per Diem	Mileage	Other Expenses	Total
Byrne, Gerry	\$ 750.00	\$ 405.00	\$ -	\$ 1,155.00
Total	\$ 750.00	\$ 405.00	\$ -	\$ 1,155.00

I confirm the above information to be valid and complete.

Name Jonathan Lucas
Position Director, Corporate Services
Telephone 705 - 328 - 2271 Ext. 233
Email jlucas@kawarthaconservation.com



Regular Council Meeting

To:	Mayor and Council
Date:	March 18, 2024
From:	Karen Ellis, Director of Planning
Report Number:	PEB 2024-13
Subject:	Peterborough County Official Plan Update Report

Recommendation:

That Report PEB 2024-13 be received for information.

Overview:

In May of 2017, Peterborough County launched the new County Official Plan project with a work plan and public consultation strategy approved by Council. In October of 2017, the Township of Cavan Monaghan joined the project.

Planning Staff participated in Technical Advisory Committee (TAC) meetings on a regular basis to help develop the content of the new Official Plan. A new Official Plan was adopted by Peterborough County Council in June of 2022 and forwarded to the Ministry of Municipal Affairs and Housing for approval. The County's adopted Official Plan is still awaiting approval by the Minister of Municipal Affairs and Housing.

In 2023, the Province released a proposed Provincial Planning Statement, 2023 that changes the Provincial planning framework. The County Official Plan must be consistent with the Provincial Planning Statement (2023).

Peterborough County Planning Staff invited the TAC Members back to the table to draft modifications to the new Official Plan that are consistent with the draft Provincial Planning Statement (2023) as directed by County Council through Report PPW 2023-17.

The TAC began review of the adopted Official Plan, based on the draft Provincial Planning Statement (2023) on December 14, 2023. Subsequent meetings were held January 18, 2024 and February 15, 2024. The next meeting is scheduled for March 22, 2024.

Minutes from the first three (3) TAC meetings are provided as Attachment Nos. 1, 2, and 3 to this Report. Updates on the project will continue to be provided to Council as the work progresses.

Financial Impact:

None at this time.

Attachments:

Attachment No. 1: December 14, 2023 TAC Meeting Minutes

Attachment No. 2: January 18, 2024 TAC Meeting Minutes

Attachment No. 3: February 15, 2024 TAC Meeting Minutes

Respectfully Submitted by,

Reviewed by,

Karen Ellis
Director of Planning

Yvette Hurley
Chief Administrative Officer

County Official Plan Modifications

Meeting Minutes – December 14, 2023 Technical Advisory Committee OP Modification Meeting No. 1



Location: Virtual Meeting, Teams

Attendees: Arya Hejazi (HBM), Sarah Dilamarter (TL), Matt Wilkinson (CM), Emily Baker (OSM), Jessica Reid (EcoVue for OSM), Adele Arbour (TL), Janine Cik (NK), Forbes Symon (Jp2g for NK), Christina Coulter (DD), Per Lundberg (SEL), Kaitlin Hill (Curve Lake FN), Karen Ellis (CM), Ed Whitmore (AN), John Connolly (CM), Tom Cowie (Hiawatha FN), Barb Waldron (TL) Bryan Weir (County), Iain Mudd (County), Keziah Holden (County)

Meeting started at 9:05am

Items and issues discussed at the meeting were as follows:

TAC Roles & Responsibilities

- Members of the Technical Advisory Committee (TAC) are responsible for:
 - Reviewing and commenting on draft policy presented by County Planning staff
 - Assisting in review of map schedules providing local knowledge and confirmation of designations or edits on behalf of your respective Township
 - Provide updates to your CAO/Council on the TAC process and policy proposals
 - Provide the TAC with any comments, questions, requests made by local Council
- TAC Members will participate in committee meetings, and serve as the conduit for the flow of information to and from the Committee and Council

Current Status of OP

- Process started in 2018 and OP was adopted in June 2022
- The new OP was placed on the Environmental Registry of Ontario (ERO) for comment over the summer.
- In early August the County prepared a report for County Council (report no. PPW 2023-17) which recommended that a decision on the new OP be deferred until after the new Provincial Planning Statement comes into effect and that the new OP be modified to be consistent with the new PPS.

- This report states that County Planning staff would avail themselves to assist Ministry staff in identifying the policies, sections, mapping schedules, etc. that would need to be modified to create consistency with the new PPS.
- The TAC has reconvened to discuss and draft proposed modifications for this reason.
- Ideally, proposed modifications would be implemented by the Minister after the approval of the new PPS. This ensures the newly approved County OP is not out of date with provincial legislation soon after its approval.
- The OP is still with the Province awaiting decision from the Minister of Municipal Affairs. No response or acknowledgement has been received with respect to the request for a deferred decision.
 - The work of the TAC won't be wasted. If the Minister makes a decision on the new OP in its current form, any proposed modifications developed through the TAC could be used as an Official Plan Amendment to bring the new OP into conformity with the new PPS once approved.

Updates from Province

- Spring of 2023 the Province announced plan to have a new Provincial Planning Statement (PPS) and to repeal the Growth Plan. The County provided formal comments on the draft PPS through the Environmental Registry of Ontario (ERO).
- County staff meet with Ministry of Municipal Affairs and Housing staff monthly to monitor progress of Official Plan.
 - County OP was posted on the ERO – commenting period was open for 60 days and closed on August 20, 2023

Proposed Modifications based on draft PPS (2023)

- County staff have prepared a chart which outlines changes to the new OP which would be necessary to be consistent with the draft Provincial Planning Statement
- These changes have been flagged at a very high level; based on a review of the OP and PPS, major changes would be needed to address the following:
 - Natural Heritage mapping and policies, including incorporation of Kawarthas Naturally Connected mapping
 - Agricultural policies
 - Growth management policies and schedules
- The table of policies proposed for modification will be circulated to TAC after the meeting

Schedule of Future Meetings

- Future meetings will be held in person, which was preferable to the group
- Meeting invitations will be sent to everyone by County staff

Meeting adjourned at 9:52am

County Official Plan Modifications

**Meeting Minutes – January 18, 2024
Technical Advisory Committee
OP Modification Meeting No. 2**



Location: Committee Room, County Court House

Attendees: Travis Toms (HBM), Matt Wilkinson (CM), Emily Baker (OSM), Jessica Reid (EcoVue for OSM), Janine Cik (NK), Christina Coulter (DD), Per Lundberg (SEL), Karen Ellis (CM), Ed Whitmore (AN), John Connolly (CM), Barb Waldron (TL), Iain Mudd (County), Keziah Holden (County)

Regrets: Kaitlin Hill (Curve Lake FN), Tom Cowie (Hiawatha FN), Arya Hejazi (HBM), Forbes Symon (Jp2g for NK), Adele Arbour (TL), Bryan Weir (County)

NOTE: Modification Meetings are being held to draft modifications to the new Official Plan to be consistent with the draft Provincial Planning Statement (2023) and as directed by County Council through report PPW 2023-17, and to incorporate Official Plan Amendments approved since the time of adoption of the new Official Plan.

Meeting started at 1:59pm

Items and issues discussed at the meeting were as follows:

Provincial Update

- County Staff recently met with staff from Ministry of Municipal Affairs and Housing, Kingston Office, and were advised that the County's new Official Plan remains in queue with the Minister.
- Minister's Office is very busy due to rollbacks of proposed legislation changes (Greenbelt) and previous Official Plan modifications, and has a backlog of adopted Official Plans awaiting decision.

OPA's for Inclusion in new OP

- Prior to the meeting TAC Members were circulated a list of Amendments that have been approved by the County since June 2022 (adoption date of new OP)
- TAC Members were reminded to review this list and advise of the need to carry forward these OPA's and make note of any that may be missing from the list

- Some Amendments have already been provided to the Province in a list of proposed modifications that were included in the County's comments on the ERO posting for the new Official Plan

Review of Recommended Changes to OP based on New PPS

- Following the previous TAC meeting, Members were provided a table of proposed OP changes based on the policies contained in the draft Provincial Planning Statement (PPS), 2023
- Table compares sections of the new OP with the draft PPS policy at a very high level and contains recommended actions to be taken to be consistent with the draft PPS
- TAC Members had opportunity to make note of any other significant changes necessary based on draft PPS
 - On-farm diversified use definition now includes reference to battery storage facilities – OP definition should be updated to reflect this change
- Questions arose as to whether the OP can be more restrictive than new PPS or if there was any direction from County Council in that regard.
 - County Staff indicated that County Council has not provided this direction but that there are some policies in the draft PPS that specifically state that local OP's cannot be more restrictive.
 - TAC generally agreed that the current Growth Plan contains good planning principles and we are starting to see the effect of those policies with larger subdivisions in many of our settlement areas, but that the day-to-day application of policy is too restrictive.
 - Discussion to be had when making any proposed modifications to make use of good principles and background work that has previously been done (e.g. Growth Management Plans).

Proposed Modifications based on draft PPS (2023)

- TAC began review of adopted OP and made changes based on draft PPS policy. County Staff will maintain a 'tracked changes' version of the OP to clearly show any changes made through this process.
- Reviewed Section 1 (Introduction) through to end of Section 3.7 (Non-Residential Development Criteria).
 - Primarily included removing/updating references to the Growth Plan and Provincial Policy Statement and other Growth Plan related terminology that is not used in draft PPS (key hydrologic feature etc.), adding residential consent policies for the Agriculture designation (which the former Minister of MAH previously advised would be removed however no new draft of the PPS has been provided yet to confirm that change), removing references to municipal comprehensive review and clarifying when Amendments to the Agriculture designation would be permitted, removing prohibitive language

around Rural plans of subdivision, and adding a new definition for 'multi-lot residential development'.

- Discussed possible need for policy to guide green energy and energy production. Many OP's removed these types of policies when the Green Energy Act came into effect, but since it has been repealed there is a lack of guidance. Many Municipalities across the province are now seeing an influx of proposals for energy production and battery storage facilities.
- Any policies discussed at this meeting or at future meetings can be re-visited and additional changes made. It is understood that as TAC Members have additional time to consider a proposed change, more ideas/suggestions/questions may arise that need consideration.
- TAC members were reminded of their obligation to keep their respective Township Councils informed of the progress of these meetings and to bring any feedback to the next TAC meeting for discussion.

Meeting adjourned at 3:57pm

County Official Plan Modifications

**Meeting Minutes – February 15, 2024
Technical Advisory Committee
OP Modification Meeting No. 3**



Location: Committee Room, County Court House
Virtual, Microsoft Teams (hybrid meeting)

Attendees: Tom Cowie (Hiawatha FN), Arya Hejazi (HBM), Matt Wilkinson (CM), Emily Baker (OSM), Jessica Reid (EcoVue for OSM), Christina Coulter (DD), Per Lundberg (SEL), Karen Ellis (CM), Ed Whitmore (AN), Adele Arbour (TL), Barb Waldron (TL), Iain Mudd (County), Bryan Weir (County), Keziah Holden (County)

Regrets: Kaitlin Hill (Curve Lake FN), Forbes Symon (Jp2g for NK), Janine Cik (NK),

NOTE: Modification Meetings are being held to draft modifications to the new Official Plan to be consistent with the draft Provincial Planning Statement (2023) and as directed by County Council through report PPW 2023-17, and to incorporate Official Plan Amendments approved since the time of adoption of the new Official Plan.

Meeting started at 2:05pm

Items and issues discussed at the meeting were as follows:

Revisit Previous Policy Review

- Time is scheduled at the start of each meeting that will allow TAC members to revisit any previous modifications, recognizing that additional thoughts or insight may be gained between meetings.
- Following up on the renewable energy conversation from last meeting, the policies as they exist in the draft OP appear to be sufficient. On-farm diversified use definition will be updated to reflect draft PPS.

Proposed Modifications based on draft PPS (2023)

- Reviewed Section 3.8 (Minimum Distance Separation (MDS)) through to end of Section 5.2.3 (Millbrook Settlement Area Boundary).
 - Included removing/updating references to the Growth Plan and Provincial Policy Statement, updating terminology to reflect draft PPS, modifying archaeological resources section to reflect language in draft PPS, clarifying

when refinements to the Agriculture designation can be made, deleting reference to the Agricultural System in Cavan Monaghan (upper-tier no longer required to implement the Provincial Agricultural System; CM would be responsible for implementing the draft PPS in their own Official Plan), clarifying when refinements to the Employment and Urban Employment Area designations can be made.

- Natural Core Area designation was not reviewed since it is intricately linked with natural heritage features and key hydrologic features. At least one TAC meeting will be necessary in future to discuss the Natural Heritage System approach going forward and how best to recognize features through policy and mapping.
- Removed references to Peterborough Public Health in regard to approvals for sewage disposal systems, recognizing that this role will soon be the responsibility of local Municipalities. Instead used the term “applicable approval agency”. This change will need to be captured throughout the OP.
- Growth Projections were calculated based on a Provincial methodology and conforms to the Growth Plan. Discussion was had as to whether related policies should remain in the Official Plan, and to what extent, since the PPS does not prescribe specific targets or contain population forecasts for Peterborough County. The PPS does, however, require the upper-tier to identify and allocate population, housing and employment projections for lower-tiers. It was agreed that the Growth Analysis provided valuable information and that the figures remained relevant, and that keeping the forecasts and allocations represented good planning and would achieve consistency with the draft Provincial Planning Statement.
- Section 5.2.3 (Millbrook Settlement Area Boundary) was deleted in its entirety since the draft PPS does not require the upper-tier to delineate settlement area boundaries or built-boundaries. This exercise may be undertaken by Cavan Monaghan at the time of their next OP review should the draft PPS come into effect.

Meeting adjourned at 4:00pm



Regular Council Meeting

To:	Mayor and Council
Date:	March 18, 2024
From:	Matt Wilkinson, Planner and Karen Ellis, Director of Planning
Report Number:	PEB 2024-14
Subject:	Proposed Telecommunication Tower – 574 Carmel Line-Follow up

Recommendations:

1. That Council receive Report PEB 2024-14 for information; and
 2. That Council direct Planning Staff to issue a statement of concurrence to Spectra Point Inc. on behalf of Rogers Communication Inc. for the construction of a 90.0 metres (295 feet) guyed tower communications structure with the associated radio equipment cabinet on lands located at 574 Carmel Line because the project satisfies the requirements of the Township of Cavan Monaghan Policy for Antenna Systems 2018-01 with regard to the siting of new telecommunication facilities; and
 3. That the statement of concurrence include the following matters for consideration by the Proponent and Innovation, Science and Economic Development Canada (ISED):
 - a) the proposed road works on Carmel Line be completed to the satisfaction of the Township Public Works Department, and the extension of Carmel Line is assumed into the Township road system;
 - b) a sediment and erosion control plan, prepared by a qualified professional, is submitted to and accepted by the Township prior to any on-site activities;
 - c) the use of tower lighting that reduces harm to migratory birds (i.e. the use of flashing lights instead of steady burning lights); and
 - d) that the letter of concurrence has a three (3) year expiration date.
-

Overview:

Council Direction:

In the February 20, 2024, Council meeting Council deferred Report Planning Report PEB 2024-08 for the Proposed Telecommunication Tower at 574 Carmel Line and directed Staff to seek advice and clarification on a letter of non-concurrence and report back to Council. Report PEB 2024-08 is provided as Attachment No.1 to this Report.

As directed, Township Staff spoke with Federal Staff at Innovation, Science and Economic- Development Canada (ISED) regarding the process after issuing a letter of non-concurrence.

The dispute process is outlined in Federal document CPC-2-0-03, Radiocommunication and Broadcasting Antenna Systems, issue 6, (July 2022). CPC-2-0-03 is provided as Attachment No. 2 to this Report.

If Council issues a letter of non-concurrence:

1. ISED Staff will request the Township and Spectra Point to work independently to resolve the impasse.
2. If a resolution cannot be achieved, a written request from a stakeholder (being the Township or Spectra Point) other than the public asking for ISED intervention concerning a reasonable and relevant concern.
3. Based on the information provided ISED will either:
 - make a final decision on the issue(s) in question, and advise the parties of its decision; or
 - suggest the parties enter into an arbitration process to come to a final decision.

Federal Staff note the arbitration process is very rare and may take approximately one year to complete.

4. Should the parties be unable to reach a mutually agreeable solution, either party may request that ISED make a final decision.
5. Upon resolution, the proponent is to continue with the process contained within CPC-2-0-03 as required.

Follow up Questions from Council:

1. During the February 20, 2024 Council Meeting, Mayor Graham requested that Spectra Point respond to the concerns noted in recent emails. The noted concerns included co-location, the number of serviced customers, environmental impacts, a lack of Dark Sky lighting, and impacts to migratory birds. Township Staff were copied on the responses from Spectra Point sent March 6, 2024.

2. During the February 20, 2024 meeting, Councillor Byrne requested the date Spectra Point submitted materials for the concurrence process. Spectra Point notes that public consultation was initiated September 14th, 2023, when an advertisement was placed in the Peterborough This Week newspaper. Information packages were mailed to all property owners within 274.5 metres (900.5 feet) of the tower base.
3. During the February 20, 2024, meeting, Councillor Byrne also requested that Spectra Point provide additional justification regarding co-locating on alternatives towers.

Communication from Spectra Point states the project cannot co-locate because the distance of the tower on 995 Carmel Line is too far east to meet coverage objectives. Initially, the search ring extended further west. However, these lands are inaccessible due to a lack of roads. Consequently, a compromise was made and a location just outside the eastern boundary of the search area was selected and approved by the Rogers planning team.

