



**The Corporation of the Township of Tay
Committee of all Council Meeting**

**February 13, 2019
10:00 a.m.**

**Municipal Office Council Chambers
Agenda**

1. Call to Order:

2. Adoption of the Agenda:

3. Disclosure of Interest:

4. Delegations

10:00 – F. Hacker, Midland Culture Committee - Re: Request Creation of Joint Culture Committee.

10:15 – A. Hartman - Re: Funding Request for the new Georgian Bay Cancer Support Centre.

10:30 – W. Simpson, Canacrafted – Re: By-law Enforcement Matters related to 43 Meadows.

10:45 – L. Perreault, VP of Clinical Services and Chief Nursing Executive – Re: GBGH Foundation Update.

5. Standing Committee Business:

A: Protection to Persons & Property

B: General Government & Finance

C: Public Works

D: Planning & Development

6. Closed Session:

6.1 Verbal Report from the Chief Administrative Officer and Clerk –
Re: A proposed or pending acquisition or disposition of land by the municipality or local board (Potential Land Acquisition).

- 6.2 Verbal Report from the Director of Public Works – Re: A litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board (Litigation Update)
- 6.3 Report from the Chief Administrative Officer – Re: Personal matters about an identifiable individual, including municipal or local board employees (Committee Appointments)

7. Adjournment:

Note: Delegations will commence at the schedule time; however, commencement time for each Committee will be adjusted as the meeting takes place.



CULTURE COMMITTEE

Presentation to Township of Tay

February 13, 2019

Fred Hacker, Chair, Culture Committee



CURRENT STATUS

- Midland Municipal Cultural Plan (the “Plan”) prepared in 2013 and adopted in 2014
- Plan specifically contemplates a regional approach to cultural planning:
 - *Section 3.2: “The call for greater collaboration reached beyond the Town of Midland to the wider region. ... regional alliances and joint strategies set a precedent for similar potential action in the cultural area. ... Mechanisms to support ongoing dialogue with neighbouring municipalities on cultural development issues were called for. ... The importance of culture and heritage cited in both the Economic Development Strategy Action Plan and the Huronia Area Tourism Strategy open up opportunities to leverage recommendations in these plans to advance a regional cultural agenda.”*

- Culture Midland Committee (the “CMC”) found cultural activity overlaps municipal boundaries
- CMC 2016 Strategy & Initiatives adopted initiative to expand beyond geographic limits
- In 2017, Midland Council approved expansion of CMC activities beyond municipality
- In past year, representatives appointed by Tay (Lynn Racicot), Tiny and Penetanguishene joined CMC

- 2017 Trillium Grant was regionally based
- Two goals of the Plan are to :
 1. “promote cultural activity”; and
 2. “celebrate & leverage cultural resources”

CMC believes that the most effective and appropriate way to achieve these goals is on a regional basis by establishing a Joint Cultural Committee (“JCC”)

ACTIVITIES

1. * Culture Awards
2. * Artrepreneur
3. * Business for Arts
4. * tArt Music & Art Festival
5. * Time.ly calendar
6. * Grants Presentation
7. * Great Lakes Shipwrecks
8. * Cultural Connections
9. * Data base of creatives
10. * Cruise ship visits
11. * Arts, Culture, Heritage
12. * Doors Open
 - + * Tall Ships 2019
 - + * Busker Festival 2019
 - + * Artist in Residence

* connotes regional

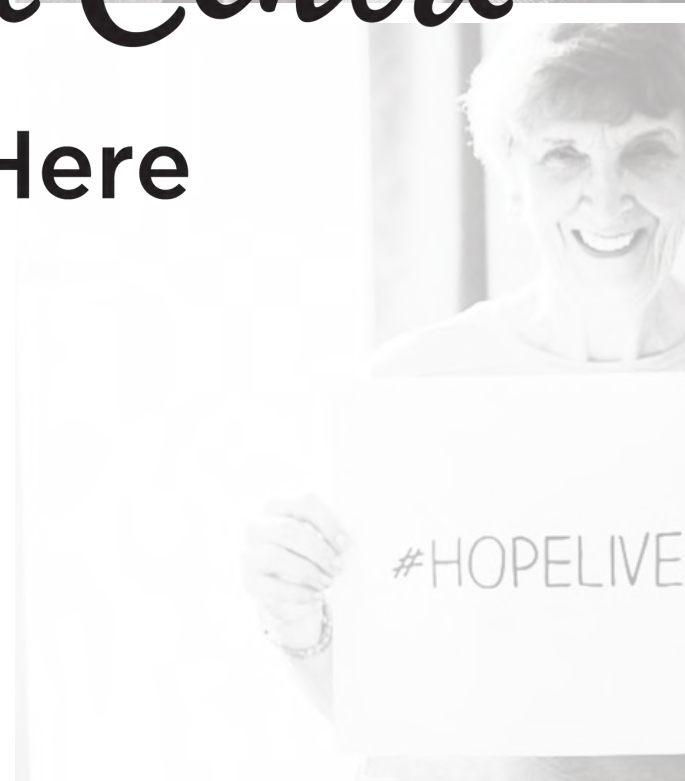
PROPOSAL

1. CMC has been authorized by Midland Council to seek support of Tay, Tiny, Penetanguishene, and Beausoleil First Nation (“Communities”) to create JCC.
2. CMC will seek temporary appointments to JCC of one Council Member and one staff person per Community to create Terms of Reference for adoption by each Community.

3. Communities will then make appointments to JCC per new Terms of Reference.
4. Each Community is asked for \$10,000 per annum for programming.
5. Each community will be invited to make one staff person available to support work of JCC in its community (Midland will provide Karen Mealing as principal cultural coordinator).

ANNUAL BUDGET (Preliminary)

- \$5000 – Culture Awards
- \$7000 – Artrepreneur
- \$6000 – Cultural Symposium
- \$2000 – Calendar
- \$5000 – Grants
- \$2500 – Cruise Ships
- \$2500 – Cultural Connections
- \$5000 – Tall Ships
- \$5000 – Buskers
- \$10,000 - Festivals



Georgian Bay Cancer Support Centre

Hope Lives Here

#HOPELIVE



OUR VISION

Georgian Bay Cancer Support Centre strives to be recognized as a source of support, education and motivation for people living with cancer, their families and caregivers. Our vision is to be recognized throughout North Simcoe and the surrounding communities as a place of hope, comfort, strength and courage.

A grayscale photograph of a woman with short, light-colored hair, smiling and sitting in a small boat on a body of water. She is wearing a dark jacket and has her fists raised in a gesture of triumph or solidarity. The background shows a calm sea and a distant shoreline under a clear sky.

1 in 2

Canadians will develop
cancer in their lifetime.

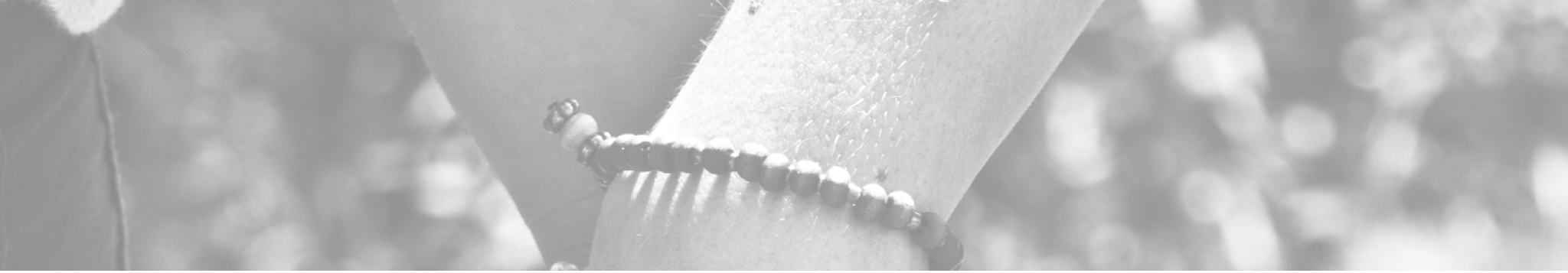
Source: Douglas Mental Health University Institute

A group of people are practicing yoga in a courtyard. They are in a low, forward-bending pose on mats. The background is a brick building with several windows. The scene is outdoors with some greenery visible.

Due to advancements in treatments and early detection, more Ontarians than ever before are living with or surviving cancer.

©kellymossphotography.com

Source: Douglas Mental Health University Institute



PSYCHOSOCIAL ONCOLOGY

Psychosocial Oncology is a specialty in cancer care concerned with understanding and treating the social, psychological, emotional, spiritual and functional aspects of cancer, from prevention through bereavement.





PSYCHOSOCIAL SUPPORT

Reduces stress

Helps patients complete medical treatment

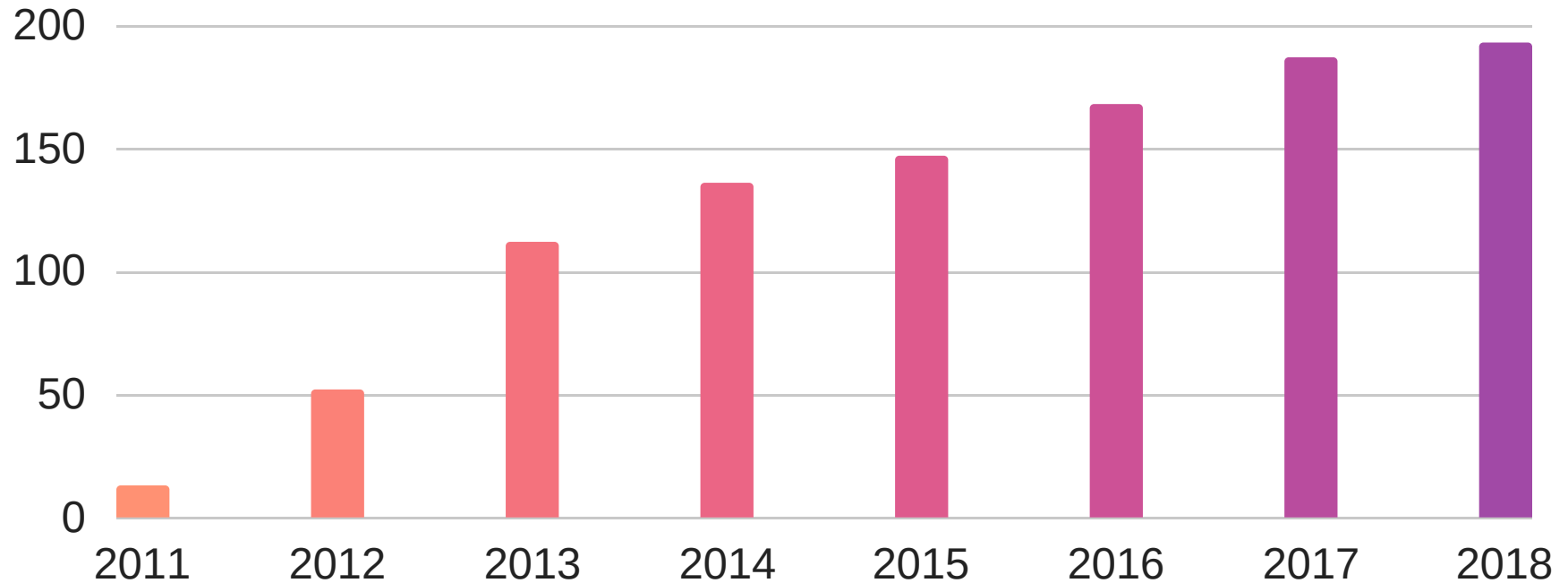
Improves quality of life

Helps family caregivers avoid burnout

Saves money for the healthcare system

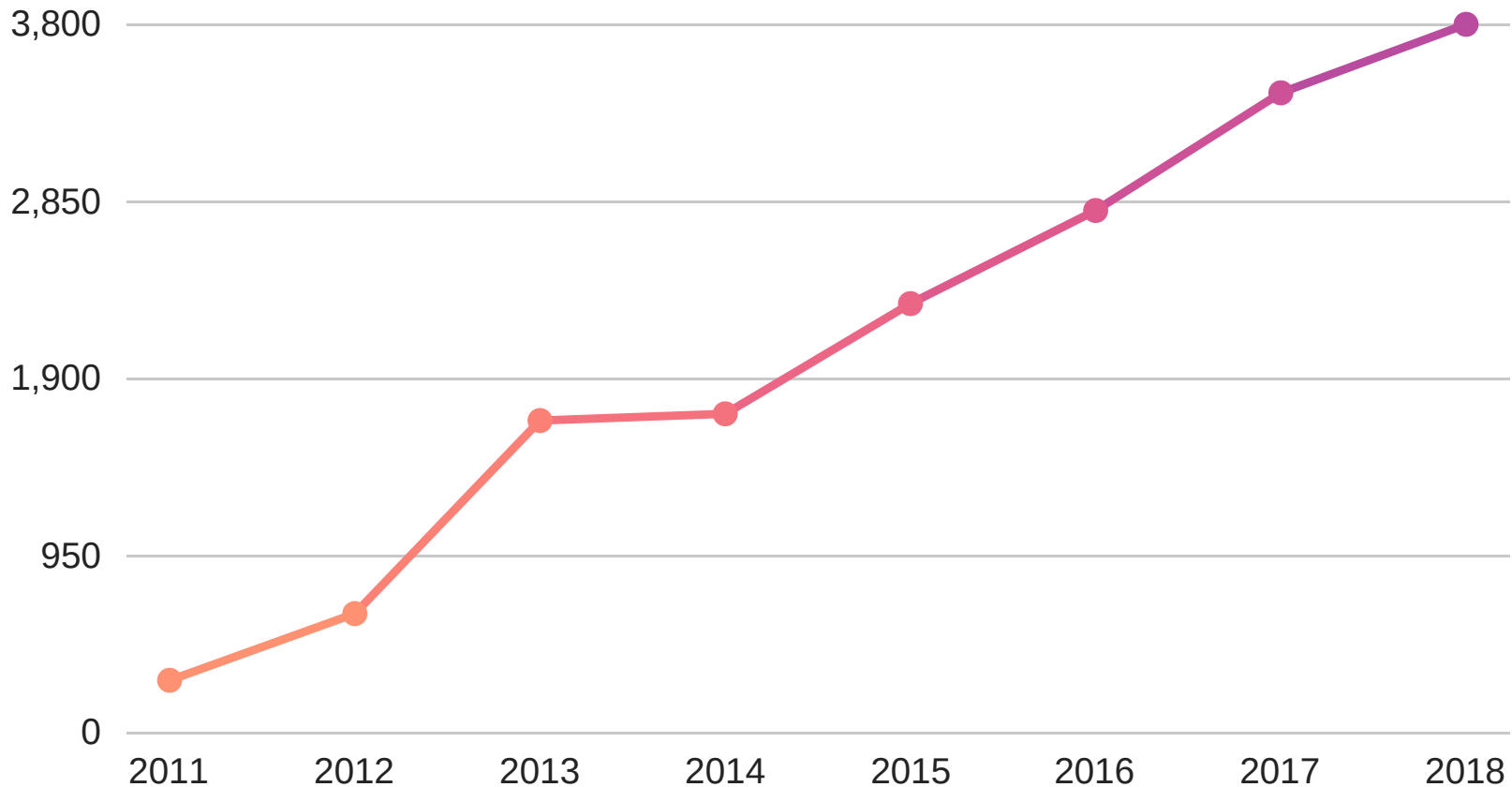


INCREASING MEMBERSHIP



187 ACTIVE MEMBERS

INCREASING PROGRAM ATTENDANCE



300 PROGRAMS ATTENDED/MONTH

The Centre does not receive ongoing Ministry funding, but through the support of this community, the Centre has sustained its growth for the past 7 years.

GBGH has been the Centre's landlord
since the doors opened in 2011.

Unfortunately, the Penetanguishene
site will be closing in 2020.

The Centre needs a new home.

OUR MUST-HAVES

- Quiet street
- Central Location
- Garden of Hope
- 4,000 sq/ft
- Sufficient Parking
- Accessible

OUR LOCATION

31 Lucy Street was purchased for \$2 from the Town of Penetanguishene in June 2019.



a home for hope

The first rural cancer support centre built in Ontario.



August 2019 Timeline

Within Budget

10 Year Warranty

Hire Local Contractors

Accept In-Kind Donations

Sustainable Construction







RAISING THE \$1.6M

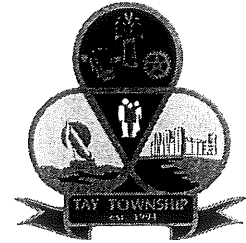
	Committed	Goal
Major Gifts (\$50k+)	\$880,000	\$900,000
Capital Donations	\$185,000	\$300,000
Grants	\$25,000	\$200,000
In Kind	\$10,000	\$200,000
	\$1,100,000	\$1,600,000

We are kindly requesting the Township of Tay to consider donating \$10,000 to A Home for Hope to ensure your local families facing cancer have the support they need, not only for today but into the future.

Thank you for your time.

TAY TOWNSHIP

450 Park Street
PO Box 100
Victoria Harbour, Ontario
L0K 2A0



Delegation Request Form

Name: William Simpson E-mail: _____
Phone: [REDACTED] Other Phone: _____
Bus./Org. Name: CANACRAFTED
Address: 43 Meadows

PRESENTATION DETAILS

Presenter: William Simpson

Subject Matter: Extra fees for Invoice, 2 days late
Court Summons / Planning Act Issue

Action Requested:

Waive \$30.00 extra fee 2 days late
Withdraw / negotiate settlement.
Discuss previous CANACRAFTED presentation as applies

Date Requested: to new CABINABIS Act.

Equipment to be used:

☐ Projector ☐ Township Laptop ☐ USB ☐ Other

Delegations are provided a maximum of ten minutes, per the Council Procedural By-law.

NOTE: Delegations will not be scheduled if the matter has already been before Council and a decision rendered. Further, multiple or repeat delegations on the same matter will not be scheduled unless new information on the matter is provided.

Please submit your completed request to:

Mrs. Alison Gray, Clerk

agray@tay.ca

450 Park Street, P.O. Box 100, Victoria Harbour, ON, L0K 2A0

Notice of Collection/Use/Disclosure: All information submitted in support of meetings of Council is collected in accordance with the *Municipal Act, 2001*, and may be used in deliberations, and disclosed in full, including email, names and addresses to persons requesting access to records of Council. All information submitted to the municipality is subject to disclosure under the *Municipal Freedom of Information Act (MFIPPA)*. Questions about this notice of collection should be directed to the Clerk's Office 705-534-7248 ext. 240.



La Fondation
Hôpital général
de la baie
Georgienne

Georgian Bay
General Hospital
Foundation



Georgian Bay General Hospital

February 2019





La Fondation
Hôpital général
de la baie
Georgienne

Georgian Bay
General Hospital
Foundation

THANK YOU!

Since 1999, the Tay Township has given
\$317,576 to Georgian Bay General
Hospital!

Your gifts have supported:

- ▲ “Today I’m Working for My Hospital” campaign
- ▲ Annual equipment
- ▲ Emergency department renovation
- ▲ CT scanner





Hopital general de la baie Georgienne
GEORGIAN BAY
General Hospital

BY THE NUMBERS



626

Staff

127

Credentialed Staff
(Physicians, midwives,
dentists)

185

Volunteers

39,354

Inpatient days

46,194

ED visits

12,943

Amb Care

6,822

Dialysis visits

665,095

Lab tests

9,994

CT scans

3,958

Surgeries



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Economic Contributions

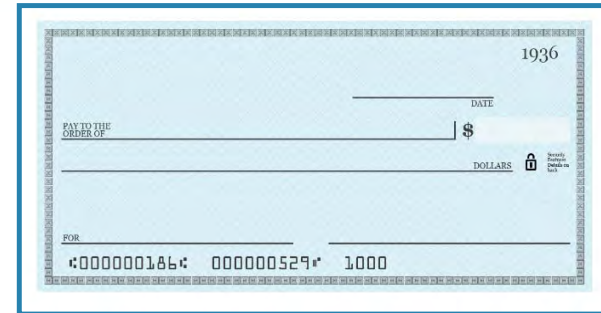


77.4%
of GBGH physicians
live locally in the
municipalities GBGH
serves



When possible, GBGH supports
local businesses through its
purchasing.

Example: KeeBee Play



\$29,645,389

Combined
payroll of all
staff per year





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Georgienne

Georgian Bay
General Hospital
Foundation

Your hospital; Your community

The residents of Tay Township rely on Georgian Bay General Hospital each and every day.

- 6,219 visits to the Emergency Department in 2017
(62% of total population)
- 13% of total ED visits

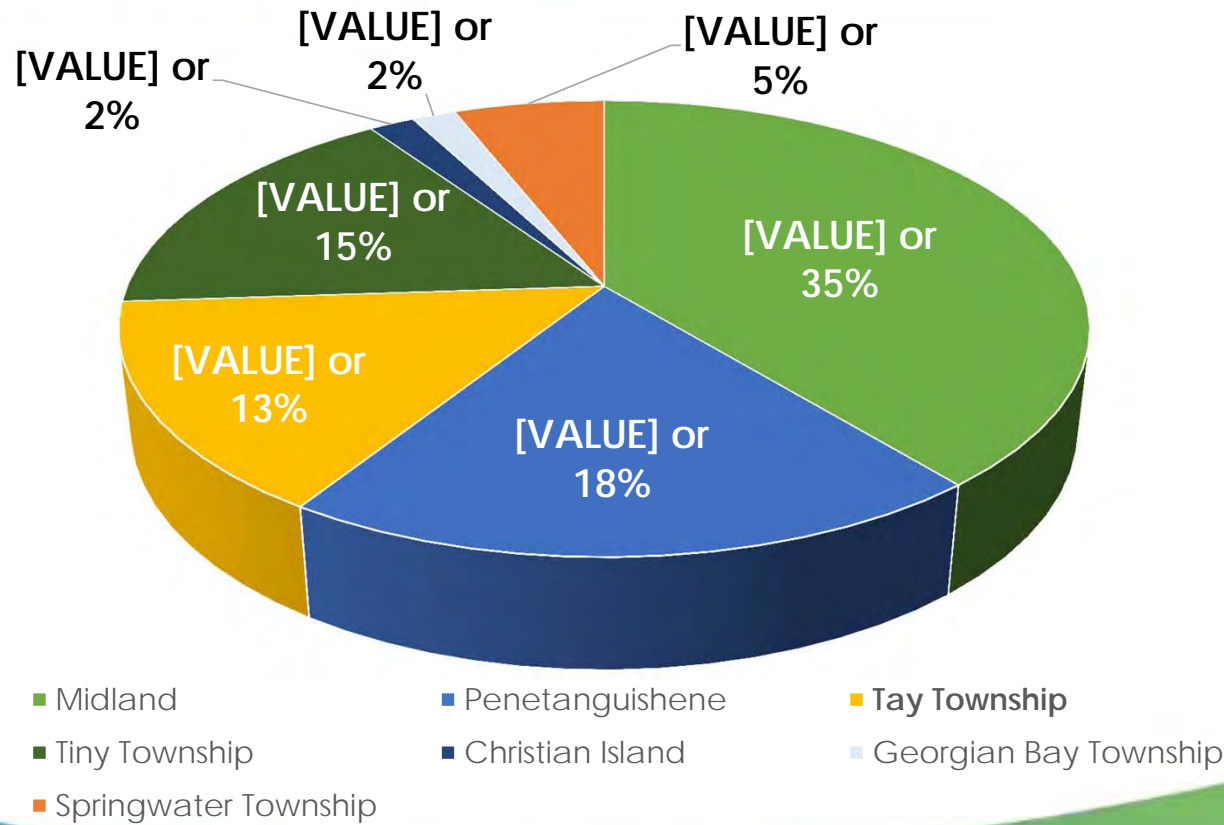




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ED Visits by Municipality





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Georgian Bay
General Hospital
Foundation

Emergency Department

Entire department has been renovated, including more than 8,000 square feet in additional space.





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Georgian Bay
General Hospital
Foundation

CT Scanner Update

- ▀ **\$1.6-million almost complete!**
- ▀ Renovations converted an X-ray room to the new CT room
- ▀ CT scanner arrived on September 28th and the first Ct scan was performed on **October 15th**





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Annual Equipment Update

- More than \$7-million in necessary equipment & infrastructure upgrades
 - Infrastructure: Laboratory, Sterilization Unit, Pharmacy
 - Equipment: IV Infusion Pumps, Beds, Vital Signs machines
- In 5 years, the needs will exceed \$20-million
 - Technology: Meditech Software system





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Investing in Local Healthcare

Why General Funds are important?

- ▲ Priorities can change throughout the year
- ▲ Aging hospital = aging equipment
- ▲ Unexpected failures require immediate action





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The Impact of Equipment

"When I required Emergency Surgery, I was so grateful that our hospital was equipped with everything the surgeons needed to get me back to health. I want to do my part to make sure that future patients at GBGH have the same opportunity."

~ Mike Thor, GBGH patient (2018)



Operating Room Table
purchased in 2016 for \$24,474
7,834 patients impacted





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de la baie
Georgienne

Georgian Bay
General Hospital
Foundation

Your hospital needs you!

\$23,800

Please help us to keep healthcare in
our community.



November 6, 2018

Township of Jay
450 Park Street, P.O. Box 100
Victoria Harbour, Ontario
L0K 2A0

Attention: Alison Gray, Clerk

Dear Mayor Walker and Council members,

We sincerely thank you for your ongoing support of Georgian Bay General Hospital and patient care in our local communities. I am pleased to write to you to invite you, again, to invest in supporting our hospital's needs.

As you know, lifesaving equipment at Georgian Bay General Hospital (GBGH) is not funded by provincial healthcare dollars, and the ongoing purchase of all new and replacement equipment required for patient care is reliant on community support. As such, the purpose of our request is to ask for your continued, generous annual support of \$23,800 to help fund the immediate patient care priorities of GBGH.

Right now, GBGH has a list of more than \$7-million in medical equipment needs and infrastructure upgrades. The equipment on this list isn't "nice to have" – it is essential, much-needed equipment required to perform daily medical diagnostics, update our facility and care for our patients. Here are some examples:

ED Transport Defibrillator	Bladder Scanner
Portable X-Ray Unit	Video Laryngoscope
Vital Signs Monitors	IV Infusion Pumps

We have attached the newly updated Corporate Values and Strategic Direction for GBGH and we trust you will find them in line with your priorities as well. Certainly, the support of community health and well being is the main focus of our local hospital. We would welcome the opportunity to speak with you directly about our needs, at your convenience.

Thank you for considering this opportunity.

Sincerely,

Kathy Elsdon Belfort
Interim Executive Director
Georgian Bay General Hospital Foundation

1112 St. Andrews Drive, Box 760, Midland, ON L4R 4P4
Charitable Registration #11896 5789 RR0001
(705) 526-GIVE | www.gbgh.ca



La Fondation
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Foundation

Thank you for your time
and consideration.

Questions?



**Protection to Persons & Property Committee
February 13, 2019**

Agenda

1. Call to Order:

2. Reports of Municipal Officials:

- 2.1 Report from the Fire Chief
Report No. PPP-2019-09
Re: Fire Chief Monthly Report – January 2019
- 2.2 Report from the Fire Chief
Report No. PPP-2019-10
Re: Bunker Gear Purchase 2019
- 2.3 Report from the Fire Chief
Report No. PPP-2019-11
Re: Potential Pumper Truck Disposal
- 2.4 Report from the Deputy Fire Chief/FPO
Report No. PPP-2019-13
Re: Deputy FC/FPO Monthly Activity Report – January 2019
- 2.5 Report from the Municipal Law Enforcement Officer
Report No. PPP-2019-17
Re: By-law Monthly Activity Report – January 2019
- 2.6 Report from the Municipal Law Enforcement Officer
Report No. PPP-2019-03
Re: Year End By-law Activity Report for 2018
- 2.7 Report from the Municipal Law Enforcement Officer
Report No. PPP-2019-15
Re: Proposed Public Parks and Trails By-law
- 2.8 Report from the Municipal Law Enforcement Officer
Report No. PPP-2019-16
Re: Proposed Open Air Fires By-law
- 2.9 Report from the Municipal Law Enforcement Officer
Report No. PPP-2019-14
Re: MLEO/Canine Monthly Activity Report – January 2019
- 2.10 Report from the Clerk
Report No. PPP-2019-08
Re: Community Policing Committee

3. Other Business:

4. Items for Information:

- 4.1 Correspondence from the Ministry of Finance
Re: Enforcement of the Cannabis Control Act, 2017



STAFF REPORT

Department/Function: Protection to Persons and Property

Chair: Councillor Sandy Talbot

Meeting Date: February 13, 2019

Report No.: **PPP-2019-09**

Report Title: Fire Chief Monthly Report – January 2019

RECOMMENDATION:

That Staff Report No. PPP-2019-09 regarding the Fire Chief's Monthly Report – January 2019 be received for information;

The Chief Attended:

3	MVC Call
1	Medical Call
4	Fires
4	False Alarms
1	Carbon Monoxide Call
1	Haz Mat Call

With the arrival of the medium duty rescue truck, staff requests that we reassign the replaced rescue truck to the ice water rescue team, as has been the protocol in the past. The truck that the ice water team currently uses is 10 years older than the replaced vehicle, it has a smaller storage area for their equipment, and very tight quarters for team members to put on their ice water floatation gear.

The transition of the Tay Fire & Public Works Radio Communications system to digital is complete. The IT department installed a link between the antenna at the Rogers Tower and the Waubaushene water tower, which has ensured a far better signal coverage throughout the Township of Tay. We had budgeted \$82,000 in reserves, and the remaining \$15,000 will be paid with Council's permission through the Fire Marque cost recovery monies that have been collected in the past years.

Recruitment:

The recruits had their first training session this month, and training continues with completion anticipated for early June.

Monthly Training:

Staff recently completed training on both the Narcan and EpiPen procedures. Implementation of the Quality Care Program starts February 1st 2019. We are currently in the process of registering with the Simcoe Muskoka Health Unit to receive our free Narcan.

Tay Fire & Emergency Services were dispatched to 24 emergency calls during the month of January.

Year to Date Totals:

2019	24
2018	257
2017	272
2016	241
2015	263

Year in Review:

Here is a partial breakdown of calls dispatched:

<u>Call Type</u>	<u>Month</u>	<u>YTD</u>
Fire	5	5
Medical	4	4
Motor Vehicle Collision	6	6
False Alarms	5	5
Carbon Monoxide	2	2
Hazardous Material	1	1

By-law

By-law staff are working diligently to update numerous by-laws, which will be brought forward to Council over the next couple months.

We are continuing with our prosecution of the medical marijuana establishment, as well as a number of property standards non-compliance issues.

Canine Control

Staff are completing kennel inspections, which is a compliance requirement for a kennel license. All kennels have been reminded of the requirement to have solid fencing around the kennel run and play areas by 2020. Our full-time canine officer continues to be on long term disability and the contracted officer's contract has been extended to March.

Prepared By:

Brian Thomas, Fire Chief/CEMC

Reviewed By:

Date:

Robert J. Lamb, CECd, Ec.D.
Chief Administrative Officer



STAFF REPORT

Department/Function: Protection to Persons and Property Committee

Chair: Councillor Sandy Talbot

Meeting Date: February 13, 2019

Report No.: **PPP-2019-10**

Report Title: Bunker Gear Purchase 2019

RECOMMENDATION:

That Staff Report No. PPP-2019-10 regarding Bunker Gear purchase 2019 be received; and;

That Council grants an exception for the sole source procurement of bunker gear under the Township of Tay's Purchasing Policy; and;

That the Township purchase Bunker Gear to replace existing equipment that has come to the end of its useful life from A.J. Stone in the amount of \$26,203.20 plus HST.;

And that the required bylaw be brought forward to the next regular Council Meeting.

INTRODUCTION/BACKGROUND:

The Township of Tay annually purchases between 6 – 10 sets of Bunker Gear to replace the sets that have become older than the 10 years of service allowed by Ministry of Labour criteria. Every 6-8 years there is a larger amount of Bunker Gear that is required for replacement than the norm. For 2019 we require 16 sets for our firefighters.

As a reminder, not only do we need to supply the proper protective equipment for our firefighters, we also have to either have a second set of bunker gear for each firefighter (74 sets), or have a number of spare sets that can be used while the main set of bunker gear is out of service for cleaning, or physical repairs and testing.

ANALYSIS:

The individual cost per set of bunker gear from Innotex for 2019 is \$1,833.75 plus HST. Every year a number of the neighboring Fire Chiefs get together and review what is new in bunker gear, what our minimum standards are and get pricing from various manufacturers. Each January there is a price increase by all manufacturers. The amounts vary each year, but all manufacturers can take between 3 – 6 months from the time of fitting, to time of receiving the product. All manufacturers will give a discount to pricing depending on the amount of product being purchased. Normally the amount of the discount would start at 25 sets being bought at once, and then grows with 50 sets ordered then 100 sets. By purchasing as a group and buying in volume, Tay can save \$196.03 per unit plus tax. These savings allow the Township of Tay to purchase other equipment that is also due for replacement for the same cost. It would allow us to purchase 12 helmets, or 21 sets of fire boots, or 30 pairs of gloves.

