

# The Corporation of the Town of Tillsonburg

## Council Meeting

### AGENDA



Monday, July 8, 2024  
4:00 PM  
LPRCA  
4 Elm St  
Tillsonburg

- 
1. Call to Order
  2. Closed Session (4:00 p.m.)

Proposed Resolution #

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

THAT Council move into Closed Session to consider the following:

#### 2.4.1 Oxford County Presentation - Planning 101

239 (3.1) A meeting of a council or local board or of a committee of either of them may be closed to the public if the following conditions are both satisfied:

1. The meeting is held for the purpose of educating or training the members.
2. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

#### 2.1 CLD-EDM-24-009 Surplus Langrell Avenue Lands - Revised Offer to Purchase

239 (2) (c) a proposed or pending acquisition or disposition of land by the municipality or local board;

239 (2) (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

#### 2.5.2 CLD-EDM-24-010 Request for Assignment of VIP Lot 1 from 2776807 Ontario Inc to

**2153484 Ontario Inc**

239 (2) (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;

239 (2) (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

**2.1 Adoption of Agenda****2.2 Disclosures of Pecuniary Interest and the General Nature Thereof****2.3 Adoption of Closed Session Minutes****2.4 Presentations****2.4.1 Oxford County Presentation - Planning 101**

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1. The meeting is held for the purpose of educating or training the members.
2. At the meeting, no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee.

**2.5 Reports****2.5.1 CLD-EDM-24-009 Surplus Langrell Avenue Lands - Revised Offer to Purchase**

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239 (2) (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

**2.5.2 CLD-EDM-24-010 Request for Assignment of VIP Lot 1 from 2776807 Ontario Inc to 2153484 Ontario Inc.**

239 (2) (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;

239 (2) (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

**2.6 Back to Open Session**

**3. Moment of Silence**

**4. Adoption of Agenda (6:00 p.m.)**

Proposed Resolution #

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

THAT the agenda as prepared for the Council meeting of July 8, 2024, be approved.

**5. Disclosures of Pecuniary Interest and the General Nature Thereof**

**6. Adoption of Council Minutes of Previous Meeting**

Proposed Resolution #

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

THAT the Special Council Meeting Minutes dated June 25, 2024 and the Council Meeting Minutes dated June 24, 2024, be approved.

**7. Presentations**

**8. Public Meetings**

**8.1 CP 2024-159 Application for Consent and Minor Variance B24-34-8 and A24-11-7 (436 Broadway)**

Proposed Resolution #

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

THAT Council move into the Committee of Adjustment to hear an application for Minor Variance at \_\_\_\_\_ p.m.

Proposed Resolution #

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

The Council of the Town of Tillsonburg advise the Oxford County Land Division Committee that the Town supports the Application for Consent B24-23-7 submitted by Mike and Rebecca Dawdry for lands described as Pt Lot 91, Plan 500, Part 1, 41R-349 in the Town of Tillsonburg, subject to the following conditions:

1. The Owners shall agree to satisfy all requirements, financial and otherwise, of the County regarding the installation of water and sanitary sewer services, to the satisfaction of the County including payment of all outstanding fees regarding the same. To this regard, the lot to be retained and the lot to be severed must be independently serviced (water/sanitary), and any/all services crossing the proposed property line be disconnected to the satisfaction of the County of Oxford Public Works Department.
2. The Owners shall provide payment for cash-in-lieu of parkland to the Town of Tillsonburg for the lot to be severed, to the satisfaction of the Town of Tillsonburg.
3. The Owner(s) shall covenant and agree to satisfy all requirements financial and otherwise, of the Town of Tillsonburg regarding the installation of services and drainage facilities, to the satisfaction of the Town of Tillsonburg. Any work being done in the Town's right-of-way will require an Encroachment Permit, and a representative of the developer's consultant must be on site while this work is undertaken. The Owner shall agree to submit a stamped and sealed letter to the Town of Tillsonburg from the consulting engineer stating that all servicing and restoration work has been completed to the Town of Tillsonburg Development Guidelines and Design Criteria.
4. The Owner(s) shall submit a Lot Grading Plan and Site Servicing Plan including all required servicing for the proposed lot to be severed, to the satisfaction of the Town of Tillsonburg Engineering Services Department. If any grading changes are proposed for the lot to be retained, the Owner(s) shall submit a Lot Grading Plan to the satisfaction of the Town of Tillsonburg Engineering Services Department.
5. The Owner(s) shall submit a Surveyor's Real Property Report to confirm lot sizes and building setbacks, to the satisfaction of the Town of Tillsonburg.
6. The Clerk of the Town of Tillsonburg advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town of Tillsonburg have been complied with.

And further, that the Town of Tillsonburg advise the Land Division Committee that the Town supports the approval of Application A24-11-7 submitted by Mike and Rebecca



Dawdry for lands described as Pt Lot 91, Plan 500, Part 1, 41R-349 in the Town of Tillsonburg, as it relates to:

1. Relief from Section 6.2 – Table 6.2 - Zone Provisions, to reduce the Minimum Lot Depth from 32 m to 25 m for the lot to be severed via Application for Consent B24-11-7.

As the proposed variance is:

- i. deemed to be a minor variance from the provisions of the Town of Tillsonburg Zoning By-law No. 3295;
- ii. deemed to be desirable for the appropriate development or use of the land;
- iii. in-keeping with the general intent and purpose of the Town of Tillsonburg Zoning By-law No. 3295; and,
- iv. in-keeping with the general intent and purpose of the Official Plan.

Proposed Resolution #

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

THAT Council move out of the Committee of Adjustment and move back into regular Council session at \_\_\_\_\_ p.m.

## 9. Planning Reports

## 10. Delegations

## 11. Deputation(s) on Committee Reports

### 11.1 RCP-24-032 Parks, Cemeteries and Beautification Advisory Committee Recommendation - Bert Newman Park Fencing

Proposed Resolution #

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

- A. THAT report titled “Bert Newman Park Fencing” be received as information; and
- B. THAT Council approve the recommendation of the Parks, Beautification & Cemeteries Advisory Committee as follows:
  - a. THAT the Parks, Beautification & Cemeteries Advisory Committee strongly recommend to Council that the fence surrounding the perimeter of Bert Newman Park remain in place, and
  - b. THAT Council consider repairs, i.e. refurbishing the fence in 2025 budget; and
  - c. THAT the committee also recommends that Council seek options from

staff to re-engage locking the fence in the later evening hours.

## 12. Information Items

## 13. Staff Reports

### 13.1 Chief Administrative Officer

### 13.2 Corporate Services

#### 13.2.1 CS-24-088 Committee Appointments

Proposed Resolution #

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

- A. THAT Report CS 24-088 titled Committee Appointments be received as information; and
- B. THAT Stephen Culig, Lauren Johnson and Michael Adams be appointed to the Accessibility Advisory Committee; and
- C. THAT Pauline Markus be appointed to the Community Health Care Advisory Committee; and
- D. THAT Michael Adams, Ogi Ressel, Lisa DeGeorgis, Lauren Johnson and Monica Clare be appointed to the Property Standards Advisory Committee; and
- E. THAT Sophie Hicks, Dakshneel Singh, Julia Drobits, Scarlet Robson and Jaxon Grundy be appointed to the Youth Advisory Council; and
- F. THAT applications for the Youth Advisory Council remain open until the remaining vacancies are filled; and
- G. THAT a By-Law to amend By-Law 2023-009, be brought forward for Council consideration.

### 13.3 Economic Development

#### 13.3.1 EDM-24-026 Surplus Land Declaration – Ball Alley Between Tillson Street and First Alley

Proposed Resolution #

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

- A. THAT report titled EDM 24-026 Surplus Land Declaration – Ball Alley between Tillson Street and First Alley be received; and,
- B. THAT the municipally owned Ball Alley between Tillson Street and

First Alley, as described on Plan 500, be declared surplus to the needs of the Town of Tillsonburg in accordance with Bylaw 2021-031 (land disposition) including suitable notification to the public; and,

- C. That the Development Commissioner be authorized to negotiate an Agreement of Purchase and Sale with the adjacent property owner(s) subject to being brought back to Council for approval.

**13.3.2 EDM-24-027 Community Improvement Plan Application - Part of Lot 24, Simcoe Street**

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

- A. THAT Council receives report titled EDM 24-027 Community Improvement Plan Application – Part of Lot 24, Simcoe Street; and,
- B. THAT the Simcoe Street property owned by Harvest Ave Inc be approved as the first recipient of funds for a Multi-Residential property outside of the Central Area under the updated Community Improvement Plan and in support of the construction of an approximately 132 unit building with 29 lower than market rate rental units; and,
- C. That support be provided at the Strategic Level of the Tax Increment Equivalent Grant Back Program, which offers the following growth related rebates: Years 1 to 6 - 100% rebate of the incremental tax increase Year 7 - 80% rebate Year 8 - 60% rebate Year 9 - 40% rebate Year 10 - 20% rebate with full property taxes being payable in year 11;
- D. THAT the project be approved for the Permit Fee Grant Back Program with a 50% rebate of the building permit fees for the less than market rate units up to a maximum of \$20,000.

**13.4 Finance**

**13.4.1 FIN-24-039 - Funding Agreement for the Renewed Canada Community-Building Fund, 2024-2034**

Proposed Resolution #

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

- A. THAT report FIN-24-039 titled “Funding Agreement for the Renewed Canada Community-Building Fund, 2024-2034” be received as information; and
- B. THAT the Mayor and Clerk be delegated the authority to execute the Municipal Funding Agreement 2024-2034 on the Canada Community-Building Fund between the Association of

Municipalities of Ontario and the Town of Tillsonburg; and

- C. THAT a by-law to authorize the execution of the said agreement be presented for consideration.

### 13.5 Fire and Emergency Services

### 13.6 Operations and Development

#### 13.6.1 OPD-24-040 Comprehensive Zoning By-Law Review - Update

Proposed Resolution #

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

- A. THAT report OPD-24-040 titled Comprehensive Zoning By-Law Review be received as information; and
- B. THAT the timeline and workplan for the Comprehensive Zoning By-Law review be endorsed.

#### 13.6.2 OPD 24-041 Harvest Heights Subdivision Road Naming

Proposed Resolution #

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

- A. THAT report OPD 24-041 titled “Harvest Heights Subdivision Road Naming” be received as information; and
- B. THAT Council approves “Sergeant Avenue”, “Horton Street”, “Attwater Drive”, “Boyle Street”, “Davidson Street”, “Ledbury Avenue”, “Mansfield Court”, “Esseltine Drive”, “Dereham Drive” and “Grandview Drive” as road names within the Harvest Heights subdivision.

#### 13.6.3 OPD-24-043 Tender Results - RFT2024-005-R QTL Retaining Wall

Proposed Resolution #

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

- A. THAT report OPD 24-043 titled “Tender Results – RFT2024-005-R – QTL Retaining Wall” be received as information; and
- B. THAT staff be directed to reallocate the dedicated 2024 funds from Capital Project #233 - Charlotte and Clarence Reconstruction to Capital Project #194 - Retaining Wall Reconstruction at Beech Blvd and Quarter Town Line in the amount of \$545,011.30 inclusive of an additional \$25,000 be added to the project for the purposes of hydro pole relocation; and
- C. THAT the contract for RFT2024-005-R – QTL Retaining Wall be

awarded to CH Excavating (2013) at a total project cost of \$1,653,206.90 (including HST); and

- D. THAT Geotechnical Engineer/Inspection services be awarded to Planmac at an additional cost of \$42,804.40 (including HST).

#### 13.6.4 OPD-24-048 - Town Hall Project Status Update

Proposed Resolution #

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

THAT report OPD 24-048 titled “July 2024 – New Town Hall Project Status Update” be received as information; and

THAT Council direct/select Option [*intentionally left blank*] to finalize the New Town Hall’s Design Development process.

### 13.7 Recreation, Culture and Parks

#### 13.7.1 RCP-24-030 RCP Social Media Update

Proposed Resolution #

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

- A. THAT report RCP 24-030 titled “RCP Social Media Update” be received as information; and
- B. THAT staff within the Communications branch of Corporate Services assume responsibility of digital channels including monitoring all social media activities and accounts in line with corporate branding and the centralized communications strategies as outlined in Report RCP-24-030.

#### 13.7.2 RCP-24-033 Revised Parks Use By-Law

Proposed Resolution #

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

- A. THAT report RCP 24-033 titled “Updated Parks and Recreation Areas By-Law” be received as information; and
- B. THAT the Parks Use By-law be approved; and
- C. THAT a By-Law to enact the Parks and Recreation Areas By-Law, as attached, be presented to Council for consideration.

### 14. New Business

### 15. Consideration of Minutes

**15.1 Advisory Committee Minutes**

Proposed Resolution #

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

THAT the following Advisory Committee Minutes be received as information:

- Recreation and Sports Advisory Committee meeting minutes dated May 2, 2024
- Parks, Beautification and Cemeteries Advisory Committee meeting minutes dated May 28, 2024
- Community Health Care Advisory Committee meeting minutes dated June 18, 2024
- Museum, Culture, Heritage and Special Awards Advisory Committee meeting minutes dated June 19, 2024
- Parks, Beautification and Cemeteries Advisory Committee meeting minutes dated June 25, 2024
- Tillsonburg Airport Advisory Committee meeting minutes dated June 27, 2024

**16. Motions/Notice of Motions**

**16.1 Councillor Parker - Water Disruptions**

Proposed Resolution #

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

THAT industrial manufacturers be provided a minimum of 10 business days' notice for any scheduled water disruptions.

**17. Resolutions/Resolutions Resulting from Closed Session**

**18. By-Laws**

Proposed Resolution #

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

THAT the following By-Laws be read for a first, second and third and final reading and that the Mayor and the Clerk be and are hereby authorized to sign the same, and place the corporate seal thereunto.

**18.1 By-Law 2024-069 A By-Law to provide for the adoption of budgetary estimate, tax**

rates, installment due dates, and to further provide for penalty and interest on default of payment thereof for 2024

- 18.2 By-Law 2024-073 A By-Law for the use, protection and regulation of public parks and recreation areas in the Town of Tillsonburg
- 18.3 By-Law 2024-077 A BY-LAW to open a portion of a municipal public roadway known as Dereham Drive, described as part of Lot 8, Concession 12, Geographic Township of Dereham
- 18.4 By-Law 2024-081 A BY-LAW to amend By-Law 2023-009 being a by-law to appoint members to Town of Tillsonburg advisory committees.
- 18.5 By-Law 2024-082 ABy-Law to amend Zoning By-Law Number 3295, as amended (ZN7-23-10)
- 18.6 By-Law 2024-083 A BY-LAW to authorize the execution of the Municipal Funding Agreement 2024-2034 on the Canada Community-Building Fund between the Association of Municipalities of Ontario and the Town of Tillsonburg

**19. Confirm Proceedings By-law**

Proposed Resolution #

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

THAT By-Law 2024-080, A By-Law to Confirm the proceedings of the Council Meeting held on July 8, 2024, be read for a first, second and third and final reading and that the Mayor and the Clerk be and are hereby authorized to sign the same, and place the corporate seal thereunto.

**20. Items of Public Interest**

**21. Adjournment**

Proposed Resolution #

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

THAT the Council meeting of July 8, 2024, be adjourned at \_\_\_\_\_ p.m.



# The Corporation of the Town of Tillsonburg

## Special Council Meeting

### MINUTES

Tuesday, June 25, 2024  
12:00 PM  
LPRCA  
4 Elm St  
Tillsonburg

ATTENDANCE: Mayor Gilvesy (Chair)  
Deputy Mayor Beres  
Councillor Luciani  
Councillor Parsons  
Councillor Rosehart  
Councillor Spencer

Regrets: Councillor Parker

Staff: Kyle Pratt, Chief Administrative Officer  
Laura Pickersgill, Executive Assistant  
Julie Ellis, Deputy Clerk  
Graig Pettit, Hydro Operations Manager

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**1. Call to Order**

The meeting was called to order at 12:01 p.m.

**2. Closed Session**

**3. Adoption of Agenda**

**Resolution # 2024-319**

**Moved By:** Councillor Parsons

**Seconded By:** Councillor Luciani



THAT the Agenda as prepared for the Special Council meeting of June 25, 2024, be approved.

**Carried**

**4. Disclosures of Pecuniary Interest and the General Nature Thereof**

There were no disclosures of pecuniary interest.

**5. Tillsonburg Hydro Inc. Annual Meeting**

**Resolution # 2024-320**

**Moved By:** Councillor Luciani

**Seconded By:** Councillor Rosehart

THAT Council move into the Annual General Meeting of the Shareholders of Tillsonburg Hydro Inc. at 12:02 p.m.

**6. Motions/Notice of Motions**

**7. Confirm Proceedings By-law**

**Resolution # 2024-321**

**Moved By:** Councillor Rosehart

**Seconded By:** Councillor Spencer

THAT By-Law 2024-070, to confirm the proceedings of the Special Council Meeting held on June 25, 2024, be read for a first, second, third and final reading and that the Mayor and the Clerk be and are hereby authorized to sign the same, and place the corporate seal thereunto.

**Carried**

**8. Adjournment**

**Resolution # 2024-322**

**Moved By:** Councillor Spencer

**Seconded By:** Deputy Mayor Beres

THAT the Special Council meeting of June 25, 2024, be adjourned at 12:30 p.m.

**Carried**

# The Corporation of the Town of Tillsonburg

## Council Meeting

### MINUTES



Monday, June 24, 2024  
5:30 PM  
LPRCA  
4 Elm St  
Tillsonburg

ATTENDANCE: Mayor Gilvesy (Chair)  
Deputy Mayor Beres  
Councillor Luciani  
Councillor Parker  
Councillor Parsons  
Councillor Rosehart  
Councillor Spencer

Staff: Kyle Pratt, Chief Administrative Officer  
Tanya Daniels, Director of Corporate Services/Clerk  
Cephas Panschow, Development Commissioner  
Renato Pullia, Interim Director of Finance/Treasurer

Regrets: Johnathon Graham, Director of Operations & Development  
Andrea Greenway, Interim Director of Recreation, Culture and Parks  
Matt Johnson, Manager of Parks and Facilities  
Julie Ellis, Deputy Clerk

- 
- 1. Call to Order**  
The meeting was called to order at 5:30pm
  - 2. Closed Session (5:30 p.m.)**

**Resolution # 2024-294****Moved By:** Councillor Luciani**Seconded By:** Councillor Rosehart

THAT Council move into Closed Session to consider the following:

**2.1 CLD-EDM-24-008 Offer - Portion of Ground Lease Lands**

239 (2) (c) a proposed or pending acquisition or disposition of land by the municipality or local board;

239 (2) (i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;

239 (2) (k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

**2.1 Adoption of Agenda****2.2 Disclosures of Pecuniary Interest and the General Nature Thereof****2.3 Adoption of Closed Session Minutes****2.4 Reports****2.4.1 CLD-EDM-24-008 - Offer - Portion of Ground Lease Lands****2.5 Back to Open Session****Carried****3. Moment of Silence****4. Adoption of Agenda (6:00 p.m.)****Resolution # 2024-299****Moved By:** Councillor Parsons**Seconded By:** Councillor Luciani

THAT the agenda as prepared for the Council meeting of June 24, 2024, be approved.

**Carried**

5. **Disclosures of Pecuniary Interest and the General Nature Thereof**

None.

6. **Adoption of Council Minutes of Previous Meeting**

**Resolution # 2024-300**

**Moved By:** Councillor Rosehart

**Seconded By:** Councillor Parker

THAT the Council Meeting minutes dated June 12, 2024, be approved.

**Carried**

7. **Presentations**

8. **Public Meetings**

8.1 **CP 2024-157 Application for Zone Change ZN 7-24-05 (356 Tillson Avenue)**

Application has been withdrawn. Item was not heard.

8.2 **CP 2024-199 Application for Minor Variance A04-24 (56 Earle Street)**

Once sitting as the Committee of Adjustment, Laurel Davies-Snyder, Oxford County Planner, attended before Committee to provide an overview of the application.

Simona Rasanu, Agent for the applicant, attended before Committee to speak in favour of the application. Ms. Rasanu stated agreement with the staff report. No questions from members were posed.

No other individuals came forward to speak in favour or in opposition of the application.

**Resolution # 2024-301**

**Moved By:** Councillor Luciani

**Seconded By:** Deputy Mayor Beres

THAT Council move into the Committee of Adjustment to hear an application for Minor Variance at 6:02 p.m.

**Carried**

**Resolution # 2024-302****Moved By:** Councillor Parker**Seconded By:** Councillor Rosehart

That the Town of Tillsonburg Committee of Adjustment approve Application A04-24, submitted by Jacob and Margaretha Driedger for lands described as Lot 1365, Plan 500, Part 1 Plan 41R-4700, municipally known as 56 Earle Street in the Town of Tillsonburg, as it relates to:

1. Relief from Section 7.2 – Zone Provisions, to reduce the minimum required lot depth from 30 m (98.4 ft) to 19 m (62 ft), and;
2. Relief from Section 7.2 – Zone Provisions, to reduce the minimum required rear yard setback from 7.5 m (24.6 ft) to 2.4 m (7.8 ft) to facilitate the construction of a single detached dwelling on a lot that has been granted conditional consent from the Oxford County Land Division Committee.

As the requested variances are considered to be:

- i. minor variances from the provisions of the Town of Tillsonburg Zoning By- Law;
- ii. desirable for the appropriate development or use of the land;
- iii. in keeping with the general intent and purpose of the County's Official Plan, and;
- iv. in keeping with the general intent and purpose of the Town of Tillsonburg Zoning By-law.

**Carried****Resolution # 2024-303****Moved By:** Deputy Mayor Beres**Seconded By:** Councillor Spencer

THAT Council move out of Committee of Adjustment and move back into regular Council session at 6:09 p.m.

**Carried****9. Planning Reports**

## 10. Delegations

### 10.1 Lisa Marie Williams, CEO/Chief Librarian, Oxford County Library Re: Ox on the Run, Oxford County Library

Lisa Marie Williams, CEO/Chief Librarian, attended before Council with the outreach services team.

The team provided a presentation on the OX on the RUN pilot program that was operating for the past 18 months. The presentation included the following highlights:

1. Town of Tillsburg data (book-mobile);
2. Highlights from the previous year including Woodingford Lodge and Harvest Crossing Residence visits overview; and
3. Challenges and Opportunities the program faced.

#### **Resolution # 2024-304**

**Moved By:** Councillor Parsons

**Seconded By:** Councillor Luciani

THAT the delegation from Lisa Marie Williams regarding Ox on the Run be received as information.

**Carried**

## 11. Deputation(s) on Committee Reports

## 12. Information Items

Councillor Spencer provided comments of congratulations to the Administrative team on the success of the initiative known as the Tillsburg App.

Mayor Gilvesy provided further comment on the success of the deployment of the initiative.

#### **Resolution # 2024-305**

**Moved By:** Councillor Spencer

**Seconded By:** Deputy Mayor Beres

That the following item be received as information:

**12.1 Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) Re: EA Danby Certificate of Merit**

**Carried**

**13. Staff Reports**

**13.1 Chief Administrative Officer**

**13.2 Corporate Services**

**13.3 Economic Development**

**13.3.1 EDM-24-021 - Community Improvement Plan Application – 77 Broadway**

Cephas Panschow, Development Commissioner, provided an overview of Item 13.3.1 and answered questions from Members of Council.

**Resolution # 2024-306**

**Moved By:** Councillor Luciani

**Seconded By:** Councillor Rosehart

- A. THAT Council receives report titled EDM 24-021 Community Improvement Plan Application – 77 Broadway; and,
- B. THAT the 77 Broadway property tenant, Absolute Respiratory Services Inc, be approved as the first recipient of funding under the Commercial Building Interior Renovation Program of the Community Improvement Plan, related to interior renovations and improvement renovation costs, up to a maximum of \$10,000.

**Carried**

**13.3.2 EDM-24-025 - Community Improvement Plan Application - Part of Lot 24, Simcoe Street**

Deputy Mayor Beres assumed the Chair.

Cephas Panschow, Development Commissioner, provided an overview of Item 13.3.2 and answered questions from Members of Council.

**Resolution # 2024-307**

- A. THAT Council receives report titled EDM 24-022 Community Improvement Plan Application – Part of Lot 24, Simcoe Street; and,
- B. THAT the Simcoe Street property owned by Harvest Ave Inc be approved as the first recipient funds for a Multi-Residential property outside of the Central Area under the updated Community Improvement Plan, related to the construction of an approximately 132 unit building with a range of 14 to 29 lower than market rate units, at the Strategic Level of the Tax Increment Equivalent Grant Back Program, which offers the following growth related rebates:

Years 1 to 6 - 100% rebate of the incremental tax increase

Year 7 - 80% rebate

Year 8 - 60% rebate

Year 9 - 40% rebate

Year 10 - 20% rebate

with full property taxes being payable in year 11;

THAT the project be approved for the Permit Fee Grant Back Program with a 50% rebate of the building permit fees up to a maximum of \$20,000.

**Moved By:** Mayor Gilvesy

**Seconded By:** Councillor Parker

THAT the application be referred to staff to provide a report to the August Council meeting including alternative options within the Community Improvement Plan for this development.

**Carried**

## 13.4 Finance

### 13.4.1 FIN-24-033 - 2024 Asset Management Plan

Mayor Gilvesy reassumed the Chair.

Renato Pullia, Interim Director of Finance/Treasurer, provided an overview of Item 13.4.1. and answered various questions from members of Council.



**Resolution # 2024-308****Moved By:** Deputy Mayor Beres**Seconded By:** Councillor Spencer

- A. THAT report FIN 24-033 titled “2024 Asset Management Plan” be received as information; and
- B. THAT a By-Law to repeal and replace the Strategic Asset Management Policy 11-004, as attached to report FIN 24-033, be presented to Council for consideration; and
- C. THAT the Town of Tillsonburg’s 2024 Asset Management Plan be approved.

**Carried****13.4.2 FIN-24-036 - Rates and Fees By-Law Update****Resolution # 2024-309****Moved By:** Councillor Parsons**Seconded By:** Councillor Luciani

- A. THAT report FIN 24-036 titled “2024 Rates and Fees By-Law Update” be received as information; and
- B. THAT a By-Law to provide a schedule of fees for certain municipal applications, services and permits, and to repeal By-Laws 2022-087 and 2023-100, be presented to Council for consideration.

**Carried****13.4.3 FIN-24-037 2024 Council Expense Policy Review**

Renato Pullia, Interim Director of Finance/Treasurer, provided an overview of Item 13.4.3. and answered various questions from members of Council.

Mover and Seconder agreed to a friendly amendment to Clause D clarifying the support from the member providing the unutilized funds is required.

**Resolution # 2024-310****Moved By:** Councillor Spencer**Seconded By:** Councillor Rosehart

- A. THAT report titled “2024 Council Expense Policy Review” be received as information; and
- B. THAT the following items be considered for amendments to the Council Expense Policy, to be brought back at a future meeting for adoption:
  - a. each Council members’ individualized budgets be adjusted so that cell phone, clothing, Internet and supplies be all part of Internet/Supplies budget line for each member, separate from each member’s Conference/Training expense line; and
  - b. Council members’ individualized budget limits be determined through the annual budget deliberations; and
- C. THAT as the current Council Expense Policy limits for each individual Internet/Supplies line allow for greater expenditure than the 2024 budgeted amount, that members of Council be allowed to spend to the Policy limit; and
- D. THAT members of Council be allowed to utilize other members’ unused training budget for 2024, with a review of such budget limits for the 2025 budget **with confirmation from the member providing the unutilized funds.**

**Carried****13.5 Fire and Emergency Services****13.6 Operations and Development****13.6.1 OPD 24-038 Lot Maintenance By-Law Amendment - Garbage and Recycling Pick-Up**

Motion was amended prior to adoption.

**Resolution # 2024-311****Moved By:** Councillor Rosehart**Seconded By:** Councillor Parsons

- A. THAT report OPD 24-038 titled Lot Maintenance By-Law Amendment – Garbage and Recycling Pick-Up be received as information; and
- B. THAT a By-Law to amend By-Law 2023-036, being a by-law to regulate yard maintenance standards within the Town of Tillsonburg, be presented to Council for consideration **to reflect that garbage can be placed at the curb after 8:00p.m the day preceding collection but before 7:00 am on the day of collection.**

**Carried**

### **13.6.2 OPD-24-039 - RTSF Agreement - T GO (In Town) Bus Shelters**

#### **Resolution # 2024-312**

**Moved By:** Councillor Luciani

**Seconded By:** Deputy Mayor Beres

- A. THAT report titled “RTSF Agreement - T:GO (In Town) Bus Shelters” be received as information; and
- B. THAT the Treasurer be directed to allocate \$13,360 from the Linear Infrastructure Reserve in fulfilling the Town’s obligation towards the Rural Transit Solutions Fund grant award; and
- C. THAT the Clerk and the Director of Operations and Development be authorized to sign the Rural Transit Solutions Funding contribution agreement.

**Carried**

## **13.7 Recreation, Culture and Parks**

### **13.7.1 RCP-24-026 - TCC Renovation Budget Update**

Andrea Greenway, Acting Director of Recreation, Culture and Parks, provided an overview of Item 13.7.1. answering various questions from Members of Council.

**Resolution # 2024-313****Moved By:** Councillor Parsons**Seconded By:** Councillor Parker

- A. THAT report RCP 24-026 titled “TCC Renovation Budget Update” be received as information; and
- B. THAT Council approves the additional estimated \$418,050.17 in expenses to complete the TCC renovations, to be funded by the following:
  - a. reallocating capital project #690 TCC Building Envelope Spot Repair in the amount of \$30,000; and
  - b. reallocating the RCP Reserve funds not utilized by the Parks and Recreation Master Plan project in the amount of \$31,625; and
  - c. reallocating capital project #621 Parking Lot in the amount of \$66,100; and
  - d. funding the additional \$290,325.17 through the Tax Rate Stabilization Reserve, funded from the 2023 year-end fiscal surplus.

**Carried****13.7.2 RCP-24-028 - Draft Parks By-Law**

Matt Johnson, Manager of Parks and Facilities, provided an overview of Item 13.7.2. answering various questions from Members of Council.

Within the hiking trail definition, the word 'bicycle' to be struck

**Moved By:** Deputy Mayor Beres**Seconded By:** Councillor Spencer

- A. THAT report RCP 24-028 titled “Draft Parks and Recreation Areas By-law” be received as information; and
- B. THAT a By-Law to enact the Parks and Recreation Areas By-law, as attached to report RCP 24-028, be presented to Council for consideration.

**Resolution # 2024-314****Moved By:** Deputy Mayor Beres**Seconded By:** Councillor Spencer

THAT Item 13.7.2 be referred to staff to address the hiking trail definition and the prohibition of bicycles on hiking trails.

**Carried****14. New Business****15. Consideration of Minutes****15.1 Advisory Committee Minutes****Resolution # 2024-315****Moved By:** Councillor Spencer**Seconded By:** Councillor Parsons

THAT the following Advisory Committee minutes be received as information:

- Affordable and Attainable Housing Advisory Committee Meeting minutes dated May 22, 2024

**Carried****16. Motions/Notice of Motions****17. Resolutions/Resolutions Resulting from Closed Session****18. By-Laws**

18.1, 18.2 and 18.5 removed

**Resolution # 2024-316****Moved By:** Councillor Parsons**Seconded By:** Councillor Luciani

THAT the following By-Laws be read for a first, second and third and final reading and that the Mayor and the Clerk be and are hereby authorized to sign the same, and place the corporate seal thereunto.

**18.3 By-Law 2024-074 A BY-LAW to to provide a schedule of fees for certain municipal applications, services and permits**

**18.4 By-Law 2024-075 A BY-LAW to adopt a Strategic Asset Management Policy for the Town of Tillsonburg and to repeal By-Law 4311**

**Carried**

**19. Confirm Proceedings By-law**

**Resolution # 2024-317**

**Moved By:** Deputy Mayor Beres

**Seconded By:** Councillor Parker

THAT By-Law 2024-072, A By-Law to Confirm the Proceedings of of the Council Meeting held on June 24, 2024, be read for a first, second and third and final reading and that the Mayor and the Clerk be and are hereby authorized to sign the same, and place the corporate seal thereunto.

**Carried**

**20. Items of Public Interest**

**21. Adjournment**

**Resolution # 2024-318**

**Moved By:** Councillor Rosehart

**Seconded By:** Councillor Spencer

THAT the Council meeting of June 24, 2024, be adjourned at 8:19 p.m.

**Carried**



Report No. CP 2024-159  
**COMMUNITY PLANNING**  
 Council Meeting: July 8, 2024

**To:** Mayor and Members of Tillsonburg Town Council

**From:** Laurel Davies Snyder, Development Planner, Community Planning

## **Application for Consent and Minor Variance B24-34-7; A24-11-7 – Mike and Rebecca Dawdry**

### **REPORT HIGHLIGHTS**

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- The purpose of the Applications for Consent and Minor Variance is to create one new residential infill lot and to retain one residential lot containing an existing dwelling.
- A variance is being proposed to allow for a reduced minimum lot depth of 25.5 m (83.7 ft) for the lot to be severed, in lieu of the required 32 m (105 ft).
- Planning staff are recommending that the application be approved as it is consistent with the policies of the Provincial Policy Statement (PPS), maintains the intent and purpose of the Official Plan respecting residential intensification and development within Low Density Residential Areas, and the proposed variances satisfy the tests outlined in Section 45(1) of the Planning Act.

### **DISCUSSION**

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#### **Background**

OWNERS/APPLICANTS: Mike and Rebecca Dawdry  
 436 Broadway, Tillsonburg, ON N4G 3S7

LOCATION:

The subject lands are described as Pt Lt 91, Plan 500, Pt 1, 41R349 in the Town of Tillsonburg. The property is located on the southeast corner of Broadway and Lisgar Avenue and is known municipally as 436 Broadway.

COUNTY OF OXFORD OFFICIAL PLAN:

TILLSONBURG ZONING BY-LAW NO. 3295:

Schedule "T-1" Town of Tillsonburg Land Use Plan Residential

Schedule "T-2" Town of Tillsonburg Residential Density Plan Low Density Residential

Existing Zoning: 'Low Density Residential – Type 1 Zone (R1)'

EXISTING USE OF SUBJECT PROPERTY:

Lot to be Severed: existing garage (to be removed)

Lot to be Retained: existing single detached dwelling (to be retained)

SERVICES:

Lot to be Retained: municipal water and municipal sanitary sewer

Lot to be Severed: municipal water and municipal sanitary sewer

ACCESS:

Lot to be Retained: paved municipal road (Broadway)

Lot to be Severed: paved municipal road (Lisgar Avenue)

PROPOSAL:

The purpose of the Application for Consent is to create one new residential infill lot with frontage on Lisgar Avenue to facilitate the construction of a new residential dwelling, and to retain one residential lot with frontage on Broadway which currently contains a single detached dwelling. The approximate dimensions of the lot to be severed and the lot to be retained are provided below:

	<u>Lot to be Retained</u>	<u>Lot to be Severed</u>
Lot Area:	1,143 m <sup>2</sup> (12,306.4 ft <sup>2</sup> )	730.7 m <sup>2</sup> (7,865.2 ft <sup>2</sup> )
Lot Frontage:	25.58 m (83.9 ft)	28.65 m (94 ft)
Average Lot Depth:	44.85 m (147.1 ft)	25.52 m (83.7 ft)

The applicant has advised that:

- for the lot to be retained, the existing vehicular access to Broadway and existing single detached dwelling will be retained; and,
- for the lot to be severed, the existing vehicular access to Lisgar Avenue will be retained, and the existing detached garage will be removed.

The applicant is proposing relief from Section 6.2, 'Low Density Residential – Type 1 Zone (R1)' to reduce the minimum lot depth from 32 m (105 ft) to 25.52 m (83.7 ft) for the lot to be severed.

The subject property is a rectangular corner lot, with existing vehicular accesses onto Broadway and onto Lisgar Avenue. Current land uses surrounding the subject property consist of low



density residential uses in the form of single detached dwellings on a range of lot sizes to the north, south, east and west on both Broadway and Lisgar Avenue. The Tillsonburg Skate Park and baseball diamonds are located to the east of the subject property on Lisgar Avenue.

Plate 1, Location Map and Existing Zoning, shows the location of the subject lands and the existing zoning in the immediate vicinity.

Plate 2, 2020 Aerial Map, provides an aerial view of the subject lands and surrounding area.

Plate 3, Applicants' Sketch, provides the dimensions of the lot to be severed and the lot to be retained, as provided by the applicants.

## **Application Review**

### PROVINCIAL POLICY STATEMENT (PPS):

Section 1.1.1 of the PPS provides that healthy liveable and safe communities are sustained by accommodating an appropriate range and mix of residential housing (including additional units, affordable housing, and housing for older persons) to meet long-term needs, and promoting cost-effective development that minimizes land consumption and servicing costs.

Section 1.1.3.1 of the PPS states that Settlement Areas will be the focus of growth and their vitality and regeneration shall be promoted. Land use patterns within settlement areas shall be based on:

- densities and mix of land use which are appropriate for, and efficiently use the infrastructure and public service facilities which are planned or available;
- support for active transportation;
- efficiently using land and resources; and,
- a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

Section 1.1.3.2 states that land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land, resources, existing infrastructure, and public service facilities. A range of uses and opportunities for intensification and redevelopment should also be promoted where it can be accommodated in settlement areas.

Section 1.1.3.4 directs that appropriate development standards shall be promoted which facilitate intensification, redevelopment, and compact form, while avoiding or mitigating risks to public health and safety.

Section 1.4, Housing, and specifically Subsection 1.4.3, state that planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

- establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households;
- permitting and facilitating all forms of housing required to meet the social, health and well-being requirements of current and future residents;
- permitting and facilitating all types of residential intensification, including additional residential units and redevelopment, in accordance with policy 1.3.3.3;

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- directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- promoting densities for new housing which efficiently use land, resources, infrastructure, and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and,
- establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

OFFICIAL PLAN:

The subject lands are located within the 'Low Density Residential' designation according to the Town of Tillsonburg Residential Density Plan, as contained in the Official Plan.

Low Density Residential Districts are those lands that are primarily developed or planned for a variety of low-rise, low density housing forms including both executive and smaller single detached dwellings, semi-detached, duplex, and converted dwellings, street-fronting townhouses, and other, similar forms of development. Within these areas, it is intended that there will be a mixing and integration of different forms of housing to achieve a low overall density of use.

The policies in Section 8.2.2.5, Residential Intensification and Redevelopment, promote residential intensification in appropriate locations to make more efficient use of existing land, infrastructure, and public services. Specifically, a minimum target of 15 percent of all new residential dwelling units are to be developed through residential intensification within built-up areas of the Town.

Residential intensification and compact urban form are permitted in appropriate locations within the Residential and Central Areas of the Town, subject to complying with the policies of the associated land use designations pertaining to the density, form and scale of residential development being proposed. Intensification shall be facilitated through appropriate zoning standards, and Town Council may consider the use of reduced municipal infrastructure requirements and lot standards on a site or area specific basis, provided that such standards are still in keeping with the overall objectives of the Official Plan.

The policies of Section 8.2.4.1, Infill Housing, apply to this proposal. Infill housing is defined as the placement of new residential development into established built-up areas on vacant or underutilized sites. To efficiently utilize the residentially designated land supply, and municipal servicing infrastructure, infill housing will be supported in Low Density Residential Districts.

The introduction of new residential housing into an established streetscape pattern will only be permitted if the proposal is deemed to be consistent with the characteristics of existing development on both sides of the same street. In order that street-oriented infill projects are sensitive to the continuity of the existing residential streetscape, the County Land Division Committee will ensure that the proposal is consistent with the street frontage, setbacks, lot area, and, spacing of existing development within a two-block area on the same street. In addition to the specific infill policies identified, the following will be considered for all infill proposals:

- the location of vehicular access points, the effect of traffic generated by the proposal on the public road system, pedestrian and vehicular safety and surrounding properties is assessed and found to be acceptable;

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- existing municipal services and community facilities will be adequate to accommodate the proposed infill project;
- stormwater run-off from the proposal will be adequately controlled and will not negatively affect adjacent properties;
- the extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;
- the effect of proposed development on environmental resources or the effects of environmental constraints on the proposed development will be addressed and mitigated in accordance with Section 3.2;
- compliance of the proposed development with the provisions of the Zoning By-Law of the Town and other municipal by-laws; and,
- consideration of the potential effect of the development on natural and heritage resources and their settings.

Residential intensification and compact urban form shall be facilitated through appropriate zoning standards and Town Council may consider the use of reduced municipal infrastructure requirements and lot standards on a site or area specific basis, provided that such standards are in keeping with the overall objectives of the Official Plan.

TOWN OF TILLSONBURG ZONING BY-LAW:

The subject property is currently zoned 'Low Density Residential Type 1 Zone (R1)' in the Town's Zoning By-law. Permitted uses in the 'R1' Zone include an additional residential unit, a group home, a home occupation, a public use, and a single detached dwelling.

For single detached dwellings, the provisions of the 'R1' zone relevant to this application include:

- Minimum Lot Area of 480 m<sup>2</sup> (5,166.9 ft<sup>2</sup>) or 608 m<sup>2</sup> (6,544.7 ft<sup>2</sup>) in the case of a corner lot;
- Minimum Lot Frontage of 15 m (49.2 ft) or 19 m (62.3 ft) in the case of a corner lot; and,
- Minimum Lot Depth of 32 m (105 ft).

The minimum lot area, lot frontage and lot depth provisions of the Town's Zoning By-Law are intended to ensure that lots are sufficiently large enough to provide an adequately sized building envelope and ensure that adequate area is provided for safe access/egress, parking, landscaping, drainage, and private amenity space.

With respect to the lot to be retained and the lot to be severed, it appears that the minimum lot frontage and minimum lot area provisions of the 'R1' Zone for single detached dwellings will be met, and the minimum lot depth provision for the lot to be retained will be met.

The associated Minor Variance application proposes to obtain relief from Section 6.2, Low Density Residential – Type 1 Zone (R1)' to reduce the minimum lot depth from 32 m (105 ft) to 25.51 m (83.7 ft) for the lot to be severed.

In this case, the whole of the subject lands front on Broadway (for the purposes of the Town's Zoning By-law) and there are two vehicular accesses (via driveways) – one on Broadway and one on Lisgar Avenue. Severing the lot will result in the lot to be retained maintaining frontage on Broadway, and the lot to be severed having frontage on Lisgar Avenue (the existing driveway will be maintained).

With respect to the relief from the lot depth provision proposed for the lot to be severed, as the frontage of the said lot will be defined as that frontage along Lisgar Avenue, the rear lot line

becomes the easterly lot line, and the rear yard depth is the distance measured between the front lot line on Lisgar Avenue and the 'new' rear lot line. The proposed lot depth for the lot to be severed is 25.51 m (83.7 ft).

AGENCY COMMENTS:

Oxford County Public Works

B24-34-7

- If approved, a condition of severance shall be that the owner agrees to satisfy all requirements, financial and otherwise, of the County regarding the installation of water and sanitary sewer services, to the satisfaction of the County.
- Both properties must be serviced (water/sanitary) independently, and any/all services crossing the proposed property line must be disconnected to the satisfaction of the County of Oxford Public Works Department. Water/sanitary servicing is available on Lisgar Avenue and the applicant will be required to connect to the services for the new lot.

A24-11-7

- No comments.

Town of Tillsonburg Engineering Department

B24-34-7

Conditions:

- The Owner(s) shall covenant and agree to satisfy all requirements financial and otherwise, of the Town of Tillsonburg regarding the installation of services and drainage facilities, to the satisfaction of the Town of Tillsonburg. Any work being done in the Town's right-of-way will require an Encroachment Permit, and a representative of the developer's consultant must be on site while this work is undertaken. The Owner shall agree to submit a stamped and sealed letter to the Town of Tillsonburg from the consulting engineer stating that all servicing and restoration work has been completed to the Town of Tillsonburg Development Guidelines and Design Criteria.
- The Owner(s) shall submit a Lot Grading Plan and Site Servicing Plan including all required servicing for the proposed lot to be severed, to the satisfaction of the Town of Tillsonburg Engineering Services Department. If any grading changes are proposed for the lot to be retained, the Owner(s) shall submit a Lot Grading Plan to the satisfaction of the Town of Tillsonburg Engineering Services Department.
- The Owner(s) shall submit a Surveyor's Real Property Report to confirm lot sizes and building setbacks, to the satisfaction of the Town of Tillsonburg.

Comments:

- Approval from the Director of Operations and Development will be required for any required road closures.

A24-11-7

- No questions or concerns.
- Staff notes that a future Minor Variance may be required (e.g. if the Owner wishes to add a deck or accessory building to the lot to be severed).

Town of Tillsonburg Building Services Department indicated that they do not have any comments or concerns. They noted that a future Minor Variance for the Minimum Rear Yard depth may be required.

Tillsonburg Economic Development and Marketing commented that they do have any questions or concerns.

Tillsonburg Hydro indicated that they do not have any comments regarding the severance, and, that a completed Electrical Planning Form must be submitted with a request for new electrical service for the proposed lot to be severed.

Rogers commented that there is an aerial plant in the area and clearance of 0.3 m (1 ft) vertically and 0.6 m (2 ft) horizontally is required.

Oxford County Source Water Protection commented that the applications do not have source water implications under S. 59.

#### PUBLIC CONSULTATION:

Notice of the Application for Consent was provided to the public and surrounding property owners in accordance with the requirements of the Planning Act. At the time of writing this report, no comments or concerns had been received from the public.

## **Planning Analysis**

### Provincial Policy Statement (PPS)

Approving the proposed severance will result in the creation of one new residential infill lot in the Town of Tillsonburg, providing the opportunity for intensification within a serviced settlement area. This is consistent with the policies of the PPS in Section 1.1.1 regarding accommodating an appropriate range and mix of residential housing to meet long-term needs, and promoting cost-effective development that minimizes land consumption and servicing costs. Staff are of the opinion that the new residential lot resulting from the severance is suitable for residential purposes. More specifically, the size and configuration of the proposed lot to be created represents an efficient use of land and municipal infrastructure. In this regard, the proposal is consistent with the policies of the PPS in Section 1.1.3.1 that support Settlement Areas as the focus of growth, the effective use of existing infrastructure, and efficiently using land and resources.

### Official Plan

The proposal is consistent with Low Density Residential Areas and Infill Housing policies in the Official Plan.

The subject lands are located within an area primarily characterized by residential land uses (predominantly single detached dwellings) on a range of lot sizes. The lot to be retained and lot to be severed are generally consistent with the relevant provisions of the 'R1' zone in the Zoning By-law, and Staff is of the opinion that both lots will be of sufficient size to provide safe vehicular ingress and egress, adequate space for required off-street parking, and amenity space.

Regarding the street-oriented infill policies contained in Section 8.2.4.1.1, Planning staff considered the two-block area between Devonshire Avenue and Glendale Drive on Broadway,

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and, as this is a corner lot and the lot to be severed will front onto Lisgar Avenue, staff also considered the area along Lisgar Avenue from Broadway to Devonshire Avenue. These areas are characterized by single detached dwellings on a range of lot sizes, and public parkland (including skate parks, baseball diamonds, and shared tennis and pickleball courts) east of the subject property on Lisgar Avenue. Staff are of the opinion that the lot to be retained and lot to be severed are consistent and compatible with residential lot sizes and the parkland use within the defined area, and both lots will provide adequate lot area and building envelopes for residential development.

The Low Density Residential designation is intended to accommodate a mix and integration of different housing types while achieving an overall low density. Planning staff are of the opinion that as the proposed lot to be severed is within an existing fully serviced settlement area and part of what is today considered an oversized residential lot in a fully serviced settlement area, it provides a logical opportunity to increase the supply of housing through appropriate intensification. Planning staff are of the opinion that the proposed new lot is of sufficient size to accommodate new residential development and is considered to be compatible with surrounding residential uses with respect to lot area, lot frontage, and lot depth, orientation to Lisgar Avenue, and the overall form and function of the surrounding neighbourhood land uses.

It is the opinion of Planning staff that the application conforms to the relevant policies of the Official Plan regarding Low Density Residential areas and Street Oriented Infill (intensification).

#### Zoning By-law

Based on the information provided by the applicants, the lot to be severed and the lot to be retained generally comply with the provisions of the 'R1' Zone. Staff are of the opinion that the proposed lot to be severed and proposed lot to be retained would both be of sufficient size to provide adequately sized building envelopes with adequate area for parking, landscaping, drainage, and private amenity space. Furthermore, staff are of the opinion that the requested relief for reduced lot depth for the lot to be severed is in keeping with lot sizes in the area, as previously described in this report.

Staff are satisfied that the applicants' request for relief can be considered minor, desirable, and appropriate. Adequate area for drainage purposes and building maintenance and sufficient access to the rear yard will be maintained, and adequate amenity area will remain. The proposal can be considered desirable for the area as the lot configurations and sizes are in keeping with the existing lot fabric in the immediate area and supported by the residential infill and intensification policies of the Official Plan.

In light of the foregoing, it is the opinion of this Office that the Application for Consent and Minor Variance is consistent with policies of the PPS, maintains the intent of the Official Plan respecting efficient use of land and municipal services within a fully serviced urban area, and provides an infill housing opportunity for the Town of Tillsonburg. As such, Planning staff recommend that the applications be given favourable consideration.