The proposed tower is part of a public-private partnership between EORN and Rogers. This proposed tower will be available for other carriers or agencies to co-locate equipment.

Co-location on the approved structure 3.5 kilometres to the east of the proposed site is not technically viable. The proposed site took into consideration the coverage and capacity requirement of both the EORN and Rogers networks. The site at 995 Carmel Line to the east would not effectively meet the goals and objectives of the project.

Township Staff maintain that the intent of the Township Antenna Policy has been met and recommend that the Township issue the letter of concurrence.

Financial Impact:

None at this time.

Attachments:

Attachment No. 1: Planning Report PEB 2024-08 Proposed Telecommunication Tower – 574 Carmel Line

Attachment No. 2: Federal Client Procedures Circular CPC-2-0-03, Radiocommunication and Broadcasting Antenna Systems, issue 6, (July 2022).

Respectfully Submitted by,

Matt Wilkinson
Planner

Reviewed by,

Yvette Hurley,
Chief Administrative Officer

Respectfully Submitted by,

Karen Ellis, B.A.A.
Director of Planning



Regular Council Meeting

To:	Mayor and Council
Date:	February 20, 2024
From:	Matt Wilkinson, Planner and Karen Ellis, Director of Planning
Report Number:	PEB 2024-08
Subject:	Proposed Telecommunication Tower – 574 Carmel Line

Recommendations:

1. That Council receive Report PEB 2024-08 for information; and,
2. That Council direct Planning Staff to issue a statement of concurrence to Spectra Point Inc. on behalf of Rogers Communication Inc. for the construction of a 90.0 metres (295 feet) guyed tower communications structure with the associated radio equipment cabinet on lands located at 574 Carmel Line because the project satisfies the intent of the Township's policies with regard to the siting of new telecommunication facilities (Maps showing the location of the subject property and the location of the proposed structure are provided as Attachment Nos. 1 and 2 to this Report); and,
3. That the statement of concurrence include the following matters for consideration by the Proponent and Innovation, Science and Economic Development Canada (ISED):
 - a) the proposed road works on Carmel Line be completed to the satisfaction of the Township Public Works Department, and the extension of Carmel Line is assumed into the Township road system;
 - b) a sediment and erosion control plan, prepared by a qualified professional, is submitted to and accepted by the Township prior to any on-site activities;
 - c) the use of tower lighting that reduces harm to migratory birds (i.e. the use of flashing lights instead of steady burning lights); and
 - d) that the letter of concurrence has a three (3) year expiration date.

Overview:

The Township of Cavan Monaghan's role in the establishment of new telecommunication towers and infrastructure is to provide proponents information about local policies, to

review the proposed infrastructure from a land use planning perspective and to facilitate public consultation in accordance with local requirements.

The Township provides comments to Innovation, Science and Economic Development Canada (ISED) for their consideration. The Township does not have the authority to permit or deny the construction of an antenna/tower system and the associated infrastructure.

ISED has the sole responsibility to approve new telecommunication facilities. Due to the federal jurisdiction, traditional land use planning tools including, the Planning Act, Provincial Policy Statement (PPS), Official Plans and Zoning By-laws, Site Plan Control By-laws do not apply to antenna and tower systems. Notwithstanding the foregoing, the Township's Official Plan does provide criteria for consideration in the siting of new towers.

Township of Cavan Monaghan Official Plan

The pertinent Cavan Monaghan Township Official Plan policies are found in Section 3.21 of the Plan. The policy recognizes that telecommunication antennas, towers and related structures are federally regulated and are not subject to the requirements of the Planning Act. The Section does, however, contain a list of items that the Township asks proponents to consider. Below is the criterion listed in Section 3.21 and Township Staff analysis:

- a) Co-locate towers and antennas, where possible;
 - Information from Spectra Point Inc. states that co-location is not available because distance is too great to the next nearest tower. The initial search ring extended west, covering lands owned by the Conservation Authority. Unfortunately, these lands are inaccessible due to a lack of roads. Locating further east is not feasible and does not meet the coverage objectives.
- b) Use existing towers and infrastructure, such as rooftops, water towers, utility poles, etc.;
 - No existing towers or infrastructure are available in this area.
- c) Blend the placement, style and colour of the antenna and equipment shelters into the surrounding environment;
 - The tower is proposed to be setback 69 metres from the road frontage and is sheltered behind the dense forest.
- d) Maintain appropriate setbacks from road allowances;
 - The radio equipment is proposed to be setback 64 metres (210 feet) from the road allowance.
- e) Maximize distances from residential areas;
 - The location of the tower is setback 171 metres (560 feet) from the eastern lot line and approximately 300 metres (984 feet) from the next closest dwelling.

- f) Maximize distances from public and institutional facilities such as schools, hospitals, community centres, day care and seniors' residences;
 - There are no institutional facilities in the local area.
- g) Avoid natural features, vegetation, hazard lands (floodplains, steep slopes);
 - The majority of the proposed tower site was previously cleared. Comments from Otonabee Conservation stated that no hazards were noted on site and the area is not within their regulated area.
- h) Avoid areas of topographical prominence, where possible, to minimize long/short range views;
 - The proposed site is not in a prominent area, therefore any impact to the views are minimal.
- i) Provide safe vehicular access locations; and,
 - Vehicles can safely access the site using the existing driveway. The extension of Carmel Line with a cul-de-sac has been constructed but still requires approval from Township Public Works Department and to be assumed into the Township road network.
- j) Generally be compatible with adjacent uses.
 - The proposed tower site is compatible with the adjacent uses.

Staff requested that the Proponents consider the above-noted items at the pre-consultation stage of the project. Staff are satisfied that the Proponent gave due regard to the Township policies.

Coverage Plot data showing before and after coverage was provided by Spectra Point Inc.. The Coverage mapping is provided as Attachment No. 3 to this Report.

Spectra Point Inc. completed the public consultation in accordance with the requirements of the Township of Cavan Monaghan Antenna Policy. Public consultation began September 14th, 2023, when an advertisement was placed in the Peterborough This Week newspaper. Information packages were also mailed to the twelve property owners within 274.5 meters of the tower base.

One letter from a resident and a petition with 15 signatures were received by the Township and Spectra Point Inc.. The concerns addressed included health concerns and proximity to other towers. No other letters or phone calls in support or opposition were recorded.

Spectra Point Inc. did reply to the submitted email but was not able to reply to the persons listed on the petition because contact information was not included. Public Consultation was closed on November 22nd, 2023.

The public consultation completed by Spectra Point Inc. satisfies the Township's requirements for consultation on telecommunication tower projects.

Financial Impact:

None at this time.

Attachments:

Attachment No. 1: Site Location Maps
Attachment No. 2: Proposed Structure Location
Attachment No. 3: Coverage Plot Mapping

Respectfully Submitted by,

Matt Wilkinson
Planner

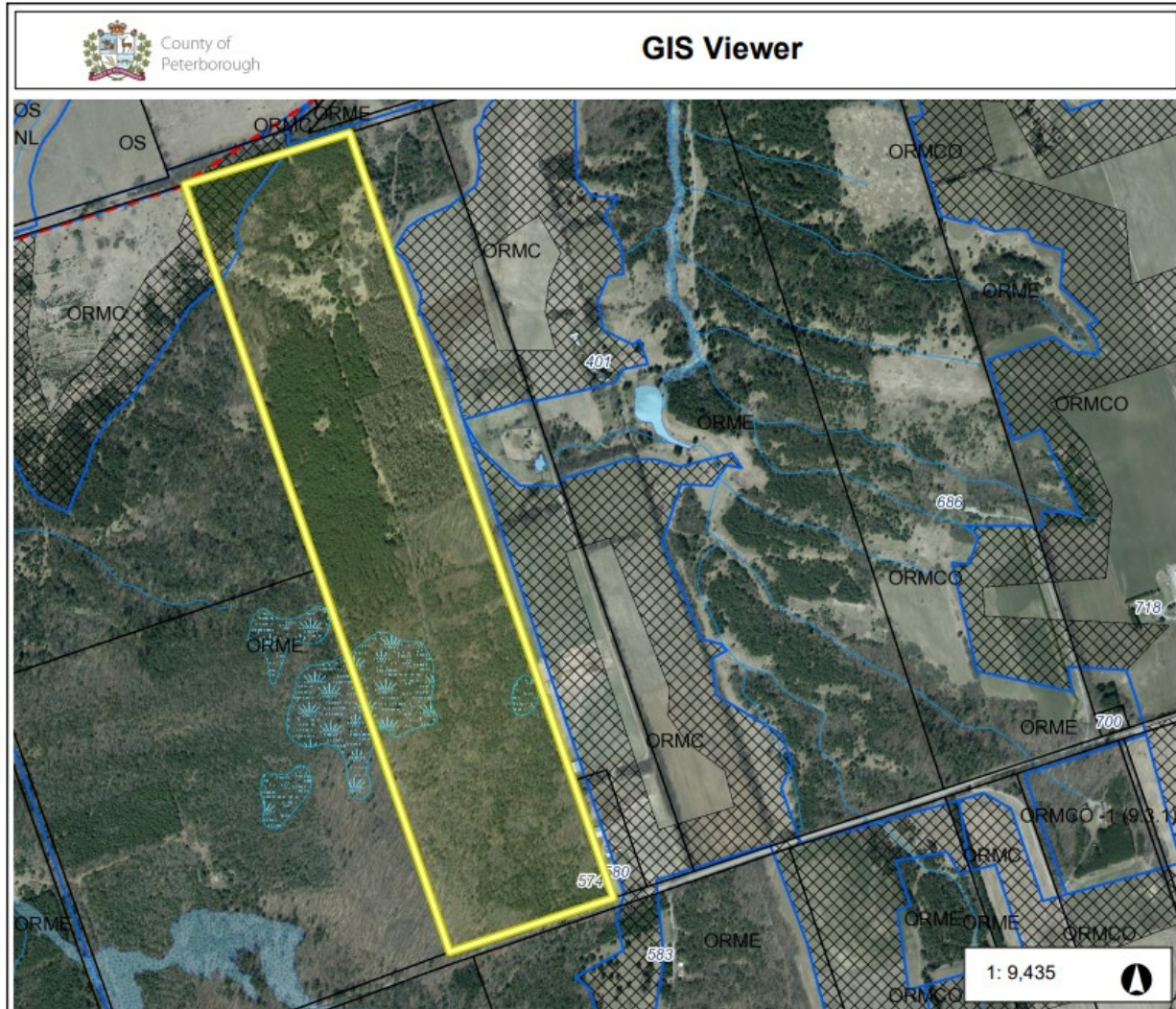
Respectfully Submitted by,

Karen Ellis, B.A.A.
Director of Planning

Reviewed by,

Yvette Hurley,
Chief Administrative Officer

Attachment No. 1: Site Location Map



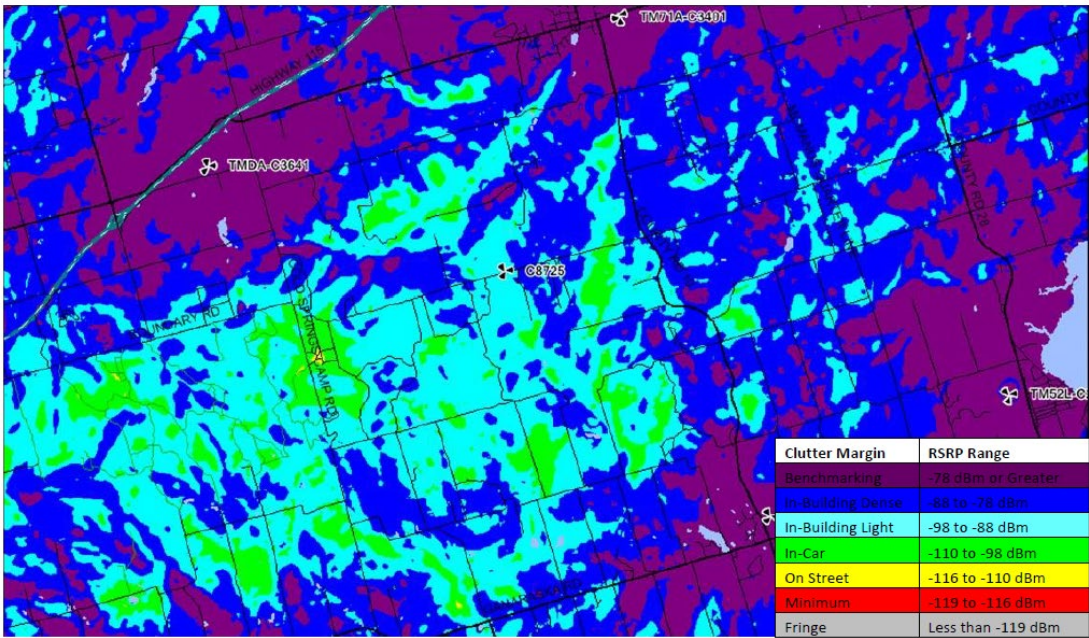
Attachment No. 2 Proposed Structure Location



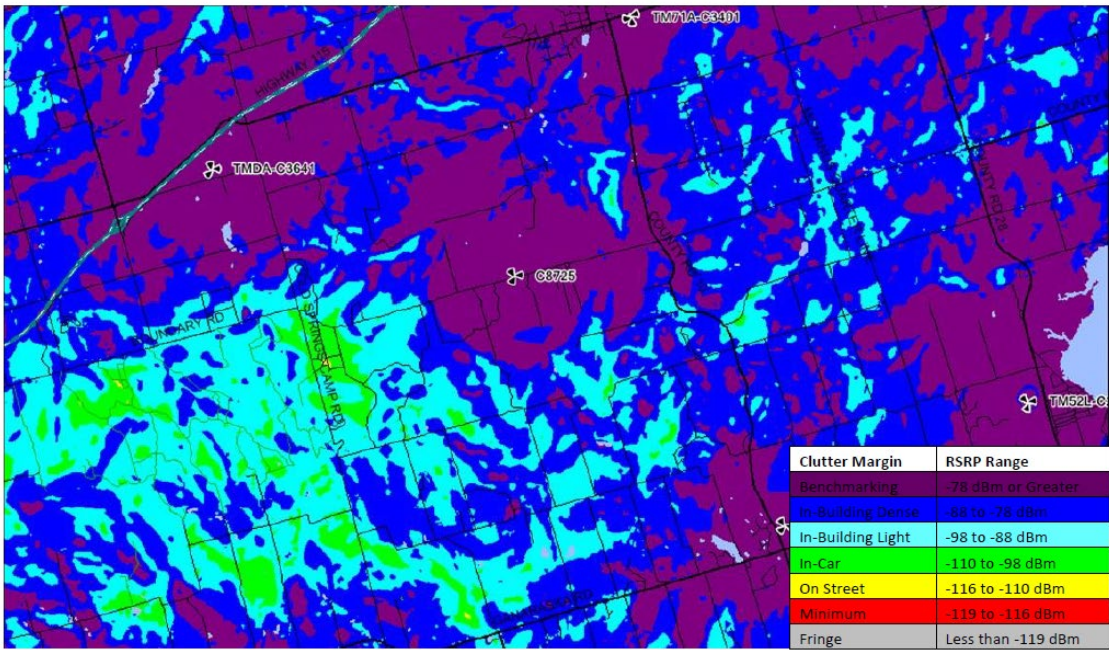
Attachment No. 3 Coverage Plot Mapping



Existing LTE-700/2100 RSRP Plots for C8725



After LTE-700/2100 RSRP Plots for C8725 (90m Guyed Tower)





Spectrum Management and Telecommunications

Client Procedures Circular

Radiocommunication and Broadcasting Antenna Systems

Preface

Client Procedures Circular CPC-2-0-03, *Radiocommunication and Broadcasting Antenna Systems*, issue 6, replaces CPC-2-0-03, issue 5, dated June 26, 2014.

The following are the main changes:

- implemented official languages requirements for the public consultation process, which will apply to public consultations commenced on or after August 1, 2023
- updated the name of the department to Innovation, Science and Economic Development Canada (ISED) throughout
- updated references to the *Canadian Environmental Assessment Act* to reflect the coming into force of the *Impact Assessment Act*
- updated Transport Canada references and details relating to aeronautical safety responsibilities to reflect current forms and definitions
- adopted the text proposed by NAV Canada regarding land-use proposal submission forms
- made editorial changes and clarifications, as appropriate

Comments and suggestions may be directed to the following address:

Innovation, Science and Economic Development Canada
Spectrum Management Operations Branch
235 Queen Street
Ottawa ON K1A 0H5

Attention: Spectrum Management Operations

Email: spectrumoperations-operationsduspectre@ised-isde.gc.ca

All spectrum-related documents referred to in this paper are available on ISED's Spectrum Management and Telecommunications website.

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1. Introduction

Radiocommunication and broadcasting services are important for all Canadians and are used daily by the public, safety and security organizations, government, wireless service providers, broadcasters, utilities and businesses. In order for radiocommunication and broadcasting services to work, antenna systems including masts, towers, and other supporting structures are required. Antenna systems are normally composed of an antenna and some type of supporting structure, often called an antenna tower. Most antennas have their own integral mast so that they can be fastened directly to a building or a tower. There is a certain measure of flexibility in the placement of antenna systems, which is constrained to some degree by the need to achieve acceptable coverage for the service area, the availability of sites, technical limitations, and safety. In exercising its mandate, Innovation, Science and Economic Development Canada (ISED) believes that it is important that antenna systems be deployed in a manner that considers the local surroundings.

1.1 Mandate

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. Further, the Minister may approve the erection of all masts, towers and other antenna-supporting structures. Accordingly, proponents must follow the process outlined in this document when installing or modifying an antenna system. Also, 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*.