FINANCIAL/BUDGET IMPACT:

The Bunker Gear will be paid for through reserves in the 2019 approved Budget.

CONCLUSION:

Staff is recommending that Council authorizes the Fire Chief to purchase the bunker gear as a sole source provider from A.J. Stone at a price of \$26,203 plus HST.

Prepared By: Brian Thomas, Fire Chief/CEMC

Reviewed By:

Date:

Robert J. Lamb, CEcD, Ec.D.
Chief Administrative Officer



STAFF REPORT

Department/Function: Protection to Persons and Property Committee

Chair: Councillor Sandy Talbot

Meeting Date: February 13, 2019

Report No.: **PPP-2019-11**

Report Title: Potential Pumper Truck Disposal

RECOMMENDATION:

That Staff Report No. PPP-2019-11 regarding a potential Pumper Truck Donation for the Orillia Georgian College Firefighter Program be received.

INTRODUCTION/BACKGROUND:

I have been approached by the Dean of Georgian College in Orillia to determine if the Township of Tay would be interested in donating the Pumper Truck from Hall 1 to the College for use in their Firefighter program, once our new Pumper Truck for Hall 1 has been placed in service. I suggested that the College send someone over to examine our 21 year old pumper to ensure that they would indeed want it to replace their 30 year old Pumper.

The Township of Tay currently has a By-law in place that sets criteria in which to dispose of equipment or property determined not to be in need or in excess. Some of the ways for disposal are to offer them to staff if they have a low set dollar value, advertise them for sale, or donate them to a charity.

ANALYSIS:

In this case, the value of the Pumper Truck is above the limit for offering solely to staff for purchase. That leaves either advertising the Pumper Truck for sale, or donating it to a charity.

A recent review of comparable older fire pumper trucks currently on the Gov Deals auction website, which we use for disposal of declared excess equipment, showed vehicles for a minimum bid of \$1,000 that sold for \$4,525 and some that have sold for as high as \$8,000 in the last year. As

recently as January 28th, 2019, 2 vehicles are on auction, that currently have a minimum bid of \$5,000 one of which has no bids, and the other has a bid at \$5,100.

FINANCIAL/BUDGET IMPACT:

Any monies recovered would go to replenish the Fire Department reserves. The College has offered to supply us with a mutually agreed upon tax receipt amount, however talking with the Treasury Department , the Township of Tay would not be able to take advantage of the potential tax savings.

CONCLUSION:

Staff is asking for Council's direction as to move forward on donating the Pumper Truck once it is out of service, or post the Pumper Truck on Gov Deals and put any potential monies back into the Fire Department reserves. Council could also direct that a minimum bid be set at auction say \$2,000 and if that amount is not reached, the Pumper Truck would be then donated to the Orillia Georgian College Campus for their Firefighter program.

Prepared By: Brian Thomas, Fire Chief/CEMC

Reviewed By: Date:

Robert J. Lamb, CECd, Ec.D.
Chief Administrative Officer



STAFF REPORT

Department/Function: Protection to Persons and Property Committee

Chair: Councillor Sandy Talbot

Meeting Date: February 13, 2019

Report No.: **PPP-2019-13**

Report Title: Deputy Fire Chief/Fire Prevention Officer
Monthly Activity Report – January 2019

RECOMMENDATION:

That Staff Report No. PPP-2019-13 regarding Deputy Fire Chief/FPO Monthly Activity report – January be received for information.

INTRODUCTION/BACKGROUND:

Activity	This Month	YTD 2018	YTD 2017	YTD 2016
Routine Inspections	3	3	2	1
Request Inspections	1	1	0	1
Complaint Inspections	1	1	2	0
Information Inspection	0	0	1	1
Follow up Inspections	4	4	3	2
Courses Attended	3	3	0	1
Fire Calls Attended	8	8	12	2
Meetings (PIP/OP-co-op etc)	5	5	4	1
Orders issued	0	0	2	0
Immediate threat to life	0	0	0	0
Burning Complaint(s)	0	0	0	0
Training Presented	1	1	1	1
Pub Ed Performed	0	0	1	0
Hall Meetings	1	1	4	4
Hall Practices	1	1	0	0
Council	0	0	0	0
Misc. (dept related)	8	8	5	3
Court	0	0	0	0
Fire safety plans reviewed	5	5	3	2
TOTAL	41	41	40	19

TICKETS ISSUED

Ticket	Quantity	Total
PART I	0	0
PART II	0	0
PART III	0	0
TOTAL	0	0

Prepared By: Shawn Aymer, Deputy Fire Chief/ Fire Prevention Officer

Recommended By: Date: February 6, 2019

Brian Thomas
Fire Chief

Reviewed By: Date:

Robert J. Lamb, CECd, Ec.D.
Chief Administrative Officer



STAFF REPORT

Department/Function: Protection to Persons and Property Committee

Chair: Councillor Sandy Talbot

Meeting Date: February 13, 2019

Report No.: **PPP-2019-17**

Report Title: By-law Monthly Activity Report –
January 2019

RECOMMENDATION:

That Staff Report No. PPP-2019-17 regarding By-law Monthly Activity Report – January 2019 be received for information.

COMPLAINT OVERVIEW – January 2019

By-Law	Opened Files	Closed Files	Ongoing 2017	Ongoing 2018	Ongoing 2019
Clean Yards	1	0	5	10	0
Dogs	5	5	0	1	4
DOLA	0	0	0	0	0
Long Grass	0	0	0	0	0
Noise	0	0	0	0	0
Property Standards	1	0	2	12	1
Zoning	1	2	0	6	0
Tay Shore Trail-Vehicle	1	1	0	0	0
Burning	2	3	0	0	1
House Numbering	29	1	0	0	28
Heavy Garbage	1	1	0	0	0
Parks	1	1	0	0	0
Building	0	0	0	1	0
Encroachment	0	0	0	1	0
Snow Removal	2	2	0	0	0

Total files opened YTD	Total files closed YTD	Total Files Outstanding
44	16	72

This month there was a focus put on house numbering which is consistent with previous years around this time. A patrol was done of Victoria Harbour this month which revealed that 29 different addresses did not appear to have house numbers that were visible or conforming to the by-law. To date, one person has now since complied with 28 addresses still outstanding, however the deadline to comply is February 22nd, 2019. It is expected that a patrol will be done in the Port McNicoll area in February in regards to house numbering.

As in past reports, most files from previous years remain open as they are in court for their matters.

Type of Actions Taken

<u>Actions</u>	<u>January 2019</u>
Notice of Violation	43
Order to Comply	0
Charges	2
Notice of Demo/Removal	0

PON/Tickets Issued

<u>Type of Ticket</u>	<u>Quantity</u>	<u>By-law</u>
Part 1	2	Burning
Part 2	34	Parking
Part 3	0	

This month an individual was charged for burning materials not permitted and failure to comply with permit conditions which resulted in the 2 charges stated above.

Previous Month's Tickets Paid

All tickets in the previous month of December were paid with no outstanding tickets left over for January. All outstanding tickets from 2018 have now been sent to the courts which will be registered to the license plate as an unpaid fine.

Tickets Written - January 2019

<u>Type of Parking Ticket</u>	<u>Tickets written</u>	<u>Paid</u>	<u>No Payment</u>
Park with vehicle facing wrong direction	4	2	2
Park on Boulevard/Sidewalk	5	4	1
Park in Prohibited Area	0	0	0
Park within 3 metres of fire hydrant	0	0	0
Park on Municipal Property Without Permission	3	2	1
Park on roadway/ within 3.05m of roadway	19	6	13
Interfere with snow removal	3	2	1
Park in Fire Route	0	0	0
Park obstructing traffic	0	0	0

There were a total of 34 tickets written in the month of January, with the majority being in relation to winter parking. With heavy snowfall on multiple days throughout the month, staff completed numerous patrols in the early morning hours. Overall, vehicle owners seem to be aware that they cannot park on the road up until 12:00pm, as some mornings there was only 1 or even no tickets written.

Additional Items/ Future Considerations

There was no court date in the month of January; the next court date is scheduled for February 14th, 2019 which will see 5 matters at that time.

Staff have received an increasing amount of complaints with respect to nuisance lighting. At this time the Township does not have any by-law to regulate these types of complaints, for example a neighbour installing a light that shines directly into their neighbours window. This is a subject that may want to be discussed to determine how to proceed in the future.

There is a growing concern in the Township with regards to "puppy mills" within the urban areas. Staff are currently discussing how to proceed, and whether an amendment to our Canine By-law would be beneficial in order to better regulate this issue.

Staff will continue their review of existing and proposed new by-laws which will be brought forward for Council review in the coming months.

Prepared By: Rob Kennedy, Municipal Law Enforcement Officer

Recommended By:

Date: February 6, 2019

Brian Thomas
Fire Chief/CEMC

Reviewed By:

Date:

Robert J. Lamb, CECd, Ec.D.
Chief Administrative Officer



STAFF REPORT

Department/Function: Protection to Persons & Property Committee

Chair: Councillor Sandy Talbot

Meeting Date: February 13, 2019

Report No.: **PPP-2019-03**

Subject: Year End By-law Activity Report for 2018

RECOMMENDATION:

That Staff Report No. PPP-2019-03 regarding Year End By-law Activity Report for 2018 be received for information;

INTRODUCTION/BACKGROUND:

This year there were staffing changes in the contracted position of Canine Control Officer, and the position was vacant for a short period of time in May until it was filled by our current officer in June. He has fit into the position quite nicely, and took on the task of following up with all dog owners who had purchased a 2017 dog tag but had yet to purchase a 2018 (or multi-year) tag. This project was done in order to make sure that our files and lists were up to date and to make sure that compliance was achieved in respect to dog licensing. He has been a welcome addition to the by-law staff since arriving and will continue to work hard to make sure that by-laws are followed within the Municipality.

Over the course of the year there were a total of 259 files created due to complaints made by residents or proactive enforcement. Compared to last years number of 196 files opened in 2017, the by-law department has been busier with the added complaints and files opened. By-law staff made great progress in regards to gaining compliance with matters that were investigated. There are still some outstanding files from 2017, these will remain open as they move through the court system with the end goal of compliance.

The process that is followed by staff with step by step enforcement for files begins with a Notice of Violation issued, and if compliance is not achieved then an Order to Comply is issued to the owner of the property. If

compliance is still not achieved after that timeframe has expired then staff have three options to choose from depending on the situation:

1. Staff can either lay charges on the property owner and proceed through court to try and gain compliance that way
2. They can choose to hire a contractor to remove items, clean up a property, fix a dwelling, etc. which all costs are billed to the property owner
3. Staff can choose to use both methods and remove the items, clean up the yard and also charge the owner at the same time.

At no time this year was the third option of charging and cleaning up a property opted for. There was one instance where after a Notice of Violation, an Order to Comply and a further "Notice of Removal" (not required) had been sent to the owner, the owner still did not comply with the by-laws and the removal of three vehicles from their property was completed.

Over the course of the year there were changes to some existing by-laws and some new by-laws passed which changed how daily activities were conducted within the Township. The biggest change was the new Public Docks and Ramps By-law passed on April 25, 2018. Over the summer we did not receive any complaints in regards to barges using the boat launch, but we did receive calls from barge owners asking if they could dock for a certain period of time. Staff advised them of the by-law and provided suggestions for alternative options. During the summer, staff posted notices on 5 vessels that had been docked at the boat launch for over the 3 hour limit. These individuals were given a certain timeframe to have the boat removed, which in turn did not have any further action needed by staff as all owners complied with the notices and removed the boats within the time frame.

Another contentious issue that by-law staff dealt with throughout year was the use of motorized vehicles (e-bikes) on the Tay Shore Trail. From April to October staff received complaints from residents about people driving motorized vehicles on the Trail. At certain points of the year staff received multiple calls on a daily basis about this issue. The main use was e-bikes, and most of the time it was reported that the people driving the e-bikes were speeding along the trail with no regard for pedestrians or cyclists. Regular patrols were conducted by staff and when staff observed someone driving an e-bike on the trail, they were stopped and educated on the by-law and cautioned not to drive their motorized vehicle on the trail any longer. Over the course of the year there was one charge laid to a male who was found driving on the trail multiple times and after being cautioned twice he was charged and appeared in court where he pleaded guilty with a \$100 fine. This upcoming year will see increased patrols to ensure that individuals are not driving any motorized vehicles on the trail and staff hopes that with the increased presence people will find alternative routes of travel with an e-bike.

In addition to the routine enforcement duties, by-law had many matters before the courts this year. Some cases were left over from 2017 due to adjournments on behalf of the defense. In 2018 there were a total of 7 court dates with matters at each one of them. Some are still left over and will be hopefully resolved in 2019, but most of these matters were first seen in December and all but one on that date were put over for trials. This year there were 17 convictions registered out of 25 total matters throughout the year. With those 17 convictions there were 5 Dog Owners Liability Act Order's issued, one Probation Order issued due to a second offence under DOLA for an individual and \$2830 in total fines were imposed through court.

With respect to parking enforcement, a total of 303 tickets were written in 2018 with 60 of those tickets still outstanding payment at the end of the year. All 60 of those tickets have now been submitted to the courts for non-payment.

The Township continued the Toys for Tickets campaign which ran from November 15th to December 15th, 2018. Drivers who received a parking ticket during this time had the opportunity to pay their fine by donating a toy and/or non-perishable food items of equal or greater value to the fine. During that time frame, 53 tickets were written for various parking violations and a total of 13 tickets were paid by way of a toy or food donation.

TOWNSHIP OF TAY BY-LAW ENFORCEMENT
ANNUAL REPORT 2018 - TOTAL FILES OPENED

By-law	Open YTD 2018	Closed YTD 2018	Open in 2017
Clean Yards	41	32	80
Dogs	47	41	15
DOLA	7	7	3
Long Grass	29	29	26
Noise	4	4	7
Property Standards	34	22	14
Zoning	35	28	26
Fill	0	0	3
Signs	0	0	1
Burning	8	6	0
House Numbering	25	25	13
Heavy Garbage	21	21	4
Encroachment	3	2	1
Building Code	1	0	3
Parking	1	1	0
Snow Removal	1	1	0
Lawn Watering	1	1	0
Animals At Large	1	1	0

The total number of by-law enforcement files that were opened this year increased from 2017, partly because of last years two month absence of a by-law officer. Some of the files that are open for 2018 are in the process of court proceedings, and some are left open due to the individual being charged and staff waiting to see if the accused opts for trial. Those files usually stay open for 3-5 months to make sure that if a trial request is received the file is still open. Part 1 charges, including burning, dog and clean yards were up from 2017 numbers. A total of 38 charges were laid in 2018 compared to 14 charges in 2017. Parking tickets were up from 2017, with a total of 303 parking tickets issued in 2018 compared to 79 parking tickets issued in 2017. This is in part due to an increase in enforcement with regards to winter parking violations and the additional traffic in the summer at the public boat launch.

Prepared By: Rob Kennedy, Municipal Law Enforcement Officer

Recommended By:

Date: February 6, 2019

Brian Thomas
Fire Chief/CEMC

Reviewed By:

Date:

Robert J. Lamb, CECd, Ec.D.
Chief Administrative Officer



STAFF REPORT

Department/Function: Protection to Persons and Property

Chair: Councillor Sandy Talbot

Meeting Date: February 13, 2019

Report No.: **PPP-2019-15**

Report Title: Proposed Public Parks and Trails By-law

RECOMMENDATION:

That Staff Report No. PPP-2019-15 regarding the proposed Public Parks and Trails By-law be received;

And that the proposed Public Parks and Trails By-law be approved;

And that the required By-law be brought forward to the next Council meeting for consideration.

INTRODUCTION/BACKGROUND:

The Township of Tay Municipal Law Enforcement Officer routinely checks all regulatory by-laws in order to keep current with changes in legislation and to update by-laws that are outdated.

ANALYSIS:

Following a review of the current Parks By-law 2001-40 it was determined by staff that the by-law needed to be repealed and a new by-law be created and brought forward for Council's consideration.

Since the year 2001 there have been a lot of technological advances in activities that citizens can partake in within parks and along trails. Over the years, we have seen a new mode of transportation in the "e-bike" that has been utilized within the Township of Tay, specifically along the Tay Shore Trail. Further to that we have seen the design and advancement in motor vehicles as a whole from 2001-2019 which in turn forces municipalities to change the definition of "Motor Vehicles" to correlate with the Highway Traffic Act and other legislation. The definitions in current by-law are very

outdated, and there are also a lot of definitions that needed to be added within the by-law. Staff have researched other municipality's by-laws to ensure that wording was similar so that there are no different interpretations of a definition. The general provision section was extensively updated to be more streamlined and to clarify what individuals can and cannot do within public parks and along trails within the Township.

With the current Parks By-law being written in 2001 and the Motorized Vehicles on the Tay Shore Trail being written in 2006 it was determined by staff that combining both of the by-laws into one would make it easier to for the public. Staff has now integrated the prohibition of driving a motorized vehicle on the Tay Shore Trail within the proposed by-law that still includes the operation of "e-bikes" or "power assisted bicycles". This past summer staff received an abundance of complaints every week in respect to individuals operating these "e-bikes" and "power assisted bicycles" along the Tay Shore Trail. Staff made an effort to conduct patrols of the trail and did witness numerous individuals who were operating these types of motor vehicles on the trail.

Neither of the current by-laws have any set fines attached to any of the prohibitions. This raises a challenge for staff as the only way to charge an individual was to summons them to court. This in turn can be more costly than just issuing a ticket with a fine amount to the individual. With the proposed by-law there is now proposed set fines with the amount of each fine for Council's consideration.

A further update to the proposed by-law is an added schedule of all designated parks and trails within the Township. Being able to identify these areas within the by-law will again make it easier for the public to understand which areas these prohibitions will be in effect in and where they will not apply. The current Parks By-law does not have this within the by-law.

All set fines are \$150 with the exception of a few prohibitions. Specifically any individual who deposits household garbage within a park garbage receptacle will be fined \$300. Further to that the set fine for operating a motorized vehicle within a park or along the Tay Shore Trail will be \$250. These set fines are similar to other surrounding municipalities with the same demographic as the Township of Tay.

FINANCIAL/BUDGET IMPACT:

N/A

CONCLUSION:

This report includes the proposed Public Parks and Trails By-law and it is staff's recommendation that this by-law be passed and can be put into effect for this coming spring/summer/fall months to ensure public safety within the municipal parks and along all trails within the municipality.

Prepared By: Rob Kennedy, Municipal Law Enforcement Officer

Recommended By:

Date: February 6, 2019

Brian Thomas
Fire Chief

Reviewed By:

Date:

Robert J. Lamb, CECd, Ec.D.
Chief Administrative Officer

Attachments:

1. Proposed Public Parks and Trails By-law

THE CORPORATION OF THE TOWNSHIP OF TAY

BY-LAW NO. 2019-XX

Being a By-law to establish regulations within Municipal Parkland and Municipally owned lands used for recreational purposes within the Township or Tay and to repeal By-law 2001-40 and 2006-04

WHEREAS pursuant to Section 11(2) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended authorizes a municipality to pass by-laws with respect to the health, safety and well-being of persons;

AND WHEREAS pursuant to Section 11(3) of the Municipal Act, 2001, S.O. 2001 c. 25 as amended authorizes a municipality to pass by-laws with respect to culture, parks, recreation and heritage;

AND WHEREAS Section 119 of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, authorizes a municipality to prohibit or regulate the discharge of guns or other firearms, air-guns, spring-guns, cross-bows, long-bows or any other weapons;

AND WHEREAS Section 128 of the Municipal Act, 2001, S.O. 2001, c. 25 as amended, authorizes municipalities to prohibit and regulate with respect to public nuisances;

AND WHEREAS the Township is the owner of the former Canadian National rail corridor known as the Midland Subdivision extending from Waubauskene to the Wye River, in the Township of Tay, being mile 62.13 to mile 73.32, including without limitation the interest (if any) formerly owned by Trans Canada Trail-Sentier Transcanadien in the beds of the Wye River, Sturgeon River, Hogg River and in any bridges over said rivers including the entirety of the wooden trestle bridge over the Wye River;

AND WHEREAS the Township has established a recreational trail on the said lands above for the purpose of hiking, cycling, cross-country skiing and limited use by Snowmobiles;

AND WHEREAS Council have received complaints with respect to use of the said Trail by Motorized Vehicles;

AND WHEREAS Council is concerned that use by unauthorized Motorized Vehicles is inconsistent with the recreational uses intended for the Trail and poses a threat to public safety and a public nuisance;

AND WHEREAS Council deems it expedient to prohibit the use of unauthorized Motorized Vehicles on the Trail;

AND WHEREAS the Council of the Corporation of the Township of Tay deems it necessary to pass a by-law to regulate and protect Township parks;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF TAY ENACTS AS FOLLOWS:

SECTION 1 – DEFINITIONS

“All-Terrain Vehicle” means an off-road vehicle:

- That has four tires, the tires of which all make contact with the ground,
- Has a steering handlebar

- Has a seat that is designed to be straddled by the driver
- Designed to carry a driver and no passenger or a driver and one passenger;

“Barbeque” means an appliance or structure designed and intended solely for the purpose of cooking food in the open air including solid fueled and liquid fueled, but does not include devices predominantly designed for personal warmth, fire pits or campfires;

“Camping” means the erection of tents, huts or other temporary shelters for the purpose of temporary lodgings;

“Emergency Vehicle” means a Motorized Vehicle required to attend a situation which arises suddenly and requires prompt action, and includes ambulance, fire, police, and municipal law enforcement vehicles;

“Motorized Vehicle” means an automobile, motorcycle, power assisted bicycle, snowmobile or any other vehicle propelled or driven otherwise than by muscular power as defined by the Ministry of Transportation;

“Municipal Law Enforcement Officer” means a person appointed by Council for the purposes of carrying out the enforcement of Municipal by-laws;

“Municipal Parkland” means lands owned by or belonging to the Township of Tay that is utilized for recreational purposes and as otherwise may be designated for use as a public park, open space, dock or wharf, including, Tay Shore Trail and any and all buildings, structures, facilities, erections and improvements located in or on such land;

“Officer” means a Municipal Law Enforcement Officer and/or a Police Officer;

“Park” means any Municipal Parkland or Unopened Road allowance that is owned or belonging to the Township of Tay;

“Personal Mobility Device” means a motorized wheel chair or similar vehicle specifically designed for transportation of the physically disabled and that is not classified under any other vehicle definition as outlined by the Ministry of Transportation;

“Physically Disabled” means an individual as defined by the Ministry of Transportation requirements for the purpose of obtaining an Accessible Parking Permit who is unable to walk without assistance of a cane, crutch or similar device, suffers from respiratory, cardiovascular or musculoskeletal condition;

“Service Animal” means any animal used by a person with a disability for reasons related to the disability and the owner has a valid identification card signed by the Attorney General of Canada or a certificate of training from a recognized service animal training school;

“Service vehicle” means any municipal vehicle used in the maintenance of a park or any parkland;

“Snowmobile” means a motorized, self-propelled vehicle designed to be driven primarily on snow;

“Township of Tay” means the Corporation of the Township of Tay or the geographic Township of Tay as the case requires;

“Trail Grooming Machine” means a machine designed for the purpose of grooming snow to provide a maintained surface on which Snowmobiles travel;

“Tree” means the member of any coniferous or deciduous species having one or more self-supporting trunks/stems and includes the roots, branches, trunks/stems, or any part thereof;

“Watercraft” means any device for conveyance in or on the water and includes, but is not limited to, boats, row boats, sailboards, kayaks, or dinghies;

“Under Control” means that when an animal is not on the property where it is usually kept, the animal must be leashed or chained, and must be held securely by the person accompanying the animal and that person must be physically able to control the animal;

Unopened Road Allowance” means lands owned or belonging to the Township of Tay that are a road, street or highway which have not been established as a public highway or otherwise assumed by the Township of Tay for public use;

SECTION 2.0- GENERAL PROHIBITIONS

2.1 No person shall within any Municipal Parkland or Unopened Road Allowance:

2.1.1 Use discriminatory, abusive, harassing or insulting language or gestures or make excessive noise or disturb other persons in a park.

2.1.2 Willfully or maliciously damage or displace any tree, shrub, grass, plant, sand, gravel, soil, rock, building, monument, fence, bench or any other structure.

2.1.3 Plant, cultivate, groom, or landscape on any municipal parkland.

2.1.4 Carry or discharge any firearms, firecrackers, rockets, torpedoes, bows and arrows, cross bows, air guns, catapults, or fireworks.

2.1.5 Engage in the playing or practicing of golf, archery, “ball” or “ball and bat” games, except on ground specifically designed for such activities, and under no circumstances within 20 metres of a driveway.

2.1.6 Conduct or participate in any game or activity that may cause an element of danger to those people not engaged in the activity or game.

2.1.7 Ski, toboggan, snowboard, skibob or sled in an area except where signs authorizing such activities are erected.

2.1.8 Operate or use any apparatus, mechanism or device for the amplification of the human voice, music or sound.

2.1.9 Disturb, molest, wound, attempt to kill, or kill any bird, fowl or animal upon parkland property except by the authority of the Township and no person shall remove or injure any bird’s nest or eggs.

2.1.10 Scatter, drop, or leave garbage or refuse in any portion of the parks, except in receptacles provided for the deposit of refuse therein, any piece of paper, rag, garbage, empty container or other bottle or any glass articles or broken glass articles or rubbish of any kind.

2.1.11 Place or deposit household garbage or any garbage that is not related to the use of the parkland into any garbage receptacle on municipally owned parkland or property.

2.1.12 Let loose animals of any kind within any municipal parkland.

2.1.13 Swim, bathe, wade into the waters of any fountain, pond, lake or stream, except where designated for such purposes by the Township.

2.1.14 Use a park for the purpose of boat launching, except where designated for such purpose by the Township.

2.1.15 Use a park for the purpose of camping or overnight sleeping.

2.1.16 Build, set, light, stoke or maintain a fire or fire pit except in places provided therefore.

2.1.17 Throw or deposit any injurious or offensive matter into or cause any dog or other animal to swim in the water in any reservoir, lake, pond or other receptacle or water connected with any such park, or upon the ice in case the water is frozen, or in any way foul the water, or commit any unlawful damage or injury to the works, pipes or water, or encourage the same to be done.

2.1.18 Play or bet at or against any game conducted dealt or carried out on with cards, dice or other device for money, chips, shells, credit or any other representative of value, or maintain or exhibit any gambling table or other instrument for gambling or gaming.

2.1.19 Enter any place or location where the sign "No Admittance" is displayed.

2.1.20 Create a nuisance by loitering, spying, frightening, annoying or generally making himself/herself or themselves objectionable to other persons peaceably and circumspectly enjoying park privileges.

2.1.21 Distribute any handbills or circulars, or post, place or erect any bills, notice of paper, or advertising device or matter of any kind.

2.1.22 Sell, or offer for sale, or expose any merchandise, article or anything for immediate or future delivery, or any art, skill or service exercised or performed immediately or in the future.

2.1.23 Practice, carry on, conduct or solicit for any trade, occupation, business, or profession

2.1.24 Stand or park a vehicle in any part of a park for the purpose of hire, or solicit passengers for any vehicle for hire in the parks.

2.1.25 Willfully or maliciously let off or discharge any water so that it runs waste or useless from or out of any reservoir, pond, lake or other receptacle for water connected with any such park.

SECTION 3.0- NATURAL ICE RINKS

3.1 No person using any skating rink under the management of the Township shall:

3.1.1 Use a long nosed racing skate unless the same is protected by a toe guard of a type approved by the Township.

3.1.2 Race or speed so as to endanger or interfere with any other person using a rink.

3.1.3 No person shall carry a cane or stick of any kind on the ice except upon rinks provided for the playing of hockey and at the designated times.

SECTION 4.0- MOTORIZED VEHICLES

4.1 No person shall operate any motorized vehicle within a park, municipal parkland, including the Tay Shore Trail, First Avenue Trail or unopened road allowance.

4.2 Notwithstanding Section 4.1 of this By-law, a person may operate a motorized vehicle in the following circumstances:

4.2.1 In the event of an emergency involving personal injury

4.2.2 Motorized vehicles operated by the Ontario Provincial Police for enforcement or patrol purposes

4.2.3 Motorized vehicles operated by the Corporation of the Township of Tay for maintenance, enforcement or patrol purposes

4.2.4 Motorized vehicles authorized by resolution of Council for special occasions or purposes

4.2.5 Personal mobility devices specifically designed for the transportation of the physically disabled

4.2.6 Snowmobile on that portion of the Trail leased by the Georgian Bay Snowriders during the time from authorized by the lease and which display a valid trail permit as provided for by the Motorized Snow Vehicle Act, R.S.O. 1990, c. M.44

4.2.7 Trail grooming machines operated by the Georgian Bay Snowriders

SECTION 5.0- EXEMPTIONS

5.1 The Township Clerk may grant an exemption to this by-law or any part thereof for any Special Event and may require compliance with requirements of the Municipal Law Enforcement Officer, Parks and Recreation Division, Fire Department, Public Works Department, Simcoe County District Health Unit, Hydro One, Tay- Newmarket Hydro Inc., Ontario Provincial Police, or any other department or agency as deemed necessary.

5.2.1 For the purpose of Section 5.1, Special Events may include, but are not limited to:

- Port-a-Rama
- Canada Day Celebrations
- Remembrance Day Celebrations
- Santa Claus Parades

SECTION 6.0- OFFENCES AND PENALTIES

6.1 No person shall hinder or obstruct, or attempt to hinder or obstruct, any Officer exercising a power or performing a duty under this by-law. Any person who is alleged to have contravened any of the provision in this by-law shall identify themselves to the Officer upon request, failure to do so shall be deemed to have obstructed or hindered the Officer in execution of their duties.

6.2 Every person who contravenes any of the provisions of this bylaw and every director or officer of a corporation, who knowingly concurs in the contravention by the corporation, is guilty of an offence under the provisions of the Municipal Act, 2001, S.O. 2001, c. 25, as amended.

6.3 Every person who is guilty of an offence under this by-law may, if permitted under the Provincial Offences Act, pay a set fine as approved by the appropriate Justice of the Ontario Court of Justice.

6.4 The provisions of this By-law may be enforced pursuant to the provisions of the Provincial Offences Act, R.S.O. 1990, c. P.33 as amended, and where any provision of this Bylaw is contravened and a conviction entered, in addition to any other remedy and to any other penalty the person convicted may also be prohibited from continuing or repeating the offence in accordance with the provisions of section 442 of the Municipal Act.

6.5 Every person who is guilty of an offence under this By-law may, if permitted under the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended pay a set fine and the Chief Judge of the Ontario Court of Justice shall be requested to establish set fines as set out in Schedule "A" to this Bylaw.

SECTION 7.0- ADMINISTRATION AND ENFORCEMENT

7.1 An Officer is hereby vested with the authority of enforcing the provisions of this by-law

SECTION 8.0- TOWNSHIP NOT LIABLE

8.1 The Township assumes no liability for property damage, damage to the animal or personal injury resulting from remedial action, remedial work and enforcement undertaken with respect to any person, animal or property that is subject of this by-law.

SECTION 9.0- VALIDITY AND SEVERABILITY

9.1 Should any section, subsection, clause, paragraph or provision of this bylaw be declared by a Court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity of the enforceability of any other provision of this by-law, or of the by-law as a whole.

SECTION 10- SEPARATE OFFENCE

10.1 For the purpose of this by-law, each day of a continued offence shall be deemed to be a separate offence.

SECTION 11- SHORT TITLE

11.1 The short title of this by-law is the Public Parks and Trails By-law.

SECTION 12- REPEAL

12.1 By-law No. 2001-40, as amended and By-law No. 2006-04, as amended, are hereby repealed.

SECTION 13- ENACTMENT

13.1 That this by-law shall take force and take effect immediately upon the final passage thereof.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS ____ DAY OF _____, 201_.