## **RECOMMENDATIONS**

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The Council of the Town of Tillsonburg advise the Oxford County Land Division Committee that the Town supports the Application for Consent B24-23-7 submitted by Mike and Rebecca Dawdry for lands described as Pt Lot 91, Plan 500, Part 1, 41R-349 in the Town of Tillsonburg, subject to the following conditions:

- 1. The Owners shall agree to satisfy all requirements, financial and otherwise, of the County regarding the installation of water and sanitary sewer services, to the satisfaction of the County including payment of all outstanding fees regarding the same. To this regard, the lot to be retained and the lot to be severed must be independently serviced (water/sanitary), and any/all services crossing the proposed property line be disconnected to the satisfaction of the County of Oxford Public Works Department.**
- 2. The Owners shall provide payment for cash-in-lieu of parkland to the Town of Tillsonburg for the lot to be severed, to the satisfaction of the Town of Tillsonburg.**
- 3. The Owner(s) shall covenant and agree to satisfy all requirements financial and otherwise, of the Town of Tillsonburg regarding the installation of services and drainage facilities, to the satisfaction of the Town of Tillsonburg. Any work being done in the Town's right-of-way will require an Encroachment Permit, and a representative of the developer's consultant must be on site while this work is undertaken. The Owner shall agree to submit a stamped and sealed letter to the Town of Tillsonburg from the consulting engineer stating that all servicing and restoration work has been completed to the Town of Tillsonburg Development Guidelines and Design Criteria.**
- 4. The Owner(s) shall submit a Lot Grading Plan and Site Servicing Plan including all required servicing for the proposed lot to be severed, to the satisfaction of the Town of Tillsonburg Engineering Services Department. If any grading changes are proposed for the lot to be retained, the Owner(s) shall submit a Lot Grading Plan to the satisfaction of the Town of Tillsonburg Engineering Services Department.**
- 5. The Owner(s) shall submit a Surveyor's Real Property Report to confirm lot sizes and building setbacks, to the satisfaction of the Town of Tillsonburg.**
- 6. The Clerk of the Town of Tillsonburg advise the Secretary-Treasurer of the Land Division Committee that all requirements of the Town of Tillsonburg have been complied with.**

And further, that the Town of Tillsonburg advise the Land Division Committee that the Town supports the approval of Application A24-11-7 submitted by Mike and Rebecca Dawdry for lands described as Pt Lot 91, Plan 500, Part 1, 41R-349 in the Town of Tillsonburg, as it relates to:

1. Relief from Section 6.2 – Table 6.2 - Zone Provisions, to reduce the Minimum Lot Depth from 32 m to 25 m for the lot to be severed via Application for Consent B24-11-7.

As the proposed variance is:

- (i) deemed to be a minor variance from the provisions of the Town of Tillsonburg Zoning By-law No. 3295;
- (ii) deemed to be desirable for the appropriate development or use of the land;
- (iii) in-keeping with the general intent and purpose of the Town of Tillsonburg Zoning By-law No. 3295; and,
- (iv) in-keeping with the general intent and purpose of the Official Plan.

## SIGNATURES

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**Authored by:**

*"Original Signed by"*

Laurel Davies Snyder, RPP, MCIP  
 Development Planner

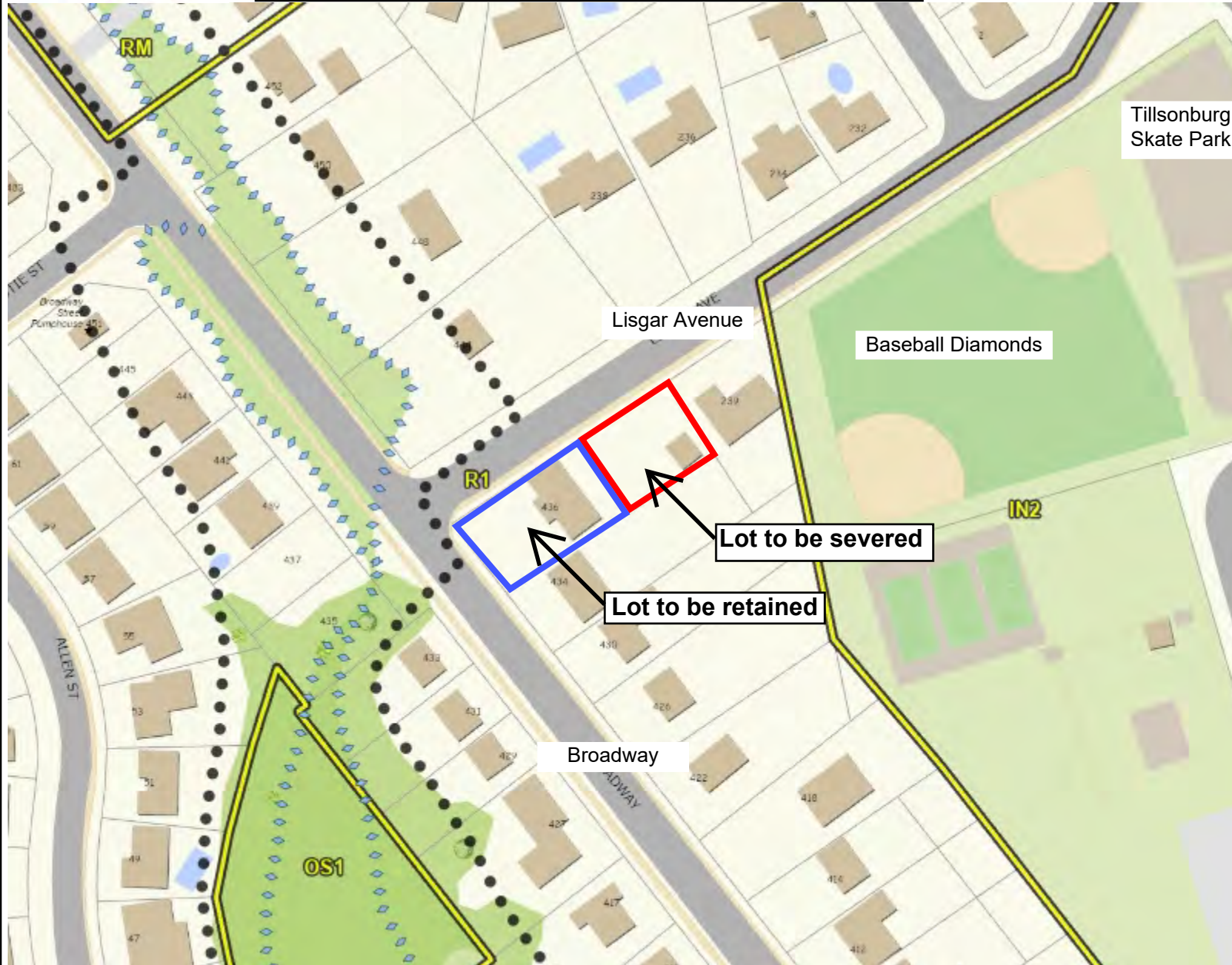
**Approved for submission:**

*"Original Signed by"*

Eric Gilbert, RPP, MCIP  
 Manager of Development Planning



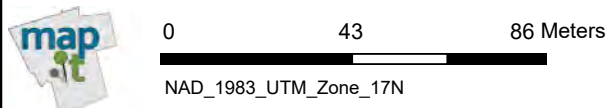
**Plate 1: Location Map with Existing Zoning**  
File No: B24-34-7; A24-11-7 - Dawdry  
PT LT 91 PL 500 PT 1, 41R349, 436 Broadway, Tillsonburg



**Legend**

- Zoning Floodlines
- Regulation Limit
- ◆◆ 100 Year Flood Line
- ▲ 30 Metre Setback
- ◆◆ Conservation Authority Regulation Limit
- ◆◆ Regulatory Flood And Fill Lines
- Land Use Zoning (Displays 1:16000 to 1:500)

**Notes**



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This is not a plan of survey

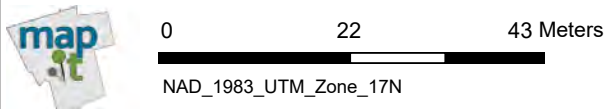




**Legend**

- Zoning Floodlines
- Regulation Limit
- ♦♦ 100 Year Flood Line
- ▲ 30 Metre Setback
- \*\*\* Conservation Authority Regulation Limit
- ♦♦♦ Regulatory Flood And Fill Lines
- Land Use Zoning (Displays 1:16000 to 1:500)

**Notes**

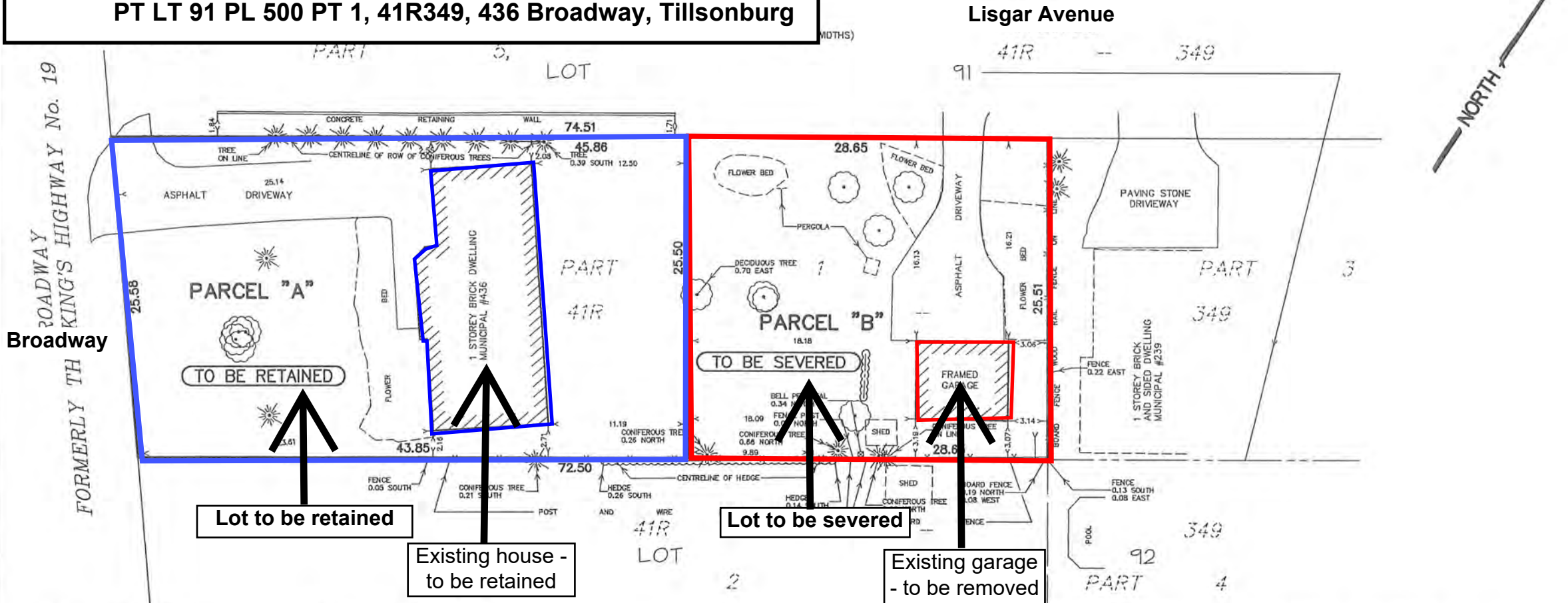


This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This is not a plan of survey

April 28, 2024



**Plate 3: Applicants' Sketch**  
**File No: B24-34-7; A24-11-7 - Dawdry**  
**PT LT 91 PL 500 PT 1, 41R349, 436 Broadway, Tillsonburg**



Lot to be retained

Existing house -  
to be retained

Lot to be severed

Existing garage  
- to be removed

**PARCEL "A"**  
 (TO BE RETAINED)  
 AREA = 1143.3  
 SQ. METRES  
 DWELLING AND GARAGE = 188.5 SQ. METRES  
 COVERAGE = 16.3 %

**PARCEL "B"**  
 (TO BE SEVERED)  
 AREA = 730.7  
 SQ. METRES  
 DETACHED GARAGE = 46.1 SQ. METRES  
 COVERAGE = 6.3 %

PROPERTY DESCRIPTION:  
 PART OF LOT 91  
 JUDGE'S PLAN REGISTERED  
 AS PLAN 500  
 TOWN OF TILLSONBURG  
 COUNTY OF OXFORD

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**CAUTION**  
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**KIM HUSTED SURVEYING LTD.**  
 ONTARIO LAND SURVEYOR  
 30 HARVEY STREET, TILLSONBURG ONTARIO, N4G 3J8  
 PHONE: 519-842-3638 FAX: 519-842-3639

PROJECT: 24-19174SKETCH	MIKE DAWDRY	REF:	DWG.	WLP
	436 BROADWAY, TILLSONBURG	FILE	CKD.	JGD



**Subject: Bert Newman Park Fencing**

**Report Number:** RCP 24-032

Committee Name: Parks, Beautification & Cemeteries Committee

Submitted by: Margaret Puhr, Committee Secretary

Meeting Type: Council Meeting

Meeting Date: Monday, July 8, 2024

**RECOMMENDATION**

- A. THAT report titled “Bert Newman Park Fencing” be received as information; and
- B. THAT Council approve the recommendation of the Parks, Beautification & Cemeteries Advisory Committee as follows:
  - a. THAT the Parks, Beautification & Cemeteries Advisory Committee strongly recommend to Council that the fence surrounding the perimeter of Bert Newman Park remain in place, and
  - b. THAT Council consider repairs, i.e. refurbishing the fence in 2025 budget; and
  - c. THAT the committee also recommends that Council seek options from staff to re-engage locking the fence in the later evening hours.

**BACKGROUND**

On July 17, 2023 Deputy Mayor Beres made the following Motion:

**16.4 Bert Newman Park – Deputy Mayor Beres**

Resolution # 2023-310

- A. *THAT staff be directed to deploy vandalism reduction tactics within Bert Newman Park, and where possible, increase patrol of the location both from Parks and By-Law enforcement staff; and*
- B. *THAT staff identify the vandalism to the Tillsonburg branch of the OPP and request any additional patrols that could be made available; and*
- C. *THAT staff be directed to procure the tree gates for Bert Newman Park in accordance with the Town’s Purchasing Policy funded from the 2022 year-end surplus, and report the total costs in the 2022 year-end surplus; and*
- D. *THAT staff consider any other items that could increase the protection of the park within their 2024 budgets; and*
- E. *THAT staff review a potential vandalism by-law and enforcement and present a report to Council.*

## RCP 24-32 Bert Newman Park Fencing

*Carried*

Followed on February 12, 2024 by a Motion from Councillor Rosehart:

**17.1 Councillor Rosehart – Bert Newman Park**

Resolution # 2024-084

*WHEREAS at their July 17, 2023 meeting, Tillsonburg Town Council passed a resolution to secure the gates of Bert Newman Park nightly due to an increase of vandalism; and*

*WHEREAS vandalism has decreased due to the winter weather; and*

*BE IT THEREFORE RESOLVED*

*THAT the gates of Bern Newman Park be unlocked so that the park can be fully reopened to use by residents; and*

*THAT the Director of Recreation, Culture and Parks be permitted to lock and unlock the gates at their discretion if any further issues arise.*

*Carried*

Followed on May 27, 2024 by a Motion from Councillor Luciani:

**11.1 RCP 23-023 Parks, Beautification and Cemeteries Committee Recommendation – Bert Newman Park Fencing**

Resolution # 2024-261

- A. THAT report titled Bert Newman Park Fencing be received as information; and*
- B. THAT Council approve the recommendation of the Parks, Beautification & Cemeteries Committee and direct staff to remove three sides of fencing around Bern Newman Park and complete remediation efforts through beautification of the park upon passing of the Parks Use By-Law.*

**Carried**

**DISCUSSION**

The Bert Newman Park issues including, but not limited to, vandalism, illicit drug use and anti-social behavior has been observed since 2023 until locking of the park gates was implemented, with Council's direction. The locking of the gates appears to have achieved the desired result of discouraging the above mentioned behaviours.

## RCP 24-32 Bert Newman Park Fencing

Subsequently, following a presentation and proposal from the Horticultural Society to the Parks, Beautification & Cemeteries Committee, the recommendation was made and approved by Council to remove three sides of the wrought-iron fence surrounding the park and to apply remedies using beautification in effort to discourage using the park for rough sleeping and other undesirable activities – following passing of the Parks Use By-Law.

A letter was prepared by staff and delivered to neighbouring residences informing of this resolution and intent. Upon receiving the letter, several neighbours of the park contacted the RCP staff, objecting to the proposed fence removal for aesthetic and ability to control access to the park reasons.

On June 25, 2024, a group of the park neighbours attended as a delegation to the Parks, Beautification & Cemeteries Committee meeting and presented their experiences, urging the committee to seek reversal of the fence removal as well as petition to re-instate locking of the park overnight.

The Committee agreed with this proposal and is seeking Council's direction to leave the fence in place and allow for its repairs or replacement in the 2025 budget. The replacement cost is approximately \$35,000.00, the cost of restoration of the existing wrought-iron fencing is unknown at this time.

### **Council Procedure Note**

Agreeing to the Committees decision would not be considered a procedural Reconsideration as staff have taken action (letter to neighbourhood) on the latest direction from Council. The condition of the Parks Use By-law enactment has not yet been met. Council can choose to re-direct staff to leave the fence in place with a 2025 budget consideration for repairs if that is the desire. If Council wishes to proceed with the removal, Clause B of the report would be removed to provide no alternative direction to staff.

### **CONSULTATION**

This report has been prepared in consultation with the Acting Director of Recreation, Culture & Parks, Manager of Parks and Facilities and the Parks, Beautification & Cemeteries Advisory Committee.

### **FINANCIAL IMPACT/FUNDING SOURCE**

This will be proposed for 2025 budget. The cost of replacing the fence is approximately \$35,000.00, the cost of repair to the existing fence to be determined.

## RCP 24-32 Bert Newman Park Fencing

**CORPORATE GOALS**

- Lifestyle and amenities
- Customer service, communication and engagement
- Business attraction, retention and expansion
- Community growth
- Connectivity and transportation
- Not Applicable

Does this report relate to a specific strategic direction or project identified in the Community Strategic Plan? Please indicate section number and/or any priority projects identified in the plan.

**Goal** – Within the community, Tillsonburg will strive to offer residents the amenities, services and attractions they require to enjoy balanced lifestyles.

**Strategic Direction** – N/A

**Priority Project** – N/A

**ATTACHMENTS**

N/A



**Subject:** Committee Appointments  
**Report Number:** CS 24-088  
 Department: Corporate Services Department  
 Submitted by: Julie Ellis, Deputy Clerk  
 Meeting Type: Council Meeting  
 Meeting Date: Monday, July 8, 2024

## RECOMMENDATION

- A. THAT Report CS 24-088 titled Committee Appointments be received as information; and
- B. THAT Stephen Culig, Lauren Johnson and Michael Adams be appointed to the Accessibility Advisory Committee; and
- C. THAT Pauline Markus be appointed to the Community Health Care Advisory Committee; and
- D. THAT Michael Adams, Ogi Ressel, Lisa DeGeorgis, Lauren Johnson and Monica Clare be appointed to the Property Standards Advisory Committee; and
- E. THAT Sophie Hicks, Dakshneel Singh, Julia Drobits, Scarlet Robson and Jaxon Grundy be appointed to the Youth Advisory Council; and
- F. THAT applications for the Youth Advisory Council remain open until the remaining vacancies are filled; and
- G. THAT a By-Law to amend By-Law 2023-009, be brought forward for Council consideration.

## BACKGROUND

At the May 13, 2024 meeting of Council, the following resolution was passed:

### **CS-24-063 Committee Vacancies**

#### **Resolution # 2024-227**

**Moved By:** Councillor Spencer  
**Seconded By:** Deputy Mayor Beres

- A. THAT report CS-24-063 titled “Committee Vacancies” be received as information; and
- B. THAT the following vacancies for Committees be advertised:
  - a. Community Health Care Advisory Committee – 1 vacancy from a Nurse Practitioner Clinic
  - b. Property Standards Committee – 5 vacancies



## CS 24-004 Committee Appointments

- c. Youth Advisory Council – 4 vacancies;
- d. Affordable and Attainable Housing Committee - 2 vacancies; and

C. THAT a By-Law be brought forward for Council's consideration to remove members from committee membership that are no longer serving on their respective committee.

**Carried**

Affordable and Attainable Housing Committee:

At the time of the above resolution, there was one vacancy on the Affordable and Attainable Housing Committee, which dropped the committee below their minimum number of members (7) as set out in their Terms of Reference, therefore staff recommended appointing 2 additional members. Since that time, there has been another resignation on the committee, and staff would now recommend appointing 3 members to the committee.

Community Health Care Advisory Committee

The Community Health Care Advisory Committee is made up of a variety of individuals in the health care sector in the area. Due to a resignation of the Nurse Practitioner Appointee, there was a vacancy.

Property Standards Advisory Committee

A Property Standards Committee was established in 2019 to hear appeals related to the Property Standards By-Law. The three members, which is the minimum through the Ontario Building Code, were appointed in 2019 to serve the 2018-2022 Term of Council. There were no appeals during this time, and the Committee was not required to meet. Committee members have not yet been appointed for the 2022-2026 Term of Council. As an appeal has now been received, it has highlighted the importance to appoint members to this committee. While the minimum number of members is three, staff are recommending that a total of 5 community members be appointed to serve on this committee.

Youth Advisory Council

As per the Youth Advisory Council Terms of Reference, the Committee shall have a minimum of eight members (one Council Representative, the Oxford OPP Community Resource Officer, two members of the community aged 20 or above and a minimum of four youth community members) with a maximum of thirteen members in total. The term of these committee members is four years, concurrent with the Term of Council. However, the term of committee for school aged participants (15-19) is one school year term.

There are currently 9 members (youth aged 15-19) whose terms ended after the June 5, 2024 meeting. Anywhere from 4-9 positions can be filled during this recruitment. The

## CS 24-004 Committee Appointments

Committee will resume in September of 2024. With only 5 applications received, and many of the current members headed off to pursue post-secondary education, staff recommend continuing to advertise for the Youth Advisory Council until all 9 spots are filled.

### Appointments

The vacancies for all three Committees were advertised for a number of weeks using a variety of channels including the Town's website, Town's social media pages, email communications and the newspaper.

Applications were reviewed and the Nominating Committee, which consists of Mayor Deb Gilvesy, Councillor Parker, and Councillor Luciani, met on July 3, 2024, to review the applications. Following the review the below recommendations of appointment of individuals to the Committees is being recommended:

#### **Affordable and Attainable Housing Committee:**

- Stephen Culig
- Lauren Johnson
- Michael Adams

#### **Community Health Care Advisory Committee:**

- Pauline Markus

#### **Property Standards Committee:**

- Michael Adams
- Dr. Ogi Ressel
- Lisa DeGeorgis
- Lauren Johnson
- Monica Clare

#### **Youth Advisory Council:**

- Sophie Hicks
- Dakshneel Singh
- Julia Drobits
- Scarlet Robson
- Jaxon Gundry

## CS 24-004 Committee Appointments

**CONSULTATION**

- Nominating Committee
- Committee Administrators

**FINANCIAL IMPACT/FUNDING SOURCE**

None.

**CORPORATE GOALS**

- Lifestyle and amenities
- Customer service, communication and engagement
- Business attraction, retention and expansion
- Community growth
- Connectivity and transportation
- Not Applicable

**Goal-** The Town of Tillsonburg will strive for excellence and accountability in government, providing effective and efficient services, information, and opportunities to shape municipal initiatives.

**Strategic Direction-** Engage community groups, including advisory committees and service organizations, in shaping municipal initiatives.

**Priority Project-** N/A

**ATTACHMENTS**

None.



**Subject: Surplus Land Declaration – Ball Alley Between Tillson Street and First Alley**

**Report Number:** EDM 24-026

Department: Economic Development Department

Submitted by: Cephas Panschow

Meeting Type: Council Meeting

Meeting Date: Monday, July 8, 2024

**RECOMMENDATION**

- A. THAT report titled EDM 24-026 Surplus Land Declaration – Ball Alley between Tillson Street and First Alley be received; and,
- B. THAT the municipally owned Ball Alley between Tillson Street and First Alley, as described on Plan 500, be declared surplus to the needs of the Town of Tillsonburg in accordance with Bylaw 2021-031 (land disposition) including suitable notification to the public; and,
- C. That the Development Commissioner be authorized to negotiate an Agreement of Purchase and Sale with the adjacent property owner(s) subject to being brought back to Council for approval.

**BACKGROUND**

The Town of Tillsonburg has been contacted by a property owner who is interested in acquiring a portion of the Town owned Ball Alley, which runs adjacent to a number of properties controlled by related parties. In reviewing this request, it has been determined that these lands are not required for municipal purposes, and hence, can be considered for surplus and potential sale.

The purpose of this report is to seek Council direction with respect to declaring these lands as surplus to the Town's needs and proceed with soliciting interest the adjacent property owners.

## EDM 24-026 Surplus Lands Declaration – Ball Alley

**DISCUSSION**

The Alley lands are approximately 5 metres (16 feet) wide and 77 metres (253 feet) long, more or less.

**Figure 1 – Subject Property**



In terms of declaring these lands surplus, the lands to the North of Ball Alley are owned by two numbered companies who are exploring options to redevelop their lands and the additional municipal right-of-way lands would increase the amount of available lands for redevelopment.

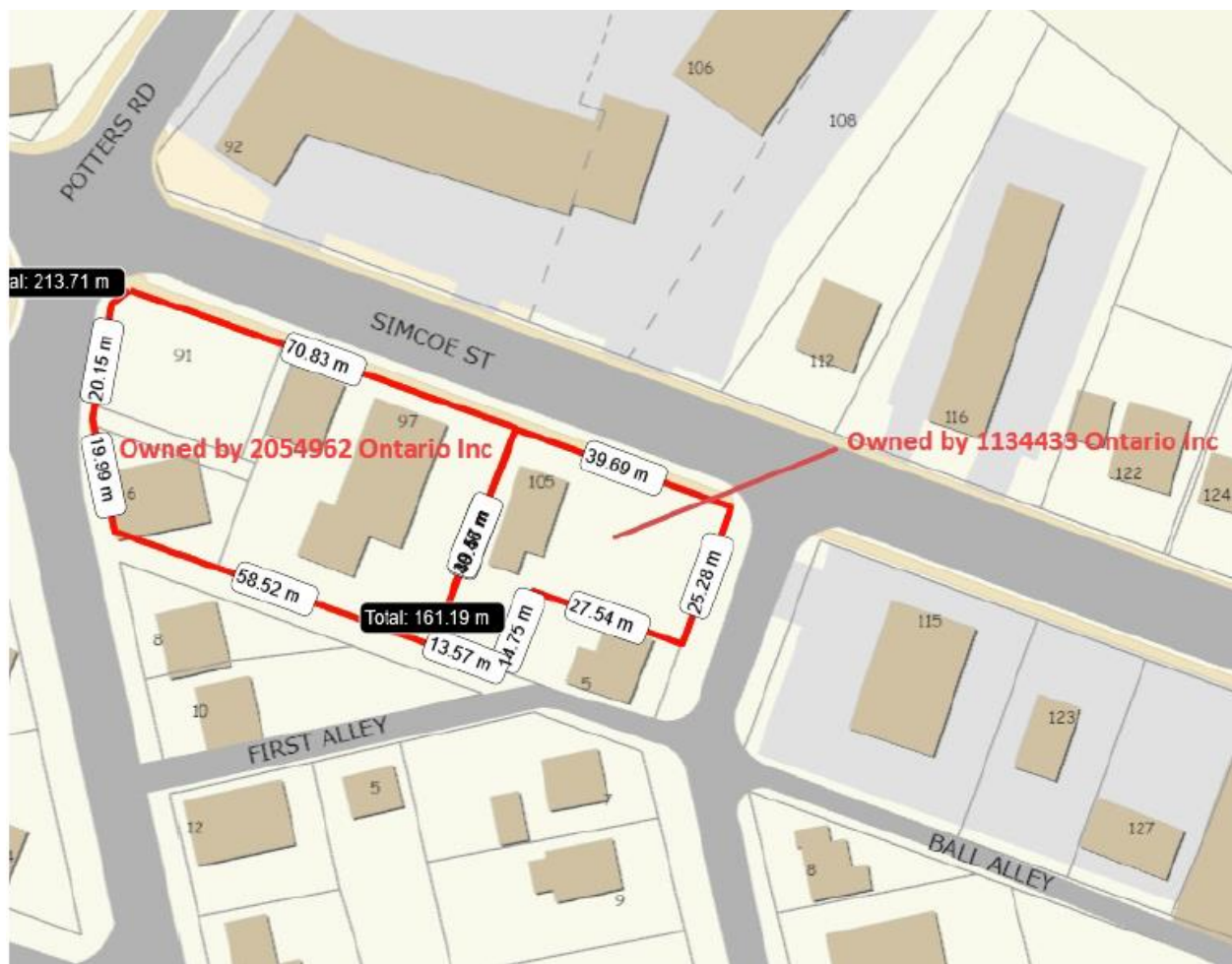
In terms of the other adjacent properties at 8 and 10 Tillson Street, their driveway access is located off of Tillson Street although they do currently have rear lot access off Ball Alley.

EDM 24-026 Surplus Lands Declaration – Ball Alley

The other consideration is the 105 Simcoe Street property, which also has rear access through Ball Alley. It would make sense for the property owner of this property to consider acquiring the small portion of Ball Alley that is immediately adjacent, to and in line with, their west property line.

It would be the intention to offer Ball Alley to all adjacent property owners and to bring back the best opportunities to Town Council for consideration.

**Figure 2 – Adjacent Properties with Ownership**



**CONSULTATION**

Department	Comment	Response/Reason
Building and Bylaw	Specific consideration will be needed for 105 Simcoe and 5 Ball Street in order	As indicated above, the portion of Ball Alley would either be sold to 105

## EDM 24-026 Surplus Lands Declaration – Ball Alley

	<p>to maintain driveway access or connection of their rear properties to First Alley</p> <p>Looks like a good one to clean up. Looking forward to the redevelopment of 91/97 Simcoe &amp; 6 Tillson St</p>	<p>Simcoe St or 10 Tillson St property owner. 5 Ball St does not appear to be impacted by the loss of access</p>
Clerks	No comments received	
Engineering	<p>Would the Town need to surplus the entire length of the alley or is the request to extend the property line between 97 and 105 Simcoe to the south and the property line between 6 Tillson Street and the road allowance to the south? The existing driveways for 105 Simcoe and 5 Ball Street are both off of this alley and they will need to have their access retained.</p> <p>There is no other infrastructure in this alley and I don't foresee the Town ever needing to extend Ball Alley to the west. In my opinion, I don't see any issues with declaring this land surplus other than my concerns above.</p>	<p>No, we don't have to surplus the entire length, but your suggestion to do so and sell the remnant south of the 105 Simcoe St property to that property is a good one. First Alley appears to be the access for the 5 Ball St property and would remain.</p> <p>If the Town was able to sell the east portion of the unnamed Alley to the 105 Simcoe St property, then we would be declaring the entire length of this alley as surplus while maintaining the enabling the access to 105 Simcoe St to remain.</p>
Fire Department	No comments received	
Planning	How does this affect 8 Tillson Street?	<p>From my perspective, I don't see any impact to 8 Tillson St property, but that's what the public notice will help ascertain.</p>

## EDM 24-026 Surplus Lands Declaration – Ball Alley

	<p>Maintain access and connections to First Alley for 105 Simcoe Street and 5 Ball Street.</p> <p>Is additional land assembly anticipated (i.e. to add 105 Simcoe and 5 Ball to the block)? If “no”, does the entire laneway need to be declared surplus in lieu of the fact that 105 Simcoe and 5 Ball utilize the laneway?</p> <p>Overall, has consideration been given to how proposals like this (which propose removing laneways/parkland/OS from the public) correlate with Tillsonburg’s forthcoming RCP Master Plan, Parkland Dedication requirements, and the Transportation policies in the Official Plan, both in terms of removing actual connections &amp; land, and in terms of the perception of removing pedestrian trails, accesses, land?</p>	<p>Not necessary</p> <p>It would make sense for the property owner of this property to consider acquiring the small portion of Ball Alley that is immediately adjacent, to and in line with, their west property line</p> <p>No</p>
Public Works	No comments received	
Recreation, Culture & Parks	No comments received	
Tillsonburg Hydro Inc	No comments received	
Duncan, Linton LLP	Not circulated	

Notice of the potential surplus property has been provided in accordance with Bylaw 2021-031, and specifically, by:

- Posting a notice on the Town’s website (June 10, 2024); and,
- Posting a notice on the property (June 24, 2024);



## EDM 24-026 Surplus Lands Declaration – Ball Alley

- Publishing a notice in the Tillsonburg News (June 13, June 20, June 27 and July 4, 2024).
  - Note: As report was originally targeted towards the June 24 meeting, additional notices with the date of the July 8 Council meeting were published.

**FINANCIAL IMPACT/FUNDING SOURCE**

The value of the property will be established through an Opinion of Value obtained from a local real estate broker. The purchasers will be responsible for the negotiated value of the land as well as legal and survey costs related to the transaction.

**CORPORATE GOALS**

How does this report support the corporate goals identified in the Community Strategic Plan?

- Lifestyle and amenities
- Customer service, communication and engagement
- Business attraction, retention and expansion
- Community growth
- Connectivity and transportation
- Not Applicable

Does this report relate to a specific strategic direction or project identified in the Community Strategic Plan? Please indicate section number and/or any priority projects identified in the plan.

**Goal** – The Town of Tillsonburg will strive for excellence and accountability in government, providing effective and efficient services, information, and opportunities to shape municipal initiatives.

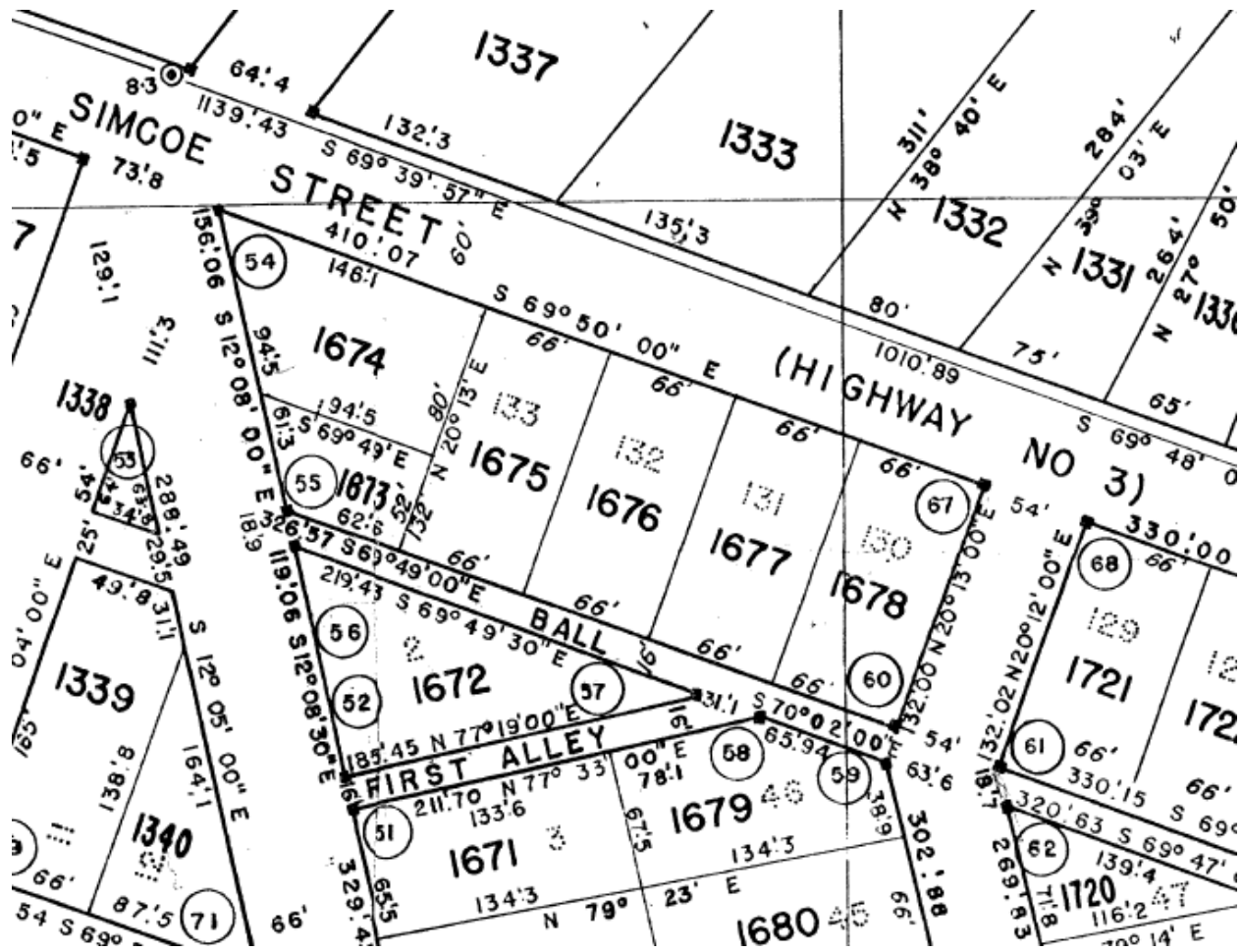
**Strategic Direction** – Not applicable.

**Priority Project** – Not applicable.

**ATTACHMENTS**

Appendix A – Excerpt from Plan 500

Appendix A – Excerpt from Plan 500





**Subject: Community Improvement Plan Application – Part of Lot 24, Simcoe St**

**Report Number: EDM 24-027**

Department: Economic Development Department

Submitted by: Cephas Panschow, Development Commissioner

Meeting Type: Council Meeting

Meeting Date: Monday, July 8, 2024

**RECOMMENDATION**

- A. THAT Council receives report titled EDM 24-027 Community Improvement Plan Application – Part of Lot 24, Simcoe Street; and,
- B. THAT the Simcoe Street property owned by Harvest Ave Inc be approved as the first recipient of funds for a Multi-Residential property outside of the Central Area under the updated Community Improvement Plan and in support of the construction of an approximately 132 unit building with 29 lower than market rate rental units; and,
- C. That support be provided at the Strategic Level of the Tax Increment Equivalent Grant Back Program, which offers the following growth related rebates:
  - Years 1 to 6 - 100% rebate of the incremental tax increase
  - Year 7 - 80% rebate
  - Year 8 - 60% rebate
  - Year 9 - 40% rebate
  - Year 10 - 20% rebate
  - with full property taxes being payable in year 11;
- D. THAT the project be approved for the Permit Fee Grant Back Program with a 50% rebate of the building permit fees for the less than market rate units up to a maximum of \$20,000.

**BACKGROUND**

The owner of this Simcoe Street property, Harvest Ave Inc, has submitted an application to the Town for property tax and building permit fee rebates in accordance with the Town's Community Improvement Plan (CIP), which was updated earlier this year to expand eligibility for program rebates to multi-residential projects outside of the Central Area. This was done in recognition of Canada's housing challenges and as

EDM 24-027 CIP Application, Simcoe St.

recommended by the Town's Affordable and Attainable Housing Committee. The purpose of this report is to seek Council's approval for the application, which will support the construction of the first building on the Simcoe Street property, containing approximately 132 units of which approximately 10% (or minimum 14 units) will be affordable with an additional 15 attainable, or lower than market rate, rental units. The first phase will also include many of the amenities identified for the property.

An earlier draft of this report was presented to Council on June 24, 2024, but we referred back to staff in order to provide more information on the options available to Town Council in terms of the level of rebates as well as other types of support the project may be receiving. This information has been added to the Discussion and Consultation sections of this report.

**Figure 1 – Conceptual Building Designs and Amenities**



## DISCUSSION

Harvest Ave Inc's initial plan was to offer 14 bachelor apartments as affordable units as required to obtain mortgage insurance through the Canada Mortgage and Housing Corporation (CMHC). However, it is also important to offer a variety of different sized units including larger two and/or three bedroom ones. In that regard, the Development Commissioner asked if larger units could be considered for the affordable ones as well. In response, the applicant has indicated that this is possible, but they are more likely to offer the larger units at an "attainable" level, i.e. below market rates, but above affordable unit market rates. Further, this is contingent on the level of support provided

EDM 24-027 CIP Application, Simcoe St.

by the Town under this application. If they are approved at the Strategic Level, they will be able to offer up to 15 lower than market rate rental units. **When combined with the 14 units identified earlier, Harvest Ave Inc is able to offer a revised mix of unit types as follows:**

- 1) **8 Bachelor units (Studios) at the CMHC affordable level. This is \$100 per month higher than the current 100% Average Market Rate (AMR) for Oxford County;**
- 2) **6 One-bedroom units at the CMHC affordable level. Those are \$149 per month LOWER than the 100% AMR for Oxford County**
- 3) **A \$400 per month discount on 15 two-bedroom units. At today's market rates, which are included in the CMHC proforma, this would provide 2-bedroom units at a monthly rate of between \$1,550 - \$1,850. The \$1,850 rent would be for the 2-bedroom plus den units**

The applicant has indicated that the viability of the project is contingent upon securing mortgage insurance through the CMHC, which necessitates meeting certain energy efficiency and affordability criteria.

The applicant has applied for support under the following Community Improvement Plan programs:

<b>Program</b>	<b>Analysis</b>
Permit Fee Grant Back	Recommended for approval up to program maximum of \$20,000
Tax Increment Equivalent Grant Back Program	Recommended for approval

In reviewing this application, staff believe that it meets the primary intent of the Town's Community Improvement Plan, which is:

“...to stimulate and assist new development, redevelopment and rehabilitation of vacant, underutilized or deteriorated properties in the designated areas of the Town”

Further, the project meets the Housing Project Incentive Program goal of increasing the supply of non-market housing, i.e. affordable, attainable or community housing projects (e.g. non-profit owned, Habitat for Humanity) with a target of providing a minimum of 14 units that with a lease rate of 30% of the median renter income within Tillsonburg plus an additional 15 units that are offered at a less than market rate (i.e. Attainable Housing).

EDM 24-027 CIP Application, Simcoe St.

As presented to Council through an earlier Planning application, the applicant is proposing a high design standard for both the buildings but also the property, including the amenities. They are proposing that many of their amenities be part of the first building phase; including a Fitness Centre, Games Room, Lounges, Pet Wash, Pickle Ball Courts, Outdoor BBQ area, EV-chargers, etc.

The project will also support 50-75 temporary jobs during construction onsite plus third party consultants and other companies. After construction is completed, there will likely be one full time employee in the building; however, there will be a number of companies contracted to maintain the property on an on-going basis.

If approved, this will be the first multi-residential project supported outside of the Town's Central Area since the 31 Maple Lane (Tillsonburg Non-Profit Housing) expansion and the first multi-residential project approved since the 83 Rolph Street development in 2018.

In terms of tracking the below market rental rates, **Harvest Ave has indicated that the lower rents would be offered for a period of 10 years in accordance with their commitments to the Canada Mortgage and Housing Corporation, which includes reporting requirements that could also be circulated to the Town.** The Town could also prepare a CIP Agreement that includes provisions for the ability of the Town to audit the rental rates. While an agreement is not typically required for funding awarded under its CIP program, the Town has used this approach before for more complex projects (Otter Valley Foods) and certainly makes sense for this application. This could also be accomplished in conjunction with the County of Oxford should the applicant participant in any of their programs.

This project is an important one for the community as it will be one of the largest, if not the largest, rental apartment building in the community. With the project's proximity to adjacent commercial and industrial employment areas, these affordable units could potentially help meet the demand for worker entry-level housing.

**Based on the significant number of below market rent units, the high level of building design, the proposed amenities, and the size of the development, which will result in a significant addition to the Town's rental inventory, the Development Commissioner is recommending that Harvest Ave Inc be approved for the Strategic Level of Rebates under the Community Improvement Plan.**

EDM 24-027 CIP Application, Simcoe St.

### **ALTERNATIVE RECOMMENDATION**

Council has asked if a different or lower level of support could be provided under the CIP program, which could certainly be an option. However, should Council desire to approve a different level of funding, it should be at one of the other two options provided by the CIP program.

The CIP program offers three level of rebates under the Tax Increment Rebate Program; namely, General (5 year phase-in of new taxes at 20% per year), High (50% reduction for the first 6 years then phased in 10% per year) or the Strategic Level (100% rebate for the first 6 years then phased in at 20% per year – this is the current staff recommendation).

If Council was considering a different level of funding, the current recommendation should be amended with the changes to the rebate schedule.

As a note, Harvest Ave Inc has confirmed that, without CIP funding, the 29 Affordable/Attainable housing units will be removed from the development. In addition to this, the potential “loss” of not having the rebate will affect their bank financing as well further reducing the viability of the project.

### **CONSULTATION**

The Community Improvement Plan was recently updated with extensive consultation and input from the Affordable and Attainable Housing Committee, the Economic Development Advisory Committee and the community. The application has been submitted by an existing property owner in the community and circulated to the Building, Planning and Finance Departments.

The Manager of Housing Development for the County of Oxford has also been involved in the review of this application. The applicant is also discussing participation in the County’s housing programs.

In reviewing the questions raised by Town Council, Harvest Ave Inc has provided the following additional information, some of which has been incorporated into the above Discussion section of this report.

### **Role of the Canada Mortgage and Housing Corporation (CMHC)**

In most instances, obtaining CMHC Insurance is required in order for a project to even be viable, particularly, in the current higher interest rate environment, as CMHC’s insurance allows the financing term to be extended from 40 years to 50 years, which results in the cashflow for the project working.



EDM 24-027 CIP Application, Simcoe St.

In order to qualify for this program, the project must meet certain parameters to achieve a total of 100 points:

- Exceed the energy efficiency requirements of the building code by a certain percentage;
- Provide 10% of the units at 30% of the Median Renter Income in Tillsonburg. Per CMHC the median renter income is \$41,500. This results in a maximum annual rent of \$12,450 or \$1,037 per month. The affordable units must be offered for 10 years
- Meet accessibility requirements.

Note that, in order for the numbers as submitted to CMHC to work, Harvest Ave Inc is counting on a significant level of property tax rebate.

### County of Oxford

- The County of Oxford's affordable rental rate for bachelor units is lower than the CMHC rental rate. Under their current application with CMHC, Harvest Ave Inc will not be receiving any Development Charge reduction from the County of Oxford (other than what is universally mandated under bill 23);
- If they assign the CMHC affordable level to 6 one-bedroom units (rather than Bachelors) as proposed in their CIP application, they would then qualify for a DC charge reduction of \$6,375 per unit on the 6 one bedroom units for a total of \$38,250. However, to qualify for the DC charge reduction, they are giving up an additional \$12,250 per year in rent. Over 10 years that is \$122,500, which does not make sense financially. Plus, they would have to enter into an agreement with the County of Oxford that comes with additional legal fees and reporting requirements and an income test requirement for new renters.

### Town of Tilsonburg

- In order to get the property tax rebate, Harvest Ave Inc needs to discount the rent for 10 years. While they would receive a full property tax rebate for 6 years, it would be phased out over years 7-10. However, they still have to provide the units at the same discounted rate, which decreases their net income on the back end (Years 7 – 10). And, even after year 10, they cannot just increase the rate to market rates right away.

### FINANCIAL IMPACT/FUNDING SOURCE

The 2024 Economic Development & Marketing budget contains \$60,000 in approved funding for the Community Improvement Plan. Funds awarded to date include the up to \$20,000 building permit rebate for 1417 Bell Mill Side Road (THK) and 77 Broadway properties. If approved, matching funds up to \$20,000 for Building Permit fee rebates would be funded from this budget amount.



EDM 24-027 CIP Application, Simcoe St.

The Financial Impact of the Tax Increment Equivalent Grant Back Program will be based on the final assessment of the building once completed.

The proposed budget for the project submitted through this CIP application is \$37,000,000. If MPAC assesses the improvements at 60% of this value, the assessment would be approx. \$22,000,000. The property tax rebate for years 1-6 would be approx. \$200,000 per year and the cumulative rebates over the first 10-years would be approx. \$1,600,000:

Years	1	2	3	4	5	6	7	8	9	10	11	Total 10 Yr
Annual Tax \$	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 2,000,000
Rebate %	100%	100%	100%	100%	100%	100%	80%	60%	40%	20%	0%	
Rebate \$	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000	\$ 160,000	\$ 120,000	\$ 80,000	\$ 40,000	\$ -	\$ 1,600,000
Net Tax \$	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 40,000	\$ 80,000	\$ 120,000	\$ 160,000	\$ 200,000	\$ 400,000

**CORPORATE GOALS**

How does this report support the corporate goals identified in the Community Strategic Plan?

- Lifestyle and amenities
- Customer service, communication and engagement
- Business attraction, retention and expansion
- Community growth
- Connectivity and transportation
- Not Applicable

Does this report relate to a specific strategic direction or project identified in the Community Strategic Plan? Please indicate section number and/or any priority projects identified in the plan.

**Goal** – The Town of Tillsonburg will accommodate and support sustainable growth

**Strategic Direction** – Work with Oxford County and the development community to proactively plan for a variety of housing options that are affordable and attainable for current and prospective residents

**Priority Project** – *Immediate Term* – Enhanced development standards that benefit the community (including tree planting, affordable housing, walkability, livability, connectivity)

**ATTACHMENTS**

Appendix A – Community Improvement Plan Application



## Community Improvement Plan (CIP) Application Form

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The Town of Tillsonburg offers a comprehensive Community Improvement Plan (CIP) as a means of planning and financing development activities that assist in the redevelopment/development of lands, buildings, and infrastructure through various financial incentives.

To ensure your application for the CIP is complete, please refer to the checklist below.

### Mandatory Requirements

- Completed application with relevant signatures
- Applicant's and owner's full name and contact information
- One itemized cost estimate satisfactory to the Town (the Town reserves the right to request an additional cost estimate at their discretion)
- Municipal address and legal description (if applicable)
- Relevant drawings and/or photos of the property

### Additional Requirements (if necessary)

- Building plans
  - Building elevations and/or renderings
  - Site plans
- Company information <https://www.stubbes.org/about-us>
  - Description of the products and/or services provided by the company
  - Articles of incorporation detailing shareholders or background on ownership and/or partners
- Engineering reports and related drawings
  - Cultural, built, or natural heritage studies and reports
- Environmental Site Assessment
  - Reports and Record of Site Condition

The Town of Tillsonburg reserves the right to request additional information that may be necessary to substantiate the project.

## Community Improvement Plan (CIP) Application Form



Please forward the completed Community Improvement Plan (CIP) Application Form to the Development Commissioner, Town of Tillsonburg Economic Development & Marketing Department.

A separate application is required for the Façade Improvement Programs. Façade Improvement applications can be obtained from the Town of Tillsonburg Building, Planning and Bylaw Department by calling 519.688.3009.