1.2 Application

The requirements of this document apply to anyone who is planning to install or modify an antenna system, regardless of the type (referred to in this document as the “proponent”). This includes telecommunications carriers, businesses, governments, Crown agencies, operators of broadcasting undertakings and the public (including for amateur radio operation and over-the-air TV reception).

Anyone who proposes, uses or owns an antenna system must follow these procedures. The requirements also apply to those who install towers or antenna systems on behalf of others or for leasing purposes (“third party tower owners”). As well, parts of this process contain ongoing obligations that apply to existing antenna system owners and operators.

For the purposes of this document:

- An “antenna system” is normally composed of an antenna and some sort of supporting structure, normally a tower. Most antennas have their own integral mast so that they can be fastened directly to a building or a tower. Thus, where this document refers to an “antenna,” the term includes the integral mast.

- A “telecommunications carrier” means a person who owns or operates a transmission facility used by that person or another person to provide telecommunications services to the public for compensation.

1.3 Process overview

This document outlines the process that must be followed by proponents seeking to install or modify antenna systems. The broad elements of the process are as follows:

1. investigating sharing or using existing infrastructure before proposing new antenna-supporting structures
2. contacting the land-use authority to determine local requirements regarding antenna systems
3. undertaking public notification and addressing relevant concerns, whether by following local land-use authority requirements or ISED’s default process, as is required and appropriate
4. satisfying ISED’s general and technical requirements
5. completing the construction

It is ISED’s expectation that steps 2 to 4 will normally be completed within **120 days**. Some proposals may be excluded from certain elements of the process (see section 6). It is ISED’s expectation that all parties will carry out their roles and responsibilities in good faith and in a manner that respects the spirit of this document. If the requirements of this document are satisfied and the proposal proceeds, then, under step 5, construction of the antenna system must be completed within **three years** of conclusion of consultation.

2. ISED engagement

There are a number of points in the processes outlined in this document where parties must contact ISED to proceed. Further, anyone with questions regarding the process may contact the local ISED office for guidance (refer to Radiocommunication Information Circular RIC-66, *Addresses and Telephone Numbers of District Offices*). Based on a query by an interested party, ISED may request parties to provide relevant records and/or may provide direction to one or more parties to undertake certain actions to help move the process forward.

3. Use of existing infrastructure (sharing)

This section outlines the roles of proponents and owners/operators of existing antenna systems. In all cases, parties should retain records (such as analyses, correspondence and engineering reports) relating to this section. See also Client Procedures Circular CPC-2-0-17, *Conditions of Licence for Mandatory Roaming and Antenna Tower and Site Sharing and to Prohibit Exclusive Site Arrangements*.

Before building a new antenna-supporting structure, ISED requires that proponents first explore the following options:

- consider sharing an existing antenna system, modifying or replacing a structure if necessary
- locate, analyze and attempt to use any feasible existing infrastructure such as rooftops, water towers, etc.

A proponent is not normally expected to build a new antenna-supporting structure where it is feasible to locate an antenna on an existing structure, unless a new structure is preferred by the land-use authority.

Owners and operators of existing antenna systems are to respond to a request to share in a timely fashion and to negotiate in good faith to facilitate sharing where feasible. It is anticipated that **30 days** is reasonable time for existing antenna system owners/operators to reply to a request by a proponent in writing with one of the following:

- a proposed set of reasonable terms to govern the sharing of the antenna system
- a detailed explanation of why sharing is not possible

4. Land-use authority and public consultation

Contacting the land-use authority

Proponents must always contact the applicable land-use authorities to determine the local consultation requirements and to discuss local preferences regarding antenna system siting and/or design, unless their proposal falls within the exclusion criteria outlined in section 6. If the land-use authority has designated an official to deal with antenna systems, then proponents are to engage the authority through that person. If not, proponents must submit their plans directly to the council, elected local official or executive. The **120-day** consultation period commences only once proponents have formally submitted, in writing, all plans required by the land-use authority, and does not include preliminary discussions with land-use authority representatives.

Proponents should note that there may be more than one land-use authority with an interest in the proposal. Where no established agreement exists between such land-use authorities, proponents must, as a minimum, contact the land-use authority(ies) and/or neighbouring land-use authorities

located within a radius of three times the tower height, measured from the tower base or the outside perimeter of the supporting structure, whichever is greater. As well, in cases where proponents are aware that a potential Aboriginal or treaty right or land claim may be affected by the proposed installation, they must contact ISED in order to ensure that the requirements for consultation are met. Proponents are encouraged to refer to local community and online resources (for example, the Aboriginal and Treaty Rights Information System (ATRIS)) as applicable.

Following the land-use authority process

Proponents must follow the land-use consultation process for the siting of antenna systems, established by the land-use authority, where one exists. In the event that a land-use authority's existing process has no public consultation requirement, proponents must then fulfill the public consultation requirements contained in ISED's default public consultation process (see section 4.2). Proponents are not required to follow this requirement if the land-use authority's established process explicitly excludes their type of proposal from consultation or it is excluded by ISED's criteria. In all cases, telecommunications carriers, broadcasting undertakings and third party tower owners must notify and consult with the local public when proposing a new antenna tower, either by following ISED's default public consultation process or, where one exists, the land-use authority's public consultation process. Where proponents believe the local consultation requirements are unreasonable, they may contact the local ISED office in writing for guidance.

Broadcasting undertakings

Applicants for broadcasting undertakings are subject to Canadian Radio-television and Telecommunications (CRTC) licensing processes in addition to ISED requirements. Although ISED encourages applicants to consult as early as practical in the application process, in some cases it may not be prudent for applicants to initiate public and municipal/land-use consultation before receiving CRTC approval, as application denial by the CRTC would have resulted in unnecessary work for all parties involved. Therefore, assuming that the proposal is not otherwise excluded, broadcasting applicants may opt to commence land-use consultation after having received CRTC approval. However, broadcasting applicants choosing this approach are required, at the time of the CRTC application, to notify the land-use authority with a Letter of Intent outlining a commitment to conduct consultation after receiving CRTC approval. If the land-use authority raises concerns with the proposal as described in the Letter of Intent, applicants are encouraged to engage in discussions with the land-use authority regarding their concerns and attempt to resolve any issues. Refer to Broadcasting Procedures and Rules, Part 1 (BPR-1), for further details.

4.1 Land-use authority consultation

ISED believes that any concerns or suggestions expressed by land-use authorities are important elements to be considered by proponents regarding proposals to install, or make changes to, antenna systems. As part of their community planning processes, land-use authorities should facilitate the implementation of local radiocommunication services by establishing consultation processes for the siting of antenna systems. Municipalities may also wish to refer to the Antenna System Siting Protocol Template developed in partnership between the Federation of Canadian Municipalities (FCM) and the Canadian Wireless Telecommunications Association (CWTA).

Unless the proposal meets the exclusion criteria outlined in section 6, proponents must consult with the local land-use authority(ies) on any proposed antenna system prior to any construction. The aim of this consultation is to:

- discuss site options
- ensure that local processes related to antenna systems are respected
- address reasonable and relevant concerns (see section 4.2) from both the land-use authority and the community they represent
- obtain land-use authority concurrence in writing

Land-use authorities are encouraged to establish reasonable, relevant, and predictable consultation processes specific to antenna systems that consider such things as:

- the designation of suitable contacts or responsible officials
- proposal submission requirements
- public consultation
- documentation of the concurrence process
- the establishment of milestones to ensure consultation process completion within **120 days**

ISED is available to assist land-use authorities in the development of local processes. In addition, land-use authorities may wish to consult ISED's guide for the development of local consultation processes.

Where they have specific concerns regarding a proposed antenna system, land-use authorities are expected to discuss reasonable alternatives and/or mitigation measures with proponents.

Under their processes, land-use authorities may exclude from consultation any antenna system installation in addition to those identified by ISED's own consultation exclusion criteria (section 6). For example, an authority may wish to exclude from consultation those installations located within

industrial areas removed from residential areas, low visual impact installations, or certain types of structures located within residential areas such as personal antenna systems (e.g. used for over the air and satellite television reception or amateur radio operation).

4.2 ISED's default public consultation process

Proponents must follow ISED's default public consultation process where the local land-use authority does not have an established and documented public consultation process applicable to antenna siting. ISED's default process has three steps whereby the proponent:

1. provides written notification to the public, the land-use authority and ISED of the proposed antenna system installation or modification (i.e. public notification)
2. engages the public and the land-use authority in order to address relevant questions, comments and concerns regarding the proposal (i.e. responding to the public)
3. provides an opportunity to the public and the land-use authority to formally respond in writing to the proponent regarding measures taken to address reasonable and relevant concerns (i.e. public reply comment)

Public notification

1. Proponents must ensure that the local public, the land-use authority and ISED are notified of the proposed antenna system. As a minimum, proponents must provide a notification package (see annex A) to the local public (including nearby residences, community gathering areas, public institutions, schools, etc.), neighbouring land-use authorities, businesses, and property owners, etc. located within a radius of three times the tower height (proponents are advised that municipalities may set reasonable public notification distances appropriate for their communities when establishing their own protocols). The radius is measured from the outside perimeter of the supporting structure. For the purpose of this requirement, the outside perimeter begins at the furthest point of the supporting mechanism, be it the outermost guy line, building edge, face of the self-supporting tower, etc. Public notification of an upcoming consultation must be clearly marked, making reference to the proposed antenna system, so that it is not misinterpreted as junk mail. The notice must be sent by mail or be hand delivered. The face of the package must clearly reference that the recipient is within the prescribed notification radius of the proposed antenna system.
2. It is the proponent's responsibility to ensure that the notification provides at least **30 days** for written public comment.
3. In addition to the minimum notification distance noted above, in areas of seasonal residence, the proponent, in consultation with the land-use authority, is responsible for determining the best manner to notify such residents to ensure their engagement.

4. In addition to the public notification requirements noted above, proponents of an antenna system proposed to be 30 metres or more in height must place a notice in a local community newspaper circulating in the proposed area. Height is measured from the lowest ground level at the base, including the foundation, to the tallest point of the antenna system. Depending on the particular installation, the tallest point may be an antenna, lightning rod, aviation obstruction lighting, or some other appurtenance. Any attempt to artificially reduce the height (addition of soil, aggregate, etc.) will not be included in the calculation or measurement of the height of the antenna system.

The notice must be synchronized with the distribution of the public notification package. It must be legible and placed in the public notice section of the newspaper. The notice must include:

- a description of the proposed installation
- its location and street address
- proponent contact information and mailing address
- an invitation to provide public comments to the proponent within **30 days** of the notice

In areas without a local newspaper, other effective means of public notification must be implemented. Proponents may contact the local ISED office for guidance.

Responding to the public

Proponents are to address all reasonable and relevant concerns, make all reasonable efforts to resolve them in a mutually acceptable manner and must keep a record of all associated communications. If the local public or land-use authority raises a question, comment or concern relating to the antenna system as a result of the public notification process, then the proponent is required to:

1. respond to the party in writing within **14 days** acknowledging receipt of the question, comment or concern, and keep a record of the communication
2. address in writing all reasonable and relevant concerns within **60 days** of receipt or explain why the question, comment or concern is not, in the view of the proponent, reasonable or relevant
3. in the written communication referred to in the preceding point, clearly indicate that the party has **21 days** from the date of the correspondence to reply to the proponent's response (the proponent must provide a copy of all public reply comments to the local ISED office)

Responding to reasonable and relevant concerns may include contacting a party by telephone, engaging in a community meeting or having an informal, personal discussion. Between steps 1 and 2 above, the proponent is expected to engage the public in a manner it deems most appropriate. Therefore, the letter at step 2 above may be a record of how the proponent and the other party addressed the concern at hand.

Public reply comments

As indicated in step 3 above, the proponent must clearly indicate that the party has **21 days** from the date of the correspondence to reply to the response. The proponent must also keep a record of all correspondence/discussions that occurred within the **21-day** public reply comment period. This includes records of any agreements that may have been reached and/or any concerns that remain outstanding.

The factors that will determine whether a concern is reasonable or relevant according to this process will vary but will generally be considered if they relate to the requirements of this document and to the particular amenities or important characteristics of the area surrounding the proposed antenna system.

Examples of concerns that proponents are to address may include:

- Why is the use of an existing antenna system or structure not possible?
- Why is an alternate site not possible?
- What is the proponent doing to ensure that the antenna system is not accessible to the general public?
- How is the proponent trying to integrate the antenna into the local surroundings?
- What options are available to satisfy aeronautical obstruction marking requirements at this site?
- What are the steps the proponent took to ensure compliance with the general requirements of this document, including the *Impact Assessment Act*, Safety Code 6, etc.?

Concerns that are not relevant include:

- disputes with members of the public relating to the proponent's service, but unrelated to antenna installations
- potential effects that a proposed antenna system will have on property values or municipal taxes
- questions whether the *Radiocommunication Act*, this document, Safety Code 6, locally established by-laws, other legislation, procedures or processes are valid or should be reformed in some manner

4.3 Concluding consultation

The proponent may only commence installation/modification of an antenna system after the consultation process has been completed by the land-use authority, or ISED confirms concurrence with the consultation portion of this process, and after all other requirements under this process have been met. Consultation responsibilities will normally be considered complete when the proponent has:

1. concluded consultation requirements (section 4.1) with the land-use authority
2. carried out public consultation either through the process established by the land-use authority or ISED's default public consultation process where required
3. addressed all reasonable and relevant concerns

Concluding land-use authority consultation

ISED expects that land-use consultation will be completed within **120 days** from the proponent's initial formal contact with the local land-use authority. Where unavoidable delays may be encountered, the land-use authority is expected to indicate when the proponent can expect a response to the proposal. If the authority is not responsive, the proponent may contact ISED. Depending on individual circumstances, ISED may support additional time or consider the land-use authority consultation process concluded.

Depending on the land-use authority's own process, conclusion of local consultation may include such steps as obtaining final concurrence for the proposal via the relevant committee, a letter or report acknowledging that the relevant municipal process or other requirements have been satisfied, or other valid indication, such as the minutes of a town council meeting indicating land-use authority approval. Compliance with informal city staff procedures, or grants of approval strictly related to zoning, construction, etc., will not normally be sufficient.

ISED recognizes that approvals for construction (e.g. building permits) are used by some land-use authorities as evidence of consultation being concluded. Proponents should note that ISED does not consider the fact a permit was issued as confirmation of concurrence, as different land-use authorities have different approaches. As such, ISED will only consider such approvals as valid when the proponent can demonstrate that the land-use authority's process was followed and that the land-use authority's preferred method of concluding land-use authority consultation is through such an approval.

Concluding ISED's default public consultation process

ISED's default public consultation process will be considered concluded when the proponent has either:

- received no written questions, comments or concerns to the formal notification within the **30-day** public comment period or

- if written questions, comments or concerns were received, the proponent has addressed and resolved all reasonable and relevant concerns and the public has not provided further comment within the **21-day** reply comment period

In the case where the public responds within the **21-day** reply comment period, the proponent has the option of making further attempts to address the concern on its own, or can request ISED engagement. If a request for engagement is made at this stage, ISED will review the relevant material, request any further information it deems pertinent from any party, and may then decide that:

- the proponent has met the consultation requirements of this process and that ISED concurs that installation or modification may proceed, or
- the parties should participate in further attempts to mitigate or resolve any outstanding concerns

4.4 Communicating in both official languages

The following requirements will apply to all proponents for all public consultation processes commenced on or after August 1, 2023:

- Whether the proponent follows the land-use authority's consultation process or ISED's default public consultation process, initial communications with the public (including but not limited to notification packages and public notices) must be made in both official languages in communities located in census subdivisions that have a minority official language population of any size. A list of the census subdivisions where this requirement applies is published on ISED's website, and ISED will update the list from time to time.
- If, in the context of the public consultation process, a member of the public in any of these communities provides written or verbal questions, comments, relevant concerns, or reply comments, the proponent must respond in the official language in which the questions, comments, relevant concerns, or reply comments were made.
- Proponents must follow the consultation process established by the land-use authority, where one exists. In the event that a land-use authority's existing process requires bilingual communications with the public, proponents must follow those public consultation requirements.

For the purposes of determining the date a public consultation is commenced and the applicability of this section, a public consultation is commenced as soon as the proponent makes any initial consultation with the public, such as through sending a notification package, posting signs or publishing an announcement in local media.

Prior to August 1, 2023, proponents must follow the official language requirements set out by a land-use authority when consulting with the general public using the land-use authority's process; when using ISED's default consultation process, proponents should contact the land-use authority to determine the best manner of notifying the public to ensure their engagement.

4.5 Post-consultation

Whether the proponent followed a land-use authority's consultation process or ISED's default public consultation process, construction of an antenna system must be completed within three years of the conclusion of consultation. After three years, consultations will no longer be deemed valid except in the case where a proponent secures the agreement of the relevant land-use authority to an extension for a specified time period in writing. A copy of the agreement must be provided to the local ISED office.

5. Dispute resolution process

The dispute resolution process is a formal process intended to bring about the timely resolution where the parties have reached an impasse.

Upon receipt of a written request from a stakeholder other than the general public asking for ISED intervention concerning a reasonable and relevant concern, ISED may request that all involved parties provide and share all relevant information. ISED may also gather or obtain other relevant information and request that parties provide any further submissions if applicable. ISED will, based on the information provided, either:

- make a final decision on the issue(s) in question, and advise the parties of its decision or
- suggest the parties enter into an alternate dispute resolution process in order to come to a final decision; should the parties be unable to reach a mutually agreeable solution, either party may request that ISED make a final decision

Upon resolution of the issue under dispute, the proponent is to continue with the process contained within this document as required.

