

The Corporation of the Town of Tillsonburg

COUNCIL MEETING

AGENDA



Monday, September 9, 2019

4:30 PM

Council Chambers

200 Broadway, 2nd Floor

1. Call to Order

2. Closed Session

Proposed Resolution #1

Moved By: Councillor Gilvesy

Seconded By: Councillor Rosehart

THAT Council move into Closed Session to consider:

- 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. (Town Hall Project)
- a proposed or pending acquisition or disposition of land by the Town (Earle Street)

3. Adoption of Agenda

Proposed Resolution #2

Moved By: Councillor Parker

Seconded By: Councillor Esseltine

THAT the Agenda as prepared for the Council meeting of Monday, September 9, 2019, be adopted.

4. Moment of Silence

5. Disclosures of Pecuniary Interest and the General Nature Thereof

6. Adoption of Council Minutes of Previous Meeting

Proposed Resolution #3

Moved By: Councillor Esseltine

Seconded By: Councillor Parker

THAT the Minutes of the Council meeting of August 12, 2019 and September 4, 2019, be approved.

7. Presentations

7.1 Volunteer of the Month - Christopher Kelly

Presented by: Collette Tackacs, Chair of the Cultural, Heritage and Special Awards Advisory Committee and Mayor Molnar

8. Public Meetings

Proposed Resolution #4

Moved By: Councillor Esseltine

Seconded By: Councillor Parker

THAT Council move into the Committee of Adjustment to hear applications for Minor Variance at 6:09 p.m.

8.1 Application for Minor Variance A10-19 (Myer)

Proposed Resolution #5

Moved By: Councillor Luciani

Seconded By: Deputy Mayor Beres

THAT the Committee of Adjustment **approve** Application File A 10-19, submitted by Bill and Mila Myer, for lands described as Lot 74, Plan M-59, Town of Tillsonburg, as it relates to:

1. Relief from Table 5.1.1.4 – Regulations for Accessory Buildings and Structures, to increase the maximum permitted lot coverage from 50 m² (538 ft²) to 65 m² (700 ft²) to permit the construction of a second detached accessory building, 15 m² (160 ft²) in size;

Subject to the following condition:

- i. A building permit for the proposed accessory building shall be issued within one year of the date of the Committee's decision.

8.2 Application for Minor Variance A11-19 (Christo)

Proposed Resolution #6

Moved By: Councillor Luciani

Seconded By: Deputy Mayor Beres

THAT the Committee of Adjustment **approve** Application File A11-19, submitted by Dalm Construction Ltd (Christo) for lands described as Lot 32, Plan 41M-218 in the Town of Tillsonburg as it relates to:

1. Relief from **Section 6.2, Low Density Residential Type 1 Zone Provisions (R1) – Lot Coverage**, to increase the maximum permitted lot coverage from 33% to 35% to facilitate the construction of a single detached dwelling,

Subject to the following condition:

- i. A building permit for the single detached dwelling shall be issued within one year of the date of the Committee's decision.

Proposed Resolution #7

Moved By: Deputy Mayor Beres

Seconded By: Councillor Luciani

THAT Council move out of the Committee of Adjustment and move back into regular Council session at 6:48 p.m.

9. Planning Applications

10. Delegations

10.1 Drainage Issues

Presented by: Maurice Temoin

Proposed Resolution #8

Moved By: Deputy Mayor Beres

Seconded By: Councillor Luciani

THAT Council receive the delegation of Maurice Temoin, as information.

11. Deputation(s) on Committee Reports

12. Information Items

12.1 Ministry of Finance - Ontario Cannabis Legalization Implementation Fund (OCLIF)

Proposed Resolution #9

Moved By: Councillor Rosehart

Seconded By: Councillor Gilvesy

THAT Council receive the Ministry of Finance letter regarding the Ontario Cannabis Legalization Implementation Fund, as information.

12.2 Letter to Council - Fillion and Perry

Proposed Resolution #10

Moved By: Councillor Gilvesy

Seconded By: Councillor Rosehart

THAT Council receive the letter from Rosanne Fillion and Ashley Perry requesting Council's support, as information.

AND THAT Council direct staff to work in partnership with the County of Oxford to review pedestrian crossing activity along the Tillson Avenue corridor between Concession Street and North Street.

Motion

Moved By: Deputy Mayor Beres

Seconded By: Councillor Luciani

THAT a message and petition from Ashley Schultz regarding supporting a cross walk at 4th Street at Tillson be received and forwarded to the County.

12.3 Ministry of Municipal Affairs and Housing - Bill 108, More Homes, More Choice Act, 2019

Proposed Resolution #11

Moved By: Councillor Gilvesy

Seconded By: Councillor Rosehart

THAT Council receive the Ministry of Municipal Affairs and Housing letter regarding Bill 108, More Homes, More Choice Act, 2019, as information.

13. Staff Reports

13.1 Chief Administrative Officer

13.1.1 HR 19-09 Interim CAO Recruitment

Proposed Resolution #12

Moved By: Councillor Gilvesy

Seconded By: Councillor Rosehart

THAT Council receives HR 19-09 Interim Chief Administrative Officer Recruitment as information;

AND THAT Council Authorize the Mayor and Clerk to enter into an Agreement with RS & Associates;

AND THAT By-Law 4341, to appoint Ron Shaw as Interim Chief Administrative Officer be brought forward for Council's consideration.

13.2 Clerk's Office

13.2.1 CLK 19-22 Local Court Security Advisory Committee

Proposed Resolution #13

Moved By: Councillor Parker

Seconded By: Councillor Esseltine

THAT Report CL 19-22, Local Court Security Advisory Committee – Town of Tillsonburg Representative, be received;

AND THAT the Town of Tillsonburg recommends the appointment of Larry Scanlan, Chair of the Tillsonburg Police Service Board, to the Local Court Security Advisory Committee.

13.2.2 CLK 19-23 BIA Board of Management Resignations

Proposed Resolution #14

Moved By: Councillor Parker

Seconded By: Councillor Esseltine

THAT Council receives Report CLK 19-23 BIA Board of Management Resignations;

AND THAT By-Law 4338 to amend By-Law 4260, be brought forward for Council consideration.

13.3 Development and Communication Services

13.3.1 DCS 19-25 Appointment of By-Law Enforcement Officer

Proposed Resolution #15

Moved By: Councillor Esseltine

Seconded By: Councillor Luciani

THAT Council receives Report DSC 19-25 Appointment of By-Law Enforcement Officer as information;

AND THAT By-Law 4339 to appoint Cameron Cyr as a By-Law Enforcement Officer for the Town of Tillsonburg, be brought forward for Council's consideration.

13.3.2 DCS 19-26 Building, Planning and By-Law Services CO-OP Student and Internship

Proposed Resolution #16

Moved By: Councillor Esseltine

Seconded By: Councillor Parker

THAT Council receives Report DCS 19-26 Building, Planning, By-Law Services CO-OP Student and Internship, as information;

AND THAT Council continues to support the requirements set in the Ontario Building Code Act to ensure adequate staffing are in place to administer the Ontario Building Code;

AND FURTHER THAT Council direct staff to proceed in establishing the Building, Planning, By-Law Office Assistant – CO-OP Student and Building Services Inspector Internship positions and recruitment process.

13.4 Finance

13.4.1 FIN 19-16 Auditor's Management Letter Report

Proposed Resolution #17

Moved By: Councillor Luciani

Seconded By: Deputy Mayor Beres

THAT Council receive Report FIN 19-16 Auditor's Management Letter Report, as information.

13.4.2 FIN 19-17 Turtlefest Loan Repayment

Proposed Resolution #18

Moved By: Councillor Luciani

Seconded By: Councillor Esseltine

THAT Council receives FIN 19-17 Turtlefest Loan Repayment, as information.

13.4.3 FIN 19-20 2018 Financial Statement Reconciliation

Proposed Resolution #19

Moved By: Deputy Mayor Beres

Seconded By: Councillor Luciani

THAT Council receive Report FIN 19-20 2018 Financial Statement Reconciliation, as information.

13.4.4 FIN 19-21 2018 Surplus Allocation

Proposed Resolution #20

Moved By: Deputy Mayor Beres

Seconded By: Councillor Luciani

THAT Council receives report FIN 19-21 2018 Surplus Allocation, as information;

AND THAT Council approve the allocation of the 2018 surplus of \$54,461 be contributed to specific reserves; Fleet & Equipment \$50,000; and the balance to Tax Rate Stabilization \$4,461.

13.5 Fire and Emergency Services

13.6 Operations

13.7 Recreation, Culture & Park Services

13.7.1 RCP 19-35 RFT 2019-013 Annandale Diamond Lighting Enhancements

Proposed Resolution #21

Moved By: Councillor Rosehart

Seconded By: Councillor Gilvesy

THAT Council receives Report RCP 19-35 RFT 2019-013 Annandale Diamond Lighting Enhancements;

AND THAT Council cancel RFT 2019-13;

AND THAT the Annandale Diamond Lighting Enhancements are considered during the 2020 Budget deliberations.

13.7.2 RCP 19-36 RZone Policy – Responsible Behaviour in Recreation Spaces

Proposed Resolution #22

Moved By: Councillor Rosehart

Seconded By: Councillor Gilvesy

THAT Council receives Report RCP 19-36 RZone Policy - Responsible Behaviour in Recreation Spaces;

AND THAT By-Law 4340 to adopt an RZone Policy, be brought forward for Council's consideration.

13.7.3 RCP 19-37 Aquatic Facility Upgrades in Tillsonburg

Proposed Resolution #23

Moved By: Councillor Gilvesy

Seconded By: Councillor Rosehart

THAT Report RCP Aquatic Facility Upgrades in Tillsonburg be received;

AND THAT Staff prepare a submission for the Investing in Canada Infrastructure Program's Community, Culture and Recreation Stream 2019 funding intake;

AND THAT the submission incorporates a major upgrade to the Tillsonburg

Community Centre using the MJMA Report as a guideline;

AND THAT the submission incorporate funding for a splash pad (site undetermined) and revitalization of the Lake Lisgar Waterpark area;

AND THAT up to \$20,000 from budgeted aquatic design study for application options to be brought back to Council.

13.7.4 RCP 19-38 Auditorium Kitchen Upgrade Update

Proposed Resolution #24

Moved By: Councillor Gilvesy

Seconded By: Councillor Rosehart

THAT Report RCP 19-38 Auditorium Kitchen Upgrade Update be received, as information.

14. New Business

15. Consideration of Committee Minutes

15.1 Committee Minutes

Proposed Resolution #25

Moved By: Councillor Parker

Seconded By: Councillor Esseltine

THAT Council receive the Cultural, Heritage and Special Awards Advisory Committee Minutes date August 7, 2019, the Transit Advisory Committee Minutes dated August 20, 2019 and the Airport Advisory Committee Minutes dated August 15, 2019, as information.

15.2 Long Point Region Conservation Authority Board of Director Minutes

Proposed Resolution #26

Moved By: Councillor Parker

Seconded By: Councillor Esseltine

THAT Council receive the Long Point Region Conservation Authority Board of Director Minutes dated July 3, 2019 and August 7, 2019, as information.

16. Motions/Notice of Motions

17. Resolutions/Resolutions Resulting from Closed Session

18. By-Laws

18.1 By-Law 4338, To Amend By-Law 4260 To Appoint Directors to the BIA Board of

Management

18.2 By-Law 4339, To Appoint a By-Law Enforcement Officer Cameron Cyr

18.3 By-Law 4340, To Adopt an Rzone Policy

18.4 By-Law 4341, To Appoint an Interim CAO

Proposed Resolution #27

Moved By: Councillor Esseltine

Seconded By: Councillor Parker

THAT By-Law 4338, To Amend By-Law 4260 To Appoint Directors to the BIA Board of Management; and

By-Law 4339, To Appoint Cameron Cyr as a By-Law Enforcement Officer; and

By-Law 4340, To Adopt an RZone Policy; and

By-Law 4341, To Appoint an Interim CAO, 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.

19. Confirm Proceedings By-law

Proposed Resolution #28

Moved By: Councillor Esseltine

Seconded By: Councillor Parker

THAT By-Law 4337, to Confirm the Proceedings of the Council Meeting held on September 9, 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.

20. Items of Public Interest

21. Adjournment

Proposed Resolution #29

Moved By: Councillor Luciani

Seconded By: Deputy Mayor Beres

THAT the Council meeting of Monday, September 9, 2019, be adjourned at 9:08 p.m.

MINUTES



Monday, August 12, 2019
4:30 PM
Council Chambers
200 Broadway, 2nd Floor

ATTENDANCE: Mayor Molnar
Deputy Mayor Beres
Councillor Esseltine
Councillor Gilvesy
Councillor Luciani
Councillor Parker
Councillor Rosehart

Staff: Kevin De Leebeeck, Director of Operations
Dave Rushton, Director of Finance
Rick Cox, Director of Recreation, Culture and Parks
Lana White, Deputy Clerk/Executive Assistant
Amelia Jaggard, Legislative Services Coordinator
Terry Saelens, Acting Fire Chief

Regrets: David Calder, CAO

1. Call to Order

The meeting was called to order at 4:30 p.m.

2. Closed Session

Resolution # 1

Moved By: Councillor Parker

Seconded By: Councillor Esseltine

THAT Council move into Closed Session to consider:

- personal matters about an identifiable individual, including Town employees (Recruitment);

- a proposed or pending acquisition or disposition of land by the Town (Earle Street).

Carried

3. Adoption of Agenda

Resolution # 2

Moved By: Councillor Esseltine

Seconded By: Councillor Parker

THAT the Agenda as prepared for the Council meeting of Monday, August 12, 2019 be adopted.

Carried

4. Moment of Silence

5. Disclosures of Pecuniary Interest and the General Nature Thereof

No disclosures of pecuniary interest were declared.

6. Adoption of Council Minutes of Previous Meeting

Resolution # 3

Moved By: Councillor Esseltine

Seconded By: Councillor Parker

THAT the Minutes of the Council Meeting of July 8, 2019 and the Special Council Meeting of July 24, 2019 be approved.

Carried

7. Presentations

7.1 Century Plaque Presentation to Maurice Verhoeve, 262 Broadway

Mayor Molnar presented the Century Plaque for 262 Broadway to Maurice Verhoeve.

7.2 2018 Municipal Financial Audit

Christene Scrimgeour appeared before Council to present an overview of the 2018 Municipal Financial Audit.

An independence letter is no longer required.

Opportunity was provided for comments and questions from Council.

Resolution # 4

Moved By: Councillor Rosehart

Seconded By: Councillor Gilvesy

THAT Council approves the 2018 Draft Financial Statements as presented;

AND THAT the 2018 Management Letter be received;

AND THAT Staff prepare a report to Council regarding the Management Letter.

Carried

8. Public Meetings

Resolution # 5

Moved By: Councillor Rosehart

Seconded By: Councillor Gilvesy

THAT Council move into the Committee of Adjustment to hear applications for Minor Variance at 6:26 p.m.

Carried

8.1 Application for Minor Variance A-09/19 - 14 Victoria Way (Frances Tong)

Eric Gilbert, Senior Planner, County of Oxford, appeared before Council to provide an overview of the application.

Opportunity was provided for comments and questions from Council.

The applicant, Richard Smith, appeared before Council in support of the application.

No members of the public appeared before Council either in support or opposition to the application.

Resolution # 6

Moved By: Councillor Gilvesy

Seconded By: Councillor Rosehart

THAT the Committee of Adjustment approves Application File A-09/19, submitted by Frances Tong, for lands described as Lot 35, Plan 41M-241, Town of Tillsonburg, as it relates to:

1. Relief from Section 6.2, – Zone Provisions (R1A) - Rear Yard Minimum Depth, to reduce the required rear yard depth from 10.5 m (34.5 ft) to 7.18 m (23.5 ft) to facilitate the construction of a sunroom addition;
2. Relief from Section 6.2, – Zone Provisions (R1A) - Maximum Permitted Lot Coverage, to increase the maximum permitted lot coverage from 35% to 37% of lot area, to facilitate the construction of a sunroom addition.

Subject to the following conditions:

- i. A building permit for the proposed sunroom addition shall be issued within one year of the date of the Committee's decision;
- ii. The relief granted by this application shall only apply to the proposed sunroom addition as illustrated on Plate 3 of Planning Report CP 2019-241.

Carried

Resolution # 7

Moved By: Councillor Gilvesy

Seconded By: Councillor Rosehart

THAT Council move out of the Committee of Adjustment and move back into regular Council session at 6:32 p.m.

Carried

9. Planning Applications

10. Delegations

10.1 Exemption from Zoning By-Law

Robert Shaw was not present.

10.2 Multi-Use Recreational Trail Update

Tim Tompson, Chair of a Norwich Community Group for trails, appeared before Council to provide an update on a proposed new multi-use recreational trail planned to connect to existing trails in Tillsonburg.