Town of Tillsonburg  
 Economic Development and Marketing Dept  
 10 Lisgar Ave, Tillsonburg, Ontario N4G 5A5  
 Telephone: 519.688.5651  
 Fax: 519.842.9431  
 Email: invest@tillsonburg.ca

<p><b>Registered Owner:</b></p> <p>Name: <u>Mike Goor</u></p> <p>Business Name: <u>Harvest Ave. Inc.</u></p> <p>Address: <u>44 Muir Line, Harley ON</u></p> <p>Postal Code: <u>N0E1E0</u></p> <p>Home Phone: <u>519-532-3192</u></p> <p>Work Phone: <u>519-424-2183</u></p> <p>Email Address: <u>mikeg@stubbes.org</u></p> <p>Fax Number: <u>n/a</u></p>	<p><b>Applicant: SAME AS THE OWNER</b>  <i>(If different from registered owner)</i></p> <p>Name: _____</p> <p>Business Name: _____</p> <p>Address: _____</p> <p>Postal Code: _____</p> <p>Home Phone: _____</p> <p>Work Phone: _____</p> <p>Email Address: _____</p> <p>Fax Number: _____</p>
<p><b>Property Description:</b></p> <p>Address: <u>Plan 41R-8458, Part of Lot 24, Plan 1653</u></p> <p>Building to be redeveloped: <u>Vacant Land- Construction of 132 Unit Multi-res Rental Apartment</u></p>	



<b>Current Use of the Property?</b>
<h2>Vacant Land</h2>
<b>Proposed Use of the Property?</b>
<h2>132 unit Multi-res rental apartment</h2>
<b>Description of the Proposed Development/Redevelopment</b>
<p>We plan to construct an eight story, 132 unit rental apartment building on this site. This development is part of a 4 phase development that when completed is planned to include 4 buildings and over 500 units. The building along Simcoe street will also include over 8000sf of commercial space. We are proposing to provide an abundance of indoor and outdoor amenity space including BBQ area's, fire pits, a basketball and pickelball courts as well as a gym and lounge/private dinning area's. Lockers, bike storage and a pet wash area will also be provided for the tenants. See attached drawings and renderings for additional details.</p>
<b>Cost of Proposed Repairs (Please provide one cost estimate. If it is not possible to provide an estimate, please explain why)</b>
<p>Class B construction budget attached</p>

**Type of Investment Support Requested:**

Please Choose	Program	Eligibility Criteria
<input type="checkbox"/>	<p>Accessibility Renovation Grant</p>	<p>The grant, of up to \$3,000 in 50/50 matching funds, is intended to assist owners or tenants, particularly older buildings in the central area, with accessibility improvements to improve the accessibility of the central area and commercial buildings throughout the Town.</p> <p>Grant can be used for the following types of projects:</p> <ul style="list-style-type: none"> <li>• Power assist door operators</li> <li>• Renovation of building entrances</li> <li>• Upgrading of doors</li> <li>• Installation of ramps</li> <li>• Installation of elevating devices</li> <li>• Renovations to create accessible washrooms</li> </ul>


<input type="checkbox"/>	Architectural Design Grant	<p>Grant to offset the cost of retaining professionals to provide acceptable design(s), in accordance with the Central Area Design Study for eligible properties in the central area.</p> <ul style="list-style-type: none"> <li>• 50/50 matching funds</li> <li>• Maximum of \$2,500 per project</li> <li>• Commercial properties in the central area are eligible</li> </ul>
<input checked="" type="checkbox"/>	Building Permit Fee Rebate Program	<p>Rebate of Building Permits fees for commercial, industrial and multi-residential properties in the CIP area. Commercial properties outside of the Central Area are not eligible for building permit grants.</p> <p><b>Industrial – Small (Project value of \$150,000 to \$1,000,000)</b></p> <ul style="list-style-type: none"> <li>• Minimum project value of \$150,000 and maximum project value of \$1,000,000</li> <li>• Grant of 100% of the applicable building permit fees offered as a rebate once completed.</li> </ul> <p><b>Industrial – Large (Project value of \$1,000,000 or more)</b></p> <ul style="list-style-type: none"> <li>• Grant of 50% of the applicable building permit fees up to a maximum of \$20,000, or other amount as may be approved by Council, offered as a rebate once the project is completed.</li> </ul> <p><b>Commercial - Central Area (Min. project value of \$150,000)</b> Rebate of the applicable building permit fee offered once the project is complete, as follows:</p> <ul style="list-style-type: none"> <li>• General renovations/rehabilitations - 25% Rebate;</li> <li>• Projects that will improve the overall attractiveness of the streetscape and downtown - 50% Rebate;</li> <li>• Projects that meet above criteria and provide exemplary attention to detail and a high level of design – 75% Rebate.</li> </ul> <p><b>Social Housing Projects as defined herein may be eligible for 100% rebate of Building Permit Fees for the units meeting this definition.</b></p>
<input type="checkbox"/>	Commercial Building Interior Renovation Program	<p>Grant, of up to \$10,000, to assist with interior renovations of existing commercial buildings including:</p> <ul style="list-style-type: none"> <li>• Structural repairs;</li> <li>• Electrical upgrades;</li> <li>• Plumbing upgrades and fixtures (i.e. sinks, toilets, etc.) but not including backflow valve installation;</li> <li>• HVAC;</li> <li>• Flooring and/or doors, windows and ceilings;</li> <li>• Demising walls;</li> <li>• Drywall and/or painting;</li> <li>• Improved accessibility (i.e. ramps, handrails, accessible washrooms);</li> </ul>

## Community Improvement Plan (CIP) Application Form



		<ul style="list-style-type: none"> <li>• Fire safety compliance (i.e. sprinklers); and,</li> <li>• Improvements related to health and safety; including asbestos/other hazardous material abatement</li> </ul> <p>This grant is intended to provide supportive funding for renovations to commercial properties within the Town of Tillsonburg to fill vacant storefronts, support a more vibrant street life, and create better first impressions of the community.</p>
<input type="checkbox"/>	Contaminated Property or Substandard Building Incentive Program	<p>Grant to cover up to 50% of the cost of an environmental or building hazard study including a Phase II Environmental Site Assessment, designated substances and hazardous materials survey, remedial work plan, or site assessment.</p> <ul style="list-style-type: none"> <li>• 50/50 matching funds</li> <li>• Maximum of \$10,000 per project</li> <li>• Applicant must provide a copy of the final report to the Town</li> </ul>
<input type="checkbox"/>	Façade Improvement Grant: Alleyway	<p>Grant for alleyway building façade improvements for properties in the central area.</p> <ul style="list-style-type: none"> <li>• 50/50 Matching Funds</li> <li>• Maximum of \$10,000 per project.</li> <li>• Commercial properties in the central area are eligible</li> <li>• Projects that meet energy conservation and efficiency goals shall be given a higher score.</li> </ul> <p><b><i>A separate application from the Building department is needed.</i></b></p>
<input type="checkbox"/>	Façade Improvement Grant: Street Facing	<p>A grant for exterior renovations within the central area. Improvements may consist of repairs to facades, Including; signage, lighting, entrances and display windows. Interior renovations will not be eligible.</p> <ul style="list-style-type: none"> <li>• 50/50 Matching Funds</li> <li>• Maximum of \$10,000 per façade</li> <li>• Commercial properties in the central area are eligible</li> <li>• Other commercial properties outside of the central area may be eligible at prominent locations. These projects will not be eligible for the matching BIA funds.</li> <li>• The project shall conform to the design principles contained within the Town's central area design study.</li> </ul> <p><b><i>A separate application from the Building department is needed.</i></b></p>
<input type="checkbox"/>	Legal and Registration Grant	<p>Grant to reimburse legal costs and costs associated with the registration of agreements associated with the above programs.</p> <ul style="list-style-type: none"> <li>• This may take the form of Town staff registering applicable agreements on the title, or a grant to a maximum of \$200 to reimburse legal costs of having a solicitor register the applicable agreements on the title.</li> </ul>



	<p>Tax Increment Equivalent Grant Back Program</p>	<p>Grant to rebate increases of Town portion of property taxes resulting from improvements of lands and buildings, for properties in the central area. Projects must meet the following criteria:</p> <ul style="list-style-type: none"> <li>• An increase in the assessed value of the property</li> <li>• Supporting Town objectives of increased density, retail, business services, and industrial diversity.</li> <li>• Conform to the principles of the Town’s Central Area Design Study (where applicable)</li> <li>• Additional criteria of having the front of the building comprised of 75% glass, brick, or stone. Preference will be given to projects that use the heritage yellow brick evidenced throughout the downtown.</li> <li>• Projects that meet energy conservation and efficiency goals shall be given a higher score.</li> <li>• Projects that meet water conservation and re-use goals shall also be given a higher score.</li> </ul>
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**Please provide the following information:**

<b>How will the proposed development benefit the community?</b>
<p>The proposed development will benefit the community by providing much needed homes for individuals, couples and families as well as space for businesses operate. These homes will provide the tenants with an abundance of green space as well a amenities. It is our vision that this development when fully built will function as a vibrant and lively community that attracts people to the area.</p>

<b>If the proposed development is in the downtown, how will it fit in with, or improve, the existing streetscape?</b>
<p>Proposed development is not downtown</p>

<b>What is the proposed timeline (start date and completion date)?</b>
<p>We plan to begin construction in September/October of 2024 and be complete by December of 2025 (Phase 1)</p>

Community Improvement Plan (CIP) Application Form



*The Town of Tillsonburg is subject to Ontario Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) and other privacy legislation.*

*Applicants should be aware that personal and other information contained in this application are subject to Municipal Freedom of Information and Protection of Privacy Act and may be deemed releasable under this legislation, and that the anonymity or confidentiality of the applicant and any information contained within the application cannot be guaranteed.*

*The Government of Ontario maintains a website with free access to Municipal Freedom of Information and Protection of Privacy Act and other legislation on their e-laws website.*

*The applicant also consents to the use of his or her name, business name and business address in connection with any program funding announcements.*

Date: Apr 12,2024 Signature of Registered Owner: 

Date: \_\_\_\_\_ Signature of Applicant: \_\_\_\_\_

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**For Office Use Only:**

Current Assessment: \_\_\_\_\_

Building Permit Calculation: \_\_\_\_\_

Development Charges Calculation: \_\_\_\_\_





**Subject: Funding Agreement for the Renewed Canada Community-Building Fund, 2024-2034**

**Report Number:** FIN 24-039

Department: Finance Department

Submitted by: Renato Pullia, Interim Director of Finance / Treasurer

Meeting Type: Council Meeting

Meeting Date: Monday, July 8, 2024

**RECOMMENDATION**

- A. THAT report FIN-24-039 titled “Funding Agreement for the Renewed Canada Community-Building Fund, 2024-2034” be received as information; and
- B. THAT the Mayor and Clerk be delegated the authority to execute the Municipal Funding Agreement 2024-2034 on the Canada Community-Building Fund between the Association of Municipalities of Ontario and the Town of Tillsonburg; and
- C. THAT a by-law to authorize the execution of the said agreement be presented for consideration.

**BACKGROUND**

The Canada Community-Building Fund (CCBF) (formerly Federal Gas Tax Fund (GTF)) was first announced in the 2005 federal budget. It was originally established to share in the federal gasoline excise tax revenues with municipalities across the country over five years to support environmentally sustainable infrastructure.

In 2011, the CCBF was legislated as a permanent annual transfer of \$2 billion from the Consolidated Revenue Fund, and in 2013 it was indexed at two per cent per year, in \$100 million increments.

In 2014, the Government of Canada, the Province of Ontario, the City of Toronto, and the Association of Municipalities of Ontario (AMO) signed the first 10-yr administrative agreement that governed the flow of funds from 2014 to 2023. Canada transfers the CCBF directly to AMO, who in turn transfers the funds to municipalities in semi-annual instalments (July and November) through agreements between AMO and each municipality.

The funds are distributed on a per-capita basis per census counts, split 50/50 between upper and lower tiers. Funds can be banked for a maximum of 5 years, and must be invested in eligible projects to build, enhance or renew local infrastructure, remediate brownfields, or build capacity for long-term planning.

FIN 24-039 Funding Agreement for the Renewed Canada Community-Building Fund, 2024-2034

## DISCUSSION

The Town has received a copy of the renewed Municipal Funding Agreement (MFA) for the administration of the Canada Community-Building Fund (CCBF) between AMO and the Town of Tillsonburg, covering April 1, 2024 up to and including March 31, 2034.

Some changes to the agreement include:

1. Staff costs are now eligible – with limitations – under the capacity-building category
2. Municipalities are expected to consider GBA+ lenses when undertaking projects (GBA Plus is an intersectional analysis that goes beyond biological (sex) and socio-cultural (gender) differences to consider other factors, such as age, disability, education, ethnicity, economic status, geography (including rurality), language, race, religion, and sexual orientation)
3. Municipalities must retain records for at least six years
4. Municipalities with population of 30,000 or more must have a housing needs assessment
5. Incrementality - CCBF funds are still expected to supplement existing funding for municipal infrastructure
6. Sec. 7.1 requires prioritization of projects that address infrastructure needs in the community in accordance with the Town's asset management plan, and meet provincial targets as set out in O. Reg. 588/17
7. Sec. 7.2 requires the improvement of asset data, particularly data describing asset conditions, costs, levels of service, and risks
8. There are no stacking limits on the CCBF – but CCBF funds are considered to be federal funds when combined with other federal funding programs
9. Funds can be used for costs associated with acquiring, planning, designing, constructing, or renovating a tangible capital asset and related debt financing charges
10. Communications (Schedule E) - must report projects in advance of construction (Se. 6.2), install federal infrastructure signage, alert AMO before holding media events or announcements, acknowledge federal funding

Costs Not Eligible:



### Health infrastructure and assets

Hospitals, long-term care facilities, convalescent centres, senior centres, ambulances, etc.



### Professional sports facilities

Arenas, stadiums, and other facilities used by professional and semi-professional teams

FIN 24-039 Funding Agreement for the Renewed Canada Community-Building Fund,  
2024-2034

Some expenditures are explicitly **ineligible** ([Schedule C](#))

- **Routine repair and maintenance costs**  
i.e., operating costs and costs that do not result in the construction, material enhancement, or renewal of infrastructure
- **Internal costs**  
e.g., overhead, operating, and administrative costs
- **Land costs**  
e.g., land acquisition or expropriation costs
- **Rebated costs**  
e.g., rebated HST
- **Costs incurred before they were eligible**  
i.e., costs incurred before the creation of the Fund in 2005 and costs incurred before categories were added in 2014 and 2021
- **Investments in health infrastructure**  
As mentioned on a prior slide
- **Investments in professional and semi-professional sports facilities**  
As mentioned on a prior slide
- **Legal fees**

## CONSULTATION

N/A

## FINANCIAL IMPACT/FUNDING SOURCE

The CCBF provides a stable and predictable source of funding to support investments in municipal infrastructure. The CCBF's flexibility and predictability allows municipalities to plan for the future and invest in projects that address local priorities.

Under the new agreement, estimated allocations for Tillsonburg for 2024-2028 are as follows:

2024	2025	2026	2027	2028
\$ 567,400	\$ 591,400	\$ 591,042	\$ 641,683	\$ 614,683

The funding is earmarked towards Roads capital infrastructure projects.

## CORPORATE GOALS

How does this report support the corporate goals identified in the Community Strategic Plan?

- Lifestyle and amenities
- Customer service, communication and engagement
- Business attraction, retention and expansion
- Community growth
- Connectivity and transportation
- Not Applicable

FIN 24-039 Funding Agreement for the Renewed Canada Community-Building Fund,  
2024-2034

Does this report relate to a specific strategic direction or project identified in the Community Strategic Plan? Please indicate section number and/or any priority projects identified in the plan.

**Goal** – N/A

**Strategic Direction** – N/A

**Priority Project** – N/A

**ATTACHMENTS**

1. Appendix A – MUNICIPAL FUNDING AGREEMENT ON THE CANADA COMMUNITY-BUILDING FUND

## **MUNICIPAL FUNDING AGREEMENT ON THE CANADA COMMUNITY-BUILDING FUND**

**BETWEEN:**

**THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO**

(referred to herein as “**AMO**”)

**AND:**

**THE TOWN OF TILLSONBURG**

(a municipal corporation pursuant to the *Municipal Act, 2001*, referred to herein as the “**Recipient**”)

**WHEREAS** the Government of Canada, the Government of Ontario, AMO, and the City of Toronto are signatories to the Administrative Agreement on the Canada Community-Building Fund effective April 1, 2024 (the “**Administrative Agreement**”), which governs the transfer and use of the Canada Community-Building Fund (“**CCBF**”) in Ontario;

**AND WHEREAS** AMO is responsible for the administration of CCBF funding made available to all Municipalities in Ontario – except the City of Toronto – under the Administrative Agreement, and will therefore undertake (and require the Recipient to undertake) certain activities as set out in this Agreement;

**AND WHEREAS** the Recipient wishes to enter into this Agreement to access CCBF funding;

**NOW THEREFORE** the Parties agree as follows:

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## 1. DEFINITIONS AND INTERPRETATIONS

1.1 **Definitions.** For the purposes of this Agreement, the following terms shall have the meanings ascribed to them below:

**“Annual Report”** means the duly completed report to be prepared and delivered to AMO as described in Section 6.1.

**“Asset Management”** is a principle/practice that includes planning processes, approaches, plans, or related documents that support an integrated lifecycle approach to the effective stewardship of infrastructure assets to maximize benefits and effectively manage risk.

**“Canada”** means the Government of Canada, as represented by the Minister of Housing, Infrastructure and Communities.

**“Canada Community-Building Fund” or “CCBF”** means the program established under section 161 of the *Keeping Canada’s Economy and Jobs Growing Act*, S.C. 2011, c. 24 as amended by section 233 of the *Economic Action Plan 2013 Act, No. 1*, S.C. 2013, c. 33, as the Gas Tax Fund and renamed the Canada Community-Building Fund in section 199 of *Budget Implementation Act, 2021, No. 1*.

**“Contract”** means an agreement between the Recipient and a Third Party whereby the latter agrees to supply a product or service to an Eligible Project in return for financial consideration.

**“Eligible Expenditure”** means an expenditure described as eligible in Schedule B or deemed eligible by Canada in accordance with Section 4.2.

**“Eligible Investment Category”** means an investment category listed in Schedule A or deemed eligible by Canada in accordance with Section 3.2.

**“Eligible Project”** means a project that fits within an Eligible Investment Category.

**“Event of Default”** has the meaning given to it in Section 13.1 of this Agreement.

**“Funds”** mean the funds made available to the Recipient through the CCBF or any other source of funding as determined by Canada. Funds are made available pursuant to this Agreement and includes any interest earned on the said Funds. Funds transferred to another Municipality in accordance with Section 5.3 of this Agreement are to be treated as Funds by the Municipality to which the Funds are transferred; and Funds transferred to a non-municipal entity in accordance with Section 5.4 of this Agreement shall remain as Funds under this Agreement for all purposes and the Recipient shall continue to be bound by all provisions of this Agreement with respect to such transferred Funds.

**“Housing Needs Assessment”** or **“HNA”** means a report informed by data and research describing the current and future housing needs of a Municipality or community according to guidance provided by Canada.

**“Ineligible Expenditures”** means those expenditures described as ineligible in Schedule C or deemed ineligible by Canada in accordance with Section 4.2.

**“Infrastructure”** means tangible capital assets that are primarily for public use or benefit in Ontario – whether municipal or regional, and whether publicly or privately owned.

**“Lower-Tier Municipality”** means a Municipality that forms part of an Upper-Tier Municipality for municipal purposes, as defined under the *Municipal Act, 2001*, S.O. 2001, c. 25.

**“Municipal Fiscal Year”** means the period beginning January 1st of a year and ending December 31st of the same year.

**“Municipality”** and **“Municipalities”** means every municipality as defined under the *Municipal Act, 2001*, S.O. 2001, c. 25.

**“Non-Municipal Transfer By-law”** means a by-law passed by Council of the Recipient pursuant to Section 5.4 of this Agreement.

**“Parties”** means AMO and the Recipient.

**“Prior Agreement”** means the municipal funding agreement for the transfer of federal gas tax funds entered into by AMO and the Recipient, effective April 2014 and with an expiry date of March 31, 2024.

**“Single-Tier Municipality”** means a Municipality, other than an Upper-Tier Municipality, that does not form part of an Upper-Tier Municipality for municipal purposes, as defined under the *Municipal Act, 2001*, S.O. 2001 c. 25.

**“Third Party”** means any person or legal entity, other than the Parties to this Agreement, who participates in the implementation of an Eligible Project by means of a Contract.

**“Transfer By-law”** means a by-law passed by Council of the Recipient pursuant to Section 5.3 of this Agreement.

**“Unspent Funds”** means the amount reported as unspent by the Recipient as of December 31, 2023 in the Recipient’s 2023 Annual Report (as defined under the Prior Agreement).

**“Upper-Tier Municipality”** means a Municipality of which two or more Lower-Tier Municipalities form part for municipal purposes, as defined under the *Municipal Act, 2001*, S.O. 2001 c. 25.

## 1.2 Interpretations

- a) **“Agreement”** refers to this agreement as a whole, including the cover and execution pages and all of the schedules hereto, and all amendments made hereto in accordance with the provisions hereof.
- b) The words **“herein”**, **“hereof”** and **“hereunder”** and other words of similar import refer to this Agreement as a whole and not any particular schedule, article, section, paragraph or other subdivision of this Agreement.
- c) The term **“including”** or **“includes”** means including or includes (as applicable) without limitation or restriction.
- d) Any reference to a federal or provincial statute is to such statute and to the regulations made pursuant to such statute as such statute and regulations may at any time be amended or modified and in effect and to any statute or regulations that may be passed that have the effect of supplementing or superseding such statute or regulations.

## 2. TERM OF THE AGREEMENT

- 2.1 **Term.** Subject to any extension or termination of this Agreement or the survival of any of the provisions of this Agreement pursuant to the provisions contained herein, this Agreement shall come into effect as of April 1, 2024 up to and including March 31, 2034.
- 2.2 **Review.** This Agreement will be reviewed by AMO by June 30, 2027.
- 2.3 **Amendment.** This Agreement may be amended at any time in writing as agreed to by AMO and the Recipient.
- 2.4 **Notice.** Any of the Parties may terminate this Agreement on two (2) years written notice.
- 2.5 **Prior Agreement.** The Parties agree that the Prior Agreement, including Section 15.5 thereof, is hereby terminated. Notwithstanding the termination of the Prior Agreement, including Section 15.5, the reporting and indemnity obligations of the Recipient thereunder with respect to expended Funds governed by the Prior Agreement as set forth in Sections 5, 7, 10.3, 10.4 and 10.5 of the Prior Agreement shall survive the said termination.



### 3. ELIGIBLE PROJECTS

- 3.1 **Eligible Projects.** Eligible Projects are those that fit within an Eligible Investment Category. Eligible Investment Categories are listed in Schedule A.
- 3.2 **Discretion of Canada.** The eligibility of any investment category not listed in Schedule A is solely at the discretion of Canada.
- 3.3 **Recipient Fully Responsible.** The Recipient is fully responsible for the completion of each Eligible Project in accordance with Schedule A and Schedule B.

### 4. ELIGIBLE EXPENDITURES

- 4.1 **Eligible Expenditures and Ineligible Expenditures.** Eligible Expenditures are described in Schedule B. Ineligible Expenditures are described in Schedule C.
- 4.2 **Discretion of Canada.** The eligibility of any item not listed in Schedule B or Schedule C to this Agreement is solely at the discretion of Canada.
- 4.3 **Reasonable Access.** The Recipient shall allow AMO and Canada reasonable and timely access to all documentation, records and accounts and those of their respective agents or Third Parties related to the receipt, deposit and use of Funds and Unspent Funds, and any interest earned thereon, and all other relevant information and documentation requested by AMO or Canada or their respective designated representatives for the purposes of audit, evaluation, and ensuring compliance with this Agreement.
- 4.4 **Retention of Receipts.** The Recipient will keep proper and accurate accounts and records of all Eligible Projects including invoices and receipts for Eligible Expenditures for at least six (6) years after the completion of the project.
- 4.5 **Contracts.** The Recipient will award and manage all Contracts in accordance with its relevant policies and procedures and, if applicable, in accordance with any domestic or international trade agreements, and all other applicable laws. The Recipient will ensure any of its Contracts for the supply of services or materials to implement its responsibilities under this Agreement will be awarded in a way that is transparent, competitive, consistent with value for money principles and pursuant to its adopted procurement policy.

### 5. FUNDS

- 5.1 **Use of Funds.** The Recipient acknowledges and agrees the Funds are intended for and shall be used only for Eligible Expenditures in respect of Eligible Projects.

- 5.2 **Unspent Funds.** Any Unspent Funds, and any interest earned thereon, will be subject to the terms and conditions of this Agreement, and will no longer be governed by the terms and conditions of the Prior Agreement.
- 5.3 **Transfer of Funds to a Municipality.** Where a Recipient decides to allocate and transfer Funds to another Municipality (the “Transferee Municipality”):
- a) The allocation and transfer shall be authorized by a Transfer By-law. The Transfer By-law shall be passed by the Recipient’s council and submitted to AMO as soon thereafter as practicable. The Transfer By-law shall identify the Transferee Municipality and the amount of Funds the Transferee Municipality is to receive for the Municipal Fiscal Year(s) specified in the Transfer By-law.
  - b) The Recipient is still required to submit an Annual Report in accordance with Section 6.1 hereof with respect to the Funds transferred.
  - c) No transfer of Funds pursuant to this Section 5.3 shall be effected unless and until the Transferee Municipality has either (i) entered into an agreement with AMO on substantially the same terms as this Agreement, or (ii) has executed and delivered to AMO a written undertaking to assume all of the Recipient’s obligations under this Agreement with respect to the Funds transferred, such as undertaking in a form satisfactory to AMO.
- 5.4 **Transfer of Funds to a Non-Municipal Entity.** Where a Recipient decides to support an Eligible Project undertaken by a non-municipal entity (whether a for profit, non-governmental, or not-for profit organization):
- a) The provision of such support shall be authorized by a Transfer By-law (a “Non-Municipal Transfer By-law”). The Non-Municipal Transfer By-law shall be passed by the Recipient’s council and submitted to AMO as soon as practicable thereafter. The Non-Municipal Transfer By-law shall identify the non-municipal entity, and the amount of Funds the non-municipal entity is to receive for that Eligible Project.
  - b) The Recipient shall continue to be bound by all the provisions of this Agreement notwithstanding any such transfer.
  - c) No transfer of Funds pursuant to this Section 5.4 shall be effected unless and until the non-municipal entity receiving the Funds has executed and delivered to AMO a written undertaking to assume all of the Recipient’s obligations under this Agreement with respect to the Funds transferred, in a form exclusively satisfactory to AMO.
- 5.5 **Payout of Funds.** Subject to Sections 5.14 and 5.15, AMO will transfer Funds twice yearly, on or before the dates agreed upon by Canada and AMO.

- 5.6 **Deposit of Funds.** The Recipient will deposit the Funds in:
- a) An interest-bearing bank account; or
  - b) An investment permitted under:
    - i. The Recipient's investment policy; and
    - ii. Provincial legislation and regulation.
- 5.7 **Interest Earnings and Investment Gains.** Interest earnings and investment gains will be:
- Proportionately allocated to the CCBF when applicable; and
  - Applied to Eligible Expenditures for Eligible Projects.
- 5.8 **Funds Advanced.** Funds shall be spent (in accordance with Sections 3 and 4) or transferred (in accordance with Sections 5.3 or 5.4) within five (5) years after the end of the year in which Funds were received. Unexpended Funds shall not be retained beyond such five (5) year period without the documented consent of AMO. AMO reserves the right to declare that unexpended Funds after five (5) years become a debt to Canada which the Recipient will reimburse forthwith on demand to AMO for transmission to Canada.
- 5.9 **Expenditure of Funds.** The Recipient shall expend all Funds by December 31, 2038.
- 5.10 **HST.** The use of Funds is based on the net amount of harmonized sales tax to be paid by the Recipient net of any applicable tax rebates.
- 5.11 **Limit on Canada's Financial Commitments.** The Recipient may use Funds to pay up to one hundred percent (100%) of Eligible Expenditures of an Eligible Project.
- 5.12 **Federal Funds.** The Recipient agrees that any Funds received will be treated as "federal funds" for the purpose of other federal infrastructure programs.
- 5.13 **Stacking.** If the Recipient is receiving federal funds under other federal infrastructure programs in respect of an Eligible Project to which the Recipient wishes to apply Funds, the maximum federal contribution limitation set out in any other federal infrastructure program agreement made in respect of that Eligible Project shall continue to apply.
- 5.14 **Withholding Payment.** AMO may, in its exclusive discretion, withhold Funds where the Recipient is in default of compliance with any provisions of this Agreement.
- 5.15 **Insufficient Funds Provided by Canada.** Notwithstanding the provisions of Section 2, if Canada does not provide sufficient funds to continue the Funds for any Municipal

Fiscal Year during which this Agreement is in effect, AMO may immediately terminate this Agreement on written notice to the Recipient.

## 6. REPORTING REQUIREMENTS

- 6.1 **Annual Report.** The Recipient shall submit a report to AMO by April 30<sup>th</sup> each year, or as otherwise notified by AMO. The report shall be submitted in an electronic format deemed acceptable by AMO and shall contain the information described in Schedule D.
- 6.2 **Project List.** The Recipient shall ensure that projects are reported in advance of construction. Information required is as noted in Section 2.3 of Schedule E.

## 7. ASSET MANAGEMENT

- 7.1 **Implementation of Asset Management.** The Recipient will develop and implement an Asset Management plan, culture, and methodology in accordance with legislation and regulation established by the Government of Ontario (e.g., O. Reg. 588/17).
- 7.2 **Asset Data.** The Recipient will continue to improve data describing the condition of, long-term cost of, levels of service provided by, and risks associated with infrastructure assets.

## 8. HOUSING NEEDS ASSESSMENT

- 8.1 **Requirement.** While an HNA is encouraged for all Municipalities, the Recipient must complete a HNA if it had a population of 30,000 or more on the 2021 Census of Canada and is a Single-Tier Municipality or a Lower-Tier Municipality.
- 8.2 **Content of the HNA.** The Recipient will prepare the HNA in accordance with the guidance provided from time to time by Canada.
- 8.3 **Use of HNA.** The Recipient is expected to prioritize projects that support the growth of the housing supply. The HNA is to be used by Municipalities to prioritize, where possible, Infrastructure or capacity building projects that support increased housing supply where it makes sense to do so.
- 8.4 **Publication of the HNA.** The Recipient will publish the HNA on its website.
- 8.5 **HNA reporting requirements.** The Recipient will send to AMO by March 31, 2025, unless otherwise agreed upon:
- a) A copy of any HNA it is required to complete in accordance with Section 8.1; and

- b) The URL to the published HNA on the Recipient's website.

## 9. COMMUNICATIONS REQUIREMENTS

- 9.1 The Recipient will comply with all communication requirements outlined in Schedule E.

## 10. RECORDS AND AUDIT

- 10.1 **Accounting Principles.** All accounting terms not otherwise defined herein have the meanings assigned to them; all calculations will be made and all financial data to be submitted will be prepared in accordance with generally accepted accounting principles ("GAAP") in effect in Ontario. GAAP will include, without limitation, those principles approved or recommended for local governments from time to time by the Public Sector Accounting Board or the Chartered Professional Accountants of Canada or any successor institute, applied on a consistent basis.
- 10.2 **Separate Records.** The Recipient shall maintain separate records and documentation for the Funds and keep all records including invoices, statements, receipts, and vouchers in respect of Funds expended on Eligible Projects in accordance with the Recipient's municipal records retention by-law. Upon reasonable notice by AMO or Canada, the Recipient shall submit all records and documentation relating to the Funds for inspection or audit.
- 10.3 **External Auditor.** AMO or Canada may request, upon written notice to Recipient, an audit of Eligible Project(s) or Annual Report(s). AMO shall retain an external auditor to carry out an audit and ensure that any auditor who conducts an audit pursuant to this Agreement or otherwise, provides a copy of the audit report to the Recipient.

## 11. INSURANCE AND INDEMNITY

- 11.1 **Insurance.** The Recipient shall put in effect and maintain in full force and effect or cause to be put into effect and maintained for the term of this Agreement all the necessary insurance with respect to each Eligible Project, including any Eligible Projects with respect to which the Recipient has transferred Funds pursuant to Section 5 of this Agreement, that would be considered appropriate for a prudent Municipality undertaking similar Eligible Projects, including, where appropriate and without limitation, property, construction, and liability insurance, which insurance coverage shall identify Canada and AMO as additional insureds for the purposes of the Eligible Projects.
- 11.2 **Certificates of Insurance.** Throughout the term of this Agreement, the Recipient shall have a valid certificate of insurance that confirms compliance with the requirements

of Section 11.1. The Recipient shall produce such certificate of insurance on request, including as part of any AMO or Canada audit.

11.3 **AMO Not Liable.** In no event shall Canada or AMO be liable for:

- Any bodily injury, death or property damages to the Recipient, its employees, agents, or consultants or for any claim, demand or action by any Third Party against the Recipient, its employees, agents, or consultants, arising out of or in any way related to this Agreement; or
- Any incidental, indirect, special, or consequential damages, or any loss of use, revenue or profit to the Recipient, its employees, agents, or consultants arising out of any or in any way related to this Agreement.

11.4 **Recipient to Compensate Canada.** The Recipient will ensure that it will not, at any time, hold the Government of Canada, its officers, servants, employees or agents responsible for any claims or losses of any kind that the Recipient, Third Parties or any other person or entity may suffer in relation to any matter related to the Funds or an Eligible Project and that the Recipient will, at all times, compensate Canada, its officers, servants, employees and agents for any claims or losses of any kind that any of them may suffer in relation to any matter related to CCBF funding or an Eligible Project.

11.5 **Recipient to Indemnify AMO.** The Recipient hereby agrees to indemnify and hold harmless AMO, its officers, servants, employees or agents (each of which is called an “**Indemnitee**”), from and against all claims, losses, damages, liabilities and related expenses including the fees, charges and disbursements of any counsel for any Indemnitee incurred by any Indemnitee or asserted against any Indemnitee by whomsoever brought or prosecuted in any manner based upon, or occasioned by, any injury to persons, damage to or loss or destruction of property, economic loss or infringement of rights caused by or arising directly or indirectly from:

- The Funds;
  - The Recipient’s Eligible Projects, including the design, construction, operation, maintenance, and repair of any part or all of the Eligible Projects;
  - The performance of this Agreement or the breach of any term or condition of this Agreement by the Recipient, its officers, servants, employees, and agents, or by a Third Party, its officers, servants, employees, or agents; and
  - Any omission or other wilful or negligent act of the Recipient or Third Party and their respective officers, servants, employees, or agents.
-

## 12. TRANSFER AND OPERATION OF MUNICIPAL INFRASTRUCTURE

- 12.1 **Reinvestment.** The Recipient will invest into Eligible Projects, any revenue that is generated from the sale, lease, encumbrance, or other disposal of an asset resulting from an Eligible Project where such disposal takes place within five (5) years of the date of completion of the Eligible Project.
- 12.2 **Notice.** The Recipient shall notify AMO in writing 120 days in advance and at any time during the five (5) years following the date of completion of an Eligible Project if it is sold, leased, encumbered, or otherwise disposed of.
- 12.3 **Public Use.** The Recipient will ensure that Infrastructure resulting from any Eligible Project that is not sold, leased, encumbered, or otherwise disposed of, remains primarily for public use or benefit.

## 13. DEFAULT AND TERMINATION

- 13.1 **Event of Default.** AMO may declare in writing that an Event of Default has occurred when the Recipient has not complied with any condition, undertaking or term in this Agreement. AMO will not declare in writing that an Event of Default has occurred unless it has first consulted with the Recipient. For the purposes of this Agreement, each of the following events shall constitute an “Event of Default”:
- Failure by the Recipient to deliver in a timely manner an Annual Report or respond to questionnaires or reports as required;
  - Delivery of an Annual Report that discloses non-compliance with any condition, undertaking or material term in this Agreement;
  - Failure by the Recipient to co-operate in an external audit undertaken by Canada, AMO or their agents;
  - Delivery of an external audit report that discloses non-compliance with any condition, undertaking or term in this Agreement; and
  - Failure by the Recipient to expend Funds in accordance with the terms of this Agreement, including Section 5.8.
- 13.2 **Waiver.** AMO may withdraw its notice of an Event of Default if the Recipient, within thirty (30) calendar days of receipt of the notice, either corrects the default or demonstrates, to the satisfaction of AMO in its sole discretion that it has taken such steps as are necessary to correct the default.
- 13.3 **Remedies on Default.** If AMO declares that an Event of Default has occurred under Section 13.1, after thirty (30) calendar days from the Recipient’s receipt of the notice

of an Event of Default, it may immediately terminate this Agreement or suspend its obligation to pay the Funds. If AMO suspends payment, it may pay suspended Funds if AMO is satisfied that the default has been cured.

- 13.4 **Repayment of Funds.** If AMO declares that an Event of Default has not been cured to its exclusive satisfaction, AMO reserves the right to declare that prior payments of Funds become a debt to Canada which the Recipient will reimburse forthwith on demand to AMO for transmission to Canada.

#### 14. CONFLICT OF INTEREST

- 14.1 **No Conflict of Interest.** The Recipient will ensure that no current member of the AMO Board of Directors and no current or former public servant or office holder to whom any post-employment, ethics and conflict of interest legislation, guidelines, codes or policies of Canada applies will derive direct benefit from the Funds, the Unspent Funds, and any interest earned thereon, unless the provision of receipt of such benefits is in compliance with such legislation, guidelines, policies or codes.

#### 15. NOTICE

- 15.1 **Notice.** Any notice, information or document provided for under this Agreement will be effectively given if in writing and if delivered by hand, or overnight courier, mailed, postage or other charges prepaid, or sent by email to the addresses in Section 15.3. Any notice that is sent by hand or overnight courier service shall be deemed to have been given when received; any notice mailed shall be deemed to have been received on the eighth (8) calendar day following the day on which it was mailed; any notice sent by email shall be deemed to have been received on the sender's receipt of an acknowledgment from the intended recipient (such as by the "return receipt requested" function, as available, return email or other written acknowledgment), provided that in the case of a notice sent by email, if it is not given on a business day before 4:30 p.m. Eastern Standard Time, it shall be deemed to have been given at 8:30 a.m. on the next business day for the recipient.
- 15.2 **Representatives.** The individuals identified in Section 15.3 of this Agreement, in the first instance, act as AMO's or the Recipient's, as the case may be, representative for the purpose of implementing this Agreement.
- 15.3 **Addresses for Notice.** Further to Section 15.1 of this Agreement, notice can be given at the following addresses:



- If to AMO:

Executive Director  
 Canada Community-Building Fund Agreement  
 Association of Municipalities of Ontario  
 155 University Avenue, Suite 800  
 Toronto, ON M5H 3B7

Telephone: 416-971-9856  
 Email: ccbf@amo.on.ca

- If to the Recipient:

Treasurer  
 The Town of Tillsonburg  
 10 Lisgar Avenue  
 Tillsonburg, ON N4G 5A5

## 16. MISCELLANEOUS

- 16.1 **Counterpart Signature.** This Agreement may be signed (including by electronic signature) and delivered (including by facsimile transmission, by email in PDF or similar format or using an online contracting service designated by AMO) in counterparts, and each signed and delivered counterpart will be deemed an original and both counterparts will together constitute one and the same document.
- 16.2 **Severability.** If for any reason a provision of this Agreement that is not a fundamental term is found to be or becomes invalid or unenforceable, in whole or in part, it will be deemed to be severable and will be deleted from this Agreement, but all the other terms and conditions of this Agreement will continue to be valid and enforceable.
- 16.3 **Waiver.** AMO may waive any right in this Agreement only in writing, and any tolerance or indulgence demonstrated by AMO will not constitute waiver of rights in this Agreement. Unless a waiver is executed in writing, AMO will be entitled to seek any remedy that it may have under this Agreement or under the law.
- 16.4 **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the Province of Ontario and the laws of Canada applicable in Ontario.
- 16.5 **Survival.** The Recipient agrees that the following sections and provisions of this Agreement shall extend for seven (7) years beyond the expiration or termination of this Agreement: Sections 4, 5.8, 5.9, 6.1, 11.4, 11.5, 12, 13.4 and 16.8.
- 16.6 **AMO, Canada and Recipient Independent.** The Recipient will ensure its actions do not establish or will not be deemed to establish a partnership, joint venture, principal-

agent relationship, or employer-employee relationship in any way or for any purpose whatsoever between Canada and the Recipient, between AMO and the Recipient, between Canada and a Third Party or between AMO and a Third Party.

- 16.7 **No Authority to Represent.** The Recipient will ensure that it does not represent itself, including in any agreement with a Third Party, as a partner, employee, or agent of Canada or AMO.
- 16.8 **Debts Due to AMO.** Any amount owed under this Agreement will constitute a debt due to AMO, which the Recipient will reimburse forthwith, on demand, to AMO.
- 16.9 **Priority.** In the event of a conflict, the part of this Agreement that precedes the signature of the Parties will take precedence over the Schedules.
- 16.10 **Complementarity.** The Recipient is to use the CCBF to complement, without replacing or displacing, other sources of funding for municipal infrastructure.
- 16.11 **Equity.** The Recipient is to consider Gender Based Analysis Plus (“**GBA+**”) lenses when undertaking a project.

## 17. SCHEDULES

- 17.1 This Agreement, including:

Schedule A	Eligible Investment Categories
Schedule B	Eligible Expenditures
Schedule C	Ineligible Expenditures
Schedule D	The Annual Report
Schedule E	Communications Requirements

constitute the entire agreement between the Parties with respect to the subject matter contained in this Agreement and supersedes all prior oral or written representations and agreements.

**18. SIGNATURES**

**IN WITNESS WHEREOF**, AMO and the Recipient have respectively executed, and delivered this Agreement, effective April 1, 2024.

**THE TOWN OF TILLSONBURG**

By: \_\_\_\_\_

Name:	_____	Date	_____
Title:	_____		

_____	_____
Name:	Date
Title:	

**THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO**

By: \_\_\_\_\_

Name:	_____	Date	_____
Title: Executive Director			

_____	_____
Witness:	Date
Title:	

## **SCHEDULE A: ELIGIBLE INVESTMENT CATEGORIES**

1. **Broadband connectivity** – investments in the construction, material enhancement, or renewal of infrastructure that provides internet access to residents, businesses, and/or institutions in Canadian communities.
2. **Brownfield redevelopment** – investments in the remediation or decontamination of a brownfield site within municipal boundaries – provided that the site is being redeveloped to construct a public park for municipal use, publicly owned social housing, or Infrastructure eligible under another investment category listed in this schedule.
3. **Capacity-building** – investments that strengthen the Recipient’s ability to develop long-term planning practices as described in Schedule B, item 2.
4. **Community energy systems** – investments in the construction, material enhancement, or renewal of infrastructure that generates energy or increases energy efficiency.
5. **Cultural infrastructure** – investments in the construction, material enhancement, or renewal of infrastructure that supports the arts, humanities, or heritage.
6. **Drinking water** – investments in the construction, material enhancement, or renewal of infrastructure that supports drinking water conservation, collection, treatment, and distribution systems.
7. **Fire halls** – investments in the construction, material enhancement, or renewal of fire halls and fire station infrastructure.
8. **Local roads and bridges** – investments in the construction, material enhancement, or renewal of roads, bridges, tunnels, highways, and active transportation infrastructure.
9. **Public transit** – investments in the construction, material enhancement, or renewal of infrastructure that supports a shared passenger transport system that is available for public use.
10. **Recreational infrastructure** – investments in the construction, material enhancement, or renewal of recreational facilities or networks.
11. **Regional and local airports** – investments in the construction, material enhancement, or renewal of airport-related infrastructure (excluding infrastructure in the National Airports System).
12. **Resilience** – investments in the construction, material enhancement, or renewal of built and natural infrastructure assets and systems that protect and strengthen the resilience

of communities and withstand and sustain service in the face of climate change, natural disasters, and extreme weather events.

13. **Short-line rail** – investments in the construction, material enhancement, or renewal of railway-related infrastructure for carriage of passengers or freight.
14. **Short-sea shipping** – investments in the construction, material enhancement, or renewal of infrastructure related to the movement of cargo and passengers around the coast and on inland waterways, without directly crossing an ocean.
15. **Solid waste** – investments in the construction, material enhancement, or renewal of infrastructure that supports solid waste management systems (including the collection, diversion, and disposal of recyclables, compostable materials, and garbage).
16. **Sport infrastructure** – investments in the construction, material enhancement, or renewal of amateur sport infrastructure (facilities housing professional or semi-professional sports teams are ineligible).
17. **Tourism infrastructure** – investments in the construction, material enhancement, or renewal of infrastructure that attracts travelers for recreation, leisure, business, or other purposes.
18. **Wastewater** – investments in the construction, material enhancement, or renewal of infrastructure that supports wastewater and storm water collection, treatment, and management systems.

Note: Investments in health infrastructure (e.g., hospitals, long-term care facilities, convalescent centres, and senior centres) are not eligible.

## **SCHEDULE B: ELIGIBLE EXPENDITURES**

Eligible Expenditures will be limited to the following:

1. **Infrastructure investments** – expenditures associated with acquiring, planning, designing, constructing, or renovating a tangible capital asset and any related debt financing charges specifically identified with that asset.
2. **Capacity-building costs** – for projects eligible under the capacity-building category only, expenditures associated with the development and implementation of:
  - Capital investment plans, integrated community sustainability plans, integrated regional plans, housing needs assessments, or asset management plans;
  - Studies, strategies, systems, software, third-party assessments, plans, or training related to asset management;
  - Studies, strategies, systems, or plans related to housing or land use;
  - Studies, strategies, or plans related to the long-term management of infrastructure; and
  - Other initiatives that strengthen the Recipient's ability to improve local and regional planning.
3. **Joint communications and signage costs** – expenditures directly associated with joint federal communication activities and with federal project signage.
4. **Employee costs** – the costs of the Recipient's employees for projects eligible under the capacity-building category only – provided that the costs, on an annual basis, do not exceed the lesser of:
  - 40% of the Recipient's annual allocation (i.e., the amount of CCBF funding made available to the Recipient by AMO under Section 5.5 of this Agreement); or
  - \$80,000.

## **SCHEDULE C: INELIGIBLE EXPENDITURES**

The following are deemed Ineligible Expenditures:

1. **Costs incurred before the Fund was established** – project expenditures incurred before April 1, 2005.
2. **Costs incurred before categories were eligible** – project expenditures incurred:
  - Before April 1, 2014 – under the broadband connectivity, brownfield redevelopment, cultural infrastructure, disaster mitigation (now resilience), recreational infrastructure, regional and local airports, short-line rail, short-sea shipping, sport infrastructure, and tourism infrastructure categories; and.
  - Before April 1, 2021 – under the fire halls category.
3. **Internal costs** – the Recipient's overhead costs (including salaries and other employment benefits), operating or administrative costs (related to planning, engineering, architecture, supervision, management, and other activities normally carried out by the Recipient's staff), and equipment leasing costs – except in accordance with Eligible Expenditures described in Schedule B.
4. **Rebated costs** – taxes for which the Recipient is eligible for a tax rebate and all other costs eligible for rebates.
5. **Land costs** – the purchase of land or any interest therein and related costs.
6. **Legal fees.**
7. **Routine repair or maintenance costs** – costs that do not result in the construction, material enhancement, or renewal of a tangible capital asset.
8. **Investments in health infrastructure** – costs associated with health infrastructure or assets (e.g., hospitals, long-term care facilities, convalescent centres, and senior centres).
9. **Investments in professional or semi-professional sports facilities** – costs associated with facilities used by professional or semi-professional sports teams.

## **SCHEDULE D: ANNUAL REPORT**

The Annual Report may include – but is not necessarily limited to – the following information pertaining to the previous fiscal year:

1. **Financial information** – and particularly:
  - Interest earnings and investment gains – in accordance with Section 5.7;
  - Proceeds from the disposal of assets – in accordance with Section 12.1;
  - Outgoing transfers – in accordance with Sections 5.3 and 5.4;
  - Incoming transfers – in accordance with Section 5.3; and
  - Amounts paid – in aggregate for Eligible Expenditures on each Eligible Project.
2. **Project information** – describing each Eligible Project that started, ended, or was ongoing in the reporting year.
3. **Results** – and particularly:
  - Expected outputs and outcomes for each ongoing Eligible Project;
  - Outputs generated and outcomes achieved for each Eligible Project that ended construction in the reporting year; and
  - Housing outcomes resulting from each Eligible Project that ended construction in the reporting year, and specifically:
    - i. The number of housing units enabled, supported, or preserved; and
    - ii. The number of affordable housing units enabled, supported, or preserved.
4. **Other information** – such as:
  - Progress made in the development and implementation of asset management plans and systems; and
  - The impact of the CCBF on housing pressures tied to infrastructure gaps, the housing supply, and housing affordability.



## **SCHEDULE E: COMMUNICATIONS REQUIREMENTS**

### **1. COMMUNICATIONS ACTIVITIES**

- 1.1 **Scope.** The provisions of this Schedule apply to all communications activities related to any Funds and Eligible Projects.
- 1.2 **Definition.** Communications activities may include (but are not limited to) public or media events, news releases, reports, web articles, blogs, project signs, digital signs, publications, success stories and vignettes, photo compilations, videos, advertising campaigns, awareness campaigns, editorials, award programs, and multi-media products.

### **2. INFORMATION SHARING REQUIREMENTS**

- 2.1 **Notification requirements.** The Recipient must report all active Eligible Projects to AMO in advance of construction each year. Reports must be submitted in an electronic format deemed acceptable by AMO.
- 2.2 **Active Eligible Projects.** Active Eligible Projects are those Eligible Projects that either begin in the current calendar year or are ongoing in the current calendar year.
- 2.3 **Information required.** The report must include, at a minimum, the name, category, description, expected outcomes, anticipated CCBF contribution, anticipated start date, and anticipated end date of each active Eligible Project.

### **3. PROJECT SIGNAGE REQUIREMENTS**

- 3.1 **Installation requirements.** Unless otherwise approved by Canada, the Recipient must install a federal sign to recognize federal funding for each Eligible Project in accordance with design, content, and installation guidelines provided by Canada.
- 3.2 **Permanent signs, plaques, and markers.** Permanent signage, plaques, and markers recognizing municipal or provincial contributions to an Eligible Project must also recognize the federal contribution and must be approved by Canada.
- 3.3 **Responsibilities.** The Recipient is responsible for the production and installation of Eligible Project signage in accordance with Section 3 of this Schedule E, except as otherwise agreed upon.
- 3.4 **Reporting requirements.** The Recipient must inform AMO of signage installations in a manner determined by AMO.