6. Exclusions

All proponents must satisfy the general requirements outlined in section 7 regardless of whether an exclusion applies to their proposal. All proponents must also consult the land-use authority and the public unless a proposal is specifically excluded. Individual circumstances vary with each antenna system installation and modification, and the exclusion criteria below should be applied in consideration of local circumstances. Consequently, it may be prudent for the proponent to consult even though the proposal meets an exclusion noted below.

Therefore, when applying the criteria for exclusion, proponents should consider such things as:

- the antenna system's physical dimensions, including the antenna, mast, and tower, compared to the local surroundings
- the location of the proposed antenna system on the property and its proximity to neighbouring residents
- the likelihood of an area being a community-sensitive location
- Transport Canada's marking and lighting requirements for the proposed structure

The following proposals are excluded from land-use authority and public consultation requirements:

- **New antenna systems:** where the height is less than 15 metres above ground level. This exclusion does not apply to antenna systems proposed by telecommunications carriers, broadcasting undertakings or third party tower owners.
- **Existing antenna systems:** where modifications are made, antennas added or the tower replaced, including to facilitate sharing, provided that the total cumulative height increase is no greater than 25% of the height of the initial antenna system installation. The exclusion for the replacement of existing antenna systems applies to replacements that are similar to the original design and location; "initial antenna system installation" refers to the system as it was first consulted on, or installed. No increase in height may occur within one year of completion of the initial construction. This exclusion does not apply to antenna systems using purpose built antenna supporting structures with a height of less than 15 metres above ground level operated by telecommunications carriers, broadcasting undertakings or third party tower owners.
- **Non-tower structures:** including antennas on buildings, water towers, lamp posts, etc. These may be excluded from consultation provided that the height above ground of the non-tower structure, exclusive of appurtenances, is not increased by more than 25%. Telecommunications carriers, operators of broadcasting undertakings and third party tower owners may benefit from local knowledge by contacting the land-use authority when planning an antenna system that meets this exclusion criteria.
- **Temporary antenna systems:** used for special events or emergency operations. Temporary antenna systems must be removed within three months after the start of the emergency or special event.

No consultation is required prior to performing maintenance on an existing antenna system.

Proponents who are not certain if their proposals are excluded, or whether consultation may still be prudent, are advised to contact the land-use authority and/or ISED for guidance.

Height is measured from the lowest ground level at the base, including the foundation, to the tallest point of the antenna system. Depending on the particular installation, the tallest point may be an antenna, lightning rod, aviation obstruction lighting or some other appurtenance. Any attempt to artificially reduce the height (addition of soil, aggregate, etc.) will not be included in the calculation or measurement of the height of the antenna system.

7. General requirements

In addition to roles and responsibilities for site sharing, land-use consultation and public consultation, proponents must also fulfill other important obligations including the following:

- compliance with Health Canada's Safety Code 6 guideline for the protection of the general public
- compliance with radio frequency immunity criteria
- notification of nearby broadcasting stations
- environmental considerations
- Transport Canada aeronautical safety responsibilities
- NAV CANADA air navigation facilities

7.1 Radio frequency exposure limits

Health Canada has established safety guidelines for exposure to radio frequency fields in its Safety Code 6, *Limits of Human Exposure to Radiofrequency Electromagnetic Energy in the Frequency Range from 3 kHz to 300 GHz*. While the responsibility for developing Safety Code 6 rests with Health Canada, ISED has adopted this guideline for the purpose of protecting the general public. Current biomedical studies in Canada and other countries indicate that there is no scientific or medical evidence that a person will experience adverse health effects from exposure to radio frequency fields, provided that the installation complies with Safety Code 6.

It is the responsibility of proponents and operators of installations to ensure that all radiocommunication and broadcasting installations comply with Safety Code 6 at all times, including the consideration of combined effects of nearby installations within the local radio environment.

Telecommunications common carriers and operators of broadcasting undertakings are to carry out an exposure evaluation on all new installations and following any increases in radiated power. Either measurement surveys or mathematical or numerical computations can be used for this evaluation. Where the radio frequency emission of any installation, whether telecommunications carrier or broadcasting operator, is greater than, or is equal to, 50% of the Safety Code 6 limits for uncontrolled environments at locations accessible to the general public (i.e. not solely available for access by workers), the operator(s) of radio frequency emitters must notify ISED and demonstrate compliance with Safety Code 6. This determination of 50% of Safety Code 6 must be in consideration of the local radio environment.

For all proponents following ISED's default public consultation process, the proponent's notification package must provide a written attestation that there will be compliance with Safety Code 6 for the protection of the general public, including consideration of nearby radiocommunication systems. The notification package must also indicate any Safety Code 6 related signage and access control mechanisms that may be used.

Compliance with Safety Code 6 is an ongoing obligation. At any time, antenna system operators may be required, as directed by ISED, to demonstrate compliance with Safety Code 6 by (i) providing detailed calculations, and/or (ii) conducting site surveys and, where necessary, by implementing corrective measures (see CPC-2-0-20, *Radio Frequency (RF) Fields – Signs and Access Control*). At the request of ISED, telecommunications carriers and operators of broadcasting undertakings must provide detailed compliance information for individual installations within **5 days** of the request. Proponents and operators of existing antenna systems must retain copies of all information related to Safety Code 6 compliance, such as analyses and measurements.

7.2 Radio frequency immunity

All radiocommunication and broadcasting proponents and existing spectrum users are to ensure that their installations are designed and operated in accordance with ISED's immunity criteria as outlined in EMCAB-2, *Criteria for Resolution of Immunity Complaints Involving Fundamental Emissions of Radiocommunications Transmitters*, in order to minimize the malfunctioning of electronic equipment in the local surroundings. Broadcasting proponents and existing undertakings should refer to Broadcasting Procedures and Rules: Part 1 (BPR-1), *General Rules*, for additional information and requirements on this matter.

Proponents are advised to consider the potential effect that their proposal may have on nearby electronic equipment. In this way, they will be better prepared to respond to any questions that may arise during the public and land-use consultation processes, or after the system has been installed.

Land-use authorities should be prepared to advise proponents and owners of broadcasting undertakings of plans for the expansion or development of nearby residential and/or industrial areas. Such expansion or development generally results in the introduction of more electronic equipment in the area and therefore an increased potential for electronic equipment to malfunction. By keeping broadcasters aware of planned developments and changes to adjacent land-use, they will be better able to work with the community. Equally, land-use authorities have a responsibility to ensure that those moving into these areas, whether prospective residents or industry, are aware of the potential for their electronic equipment to malfunction when located in proximity to an existing broadcasting installation. For example, the land-use authority could ensure that clear notification be provided to future prospective purchasers.

7.3 Proximity of proposed structure to broadcasting undertakings

Where the proposal would result in a structure that exceeds 30 metres above ground level, the proponent is to notify operators of AM, FM and TV undertakings within 2 kilometres, due to the potential impact the physical structure may have on these broadcasting undertakings. Metallic structures close to an AM directional antenna array may change the antenna pattern of the AM broadcasting undertaking. These proposed structures can also reflect nearby FM and TV signals, causing "ghosting" interference to FM/TV receivers used by the general public.

7.4 Impact Assessment Act

ISED requires that the installation and modification of antenna systems be done in a manner that complies with appropriate environmental legislation. This includes the *Impact Assessment Act* (IAA), where the antenna system is incidental to a physical activity or project designated under the IAA, or is located on federal lands.

An antenna system may not proceed where it is incidental to a designated project (as described in the *Physical Activities Regulations*), or is otherwise expressly designated by the Minister of the Environment without satisfying certain requirements applicable to designated projects. Therefore, a proponent of this type of project must contact ISED for direction on how to proceed.

Any proposed antenna system on federal land may not proceed without a determination of “significant adverse environmental effects” by ISED. In order to assist ISED in making such a determination, proponents must submit a project description to ISED, considering and addressing those elements of the environment described in the IAA, as well as any determination of environmental effects that may have been made by the authority responsible for managing the federal land. ISED may also require further information before it can complete its assessment. ISED will inform the proponent of the results of its determination and may impose conditions related to mitigating any adverse effects after making its determination and/or may need to refer the matter to the Governor in Council under the IAA.

In addition, notices under ISED’s default public consultation process require written confirmation of the project’s status under the IAA (e.g. whether it is incidental to a designated project or, if not, whether it is on federal lands).

In addition to IAA requirements, proponents are responsible for ensuring that antenna systems are installed and operated in a manner that respects the local environment and that complies with other statutory requirements, such as those under the *Canadian Environmental Protection Act, 1999*, the *Migratory Birds Convention Act, 1994*, and the *Species at Risk Act*, as applicable.

For projects north of the 60th parallel, environmental assessment requirements may arise from federal statutes other than the aforementioned Acts or from Comprehensive Land Claim Agreements. ISED requires that the installation or modification of antennas or antenna supporting structures be done in accordance with these requirements, as appropriate.

7.5 Aeronautical safety

Proponents must ensure their proposals for any antenna system are first reviewed by Transport Canada and NAV CANADA.

Transport Canada will perform an assessment of the proposal with respect to the potential hazard to air navigation and will notify proponents of any painting and/or lighting requirements for the antenna system. NAV CANADA will comment on whether the proposal has an impact on the provision of their national air navigation system, facilities and other services located off-airport.

As required, the proponent must:

1. submit a completed Aeronautical Assessment Form to Transport Canada
2. submit a completed Land Use Proposal Submission Form to NAV CANADA
3. include any Transport Canada marking/lighting requirements in the public notification package
4. install and maintain the antenna system in a manner that is not a hazard to aeronautical safety
5. retain all correspondence

For those antenna systems subject to ISED's default public consultation process, the proponent will inform the community of any marking/lighting requirements. Where options are possible, proponents are expected to work with the local community and Transport Canada to implement the best and safest marking/lighting options. Proponents should be aware that Transport Canada does not advise ISED of marking/lighting requirements for proposed structures. Proponents are reminded that the addition of, or modification to, obstruction markings may result in community concern and so any change is to be done in consultation with the local public, land-use authority and/or Transport Canada, as appropriate.

References and details

Aeronautical assessment forms are available from any Transport Canada Regional Office. Both the Aeronautical Assessment Form for Obstacle Notice and Assessment (#26-0427) and a list of Transport Canada regional offices are available on the Transport Canada website. Completed forms are to be submitted directly to the nearest Transport Canada regional office. (Refer to Canadian Aviation Regulations, Standard 621 - Obstruction Marking and Lighting).

Land-use proposal submission forms are available on the NAV CANADA website (search the keywords "land use proposal"). Completed forms are to be sent to the NAV CANADA Land Use Office. NAV CANADA will assess whether a proposal has impacts on the safe and efficient provision of air navigation services and their facilities on- or off-airports.

Annex A: ISED's default public consultation process – Public notification package

The proponent must ensure that at least **30 days** are provided for public comment. Notification must provide all information on how to submit comments to the proponent in writing. Notices must be clearly marked, making reference to the proposed antenna system, so that it is not misinterpreted as junk mail. The notice must be sent by mail or be hand delivered. The face of the package must clearly indicate that the recipient is within the prescribed notification radius of the proposed antenna system. The proponent must also provide a copy of the notification package to the land-use authority and the local ISED office at the same time as the package is provided to the public. Notification must include, but need not be limited to:

1. the proposed antenna system's purpose, the reasons why existing antenna systems or other infrastructure cannot be used, a list of other structures that were considered unsuitable and future sharing possibilities for the proposal
2. the proposed location within the community, the geographic coordinates and the specific property or rooftop
3. an attestation that the general public will be protected in compliance with Health Canada's Safety Code 6, including combined effects within the local radio environment at all times; for example:

I, *(name of individual or representative of company)* attest that the radio installation described in this notification package will be installed and operated on an ongoing basis so as to comply with Health Canada's Safety Code 6, as may be amended from time to time, for the protection of the general public, including any combined effects of nearby installations within the local radio environment.

4. identification of areas accessible to the general public and the access/demarcation measures to control public access
5. information on the environmental status of the project, including any requirements under the *Impact Assessment Act*
6. a description of the proposed antenna system including its height and dimensions, a description of any antenna that may be mounted on the supporting structure and simulated images of the proposal
7. Transport Canada's aeronautical obstruction marking/lighting requirements (whether painting, lighting or both) if available; if not available, the proponent's expectation of Transport Canada's requirements together with an undertaking to provide Transport Canada's requirements once they become available

8. an attestation that the installation will respect good engineering practices including structural adequacy
9. reference to any applicable local land-use requirements such as local processes, protocols, etc.
10. notice that general information relating to antenna systems is available on ISED's Spectrum Management and Telecommunications website
11. contact information for the proponent, land-use authorities and the local ISED office
12. closing date for submission of written public comments (not less than **30 days** from receipt of notification)



Regular Council Meeting

To:	Mayor and Council
Date:	March 18, 2024
From:	Kyle Phillips, Chief Building Official
Report Number:	PEB 2024-15
Subject:	Building Inspector Appointment By-law – Sewage Systems

Recommendation:

That Council appoint Kathleen Shepherd as a Building Inspector for the Township of Cavan Monaghan.

Overview:

Part 8 of the Ontario Building Code (OBC) regulates sewage systems. This portion of the OBC has been administered by contract to the Peterborough Public Health Unit (PPH) since 1968. As of November 2024 PPH will no longer be providing this service. Cavan Monaghan is taking over this service as of April 1, 2024. This allows for a better transition period for applicants from April to November as it enables PPH to close out permits that have been applied for prior to the November stop dead date, as well as allowing room for other transitional administration to occur.

Though Building Department staff are working towards certification in this field, sewage systems are complex and require vast experience to properly understand and regulate. As such, Kathleen Shepherd has been obtained on a contract, as needed basis to carry out administration of this service. Kathleen has over 35 years' experience in this field and with PPH.

Section 3(1) of the Ontario Building Code Act states that "The council of each municipality shall appoint chief building official and such inspectors as are necessary for the enforcement of this Act in the municipality". Kathleen is certified as a Building Inspector under the Ministry of Municipal Affairs and Housing for Part 8 Sewage Systems."

Kathleen will be utilized on an as needed basis for permit review and inspection of sewage systems only.

Financial Impact:

\$50,000 has been budgeted in Building Department – Contracted Services 01-90-000-90000-6150. Administration of the Ontario Building Code is a cost recovery model. All expenses incurred by contracting Kathleen will be recovered through sewage system building permit fees. These fees have been carried over from PPH at the same rate to provide consistency for applicants and contractors.

Attachment:

Building Inspector Appointment By-law No. 2024-16

Respectfully Submitted by,

Reviewed by,

Kyle Phillips,
Chief Building Official/
By-law Enforcement Officer

Yvette Hurley,
Chief Administrative Officer

The Township of Cavan Monaghan

By-law No. 2024-16

Being a by-law to appoint Building Inspectors for the Township of Cavan Monaghan

Whereas under Section 3(2) of the *Building Code Act*; S.O. 1992, Chapter 23, as amended, the Council of each municipality shall appoint such inspectors as are necessary for the purposes of the enforcement of this Act in the areas in which the Municipality has jurisdiction.

And Whereas the Solicitor General did on the 30th day of July, 1984 designate employees of Municipalities whose duties include the enforcement of By-laws as Provincial Offences Officers for the purposes of enforcing the provisions of Municipal By-laws;

And Whereas the Council of the Township of Cavan Monaghan deems it expedient to appoint Building Inspectors for the Township of Cavan Monaghan who shall also be appointed a Provincial Offences Officer;

And Whereas Subsection 3 of Section 1 of the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33 as amended, provides that a Minister of the Crown may designate in writing any person or class of persons as a Provincial Offences Officer for the purposes of all or any class of offences.

Now Therefore be it Enacted as a By-law of the Township of Cavan Monaghan as follows:

1. That Kathleen Shepherd is hereby appointed as Building Inspector for purposes of enforcement under the *Building Code Act*; S.O. 1992, Chapter 23, as amended, for the Township of Cavan Monaghan:
2. That Kathleen Shepherd is hereby appointed as a Provincial Offences Officer under the *Provincial Offences Act*, R.S.O., 1990, Chapter P.33 as amended, for the Township of Cavan Monaghan pursuant to the designation by the Solicitor General of certain municipal employees on the 30th day of July 1984.
3. That this By-law shall become effective the 18th day of March, 2024.

Read a first, second and third time and passed this 18th day of March, 2024.

Matthew Graham
Mayor

Cindy Page
Clerk



Regular Council Meeting

To:	Mayor and Council
Date:	March 18, 2023
From:	Jessica Fradley, Water Wastewater Technician
Report Number:	Public Works 2024-01
Subject:	Annual MECP Drinking Water Reports

Recommendation:

That Council receives Public Works Report 2024-01 Annual MECP Drinking Water Reports for information.

Overview:

The purpose of the report is to provide council and members of the public information about the Millbrook Drinking Water System for the 2023 reporting year.

The Ontario Ministry of Environment Conservation and Parks (MECP) regulates and enforces the production and delivery of safe potable water to consumers under the *Safe Drinking Water Act (SDWA)*, 2002 and associated regulations. Most notably is the *Ontario Drinking Water System Regulation (O. Reg. 170/03)* which outlines treatment and testing parameters.