THE CORPORATION OF THE TOWNSHIP OF TAY

MAYOR, Ted Walker

CLERK, Alison Gray

SCHEDULE "A" TO BY-LAW 2019-XX

Land Designated As Municipal Parkland or Unopened Road Allowances

THE CORPORATION OF THE TOWNSHIP OF TAY

By-law 2019-XX, Public Parks and Trails By-law

VILLAGE	ADDRESS
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<u>TOWNSHIP</u>	
Tay Shore Trail	Waubauskene to Midland
First Avenue Trail	Talbot Street to Woodlands Avenue

<u>VICTORIA HARBOUR</u>	
Oakwood Park	280 Park Street
Eplett Park	320 Waldie Avenue
Cenotaph Parkette	143 Richard Street
Albert Street Dock	91 Albert Street
Ellen Street Dock	50 Ellen Street
MacKenzie Park	6 Bergie Crescent
Reeves Cenotaph	2238 Reeves Road
Richards Beach	111-113 Maskinonge Road
Victoria Harbour Water Tower	205 Jephson Street
Town Hall	450 Park Street
Victoria Harbour Library	145 Albert Street
Anderson Park	77 Anderson Crescent
Sunset Park	255 Queen Street

<u>PORT MCNICOLL</u>	
Talbot Park	560 Calvert Street
Gazebo Park	769 Fourth Avenue
Lion's Parkette	501 Alberta Street
Patterson Park	180 Patterson Road
Magnus Beach	102 Grandview Road
Port McNicoll Library	714 Third Street
Port McNicoll Water Tower	464 Simcoe Avenue
Calvert Park	171 Woodlands Avenue
Midland Bay Woods Park Bayview	164 Bayview Avenue
Midland Bay Woods Park Sunset Court	106 Bayview Avenue

<u>WAUBAUSHENE</u>	
Bridgeview Park	4 Fallowfield Lane
Veterans Memorial Park	113 Pine Street
James Scott Memorial Gazebo Park	338 Pine Street
Rope Park	212 Ruta Road
Government Dock	4 Government Dock Road
Waubauskene Beach	3 Pine Street
Dalton Park	1965 Gervais Road
Waubauskene Water Tower	214 Brown's Line
Bayview Park	66 Forest Harbour Parkway
Waubauskene Library	17 Thiffault Street
Cherry Street Cemetary	313 Cherry Street
Tanners Beach	18 Acron Lane
Forest Harbour Park	100 Forest Harbour Parkway

<u>WAVERLEY</u>	
Waverley Community Park	1049 Truax Lane
Waverley Cenotaph Park	223 Darby Road
Corner Parkette	338 Henry Street

SCHEDULE "B" TO BY-LAW 2019-XX

PART 1 Provincial Offences Act - Set Fine Schedule

THE CORPORATION OF THE TOWNSHIP OF TAY

By-law No. 2019-XX, Public Parks and Trails By-Law

Item	Column 1 Short Word Form Wording	Column 2 Provision Creating or Defining Offence	Column 3 Set Fine
1	Use discriminatory/ abusive/ harassing/ insulting language or gestures within park	2.1.1	\$150.00
2	Make excessive noise within park	2.1.1	\$150.00
3	Disturb other persons within park	2.1.1	\$150.00
4	Willfully/ maliciously damage/ displace a tree/ shrub/ grass/ plant/ sand/ gravel/ soil/ rock within park	2.1.2	\$150.00
5	Willfully/ maliciously damage a building/ monument/ fence/ bench or any other structure within park	2.1.2	\$150.00
6	Plant/ cultivate/ groom/ landscape on municipal parkland	2.1.3	\$150.00
7	Carry/ discharge any firearm/ firecrackers/ rockets/ torpedoes/ bows and arrows/ cross bows/ air guns/ catapults or fireworks within park	2.1.4	\$150.00
8	Engage in golf/ archery/ ball or ball and bat game within park	2.1.5	\$150.00
9	Conduct/ participate in game/ activity that may cause an element of danger within park	2.1.6	\$150.00
10	Ski/ toboggan/ snowboard/ skibob/ sled in unauthorized area within park	2.1.7	\$150.00
11	Operate device to amplify human voice/ music or sound within park	2.1.8	\$150.00
12	Disturb/ molest/ wound/ attempt to kill/ kill and bird/ fowl/ animal within park	2.1.9	\$150.00
13	Scatter/ drop/ leave garbage/refuse not in garbage receptacle within park	2.1.10	\$150.00
14	Place/ deposit household garbage within park	2.1.11	\$300.00
15	Let loose animal within park	2.1.12	\$150.00
16	Swim/ bath/ wade in water of fountain/ pond/ lake/ stream not in designated area within park	2.1.13	\$150.00
17	Launch boat within park	2.1.14	\$150.00
18	Use park for purpose of camping/ overnight sleeping within park	2.1.15	\$150.00
19	Build/ set/ light/ stoke/ maintain fire or fire pit within park	2.1.16	\$150.00
20	Throw/deposit injurious/ offensive matter into any reservoir/ lake/ pond or other	2.1.17	\$150.00

	receptacle within park		
21	Allow dog to swim in any reservoir/ lake/ pond or other receptacle within park	2.1.17	\$150.00
22	Foul any reservoir/ lake/ pond or other receptacle within park	2.1.17	\$150.00
23	Commit unlawful damage/ injury to works/pipes/water within park	2.1.17	\$150.00
24	Play/ bet at or against a game within park	2.1.18	\$150.00
25	Maintain/ exhibit any gambling table or other instrument for gambling/ gaming within park	2.1.18	\$150.00
26	Enter place/ location where "No admittance" sign is erected	2.1.19	\$150.00
27	Create nuisance within park	2.1.20	\$150.00
28	Distribute handbills/ circulars within park	2.1.21	\$150.00
29	Post/ place/ erect any bills/ notice of paper/ advertising device within park	2.1.21	\$150.00
30	Sell/ offer for sale/ expose any merchandise/ article or anything for immediate or future delivery within park	2.1.22	\$150.00
31	Practice/ carry on/ conduct/ solicit any trade/ occupation/ business or profession within park	2.1.23	\$150.00
32	Stand/ park vehicle in park for purpose of hire/ solicit passengers within park	2.1.24	\$150.00
33	Willfully/ maliciously let off/ discharge any water from reservoir, pond, lake or other receptacle within park	2.1.25	\$150.00
34	Use long nosed racing skate on natural ice rink	3.1.1	\$150.00
35	Race/speed so as to endanger/ interfere with other person	3.1.2	\$150.00
36	Carry cane/ stick on ice not for purpose of hockey or not at designated time to play hockey	3.1.3	\$150.00
37	Operate motor vehicle within park/ municipal parkland/ Tay Shore Trail	4.1	\$250.00
38	Hinder or Obstruct an Officer	6.1	\$300.00

Note: The penalty provision(s) for the offences indicated above is Section 6 of By-Law #2019-XX. A certified Copy of which has been filed.

SCHEDULE "B" TO BY-LAW 2019-XX

PART 1 Provincial Offences Act - Set Fine Schedule

THE CORPORATION OF THE TOWNSHIP OF TAY

By-law No. 2019-XX, Public Parks and Trails By-law

Item	Column 1 Short Word Form Wording	Column 2 Provision Creating or Defining Offence	Column 3 Set Fine
1	Use discriminatory/ abusive/ harassing/ insulting language or gestures within park	2.1.1	
2	Make excessive noise within park	2.1.1	
3	Disturb other persons within park	2.1.1	
4	Willfully/ maliciously damage/ displace a tree/ shrub/ grass/ plant/ sand/ gravel/ soil/ rock within park	2.1.2	
5	Willfully/ maliciously damage a building/ monument/ fence/ bench or any other structure within park	2.1.2	
6	Plant/ cultivate/ groom/ landscape on municipal parkland	2.1.3	
7	Carry/ discharge any firearm/ firecrackers/ rockets/ torpedoes/ bows and arrows/ cross bows/ air guns/ catapults or fireworks within park	2.1.4	
8	Engage in golf/ archery/ ball or ball and bat game within park	2.1.5	
9	Conduct/ participate in game/ activity that may cause an element of danger within park	2.1.6	
10	Ski/ toboggan/ snowboard/ skibob/ sled in unauthorized area within park	2.1.7	
11	Operate device to amplify human voice/ music or sound within park	2.1.8	
12	Disturb/ molest/ wound/ attempt to kill/ kill and bird/ fowl/ animal within park	2.1.9	
13	Scatter/ drop/ leave garbage/refuse not in garbage receptacle within park	2.1.10	
14	Place/ deposit household garbage within park	2.1.11	
15	Let loose animal within park	2.1.12	
16	Swim/ bath/ wade in water of fountain/ pond/ lake/ stream not in designated area within park	2.1.13	
17	Launch boat within park	2.1.14	
18	Use park for purpose of camping/ overnight sleeping within park	2.1.15	
19	Build/ set/ light/ stoke/ maintain fire or fire pit within park	2.1.16	
20	Throw/deposit injurious/ offensive matter into any reservoir/ lake/ pond or other receptacle within park	2.1.17	

21	Allow dog to swim in any reservoir/ lake/ pond or other receptacle within park	2.1.17	
22	Foul any reservoir/ lake/ pond or other receptacle within park	2.1.17	
23	Commit unlawful damage/ injury to works/pipes/water within park	2.1.17	
24	Play/ bet at or against a game within park	2.1.18	
25	Maintain/ exhibit any gambling table or other instrument for gambling/ gaming within park	2.1.18	
26	Enter place/ location where "No admittance" sign is erected	2.1.19	
27	Create nuisance within park	2.1.20	
28	Distribute handbills/ circulars within park	2.1.21	
29	Post/ place/ erect any bills/ notice of paper/ advertising device within park	2.1.21	
30	Sell/ offer for sale/ expose any merchandise/ article or anything for immediate or future delivery within park	2.1.22	
31	Practice/ carry on/ conduct/ solicit any trade/ occupation/ business or profession within park	2.1.23	
32	Stand/ park vehicle in park for purpose of hire/ solicit passengers within park	2.1.24	
33	Willfully/ maliciously let off/ discharge any water from reservoir, pond, lake or other receptacle within park	2.1.25	
34	Use long nosed racing skate on natural ice rink	3.1.1	
35	Race/speed so as to endanger/ interfere with other person	3.1.2	
36	Carry cane/ stick on ice not for purpose of hockey or not at designated time to play hockey	3.1.3	
37	Operate motor vehicle within park/ municipal parkland/ Tay Shore Trail	4.1	
38	Hinder or Obstruct an Officer	6.1	

Note: The penalty provision(s) for the offences indicated above is Section 6 of By-Law #2019-XX. A certified Copy of which has been filed.



STAFF REPORT

Department/Function: Protection to Persons and Property

Chair: Councillor Sandy Talbot

Meeting Date: February 13, 2019

Report No.: **PPP-2019-16**

Report Title: Proposed Open Air Fires By-law

RECOMMENDATION:

That Staff Report No. PPP-2019-16 regarding the proposed Open Air Fires By-law be received;

And that the proposed Open Air Fires By-law be approved;

And that the required By-law be brought forward to the next Council meeting for consideration.

INTRODUCTION/BACKGROUND:

The Township of Tay Municipal Law Enforcement Officer routinely checks all regulatory by-laws in order to keep current with changes in legislation and to update by-laws that are outdated.

ANALYSIS:

Following a review of the current Open Air Fires By-law, there were some changes that staff felt needed to be made, as well as a new fine structure put in place in order to create a better deterrent with respect to individuals having fires that do not conform to the by-law.

One significant proposed addition to the by-law is in relation to burning during a fire ban, which includes a fine that staff feels will create a strong deterrent to burning when a fire ban has been imposed. Last year during our fire ban staff received numerous complaints of residents still conducting fires during the fire ban. As a result, multiple charges were laid at that time. With this new prohibition added of "no person shall set or maintain an open air

fire at any time during a fire ban” it will now just be a single charge rather having to charge an individual with multiple charges, as required in the past.

The proposed by-law also includes a change to the definition of “hazardous materials” and the contents within that definition.

There will also be a new fine structure within the by-law that sees most fines go from \$150 to \$200 and with the more serious fines for burning hazardous materials and burning during a fire ban up to \$500 and \$700 respectively.

FINANCIAL/BUDGET IMPACT:

N/A

CONCLUSION:

This report includes the proposed Open Air Fires By-law and staff recommends that this by-law be passed and can be put into effect for this coming spring/summer/fall months to ensure public safety within the municipality especially during any future fire ban.

Prepared By: Rob Kennedy, Municipal Law Enforcement Officer

Recommended By:

Date: February 6, 2019

Brian Thomas
Fire Chief

Reviewed By:

Date:

Robert J. Lamb, CECd, Ec.D.
Chief Administrative Officer

Attachments:

1. Proposed Open Air Fires By-law

THE CORPORATION OF THE TOWNSHIP OF TAY

BY-LAW NO. 2019-XX

Being a By-law regulating the setting of open air fires, including establishing the times during which open air fires may be set and to repeal By-law No. 2010-23

WHEREAS Part 7.1(1)(b) of the Fire Protection and Prevention Act, 1997, as amended provides that the Council of a local municipality may pass by-laws regulating the setting of open air fires, including establishing the times during which open air fires may be set;

NOW THEREFORE, the Corporation of the Township of Tay hereby enacts as follows:

1.0 DEFINITIONS:

In this By-law:

"Applicant" means a person, organization, company or group that makes application to the Fire Chief for permission to set or conduct an open air burning;

"Barbeque" means an appliance or structure designed and intended solely for the cooking for food in the open air, including a hibachi, and any other similar commercially manufactured device designed and intended solely for the cooking of food in the open air, but does not include devices predominantly designed for personal warmth, fire pits or campfires;

"Chief Fire Official" means the Fire Chief and/or his or her designate;

"Chiminea" means a clay, porcelain or metal receptacle used for the purposes of burning and constitutes as an open air fire under this by-law;

"Extinguish" means to put out or quench a fire completely, no smoke, hot or glowing embers are to remain;

"Fire Pit" means a fire burn area specifically designed for open air burning;

"Hazardous Materials" means hazardous wastes and hazardous recyclable materials with properties such as flammability, corrosiveness, inherent toxicity, or hazardous to human health or the environment

"Open air burning" means the burning of any material outside of a building, including without limiting the generality of the foregoing, wood, cardboard, brush or garden waste where the flame is not wholly contained and is, thereby, open to the air;

"Officer" means a Municipal Law Enforcement Officer, Police Officer, Chief Fire Official or Designate;

"Owner" means the registered owner of the land on which open air burning occurs, and includes a trustee acting on behalf of the registered owner, the estate of a registered owner and a person with a leasehold interest in the land;

"Recreational Open Air Burning" means a small, controlled and contained fire for the purpose of cooking, warmth or personal enjoyment;

"Township" means the Corporation of the Township of Tay;

"Yard Waste" includes but is not limited to grass, leaves, trees, brush trimmings, spent flowers, garden plants, weeds, pine needles, hay, straw and sawdust.

2.0 GENERAL PROHIBITIONS

- 2.1 No person shall set or maintain a fire in open air unless a permit has been issued by the Township under this by-law.
- 2.2 Only the property owner or agent shall apply for a fire permit. The agent must have written permission from the property owner to apply for a fire permit.
- 2.3 The Chief Fire Official may declare a total ban against open air burning when the atmospheric conditions or local circumstances make such fires hazardous. Bans against burning shall be advertised through the local media.
- 2.4 No person shall set or maintain an open air fire at any time during a fire ban.

3.0 PERMITS

- 3.1 Notwithstanding any other provisions of this By-law, the Chief Fire Official may issue a fire permit to an applicant and approve any open air burning subject to the fire being adequately supervised, and to any special conditions the Chief Fire Official may direct.
- 3.2 An applicant setting, conducting or permitting an outdoor burning authorized by a permit issued under this By-law shall comply with all conditions of such permit and the provisions of this By-law.
- 3.3 The Chief Fire Official may withdraw permission for and/or stop an open air burning if, in his or her opinion, the fire presents a fire hazard, smoke produced by the fire is causing visibility concerns on roads in the area of the burn, the weather has deteriorated and has become unfavorable for an open air burning, conditions attached to the granting of permission are not being adhered to, or if this By-law is being contravened.
- 3.4 Upon the notification of the withdrawal of permission by the Chief Fire Official, the applicant or the owner shall immediately extinguish the fire. If the applicant or the owner fails to immediately extinguish the fire upon such notification, the Chief Fire Official may take action to have the fire extinguished, and the applicant and/or the owner may be held liable for any and all costs incurred by the Fire Department to extinguish the fire. Where applicable, such costs shall be calculated in accordance with the Fee By-law.
- 3.5 A fire permit shall not be issued unless the emergency number or street number is posted and clearly visible from the road.
- 3.6 A recreational and non-recreational open burning permit is valid from the time of issuance to December 31 of the current year.
- 3.7 A non-recreational open air burning which the fire pit is larger than one cubic metre in size, the permit is valid for a time period no longer than 7 days in duration and must be approved by the Chief Fire Official.

4.0 RECREATIONAL OPEN AIR BURNING(campfires)

- 4.1 Every person conducting a recreational open air burning shall confine the fire to either an open air burning device or to a fire pit with a burn area no larger than one cubic metre in size.

- 4.2 Every person conducting a recreation open air burning shall take all reasonable steps to ensure that adjacent properties and individuals are protected from any fire hazard and are not adversely affected by the products of combustion.
- 4.3 No person conducting a recreational open air burning shall burn materials other than commercially produced charcoal, briquettes or clean, dry, seasoned wood, and in particular no painted wood, pressure treated wood or creosote treated wood, or any type of yard waste may be burned.
- 4.4 No person conducting a recreational open air burning shall burn wood having a dimension greater than the size of the open air burning device or burn pit. All such fires shall be totally confined within the open burning device or fire pit at all times.
- 4.5 Every person conducting a recreational open air burning shall confine the fire to a location that provides for a minimum distance of twenty (20) feet from combustible structures or objects.
- 4.6 Every person conducting a recreational open air burning shall have immediately available for use an effective extinguishing agent or device of sufficient size and with the capability of extinguishing the fire.
- 4.7 Every person conducting a recreational open air burning shall ensure the fire is attended, controlled and supervised at all times by a competent adult and that the fire is completely extinguished before the open air burn site is vacated.
- 4.8 No person shall conduct a recreational open air burning when the wind speed exceeds twenty-four (24) kilometers per hour, or at times when a smog alert for an area including the Township has been declared by the Ministry of the Environment for Ontario.
- 4.9 No person shall conduct a recreational open air burning when rain is present.
- 4.10 No person shall conduct more than one recreational open air burn (fire) per residence.
- 4.11 No person shall conduct a recreational open air burning upon any land owned by the Township without having first obtained permission to do so from the Chief Fire Official.
- 4.12 No person shall conduct a recreational open air burning between the hours of 2:00 a.m. and 8:00 a.m.
- 4.13 Every person conducting a recreational open air burning shall take any other precautions as may be reasonably necessary to prevent the fire from getting beyond control, causing damage, or becoming a danger to life and/or property.
- 4.14 No person shall conduct a recreational open air burning in which any kitchen garbage, construction materials or materials made of/or containing rubber, plastic, tar or other **hazardous materials** are burned.
- 4.15 If the Fire Department attends at a recreational open air burning to respond to public safety concerns due to fire hazard, whether in response to a complaint or otherwise, the Chief Fire Official has the discretion to order the fire extinguished and/or brought into compliance with this By-law and this order shall be final. Any person conducting such fire and the owner shall comply with the order of the

Chief Fire Official. If the person conducting the fire or the owner fails to comply as directed, the Chief Fire Official may take action to have the fire extinguished or otherwise brought into compliance, and that person and/or the owner may be held liable for any and all costs incurred by the Fire Department to extinguish the fire or bring it into compliance. Where applicable, such costs shall be calculated in accordance with the Fee By-law.

- 4.16 Every owner shall ensure that all recreational open air burning on his or her land complies with sections 4.1 through 4.15 of this By-law.

5.0 NON-RECREATIONAL OPEN AIR BURNING

- 5.1 Every person conducting a non-recreational open air burning shall confine the fire to either an open air burning device or to a fire pit with a burn area no larger than one cubic metre in size, unless approved by the Chief Fire Official.
- 5.2 No person shall conduct any non-recreational open air burning in which any kitchen garbage, construction materials or materials made of/or containing rubber, plastic or tar or other **hazardous materials** are burned.
- 5.3 Every person conducting a non-recreational open air burning in a residential burning zone as shown on Schedule "B" attached hereto shall burn only clean, dry seasoned wood.
- 5.4 Every person conducting a non-recreational open air burning in a rural burning zone as shown on Schedule "B" attached hereto shall burn only clean, dry seasoned wood or yard waste as defined in this By-law.
- 5.5 Every person conducting a non-recreational open air burning shall take all reasonable steps to ensure that adjacent properties and individuals are protected from any hazard and are not adversely affected by the products of combustion.
- 5.6 Every person conducting a non-recreational open air burning shall confine the fire to a location that provides for a minimum distance of twenty (20) feet from combustible structures or objects.
- 5.7 Every person conducting a non-recreational open air burning shall ensure the fire is attended, controlled and supervised at all times by a competent adult and that the fire is completely extinguished before the open air burn site is vacated.
- 5.8 Every person conducting a non-recreational open air burning shall have immediately available for use an effective extinguishing agent or device of sufficient size and with the capability of extinguishing the fire.
- 5.9 No person shall conduct a non-recreational open air burning when the wind speed exceeds twenty-four (24) kilometers per hour, or at times when a smog alert for an area including the Township has been declared by the Ministry of the Environment for Ontario.
- 5.10 No person shall conduct a non-recreational open air burning when rain is present.
- 5.11 Every person conducting a non-recreational open air burning shall take any other precautions as may be reasonably necessary to prevent the fire from getting

beyond control, causing damage, or becoming a danger to life and/or property.

- 5.12 No person shall conduct more than one non-recreational open air burn (fire) per residence.
- 5.13 No person shall conduct a non-recreational open air burning during the period from one half hour before sunset and one half hour after sunrise.
- 5.14 If the Fire Department attends at a non-recreational open air burning to respond to public safety concerns due to fire hazard, whether in response to a complaint or otherwise, the Chief Fire Official has the discretion to order the fire extinguished and/or brought into compliance with this By-law and this order shall be final. Any person conducting such fire and the owner shall comply with the order of the Chief Fire Official. If the person conducting the fire or the owner fails to comply as directed, the Chief Fire Official may take action to have the fire extinguished or otherwise brought into compliance, and that person and/or the owner may be held liable for any and all costs incurred by the Fire Department to extinguish the fire or bring it into compliance. Where applicable, such costs shall be calculated in accordance with the Fee By-law.
- 5.15 Every owner shall ensure that all non-recreational open air burning on their land complies with sections 5.1 through 5.14 of this By-law.

6.0 RIGHT OF ENTRY

- 6.1 An Officer may at any time, enter onto land to determine whether this By-law is being complied with.
- 6.2 Every owner shall permit the Officer to inspect any land for the purposes of determining compliance with this By-law.
- 6.3 Notwithstanding any provision of this By-law, an Officer shall not enter or remain in any room or place actually being used as a dwelling, unless;
 - (a) the consent of the occupier is obtained, the occupier first having been informed that the right of entry may be refused and, if refused, may only be made under the authority of a warrant issued under the Provincial Offences Act, R.S.O.1990, as amended.
 - (b) a warrant issued under the Provincial Offences Act, R.S.O.1990, as amended is obtained.

7.0 REMEDATION

- 7.1 The Chief Fire Official is authorized to order any person to extinguish any fire or to cause such a fire to be extinguished when there is a breach of any of the provisions of this By-law or where, in his sole discretion, there is a danger of such fire spreading or otherwise endangering life or property and the person shall comply with any such order.
- 7.2 Where an owner is in default of doing any matter or thing directed or required to be done under this By-law, The Chief Fire Official or the Municipal By-law Enforcement Officer may direct such matter or thing to be done at the owner's expense.
- 7.3 The Township may recover the remedial action costs incurred under sections 3.4, 4.13, 5.10 or 7.2 by action, or

by adding them to the tax roll and collecting them in the same manner as taxes in accordance with section 446 of the Municipal Act.

- 7.4 Prior to recovering remedial costs under section 7.3, the Township may invoice owners requesting voluntary payment of those remedial costs.

8.0 OBSTRUCTION

- 8.1 No person shall hinder or obstruct, or attempt to hinder or obstruct, any Officer exercising a power or performing a duty under this By-law.
- 8.2 Any person who has been alleged to have contravened any of the provisions of the By-law, shall identify themselves to the Officer upon request, failure to do so shall be deemed to have obstructed or hindered the Officer in the execution of his or her duties.

9.0 OFFENCES AND PENALTIES

- 9.1 Every person who contravenes any of the provisions of this By-law is guilty of an offence.
- 9.2 Every person who is convicted of an offence under this By-law shall be subject to a fine of not more than Five Thousands Dollars (\$5,000.00) for each offence. Such fines shall be recoverable under the Provincial Offences Act, R.S.O. 1990, c. P.22, as amended.
- 9.3 The provisions of this By-law may be enforced pursuant to the provisions of the Provincial Offences Act, R.S.O. 1990, c. P.33 as amended, and where any provision of this By-law is contravened and a conviction entered, in addition to any other remedy and to any other penalty the person convicted may also be prohibited from continuing or repeating the offence in accordance with the provisions of section 442 of the Municipal Act.
- 9.4 Every person who is guilty of an offence under this By-law may, if permitted under the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended pay a set fine and the Chief Judge of the Ontario Court of Justice shall be requested to establish set fines as set out in Schedule "A" to this By-law.

10.0 ADMINISTRATION AND ENFORCEMENT

- 10.1 An Officer is hereby vested with the authority of enforcing the provisions of this By-law.
- 10.2 Any permit issued under this by-law may be revoked if on the opinion of the Chief Fire Official or his or her designate the user is in contravention of this By-law.

11.0 TOWNSHIP NOT LIABLE

- 11.1 The Township assumes no liability for property damage or personal injury resulting from remedial action or remedial work undertaken with respect to any person or property that is subject of this By-law.

12.0 VALIDITY AND SEVERABILITY

- 12.1 Should any section, subsection, clause, paragraph or provision of this By-law be declared by a Court of competent jurisdiction to be invalid, the same shall not effect the validity of this By-law as a whole or any part thereof, other than the Part so declared to be invalid.

13.0 SEPARATE OFFENCE

13.1 For the purpose of this By-law, each day of a continued offence shall be deemed to be a separate offence.

14.0 SHORT TITLE

14.1 The short title of this By-law is the Open Air Fires By-law.

15.0 REPEALED

15.1 By-law No. 2000-40 is hereby repealed.

16.0 EFFECTIVE DATE

16.1 This By-law shall come into force and take effect immediately upon the final passing thereof.

**BY-LAW READ A FIRST, SECOND AND THIRD TIME AND
FINALLY PASSED THIS ____ DAY OF ____, 201__.**

THE CORPORATION OF THE TOWNSHIP OF TAY

MAYOR, Ted Walker

CLERK, Alison Gray

PART 1 Provincial Offences Act-Set Fines Schedule

THE CORPORATION OF THE TOWNSHIP OF TAY

By-law No. 2010-23, as amended: Outdoor Burning By-law

SCHEDULE “A”

ITEM	Column 1 Short Form Wording	Column 2 Offence Creating Provision	Column 3 Set Fine
1	Failure to obtain fire permit	2.1	\$200.00
2	Burning during a fire ban	2.4	\$700.00
3	Failure to comply with permit conditions	3.2	\$200.00
4	Failure to extinguish fire otherwise allowed under permit when ordered to do so	3.4	\$300.00
5	Recreational burning in fire pit larger than permitted	4.1	\$200.00
6	Recreational burning adversely affecting other person	4.2	\$200.00
7	Recreational burning of materials not permitted	4.3	\$200.00
8	Recreational burning of oversized wood	4.4	\$200.00
9	Recreational burning within 20 feet of combustible structure	4.5	\$200.00
10	Recreational burning without extinguishing device	4.6	\$200.00
11	Failure to supervise recreational burning	4.7	\$200.00
12	Recreational burning during high winds or during a smog alert	4.8	\$200.00
13	Recreational burning when rain is present	4.9	\$200.00
14	Recreational burning exceeding one fire	4.10	\$200.00
15	Recreational burning on Township property	4.11	\$200.00
16	Recreational burning during prohibited hours.	4.12	\$200.00
17	Failure to take reasonable precautions during recreational burning	4.13	\$200.00
18	Recreational burning of kitchen garbage/construction materials/materials made of/or containing rubber/ plastic/tar	4.14	\$200.00
19	Recreational burning of hazardous materials	4.14	\$500.00
20	Failure to extinguish fire or comply when ordered during recreational burning	4.15	\$500.00
21	Failure by owner to ensure compliance during recreational burning	4.16	\$200.00
22	Non-recreational burning in fire pit larger than permitted	5.1	\$200.00
23	Non-recreational burning of kitchen garbage/construction materials/materials made of/or containing rubber/plastic/tar	5.2	\$200.00
24	Non-Recreational burning of hazardous materials	5.2	\$500.00
25	Non-recreational burning of materials other than dry wood-residential	5.3	\$200.00
26	Non-recreational burning of materials other than dry wood-rural	5.4	\$200.00
27	Non-recreational burning adversely affecting other persons	5.5	\$200.00

28	Non-recreational burning within 20 feet of combustible structure	5.6	\$200.00
29	Failure to supervise non-recreational burning	5.7	\$200.00
30	Non-recreational burning without extinguishing device	5.8	\$200.00
31	Non-recreational burning during high winds or smog alert	5.9	\$200.00
32	Non-recreational burning when rain is present	5.10	\$200.00
33	Failure to take reasonable precautions during non-recreational burning	5.11	\$200.00
34	Non-recreational burning exceeding one fire	5.12	\$200.00
35	Non-recreational burning during prohibited time	5.13	\$200.00
36	Failure to extinguish fire or comply when ordered during non-recreational burning	5.14	\$500.00
37	Failure by owner to ensure compliance during non-recreational burning	5.15	\$200.00

Note: The penalty provision(s) for the offences indicated above is Section 9 of By-Law No. 2010-23, as amended a certified Copy of which has been filed.

PART 1 Provincial Offences Act-Set Fines Schedule

THE CORPORATION OF THE TOWNSHIP OF TAY

By-law No. 2010-23, as amended: Outdoor Burning By-law
SCHEDULE “A”

ITEM	Column 1 Short Form Wording	Column 2 Offence Creating Provision	Column 3 Set Fine
1	Failure to obtain fire permit	2.1	
2	Burning during a fire ban	2.4	
3	Failure to comply with permit conditions	3.2	
4	Failure to extinguish fire otherwise allowed under permit when ordered to do so	3.4	
5	Recreational burning in fire pit larger than permitted	4.1	
6	Recreational burning adversely affecting other person	4.2	
7	Recreational burning of materials not permitted	4.3	
8	Recreational burning of oversized wood	4.4	
9	Recreational burning within 20 feet of combustible structure	4.5	
10	Recreational burning without extinguishing device	4.6	
11	Failure to supervise recreational burning	4.7	
12	Recreational burning during high winds or during a smog alert	4.8	
13	Recreational burning when rain is present	4.9	
14	Recreational burning exceeding one fire	4.10	
15	Recreational burning on Township property	4.11	
16	Recreational burning during prohibited hours.	4.12	
17	Failure to take reasonable precautions during recreational burning	4.13	
18	Recreational burning of kitchen garbage/construction materials/materials made of/or containing rubber/ plastic/tar	4.14	
19	Recreational burning of hazardous materials	4.14	
20	Failure to extinguish fire or comply when ordered during recreational burning	4.15	
21	Failure by owner to ensure compliance during recreational burning	4.16	
22	Non-recreational burning in a fire pit larger than permitted	5.1	
23	Non-recreational burning of kitchen garbage/construction materials/materials made of/or containing rubber/ plastic/tar	5.2	
24	Non-recreational burning of hazardous materials	5.2	
25	Non-recreational burning of materials other than dry wood-residential	5.3	
26	Non-recreational burning of materials other than dry wood-rural	5.4	
27	Non-recreational burning adversely affecting other persons	5.5	

28	Non-recreational burning within 20 feet of combustible structure	5.6	
29	Failure to supervise non-recreational burning	5.7	
30	Non-recreational burning without extinguishing device	5.8	
31	Non-recreational burning during high winds or smog alert	5.9	
32	Non-recreational burning when rain is present	5.10	
33	Failure to take reasonable precautions during non-recreational burning	5.11	
34	Non-recreational burning exceeding one fire	5.12	
35	Non-recreational burning during prohibited time	5.13	
36	Failure to extinguish fire or comply when ordered during non-recreational burning	5.14	
37	Failure by owner to ensure compliance during non-recreational burning	5.15	

Note: The penalty provision(s) for the offences indicated above is Section 9 of By-Law No. 2010-23, as amended a certified Copy of which has been filed.



STAFF REPORT

Department/Function: Protection to Persons and Property Committee

Chair: Councillor Sandy Talbot

Meeting Date: February 13, 2019

Report No.: **PPP-2019-14**

Report Title: MLEO/Canine Monthly Activity Report – January 2019

RECOMMENDATION:

That Staff Report No. PPP-2019-14 MLEO/Canine Monthly Activity Report – January 2019 be received for information.

MLEO/ Canine Activity Report

Activity	Count
Complaints and Investigations	17
Pound and Seizure	0
Dogs Returned to Owner or Adopted	0
DOLA Orders	0
Dog Tags Sold	102
Fines Issued	0
Files Opened	5
Files Closed	1
Approved Kennel Inspections	3

Tags by Year	Tags Sold (YTD)
Total	360
2019 Tags	225
2020 Tags	112
2021 Tags	23

Dog Attacks	2018	2019 (YTD)
Dog on Dog	5	0
Dog on Human	2	0
DOLA Order Issued	3	0
Muzzle Orders Issued	1	0

There were 102 dog tags sold in the month of January making the total number of dog licences 360. Dog licences have been coming in steady the past few weeks and on pace with 2018, having 316 dog licences this time last year. The majority of the public have favored the one year option over the two and three year option due to their canine's rabies vaccination expiry date.