#### 4. DIGITAL COMMUNICATIONS REQUIREMENTS

- 4.1 **Social media.** AMO maintains accounts dedicated to the CCBF on several social media networks. The Recipient must @mention the relevant account when producing content that promotes or communicates progress on one or more Eligible Projects. AMO's CCBF-dedicated social media accounts are identified on [www.buildingcommunities.ca](http://www.buildingcommunities.ca).
- 4.2 **Websites and webpages.** Websites and webpages created to promote or communicate progress on one or more Eligible Projects must recognize federal funding using either:
- a) A digital sign; or
  - b) The Canada wordmark and the following wording (as applicable):
    - i. "This project is funded in part by the Government of Canada"; or
    - ii. "This project is funded by the Government of Canada".

The Canada wordmark or digital sign must link to [www.infrastructure.gc.ca](http://www.infrastructure.gc.ca). Guidelines describing how this recognition is to appear and language requirements are posted at <http://www.infrastructure.gc.ca/pub/signage-panneaux/intro-eng.html>.

#### 5. REQUIREMENTS FOR MEDIA EVENTS AND ANNOUNCEMENTS

- 5.1 **Definitions.** Media events and announcements include, but are not limited to, news conferences, public announcements, and the issuing of news releases to communicate the funding of Eligible Projects or achievement of key milestones (such as groundbreaking ceremonies, grand openings, and completions).
- 5.2 **Authority.** Canada, AMO, or the Recipient may request a media event or announcement.
- 5.3 **Notification requirements.** Media events and announcements must not proceed without the prior knowledge and agreement of AMO, Canada, and the Recipient.
- 5.4 **Notice.** The requester of a media event or announcement must provide at least fifteen (15) business days' notice to other parties of their intention to undertake such an event or announcement. If communications are proposed through a news release with no supporting event, Canada additionally requires five (5) business days with the draft news release to secure approvals and confirm the federal representative's quote.
- 5.5 **Date and location.** Media events and announcements must take place at a date and location that is mutually agreed to by the Recipient, AMO and Canada.

- 5.6 **Representatives.** The Recipient, AMO, and Canada will have the opportunity to participate in media events and announcements through a designated representative. Each Party will choose its own designated representative.
- 5.7 **Responsibilities.** AMO and the Recipient are responsible for coordinating all onsite logistics for media events and announcements unless otherwise agreed on.
- 5.8 **No unreasonable delay.** The Recipient must not unreasonably delay media events and announcements.
- 5.9 **Precedence.** The conduct of all joint media events, announcements, and supporting communications materials (e.g., news releases, media advisories) will follow the [Table of Precedence for Canada](#).
- 5.10 **Federal approval.** All joint communications material related to media events and announcements must be approved by Canada and recognize the funding of all contributors.
- 5.11 **Federal policies.** All joint communications material must reflect Canada's Policy on Official Languages and the Policy on Communications and Federal Identity.
- 5.12 **Equal visibility.** The Recipient, Canada, and AMO will have equal visibility in all communications activities.

## 6. PROGRAM COMMUNICATIONS

- 6.1 **Own communications activities.** The Recipient may include messaging in its own communications products and activities with regards to the use of Funds.
- 6.2 **Funding acknowledgements.** The Recipient must recognize the funding of all contributors when undertaking such activities.

## 7. OPERATIONAL COMMUNICATIONS

- 7.1 **Responsibilities.** The Recipient is solely responsible for operational communications with respect to the Eligible Projects, including but not limited to, calls for tender, construction, and public safety notices. Operational communications as described above are not subject to the federal official languages policy.
- 7.2 **Federal funding acknowledgement.** Operational communications should include, where appropriate, the following statement (as appropriate):
- a) "This project is funded in part by the Government of Canada"; or
  - b) "This project is funded by the Government of Canada".

- 7.3 **Notification requirements.** The Recipient must share information promptly with AMO should significant emerging media or stakeholder issues relating to an Eligible Project arise. AMO will advise the Recipient, when appropriate, about media inquiries received concerning an Eligible Project.

## 8. COMMUNICATING SUCCESS STORIES

- 8.1 **Participation requirements.** The Recipient must work with Canada and AMO when asked to collaborate on communications activities – including, but not limited to, Eligible Project success stories (including positive impacts on housing), Eligible Project vignettes, and Eligible Project start-to-finish features.

## 9. ADVERTISING CAMPAIGNS

- 9.1 **Responsibilities.** The Recipient may, at its own cost, organize an advertising or public information campaign related to the use of the Funds or Eligible Projects, provided that the campaign respects the provisions of this Agreement.
- 9.2 **Notice.** The Recipient must inform Canada and AMO of its intention to organize a campaign no less than twenty-one (21) working days prior to the launch of the campaign.

**Subject: Comprehensive Zoning By-Law Review - Update****Report Number:** OPD -24-040

Department: Operations and Development Department

Submitted by: Jonathon Graham, Director of Operations and Development

Meeting Type: Council Meeting

Meeting Date: Monday, July 8, 2024

**RECOMMENDATION**

- A. THAT report OPD-24-040 titled Comprehensive Zoning By-Law Review be received as information; and
- B. THAT the timeline and workplan for the Comprehensive Zoning By-Law review be endorsed.

**BACKGROUND**

Comprehensive Zoning By-law No. 3295 was adopted by Town of Tillsonburg Council on April 14, 2008. Since that time, several housekeeping amendments have been made to the By-law to incorporate site-specific provisions, correct minor errors, provide clarification, and facilitate policy changes either at a Provincial and/or County level. The most recent housekeeping amendments were completed in 2021 and 2023.

Since the last amendment in 2023, Staff have been monitoring Minor Variance Applications, noting interpretation issues, and reviewing suggestions from Town Staff and Planning staff in effort to clarify and update the existing By-law.

In 2023, Town of Tillsonburg Staff identified that undertaking a focused review of the Zoning By-law Review is required to provide opportunities to identify key issues requiring clarification, updating and correction, and to ensure the continued effectiveness, clarity, and readability of the Town's By-law for all stakeholders. Conducting a more focused review will provide opportunities to identify new items to be considered for inclusion in the Zoning By-law. Furthermore, the process of involving stakeholders in the project will assist with identifying issues and contribute to greater understanding of the By-law's goals, objectives, and provisions overall.

The main focus of the project will include reviewing Section 4 – Definitions, and Section 5 - General Provisions, to ensure accuracy and clarity.

Specific issues already identified include:

- Reviewing Additional Residential Unit (ARU) provisions to ensure clarity;

## OPD -24-040 Comprehensive Zoning By-Law Review - Update

- Definition of Gross Floor Area (GFA)
- Size of parking spaces;
- Apartment/structure height
- Day and evening shelters
- Etc.

### **DISCUSSION**

The overall goal of the Zoning By-law Review is to amend the current Zoning By-law to ensure that it is clear, aligned with current legislation, and allows for effective implementation within the Town of Tillsonburg. To date Town staff has begun preliminary discussions and formed a project working group with Oxford County Planning staff.

### **Project Team**

Project Lead: The County Planner will be the Project Lead and responsible for managing the project, including but not limited to the following tasks:

- Managing meetings of the Project Working Group;
- Facilitating consultation and communication;
- maintaining a list of required and recommended Amendments to Zoning By-law 3295;
- Completing a review and cross-reference of County-wide Zoning By-laws; and,
- Collaborating with County Planning Staff to identify By-law needs and/or deficiencies.

Project Working Group: This group will be comprised of Town of Tillsonburg staff and the Oxford County Planning staff. The main role of this group is to ensure that the issues and items relevant to the Town of Tillsonburg are included and considered. Responsibilities of the Project Working Group include but are not limited to:

- Attending regular in-person meetings;
- Assisting with consultation; and
- Reviewing and providing timely feedback on draft amendments to Zoning By-law 3295.

Project Support: It is anticipated that additional Town of Tillsonburg Staff will be involved in different aspects of the project and involved in the following tasks:

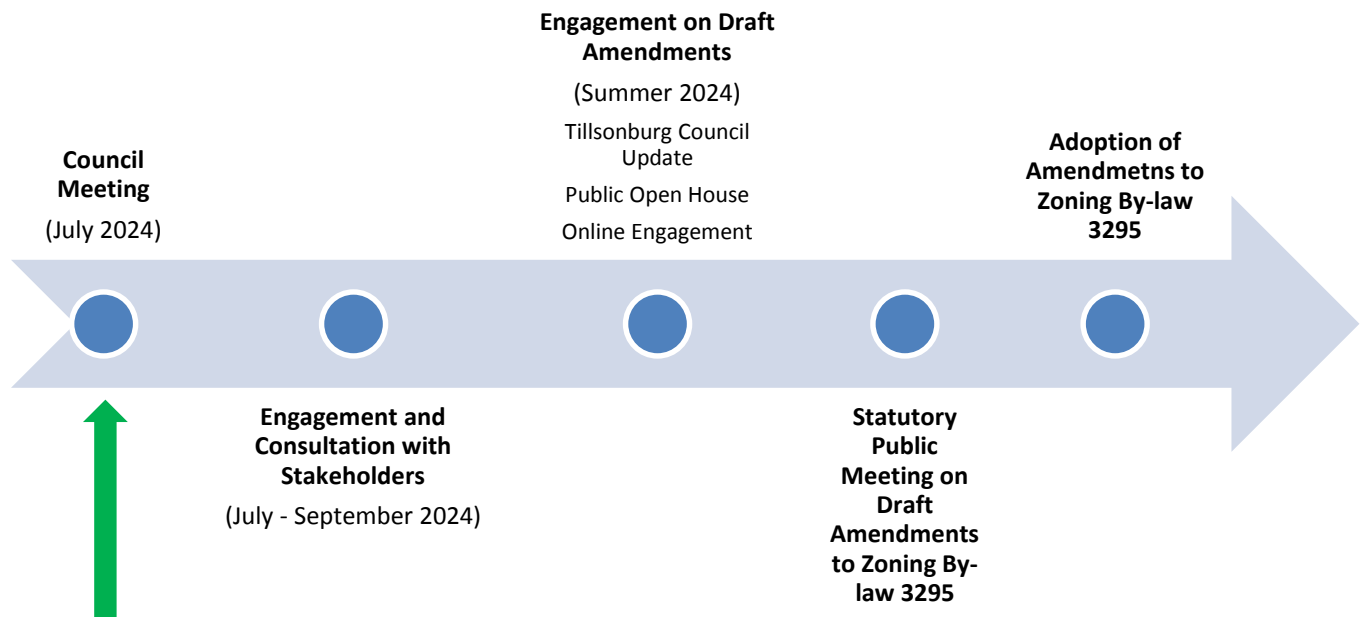
- Administrative support; and
- Communications support.

### **Key Deliverables and Target Dates**

OPD -24-040 Comprehensive Zoning By-Law Review - Update

Deliverable	Target Date
Council Meeting: Project Commencement Report	July 8, 2024
Engagement	July through to September
Project Update Report to Council	September 2024
Council Meeting: Statutory Public Meeting	Q4 2024
Final Proposed Zoning By-law Amendments	Q4 2024/Q1 2025

**Proposed Project Process**



**We are here**

**Project Scope**

Defining what is within the scope of the project and what is out of the project scope is an important part of any project, to ensure that the project stays focused on the defined goals and objectives.

In Project Scope	Out of Project Scope
Identify items requiring correction	Education/communication campaign regarding Planning process
Identify items requiring clarification	
Identify items to be considered for inclusion	Although related, the completion of CloudPermit planning tool
List of recommended amendments to the Zoning By-law	





## OPD -24-040 Comprehensive Zoning By-Law Review - Update

**Engagement and Consultation**

In accordance with Section 34 of the Planning Act, the Town is required to provide Public Notice of the Zone Change Application and hold a Public Meeting to provide the public with an opportunity to provide any comments/concerns regarding the proposed amendments to the Zoning By-law.

In addition to the required consultation, incorporating additional engagement tactics throughout the project has been suggested to assist staff with accurately identifying challenges with the current By-law and areas/items that require clarification and correction and communicate and ‘test’ proposed amendments prior to presenting them to Council

The following engagement methods and tools are proposed:

- Staff focus groups/discussions (general and/or specific themes/topics through annual meetings)
- News module on front page of the Town of Tillsonburg Website (provides contact information, etc.)
- Produce Fact Sheets of proposed amendments
- Frequently Asked Questions (FAQs) on specific topics/themes
- Newspaper advertisements
- Social media posts (Facebook and “Twitter)

**Stakeholder Identification and Evaluation of Engagement Level**

The table below is intended to ensure that key stakeholders have been identified and considered in terms of how the proposed consultation and engagement tools are aligned to provide opportunities to participate throughout the project.

<b>Stakeholder</b>	<b>Desired Level of Engagement</b> (Inform, Consult, Involve, collaborate, Empower)	<b>Proposed Methods</b> (may be in conjunction with multiple Stakeholders)
<b>Internal and Area Municipal Stakeholders and Other Agencies</b>		
Tillsonburg Council	Empower	2 Council meetings (Project Update Meeting, Public Meeting and decision meeting)
Town of Tillsonburg Staff	Collaborate	Focus Groups/Discussions, Early input and review on Draft Amendments and participation in engagement events as appropriate

## OPD -24-040 Comprehensive Zoning By-Law Review - Update

<b>Stakeholder</b>	<b>Desired Level of Engagement</b> (Inform, Consult, Involve, collaborate, Empower)	<b>Proposed Methods</b> (may be in conjunction with multiple Stakeholders)
County Staff	Consult	Early input and review on Draft Amendments and participation in engagement events as appropriate
Long Point Region Conservation Authority (LPRCA)	Consult	Focus Group/Discussion Would receive Notices and participate in engagement events as appropriate
School Board	Consult	Focus Group/Discussion Would receive Notices and participate in engagement events as appropriate
Other Agencies	Consult	Focus Group/Discussion Would receive Notices and participate in engagement events as appropriate
<b>Groups and Associations</b>		
Committees of Council	Consult	Focus Group/Discussion, May also make formal submissions through Council Meetings
Tillsonburg Business Improvement Area (BIA)	Consult	Focus Group/Discussion, May also make formal submissions through Council Meeting(s)
Tillsonburg Chamber of Commerce	Consult	Focus Group/Discussion, May also make formal submissions through Council Meeting(s)
Real Estate Group	Consult	Focus Group/Discussion, Online May also make formal submissions through Council Meeting(s)
<b>General Public</b>		
Business Owners	Consult	Education push through public notice and may also make formal submissions through Council Meeting(s)
Residents	Consult	Education push through public notice and may also make

## OPD -24-040 Comprehensive Zoning By-Law Review - Update

Stakeholder	Desired Level of Engagement (Inform, Consult, Involve, collaborate, Empower)	Proposed Methods (may be in conjunction with multiple Stakeholders)
		formal submissions through Council Meeting(s)

**Next Steps**

- Initial meeting with Project Working Group to:
  - confirm Stakeholders;
  - discuss proposed consultation and engagement methods;
  - discuss items and issues already identified; and,
- Project “kick off” via social media channels (draft information attached)
- Set up consultation and engagement schedule

**CONSULTATION**

Oxford County: Development Planner, Manager of Development Planning, Director of Community Planning; Town of Tillsonburg: Chief Building Official

**FINANCIAL IMPACT/FUNDING SOURCE**

N/A

**CORPORATE GOALS**

How does this report support the corporate goals identified in the Community Strategic Plan?

- Lifestyle and amenities
- Customer service, communication and engagement
- Business attraction, retention and expansion
- Community growth
- Connectivity and transportation
- Not Applicable

Does this report relate to a specific strategic direction or project identified in the Community Strategic Plan? Please indicate section number and/or any priority projects identified in the plan.

**Goal** – Within the community, Tillsonburg will strive to offer residents the amenities, services and attractions they require to enjoy balanced lifestyles.

OPD -24-040 Comprehensive Zoning By-Law Review - Update

**Strategic Direction** – Expand community partnerships in the delivery of programs and amenities.

**Priority Project** – N/A – N/A

**ATTACHMENTS**

NONE

**Subject: Harvest Heights Subdivision Road Naming****Report Number:** OPD 24-041

Department: Operations and Development Department

Submitted by: Geno Vanhaelewyn, Chief Building Official

Meeting Type: Council Meeting

Meeting Date: Monday, July 8, 2024

**RECOMMENDATION**

- A. THAT report OPD 24-041 titled “Harvest Heights Subdivision Road Naming” be received as information; and
- B. THAT Council approves “Sergeant Avenue”, “Horton Street”, “Attwater Drive”, “Boyle Street”, “Davidson Street”, “Ledbury Avenue”, “Mansfield Court”, “Esseltine Drive”, “Dereham Drive” and “Grandview Drive” as road names within the Harvest Heights subdivision.

**BACKGROUND**

Planning Services received a formal request from the developer of the Harvest Heights subdivision for the approval of seven new road names “Sergeant Avenue”, “Horton Street”, “Attwater Drive”, “Boyle Street”, “Davidson Street”, “Ledbury Avenue” and “Mansfield Court” to be used in the subdivision; with “Esseltine Drive”, “Dereham Drive” and “Grandview Drive as extensions of existing road names.

**DISCUSSION**

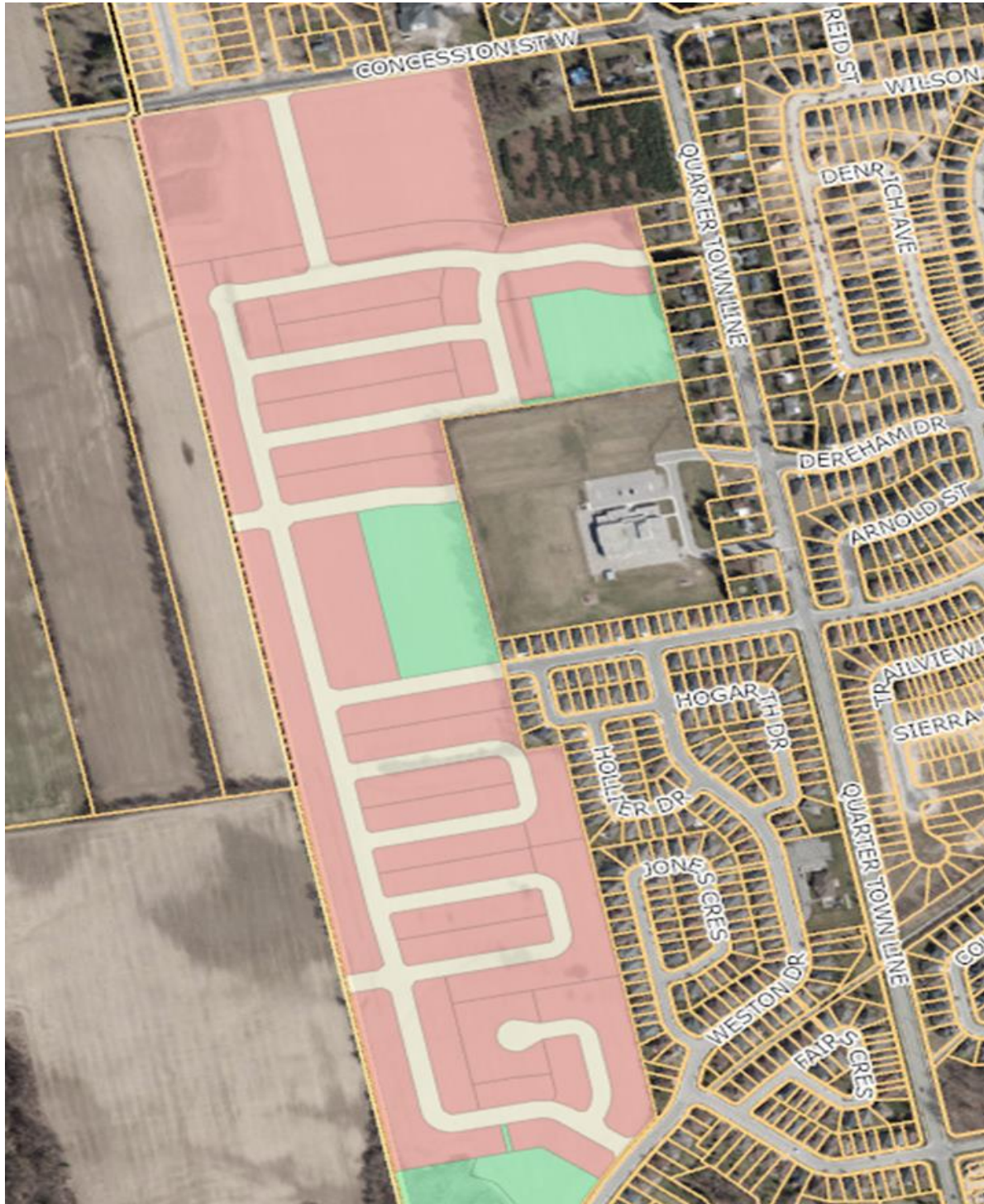
The request for approval is required as a Draft Plan of Subdivision condition and verification that the proposed names will meet the requirements of the Road Naming Policy found in By-Law 3553.

The road naming policy identifies that the naming of roads and subdivisions for the municipality should be determined in a manner that incorporates local history, culture and environmental features. In this case, the developer is proposing to use local history by incorporating names of former residents who contributed through community involvement, specifically in education, as well as local service persons.

The following maps identify the location and request.

OPD 24-041 Harvest Heights Subdivision Road Naming

LOCATION MAP





OPD 24-041 Harvest Heights Subdivision Road Naming

SUBDIVISION PLAN & PROPOSED STREET NAMES



## OPD 24-041 Harvest Heights Subdivision Road Naming

**CONSULTATION**

Recreation Programs & Services Manager, Culture and Heritage Program Coordinator and the former Culture and Heritage Manager/Curator were consulted and noted that the proposed road names of “Sergeant Avenue”, “Horton Street”, “Attwater Drive”, “Boyle Street”, “Davidson Street”, “Ledbury Avenue” and “Mansfield Court” meet the section of the Town's policy for road naming and are recognized for the heritage within the community.

**Sergeant Avenue** is being named in recognition of Sam Sergeant who contributed to the community through his involvement in education. Sam Sergeant was an elected member of the local Public School Board for over 30 years.

**Horton Street** is being named in recognition of Irv Horton who also contributed to the community through his involvement in education. Irv Horton was principal of both Rolph Street Public School and Maple Lane Public School in the 1960's and was the Superintendent of Education for the Oxford County Board of Education from 1972 to 1990. In addition, Irv Horton was Mayor of Tillsonburg from 2001 to 2003.

The following proposed names are in reference to local services persons, most of whom lost their lives in World War I:

**Attwater Drive** is being named in recognition of Henry Faulconer Attwater who died in 1914 at the age of 24. Attwater remained at his post under bombardment and was killed by a shell at Plumer Trench. He is buried in Roclincourt Cemetery, France.

**Boyle Street** is being named in recognition of Frank Steward Boyle who died in 1916 at the age of 31. Boyle was an expert sniper who was killed at Regina Trench, during the Battle of Somme. His name is engraved on the Vimy Memorial.

**Davidson Street** is being named in recognition of Thomas Davidson who died in 1916 at the age of 36. Davidson was heading back to the dressing station when he was killed. His body was never recovered. His name is engraved on the Vimy Memorial.

**Ledbury Avenue** is being named in recognition of Benjamin Ledbury who died in 1916 after serving 2 years in the trenches of France. Ledbury was killed by multiple gunshots. He is buried in the graveyard of Hospital #11 in Rouen, France.

**Mansfield Court** is being named in recognition of Jerred Israel Mansfield who enlisted at the age of 21 and served throughout the entire war. During his time at war, Mansfield wrote an 800 page war diary which is now in the collection at Annandale NHS.

Esseltine Drive, Dereham Drive and Grandview Drive are existing road names that extend into the proposed subdivision as a result of configuration.



## OPD 24-041 Harvest Heights Subdivision Road Naming

Fire Services/9-1-1 were circulated for emergency conflict assessment and approval was granted with no conflicts.

Staff will attempt to communicate with the families to inform them of the dedication if approved.

### FINANCIAL IMPACT/FUNDING SOURCE

Not applicable.

### CORPORATE GOALS

How does this report support the corporate goals identified in the Community Strategic Plan?

- Lifestyle and amenities
- Customer service, communication and engagement
- Business attraction, retention and expansion
- Community growth
- Connectivity and transportation
- Not Applicable

Does this report relate to a specific strategic direction or project identified in the Community Strategic Plan? Please indicate section number and/or any priority projects identified in the plan.

**Goal** – The Town of Tillsonburg will strive for excellence and accountability in government, providing effective and efficient services, information, and opportunities to shape municipal initiatives.

**Strategic Direction** – Engage community groups, including advisory committees and service organizations, in shaping municipal initiatives.

**Priority Project** – N/A

### ATTACHMENTS

– Developer's Request Letter – Harvest Heights Subdivision Road Naming

## Geno Vanhaelewyn

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**From:** Andrew Vranckx <avranckx@cjd leng.com>  
**Sent:** Monday, May 6, 2024 2:30 PM  
**To:** Trisha Voth  
**Cc:** Peter Penner; Alex Muirhead; asinclair@mhbcp lan.com; mvisser@mhbcp lan.com; Ori Belavin; Andrea Greenway; Kathleen Watkin; Geno Vanhaelewyn  
**Subject:** Proposed Road Names - Harvest Heights (formerly known as Victoria Wood Subdivision)  
**Attachments:** 20044\_ Proposed Road Name Figure May-6-2024.pdf; RE: Request for list of approved Tillsonburg Street Names - Victoria Wood Subdivision

File No. 20044

Good afternoon Trisha,

On behalf of our client, we would like to submit the attached proposed road name figure along with the background below for the proposed road names in Harvest Heights Subdivision. We ask that the Town please review and if acceptable please recommend to Council for formal approval.

There are a total 9 new road names and 3 existing road name continuations proposed. The suffixes used for the proposed road names have been chosen in accordance with the Town of Tillsonburg Road Naming By-Law.

The names and backgrounds for the new roads proposed below have been provided by Kathleen Watkin, Culture and Heritage Program Coordinator, Andrea Greenway, Recreation Programs & Services Manager and Patty Phelps, former Culture and Heritage Program Coordinator (Email attached for reference).

The following names were Tillsonburg citizens involved in education. This follows the Tillsonburg road name criteria found in By-Law 3553; 6. c. the names of prominent former residents who contributed through community involvement /athletic/business acumen.

1. **Sergeant Avenue** – Sam Sergeant (elected member of the local Public School Board for over 30 years)
1. **Horton Street** - Irv Horton (Principle of both Rolph Street and Maple Lane Public Schools in the 1960s. Superintendent of Education, Oxford County Board of Education 1972 – 1990. Irv was also Mayor of Tillsonburg 2001-2003)”

The following names were Tillsonburg citizens who served, with many losing their lives in World War I. This follows the Tillsonburg road name criteria found in By-Law 3553; 6. a. the names of local service persons who made the ultimate sacrifice.

2. **Attwater Drive**- Henry Faulconer Attwater died in 1914 at the age of 24. He remained at his post under bombardment and was killed by a shell at Plumer Trench. He is buried at Roclincourt Cemetery, France
3. **Boyle Street** - Frank Steward Boyle died in 1916 at the age of 31. He was an expert sniper. He was killed at Regina Trench, at the Battle of Somme. His name is engraved on the Vimy Memorial.
4. **Berry Drive** - Ewart Gladstone Berry died in 1917 at the age of 18. He was a stretcher bearer and was shot by a sniper while helping to retrieve the wounded. His name is engraved on the Vimy Memorial.
5. **Davidson Street** - Thomas Davidson died in 1916 at the age of 36. He was wounded in Regina Trench. He was heading back to the dressing station when he was killed. His body was never recovered. His name is engraved on the Vimy Memorial.

6. **Ledbury Avenue** - Benjamin Ledbury, died in 1916 after serving 2 years in the trenches of France. He was killed by multiple gunshots. He is buried at the graveyard of Hospital #11, Rouen, France.
7. **Mansfield Court** - Jerred Israel Mansfield, enlisted at the age of 21 and served the entire war. He survived. During his time at war, he wrote an 800 page war diary, which is now in the collection at Annandale NHS.

Continuation of existing road names used:

1. **Grandview Drive**
2. **Dereham Drive**
3. **Esseltine Drive**

If you have any questions please do not hesitate to contact this office.

Regards,

Andrew C. Vranckx , Senior Design Technologist  
**Cyril J. Demeyere Limited, Office: 519-688-1000, Cell: 519-983-5533**

**Subject: Tender Results - RFT2024-005-R – QTL Retaining Wall****Report Number:** OPD 24-043

Department: Operations and Development Department

Submitted by: Leo Ferreira, Manager of Engineering

Meeting Type: Council Meeting

Meeting Date: Monday, July 8, 2024

**RECOMMENDATION**

- A. THAT report OPD 24-043 titled “Tender Results – RFT2024-005-R – QTL Retaining Wall” be received as information; and
- B. THAT staff be directed to reallocate the dedicated 2024 funds from Capital Project #233 - Charlotte and Clarence Reconstruction to Capital Project #194 - Retaining Wall Reconstruction at Beech Blvd and Quarter Town Line in the amount of \$545,011.30 inclusive of an additional \$25,000 be added to the project for the purposes of hydro pole relocation; and
- C. THAT the contract for RFT2024-005-R – QTL Retaining Wall be awarded to CH Excavating (2013) at a total project cost of \$1,653,206.90 (including HST); and
- D. THAT Geotechnical Engineer/Inspection services be awarded to Planmac at an additional cost of \$42,804.40 (including HST).

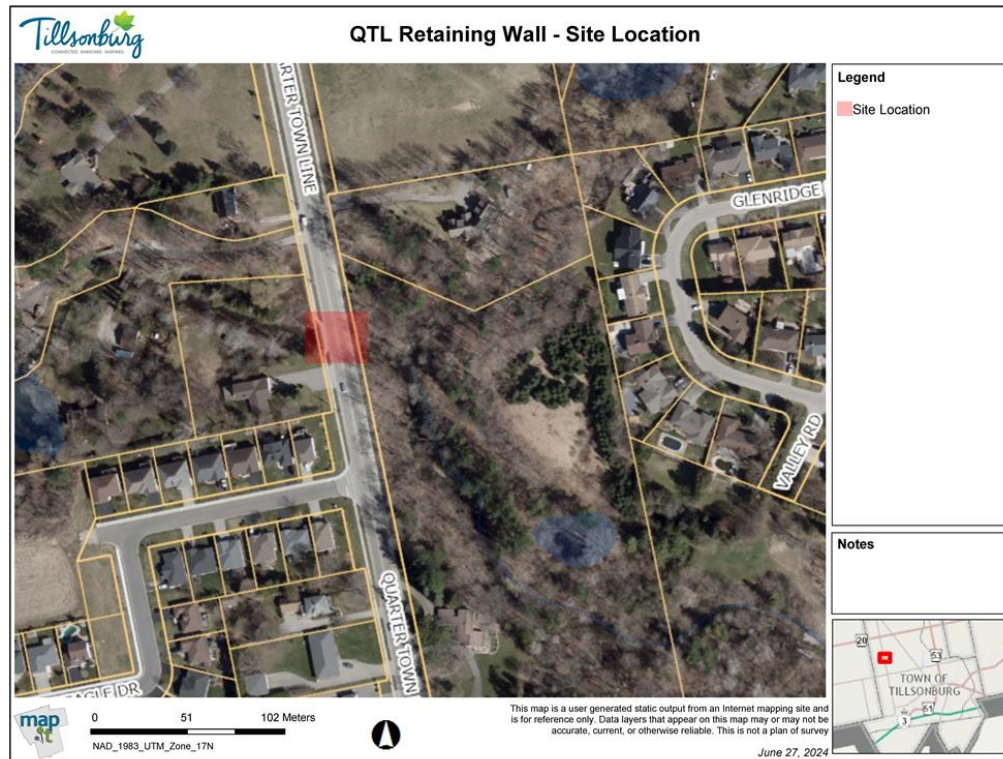
**BACKGROUND**

A tender was initially issued in March 2024 for Capital Project #194 - Retaining Wall Reconstruction at Beech Blvd and Quarter Town Line and as approved through the Town's 2024 budget consideration. However, the bids received were significantly greater than the approved budget (\$1,176,000) subsequently the original 2024 tender was cancelled. For history, this was the second time in as many years that this tender was cancelled due to being over budget.

Staff uncovered that the originally approved budget and the carry forward budget from 2021 was for reconstruction of one retaining wall not two as tendered.

To realign the funding available, as a result, Town staff reduced the proposed scope from the reconstruction of two (2) retaining walls to the reconstruction of only the wall reported as most critical and was reissued for tendering in May 2024. The site location is identified as per the following and the subject retaining wall is on the west side of road:

## OPD 24-043 Tender Results – RFT2024-005-R – QTL Retaining Wall



## DISCUSSION

A total of five (5) bids were received by the closing date of June 20, 2024 with the lowest bid being from CH Excavating (2013) of London, Ontario at a cost of \$1,653,206.90 (\$1,463,014.96 + \$190,191.94 HST).

The tender was advertised on Bids&Tenders. Results of the tender are summarized below:

	<b>Bidder</b>	<b>Bid Amount (including HST)</b>
1	CH Excavating (2013)	\$1,653,206.90
2	J-AAR Civil Infrastructures Limited	\$2,027,978.79
3	Eyeco Inc.	\$2,189,554.67
4	Schouten Excavating Inc.	\$2,218,100.82
5	Rodas McKnight Constructors Inc.	\$2,251,224.99

Furthermore and due to the depth of the proposed/necessary reconstruction of the subject retaining wall, 6 metres (+), and factoring in the necessary engineered fill the project will require a fulltime Geotechnical Engineer/Inspector on site to ensure compaction etc. (i.e. though densometer). To this effect and through the retained engineering consultant

## OPD 24-043 Tender Results – RFT2024-005-R – QTL Retaining Wall

assigned to the project, Planmac, an additional cost escalation of \$42,804.40 (including HST) is being requested to be applied to the project. Lastly and due to neighboring encroachment concerns on private property, a hydro pole has been identified to be relocated that was not originally factored into the project; to this effect an additional cost of \$25,000.00 will be required/applied to the project. The consolidation of these additional cost will have the following effect on the project overall:

<b>Project Cost Analysis/Impact</b>		
CH Excavating	\$1,653,206.90	Including HST
Geotechnical Engineer/Inspector	\$42,804.40	
Hydro Pole Relocation (by THI)	\$25,000.00	
<b>Total</b>	<b>\$1,721,011.30</b>	

**CONSULTATION**

External: As part of proper communication process, letters will be sent to residents to advise them of this project.

Internal: Director of Operations and Development, Manager of Engineering, Operations Technologist, Purchasing Coordinator, and Interim Director of Finance / Treasurer.

**FINANCIAL IMPACT/FUNDING SOURCE**

Through Council's 2024 budget consideration, \$1,176,000 was allocated to this project, the lowest bid price, including non-refundable HST, is \$1,488,764.02, which is approximately \$312,764 greater than the approved budget (not including the geotechnical needs or hydro pole relocation).

Notably, this project was to be funded, in part, through Debt Proceeds (\$882,000) from Infrastructure Ontario. The original borrowing application and by-law was endorsed in 2020 where the Town's application will mature/expire in November 2024 after which the Town will be unable to withdraw any unadvanced amounts from Infrastructure Ontario.

As such and instead of cancelling this project for a third time and due to insufficient funds, Staff propose to fund the current shortfall by deferring Capital Project # 233 - Charlotte and Clarence Reconstruction which closed on June 26, 2024 and is also over budget to the following effect:

<b>Capital Project #233 - Charlotte and Clarence Reconstruction</b>		
<b>2024 Budget</b>	<b>Lowest Bid as of June 26, 2024</b>	<b>Budget Overage</b>
\$2,814,900.00 (including HST)	\$3,337,366.00 (Including HST)	\$562,436.00

## OPD 24-043 Tender Results – RFT2024-005-R – QTL Retaining Wall

Ultimately and due to the potential loss of Debt Proceed funding through Infrastructure Ontario and in consideration that these “ear marked” debt cannot be reallocated per Infrastructure Ontario’s policies/procedures, Town staff is recommending that Capital Project #233 - Charlotte and Clarence Reconstruction be canceled in 2024 and funds be reallocated. Charlotte and Clarence reconstruction project, will be reevaluated and presented to Council in the 2025 budget process for future consideration.

Furthermore, Capital Project #233 - Charlotte and Clarence Reconstruction, has the following funding allocation/breakdown:

<b>Capital Project #233 - Charlotte and Clarence Reconstruction</b>		
<b>2024 Budget</b>	<b>Town of Tillsonburg</b>	<b>Oxford County</b>
\$2,814,900.00 (including HST)	\$1,519,300 (Including HST)	\$1,295,600 (Including HST)

To proceed with Capital Project #194 - Retaining Wall Reconstruction at Beech Blvd and Quarter Town Line the following allocation is proposed:

<b>Proposed Reallocation</b>		
<b>To: Capital Project #194</b>	<b>From: Capital Project #233</b>	<b>Balance: Capital Project #233</b>
\$545,011.30	\$545,011.30	\$974,288.70

**CORPORATE GOALS**

- Lifestyle and amenities
- Customer service, communication and engagement
- Business attraction, retention and expansion
- Community growth
- Connectivity and transportation
- Not Applicable

Does this report relate to a specific strategic direction or project identified in the Community Strategic Plan? Please indicate section number and/or any priority projects identified in the plan.

**Goal** – Tillsonburg residents and businesses will be connected to each other, regional networks, and the world through effective traditional and digital infrastructure.

**Strategic Direction** – Develop a robust, long-term asset management plan to inform evidence-based decisions on the maintenance, rehabilitation and replacement of municipal infrastructure.

**Priority Project** – *Ongoing Projects* - Asset Management

**ATTACHMENTS**

Appendix A – CH Excavating (2013)-RFT2024-005-R.pdf

**Subject: July 2024 – New Town Hall Project Status Update**

**Report Number:** OPD 24-048

Department: Operations and Development Department

Submitted by: Jonathon Graham, Director of Operation and Development

Meeting Type: Council Meeting

Meeting Date: Monday, July 8, 2024

**RECOMMENDATION**

THAT report OPD 24-048 titled “July 2024 – New Town Hall Project Status Update” be received as information; and

THAT Council direct/select Option [*intentionally left blank*] to finalize the New Town Hall’s Design Development process.

*Through this report Council may consider the **CONSOLIDATED SUMMARY** to complement the analysis and options at the end of this report.*

**BACKGROUND**

Through necessary milestones and scheduled activities to date but going back as far as a 2016 *Town Hall Space Needs Assessment* where in continued efforts of refining a “New Town Hall” build we may recognize staff needs (and in part to the Town’s overall needs) have evolved. Such examples include, but are not limited to, corporate restructuring within various departments, reassessed operational workflows in delivering essential services where ultimately this report is intended to give Council an update on the New Town Hall design to date.

Furthermore with recent changes in recognizing the impacts of the COVID 19 pandemic and hybrid working arrangement/virtual work environments, Town Staff and +VG (the retained architect firm) presented four (4) general options relevant to the space needs as developed over time (i.e. through the previous New Town Hall Steering Committee). The finalized four (4) options for the New Town Hall where presented to Council on [October 10, 2023](#) and consisted of the following:

- “Option #1A** - *would be a one-level Town Hall located at 10 Lisgar Avenue utilizing and expanding on the existing footprint of the building.*
- Option #1B** - *would also be one-level similar to Option 1A. This option differs by omitting the Fire Communications Dispatch Centre and keeping it in its current location at the existing Fire Hall.*
- Option #2A** - *uses a two-story option. The second floor would be built up from the area where the bays currently are located at the Customer Service Centre and then would utilize and reformat the existing main floor with some additions to the main floor space.*



## OPD 24-048 July 2024 – New Town Hall Project Status Update

*Furthermore, the Fire Communications Dispatch Centre would be relocated to the New Town Hall.*

**Option #2B** - *uses a two-story option similar to Option 2A. The difference with this option is the removal of the Fire Communications Dispatch Centre and would remain at the existing Fire Hall.*

Noteworthy and through **CAO 23-17** Council report, Council consideration was framed per the following motion:

*“THAT Council selects Option [intentionally left blank] as the preferred floor plan option;”*

Subsequently the following resolution was passed:

**Resolution # 2023-442**

**Moved By:** Councillor Luciani **Seconded By:** Deputy Mayor Beres

A. THAT report titled “CAO 23-17 Town Hall Floor Plan Options” be received as information;

B. THAT Council selects Option 2A as the preferred floor plan option; and

C. THAT staff proceeds working with VG+ Architects to prepare a detailed building concept based on the selected floor plan.

Where the subject floor plan, per the above, is attached as Appendix A – 10 Lisgar Ave. – Option 2A.

Continuing forward and at the [November 13, 2023](#) Council meeting the following resolution was passed:

**Resolution # 2023-503**

**Moved By:** Councillor Parker **Seconded By:** Councillor Parsons

A. THAT report titled “CAO 23-25 Sole Sourcing– Town Hall Project” be received as information;

B. THAT staff be authorized to sole source professional architectural services from The Ventin Group Ltd (+VG Architects) in accordance with Section 6 (b) of the Purchasing Policy for the preparation of design and tender documents for a new Town Hall, for \$770,220 + taxes, with the understanding that the \$330,220 portion would only be undertaken should construction proceed;

C. That a By-Law be presented for Council’s consideration authorizing the Mayor and Clerk to execute documents necessary to effect an agreement with The Ventin Group Ltd.

Following this resolution, staff worked diligently in partnership with +VG to establish an agreement essentially moving the project into “Design Development” or Detail Design

## OPD 24-048 July 2024 – New Town Hall Project Status Update

for the New Town Hall. The by-law to execute the final agreement was passed at the March 25, 2024 Council meeting.

### **DISCUSSION**

Staff have been having regular bi-weekly meetings with representatives from +VG to discuss the Town's needs in continuing the project's Design Development. In consideration to milestones completed and currently underway to date, Council may consider the following:

#### **1. Project Team**

After recommendation/resolution **#2023-503** the following staff were assigned to the project:

- Director of Operations and Development – Project Lead
- Development Commissioner – Back-up Project Lead
- Chief Building Official – Lead Design Reviewer/Project Lead
- CAO Executive Assistant – Project Support/Admin

#### **2. Legal Survey**

To proceed with a refined detailed design/concept Town staff required a legal survey to be completed for the property in ensuring our due diligence. This was completed by Husted Surveying (in consultation with Town staff) where a topographical survey was required in determining existing site conditions (including identifying underground utilities, etc...). Through these efforts and in overlaying the former and refined concept plans of +VG's Option 2A an identified sanitary sewer servicing Lisgar Ave. (but otherwise within the lot fabric of 10 Lisgar Ave.) was identified to be in direct conflict, or underneath, of the proposed new building (see Appendix F - 10 Lisgar – Existing Topo).

As a stop gap and to mitigate cost, Town staff are in discussions with Oxford County in seeking permission to place a building on top or in close proximity to the subject sanitary sewer. Nevertheless, best management practices, would suggest that this sanitary sewer will have to be relocated in future. Furthermore the Town's Engineering Department is currently working on design alternatives to be presented to County staff in the future.

#### **3. 3D Scan – Measured Drawings**

To refine "tie-in" points and to provide spatial accuracy the architect required 3D scanning of the existing building. To this effect this refined and identified some inconsistencies between the original drawings and the actual floor plans of the existing building and would prevent future errors and possible scope changes through construction.

#### **4. Geotechnical**

A geotechnical investigation was required to determine the quality of the soils under the existing building and weather the soil quality, via bearing strength analysis, would

## OPD 24-048 July 2024 – New Town Hall Project Status Update

support a new two (2) story building (again Option 2A and Appendix B - 10 Lisgar Ave – A1.1 - A2.3 currently reflecting refined design to date).

At the time of preparing this report a draft geotechnical investigation has not been completed; however, Town staff, through discussions with the retained firm JLP Services Inc., have been offered a preliminary opinion per the following:

*To “support the proposed building foundations on the stiff silty clay or clayey silt at about 6m to 7.5m below existing grade”.*

Essentially the existing soils, between existing grade and to the depth of 6m to 7.5m, have been identified to not have the necessary bearing strength required to support the proposed 2 storey build where the new build will have to import engineered fill.

Furthermore and now knowing the soil excavation is required, a basement could be considered and is reflected in the Appendix E - Order of Magnitude Budget Estimate – New Build attachment at an estimated additional cost of \$1.42 million (excluding HST). The subject basement has a total footprint of 9,500 sf where 40-50% of the dedicated space is proposed for program space.

### **5. Mechanical/Electrical and Structural Design**

As per the scheduled/contract activities and as received by Town Staff on June 3, 2024 both a Mechanical/Electrical Design Brief and Structural Design have been provided based on the refined Option 2A or the most recent concept plan Appendix B - 10 Lisgar Ave – A1.1 - A2.3.

### **6. Staff Consultation**

In April 2024, staff members visited two (2) newly built municipal Town Hall facilities and one (1) Town Hall facility that is under construction with an anticipated move-in this summer. These tours provided staff with insightful knowledge on ideas for incorporation, recommendations of what to do and what not to do, cost-saving initiatives, etc.

Additionally, the CBO and Executive Assistant hosted focus groups with each affected staff department to present the initial floor plan concepts and solicit feedback from staff on their needs and functionality in a New Town Hall design (Appendix A - 10 Lisgar Ave. – Option 2A). Staff were very engaged and an abundance of valuable information was retrieved. Staff provided these comments to the architect to be able to produce a revised floor plan concept. In May 2024, the architect provided a revised floor plan with the majority of requests incorporated (see Appendix B - 10 Lisgar Ave – A1.1 - A2.3). These revised floor plans have been reviewed and a few items need to be addressed before proceeding further on this milestone in “completing” the Design Development stage moving towards individual room Data Sheets.

Noteworthy and through this evaluation process, the reception area/customer service area had several identified deficiency (washroom location, the reception area itself/space, etc.) as compared to the original concept plan of Option 2A. Subsequently,

## OPD 24-048 July 2024 – New Town Hall Project Status Update

Town staff and +VG integrated a new reception area/customer services area within the new build area at a proposed height of 1.5 story (again Appendix B - 10 Lisgar Ave - A1.1 - A2.3).

Through further analysis of these features and incorporating staff comments to correct operational design deficiencies, +VG has offered an updated Order of Magnitude where these additions would increase the overall cost estimate by \$1.4 million (see Appendix C - Order of Magnitude Budget Estimate - A1.1 - A2.3)

### RECOMMENDATION & FINDINGS

In refining space needs relative to the above and in improving the concept plan towards Design Development, Council may consider the following square footage review:

Build Envelope	Construction Area	
October 2023 (Appendix A and D)	Area of Demolition (Major & Selective)	18,700 sf
	Area of Renovation	8,331 sf
	Area of Addition	16,584 sf
	<b>Total</b>	<b>24,915 sf</b>
June 2024 (Appendix B and C)	Area of Demolition (Major & Selective)	18,794 sf
	Area of Renovation	7,093 sf
	Area of Addition	19,200 sf
	<b>Total</b>	<b>26,293 sf</b>
<b>Square Footage Increase</b>		<b>1,378 sf or 5.5%</b>

Generally the above reflects the elimination of the previous concept, Option 2A, reception area/customer service area and converts it from a renovated area to an improved new build area (i.e. 1,237 sf). In further detail, the reception area/customer service area will now consist of a proposed 1.5 story build with façade improvements. Furthermore and through staff consultation the balance of increased square footage of 141 sf can be attributed to storage, some additional staff and operational needs (i.e. wash-off areas, washroom relocation, etc.).

In considering the timeline of the project to date Town staff has requested an updated Order of Magnitude from +VG where Council may consider the following:

Order of Magnitude	Estimated Cost	Notes
October 2023 (Appendix D)	\$16,863,000	Includes taxes, 15% contingency and relocation allowance
June 2024 (Appendix C)	\$20,017,000	
<b>Estimated Cost Increase</b>	<b>\$3,154,000(+)</b>	

In persevering to minimize cost and the overall tax burden and in considering a balanced but informed decision, Town staff has endeavor to explore a complete

## OPD 24-048 July 2024 – New Town Hall Project Status Update

demolition of 10 Lisgar Ave and complete rebuild for Councils consideration. Please note that the following is only a table top exercise insofar as comparing space needs and costs towards a new build (i.e. further details estimates would be required to refine accuracy). To this effect Council may consider Appendix E - Order of Magnitude Budget Estimate - New Build and the following:

Order of Magnitude	Estimated Cost	Notes
June 2024 (Appendix C)	\$20,017,000	Includes taxes, 15% contingency and relocation allowance
June 2024 (Appendix E) – New Build	\$18,905,000	
<b>Estimated Cost Savings</b>	<b>\$1,112,000(+)</b>	

Furthermore and in discussions with +VG, through their professional experience/evaluation of the current construction market to date, accounting for escalation trends from October 2023 through to June 2024 the market is roughly estimated to have increased 12%.

### CONSULTATION

Chief Administrative Officer, Development Commissioner, Chief Building Official, CAO's Executive Assistant, Interim Director of Finance/Treasurer, Senior Leadership Team (at touch points) and effected Town staff through the staff consultation period.

### FINANCIAL IMPACT/FUNDING SOURCE

Relative to total sunk cost to date and at the time of preparing this report, **\$186,645.34** has been incurred per the budget of **\$770,220** (excluding HST). Furthermore and subject to the schedule identified in +VG's contract council may consider:

**Preliminary Milestone Schedule**  
(To be further developed with Client)

March 12, 2024

	Phase	Dates	Notes:
1	Schematic Design modifications if required	April 1, 2024 to April 19, 2024	Currently completing Item 2 while transitioning into Item 3
2	Design Development	April 22, 2024 to June 17, 2024	
3	Construction Documents	June 24, 2024 to August 30, 2024	
4	Tendering and award of Tender	September 2, 2024 to September 27, 2024	
5	Construction/Contract Admin	October 7, 2024 to December 15, 2025	
6	Project Close-Out	December 22, 2025 to January 30, 2026	

Lastly and in a continued effort to meet Council's goal to reduce/minimize (overall) costs, Valued Engineering, will become more prevalent through the Construction Document stage (**Item 3**) through to Tendering (**Item 4**). To this effect, staff will bring an updated report to Council prior to Tendering.