Each year it is a requirement under *O. Reg. 170/03 – Schedule 22* that the Owner of a Drinking Water Subsystem produce a Summary Report. The purpose of this summary report is to keep Town Council (the Owner) and the public informed regarding the quality of their drinking water. This report must be presented to Council no later than March 31, for the previous year. Contained within the report is a summary of quantities and flow rates for the water supplied during the reporting period including monthly averages, maximum daily flow, and instantaneous peak flow rates with a comparison to the Permit to Take Water and the Municipal Drinking Water Licence.

Additionally, under *O.Reg. 170/03 - Section 11* it requires owners of Drinking Water systems to ensure an Annual Report is also prepared. The Annual Report must contain a brief description of the system including the treatment chemicals used, summarizes the test results from samples taken, describe any corrective actions taken, and any major expenses incurred during the reporting period.

The City of Peterborough has completed the Summary Report and Annual Report on behalf of the Township as they are the Operating Authority of the Millbrook Drinking Water System. In 2023 the Township and Operating Authority were in full compliance with the SDWA.

These reports are available to the public on the Township website.

Financial Impact:

Not applicable.

Attachments:

1. 2023 Summary Report – Millbrook Drinking Water System
2. 2023 Annual Report – Millbrook Municipal Well House

Respectfully Submitted by,

Jessica Fradley,
Water Wastewater Technician

Wayne Hancock
Director of Public Works

Reviewed by,

Yvette Hurley
Chief Administrative Officer

2023

SUMMARY REPORT FOR MUNICIPALITIES

Millbrook Municipal Well House

PERIOD: JANUARY 1, 2023 – DECEMBER 31, 2023



Municipal Drinking Water Licence: 136-101, Issue No. 7

Municipal Waterworks No: 220000781

February 28th, 2024

Executive Summary

The Ontario Ministry of Environment Conservation and Parks (MECP) regulates and enforces the production and delivery of safe potable water to consumers under the *Safe Drinking Water Act, (SDWA) 2002* and associated regulations. Most notably is the *Ontario Drinking Water System Regulation (O. Reg.) 170/03* which outlines treatment and testing parameters.

Each year it is a requirement under *O. Reg. 170/03 – Schedule 22* that the owner of a Drinking Water Subsystem produce a summary report. The purpose of this summary report is to keep Town Council (the Owner) and the public informed regarding the quality of their drinking water.

This report is submitted annually for the previous calendar year and is required to contain the following information:

- Council must receive the report no later than March 31st for the previous calendar year.
- List the requirements of the SDWA, the regulations, and the system's approval.
- Any order(s) from the MECP that the system failed to meet at any time during the period covered by the report, specify the duration of the failure and describe the measures that were taken to correct the failure.
- Summary of quantities and flow rates of the water supplied during the period covered including monthly averages, maximum daily flows and daily instantaneous peak flow rates.
- A comparison of the summary of quantities and flow rates to the system's approved Permit to Take Water and Municipal Drinking Water Licence.
- Any additional data or other information that may be useful for Council.

1.0 Introduction

This summary report is a requirement of the Drinking Water Systems Regulation; O. Reg. 170/03 specifically Schedule 22. This report must be submitted no later than March 31st to members of the Municipal Council. The contents must list the requirements of the Safe Drinking Water Act, 2002, the regulations, the system's approval, drinking water works permit, municipal drinking water Licence and any orders that the system failed to meet at any time during the reporting period covered along with specifying the duration of the failure and the correct measures taken to correct the failure.

The report will include a summary of the quantities and the flow rates of the water supplied during the reporting period, including monthly averages, maximum daily flows and daily instantaneous peak flows. The summary shall be compared to the rated capacity and flows provided in the system's Permit To Take Water (PTTW) and Municipal Drinking Water Licence (MDWL).

This summary report is for the period from January 1st to December 31st, 2023. This report is available to the public free of charge. It is available on the Township of Cavan Monaghan web site (<https://www.cavanmonaghan.net>). A copy can also be obtained from the Cavan Monaghan Municipal Office upon request.

1.1 Plant Description and Treatment Process

The Millbrook Drinking Water System consists of three (3) wells, a pumphouse with treatment and control facilities, chlorine contact pipe, water storage tank, booster pumping station and approximately 9.554 kilometers of distribution watermain with diameters of 150mm, 200mm and 250mm.

1.2 Source Water (Raw Water)

The raw water source for the Millbrook Drinking Water System consists of three (3) drilled wells (30m deep). These wells are non-GUDI wells, meaning the raw well water quality is not influenced by surface waters.

1.3 Raw Water Intake Facilities

Raw water is drawn from the three wells via submersible vertical turbine pump (one per well) rated at 1,500 Litres per minute. The three pumps discharge into a common discharge header and the pumping rate of each pump is controlled by a variable frequency drive.

1.4 Disinfection

Primary Disinfection – Pre-contact pipe

At the common discharge header sodium hypochlorite is added prior to the oversized chlorine contact pipe. Sodium Hypochlorite is added to ensure that any potential harmful organisms (pathogens) are destroyed prior to distribution.

The contact pipe ensures sufficient contact time to achieve the pathogen destruction. Free Available Chlorine (FAC) residual is continuously measured after the contact pipe to ensure that the required residual is being discharged to the distribution system.

Secondary Disinfection – Distribution System and Standpipe

Secondary disinfection is accomplished by adding sufficient sodium hypochlorite at the pumphouse to maintain an appropriate chlorine residual in the distribution system and storage tank. This residual is intended to control microbiological re-contamination, bacterial regrowth, biofilm formation and serve as an indicator of system integrity. FAC residual is measured continuously by online analyzers at the storage tank inlet and outlet to ensure that the required residual is being maintained and applied to the distribution system. There are also four sampling stations throughout the distribution system that are routinely checked for adequate FAC residual.

1.5 Standpipe and Booster Pumping Station

A 2,600 m³ glass-fused-to-steel standpipe located at 988 County Road 10 (behind the Township Municipal Office) provides storage and maintains pressure in the distribution network. The site contains a bulk water loading station for truck filling, and a booster pumping station that provides water to a separate pressure zone in Millbrook (north of Brookside Street and west of County Road 10). The Booster station serviced by three (3) vertical in-line centrifugal booster pumps each with a capacity of 11 Litres per second and two (2) vertical in-line centrifugal high flow pumps each with a capacity of 120 litres per second.

1.6 Sample Analysis

Provincial regulations and the current Municipal Drinking Water Licence (MDWL), dictate the sampling and monitoring requirements for the system. Water quality is tested throughout the treatment process from four dedicated sampling locations throughout the distribution system. Distribution system samples are collected once per week from each location. Where required by regulation, samples are submitted to an accredited laboratory for analyses.

2.0 Compliance

The Ministry conducted the annual Drinking Water System Inspection (Event Number 1-203847422) on June 29th, 2023, with the final inspection report being received August 31, 2023.

During this inspection it was noted that all the lead sampling requirements prescribed by Schedule 15.1 of Ontario Regulation 170/03 had not been met. The current requirement for the Millbrook Drinking Water System is to sample for pH and total alkalinity in every summer (June 15-Oct. 15) and winter (Dec. 15-Apr. 15) sampling period and for lead in every third 12-month period. During the inspection, it was found that the Millbrook DWS was not sampled for pH and alkalinity during the winter period. To rectify this situation the sample schedule was updated to clarify the requirements of the lead sampling program and ensure that all necessary samples were included.

3.0 Summary of Flows and Quantities

The volume of water delivered in 2023 was within the limits stipulated in the Municipal Drinking Water Licence and the Permit to Take Water. These two documents permit a maximum water taking of 3,000 m³/day; and a peak flow rate of 1,500 L/minute. However, paragraph 3.4 of the Permit to Take Water (Number: 7704-AW7HJF) allows for the temporary exceedance of the peak flow rate when necessary for maintenance activities.

In July operational staff performed tests on the distribution system to verify that adequate pressure could be maintained with the standpipe out of service in preparation to have the standpipe cleaned. In August and September higher than normal peak flows resulted due to additional testing for the standpipe cleaning, a water main break, valve maintenance and winterization activities. In October the standpipe cleaning was completed and the high flows were a result of refilling the standpipe following this work.

Table 1 provides a summary of the volume of water delivered to the Millbrook Drinking Water System in 2023.

Table 1 – Volumer of Water Delivered

Month	Average Daily (m ³ /day)	Maximum Daily (m ³ /day)	Peak Flows (L/min)
January	659.13	756.16	1264.2
February	691.84	820.77	1271.4
March	662.47	904.15	1260.6
April	705.53	874.19	1260.6
May	877.70	1277.46	1437.6

June	912.07	1238.48	1378.8
July	834.62	994.70	2487.6*
August	809.42	1052.01	2186.4*
September	819.41	1422.15	2377.8*
October	821.82	1795.52	1944.0*
November	732.59	880.35	1225.2
December	734.56	911.18	1216.8

Table 2 – Licence and Permit Limits

	Maximum Daily (m ³ /day)	Peak Flows (L/min)
Municipal Drinking Water Licence: Number: 136-101 Expires June 24, 2026	3,000 m ³ /day	----
Permit to Take Water Number: 7704-AW7HJF Expires March 31, 2024	3,000 m ³ /day	1,500 L/min

4.0 Annual Report

Raw and Finished water are sampled and tested for chemical, physical and microbiological parameters in accordance with the requirements of O. Reg. 170/03. This annual report must be completed for the previous year by February 28th and also made available to the public free of charge. The annual report was posted to the Township website on February 28th, 2024, along with a public notice indicating where the report can be located.

5.0 Drinking Water Quality Management Standard

This section provides an up-date on the Drinking Water Quality Management Standard (DWQMS).

Licence and Permit

The current Municipal Drinking Water Licence (MDWL) and Drinking Water Works Permit (DWWP) were issued on June 25th, 2021, and are valid until June 24th, 2026 with the application for renewal due December 21st, 2025.

The Permit to Take Water (PTTW) is valid until March 31st, 2024.

Accreditation 3rd Party –Certification Audit:

The objective of the certification audit is to determine whether the Drinking Water Quality Management System (QMS) is conforming to the requirements of the MECP DWQMS. The audit of the Millbrook Drinking Water System Operational

Plan was conducted by an NSF auditor on August 22nd, 2023. There were no non-conformances found during this audit.

Risk Assessment (Element 7) and Risk Assessment Outcomes (Element 8):

The 12-month risk assessment review was conducted August 1st, 2023. The team reviewed the previous risk assessment table and found it suitable for the current date.

Internal Audit (Element 19):

An internal audit was conducted June 27 - 29, 2023 for the period of September 1st, 2022 to June 23rd, 2023. There were two (2) opportunities for improvement noted which will be included on the next Operational Plan review and update.

Management Review (Element 20):

A Management Review was conducted on August 8th, 2023, for the period of January 1st to August 7th, 2023, with top management, which included the Manager, Water and Wastewater Operations, Manager, Laboratory and Water Services and Manager, Environmental Protection Services.

Appendix A – Legislative Requirements and Applicable Legislation

A.0 Legislated Requirements

A.1 Acts and Regulations

Systems regulated in Ontario must meet the requirements of the *Safe Drinking Water Act, 2002* and its regulations. Most notably, the *Drinking Water Systems Regulation* which sets out the treatment and testing requirements for all categories of regulated water systems.

In Part Two of the Walkerton Inquiry Report, Justice Dennis O'Connor recommended that the Ontario government enact a *Safe Drinking Water Act, 2002* to deal with matters related to treatment and distribution of drinking water. As expressed by Justice O'Connor, the purpose of the *Safe Drinking Water Act, 2002* is to gather in one place all legislation and regulations relating to the treatment and distribution of drinking water.

As recommended by Justice O'Connor, the government passed the *Safe Drinking Water Act, 2002* which expands on existing policy and practice and introduces new features to protect drinking water in Ontario. The act's purpose is to protect human health through the control and regulation of drinking water systems and drinking water testing. The act also provides legislative authority to implement 50 of the 93 recommendations made in Justice O'Connor's Part Two Report.

A.2 Safe Drinking Water Act, 2002

The SDWA states that the people of Ontario are entitled to expect their drinking water to be safe. It provides for the protection of human health and prevents drinking water health hazards through the control and regulation of drinking water systems and drinking water testing.

The SDWA along with its associated regulations specifies the requirements for drinking water systems, testing services, and certification of system operators. It also sets out quality standards and mechanisms for compliance and enforcement.

The two sections of the SDWA that are important for Municipal Councilors and Top Managers/Directors are Section 11: Duties of Owners and Operating Authorities and Section 19: Statutory Standard of Care, Municipal Drinking Water Systems.

A.3 Safe Drinking Water Act, 2002 Section 11 Duties of Owners and Operating Authorities

Section 11 of the Act describes the legal responsibilities of the owners and operating authorities of regulated drinking water systems.

Owners and operating authorities are responsible for ensuring their drinking water system:

1. Provides water that meets all the prescribed drinking water quality standards.
2. Operate in accordance with the Act, regulations and are kept in a fit state of repair.
3. Appropriately staffed and supervised by qualified persons.
4. Comply with all sampling, testing, and monitoring requirements.
5. Meet all reporting requirements.

A.4 Safe Drinking Water Act, 2002 Section 19 Statutory Standard of Care

Section 19 of the Act, requires that anyone in a position of oversight to the municipal water system applies a statutory standard of care to their oversight activities. This section extends the legal responsibilities to those who are in the position to oversee the municipal drinking water systems. Specifically, the people with decision making authority over the drinking water system. This section requires they exercise the level of care, diligence, and skill with regard to a municipal drinking water system that a reasonably sensible person would be expected to exercise in a similar situation and that they exercise this due diligence honestly, competently and with integrity.

Section 19 Standard of Care applies to the owner of the system, where the drinking water system is owned by a municipality this includes:

- Every person who oversees the accredited operating authority (Millbrook Drinking Water System) for the system.
- Every person who exercises decision making authority over the system.

This does not require that everyone involved in the oversight be an expert, but they must exercise a level of care, diligence and skill in respect of the drinking water system. Part of this diligence would include engaging persons who would have the expertise to operate a drinking water system.

Failure to comply with the SDWA, Section 19 of the Act or its regulations is an offense and has serious consequences for non-compliance which could result in the prosecution of an individual, corporation, or both.

A conviction under Section 19 could result in financial penalties worth \$20,000 per each day or part day the offence occurred, imprisonment or both. If the breach of section 19 is severe enough a fine as much as \$4,000,000 for each day or part day the offence occurred, or imprisonment or both could occur.

To better meet the responsibilities of the Standard of Care everyone in a position of oversight should become and stay informed. Staying informed is best done by:

- Becoming acquainted with drinking water legislation and regulations,

- Understanding the roles and responsibilities of councilors, senior management and other officials who exercise decision making authority,
- Becoming familiar with your drinking water system,
- Hire competent senior management,
- Reading and asking questions about any reports or information,
- Being satisfied that appropriate steps are taken to address any issues and hiring industry experts when required.

A.5 Summary of Provincial Drinking Water Legislation

ACT	REGULATIONS
<i>Water Opportunities Act, 2010</i>	
<ul style="list-style-type: none"> • Water Technology Acceleration Project 	O. Reg. 40/11
<i>Clean Water Act, 2006</i>	
<ul style="list-style-type: none"> • Source Protection Areas and Regions • Source Protection Committee • General • Service of Documents 	O. Reg. 284/07 O. Reg. 288/07 O. Reg. 287/07 O. Reg. 231/07
<i>Safe Drinking Water Act, 2002</i>	
<ul style="list-style-type: none"> • Municipal Residential Drinking Water Systems in Source Protection Areas • Financial Plans • Schools, private schools and day nurseries • Service of Documents • Licensing of Municipal Drinking Water Systems • Compliance and Enforcement • Certification of Drinking Water System Operators and Water Quality Analysts • Drinking Water Testing Services • Definitions of Deficiency and Municipal Drinking Water Systems • Definitions of Words and Expressions Used in the Act • Drinking Water Systems • Ontario Drinking Water Quality Standards 	O. Reg. 205/18 O. Reg. 453/07 O. Reg. 243/07 O. Reg. 229/07 O. Reg. 188/07 O. Reg. 242/05 O. Reg. 128/04 O. Reg. 248/03 O. Reg. 172/03 O. Reg. 171/03 O. Reg. 170/03 O. Reg. 169/03
<i>Ontario Water Resources Act, 1990</i>	
<ul style="list-style-type: none"> • Charges For Taking Ground Water to Produce Bottled Water • Taking Ground Water to Produce Bottled Water • Experimental Lakes Area (Water Resources) 	O. Reg. 176/17 O. Reg. 463/16 O. Reg. 61/14

<ul style="list-style-type: none">• Charges for Industrial and Commercial Water Users• Service of Documents• Environmental Penalties• Water Taking and Transfer• Secured Creditors, Receivers, Trustees in Bankruptcy• Approval Exemptions• Transitional Provisions Relating to the Repeal of Part VIII of the Environmental Protection Act• Additional Charges• Wells	<p>O. Reg. 450/07</p> <p>O. Reg. 226/07</p> <p>O. Reg. 223/07</p> <p>O. Reg. 387/04</p> <p>O. Reg. 299/02</p> <p>O. Reg. 525/98</p> <p>O. Reg. 155/98</p> <p>O. Reg. 157/93</p> <p>R.R.O. 1990, Reg. 903</p>
<p><i>Environmental Protection Act, 1990</i></p> <p><i>Along with 81 supporting regulations</i></p> <ul style="list-style-type: none">• Applications for Environmental Compliance Approvals• Environmental Compliance Approvals – Exemptions from Section 9 of the Act	<p>O. Reg. 255/11</p> <p>O. Reg. 524/98</p>

Appendix B – Acronyms and Definitions

List of Acronyms

AQWI	Adverse Water Quality Incidents
DWWP	Drinking Water Works Permit
FAC	Free Available Chlorine
GUDI	Ground Water Under Direct Influence of Surface Water
MDWL	Municipal Drinking Water Licence
MECP	Ministry of the Environment Conservation and Parks
MOH	Medical Officer of Health
PTTW	Permit To Take Water
R.R.O	Revised Regulations Ontario (1990)
RWW	Raw Water Well
SDWA	Safe Drinking Water Act
WDS	Water Distribution System
WTP	Water Treatment Plant

List of Definitions

“Director” - reference to the director appointed under the Safe Drinking Water Act, 2002

“Owner” - Municipal drinking water system is often the municipality as a corporate entity. Members of municipal councils and municipal officials who provide oversight to this corporate entity also provide oversight or exercise decision making authority in respect of the drinking water systems it owns. They are responsible for having policies, management tools and processes in place so that the municipality meets all its legislative and regulatory requirements under the SDWA.