In the month of January five files were created regarding dogs not being licenced or it was believed that the property owner had more than two dogs. By-law staff was able to gain compliance and has since closed one file, and four awaiting deadlines. Only one canine file from 2018 remains open and is awaiting trial.

No dogs were found at large or impounded in the month of January.

Three kennel inspections took place in the month of January. All three kennels were successful in passing their annual inspection.

Prepared By: Justin Rounds, MLEO/Canine Control

Recommended By: Date: February 6, 2019

Brian Thomas
Fire Chief

Reviewed By: Date:

Robert J. Lamb, CEC, Ec.D.
Chief Administrative Officer



STAFF REPORT

Department/Function: Protection to Persons & Property

Chair: Councillor Talbot

Meeting Date: February 13, 2019

Report No.: PPP-2019-08

Report Title: Community Policing Committee

RECOMMENDATION:

That Staff Report PPP-2019-08 with respect to a Community Policing Committee be received; and

That the Township of Tay's Community Policing Committee be established as a Volunteer Community Policing Committee.

INTRODUCTION/BACKGROUND:

At the December 2018 Committee of all Council Meeting staff was requested to bring a report forward regarding the options for creating a volunteer or council-appointed Tay Community Policing Committee.

Following this request staff reached out to the local O.P.P. detachment for assistance on the establishment of this Committee.

ANALYSIS:

There are two options for Council to explore:

Community Policing Committee (Volunteer – Not A Council Committee)

The Township of Tay used to have a volunteer Community Policing Committee that ceased at the end of the 2010-2014 Council term.

This type of committee would be a volunteer committee and the municipality would have no remuneration obligations to the committee. The committee would be organized without any legislative authority, would not speak on behalf of the municipality, and has no direct reporting body.

The committee would create its own mandate, objectives and procedures which may or may not be consistent with the municipality. Similar committees may be found in Georgian Bay or Tiny. A copy of Georgian Bay's constitution is attached for Council's reference.

This committee would receive no staff support from municipal staff; however, there would be a volunteer Council liaison to this committee. The former Township Committee used to meet regularly using Council Chambers and former Councillor Pearsall acted as the Council liaison to the committee.

If Council wished to pursue a volunteer committee the municipality would place a notice in the local paper requesting that anyone interested in joining attend a meeting on a particular date. Following that, it would be up to those in attendance to discuss the matter and pursue the development of the committee.

Community Policing Committee (Council Committee)

This type of committee would act as a listening post and forum for the public to share community concerns and the committee would make recommendations to Council.

This committee option is created under the authority of the Municipal Act. Council would establish the committee's mandate and provide remuneration to members, consistent with other Township committees. This committee would also receive administrative support from municipal staff.

As with other Council Committees a Terms of Reference would be established and the municipality would advertise for members. A draft Terms of Reference has been included for Council's approval, if Council would like to create the committee as a Council Committee.

Local Detachment Involvement

The local O.P.P. detachment would be invited to send members to either type of committee to provide a direct link to the local detachment. The Township sent the draft report to Inspector Ferguson for review and he advises as follows:

"As the Southern Georgian Bay's detachment commander I support either option. Community policing is an excellent way for the police and the public to continue to build strong and trusting relationships. This committee would serve the residents of Tay Township well as public safety is everybody's responsibility."

FINANCIAL/BUDGET IMPACT:

If the Committee was created as a formal Council Committee, then Council would want to consider remuneration for the committee members to remain consistent with other Township committees; however, there are no funds in the 2019 Budget for this.

CONCLUSION:

Staff is seeking Council's direction with respect to the creation of a Community Policing Committee.

Prepared By: Alison Gray, Clerk

Date: January 15, 2019

Recommended By:

Alison Gray, BAH, CMO, AOMC
Clerk

Reviewed By:

Robert J. Lamb, CECD, Ec.D.
Chief Administrative Officer

Attachment: Georgian Bay Constitution
Draft Council Committee Terms of Reference

Southern Community Policing Committee

Southern Community Policing Committee will foster positive relationships between the police and the community.

Objectives:

- To support and facilitate interaction between the police and the community.
- To provide a forum for obtaining community input about the delivery of police services.
- To improve communication between the community and the police.
- To identify and provide advice on potential solutions to community issues related to policing.
- To receive information concerning programs and operations.
- To create dialogue with Southern Georgian Bay OPP concerning public safety issues in the community.

Responsibilities:

- To act in an advisory capacity to the Southern Georgian Bay OPP.
- To educate ourselves on the day to day issues and situations faced by police officers and to share that understanding with community members when necessary.
- To fairly and accurately represent the ideas, opinions or issues of Township of Georgian Bay residents to the Southern Georgian Bay OPP.
- To be knowledgeable about current community issues and to participate in meaningful dialogue about those issues.

- To provide the OPP Committee members with accurate and meaningful input regarding current community issues.
- To provide support to issues before the Police Services Board (as necessary).
- To recruit new members to the SCPC.

Membership:

The SCPC will consist of not more than 8 members of the Township of Georgian Bay community. Committee members shall be representative of the Township of Georgian Bay Communities. Up to two members of the Police Service will sit on the Committee as non-voting members.

Term:

It is expected that a SCPC member will serve one 4 year term and may continue on the Committee to a maximum of three consecutive terms.

Meetings:

The SCPC will meet monthly (excluding July & August) on a mutually agreed upon day of the month. The SCPC may set up sub-committees to work on specific projects and include additional resource persons as necessary.

Decision Making:

Ideally, decisions will be made by consensus. If the Committee is unable to reach a consensus, decisions will be made by a simple majority vote.

Communication:

The official spokesperson for the SCPC is the Chair in consultation/cooperation with the Southern Georgian Bay OPP. The agenda will be circulated to Committee members by email prior to the meeting. The minutes will be circulated to Committee members prior to the meeting.

Actions: (March 2015)

To enter into discussions with the Northern Community Policing Committee in 2015 as to the sharing of resources and combining both committees into one with monthly meets to be held in each of the regions bi-monthly.

To elect a secretary, treasurer, and Fund Raising Committee Leader.

To support and have a presence at all community functions.

To create start up programs and information sessions in the local schools on Water Safety, Snowmobile and ATC Safety, Safe practices while Hunting and Fishing etc.

Explore all OPP programs available to members of our community and promote seminars and workshops.

Brian D. Bocek

SCPC Chairman

Township of Georgian Bay

TOWNSHIP OF TAY COMMUNITY POLICING DRAFT TERMS OF REFERENCE

DEFINITIONS

For the purpose of this by-law, the following definitions shall apply:

- (a) "Township" means the municipal corporation of the Township of Tay;
- (b) "Committee" means the Tay Community Policing Committee established by this bylaw;
- (c) "Council" means the governing body of the Township;
- (d) "Councillor" means an elected official of the Township including the Mayor;
- (g) "Member" means an individual appointed to the Committee;
- (h) "Municipal Act" means the Municipal Act 2001, as amended;
- (i) "Procedural Bylaw" means the Township By-law which provides for the Rules of Procedure for Council and its' Committees.

ROLE & MISSION

As a Committee of Council, the role of the Community Policing Committee is to act as a support group to the Ontario Provincial Policy services and the Township to achieve optimum policing services within the Township of Tay by enhancing services. The Committee shall provide advice and recommendations to Council regarding policing in the Township.

GENERAL MANDATE, POWERS & RESPONSIBILITIES OF THE COMMITTEE

The Committee shall have the following mandate and responsibilities:

- a) To provide a listening post and voice for the community on policing issues and for the public to share community concerns and to bring forward initiatives;
- b) To encourage citizen, community and business participation in the identification and resolution of policing issues;
- c) Champion and facilitate new programs to meet the needs of the community;
- d) Advocate for community safety where issues are identified and assist in strategies that address community safety issues.
- e) Assist police with the delivery of services and programs that are responsive to community needs.

- f) Advocate the philosophy of Community Policing to neighbourhoods and local groups/clubs/associations.

COMMITTEE COMPOSITION

The Committee shall consist of a maximum of ten (10) members with one council representative.

A local O.P.P. representative shall act as a resource to the Committee and be a non-voting member. Staff and administrative support shall be provided by the Clerks Department.

Quorum and rules of procedure will be in accordance with Township of Tay Procedural By-law.

APPOINTMENTS

The Committee members shall be appointed for the Council term.

The Committee shall review the Terms of Reference of the Committee prior to the end of the Council term and make any recommendations for amendments prior to the appointment of the new Committee.

MEETINGS

The Committee shall adopt the meeting schedule for the year at the 1st meeting of the year.

The Committee shall hold regular meetings on the fourth Monday of each month commencing at 5:00 p.m. Additional meetings shall be scheduled as considered necessary by the committee or chair.

At its first meeting of each term of office, the Committee shall elect a Chair and Vice-Chair from among its members. If the role of Chair becomes vacant for any reason during a term of office of the Committee, the Committee shall elect a new Chairperson from among its members.

The Vice-Chair shall assume the role of the Chair in their absence.

An Agenda shall be prepared and distributed to all Members of Council for each regular Committee meeting and the business of the Committee shall be taken up in the order in which it appears on the Agenda.

Minutes shall be prepared and confirmed at the next meeting of the Committee before being submitted to Council as part of the regular Council Agenda.

COMMUNICATIONS

For recommendations requiring a decision of Council, the Committee shall provide advice through a Staff Report, to be assembled by the staff representative to the Committee.

REPORTING TO COUNCIL

The Committee, shall forward all decisions, recommendations and minutes to Council.

PER DIEM/STIPEND

The public members of the Committee shall receive an annual stipend based on the \$25.00 per meeting to a maximum of \$250 annually.



7th Floor, Frost Building South
7 Queen's Park Crescent
Toronto ON M7A 1Y7
Telephone: 416-314-6331

7^e étage, Édifice Frost Sud
7 Queen's Park Crescent
Toronto ON M7A 1Y7
Téléphone: 416-314-6331

January 25, 2019

Dear Head of Council:

Municipalities are essential partners in the enforcement of Ontario's cannabis legalization framework. Recently, municipalities considered their option to opt-out of private retail stores. Whether municipalities chose to opt-out or not, all municipalities have new tools to address illegal stores in their communities. I am writing to ensure that you are aware of the tools that are now available to municipalities.

As you know, the *Cannabis Control Act, 2017* (the Act) came into force on October 17, 2018. It brings with it enforcement tools and penalties. The Act will help achieve the province's primary objectives of protecting youth and eliminating the illegal market.

The penalty for an individual who sells or distributes illegal cannabis, or who allows their property to be used to sell or distribute illegal cannabis, is a maximum fine of \$250,000 and/or up to two years in prison for first convictions. Corporations who are convicted of these offences can be liable for a maximum fine of \$1,000,000. There are also additional fines for each day on which the offence occurs or continues on subsequent convictions. As is the case with all offences under the *Provincial Offences Act*, **municipalities are entitled to retain the balance of fine revenues collected under the *Cannabis Control Act, 2017* after the remittance of certain fees and surcharges.**

The Act allows police officers and other persons designated by the Attorney General, which may include your By-Law Enforcement Officer, to enforce the Act, providing flexibility to enable community-based enforcement approaches, and to potentially broaden the scope of enforcement of the Act beyond police. If you would like further information on the designation process, please contact Renu Kulendran, Executive Director of the Ontario Legalization of Cannabis Secretariat, at Renu.Kulendran@ontario.ca.

.../cont'd

The police and other persons designated under the Act have broad enforcement powers. New enforcement powers that are contained under the Act include: potential liability for landlords who knowingly permit a premises to be used for the illegal sale and distribution of cannabis, an interim closure authority of premises that are suspected of being used for the illegal sale or distribution of cannabis, removal of people from premises that are suspected of using the premise for contraventions under the Act, and seizure authority.

We appreciate the efforts of municipalities in the implementation of the federal government's legalization of cannabis and our government looks forward to continuing to work together.

Sincerely,

Vic Fedeli
Minister of Finance

c: The Honourable Caroline Mulroney, Attorney General
The Honourable Steve Clark, Minister of Municipal Affairs and Housing
Paul Boniferno, Deputy Attorney General
Greg Orenacsak, Deputy Minister of Finance
Laurie LeBlanc, Deputy Minister of Municipal Affairs and Housing
Renu Kulendran, Ontario Legalization of Cannabis Secretariat, Ministry of
Attorney General
Nicole Stewart, Executive Lead, Cannabis Retail Implementation Project, Ministry
of Finance
Dan Miles, Chief of Staff

**General Government & Finance Committee
February 13, 2019**

Agenda

1. Call to Order:

2. Reports of Municipal Officials:

- 2.1 Report from the C.A.O.
Re: CAO's Report – January 3 to February 6, 2019
- 2.2 Report from the Clerk
Re: Clerk's Report – January 2019
- 2.3 Report from the Clerk
Report No. GGF-2019-07
Re: 2018 AODA Annual Status Report
- 2.4 Report from the Clerk
Report No. GGF-2019-09
Re: Old Coach Rd & Fesserton Side Rd Assumption & Dedication
- 2.5 Report from the Clerk
Report No. GGF-2019-10
Re: Agreement with MTO – Statistical Collision Data

3. Other Business:

- 3.1 Verbal from the C.A.O.
Re: Wye Marsh Fundraising Dinner
- 3.2 Verbal from Mayor Walker
Re: Agricultural FAM Tour Offer
- 3.3 Verbal from Mayor Walker
Re: Mayor & Council Monthly Newsletter
- 3.4 Verbal from Mayor Walker
Re: Coldest Night of the Year – February 23rd

4. Items for Information:

- 4.1 Message from Minister Clark
Re: Regional Review in Ontario
- 4.2 Correspondence from AMO
Re: Province's "Regional Review" to be Limited
- 4.3 Correspondence from the Government of Ontario
Re: Regional Government Review
- 4.4 News Release from the County of Simcoe
Re: Council approves 2019 County of Simcoe Budget

4.5 Resolution from the Township of Zorra
Re: Regional Government Review

STAFF REPORT

Department/Function: General Government & Finance Committee

Chair: Deputy Mayor Gerard LaChapelle

Date: February 13, 2019

Subject: CAO's Report – January 3 to February 6, 2019

The following are some of the highlights for this time period:

- Held multiple Department Head meetings
- Attended Joint Health and Safety Meeting
- Attended a meeting with other North Simcoe CAOs to talk about various issues in common. One of the items that was discussed and general consensus on is that the four municipalities work together with the OPP and community stakeholders on the creation of a joint Community Safety Plan for North Simcoe.
- Worked with Finance Department and senior staff to prepare for the special COAC Budget meeting and special Council meeting on Development Charges.
- With the Mayor and Fire Chief, held a meeting with MP Bruce Stanton to brief him on the ongoing issues we have had with the Health Canada personal use grow licenses and bylaw enforcement. Mr. Stanton agreed to raise our issue with the appropriate Federal government Ministers.
- Attended EDCNS Board meeting as Tay representative until a new representative is appointed by the Mayor.
- With a lot of work put in by the Deputy Treasurer (who is also our benefits administrator) and the Health and Safety Officer we held two mandatory staff training sessions on dealing with people with mental health issues.
- Attended the Economic Development Council of Ontario (EDCO) Annual conference in Toronto.
- Worked with senior staff to put on the Council Tour of most of our facilities.

Looking for direction from Council as to whether they wish to continue with the holding of an official Tay Township Fundraising event. The last three years the Township has raised nearly \$25,000 for the Wye Marsh Wildlife Centre. After last year's event the organizing committee felt it should be up to the new council to see if this event continues and if so what format and for what cause(s).

Communications and Special Projects Officer Update for 2018

- Developed strong media relations with regional media organizations considerably increasing earned (free) media value. Prepared media releases and responded to media inquiries. Coordinated media interviews with Council and staff.
- Created print-ready advertisements for Military Service Recognition Book, Cycle Simcoe Map, and SEGBAY Chamber of Commerce Visitor Guide.
- Created signage artwork for Canada 150 Community Infrastructure Program and Martyrs' Shrine Friendship Garden.
- Developed annual content schedules for print publications. Prepared biannual tax insert, quarterly Water/Wastewater insert, and quarterly recreation guide.
- Prepared digital publications for website and social media—e.g. Budget Overview and Action Plan.
- Designed election logo and prepared print materials for municipal election and inaugural meeting (presentation folders, business card, invitation and agenda).
- With the Clerk, prepared and implemented a communications plan for the municipal election.
- Provided website training to two staff members.
- Created content for electronic sign boards.
- Live-tweeted Council/Committee meetings and community events—e.g. North Simcoe Culture Awards.
- Promoted Township and community events, including Wye Marsh Fundraising Dinner and Doors Open.
- Promoted recreation assets, including Tay Community Rink and Tay Shore Trail.
- Promoted new online systems—i.e. online registration, online booking for Tay Community Rink, and fire permits.
- Updated Township and Library logos (colour correction and tracing).
- Prepared single-page brand guide to ensure consistent use of logo, colours and typography.
- Created letterhead template for print and digital use.
- Prepared email guidelines, including email signature template.
- Created template for former Mayor's weekly newsletter.
- Attended monthly Culture Midland (North Simcoe) Committee meetings.
- Provided support to municipal partners, including County of Simcoe, Heart of Georgian Bay, Sainte-Marie among the Hurons, Severn Sound Environmental Association, Sustainable Severn Sound, Tay Heritage Committee, Tay Township Public Library, and Wye Marsh Wildlife Centre.

Website Analytics

- Users: 31,555 (+ 15.4%)
- Sessions: 63,852 (+ 16.2%)
- Average session duration: 2m 56s (- 7.7%)
- Pageviews (total number of pages viewed): 171,932 (+ 11.07%)
- Unique pageviews (number of sessions during which a page is viewed at least once): 135,610 (+ 10.36%)
- Average time on page: 1m 43s (- 0.85%)

Top 10 visited pages in 2018:

- | | |
|---------------------|----------------------|
| 1. Home | 6. Rinks |
| 2. Employment | 7. Tower Camera |
| 3. Election Results | 8. Mayor and Council |
| 4. 2018 Election | 9. News |
| 5. Contacts | 10. Departments |

Twitter Analytics

In 2018, published 480 tweets—as shown in figure 1—and earned:

- 400,300 tweet impressions (number of times a user is served a Tweet in timeline or search results)—as shown in figure 2
- 36,291 profile visits (number of times users visited our profile page)—as shown in figure 3
- 343 mentions
- 298 new followers (1,272 total followers)

Top 10 tweets in 2018:

- | | |
|---|---|
| 1. Medals of valour | 6. Santa Claus Parade |
| 2. Pot-bellied pig | 7. Affordable Housing Development |
| 3. Municipal Election | 8. Tay Shore Trail |
| 4. Tay Tree Lighting | 9. First Light |
| 5. Wye Marsh Fundraising Dinner | 10. Lighting at Oakwood Park |

Figure 1: Tweets

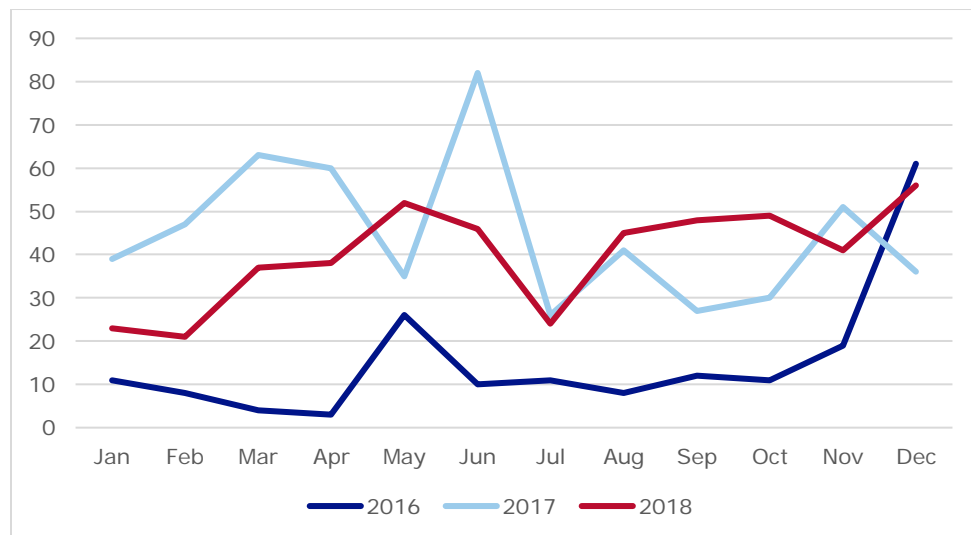


Figure 2: Tweet Impressions

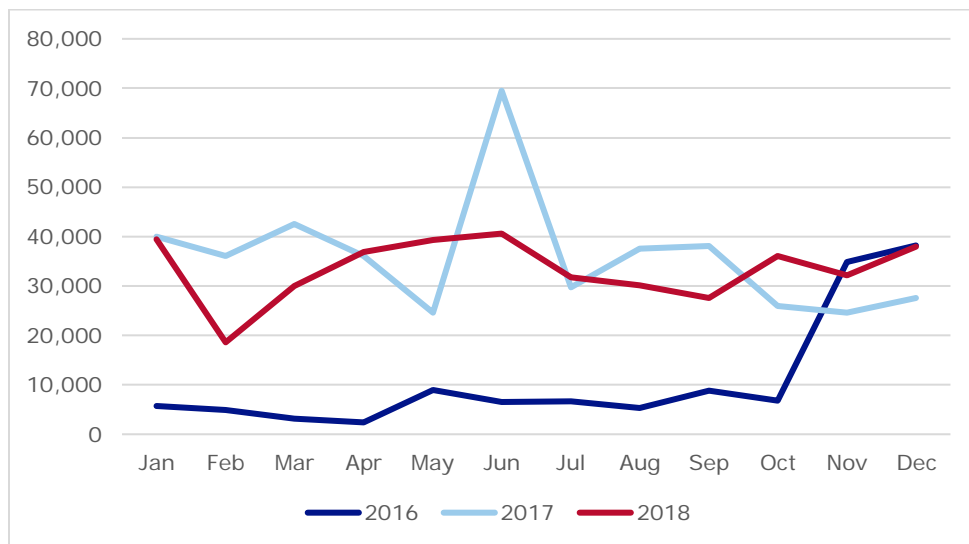
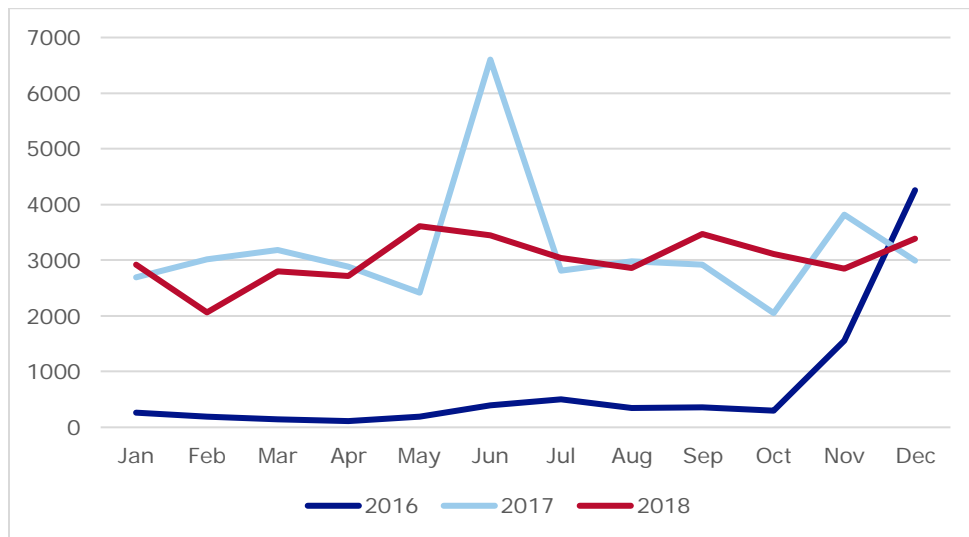


Figure 3: Profile Visits



Respectfully submitted;
Robert J. Lamb, CAO

STAFF REPORT

Department/Function: General Government & Finance Committee

Chair: Councillor Raymond

Date: February 13, 2019

Subject: Clerk's Report – January 2019

The following are the highlights from January 10 to February 6, 2019:

- Follow up correspondence on one privacy complaint with the Privacy Commissioner's Office and one mediated settlement concluded for one appeal.
- Prepared and organized a transfer of numerous records to Simcoe County Archives, set for February 26th. This year's focus was on making space in the vault so boxes of by-laws and other records will be sent down for proper archival storage.
- Significant time spent on the Deputy Mayor vacancy responding to queries from the public, and media as well as providing information to Council.
- Notices sent to all 2018 Election candidates who have yet to file their financial statements. All statements are due by March 29th at 2:00 p.m.
- Continued to process two laneway sales (survey work ordered), and received one new laneway inquiry.
- Held first Seniors Advisory Committee meeting on January 14. The Committee reviewed the upcoming 'Senior's Talks' speaker series as well as seniors recreation and ongoing projects from the last term.
- Held first Horticulture Committee meeting on January 17. The Committee reviewed plans for 2018 and came up with a 2019 project of placing decorative bicycles (painted with flowers) at various locations throughout the Township similar to what is done in Brechin.
- Researched the following reports on Committee's agenda:
 - Community Policing Committee
 - MTO Statistical Collision Data Agreement
 - 2019 AODA Annual Status Report
 - Old Coach Road & Fesserton Side Road Assumption & Dedication

- Currently working on updated Land Sale Policy and Housekeeping Update to the Business Licensing By-law anticipated for March Committee.

Once the updated Land Sale Policy is approved by Council staff will report back in early Spring with a list of proposed properties for Council's consideration.

- Held a meeting with representatives of the Waubaushene Protestant Cemetery Board, and Waubaushene Legion respecting the Township assuming full responsibility and ownership of the cemeteries. In addition, in early February held a meeting with the remaining member of the Victoria Harbour Union Cemetery Board about the Township also assuming this cemetery. Staff will continue to work with these groups through the process. It is anticipated that there will be a budget impact at some point in 2019 as the Township assumes responsibility of these active cemeteries; however, staff will report to Council when required for direction.
- Vacation – January 25 to February 1, 2019

Respectfully submitted;

Alison Gray, Clerk



STAFF REPORT

Department/Function: General Government & Finance

Chair: Councillor Raymond

Meeting Date: February 13, 2019

Report No.: GGF-2019-07

Report Title: 2018 AODA Annual Status Report

RECOMMENDATION:

That Staff Report No. GGF-2019-07 regarding 2018 AODA Annual Status Report be received; and
That Staff Report GGF-2019-07 be forwarded to the Joint Accessibility Advisory Committee for their information.

INTRODUCTION/BACKGROUND:

In 2005, the *Accessibility for Ontarians with Disabilities Act, 2005 (AODA)*, was passed by the Provincial Government with the intent of achieving accessibility with respect to goods, services, facilities, employment, buildings, structures and premises by January 1, 2025.

The AODA is supported by the Integrated Accessibility Standard Regulation O. Reg. 191/11 (IASR) which consists of standards addressing Customer Service, Information and Communication, Employment, Design of Public Spaces, Built Environment, and Transportation.

Per Section 4 of the IASR, the municipality is required to:

- 4(1) (a) establish, implement, maintain and document a multi-year accessibility plan, which outlines the organization's strategy to prevent and remove barriers and meet its requirements under this Regulation;
- (b) post the accessibility plan on their website, if any, and provide the plan in an accessible format upon request; and
- (c) review and update the accessibility plan at least once every five years.

4(3) The Government of Ontario, Legislative Assembly and designated public sector organizations shall,

- (a) prepare an annual status report on the progress of measures taken to implement the strategy referenced in clause (1) (a), including steps taken to comply with this Regulation; and
- (b) post the status report on their website, if any, and provide the report in an accessible format upon request.

ANALYSIS:

Council approved the 2018 to 2022 Accessibility Plan in the Fall of 2017, and this report provides an annual status report on progress made. The report notes the following accessibility accomplishments in 2018:

- Joined the Joint Accessibility Advisory Committee with the County of Simcoe and Township of Springwater
- Completed an accessibility renovation of the basement of the Port McNicoll Library Branch which included a new outdoor path of travel, accessible parking spaces, interior ramp, and washroom
- Commenced construction of new accessible washroom in the Victoria Harbour gazebo park (construction to be completed in early 2019)
- Developed 2018 Municipal Election Accessibility Plan which was approved by the Joint Accessibility Advisory Committee, leased assistive voting device, and completed post-election accessibility report
- Provided training on the AODA and related regulations to all new employees meeting all legislative requirements

FINANCIAL/BUDGET IMPACT:

There is no financial impact as a result of this report.

CONCLUSION:

Staff recommends that the report be received and sent to the Joint Accessibility Advisory Committee for their information.

Prepared By: Alison Gray, Clerk

Recommended By:

Date: January 16, 2019

Alison Gray, BAH, CMO, AOMC
Clerk

Reviewed By:

Robert J. Lamb, CECD, Ec.D.
Chief Administrative Officer

Attachment: 2018-2022 Accessibility Plan



STAFF REPORT

Department/Function: General Government & Finance Committee

Chair: Councillor Raymond

Meeting Date: February 13, 2019

Report No.: GGF-2019-09

Subject: Old Coach Road & Fesserton Side Road
Assumption & Dedication

RECOMMENDATION:

That Staff Report No. GGF-2019-09 regarding Old Coach Road & Fesserton Side Road Assumption & Dedication be received;

That the lands described as follows are hereby established, assumed and dedicated as part of the municipal highway system (public highway):

(a) Part of Lots 6 and 7, Concession 10, being Part 1, 51R-41878, hereby known as "Old Coach Road";

(b) Part of the original road allowance between Lots 5 and 6, Concession 10, being Part 1, 51R-41884, hereby known as "Fesserton Sideroad";

And that the Private Road Agreement with Richard and Arden Maltby be terminated;

And that the required by-laws be brought forward for consideration.

INTRODUCTION/BACKGROUND:

The Township entered into a Private Road Agreement with Richard and Arden Maltby in 2004, so that they may use a portion of Old Coach Road to access their property.

In 2012, Mr. Maltby made a delegation to Council requesting that the Township begin maintenance on the unopened portions of Old Coach Road and Fesserton Side Road. An agreement was reached respecting the required road improvements and road improvements were completed in early 2013.

Following completion of the road improvements, Council passed the following resolution:

WHEREAS AN AGREEMENT HAS BEEN REACHED BETWEEN THE TOWNSHIP OF TAY AND RICHARD MALTBY REGARDING THE UPGRADING OF OLD COACH ROAD TO THE SATISFACTION OF THE TOWNSHIP OF TAY;

AND WHEREAS, THE CONSTRUCTION PROJECT COMMENCED IN NOVEMBER 2012 IS ALMOST COMPLETED;

AND WHEREAS THE ONSET OF WINTER PREVENTED THE FINAL WORKS TO BE COMPLETED;

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE TOWNSHIP OF TAY AUTHORIZES THE MANAGER OF ROADS AND FLEET TO ADD OLD COACH ROAD TO THE LIST OF ROADS MAINTAINED BY THE MUNICIPALITY EFFECTIVE IMMEDIATELY FOR THE 2013 WINTER MAINTENANCE SEASON.

CARRIED.

In 2017, Mr. Maltby requested that Council repeal the Private Road Agreement as the road improvements have been completed. In order to do so the additional portions of road must be assumed, dedicated and established as part of the Township's road system.

ANALYSIS:

Upon receipt of the request, staff undertook a process to assume and dedicate the roads into the municipal highway system.



The required survey work was completed on December 21st, 2018 and as a result, staff is recommending that the portions of Old Coach Road and Fesserton Side Road be assumed, dedicated and established as part of the Township's road/highway system.

FINANCIAL/BUDGET IMPACT:

As the Private Road Agreement is registered on title, Mr. Maltby will be required to pay the legal fees to have the by-law removed from his title.

CONCLUSION:

Staff recommends that the necessary by-laws be brought forward to dedicate the roads as part of the highway system and repeal the Maltby's Private Road Agreement.