The group is interested in working in partnership with the Town of Tillsonburg to connect with the current trails system.

Opportunity was provided for comments and questions from Council.

Resolution # 9

Moved By: Councillor Parker

Seconded By: Councillor Esseltine

THAT the Delegation of Tim Thomson in regards to a proposed new multi-use recreational trail between Norwich and Tillsonburg be received, as information.

Carried

10.3 Tillsonburg Tri County Agricultural Fair Board

Rosemary Dean, President of the Tillsonburg Tri County Agricultural Fairboard, appeared before Council to provide an overview of the upcoming Tillsonburg Tri County Agricultural Fair on August 16-18, 2019.

The Fairboard is requesting \$1,000.00 to pay for an alternative entertainment option on the Saturday evening in replace of the cancelled Talent Show, as the Fairboard had not budgeted for this expense.

Motion:

Moved by: Councillor Rosehart

Seconded by: Councillor Gilvesy

RESOLVED To provide the Fairboard with \$1,000.00 to be used to provide entertainment on Saturday, August 17 to fill the void created by the cancellation of the talent show.

Carried.

Resolution # 10

Moved By: Councillor Esseltine

Seconded By: Councillor Parker

THAT the Delegation of Rosemary Dean regarding the upcoming Tillsonburg Tri County Agrilcultural Fair be received, as information.

Carried

11. Deputation(s) on Committee Reports

11.1 DCS 19-20 Town Hall Project Committee - Status Update and Public Consultation

John Veldman was not present.

The Development Commissioner appeared before Council to provide an update from the Town Hall Project Committee.

Staff to provide an update on the planned public engagement sessions and the proposal packages from each proponent for Council's review at the Council Meeting of September 9, 2019.

Resolution # 11

Moved By: Councillor Esseltine

Seconded By: Councillor Parker

THAT Council receives Report DCS 19-20 Town Hall Project Committee – Status Update and Public Consultation, as information.

Carried

12. Information Items**13. Quarterly Reports****13.1 FIN 19-15 2019 Second Quarter Town Consolidated Results****Resolution # 12**

Moved By: Councillor Luciani

Seconded By: Councillor Parker

THAT Council receives Report FIN 19-15 2019 Second Quarter Town Consolidated Results, as information.

Carried

13.2 FIN 19-14 2019 Second Quarter Corporate Services Results**13.3 DCS 19-24 2019 Second Quarter Economic Development and Marketing Results****13.4 DCS 19-21 2019 Second Quarter Building, Planning & By-Law Services Results****13.5 FRS 19-07 2019 Second Quarter Fire Services Results****13.6 OPS 19-34 2019 Second Quarter Operations Services Results**

13.7 RCP 19-35 2019 Second Quarter Recreation Culture and Parks Results

Staff to specify project completion dates by quarter in quarterly reports going forward.

Staff to provide an overview of projects that will carry over to the following year for consideration during 2020 budget discussions.

Staff to provide a report regarding signage options in parks at the Council Meeting of September 9, 2019.

Resolution # 13

Moved By: Councillor Luciani

Seconded By: Councillor Esseltine

THAT Council receive the 2019 Second Quarter Department Results, as information.

Carried

14. Staff Reports

14.1 Chief Administrative Officer

14.1.1 HR 19-07 CAO Recruitment

Ashley Andrews, Human Resources Manager, was present to answer questions.

Resolution # 14

Moved By: Deputy Mayor Beres

Seconded By: Councillor Luciani

THAT Council receives Report HR 19-07 CAO Recruitment;

AND THAT Council select option 3 for the full time CAO Recruitment;

AND THAT Council approve the Terms of Reference and appoint the Mayor and Councillor Esseltine and Councillor Gilvesy to the CAO Recruitment Committee led by the Manager of Human Resources to report September 9, 2019.

Carried

14.2 Clerk's Office

14.2.1 CLK 19-20 Flag Policy Update

Motion:

Moved by: Councillor Esseltine

Seconded by: Councillor Parker

THAT a member of Canadian Forces from the Town of Tillsonburg, a member of local EMS, Tillsonburg Firefighters, and Police Services fallen in the line of duty be included in section 2.3 of the Flag Policy.

Carried.

Resolution # 15

Moved By: Deputy Mayor Beres

Seconded By: Councillor Luciani

THAT Council receive Report CLK 19-20 Flag Policy Update;

AND THAT By-Law 4327 to adopt a Flag Policy and to repeal By-Law 3769, be brought forward for Council's consideration.

Carried

14.2.2 CLK 19-21 BIA Board of Management Additional Appointments

Resolution # 16

Moved By: Councillor Rosehart

Seconded By: Councillor Gilvesy

THAT Council receives Report CLK 19-21 BIA Board of Management Additional Appointments;

AND THAT By-Law 4334, to amend By-Law 4260, be brought forward for Council consideration.

Carried

14.3 Development and Communication Services

14.3.1 DCS 19-23 Funding Agreement for 95 Spruce Street Community Improvement Plan Application

Resolution # 17**Moved By:** Councillor Rosehart**Seconded By:** Councillor Gilvesy

THAT Council receive Report DCS 19-23 Funding Agreement for 95 Spruce St Community Improvement Plan Application;

AND THAT a by-law to enter into a Community Improvement Plan funding agreement with Otter Valley Foods Inc be brought forward for Council's consideration.

Carried**14.4 Finance****14.5 Fire and Emergency Services****14.6 Operations****14.6.1 OPS 19-35 TGO Fare Rate Structure and Launch Update****Resolution # 18****Moved By:** Councillor Gilvesy**Seconded By:** Councillor Rosehart

THAT Council receives Report OPS 19-35 T:GO Fare Rate Structure and Launch Update;

AND THAT a By-Law to amend By-Law 4251, 2019 Rates and Fees, to include the Fare Rate Structure for the T:GO in-town service be brought forward for Council consideration.

Carried**14.6.2 OPS 19-36 Inter-Community Transportation Grant Program Transfer Payment Agreement****Resolution # 19****Moved By:** Councillor Gilvesy**Seconded By:** Councillor Rosehart

THAT Council receives Report OPS 19-36 Inter-Community Transportation Grant Program Transfer Payment Agreement;

AND THAT the Town of Tillsonburg supports the Inter-Community Transportation Project and is committed to its implementation by January 2020;

AND FURTHER THAT the Town of Tillsonburg agrees to receiving and being responsible for the Community Transportation Grant Program funds from the Province of Ontario;

AND FURTHER THAT a By-law to execute the Transfer Payment Agreement with the Province of Ontario be brought forward for Council consideration.

Carried

14.6.3 OPS 19-37 Connecting Link Program Contribution Agreement

Resolution # 20

Moved By: Councillor Parker

Seconded By: Councillor Esseltine

THAT Council receives Report OPS 19-37 Connecting Link Program Contribution Agreement;

AND THAT a By-Law to execute the Connecting Link Contribution Agreement with the Province of Ontario be brought forward for Council consideration.

AND FURTHER THAT Council authorizes the use of Asset Management Reserves to fund the Town's portion of project costs in 2019.

Carried

14.6.4 OPS 19-38 Rogers Utility Lease Amending and Extension Agreement Renewal

Resolution # 21

Moved By: Councillor Parker

Seconded By: Councillor Esseltine

THAT Council receives Report OPS 19-38 Rogers Utility Lease Amending and Extension Agreement Renewal;

AND FURTHER THAT a By-Law to execute the Lease Amending and Extension Agreement with Rogers Communications Inc. be brought forward for Council consideration.

Carried

14.6.5 OPS 19-39 Airport Hanger Land Lease Taxiway G3 Lot 1 and 2

Resolution # 22

Moved By: Councillor Esseltine

Seconded By: Councillor Parker

THAT Council receives Report OPS 19-39 Airport Hanger Land Lease Agreement Taxiway G3 Lot 3;

AND THAT a By-Law to execute the Airport Hanger Land Lease Agreement with Dan Springer be brought forward for Council consideration.

Carried

14.6.6 OPS 19-40 Airport Hanger Land Lease Amendment Taxiway G3 Lot 3

Resolution # 23

Moved By: Councillor Esseltine

Seconded By: Councillor Parker

THAT Council receives Report OPS 19-40 Airport Hangar Land Lease Amendment Taxiway G3 Lot 3;

AND THAT Council authorizes the Airport Hangar Land Lease Amendment with #1474528 Ontario Inc. / Dave Hewitt.

Carried

14.7 Recreation, Culture & Park Services

14.7.1 RCP 19-29 Awarding RFT 2019-005 – Auditory Upgrades

Resolution # 24

Moved By: Councillor Luciani

Seconded By: Deputy Mayor Beres

THAT Council receives Report RCP 19-29 – Awarding RFT 2019-005 - Auditory Upgrades;

AND THAT Council award RFT 2019-005 to Dynamix London Inc. at a cost not to exceed their adjusted bid price of \$48,692 before taxes.

Carried

14.7.2 RCP 19-30 Terms of Reference for Tillsonburg Dog Park Advisory Committee

Resolution # 25

Moved By: Councillor Luciani

Seconded By: Deputy Mayor Beres

THAT Council receives Report RCP 19-30 Terms of Reference for Tillsonburg Dog Park Advisory Committee;

AND THAT Council establishes the Tillsonburg Dog Park Advisory Committee and directs staff to initiate the advertising and appointment process.

Carried

14.7.3 RCP 19-31 RFT Award - Station Arts Life and Fire Safety Upgrades

Resolution # 26

Moved By: Deputy Mayor Beres

Seconded By: Councillor Luciani

THAT Council receives Report RCP 19-31 Awarding RFT 2019-014 – Station Arts Life and Fire Safety Upgrades;

AND THAT Council awards RFT 2019-014 to PK Construction Inc. for \$164,103.03 before taxes;

AND THAT Council approves bringing forward the roof shingle replacement for the Station Arts Centre from a 2020 project to a 2019 project.

Carried

14.7.4 RCP 19-34 Summer Place Alternative Service Agreement**Resolution # 27****Moved By:** Deputy Mayor Beres**Seconded By:** Councillor Luciani

THAT Council receives Report RCP 19-34 Alternative Service Agreement;

AND THAT a By-Law to authorize the 10-year Lease Agreement with E & E McLaughlin Ltd. for Summer Place be brought forward for Council consideration.

Carried**15. New Business****16. Consideration of Committee Minutes****16.1 Committee Minutes****Resolution # 28****Moved By:** Councillor Gilvesy**Seconded By:** Councillor Rosehart

THAT Council receives the Tillsonburg Airport Advisory Committee Minutes dated June 20, 2019, the Town Hall Project Steering Committee Minutes dated June 24, 2019 and July 8, 2019, the Parks, Beautification and Cemetery Advisory Committee Minutes dated July 4, 2019 and August 1, 2019, the Economic Development Advisory Committee Minutes dated July 9, 2019, and the Tillsonburg Transit Advisory Committee Minutes dated July 16, 2019.

Carried**16.2 Business Improvement Area Board of Management****Resolution # 29****Moved By:** Councillor Gilvesy**Seconded By:** Councillor Rosehart

THAT Council receives the Business Improvement Area Board of Management Minutes dated April 25, 2019, May 9, 2019, May 14, 2019 and June 20, 2019, as information.

Carried

17. Motions/Notice of Motions

17.1 Lions Auditorium Kitchen Update

Resolution # 30

Moved By: Councillor Rosehart

Seconded By: Councillor Gilvesy

THAT Staff provide an update report on the Lions Auditorium Kitchen upgrade at the September 9, 2019 Council Meeting.

Carried

17.2 Town Merchandise Sales - One-Year Report

Resolution # 31

Moved By: Councillor Rosehart

Seconded By: Councillor Gilvesy

THAT Staff provide a report on the Town Merchandise Sales from year one to 2019 at the September 23, 2019 Council Meeting.

Carried

17.3 Material Stored at Community Centre Grounds

Resolution # 32

Moved By: Councillor Gilvesy

Seconded By: Councillor Rosehart

THAT Staff bring back possible secure storage solutions with regards to materials at Community Centre.

Carried

18. Resolutions/Resolutions Resulting from Closed Session

19. By-Laws

19.1 By-Law 4326, To Authorize a Community Transportation Grant Program Agreement

19.2 By-Law 4327, To Adopt a Flag Policy and to Repeal By-Law 3769

- 19.3 By-Law 4328, To Amend By-Law 4251, Rates & Fees**
- 19.4 By-Law 4331, To Authorize Airport Hangar Land Lease Agreement (Springer)**
- 19.5 By-Law 4332, To Execute the Connecting Link Contribution Agreement with Her Majesty The Queen In Right of Ontario**
- 19.6 By-Law 4333, To Execute a Lease Amending and Extension Agreement with Rogers Communications Inc.**
- 19.7 By-Law 4334, To Amend By-Law 4260 To Appoint Directors to the BIA Board of Management**
- 19.8 By-Law 4335, to Execute a Lease Agreement with E&E McLaughlin Ltd.**
- 19.9 By-Law 4336, to Authorize a Community Improvement Plan Funding Agreement with Otter Valley Foods Inc.**

Resolution # 33

Moved By: Councillor Parker

Seconded By: Councillor Esseltine

THAT By-Law 4326, To Authorize a Community Transportation Grant Program Agreement; and

By-Law 4327, To Adopt a Flag Policy and to Repeal By-Law 3769; and

By-Law 4328, To Amend By-Law 4251, Rates & Fees; and

By-Law 4331, To Authorize Airport Hangar Land Lease Agreement (Springer); and

By-Law 4332, To Execute the Connecting Link Contribution Agreement with Her Majesty The Queen In Right of Ontario; and

By-Law 4333, To Execute a Lease Amending and Extension Agreement with Rogers Communications Inc.; and

By-Law 4334, To Amend By-Law 4260 To Appoint Directors to the BIA Board of Management; and

By-Law 4335, to Execute a Lease Agreement with E&E McLaughlin Ltd.; and

By-Law 4336, to Authorize a Community Improvement Plan Funding Agreement with Otter Valley Foods Inc. 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

20. Confirm Proceedings By-law

Resolution # 34

Moved By: Councillor Parker

Seconded By: Councillor Esseltine

THAT By-Law 4330 to Confirm the Proceedings of the Council Meeting held on Monday, August 12, 2019 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

21. Items of Public Interest

The T:GO transit service will be relaunching as a fixed route system on August 20, 2019. Staff will be at the Tillsonburg Tri County Agricultural Fair sharing information about the new system and handing out free single ride passes.

The Tillsonburg Tri County Agricultural Fair is August 16-18, 2019.

There will be a Car Show and Drive-In Movie Night event on Saturday, August 24, 2019 at 7 Ross Street, Tillsonburg.

Good Vibrations, a tribute to the Music of the Beach Boys, will be held on Friday, August 23 at 8:00 p.m. at the Tillsonburg Community Centre Auditorium.

There will be a Pre-Budget Council Meeting on Thursday, September 12, 2019 from 5:00 p.m. to 9:00 p.m.

The Tillsonburg Legion will be hosting Songs and Stories with Taw Connors, son of Stompin Tom, on Saturday, August 24, 2019 starting at 7:00 p.m.

Sunday, August 18, 2019 is Decoration Day at the Tillsonburg Cemetery. The Tillsonburg Legion will be hosting a program at the Cemetery Office from 2:00 p.m. to 3:00 p.m. All are welcome.

22. Adjournment

Resolution # 35

Moved By: Councillor Esseltine

Seconded By: Councillor Parker

THAT the Council Meeting of Monday, August 12, 2019 be adjourned at 9:15 p.m.

Carried

MINUTES



Wednesday, September 4, 2019

4:00 PM

Council Chambers

200 Broadway, 2nd Floor

ATTENDANCE: Mayor Molnar
Deputy Mayor Beres
Councillor Esseltine
Councillor Gilvesy
Councillor Luciani
Councillor Parker
Councillor Rosehart
Ashley Andrews, HR Manager
Donna Wilson, Town Clerk

1. Call to Order

The meeting was called to order at 4:00 pm.

2. Adoption of Agenda

Resolution # 1

Moved By: Councillor Rosehart

Seconded By: Councillor Gilvesy

THAT the Agenda as prepared for the Council Meeting of Wednesday, September 4, 2019 be adopted.

Carried

3. Closed Session

Resolution # 2

Moved By: Councillor Gilvesy

Seconded By: Councillor Rosehart

THAT Council move into Closed Session to consider:

- personal matters about an identifiable individual, including Town employees (Interim CAO Recruitment)

Carried

4. Adjournment

Resolution # 3

Moved By: Councillor Luciani

Seconded By: Councillor Parker

THAT the Council Meeting of Monday, September 4, 2019, be adjourned at 4:21 p.m.