## OPD 24-048 July 2024 – New Town Hall Project Status Update

**CONSOLIDATE SUMMARY**

Consolidate the options and to summarize the information provided throughout this report, Council may consider the following:

Option	Date with Description	Area/Size (SQ.FT.)	Amount (\$)	Notes/Comments	Attachment
1	October 2023 <b>Original Option 2A</b> <u>Major Notes:</u> - Based on original space needs	24,915	\$16,836,000	Limited future growth.	<b>Appendix A</b> - 10 Lisgar Ave. – Option 2A <b>Appendix D</b> - Order of Magnitude Budget Estimate - Option 2A (Oct. 2023)
2	June 2024 <b>Updated Option 2A</b> <u>Major Notes:</u> - Engineered fill required (no basement) - Sanitary sewer conflict	26,293	\$20,017,000 (+) engineered fill, (+) future sewer relocation	Added 147 sq. ft. of “misc.” and 1230 sq. ft. for the 1.5 storey foyer/customer service area.	<b>Appendix B</b> - 10 Lisgar Ave – A1.1 - A2.3 <b>Appendix C</b> - Order of Magnitude Budget Estimate - A1.1 - A2.3
3	June 2024 <b>Complete demo &amp; new two (2) storey build with basement</b> <u>Major Notes:</u> - Engineered fill required - Sanitary sewer conflict minimized - Basement - Additional design fees/scope change incurred - 3D scan fees unrecoverable	23,351	\$18,905,000 (+) engineered fill, (+) design scope change	- Sanitary sewer conflict in minimized (null) - 100% new building - various design options - additional parking - Option for future addition if needed. - schedule will slip - Loss of some fees already accrued.	<b>Appendix E</b> - Order of Magnitude Budget Estimate - New Build

## OPD 24-048 July 2024 – New Town Hall Project Status Update

**CORPORATE GOALS**

How does this report support the corporate goals identified in the Community Strategic Plan?

- Lifestyle and amenities
- Customer service, communication and engagement
- Business attraction, retention and expansion
- Community growth
- Connectivity and transportation
- Not Applicable

Does this report relate to a specific strategic direction or project identified in the Community Strategic Plan? Please indicate section number and/or any priority projects identified in the plan.

**Goal** – The Town of Tillsonburg will strive for excellence and accountability in government, providing effective and efficient services, information, and opportunities to shape municipal initiatives.

**Strategic Direction** – Position Tillsonburg as a leader in the municipal sector.

**Priority Project** – *Immediate Term* – Consolidated Town Hall initiative.

**ATTACHMENTS**

- Appendix A - 10 Lisgar Ave. – Option 2A
- Appendix B - 10 Lisgar Ave – A1.1 - A2.3
- Appendix C - Order of Magnitude Budget Estimate – A1.1 - A2.3
- Appendix D - Order of Magnitude Budget Estimate – Option 2A (Oct. 2023)
- Appendix E - Order of Magnitude Budget Estimate – New Build
- Appendix F - 10 Lisgar – Existing Topo





















**PRELIMINARY ORDER OF MAGNITUDE CONSTRUCTION COST**

<b>Area of Demolition</b>	<b>18,794 sf</b>			
<b>Area of Renovation</b>	<b>7,093 sf</b>			
<b>Area of Addition</b>	<b>19,200 sf</b>			
<b>Total Construction Area</b>	<b>26,293 sf</b>			
• Division 2-Demo	18,794 sf	@ \$ 50.00 /sf		\$ 939,700.00
• Division 2-Site Work	<b>SUM</b>			\$ 550,000.00
• Division 3-Concrete	26,293 sf	@ \$ 50.00 /sf		\$ 1,314,650.00
• Division 4-Masonry	26,293 sf	@ \$ 25.00 /sf		\$ 657,325.00
• Division 5-Metals	19,200 sf	@ \$ 55.00 /sf		\$ 1,056,000.00
• Division 6-Carpentry	26,293 sf	@ \$ 10.00 /sf		\$ 262,930.00
• Division 7-Building Envelope	26,293 sf	@ \$ 130.00 /sf		\$ 3,418,090.00
• Division 8-Doors/Hardware	26,293 sf	@ \$ 25.00 /sf		\$ 657,325.00
• Division 9-Drywall/Flooring/Finishes	26,293 sf	@ \$ 50.00 /sf		\$ 1,314,650.00
• Division 10-Specialties	26,293 sf	@ \$ 3.00 /sf		\$ 78,879.00
• Division 11-Equipment (IT/AV/Sec.)	26,293 sf	@ \$ 25.00 /sf		\$ 657,325.00
• Division 12-Furnishings (Fittings & FF&E)	26,293 sf	@ \$ 30.00 /sf		\$ 788,000.00
• Division 13-Abatement				
• Division 14-Elevator (Incl. Pit, Elec/Mech)	<b>SUM</b>			\$ 250,000.00
• Plumbing	26,293 sf	@ \$ 20.00 /sf		\$ 525,860.00
• HVAC	26,293 sf	@ \$ 50.00 /sf		\$ 1,314,650.00
• Electrical	26,293 sf	@ \$ 45.00 /sf		\$ 1,183,185.00
• Cash Allowances (Testing, etc)	<b>SUM</b>			\$ 50,000.00
• Other Allowances				
<b>Subtotal</b>	26,293 sf	@ \$ 571 /sf		<b>\$15,018,000.00</b>
• Contractor's Gen Requirements & Fees @ 13%				\$ 1,953,000.00
<b>Subtotal</b>	26,293 sf	@ \$ 645 /sf		<b>\$ 16,971,000.00</b>
• Construction Contingency Allowance @ 15%				\$ 2,546,000.00
<b>Total Construction</b>	26,293 sf	@ \$ 742 /sf		<b>\$ 19,517,000.00</b>
• Temporary Relocation Allowance				\$ 500,000.00
<b>Total</b>				<b>\$ 20,017,000.00</b>

- NOT INCLUDED IN COST ESTIMATE: soft costs, applicable taxes, permit fees, speciality consultant fees, specialty equip., solar, geothermal, etc. and anything else not specifically included. Presumes existing hydro, water and swerage service is adequate and existing parking area can be reused.

- See "General Notes" at the end of this order of magnitude costing report

**PRELIMINARY ORDER OF MAGNITUDE CONSTRUCTION COST**

\* This preliminary order of magnitude construction cost includes only those costs directly related to construction activities (i.e. General Contractor contract value), and does not include soft costs or project costs such as permit fees, consultant fees, etc.

**PRELIMINARY ORDER OF MAGNITUDE CONSTRUCTION COST**

<b>Area of Demolition (Major &amp; Selective)</b>	<b>18,700</b> sf			
<b>Area of Renovation</b>	<b>8,331</b> sf			
<b>Area of Addition</b>	<b>16,584</b> sf			
<b>Total Construction Area</b>	<b>24,915</b> sf			
• Division 2-Demo (Selective & Major)	<b>18,700</b> sf	@ \$	30.00 /sf	\$ 561,000.00
• Division 2-Site Work	<b>SUM</b>			\$ 700,000.00
• Division 3-Concrete	<b>16,584</b> sf	@ \$	50.00 /sf	\$ 829,200.00
• Division 4-Masonry	<b>24,915</b> sf	@ \$	25.00 /sf	\$ 622,875.00
• Division 5-Metals	<b>16,584</b> sf	@ \$	55.00 /sf	\$ 912,120.00
• Division 6-Carpentry	<b>24,915</b> sf	@ \$	10.00 /sf	\$ 249,150.00
• Division 7-Building Envelope	<b>16,584</b> sf	@ \$	120.00 /sf	\$ 1,990,080.00
• Division 8-Doors/Hardware	<b>24,915</b> sf	@ \$	25.00 /sf	\$ 622,875.00
• Division 9-Drywall/Flooring/Finishes	<b>24,915</b> sf	@ \$	50.00 /sf	\$ 1,245,750.00
• Division 10-Specialties	<b>24,915</b> sf	@ \$	3.00 /sf	\$ 74,745.00
• Division 11-Equipment (IT/AV/Sec.)	<b>24,915</b> sf	@ \$	25.00 /sf	\$ 622,875.00
• Division 12-Furnishings (Fittings & FF&E)	<b>24,915</b> sf	@ \$	30.00 /sf	\$ 747,000.00
• Division 13-Abatement				
• Division 14-Elevator (Incl. Pit, Elec/Mech)	<b>SUM</b>			\$ 250,000.00
• Plumbing	<b>24,915</b> sf	@ \$	20.00 /sf	\$ 498,300.00
• HVAC	<b>24,915</b> sf	@ \$	50.00 /sf	\$ 1,245,750.00
• Electrical	<b>24,915</b> sf	@ \$	45.00 /sf	\$ 1,121,175.00
• Cash Allowances (Testing, etc)	<b>SUM</b>			\$ 50,000.00
• Partial roof structural restrengthening allowance (additional snow load)	<b>SUM</b>			\$ 250,000.00
<b>Subtotal</b>	<b>24,915</b> sf	@ \$	<b>505 /sf</b>	<b>\$12,592,000.00</b>
• Contractor's Gen Requirements & Fees @ 13%				\$ 1,637,000.00
<b>Subtotal</b>	<b>24,915</b> sf	@ \$	<b>571 /sf</b>	<b>\$ 14,229,000.00</b>
• Construction Contingency Allowance @ 15%				\$ 2,134,000.00
<b>Total Construction</b>	<b>24,915</b> sf	@ \$	<b>657 /sf</b>	<b>\$ 16,363,000.00</b>
• Temporary Relocation Allowance				\$ 500,000.00
<b>Total</b>				<b>\$ 16,863,000.00</b>

- NOT INCLUDED IN COST ESTIMATE: soft costs, applicable taxes, permit fees, speciality consultant fees, speciality equip., solar, geothermal, etc. and anything else not specifically included. Presumes existing hydro, water and swerage service is adequate and existing parking area can be reused.

- See "General Notes" at the end of this order of magnitude costing report



**PRELIMINARY ORDER OF MAGNITUDE CONSTRUCTION COST**

\* This preliminary order of magnitude construction cost includes only those costs directly related to construction activities (i.e. General Contractor contract value), and does not include soft costs or project costs such as permit fees, consultant fees, etc.

**PRELIMINARY ORDER OF MAGNITUDE CONSTRUCTION COST**

<b>Area of Demolition</b>	<b>18,794 sf</b>			
<b>Area of new Construction</b>	<b>23,351 sf</b>			
<b>Total Construction Area</b>	<b>23,351 sf</b>			
• Division 2-Demo	18,794 sf	@ \$ 20.00 /sf		\$ 375,880.00
• Division 2-Site Work	<b>SUM</b>			\$ 550,000.00
• Division 3-Concrete	23,351 sf	@ \$ 50.00 /sf		\$ 1,167,550.00
• Basement	9,500 sf	@ \$ 150.00 /sf		\$ 1,425,000.00
• Division 4-Masonry	23,351 sf	@ \$ 10.00 /sf		\$ 233,510.00
• Division 5-Metals	23,351 sf	@ \$ 55.00 /sf		\$ 1,284,305.00
• Division 6-Carpentry	23,351 sf	@ \$ 10.00 /sf		\$ 233,510.00
• Division 7-Building Envelope	23,351 sf	@ \$ 120.00 /sf		\$ 2,802,120.00
• Division 8-Doors/Hardware	23,351 sf	@ \$ 25.00 /sf		\$ 583,775.00
• Division 9-Drywall/Flooring/Finishes	23,351 sf	@ \$ 50.00 /sf		\$ 1,167,550.00
• Division 10-Specialties	23,351 sf	@ \$ 3.00 /sf		\$ 70,053.00
• Division 11-Equipment (IT/AV/Sec.)	23,351 sf	@ \$ 25.00 /sf		\$ 583,775.00
• Division 12-Furnishings (Fittings & FF&E)	23,351 sf	@ \$ 30.00 /sf		\$ 700,000.00
• Division 13-Abatement				
• Division 14-Elevator (Incl. Pit, Elec/Mech)	<b>SUM</b>			\$ 250,000.00
• Plumbing	23,351 sf	@ \$ 20.00 /sf		\$ 467,020.00
• HVAC	23,351 sf	@ \$ 50.00 /sf		\$ 1,167,550.00
• Electrical	23,351 sf	@ \$ 45.00 /sf		\$ 1,050,795.00
• Cash Allowances (Testing, etc)	<b>SUM</b>			\$ 50,000.00
• Other Allowances				
<b>Subtotal</b>	23,351 sf	@ \$ 606 /sf		<b>\$14,162,000.00</b>
• Contractor's Gen Requirements & Fees @ 13%				\$ 1,842,000.00
<b>Subtotal</b>	23,351 sf	@ \$ 685 /sf		<b>\$ 16,004,000.00</b>
• Construction Contingency Allowance @ 15%				\$ 2,401,000.00
<b>Total Construction</b>	23,351 sf	@ \$ 788 /sf		<b>\$ 18,405,000.00</b>
• Temporary Relocation Allowance				\$ 500,000.00
<b>Total</b>				<b>\$ 18,905,000.00</b>

- NOT INCLUDED IN COST ESTIMATE: soft costs, applicable taxes, permit fees, speciality consultant fees, specialty equip., solar, geothermal, etc. and anything else not specifically included. Presumes existing hydro, water and swerage service is adequate and existing parking area can be reused.

- See "General Notes" at the end of this order of magnitude costing report

**PRELIMINARY ORDER OF MAGNITUDE CONSTRUCTION COST**

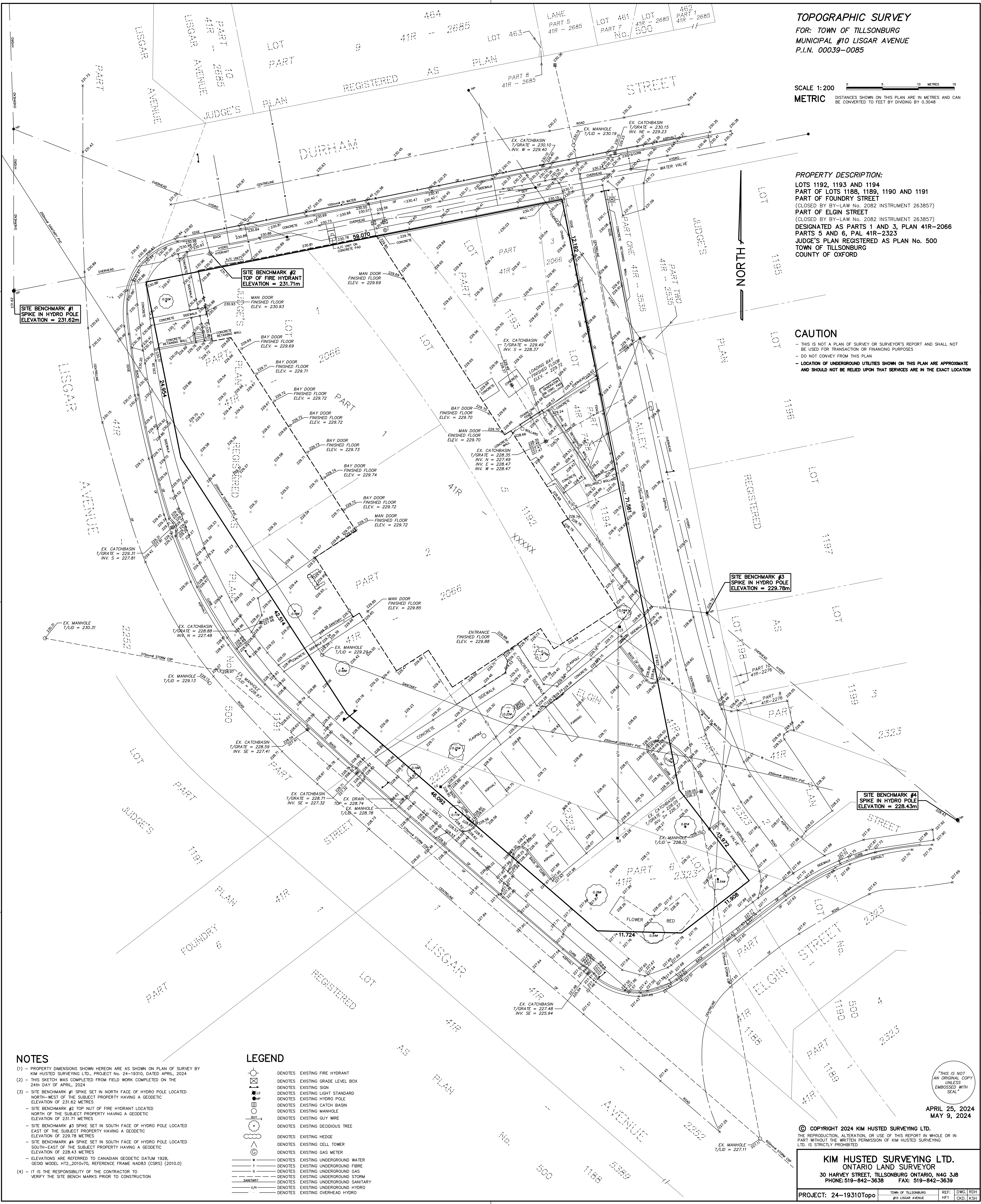
\* This preliminary order of magnitude construction cost includes only those costs directly related to construction activities (i.e. General Contractor contract value), and does not include soft costs or project costs such as permit fees, consultant fees, etc.

TOPOGRAPHIC SURVEY  
FOR: TOWN OF TILLSBURG  
MUNICIPAL #10 LISGAR AVENUE  
P.I.N. 00039-0085

SCALE 1:200  
METRIC DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

PROPERTY DESCRIPTION:  
LOTS 1192, 1193 AND 1194  
PART OF LOTS 1188, 1189, 1190 AND 1191  
PART OF FOUNDRY STREET  
(CLOSED BY BY-LAW No. 2082 INSTRUMENT 263857)  
PART OF ELGIN STREET  
(CLOSED BY BY-LAW No. 2082 INSTRUMENT 263857)  
DESIGNATED AS PARTS 1 AND 3, PLAN 41R-2066  
PARTS 5 AND 6, PAL 41R-2323  
JUDGE'S PLAN REGISTERED AS PLAN No. 500  
TOWN OF TILLSBURG  
COUNTY OF OXFORD

CAUTION  
- THIS IS NOT A PLAN OF SURVEY OR SURVEYOR'S REPORT AND SHALL NOT BE USED FOR TRANSACTION OR FINANCING PURPOSES  
- DO NOT CONVEY FROM THIS PLAN  
- LOCATION OF UNDERGROUND UTILITIES SHOWN ON THIS PLAN ARE APPROXIMATE AND SHOULD NOT BE RELIED UPON THAT SERVICES ARE IN THE EXACT LOCATION



SITE BENCHMARK #1  
SPIKE IN HYDRO POLE  
ELEVATION = 231.62m

SITE BENCHMARK #2  
TOP OF FIRE HYDRANT  
ELEVATION = 231.71m

SITE BENCHMARK #3  
SPIKE IN HYDRO POLE  
ELEVATION = 229.78m

SITE BENCHMARK #4  
SPIKE IN HYDRO POLE  
ELEVATION = 228.43m

- NOTES**
- (1) - PROPERTY DIMENSIONS SHOWN HEREON ARE AS SHOWN ON PLAN OF SURVEY BY KIM HUSTED SURVEYING LTD., PROJECT No. 24-19310, DATED APRIL, 2024
  - (2) - THIS SKETCH WAS COMPLETED FROM FIELD WORK COMPLETED ON THE 24th DAY OF APRIL, 2024
  - (3) - SITE BENCHMARK #1 SPIKE SET IN NORTH FACE OF HYDRO POLE LOCATED NORTH-WEST OF THE SUBJECT PROPERTY HAVING A GEODETIC ELEVATION OF 231.62 METRES
  - SITE BENCHMARK #2 TOP NUT OF FIRE HYDRANT LOCATED NORTH OF THE SUBJECT PROPERTY HAVING A GEODETIC ELEVATION OF 231.71 METRES
  - SITE BENCHMARK #3 SPIKE SET IN SOUTH FACE OF HYDRO POLE LOCATED EAST OF THE SUBJECT PROPERTY HAVING A GEODETIC ELEVATION OF 229.78 METRES
  - SITE BENCHMARK #4 SPIKE SET IN SOUTH FACE OF HYDRO POLE LOCATED SOUTH-EAST OF THE SUBJECT PROPERTY HAVING A GEODETIC ELEVATION OF 228.43 METRES
  - ELEVATIONS ARE REFERRED TO CANADIAN GEODETIC DATUM 1928, GEOID MODEL HT2\_2010v70, REFERENCE FRAME NAD83 (CSRS) (2010.0)
  - (4) - IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE SITE BENCH MARKS PRIOR TO CONSTRUCTION

- LEGEND**
- DENOTES EXISTING FIRE HYDRANT
  - DENOTES EXISTING GRADE LEVEL BOX
  - DENOTES EXISTING SIGN
  - DENOTES EXISTING LIGHT STANDARD
  - DENOTES EXISTING HYDRO POLE
  - DENOTES EXISTING CATCH BASIN
  - DENOTES EXISTING MANHOLE
  - DENOTES EXISTING GUY WIRE
  - DENOTES EXISTING DECIDUOUS TREE
  - DENOTES EXISTING HEDGE
  - DENOTES EXISTING CELL TOWER
  - DENOTES EXISTING GAS METER
  - w- DENOTES EXISTING UNDERGROUND WATER
  - f- DENOTES EXISTING UNDERGROUND FIBRE
  - g- DENOTES EXISTING UNDERGROUND GAS
  - o- DENOTES EXISTING UNDERGROUND OIL
  - s- DENOTES EXISTING UNDERGROUND STORM
  - san- DENOTES EXISTING UNDERGROUND SANITARY
  - u/h- DENOTES EXISTING UNDERGROUND HYDRO
  - o/h- DENOTES EXISTING OVERHEAD HYDRO

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APRIL 25, 2024  
MAY 9, 2024

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PROJECT: 24-19310Topo TOWN OF TILLSBURG #10 LISGAR AVENUE REF: DWG: RDH HFI 101 KSH

**Subject: RCP Social Media Update****Report Number:** RCP 24-030

Department: Recreation, Culture and Parks Department

Submitted by: Andrea Greenway, Acting Director of Recreation, Culture &amp; Parks

Meeting Type: Council Meeting

Meeting Date: Monday, July 8, 2024

**RECOMMENDATION**

- A. THAT report RCP 24-030 titled "RCP Social Media Update" be received as information; and
- B. THAT staff within the Communications branch of Corporate Services assume responsibility of digital channels including monitoring all social media activities and accounts in line with corporate branding and the centralized communications strategies as outlined in Report RCP-24-030.

**BACKGROUND**

At the September 7, 2023 Recreation and Sports Advisory Committee meeting the following resolution was passed:

*THAT the Recreation & Sports Advisory committee recommend that Council implement Option 2 as outlined in the report.*

**Option 2:**

Create a separate social media page for the Recreation, Culture & Parks department. This page would be managed by the RCP management team with staff appointed as moderators. The page would encompass the sharing of all Recreation, Culture and Parks information to the public. As a separate Facebook page for Annandale NHS already exists, this page would be amalgamated to create one Recreation, Culture & Parks page that disseminates all department information to the public.

Council considered the recommendation at the November 27, 2023 Council meeting and amended clause B to refer the report to the Museum, Culture, Heritage and Special Awards Committee for input:

**RCP 23-32 Recreation and Sports Advisory Committee****Report Resolution # 2023-558**

## RCP 24-030 RCP Social Media Update

*Moved By: Deputy Mayor Beres*

*Seconded By: Councillor Luciani*

*A. THAT report titled "Recreation & Sports Advisory Committee Report to Council" be received as information, and*

*B. THAT Council approves the recommendations of the Recreation and Sports Advisory Committee as follows:*

*A. THAT the Recreation & Sports Advisory Committee recommend that the communications/social media report be received by Council, and*

***B. THAT the Recreation & Sports Advisory committee recommendation that Council implement Option 2 as outlined in the report be referred to the Museum, Culture, Heritage and Special Awards Committee; and***

*C. THAT a subcommittee be created to review scoring matrix for the Hall of Fame nominations consisting of Andrew Gradish, Taylor Campbell, Chris Parker, Susie Wray and Scott Gooding.*

***Carried***

The Museum, Culture, Heritage and Special Awards Committee considered the matter at their January 17, 2024 meeting and forwarded a recommendation to the March 11 2024 Council meeting within report titled CS-24-017 Museum, Culture, Heritage and Special Awards Advisory Committee - Recommendation on Annandale House and Parks, Culture and Recreation Social Media. The following resolution was passed:

***Moved By: Councillor Spencer***

***Seconded By: Councillor Luciani***

*A. THAT report titled Recommendation on Annandale House and Parks, Culture and Recreation Facebook Pages be received as information; and*

*B. THAT Council approve the recommendation of the Museum, Culture, Heritage and Special Awards Advisory Committee as follows:  
THAT the Museum, Culture, Heritage and Special Awards Advisory Committee recommend that*

- 1. THAT the Museum, Culture, Heritage and Special Awards Committee recommend to Council that the Annandale National Historic Site*



## RCP 24-030 RCP Social Media Update

*maintain their own Facebook page and that the Committee supports the creation of a Parks and Recreation page.*

2. *AND THAT staff at the Annandale National Historic Site remain active and involved in the creation of content for their own page.*

**Resolution #2024-123**

***Moved By:***Councillor Parker

***Seconded By:***Councillor Spencer

*THAT item 11.1 be referred to the Director of RCP for a staff report.*

This staff report provides an update on social media for the RCP department.

**DISCUSSION**

Current RCP Staff discussed the two advisory committee recommendations and the current approach to social media with the Communications Officer and the Director of Corporate Services. Staff are in agreement that the responsibility for social media should fall under the Communications branch of Corporate Services as part of a centralized strategy.

This direction is consistent with the Communications Strategy approved by Council in 2021, and will ensure that the Town's social media channels are managed professionally, with consideration given to the Town's overall corporate objectives.

A new Communications Specialist is starting with the Town in July, 2024 to increase communications capacity and expertise in the organization. This position will support the digital needs of all departments, with an emphasis on content strategy and content creation. This position will also assist with analytics and performance tracking in support of departmental objectives, as well as those identified in the Community Strategic Plan.

The staff recommendation is to have the Communications Specialist review the existing social media accounts and make a strategy recommendation to Council after completing one year in the role. The RCP Department, like all others, will work closely with Communications staff to identify communication needs and priorities. Communications staff will develop a content strategy based on these needs to ensure departmental information reaches the community in a timely and effective manner.

There are minor exceptions to the total centralized approach which are important to note. Economic Development does and will remain to have certain digital channels as part of their Marketing initiatives. As part of a coverage plan for certain times of the year

## RCP 24-030 RCP Social Media Update

or weekends, there may be a need to have prepared messaging used by department staff to ensure timely posts to operational decisions (ex. Outdoor rink closure on a Sunday based on weather).

**CONSULTATION**

Director of Corporate Services, Communications Coordinator

**FINANCIAL IMPACT/FUNDING SOURCE**

There are no financial implications associated with this report.

**CORPORATE GOALS**

How does this report support the corporate goals identified in the Community Strategic Plan?

- Lifestyle and amenities
- Customer service, communication and engagement
- Business attraction, retention and expansion
- Community growth
- Connectivity and transportation
- Not Applicable

Does this report relate to a specific strategic direction or project identified in the Community Strategic Plan? Please indicate section number and/or any priority projects identified in the plan.

**Goal** – The Town of Tillsonburg will strive for excellence and accountability in government, providing effective and efficient services, information, and opportunities to shape municipal initiatives.

**Strategic Direction** – Increase opportunities and promotion for public engagement in municipal initiatives

**Priority Project** – N/A

**ATTACHMENTS**

RCP-24-008 – Recreation and Sports Advisory Committee Recommendation  
 CS-24-017 – Recommendation on Annandale House and Parks, Culture and Recreation Social Media  
 RCP-23-02 – RCP Communication





**Subject: Recreation & Sports Advisory Committee Recommendation**

**Report Number:** RCP 24-008

Department: Recreation, Culture and Parks Department

Submitted by: Andrea Greenway, Acting Director of Recreation, Culture and Parks

Meeting Type: Advisory Committee Meeting

Meeting Date: Wednesday, January 17, 2024

**RECOMMENDATION**

- A. THAT report titled RCP 24-008 Recreation & Sports Advisory committee recommendation be received as information; and
- B. THAT feedback and any recommendations from the Museum, Culture, Heritage and Special Awards Committee on option 2 be provided to Council

**BACKGROUND**

At the November 27, 2023, meeting of Tillsonburg Town Council, the following resolution was passed with an amendment to Advisory Committee Clause B:

**RCP 23-32 Recreation and Sports Advisory Committee Report**

**Resolution # 2023-558**

**Moved By:** Deputy Mayor Beres

**Seconded By:** Councillor Luciani

*A. THAT report titled "Recreation & Sports Advisory Committee Report to Council" be received as information, and*

*B. THAT Council approves the recommendations of the Recreation and Sports Advisory Committee as follows:*

*A. THAT the Recreation & Sports Advisory Committee recommend that the communications/social media report be received by Council, and*

*B. THAT the Recreation & Sports Advisory committee recommendation that Council implement Option 2 as outlined in the report be referred to the Museum, Culture, Heritage and Special Awards Committee; and*

*C. THAT a subcommittee be created to review scoring matrix for the Hall of Fame nominations consisting of Andrew Gradish, Taylor Campbell, Chris Parker, Susie Wray and Scott Gooding.*

Choose an item. Click or tap here to enter text.

### ***Carried***

This report addresses part B of the resolution.

## **DISCUSSION**

The Recreation and Sports Advisory Committee expressed concerns with the Recreation department having the ability to provide information to the public in a timely manner. The Recreation, Culture and Parks department has a significant amount of information to share with the community. There are a number of projects to celebrate and opportunities to engage the community. The department relies heavily on revenue generation in order to meet budget projections and there is a need to market and promote recreation programs in a timely manner.

An analysis was completed and reported to the committee (attached) and the following resolution was passed at the September 7, 2023 Recreation and Sports Advisory Committee meeting:

*THAT the Recreation & Sports Advisory committee recommend that Council implement Option 2 as outlined in the report:*

### **Option 2:**

Create a separate social media page for the Recreation, Culture & Parks department. This page would be managed by the RCP management team with staff appointed as moderators. The page would encompass the sharing of all Recreation, Culture and Parks information to the public. As a separate Facebook page for Annandale NHS already exists, this page would be amalgamated to create one Recreation, Culture & Parks page that disseminates all department information to the public.

Council considered the recommendation at the November 27, 2023 Council meeting and asked that it be referred to the Museum, Culture, Heritage and Special Awards Committee for input.

## **CONSULTATION**

Recreation and Sports Advisory Committee, Town of Tillsonburg Council.

## **FINANCIAL IMPACT/FUNDING SOURCE**

N/A

Choose an item. Click or tap here to enter text.

## **CORPORATE GOALS**

How does this report support the corporate goals identified in the Community Strategic Plan?

- Lifestyle and amenities
- Customer service, communication and engagement
- Business attraction, retention and expansion
- Community growth
- Connectivity and transportation
- Not Applicable

Does this report relate to a specific strategic direction or project identified in the Community Strategic Plan? Please indicate section number and/or any priority projects identified in the plan.

**Goal** – The Town of Tillsonburg will strive for excellence and accountability in government, providing effective and efficient services, information, and opportunities to shape municipal initiatives.

**Strategic Direction** – Increase opportunities and promotion for public engagement in municipal initiatives; Engage community groups, including advisory committees and service organizations, in shaping municipal initiatives.

**Priority Project** – N/A

## **ATTACHMENTS**

Appendix 1 – RCP Communication Report

Appendix 2 - Recreation & Sports Advisory Committee Report to Council



**Subject:** Recommendation on Annandale House and Parks, Culture and Recreation Social Media

**Report Number:** CS 24-017

Committee Name: Museum, Culture, Heritage & Special Awards Advisory Committee

Submitted by: Hillary Miller, Records and Legislative Coordinator

Meeting Type: Council Meeting

Meeting Date: Monday, March 11, 2024

## RECOMMENDATION

- A. THAT report titled Recommendation on Annandale House and Parks, Culture and Recreation Facebook Pages be received as information; and
- B. THAT Council approve the recommendation of the Museum, Culture, Heritage and Special Awards Advisory Committee as follows:

*THAT the Museum, Culture, Heritage and Special Awards Advisory Committee recommend that*

*A. THAT the Museum, Culture, Heritage and Special Awards Committee recommend to Council that the Annandale National Historic Site maintain their own Facebook page and that the Committee supports the creation of a Parks and Recreation page.*

*B. AND THAT staff at the Annandale National Historic Site remain active and involved in the creation of content for their own page.*

## BACKGROUND

The Museum, Culture, Heritage and Special Awards Advisory Committee supports the recommendation to establish social media pages for the Recreation, Culture and Parks Department and the Annandale National Historic Site (NHS) that are independent of the Town of Tillsonburg's official Facebook page.

At their meeting on January 17, 2024, the following support resolution was passed:

### **7.1 Recreation and Sports Advisory committee recommendation - RCP24-008 Resolution # 6**

**Moved By:** Joan Weston

**Seconded By:** Rosemary Dean

- A. THAT report titled RCP 24-008 Recreation & Sports Advisory committee recommendation be received as information; and

## CS 24-017 Recommendation on Annandale House and Parks, Culture and Recreation Social Media

B. THAT feedback and any recommendations from the Museum, Culture, Heritage and Special Awards Committee recommend to Council that the Annandale National Historic Site maintain their own Facebook page and that the Committee supports the creation of a Parks and Recreation page.

C. AND THAT staff at the Annandale National Historic Site remain active and involved in the creation of content for their own page.

### **DISCUSSION**

A recommendation was brought to the November 27, 2023 meeting of Council to consider an independent social media page for both the Recreation, Culture and Parks Department and the Annandale NHS. Council recommended that it be referred to the Museum, Culture, Heritage and Special Advisory Awards Committee for their input:

#### **RCP 23-32 Recreation and Sports Advisory Committee Report**

##### **Resolution # 2023-558**

**Moved By:** Deputy Mayor Beres

**Seconded By:** Councillor Luciani

A. THAT report titled "Recreation & Sports Advisory Committee Report to Council" be received as information, and

B. THAT Council approves the recommendations of the Recreation and Sports Advisory Committee as follows:

A. THAT the Recreation & Sports Advisory Committee recommend that the communications/social media report be received by Council, and

B. THAT the Recreation & Sports Advisory committee recommendation that Council implement Option 2 as outlined in the report be referred to the Museum, Culture, Heritage and Special Awards Committee; and

C. THAT a subcommittee be created to review scoring matrix for the Hall of Fame nominations consisting of Andrew Gradish, Taylor Campbell, Chris Parker, Susie Wray and Scott Gooding.

At their meeting on January 17, 2024, the Museum, Culture, Heritage and Special Awards Advisory Committee received three reports regarding the recommendation for independent social media pages. The Committee supported the recommendation from the Recreation and Sports Advisory Committee to have two separate social media pages; one for the Recreation, Culture and Parks Department and one for the

## CS 24-017 Recommendation on Annandale House and Parks, Culture and Recreation Social Media

Annandale NHS. The Committee supported Option 2 as presented by the Recreation and Sports Advisory Committee:

### **Option 2:**

Create a social media page for the Recreation, Culture & Parks (RCP) department. This page would be managed by the RCP management team with staff appointed as moderators. The page would encompass the sharing of all Recreation, Culture and Parks information to the public. As a separate Facebook page for Annandale NHS already exists, this page would be amalgamated to create one Recreation, Culture & Parks page that disseminates all department information to the public.

## **CONSULTATION**

Andrea Greenway – Interim Director of Recreation, Culture and Parks

## **FINANCIAL IMPACT/FUNDING SOURCE**

There would be costs in the staff time to create and maintain the pages, training staff on social media etiquette, content creation, rules on content subject to privacy legislation, forum moderation, etc. Costs dependent on number of staff involved and if training is provided externally.

## **CORPORATE GOALS**

- Lifestyle and amenities
- Customer service, communication and engagement
- Business attraction, retention and expansion
- Community growth
- Connectivity and transportation
- Not Applicable

**Goal** – The Town of Tillsonburg will strive for excellence and accountability in government, providing effective and efficient services, information, and opportunities to shape municipal initiatives.

**Strategic Direction** – Increase opportunities and promotion for public engagement in municipal initiatives; Engage community groups, including advisory committees and service organizations, in shaping municipal initiatives.

**Priority Project** – N/A

CS 24-017 Recommendation on Annandale House and Parks, Culture and Recreation  
Social Media

**ATTACHMENTS**

Appendix A – RCP 24-008 Recreation and Sports Advisory Committee  
Recommendation

Appendix B – RCP 23-32 Recreation and Sports Advisory Committee Report

Appendix C – RCP Communication

**Subject: RCP Communication****Report Number:** RCP 23-02

Department: Recreation, Culture and Parks Department

Submitted by: Andrea Greenway, Recreation Programs &amp; Services Manager

Meeting Type: Advisory Committee Meeting

Meeting Date: Thursday, September 7, 2023

**RECOMMENDATION**

- A. THAT report titled RCP 23-02 Communication be received as information; and
- B. THAT The Recreation and Sports Advisory Committee recommend Option 2 to Council for consideration.

**BACKGROUND**

At the July 6 Recreation & Sports Advisory Committee meeting the following resolution was passed:

Resolution #2

Moved by: Deb Gilvesy

Seconded by: Taylor Campbell

THAT the Recreation & Sports Advisory committee requests back a staff report on ways to increase communication to the public from the Recreation, Culture and Parks department when it comes to programming, events and facilities.

And opportunities to further collaborate with user groups to improve partnerships and communication when it comes to successes of local organizations/teams and the promotion of events being held in Tillsonburg.

**Carried**

Options for increased communication are provided in this report.

**DISCUSSION**

The Town of Tillsonburg has one Facebook page that provides information on all corporate initiatives with the exception of Annandale NHS. The Recreation department



Choose an item. Click or tap here to enter text.

has an Instagram page, however the target audience of Facebook is who we are typically trying to reach (ie: parents who sign their children up for programs). The committee has expressed concerns with the Recreation department having the ability to provide information to the public in a timely manner.

The Manager of Recreation Programs & Services completed a review of how neighboring municipalities manage social media. Below are the comparators:

<b>Municipality/Organization</b>	<b>Department Responsibility</b>	<b>Municipal Recreation Page</b>	<b>Municipal Corporate Page</b>	<b>Notes</b>
City of Woodstock	Corporate Communications	no	yes	Recreation information is posted on the corporate social media page by the recreation team. There is a posting calendar provided by the communications team. Recreation staff have access to post if communications staff are unavailable. Approach is to “schedule and automate” what is known in advance and work around those (or adjust if needed) for the “responsive or urgent” needs.

Choose an item. Click or tap here to enter text.

Norfolk County	Corporate Communications	yes	yes	Recreation information is posted on the recreation social media page by the corporate communications team. The recreation team provides content.
Town of Aylmer	Parks and Recreation	yes	yes	Recreation staff post on the recreation social media pages.
City of St. Thomas	Corporate Communications	no	yes	All posts are on the corporate page and posted by the communications team. Recreation staff provide content
Strathroy-Caradoc	Corporate Communications	No	yes	All posts are on the corporate page and posted by the communications team. Recently hired an additional staff member to focus on social media and this is working very well

Choose an item. Click or tap here to enter text.

City of London	Corporate Communications	yes	yes	Recreation information is posted on the recreation social media page by the corporate communications team. The recreation team provides content.
Town of Ingersoll	Community Services	yes	yes	Recreation staff post on the recreation social media pages. Staff post during working hours only, no expectation to post after hours
Municipality of Thames Centre	Corporate Communications	no	yes	Recreation staff provide posts including graphics, posts are forwarded to the communications team and posted when they are able

In reviewing how neighboring municipalities organize their social media, it was evenly split between having a separate recreation page for disseminating information and having a corporate page that encompasses all departments.

A review was also completed on social media policies for 9 municipalities. The municipalities included (note: not all of the comparators above have social media policies):

- Township of Zorra

Choose an item. Click or tap here to enter text.

- City of London
- County of Wellington
- Middlesex Centre
- North Perth
- Thames Centre
- Haldimand County
- Norfolk County
- Strathroy-Caradoc

Each municipality has a different staffing structure, but in all policies there are clearly defined staff roles, including management oversight of social media, social media moderators and staff who monitor social media. The management of social media is the responsibility of the communications or administration department while the moderators are appointed by managers and supervisors to produce content and post information on behalf of the municipality. All staff are responsible for following the corporate social media policy.

Based on the review, the committee is presented with the following options to increase communication for the Recreation, Culture and Parks Department:

**Option 1:**

Maintain 1 corporate social media page managed by corporate communications and appoint social media moderators in each department that are responsible for creating content and posting to social media. This is currently happening informally on a trial basis for the RCP department.

**Option 2:**

Create a separate social media page for the Recreation, Culture & Parks department. This page would be managed by the RCP management team with staff appointed as moderators. The page would encompass the sharing of all Recreation, Culture and Parks information to the public. As separate Facebook page for Annandale NHS already exists, this page would be amalgamated to create one Recreation, Culture & Parks page that disseminates all department information to the public.

The Recreation, Culture and Parks department has a significant amount of information to share with the community. There are a number of projects to celebrate and opportunities to engage the community. The department relies heavily on revenue generation in order to meet budget projections and there is a need to market and promote recreation programs in a timely manner. In the Community Recreation Survey that took place in June, 2022, when asked how residents learn about recreation

Choose an item. Click or tap here to enter text.

opportunities in Tillsonburg, social media was the top response with just over 50% of residents receiving their information in this manner. This provides an excellent opportunity for RCP to increase communications through social media. Based on these factors, RCP staff recommend option 2 above.

It is also recommended that the Town develop social media guidelines for departments to follow in order to ensure corporate standards are met. Staff will need to be assigned and trained on the social media guidelines for quality assurance.

## CONSULTATION

RCP Director, Managers and staff, neighboring municipalities noted above, Director of Corporate Services

## FINANCIAL IMPACT/FUNDING SOURCE

N/A

## CORPORATE GOALS

How does this report support the corporate goals identified in the Community Strategic Plan?

- Lifestyle and amenities
- Customer service, communication and engagement
- Business attraction, retention and expansion
- Community growth
- Connectivity and transportation
- Not Applicable

Does this report relate to a specific strategic direction or project identified in the Community Strategic Plan? Please indicate section number and/or any priority projects identified in the plan.

**Goal** – The Town of Tillsonburg will strive for excellence and accountability in government, providing effective and efficient services, information, and opportunities to shape municipal initiatives.

**Strategic Direction** – Increase opportunities and promotion for public engagement in municipal initiatives.

Choose an item. Click or tap here to enter text.

**Priority Project** – N/A

**ATTACHMENTS**

N/A

**Subject: Updated Parks and Recreation Areas By-Law****Report Number:** RCP 24-033

Department: Recreation, Culture and Parks Department

Submitted by: Andrea Greenway, Acting Director of Recreation, Culture and Parks

Meeting Type: Council Meeting

Meeting Date: Monday, July 8, 2024

**RECOMMENDATION**

- A. THAT report RCP 24-033 titled “Updated Parks and Recreation Areas By-Law” be received as information; and
- B. THAT the Parks Use By-law be approved; and
- C. THAT a By-Law to enact the Parks and Recreation Areas By-Law, as attached, be presented to Council for consideration.

**BACKGROUND**

The Draft Parks and Recreation Areas By-Law was presented to Council on June 24, 2024, and was referred back to staff for revision of the section related to “Hiking Trails” and “Trails” definitions.

**DISCUSSION**

The requested update was edited by By-Law staff and reviewed by the Parks, Beautification & Cemeteries Committee at their scheduled meeting on June 25<sup>th</sup>. Additionally, the Building & By-Law Enforcement staff consulted the Ministry of the Attorney General’s Office regarding the fines related to the enforcement of the By-Law, which have been reviewed and approved.

The updated By-Law is attached for Council review and approval.

**CONSULTATION**

This report was prepared in consultation with the By-Law Staff and the Parks, Recreation & Cemeteries Advisory Committee.

**FINANCIAL IMPACT/FUNDING SOURCE**

This report does not have financial impact.

Choose an item. Click or tap here to enter text. Report Title

### **CORPORATE GOALS**

- Lifestyle and amenities
- Customer service, communication and engagement
- Business attraction, retention and expansion
- Community growth
- Connectivity and transportation
- Not Applicable

Does this report relate to a specific strategic direction or project identified in the Community Strategic Plan? Please indicate section number and/or any priority projects identified in the plan.

**Goal** – N/A

**Strategic Direction** – N/A

**Priority Project** – N/A

### **ATTACHMENTS**

Appendix A – Updated Parks and Recreation Areas By-Law



**THE CORPORATION OF THE TOWN OF TILLSONBURG****BY-LAW 2024-XXX**

**A BY-LAW for the use, protection and regulation of public parks and recreation areas in the Town of Tillsonburg.**

**WHEREAS** Section 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, (“Municipal Act”) provides that a municipality may pass by-laws respecting matters within the sphere of jurisdiction of culture, parks, recreation and heritage;

**AND WHEREAS** Sections 23.1, 23.2, 23.3 and 23.5 of the *Municipal Act, 2001*, S.O. 2001, c.25 authorize a municipality to delegate certain powers and duties;

**AND WHEREAS** Section 128 of the *Municipal Act, 2001* provides that a Municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances, and it is the opinion of Council that smoking, loitering, causing graffiti, being under the influence of alcohol/ Illicit drugs, and depositing Refuse are a nuisance;

**AND WHEREAS** Section 391 of the *Municipal Act, 2001* provides that a Municipality may impose fees or charges on any class of Persons for services or activities provided or done by or on behalf of it, and which by-law may provide for interest charges and other penalties, including the payment of collection costs, for fees and charges that are due and unpaid;

**AND WHEREAS** Section 425 of the *Municipal Act*, provides that a municipality may pass by-laws providing that a Person who contravenes a by-law of the municipality passed under this Act is guilty of an offence;

**AND WHEREAS** Section 426 of the *Municipal Act*, provides that no Person shall hinder or obstruct, or attempt to hinder or obstruct, any Person who is exercising a power or performing a duty under the *Municipal Act* or under a by-law passed under the *Municipal Act*;

**AND WHEREAS** the Municipality may enact by-law provisions that (without limitation) impose fines, allow powers of entry, authorize orders to achieve compliance or discontinue contraventions, authorize inspections, authorize remedial work and provide for the collection of remediation costs, pursuant to Part XIV of the *Municipal Act*, including Sections 429,435 - 438, 441.1 and 444 - 446;

**AND WHEREAS** Section 35 of the *Liquor Licence Act*, R.S.O. 1990 c. L-19, as amended, provides that the Council of a municipality may by by-law designate a recreational area within the municipality that is owned or Controlled by the municipality as a place where the possession of Liquor is prohibited;

**AND WHEREAS** Section 55 of the Community Safety and Policing Act, S.O. 2019, c 1, Sch 1, as amended, municipalities may appoint persons to enforce the by-laws of the municipality, and municipal by-law enforcement officer appointed under this section are peace officers for the purpose of enforcing municipal by-laws;

**AND WHEREAS** Section 61 of the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended, provides that except where otherwise provided by law, every Person who is convicted of an offence under a municipal by-law is liable to a fine of not more than \$5,000;

**AND WHEREAS** Section 2 of the *Trespass to Property Act*, R.S.O. 1990, c. T.21, provides that every Person who engages in an activity on a premise when the activity is prohibited or does not leave the premise immediately after he or she is directed to do so by the occupier of the premise or a Person authorized by the occupier may be found guilty of an offence and liable to a fine of not more than \$10,000;

**AND WHEREAS** the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c.4, Section 7(1)1(a)(b), as amended, provides that a Council of a municipality may pass by-laws regulating fire prevention, including the prevention of the spreading of fires, and regulating the setting of open air fires, including the establishment of times during which open air fires may or may not be set;

**AND WHEREAS** all Parks and Recreation Areas under the authority of the Town of Tillsonburg are for the use, benefit, and enjoyment of the public;

**AND WHEREAS** the Council of the Town of Tillsonburg deems it desirable to pass a by-law to provide for the use, protection and regulation of public *Parks and Recreation Areas* in the Town of Tillsonburg;

**BE IT THEREFORE ENACTED** by the Council of the Corporation Town of Tillsonburg as follows:

## SHORT TITLE PARKS AND RECREATION AREA BY-LAW

### PART 1 INTERPRETATION

#### 1 Definitions in this by-law:

**“Aircraft”** shall mean any fixed-wing Aircraft, helicopter, hot air balloon, hang glider, ultralight Aircraft or similar conveyance.

**“Authorized Sign”** means any signage, notice, or other device which has been placed or erected in or upon a Park under the authority of this or other by-laws for the purpose

of the general management, identification, control and regulation of activities within a Park.

**"Authorized Parking Area"** means an area of a Park or *Recreation Area* that has been *Designated*, set aside, or established by the Town for the parking of *Motor Vehicles*, and may have Posted regulations with respect to the use of the Designated Authorized Parking Area.

**"Barbeque"** means a portable or fixed device, whether powered by coal, wood, propane or other fuel, or electricity, including a hibachi, a permanent structure designed and intended solely for the cooking of food in the open air.

**"Bicycle"** includes a unicycle and a tricycle but does not include a *Power-Assisted Bicycle* or motor assisted cycle of any type.

**"Bulk Feed"** means the depositing of a quantity of food greater than 250 ml for the purpose or intention of feeding wildlife, including, but not limited to, deer, geese, ducks, squirrels and/or groundhogs.

**"Change Room"** means any permanent or temporary structure or portion of a structure designed by the Town to accommodate Persons for the purpose of changing their clothing. A *Change Room* may or may not include *Washroom* facilities.

**"Control"** includes and refers to care and custody.

**"Commercial Motor Vehicle"** means a Motor Vehicle having attached thereto a truck or delivery body and includes ambulances, hearses, tow-trucks, motor buses, fire trucks and apparatus, motorized construction equipment, motorized farm Vehicles or equipment (including farm tractors), tractor trailers or any part thereof that are used for hauling purposes. For the purposes of this by-law shall also include transport trailers.