Prepared By: Alison Gray, Clerk

Date Prepared: January 16, 2019

Recommended By;

Alison Gray, BAH, CMO, AOMC
Clerk

Reviewed by;

Robert J. Lamb, CECd, Ec.D.
Chief Administrative Officer

Attachment: Draft Road Dedication By-law

THE CORPORATION OF THE TOWNSHIP OF TAY

BY-LAW NO. 2019-____

Being a By-law to authorize the establishing, assumption and dedication of certain tract(s) of land as public highway in the Township of Tay

WHEREAS Section 8 of *The Municipal Act*, 2001 S.O. c. M.25, as amended, provides that the powers of a municipality under this or any other Act shall be interpreted broadly to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 11(3) of the *Municipal Act*, S.O. 2001, c.M.25, as amended, provides that a lower-tier municipality may pass by-laws with respect to highways within its jurisdiction including a by-law to establish and name a highway for public use;

AND WHEREAS THE Council of The Corporation of the Township of Tay deems it expedient to confirm its jurisdiction and establish, assume and dedicate the land described herein as part of the municipal highway system, and to name the highways as described herein;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF TAY HEREBY ENACTS AS FOLLOWS:

1. That the lands described as follows are hereby established, assumed and dedicated as part of the municipal highway system (public highway):
 - (a) Part of Lots 6 and 7, Concession 10, being Part 1, 51R-41878, hereby known as "Old Coach Road".
 - (b) Part of the original road allowance between Lots 5 and 6, Concession 10, being Part 1, 51R-41884, hereby known as "Fesserton Sideroad".
2. That the Clerk is hereby authorized to execute whatever documents are required to establish the lands as a public highway.
3. That this By-law shall come into force and take effect immediately after the final passing thereof.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS _____ day of _____, 2019.

THE CORPORATION OF THE TOWNSHIP OF TAY

MAYOR: Ted Walker

CLERK: Alison Gray

I/We have authority to bind the corporation.



STAFF REPORT

Department/Function: General Government & Finance Committee

Chair: Councillor Raymond

Meeting Date: February 13, 2019

Report No.: GGF-2019-10

Subject: Agreement with MTO – Statistical Collision Data

RECOMMENDATION:

That Staff Report No. GGF-2019-10 regarding an Agreement with MTO – Statistical Collision Data be received; and

That the Township of Tay enter into an Agreement with the Ministry of Transportation to receive access to statistical collision data; and

That the required authorizing by-law be brought forward to the next regular Council meeting.

INTRODUCTION/BACKGROUND:

In 2017 the Township received notice that statistical collision information would be made available to municipalities through the Ministry of Transportation.

Unfortunately due to staff turnover and delays at the Ministry the municipality has only now received the final agreement for authorization.

ANALYSIS:

It is hoped that the collision information will provide Public Works and Fire with information to determine if there are any patterns to accidents or issues along Township roadways.

The information will is confidential and does not include any names associated with the incident, only the statistical information provided to the Ministry.

The municipality already has four other agreements with the Ministry that provide access to information for the parking program, cost recovery for fire, and other items.

FINANCIAL/BUDGET IMPACT:

There are no costs associated with this agreement.

CONCLUSION:

Staff recommends that the necessary by-law be brought forward to authorize the agreement with the Ministry of Transportation.

Prepared By: Alison Gray, Clerk

Date Prepared: January 21, 2019

Recommended By;

Alison Gray, BAH, CMO, AOMC
Clerk

Reviewed by;

Robert J. Lamb, CECd, Ec.D.
Chief Administrative Officer

Robert Lamb

From: Minister (MMAH) <minister.mah@ontario.ca>
Sent: January-15-19 2:29 PM
To: Robert Lamb
Subject: A Message From Minister Clark

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M5G 2E5
Tel.: 416 585-7000
Fax: 416 585-6470

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre

777, rue Bay, 17e étage
Toronto ON M5G 2E5
Tél. : 416 585-7000
Télec. : 416 585-6470



January 15, 2019

Dear Mayor Walker:
twalker@tay.ca

As you are aware, our government is undertaking a review of regional government in Ontario. Regional governments have been in place in Ontario for 50 years. In that time populations have changed, infrastructure pressures have increased, and taxpayers' dollars have been stretched. Building on what's working well, the review will identify improvements to make better use of taxpayer dollars while ensuring government works efficiently and effectively for the people.

Today, I announced our government's plan to move forward on this commitment with the appointment of two special advisors who will conduct the review and provide me with recommendations. These two advisors are Michael Fenn and Ken Seiling.

Michael and Ken have extensive knowledge and experience in municipal government and I am confident in their ability to deliver on this important commitment.

While Simcoe County is not a regional municipality, the rate of growth in the county is similar to that of many regional municipalities. To help ensure that local government can respond to future growth efficiently and effectively, Simcoe County and its member municipalities will be included in the regional government review.

As the head of council, you are responsible for making local decisions and providing high-quality service to the residents of your community. Your participation in this review is crucial to help us understand the unique needs of your region.

You can expect to hear from the advisors shortly regarding the review and how you will be engaged. I look forward to hearing your opinions and ideas during the review to ensure municipalities in your region are working for the people.

Sincerely,



Steve Clark
Minister

c: Robert Lamb, CAO
rlamb@tay.ca

Province's "Regional Review" to be Limited

The Minister of Municipal Affairs and Housing, the Honourable Steve Clark, [announced](#) today that this review is limited to nine (9) upper tiers and their constituent lower tiers in:

- Waterloo Region
- Niagara Region
- Halton Region
- Peel Region
- York Region
- Durham Region
- Oxford County
- Simcoe County
- Muskoka District

The focus is to be on governance/decision-making and service delivery. The Province has appointed two advisors who are to provide advice/recommendations back to the province this summer. They are:

- Michael Fenn – a former Ontario Deputy Minister, previous municipal chief administrator in several Ontario cities, and founding CEO of Metrolinx.
- Ken Seiling – former Chair of Waterloo Region who held that position since 1985 and prior as a councillor and Mayor in Woolwich.

Each jurisdiction is to receive information on the consultation. Last August, the Minister began informal discussions, wishing to hear from people about how this system of governance is working recognizing it was established in the 1970s.

AMO will monitor the review process, which needs to be open and transparent. It is important that during the review process, the work of the affected municipal governments is not destabilized.

While this review does not include any other municipal jurisdictions or structures, and AMO is not involved in the specific reviews, it will keep an eye on any potential sector wide implications that the advisors' recommendations may have for service delivery generally.

AMO Contacts:

Pat Vanini, Executive Director, pvanini@amo.on.ca, 416-471-9856 ext. 316.

Monika Turner, Director of Policy, mturner@amo.on.ca, 416-471-9856 ext. 318.

DISCLAIMER: Any documents attached are final versions. AMO assumes no responsibility for any discrepancies that may have been transmitted with this electronic version. The printed versions of the documents stand as the official record.

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Regional government review

We are reviewing the governance, decision-making, and service delivery functions of 8 regional municipalities and Simcoe County. Learn more about the review and how you can participate.

Overview

With the help of an advisory body comprised of 2 special advisors, we are reviewing regional governments and Simcoe County to help ensure that these municipalities are working effectively and efficiently, and can continue to provide the vital services that communities depend on.

Participate in the review

The review will include consultations with municipal councilors and leaders, stakeholder organizations and the public in the spring of 2019.

The special advisors

The Minister of Municipal Affairs and Housing has appointed 2 special advisors as an advisory body to help with this review, Ken Seiling and Michael Fenn.

The special advisors will follow the terms outlined in the [terms of reference](#).

Municipalities covered under the review

The review covers Ontario's 8 regional municipalities (Durham, Halton, Muskoka District, Niagara, Oxford County, Peel, Waterloo, York), Simcoe County, and their lower-tier municipalities.

In total, 82 upper and lower-tier municipalities are included in the review.

Durham Region

- Ajax
- Brock
- Clarington
- Oshawa
- Pickering
- Scugog
- Uxbridge
- Whitby

Halton Region

- Burlington
- Halton Hills
- Milton
- Oakville

Muskoka District

- Bracebridge
- Gravenhurst
- Georgian Bay
- Huntsville
- Lake of Bays
- Muskoka Lakes

Niagara Region

- Fort Erie
- Grimsby
- Lincoln
- Niagara Falls
- Niagara-on-the-Lake
- Pelham
- Port Colborne
- St. Catharines
- Thorold
- Wainfleet
- Welland
- West Lincoln

Oxford County

- Blandford-Blenheim
- East Zorra-Tavistock
- Ingersoll
- Norwich
- South-West Oxford
- Tilsonburg
- Woodstock
- Zorra

Peel Region

- Brampton
- Caledon
- Mississauga

Waterloo Region

- Cambridge
- Kitchener
- North Dumfries
- Wilmot
- Waterloo
- Wellesley
- Woolwich

York Region

- Aurora
- East Gwillimbury
- Georgina
- King
- Markham
- Newmarket
- Richmond Hill
- Vaughan
- Whitchurch-Stouffville

Simcoe County

- Adjala-Tosorontio
- Bradford West Gwillimbury
- Clearview
- Collingwood
- Essa
- Innisfil
- Midland
- New Tecumseth
- Oro-Medonte
- Penetanguishene
- Ramara
- Severn
- Springwater
- Tay
- Tiny
- Wasaga Beach

Terms of reference for the special advisors

Background

Since Ontario's regional municipalities were established in the 1970s, populations have grown or changed, infrastructure pressures have increased, and taxpayers' dollars are being stretched.

The government is committed to undertaking a review of regional government and Simcoe County to help ensure that the upper- and lower-tier municipalities in these geographic areas are efficient and accountable to their residents and businesses.

The review will cover Ontario's eight regional municipalities (Halton, York, Durham, Waterloo, Niagara, Peel, Muskoka District, and Oxford County) and their lower-tier municipalities. Simcoe County and its lower-tier municipalities will be included in the review because of its rapid growth and associated challenges.

Mandate

1. The mandate of the advisory body is to provide expert advice to the Minister of Municipal Affairs and Housing and to make recommendations to the government on opportunities to improve regional governance and service delivery.

Recommendations from the advisory body will focus on the following questions:

Questions on municipal governance and decision-making;

- a. Is the decision-making (mechanisms and priorities) of upper- and lower-tier municipalities efficiently aligned?
- b. Does the existing model support the capacity of the municipalities to make decisions efficiently?
- c. Are two-tier structures appropriate for all of these municipalities?
- d. Does the distribution of councillors represent the residents well?
- e. Do the ways that regional councillors/heads of council get elected/appointed to serve on regional council help to align lower- and upper-tier priorities?

Questions on municipal service delivery;

- f. Is there opportunity for more efficient allocation of various service responsibilities?
- g. Is there duplication of activities?
- h. Are there opportunities for cost savings?
- i. Are there barriers to making effective and responsive infrastructure and service delivery decisions?

Responsibilities of the advisory body

2. The responsibility of the advisory body is to deliver expert advice to the Minister based on the subject-matter expertise of the two special advisors and the assessment of feedback received through the consultation process.

The advisory body will solicit input from elected and appointed council members, municipal and business stakeholders and members of the public from the nine upper-tier municipalities and 73 lower-tier member municipalities. The consultation process will include, but is not limited to:

- a. initial interviews with all upper and lower-tier heads of council in early 2019 to elicit their views on an individual basis and to prepare for group consultations in spring 2019
- b. consultations with all nine upper-tier councils as well as the Mayors and Regional Chairs of Ontario (MARCO)

- c. engaging key municipal associations such as the Association of Municipalities of Ontario (AMO), the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO), etc.
- d. a provincially-hosted online consultation targeted to residents and businesses within the regions and Simcoe County
- e. accessing background information and expertise as needed to inform the review by meeting with municipal staff and appointed/elected officials, or by reviewing research, reports, and other materials
- f. other consultation methods deemed appropriate to solicit additional input from other stakeholders, communities and/or organizations

Support for the advisory body

3. Staff from the Ministry of Municipal Affairs and Housing will provide administrative support to the advisory body as needed. This may include, but is not limited to, logistical and writing support, the provision of access to relevant background information (e.g. research, reports), subject-matter expertise and setting meetings with municipal staff or elected and appointed officials. The advisory body will direct media inquiries to the Ministry.

Deliverables

- 4. The advisory body will develop a work plan that will outline the proposed approach for delivering on the review and submit it to the Ministry on or before January 18, 2019 for approval.
- 5. The advisory body will develop a detailed consultation plan for the review and submit it to the Ministry on or before January 31, 2019 for approval.
- 6. The advisory body will develop recommendations for the Minister for the purpose of improving governance, decision-making and service delivery in the regions/Simcoe County and their lower-tier municipalities, and actionable options for implementation.
- 7. These recommendations will be submitted in the form of a written document to the Minister, and could be specific to particular regions/Simcoe County to account for their different needs, challenges, resources and objectives.

Timeframe

- 8. The work of the advisory body will begin on December 20, 2018. Recommendations will be submitted to the Minister in Summer 2019. The Minister may retain the special advisors to assist with additional advice until September 30, 2019.

Conflict of interest

- 9. Members of the advisory body are required to declare to the Ministry any actual, potential, or perceived conflict of interest arising in regard to any matter under discussion as part of the review.

Confidentiality and access to information

10. Members of the advisory body shall not use or disclose any confidential information, either during or after the appointment, obtained as a result of their appointment for any purpose unrelated to the duties of the appointment, except if required to do so by law or authorized to do so by the Minister.

11. All materials produced by the advisory body, including research analysis, reports and recommendations, are the exclusive property of the Ministry and may be released publicly at the discretion of the Ministry.

12. Background research reports prepared for the advisory body are the exclusive property of the Ministry and may be made available to the public at the discretion of the Ministry.

13. Documents in the possession of the Ontario Public Service related to the work or support for the advisory body will be subject to the provisions of the *Freedom of Information and Protection of Privacy Act*.

Questions about the review

If you have any questions or want more information, email us at regionalgovreview@ontario.ca (<mailto:regionalgovreview@ontario.ca>).

Updated: January 16, 2019

Published: January 15, 2019

Related

[List of Ontario municipalities \(http://www.mah.gov.on.ca/Page1591.aspx\)](http://www.mah.gov.on.ca/Page1591.aspx)



FOR IMMEDIATE RELEASE

Council approves 2019 County of Simcoe Budget

Midhurst / January 22, 2019 – Simcoe County Council today approved a \$548 million budget for 2019, which focuses on the resources necessary to maintain existing services and service levels in the region, while continuing to invest in infrastructure, Transit, Paramedic Services, Solid Waste Management, and Social Housing.

Residents will see an overall 2.00 per cent increase on the County portion of their municipal property taxes in 2019, an impact of approximately \$5.70 per \$100,000 of property assessment across the region.

The County maintains a strong financial position, having received for the fourth year in a row a AA long-term issuer credit rating for 2018 from S&P Global Ratings, an independent credit company. The 2019 budget ensures the County continues along this path of long-term fiscal stability and contains items that address areas of growth, as well as initiatives directed by Council to enhance service levels for the region, support infrastructure, increase efficiencies, and prepare for the future.

“Simcoe County’s progression as a vibrant, growing and thriving region brings tremendous opportunity, as well as increased need and demand for regional services, supports and infrastructure,” said Warden George Cornell. “Our Council understands the significant role and impact of our services to our residents and communities and has approved a fiscally responsible budget that upholds our commitment to manage tax payers’ dollars efficiently, while providing flexibility to continue to invest in economic growth, tourism, municipal services, social and health programs, and regional infrastructure.”

2019 Budget Highlights include:

Total County Expenditures for 2019: **\$548 million:**

- Long Term Care and Seniors Services **\$60 million**
- Paramedic Services **\$73 million**
- Social Housing **\$88 million**
- Ontario Works **\$73 million**
- Transportation and Engineering **\$69 million**
- Solid Waste Management **\$46 million**
- Children and Community Services **\$62 million**

Attached to this news release is the 2019 County of Simcoe Budget Overview.

County of Simcoe is composed of sixteen member municipalities and provides crucial public services to County residents in addition to providing paramedic and social services to the separated cities of Barrie and Orillia. Visit our website at **simcoe.ca**.

- 30 -

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County of Simcoe, Service Simcoe Branch
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2019 COUNTY BUDGET OVERVIEW



Responsibly Managing Your Services

The 2019 County of Simcoe budget has been approved by County Council with expenditures at \$548 million. Significant revenue and external funding limits the taxation levy requirement to \$170 million.

This prudent financial plan, which will account for an overall 2 percent increase on the County portion of municipal property taxes in 2019, focuses on the resources necessary to maintain or improve the existing crucial County services while continuing to invest in regional economic enhancements, roads and bridges, Paramedic Services, Solid Waste Management, Transit, and Affordable Housing.

The County is entering its fifth year of its 10 year *Affordable Housing and Homelessness Prevention Strategy* and continued investment in 2019 builds upon the 1,200 new affordable housing units already created since the strategy's inception.

The County has a target of 2,685 units by 2024, which includes ongoing development projects in Collingwood, Wasaga Beach, and Tay.

Because significant growth in the region impacts demand for all County services, we continue to work closely with our community and municipal partners to ensure residents receive the best value for their tax dollars.

The 2019 budget contains provisions to address these impacts, enhance services, increase efficiencies, and continue to prepare Simcoe County for a future of long-term fiscal stability.

The budget directs additional spending in Health and Emergency Services, including resources for Paramedic Services, such as bases in Barrie, Midland,

and Springwater to address higher call volumes.

New provincial funding was received by the County of Simcoe through the Ministry of Education to support Early Learning and Child Care programs, services and access. The \$5.6 million in new funding will enhance the County's ability to effectively respond to local system needs and support the new Ontario Early Years Child and Family Centres.

Another \$3.3 million was received in provincial homelessness funding to support programs and services for high need homeless populations.

Work continues in 2019 to grow the inter-municipal transit system after the 2018 launch of the first County bus route between Midland-Penetanguishene and Barrie. The 2019 budget includes the addition of two new routes: Orillia - Oro-Medonte - Barrie, and Collingwood - Wasaga Beach - Clearview - Essa - Barrie. A capital budget of \$4M has

been allocated for scheduling software and conventional and specialized bus purchases.

Major road projects for 2019 include the start of County Road 21 and design of County Road 4 construction.

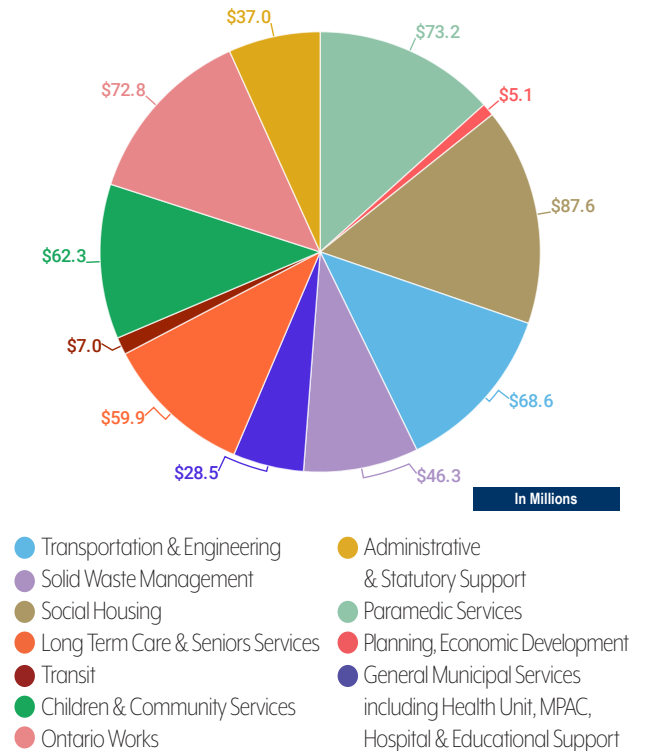
County Council will also continue its major financial commitments to local hospitals, hospice, and post-secondary education institutions.

The 2019 budget allows the County to maintain its important role in our communities and set in motion the required initiatives to meet the increasing demands of our residents, while continuing to keep a strong long-term financial outlook.

Because growth in the region impacts demand for all County services, we continue to work closely with our community and municipal partners to ensure residents receive the best value for their tax dollars.

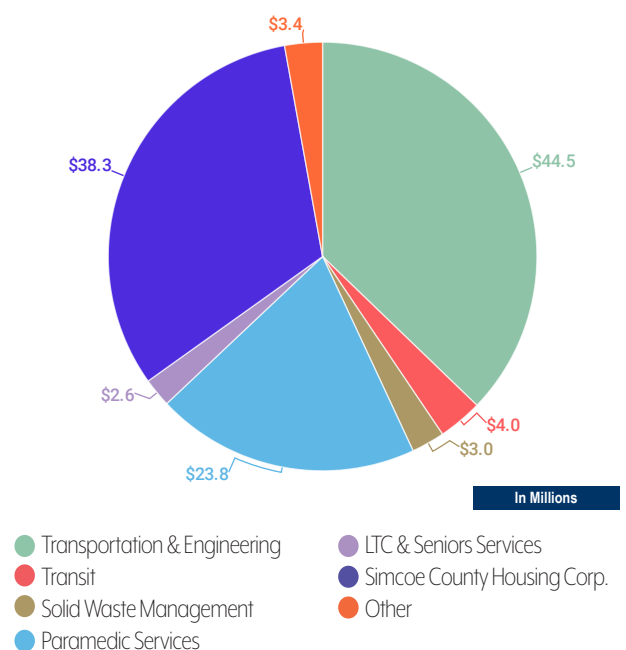
Total County Expenditures

\$548M Operating and Capital



County Capital Expenditures

\$120M



Working together for The Greater Good

The County of Simcoe understands that strong community partnerships play a vital role in providing high-quality services to residents. In order to maintain and foster these established partnerships, the County provides funding to other community impact services. Some strategic investments the County is proud to support in 2019 include:

- **Simcoe County Hospital Alliance**
\$3.0 million
- **Post-secondary capital support**
\$1.5 million
- **Hospice capital funding**
\$0.5 million
- **Simcoe Muskoka Health Unit**
\$4.5 million



expenditure **breakdown**

Engineering, Planning and Environment

The Engineering, Planning and Environment Division is comprised of Transportation and Engineering, Solid Waste Management, Forestry, Planning, Economic Development, and Transit.



Work continues in 2019 to grow the inter-municipal transit system after the 2018 launch of the first County bus route between Midland-Penetanguishene and Barrie. The 2019 budget includes the addition of two new routes: Orillia - Barrie, and Collingwood - Wasaga Beach - Barrie.

TRANSPORTATION AND ENGINEERING

2019 Expenditures: \$69M

The 2019 budget includes construction and road maintenance projects totalling more than \$69M. Expenditures include \$4.5M for the CR90

project Barrie to Angus, \$6.2M (CR 21), \$4M (CR 4), \$5.5M (Holland River Bridge), and rehabilitating approximately 60km of roads.

Funding for these projects includes development charge reserve funds of \$23M and Gas Tax funds of \$9M.

SOLID WASTE MANAGEMENT

2019 Expenditures: \$46M

The Solid Waste Management Department manages the waste disposal facilities and collection of curbside waste and diversion programs.

Capital projects include equipment replacement and development work on the Environmental Resource Recovery Centre.



Health and Emergency Services

LONG TERM CARE AND SENIORS SERVICES

2019 Expenditures: \$60M

The County of Simcoe provides a broad range of Long Term Care and Seniors Services to residents living throughout the region, supporting more than 1,300 seniors.

They include four long-term care homes accredited with “Exemplary Standing” by Accreditation Canada, supportive housing, retirement living, assisted living, affordable housing, life lease

suites and garden homes, adult day programming, and an entire suite of home support services.

This vast diversity of programs and services addresses a wide spectrum of needs that support residents to age in place, and assist in a seamless transition for individuals as they move across the continuum of care from community to long-term care.



PARAMEDIC SERVICES

2019 Expenditures: \$73M

Paramedic Services provide land ambulance services at a Primary Care Paramedic and Advanced Care Paramedic level of service, training programs, public education, Public Access Defibrillator, and Community Paramedicine programs.

The 2019 budget includes costs associated with equipment replacements and upgrades related to emergency medical response to the region, including the separated cities of Barrie and Orillia, with annual call volume/responses in excess of 77,000.

Capital projects include station development and vehicle and equipment replacements.

Social and Community Services

CHILDREN AND COMMUNITY SERVICES

2019 Expenditures: \$62M

Children Services

As the Consolidated Municipal Service Manager, the County of Simcoe provides leadership, management, and funding administration to the local system of Licensed Child Care, Special Needs Resourcing, and EarlyON Child and Family Centres.

This includes administration of licensed child care fee subsidy, child care centre operating funding, program supports, and wage enhancement for agency staff.



Homelessness Prevention

The County of Simcoe works collaboratively with local service providers and other community partners to ensure more coordinated and integrated supports for individuals experiencing homelessness.

Through a contract management process, funding is provided to support community based programs and initiatives that address homelessness and poverty.

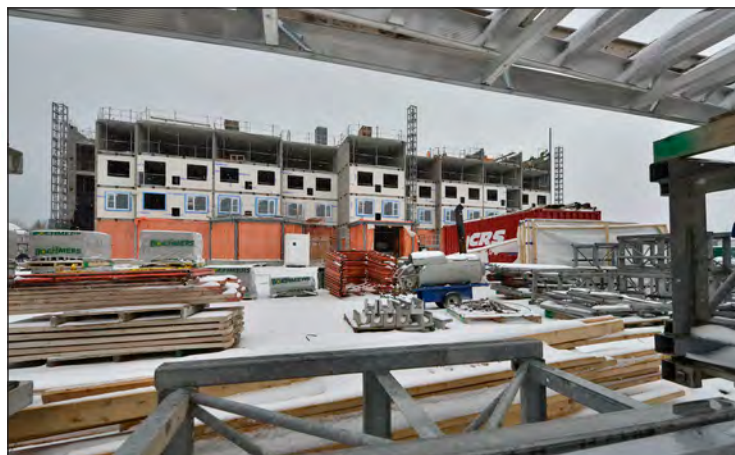
ONTARIO WORKS

2019 Expenditures: \$73M

The County of Simcoe administers the Ontario Works program, with a projected monthly caseload of 5,600, providing both financial and employment assistance to individuals in financial need. Program outcomes focus on individual goals that lead to financial independence.

Initiatives:

- Targeted skilled trades training
- Enhanced supports for clients with multiple barriers
- Addiction services initiative



Three rental projects, including this one in Collingwood, will create an additional 257 units of affordable housing in the County (2019-2020).

SOCIAL HOUSING

2019 Expenditures: \$88M

The County is responsible for the administration and funding of numerous mandated social housing programs.

In addition, the County participates in a number of initiatives that enhance the range of affordable housing options/programs available to our residents.

Programs include the Simcoe County Housing Corporation and the many non-profit and co-operative housing providers.

There are approximately 4,000 social housing units within the County's housing portfolio, of which, approximately 2,800 are rent-geared-to-income.

Simcoe County Housing Corporation 2019 capital budget includes the Collingwood, Wasaga Beach, and Tay Township development projects (\$35M). These three rental projects will create an additional 257 units of affordable housing during 2019-2020.



How your tax dollar works

While the County's expenses are \$548 million, they are offset by the County revenues and funding from both provincial and federal levels of government. Residents will see a 2 per cent increase on the County portion of their municipal property taxes in 2019. Overall, due to revenues and provincial funding, the County's actual tax requirement of \$170 million is broken down as follows:

COUNTY LEVY SUPPORT PER AREA	%*	(\$000s)*	PER \$100,000 RESIDENTIAL ASSESSMENT VALUE*
Paramedic Services	16.7%	28,355	\$48.58
Long Term Care and Seniors Services	5.2%	8,767	\$15.02
Ontario Works	2.2%	3,665	\$6.28
Children and Community Services	2.5%	4,206	\$7.21
Social Housing	14.0%	23,816	\$40.81
Transportation and Engineering	10.5%	17,750	\$30.41
Solid Waste Management	21.1%	35,814	\$61.36
Planning, Economic Development	3.4%	5,840	\$10.01
Transit	3.7%	6,267	\$10.74
Administrative and Statutory Support (CAO, Clerk Dept, Service Simcoe, Corporate Performance)	8.3%	14,155	\$24.25
General Municipal Services (SMDHU, MPAC, LSRA, Age Friendly grant, hospital and educational support)	12.4%	21,038	\$36.05
Total Taxes based on Services	100.0%	169,674	\$290.72

* All numbers are rounded

APPROXIMATE TAX INCREASE PER RESIDENTIAL PROPERTY ASSESSMENT		
County Tax Rate Increase		
%	\$	per \$100,000 assessment
2.0	3.3M	\$5.70

COUNTY ONLY (excluding Barrie & Orillia)	#	AVG. COST PER UNIT*
Households	144,481	\$22.60
Population	322,194	\$10.14

* Approximate Increase

NOTE: Actual taxation impacts do not parallel assessment change because of Ontario's variable tax rate system. Tax rates vary by property class and assessment based on tax ratios, which affect the distribution of the tax levy across classes. The numbers noted are for illustration purposes only.

How to contact us



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705-726-9300

simcoe.ca

Office of the Warden and CAO, Ext.1260

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Mark Aitken, Chief Administrative Officer CAO@simcoe.ca

Corporate Performance Division, Ext.1266

Trevor Wilcox, General Manager trevor.wilcox@simcoe.ca

Corporate Performance Division, Ext.1174

Lealand Sibbick, Treasurer lealand.sibbick@simcoe.ca

From: Marcus Ryan [mailto:mryan@zorra.on.ca]
Sent: February 5, 2019 2:57 PM
Subject: Regional Government Review

Many of you have probably not heard of Zorra Township. We are a small, rural municipality in Oxford County.

We are small, but we are used to being heard. We have successfully lobbied the Ministry of Education to change the rules around school closures and to achieve the current province wide moratorium on school closures. We have successfully lobbied the Ministry of Transportation to have alternatives added to the Environmental Assessment of the High Speed Rail proposal.

We expect to be heard on *this* issue as well.

The Township of Zorra welcomes the Ministry of Municipal Affairs and Housing's Regional Government Review and looks forward to opportunities to participate in the Review in a meaningful way.

We believe that the most effective implementation of any potential changes identified in the review would be if they were identified by prescribed outcomes, and implemented by the Municipalities themselves with approval of the Province.

Each of our municipalities may have a different desired outcome, some of those outcomes may even be in opposition to each other. At this point in the process what is most important is that the Ministry appreciates that while we are all Regional Governments, the characteristics of each of our regions are different and those differences require different solutions. In terms of geography, density, land use, growth rates, economy, etc. we are a varied group. As such the challenges and opportunities facing each of us will require different solutions.

The politicians best suited, indeed most qualified, to decide what solutions are best for our municipalities are those elected by our communities expressly to represent their interests in these municipal matters.

Simply put: we should decide.

There is time in this review for us all to work together. I encourage each of you to consider supporting the resolution (attached below) passed by Zorra Township on January 23rd, and that a common theme and focus at this stage of the review be that the municipalities themselves should decide what solutions should be implemented.

I look forward to hearing from you on this.

#weshoulddecide
#regionalgovernmentreview
#onpoli
#onmuni

Please be advised that the Township of Zorra Council passed the following resolution at the January 23, 2019 Council Meeting:

Whereas the Township of Zorra is in receipt of the letter from the Minister of Municipal Affairs and Housing dated January 15, 2019 (attached) regarding a review of regional government;
And whereas the Township of Zorra is one of eight area Municipalities in the County of Oxford;
And whereas it is understood that Municipal Governments are “creatures of the Province”;
And that the Province of Ontario is within its right to conduct such a review, and identify improvements to make better use of taxpayer dollars while ensuring government works efficiently and effectively for the people;
And whereas, the Township of Zorra is well aware of the changing pressures on Municipal Government, and continually stretching our tax dollars and building on what’s working well;
Therefore be it resolved that the Township of Zorra welcomes such a review and looks forward to participating in it;
And, that the Township of Zorra believes that the most effective implementation of such changes would be if they were identified by prescribed outcomes and implemented by the Municipalities themselves with approval of the Province similar to an Official Plan process;
And that this resolution be forwarded to all Oxford Municipalities, and the Minister of Municipal Affairs and Housing.

Marcus Ryan
Mayor, Zorra Township
Mobile: 1.519.301.1634



Township of Zorra
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Individuals who submit letters and other information to Council should be aware that any personal information contained within their communications may become part of the public record and may be made available to the public through the Council/Committee Agenda process.

This email communication is CONFIDENTIAL AND LEGALLY PRIVILEGED. If you are not the intended recipient, please notify me at the telephone number shown above or by return email and delete this communication and any copy immediately. Thank you.

Think about our environment. Print only if necessary.

**Public Works Committee
February 13, 2019**

Agenda

- 1. Call to Order:**
- 2. Reports of Municipal Officials:**
 - 2.1 Report from the Director of Public Works
Report No. PW-2019-08
Re: Monthly Activity Report Public Works Department
 - 2.2 Report from the Water/Wastewater Superintendent
Report No. PW-2019-10
Re: Monthly Activity Report – Water Wastewater Operations
 - 2.3 Report from the Manager of Roads & Fleet
Report No. PW-2019-11
Re: Monthly Activity Report Roads & Fleet
 - 2.4 Report from the Manager of Parks, Recreation & Facilities
Report No. PW-2019-12
Re: Monthly Activity Report – Parks, Recreation & Facilities
- 3. Other Business:**
 - 3.1 Verbal from Councillor Bumstead
Re: North Simcoe Girls Hockey Team
 - 3.2 Correspondence from Recreation Committee Members
Re: Letter of Resignation
 - 3.3 Correspondence from MacKenzie Park Revitalization Committee
Re: MacKenzie Park Improvements Committee Update
- 4. Items for Information:**



STAFF REPORT

Department/Function: Public Works

Chair: Councillor Barry Norris

Meeting Date: February 13, 2019

Report No.: PW-2019-08

Report Title: Monthly Activity Report
Public Works Department

ORIGIN

Director of Public Works for the period from January 2 to February 5, 2019.