“Operator or Operating Authority” – The Operating Authority is the person or entity that is given responsibility by the owner for the day-to-day operations of the drinking water system, its management, maintenance or alternation. A municipality may take on this operational role through its own staff or it may choose to contract it out to a third party.

ANNUAL REPORT

FOR

MILLBROOK DRINKING WATER SYSTEM

PERIOD: January 1, 2023 – December 31, 2023



MECP Waterworks # 220000781
January 12, 2024

Drinking-Water System Number:	220000781
Drinking-Water System Name:	Millbrook Drinking Water System
Drinking-Water System Owner:	Township of Cavan Monaghan
Drinking-Water System Category:	Water Distribution and Supply Class II
Period being reported:	January 1, 2023 to December 31, 2023

Complete if your Category is Large Municipal Residential or Small Municipal Residential

Does your Drinking-Water System serve more than 10,000 people? Yes [] No [X]

Is your annual report available to the public at no charge on a web site on the Internet? Yes [X] No []

Location where Summary Report required under O. Reg. 170/03 Schedule 22 will be available for inspection.

Township of Cavan Monaghan
988 County Road 10
Millbrook, ON L0A 1G0
www.cavanmonaghan.net

Complete for all other Categories.

Number of Designated Facilities served:

N/A

Did you provide a copy of your annual report to all Designated Facilities you serve? Yes [] No []

Number of Interested Authorities you report to:

N/A

Did you provide a copy of your annual report to all Interested Authorities you report to for each Designated Facility? Yes [] No []

Note: For the following tables below, additional rows or columns may be added or an appendix may be attached to the report

List all Drinking-Water Systems (if any), which receive all of their drinking water from your system:

Drinking Water System Name	Drinking Water System Number
N/A	

Did you provide a copy of your annual report to all Drinking-Water System owners that are connected to you and to whom you provide all of its drinking water?

Yes [] No [] N/A

Indicate how you notified system users that your annual report is available, and is free of charge.

- ☒ Public access/notice via the web
☒ Public access/notice via Government Office
☐ Public access/notice via a newspaper
☐ Public access/notice via Public Request
☐ Public access/notice via a Public Library
☒ Public access/notice via other method - Social Media (Twitter Facebook or Instagram)

Describe your Drinking-Water System

The Millbrook Drinking Water System and distribution system is operated by The City of Peterborough, Environmental Services Division, under contract with the Township of Cavan Monaghan.

The Millbrook Drinking Water System municipal water system consists of the following:

- Three non-GUDI groundwater wells (Due to recurring turbidity issues Well 3 was taken out of service in August 2022 and was rehabilitated in May 2023.)
- Sodium hypochlorite disinfection feed system with metering pumps
- 71 m of 900 mm oversized contact pipe
- Continuous on-line chlorine analyzers
- Continuous on-line flow meters
- Standpipe with 2,600 m³ of storage

List all water treatment chemicals used over this reporting period

Sodium Hypochlorite (Chlorine)

Were any significant expenses incurred to?

- ☐ Install required equipment
☒ Repair required equipment
☐ Replace required equipment

Please provide a brief description and a breakdown of monetary expenses incurred

Rehabilitation of Well 3 and cleaning of the stand pipe..

Provide details on the notices submitted in accordance with subsection 18(1) of the Safe Drinking-Water Act or section 16-4 of Schedule 16 of O.Reg.170/03 and reported to Spills Action Centre

Incident Date	Parameter	Result	Unit of Measure	Corrective Action	Corrective Action Date
None					

Microbiological testing done under the Schedule 10, 11 or 12 of Regulation 170/03, during this reporting period.

	Number of Samples	Range of E.Coli Or Fecal Results (min #)-(max #)	Range of Total Coliform Results (min #)-(max #)	Number of HPC Samples	Range of HPC Results (min #)-(max #)
Raw RW1	52	0 – 0	0 – 0	52	0 – 32
Raw RW2	52	0 – 0	0 - 0	52	0 – 5
Raw RW3	32	0 – 0	0 - 0	33	0 – 99
Treated	52	0 – 0	0 - 0	52	0 – 5
Distribution	209	0 – 0	0 - 0	208	0 – NDOGHPC

Operational testing done under Schedule 7, 8 or 9 of Regulation 170/03 during the period covered by this Annual Report.

	Number of Grab Samples	Range of Results (min #)-(max #)	Unit of Measure
Turbidity			
Well 1	52	0.14 – 1.00	NTU
Well 2	52	0.09 – 1.03	
Well 3	34	0.43 – 1.91	
Chlorine - Free Treated Water	8760	1.51 – 2.17	mg/L
Chlorine – Free Distribution	208	1.36 – 2.20	mg/L
Fluoride (If the DWS provides fluoridation)			

Summary of additional testing and sampling carried out in accordance with the requirement of an approval, order or other legal instrument.

Date of legal instrument issued	Parameter	Date Sampled	Result	Unit of Measure
N/A				

Summary of Inorganic parameters tested during this reporting period or the most recent sample results

Parameter	Sample Date	Result Value	nit of Measure	Exceedance
Antimony	Jan 17	0.6<MDL	µg/L	No
Arsenic	Jan 17	0.6	µg/L	No
Barium	Jan 17	132	µg/L	No
Boron	Jan 17	18	µg/L	No
Cadmium	Jan 17	0.003<MDL	µg/L	No
Chromium	Jan 17	0.16	µg/L	No
Mercury	Jan 17	0.01<MDL	µg/L	No
Selenium	Jan 17	0.14	µg/L	No
Uranium	Jan 17	0.754	µg/L	No

Parameter	Sample Date	Result Value	Unit of Measure	Exceedance
Fluoride	May 9	0.1	mg/L	No
Nitrite	Jan 10	0.05<MDL	mg/L	No
	April 11	0.05<MDL		
	July 11	0.05<MDL		
	October 10	0.05<MDL		
Nitrate	Jan 10	1.33	mg/L	No
	April 11	1.03		
	July 11	1.63		
	October 10	1.62		

Summary of lead testing under Schedule 15.1 during this reporting period

Location Type	Number of Samples	Range of Lead Results (min#) – (max #)	Unit of Measure	Number of Exceedances
Plumbing	0	0	µg/L	0
Distribution	2	0.5<MDL	µg/L	0

Summary of Organic parameters sampled during this reporting period or the most recent sample results

Parameter	Sample Date	Result Value	Unit of Measure	Exceedance
Alachlor	Jan 17	0.02<MDL	µg/L	No
Atrazine + N-dealkylated metabolites	Jan 17	0.01<MDL	µg/L	No
Atrazine	Jan 17	0.01<MDL	µg/L	No
Azinphos-methyl	Jan 17	0.05<MDL	µg/L	No
Benzene	Jan 17	0.32<MDL	µg/L	No
Benzo(a)pyrene	Jan 17	0.004<MDL	µg/L	No
Bromoxynil	Jan 17	0.33<MDL	µg/L	No
Carbaryl	Jan 17	0.05<MDL	µg/L	No
Carbofuran	Jan 17	0.01<MDL	µg/L	No
Carbon Tetrachloride	Jan 17	0.17<MDL	µg/L	No
Chlorpyrifos	Jan 17	0.02<MDL	µg/L	No
Diazinon	Jan 17	0.02<MDL	µg/L	No
Dicamba	Jan 17	0.20<MDL	µg/L	No
1,2-Dichlorobenzene	Jan 17	0.41<MDL	µg/L	No
1,4-Dichlorobenzene	Jan 17	0.36<MDL	µg/L	No
1,2-Dichloroethane	Jan 17	0.35<MDL	µg/L	No
Dichloromethane	Jan 17	0.35<MDL	µg/L	No
2,4 Dichlorophenol	Jan 17	0.15<MDL	µg/L	No
2,4-Dichlorophenoxy acetic acid (2,4-D)	Jan 17	0.19<MDL	µg/L	No
Diclofop-methyl	Jan 17	0.40<MDL	µg/L	No
Dimethoate	Jan 17	0.06<MDL	µg/L	No
Diquat	Jan 17	1<MDL	µg/L	No
Diuron	Jan 17	0.03<MDL	µg/L	No
Glyphosate	Jan 17	1<MDL	µg/L	No

Parameter	Sample Date	Results Value	Unit of Measure	Exceedance
HAA (NOTE: show latest annual average)	Average	5.3<MDL	µg/L	No
Malathion	Jan 17	0.02<MDL	µg/L	No
Metolachlor	Jan 17	0.01<MDL	µg/L	No
Metribuzin	Jan 17	0.02<MDL	µg/L	No
Monochlorobenzene	Jan 17	0.30<MDL	µg/L	No
Paraquat	Jan 17	1<MDL	µg/L	No
Pentachlorophenol	Jan 17	0.15<MDL	µg/L	No
Phorate	Jan 17	0.01<MDL	µg/L	No
Picloram	Jan 17	1<MDL	µg/L	No
Polychlorinated Biphenyls(PCB)	Jan 17	0.04<MDL	µg/L	No
Prometryne	Jan 17	0.03<MDL	µg/L	No
Simazine	Jan 17	0.01<MDL	µg/L	No
THM (NOTE: show latest annual average)	Average	4.63	µg/L	No
Terbufos	Jan 17	0.01<MDL	µg/L	No
Tetrachloroethylene	Jan 17	0.35<MDL	µg/L	No
2,3,4,6-Tetrachlorophenol	Jan 17	0.20<MDL	µg/L	No
Triallate	Jan 17	0.01<MDL	µg/L	No
Trichloroethylene	Jan 17	0.44<MDL	µg/L	No
2,4,6-Trichlorophenol	Jan 17	0.25<MDL	µg/L	No
Trifluralin	Jan 17	0.02<MDL	µg/L	No
Vinyl Chloride	Jan 17	0.17<MDL	µg/L	No

List any Inorganic or Organic parameter(s) that exceeded half the standard prescribed in Schedule 2 of Ontario Drinking Water Quality Standards.

Parameter	Result Value	Unit of Measure	Date of Sample
None			



Regular Council Meeting

To:	Mayor and Council
Date:	March 18, 2024
From:	Jessica Fradley, Water Wastewater Technician Wayne Hancock, Director of Public Works
Report Number:	Public Works 2024-02
Subject:	Millbrook Wastewater Treatment Plant Wet Well Upgrades

Recommendations:

1. That Council receive for information that staff proceeded with the purchase of four (4) submersible Flygt sewage pumps for the Millbrook Wastewater Treatment Plant as per Section 5.6.2 Single Source of the Township Purchasing By-law No. 2020-22, by Xylem Canada Ltd in the amount of \$66,980.00 net Municipal H.S.T. in the amount of \$1,178.85 for a total amount of \$68,158.85.
2. Funds were approved in the 2024 Capital Budget under Water Wastewater (04-75-000-10011-6153) with an estimate of \$115,000.

Overview:

The 2024 Capital Budget for Water and Wastewater line item for Wet Well Upgrades includes the replacement of the four (4) KSB brand sewage pumps and the installation of flow meters on the pump discharge lines.

The Millbrook Wastewater Treatment Plant (WWTP) receives sewage from gravity mains from the higher elevation of town, and by forcemain from the Tupper Street Sewage pumping station (TSPS) that conveys the sewage from the lower area of town. Currently, the wet well has four (4) submersible KSB pumps, an ultrasonic level transmitter, and backup floats for level control. We cannot currently measure the amount of sewage flow entering the plant and have no way to differentiate between gravity flow and forcemain flow.

The intention of the Capital project is to upgrade the wet well with four (4) Flygt pumps that are better quality and more reliable and, install flow metering devices on each pump discharge pipe. Measuring the flow into the plant is an important operational component. This will better determine the capacity in the wet well, the amount being received from gravity mains, which predominantly comes from the newer developments, and how much is being received from the forcemain from TSPS. Having this data, we

can then trend it over the years as the development progresses and can better track the reduction of flow from sump pump discharges and groundwater infiltration when repairs are made.

The sewage entering the WWTP does not receive any screening or grit removal before it enters the wet well, meaning a large quantity of debris typically builds up within the well. Currently, there are four (4) KSB submersible raw sewage pumps in the wet well at the plant that lift the sewage to the primary treatment area of the plant where screening and grit removal is completed. These pumps cannot lift/move all of the debris within the wet well and therefore debris accumulates quickly.

The TSPS wet well went through an upgrade in 2018 where the three (3) KSB brand pumps were replaced with three (3) Flygt brand pumps. The upgrade has significantly reduced the number of callouts for operational issues since. The current KSB brand pumps in WWTP wet well have been causing operational issues from overheating, blockages, and failures over the last few years, with a higher number of incidents within the last year. This causes after-hours calls out for the Service Contractor (The City of Peterborough) and several repairs to the pumps. The Flygt pumps have been shown to perform better at the TSPS and we believe they will be a benefit at the WWTP.

By replacing the pumps in the WWTP wet well, there will be an increase in treatment effectiveness and reduce the number of after hours call out for City of Peterborough staff. The replacement of these pumps will reduce costs in the long run for the Township due to repairs and overtime.

The Flygt pumps are manufactured in Germany and Xylem Canada is the distributor for these pumps and parts in Ontario.

Financial Impact:

This purchase falls under Section 5.6.1 Sole Source due to the unique nature of the pumps. The company chosen to complete this work is based on a Single Source Purchase as defined in the Township Purchasing By-law No. 2020-22. The By-law states that:

“Single Source” means that there is more than one source of supply in the open market, but only one source is recommended due to predetermined and approved specifications.

This work specifically falls under By-law 2020-22 Section 5.6.2;

“d. The required goods and/or services are to be supplied by a particular supplier(s) having special knowledge, skills, expertise or experience,”

The purchase of the pumps was quoted at \$66,980.00, excluding taxes. The total after taxes is \$68,158.85. An amount of \$115,000 was allocated in the approved 2024 Water Wastewater Capital Budget for the Wet Well Upgrades, account No. 04-75-000-10011-6153 for this work.

The City of Peterborough staff have recommended the pump replacement and we agree that the Flygt pump has less operational issues specifically with clogging. The supplier for these pumps is the only supplier of this type in this area.

The remaining budget of \$46,841.15 will be utilized for the labour involved with the installation of the pumps and flow meters. With the potential for long delivery lead times, staff were advised to purchase the capital equipment before scheduling the labour.