**"Council"** means the elected Council of the Corporation of the Town of Tillsonburg.

**"Dangerous Dog"** mean a dog that in the absence of any mitigating factor has bitten or attacked a Person or domestic animal, or has behaved in a manner that poses a menace to the safety of a Person or other domestic animals. Dangerous Dog also means a dog, previously Designated as a potentially Dangerous Dog, that is kept or permitted to be kept by its owner in violation of the requirements for such dog. For the purposes of this by-law include a Pit Bull.

**"Designated"** means an area defined or constructed for a specific use by the Town and may include Posted conditions.

**"Director"** means the Director of Recreation, Culture and Parks or any employee acting under their direction, which may include contracted staff.

**“Dock”** means structures located on lands owned or under the Control of the Town used as a Dock, wharf, pier or boat launching or recovery area together with all adjacent and underlying lands related thereto.

**“Dog Toys”** include but are not limited to balls, squeeze toys, plastic Dog Toys, Frisbees, ropes, rawhide chews, bones etc.

**“Domesticated Animal”** includes but is not limited to dog, cat, pony, horse, goat, or any other animal which is owned as a pet.

**“Electronic Cigarette”** means a vaporizer or inhalant-type device, whether called an Electronic Cigarette or any other name, that contains a power source and heating element designed to heat a substance and produce a vapour intended to be inhaled by the user of the device directly through the mouth, whether or not the vapour contains nicotine;

**“Environmental Protected Area”** means those areas delineated as an *Environment Protection Area* on a Map Schedule of the Official Plan for the *Town* as may be amended from time-to-time, and which are under the Control or management or joint management of the Town.

**“Firearm”** means any barreled Weapon from which any shot, bullet or other missile can be discharged and that is capable of causing serious bodily injury or death to a Person or animal, and includes any frame or receiver of such a barreled Weapon and anything that can be adapted for use as a Firearm. It includes a device that propels a projectile by means of any explosion, compressed gas or spring and includes, without limitation, a rifle, handgun or spring gun, crossbow, longbow, air or pellet rifle.

**“Fireworks”** means devices containing combustible chemicals that cause explosions or spectacular effects.

**“Hiking Trail”** means that part of a *Park* that has been marked, posted or blazed for the purpose of hiking, cross-country skiing or running by the public and is not pavement or concrete and on which the *Motor Vehicles*, *Motorized Snow Vehicles* or *Off-Road Vehicles* are prohibited. Note that *Hiking Trails* may or may not be accessible to motorized wheelchairs depending on topographic restrictions.

**“Illicit Drugs”** shall mean Controlled substances as specified in the Controlled Drug and Substances Act. S.C. 1996, c. 19.

**“Inline Skating”** shall mean a shoe with a line of rollers fixed to the sole.

**“Liquor”** shall have the same meaning as defined in the *Liquor Licence Act*, R.S.O. 1990, c. L-19, as amended.

**“Lived Gender Identity”** means the gender a person feels internally (“gender identity” along the gender spectrum) and expresses publicly (“gender expression”) in their daily

life including at work, while shopping or accessing other services, in their housing environment or in the broader community.

**“Motorized Snow Vehicle”** means a self-propelled Vehicle designed to be driven primarily on snow, including but not limited to snowmobiles.

**"Motor Vehicle"** has the meaning attributed to it in the *Highway Traffic Act*, R.S.O. 1990, c. H.8, as amended.

**“Municipality”** shall have the same meaning as Town.

**"Multi-use Pathway"** means that part of a *Park* on Town property that has been improved with a hard surface and includes any bridge or structure with which it is contiguous and is intended for a variety of uses, including: pedestrians, Inline Skating, Bicycling, Power-Assisted Bicycle and Vehicles, and may exclude some Vehicles, including but not limited to *Motor Vehicles*, *Off-Road Vehicles*, horses and horse-drawn carriages or other conveyances of any sort and *Motorized Snow Vehicles*.

**"Open Space"** means an area which may be an entire *Park* or part of a *Park*, preserved in its natural or near natural state or an area created to remain thereafter in a natural state as Open Space and available for use by the public. Open Space is delineated on a Map and/or Schedule of the Official Plan for the Town as may be amended from time-to-time, and which is under the Control or management or joint management of the Town.

**“Officer”** means a Police Officer, Conservation Officer, Peace Officer, Animal Control Officer or By-law Enforcement Officer appointed by the Council of the *Town*.

**“Off-Road Vehicle”** has the meaning attributed to it in the *Off-Road Vehicle Act*, R.S.O. 1990, c. O.4, as amended. In addition, for the purposes of this by-law, shall include motorbikes, four-wheelers, ATVs, trikes, and Argos.

**"Park"** means land and land covered by water and all portions thereof under the *Control* or management or joint management of the *Town*, that is or may be established, dedicated, set apart, or made available for public use, including but not limited to *Open Space* and an *Environmental Protected Area* as defined in this by-law, including but not limited to any buildings, structures, facilities, storm water management ponds, erections and improvements located in or on such land.

**"Parks Permit"** shall mean a document issued by the Town to a sports group, organization, or individual and spectators associated with an event to use a Recreation Area on a specific day commencing and ending at a certain time and shall include a license or rental agreement.

**“Person”** includes an individual, a sole proprietorship, a partnership, an unincorporated association, a trust, a body corporate and a natural Person.

**“Pit Bull”** means the breed of dog, which includes:

- (a) a Pit Bull Terrier,
- (b) a Staffordshire Bull Terrier,
- (c) an American Staffordshire Terrier,
- (d) an American Pit Bull Terrier, or
- (e) a member of a class of dogs that have the appearance and physical characteristics that are substantially similar to dogs referred to in (a) through (d) above. In determining whether a dog is a Pit Bull regard may be had to the breed standards established, for dogs referred to in (a) through (d) above, by the Canadian Kennel Club, the United Kennel Club, the American Kennel Club or the American Dog Breeders Association.

**“Pleasure Craft”** shall mean kayaks, canoes, inflatable boats, rowboats, cibles, and paddle boats.

**“Post, Posting or Posted”** refers to the erection or presence of Authorized Signs and **“Posted Area”** means an area where Authorized Signs are erected or displayed.

**“Power-Assisted Bicycle”** has the meaning attributed to it in the *Highway Traffic Act*, R.S.O. 1990, c. H.8, as amended, and is commonly referred to as an electric *Bicycle* or e-bike, and for greater certainty, has affixed to it pedals that are operable, and for greater certainty an e-bike and an e-scooter are defined as follows:

- “e-bike” shall mean a “Power-Assisted Bicycle” that has the appearance of a *Bicycle*;
- “e-scooter” shall mean a “Power-Assisted Bicycle” that has the appearance of a scooter;

**“Public Meeting or Gathering”** means a picnic, organized gathering or organized event of more than twenty-five (25) Persons.

**“Refuse”** means any article, or thing that appears to be waste material and is discarded as waste including but not limited to the following classes of waste material:

- (a) grass clippings, tree cuttings, brush, leaves and garden *Refuse*;
- (b) paper, cardboard, clothing;
- (c) all kitchen and table waste, of animal or vegetable origin resulting from the preparation or consumption of food, except any acceptable material placed in a container;
- (d) cans, glass, plastic containers, dishes;
- (e) new or used material resulting from or for the purpose of construction, alteration, repair or demolition of any building or structure;
- (f) refrigerators, freezers, stoves or other appliances and furniture;
- (g) furnaces, furnace parts, pipes, fittings to pipes, water or fuel tanks;
- (h) unlicensed Motor Vehicle, inoperative Motor Vehicle, Vehicle parts and accessories, Vehicle tires mounted on rims or unmounted, mechanical equipment;

- (i) rubble, inert fill, fencing materials; and
- (j) other miscellaneous scrap metal, and shopping carts;
- (k) anything that appears to be worthless, abandoned, worn-out, of no practical value or unsightly.

**"Recreation Area"** means an area, building or combination of both, under the Control of the Town for the purpose of offering recreation to the public, and that is maintained and/or supervised by employees of the Town, including but not limited to: tennis courts, arena, outdoor ice rink, skating rink, ice surface, swimming pool, wading pool/spray pad, play area, community centre, skateboard facility, Sports Fields, dog park, squash court, pickle ball court, Lake Lisgar Waterpark, Senior Centre, health club, J.L Scott McLean Recreation Pad, Lake Lisgar, Community Gardens, park, a building or portion of a building that is owned, leased or used by the Town, for the purpose of offering recreation to the public.

**"Roadway"** means that part of a *Park* or *Recreation Area* that is improved, designed or ordinarily used by Vehicles and Motor Vehicles.

**"Run at Large"** means a Domesticated Animal found in any place other than the premises of the owner of the Domesticated Animal and that is not under the physical *Control* of any Person by means of a leash held by a Person in Control of the Domesticated Animal.

**"RZone"** means the RZone Policy.

**"Sexual Activity"** means any physical contact or exposure of a sexual nature involving genitalia, buttocks, or female breasts by one or more individuals.

**"Slurry"** is a mixture of denser solids suspended in liquid and not limited to the following:

- (a) slurry or other material from vacuum excavation (i.e., "vac trucks");
- (b) slurry from directional boring, drilling or other activities;
- (c) concrete slurry or related products and by-products;
- (d) excavated material from the cleanout of storm water management ponds;
- (e) fill that affects the Control of flooding, erosion, dynamic beaches, pollution or the conservation of land;

**"Smoke or Smoking"** includes the carrying of a lit cigar, cigarette, Electronic Cigarette, pipe, waterpipe or any other lighted smoking equipment or smoking product, but does not include smoke or smoking where smoke or smoking is used in a stage production of a theatrical performance;

**"Smoking Product"** means a tobacco or tobacco-like product whose primary purpose is to be burned or heated to produce vapours, gases or Smoke, which are inhaled, and shall include but is not limited to non-tobacco herbal shisha, and other plant material or oils intended for inhalation;

**“Sports Field”** means a special area, made of natural or artificial turf, within a Park within which a game is Designated to be played, including, but not limited to, soccer, or baseball;

**"Town"** means the Town of Tillsonburg.

**“Trail”** shall have the same meaning as Hiking Trail but not include a trail pass from the OFSC (Ontario Federation of Snowmobile Clubs);

**“Trained Service Animal”** includes a guide dog or other certified service animal often identifiable by a harness or vest and includes but is not limited to those trained service animals used to assist Persons with vision impairments or provide physical assistance, warning of seizures or other disabilities. A service dog is not a therapy dog or an emotional support dog. The person must provide documentation from one of the following regulated health professionals confirming that the person requires the animal for reasons relating to the disability:

- (i) A member of the College of Audiologists and Speech-Language Pathologists of Ontario.
- (ii) A member of the College of Chiropractors of Ontario.
- (iii) A member of the College of Nurses of Ontario.
- (iv) A member of the College of Occupational Therapists of Ontario.
- (v) A member of the College of Optometrists of Ontario.
- (vi) A member of the College of Physicians and Surgeons of Ontario.
- (vii) A member of the College of Physiotherapists of Ontario.
- (viii) A member of the College of Psychologists of Ontario.
- (ix) A member of the College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario. O. Reg. 165/16, s. 16.

**“Therapy Dog or Emotional Support Animal”** means a dog that has not had specialized training.

**"Vehicle"** includes a *Motor Vehicle, Motorized Snow Vehicle, Bicycle, Power-Assisted Bicycle, e-bike, e-scooter, Off-Road Vehicle*, and any Vehicle drawn, propelled or driven by any kind of power including muscular power, but excludes a child's wagon, a baby carriage, a child's stroller, a wheelchair or similar device (motorized or otherwise) used by an individual due to a disability.

**“Washroom”** means any permanent or temporary structure or portion of a structure that contains toilets, or urinals and wash basins and which is owned, leased or operated by the Municipality.

**“Watercraft”** means any device for the conveyance in or on water and includes, but is not limited to: boats, pontoon, fishing boats, speed boats, row boats, sail boats, jet ski, sea-doo, or any *Vehicle* propelled or driven by any kind of power including muscular power.



**“Weapon”** means any device or contrivance designed for use in causing injury or death to any Person or animal, or any device designed for threatening or intimidating any Person or animal. For the purposes of this by-law, Weapon includes any Firearm.

**“Wheeled Conveyance”** means every manner of conveyance which has one or more wheels, including, but not limited to: roller skates, Inline Skates, roller skis, skateboards, scooters, peddle assisted Bicycles, carriages, wagons or sleighs; but excludes a wheelchair or similar device (powered or otherwise) used by an individual due to a disability, a Motor Vehicle, baby carriage or cart, child's wagon, child's stroller, child's sleigh, or other conveyance of like nature.

## **PART 2 BY-LAW APPLICATION AND ADMINISTRATION**

### **2.1 By-law applicability - defined**

This by-law applies to all *Recreation Areas*, *Parks* and any premises that are under the *Control* or management or joint management of the *Town* and includes the avenues, boulevards, drives, streets and approaches to these areas and any connections or systems of *Recreation Areas* and/or *Parks*.

### **2.2 Emergency - maintenance Vehicles - exception**

Notwithstanding any provision of this by-law, *Vehicles* operated on behalf of an ambulance service, fire department, police department, Hydro and the *Town* shall have full, unrestricted access to all parts of a *Park* and/or a *Recreation Area* at all times.

### **2.3 By-law administration & enforcement**

The Director shall administer this by-law and an Officer shall carry out the enforcement of the by-law.

### **2.4 Inline Skating and Skateboarding**

The *Director* may prohibit Inline Skating or skateboarding in any *Park* or *Recreation Area*, and shall direct that signs be Posted prohibiting such activity.

## **PART 3 GENERAL PROHIBITED ACTIVITIES**

### **3.1. Activities - prohibited**

In any *Park* or *Recreation Area* within the *Town*, no Person shall:

- (1) drive, ride or operate any *Vehicle* or carry on Inline Skating upon a *Roadway* in any direction other than the direction indicated on signs Posted by the *Director*;
- (2) drive, ride or operate a *Vehicle* including Wheeled Conveyance in violation of Posted signs or in any building;

- (3) operate any *Vehicle* including Wheeled Conveyance at a rate of speed in excess of 20 kilometres per hour in Posted areas;
- (4) drive, ride or operate a Motorized Snow Vehicle;
- (5) drive, ride or operate an Off-Road Vehicle;
- (6) operate a *Motor Vehicle* except on a *Roadway* or in an *Authorized Parking Area*;
- (7) leave a *Motor Vehicle*:
  - (i) in a place other than an *Authorized Parking Area*;
  - (ii) *outside* the pavement markings or outside the Designated space;
  - (iii) in a manner or place blocking a driveway or gate; and
  - (i) for purposes other than accessing the *Park* or *Recreation Area*
- (8) drive, operate, or leave unattended a *Motor Vehicle* in any part of a *Park* or *Recreation Area* between 11:00 p.m. and 6 a.m. of the following day except at times where the *Director* has authorized use of the *Park* or *Recreation Area* beyond 11:00 p.m.;
- (9) engage in unbecoming behaviour, including but not limited to: riotous, boisterous, violent, threatening, or illegal conduct or use profane or abusive language, including making any verbal comments or physical gestures, about or toward anyone that could reasonably be considered to be unwarranted, offensive, derogatory or abusive;
- (10) engage in conduct that endangers the health and safety of themselves or others;
- (11) cause graffiti;
- (12) engage in any *Sexual Activity*;
- (13) remain in a *Recreation Area* or *Park* for the purpose of loitering;
- (14) consume, serve, sell or possess *Liquor* without proper approval and Parks Permit of the Town and/or the Alcohol and Gaming Commission of Ontario;
- (15) hold or take part in an unauthorized Public Meeting or Gathering;
- (16) play or practice golf or strike any golf ball by any means whatsoever in an area not *Designated* for such activities;
- (17) remain in a *Recreation Area* or *Park* between 11:00 p.m. and 6:00 a.m. of the following day, except that a Person may enter or remain in a *Park* during the times the *Director* has authorized use of the *Recreation Area* or *Park* beyond 11:00 p.m.;

- (18) operate, drive or ride a Vehicle on any Roadway within the Park if the entrances to the Park are closed by means of a barrier and or signs;
- (19) climb, break, peel bark from, cut, remove, burn, deface or otherwise damage any tree, shrub or bush, or pick, destroy or remove any flower, plant, roots, grass or rock;
- (20) cause or permit any animal under their *Control* or ownership to damage any tree, shrub, bush, flower, plant or roots;
- (21) erect any sign or poster on any tree, bush, shrub, pole, structure or building;
- (22) remove, break, deface, or otherwise damage any Municipal equipment or property.
- (23) fail to remove *Refuse*;
- (24) fail to remove any utensils, equipment or articles taken into an area *Designated* for picnics;
- (25) permit any Domesticated Animal under their *Control* or ownership to enter in any swimming, wading pool, spray pad or storm water pond.
- (26) remove or injure the nest or egg of any bird;
- (27) fish in an area Posted;
- (28) drive, ride or operate Watercraft in a storm water pond;
- (29) drive, ride or operate Pleasure Craft in a storm water pond.
- (30) let off or discharge any water so that it runs out of any building, reservoir, pond, river, or lake located in a *Park* or *Recreation Area*;
- (31) lay or cause to be laid any pipe, or conduit to communicate with any pipe or main belonging to the waterworks connected with any *Park* or *Recreation Area* or in any way obtain water without the consent of the *Director*;
- (32) discharge or permit the discharge of any water from private properties, including pool water and water from a roof drainage system, onto, into or over any *Park* or *Recreation Area*;
- (33) enter or use gender-segregated facilities that do not correspond to their lived gender identity, in any *Park* or facility, set apart for the opposite gender. This shall not apply to children who are 12 years of age or younger and who are, at the time, accompanied by a parent, guardian, caregiver or caretaker;

- (34) loiter in any *Washroom* or *Change Room*, or engage in conduct that could reasonably be considered to be offensive;
- (35) encroach on Town-owned lands or erect fences, buildings or structures on Town-owned lands without the written consent of the *Town* and any such object encroaching shall be removed by the abutting land owner forthwith at their expense;
- (36) permit a Domesticated Animal under their Control to Run at Large;
- (37) fail to remove and dispose of excrement forthwith of a Domesticated Animal under their Control;
- (38) allow a Domesticated Animal on a leash longer than 2 meters in length;
- (39) enter a Sports Field with a domesticated animal, including, but not limited to: baseball infields/outfields, soccer fields, football fields, basketball courts, horseshoe pits, tennis courts, pickle ball courts, or skate park;
- (40) smoke inside or within 9 metres of any building, structure or fenced-in Designated dog park;
- (41) smoke within 20 metres of any Sports Field, tennis court, outdoor ice rink, pool, splash pad, playground, Lake Lisgar Water Park or basketball court.
- (42) ride or use a sled, where Authorized Signs are in place prohibiting this activity;
- (43) ignite, start, or possess a charcoal, wood or brisket Barbeque;
- (44) *Bulk Feeding* of wildlife;
- (45) be in possession of glass containers in areas where glass containers are prohibited, including in and around splash pads, swimming pools, skateboard facilities, tennis courts, pickle ball courts or as Posted;
- (46) be in possession of or use any Firearm, rocket, any type of air gun, bow and arrow, axe or offensive Weapon of any kind;
- (47) use any building, structure or equipment for a purpose other than that for which it is originally intended;
- (48) climb any building, structure or equipment, unless the equipment is designed for climbing;

- (49) swim, bathe, wade, snorkel or use any other underwater breathing device in the water in a *Recreation Area or storm water pond*;
- (50) light, ignite, or release a Chinese lantern or similar device;
- (51) remove safety equipment, fire extinguishers, or defibrillator without an emergency;
- (52) pull fire alarm or open emergency doors without an emergency;
- (53) use any device for the purposes of recording images in Change Rooms or washrooms;
- (54) conduct unsafe behaviour;
- (55) throw or propel stones, javelins, lawn darts, or lawn bowling;
- (56) tamper with any lighting or electrical component(s);
- (57) release balloons;
- (58) move furniture;
- (59) interfere with an organized sports event, picnic, organized gathering or special event authorized by a Town-issued permit;
- (60) enter into an area where it is Posted to prohibit or restrict admission to the public;
- (61) urinate or defecate except in a permanent or portable Washroom facility;
- (62) engage in selling, using, soliciting, or being under the influence of Illicit Drugs;
- (63) dispose of or bury a dead animal;
- (64) cause a noise likely to disturb any inhabitant or interfere with the enjoyment of others;
- (65) remain on playing surface while repairs or maintenance are being performed;
- (66) walk on grass in an area where an Authorized Sign is Posted prohibiting such activity;
- (67) enter onto the ice on a storm water pond;

(68) fish in any storm water pond;

### **3.2 Wheel Chair Exemption**

Despite any regulation in this by-law restricting the use of Motor Vehicles in *parks*, and for greater certainty only, a wheelchair or similar device (motorized or otherwise) used by an individual due to a disability may be used in all areas of *parks* including but not limited to all *Multi-use Pathways* and the accessible portions of *Hiking Trails*.

### **3.3 Exemption Officer ( Discharge Firearm or Kill Animal)**

An Officer is exempt from Section 3.1 (46) and 4.1 (17) of this by-law if they discharge a firearm or kill an animal during the course of executing their duties.

### **3.4 Exemption - Lake Lisgar Waterpark & Indoor Swimming Pool**

A Person using the Lake Lisgar Water Park and Indoor Swimming Pool at the Complex are exempt from section 3.1 (49) of this by-law.

### **3.5 Exemption – Community Gardens**

A Person or group with permission from the Director may plant vegetation for the purposes of using the Community Garden, and may remove any plant, rock, tree or tree limb impeding gardening.

### **3.6 Exemption – Parents & Care Workers**

Despite regulation 3.1 (33) in this by-law, a parent, guardian, caregiver or caretaker is permitted to use gender-segregated facilities while caring for a child under 12 or person with mental or physical disabilities.

## **PART 4**

### **ACTIVITIES - SUBJECT TO APPROVAL**

#### **4.1 Activities prohibited - subject to approval**

Unless authorized by the *Director* or permitted by a Parks Permit, no Person shall engage in any of the following activities in a *Park* or *Recreation Area*:

- (1) ignite, start or maintain a fire;
- (2) use a Sports Field for any game or practice by an organized group;
- (3) erect a tent or shelter, or leave a camping trailer;
- (4) conduct commercial worm picking;
- (5) hold or take part in a Public Meeting or Gathering without a Parks Permit;
- (6) hold or take part in a meeting or gathering that obstructs the free passage of vehicular traffic;

- (7) have exclusive use of any portion or all of a *Park* or *Recreation Area*;
- (8) ride or lead a horse, pony, donkey, mule or other animal in an area not *Designated* for such activity;
- (9) drive, lead or use a horse-drawn wagon or sleigh;
- (10) erect any sign or poster on any pole, planter, building, fence, bench, picnic table, electrical transmission unit, lamp standard, or Town property or Hydro equipment of any kind;
- (11) sell refreshments or other merchandise to the public;
- (12) operate any business, game, show or amusement for admission by the public;
- (13) operate or use a metal detector;
- (14) solicit funds for any charities, organizations or individuals of any kind;
- (15) use a trained dog as a means of controlling waterfowl;
- (16) allow any Domesticated Animal to enter a Recreation Area building, facility or *Change Room*, unless the Domesticated Animal is a *Trained Service Animal*;
- (17) disturb, wound, kill, or injure any animal, whether domesticated or wild, including but not limited to, birds, fish, snakes;
- (18) ignite, discharge or set off any Fireworks or firecrackers;
- (19) cause to take place or participate in a marriage ceremony except in a *Designated* area;
- (20) operate powered models of Aircraft, rockets or drones;
- (21) enter, move, or remove an item from a waste receptacle;
- (22) skate, walk or be present on any frozen body of water in a *park*;
- (23) use a tennis court for any purpose other than tennis;
- (24) Use pickle ball court for any purpose other than pickle ball;
- (25) excavate or bury any object;
- (26) create, cause or maintain an open fire, except propane barbecues or propane

stoves, in picnic areas set aside by the Town;

- (27) conduct repairs on or maintain any Sports Field, ice surface, playing surfaces, scoreboards, dugout, fences, electrical, plumbing, warming huts, water station, surrounding gardens, trash receptacles, or lighting;
- (28) operate a kite on or within 20 meters of any Town-owned or leased building, Roadway, parking lot, playground, structure, bridge, tennis court, skate park, dog park, light or hydro or any other utility pole;
- (29) wash, clean, service, or maintain any Vehicle;
- (30) leave any Commercial Vehicle except, a Commercial Vehicle that is being used for the purpose of making a delivery;
- (31) operate a remote control machine;

## **PART 5 SPECIAL PROHIBITIONS**

### **5.1 Special prohibitions - applicability**

The special prohibitions in this Part are in addition to any applicable general prohibitions in Part 3 & 4 of this by-law.

### **5.2 Environmental Protected Area (EPA) - prohibitions**

The following special prohibitions shall apply to all Persons entering into and using a *Park Designated as an Environmental Protected Area and Open Space*:

- (1) No Person shall deposit, dump or leave waste and/or *Refuse* of any kind;
- (2) No Person shall operate a Vehicle, Bicycle, *Power-Assisted Bicycle*, or *Motorized Snow Vehicle* within the boundaries of an *EPA* or *Open Space* unless Authorized\ Signs are Posted specifically allowing such activity;
- (3) No Person shall ride, or lead any animal within the boundaries of an *EPA* or an *Open Space*, except for a dog that is leashed;
- (4) No Person shall walk, run, jog, or ski other than on a *Hiking Trail*.
- (5) No Person shall drive, ride or operate Motor Vehicle, Motorized Snow Vehicle, or Off-Road Vehicle-on a Hiking Trail;
- (6) Park Designated as an Environmental Protected Area and Open Space is shown in schedule A”.



### **5.3 Multi- Use Pathway**

No Person shall on a Multi-use Pathway conduct the following;

- (1) drive, ride or operate a Motor Vehicle unless authorized by the Director;
- (2) drive, ride or operate a Motorized Snow Vehicle unless from Tillson Ave to Hawtrey between November 1<sup>st</sup> to March 1 with a trail pass from the OFSC (Ontario Federation of Snowmobile Clubs);
- (3) drive, ride or operate an Off-Road Vehicle,
- (4) fail to yield the right of way;
- (5) operate Vehicle exceeding 20 km/hour; where Posted;
- (6) fail to use the crosswalk at an uncontrolled intersection;
- (7) use the crosswalk on an uncontrolled intersection in an unsafe manner;
- (8) fail to exercise reasonable consideration for any other user;
- (9) fail to give an audible signal by voice, bell or other signalling device before overtaking another user;
- (10) ride a horse when posted;

### **5.4 Outdoor Ice Rink – prohibitions**

No Person shall on an outdoor ice rink conduct the following:

- (1) speed skate unless authorized by Parks Permit;
- (2) consume, distribute, or sell Liquor or Illicit Drugs;
- (3) act in such manner as to interfere with, endanger or disrupt any other Person;
- (4) enter the ice surface without skates;
- (5) interfere with the Town staff conducting maintenance;
- (6) play hockey/ringette when not permitted;
- (7) skate or figure skate when not permitted;
- (8) enter the ice surface when the “Red Flag” warning is erected;

- (9) pile snow in front of gate entrances;
- (10) operate, ride, or push a snow blower, lawn tractor, or leaf blower over the ice surface or surrounding areas;
- (11) remove Town-provided shovels or brooms from the property;
- (12) allow a Domesticated Animal on the ice surface or in a warming hut;
- (13) interfere with an approved organized activity at the outdoor rink or surrounding area;
- (14) use the outdoor rink when temporarily or permanently closed.

### **5.5 Lake Lisgar (Docks Ramps) – prohibitions**

No Person shall on Lake Lisgar conduct the following:

- (1) place, operate, drive, or ride any fuel operated Watercraft, except by Parks Permit or written Permission from the Director;
- (2) fish unless following the Ontario Fishing Regulations;
- (3) import any crayfish, salamanders, live fish or leeches for use as bait, or transport any live or dead baitfish or leeches into or out of Lake Lisgar;
- (4) sell or buy any fish, crayfish, leech, frog or fish eggs from Lake Lisgar;
- (5) fish by any means other than angling;
- (6) abandon fish if the fish is suitable for human consumption;
- (7) fish from Hawkins Bridge;
- (8) dive, jump, or rappel from Hawkins Bridge or the Lake Lisgar gazebo.
- (9) mow, trim, prune, remove vegetation, bushes, trees, aquatic vegetation, or wildflowers from the shoreline or in the water, without written approval by the Director.
- (10) remove water for irrigation, commercial or industrial use, dust control, drinking or other use without a written approval from the Director;

- (11) dig, level, site grade, alter shorelines and inlets of the lake for the purpose of controlling flooding, erosion, implementation of beach(s), Docks, lookouts, or yard expansion .
- (12) change, alter or interfere with the wetland;
- (13) erect or alter a building or structure of any kind on the shoreline without written permission from the Town of Tillsonburg Building Department, Long Point Region Conservation Authority and the Director;
- (14) alter the shoreline without permission from Long Point Region Conservation Authority and the Director;
- (15) temporarily or permanently place on shoreline Slurry;
- (16) store Watercraft or Pleasure Craft for more than 2 hours at a Town Dock;
- (17) store a boat at any Town Dock between the hours of 11:00 p.m. and 6:00 a.m.;
- (18) impede or interfere with the use of a launching ramp or Dock;
- (19) wash animals or equipment on Town Docks and boat ramps.
- (20) dive, or jump off Town Docks or boat ramps;
- (21) tamper or remove fountain;
- (22) come within 10 metres of the fountain;
- (23) come within 10 metres of the overflow under the gazebo;
- (24) discard refuse or fishing line;

### **5.6 Lake Lisgar – Exemptions**

- (1) Tillsonburg Rowing Club is allowed to use approved Watercraft for the purposes of maintenance and practices with the approval of the Director;
- (2) Town employees, Long Point Region Conservation Authority and Town-approved contractors and volunteers are exempt from all provisions of section 5.5 while performing their duties.

### **5.7 Dog Park– Prohibitions**

No Person shall at the Dog Park conduct the following:

- (1) fail to carry a leash for their dog;
- (2) allow a "Small Dog" in the "Large Dog" area;
- (3) allow a "Large Dog" in the "Small Dog" area, unless a dog is injured;
- (4) fail to have a collar and proof of the Town license;
- (5) fail to take immediate physical Control of their dog at the request of an Officer or Town employee;
- (6) leave the Designated Area while their dog is off leash;
- (7) allow their dog out of visual sight;
- (8) fail to remove excrement forthwith left by a dog;
- (9) endanger or frighten any person or dog;
- (10) allow a puppy under 6 months old to enter;
- (11) allow a female dog in heat to enter;
- (12) possess Dog Toys;
- (13) remain or attend at the Dog Park if they have previously been requested to leave by an Officer or Town employee;
- (14) allow more than two (2) dogs under their control at once;
- (15) allow children under the age of 15 years old to be unsupervised;
- (16) allow a Domesticated Animal into the Dog Park, excluding a dog;
- (17) use a pinch, prong, or spiked collar;
- (18) allow a Pit Bull to enter;

## **PART 6 PARKS PERMITS, LICENCES & FEES**

### **6.1 Use without payment - prohibited**

No Person shall use a *Park* or *Recreation Area* for the activities listed in Part 4 of this by-law without first having received a *Parks Permit* from the Town and paid the applicable fee, if any, established in the Rates and Fees by-law, or having made the appropriate arrangements for the scheduled payment of fees according to the practices established by the *Director*.

## 6.2 Parks Permits

- (1) *Parks Permits* issued for activities contemplated by this by-law may include conditions as to time, location, area, equipment, number of participants, type of activities, release, indemnity, and insurance coverage;
- (2) The issuance of a *Parks Permit* pursuant to the by-law shall not relieve any Person from the necessity of acquiring any other license required for such activity by any governmental or public authority;
- (3) The authority to issue *Parks Permits* referred to in this by-law is delegated to the *Director* or his/her delegate.

## 6.3 Permit Holders

Holders of *Park Permits* for the use of *Parks* and/or *Recreation Areas* shall be responsible to ensure that all applicable provisions of this by-law are upheld and failure to comply will result in the *Park Permit* being voided with no refund.

## PART 7

### ENFORCEMENT (TRESPASS, ORDER TO DISCONTINUE ACTIVITY, FAIL TO COMPLY)

#### 7.1 Enforcement – trespass

- (1) Where any Person contravenes any provisions of this by-law, such Person is subject to the provisions of the *Trespass to Property Act*, R.S.O. 1990, c. T.21;
- (2) Any *Officer* or Person under contract with the *Town* to enforce this by-law may enforce the provisions of this by-law;
- (3) An *Officer* or Person under contract with the *Town* to enforce this by-law, or the *Director* may order a Person believed to be in contravention of this by-law to:
  - (a) cease the activity that is in contravention of the by-law; and/or
  - (b) leave the *Park* or facility;
- (4) The *Director* or *Manager of Human Resources* may create a letter under *RZone* that trespasses a person from *Town-owned* property if a contravention of the by-law has occurred;

- (5) Park and Recreation Area users are subject to all applicable Town by-laws and all provincial and federal laws and regulations. All Persons violating any by-law or law may be required to leave any Park or Recreation Area;

## **7.2 Enforcement – Order to Discontinue Activity**

- (1) If an *Officer* or Person under contract with the *Town* to enforce this by-law is satisfied that this by-law has been contravened, the *Officer* may make an order, known as an Order to Discontinue Activity, requiring the Person who contravened the by-law, or who caused or permitted the contravention to discontinue the contravention or resolve the matter as specified;
- (2) An Order to Discontinue Activity shall set out:
  - (a) the address of the property or name on which the contravention occurred;
  - (b) the date of the contravention;
  - (c) the reasonable particulars of the contravention of the by-law;
  - (d) the required remedial action and
  - (e) the date by which there must be compliance with the order.
- (3) The Order to Discontinue Activity may be served personally on the Person to whom it is directed; by e-mail or registered mail to the last known address of that Person, in which case it shall be deemed to have been given on the 5<sup>th</sup> day after it is mailed. Service on a corporation can be effected by registered mail to the corporate mailing address;
- (4) No Person shall contravene an Order to Discontinue Activity.

## **7.3 Enforcement - Fail To Comply**

- (1) Where a Person defaults in complying with a direction, requirement or Order under this By-law to do a matter or thing, the Officer may, with such assistance from others as may be required, enter the land on which the contravention occurred at any reasonable time, and carry out such direction, requirement or Order and all expenses will be the responsibility of the Person;
- (2) In accordance with section 446 of the Municipal Act, the Town may recover the costs from the Person directed, required or ordered to do a matter or thing under this By-law, by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes, and such expenses shall include interest at a monthly rate of 1.25 percent and or annual rate of 15 percent;
- (3) For the purposes of subsection 7.3, interest shall be calculated for the period commencing the day the Town incurs the expenses and ending on the day the expenses including the interest are paid in full.

## **7.4 Obstruction**

- (1) No Person shall hinder or obstruct, or attempt to hinder or obstruct, an Officer;
- (2) No Person shall hinder or obstruct, or attempt to hinder or obstruct, any Person exercising or performing a duty under this by-law.

## **PART 8**

### **LAND REGISTRY- REGISTER & DISCHARGE LIEN**

- (1) The amount of the expenses, including interest, constitutes a lien on the land upon the registration in the proper Land Registry Office of a notice of lien;
- (2) Upon receiving payment of all expenses payable plus interest accrued to the date of payment, the Town shall register a discharge of the lien in the proper Land Registry;
- (3) The Person will be responsible to pay the fee under the Rates & Fees By-law for the registration and discharge from the Land Registry Office;
- (4) Where any of the matters or things are removed in accordance with this by-law, the matters or things may be immediately disposed of by an Officer, Director or Person assisting with the clean-up.

## **PART 9**

### **FEES AND CHARGES**

#### **9.1 Authority**

All expenses will be recovered with interest in relation to the administration and Enforcement of this By-law under The Municipal Act 2001, S.O. 2001, c. 25, as amended Section 446 (3) & (5).

#### **9.2 Recovery – Contractor & Staff Time**

Where action is required on the behalf of the Town, the Person responsible will pay for all contractor costs and the rates calculated under the Rates & Fees By-law for each staff member's time accumulated.

#### **9.3 Cost of Orders & Administrative Fees**

The Person will be responsible to pay rates calculated under the Rates & Fees By-law for the cost of Orders and administrative fees.

## **PART 10**

### **PENALTY**

### **10.1 Contravention of By-Law**

Every Person who contravenes any provision of this By-law is guilty of an offence under the provisions of the *Provincial Offences Act, R.S.O 1990, c P.33*, as amended, and is liable on conviction to a penalty not exceeding \$5,000, exclusive of costs, subject to the provisions of the Act.

### **10.2 Set Fines**

Every person who contravenes any provision of this bylaw is guilty of an offence and upon conviction is liable to a fine as provided for by the *Provincial Offences Act, R.S.O. 1990, Chapter P.33*, as amended.

### **10.3 Continuing Offences**

Every Person who contravenes any of the provisions of this By-law is guilty of an offence and, pursuant to Section 429 of the *Municipal Act, 2001, c. 25*, as amended, all contraventions of this by-law are continuing offences.

### **10.4 Fines Transferred to Taxes**

Pursuant to section 441.1 of the Municipal Act, upon the request of a Municipality that has entered into a transfer agreement under Part X of the Provincial Offences Act, the treasurer of a local Municipality may add any part of a fine for a commission of a provincial offence that is in default under section 69 of the Provincial Offences Act to the tax roll for any property in the local Municipality for which all of the Owners are responsible for paying the fine and collect it in the same manner as municipal taxes.

### **10.5 Continuation – repetition of offence – prohibited**

The court in which a conviction has been entered and any court of competent jurisdiction thereafter may make an Order prohibiting the continuation or repetition of the offence by the Person convicted.

## **PART 11 MISCELLANEOUS**

### **11.1 By-law reference on signs - deemed to conform**

On a sign Posted by the *Town* in a *Park* or Recreation Area, references to By-law            shall be deemed to be references to this by-law.

### **11.2 Short Title**

This by-law may be referred to as The *Parks and Recreation By-Law*.

### **11.3 Severability**

In the event that any provision or part of this By-Law is found to be invalid or unenforceable for any reason whatsoever, then the particular provision or part thereof shall be deemed to be severed from the remainder of the By-Law and all other provisions or parts thereof shall remain in full force and shall be valid and enforceable to the fullest extent permitted by law.



**11.4 Repeal and Effective Date**

That By-law [REDACTED] take effect immediately and the By-law No. 1044, By-law No. 1060, By-law No. 1350, By-law No 1755, By-law No. 2619, and By-law 2636 and all associated amendments passed by the Council of the Town of Tillsonburg be hereby repealed.

**READ A FIRST AND SECOND TIME THIS xxth day of [MONTH], [year].**

**READ A THIRD AND FINAL TIME AND PASSED THIS xxth day of [MONTH], [year].**

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MAYOR – Deb Gilvesy

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CLERK – Tanya Daniels

**SCHEDULE "A"**  
**TO BY-LAW NO. [REDACTED]**

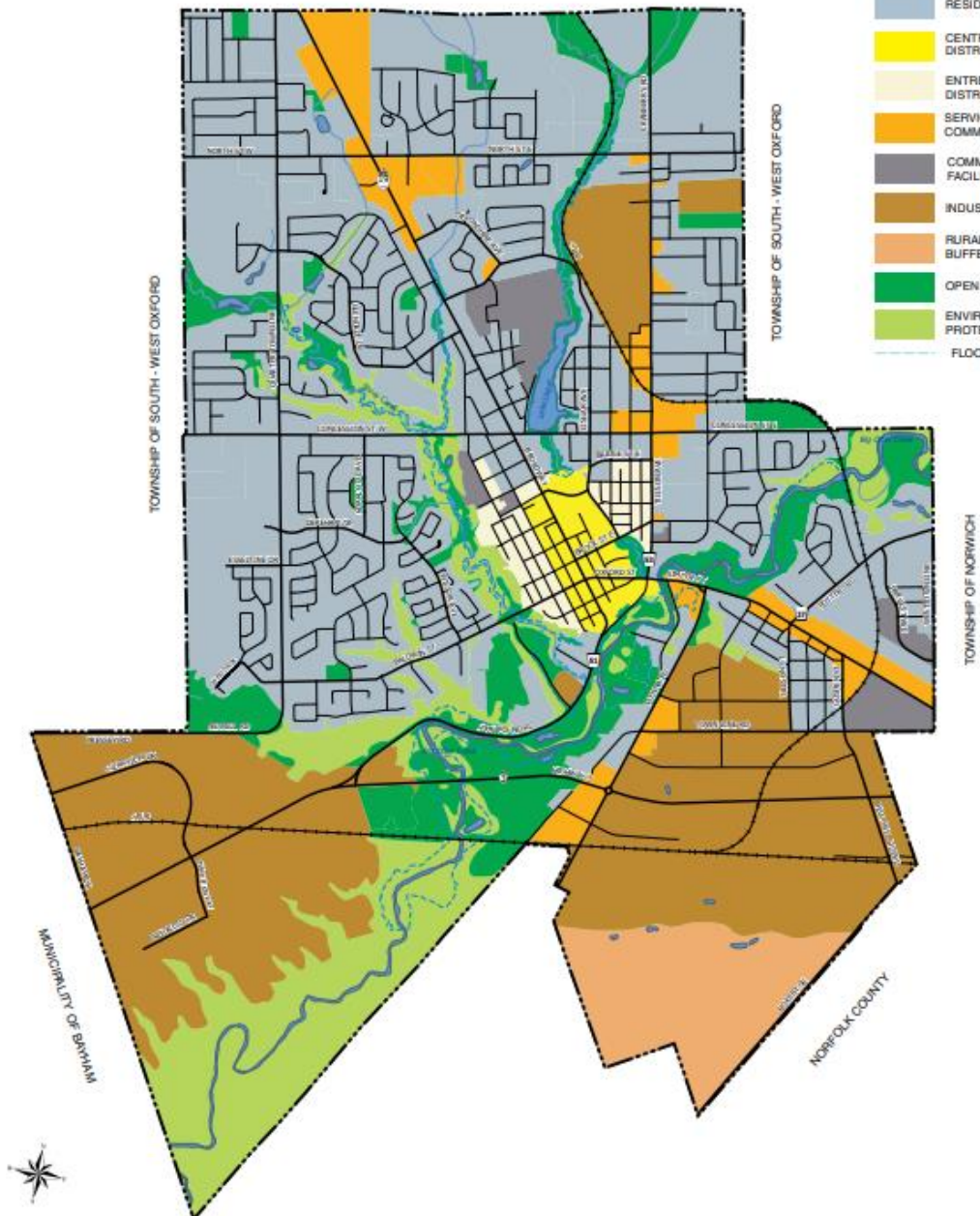
**MAP OF OPEN SPACE & ENVIRONMENTAL ZONES**

**TOWN OF TILLSONURG  
LAND USE PLAN**

**COUNTY OF OXFORD  
OFFICIAL PLAN**

**LAND USE PLAN  
LEGEND**

-  RESIDENTIAL
-  CENTRAL BUSINESS DISTRICT
-  ENTREPRENEURIAL DISTRICT
-  SERVICE COMMERCIAL
-  COMMUNITY FACILITY
-  INDUSTRIAL
-  RURAL BUFFER
-  OPEN SPACE
-  ENVIRONMENTAL PROTECTION
-  FLOODLINE





# tion of the Town of Tillsonburg / Advisory Committee Meeting MINUTES

Thursday, May 2, 2024  
5:30 PM  
Boardroom CSC  
10 Lisgar Ave.

ATTENDANCE: Scott Gooding  
Chris Parker  
Deb Gilvesy  
Scott Vitias  
Stephen Gradish  
Andrew Gradish  
Kristy Milmine  
Christian Devlin

Regrets: Taylor Campbell  
Joe Sym  
Carrie Lewis  
Susie Wray

Staff: Andrea Greenway  
Margaret Puhr

Regrets: Julie Ellis

1. **Call to Order**  
The meeting wa
2. **Adoption of Agenda**  
**Resolution # 1**

**Moved By:** Scott Vitias

**Seconded By:** Christian Devlin

THAT the agenda for the May 2nd Recreation & Sports Advisory Committee, be adopted with the following amendment:

the addition of item #6.4 titled Draft Parks By-law

**Carried**

**3. Disclosures of Pecuniary Interest and the General Nature Thereof**

There were no disclosures of pecuniary interest.

**4. Adoption of Minutes of Previous Meeting**

**Resolution # 2**

**Moved By:** Andrew Gradish

**Seconded By:** Kristy Milmine

THAT the minutes as prepared for the April 4th meeting, be adopted.

**Carried**

**5. Presentations**

**6. Information Items**

**6.1 Hall of Fame event update**

Andrea provided update.

Dress code information will be sent.

The event is ready to go.

**6.2 Tillsonburg Pickleball Club update**

Per Andrea's memo, update was provided.

The court resurfacing will take approximately 3 weeks, at which time the tennis courts will not be available. The outdoor rink will be adapted for that time for tennis use.

**6.3 Summer Camp update**

Update provided by Andrea.

**6.4 Draft Parks By-law**

**7. General Business & Reports**

**8. Next Meeting**

**9. Adjournment**

**Moved By:** Kristy Milmine

**Seconded By:** Andrew Gradish

That the meeting be adjourned at 6:20pm.

**Carried**



**tion of the Town of Tillsonburg  
ication & Cemeteries Committee  
Meeting  
MINUTES**

Tuesday, May 28, 2024  
5:00 PM  
Boardroom CSC  
10 Lisgar Ave.

ATTENDANCE: Ron Walder  
Mike Dean  
Maurice Verhoeve  
Kristine Vandebussche  
Martha Kirkpatrick  
Isaac Card  
Joan Weston  
Paul DeCloet  
Pete Luciani  
Deb Gilvesy

Regrets: Barbara Wareing

Staff: Margaret Puhr  
Andrea Greenway

Regrets: Matt Johnson

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**1. Call to Order**

The meeting was called to order at 5:00pm

**2. Adoption of Agenda**

**Resolution # 1**

**Moved By:** Ron Walder

**Seconded By:** Pete Luciani

THAT the agenda as prepared for the Parks, Cemeteries and Beautification Committee, be adopted.

**Carried**

**3. Disclosures of Pecuniary Interest and the General Nature Thereof**

**4. Adoption of Minutes of Previous Meeting**

**Resolution # 2**

**Moved By:** Joan Weston

**Seconded By:** Kristine Vandebussche

THAT the minutes from the April 30, 2024 meeting, be adopted.

**Carried**

**5. Presentations**

**6. Information Items**

**6.1 Lake Lisgar weir update**

Update provided by Andrea Greenway per memo.

Joan provided a 1943 by-law related to the weir by-law #1129

**6.2 Scattering Garden - memo**

Update per memo provided by Andrea

**6.3 Garbage cans in cemetery - Kristine Vandebussche**

Kristine noted that the barrels currently used at the cemetery are not very nice looking, wondering if there are options and funds for nicer looking receptacles.

**6.4 Road conditions at the cemetery - Kristine Vandebussche**

The pathways have potholes and some are in dire condition and would like to bring up some resurfacing potential to improve the laneways. Wondering if perpetual care would cover the maintenance of roadways.

**6.5 Columbarium niche sizes - Kristine Vandebussche**

Kris noted that two urns can fit into a 12x12x9 size columbarium. Also that sizes are provided at the time of purchase, therefore the information is available for interested parties.

## 7. General Business & Reports

### 7.1 Tree planting

This motion was deferred to the next meeting awaiting a list of subcommittee members

#### **Resolution # 3**

**Moved By:** Paul DeCloet

**Seconded By:** Maurice Verhoeve

THAT a sub-committee be struck to monitor the tree planting along the east west former rail line; and

THAT the committee investigate the need for soil amendment in the area from the replacement bridge at TCT and 4th to North trail; and

THAT council consider the need for long term financing for trail beautification via donations and trust funding; and

THAT a specific area be chosen to remove all invasive plants and trees to prepare site for native plantings.

**Carried**

## 8. Next Meeting

## 9. Adjournment

**Moved By:** Martha Kirkpatrick

**Seconded By:** Joan Weston

THAT the May 28th meeting of Parks, Beautification & Cemeteries Committee be adjourned at 5:45 pm

**Carried**



# The Corporation of the Town of Tillsonburg

## Community Health Care Advisory Committee Meeting

### MINUTES



Tuesday, June 18, 2024  
12:00 PM  
Boardroom CSC  
10 Lisgar Ave.

ATTENDANCE: Mayor Deb Gilvesy  
Deputy Mayor Dave Beres  
Councillor Kelly Spencer  
Nadia Facca  
Mike Bastow  
Teresa Martins

Regrets: Dr. John Andrew  
Dr. Clay Inculet  
Dr. Will Cheng  
Dr. Mohammed Abdalla

Staff: Kyle Pratt, Chief Administrative Officer  
Laura Pickersgill, Executive Assistant

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#### 1. Call to Order

The meeting was called to order at 12:02 p.m.

#### 2. Adoption of Agenda

**Resolution # Resolution #1**

**Moved By:** Councillor Spencer

**Seconded By:** Nadia Facca

THAT the Agenda as prepared for the Community Health Care Advisory Committee meeting of Tuesday, June 18, 2024, be adopted.

**Carried**

**3. Disclosures of Pecuniary Interest and the General Nature Thereof**

No disclosures of pecuniary interest were declared.

**4. Adoption of Minutes of Previous Meeting**

**Resolution # Resolution #2**

**Moved By:** Councillor Spencer

**Seconded By:** Mayor Gilvesy

THAT the minutes of the Community Health Care Advisory Committee of April 9, 2024, be approved.

**Carried**

**5. Presentations**

There were no presentations.

**6. General Business and Reports**

**6.1 Repayment of Matrix Costs Update**

K. Pratt provided an update regarding a physician who did not complete their five year return of service agreement and was required to pay back the incentive provided under the shared matrix.

**6.2 Introduction of Health Care Recruiter**

N. Facca introduced Derrick Willcott, the new Health Care Recruiter. D. Willcott will communicate regularly to the Committee on any progress made on his action plan throughout the year.

C. Panschow's marketing team can connect with D. Willcott to provide marketing materials related to the Town.

N. Facca would like to sent a joint letter from TDMH and the Committee to all of the Town's Family Health Organizations, physicians and community partners with D. Willcott's information and purpose in his role.