ROADS/PARKS

- Traffic questions – speed, all-way stops
- Road program update and options
- Start update to Long Term Plan for 2020
- Fleet inventory review

WATER/WASTEWATER OPERATIONS

- Grandview Beach and Paradise Point: contract issues; resident concerns
- System drawings update
- Tay Area Water Treatment Plant – reporting discussion with Ministry of Environment, Conservation and Parks

DEVELOPMENT

- Oakwood Seniors Residence review
- Victoria Woods and Victoria Glen – status review

GENERAL

- Staff reviews
- Training – mental health awareness
- Review of Climate Change Action Plan
- Consultant Selection Review
- Budget implementation planning

MEETINGS

- Agenda Review meeting
- Department Heads' meetings
- Public Works Mangers' meetings
- Committee of All Council, Budget Meeting and Council
- Joint Health and Safety Committee

Prepared By:

Date Prepared: February 5, 2019

Peter Dance
Director of Public Works



STAFF REPORT

Department/Function: Public Works

Chair: Councillor Barry Norris

Meeting Date: February 13 2019

Report No.: PW-2019-10

Report Title: Monthly Activity Report – Water Wastewater Operations

ORIGIN:

Superintendent of Water & Wastewater Operations for the period of December 31, 2018 to January 30, 2019.

TREATMENT PLANTS:

Tay Area Drinking Water Plant had a failure of one of the process air compressor due to a failure of the refrigeration unit in the compressor air dryer. We are currently operating on our stand by unit until we can obtain the replacement parts required to repair the refrigeration unit.

We have been preparing to complete the improvements to the Rope Drinking Water Plant high lift pump. We have been fabricating new pump suction for installation in the new year which will allow us to operate the high lift pumps more effectively during high demand periods.

The M.E.C.P. conducted an un-announced compliance inspection of the Tay Area Drinking Water System and the Rope Drinking Water System on December 19, 2019 we expect to have the report sometime in February 2019. Further to these inspections The Director of Engineering, Water Superintendent and our Design Engineer are meeting with M.E.C.P. to discuss operational concerns brought up by the M.E.C.P. inspector during the inspections on February 8, 2019

The following repairs were completed at the Port McNicoll WWTP:

- PBS repaired a stripped bolt in B86 Blower oil drain
- PBS repaired a leak in the Permeate Pump piping
- PBS replaced a Blower Check Valve gasket

DISTRIBUTION & COLLECTIONS SYSTEMS:

We had a number of services and water main breaks through the month of January due in part to the limited snow coverage and drastic temperature swings. We have listed the repairs as follows;

200 mm Watermain repairs completed in January

- 122 Pine Street
- 21 Jephson Street by the Cemetery
- 123 Dodge Road

Sanitary Lateral Repair completed in January

- 720 Fifth Avenue

Water Service Valve Repairs completed in January

- 39 Bourgeois Beach Road
- 502 Camilla Street
- 20 Hemlock Avenue
- 829 Eighth Avenue

Repaired sewage pump 1 at Winfield and removed debris then reinstalled pump in wet well.

Repaired the grindex pump from sludge cell 3 at Victoria Harbour WWTP due to a damaged pump base and sent out to PBS for repairs.

The sanitary back up at 720 Fifth Ave., staff rod the lateral to clear debris which was due to a joint separation in the lateral within the road allowance we have covered the cost of the rodding and will complete repairs when the frost is out of the ground.

ADVERSE DRINKING WATER:

There were no adverse water quality incidences this reporting period.

Prepared By:

Date Prepared: January 30, 2019

Mike Emms,
Water/Wastewater Superintendent



STAFF REPORT

Department/Function: Public Works

Chair: Councillor Barry Norris

Meeting Date: February 13, 2019

Report No.: PW-2019-11

Report Title: Monthly Activity Report Roads and Fleet

ORIGIN

Manager of Roads and Fleet from January 1, 2019 to January 31, 2019.

OPERATIONS

Staff have been completing service requests and correcting deficiencies noted through regular road patrolling. There were several hazardous tree removals and storm cleanups done early January. Staff have also been doing minor repairs and maintenance to the trucks and equipment.

WINTER CONTROL

The Township responded to the twenty winter events. Some of these events were freezing rain which can be extremely challenging. The mild weather and rain also makes the gravel roads icy, so the grader was sent out with the ice blades to scrape and improve the surface on those roads. A breakdown of the winter events is as follows:

Five events were sanding only, fifteen events were plowing and sanding. Road patrol was out nightly, there were several occasions where road patrol did an additional patrol during the day time due to weather observations.

WINTER SAND

We started to receive winter control sand in the last week of January. I anticipate that the remainder of the 3000 tonnes will be stocked by February 6th.

FLEET

All units are receiving regular maintenance, and various small repairs. The following are units were out of service for major repairs.

Unit 0849, vactor truck is currently out for repair, hydraulic issues
Unit 0316, tandem plow truck was out of service for a week, hydraulic pump
Unit 0615, tandem plow truck is currently out for repair, fuel injection issues
Unit 0928, tractor was out of service for 3 weeks, hydraulic issues
Unit 0834, sidewalk machine was out of service for a week, hydraulic issues

TRAINING

Staff attended Interacting with Customers with Mental Illness training

UPCOMING WORK FOR FEBRUARY

- Complete service requests
- Winter control
- Prepare tenders for upcoming capital projects
- Street light inspections
- Sign Retro-reflectivity inspections

MEETINGS

- Public Works Managers' meeting
- Simcoe County Road Supervisors meeting

Prepared By:

Date Prepared: January 31, 2019

Lyell Bergstrom
Manager of Roads & Fleet



STAFF REPORT

Department/Function: Public Works

Chair: Councillor Barry Norris

Meeting Date: February 13, 2019

Report No.: PW-2019-12

Report Title: Monthly Activity Report – Parks, Recreation & Facilities

ORIGIN Manager of Parks, Recreation & Facilities for the period of January 3, 2019 to February 6, 2019.

RECREATION

Winter Recreation Programs Started

Winter active living programs are now underway. Programs started up the week of January 7th and run until the week of March 11th. The Youth Art Attack program on Saturday mornings at the Harbour Shore Community Room was once again very well attended.

Spring Recreation Guide

Program details and information has now been completed for our spring program session. The North Simcoe Recreation Guide will be distributed through the Midland Mirror on Thursday February 21st. This guide will cover program information and events from mid-March until mid-June. This year's spring guide will feature information and registration details for the summer TOTS Soccer Program and Summer Day and Teen camp programs.

Portarama Reloaded

The Portarama Committee reconvened to regular scheduled meetings after a break in December. The Committee is going full steam ahead with planning events and recruiting volunteers needed to help with the weekend's activities. The ever popular fireworks show will move back to its preferred location at Patterson Park at dusk on the Saturday evening. The full schedule of events will be passed along once made available to the public.

Canada Day Committee

The Canada Day Committee kick started their monthly meetings in early February. This year's nightly entertainment has been booked, with Friday evening showcasing a three in one Country Tribute (Allan Jackson, Garth Brooks and Jason Aldean tribute artists) and Saturday evening, back by popular demand, is 21 Gun Salute (AC/DC Tribute group). This year's event will take place on the June 21st/22nd weekend. More details regarding the full weekend slate of events will be provided once confirmed.

Port McNicoll Recreation Committee

The Port McNicoll Recreation Committee is off and running with their planning of various youth programs and community events. They kick things off on Saturday February 16th with a 'Craftarama' vendor show at the Port McNicoll Community Centre. Then on Sunday February 17th from 10:15am-12:15pm they are holding a 'Skatearama' family fun event at the Tay Community Rink for all community members to enjoy. They are also in the midst of planning some youth activity nights at the Port McNicoll Community Centre.

Recreation Programs Resident Consultation

Township Staff are looking to hold a Recreation Programs public input consultation the third week of March in order to receive input from the public on youth and senior programming in the Township. More information regarding the proposed input session will become available in the coming weeks.

Tay Bike Day Committee

The Tay Bike Day Committee met in late January to begin their planning of the annual Tay Bike Day event on Saturday June 15th at Bridgeview Park in Waubauskene. Planning is still in the initial stages and event details will be published once confirmed.

Youth Dances

Youth dances are hosted by the Victoria Harbour Recreation Committee on the following dates from 7pm to 10pm. The fee is \$5 at the door.

Oakwood Community Centre

February 15, March 15, April 12, May 17.

PARKS

Albert St Washroom Building

Linx Contracting reports that due to cold weather recently received that they will complete the epoxy flooring and outside restoration (completion of fascia) and concrete pad as soon as possible in the spring. This washroom building will be a great addition to the park, Tay Shore Trail and boat launch facilities.

Outdoor Rinks

The outdoor rinks have been open and operational for the past several weeks. In talking with the Outdoor Rink Attendants all rinks seem to be getting a steady flow of users each and every night. Township staff continue to try and recruit another outdoor rink attendant in order to provide coverage for the other attendants should they be unavailable to work as currently there have been unexpected closures due to staff availability. Staff will continue to keep the rinks open and operational as long as the weather permits.

FACILITIES

Port Community Centre

The Port McNicoll Community Centre will receive a new set of LED lights throughout the building in early February. A lighting incentive was discovered that made the project possible.

Tay Community Rink Operations

The Tay Community Rink has had a steady flow of users throughout the month of January. All operations are running smoothly and the shinny and public skating times have been well attended. The snow days prove to be extremely busy at the facility. The new time of day clock was recently received and Township staff hope to have it installed within the next week. The purchase of the time of day clock was made possible through a donation from the Port McNicoll Lions Club.

Date Prepared: February 6, 2019

Prepared By:



Bryan Anderson
Manager of Parks, Recreation & Facilities

Dates to remember:

TBD – Volunteer Appreciation Event

May 17th – 19th - Portarama

June 15th - Tay Bike Day

June 21st & 22nd – Canada Day Celebrations

November 24th – Santa Claus Parade

December 1st – Township Tree Lighting Event

Sent: January-14-19 8:55 AM

To: Bryan Anderson

Subject: Waubaushene Recreation Committee

Good morning,

I would like to resign from the Waubaushene Rec. Committee. After a discussion with the other members of the committee on Friday, I dont think that I will be of any assistance. I dont wish to have my name or reputation be associated with the Benny Club, and since it is so intwind with Recreation committee, I wont be able to go any further.

Thank you so much for your time.

Take care,

Nicole Carswell

Sent: January-10-19 10:30 AM

To: Bryan Anderson

Subject: FW: 2018-2022 Victoria Harbour Recreation Committee

Thanks Bryan 😊

As mentioned, I was not sure what the committee entailed.
I have given it some more thought.

I respectfully extract my name from this Committee.

Helen.

Mayor Walker and Members of Council

RE: MacKenzie Park Improvements Committee update

The MacKenzie Park Improvements Committee would like your endorsement to allow the Committee to explore the opportunity of constructing a picnic shelter similar to the one constructed at Patterson Park in Port McNicoll. It is our understanding that construction drawings for a pavilion at MacKenzie Park have already been produced and we ask that the project team (Committee members with staff) be given the authority to circulate these drawings with potential donors and vendors/contractors to garner a better scope of the materials and labour needed to construct the pavilion. Once the Committee is able to determine what can be solicited for donations and what will need to be purchased with budgeted money we will come back to Council with a more through plan for final approval. We realize any donations from contractors for labour will need to meet the Township standard of individuals working on Township property (WSIB & Insurance). The location of the pavilion and a proposed site plan (playground upgrades, concrete walkways, etc.) on the property will also be determined with Council concurrence once the more through plan is presented.

Sincerely,

MacKenzie Park Revitalization Committee Members
Gerard Lachapelle
Mary Warnock
Janet Pattullo
Jodi Dion

**Planning & Development Committee
February 13, 2019**

Agenda

1. Call to Order:

2. Reports of Municipal Officials:

- 2.1 Report from the Director of Planning & Development
Report No. PD-2019-08
Re: Planning & Development Director Update January 2019
- 2.2 Report from the Director of Planning & Development
Report No. PD-2019-06
Re: Tree Canopy and Natural Vegetation Policy
- 2.3 Report from the Director of Planning & Development
Report No. PD-2019-09
Re: Site Plan Agreement Application 2018-SPA-04 60 Maple Street-Simcoe County Housing Corporation
- 2.4 Report from the Director of Planning & Development
Report No. PD-2019-10
Re: Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, 2017
- 2.5 Report from the Chief Building Official
Report No. PD-2019-07
Re: Building Services Division Update – January 2019

3. Other Business:

4. Items for Information:

- 4.1 Correspondence from EDCNS
Re: EDO Report – January 2019
- 4.2 Resolution from the Town of Orangeville
Re: Bill 66, Open for Business Zoning By-laws
- 4.3 Resolution from the Town of Georgina
Re: Bill 66, Restoring Ontario's Competitiveness Act
- 4.4 Correspondence from Local Planning Appeal Tribunal
Re: Draft Plan of Subdivision – CIM Homes Inc.
- 4.5 Correspondence from AGCO
Re: Cannabis Retail Stores



STAFF REPORT

Department/Function: Planning and Development Committee

Chair: Councillor Mary Warnock

Meeting Date: February 13, 2019

Report Number: **PD-2019-08**

Report Title: **Planning and Development Director Update January 2019**

The following are the highlights from January 2nd to January 31st, 2019:

Zoning Certificates

1. For the month of January, 7 applications, 3 were issued and 3 remains on hold for lot grading, and 1 for outstanding zoning issues. The average review time was 2.1 days

Development

2. Staff reviewed the proposed Bill 66 and provided questions back to the Province for their consideration on the "Open for Business By-law". Minister Clarke announced that the Province would not be pursuing Schedule 10 of the Bill, which were changes under the Planning Act.
3. Staff also reviewed New regulation under the Planning Act to prescribe transitional provisions for the proposed Green Energy Repeal Act, 2018 (Bill 34)
4. In the absence of any transitional provisions, operational and in-process facilities would be subject to municipal planning documents, and may not be in compliance with local zoning by-law requirements, triggering the need for planning amendments. Providing transitional treatment for operational and in-process renewable energy projects recognizes the substantial investments that may have been made by proponents (ranging from homeowners to large facility owners) to date
5. The Province also released proposed changes to the Growth Plan for the Greater Golden Horseshoe, which Staff are reviewing and will be providing comments back to the Ministry prior to the end of February 2019.

6. Draft Plan Extension for Heights of Victoria Harbour was granted for a term of 2 years (December 31, 2020).
7. Draft Plan Extension for the Victoria Harbour Golf Course Subdivision was approved by the LPAT for 5 year. (March 4, 2024)
8. Working with the County of Simcoe on the Oakwood Affordable Seniors Housing project at 60 Maple Street. It is anticipated that the site plan will be finalized and presented to Council in February 2019.
9. Finalizing the latest site plan submission for 5 Fallowfield Lane. Anticipated approval would be spring 2019.
10. Met with various developers and individuals to discuss potential residential and industrial type developments locating in the Township
11. Worked with the Director of Finance to finalize the Development Charges Background Study and By-law. We also hosted two open house sessions for residents and stakeholders.

Meetings/Training

12. Attended Department Head Meetings
13. Training and orientation provided to the Committee of Adjustment
14. Attended Builders Associations Increasing Housing Supply Workshop

Prepared and Recommended By;

Steven Farquharson, B.URPL, MCIP, RPP
Director of Planning and Development



STAFF REPORT

Department/Function: Planning and Development

Chair: Councillor Mary Warnock

Meeting Date: February 13th, 2019

Report No.: PD-2019-06

Subject: Tree Canopy and Natural Vegetation Policy

RECOMMENDATION:

That Staff Report No. PD-2019-06 regarding Tree Canopy and Natural Vegetation Policy be received;

That Council approves the proposed Tree Canopy and Natural Vegetation Policy;

And that the required by-law be brought forward to the next regular Council meeting for consideration.

INTRODUCTION/BACKGROUND:

The Modernizing Ontario's Municipal Legislation Act, 2017 (Bill 68) received Royal Assent on May 30, 2017. This Bill amends the Municipal Act, 2001 and the Municipal Conflict of Interest Act with the purpose of enhancing municipal accountability and transparency, promoting municipal financial sustainability and ensuring responsive and flexible municipal governments.

On March 1, 2019, section 270 (1) of the *Municipal Act, 2001* is amended by adding a section 7 which requires the adoption of a policy with respect to the manner in which the municipality will protect and enhance the tree canopy and natural vegetation in the municipality:

270 (1) A municipality shall adopt and maintain policies with respect to the following matters:

7. The manner in which the municipality will protect and enhance the tree canopy and natural vegetation in the municipality.

As part of council orientation, the current council will be educated on current planning policies and plans. The proposed policy references all relevant policies and plans to ensure all aspects of protection are encompassed.

ANALYSIS:

The attached Policy, based on a document provided by the Town of Wasaga Beach, has been modified to ensure compatibility with the Township's current framework and has been approved by Planning staff.

The intent of the Policy is to ensure that the Township has put measures in place to protect and enhance the tree canopy and natural vegetation in the community.

In support of Council's commitment to the environment, the policy clearly outlines the benefits of protection of natural vegetation, and the importance of adherence to current policies and plans.

Once the new Official Plan is finalized, policies will be included to ensure compliance with Section 270 (1) of the Municipal Act, and this policy will be repealed.

FINANCIAL/BUDGET IMPACT:

There is no financial impact as a result of this recommendation.

CONCLUSION:

Staff recommend that a by-law to adopt the attached policy be brought forward to the February 27, 2019 council meeting, in order to meet the deadline of March 1, 2019.

Prepared and Recommended By:

Date: February 6, 2019

Steven Farquharson, B.URPL, MCIP, RPP
Director of Planning and Development

Reviewed By:

Date: February 6, 2019

Robert J. Lamb, CECd, Ec.D.
Chief Administrative Officer

Attachment 1- Tree Canopy and Natural Vegetation Policy



**THE CORPORATION OF THE TOWNSHIP OF TAY
COUNCIL POLICIES MANUAL**

**SUBJECT: Tree Canopy
Preservation and Natural
Vegetation Policy**

EFFECTIVE DATE:

REVISION DATE:

**PAGE:
3 of 2**

1. SCOPE

This policy applies to all properties and developments, on public and private lands, in the Township of Tay. It is a resource, which can be referred to and utilized as guiding principles for residential, commercial and public purposes.

2. PURPOSE OF THE POLICY & STATEMENT OF PRINCIPLES

The purpose of this policy is to provide an understanding of municipal protection and enhancement of the tree canopy and natural vegetation and to promote best practices.

3. DEFINITIONS

Tree Canopy: the layer of leaves, branches and stems that cover the ground when viewed from above

4. GENERAL OBLIGATIONS

There are a number of benefits to protecting and enhancing the tree canopy:

1. A mature tree canopy creates shade, which lowers energy consumption for a community. This is accomplished via the direct link for shading households, and a community-wide impact of reducing the urban heat island effect;
2. Reduces air pollution;
3. Increases property value;
4. Provide shelter for wildlife;
5. Improves the usability of public parks;
6. Improves the aesthetics of properties and street lines;
7. Assists in stormwater management; and
8. Prevents erosion, especially along slopes.



THE CORPORATION OF THE TOWNSHIP OF TAY COUNCIL POLICIES MANUAL

**SUBJECT: Tree Canopy
Preservation**

EFFECTIVE DATE:

REVISION DATE:

**PAGE:
4 of 2**

Consideration should be given to where trees and vegetation are planted. Prior to planting a tree, property lines, utilities (power lines, buried water/sewer laterals or other 'hard' infrastructure) should be considered. The location of a tree should take into context its future size as it relates to a building's foundation and roof.

Shoreline Vegetation

- Vegetated areas adjacent to watercourses, lakes, rivers and wetlands are known as shoreline buffers. Shoreline buffers protect water from pollutants by filtering contaminants, providing habitat for native species and preventing shoreline erosion.
- Planting any vegetation, local species/native vegetation should be utilized.
- Consideration should be given to where trees and vegetation are planted. Prior to planting a tree, property lines, utilities (power lines, buried water/sewer laterals or other 'hard' infrastructure) should be considered. The location of a tree should take into context its future size as it relates to a building's foundation and roof.

In addition to the benefits listed previously, increased vegetative buffers help beautify commercial properties and enhance the existing natural beauty. Other benefits that can be considered are:

- Green parking lots to reduce stormwater flows and the costs of stormwater maintenance;
- Vegetated aisles and parking islands to increase shaded areas and reduce micro climates;
- Green roofs to reduce total stormwater runoff and enhance the urban canopy.
- Trees and vegetation require special care and treatment. If it appears the vegetation is struggling, it is recommended you speak to a professional.

This policy does not take priority over any By-laws, Plans, Policies, Resolutions or Agreements of the Township of Tay.



STAFF REPORT

Department/Function: Planning and Development

Chair: Councillor Mary Warnock

Meeting Date: February 13th, 2019

Report No.: PD-2019-09

Subject: Site Plan Agreement Application 2018-
SPA-04 60 Maple Street- Simcoe County
Housing Corporation

RECOMMENDATION:

That Staff Report No. PD-2019-09 regarding Site Plan Agreement for 60 Maple Street be received;

That Council authorize the Mayor and Clerk to enter into a site plan agreement with the Simcoe County Housing Corporation for the development at 60 Maple Street and that the required By-law be brought forward to Council;

That the County of Simcoe be permitted to remove tree vegetation on the site within the permitted building envelope in accordance with the approved tree preservation plan;

That the County of Simcoe be exempt from providing the required securities and letter of credit for the affordable housing development at 60 Maple Street;

That the appropriate By-law be brought forward at the next scheduled Council meeting to remove the holding symbol;

And further that Council authorizes staff to finalize the outstanding details of the agreement prior to registration.

INTRODUCTION/BACKGROUND:

The County of Simcoe in its correspondence to the Township dated March 29, 2016, provided an opportunity for those municipalities who are interested in participating in an affordable housing development within their

respective municipalities. This is in direct connection to the County of Simcoe's *Our Community 10 Year Affordable Housing and Homelessness Prevention Strategy*, in which municipal partners had expressed interest in participating in affordable housing developments. As a result of these discussions, the County forwarded to the municipal partners a *Call for Proposal (CFP)* for those municipalities who are interested in contributing resources for affordable rental housing development. This included the municipal resources such as land and buildings. In 2018, the Township was advised that the proposal was successful and the County would like to build an affordable seniors housing development within the Oakwood parklands.

In response to the direction at the June 8, 2016 Committee of all Council meeting, Council provided direction to staff to proceed with the necessary Planning applications to re-designate and re-zone the westerly portions of Oakwood Park to allow for the site to be selected as a potential affordable seniors housing development. Details of the redesignation and rezoning can be found in Staff Report PD-2018-18.

The Township's planning staff is currently processing the remaining Site Plan Control application. This will include final site plan drawings, engineering plans, grading, and storm water management, and the execution of a Site Plan Control Agreement.

The County of Simcoe has recommended that a portion of Federal/Provincial funding be allocated to the Township of Tay rental development project, and the Ministry of Municipal Affairs and Housing has proceeded to conditionally commit the funding. In accordance with Ministry's 'Investment in Affordable Housing for Ontario' Program Guidelines, funding allocations are provided on a 'use it or lose it' basis. Projects that do not meet the required timelines may have funding reallocated to other Service Manager areas as there are limited options to move funds between program years.

All annual funding allocations must be committed to projects within specified timelines in each program year. The Victoria Harbour development project must start construction by April 30, 2019; however, to be in a position to do so, the County must secure contractors and adhere to mandated timelines. The most sensitive mandated timeline is tree cutting. To meet the recommended tree cutting deadline of March 31st, approval is required to commence cutting operations no later than March 11th. Should the late-winter tree cutting window be missed, significant delays and associated costs would be incurred by the County, potentially compromising the Federal/Provincial funding opportunity and the construction schedule, as well as anticipated occupancy timelines.

Staff recommends that tree removal be permitted, provided it is accordance with the approved tree preservation plan and that such vegetation is to be clearly fenced off during tree removal and construction.

ANALYSIS:

The property is currently zoned Institutional Exception Three Holding "I-3(H)" and permits an independent retirement home in additional to the other institutional uses listed in Section 27 of the Zoning By-law.

The site plan meets all the requirements of the Zoning By-law including setbacks, parking and loading, etc. The site plan also addresses storm water management and fire protection, lighting etc.

The Township has received written and verbal correspondence from the surrounding residents on Maple Street, who have requested that an additional entrance be provided from Elizabeth Street. This request and supporting material has been provided to the County of Simcoe for their consideration. The County has confirmed to Planning staff that a driveway being provided out to Elizabeth Street was not included as part of the project's initial design and would require further approval from County Council. The applicants, as part of the site plan application, provided a traffic brief which the Director of Public Works has indicated he has no concerns over the anticipated traffic generated from the site.

It should be noted that the Township retains an access easement from the driveway entrance off Maple Street along the rear lot line to the property limits to the north. Should Council in the future wish to extend the driveway to Elizabeth Street, the Township has the legal mechanism to provide this through the registered easement.

It is important to mention that the area identified in the CFP, to the County in Staff Report PD-2016-29, identifies the subject area with sole access located off of Maple Street. It was determined that as part of the Official Plan and Zoning By-law Amendment applications that the entire land holdings of Oakwood Park would be included, as it was not determined where a potential building envelope could occur. Prior to the recommendation of the OPA and the ZBA the Township completed an Environmental Impact Study, which assisted the Township in establishing the proposed building envelope; however, the preferred location as approved through the CFP was the subject area now known as 60 Maple Street.

The development is also subject to a holding symbol, which was placed on the property at the time of rezoning the property in order to permit the independent retirement home. The intent of the holding provision was to ensure that any development occurring on the property would be subject to site plan control. As the applicant has completed the appropriate site plan

approval process, it is the opinion of Planning staff that the required by-law be brought forward to remove the holding provision.

As of the writing of this report, the site plan has to be updated to address staff comments, such as more details on landscaping, site drainage, storm water and pedestrian connections to Oakwood Park. Therefore, staff is seeking approval of the agreement with the authorization of staff to finalize these details prior to registration.

FINANCIAL/BUDGET IMPACT:

The affordable housing project is part of a joint effort between the County and the Township to provide affordable housing for seniors to the community. As part of this partnership, the Township agreed on local incentives to mitigate overall costs to the County. These incentives were noted in Council's adopted resolution (Resolution #11) dated June 22, 2016 and included that the financial incentives outlined in Staff Report PD-2016-29, which included the following:

- *Donation of land at no cost to the County, 4 acres of land from the Township owned parcel at 60 Maple Street is consistent with subject areas within this staff report dated June 22, 2016;*
- *Waiving the Development Charge fee as calculated against the cost of the project; This was further determined that the Development Charges are exempt both at the Township and County level, as this is a facility being operated by the County.*
- *Offering a property tax grant for twenty years and levied at the single residential tax rate as permitted under Section 110(3) and Section 110(9) of the Municipal Act;*
- *Offering to sponsor, at no cost to the County, the Official Plan and Zoning By-Law amendments to establish the appropriate designation and zoning to allow the affordable seniors rental use;*
- *Offering to waive planning application and engineering review fees.*
- *Offering to absorb the legal fees associated with the registration of deeds and agreements;*
- *Offering to waive Building Permit Fees;*
- *Offering to waive the fees for service connections;*

These incentives have either been implemented or will be executed upon finalization of the Site Plan Control Agreement.

The County is seeking an exemption to the required letter of credit (LOC) that is associated with the Site Plan Control Agreement. If approved by Council, the LOC amount related to the project will be omitted from the final Site Plan Control Agreement. The proposal would further mitigate costs related to the project. Figure 1 provides a breakdown of the estimated cost associated with the Simcoe County Affordable Seniors Housing Project.

Figure 1 Project Costs Estimate	
Hard Cost (Construction)	\$10,767,000
Soft Cost	\$2,030,000
Estimated Total Project Cost	\$12,767,000

As per Township practice, the Site Plan Control Agreement typically requires the applicant or owner to post securities and LOC for onsite and offsite work related to the project. The County is requesting that the securities and LOC requirements be waived. It is worth noting that the municipalities of Wasaga Beach and Collingwood has set a precedent in their affordable housing partnership with the County of Simcoe and have waived their requirements for site plan securities.

The proposal is being treated as a cost saving measure for the completion of a publicly funded project. When finished, the project will accommodate approximately 41 affordable housing units in the Township of Tay. This will address approximately 89% of the affordable housing needs identified for the Township by the County of Simcoe. In the spirit of partnership with the County, staff has no objection to their request to exempt the site plan securities. As noted in the attached email from Mr. Spiewak, we can be assured that the County is committed to its responsibilities and obligations, and will complete the site plan work as required of the impending site plan control agreement.

CONCLUSION:

The proposed Site Plan Application would facilitate a form of housing to be geared towards seniors as an affordable housing option. This type of affordable housing would meet the current and future needs of the residents of the Township and County of Simcoe. The proposed site plan agreement complies with the provisions of the Zoning By-law and would help the Township and the County of Simcoe is meeting the goals of the *Community 10-Year Affordable Housing and Homelessness Prevention Strategy*.

It is the recommendation of the Director of Planning and Development that the Township enter into a site plan agreement with the Simcoe County Housing Corporation to construct a 3 storey, 41 unit independent retirement home, affordable housing for seniors.