Attachments:

1. Millbrook Wastewater Plant Wet Well Drawings
2. Xylem Canada Pump Quote

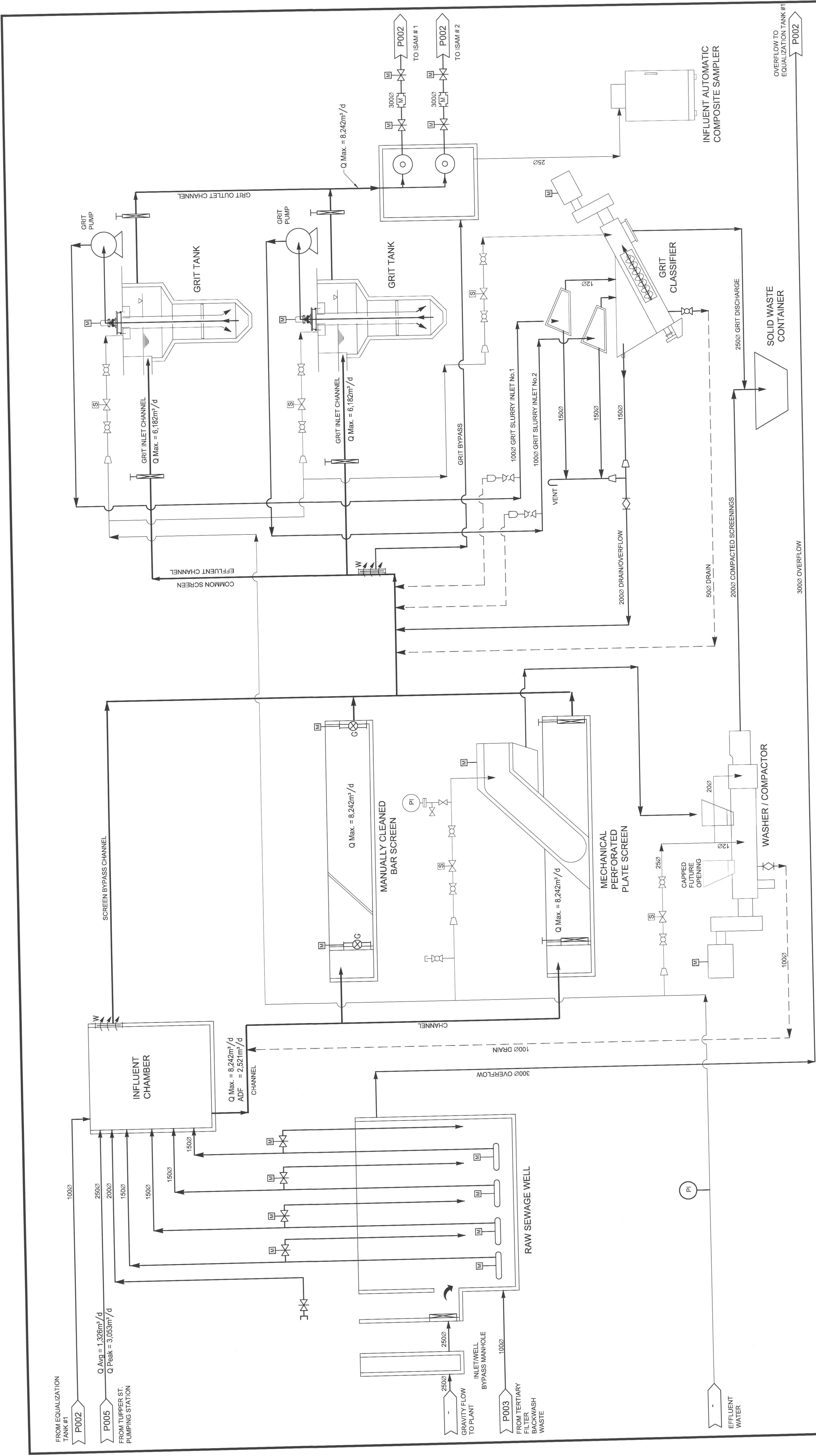
Respectfully Submitted by,

Jessica Fradley,
Water Wastewater Technician

Wayne Hancock,
Director of Public Works

Reviewed by,

Yvette Hurley
Chief Administrative Officer



NOTES		NOT FOR CONSTRUCTION		<div>TOWNSHIP OF CAVANMONAGHAN</div> <div>Have it all, right here.</div>		<div><div></div><div>R.V. Anderson Associates Limited</div><div>engineering · environment · infrastructure</div></div>		MILLBROOK WASTEWATER TREATMENT PLANT CAPACITY UPGRADES		CONTRACT NO. XXX-XXX		TOWNSHIP OF CAVAN MONAGHAN		PROCESS BUILDING PROCESS FLOW DIAGRAM (1) RAW SEWAGE WELL AND HEADWORKS		Dwg No.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																									
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Proposal

Date: Monday, July 17, 2023

Quotation #: 22-30-1106/1/2

Project Information

Company Name: TWNSHP OF CAVANGHN & MONAGHAN

Project Name: MillBrook WPCP Main Pump UPGRADES

 Xylem
Representative: Derek Godfrey

Attention to: JESSICA

Xylem Canada LP proposes to furnish the Purchaser the equipment covered by this proposal as follows:

MillBrook raw sewage pumps 1-4 30.9 @ 9.62

Item#	Qty	Description
1.1	4	3127.070-0128 FLYGT MODEL NX-3127 SUBMERSIBLE PUMP 7.5HP/5.6KW 600VOLT 3PHASE 60HZ 4POLE HT IMPELLER CODE 489, ANSI 4" 16M 4G2.5+2X1.5 FLS, FLUSH VALVE READY, CSA EX ADAPTIVE N, HARD IRON IMPELLER
1.2	1	13-56 00 16 PROMO-CASH4PUMPERS <div> <p>"The Cash for Pumpers Trade in Discount can only be applied when the trade in Pump or Mixer is received in or Toronto Workshop facility within 4 weeks of receipt of new pump or mixer. If the pump or mixer is not received extra charges may be applied. PLEASE attach a LABEL indicating your quote number, contact name and number of you the client and the sales individual you dealt with" Thankyou.</p> </div>
1.3	4	753 53 20 SLIDING BRACKET UNIT
1.4	4	753 55 20 FLYGT CONNECTSLIDING BRACKET FORGRUNDFOS 4"DISCHARGECONNECTION
1.5	4	40-50 10 98 Mini-CAS II Pump Monitoring Relay - 120 VAC
1.6	4	13-40 02 00 11 Pin Socket Plug
1.7	4	13-40 01 87 Mounting bracket for Mini-CAS II relay - Door flush mount
1.8	4	442 18 16 SLING,CHAIN UNIT SS WIRE 10M
1.9	1	620 09 00

Printed on: Monday, July 17, 2023, at 9:27 AM

page: 1



Date: 2023/07/17 Quotation # 22-30-1106/1/2

Company Name: ALL BIDDERS

Item#	Qty	Description
		Grip Eye Unit
1.10	4	13-56 03 11 TEST FAL 2.2 PLOT"D 3045-3127+ FAL 15-906
1.11	1	13-56 03 68 TEST FAL 2.12 ADDL CERT + FAL 15-9018
1.12	1	13-56 00 24A FREIGHT CHARGES TXBL
		Total Price \$ 66,980.00
		Total Price of Quotation: \$ 66,980.00

Terms and Conditions

This order is subject to the Standard Terms and Conditions of Sale – Xylem Americas effective on the date the order is accepted which terms are available at <http://www.xyleminc.com/en-us/Pages/terms-conditions-of-sale.aspx> and incorporated herein by reference and made a part of the agreement between the parties.

Freight Terms : DAP; Jobsite (per Incoterms 2020) - Prepaid & Allowed.

Taxes: Taxes are not included in this quotation unless specifically stated otherwise.

Back Charges : Buyer shall not make purchases nor shall Buyer incur any labour that would result in a back charge to Seller without prior written consent of an authorized employee of Seller.

Shortages : Xylem will not be responsible for apparent shipment shortages or damages incurred in shipment that are not reported within two weeks from delivery to the jobsite. Damages should be noted on the receiving slip and the truck driver advised of the damages. Please contact our office as soon as possible to report damages or shortages so that replacement items can be shipped and the appropriate claims made.

Validity : This quote is valid for thirty (30) days.

Terms of Payment : 100% Net 30 days after the end of the month in which the invoice is dated.

Xylem's payment shall not be dependent upon Purchaser being paid by any third party unless Owner denies payment due to reasons solely attributable to items related to the equipment being provided by FLYGT.

Schedule : Please consult your local FLYGT branch for submittal and fabrication lead-times.

Comments and Exceptions This proposal is in accordance with our interpretation of the plans and specifications provided to us. All equipment offered is subject to the engineers/customers acceptance, and we reserve the right to withdraw our offer if such acceptance is not granted. Should any changes be made regarding the quantities and/or construction of the equipment

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page: 2



Date: 2023/07/17

Quotation # 22-30-1106/1/2

Company Name: ALL BIDDERS

offered, extra charges will apply accordingly. Comments and Exceptions are part of this proposal and must be observed.

Delivery Date
COVID 19:

Estimated delivery date (from date of approval): 13 WEEKS
Delivery lead-times may be impacted by the current COVID-19 virus pandemic relative to transportation logistics.



Date: 2023/07/17

Quotation # 22-30-1106/1/2

Company Name: ALL BIDDERS

A SIGNED COPY OF THIS PROPOSAL IS ACCEPTABLE AS A BINDING CONTRACT.

Thank you,

Derek Godfrey
Sales Representative
Xylem Canada LP
O: 416-679-1199
derek.godfrey@xylem.com

Accepted by: (Authorized party to bind company)

Company Name

Printed Name & Title

Signature Date

Phone

Email

Company Address

SHOULD YOU PREFER TO ISSUE A PURCHASE ORDER, PLEASE MAKE IT OUT TO: XYLEM CANADA LP





Regular Council Meeting

To:	Mayor and Council
Date:	March 18, 2023
From:	Jessica Fradley, Water Wastewater Technician Wayne Hancock, Director of Public Works
Report Number:	Public Works 2024-03
Subject:	Millbrook Wastewater Treatment Plant Sand Filter Replacement

Recommendations:

1. That Council receive for information that staff proceed with the purchase of replacement silica sand for the Millbrook Wastewater Treatment Plant as per Section 5.6.2 Single Source of the Township Purchasing By-law No. 2020-22, by C&M Environmental Technologies Inc in the amount of \$71,536.50 net Municipal H.S.T. in the amount of \$1,259.04 for a total amount of \$72,795.54.
2. Funds were approved in the 2024 Capital Budget under Water Wastewater (04-75-000-10011-6152) with an estimate of \$175,000.

Overview:

The Millbrook Wastewater Treatment Plant (WWTP) was designed to include four (4) WesTech SuperSand filters in the tertiary treatment process. The sand filters are the one of the last steps of physical filtration before the effluent is then sanitized by UV lights. After the UV lights it is then discharged to Baxter Creek.

Tertiary sand filters work by the treated effluent from the reactors entering the bottom of the filter cell tank and then rises through the sand where suspended solids are filtered out. Once the water reaches the top of the sand it passes over a weir and is discharged to the UV filters. During this process the sand is mixed by compressed air through a sand washer and the suspended solids that were trapped are then wasted and returned to the start of the treatment process to be treated again.

The sand filters “polish” the effluent by removing any excess suspended solids after being biologically treated in the reactors. This is a very important step that must work effectively due to the potential for the solids that aren’t removed to shadow bacteria from being treated with UV light before being discharged to the natural environment.

Filter Cell #1 has been out of order for approximately a year due to improper operation of the sand due to poor quality. This happened due to the lower flows the wastewater treatment plant has been receiving since the upgrade in 2016 due to the excess capacity for growth and development. The infrequent usage and turnover of that sand has caused the sand to fowl. The other three filter cells are functioning as expected with no concerns regarding proper treatment, but with the lifecycle of the silica sand, replacing the sand in all four filters at the same time is the most cost-effective in the long term.

The Wastewater Treatment Plant has been operating within or under the legislated allowable nutrient limits for the effluent discharge to Baxter Creek. With more development coming online and the increase in flow, the sand will perform better and for longer going forward.

Financial Impact:

The company chosen to complete this work is based on a Single Source Purchase as defined in the Township Purchasing By-law No. 2020-22. The By-law states that:

“Single Source” means that there is more than one source of supply in the open market, but only one source is recommended due to predetermined and approved specifications.

This work specifically falls under By-law 2020-22 Section 5.6.2;

“d. The required goods and/or services are to be supplied by a particular supplier(s) having special knowledge, skills, expertise or experience,”

The silica sand cost and delivery are quoted at \$71,536.50. An amount of \$175,000 is allocated for the costs of materials and labor in the approved 2024 Water Wastewater Capital Budget for the Sand Filter Replacement, account No. 04-75-000-10011-6152 for this work.

The Company C&M Environmental Technologies was recommended by the City of Peterborough staff who operate our WWTP and there are no other suppliers in our area of this material. They will supply and deliver the material to site but staff will have to co-ordinate placement of the material in the filter cells.

The remaining budget of \$102,204.46 will be utilized for the labour involved with the removal of the old sand and installation of the new material. With the potential for delays in the delivery of materials, staff were advised to purchase this material prior to scheduling the labour portion.

Attachments:

1. Millbrook Wastewater Treatment Plant Filter Drawing
2. C&M Environmental Technologies Inc Pricing

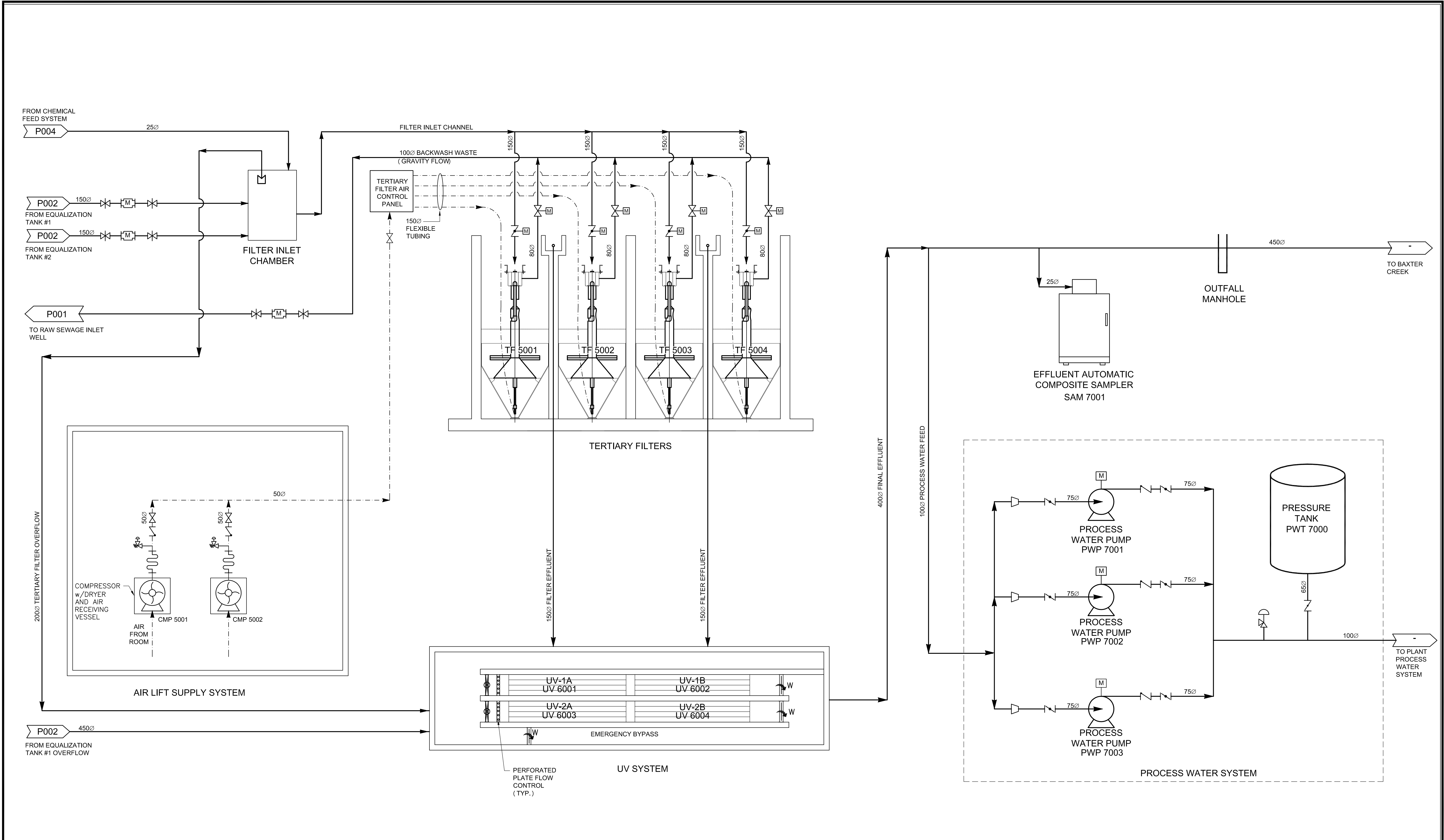
Respectfully Submitted by,

Jessica Fradley,
Water Wastewater Technician

Wayne Hancock,
Director of Public Works

Reviewed by,

Yvette Hurley
Chief Administrative Officer



NOTES

THIS AS-BUILT DRAWING REFLECTS THE COMPLETED CONTRACT AND HAS BEEN PREPARED USING INFORMATION FROM THIRD PARTIES. THE INFORMATION CONTAINED IN THE DRAWING BELONGS TO R.V. ANDERSON ASSOCIATES LIMITED (RVA), EXCEPT WHERE OTHERWISE COVERED BY WRITTEN AGREEMENT. IT SHALL NOT BE COPIED OR DISTRIBUTED WITHOUT WRITTEN PERMISSION OF RVA. ANY CHANGES MADE OUTSIDE THE CONTRACT, OR AFTER CONTRACT COMPLETION OR THE DATE OF ISSUE MAY NOT BE REFLECTED IN THE DRAWINGS. USERS ARE ADVISED TO TAKE SUFFICIENT STEPS TO FIELD VERIFY EQUIPMENT LAYOUT, LOCATIONS, DIMENSIONS AND ELEVATIONS. RVA ACCEPTS NO RESPONSIBILITY FOR DAMAGES, IF ANY, SUFFERED BY ANY THIRD PARTY AS A RESULT OF RELIANCE ON, DECISIONS MADE OR ACTIONS BASED ON THIS DRAWING.

No.	Description	By	YY.MM.DD.
3	AS-BUILT DRAWING	VVS	16.06.03
2	ISSUED FOR CONSTRUCTION	VVS	14.07.25
1	ISSUED FOR TENDER	VVS	14.05.12

ORIGINALLY SEALED BY V.V. SAKHNENKO AND J.I. DES COTES
ON JULY 25, 2014.



TOWNSHIP OF CAVAN MONAGHAN

CONTRACT NO. T-PW-15-01



MILLBROOK WASTEWATER TREATMENT PLANT
CAPACITY UPGRADES

Scale	Designed	JDC	RVA Project No.
AS SHOWN	Checked	VVS	122670
	Drawn	LRT	Date OCT. 2013

PROCESS
PROCESS BUILDING
TERTIARY FILTERS, UV SYSTEM AND FINAL EFFLUENT
PROCESS FLOW DIAGRAM (3)

Dwg No.
P003
Issue 3



Oakville
 81-700 Third Line
 Oakville, ON L6L 4B1
 Tel: 905-612-8980

Barrie
 PO Box 424
 Barrie, ON L4M 4T7
 Tel: 705-725-9377

www.cmeti.com

Monday, January 29, 2024

SENT VIA EMAIL: jfradley@cavanmonaghan.net
cc: dstevenson@peterborough.ca

Number of Pages: Two (2)

Attention: Jessica Fradley/Daryl Stevenson
Tel: 705-932-9348

Township of Cavan Monaghan
 Millbrook WPCP
 988 County Road 10
 Millbrook, ON

Reference: C&M Proposal 22-2637-11 Rev 2 - Millbrook WPCP
 WesTech Engineering - Silica Sand Media

Jessica,

As per our exchanged emails, C & M Environmental Technologies Inc. is pleased to provide you with an updated quotation for the OEM silica sand for the WesTech Engineering SuperSand filters at the Millbrook WPCP. This quotation has been revised to extend the validity period for pricing.