Carried

**Community Planning**

P. O. Box 1614, 21 Reeve Street

Woodstock Ontario N4S 7Y3

Phone: 519-539-9800 • Fax: 519-421-4712

Web site: www.oxfordcounty.caOur Files: **A 10-19****APPLICATION FOR MINOR VARIANCE**

TO: Town of Tillsonburg Committee of Adjustment
MEETING: September 9, 2019
REPORT NUMBER: 2019-267

OWNERS/ APPLICANTS: Bill and Mila Myer
 153 Concession Street, East
 Tillsonburg ON, N4G 1P8

REQUESTED VARIANCE:

Relief from **Table 5.1.1.4 – Regulations for Accessory Buildings and Structures**, to increase the maximum permitted lot coverage for residential accessory buildings from 50 m² (538 ft²) to 65 m² (700 ft²) to permit the construction of a detached accessory building.

The proposed variance has been requested to permit the placement of one additional residential accessory building on the subject lands, approximately 15 m² (160 ft²) in size, in addition to an existing accessory building, 50 m² (538 ft²) in size.

LOCATION:

The subject lands are described as Lot 74, Plan M-59, in the Town of Tillsonburg. The subject property is located on the south side of Concession Street East, lying between Parkwood Drive and Maple Lane, and is municipally known as 153 Concession Street East.

BACKGROUND INFORMATION:

COUNTY OF OXFORD OFFICIAL PLAN:

Schedule 'T-1'	Town of Tillsonburg Land Use Plan	Residential
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Schedule 'T-2'	Town of Tillsonburg Residential Density Plan	Low Density Residential
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TOWN OF TILLSONBURG ZONING BY-LAW:	Low Density Residential Type 1 Zone (R1)
------------------------------------	--

SURROUNDING USES: surrounding uses include low density residential uses, consisting of single detached dwellings, as well as townhouse dwellings to the north and open space lands (baseball diamonds) to the northeast.

COMMENTS:

(a) Purpose of the Application:

The applicants are requesting relief from the above noted provision of the Town Zoning By-law to facilitate the construction of a detached accessory building on the subject lands.

The subject property is approximately 837.24.17 m² (9000 ft²) in size and contains a single detached dwelling with an attached garage, built in approximately 1997, as well as an existing residential accessory building, approximately 50 m² (538.2 ft²) in size. The applicants are proposing to construct one additional residential accessory building on the subject lands, approximately 15 m² (160 ft²) in size for additional storage space.

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

Plate 2, Close-up of Subject Lands (2015 Air Photo), provides an aerial view of the subject lands and surrounding properties.

Plate 3 Applicants' Sketch, shows the dimensions of the proposed accessory building. Note that the proposed accessory building is labelled as "existing shed to be removed", while the existing accessory building on the subject lands is shown as "proposed shed".

(b) Agency Comments

The County of Oxford Public Works Department, the Town of Tillsonburg Building Department and the Town of Tillsonburg Fire Department have indicated they have no concerns with the proposal.

Public Notice was mailed to surrounding property owners on August 30, 2019. As of the writing of this report, no concerns have been received from the public.

(c) Intent and Purpose of the Official Plan:

The subject lands are designated 'Low Density Residential' according to the County's Official Plan. Within the 'Low Density Residential' designation, permitted land uses primarily consist of low density housing forms including single detached dwellings, duplexes and street fronting town houses and their accessory uses. The use of the lands for a single detached dwelling and accessory uses thereto conforms to the 'Low Density Residential' policies of the Official Plan.

(d) Intent and Purpose of the Zoning By-law:

The subject property is zoned 'R1', which permits a single detached dwelling.

Provisions respecting accessory buildings and structures are outlined in Table 5.1.1.4-Regulations for Accessory Buildings and Structures. Structures accessory to a residential use are permitted to occupy up to 10% of the lot area, or 50 m² (538 ft²) of gross floor area, whichever is less. The lot coverage provisions for accessory structures are intended to ensure that

accessory uses and structures remain clearly secondary to the main residential use of the property and have minimal impact on neighbouring properties, while ensuring sufficient space is maintained on private property for grading and drainage, as well as private parking and amenity areas.

In this instance, the requested relief would facilitate one additional detached accessory structure, approximately 15 m² (160 ft²) in size, that would result in a total lot coverage of 65 m² (700 ft²) of residential accessory building coverage, which results in an overall lot coverage of 7.7% of the total lot area, which is less than the maximum 10% coverage for residential accessory buildings, as provided in the Zoning By-law. Further, staff are satisfied that sufficient space will remain available on the property for proper drainage and rear yard amenity area. As such, staff are of the opinion that the proposal maintains the intent of the Town's Zoning By-law.

(e) Desirable Development/Use:

Notwithstanding that the requested lot coverage of the proposed accessory structure is larger than what is typically permitted, in this case, Planning staff are satisfied that the proposed accessory structure is in keeping with the general purpose and intent of the Official Plan and Zoning By-law, and is desirable development for the subject lands.

Overall, staff are satisfied that the presence of the proposed accessory building is unlikely to negatively impact any adjacent properties, and it is noted that an approved lot grading plan will be required as part of the building permit application to ensure the presence of the accessory building will not negatively impact surrounding properties. Further, staff are satisfied that approval of the applicant's request will not establish an undesirable precedent.

In light of the foregoing, it is the opinion of the Planning Office that the requested relief maintains the general intent of the Official Plan and the Zoning By-law and can be given favorable consideration.

RECOMMENDATION:

That the Town of Tillsonburg Committee of Adjustment **approve** Application File A 10-19, submitted by Bill and Mila Myer, for lands described as Lot 74, Plan M-59, Town of Tillsonburg, as it relates to:

1. Relief from Table 5.1.1.4 – Regulations for Accessory Buildings and Structures, to increase the maximum permitted lot coverage from 50 m² (538 ft²) to 65 m² (700 ft²) to permit the construction of a second detached accessory building, 15 m² (160 ft²) in size;

Subject to the following condition:

- i) A building permit for the proposed accessory building shall be issued within one year of the date of the Committee's decision.

As the proposed variance is:

- (i) a minor variance from the provisions of the Town of Tillsonburg Zoning By-law No. 3295;
- (ii) 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.

Authored by:

Heather St. Clair, MCIP RPP, Development Planner

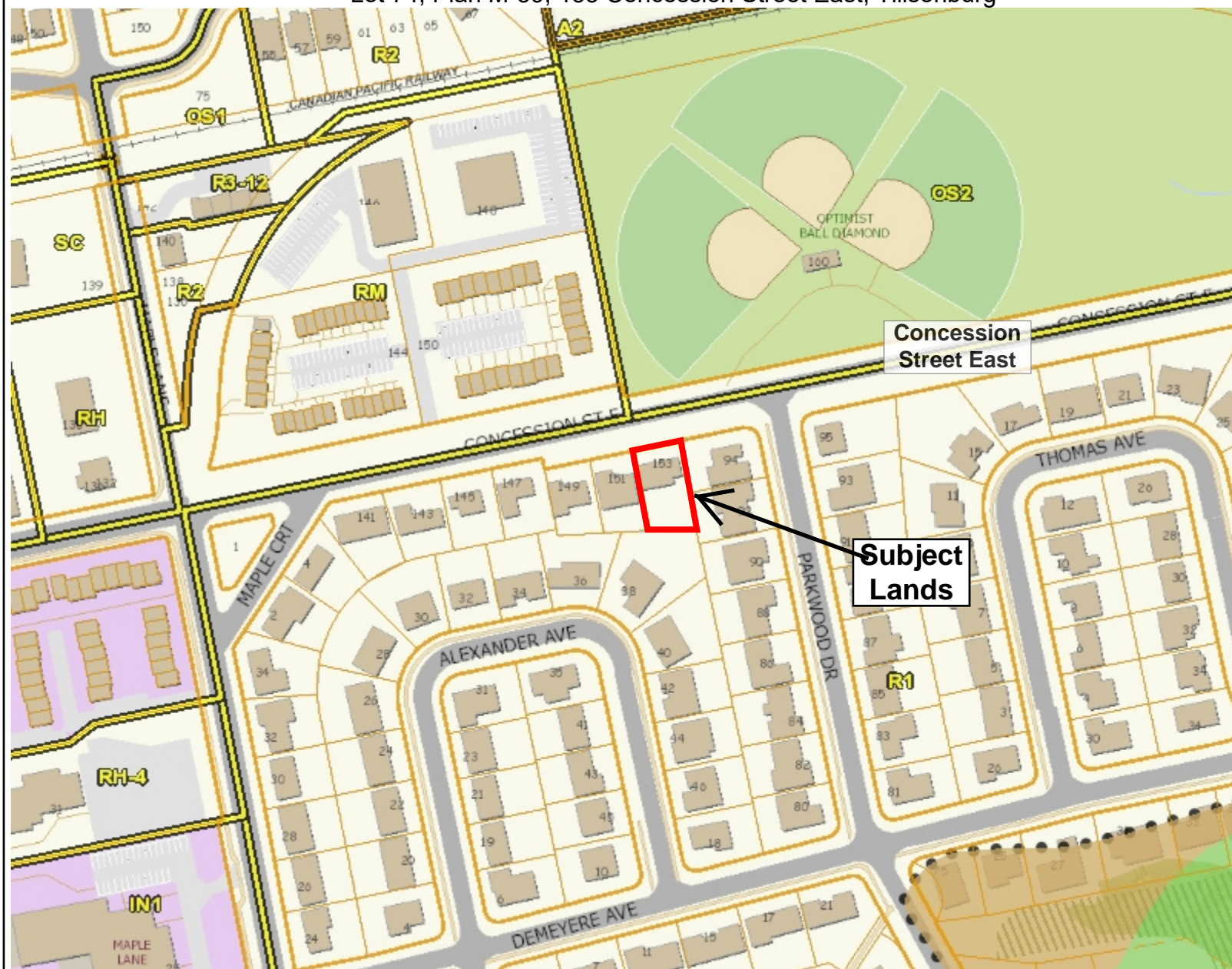
Approved by:

Eric Gilbert, MCIP, RPP, Senior Planner

Plate 1: Location Map with Existing Zoning

File No: A 10-19: Myer

Lot 74, Plan M-59, 153 Concession Street East, Tillsonburg



Legend

- Parcel Lines
 - Property Boundary
 - Assessment Boundary
 - Unit
 - Road
 - Municipal Boundary
- Source Protection Screening
- GRCA Reg Limit (d/12/2018)
- UTRCA Reg Limit (d/10/2018)
- LPRCA Reg Limit (d/12/2018)
- CCCA Reg Limit (circa 2006)
- Waste Sites (From OP)
 - Active
 - Closed
- Landfills (From OP)
 - Active
 - Closed
- Oil and Gas Wells (From OP)
 - Known Abandoned Oil or Gas Well
 - Known Producer Oil or Gas Well
 - Status of Well Not Listed
- Airport Noise Contour (SWOx)
- Wind Turbines
- Erosion Hazard Lands (From OP)
- Environmental Protection Flood Overlay
 - Flood Fringe
 - Floodway
 - Environmental Protection (EP1)

Notes



0 69 138 Meters

NAD_1983_UTM_Zone_17N



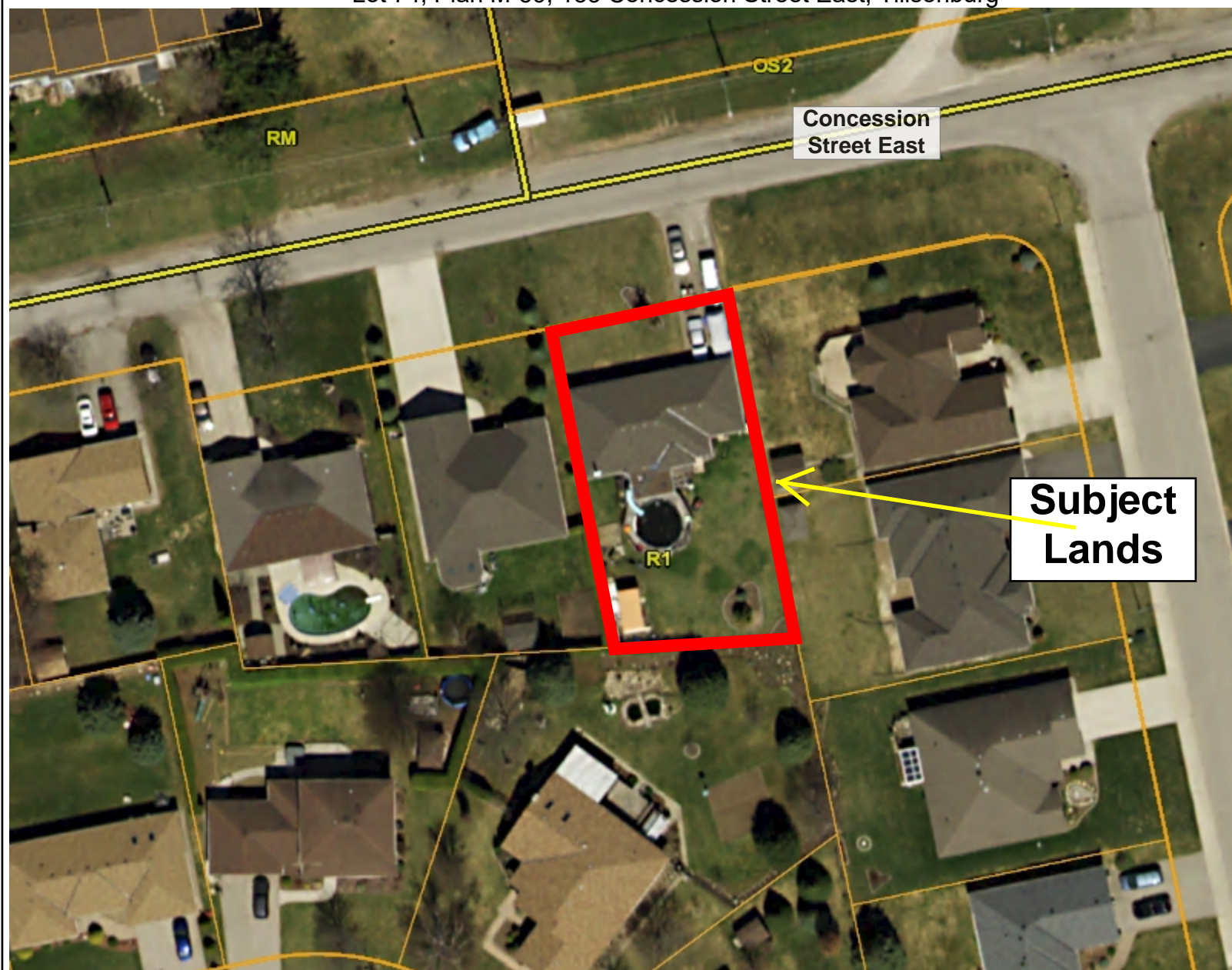
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This is not a plan of survey

August 8, 2019

Plate 2: Close-up of Subject Lands (2015 Air Photo)

File No: A 10-19: Myer

Lot 74, Plan M-59, 153 Concession Street East, Tillsonburg



Legend

- Parcel Lines
 - Property Boundary
 - Assessment Boundary
 - Unit
 - Road
 - Municipal Boundary
- Source Protection Screening
 - GRCA Reg Limit (d12/2018)
 - UTRCA Reg Limit (d10/2018)
 - LPRCA Reg Limit (d12/2018)
 - CCCA Reg Limit (circa 2006)
- Waste Sites (From OP)
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- Airport Noise Contour (SWOx)
- Wind Turbines
- Erosion Hazard Lands (From OP)
- Environmental Protection Flood Overlay
 - Flood Fringe
 - Floodway
 - Environmental Protection (EP1)