Attachments:

Attachment 1- Site Plan and Building Elevations

Attachment 2- Site Plan Agreement

Attachment 3- Email correspondence from the County of Simcoe (February 5, 2019)

Prepared and Recommended By:

Date: February 6, 2019

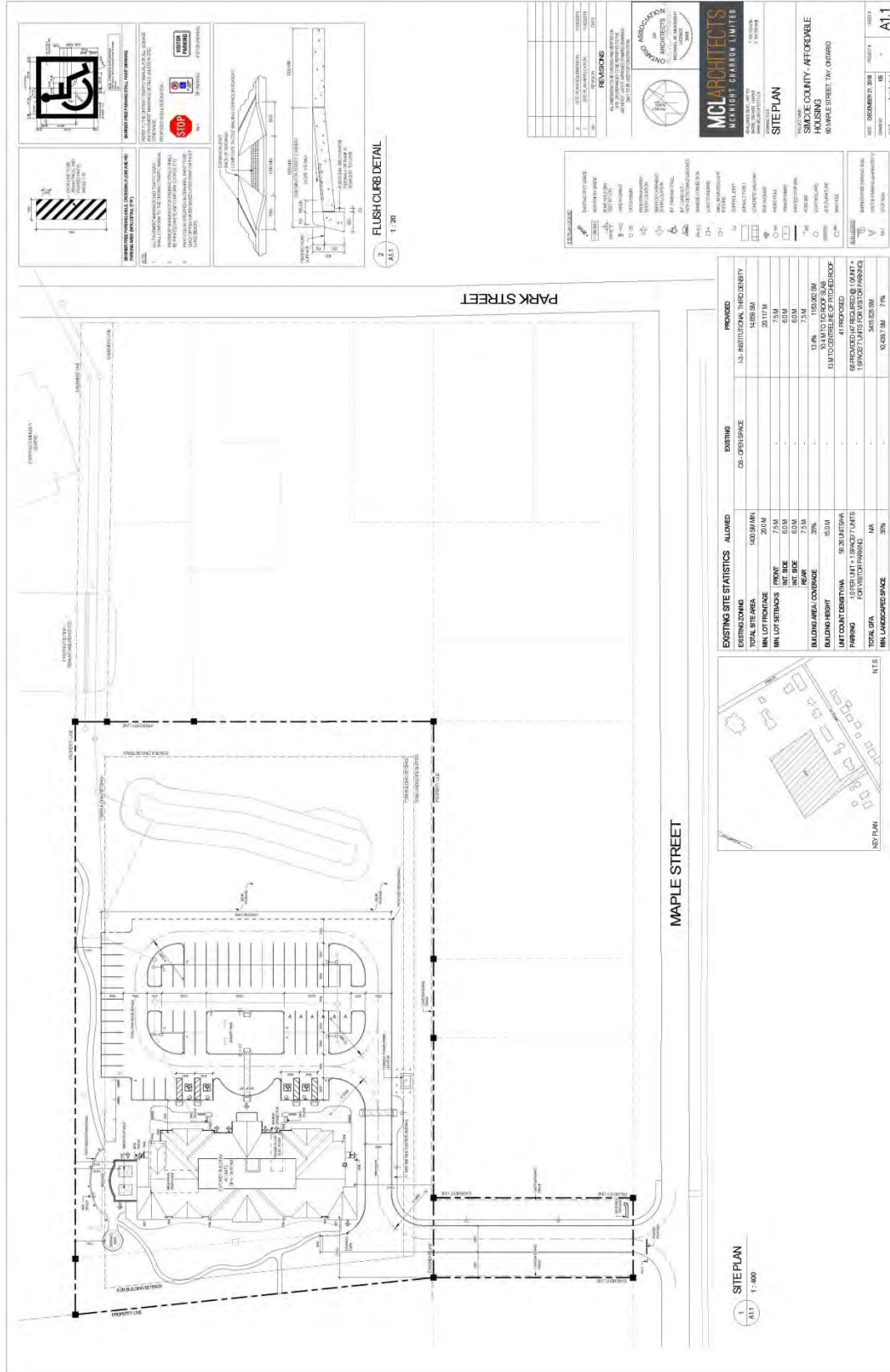
Steven Farquharson, B.URPL, MCIP, RPP
Director of Planning and Development

Reviewed By:

Date: February 6, 2019

Robert J. Lamb, CECd, Ec.D.
Chief Administrative Officer

Attachment 1- Site Plan and Building Elevations



Attachment 2
Draft Site Plan Agreement

UPDATED: February 6, 2019

BETWEEN:

SIMCOE COUNTY HOUSING CORPORATION

– and –

THE CORPORATION OF THE TOWNSHIP OF TAY

SITE PLAN CONTROL AGREEMENT

SITE PLAN CONTROL AGREEMENT

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2. Schedules

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Part VI Administration

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23. Other Applicable Laws
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24. Interpretation of Agreement
25. Waiver
26. Extension of Time
27. No Challenge to Agreement
29. Governing Law
30. Successors and Assigns

SITE PLAN CONTROL AGREEMENT

THIS AGREEMENT made this 27TH day of February, 2019.
BETWEEN:

SIMCOE COUNTY HOUSING CORPORATION
(hereinafter called the "Owner")

- and -

CORPORATION OF THE TOWNSHIP OF TAY
(hereinafter called the "Township")

WHEREAS the Owner has represented to the Township that it owns the land described in Schedule "A" hereto;

AND WHEREAS the Owner has applied to the Township for site plan approval in respect of its development of the land described in Schedule "A";

AND WHEREAS the Township provided approval of the Owner's application subject to the Owner entering into an agreement as permitted by subs. 41(7) of the *Planning Act*, R.S.O 1990, c.P.13;

AND WHEREAS subs. 41(10) of the *Planning Act* permits the registration of this Agreement against the lands to which it applies in order to secure the provision of works, facilities or matters referred to in subs. 41(7) and (8) of the *Planning Act* and the construction of the development in accordance with the approved plans and drawings;

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual covenants hereinafter expressed and other good and valuable consideration, the Parties hereto agree one with the other as follows:

PART I

GENERAL

1. Subject Lands

The lands affected by this Agreement are as follows:

60 Maple Street, more particularly described in Schedule "A" attached hereto, hereinafter referred to as ("the Lands").

2. Schedules

The following schedules are attached hereto and form part of this Agreement:

- | | |
|--------------|---|
| "SCHEDULE A" | being a description of the lands affected by this Agreement. |
| "SCHEDULE B" | being a schedule of the approved plans, drawings and reports comprising the Site Plan. |
| "SCHEDULE C" | being a List of Financial Obligations of the Owner. |
| "SCHEDULE D" | being a listing of lands to be conveyed, dedicated or transferred to the Township or County of Simcoe. |
| "SCHEDULE E" | being a schedule of security / letters of credit to be obtained and filed with the Township by the Owner, prior to execution of this Agreement. |
| "SCHEDULE F" | being a schedule for the release/reduction of letters of credits by the Township to the Owner. |
| "SCHEDULE G" | being the Operation and Maintenance Manual. |

PART II

APPROVED PLANS

3. Approved Plans and Drawings

The Township has accepted the following plans, drawings and report:

Plans

- Site Plan prepared by MCL Architects, McKight Charron Limited (Stamped: Name of Professional and date), dated August 14, 2018 (Revision *****), and Drawing No. A.1
- Elevations prepared by MCL Architects, McKight Charron Limited (Stamped: Name of Professional and date), dated August 14, 2018 (Revision *****), and Drawing No. A3.1 and A3.2
- Notes and Details prepared by Pearson Engineering Limited (Stamped: Name of Engineer and date), dated July 2018 (Revision

- *****), and Drawing No. ND-1 and ND-2
- Site Grading Plan 1 of 2 prepared by Pearson Engineering Limited (Stamped: Name of Engineer and date), dated July 2018 (Revision *****), and Drawing No. SG-1.
 - Site Grading Plan 2 of 2 prepared by Pearson Engineering Limited (Stamped: name of Engineer and date), dated July 2018 (Revision *****), and Drawing No. SG-2
 - Site Servicing Plan 1 of 2 prepared by Pearson Engineering Limited (Stamped: Name of Engineer and date), dated July 2018 (Revision *****), and Drawing No. SS-1.
 - Site Servicing Plan 2 of 2 prepared by Pearson Engineering Limited (Stamped: Name of Engineer and date), dated July 2018 (Revision *****), and Drawing No. SS-2
 - Pre-Development Storm Catchment Plan prepared by Pearson Engineering Limited (Stamped: Name of Engineer and date), dated July 2018 (Revision *****), and Drawing No. STM-1.
 - Post-Development Storm Catchment Plan prepared by Pearson Engineering Limited (Stamped: Name of Engineer and date), dated July 2018 (Revision *****), and Drawing No. STM-2.
 - Stormwater Management Pond Detail prepared by Pearson Engineering Limited (Stamped: Name of Engineer and date), dated July 2018 (Revision *****), and Drawing No. PND-1.
 - Storm Section Details Plan prepared by Pearson Engineering Limited (Stamped: Name of Engineer and date), dated July 2018 (Revision *****), and Drawing No. CS-1.
 - Erosion Protection Plan prepared by Pearson Engineering Limited (Stamped: Name of Engineer and date), dated July 2018 (Revision *****), and Drawing No. EP-1.
 - Electrical Site Plan prepared by Tristar Engineering (Stamped: A.A. Oberfeld) dated October 2018 (Revision *****), and Drawing No. E1.
 - Electrical-Lighting Photometric Calc prepared by Tristar Engineering (Stamped: Name of Engineer and date) dated October 30, 2018 (Revision *****), and Drawing No. LE1
 - Landscape Plan prepared by John D. Bell Associates Limited (Stamped: John D. Bell) dated November 1, 2018 (Revision *****), and Drawing No. LP-1
 - Planting Plan prepared by John D. Bell Associates Limited (Stamped: John D. Bell) dated November 1, 2018 (Revision *****), and Drawing No. LP-2
 - Planting and Site Furniture Details prepared by John D. Bell Associates Limited (Stamped: John D. Bell) dated November 1, 2018 (Revision *****), and Drawing No. LP-3
 - Fencing and Entrance Feature Details prepared by John D. Bell Associates Limited (Stamped: John D. Bell) dated November 1, 2018 (Revision *****), and Drawing No. LP-4

- BBQ and Smoking Area Details prepared by John D. Bell Associates Limited (Stamped: John D. Bell) dated November 1, 2018 (Revision *****), and Drawing No. LP-5
- Amenity Area Details prepared by John D. Bell Associates Limited (Stamped: John D. Bell) dated November 1, 2018 (Revision *****), and Drawing No. LP-6
- Tree Inventory and Tree Preservation Plan prepared by John D. Bell Associates Limited (Stamped: John D. Bell) dated November 1, 2018 (Revision *****), and Drawing No. TP-1
- Tree Preservation Details prepared by John D. Bell Associates Limited (Stamped: John D. Bell) dated November 1, 2018 (Revision *****), and Drawing No. TP-2
- Traffic Brief for Simcoe County Housing Corporation, Prepared by JD Northcote Engineering Inc. (Stamped: John Northcote October 8th, 2018)

4. Approved Structure(s)

The Owner represents and warrants to the Township that no deviations or changes shall be made to the plans or drawings noted above and no construction shall take place contrary to such plans and drawings, without the prior written approval of the Township, except such changes as may be required by the Township in order that said plans and drawings shall comply with all relevant provisions of the building or zoning or other by-law or laws of the Township, and all regulations or laws of any other governmental body.

5. Conformity with Agreement

The Owner covenants and agrees that no work shall be undertaken or performed on the Lands except in accordance with the terms of this Agreement (including the schedules attached herewith), the approved Site Plan, all other plans and specifications submitted to and accepted by the Township and by such other or approval authorities as may be applicable.

PART III

TERMS & CONDITIONS

6. Compliance with Building Code

The Owner acknowledges that compliance with the Ontario Building Code and the regulations thereunder is mandatory.

7. Building Permits

The Owner covenants and agrees that neither it nor any person under its authority shall be entitled to the issuance of one or more building permits to construct any buildings or structures contemplated under this Agreement until this Agreement has been fully executed and registered on title to the Lands.

8. Construction Lien Act

The Owner covenants and agrees that it will hold back in its payments to any contractor who may construct services, facilities or works, such amounts as may be required under the provisions of the *Construction Lien Act*. The Owner agrees to indemnify and save completely harmless the Township from and against all claims, demands, actions, causes of action and costs resulting from any construction being performed by the Owner, its agents and assigns pursuant to the provisions of this Agreement, and, on demand by the Township, the Owner will take such steps as may be necessary to immediately discharge all liens registered upon the services.

9. Occupancy

- (a) The Owner covenants and agrees not to permit occupancy of any building or part thereof for which building permits have been issued until all works required under this Agreement are completed in accordance with the requirements of the Ontario Building Code, the applicable zoning by-law and any other municipal by-laws, and that the internal water distribution and sewage disposal system have been tested and approved and are operating in accordance with the conditions established by the Township.
- ~~(b) To ensure compliance with Subclause 9(a) above, the Owner covenants and agrees that the Township may draw upon any security the Owner has provided to the Township up to the amount of \$5,000.00 if, in the opinion of the Township, a building permit or part thereof is occupied contrary to said provision.~~
- (c) In the event that a building or unit is occupied otherwise than in accordance with the provisions of Subclause 9(a), the Owner covenants and agrees that the Township shall be entitled to obtain an order from a court of competent jurisdiction prohibiting the occupancy of any building or unit until such time as the terms of this Agreement have been fully complied with,

and the Owner shall be estopped from opposing such application on the part of the Township.

10. Professional Engineer

The Owner covenants and agrees to retain a Professional Engineer (hereinafter referred to as the "Engineer") who holds a Certificate of Authorization for municipal engineering applications from the Association of Professional Engineers of Ontario to inspect and certify to the Township that all internal and external services, grading, and storm water management requirements have been constructed in accordance with the approved Engineering Drawings and reports, prior to the reduction of the Letter of Credit held for any engineering-related Works. The certificate, or certificates, shall be in a format acceptable to the Township. The Township may, upon pre-qualification of such, accept the use of other qualified professionals for certain components of the design, inspection and certification process.

11. Entry by Township

The Township may, by its officers, employees or agents, enter on the Lands or any part thereof as well as any building(s) erected thereon to ensure that any works, services or facilities required to be provided, constructed or installed by the Owner comply with this Agreement.

12. Maintenance of Internal Works & Facilities

The Owner covenants and agrees that once all Works required to be provided, constructed or installed by it that are internal to the Lands under the terms of this Agreement have been completed to the satisfaction of the Township, and in accordance with all Municipal specifications and in a good and workmanlike manner, it shall maintain such Works in the approved condition until this Agreement is amended or otherwise released from title. In the event that any of the internal Works are not being maintained to the satisfaction of the Township, or if the Owner is otherwise in default of this Agreement, the Township may on written notice to the Owner, require the Owner to comply with the terms of this Agreement.

13. General Conditions

The Owner covenants and agrees as follows:

Access Facilities

Not to foul the highways leading to the Lands and to provide on all construction accesses leading to the Lands, an interim granular surface to prevent mud or dust from fouling the road.

General Provisions

- (a) To provide, during all hours of construction, competent on-site supervision of all works required to be done on all public and private lands and building construction to be undertaken on the Lands.
- (b) To verify the location of all existing and proposed utilities within the right-of-way prior to construction. The Owner will be required to pay all costs associated with the relocation of utilities as may be required.
- (c) To make all necessary arrangements and to be solely responsible for the costs of removing and relocating any existing municipal or public services requiring relocation in the course of, or in connection with, the construction, installation or provision of the works, services and facilities required under this Agreement.
- (d) To comply with all of the provisions of the Township's Noise By-law.
- (e) The Owner shall, prior to the execution of this Agreement, have paid all outstanding municipal taxes, local improvement charges and drainage charges, if any, in respect of the subject lands

Drainage and Storm Water Management

- (h) The Owner shall be responsible for the proper drainage of the subject lands, and no drainage works shall be performed or permitted which would have a detrimental effect on any neighbouring properties. All drainage works shall be completed and maintained in accordance with directions from the Township and/or the MOECC and the Site Grading and Servicing Plan. The Owner agrees to complete the drainage systems as set out in the said plan as soon as it is practical during the construction of the development.

Maintenance inspections of the drainage system is required every six months, with cleanout and removal of oil and grit a minimum of once annually and as necessary for the functional operation of the drainage system.

PART IV

SPECIAL TERMS & CONDITIONS

14. List of all Special Terms and Conditions Pertaining to Development

- (a) That Owner agrees that no occupancy of the building will occur until the dry hydrant is installed and operational to the satisfaction of the Township.
- (b) The Owner agrees that no occupancy of the building will occur until the designated fire route from Maple Street to the proposed building has been installed to the satisfaction of the Township.
- (c) That the Owner agrees to enter an easement with the Township for Part 3 on Plan 51R-41673 and across the front of 280 Park Street for the purposes of Sanitary and Stormwater infrastructure.
- (d) The Owner agrees to give notice to the Township for works other than inspection on the storm and sanitary easement, to insulate pipes under the ice rink to ensure continued function of the ice, and, to restore the surface to a similar or better condition following works undertaken by the Owner.
- (e) The Owner shall be responsible for the proper drainage of the subject lands, and no drainage works shall be performed or permitted which would have a detrimental effect on any neighbouring properties. All drainage works shall be completed and maintained in accordance with the directions from the Township and/or pursuant to Schedule "B" to this Agreement.
- (f) The Owner shall prepare a grading plan to the satisfaction of the Township, indicating the elevations and contours of the subject lands and easements over Parts 3 and 4, how the elevations and contours will be finally developed, and indicating and setting out the drainage systems on the subject lands for the drainage of storm, surface and waste water. The Owner agrees to complete the drainage systems as set out in the said plan as soon as it is practical during the construction of the development.
- (g) The Township shall not be required to issue any building permits for the development proposed for the Lands until

such grading and water disposal plans have been submitted to and approved by the Township.

- (h) The Owner agrees to maintain the Lands in accordance with the "Operations and Maintenance Manual" attached as Schedule "G".
- (i) The Owner shall submit, to the Township's satisfaction, an addendum to the Archaeological Study incorporating the additional lands for stormwater management purposes prior to development.

PART V

FINANCIAL CONDITIONS, SECURITY AND INSURANCE

15. Processing and Approval Fees

The Corporation of the Township of Tay has waived the required site plan application fee and associated deposits. The Owner agrees to cover the cost of registering this agreement.

~~16. Letter of Credit~~

- ~~(a) In order to guarantee compliance with all conditions contained herein, with the exception of non-occupancy as noted in Section 9, the owner covenants and agrees to file with the Township upon execution of this Agreement, a letter or letters of credit in the amount(s) set out in Schedule "B" hereto. The letter(s) of credit shall be in a form approved by the Township, and the Owner covenants and agrees that the said letter(s) of credit shall be kept in full force and effect and that it will pay all premiums as the said letter(s) of credit becomes due or until such time as the Township returns the letter(s) of credit in accordance with Schedule "F" hereto.~~
- ~~(b) The owner hereby acknowledges and agrees that should there be a deficiency in or failure to carry out any work or matter required by any clause of this Agreement, and the Owner fails to comply within thirty (30) days written notice, with a direction to carry out such work or matter, the Township may draw on the letter(s) of credit to the extent necessary and enter onto the lands and complete all outstanding works or matters, and pay all costs and expenses incurred thereby from the proceeds so drawn.~~

- ~~(c) — The Owner hereby acknowledges and agrees that the Township reserves the right to draw on and use the proceeds from the letter(s) of credit to complete any work or matter required to be done by the Owner pursuant to this Agreement. The Owner further acknowledges and agrees that, notwithstanding Schedules "B" and "C" to this Agreement, in the event that the Township determines that any reduction in the letter of credit will create a shortfall with respect to securing the completion of any work or matter remaining to be carried out by the Owner pursuant to this Agreement, the Township will not be obligated to reduce the letter of credit until such time as such work is satisfactorily completed or the Township has sufficient security to ensure that such work will be completed.~~
- ~~(d) — Wherever in this Agreement a letter of credit is required to be filed with the Township, the Owner may deposit with the Treasurer cash or certified cheque in an amount equal to the letter of credit and such deposit shall be held by the Township as security in accordance with this Agreement, provided that no interest shall be payable on any such deposit.~~
- ~~(e) — The Owner acknowledges that upon the transfer of ownership of the Lands, the Township will not return any letter(s) of credit required under this Agreement until the new owner files with the Township a substitute letter of credit or such other security as may be permitted in the required amounts.~~
- ~~(f) — Notwithstanding that the Township wishes assurances as set out above that all accounts relating to the Works have been paid, any cash or letter of credit security held by the Township shall be for the purposes of ensuring that the Works are installed as approved. Such cash or letter of credit security shall not be available to pay unpaid suppliers of materials or services to the Works. This Agreement shall not be interpreted so as to mean that the Township is a "payer" within the meaning of the Construction Lien Act. This Agreement shall not be interpreted so as to mean that cash or security is held in trust for any person or corporation (except to the extent that the Township is liable to account to the Developer for same). Cash or security held by the Township shall not constitute a trust fund for the benefit of contractors or sub-contractors within the meaning the Construction Lien Act. The letter of credit may be used to pay contractors or consultants of the Developer if, in the opinion of the Township (and in its sole discretion) such payment is necessary or advisable as an inducement to the developers, contractors, sub-contractors or consultants to continue to work on the project and to complete the obligations of the Developer for municipal servicing under~~

~~this agreement. Such payment may be made to such parties notwithstanding that the Township has no obligation to make such payments. The Township shall be the sole beneficiary of any and all letters of credit or other security provided by the Developer pursuant to this agreement.~~

17. Save Harmless

The Owner on behalf of itself, its successor and assigns, agrees to indemnify and save harmless the Township from and against any and all claims, suits, actions and demands whatsoever, which may arise either directly or indirectly, by reason or any work performed by the Township, its servants or sub-contractors in order to complete the work or services required to be completed under this Agreement, provided the subject matter or such action, suits, claims or demands were not caused intentionally or through gross negligence on the part of the Township, its servants or agents or sub-contractors.

18. Mortgagees

a. There are no Mortgagees on title of the subject property.

PART VI

ADMINISTRATION

19. Notice

- (a) If any notice is required to be given by the Township to the Owner with respect to this Agreement, such notice shall be mailed, delivered or sent by facsimile transmission to:

Simcoe County Housing Corporation
1110 Highway 26
Midhurst, ON L9X 1N6

or such other address of which the Owner has notified the Township, in writing, and any such notice mailed, delivered or sent by facsimile transmission shall be deemed good and sufficient notice under the terms of this Agreement.

- (b) If any notice is required to be given by the Owner to the Township with respect to this Agreement, such notice shall be mailed, delivered or sent by facsimile transmission to:

Township of Tay

450 Park Street
P.O. Box 100,
Victoria Harbour, Ontario
Fax (705) 534-4493

or such other address of which the Township has notified the Owner, in writing, and any such notice mailed, delivered or sent by facsimile transmission shall be deemed good and sufficient notice under the terms of this Agreement.

20. Registration of Agreement

The Owner hereby agrees that this Agreement, together with any schedules thereto, will be registered upon title to the Lands. The covenants, agreement, conditions and undertakings herein contained on the part of the Owner shall run with the Lands and shall be binding upon it, its successors and assigns as owners and occupiers from time to time and this covenant shall be to the benefit of the Township and its lands and highways appurtenant and adjacent to the Lands. The Owner further covenants and agrees to pay to the Township the cost of registration of this Agreement, as well as any further costs incurred by the Township as a result of the registration of any other documents pertaining to this Agreement.

21. Registration and Subordination:

The Owner covenants and agrees, at its own expense, to obtain and register such documentation from its mortgagees or encumbrancers as may be deemed necessary by the Township to postpone and subordinate their interest in the Lands to the interest of the Township to the extent that this Agreement shall take effect and have priority as if it had been executed and registered prior to the execution and registration of the document or documents giving to the mortgagee and/or encumbrancers their interest in the Lands.

22. Enforcement

The Owner acknowledges that the Township, in addition to any other remedy it may have at law, shall also be entitled to enforce this Agreement in accordance with Section 427 of the *Municipal Act, 2001*.

23. Other Applicable Laws

Nothing in this Agreement shall relieve the Owner from compliance with all applicable municipal by-laws, laws, regulations, notices or

other policies or laws and/or regulations established by any other governmental body that may have jurisdiction over the Lands.

24. Termination of Agreement

If the proposed development governed by this Agreement is not commenced within one (1) year from the date of the execution of this Agreement, the Township may, at its sole option may declare this Agreement null and void and of no further force and effect. The refund of any fees, levies or other charges paid by the Owner pursuant to this Agreement shall be at the sole discretion of the Township, but under no circumstances will interest be paid on any refund.

25. Interpretation of Agreement

- (a) The part numbers and headings, subheadings and section, subsection, clause and paragraph numbers are inserted for convenience of reference only and shall not affect the construction or interpretation of this Agreement.
- (b) This Agreement shall be construed with all changes in number and gender as may be required by the context.
- (c) Every provision of this Agreement by which the Owner is obligated in any way shall be deemed to include the words "at the expense of the Owner" unless the context otherwise requires, including the payment of any applicable taxes (including HST).
- (d) References herein to any statute or any provision thereof include such statute or provision thereof as amended, revised, re-enacted and/or consolidated from time to time and any successor statute thereto.
- (e) All obligations herein contained, although not expressed to be covenants, shall be deemed to be covenants.
- (f) Whenever a statement or provision in this Agreement is followed by words denoting inclusion or example and then a list of or reference to specific items, such list or reference shall not be read so as to limit the generality of that statement or provision, even if words such as "without limiting the generality of the foregoing" do not precede such list or reference.
- (g) The Owner and the Township agree that all covenants and conditions contained in this Agreement shall be severable, and that should any covenant or condition in this Agreement be declared invalid or unenforceable by a court of competent jurisdiction, the remaining covenants and conditions and the remainder of the Agreement shall remain valid and not terminate thereby.
- (h) It is the intention of the parties that material amendments to this Agreement be properly recorded. Such amendments may

take the form of a registered amending agreement, an unregistered agreement, exchange of correspondence, memorandum of confirmation or notation on engineering drawings. The nature of such record of amendment shall depend on the circumstances.

26. Waiver

The failure of the Township at any time to require performance by the Owner of any obligation under this Agreement shall in no way affect its right thereafter to enforce such obligation, nor shall the waiver by the Township of the performance any obligation hereunder be taken or be held to be a waiver of the performance of the same or any other obligation hereunder at any later time. The Township shall specifically retain its rights at law to enforce this Agreement.

27. Extension of Time

Time shall always be of the essence of this Agreement. Any time limits specified in this Agreement may be extended with the consent in writing of both the Owner and the Township, but no such extension of time shall operate or be deemed to operate as an extension of any other time limit, and time shall be deemed to remain of the essence of this Agreement notwithstanding any extension of any time limit.

28. No Challenge to Agreement

The parties covenant and agree with each other not to call into question or challenge, directly or indirectly, in any proceeding or action in court, or before any administrative tribunal, the party's right to enter into and enforce this Agreement. The law of contract applies to this Agreement and the parties are entitled to all remedies arising from it, notwithstanding any provision in s.41 of the *Planning Act* interpreted to the contrary. The parties agree that adequate consideration has flowed from each party to the other and that they are not severable. This provision may be pleaded by either party in any action or proceedings as an estoppel of any denial of such right.

29. Governing Law

This Agreement shall be interpreted under and be governed by the laws of the Province of Ontario.

30. Successors and Assigns

SCHEDULE "A"

To the site plan agreement with Simcoe County Housing Corporation.

LEGAL DESCRIPTION OF LAND

Parts 2, 5 & 6, Part of Lot 14, Concession 7
Reference Plan 51R-41673

SCHEDULE "B"

To the site plan agreement with Simcoe County Housing Corporation

Schedule "B" to the Agreement is a detailed site plan of the lands, the size and nature of which does not permit registration. A true copy of the Agreement with a copy of the detailed site plan is lodged with the Clerk of the Municipal Office, 450 Park Street, Victoria Harbour, Ontario, L0K 2P0, during regular business hours.

Schedule "B" consists of the following plans, drawings and reports:

Plans

- Site Plan prepared by MCL Architects, McKight Charron Limited (Stamped: Name of Professional and date), dated August 14, 2018 (Revision *****), and Drawing No. A.1
- Elevations prepared by MCL Architects, McKight Charron Limited (Stamped: Name of Professional and date), dated August 14, 2018 (Revision *****), and Drawing No. A3.1 and A3.2
- Notes and Details prepared by Pearson Engineering Limited (Stamped: Name of Engineer and date), dated July 2018 (Revision *****), and Drawing No. ND-1 and ND-2
- Site Grading Plan 1 of 2 prepared by Pearson Engineering Limited (Stamped: Name of Engineer and date), dated July 2018 (Revision *****), and Drawing No. SG-1.
- Site Grading Plan 2 of 2 prepared by Pearson Engineering Limited (Stamped: name of Engineer and date), dated July 2018 (Revision *****), and Drawing No. SG-2
- Site Servicing Plan 1 of 2 prepared by Pearson Engineering Limited (Stamped: Name of Engineer and date), dated July 2018 (Revision *****), and Drawing No. SS-1.
- Site Servicing Plan 2 of 2 prepared by Pearson Engineering Limited (Stamped: Name of Engineer and date), dated July 2018 (Revision *****), and Drawing No. SS-2
- Pre-Development Storm Catchment Plan prepared by Pearson Engineering Limited (Stamped: Name of Engineer and date), dated July 2018 (Revision *****), and Drawing No. STM-1.
- Post-Development Storm Catchment Plan prepared by Pearson Engineering Limited (Stamped: Name of Engineer and date), dated July 2018 (Revision *****), and Drawing No. STM-2.
- Stormwater Management Pond Detail prepared by Pearson Engineering Limited (Stamped: Name of Engineer and date), dated July 2018 (Revision *****), and Drawing No. PND-1.
- Storm Section Details Plan prepared by Pearson Engineering Limited (Stamped: Name of Engineer and date), dated July 2018 (Revision *****), and Drawing No. CS-1.

- Erosion Protection Plan prepared by Pearson Engineering Limited (Stamped: Name of Engineer and date), dated July 2018 (Revision *****), and Drawing No. EP-1.
- Electrical Site Plan prepared by Tristar Engineering (Stamped: A.A. Oberfeld) dated October 2018 (Revision *****), and Drawing No. E1.
- Electrical-Lighting Photometric Calc prepared by Tristar Engineering (Stamped: Name of Engineer and date) dated October 30, 2018 (Revision *****), and Drawing No. LE1
- Landscape Plan prepared by John D. Bell Associates Limited (Stamped: John D. Bell) dated November 1, 2018 (Revision *****), and Drawing No. LP-1
- Planting Plan prepared by John D. Bell Associates Limited (Stamped: John D. Bell) dated November 1, 2018 (Revision *****), and Drawing No. LP-2
- Planting and Site Furniture Details prepared by John D. Bell Associates Limited (Stamped: John D. Bell) dated November 1, 2018 (Revision *****), and Drawing No. LP-3
- Fencing and Entrance Feature Details prepared by John D. Bell Associates Limited (Stamped: John D. Bell) dated November 1, 2018 (Revision *****), and Drawing No. LP-4
- BBQ and Smoking Area Details prepared by John D. Bell Associates Limited (Stamped: John D. Bell) dated November 1, 2018 (Revision *****), and Drawing No. LP-5
- Amenity Area Details prepared by John D. Bell Associates Limited (Stamped: John D. Bell) dated November 1, 2018 (Revision *****), and Drawing No. LP-6
- Tree Inventory and Tree Preservation Plan prepared by John D. Bell Associates Limited (Stamped: John D. Bell) dated November 1, 2018 (Revision *****), and Drawing No. TP-1
- Tree Preservation Details prepared by John D. Bell Associates Limited (Stamped: John D. Bell) dated November 1, 2018 (Revision *****), and Drawing No. TP-2
- Traffic Brief for Simcoe County Housing Corporation, Prepared by JD Northcote Engineering Inc. (Stamped: John Northcote October 8th, 2018)

SCHEDULE "C"

To the site plan agreement with Simcoe County Housing Corporation

LIST OF FINANCIAL OBLIGATIONS OF THE OWNER(S)

1.	Site Plan Processing Fee	\$0
2.	Deposit	\$0
	TOTAL	\$0
	LESS RECEIVED	\$ 0
	BALANCE OWING	\$ 0

SCHEDULE "D"

To the site plan agreement with Simcoe County Housing Corporation

LANDS TO BE CONVEYED TO THE TOWNSHIP

No lands are to be conveyed to the Township.

SCHEDULE "E"

To the site plan agreement with Simcoe County Housing Corporation

SECURITY / LETTER OF CREDIT

1. Portion of Letter of Credit or Cash to be provided by the Owner to ensure completion of all internal works required by this Agreement

The securities include the following:

Site work including earthworks	\$ 0.00
Watermain and Appurtenances	\$ 0.00
Storm Sewers and Appurtenances	\$ 0.00
Total	\$ 0.00

2. Portion of Letter of Credit to be provided by the Owner \$ 0.00 to ensure completion of all external works required by this Agreement.

TOTAL

\$ 0.00

SCHEDULE "F"

To the Site Plan Agreement with Simcoe County Housing Corporation

REDUCTION OR RELEASE OF SECURITY

Application for Reduction of Securities

Prior to the reduction or release of any security held by the Township for the works, facilities and matters set out in this Agreement, the Owner must supply the Township with the following documentation:

- i. letter of application for reduction/release
- ii. consultant's certificate confirming that services completed
- iii. as-constructed drawings
- iv. satisfactory evidence of no construction liens filed
- v. workplace safety certificate
- vi. statutory declaration as to accounts

Reduction of Securities

(a) Reduction for Internal Services

Upon the completion of the works, facilities or matters as certified by the Engineer and as accepted by the Township, and the receipt by the Township of all the documents identified above, the Township shall reduce the security required under clause 1 of Schedule "E" to Zero (0%).

(b) Reduction for External and Maintained Works

Upon the completion of the works, facilities or matters as certified by the Engineer and accepted by the Township, and the receipt by the Township of all the documents identified above, the Township shall reduce the security required under clause 2 of Schedule "E" to Twenty Percent (20%).

(c) Reduction Following Expiry of Maintenance Period

Upon the satisfactory completion of the maintenance period as noted in clauses 14 and 15 of the Agreement, and the receipt by the Township of all the documents identified above, the Township shall reduce the security required under clause 2 of Schedule "E" to zero (0) and therewith release or return the security to the Owner or to the issuing financial institution.

Attachment 3
Email correspondence from the County of Simcoe (February 5, 2019)



County of Simcoe
Social and Community Services
Social Housing Department
1110 Highway 26,
Midhurst, Ontario L9X 1N6

Main Line (705) 725-7215
Fax (705) 798-1007
simcoe.ca



February 5, 2019

Steven Farquharson, MCIP, RPP
Director of Planning and Development
Township of Tay
Box 100, 450 Park Street
Victoria Harbour, Ontario L0K 2A0

Dear Mr. Farquharson:

**RE: Victoria Harbour Affordable Housing Development
60 Maple Street
Security Exemption**

Thank you for presenting the County the opportunity to work in partnership with the Township in the creation of affordable housing. In this spirit of partnership, the County is requesting the requirement for securities be waived. As an upper-tier municipality, the County is committed to its responsibilities in ensuring all of the terms and conditions, as noted in the Site Plan Control Agreement, are completed to the Township's satisfaction.

The County has demonstrated its commitment to the Township through site-specific design considerations, information sessions, hand delivered letters, as well as numerous one-on-one meetings with local residents.

Being a partnership between municipal governments, ultimately the costs are borne by the taxpayers of both the County and the Township, therefore the removal of fees and securities saves time and additional expenses.

If you would like to discuss further, or have additional questions, feel free to contact me.

Sincerely,
The Corporation of the County of Simcoe

A handwritten signature in blue ink, appearing to read "Brad Spiewak".

Brad Spiewak, P. Eng.
Maintenance and Facilities Project Manager

Page 1 of 1



STAFF REPORT

Department/Function: Planning and Development

Chair: Councillor Mary Warnock

Meeting Date: February 13th, 2019

Report No.: **PD-2019-10**

Subject: **Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, 2017**

RECOMMENDATION:

That Staff Report No. PD-2019-10 regarding the Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, 2017 be received;

And that Staff be directed to provide written comments to the Province regarding the Proposed Growth Plan Amendment #1 prior to the February 28, 2019 deadline.