The pricing is as follows:

Item	Description	U/M	Qty	Price/Unit	Total Price
A	WesTech Engineering Silica Sand, 1.2-2.0mm EFF, size 1.65 UC Max (SuperSacks)	CF	2470	\$ 27.95	\$ 69,036.50
Subtotal:					\$ 69,036.50
Freight (Estimated):					\$ 2,500.00
Total (Excluding Taxes):					\$ 71,536.50

Freight: FOB factory, off loading by others, Freight Estimated

Delivery: Approximately five - six (5-6) weeks from the date your purchase order is received. All items will be consolidated on one (1) shipment unless requested otherwise.

Terms: Subject to approved credit. Net 30 days

Taxes: Pricing does not include HST, GST, PST unless otherwise stated.

Validity: All prices quoted in Canadian dollars, proposal valid for 15 days from latest date shown above. Pricing listed above is specific to the quantities mentioned. A revised proposal including changes to pricing and delivery times may be required if the scope of work changes. C & M reserves the right to revisit pricing should any tariffs or duties be applied from the time of the quotation through to delivery. C & M Environmental has a minimum \$500.00 order.

If you have any questions or concerns, please contact me directly.

Yours truly,

C & M ENVIRONMENTAL TECHNOLOGIES INC.

Tonia Van Dyk
Tel: 705-725-9377 x225
[Email: tvandyk@cmeti.com](mailto:tvandyk@cmeti.com)



Regular Council Meeting

To:	Mayor and Council
Date:	March 18, 2024
From:	Cindy Page, Clerk
Report Number:	Corporate Services 2024-03
Subject:	173 rd Millbrook Fair – Community Festival Designation

Recommendations:

1. That the Township of Cavan Monaghan designate the 173rd Millbrook Fair as a Community Festival and municipally significant; and
2. That the Millbrook Agricultural Society be responsible for policing costs during the hours of operation of the Beer Barn and Trackside Lounge; and
3. That the Community Festival Designation be conditional upon the minimum police presence on the Fairgrounds being as follows:
 - Two (2) Officers on June 6th from 5:00 p.m. to 1:00 a.m.
 - Four (4) Officers on June 7th from 5:00 p.m. to 1:00 a.m.
 - Four (4) Officers on June 8th from 12:00 p.m. to 2:00 a.m.
 - Two (2) Officers on June 9th from 12:00 p.m. to 5:00 p.m.

Overview:

The Township of Cavan Monaghan is in receipt of a request from the Millbrook Agricultural Society for designation as a Community Festival and municipal significant under the requirements of a Special Occasion Permit from the Alcohol and Gaming Commission of Ontario (AGCO).

The Millbrook Agricultural Society will be holding their 173rd Annual Millbrook Fair at 13 Frederick Street in Millbrook June 6th through June 9th, 2024 and anticipate close to 6000 people to pass through the gates during the Fair. The Millbrook Agricultural Society will be applying to the AGCO for a Special Occasion Permit to operate a Beer Barn and Trackside Lounge at the annual fair.

The purpose of this report is to designate the 173rd Millbrook Fair to be held June 6th through June 9th, 2024 as a Community Festival and municipally significant. The approval is conditional requiring the Millbrook Agricultural Society to have a police presence and be responsible for the policing costs during the hours of operation of the Beer Barn and Trackside Lounge.

The Millbrook Agricultural Society has provided the following letters of support from the Peterborough Police Service, Peterborough Public Health and from the Cavan Monaghan Fire Department and Building Department.

Financial Impact:

There is no financial impact at this time.

Attachments:

1. Letter of request from the Millbrook Agricultural Society
2. Letter from Peterborough Police Service
3. Letter from Cavan Monaghan Fire Department
4. Letter from Peterborough Public Health
5. Letter from Cavan Monaghan Building Department

Respectfully submitted by,

Reviewed by,

Cindy Page
Clerk

Yvette Hurley
Chief Administrative Officer



Millbrook Agricultural Society

13 Frederick Street Millbrook, ON L0A 1G0

January 26, 2024

Stuart Betts, Chief of Police
500 Water Street
P.O. Box 2050
Peterborough, ON K9J 7Y4
paidduties@peterborough.ca

Katrina Chia B.Sc, B.A.Sc, C.P.H.I (C)
Public Health Inspector
Environmental Health
Peterborough Public Health
kchia@peterboroughpublichealth.ca

Kyle Phillips, CBCO
Chief Building Official/By-Law Enforcement
Township of Cavan Monaghan
kphillips@cavanmonaghan.net

Bill Balfour
Fire Chief
Township of Cavan Monaghan
bbalfour@cavanmonaghan.net

Cavan Monaghan Township Council
c/o Cindy Page
Clerk
Township of Cavan Monaghan
cpage@cavanmonaghan.net

The Millbrook Agricultural Society is seeking permission to hold the 173rd Annual Millbrook Fair at 13 Frederick Street in Millbrook June 6th, 2024 through June 9th, 2024.

The Millbrook Agricultural Society anticipates close to 6000 people to pass through the gates during the Fair.

The Millbrook Agricultural Society will be applying to the Alcohol and Gaming Commission of Ontario for a Special Occasion Permit to operate a Beer Barn and Trackside Lounge at the annual fair.

The Millbrook Agricultural Society is seeking the following:

- Community Festival designation from the Township of Cavan Monaghan in order to satisfy one of the requirements for a Special Occasion Permit
- Support of the Peterborough Police Service to acquire a liquor license from the AGCO for the sale of alcohol during the 2024 Millbrook Fair, June 6th through June 9th
- Approval from the Cavan Monaghan Fire Department in obtaining a liquor license for the 2024 Millbrook Fair

President: Al Lang **1st Vice President:** Paul Shaughnessy **2nd Vice President:** Chris Brackenridge
Executive Directors: Travis Grove and Dakota Borutski **Treasurer:** Nancy Oortwyn **Secretary:** Sheila Rogoski



Millbrook Agricultural Society

13 Frederick Street Millbrook, ON L0A 1G0

- Endorsement of the Township of Cavan Monaghan Building Department regarding the Application for Special Occasion Permit to enable the use of an alcohol for sale area during the Millbrook Fair, June 6th through June 9th, 2024
- A letter of support from the Peterborough Public Health in obtaining a permit for the sale of alcohol at the 2024 Millbrook Fair

Proposed Hours for the sale of alcohol during the 2024 Fair:

- | | |
|--------------------------|------------------------------|
| • Thursday, June 6, 2024 | 5:00pm to Midnight (12:00am) |
| • Friday, June 7, 2024 | 5:00pm to Midnight (12:00am) |
| • Saturday, June 8, 2024 | Noon to 1:00am |
| • Sunday, June 9, 2024 | Noon to 4:00pm |

On behalf of the Millbrook Agricultural Society Board, your consideration of this request is appreciated.

Questions can be directed to me via email, Sheila.rogoski@gmail.com or telephone, 705-277-9507.

Thank you,

Sheila Rogoski
Secretary
Millbrook Agricultural Society

c Al Lang , President, Millbrook Agricultural Society
biglangerz@gmail.com
905-449-3823



Stuart Betts, Chief of Police
Jamie Hartnett, Deputy Chief of Police

500 Water Street, PO Box 2050
Peterborough, Ontario, K9J 7Y4
Main Phone 705 876-1122
Executive Fax 705 876-6005
Operations Fax 705 743-1540
Website – www.peterboroughpolice.com

26 February 2024

Sheila Rogoski
Secretary
Millbrook Agricultural Society
13 Frederick Street
Millbrook, ON
LOA 1G0

Dear Sheila:

Re: 173rd Millbrook Fair

In response to your correspondence dated January 26, 2024, the Peterborough Police Service has been requested to assist with your Special Occasion Permit for the above noted event. The Millbrook Fair would be at 13 Frederick Street, Millbrook, Ontario, from Thursday, June 06th, 2024 until Sunday, June 09th, 2024.

I have reviewed information contained in our Records Management System and can report that there are no issues or concerns from previous events that were found from that search pertaining to the planned event or alcohol being served at the Fair. It is noted that you will have Paid Duty Officers in attendance.

The Peterborough Police Service supports your request to acquire a Special Occasion Permit from the AGCO for the sale of alcohol during the dates noted above.

Wishing you the greatest success and good luck with everything!

Sincerely,

John Lyons, Inspector
Peterborough Police Service



Fire Department

988 County Road 10
Millbrook, Ontario
L0A 1G0

Tel: 705-932-2765
Fax: 705-932-3458
www.cavanmonaghan.net

March 11, 2024

Al Lang, President
Millbrook Agricultural Society
1208 Sharp Line
Cavan, ON
L0A 1C0

Dear Mr. Lang:

Re: Request for Support of Community Festival Designation 2024

The Township of Cavan Monaghan Fire Department has received your letter requesting support for your 2024 Community Festival Designation. Your request will be forwarded to our Clerk's Department, as Council approval will be required.

In addition, the Fire Department will need to conduct a Fire Safety Inspection of the premises prior to being opened to the public. See attached letter with requirements and notify vendors of such. In the past the Fair Board has requested a Fire Truck (pumper) to attend the track events. Would you please advise if you require such for 2024 as well as the times for the event(s).

I look forward to continuing working with the Fair Board to promote a safe and enjoyable event, and we look forward to this year's festival. Please call if you have any questions or concerns.

Sincerely,



Bill Balfour
Fire Chief

BB/ca

Cc. Sheila Rogoski, Secretary, Millbrook Agricultural Society
Cc. Cindy Page, Clerk, Township of Cavan Monaghan

January 29, 2024

Sheila Rogoski, Secretary
13 Frederick St.
Millbrook, ON L0A 1G0

By email : sheila.rogoski@gmail.com

RE: Liquor License for Millbrook Fair to be held from June 6, 2024 to June 9, 2024

Peterborough Public Health has no objection for the Millbrook Agricultural Society to obtain a liquor license for the Millbrook Fair held from June 6, to 9, 2024, provided that the Millbrook Fair has the sanitary facilities, potable water supply and garbage removal as specified in their application.

In addition, Millbrook Fair must complete the 'Coordinator's Special Events Application' and the attending food vendors must complete the 'Food Vendor's Special Events Application'. The event coordinator must collect all special events applications and submit them together to the health unit **before May 23, 2024.**

If you have any questions, please do not hesitate to contact me at 7057431000 Ext. 290 or mkwan@peterboroughpublichealth.ca.

Kind regards,



Mandy Kwan B.A.Sc., C.P.H.I. (C)
Public Health Inspector

Feb 23, 2024

RE: Millbrook Agricultural Society

The Millbrook Agricultural Society is seeking permission to hold the 173rd Annual Millbrook Fair at 13 Frederick Street in Millbrook June 6th, 2024 through June 9th, 2024.

Please be advised that the Township of Cavan Monaghan Building Department has no objections to the Application for Special Occasion Permit by the Agricultural Society to operate a Beer Barn and Trackside Lounge at the annual fair for the following times:

- | | |
|--------------------------|------------------------------|
| • Thursday, June 6, 2024 | 5:00pm to Midnight (12:00am) |
| • Friday, June 7, 2024 | 5:00pm to Midnight (12:00am) |
| • Saturday, June 8, 2024 | Noon to 1:00am |
| • Sunday, June 9, 2024 | Noon to 4:00pm |

If you require any further information, please contact me directly.

Thanks



Kyle Phillips, CBCO
Chief Building Official/By-Law Enforcement
Township of Cavan Monaghan
705-932-9319
kphillips@cavanmonaghan.net
www.cavanmonaghan.net

Report and Capital Project Status

Report Status

Priority	Directed By	Date Requested	Resolution or Direction	Staff Respons	Est. Report Date	Status
High	Council	2020-12-10	Fire Station	B. Balfour	2024	25%
Normal	Council		ICIP Update Millbrook Arena	K. Pope	2024	Scope Under Review, Fall
Normal	Staff		Jail Lands IO Update	Y. Hurley/ W. Hancock/ C.Page	2024	
High	Council		Sherbrooke Street West Pedestrian Crossing	W. Hancock	2024	County of PTBO to review speed limit
Normal	Council	2024-01-15	That Council direct staff to bring a report back on costing of the last 4 municipal elections 2010, 2014, 2018, 2022	C.Page	Mar-24	
Normal	Council		Cell Tower Policy	K.Ellis	2024	
Normal	Council		Consideration for naming of Fire Hall letter	B. Balfour	2024	
Normal	Council		Debenture Report Public Works Operations Center and Parks and Public Works Millbrook Depot	K. Pope	2024	

Report and Capital Project Status

Capital Project Status

Project List	Department	Status	Est. Report Date	% Complete
Corporate Strategic Plan Update	C.A.O	In Progress	2024	Drafted RFP
IT Infrastructure	Information Technology	In Progress	2024	Ongoing
Downtown Mural	ECD	In Progress	2024	Council approval received, artist contacted, 50% complete
2019-2022 CIP Incentives	ECD	In Progress	2024	
2023 CIP Incentives	ECD	In Progress	2024	
Baxter Creek Floodplain SSA (Special Study Area)	Planning	In Progress	2024	
Official Plan	Planning		2024	County OP posted for approval on ERO, Township provided support, pending provincial approval and PPS approval
Zoning By-law	Planning		2025	Will follow County OP, Township OP and approval
MVT Bridge and Boardwalk Repairs	Parks and Facilities		2024	
Parks and Recreation Plan Phase Three	Parks and Facilities		2024	
CMCC Splash Pad/Water Features	Parks and Facilities		2024	
OMS Play Shade Structure	Parks and Facilities		2024	
HVAC Unit Municipal Office	Parks and Facilities		2024	

Project List	Department	Status	Est. Report Date	% Complete
Fire Hall No. 1	Protective Services	In Progress	2024	
Bunker Gear	Protective Services			
Fire Hoses	Protective Services			
Public Works Ops Centre Generator, Fuel System	Public Works			
Sidewalks	Public Works			
Lisa Court Reconstruction	Public Works			
Cross Road Culvert (Larmer Line)	Public Works			
Roads Needs Study and OSIM Report Study	Public Works			
Brookside Street Reconstruction	Public Works			

Operating duties are not included

Committee of Councils - MVT, MRHAC, BIA, SUSTAINABILITY

The Township of Cavan Monaghan

By-law No. 2024-16

Being a by-law to appoint Building Inspectors for the Township of Cavan Monaghan

Whereas under Section 3(2) of the *Building Code Act*; S.O. 1992, Chapter 23, as amended, the Council of each municipality shall appoint such inspectors as are necessary for the purposes of the enforcement of this Act in the areas in which the Municipality has jurisdiction.

And Whereas the Solicitor General did on the 30th day of July, 1984 designate employees of Municipalities whose duties include the enforcement of By-laws as Provincial Offences Officers for the purposes of enforcing the provisions of Municipal By-laws;

And Whereas the Council of the Township of Cavan Monaghan deems it expedient to appoint Building Inspectors for the Township of Cavan Monaghan who shall also be appointed a Provincial Offences Officer;

And Whereas Subsection 3 of Section 1 of the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33 as amended, provides that a Minister of the Crown may designate in writing any person or class of persons as a Provincial Offences Officer for the purposes of all or any class of offences.

Now Therefore be it Enacted as a By-law of the Township of Cavan Monaghan as follows:

1. That Kathleen Shepherd is hereby appointed as Building Inspector for purposes of enforcement under the *Building Code Act*; S.O. 1992, Chapter 23, as amended, for the Township of Cavan Monaghan:
2. That Kathleen Shepherd is hereby appointed as a Provincial Offences Officer under the *Provincial Offences Act*, R.S.O., 1990, Chapter P.33 as amended, for the Township of Cavan Monaghan pursuant to the designation by the Solicitor General of certain municipal employees on the 30th day of July 1984.
3. That this By-law shall become effective the 18th day of March, 2024.

Read a first, second and third time and passed this 18th day of March, 2024.

Matthew Graham
Mayor

Cindy Page
Clerk

The Township of Cavan Monaghan

By-law No. 2024-17

Being a by-law to confirm the proceedings of the regular meeting of the Council of the Township of Cavan Monaghan held on the 18th day of March 2024.

Whereas the Municipal Act, 2001, S.O., 2001, c.25, S.5, S. 8 and S. 11 authorizes Council to pass by-laws;

Now Therefore the Council of the Township of Cavan Monaghan hereby enacts as follows:

1. That the actions of the Council at its regular meeting held on the 18th day of March 2024, in respect to each recommendation and action by the Council at its said meetings except where prior approval of the Local Planning Appeal Tribunal or other statutory authority is required are hereby adopted ratified and confirmed.
2. That the Mayor and Clerk of the Township of Cavan Monaghan are hereby authorized and directed to do all things necessary to give effect to the said actions or obtain approvals where required, and to execute all documents as may be necessary and the Clerk is hereby authorized and directed to affix the Corporate Seal to all such documents. Read a first, second and third time and passed this 18th day of March 2024.

Matthew Graham
Mayor

Cindy Page
Clerk