Notes



0 17 35 Meters

NAD_1983_UTM_Zone_17N



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August 8, 2019

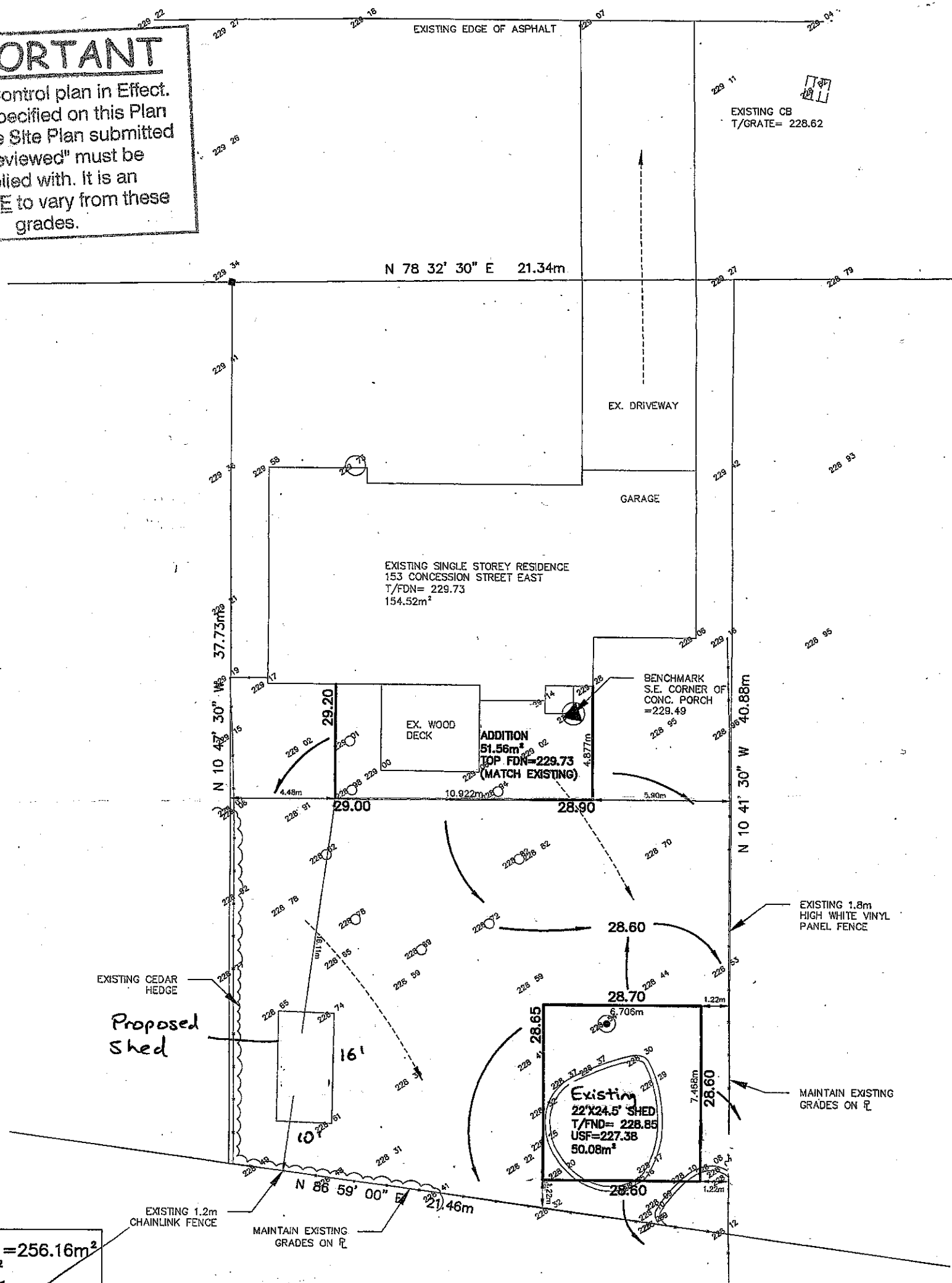


CONCESSION STREET

IMPORTANT

Grading Control plan in Effect.
Grades specified on this Plan
and on the Site Plan submitted
and "reviewed" must be
complied with. It is an
OFFENCE to vary from these
grades.

NOTE: 1. EXISTING GRADES TO BE MAINTAINED ALONG THE PROPERTY LINES AND ADJACENT TO THE EXISTING HOUSE.



TOTAL BUILDING AREA = 256.16m²
LOT AREA = 837.24m²
LOT COVERAGE = 30.6%

CAUTION: THIS PLAN REPRESENTS A PROPOSED HOUSE LOCATION. IT SHOULD NOT BE RELIED UPON AS CERTIFICATION THAT THE HOUSE WAS ACTUALLY ERRECTED AS SHOWN.

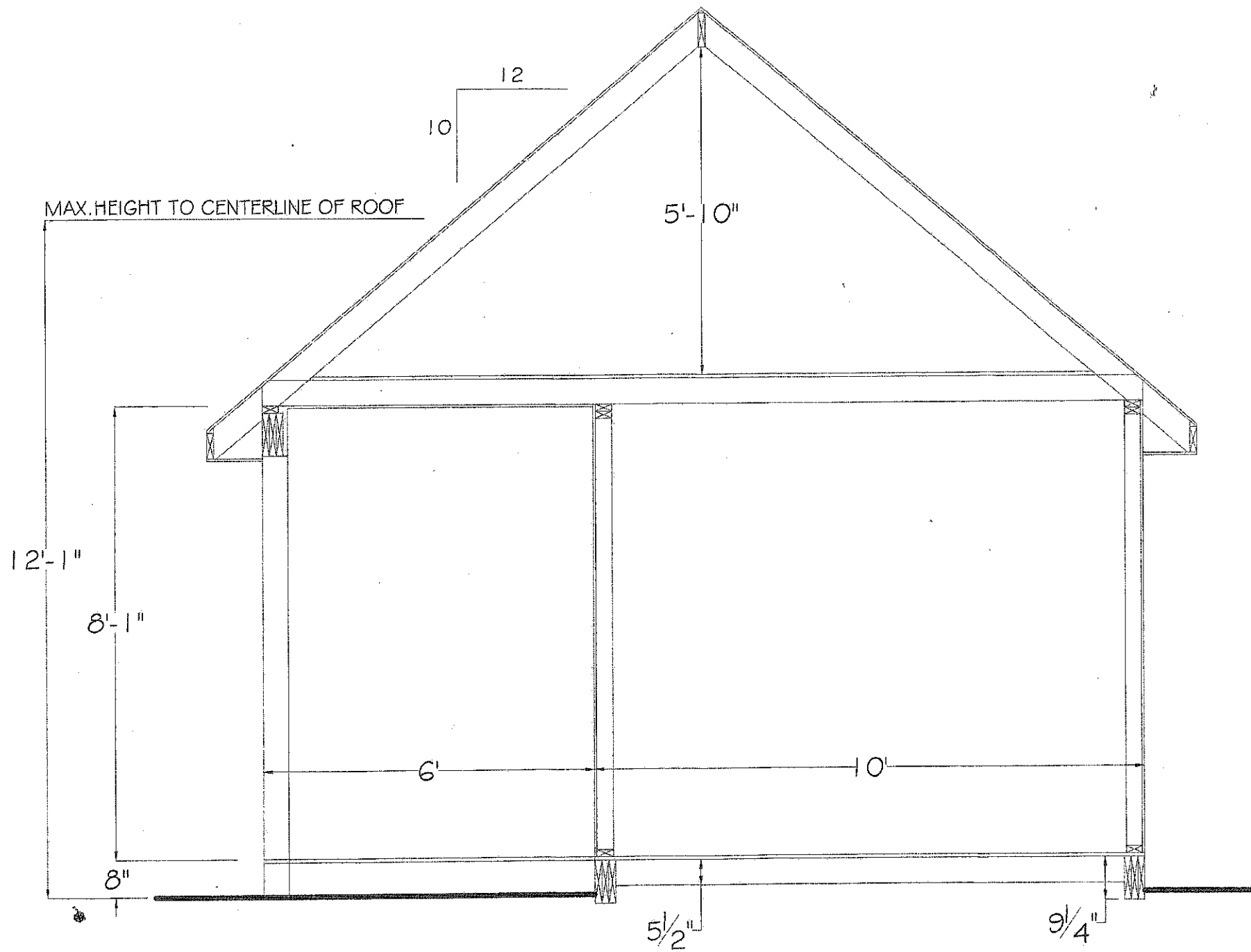
NOTE: DETAILED LOT GRADING DESIGN WAS INITIATED IN AUTOCAD AND COMPLETED BY MANUAL DRAFTING. USE OF THIS ELECTRONIC BASE MUST BE IN CONJUNCTION WITH A SIGNED COPY OF THE APPROVED LOT DEVELOPMENT PLAN.

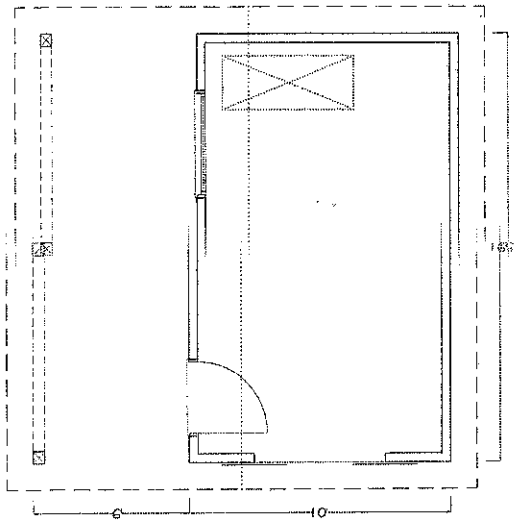
GRADING PLAN FOR GARAGE TOWN OF TILLSONBURG – BUILDING DEPARTMENT

228.49	EXISTING GROUND ELEVATION	■, □	PROPOSED CATCHBASIN, EXISTING	→	PROPOSED FLOW, EXISTING
25.90	PROPOSED FINAL GROUND ELEVATION	—	SWALE	—	FENCE
□	BELL, CABLE TV PEDESTALS	○	TREE		

ADD 200.00 TO ELEVATIONS TO OBTAIN GEODETIC DATUM

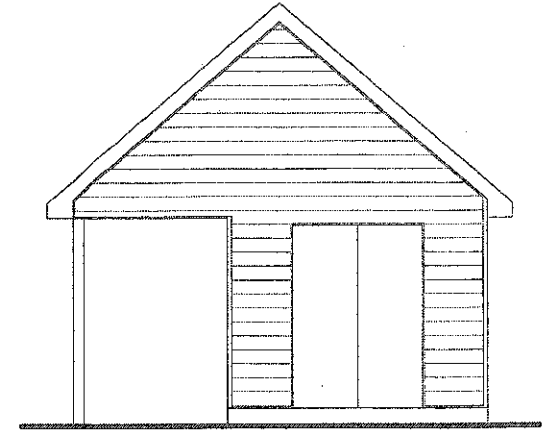
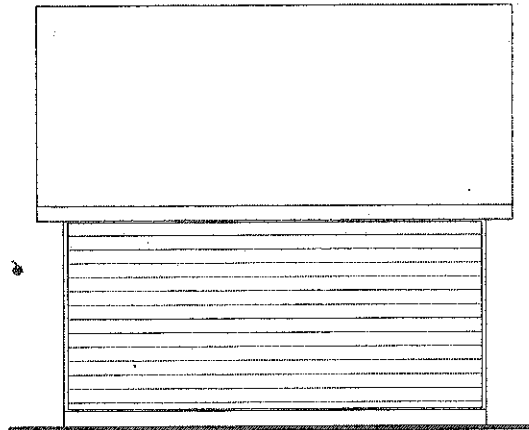
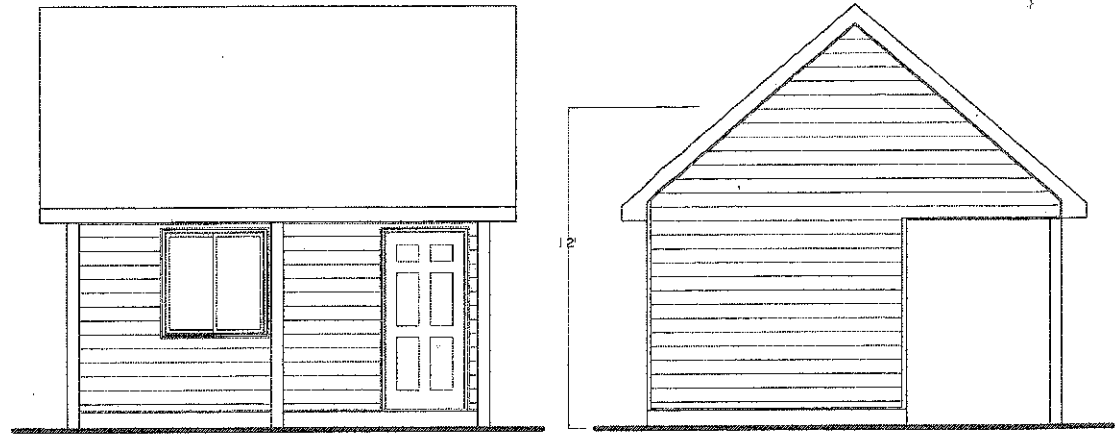
OWNER: BILL MEYER				PREPARED BY: CJDL		APPROVED BY: CJDL	
BUILDER: CUSTOM LIVING SOLUTIONS INC.				CHRIS TILLAART:		ANDREW GILVESY P. ENG. <i>Andrew Gilvesy</i>	
MUNICIPAL ADDRESS: 153 CONCESSION ST. E.				DATE: 9 NOV. 2015		DATE: <i>17 November 2015</i>	
LOT No.: 74 M-59							
				DRAWN BY: CJT	SCALE: 1:200	<div>CJDL</div> <div>Consulting Engineers</div> <div>Cyril J. Demeyere Limited P.O. Box 606, 261 Broadway Tillsonburg, Ontario, N4G 4J1 Tel: 519-688-1000 866-302-9886 Fax: 519-842-3235 cjdleg@oxford.net</div>	
				CHECKED BY: AG	DATE: 9 NOV. 2015		
1	ADDED HOUSE ADDITION	AG	13 NOV. 15	SURVEY BY: TPM	JOB No: 1500-59		
No.	REVISION	BY	DATE:				





PROPOSED PLAN

NOT TO SCALE



PROPOSED ELEVATIONS

NOT TO SCALE



FORM 1
PLANNING ACT, 1990
APPLICATION FOR MINOR VARIANCE OR PERMISSION
Town of Tillsonburg Committee of Adjustment
Fee \$900.00 (\$1800 - See Note 1 - Page 4)

RECEIVED BUILDING DEPT. JUL 19 2019 BY: _____	Building, By-Law & Planning Services 10 Lisgar Avenue Tillsonburg ON N4G 5A7
---	--

For Office Use Only		
PIN#: 000410433	ROLL#:	FILE: A10-19

The undersigned hereby applied to the Committee of Adjustment for the Town of Tillsonburg under Section 44 of the Planning Act, 1990, for relief, as described in this application form By-Law No. 3295 (as amended).

Name and Address of Owner		Name and Address of Applicant/Agent (if applicable)	
Bill Myer Mila Myer			
153 Concession St. E.			
Postal Code:	Telephone Number:	Postal Code:	Telephone Number:
N4G 1P8	519 688 3497		
Email: myerbill@gmail.com.		Email:	

1. Name and addresses of any mortgagees, holders of charges or other encumbrances:

T.D. Bank

2. Nature and extent of relief applied for: To be completed by the applicant. (include By-Law Section if known)

Section S.1.1.4 - permit total lot coverage of 65 m².
for accessory buildings.

For office use only

3. Why is it not possible to comply with the Provision of the By-Law?

personal storage needs

4. Legal Description of Subject land:

Lot Number(s) 74 Plan Number or Concession M-59

Part Number(s) _____ Reference Plan Number _____

Street Address (if any) 153 Concession St E.

The lot is located on the South side of the Street lying between Parkwood Drive Street and Maple Lane Street

5. Dimensions of land affected:

Frontage 21.34m Depth (average) 40.88mArea 837.24m² Width of Street _____

6. Particulars of all buildings and structures on or proposed for the subject land: (specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: single detached dwelling
accessory building - 50.08m²Proposed: same
additional accessory building - 160 ft² (15m²)

7. Location of all buildings and structures on or proposed for the subject land: (specify distance from side, rear and front lot lines as well as lot coverage.) Please include a copy of a survey with all measurements. A copy of a survey/ site plan prepared by an Ontario Land Surveyor or Consulting Engineer must accompany this application with all necessary measurements.

Existing: See attached

Proposed: _____

8. Date of acquisition of subject land: 20079. Date of Construction of all buildings and structures on subject land (if known): 199610. Existing uses of the subject property residential11. Existing uses of abutting properties: same12. Length of time the existing uses of the subject property have continued: since built

13. Municipal Services available (please check all appropriate boxes)

☒ Water☒ Connected☒ Sanitary Sewers☒ Connected☒ Storm Sewers

14. Present Official Plan Provisions applying to the land: Low Density Residential
15. Present Zoning by-Law provisions applying to the land: R1
16. Has the owner previously applied for relief in respect of the subject property? ☐ Yes ☒ No
If the answer is yes, describe briefly _____
17. Is the subject property the subject of a current application for consent under Section 53 of the Planning Act, 1990? ☐ Yes ☒ No

THIS SECTION TO BE COMPLETED IN THE PRESENCE OF A COMMISSIONER FOR TAKING AFFIDAVITS

I/We Bill & Mila Myer of the Town of Tillsonburg
In the County of Oxford.