INTRODUCTION/BACKGROUND:

On January 15, 2019, the Province released Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, 2017 (PTG). These proposed changes would replace the existing PTG that came into effect on July 1, 2017 under the *Places to Grow Act, 2005* and replaced the previous version originally introduced in June, 2006.

The Growth Plan provides a vision and related policies to manage growth in the Greater Golden Horseshoe area, which Tay is in the northern part of. It provides policies on the direction on land use planning, infrastructure planning and investment; as well as demographic, economic growth and natural heritage protection in the Growth Plan area.

The Environmental Registry of Ontario website provides an overview of the proposed changes to Amendment 1 to the Growth Plan for the Greater

Golden Horseshoe. Comments are being accepted by the Ministry's Provincial Planning Policy Branch until February 28, 2019. [ERO# 013-4504 - Proposed Amendment to the Growth Plan for the Greater Golden Horseshoe, 2017, ERP #013-4507 Proposed Modification for Natural Heritage System and Agricultural System Mapping](#)

The Ministry of Municipal Affairs and Housing (MMAH) hosted a series of technical working sessions with municipal and development sectors, as well as Provincial staff from various ministries. The following are the sessions that Staff attended to speak to how the current policies affect the Township:

- a. Natural Heritage System and Agricultural System Mapping
- b. Employment Policies
- c. Settlement Boundary Expansions
- d. Density and Intensification Targets

If the proposed changes are passed, the official plan of a municipality must be brought into conformity with a growth plan within three years of the growth plan coming into effect. The Minister does have the ability to set an alternate date for a municipality to meet the conformity requirements.

The proposed changes as part of the Proposed Amendment 1 to the Growth Plan, 2017 reflect some of the items discussed in these working groups and stakeholder forum.

The Province has also announced that it will be convening a series of seven regional roundtables to discuss the potential local community implications of the proposed changes, as well as practical on-the-ground solutions to address any foreseen unintended consequences. The tentative date for the North Regional roundtable is February 21, 2019. The Director of Planning and Development will be attending to provide comments on the proposed changes to Amendment 1 of the PTG on behalf of the Township, and will provide an update to Council once information is released.

ANALYSIS:

The Proposed Amendment 1 to the Growth Plan, 2017 is intended to address potential barriers to increasing the supply of housing, creating jobs and attracting investments. Specifically, the amendment focuses on the following topics:

1. **Employment Planning;**
2. **Settlement Area Boundary Expansions;**
3. **Rural Settlements**
4. **Agricultural and Natural Heritage Systems;**
5. **Intensification and Density Targets; and**
6. **Municipal Comprehensive Review (MCR)**

Below is a summary of the above mentioned topics as it relates to the Township of Tay. A full copy of the amendment can be found at the following link: <http://www.mah.gov.on.ca/Page20926.aspx>.

Employment Planning

A modernized employment area designation system ensures that lands are used for employment and appropriately protected, while unlocking land for residential development. The proposed amendment includes:

- Introduction of provincially significant employment zones identified by the Minister of Municipal Affairs and Housing that must be protected and cannot be converted outside the municipal comprehensive review (MCR)
- A new policy that creates a one-time window to allow municipalities to undertake some conversions between the effective date of the proposed amendments and their next municipal comprehensive review, where appropriate and subject to criteria
- Municipalities would no longer be required to develop an employment strategy. Instead, the proposed Amendment would permit municipalities to set up multiple density targets for employment areas (Proposed Policy 2.2.5.13)
- The Amendment proposes the removal of the term "Prime Employment Area" to be replaced by Provincially Significant Employment Zones (PSEZ) that would be identified by the Minister of MMAH and must be implemented through municipal planning policy, such as the Town's Official Plan. (Proposed Policy 2.2.5.12).
 - o The province has introduced a proposed framework for the PSEZ which identifies that they represent key employment areas that make up part of the GGH's economic land base. Identifying them separately is part of the provinces approach to coordinate planning and economic development efforts to drive economic growth; providing municipalities the flexibility to consider conversions of employment lands prior to a MCR, excluding lands within any PSEZ which can only be considered for conversion as part a MCR.
 - o In total the province has proposed twenty-nine (29) PSEZ's across the Growth Plan area. The only PSEZ in Simcoe County is in the Alliston area around the Honda Plant.
- Modified language regarding direction on locating and preserving employment areas adjacent to major goods, movement facilities and corridors.
- Modified language that requires municipalities to provide for an appropriate interface to maintain land use compatibility between employment areas and adjacent non-employment areas

Staff Comments

These proposed policies would allow Tay to remove lands out of the employment inventory, provided we maintain the required amount as outlined in the PTG. Lands designated for employment presently are not permitted to be removed from the inventory unless done so through the completion of a MCR, which can only be completed by the County of Simcoe.

This is particularly important as we do have limited industrial lands within the Township, and once non-employment uses begin to be added to those areas, it could have the effect of “chipping away” at the industrial land base. However, limiting existing industrial parks does not seem to be appropriate, as there has been a shift from traditional manufacturing/processing to smaller scale and non-manufacturing type uses.

Planning staff support the modified language as an appropriate interface to maintain land use compatibility between employment areas and non-employment areas. This provides further direction to establish strong planning principals that provide for an effective transition between employment uses to those that may not be compatible. By having transition policies in place for employment areas and non-employment areas, it would allow for the employment uses to operate and expand, without being impacted by potentially sensitive land uses in adjacent areas.

Settlement Area Boundary Expansions

The Province is proposing a system that enables local municipal decisions on reasonable changes to settlement area boundaries in a timely manner, in order to unlock land faster for residential and commercial development that supports more jobs and housing. The proposed amendment includes:

The revisions to Section 2.2.8 proposed in Amendment 1 are intended to enable local municipalities to make certain changes to settlement area boundaries outside of an MCR process subject to various criteria. Further, Settlement Area Boundaries may be expanded without an MCR subject to the following criteria:

- The lands will meet the resident and jobs density targets or employment area density targets established pursuant to the Growth Plan;
- The normally applicable requirements for a settlement area expansion in Policy 2.2.8.3 are met;
- The land is not a Rural Settlement or in the Greenbelt;
- The land is serviced and there is sufficient reserve capacity to accommodate growth in the expansion area;
- The land, accompanying growth, will be fully accounted for in the next MCR; and,
- The land proposed to be expanded is no greater than 40 hectares.

- Clarifying policy to focus on outcomes rather than specifying types of studies to justify the feasibility and location of settlement area boundary expansions

Staff Comments

Staff support these proposed revisions as it enables the Township to make decisions on reasonable and appropriate changes to settlement areas boundaries outside of the required MCR. When the County is completing an MCR, it considers the following items:

- Allocation of population and employment forecast to 2041;
- Requirement for any expansions to settlement area boundaries;
- Requirement for any conversions of employment lands to non-employment uses; and,
- Justification of alternative intensification and density targets.

Staff is of the opinion that the proposed changes to the settlement area boundary expansion policies are positive, and provides the Township the flexibility to adjust or expand the boundary of any Settlement Area in an appropriate manner ahead of the County completing an MCR. The intent of the proposed changes is to be minor in nature, so that small scale boundary adjustments/expansions can occur. Should the Township require the "rounding out" or "squaring off" of any settlement area boundary (Port McNicoll and Victoria Harbour), these policies would provide the flexibility to do so.

Small Rural Settlements

Proposed Amendment 1 includes language that recognizes smaller, rural communities that are not facing the same growth pressures as larger urban centres. The term "rural settlement" is proposed to be a newly defined term to replace the previous term "Undelineated Built-up Areas", and are considered separate from "Settlement Areas". The policies as they relate to Greenfield development in settlement areas, including density targets, do not apply to Rural Settlements. The proposed policy allows minor rounding out of rural settlements that are in keeping with the rural character of the area

Staff Comments

Staff does not object to these proposed policies under Amendment 1.

Agricultural and Natural Heritage Systems

The Growth Plan, 2017 had introduced policies stating that the Province would prepare mapping for a Provincial Natural Heritage System (NHS) and an Agricultural System. These mapping systems were to be implemented through the Official Plans of the upper and lower tier. The proposed policies

in Amendment 1, strive to ensure that the mapping is accurate, while providing appropriate levels of protection to natural features. The following changes are being proposed:

- A new policy is proposed that intends to provide clarity that the provincial mapping of the NHS does not apply until it is implemented in the upper-tier Official Plan. Until that time, the NHS policies of the Growth Plan would continue to apply outside settlement areas to the NHS identified in the Official Plans there were approved and in effect as of July 1, 2017
- Specification that municipalities can refine and implement provincial mapping in advance of the municipal comprehensive review
- Specification that once provincial mapping of the agricultural land base has been implemented in Official plans, further refinements may only occur through a municipal comprehensive review.
- The proposed policy provides clarity that the Provincial mapping of the agricultural system does not apply until it is implemented in the upper-tier Official Plan. Until that time, the prime agricultural areas identified in the Upper-Tier Official Plan that were approved and in effect as of July 1, 2017, will be considered the agricultural land base for the purposes of the Growth Plan, and
- Specification that municipalities can refine and implement provincial mapping of the Agricultural System in advance of the municipal comprehensive review. This also allows municipalities to further refine the mapping through an MCR once implemented through the Official Plan

Staff Comments

Staff prefers the flexibility of the proposed modification to the NHS and the Agricultural System policies. This area of the new Growth Plan has provided the most challenging for day to day operations in reviewing development inquiries. This mapping was put into place by the previous Provincial government and came into effect with the last update to the PTG in 2017. With the proposed policy that the Provincial Natural Heritage System and Agricultural System mapping does not apply until implemented in an applicable Upper Tier Official Plan, a municipality may refine the provincial mapping before incorporating it into their plan. Planning staff support these proposed changes, as it has been causing numerous issues with potential development of residential, commercial and industrial lots. After the County has implemented it into their Official Plan, the Township may further refine the mapping prior to adding it to our land use schedules.

In the absence of the proposed amendment, the Township is required to conform to the Provincial mapping and adopt the Provincial NHS and Agricultural system, despite the more detailed analysis completed during the current Official Plan review. Based on what staff has reviewed with Amendment 1, staff supports the proposed policy changes.

It remains the opinion of the staff that the provincial mapping of the natural heritage system across the GGH is unnecessary due to environmental policies and maps already incorporated in the Provincial Policy Statement, County of Simcoe Official Plan and the Township's draft Official Plan.

Intensification and Density Targets

A simplified approach is required to minimum intensification and density targets that reflect the objective of supporting provincial transit investments, the planned growth rates and local realities of different communities in the region, including market demand for housing. The application of the different levels of targets recognizes that "one-size does not fit all" and makes it easier to understand and measure the impacts of growth in the region.

Targets for Delineated Built-up areas and Designated Greenfields Areas are now proposed to be reflective of the municipality. A blanket intensification requirement of 60% of all residential development occurring within the delineated Built-up Area is proposed to be replaced with what the proposed targets as outlined below:

	City of Hamilton, Regions of Peel, Waterloo and York	Cities of Barrie, Brantford, Guelph, Orillia and Peterborough, Regions of Durham, Halton and Niagara	City of Kawartha Lanes, Counties of Brant, Dufferin, Haldimand, Northcumberland, Peterborough, Simcoe and Wellington
Minimum Intensification Target 2017 Growth Plan (By 2031)	60%		
Minimum Intensification Target Amendment 1 (by next MCR)	60%	50%	40% Maintain or Improve upon their current intensification target
Minimum Designated Greenfield Area Density Target 2017 Growth Plan	80 residents and jobs per hectare		
Minimum Designated Greenfield Area Density Target Amendment 1	60 residents and jobs per hectare	50 residents and jobs per hectare	40 residents and jobs per hectare

- New policies that permit all municipalities to apply for alternative intensification and designated greenfield area density targets, with simplified criteria
- Clarification that intensification should be prioritized around strategic growth areas while also being encouraged generally throughout the delineated built-up area

Staff Comments

In the context of Tay, the County Official Plan has an alternative density target of 32 residents and jobs per hectare, and an intensification target of 20%, which is a more realistic target for Tay to strive to achieve.

A change from 32 residents and jobs per hectare to 40 would still have its challenges, but with alternative types of built form such as townhouses and apartments being constructed, this target may be achievable. It would be the recommendation of Planning staff that the existing intensification target of 32 residents and jobs per hectare in the County Official Plan be maintained for the Township forward to the Planning horizon of 2031.

The average County wide density target is 39 residents and jobs per hectare and an average intensification target of 32% as shown in the County Official Plan.

If intensification targets are too high, it could have the potential to change the rural character of the Township and have an impact on the feasibility to provide servicing and other infrastructure needs. The Planning Department supports the Province's proposal to provide various intensification targets across the growth plan area and not implement a "one-size fit all" approach, as this is not reflective of the character of rural municipalities in Ontario; however,, the Township would be working with the County of Simcoe through the MCR process to request that the existing targets be maintained.

Municipal Comprehensive Review Process

The Province has stated that municipalities have until July 1, 2022 to update their Official Plan and bring the document into compliance with the updated Growth Plan. To accomplish this, the Province has provided further guidance on the completion of the MCR process, which has been introduced through Amendment 1. These updates, proposes to simplify the process and assist the Township to have up-to date planning documents.

The common statement that is always made when completing an MCR is that it takes too long to get completed. The policy updates in Amendment 1, would allow for certain items to be completed in advance of the next MCR. This would include the following:

- Employment area designation can be added by an Official Plan amendment for upper and lower tier municipalities at any time in advance of the next MCR (Proposed Policy 2.2.5.6);
- Lands within existing employment areas (excluding PSEZ's) can be converted to other designations that permit non-employment uses, after this policy comes in to full force and effect, and before the next MCR (Proposed Policy 2.2.5.10);
- An Employment Strategy is no longer required and is replaced by the requirement to establish minimum density targets for all employment areas within settlement areas (Proposed Policy 2.2.5.13);
- Municipalities may now undertake settlement area boundary adjustments (that does not cause a net increase in land) and settlement area boundary expansions are no larger than 40 hectares outside the MCR. (Proposed Policy 2.2.8.4 and 2.2.8.6);
- Municipalities would be permitted to refine and implement provincial mapping of the NHS and the Agricultural System in advance of the MCR. Once the upper tier municipalities have implemented the provincial mapping in their Official Plans, further refinement can only occur through an MCR (Proposed Policy 4.2.2.5)

Staff Comments

It is important to note that the MCR process remains the same as under the Growth Plan 2017, with respect to it still being an upper-tier process that is initiated by the County of Simcoe, with input from the lower-tiers. Planning and Development staff support the proposed modifications to the Growth Plan that provides the Township with the flexibility to complete minor boundary adjustments/expansions, employment land conversions or refinements to the NHS and Agricultural System mapping ahead of the MCR. By having these proposed changes it could have the impact of speeding up the MCR process for the County. It is not anticipated that these proposed changes to the MCR policies would have any adverse impacts on the MCR process.

FINANCIAL/BUDGET IMPACT:

There are no financial/budget impacts with the recommendation of this report.

CONCLUSION:

In addition to the proposed policy changes as outlined above, the Province has also proposed modifications to various definitions and terms through the proposed Amendment. Overall, Planning and Development staff are supportive of the Province's proposed changes to the Growth Plan, allowing more flexibility for municipalities to work ahead of major land use studies, such as an MCR. This would allow the Township to work with the County of

Simcoe to refine the NHS and Agricultural System mapping, and employment land conversions.

The deadline to provide comments to the Ministry on the proposed changes to the PTG Growth Plan is February 28, 2019. Should Council agree with the comments provided by planning staff within this report, staff will provide formal comments to the Province on the proposed changes.

Prepared and Recommended By:

Date: February 6, 2019

Steven Farquharson, B.URPL, MCIP, RPP
Director of Planning and Development

Reviewed By:

Date: February 6, 2019

Robert J. Lamb, CECd, Ec.D.
Chief Administrative Officer



STAFF REPORT

Department / Function: Planning and Development Committee

Chair: Councillor Warnock

Meeting Date: **February 13, 2019**

Report No: **PD-2019-07**

Subject: Building Services Division Update - January 2019

RECOMMENDATION:

That Report No. PD-2019-07 regarding Building Services Division Update January 2019 be received.

INTRODUCTION/BACKGROUND

The following is an overview of the activities of the Building Services Division for the January 2019 calendar month.

PERMITS	JANUARY 2018	JANUARY 2019
Number of Permits Issued this Month	9	18
Number of Permits Issued to Date	9	18
New Dwelling Units	1	0
Total New Dwelling Units to Date	1	0
Accessory Buildings(garages,sheds,gazebos etc.)	1	3
Additions	1	1
Decks	1	0
Demolition	0	2
Water line services/Plumbing	0	0
Farm Buildings	0	0
Renovations	2	8
Solid Fuel-Fired Appliances	2	0
Swimming Pool / Fence Permits	0	0
Commercial/Industrial/Institutional	0	2
Transfer	0	0
Temporary Structures	0	0

Other Government New	0	0
Residential Solar Panel/Mechanical	0	1
Change of Use	0	0
Septic System	0	1
Inspections and Orders		
Inspections Conducted	102	114
Site Inspections/Consultations Conducted without a Permit	81	22
Inspections Conducted to Date	183	136
Orders to Comply Issued	1	0
Stop Work Orders Issued	0	0
Orders to Remedy Unsafe Building Issued/Prohibited Use	3	0
Orders to Uncover	0	0
Permits Closed	13	29
Total Permits Closed to Date	13	29
Total Permits Outstanding	666	810
Fees and Construction Value		
Permit Fees	\$5,841.31	\$3,581.19
Total Permit Fees to Date	\$5,841.31	\$3,581.19
Construction Value	\$513,000.00	\$235,200.00
Total Construction Value to Date	\$513,000.00	\$235,200.00

Prepared by: Terry Tompkins, CBCO, CRBO, CPSO
Chief Building Official

Recommended by: Date: February 13, 2019

Steven Farquharson, B.URPL, MCIP, RPP
Director of Planning and Development

Reviewed by: Date: February 13, 2019

Robert J. Lamb, CEcD, Ec.D.
Chief Administrative Officer

FOCUS ON BUSINESS RETENTION AND EXPANSION & ASSOCIATED MARKETING

Objective: To Create Awareness of North Simcoe in the “Heart of Georgian Bay”
resulting in Business Growth, Expansion, Productivity, Innovation, Investment and Jobs

The **EDCNS Annual Report** provided insight to all deliverables since inception in 2014. A Council orientation was delivered to Tay Township. The orientation presentation and associated data report, indicating steady growth, is available on the [EDCNS website](#).

Communications, Marketing and Media



December 20, 2018 – The Mirror. Left to right Roy Ellis-EDCNS, Sharon Vegh-EDCNS, Werner Ferreira & Heather Wilson-Streit Manufacturing, Andrew Cywink-Baytech Plastics, Mark Losch-North Simcoe Tool

Photo above: An interview was published on December 22, 2018 “North Simcoe municipalities working on attracting skilled trades workers to region”. In addition, five interviews were published by Star Metroland Media-The Mirror, in 2018 including: EDCNS, Franke Kindred, North Simcoe Tool, Keebee Play/Ambient Activity Technologies. All information and media releases are available on the completely updated [EDCNS website](#).

EDCNS Board of Directors Welcomes New Talent to the Board for 2019

- Councillor Cindy Hastings, representing the Township of Tiny
- Councillor Cher Cunningham, representing the Town of Midland

Communications, Marketing and Media

Two Skilled Trades Talent media campaigns were completed in 2018. Participating local companies included: Archer Daniels Midland (ADM); Ambient Activity Technologies/Keebee Play; Baytech Plastics; Deluxe; Franke Kindred; Georgian Reinforcement Fabrics; Industrial Filter Manufacturing; Lakeland Interiors; Makk Design; Streit Manufacturing; Techform-a division of Magna Closures; MRT Automation; North Simcoe Tool; Raytheon ELCAN Optical Technologies; Weber Manufacturing Technologies Inc.; and ZF Canada Ltd.

Lead Generation/Investment

- Responded to all RFIs submitted to EDCNS from the County
- Contacted over 1,000 prospective businesses to invest and grow in North Simcoe. Through Prosperity Summit 2018 themed Convergence of Healthcare and Manufacturing, working with one business for relocation. Another business is providing healthcare technology services.
- Provided Business Retention and Expansion (BR&E) services for existing businesses. Conduit to leasing opportunities. Expansion by creation of a medical building is in the pipeline.
- Prospective 25 acre land investment is under discussion.

Corporate Services

January 17, 2019

Via Email

The Honourable Doug Ford, M.P.P., Premier of Ontario, doug.ford@pc.ola.org
The Honourable Christine Elliott, M.P.P., Deputy Premier of Ontario, Minister of Health and Long Term Care, christine.elliott@pc.ola.org
The Honourable Steve Clark, M.P.P., Minister of Municipal Affairs and Housing, steve.clark@pc.ola.org
The Honourable Sylvia Jones, M.P.P., Minister of Community Safety and Correctional Services, sylvia.jones@pc.ola.org
Andrea Horwath, M.P.P., ahorwath-q@ndp.on.ca

Dear Sir/Madam:

At the Town of Orangeville Council Meeting on January 14, 2019 Council passed the following resolution:

Whereas the protection of the integrity of the Green Belt is a paramount concern for our residents;

And whereas the continued legislative protection of our water – groundwater, surface water and waterways – is vitally important for the current and future environmental health of our community;

And whereas significant concerns have been raised by residents, community leaders and environmental organizations such as the Canadian Environmental Law Association (CELA), that provisions within Bill 66 will weaken environmental protections as it "...will enable municipalities to pass "open-for business" zoning by-laws that do not have to comply with..." important provincial environmental statutes;

And whereas an "Open for Business" by-law may be approved without public consultation;

And whereas provisions within Bill 66 may allow exemptions from municipal Official Plans;

And whereas the Town of Orangeville's Official Plan represents not only a significant investment of taxpayer resources but reflects our community's collective vision for current and future planning;

And whereas our Official Plan clearly designates land that is environmentally protected;

And whereas our Official Plan also provides clearly designated land to meet future employment land needs;

Now therefore be it hereby resolved:

1. That Orangeville Town Council opposes planned changes to the Planning Act in the proposed Bill 66 that may allow for an "open for business" planning by-law.
2. That the Government of Ontario be requested to reconsider the proposed changes to the Planning Act included in Bill 66 which speak to the creation of the open-for- business planning by-law.
3. That notwithstanding the future adoption of Bill 66, the Town of Orangeville will not exercise the powers granted to it in Schedule 10 or any successor sections or schedules to pass open-for-business planning by-laws.
4. That a copy of this resolution be sent to the Honourable Doug Ford, Premier of Ontario, the Honourable Steve Clark, Minister of Municipal Affairs and Housing, the Honourable Christine Elliott, Deputy Premier of Ontario, the Honourable Sylvia Jones, Minister of Community Safety and Correctional Services, MPP Dufferin-Caledon and Andrea Horwath, MPP, Leader of the New Democratic Party.
5. That a copy of this resolution be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

Yours truly,



Susan Greatrix | Clerk

Town of Orangeville | 87 Broadway | Orangeville, ON L9W 1K1

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TM

cc The Honourable François-Philippe Champagne, M.P., Minister of Infrastructure and Communities,
Francois-Philippe.Champagne@parl.gc.ca
The Honourable Patricia A. Hajdu, M.P., Minister of Employment, Workforce Development and Labour,
Patty.Hajdu@parl.gc.ca
The Honourable Lawrence MacAulay, M.P., Minister of Agriculture and Agri-Food,
lawrence.macaulay@parl.gc.ca
The Honourable Catherine McKenna, M.P., Minister of Environment and Climate Change,
Catherine.McKenna@parl.gc.ca
The Honourable Amarjeet Sohi, M.P., Minister of Natural Resources, Amarjeet.Sohi@parl.gc.ca
David Tilson, M.P., Dufferin-Caledon, david.tilson.c1@parl.gc.ca
Association of Municipalities of Ontario (AMO)
All Ontario Municipalities



Council Resolution
January 16, 2019

Moved by Councillor Neeson, Seconded by Councillor Harding

RESOLUTION NO. C-2019-0021

WHEREAS the Provincial Government introduced Bill 66 entitled “Restoring Ontario’s Competitiveness Act” on the final day of sitting in the 2018 Ontario Legislature, December 6th, 2018 and;

WHEREAS significant concerns have been communicated regarding schedule 10, among other schedules contained therein by residents, community leaders, legal and environmental organizations such as the Canadian Environmental Law Association (CELA), EcoJustice, Environmental Defence Canada, Ontario Nature, South Lake Simcoe Naturalists, The Simcoe County Greenbelt Coalition, The David Suzuki Foundation, AWARE-Simcoe, Lake Simcoe Watch and the North Gwillimbury Forest Alliance that provisions within Bill 66 will weaken environmental protection, undermine democratic processes and potentially endanger public health and;

WHEREAS provisions of Bill 66 allow for an “Open for Business” bylaw, which may be approved without any public consultation of the citizens of the Town of Georgina and;

WHEREAS provisions of Bill 66 allow an “Open for Business Bylaw” which would permit major development in the Town of Georgina which most notably would no longer have to have any legislative regard for certain sections of:

- *The Planning Act*
- *The Provincial Policy Statement*
- *The Clean Water Act*
- *The Great Lakes Protection Act*
- *The Greenbelt Act*
- *The Lake Simcoe Protection Act*
- *The Oak Ridges Moraine Conservation Act and;*

WHEREAS the Town of Georgina remains committed to source water protection, *The Lake Simcoe Protection Act*, the integrity of the Greenbelt and it understands the benefits for protecting these features in support of our local economy and quality of life, and

WHEREAS notwithstanding the potential future adoption of Bill 66, that the Town of Georgina will continue to remain committed to making sound decision regarding resource and environmental preservation that remain consistent with the Clean Water Act, 2006, the Provincial Policy Statement and other legislative tools which provide for good planning, while balancing the need for economic development and providing environmental and public health protection;

NOW THEREFORE BE IT RESOLVED THAT the Town of Georgina strongly recommends that schedule 10 of Bill 66 be immediately abandoned or withdrawn by the Ontario Government and;

BE IT FURTHER RESOLVED THAT The Town of Georgina declares that notwithstanding the potential future adoption of Bill 66, the Town of Georgina's Council will not exercise the powers granted to it in schedule 10 or any successor schedules or sections to pass an "open for business planning bylaw" without a minimum of two (02) public meetings which shall be advertised twenty (20) days in advance in the Georgina Advocate or its successor, and also shall be advertised in any other local media resource that is widely available to the public in the Town of Georgina, by way of bylaw and;

BE IT FURTHER RESOLVED THAT staff be directed to draft such a bylaw for Council's consideration should Bill 66 be given royal assent and be given force and effect and;

BE IT FURTHER RESOLVED THAT the Town of Georgina requests the Province of Ontario to release draft criteria and draft regulations, and to provide a commenting period in advance of consideration by the legislature, and;

BE IT FURTHER RESOLVED THAT a copy of this motion be sent to the Honourable Doug Ford, Premier of Ontario, the Honourable Steve Clark, Minister of Municipal Affairs, Andrea Horwath, MPP and Leader of the Official Opposition and the Ontario NDP Party, MPP John Fraser, Interim Leader of the Ontario Liberal Party, MPP and Leader of the Green Party of Ontario, Mike Schreiner, the Honourable Caroline Mulroney, MPP York-Simcoe, Attorney General and Minister Responsible for Francophone Affairs and;

BE IT FURTHER RESOLVED THAT a copy of this motion be sent to the Association of Municipalities Ontario (AMO), all MPP's in the Province of Ontario and all Municipalities in Ontario for their consideration.

A recorded vote was requested; the Deputy Clerk recorded the vote as follows:

	<u>YEA</u>	<u>NAY</u>
Mayor Quirk	X	
Councillor Waddington		X
Councillor Neeson	X	
Councillor Sebo	X	
Councillor Harding	X	
Regional Councillor Grossi		X
Councillor Fellini	X	

Yea – 5 Nay - 2

Carried.

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement
local



ISSUE DATE: January 30, 2019

CASE NO.: PL110580

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 51(34) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	Victoria Harbour Development Co-Ownership Group
Subject:	Proposed Plan of Subdivision - Failure of Township of Tay to make a decision
Purpose:	To permit a proposed plan of subdivision
Property	2472 & 2506 Newton
Address/Description:	
Municipality:	Township of Tay
Municipality File No.:	T-03001
OMB Case No.:	PL110580
OMB File No.:	PL110635

BEFORE:

C. CONTI)	Wednesday, the 30 th
VICE-CHAIR)	
)	day of January, 2019

THIS MATTER having come on for public hearing and the Board having issued a Decision on March 3, 2014, having allowed the appeal to the appeal to draft plan of subdivision;

AND THE BOARD pursuant to subsection 51(56.1) of the Planning Act delegated approval authority for the subdivision to the Township of Tay but allowed parties to return to speak to the Board if any difficulties arose;

AND THE TRIBUNAL having received a request from CIM Homes Inc., which acquired the property in November of 2017, for a five (5) year extension to the lapsing date to March 4, 2024 for draft plan approval;

AND THE TRIBUNAL having received consent of the Township of Tay, supporting a five (5) year extension, and after reviewing the request;

THE TRIBUNAL ORDERS that the request to extend the lapsing provisions on the draft plan of subdivision to March 4, 2024 is granted.

A handwritten signature in black ink, appearing to read "Ma Hurwicks". The signature is fluid and cursive, with the first name "Ma" being more prominent.

REGISTRAR

If there is an attachment referred to in this document,
please visit www.elto.gov.on.ca to view the attachment in PDF format.

Local Planning Appeal Tribunal

A constituent tribunal of Tribunals Ontario – Environment and Land
Website: www.elto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248



AGCO

Alcohol and Gaming
Commission of Ontario

INFORMATION FOR ONTARIO MUNICIPALITIES ABOUT CANNABIS RETAIL STORE LICENSING

The maximum 25 Retail Store Authorizations will be allocated in accordance with Ontario Regulation 468/18, which provides for the maximum number of stores in the following Regions:

- a. **East** (Stormont, Dundas and Glengarry, Prescott and Russell, Ottawa, Leeds and Grenville, Lanark, Frontenac, Lennox and Addington, Hastings, Prince Edward, Northumberland, Peterborough, Kawartha Lakes, Simcoe, Muskoka, Haliburton, Renfrew): five (5) stores
- b. **GTA** (Durham, York, Peel and Halton): six (6) stores
- c. **North** (Nipissing, Parry Sound, Sudbury, Greater Sudbury, Timiskaming, Cochrane, Algoma, Thunder Bay, Rainy River, Kenora): two (2) stores
- d. **Toronto**: five (5) stores
- e. **West** (Dufferin-Wellington, Hamilton, Niagara, Haldimand-Norfolk, Brant, Waterloo, Perth, Oxford, Elgin, Chatham-Kent, Essex, Lambton, Middlesex, Huron, Bruce, Grey, Manitoulin): seven (7) stores

The AGCO has defined [42 municipalities](#) within Ontario with a population minimum of 50,000, based on the 2016 census.

In the **East** Region: City of Barrie, City of Belleville, City of Kawartha Lakes, City of Kingston, City of Ottawa, and City of Peterborough

In the **GTA** Region: Town of Ajax, Town of Aurora, City of Brampton, City of Burlington, Town of Caledon, Municipality of Clarington, Town of Halton Hills, City of Markham, Town of Milton, City of Mississauga, Town of Newmarket, Town of Oakville, City of Oshawa, City of Pickering, Town of Richmond Hill, City of Vaughan, and Town of Whitby

In the **North** Region: City of Greater Sudbury, City of North Bay, City of Sault Ste. Marie, and City of Thunder Bay

In the **Toronto** Region: the City of Toronto

In the **West** Region: City of Brantford, City of Cambridge, Municipality of Chatham-Kent, City of Guelph, City of Hamilton, City of Kitchener, City of London, City of Niagara Falls, Norfolk County, City of Sarnia, City of St. Catharines, City of Waterloo, City of Welland, and City of Windsor



AGCO

Alcohol and Gaming
Commission of Ontario

These changes are in effect until December 13, 2019, when Ontario Regulation 468/18 will be amended.

Although the initial phase of 25 stores will only be located in municipalities with a minimum population of 50,000, **the one-time opt-out date for all municipalities remains January 22, 2019.**

HELPFUL RESOURCES

- [AGCO's list of Ontario municipalities prohibiting or allowing cannabis retail stores](#)
- [Ontario Regulation 468/18](#)
- Cannabis Retail Store Licensing [Expression of Interest Lottery Rules](#)
- [Answers to frequently asked questions](#) on the Cannabis Retail Store Licensing Expression of Interest Lottery
- [Timeline for Cannabis Retail Lottery, Licensing and Store Authorization Process](#)
- Information about Ontario's approach to cannabis legalization can be found at ontario.ca/cannabis.
- For more information about the legalization and regulation of cannabis in Canada, please visit canada.ca/cannabis.