**6.3 Imminent Physician Retirements and Relocations**

T. Martins provided an overview of an upcoming meeting being held with the Oxford Ontario Health Team leaders. The physician lead for OHT has invited Tillsonburg physicians to attend a meeting to discuss their current needs and potential solutions objectives.

There are four confirmed departing physicians in Tillsonburg, with two retiring, one relocating to Woodstock and one relocating to Norwich. It was estimated that conservatively this will impact 3,000 residents on top of the already 1,900 unattached residents in Tillsonburg with not having a primary care provider.

The clinic at the Multi-Service Centre will begin to roster patients at the end of the month with patients being from a set marginalized group.

#### **6.4 Changes to Primary Care Coverage in Tillsonburg**

This item was discussed in conjunction with item 6.3.

#### **6.5 Council Resolution - Committee Action Required**

N. Facca will approach the Ingersoll Physician Recruitment Committee with the idea of funding part of the Health Care Recruiter position.

L. Pickersgill will determine the deadline for the reporting that is due under this resolution and will let TDMH know.

#### **Resolution # Resolution #3**

**Moved By:** Councillor Spencer

**Seconded By:** Mayor Gilvesy

THAT the Community Health Care Committee accepts all items provided under agenda item 6 - General Business and Reports.

**Carried**

#### **7. Next Meeting**

September 10th 12:00 p.m.

#### **8. Adjournment**

#### **Resolution # 4**

**Moved By:** Councillor Spencer

**Seconded By:** Mayor Gilvesy

THAT the Community Health Care Advisory Committee meeting of Tuesday, June 18, 2024 be adjourned at 12:38 p.m.

**Carried**



**The Corporation of the Town of Tillsonburg  
Museum, Culture, Heritage and Special Awards  
Advisory Committee  
MINUTES**

Wednesday, June 19, 2024  
4:30 PM  
Boardroom CSC  
10 Lisgar Ave.

ATTENDANCE: Carrie Lewis  
Amie Varga  
Lindsay Munroe  
Isaac Card  
Doug Cooper  
Joan Weston  
Courtney Booth  
Rosemary Dean  
Kelly Spencer  
Deb Gilvesy

Regrets: Tabitha Verbuyst

Staff: Andrea Greenway, Interim Director of Recreation, Culture and  
Parks  
Julie Ellis, Deputy Clerk

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**1. Call to Order**

The meeting was called to order at 4:30 p.m.

**2. Adoption of Agenda**

**Resolution # 1**

**Moved By:** Amie Varga

**Seconded By:** Rosemary Dean

THAT the agenda as prepared for the Museum, Culture, Heritage and Special Awards Advisory Committee meeting of June 19th, 2024, be approved.

**Carried**

**3. Disclosures of Pecuniary Interest and the General Nature Thereof**

There were no disclosures of pecuniary interest.

**4. Adoption of Minutes of Previous Meeting**

**Resolution # 2**

**Moved By:** Kelly Spencer

**Seconded By:** Courtney Booth

THAT the minutes of the Museum, Culture Heritage and Special Awards Advisory Committee meeting of May 15, 2024, be approved.

**Carried**

**5. Presentations**

**6. General Business & Reports**

**6.1 Patty Phelps, Culture & Heritage Manager/Curator RE: Museum Updates**

Patty Phelps, Culture and Heritage Manager/Curator, provided an update on the Museum. Highlights included:

- Patty is back in-person at the Museum two days per week from May until September, 2024.
- May events went well, with the Mommy and Me Tea being a bit hit
- The lunch and learn program finished in May and was very successful
- TurtleFest events were well attended
- There was a D-Day Talk on June 6th that was also well attended

- The Museum is currently closed for the remainder of the week while new flooring is being installed to accompany the new AODA compliant desk
- Summer Camp will be held in the last week of July and first week of August. Additional programming will compliment camp - including participation in the Histroc Places program.
- A Teddy Bear picnic will be held in July, as well as a Lemonade and Ice Cream Social in August

#### **6.2 Tabitha Verbuyst, Executive Director/Curator RE: Station Arts Centre Updates**

No update was provided.

#### **6.3 Heritage Listings vs Designations**

Julie Ellis, Deputy Clerk, provided an update on the heritage designations and heritage listings that are now available on the town website. The committee hopes to continue to discuss this at future meetings.

Staff will invite the Heritage Planner from Oxford County to the next meeting.

#### **6.4 Founder's Day**

The Committee discussed plans for the upcoming Founder's Day Event. The committee will work on a proposal to Council to include funding in the 2025 budget.

#### **6.5 Museum Directors (Trustees) Update**

Joan Weston provided an update and discussion occurred around the Trust and the process. As per the Committee's Terms of Reference, the members of the committee form the Trust with the Chair and Vice-Chair being the points of contact.

#### **6.6 Annandale House Fundraising Committee**

The committee discussed the re-establishment of an Annandale House Fundraising Committee.

#### **Resolution # 3**

**Moved By:** Doug Cooper

**Seconded By:** Amie Varga

THAT the Museum, Culture, Heritage and Special Awards Advisory Committee recommend to Council to create an Annandale House Fundraising Committee; and

THAT Joan Weston, David Morris, Fran Bell, Penny Esseltine and Marilyn Avent be appointed as members to the Annandale House Fundraising Committee with a staff member from the Museum as support.

**Carried.**

**7. Next Meeting**

The next meeting is September 18, 2024 at 4:30 pm.

**8. Adjournment**

**Resolution # 4**

**Moved By:** Rosemary Dean

**Seconded By:** Amie Varga

THAT the Museum, Culture, Heritage and Special Awards Advisory Committee meeting be adjourned at 5:19 p.m.

**Carried**





**tion of the Town of Tillsonburg  
ication & Cemeteries Committee  
Meeting  
MINUTES**

Tuesday, June 25, 2024  
5:00 PM  
Boardroom CSC  
10 Lisgar Ave.

- ATTENDANCE:** Ron Walder  
Barbara Wareing  
Martha Kirkpatrick  
Isaac Card  
Joan Weston  
Paul DeCloet  
Pete Luciani  
Deb Gilvesy
- Regrets:** Mike Dean  
Maurice Verhoeve  
Kristine Vandebussche
- Staff:** Matt Johnson  
Margaret Puhr  
Andrea Greenway

- 
- 1. Call to Order**  
The meeting was called to order at 5:00 p.m.
  - 2. Adoption of Agenda**  
**Resolution # 1**

**Moved By:** Pete Luciani

**Seconded By:** Joan Weston

THAT the agenda as amended for June 25th Parks, Beautification & Cemeteries Committee meeting, be adopted

**Carried**

**3. Disclosures of Pecuniary Interest and the General Nature Thereof**

There were no disclosures.

**4. Adoption of Minutes of Previous Meeting**

**Resolution # 2**

**Moved By:** Pete Luciani

**Seconded By:** Martha Kirkpatrick

THAT the minutes of the May 28th meeting be adopted.

**Carried**

**5. Presentations**

**5.1 Newman Park fencing - Chris Jackson**

Chris Jackson presented on behalf the neighbours of the Newman Park regarding use by drug users and homeless persons, vandalism in the park, rubbish being thrown onto private property.

Mr. Jackson also addressed the letter regarding removal of the fence and communication regarding the proposal.

The neighbours object to fence removal, question the engagement process and also propose turning the park into a trust/private owned property.

**Resolution # 3**

**Moved By:** Deb Gilvesy

**Seconded By:** Pete Luciani

THAT the Parks, Beautification and Cemeteries Committee strongly recommend to Council that the fence surrounding the perimeter of Bert Newman Park remain in place and that Council consider repairs, ie. Refurbishing the fence in the 2025 budget. The Committee also

recommends that Council seek options from staff to re-engage locking the fence in the later evening hours.

**Carried**

## 6. Information Items

### 6.1 Trans Canada Trail Grant report

#### Resolution # 4

**Moved By:** Paul DeCloet

**Seconded By:** Ron Walder

<p>THAT a sub-committee made of the following members: Paul DeCloet, Pete Luciani, Deb Gilvesy, Martha Kirkpatrick, Isaac Card and Ron Walder as alternate be struck to monitor the tree planting along the east west former rail line; and THAT the committee investigate the need for soil amendment in the area from the replacement bridge at TCT and 4th to North trail; and THAT council consider the need for long term financing for trail beautification via donations and trust funding; and THAT a specific area be chosen to remove all invasive plants and trees to prepare site for native plantings.</p>

**Carried**

### 6.2 Parks & Recreation Areas by-law update

The proposed change to take out bicycles and power bicycles and e scooters from the trail use section

## 7. General Business & Reports

### 7.1 Election of Vice Chair

Sue Salens resigned from the committee and there is a vacancy in the Vice Chair position.

#### Resolution # 3

**Moved By:** Pete Luciani

**Seconded By:** Deb Gilvesy

THAT Joan Weston be nominated as the Vice Chair of the Parks, Beautification & Cemeteries Advisory Committee.

**Carried**

**8. Next Meeting**

September 24, 2024

**9. Adjournment**

**Resolution # 4**

**Moved By:** Joan Weston

**Seconded By:** Paul DeCloet

THAT the June 25 meeting be adjourned at 6:13 pm

**Carried**



# tion of the Town of Tillsonburg port Advisory Committee Meeting MINUTES

Thursday, June 27, 2024

5:30 PM

Tillsonburg Regional Airport - Meeting Room

244411 Airport Rd

Tillsonburg, ON N4G 4H1

ATTENDANCE: Gurvir Hans  
Mark Renaud, Chair  
John Britton  
Chris Parker  
Deb Gilvesy  
Valerie Durston

Regrets: Jeff Miller  
Dan Cameron  
Nate Bain  
Emily Crombez  
David Hillner

Staff: Richard Sparham, Manager of Public Works  
Jonathon Graham, Director of Operations and Development  
Julie Ellis, Deputy Clerk

Regrets: Don Huras, Airport Manager

## 1. Call to Order

The meeting was called to order at 5:43 p.m.

## 2. Adoption of Agenda

**Resolution # 1****Moved By:** Chris Parker**Seconded By:** Deb Gilvesy

THAT the Agenda as presented for the Tillsonburg Airport Advisory Committee meeting of June 27, 2024, be approved.

**Carried****3. Disclosures of Pecuniary Interest and the General Nature Thereof**

There were no disclosures of pecuniary interest.

**4. Adoption of Minutes of Previous Meeting****Resolution # 2****Moved By:** Chris Parker**Seconded By:** John Britton

THAT the minutes of the Tillsonburg Airport Advisory Committee meeting dated March 21, 2024, be approved.

**Carried****5. General Business and Reports****5.1 Airport Manager's Update**

Richard Sparham, Manager of Public Works, provided an update on operations and maintenance at the airport. Highlights included:

- Aircraft movements in March - May of 2024 remain steady when compared to the same timeframe in 2023
- Fuel sales - while Av Gas sales remain steady, there was a significant increase in jet fuel sales
- Safety Update - the final report was issued regarding the incident that occurred on the evening of December 1, 2023. The incident was not reported until February of 2024 and the final report follow-up was received May 12, 2024. There will be no further follow-up required. Staff noted that the incident highlights the need for trees to be cut down in the future.

- Upcoming Canadian Harvard Aircraft Association (CHAA) Fly-days will be July 20th and August 17th
- Town staff have met with the organizers of CHAA's Wings and Wheels event (September 7th, 2024) to identify additional parking requirements and traffic detours. A South West Oxford representative will also be meeting with the organizers. A Traffic Management Plan will be developed for the Wings and Wheels event.
- Since the implementation of Report a Problem for the Airport, there has been a low ticket volume and members of the Airport Community are encouraged to use the system to report issues.

Committee members asked questions regarding:

- Availability of Airport staff to answer the radio, as complaints have been received.
  - Staff asked that these issues be communicated to the Airport Manager so that they are aware of any issues with level of service
- The creation of a demo of the Report a Problem system be sent out to citizens?
  - Staff will look into this with the communications team
- Could the communications procedure and information regarding Report a Problem be included in a package for new lessees?
  - Staff agreed that this is something that could be considered
- What is required when there are events at the airport in terms of traffic management, agreements, event plans, etc.?
  - Staff confirmed that they are working on this with CHAA and looking at a potential long-term agreement

## **5.2 Tillsonburg Airport Advisory Committee Standing Updates**

Jonathon Graham, Director of Operations and Development and Richard Sparham, Manager of Public Works reviewed the list of standing items and provided the following updates:

- Gate Power - a new ticket was submitted with hydro one and work should be completed shortly

- Security Camera - this has been completed and can be removed from the list
- Drainage - Don Huras, Airport Manager, has reached out to someone else for a quote to see if the cost can be reduced
- Displaced Threshold - staff have been meeting with legal and a report will be presented to Council shortly
- Strategy for Promotion of the Tillsonburg Airport - The Town's Economic Development Commissioner has created some golf/fly-in pages (some overnight). The packages are close to being finalized. A report will come back to the next committee meeting. Advertising about other town events is also in development.
- Crack Sealing - a quote has been received
- Law Seeding - this is in the works

The committee inquired about who is charged for areas that aren't maintained. Jonathon Graham confirmed that staff are working on this, and will get back to the committee at a future meeting.

### **5.3 Report a Problem System**

Jonathon Graham, Director of Operations and Development, provided the Committee with a walk through of the Report a Problem System.

Highlights included:

- Until two months ago, airport-related requests were managed by internal staff. It has now been opened up so that the public can report problems at the airport.
- Only 14 requests relating to the airport have been received thus far
- The system allows staff to see complaints, track progress of issues, conduct reports, and ensure that issues are addressed
- A town address is not required to issue a complaint, as "N/A" is an option. Staff will look into putting "not a town resident" as an option.
- Staff can get reports to their e-mail that show incomplete requests

### **5.4 OPD-24-042 - CYTB 100 - Tillsonburg Regional Airport Communications Procedure**



Richard Sparham, Manager of Public Works, introduced his report and explained the proposed Tillsonburg Regional Airport Communications Procedure. The goal of the procedure is to streamline communications. Suggestions from the committee included more information about how to access Report A Problem (possible adding the QR code), and adding that delegations need to contact

Outlines a procedure. Hope is to streamline communications.

Suggestions from committee members included providing additional information on how to access Report A Problem, and ensuring that delegations were encouraged to reach out to clerks@tillsonburg.ca

### **Resolution # 3**

**Moved By:** Chris Parker

**Seconded By:** John Britton

THAT report OPD 24-042 titled Tillsonburg Regional Airport Communications Procedure be received as information; and

THAT the proposed Tillsonburg Regional Airport Communications Procedure be sent to Council for approval.

**Carried**

## **6. Next Meeting**

Thursday, September 19th at 5:30 p.m. at the Tillsonburg Regional Airport

## **7. Adjournment**

### **Resolution # 4**

**Moved By:** John Britton

**Seconded By:** Chris Parker

THAT the Tillsonburg Airport Advisory Committee meeting of Tuesday, March 12, 2024 be adjourned at 6:39 p.m.

**Carried**

**THE CORPORATION OF THE TOWN OF TILLSONBURG****BY-LAW 2024-069**

**A BY-LAW to provide for the adoption of budgetary estimates, tax rates, installment due dates, and to further provide for penalty and interest on default of payment thereof for 2024.**

**WHEREAS** Section 290 of the Municipal Act, 2001, S.O. 2001 c.25 (the Act), as amended, provides that the Council of a local municipality shall prepare and adopt estimates of all sums required during the year for the purposes of the municipality; and

**WHEREAS** Section 312 of the Act provides that the Council of a local municipality shall, after the adoption of estimates for the year, pass a by-law to levy a separate tax rate, as specified in the by-law, on the assessment in each property class; and

**WHEREAS** Sections 307 and 308 of the Act require tax rates to be established in the same proportion to each other as the tax ratios established for the property classes are to each other, with regulations requiring reductions in certain tax rates for certain classes or subclasses of property; and

**WHEREAS** Section 342 of the Act allows a local municipality to pass by-laws providing for the payment of taxes in one amount or by instalments and the date or dates in the year for which the taxes are imposed on which the taxes or instalments are due; and

**WHEREAS** Section 345 of the Act allows a local municipality to pass by-laws to impose late payment charges for the non-payment of taxes or any instalment by the due date;

**BE IT THEREFORE ENACTED** by the Council of the Corporation of the Town of Tillsonburg as follows:

- 1) THAT the budget estimates setting out 2024 Operating Budget of \$28,800,258 with a levy of \$17,676,194, and the 2024 Capital Budget of \$22,972,600 with a levy of \$3,082,500, being a combined budget amount of \$51,772,858 with \$20,758,694 from taxation, as shown on Schedule "A" and Schedule "B" respectively and detailed in the Business Plans for the year 2024, endorsed by resolution of February 12th, 2024, and raising the following amounts from realty taxation, be adopted:
  - A) A general municipal levy of \$20,758,694
  - B) A special levy for core area parking of \$162,897
  - C) A special levy for the Business Improvement Area of \$221,473
- 2) THAT the tax rates hereby adopted for each class for the year 2024, excluding local improvement rates or other special charges collected as taxes, shall be the tax rates as listed on Schedule "C" attached hereto and forming part of this by-law and the tax rate for each class shall be applied against the whole of the assessment for real property for that particular class and purpose.

By-Law 2024-069

- 3) THAT every property owner shall be taxed according to the tax rates in this by-law. The taxes for a particular property shall be calculated by applying the Current Value Assessment against the tax rates set out and further adjusted as required by the provisions of the Municipal Act, 2001, S.O. 2001. Such taxes, less those amounts paid on the interim instalments for 2024, shall become due and payable in two installments as follows:

**ALL PROPERTY CLASSES:****FIRST INSTALMENT                      August 30, 2024****SECOND INSTALMENT                      October 30, 2024**

Notice of such taxes due shall be sent by first class mail to those persons shown as liable for the payment of taxes.

- 4) THAT a charge as a penalty of 1 and 1/4 per cent on the amount of any unpaid installment levied in 2024 shall be applied on the first business day of the month following the installment date.
- 5) THAT interest of 1 and 1/4 per cent per month on the amount of any outstanding taxes levied in 2024 shall be applied on the first day of each calendar month in which default continues until December 31, 2024, and any such additional amounts shall be levied and collected in the same manner as if they had been originally imposed with and formed part of the taxes levied under this by-law.
- 6) THAT interest of 1 and 1/4 per cent on the amount of any taxes due and unpaid after December 31, 2024 shall be charged on the first day of each calendar month thereafter in which default continues.
- 7) THAT for those taxpayers participating in the Monthly Preauthorized Payment Program, penalty and interest charges indicated in this section do not apply, provided the payments are made as agreed and without default.
- 8) THAT By-law 2024-050 is hereby repealed.
- 9) THAT this by-law shall come into force and take effect on the date it is passed.

**READ A FIRST AND SECOND TIME THIS 24<sup>th</sup> day of June, 2024.**

**READ A THIRD AND FINAL TIME AND PASSED THIS 24<sup>th</sup> day of June, 2024.**

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MAYOR, Deb Gilvesy

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CLERK, Tanya Daniels



## 2024 Budget Levy Requirements

	2023	2024		
	Total Budget Levy	Total Budget Levy	Variance \$	Variance %
<b>Budget Requirements</b>				
Council	449,642	546,483	96,841	21.54%
Financial Services	12,012	75,483	63,471	528.40%
Corporate Services	1,699,247	2,148,653	449,406	26.45%
Customer Services	-109,171	-101,420	7,751	(7.10%)
Fleet Services	55,000	66,468	11,468	20.85%
THI	-141,400	-140,040	1,360	(0.96%)
Enterprise Services	-198,600	-285,000	-86,400	43.50%
Fire Services	1,571,866	1,656,351	84,485	5.37%
Police Services	3,277,437	3,399,611	122,174	3.73%
Protection/Bylaw	303,845	504,681	200,836	66.10%
Building				#DIV/0!
OPS Admin	370,891	241,141	-129,750	(34.98%)
Engineering	482,468	530,114	47,646	9.88%
Public Works	4,361,736	4,995,895	634,159	14.54%
Parking				#DIV/0!
Airport	57,348	34,167	-23,181	(40.42%)
Waste Management	107,159	33,747	-73,412	(68.51%)
Cemetery	209,573	201,169	-8,404	(4.01%)
Parks	1,168,742	1,209,944	41,202	3.53%
Community Events	100,430	125,720	25,290	25.18%
Recreation - Programs	966,729	1,022,822	56,093	5.80%
Recreation - Facilities	3,801,241	4,053,593	252,352	6.64%
Elliott Fairbairn Centre	-26,786	-27,579	-793	2.96%
Museum	398,895	396,743	-2,152	(0.54%)
Transit Services	194,865	89,205	-105,660	(54.22%)
Development & Communication Services	-11,000	-47,500	-36,500	331.82%
Economic Development	422,050	425,243	3,193	0.76%
Municipal Taxes	-376,600	-397,000	-20,400	5.42%
<b>Consolidated Budget Levy Requirement</b>	<b>19,147,619</b>	<b>20,758,694</b>	<b>1,611,075</b>	<b>8.41%</b>
<b>Operating Plan</b>				
Council	449,642	546,483	96,841	21.54%
Financial Services	12,012	75,483	63,471	528.40%
Corporate Services	1,699,247	2,133,653	434,406	25.56%
Customer Services	-109,171	-101,420	7,751	(7.10%)
Fleet Services		268	268	#DIV/0!
THI	-141,400	-140,040	1,360	(0.96%)
Enterprise Services	-198,600	-285,000	-86,400	43.50%
Fire Services	1,551,866	1,632,251	80,385	5.18%
Police Services	3,277,437	3,399,611	122,174	3.73%



## 2024 Budget Levy Requirements

	2023	2024		
	Total Budget Levy	Total Budget Levy	Variance \$	Variance %
Protection/Bylaw	303,845	504,681	200,836	66.10%
Building				#DIV/0!
OPS Admin	370,891	241,141	-129,750	(34.98%)
Engineering	399,468	530,114	130,646	32.70%
Public Works	3,047,236	3,314,395	267,159	8.77%
Parking				#DIV/0!
Airport	57,348	-15,533	-72,881	(127.09%)
Waste Management	107,159	33,747	-73,412	(68.51%)
Cemetery	209,573	201,169	-8,404	(4.01%)
Parks	918,242	951,444	33,202	3.62%
Community Events	100,430	125,720	25,290	25.18%
Recreation - Programs	966,729	1,022,822	56,093	5.80%
Recreation - Facilities	3,016,241	3,066,093	49,852	1.65%
Elliott Fairbairn Centre	-26,786	-27,579	-793	2.96%
Museum	398,895	396,743	-2,152	(0.54%)
Transit Services	194,865	89,205	-105,660	(54.22%)
Development & Communication Services	-11,000	-47,500	-36,500	331.82%
Economic Development	422,050	425,243	3,193	0.76%
Municipal Taxes	-376,600	-397,000	-20,400	5.42%
<b>Total Operating Levy</b>	<b>16,639,619</b>	<b>17,676,194</b>	<b>1,036,575</b>	<b>6.23%</b>
<b>Capital Plan</b>				
Corporate Services		15,000	15,000	#DIV/0!
Fleet Services	55,000	66,200	11,200	20.36%
Fire Services	20,000	24,100	4,100	20.50%
Engineering	83,000		-83,000	(100.00%)
Public Works	1,314,500	1,681,500	367,000	27.92%
Airport		49,700	49,700	#DIV/0!
Parks	250,500	258,500	8,000	3.19%
Recreation - Facilities	785,000	987,500	202,500	25.80%
<b>Total Capital Levy</b>	<b>2,508,000</b>	<b>3,082,500</b>	<b>574,500</b>	<b>22.91%</b>

Schedule 'B' - By-law 2024-069



**2024 Capital Project Listing - New Requests**

Town

	Expenditures	Contribution to Reserves	Grants	Tax Supported Debt	Reserves	DC Reserves	Donation	Miscellaneous	User Pay Debt	Taxation	Comments
<b>110 Corporate Services</b>											
005 New IT Equipment		15,000								15,000	IT Reserve
020 Annual Computer Replacement	60,000				-60,000						IT Reserve
032 Cell Phone Replacement	15,000				-15,000						IT reserve
004 Replace IT Capital	-80,000	80,000									IT Reserve
<b>Total 110 Corporate Services</b>	<b>-5,000</b>	<b>95,000</b>			<b>-75,000</b>					<b>15,000</b>	
<b>130 Fleet</b>											
051 New Hydraulic Mower Lift	25,000				-25,000						Fleet Reserve
052 New Scissor Lift	35,000				-35,000						Fleet Reserve
053 New Lawn Trailer	25,000				-25,000						Fleet Reserve
054 New Box Blade Attachment	55,000				-55,000						Fleet Reserve
055 New Skid Steer & Attachments	205,000			-128,400	-10,400					66,200	Fleet Reserve
056 New Tailer (5x10)	10,000				-10,000						Fleet Reserve
057 Replace #140 Airflow Slide San	15,000				-15,000						Fleet Reserve
058 Replace #99 MT6 Sidewalk	220,000			-220,000							
059 Repalce #135 Boom Flail Mower	40,000				-40,000						Fleet Reserve
060 Replace #75 Sander/Plow	225,000			-225,000							
061 Replace #137 Sander Attachment	7,000				-7,000						Fleet Reserve
062 Replace#105 Sander Attachment	9,000				-9,000						Fleet Reserve
<b>Total 130 Fleet</b>	<b>871,000</b>			<b>-573,400</b>	<b>-231,400</b>					<b>66,200</b>	
<b>150 Fire</b>											
X57 Training supplies and resources	5,000				-5,000						Fire Equipment Reserve
X56 Gas Detection Equipment	15,000				-15,000						Fire Equipment Reserve
X55 Rescue Equipment	7,500				-7,500						Fire Equipment Reserve
X54 PPE Bunker Gear R&R	30,000				-5,900					24,100	Fire Equipment Reserve
X53 Minor Renos to backup Dispatch at CSC	7,500				-7,500						Fire Comm Reserve
<b>Total 150 Fire</b>	<b>65,000</b>				<b>-40,900</b>					<b>24,100</b>	
<b>220 Public Works</b>											
X70 Sidewalk Connectivity	55,000				-55,000						Linear Infrastructure Reserve
X14 Future Bridge Repairs		66,100								66,100	
X08 TGO Bus Shelters	25,000									25,000	
X07 Charlotte & Clarence Construction	958,600		-225,000		-371,000					362,600	OCIF Funding
X06 Townline Rd & Goshen St Construction	1,058,200		-799,000							259,200	Federal Gas Tax
X05 Deveonshire Ave Culvert	838,000			-838,000							
<b>Total 220 Public Works</b>	<b>2,934,800</b>	<b>66,100</b>	<b>-1,024,000</b>	<b>-838,000</b>	<b>-426,000</b>					<b>712,900</b>	

Schedule 'B' - By-law 2024-069



**2024 Capital Project Listing - New Requests**  
Town

	Expenditures	Contribution to Reserves	Grants	Tax Supported Debt	Reserves	DC Reserves	Donation	Miscellaneous	User Pay Debt	Taxation	Comments
<b>235 Streetlights</b>											
X12 PXO Crossing - Broadway/BurgerKing	55,000									55,000	
X11 Devonshire ave, Alba Ave & Devon Court	392,500				-193,300					199,200	Linear Infrastructure Reserve
<b>Total 235 Streetlights</b>	<b>447,500</b>				<b>-193,300</b>					<b>254,200</b>	
<b>240 Airport</b>											
X13 Airport Economic Dev. Expansion & Job Creation	99,400		-49,700							49,700	RED Grant
<b>Total 240 Airport</b>	<b>99,400</b>		<b>-49,700</b>							<b>49,700</b>	
<b>260 Storm Sewers</b>											
X10 Storm Pond Maintenance	50,000									50,000	
X07 Charlotte & Clarence Construction	560,700				-275,100					285,600	OCIF Funding
X06 Townline Rd & Goshen St Construction	378,800									378,800	
<b>Total 260 Storm Sewers</b>	<b>989,500</b>				<b>-275,100</b>					<b>714,400</b>	
<b>450 Parks</b>											
X31 Parking Lot Paving	100,000				-33,900					66,100	RCP Reserve
X30 Aluminum Benches/Bleachers	10,000									10,000	
X29 Trails & Pathways	10,000									10,000	
X28 Sports Field Maintenance/Repairs	55,000									55,000	
X27 Pickleball Courts	245,000				-145,000	-77,000				23,000	
X26 Site Amenities	10,000									10,000	
X25 Maintenance, Repairs & AODA	20,000									20,000	
X24 Lake Lisgar Maintenance & Shoreline Protection	40,000									40,000	
X23 Parks & Trails Sigange Replacement	5,000									5,000	
X22 Tree Planting Urban Forestry	8,000									8,000	
X21 Dog Park	3,000									3,000	
X20 Playground Replacement Program	100,000				-91,600					8,400	RCP Reserve
<b>Total 450 Parks</b>	<b>606,000</b>				<b>-270,500</b>	<b>-77,000</b>				<b>258,500</b>	
<b>465 Rec - Bldg Mtce</b>											
X52 New Town Hall	450,000				-300,000					150,000	Tax Rate Stabilization Reserve
X51 LLWP Basin Repair	12,000									12,000	
X50 Natatorium	200,000				-200,000						Facility Infrastructure Reserve
X49 TCC Office Reno	70,000				-63,200					6,800	Facility Infrastructure Reserve
X48 Station Arts Brickwork	5,000									5,000	
X47 Arena Upgrades (AODA,boards, score clock)	35,000									35,000	
X45 Fire Hall Windows/Doors	25,000									25,000	
X44 OPP Fire panel	30,000									30,000	

Schedule 'B' - By-law 2024-069



**2024 Capital Project Listing - New Requests**  
Town

	Expenditures	Contribution to Reserves	Grants	Tax Supported Debt	Reserves	DC Reserves	Donation	Miscellaneous	User Pay Debt	Taxation	Comments
X43 THI Voltage Conversion	25,000									25,000	
X42 Indoor Pool Asset (Contr to Reserve)	200,000									200,000	
X41 TCC Furnishings & Painting	5,000									5,000	
X40 Recreation Minor Capital	10,000									10,000	
X39 TCC Building Envelope	30,000									30,000	
X38 Health Club	80,000					-6,300				73,700	
X37 HVAC General Repairs	40,000									40,000	
X36 Security & Access Control Systems	35,000									35,000	
X35 General Building Repairs & Maintenance	80,000									80,000	
X34 Roof Repair/Replacement	285,000				-100,000					185,000	Facility Infrastructure Reserve
X33 Annual LED Light Conversion	35,000									35,000	
X32 Signage	5,000									5,000	
<b>Total 465 Rec - Bldg Mtce</b>	<b>1,657,000</b>				<b>-663,200</b>	<b>-6,300</b>				<b>987,500</b>	
<b>505 Economic Dev</b>											
X19 Rokeby Road Rehabilitation	450,300							-450,300			Norfolk County
X17 Progress Dr Extension	600,000							-600,000			Land Sales
X16 VIP Phase 2 Construction	9,312,000			-5,846,000				-2,250,000		1,216,000	Land Sales
X15 Project Big Swing	4,784,000							-6,000,000		-1,216,000	Land Sales
<b>Total 505 Economic Dev</b>	<b>15,146,300</b>			<b>-5,846,000</b>				<b>-9,300,300</b>			
<b>Total Project Listing</b>	<b>\$22,811,500</b>	<b>\$161,100</b>	<b>(\$1,073,700)</b>	<b>(\$7,257,400)</b>	<b>(\$2,175,400)</b>	<b>(\$83,300)</b>		<b>(\$9,300,300)</b>		<b>\$3,082,500</b>	
<b>Total Capital Budget</b>		<b>\$22,972,600</b>									



## Schedule 'C' - By-law 2024-069

2024 Tax Rates

RTC/RTQ	CLASS	TOTAL BASE						TOTAL
		GENERAL	COUNTY	EDUCATION	RATES	PARKING	BIA	
RT	RESIDENTIAL	0.00867693	0.00489998	0.00153000	0.01510691	0.00114762		0.01625453
MT	MULTI-RESIDENTIAL	0.01735386	0.00979996	0.00153000	0.02868382	0.00229523		0.03097905
NT	NEW MULTI-RESIDENTIAL	0.00867693	0.00489998	0.00153000	0.01510691			0.01510691
CT	COMMERCIAL	0.01650179	0.00931878	0.00880000	0.03462057	0.00218255	0.00292765	0.03973077
CU	COMMERCIAL EXCESS LAND	0.01155125	0.00652316	0.00880000	0.02687441	0.00152778	0.00204935	0.03045154
CX	COMMERCIAL VACANT LAND	0.01155125	0.00652316	0.00880000	0.02687441	0.00152778	0.00204935	0.03045154
IT	INDUSTRIAL	0.02282033	0.01288695	0.00880000	0.04450728			0.04450728
IU	INDUSTRIAL EXCESS LAND	0.01483321	0.00837651	0.00880000	0.03200972			0.03200972
IX	INDUSTRIAL VACANT LAND	0.01483321	0.00837651	0.00880000	0.03200972			0.03200972
LT	LARGE INDUSTRIAL	0.02282033	0.01288695	0.00880000	0.04450728			0.04450728
LU	LARGE INDUSTRIAL EXCESS LAND	0.01483321	0.00837651	0.00880000	0.03200972			0.03200972
PT	PIPELINES	0.01092686	0.00617055	0.00880000	0.02589741			0.02589741
FT	FARMLAND	0.00188897	0.00106673	0.00038250	0.00333820			0.00333820
TT	MANAGED FOREST	0.00216923	0.00122500	0.00038250	0.00377673			0.00377673
GT	PARKING LOT	0.01650179	0.00931878	0.00880000	0.03462057		0.00292765	0.03754822
R1	FARMLAND AWAITING DEVELOPMENT PH 1	0.00390462	0.00220499	0.00068850	0.00679811			0.00679811

**THE CORPORATION OF THE TOWN OF TILLSONBURG****BY-LAW 2024-073**

**A BY-LAW for the use, protection and regulation of public parks and recreation areas in the Town of Tillsonburg.**

**WHEREAS** Section 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, (“Municipal Act”) provides that a municipality may pass by-laws respecting matters within the sphere of jurisdiction of culture, parks, recreation and heritage;

**AND WHEREAS** Sections 23.1, 23.2, 23.3 and 23.5 of the *Municipal Act, 2001*, S.O. 2001, c.25 authorize a municipality to delegate certain powers and duties;

**AND WHEREAS** Section 128 of the *Municipal Act, 2001* provides that a Municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances, and it is the opinion of Council that smoking, loitering, causing graffiti, being under the influence of alcohol/ Illicit drugs, and depositing Refuse are a nuisance;

**AND WHEREAS** Section 391 of the *Municipal Act, 2001* provides that a Municipality may impose fees or charges on any class of Persons for services or activities provided or done by or on behalf of it, and which by-law may provide for interest charges and other penalties, including the payment of collection costs, for fees and charges that are due and unpaid;

**AND WHEREAS** Section 425 of the *Municipal Act*, provides that a municipality may pass by-laws providing that a Person who contravenes a by-law of the municipality passed under this Act is guilty of an offence;

**AND WHEREAS** Section 426 of the *Municipal Act*, provides that no Person shall hinder or obstruct, or attempt to hinder or obstruct, any Person who is exercising a power or performing a duty under the *Municipal Act* or under a by-law passed under the *Municipal Act*;

**AND WHEREAS** the Municipality may enact by-law provisions that (without limitation) impose fines, allow powers of entry, authorize orders to achieve compliance or discontinue contraventions, authorize inspections, authorize remedial work and provide for the collection of remediation costs, pursuant to Part XIV of the *Municipal Act*, including Sections 429,435 - 438, 441.1 and 444 - 446;

**AND WHEREAS** Section 35 of the *Liquor Licence Act*, R.S.O. 1990 c. L-19, as amended, provides that the Council of a municipality may by by-law designate a recreational area within the municipality that is owned or Controlled by the municipality as a place where the possession of Liquor is prohibited;

**AND WHEREAS** Section 55 of the Community Safety and Policing Act, S.O. 2019, c 1, Sch 1, as amended, municipalities may appoint persons to enforce the by-laws of the municipality, and municipal by-law enforcement officer appointed under this section are peace officers for the purpose of enforcing municipal by-laws;

**AND WHEREAS** Section 61 of the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended, provides that except where otherwise provided by law, every Person who is convicted of an offence under a municipal by-law is liable to a fine of not more than \$5,000;

**AND WHEREAS** Section 2 of the *Trespass to Property Act*, R.S.O. 1990, c. T.21, provides that every Person who engages in an activity on a premise when the activity is prohibited or does not leave the premise immediately after he or she is directed to do so by the occupier of the premise or a Person authorized by the occupier may be found guilty of an offence and liable to a fine of not more than \$10,000;

**AND WHEREAS** the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c.4, Section 7(1)1(a)(b), as amended, provides that a Council of a municipality may pass by-laws regulating fire prevention, including the prevention of the spreading of fires, and regulating the setting of open air fires, including the establishment of times during which open air fires may or may not be set;

**AND WHEREAS** all Parks and Recreation Areas under the authority of the Town of Tillsonburg are for the use, benefit, and enjoyment of the public;

**AND WHEREAS** the Council of the Town of Tillsonburg deems it desirable to pass a by-law to provide for the use, protection and regulation of public *Parks and Recreation Areas* in the Town of Tillsonburg;

**BE IT THEREFORE ENACTED** by the Council of the Corporation Town of Tillsonburg as follows:

## SHORT TITLE PARKS AND RECREATION AREA BY-LAW

### PART 1 INTERPRETATION

#### 1 Definitions in this by-law:

**“Aircraft”** shall mean any fixed-wing Aircraft, helicopter, hot air balloon, hang glider, ultralight Aircraft or similar conveyance.

**“Authorized Sign”** means any signage, notice, or other device which has been placed or erected in or upon a Park under the authority of this or other by-laws for the purpose

of the general management, identification, control and regulation of activities within a Park.

**"Authorized Parking Area"** means an area of a Park or *Recreation Area* that has been *Designated*, set aside, or established by the Town for the parking of *Motor Vehicles*, and may have Posted regulations with respect to the use of the Designated Authorized Parking Area.

**"Barbeque"** means a portable or fixed device, whether powered by coal, wood, propane or other fuel, or electricity, including a hibachi, a permanent structure designed and intended solely for the cooking of food in the open air.

**"Bicycle"** includes a unicycle and a tricycle but does not include a *Power-Assisted Bicycle* or motor assisted cycle of any type.

**"Bulk Feed"** means the depositing of a quantity of food greater than 250 ml for the purpose or intention of feeding wildlife, including, but not limited to, deer, geese, ducks, squirrels and/or groundhogs.

**"Change Room"** means any permanent or temporary structure or portion of a structure designed by the Town to accommodate Persons for the purpose of changing their clothing. A *Change Room* may or may not include *Washroom* facilities.

**"Control"** includes and refers to care and custody.

**"Commercial Motor Vehicle"** means a Motor Vehicle having attached thereto a truck or delivery body and includes ambulances, hearses, tow-trucks, motor buses, fire trucks and apparatus, motorized construction equipment, motorized farm Vehicles or equipment (including farm tractors), tractor trailers or any part thereof that are used for hauling purposes. For the purposes of this by-law shall also include transport trailers.

**"Council"** means the elected Council of the Corporation of the Town of Tillsonburg.

**"Dangerous Dog"** mean a dog that in the absence of any mitigating factor has bitten or attacked a Person or domestic animal, or has behaved in a manner that poses a menace to the safety of a Person or other domestic animals. Dangerous Dog also means a dog, previously Designated as a potentially Dangerous Dog, that is kept or permitted to be kept by its owner in violation of the requirements for such dog. For the purposes of this by-law include a Pit Bull.

**"Designated"** means an area defined or constructed for a specific use by the Town and may include Posted conditions.

**"Director"** means the Director of Recreation, Culture and Parks or any employee acting under their direction, which may include contracted staff.

**“Dock”** means structures located on lands owned or under the Control of the Town used as a Dock, wharf, pier or boat launching or recovery area together with all adjacent and underlying lands related thereto.

**“Dog Toys”** include but are not limited to balls, squeeze toys, plastic Dog Toys, Frisbees, ropes, rawhide chews, bones etc.

**“Domesticated Animal”** includes but is not limited to dog, cat, pony, horse, goat, or any other animal which is owned as a pet.

**“Electronic Cigarette”** means a vaporizer or inhalant-type device, whether called an Electronic Cigarette or any other name, that contains a power source and heating element designed to heat a substance and produce a vapour intended to be inhaled by the user of the device directly through the mouth, whether or not the vapour contains nicotine;

**“Environmental Protected Area”** means those areas delineated as an *Environment Protection Area* on a Map Schedule of the Official Plan for the *Town* as may be amended from time-to-time, and which are under the Control or management or joint management of the Town.

**“Firearm”** means any barreled Weapon from which any shot, bullet or other missile can be discharged and that is capable of causing serious bodily injury or death to a Person or animal, and includes any frame or receiver of such a barreled Weapon and anything that can be adapted for use as a Firearm. It includes a device that propels a projectile by means of any explosion, compressed gas or spring and includes, without limitation, a rifle, handgun or spring gun, crossbow, longbow, air or pellet rifle.

**“Fireworks”** means devices containing combustible chemicals that cause explosions or spectacular effects.

**“Hiking Trail”** means that part of a *Park* that has been marked, posted or blazed for the purpose of hiking, cross-country skiing or running by the public and is not pavement or concrete and on which the *Motor Vehicles*, *Motorized Snow Vehicles* or *Off-Road Vehicles* are prohibited. Note that *Hiking Trails* may or may not be accessible to motorized wheelchairs depending on topographic restrictions.

**“Illicit Drugs”** shall mean Controlled substances as specified in the Controlled Drug and Substances Act. S.C. 1996, c. 19.

**“Inline Skating”** shall mean a shoe with a line of rollers fixed to the sole.

**“Liquor”** shall have the same meaning as defined in the *Liquor Licence Act*, R.S.O. 1990, c. L-19, as amended.

**“Lived Gender Identity”** means the gender a person feels internally (“gender identity” along the gender spectrum) and expresses publicly (“gender expression”) in their daily

life including at work, while shopping or accessing other services, in their housing environment or in the broader community.

**“Motorized Snow Vehicle”** means a self-propelled Vehicle designed to be driven primarily on snow, including but not limited to snowmobiles.

**"Motor Vehicle"** has the meaning attributed to it in the *Highway Traffic Act*, R.S.O. 1990, c. H.8, as amended.

**“Municipality”** shall have the same meaning as Town.

**"Multi-use Pathway"** means that part of a *Park* on Town property that has been improved with a hard surface and includes any bridge or structure with which it is contiguous and is intended for a variety of uses, including: pedestrians, Inline Skating, Bicycling, Power-Assisted Bicycle and Vehicles, and may exclude some Vehicles, including but not limited to *Motor Vehicles*, *Off-Road Vehicles*, horses and horse-drawn carriages or other conveyances of any sort and *Motorized Snow Vehicles*.

**"Open Space"** means an area which may be an entire *Park* or part of a *Park*, preserved in its natural or near natural state or an area created to remain thereafter in a natural state as Open Space and available for use by the public. Open Space is delineated on a Map and/or Schedule of the Official Plan for the Town as may be amended from time-to-time, and which is under the Control or management or joint management of the Town.

**“Officer”** means a Police Officer, Conservation Officer, Peace Officer, Animal Control Officer or By-law Enforcement Officer appointed by the Council of the *Town*.

**“Off-Road Vehicle”** has the meaning attributed to it in the *Off-Road Vehicle Act*, R.S.O. 1990, c. O.4, as amended. In addition, for the purposes of this by-law, shall include motorbikes, four-wheelers, ATVs, trikes, and Argos.

**"Park"** means land and land covered by water and all portions thereof under the *Control* or management or joint management of the *Town*, that is or may be established, dedicated, set apart, or made available for public use, including but not limited to *Open Space* and an *Environmental Protected Area* as defined in this by-law, including but not limited to any buildings, structures, facilities, storm water management ponds, erections and improvements located in or on such land.

**"Parks Permit"** shall mean a document issued by the Town to a sports group, organization, or individual and spectators associated with an event to use a Recreation Area on a specific day commencing and ending at a certain time and shall include a license or rental agreement.

**“Person”** includes an individual, a sole proprietorship, a partnership, an unincorporated association, a trust, a body corporate and a natural Person.

**“Pit Bull”** means the breed of dog, which includes:

- (a) a Pit Bull Terrier,
- (b) a Staffordshire Bull Terrier,
- (c) an American Staffordshire Terrier,
- (d) an American Pit Bull Terrier, or
- (e) a member of a class of dogs that have the appearance and physical characteristics that are substantially similar to dogs referred to in (a) through (d) above. In determining whether a dog is a Pit Bull regard may be had to the breed standards established, for dogs referred to in (a) through (d) above, by the Canadian Kennel Club, the United Kennel Club, the American Kennel Club or the American Dog Breeders Association.

**“Pleasure Craft”** shall mean kayaks, canoes, inflatable boats, rowboats, cibles, and paddle boats.

**“Post, Posting or Posted”** refers to the erection or presence of Authorized Signs and “Posted Area” means an area where Authorized Signs are erected or displayed.

**“Power-Assisted Bicycle”** has the meaning attributed to it in the *Highway Traffic Act*, R.S.O. 1990, c. H.8, as amended, and is commonly referred to as an electric *Bicycle* or e-bike, and for greater certainty, has affixed to it pedals that are operable, and for greater certainty an e-bike and an e-scooter are defined as follows:

- “e-bike” shall mean a “Power-Assisted Bicycle” that has the appearance of a *Bicycle*;
- “e-scooter” shall mean a “Power-Assisted Bicycle” that has the appearance of a scooter;

**“Public Meeting or Gathering”** means a picnic, organized gathering or organized event of more than twenty-five (25) Persons.

**“Refuse”** means any article, or thing that appears to be waste material and is discarded as waste including but not limited to the following classes of waste material:

- (a) grass clippings, tree cuttings, brush, leaves and garden *Refuse*;
- (b) paper, cardboard, clothing;
- (c) all kitchen and table waste, of animal or vegetable origin resulting from the preparation or consumption of food, except any acceptable material placed in a container;
- (d) cans, glass, plastic containers, dishes;
- (e) new or used material resulting from or for the purpose of construction, alteration, repair or demolition of any building or structure;
- (f) refrigerators, freezers, stoves or other appliances and furniture;
- (g) furnaces, furnace parts, pipes, fittings to pipes, water or fuel tanks;
- (h) unlicensed Motor Vehicle, inoperative Motor Vehicle, Vehicle parts and accessories, Vehicle tires mounted on rims or unmounted, mechanical equipment;

- (i) rubble, inert fill, fencing materials; and
- (j) other miscellaneous scrap metal, and shopping carts;
- (k) anything that appears to be worthless, abandoned, worn-out, of no practical value or unsightly.

**"Recreation Area"** means an area, building or combination of both, under the Control of the Town for the purpose of offering recreation to the public, and that is maintained and/or supervised by employees of the Town, including but not limited to: tennis courts, arena, outdoor ice rink, skating rink, ice surface, swimming pool, wading pool/spray pad, play area, community centre, skateboard facility, Sports Fields, dog park, squash court, pickle ball court, Lake Lisgar Waterpark, Senior Centre, health club, J.L Scott McLean Recreation Pad, Lake Lisgar, Community Gardens, park, a building or portion of a building that is owned, leased or used by the Town, for the purpose of offering recreation to the public.

**"Roadway"** means that part of a *Park* or *Recreation Area* that is improved, designed or ordinarily used by Vehicles and Motor Vehicles.

**"Run at Large"** means a Domesticated Animal found in any place other than the premises of the owner of the Domesticated Animal and that is not under the physical *Control* of any Person by means of a leash held by a Person in Control of the Domesticated Animal.

**"RZone"** means the RZone Policy.

**"Sexual Activity"** means any physical contact or exposure of a sexual nature involving genitalia, buttocks, or female breasts by one or more individuals.

**"Slurry"** is a mixture of denser solids suspended in liquid and not limited to the following:

- (a) slurry or other material from vacuum excavation (i.e., "vac trucks");
- (b) slurry from directional boring, drilling or other activities;
- (c) concrete slurry or related products and by-products;
- (d) excavated material from the cleanout of storm water management ponds;
- (e) fill that affects the Control of flooding, erosion, dynamic beaches, pollution or the conservation of land;

**"Smoke or Smoking"** includes the carrying of a lit cigar, cigarette, Electronic Cigarette, pipe, waterpipe or any other lighted smoking equipment or smoking product, but does not include smoke or smoking where smoke or smoking is used in a stage production of a theatrical performance;

**"Smoking Product"** means a tobacco or tobacco-like product whose primary purpose is to be burned or heated to produce vapours, gases or Smoke, which are inhaled, and shall include but is not limited to non-tobacco herbal shisha, and other plant material or oils intended for inhalation;



**“Sports Field”** means a special area, made of natural or artificial turf, within a Park within which a game is Designated to be played, including, but not limited to, soccer, or baseball;

**"Town"** means the Town of Tillsonburg.

**“Trail”** shall have the same meaning as Hiking Trail but not include a trail pass from the OFSC (Ontario Federation of Snowmobile Clubs);

**“Trained Service Animal”** includes a guide dog or other certified service animal often identifiable by a harness or vest and includes but is not limited to those trained service animals used to assist Persons with vision impairments or provide physical assistance, warning of seizures or other disabilities. A service dog is not a therapy dog or an emotional support dog. The person must provide documentation from one of the following regulated health professionals confirming that the person requires the animal for reasons relating to the disability:

- (i) A member of the College of Audiologists and Speech-Language Pathologists of Ontario.
- (ii) A member of the College of Chiropractors of Ontario.
- (iii) A member of the College of Nurses of Ontario.
- (iv) A member of the College of Occupational Therapists of Ontario.
- (v) A member of the College of Optometrists of Ontario.
- (vi) A member of the College of Physicians and Surgeons of Ontario.
- (vii) A member of the College of Physiotherapists of Ontario.
- (viii) A member of the College of Psychologists of Ontario.
- (ix) A member of the College of Registered Psychotherapists and Registered Mental Health Therapists of Ontario. O. Reg. 165/16, s. 16.

**“Therapy Dog or Emotional Support Animal”** means a dog that has not had specialized training.

**"Vehicle"** includes a *Motor Vehicle, Motorized Snow Vehicle, Bicycle, Power-Assisted Bicycle, e-bike, e-scooter, Off-Road Vehicle*, and any Vehicle drawn, propelled or driven by any kind of power including muscular power, but excludes a child's wagon, a baby carriage, a child's stroller, a wheelchair or similar device (motorized or otherwise) used by an individual due to a disability.