DO SOLEMNLY DELCIARE THAT: All of the prescribed information contained in the is application is true and that the information contained in the documents that may accompany this application is true and I make the solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath by virtue of the Canada Evidence Act.

DECLARED before me at the
Of Town of Tillsonburg in the
Tillsonburg County of Oxford.

This 19 day of July, 2019

Bill Myer
Owner(s)/Applicant

Chief
Owner(s)/Applicant

Helen Johnson
A Commissioner for Taking affidavits

HELEN JOHNSON, a Commissioner,
etc., Province of Ontario, for the
Corporation of the Town of Tillsonburg
Expires: March 10, 2020

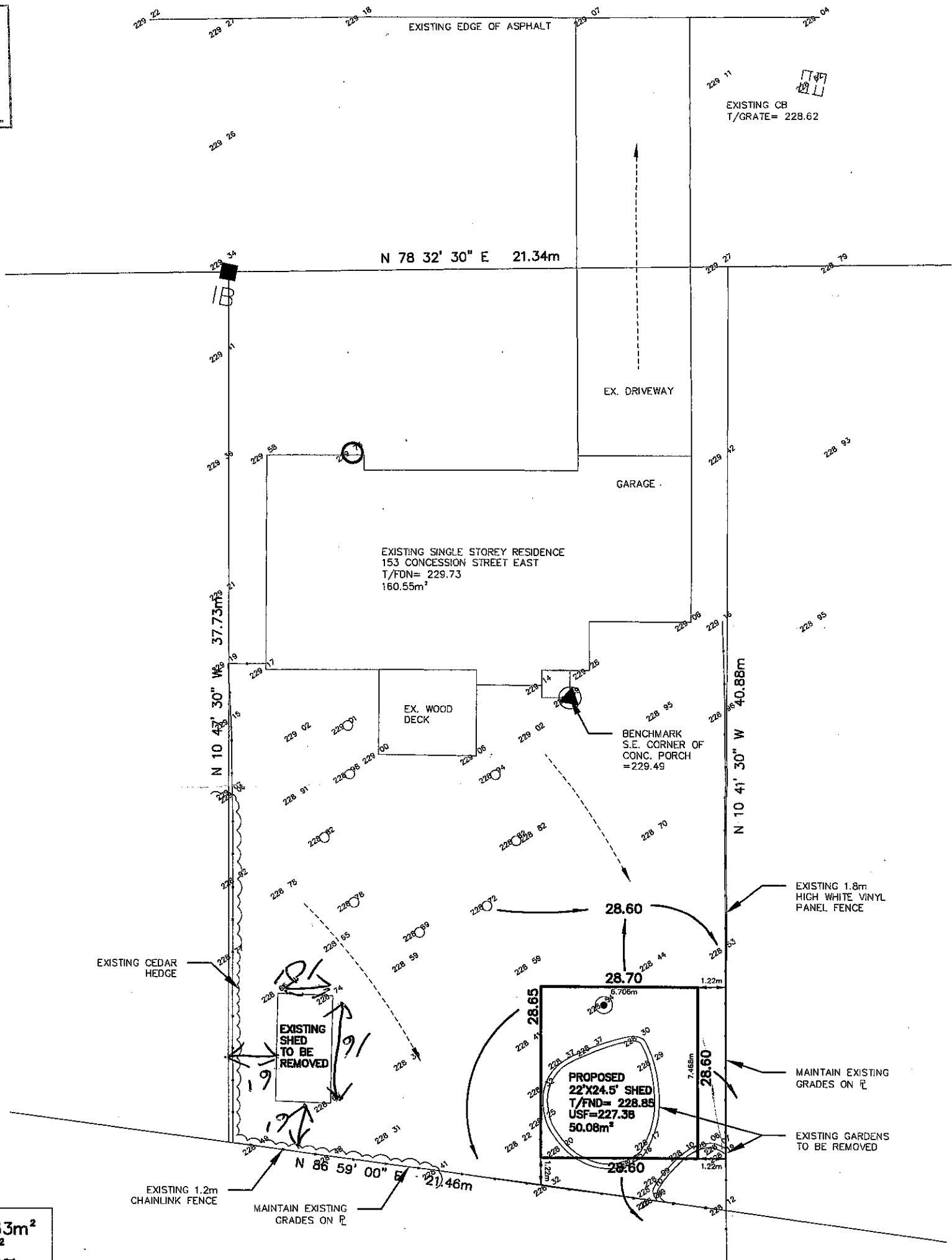
For Office use Only



CONCESSION STREET

RECEIVED
BUILDING DEPT.
NOV 09 2015
BY: _____

NOTE:
1. EXISTING GRADES TO BE MAINTAINED ALONG THE PROPERTY LINES AND ADJACENT TO THE EXISTING HOUSE.



BUILDING AREA = 210.63m²
LOT AREA = 837.24m²
LOT COVERAGE = 25.16%

CAUTION: THIS PLAN REPRESENTS A PROPOSED HOUSE LOCATION. IT SHOULD NOT BE RELIED UPON AS CERTIFICATION THAT THE HOUSE WAS ACTUALLY ERECTED AS SHOWN.

NOTE: DETAILED LOT GRADING DESIGN WAS INITIATED IN AUTOCAD AND COMPLETED BY MANUAL DRAFTING. USE OF THIS ELECTRONIC BASE MUST BE IN CONJUNCTION WITH A SIGNED COPY OF THE APPROVED LOT DEVELOPMENT PLAN.

GRADING PLAN FOR GARAGE
TOWN OF TILLSONBURG –
BUILDING DEPARTMENT

228.49	EXISTING GROUND ELEVATION	■, □	PROPOSED CATCHBASIN, EXISTING	→	PROPOSED FLOW, EXISTING
25.90	PROPOSED FINAL GROUND ELEVATION	—	SWALE	—	FENCE
XX	BELL, CABLE TV PEDESTALS	○	TREE		

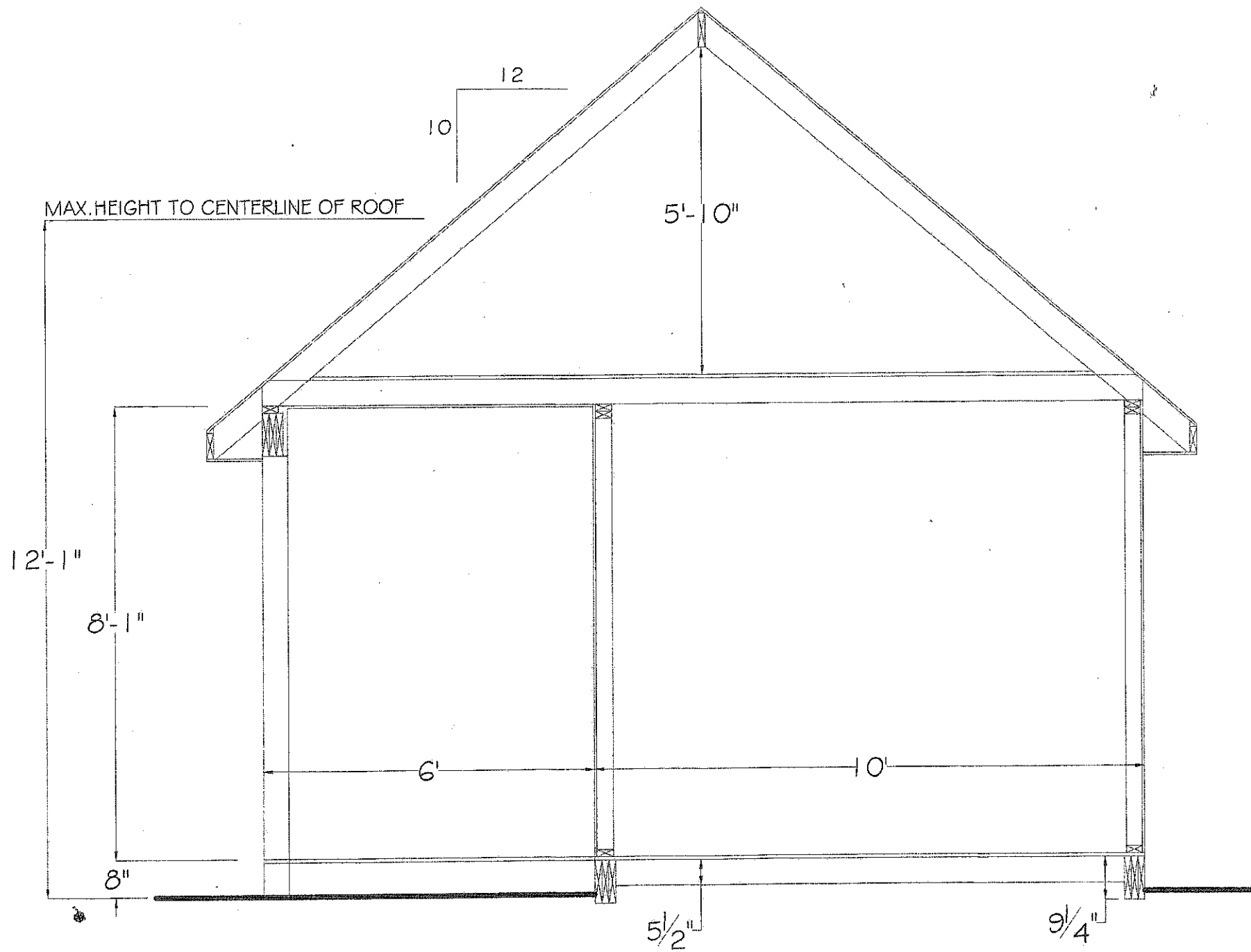
ADD 200.00 TO ELEVATIONS TO OBTAIN GEODETIC DATUM

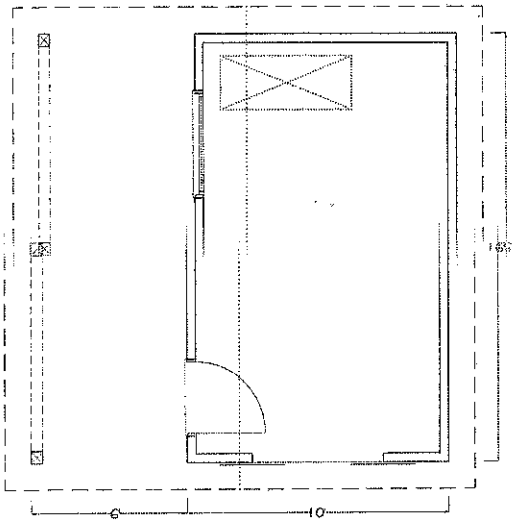
OWNER: BILL MEYER	PREPARED BY: CJDL	APPROVED BY: CJDL
BUILDER: CUSTOM LIVING SOLUTIONS INC.	CHRIS TILLAART: _____	ANDREW GILVESY P. ENG.: <i>Andrew Gilvesy</i>
MUNICIPAL ADDRESS: 153 CONCESSION ST. E.	DATE: 9 NOV. 2015	DATE: 9 November 2015
LOT No.: 74 M-59		

No.	REVISION	BY	DATE	DRAWN BY: CJT	SCALE: 1:200
				CHECKED BY: AG	DATE: 9 NOV. 2015
				SURVEY BY: TPM	JOB No: 1500-59

CJDL
Consulting Engineers

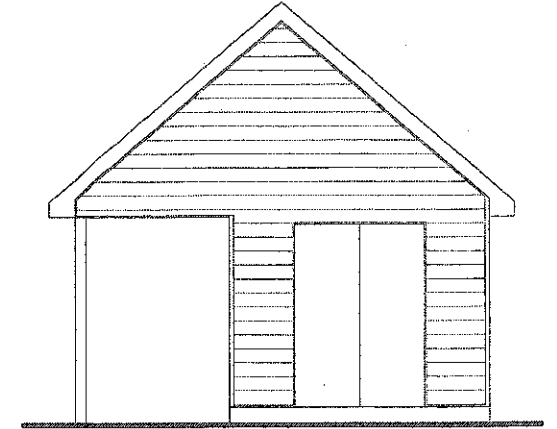
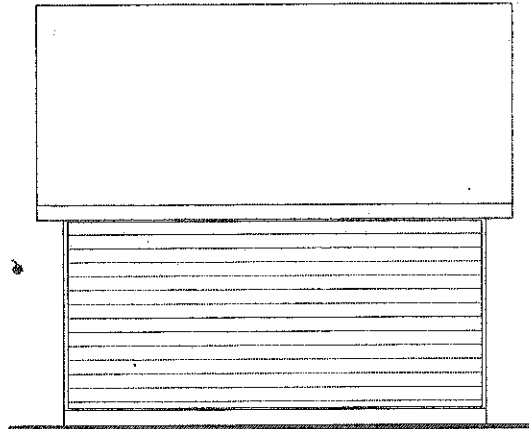
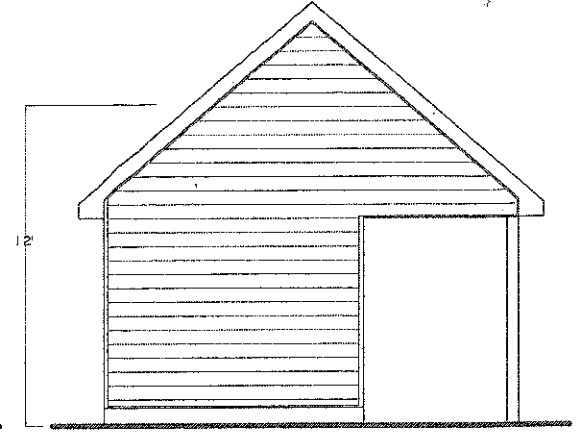
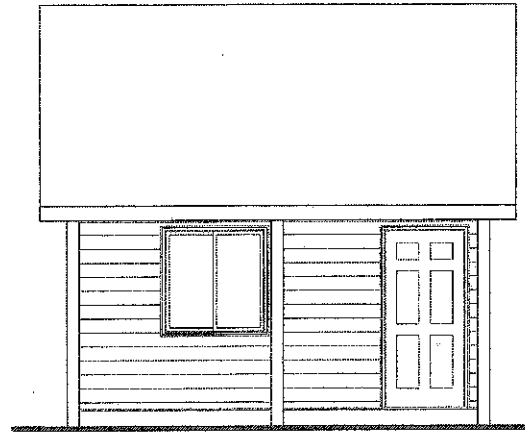
Cyril J. Demeyere Limited
P.O. Box 606, 261 Broadway
Tillsonburg, Ontario, N4G 4J1
Tel: 519-688-1000
866-302-9886
Fax: 519-842-3235
cjdleng@oxford.net





PROPOSED PLAN

NOT TO SCALE



PROPOSED ELEVATIONS

NOT TO SCALE

Community Planning

P. O. Box 1614, Woodstock Ontario N4S 7Y3

Phone: 519-539-9800 • Fax: 519-537-5513

Web site: www.oxfordcounty.ca

Our File: **A 11-19**

APPLICATION FOR MINOR VARIANCE

TO: Town of Tillsonburg Committee of Adjustment
MEETING: September 9, 2019
REPORT NUMBER: 2019-275

OWNERS / APPLICANTS: Paul and Susana Christo
41 King Street Upper, Tillsonburg ON, N4G 3E6

AGENT: Dalm Construction
41 King Street, Tillsonburg ON, N4G 3E6

REQUESTED VARIANCE:

Relief from **Section 6.2, Low Density Residential Type 1 Zone Provisions (R1) - Lot Coverage**, to increase the maximum permitted lot coverage from 33% to 35% to facilitate the construction of a single detached dwelling.

LOCATION:

The subject property is described as Lot 32, Plan 41M-218 in the Town of Tillsonburg. The lands are located on the east side of Allen Street, between Belmont Avenue and Brookside Lane, and are municipally known as 130 Allen Street in the Town of Tillsonburg.

BACKGROUND INFORMATION:

OFFICIAL PLAN: Low Density Residential

TOWN OF TILLSONBURG ZONING BY-LAW: Special Low Density Residential Type 1 Zone (R1-13) with a portion at the rear of the property affected by the Long Point Region Conservation Authority's Regulation Limit

SURROUNDING USES: Surrounding uses include a number of recently constructed single detached dwellings, as well as vacant land, designated for single detached dwellings and open space lands to the east.

COMMENTS:**(a) Purpose of the Application:**

The applicants have requested the above-noted relief from the lot coverage provisions of the Town Zoning By-law to facilitate the construction of a single detached dwelling and have indicated that the requested increase in lot coverage is necessary to facilitate their desired dwelling design.

The subject lands are approximately 734.4 m² (7,905 ft²) in size, with approximately 18 m (59 ft) of frontage on Allen Street. The subject lands are currently vacant and a 253.8 m² (2,731.8 ft²) dwelling is proposed, which will result in a total lot coverage of approximately 35% of the lot area.

Surrounding land uses are predominately comprised of low density residential uses to the north, west and south and open space lands to the east.

Plate 1: Location Map with Existing Zoning shows the location of the subject lands and the current zoning in the immediate vicinity.

Plate 2: Close-up of Subject Lands (2015 Air Photo) shows a close up view of the subject lands and surrounding area.

Plate 3: Applicants' Sketch illustrates the location and setbacks of the proposed single detached dwelling.

(b) Agency Comments

The Town Building Department and the County of Oxford Public Works Department have commented that they have no concerns with the proposal.

Public notification of the application for minor variance was circulated to surrounding property owners on August 30, 2019. As of the writing of this report, no correspondence has been received from the public

(c) Intent and Purpose of the Official Plan:

The subject lands are designated 'Low Density Residential' in the County's Official Plan which is intended for the development of low density housing forms, consisting of single and semi-detached dwellings, as well as town house development. The applicants are proposing the construction of a single detached dwelling which is in keeping with the intent of the Official Plan.

(d) Intent and Purpose of the Zoning By-law:

The subject property is zoned 'Special Low Density Residential –Type 1 Zone (R1-13)' in the Town of Tillsonburg Zoning By-Law No. 3295 which permits the development of single detached dwellings and requires a minimum lot area of 480 m² (5,166.8 ft²), a minimum lot frontage of 15 m (49.2 ft) and permits a maximum lot coverage of 33% of lot area. The special zoning provisions that apply to the 'R1-13' zone allow for a reduced minimum rear yard depth of 9 m (29.53 ft) and a projection of 2.5 m (8.2 ft) into a required rear yard depth for raised decks which exceed 1.5 m (5 ft) in height.

The purpose of the maximum lot coverage provisions in the Zoning By-law is to ensure that dwellings and other structures in the 'R1' zone are sized appropriately for the residential needs of

the property, while allowing for sufficient area for such considerations as grading, drainage, parking and private amenity space.

Staff have reviewed the applicants' proposal and are satisfied that sufficient area can be maintained on the subject lands to account for these provisions and a lot grading plan will be submitted to the Town Engineering Department as part of their building permit review process to ensure that drainage will be appropriately addressed. Given this, Planning staff are satisfied that the proposal maintains the general intent of the Zoning By-law.

(e) Desirable Development/Use:

The applicants are proposing the construction of a single detached dwelling with a proposed lot coverage that is marginally greater than what is permitted by the zoning provisions. The applicants have indicated that the requested increase to coverage will facilitate the construction of their desired dwelling design on the subject lands.

Planning staff have reviewed the proposal and are satisfied that the variance can be considered minor and is not anticipated to negatively impact surrounding land uses and no comments of concern have been received. Further, it is noted that a lot grading plan will be required as part of the building permit process to ensure that the grading and drainage of the lot is acceptable.

Based on this, staff are satisfied that the proposal can be considered desirable development for the intended use of the land and can be given favourable consideration.

RECOMMENDATION

That the Committee of Adjustment **approve** Application File A11-19, submitted by Dalm Construction Ltd (Christo) for lands described as Lot 32, Plan 41M-218 in the Town of Tillsonburg as it relates to:

1. Relief from **Section 6.2, Low Density Residential Type 1 Zone Provisions (R1) – Lot Coverage**, to increase the maximum permitted lot coverage from 33% to 35% to facilitate the construction of a single detached dwelling,

Subject to the following condition:

- i) A building permit for the single detached dwelling shall be issued within one year of the date of the Committee's decision.

As the proposed variance is:

- (i) a minor variance from the provisions of the Town of Tillsonburg Zoning By-law No. 3295;
- (ii) 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.

Authored by:

Heather St. Clair, MCIP RPP, Development Planner

Approved by:

Eric Gilbert, MCIP, RPP, Senior Planner

Report Approval Details

Document Title:	A11-19_rpt.docx
Attachments:	- Report Attachments.pdf - a11-19t_appl-20190729.pdf - a11-19_appl-sketch-20190729.pdf
Final Approval Date:	Sep 3, 2019

This report and all of its attachments were approved and signed as outlined below:

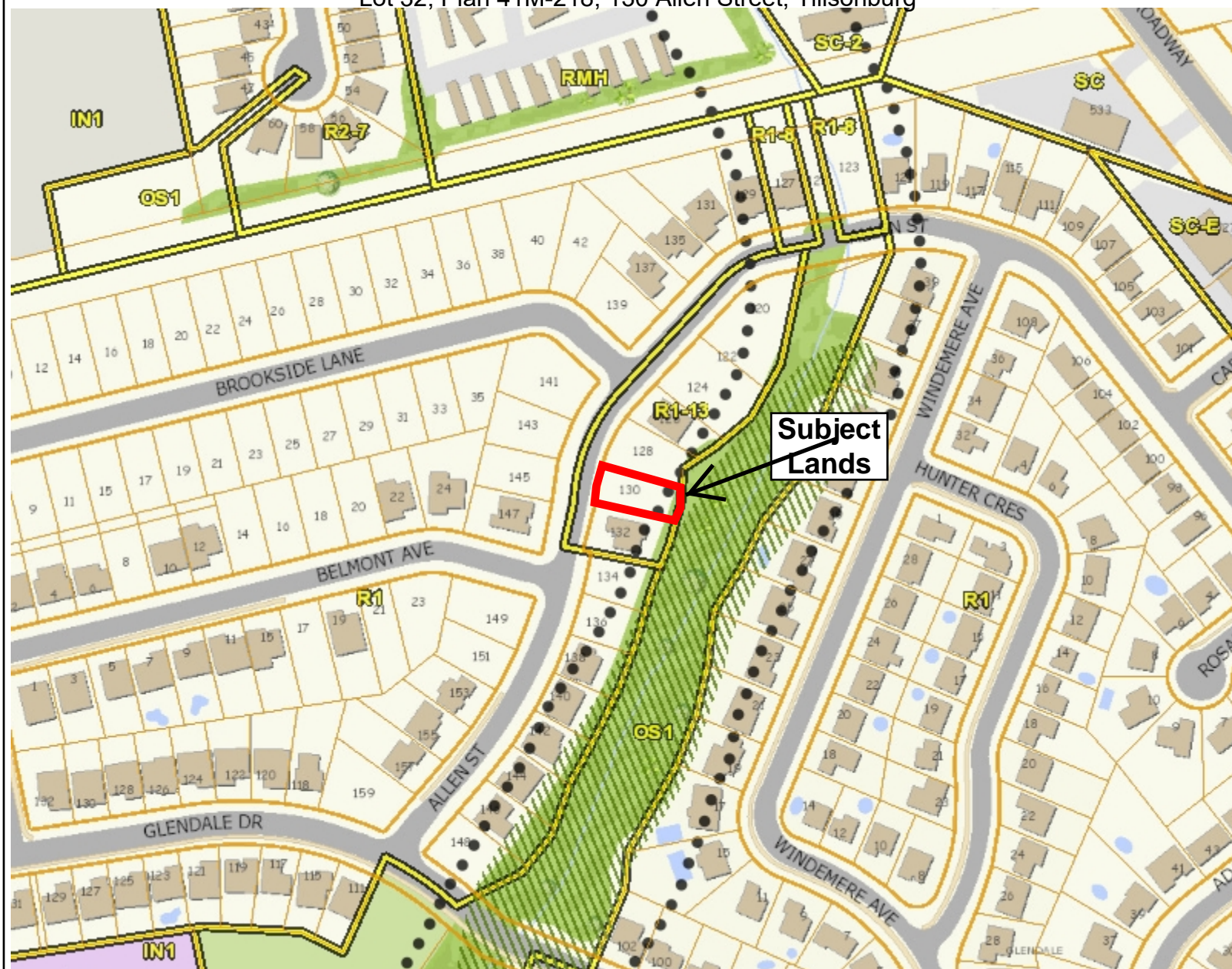
No Signature - Task assigned to David Calder was completed by workflow administrator Donna Wilson

David Calder - Sep 3, 2019 - 8:57 AM

Plate 1: Location Map with Existing Zoning

File No: A 11-19: Dalm Construction Ltd. (Christo)

Lot 32, Plan 41M-218, 130 Allen Street, Tillsonburg



Legend

- Parcel Lines**
- Property Boundary
 - Assessment Boundary
 - Unit
 - Road
 - Municipal Boundary
- Environmental Protection**
- Flood Overlay**
- Flood Fringe
 - Floodway
 - Environmental Protection (EP1)
 - Environmental Protection (EP2)
- 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



0 69 138 Meters

NAD_1983_UTM_Zone_17N



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

August 8, 2019

Plate 2: Close-up of Subject Lands (2015 Air Photo)
File No: A 11-19: Dalm Construction Ltd. (Christo)
Lot 32, Plan 41M-218, 130 Allen Street, Tillsonburg



Legend

- Parcel Lines
 - Property Boundary
 - Assessment Boundary
 - Unit
 - Road
 - Municipal Boundary
- Environmental Protection
 - Flood Overlay
 - Flood Fringe
 - Floodway
 - Environmental Protection (EP1)
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 - Conservation Authority
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 - Regulatory Flood And Fill Lines
- Land Use Zoning (Displays 1:16000 to 1:500)

Notes



0 17 35 Meters

NAD_1983_UTM_Zone_17N



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August 8, 2019

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DO NOT CONVEY FROM THIS PLAN

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- (1) - PROPERTY DIMENSIONS ARE AS SHOWN ON REGISTERED PLAN 41M-218 AND HAVE NOT BEEN VERIFIED BY SURVEY
- (2) - PROPOSED BUILDING POSITIONED BY CALCULATIONS, NOT BY ACTUAL SURVEY
- (3) - AREA OF LOT 32 = 734.4 SQUARE METRES
- (4) - AREA OF DWELLING, PORCH, GARAGE AND REAR COVERED PORCH = 253.8 SQUARE METRES
- (5) - PROPOSED LOT COVERAGE = 34.6%
- (6) - CONSIDER STEPPED BRICK ON SIDES AND REAR WITH 0.15m (MIN) EXPOSED FOUNDATION AND 2% (MIN) FALL AWAY FROM BUILDING
- (7) - RETAINING WALLS TO BE DESIGNED BY OTHERS.

- ADD 200.00m TO ELEVATIONS SHOWN HEREON TO OBTAIN GEODETIC DATUM
- T.F.W. DENOTES TOP OF FOUNDATION WALL
- U.S.F. DENOTES UNDER SIDE OF FOOTING
- 47.55 DENOTES PROPOSED FINISHED GRADE
- P/L, T.C. DENOTES PROPERTY LINE, TOP OF CURB
- DENOTES FLOW ARROWS

PROPERTY DESCRIPTION:

LOT 32
 REGISTERED PLAN 41M-218
 TOWN OF TILLSONBURG
 COUNTY OF OXFORD

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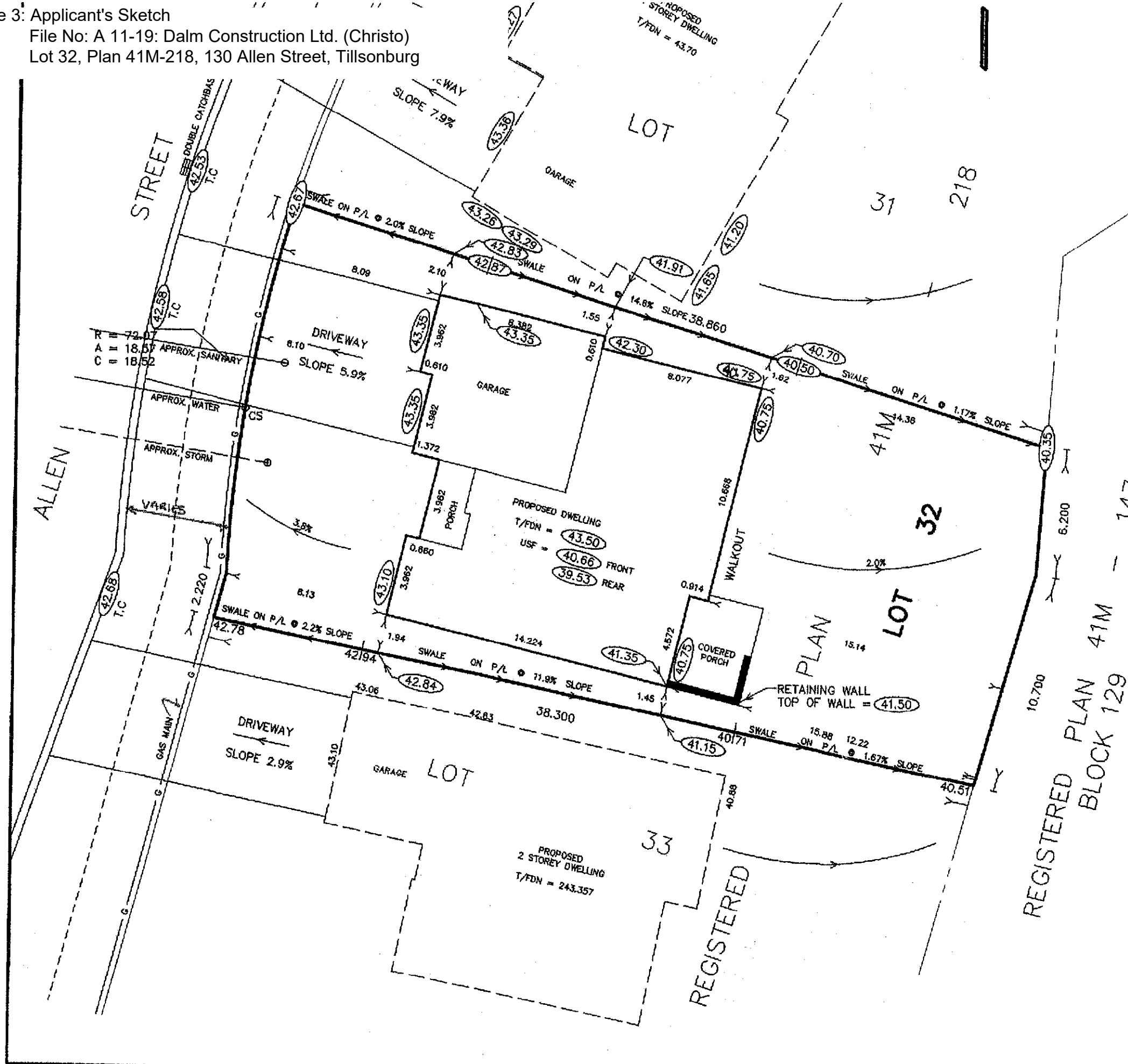
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KIM HUSTED SURVEYING LTD.
 ONTARIO LAND SURVEYOR

30 HARVEY STREET, TILLSONBURG, ONTARIO. N4G 3J8
 PHONE: 519-842-3638 FAX: 519-842-3639

PROJECT: 18-14361 REFERENCE: FILE

DISK No.





FORM 1
PLANNING ACT, 1990
APPLICATION FOR MINOR VARIANCE OR PERMISSION
Town of Tillsonburg Committee of Adjustment
Fee \$900.00 (\$1800 - See Note 1 - Page 4)

Building, By-Law &
Planning Services
10 Lisgar Avenue
Tillsonburg ON
N4G 5A7

RECEIVED
BUILDING DEPT.

For Office Use Only

PIN#: 000261326

ROLL#:

FILE: JUL 24 2019

BY: A11-19

The undersigned hereby applied to the Committee of Adjustment for the Town of Tillsonburg under Section 44 of the Planning Act, 1990, for relief, as described in this application form By-Law No. 3295 (as amended).

Name and Address of Owner		Name and Address of Applicant/Agent (if applicable)	
MR + MRS PAUL CHRISTO		DALM CONSTRUCTION LTD	
41 KING ST - UPPER TILSONBURG, ON		41 KING ST. TILSONBURG	
Postal Code:	Telephone Number:	Postal Code:	Telephone Number:
N4G 3E6	226-231-4870	N4G 3E6	519-688-0228
Email: paulsuzannechristo@gmail.com		Email: office@dalm.ca	

1. Name and addresses of any mortgagees, holders of charges or other encumbrances:

2. Nature and extent of relief applied for: To be completed by the applicant. (include By-Law Section if known)

Section 6.2 - Max Permitted Lot coverage, to increase
permitted lot coverage to 35%.

For office use only

3. Why is it not possible to comply with the Provision of the By-Law?

Design of dwelling.

4. Legal Description of Subject land:

Lot Number(s) 32 Plan Number or Concession 41M-218

Part Number(s) _____ Reference Plan Number _____

Street Address (if any) 130 Allen Street

The lot is located on the east side of the Street lying between Glendale Street and Brookside Street

5. Dimensions of land affected:

Frontage _____ Depth (average) _____

Area 734.4 m² Width of Street _____

6. Particulars of all buildings and structures on or proposed for the subject land: (specify ground floor area, gross floor area, number of stories, width, length, height, etc.)