**“Washroom”** means any permanent or temporary structure or portion of a structure that contains toilets, or urinals and wash basins and which is owned, leased or operated by the Municipality.

**“Watercraft”** means any device for the conveyance in or on water and includes, but is not limited to: boats, pontoon, fishing boats, speed boats, row boats, sail boats, jet ski, sea-doo, or any *Vehicle* propelled or driven by any kind of power including muscular power.

**“Weapon”** means any device or contrivance designed for use in causing injury or death to any Person or animal, or any device designed for threatening or intimidating any Person or animal. For the purposes of this by-law, Weapon includes any Firearm.

**“Wheeled Conveyance”** means every manner of conveyance which has one or more wheels, including, but not limited to: roller skates, Inline Skates, roller skis, skateboards, scooters, peddle assisted Bicycles, carriages, wagons or sleighs; but excludes a wheelchair or similar device (powered or otherwise) used by an individual due to a disability, a Motor Vehicle, baby carriage or cart, child's wagon, child's stroller, child's sleigh, or other conveyance of like nature.

## **PART 2 BY-LAW APPLICATION AND ADMINISTRATION**

### **2.1 By-law applicability - defined**

This by-law applies to all *Recreation Areas*, *Parks* and any premises that are under the *Control* or management or joint management of the *Town* and includes the avenues, boulevards, drives, streets and approaches to these areas and any connections or systems of *Recreation Areas* and/or *Parks*.

### **2.2 Emergency - maintenance Vehicles - exception**

Notwithstanding any provision of this by-law, *Vehicles* operated on behalf of an ambulance service, fire department, police department, Hydro and the *Town* shall have full, unrestricted access to all parts of a *Park* and/or a *Recreation Area* at all times.

### **2.3 By-law administration & enforcement**

The Director shall administer this by-law and an Officer shall carry out the enforcement of the by-law.

### **2.4 Inline Skating and Skateboarding**

The *Director* may prohibit Inline Skating or skateboarding in any *Park* or *Recreation Area*, and shall direct that signs be Posted prohibiting such activity.

## **PART 3 GENERAL PROHIBITED ACTIVITIES**

### **3.1. Activities - prohibited**

In any *Park* or *Recreation Area* within the *Town*, no Person shall:

- (1) drive, ride or operate any *Vehicle* or carry on Inline Skating upon a *Roadway* in any direction other than the direction indicated on signs Posted by the *Director*;
- (2) drive, ride or operate a *Vehicle* including Wheeled Conveyance in violation of Posted signs or in any building;

- (3) operate any *Vehicle* including Wheeled Conveyance at a rate of speed in excess of 20 kilometres per hour in Posted areas;
- (4) drive, ride or operate a Motorized Snow Vehicle;
- (5) drive, ride or operate an Off-Road Vehicle;
- (6) operate a *Motor Vehicle* except on a *Roadway* or in an *Authorized Parking Area*;
- (7) leave a *Motor Vehicle*:
  - (i) in a place other than an *Authorized Parking Area*;
  - (ii) *outside* the pavement markings or outside the Designated space;
  - (iii) in a manner or place blocking a driveway or gate; and
  - (i) for purposes other than accessing the *Park* or *Recreation Area*
- (8) drive, operate, or leave unattended a *Motor Vehicle* in any part of a *Park* or *Recreation Area* between 11:00 p.m. and 6 a.m. of the following day except at times where the *Director* has authorized use of the *Park* or *Recreation Area* beyond 11:00 p.m.;
- (9) engage in unbecoming behaviour, including but not limited to: riotous, boisterous, violent, threatening, or illegal conduct or use profane or abusive language, including making any verbal comments or physical gestures, about or toward anyone that could reasonably be considered to be unwarranted, offensive, derogatory or abusive;
- (10) engage in conduct that endangers the health and safety of themselves or others;
- (11) cause graffiti;
- (12) engage in any *Sexual Activity*;
- (13) remain in a *Recreation Area* or *Park* for the purpose of loitering;
- (14) consume, serve, sell or possess *Liquor* without proper approval and Parks Permit of the Town and/or the Alcohol and Gaming Commission of Ontario;
- (15) hold or take part in an unauthorized Public Meeting or Gathering;
- (16) play or practice golf or strike any golf ball by any means whatsoever in an area not *Designated* for such activities;
- (17) remain in a *Recreation Area* or *Park* between 11:00 p.m. and 6:00 a.m. of the following day, except that a Person may enter or remain in a *Park* during the times the *Director* has authorized use of the *Recreation Area* or *Park* beyond 11:00 p.m.;

- (18) operate, drive or ride a Vehicle on any Roadway within the Park if the entrances to the Park are closed by means of a barrier and or signs;
- (19) climb, break, peel bark from, cut, remove, burn, deface or otherwise damage any tree, shrub or bush, or pick, destroy or remove any flower, plant, roots, grass or rock;
- (20) cause or permit any animal under their *Control* or ownership to damage any tree, shrub, bush, flower, plant or roots;
- (21) erect any sign or poster on any tree, bush, shrub, pole, structure or building;
- (22) remove, break, deface, or otherwise damage any Municipal equipment or property.
- (23) fail to remove *Refuse*;
- (24) fail to remove any utensils, equipment or articles taken into an area *Designated* for picnics;
- (25) permit any Domesticated Animal under their *Control* or ownership to enter in any swimming, wading pool, spray pad or storm water pond.
- (26) remove or injure the nest or egg of any bird;
- (27) fish in an area Posted;
- (28) drive, ride or operate Watercraft in a storm water pond;
- (29) drive, ride or operate Pleasure Craft in a storm water pond.
- (30) let off or discharge any water so that it runs out of any building, reservoir, pond, river, or lake located in a *Park* or *Recreation Area*;
- (31) lay or cause to be laid any pipe, or conduit to communicate with any pipe or main belonging to the waterworks connected with any *Park* or *Recreation Area* or in any way obtain water without the consent of the *Director*;
- (32) discharge or permit the discharge of any water from private properties, including pool water and water from a roof drainage system, onto, into or over any *Park* or *Recreation Area*;
- (33) enter or use gender-segregated facilities that do not correspond to their lived gender identity, in any *Park* or facility, set apart for the opposite gender. This shall not apply to children who are 12 years of age or younger and who are, at the time, accompanied by a parent, guardian, caregiver or caretaker;

- (34) loiter in any *Washroom* or *Change Room*, or engage in conduct that could reasonably be considered to be offensive;
- (35) encroach on Town-owned lands or erect fences, buildings or structures on Town-owned lands without the written consent of the *Town* and any such object encroaching shall be removed by the abutting land owner forthwith at their expense;
- (36) permit a Domesticated Animal under their Control to Run at Large;
- (37) fail to remove and dispose of excrement forthwith of a Domesticated Animal under their Control;
- (38) allow a Domesticated Animal on a leash longer than 2 meters in length;
- (39) enter a Sports Field with a domesticated animal, including, but not limited to: baseball infields/outfields, soccer fields, football fields, basketball courts, horseshoe pits, tennis courts, pickle ball courts, or skate park;
- (40) smoke inside or within 9 metres of any building, structure or fenced-in Designated dog park;
- (41) smoke within 20 metres of any Sports Field, tennis court, outdoor ice rink, pool, splash pad, playground, Lake Lisgar Water Park or basketball court.
- (42) ride or use a sled, where Authorized Signs are in place prohibiting this activity;
- (43) ignite, start, or possess a charcoal, wood or brisket Barbeque;
- (44) *Bulk Feeding* of wildlife;
- (45) be in possession of glass containers in areas where glass containers are prohibited, including in and around splash pads, swimming pools, skateboard facilities, tennis courts, pickle ball courts or as Posted;
- (46) be in possession of or use any Firearm, rocket, any type of air gun, bow and arrow, axe or offensive Weapon of any kind;
- (47) use any building, structure or equipment for a purpose other than that for which it is originally intended;
- (48) climb any building, structure or equipment, unless the equipment is designed for climbing;

- (49) swim, bathe, wade, snorkel or use any other underwater breathing device in the water in a *Recreation Area or storm water pond*;
- (50) light, ignite, or release a Chinese lantern or similar device;
- (51) remove safety equipment, fire extinguishers, or defibrillator without an emergency;
- (52) pull fire alarm or open emergency doors without an emergency;
- (53) use any device for the purposes of recording images in Change Rooms or washrooms;
- (54) conduct unsafe behaviour;
- (55) throw or propel stones, javelins, lawn darts, or lawn bowling;
- (56) tamper with any lighting or electrical component(s);
- (57) release balloons;
- (58) move furniture;
- (59) interfere with an organized sports event, picnic, organized gathering or special event authorized by a Town-issued permit;
- (60) enter into an area where it is Posted to prohibit or restrict admission to the public;
- (61) urinate or defecate except in a permanent or portable Washroom facility;
- (62) engage in selling, using, soliciting, or being under the influence of Illicit Drugs;
- (63) dispose of or bury a dead animal;
- (64) cause a noise likely to disturb any inhabitant or interfere with the enjoyment of others;
- (65) remain on playing surface while repairs or maintenance are being performed;
- (66) walk on grass in an area where an Authorized Sign is Posted prohibiting such activity;
- (67) enter onto the ice on a storm water pond;

(68) fish in any storm water pond;

### **3.2 Wheel Chair Exemption**

Despite any regulation in this by-law restricting the use of Motor Vehicles in *parks*, and for greater certainty only, a wheelchair or similar device (motorized or otherwise) used by an individual due to a disability may be used in all areas of *parks* including but not limited to all *Multi-use Pathways* and the accessible portions of *Hiking Trails*.

### **3.3 Exemption Officer ( Discharge Firearm or Kill Animal)**

An Officer is exempt from Section 3.1 (46) and 4.1 (17) of this by-law if they discharge a firearm or kill an animal during the course of executing their duties.

### **3.4 Exemption - Lake Lisgar Waterpark & Indoor Swimming Pool**

A Person using the Lake Lisgar Water Park and Indoor Swimming Pool at the Complex are exempt from section 3.1 (49) of this by-law.

### **3.5 Exemption – Community Gardens**

A Person or group with permission from the Director may plant vegetation for the purposes of using the Community Garden, and may remove any plant, rock, tree or tree limb impeding gardening.

### **3.6 Exemption – Parents & Care Workers**

Despite regulation 3.1 (33) in this by-law, a parent, guardian, caregiver or caretaker is permitted to use gender-segregated facilities while caring for a child under 12 or person with mental or physical disabilities.

## **PART 4**

### **ACTIVITIES - SUBJECT TO APPROVAL**

#### **4.1 Activities prohibited - subject to approval**

Unless authorized by the *Director* or permitted by a Parks Permit, no Person shall engage in any of the following activities in a *Park* or *Recreation Area*:

- (1) ignite, start or maintain a fire;
- (2) use a Sports Field for any game or practice by an organized group;
- (3) erect a tent or shelter, or leave a camping trailer;
- (4) conduct commercial worm picking;
- (5) hold or take part in a Public Meeting or Gathering without a Parks Permit;
- (6) hold or take part in a meeting or gathering that obstructs the free passage of vehicular traffic;

- (7) have exclusive use of any portion or all of a *Park* or *Recreation Area*;
- (8) ride or lead a horse, pony, donkey, mule or other animal in an area not *Designated* for such activity;
- (9) drive, lead or use a horse-drawn wagon or sleigh;
- (10) erect any sign or poster on any pole, planter, building, fence, bench, picnic table, electrical transmission unit, lamp standard, or Town property or Hydro equipment of any kind;
- (11) sell refreshments or other merchandise to the public;
- (12) operate any business, game, show or amusement for admission by the public;
- (13) operate or use a metal detector;
- (14) solicit funds for any charities, organizations or individuals of any kind;
- (15) use a trained dog as a means of controlling waterfowl;
- (16) allow any Domesticated Animal to enter a Recreation Area building, facility or *Change Room*, unless the Domesticated Animal is a *Trained Service Animal*;
- (17) disturb, wound, kill, or injure any animal, whether domesticated or wild, including but not limited to, birds, fish, snakes;
- (18) ignite, discharge or set off any Fireworks or firecrackers;
- (19) cause to take place or participate in a marriage ceremony except in a *Designated* area;
- (20) operate powered models of Aircraft, rockets or drones;
- (21) enter, move, or remove an item from a waste receptacle;
- (22) skate, walk or be present on any frozen body of water in a *park*;
- (23) use a tennis court for any purpose other than tennis;
- (24) Use pickle ball court for any purpose other than pickle ball;
- (25) excavate or bury any object;
- (26) create, cause or maintain an open fire, except propane barbecues or propane



stoves, in picnic areas set aside by the Town;

- (27) conduct repairs on or maintain any Sports Field, ice surface, playing surfaces, scoreboards, dugout, fences, electrical, plumbing, warming huts, water station, surrounding gardens, trash receptacles, or lighting;
- (28) operate a kite on or within 20 meters of any Town-owned or leased building, Roadway, parking lot, playground, structure, bridge, tennis court, skate park, dog park, light or hydro or any other utility pole;
- (29) wash, clean, service, or maintain any Vehicle;
- (30) leave any Commercial Vehicle except, a Commercial Vehicle that is being used for the purpose of making a delivery;
- (31) operate a remote control machine;

## **PART 5 SPECIAL PROHIBITIONS**

### **5.1 Special prohibitions - applicability**

The special prohibitions in this Part are in addition to any applicable general prohibitions in Part 3 & 4 of this by-law.

### **5.2 Environmental Protected Area (EPA) - prohibitions**

The following special prohibitions shall apply to all Persons entering into and using a *Park Designated as an Environmental Protected Area and Open Space*:

- (1) No Person shall deposit, dump or leave waste and/or *Refuse* of any kind;
- (2) No Person shall operate a Vehicle, Bicycle, *Power-Assisted Bicycle*, or *Motorized Snow Vehicle* within the boundaries of an *EPA* or *Open Space* unless Authorized\ Signs are Posted specifically allowing such activity;
- (3) No Person shall ride, or lead any animal within the boundaries of an *EPA* or an *Open Space*, except for a dog that is leashed;
- (4) No Person shall walk, run, jog, or ski other than on a *Hiking Trail*.
- (5) No Person shall drive, ride or operate Motor Vehicle, Motorized Snow Vehicle, or Off-Road Vehicle on a Hiking Trail;
- (6) Park Designated as an Environmental Protected Area and Open Space is shown in schedule A”.

### **5.3 Multi- Use Pathway**

No Person shall on a Multi-use Pathway conduct the following;

- (1) drive, ride or operate a Motor Vehicle unless authorized by the Director;
- (2) drive, ride or operate a Motorized Snow Vehicle unless from Tillson Ave to Hawtrey between November 1<sup>st</sup> to March 1 with a trail pass from the OFSC (Ontario Federation of Snowmobile Clubs);
- (3) drive, ride or operate an Off-Road Vehicle,
- (4) fail to yield the right of way;
- (5) operate Vehicle exceeding 20 km/hour; where Posted;
- (6) fail to use the crosswalk at an uncontrolled intersection;
- (7) use the crosswalk on an uncontrolled intersection in an unsafe manner;
- (8) fail to exercise reasonable consideration for any other user;
- (9) fail to give an audible signal by voice, bell or other signalling device before overtaking another user;
- (10) ride a horse when posted;

### **5.4 Outdoor Ice Rink – prohibitions**

No Person shall on an outdoor ice rink conduct the following:

- (1) speed skate unless authorized by Parks Permit;
- (2) consume, distribute, or sell Liquor or Illicit Drugs;
- (3) act in such manner as to interfere with, endanger or disrupt any other Person;
- (4) enter the ice surface without skates;
- (5) interfere with the Town staff conducting maintenance;
- (6) play hockey/ringette when not permitted;
- (7) skate or figure skate when not permitted;
- (8) enter the ice surface when the “Red Flag” warning is erected;

- (9) pile snow in front of gate entrances;
- (10) operate, ride, or push a snow blower, lawn tractor, or leaf blower over the ice surface or surrounding areas;
- (11) remove Town-provided shovels or brooms from the property;
- (12) allow a Domesticated Animal on the ice surface or in a warming hut;
- (13) interfere with an approved organized activity at the outdoor rink or surrounding area;
- (14) use the outdoor rink when temporarily or permanently closed.

### **5.5 Lake Lisgar (Docks Ramps) – prohibitions**

No Person shall on Lake Lisgar conduct the following:

- (1) place, operate, drive, or ride any fuel operated Watercraft, except by Parks Permit or written Permission from the Director;
- (2) fish unless following the Ontario Fishing Regulations;
- (3) import any crayfish, salamanders, live fish or leeches for use as bait, or transport any live or dead baitfish or leeches into or out of Lake Lisgar;
- (4) sell or buy any fish, crayfish, leech, frog or fish eggs from Lake Lisgar;
- (5) fish by any means other than angling;
- (6) abandon fish if the fish is suitable for human consumption;
- (7) fish from Hawkins Bridge;
- (8) dive, jump, or rappel from Hawkins Bridge or the Lake Lisgar gazebo.
- (9) mow, trim, prune, remove vegetation, bushes, trees, aquatic vegetation, or wildflowers from the shoreline or in the water, without written approval by the Director.
- (10) remove water for irrigation, commercial or industrial use, dust control, drinking or other use without a written approval from the Director;

- (11) dig, level, site grade, alter shorelines and inlets of the lake for the purpose of controlling flooding, erosion, implementation of beach(s), Docks, lookouts, or yard expansion .
- (12) change, alter or interfere with the wetland;
- (13) erect or alter a building or structure of any kind on the shoreline without written permission from the Town of Tillsonburg Building Department, Long Point Region Conservation Authority and the Director;
- (14) alter the shoreline without permission from Long Point Region Conservation Authority and the Director;
- (15) temporarily or permanently place on shoreline Slurry;
- (16) store Watercraft or Pleasure Craft for more than 2 hours at a Town Dock;
- (17) store a boat at any Town Dock between the hours of 11:00 p.m. and 6:00 a.m.;
- (18) impede or interfere with the use of a launching ramp or Dock;
- (19) wash animals or equipment on Town Docks and boat ramps.
- (20) dive, or jump off Town Docks or boat ramps;
- (21) tamper or remove fountain;
- (22) come within 10 metres of the fountain;
- (23) come within 10 metres of the overflow under the gazebo;
- (24) discard refuse or fishing line;

## **5.6 Lake Lisgar – Exemptions**

- (1) Tillsonburg Rowing Club is allowed to use approved Watercraft for the purposes of maintenance and practices with the approval of the Director;
- (2) Town employees, Long Point Region Conservation Authority and Town-approved contractors and volunteers are exempt from all provisions of section 5.5 while performing their duties.

## **5.7 Dog Park– Prohibitions**

No Person shall at the Dog Park conduct the following:

- (1) fail to carry a leash for their dog;
- (2) allow a “Small Dog” in the “Large Dog” area;
- (3) allow a “Large Dog” in the “Small Dog” area, unless a dog is injured;
- (4) fail to have a collar and proof of the Town license;
- (5) fail to take immediate physical Control of their dog at the request of an Officer or Town employee;
- (6) leave the Designated Area while their dog is off leash;
- (7) allow their dog out of visual sight;
- (8) fail to remove excrement forthwith left by a dog;
- (9) endanger or frighten any person or dog;
- (10) allow a puppy under 6 months old to enter;
- (11) allow a female dog in heat to enter;
- (12) possess Dog Toys;
- (13) remain or attend at the Dog Park if they have previously been requested to leave by an Officer or Town employee;
- (14) allow more than two (2) dogs under their control at once;
- (15) allow children under the age of 15 years old to be unsupervised;
- (16) allow a Domesticated Animal into the Dog Park, excluding a dog;
- (17) use a pinch, prong, or spiked collar;
- (18) allow a Pit Bull to enter;

## **PART 6 PARKS PERMITS, LICENCES & FEES**

### **6.1 Use without payment - prohibited**

No Person shall use a *Park* or *Recreation Area* for the activities listed in Part 4 of this by-law without first having received a *Parks Permit* from the Town and paid the applicable fee, if any, established in the Rates and Fees by-law, or having made the appropriate arrangements for the scheduled payment of fees according to the practices established by the *Director*.

## 6.2 Parks Permits

- (1) *Parks Permits* issued for activities contemplated by this by-law may include conditions as to time, location, area, equipment, number of participants, type of activities, release, indemnity, and insurance coverage;
- (2) The issuance of a *Parks Permit* pursuant to the by-law shall not relieve any Person from the necessity of acquiring any other license required for such activity by any governmental or public authority;
- (3) The authority to issue *Parks Permits* referred to in this by-law is delegated to the *Director* or his/her delegate.

## 6.3 Permit Holders

Holders of *Park Permits* for the use of *Parks* and/or *Recreation Areas* shall be responsible to ensure that all applicable provisions of this by-law are upheld and failure to comply will result in the *Park Permit* being voided with no refund.

## PART 7 ENFORCEMENT (TRESPASS, ORDER TO DISCONTINUE ACTIVITY, FAIL TO COMPLY)

### 7.1 Enforcement – trespass

- (1) Where any Person contravenes any provisions of this by-law, such Person is subject to the provisions of the *Trespass to Property Act*, R.S.O. 1990, c. T.21;
- (2) Any *Officer* or Person under contract with the *Town* to enforce this by-law may enforce the provisions of this by-law;
- (3) An *Officer* or Person under contract with the *Town* to enforce this by-law, or the *Director* may order a Person believed to be in contravention of this by-law to:
  - (a) cease the activity that is in contravention of the by-law; and/or
  - (b) leave the *Park* or facility;
- (4) The *Director* or *Manager of Human Resources* may create a letter under *RZone* that trespasses a person from *Town-owned* property if a contravention of the by-law has occurred;

- (5) Park and Recreation Area users are subject to all applicable Town by-laws and all provincial and federal laws and regulations. All Persons violating any by-law or law may be required to leave any Park or Recreation Area;

## **7.2 Enforcement – Order to Discontinue Activity**

- (1) If an *Officer* or Person under contract with the *Town* to enforce this by-law is satisfied that this by-law has been contravened, the *Officer* may make an order, known as an Order to Discontinue Activity, requiring the Person who contravened the by-law, or who caused or permitted the contravention to discontinue the contravention or resolve the matter as specified;
- (2) An Order to Discontinue Activity shall set out:
  - (a) the address of the property or name on which the contravention occurred;
  - (b) the date of the contravention;
  - (c) the reasonable particulars of the contravention of the by-law;
  - (d) the required remedial action and
  - (e) the date by which there must be compliance with the order.
- (3) The Order to Discontinue Activity may be served personally on the Person to whom it is directed; by e-mail or registered mail to the last known address of that Person, in which case it shall be deemed to have been given on the 5<sup>th</sup> day after it is mailed. Service on a corporation can be effected by registered mail to the corporate mailing address;
- (4) No Person shall contravene an Order to Discontinue Activity.

## **7.3 Enforcement - Fail To Comply**

- (1) Where a Person defaults in complying with a direction, requirement or Order under this By-law to do a matter or thing, the Officer may, with such assistance from others as may be required, enter the land on which the contravention occurred at any reasonable time, and carry out such direction, requirement or Order and all expenses will be the responsibility of the Person;
- (2) In accordance with section 446 of the Municipal Act, the Town may recover the costs from the Person directed, required or ordered to do a matter or thing under this By-law, by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes, and such expenses shall include interest at a monthly rate of 1.25 percent and or annual rate of 15 percent;
- (3) For the purposes of subsection 7.3, interest shall be calculated for the period commencing the day the Town incurs the expenses and ending on the day the expenses including the interest are paid in full.

## **7.4 Obstruction**

- (1) No Person shall hinder or obstruct, or attempt to hinder or obstruct, an Officer;
- (2) No Person shall hinder or obstruct, or attempt to hinder or obstruct, any Person exercising or performing a duty under this by-law.

## **PART 8**

### **LAND REGISTRY- REGISTER & DISCHARGE LIEN**

- (1) The amount of the expenses, including interest, constitutes a lien on the land upon the registration in the proper Land Registry Office of a notice of lien;
- (2) Upon receiving payment of all expenses payable plus interest accrued to the date of payment, the Town shall register a discharge of the lien in the proper Land Registry;
- (3) The Person will be responsible to pay the fee under the Rates & Fees By-law for the registration and discharge from the Land Registry Office;
- (4) Where any of the matters or things are removed in accordance with this by-law, the matters or things may be immediately disposed of by an Officer, Director or Person assisting with the clean-up.

## **PART 9**

### **FEES AND CHARGES**

#### **9.1 Authority**

All expenses will be recovered with interest in relation to the administration and Enforcement of this By-law under The Municipal Act 2001, S.O. 2001, c. 25, as amended Section 446 (3) & (5).

#### **9.2 Recovery – Contractor & Staff Time**

Where action is required on the behalf of the Town, the Person responsible will pay for all contractor costs and the rates calculated under the Rates & Fees By-law for each staff member's time accumulated.

#### **9.3 Cost of Orders & Administrative Fees**

The Person will be responsible to pay rates calculated under the Rates & Fees By-law for the cost of Orders and administrative fees.

## **PART 10**

### **PENALTY**



### **10.1 Contravention of By-Law**

Every Person who contravenes any provision of this By-law is guilty of an offence under the provisions of the *Provincial Offences Act, R.S.O 1990, c P.33*, as amended, and is liable on conviction to a penalty not exceeding \$5,000, exclusive of costs, subject to the provisions of the Act.

### **10.2 Set Fines**

Every person who contravenes any provision of this bylaw is guilty of an offence and upon conviction is liable to a fine as provided for by the *Provincial Offences Act, R.S.O. 1990, Chapter P.33*, as amended.

### **10.3 Continuing Offences**

Every Person who contravenes any of the provisions of this By-law is guilty of an offence and, pursuant to Section 429 of the *Municipal Act, 2001, c. 25*, as amended, all contraventions of this by-law are continuing offences.

### **10.4 Fines Transferred to Taxes**

Pursuant to section 441.1 of the Municipal Act, upon the request of a Municipality that has entered into a transfer agreement under Part X of the Provincial Offences Act, the treasurer of a local Municipality may add any part of a fine for a commission of a provincial offence that is in default under section 69 of the Provincial Offences Act to the tax roll for any property in the local Municipality for which all of the Owners are responsible for paying the fine and collect it in the same manner as municipal taxes.

### **10.5 Continuation – repetition of offence – prohibited**

The court in which a conviction has been entered and any court of competent jurisdiction thereafter may make an Order prohibiting the continuation or repetition of the offence by the Person convicted.

## **PART 11 MISCELLANEOUS**

### **11.1 By-law reference on signs - deemed to conform**

On a sign Posted by the *Town* in a *Park* or Recreation Area, references to By-law 2024-073 shall be deemed to be references to this by-law.

### **11.2 Short Title**

This by-law may be referred to as The *Parks and Recreation By-Law*.

### **11.3 Severability**

In the event that any provision or part of this By-Law is found to be invalid or unenforceable for any reason whatsoever, then the particular provision or part thereof shall be deemed to be severed from the remainder of the By-Law and all other provisions or parts thereof shall remain in full force and shall be valid and enforceable to the fullest extent permitted by law.

**11.4 Repeal and Effective Date**

That By-law 2024-073 take effect immediately and the By-law No. 1044, By-law No. 1060, By-law No. 1350, By-law No 1755, By-law No. 2619, and By-law 2636 and all associated amendments passed by the Council of the Town of Tillsonburg be hereby repealed.

**READ A FIRST AND SECOND TIME THIS 8<sup>th</sup> day of JULY, 2024.**

**READ A THIRD AND FINAL TIME AND PASSED THIS 8<sup>th</sup> day of JULY, 2024.**

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MAYOR – Deb Gilvesy

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CLERK – Tanya Daniels

**SCHEDULE "A"**  
**TO BY-LAW NO. 2024-073**

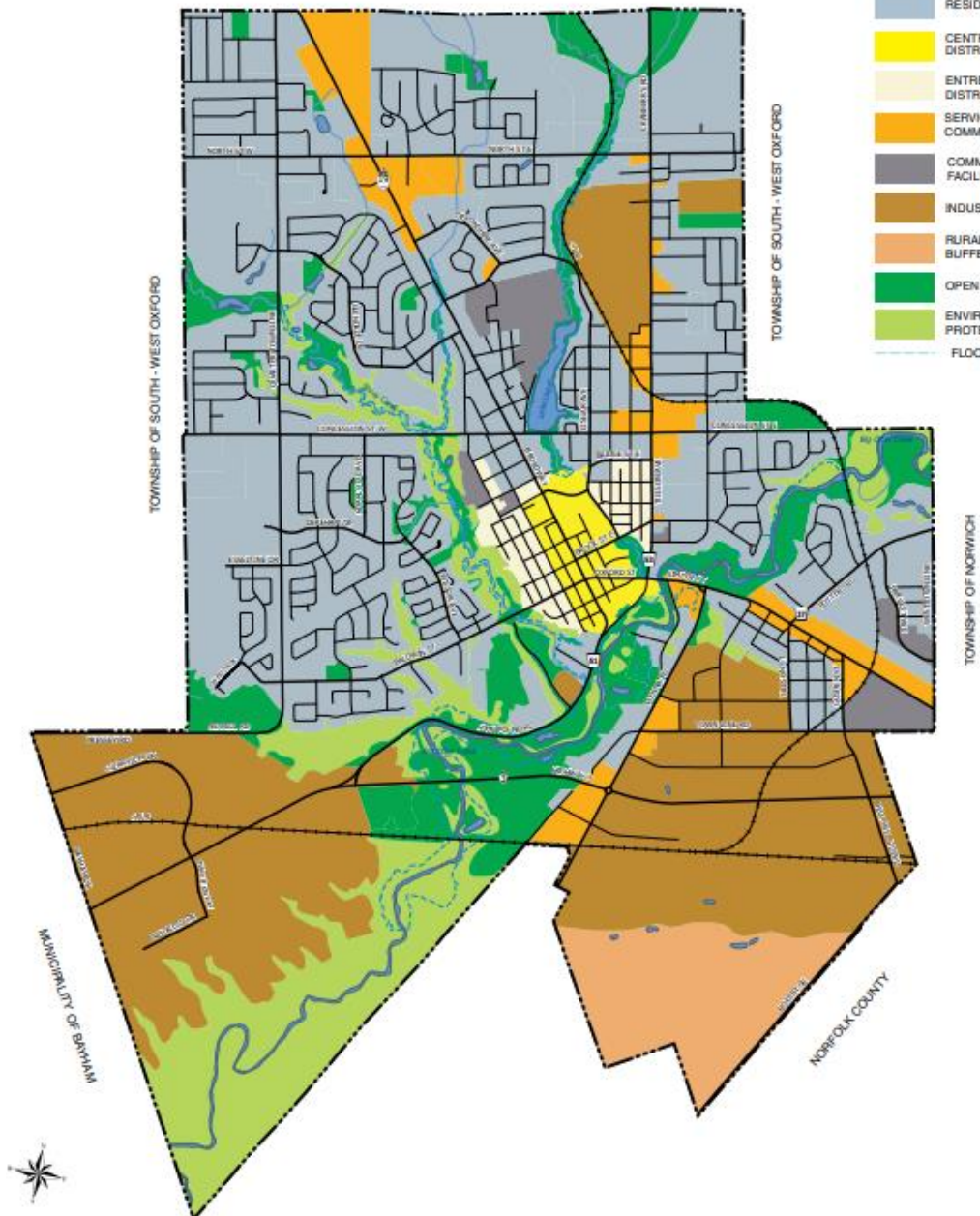
**MAP OF OPEN SPACE & ENVIRONMENTAL ZONES**

*TOWN OF TILLSONURG  
LAND USE PLAN*

*COUNTY OF OXFORD  
OFFICIAL PLAN*

**LAND USE PLAN  
LEGEND**

-  RESIDENTIAL
-  CENTRAL BUSINESS DISTRICT
-  ENTREPRENEURIAL DISTRICT
-  SERVICE COMMERCIAL
-  COMMUNITY FACILITY
-  INDUSTRIAL
-  RURAL BUFFER
-  OPEN SPACE
-  ENVIRONMENTAL PROTECTION
-  FLOODLINE



**THE CORPORATION OF THE TOWN OF TILLSONBURG  
BY-LAW 2024-077**

**A BY-LAW to open a portion of a municipal public roadway known as Dereham Drive, described as part of Lot 8, Concession 12, Geographic Township of Dereham.**

**WHEREAS The Council of the Corporation of the Town of Tillsonburg has determined that the said lands are no longer surplus to the needs of the corporation;**

**BE IT THEREFORE ENACTED** by the Council of the Corporation of the Town of Tillsonburg as follows:

1. That the portion of Dereham Drive, described as part of Lot 8, Concession 12, Geographic Township of Dereham, more specifically described as Part 1, Plan 41R-9064, and the 1 foot reserve immediately adjacent to Dereham Drive, Plan 714, both in the Town of Tillsonburg, County of Oxford, as indicated on Schedule A attached, is hereby opened; and
2. That this by-law shall come into force and take effect on the date it is passed.

**READ A FIRST AND SECOND TIME THIS 8<sup>th</sup> day of JULY, 2024.**

**READ A THIRD AND FINAL TIME AND PASSED THIS 8<sup>th</sup> day of JULY, 2024.**

---

MAYOR – Deb Gilvesy

---

CLERK – Tanya Daniels

**THE CORPORATION OF THE TOWN OF TILLSONBURG  
BY-LAW 2024-081**

**A BY-LAW to amend By-Law 2023-009 being a by-law to appoint members to Town of Tillsonburg advisory committees.**

**WHEREAS** there are members of Town of Tillsonburg Council advisory committees who will no longer be serving as members;

**AND WHEREAS** it is deemed necessary and expedient to amend By-Law 2023-009;

**BE IT THEREFORE ENACTED** by the Council of the Corporation of the Town of Tillsonburg as follows:

1. THAT By-Law 2023-009 Section 1 be amended to add the following:

**Affordable and Attainable Housing Committee**

- Stephen Culig
- Lauren Johnson
- Michael Adams

**Community Health Care Advisory Committee**

- Pauline Markus

**Property Standards Advisory Committee**

- Michael Adams
- Dr. Ogi Ressel
- Lisa DeGeorgis
- Lauren Johnson
- Monica Clare

**Youth Advisory Council**

- Sophie Hicks
- Dakshneel Singh
- Julia Drobits
- Scarlet Robson

2. THAT By-Law 2023-009 Section 1 be amended to remove the following:

By-Law 2024-081

**Recreation and Parks Advisory Committee**

- Joe Sym

3. THAT By-Law 2023-009 Section 1 be amended to amend the following:

**Affordable and Attainable Housing Committee**

- Chamber of Commerce representative changes from Suzanne Renken to Ashley Edwards

**Community Health Care Advisory Committee**

- Chamber of Commerce Appointee changes from Gerry Dearing to Zach Buchner

4. That this by-law shall come into force and take effect on the date it is passed.

**READ A FIRST AND SECOND TIME THIS 13<sup>th</sup> day of MAY, 2024.**

**READ A THIRD AND FINAL TIME AND PASSED THIS 13<sup>th</sup> day of MAY, 2024.**

---

MAYOR – Deb Gilvesy

---

CLERK – Tanya Daniels



10.4.7.2.6 NUMBER OF PARKING SPACES FOR NON-RESIDENTIAL USES

Minimum **1 space per 20 m<sup>2</sup> (218 ft<sup>2</sup>) gross floor area**

10.4.7.3 Notwithstanding any provision of this By-Law to the contrary, lands zoned RH-7 & RH-7(H) shall be considered as a single *lot* for the purposes of interpreting this By-Law.

10.4.7.4 PURPOSE OF THE HOLDING SYMBOL RH-7(H)

To ensure the orderly development of land, and to ensure that sufficient parking spaces are provided for residential uses.

The Holding Zone, as identified by the “(H)” symbol, shall not be removed until an updated Parking Justification Report is prepared by a Qualified Consultant, to the satisfaction of the Town of Tillsonburg and County of Oxford. Based on the results of the updated Parking Justification Report, the Town of Tillsonburg and County of Oxford may consider reducing the Minimum Number of Parking Spaces required for an apartment dwelling unit.

Removal of the “H” symbol shall be consistent with Section 36 of the Planning Act.

10.4.7.5 That all the provisions of the RH Zone in Section 10.2 to this By-Law, as amended, shall apply, and further that all other provisions of this By-Law, as amended, that are consistent with the provisions herein contained shall continue to apply *mutatis mutandis*.”

- 3. This By-Law comes into force in accordance with Sections 34(21) and (30) of the Planning Act, R.S.O. 1990, as amended.

READ a first and second time this 8<sup>th</sup> day of July, 2024.

READ a third time and finally passed this 8<sup>th</sup> day of July, 2024.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk



ZN 7-23-10

**TOWN OF TILLSONBURG**  
**BY-LAW NUMBER 2024-082**  
**EXPLANATORY NOTE**

The purpose of By-Law Number 2024-082 is to rezone the subject property from 'Future Development Zone (FD)' and 'Service Commercial Zone (SC)' to 'Special High Density Residential Zone (RH-7)' and 'Special High Density Residential Holding Zone (RH-7(H))' to permit the development of four (4) apartment dwellings (up to 506 units) together with approximately 789m<sup>2</sup> (8,500 ft<sup>2</sup>) of commercial space. To facilitate this development, the following special provisions were requested:

- reduce the Minimum Lot Area from 90 m<sup>2</sup>/unit (968.8 ft<sup>2</sup>/unit) to 80 m<sup>2</sup> (861.11 ft<sup>2</sup>);
- reduce the Minimum Amenity Area from 40 m<sup>2</sup>/unit (430.6 ft<sup>2</sup>/unit) to 38 m<sup>2</sup>/unit (409 ft<sup>2</sup>/unit);
- reduce the Minimum Front Yard Depth from 15.8 m (51.9 ft) to 15.2 m (50 ft);
- reduce the Minimum Parking Standard from 1.5 spaces per residential unit to 1.26 spaces per unit;
- reduce the Commercial Parking requirement from 1 space per 20 m<sup>2</sup> (215.3 ft<sup>2</sup>) to 1 space per 20.25 m<sup>2</sup> (218 ft<sup>2</sup>) gross commercial floor area;
- increase the Maximum Building Height from 22 m (72.17 ft) to 31.7 m (104 ft); and,
- include special provisions to allow for all non-residential uses permitted in the Service Commercial (SC) Zone.

The property is located on the East Side of Simcoe Street and North of Westtown Line, legally described as Part Lot 24, Plan 1653, 41R-8458, and known municipally as 1 Simcoe Street in the Town of Tillsonburg.

The public hearing was held on April 22, 2024. No correspondence or comments from the public was received.

Any person wishing further information relative to Zoning By-Law Number 2024-082 may contact the undersigned.

Tanya Daniels  
Clerk  
Town of Tillsonburg  
10 Lisgar Avenue  
Tillsonburg, ON N4G 5A5

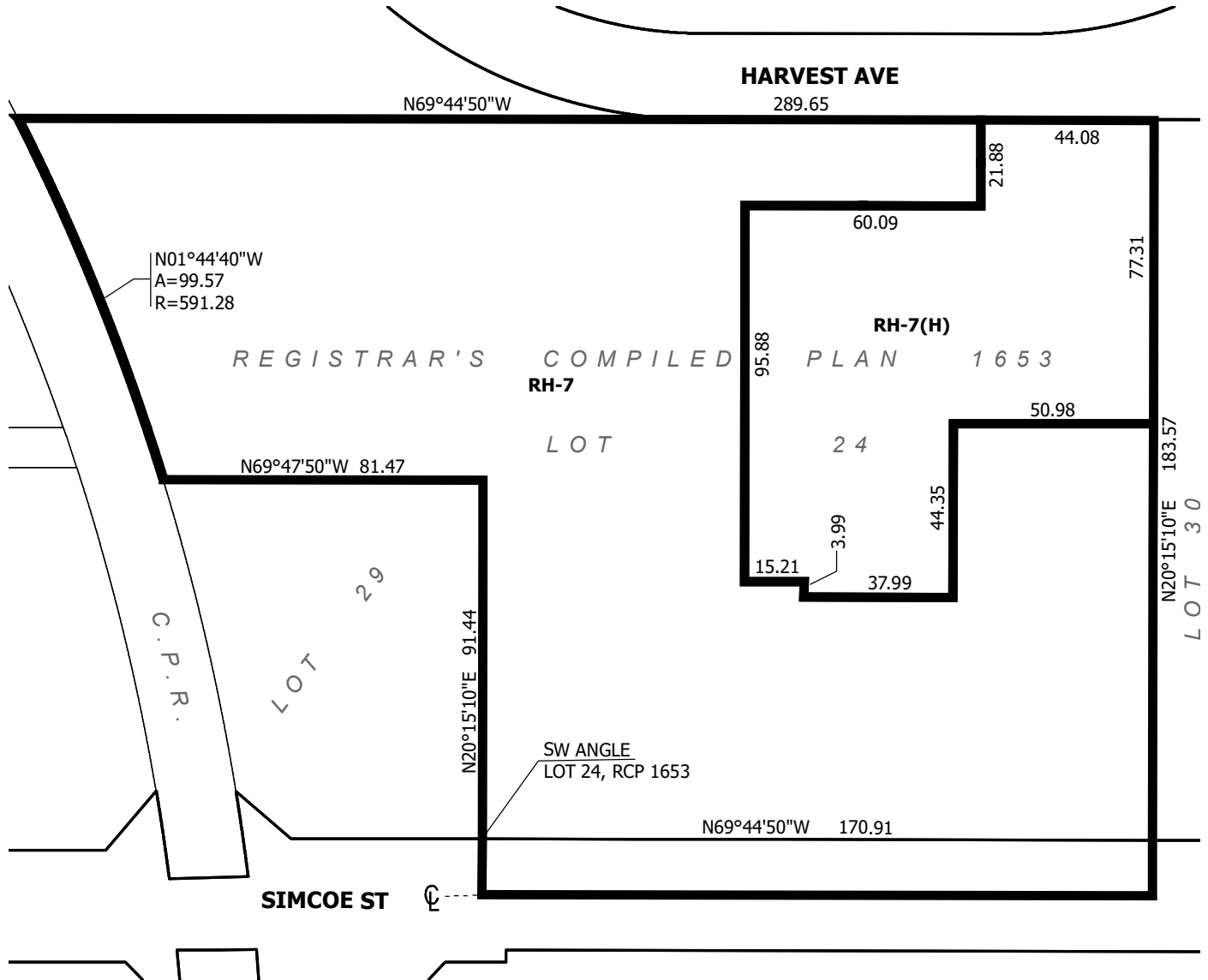
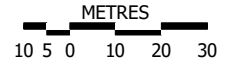
Telephone: 519-688-3009 ext. 4040

File: ZN 7-23-10 (Harvest Ave Inc.)  
Report No: CP 2024-129

# SCHEDULE "A"

TO BY-LAW No. 2024-082

PART LOT 24, REGISTRAR'S COMPILED PLAN 1653  
 PART 7, REFERENCE PLAN 41R-8458  
 TOWN OF TILLSONBURG



**RH-7** AREA OF ZONE CHANGE TO RH-7

**RH-7(H)** AREA OF ZONE CHANGE TO RH-7(H)

NOTE: ALL DIMENSIONS IN METRES

THIS IS SCHEDULE "A"

TO BY-LAW No. 2024-082 PASSED

THE 8th DAY OF JULY 2024

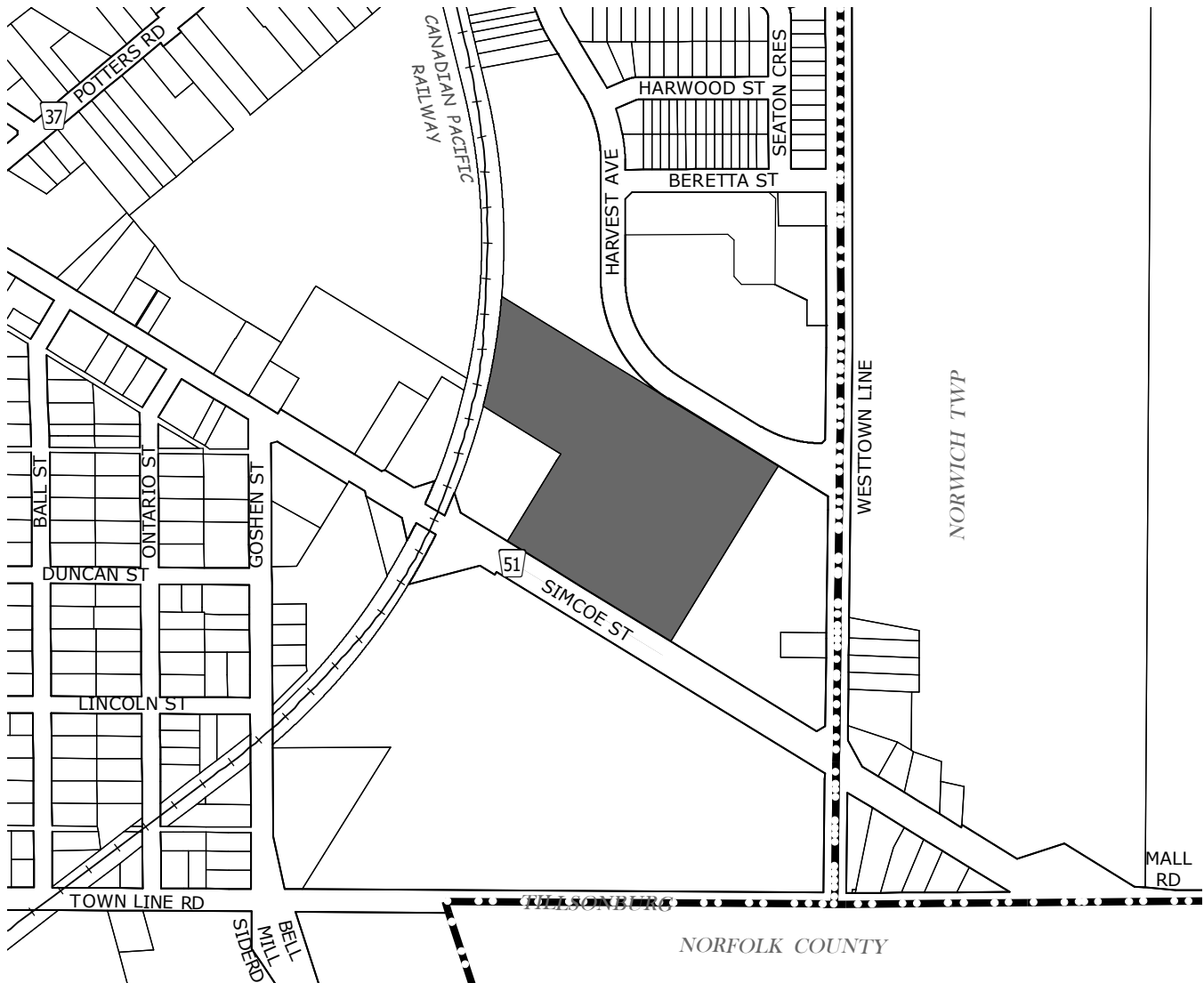
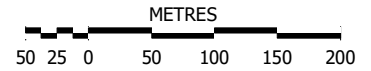
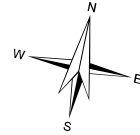


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\_\_\_\_\_  
 MAYOR

\_\_\_\_\_  
 CLERK

# KEY MAP



 LANDS TO WHICH BYLAW 2024-082 APPLIES



**THE CORPORATION OF THE TOWN OF TILLSONBURG**

**BY-LAW 2024-083**

**A BY-LAW to authorize the execution of the Municipal Funding Agreement 2024-2034 on the Canada Community-Building Fund between the Association of Municipalities of Ontario and the Town of Tillsonburg.**

**WHEREAS** the Town of Tillsonburg deems it necessary and expedient to enter into agreement extensions for the purpose of receiving funds from the Canada Community-Building Fund;

**BE IT THEREFORE ENACTED** by the Council of the Corporation of the Town of Tillsonburg as follows:

1. That the Municipal Funding Agreement 2024-2034 on the Canada Community-Building Fund agreements attached hereto as Schedule A form part of this By-Law;
2. That the Mayor and Clerk be hereby authorized to execute the agreements attached hereto as Schedule A on behalf of the Corporation of the Town of Tillsonburg;
3. That this by-law shall come into force and take effect on the date it is passed.

**READ A FIRST AND SECOND TIME THIS 8<sup>th</sup> day of JULY, 2024.**

**READ A THIRD AND FINAL TIME AND PASSED THIS 8<sup>th</sup> day of JULY, 2024.**

---

MAYOR – Deb Gilvesy

---

CLERK – Tanya Daniels

**THE CORPORATION OF THE TOWN OF TILLSONBURG  
BY-LAW 2024-080**

**A BY-LAW to confirm the proceedings of Council at its meeting held on July 8, 2024.**

**WHEREAS** Section 5 (1) of the *Municipal Act, 2001*, as amended, provides that the powers of a municipal corporation shall be exercised by its council;

**AND WHEREAS** Section 5 (3) of the *Municipal Act, 2001*, as amended, provides that municipal powers shall be exercised by by-law;

**AND WHEREAS** it is deemed expedient that the proceedings of the Council of the Town of Tillsonburg at this meeting be confirmed and adopted by by-law;

**BE IT THEREFORE ENACTED** by the Council of the Corporation of the Town of Tillsonburg as follows:

1. All actions of the Council of the Corporation of the Town of Tillsonburg at its meeting held on July 8, 2024, with respect to every report, motion, by-law, or other action passed and taken by the Council, including the exercise of natural person powers, are hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this or a separate by-law.
2. The Mayor and Clerk are authorized and directed to do all the things necessary to give effect to the action of the Council of The Corporation of the Town of Tillsonburg referred to in the preceding section.
3. The Mayor and the Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of the Corporation of the Town of Tillsonburg.
4. That this By-Law shall come into force and take effect on the date it is passed.

**READ A FIRST AND SECOND TIME THIS 8<sup>th</sup> day of JULY, 2024.**

**READ A THIRD AND FINAL TIME AND PASSED THIS 8<sup>th</sup> day of JULY, 2024.**

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MAYOR – Deb Gilvesy

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CLERK – Tanya Daniels