Existing: vacant

Proposed: single detached dwelling - 253.8 m²

7. Location of all buildings and structures on or proposed for the subject land: (specify distance from side, rear and front lot lines as well as lot coverage.) Please include a copy of a survey with all measurements. A copy of a survey/ site plan prepared by an Ontario Land Surveyor or Consulting Engineer must accompany this application with all necessary measurements.

Existing: see sketch

Proposed: see sketch

8. Date of acquisition of subject land: 2019

9. Date of Construction of all buildings and structures on subject land (if known): under construction present by

10. Existing uses of the subject property vacant

11. Existing uses of abutting properties: residential

12. Length of time the existing uses of the subject property have continued: unknown

13. Municipal Services available (please check all appropriate boxes)

☒ Water

☒ Connected

☒ Sanitary Sewers

☒ Connected

☒ Storm Sewers

14. Present Official Plan Provisions applying to the land: Low Density Residential

15. Present Zoning by-Law provisions applying to the land: R1

16. Has the owner previously applied for relief in respect of the subject property? ☐ Yes ☒ No

If the answer is yes, describe briefly _____

17. Is the subject property the subject of a current application for consent under Section 53 of the Planning Act, 1990? ☐ Yes ☒ No

THIS SECTION TO BE COMPLETED IN THE PRESENCE OF A COMMISSIONER FOR TAKING AFFIDAVITS

I/We HENRY DALM of the TOWN of TILSONBURG

In the COUNTY of OXFORD.

DO SOLEMNLY DELCIARE THAT: All of the prescribed information contained in the is application is true and that the information contained in the documents that may accompany this application is true and I make the solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath by virtue of the Canada Evidence Act.

DECLARED before me at the

Of Tillsonburg in the
County of Oxford

This 23 day of July, 2019



Owner(s)/Applicant

Owner(s)/Applicant



A Commissioner for Taking affidavits

HELEN JOHNSON, a Commissioner,
etc., Province of Ontario, for the
Corporation of the Town of Tillsonburg
Expires: March 10, 2020

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AUTHORIZATION

NOTE: The property owner or the authorized agent must complete the application. Where an agent is making the application, the written authorization of the owner must be completed below. If the application is being made under an agreement of purchase and sale, a copy of the agreement must be attached and will remain confidential.

Authorization of Owner(s) for Applicant/Agent to Make the Application

I/We, _____, am/are the owner(s) of the land that is the subject of this application for site plan and I/we authorize _____, to make this application on my/our behalf.

Signature of Owner(s)

Signature of Owner(s)

DATED

Notes:

1. It is required that one original copy of this application and all drawings be filed at the Town's Customer Service Centre, accompanied by a fee of \$900 in cash or cheque made payable to the Town of Tillsonburg. A fee of \$1800 will be charged if an application is required after the fact.

KIM HUSTED SURVEYING LTD.

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 - DENOTES FLOW ARROWS

PROPERTY DESCRIPTION:
LOT 32

REGISTERED PLAN 41M-218
TOWN OF TILLSONBURG
COUNTY OF OXFORD

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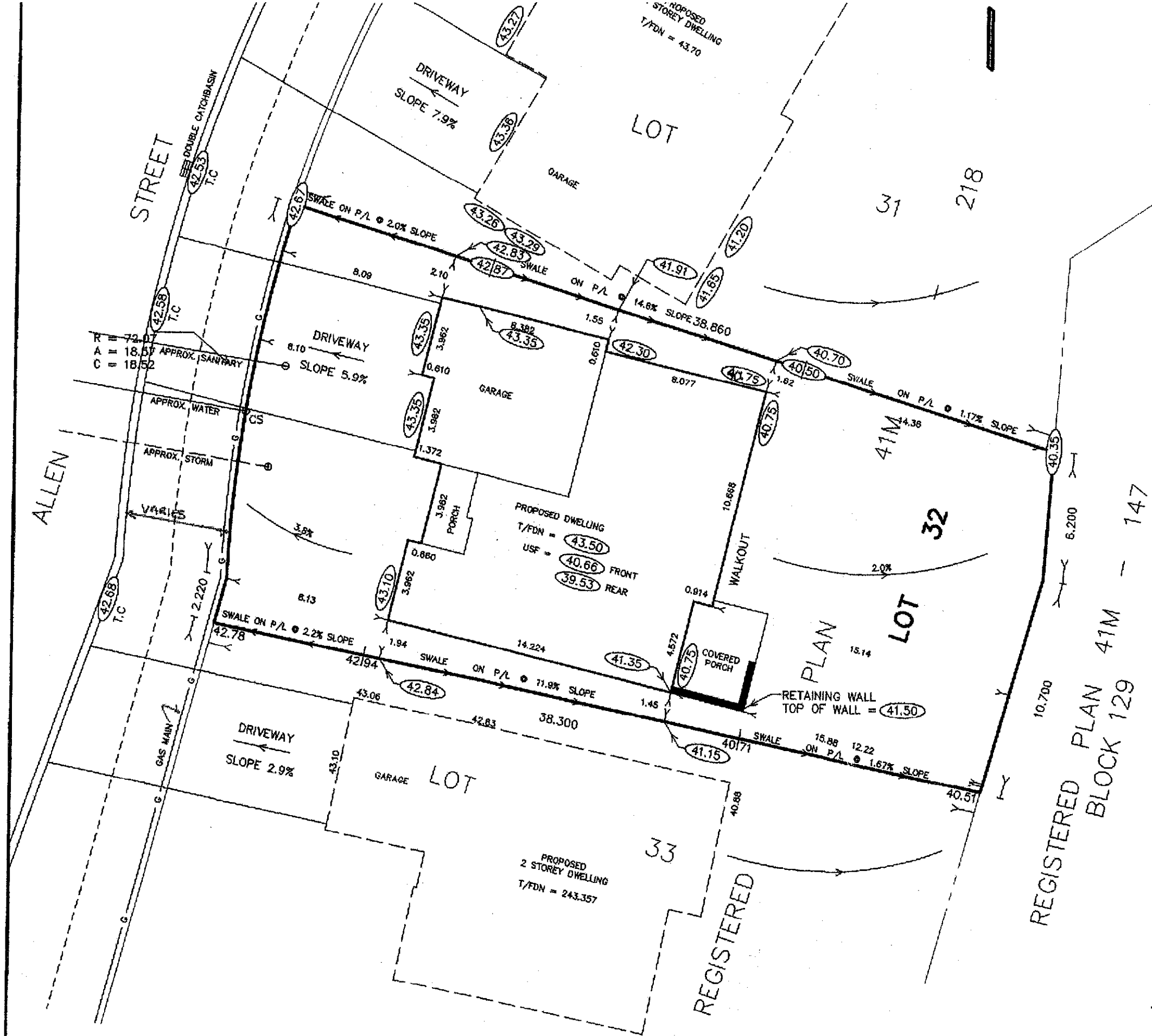
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30 HARVEY STREET, TILLSONBURG, ONTARIO. N4G 3J8
PHONE: 519-842-3638 FAX: 519-842-3639

PROJECT: 18-14361 REFERENCE: FILE

DISK No.





First Name *

Maurice

Last Name *

Témoin

Street Address *

6 Glendale Drive

Town/City *

Tillsonburg

Postal Code *

N4G 1J2

Phone Number *

519-842-6974

E-mail *

Itemoin@yahoo.com (no internet at home)

Website

Do you or any members of your party require accessibility accommodations? *☐ Yes☒ No**Council Meeting Date ***September ⁹~~12~~, 2019.**Subject of Delegation ***

Ongoing drainage issues

Name(s) of Delegates and Position(s) *

Maurice Témoin

Name of Group or Person(s) being represented (if applicable)**I acknowledge Delegations are limited to fifteen (15) minutes each. ***☒ I accept**Brief Summary of Issue or Purpose of Delegation ***

Resolution of flooding problems caused by town planners.

Compensation for expenses caused by the town planners decisions on new development.

Will there be a Power Point presentation? *☐ Yes☒ No**Have you been in contact with a Staff member regarding the Delegation topic? ***☐ Yes☒ No

I acknowledge that all presentation material must be submitted to the Clerk's Office by 4:30 p.m. the Wednesday before the Council meeting date.

☒ I accept[Back](#)[Submit](#)

© 2016 Town of Tillsonburg, 10 Lisgar Ave, Tillsonburg ON N4G 5A5, 519-688-3009,
Designed by eSolutionsGroup

... ..

To the town council,

My family has lived at 6 Glendale Drive since 2005. I bought the home because of its location on a ravine. We had no drainage issues, nor had Mrs. Irwin who owned the home before us.

Then in 2015 we were hit with a double whammy. There was road construction and water line replacement in front of our home and there was house construction right up to our property line on the ravine side of our house. That is when all our sewage and water problems commenced.

I am not a person who enjoys confrontation; in fact, I will do whatever I can to avoid it. However, there comes a time when one has to take a stand, or be walked all over. I have had enough of the stonewalling tactics of those who should be making sure that new development does not negatively affect existing infrastructure.

You will have seen the correspondence that I have had with our previous town engineer (who was not the person who signed off on the drainage plan for my new neighbour) and our bylaw officer. I tried to handle the situation at that level, because these are the people that my taxes pay to make sure that development is done correctly. In my case it was not. The evidence is in the pictures.

I have been told basically that it is my problem because the issues are on my side of the property line. Apparently as an existing development, I am at the mercy of any new development that comes along. Does that sound right to you?

I then spoke with Brian Stephenson to see if he could help rectify the situation. We met to discuss the problem. He understood the drainage issues because he had to deal with a similar problem when there was new development in his area.

After his untimely death, I contacted Chris Rosehart ; she came over to see what I was dealing with, and suggested that I bring this matter to town council.

Tonight I am asking for two issues to be addressed, and I am hoping that the council will show the leadership that was talked about during the election campaign. It is you, and not unelected bureaucrats, who have been given the responsibility for the town's functioning.

The first issue is that of correcting the flooding that is occurring at our house due to both the road construction and the house allowed to be built four feet from mine in a ravine area, which has blocked our former drainage into that ravine.

I have also included pictures of the problem I have with snow buildup that contributes to flooding in the spring. This is again due to zero consideration for an existing property. I need to do a snow lift to avoid flooding. Do any of you have to do that?

The second issue is the repair that had to be done on my sewer pipe because of the excavation five feet away for the new development. You can see the letter that I sent to P.B.R. Excavating by registered mail, which they didn't deign to respond to. I wasn't surprised, unfortunately.

There is a third issue that I have been wondering about. I don't know what the long term consequences are of having the neighbouring property graded towards my wooden retaining wall. I suspect this is why I have water pressing up through cracks in the garage floor when the ground can't absorb anymore.

The following are what I have found in town by-laws relating to our issues:

2.09 LOT GRADING-DRAINAGE-SUMP PUMPS

2. Down pipes, sump pump, discharge lines and grading shall be designed, provided and maintained so as to discharge water runoff away from the building and to prevent flooding, erosion and other nuisance to neighbouring properties

Town of Tillsonburg

Site Plan Approval Guidelines- Storm Drainage Systems

Flows from adjacent properties - in the event that adjacent private properties drain onto the site being developed, the storm drainage system is to be designed to prevent storm water from backing up and creating a flooding or ponding condition on the adjacent property.

SECTION 4 – SITE PLAN CONTROL OBJECTIVES AND GUIDELINES

Building Location and Facility Design – All Developments

Location of Buildings and Facilities

The objectives of site plan control for building and facility location are to demonstrate the extent to which the massing and conceptual design of new developments:

☐☐ minimize conflicts with adjacent land uses;

☐☐ provide a comfortable and pleasing environment for the intended uses in terms of building orientation, form and siting;

☐☐ are consistent with or complimentary to existing buildings that are to be retained;

☐☐ are consistent with or complimentary to existing streetscapes;

☐☐ comply with Zoning By-law provisions; and

☐☐ manage drainage and lot grading on the subject site and mitigate the effects of development on adjacent properties.

Thoughts I have on correcting the issues:

The first issue can be corrected by first, putting in a retaining wall that slopes down to the road, with a trough on top to direct the water into the gutter, instead of into my driveway.

Secondly, the slope at the end of my driveway needs to be restored to its former upward angle, to keep the water that comes rushing down from Broadway during a downpour, in the gutter, and not being diverted into my driveway; especially when there is a buildup of leaves or other debris that hinder the flow.

Thoughts I have on paying for re-establishing proper drainage:

The company that did the road should restore our driveway to the way it was before they put in the sewer and water lines. They should have been aware of the slope of my driveway. They are the experts aren't they? Also, as noted in my letter to the town, there were supposed to be some advance measures taken to ensure that homes weren't negatively impacted by the road construction: not that anybody came to our house, as we let the town know at that time, by telephone.

Their work was not supposed to negatively affect existing infrastructure, according to what we were told at the beginning of the project.

What happened?

PBR Excavating should fix the drain that they knowingly cut off, rectify my downspout situation that they created and fix my driveway.

The second issue of the cost of the sewer repair could probably be rectified if a town lawyer were to write on my behalf. I earn less than \$18.00 an hour. I can't afford to chase these people, and I'm sure that is what they count on. Perhaps they could also be banned from doing business in the town.

If they thought that it would cost them more to ignore me, than to pay me, I might be recompensed for my expenses. I am not asking for anything unreasonable. Have they not been in violation of our by-laws and site development guidelines? Our by-law people are quick to go after residents whose property isn't clean enough for their neighbours. That doesn't even compare with what we have had to deal with. Yet they do nothing.

Also it was new construction allowed by the town that caused the breakage. Why should I have to foot the bill for new development to expand the tax base?

P.S.

When I first wrote this up to present to council in November of 2018, I was contacted by Kevin De Leebeeck. My wife and I met with him and David Calder at the town office. We were offered a resolution to the water problem and asked to hold off doing our presentation to give them the opportunity. Our driveway was dug up in November; then the cone of silence fell. We mistakenly assumed that the work would continue in better weather. It turned out that we were once again being

stonewalled in hopes that we would just go away. This is probably because it was confirmed that our driveway drain was cut off by the new development. That means that the drain needs to be restored and it will cost more money. As I suggested above, I think that the company who did the excavating should be on the hook for that and for the retaining wall that I spoke of. They were well aware that our house drained into the ravine. Their cure was the big 'O' on our downspout.

I have included the e-mail that I sent to Kevin. I have not heard from him. I also sent a copy to Chris Rosehart and Deb Gilvesy who have been to my house to see what I am talking about.

This issue was created by ineptitude as far as I am concerned. It doesn't take an engineering degree to know that water runs downhill, or that cutting off a drain is going to cause water to back up. That would be common sense, which doesn't seem to be too common nowadays.

I hope as my elected representatives you will see that our flooding issues become a thing of the past, and I don't mean in a couple of years. I have been trying for years to get this resolved already. My electrical bills are higher due to running sump pumps and if a storm knocks out the power we will be cleaning up another flood.

We rarely leave home for an extended period for fear of flooding; and have missed family engagements because rain was threatening at the time we were supposed to be there.

Would any of you care to live like that?

I was away on the weekend of August 17 and 18. My wife fought off the water from 2:00 a.m. until 6:00 a.m. After the fourth thunderstorm, the water overwhelmed the sump pumps and filled our garage. If one of us were to be electrocuted manning the pumps during a thunderstorm because we are dealing with a situation created by town planners, I would certainly hold the town liable.

I thank you for your time and for the privilege of being able to bring my concerns to you. I hope that you will agree with me that I should not have to live with the constant worry that I will face a flood every time we get a downpour. I am tired of leaping out of bed, adrenaline pumping, in the wee hours of the morning, to get sump pumps and hoses ready when I hear the sound of heavy rain on the roof. I have another job to go to during the day, and they want me to be productive.

Yours sincerely,

Maurice Temoin

Delegation Monday, September 9, 2019 – Drainage Issues
Presented by: Maurice Temoir



Delegation Monday, September 9, 2019 – Drainage Issues
Presented by: Maurice Temoin



Delegation Monday, September 9, 2019 – Drainage Issues
Presented by: Maurice Temoir



Delegation Monday, September 9, 2019 – Drainage Issues
Presented by: Maurice Temoin



Delegation Monday, September 9, 2019 – Drainage Issues
Presented by: Maurice Temoir





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

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

August 13, 2019

Dear Head of Council:

I am writing to provide you with an update on the Ontario Cannabis Legalization Implementation Fund (OCLIF).

As you know, OCLIF was announced in 2018 as a \$40 million initiative over two years to help municipalities with the implementation costs of recreational cannabis legalization. In early 2019, the government provided municipalities with \$30 million in OCLIF funding, and \$10 million was set aside to address costs from unforeseen circumstances related to the legalization of recreational cannabis, for which priority would be given to municipalities that did not opt-out of hosting cannabis retail stores.

Ontario's objectives are to protect our youth and communities and to combat the illegal cannabis market. To support these objectives, the government has made an investment of \$3.26 million to support enhanced enforcement against illegal cannabis operations. An investment of \$3.06 million this year is enabling enhanced enforcement through provincial joint forces cannabis enforcement teams, led by the Ontario Provincial Police, and a targeted investment of \$200,000 to the Toronto Police Service is supporting their efforts to combat illegal cannabis operations in the City of Toronto.

This investment directly benefits municipalities. The enforcement teams work on a regional basis and are available to all municipalities and First Nations. This collaborative approach enables law enforcement to efficiently target crime in an organized way that is coordinated and consistent across the province.

The government will distribute the remaining \$6.74 million in OCLIF funding this month as follows:

- Funding will be provided on a per household basis to municipalities that did not opt-out of hosting retail stores as of January 22, 2019, adjusted so that each recipient municipality will receive at least \$5,000.
- Lower-tier and upper-tier municipalities will receive funding based on 50% of their households. Upper-tier municipalities will receive funding in relation to opt-out decisions made by the lower-tier municipality. If a lower tier municipality opted-

.../cont'd

- 2 -

out, the upper tier municipality will not receive funding on a per household basis in relation to that municipality.

The government is providing this funding now to municipalities in a manner similar to past payments. This means municipalities will have the funds on hand to use for the same implementation costs the fund was designed to support.

The Deputy Minister of Finance will write shortly to the Treasurers of recipient municipalities with details about the administration of this funding and attach each municipality's specific allocation notice. Payments will also be processed at that time.

The province also committed that, if Ontario's portion of the federal excise duty on recreational cannabis over the first two years of legalization exceeds \$100 million, the province will provide 50 per cent of the surplus to those municipalities that did not opt out as of January 22, 2019. Provinces receive excise duty from the federal government over time, and it is early in the two year legalization period. The Ministry of Finance will connect with AMO and the City of Toronto on this commitment after the first two years of legalization are completed in 2020.

Municipalities have been important partners in the successful implementation of the federal government's legalization of recreational cannabis. We look forward to continuing to work together in this regard.

Sincerely,

Original signed by

Rod Phillips
Minister of Finance

c: The Honourable Doug Downey, Attorney General
The Honourable Steve Clark, Minister of Municipal Affairs and Housing
Dan Miles, Chief of Staff, Ministry of Finance
Paul Boniferno, Deputy Attorney General
Greg Orenacsak, Deputy Minister of Finance
Laurie LeBlanc, Deputy Minister of Municipal Affairs and Housing
Renu Kulendran, Executive Director, Ontario Legalization of Cannabis
Secretariat, Ministry of Attorney General
Nicole Stewart, Executive Lead, Cannabis Retail Implementation Project, Ministry of Finance
Kate Manson-Smith, Assistant Deputy Minister, Local Government and Planning Policy Division, Ministry of Municipal Affairs and Housing

August 12, 2019

To The Honourable Members of Tillsonburg Town Council

Our names are Rosanne Fillion and Ashley Perry, and we are writing to you today to ask for your support in approaching Oxford County regarding the installation of a crosswalk at the intersection of Tillson Ave. and Fourth St. We recognize that the installation of a crosswalk on Tillson Ave. would fall under the County of Oxford's purview.

Rosanne is the proprietor of an in-home day care located on Rodgers St. and Ashley is the mother of two young children living on Barker St., both on the east side of Tillson Ave., making this issue personal to us. We, and many others we have spoken to in our growing neighbourhood, have experienced the increasing difficulty of crossing at that intersection.

Ashley has on multiple occasions experienced the difficulty of crossing Tillson Ave. at Fourth St. Most recently, while walking with her family to the Canada Day Fireworks, a motorist travelling south on Tillson Ave. drove aggressively towards her and her family as they crossed the street.

Fourth St. is not only used by motorists; it is also used by pedestrians and cyclists to access downtown, Lake Lisgar Waterpark and play ground, the trail system, fairgrounds, Memorial Park and the bandstand, as well as families crossing to take their children to schools. Accessing these town amenities should be able to be done in a safe and convenient manner.

When there was construction happening on North St. between Broadway St. and Tillson Ave., many motorists discovered the convenience of entering Tillsonburg from the north on Cranberry Line/Tillson Ave. This added to the existing traffic from the 21 feeder streets, 47 businesses, and 2 elementary schools that connect to Tillson Ave. in the 1.6 km between North St. and Concession St.


We strongly believe that the installation of a crosswalk at the intersection of Tillson Ave. and Fourth St. would be a benefit to the people of Tillsonburg. We believe that Tillsonburg Town Council has a responsibility to the residents of Tillsonburg, especially those residents directly affected by this issue, to approach Oxford County and work together to provide a safer travelling corridor for pedestrians and cyclists, as well as motorists.

We would like to thank you for your time in reviewing this letter and investigating this matter.

Sincerely,



Rosanne Fillion
29 Rodgers St.
Tillsonburg, ON
N4G 1G1
519-842-4372 (home)
519-688-5038 (cell)
rosannefillion1@msn.com



Ashley Perry
15 Barker St.
Tillsonburg, ON
N4G 1E4
519-440-2507 (cell)
aperry-13@hotmail.com

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister

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

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre

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



19-4093

Dear Head of Council:

Our government believes everyone deserves a place to call home. Inadequate supply and high housing costs have made housing unattainable for too many people in Ontario. We want to put affordable home ownership in reach of more Ontario families, and provide more people with the opportunity to live closer to where they work.

That is why I am pleased to provide you with an update on the [More Homes, More Choice Act, 2019](#), which was passed by the Legislature on June 6, 2019.

In Effect Date

Schedule 12 of the *More Homes, More Choice Act, 2019* makes changes to the *Planning Act*. All changes, except for those related to community benefits charges, came into force on September 3, 2019, as specified by proclamation. This includes changes to:

- Broaden the Local Planning Appeal Tribunal's jurisdiction over major land use planning matters (i.e., official plans and zoning by-laws) and give the Tribunal the authority to make a final decision on appeals of these matters based on the best planning outcome;
- Reduce timelines for municipalities to make planning decisions;
- Remove certain "third party" appeals;
- Authorize the Minister of Municipal Affairs and Housing to mandate the use of a community planning permit system in or around specific locations to promote intensification around transit;
- Require municipalities to authorize in their official plans and zoning by-laws additional residential units in both a primary dwelling and ancillary building or structure; and
- Promote the development of affordable housing near transit by focusing the use of inclusionary zoning.

Regulations

To help implement the *Planning Act* changes, amendments to existing regulations under the Act also came into force at the same time as the related legislative provisions.

These regulations were filed on August 29, 2019 and include changes to:

- Set out transition rules for planning matters that are in process;
- Remove or update certain redundant or out-dated provisions and references;
- Remove the ability to appeal (except by the province) the implementing by-law when a municipality is required to establish a community planning permit system through a Minister's order; and

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- Clarify that the new community benefits charge by-law will not apply in areas within a municipality where a community planning permit system is in effect.

A new regulation for additional residential units (ARUs) was also filed on August 29, 2019 and helps remove certain zoning barriers to the creation of additional residential units by establishing the following requirements and standards:

- One parking space for each ARU, which may be provided through tandem parking as defined;
- Where a municipal zoning by-law requires no parking spaces for the primary residential unit, no parking space would be required for the ARUs;
- Where a municipal zoning by-law is passed that sets a parking standard lower than a standard of one parking space for each ARU, the municipal zoning by-law parking standard would prevail;
- An ARU, where permitted in a zoning by-law, may be occupied by any person regardless of whether the primary residential unit is occupied by the owner of the property; and
- An ARU, where permitted in a zoning by-law, would be permitted without regard to the date of construction of the primary or ancillary building.

Our proposal for the new and amended regulations was posted on the [Environmental Registry of Ontario](#). All comments received were carefully considered.

You can view copies of the new and amending *Planning Act* regulations on Ontario's e-Laws:

- [New Ontario Regulation 299/19](#) – “Additional Residential Units”
- [Ontario Regulation 296/19](#) – amending Ontario Regulation 174/16 “Transitional Matters - General”
- [Ontario Regulation 297/19](#) – amending Ontario Regulation 543/06 “Official Plans and Plan Amendments”
- [Ontario Regulation 298/19](#) – amending Ontario Regulation 544/06 “Plans of Subdivision”
- [Ontario Regulation 301/19](#) – amending Ontario Regulation 173/16 “Community Planning Permits”
- [Ontario Regulation 300/19](#) – amending Ontario Regulation 232/18 “Inclusionary Zoning”


If you have any questions about the changes to the *Planning Act* and related regulations, please email PlanningConsultation@ontario.ca.

Sincerely,



Steve Clark
Minister

c: Chief Administrative Officer

	Report Title	Interim Chief Administrative Officer Recruitment
	Report No.	HR 19-09
	Author	Ashley Andrews, Manager of Human Resources
	Meeting Type	Council Meeting
	Council Date	September 9, 2019
	Attachments	<ul style="list-style-type: none"> • Agreement with RS & Associates

RECOMMENDATION

THAT Council receives HR 19-09 Interim Chief Administrative Officer Recruitment as information;

AND THAT Council Authorize the Mayor and Clerk to enter into an Agreement with RS & Associates;

AND THAT By-Law 4341, to appoint Ron Shaw as Interim Chief Administrative Officer be brought forward for Council's consideration.

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with an overview of the interim Chief Administrative Officer position.

BACKGROUND

The CAO Recruitment Committee held an initial meeting on August 16, 2019, at which time Councilor Gilvesy was appointed to the position of Chair, and Councillor Esseltine was appointed as Vice Chair. At this meeting, the committee provided direction to the Manager of Human Resources to

- i. Contact two recruitment agencies to request an outline of their services, for assistance with both the interim and full time recruitment;
- ii. Post the interim position internally with a closing date of August 26, 2019; and
- iii. Proceed with contacting individuals on the list provided by OMAA, as well as any other external individuals who had previously expressed interest and confirm their interest in the interim CAO position.

Applications from interested internal and external candidates were forwarded to the committee members upon receipt for review and recommendation regarding whether or not to move forward with an interview.

On August 19, 2019, the committee met by telephone with both Legacy Executive Search Partners and Prime Management Group to receive information regarding the services they are able to offer with regard to the recruitment for the interim and full time CAO. Direction was given to the Manager of Human Resources to move forward and engage Legacy Executive Search Partners, Kartik Kumar, to assist with the recruitment of a Full-time CAO and to assist in part

with the selection of an interim CAO by proving interview questions and participating in the interview process.

The committee members selected from the applications received who they wished to interview and the interviews were arranged for Tuesday, August 27, 2019.

The committee met on August 26, 2019 to review and revise the questions provided by Mr. Kumar in order to prepare for interviews the following day. Through consensus, the committee decided upon final interview questions, a predetermined salary range, and a contract term that would be acceptable to the Town.

Interviews with potential candidates took place with the recruitment committee and Mr. Kumar on August 27, 2019, at which point the committee was able to identify a successful applicant for recommendation to Council as a whole.

DISCUSSION

The recruitment committee has identified applicant Mr. Ron Shaw as a suitable candidate for the interim Chief Administrative Officer position.

Mr. Shaw has over thirty-five (35) years of experience in the municipal sector, of which thirty-one (31) of those years were spent in an Administration role. Mr. Shaw's most recent experience was with the City of Stratford in the position of Chief Administrative Officer, which held for twenty-two (22) years.

Mr. Shaw has requested that the Town enter into a contractual agreement with his consulting firm, RS & Associates, to provide Mr. Shaw's services to the Town in the role of Chief Administrative Officer.

The agreement provided by RS & Associates is a standard consultant/client contract which sets out the terms for service, fees, duration, etc. The negotiated terms have resulted in a monthly cost, including HST of \$15,000, for a three (3) month duration. During this time, Mr. Shaw will provide the Town with services set forth in Schedule A of the agreement.

FINANCIAL IMPACT/FUNDING SOURCE

The cost associated with this agreement would be \$45,000, including HST, plus any expenses associated with Mr. Shaw's attendance at the Ontario Municipal Administrators' Association (OMAA) Fall Workshop. This will result in \$10,000 savings to the 2019 labour budget for the Chief Administrative Officer position.

COMMUNITY STRATEGIC PLAN (CSP) IMPACT

1. Excellence in Local Government

☒ Demonstrate strong leadership in Town initiatives

☒ Demonstrate accountability



CAO

CONSULTING SERVICES AGREEMENT

B E T W E E N:

THE CORPORATION OF THE TOWN OF TILLSONBURG

(the "**Client**")

- and -

RON SHAW & ASSOCIATES INC.

(the "**Consultant**")

AND WHEREAS Ron Shaw ("Shaw") is the President and primary or sole shareholder or partner, officer and director of the **Consultant**.

AND WHEREAS the **Client** has agreed to retain the **Consultant** to provide consulting services to the **Client** as more fully described in this Agreement and the **Consultant** has agreed to act in that capacity on the terms and conditions set forth in this Agreement.

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the mutual covenants and agreements contained in this Agreement, the parties agree each with the other as follows:

ARTICLE 1 **INTERPRETATION**

SECTION 1.01 - DEFINITIONS

For all purposes of this Agreement, except as otherwise expressly provided or unless the context otherwise requires:

- a) All references to currency herein are deemed to mean currency of Canada;
- b) Any reference to "agreement", "approval", "authorization" or "consent" of a party hereto means the written agreement, written approval, written authorization or written consent of such parties;
- c) "Business Day" means any day, other than Saturday, Sunday or any statutory holiday in the Province of Ontario;
- d) "Business" means the business of the administration of services by a local government;

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- e) "Services" means those services as defined section 3.01 of this Agreement;
- f) "Governmental Body" shall mean:
 - (i) any federal, state, provincial, municipal or other government body;
 - (ii) any subdivision, department, bureau, agency, commission, board, instrumentality or authority of any of the foregoing governments or bodies;
 - (iii) any quasi-governmental or private body exercising any regulatory, expropriation or taxing authority under or for the account of any of the foregoing governments or bodies; or
 - (iv) any judicial, quasi-judicial, arbitration or administrative court, grand jury, commission, board or panel.
- g) "Confidential Information" means all confidential or proprietary information, intellectual property (including trade secrets) and confidential facts relating to the administration of local government and protected under the *Municipal Freedom of Information and Protection of Privacy Act*:

For greater certainty "Confidential Information" excludes information that is:

- (i) in the public domain before disclosure to the **Consultant**, or becomes in the public domain thereafter otherwise than as a result of a breach by the **Consultant** of its obligations of confidentiality under this Agreement;
- (ii) known to the Consultant before it is disclosed by the **Client**;
- (iii) developed independently by the **Consultant** without reference to the information disclosed by the **Client**, as evidenced by written or other tangible records; or
- (iv) received by the **Consultant** from a third person, who is not under any obligation to the **Client** to restrict disclosure.

ARTICLE 2

APPOINTMENT AND TERM

SECTION 2.01 - APPOINTMENT

The **Client** confirms the engagement of the **Consultant** to provide the Services as set out in this Agreement. The Services to be provided by the **Consultant** will be as an independent contractor during the term of this Agreement and the **Consultant** confirms its agreement to provide the Services to the **Client** in accordance with the terms of this Agreement. The Services shall be primarily provided by Shaw, which is a fundamental term of this Agreement.

SECTION 2.02 - TERM

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The term of this Agreement shall commence on September 16, 2019 and shall continue until December 20, 2019, unless terminated earlier in accordance with the provisions of this Agreement or otherwise extended by mutual written agreement of the parties. Both parties recognize that Shaw has previous commitments already scheduled for September 13, September 20 and December 11, 2019 with AMCTO.

ARTICLE 3

SERVICES

SECTION 3.01 - SERVICES TO BE PROVIDED

During the term of this Agreement the **Consultant** shall provide the consulting services described in Schedule A attached to this Agreement and such other services as may be agreed upon in writing from time to time by the parties (the “**Services**”).

SECTION 3.02 - TIME AND ATTENTION

The **Consultant** shall devote the necessary time and attention to the performance of the Services under this Agreement. The hours are expected to be variable and will be based on the requirements of the Services to be performed for the **Client** and the availability of the **Consultant**. The **Consultant** is at liberty to provide services for any other person, firm, corporation or entity provided it meets the requirements as set out in this Agreement.

SECTION 3.03 - DILIGENCE

In providing the Services under this Agreement, the **Consultant** shall:

- a) Act honestly and in good faith with a view to the best interests of the **Client**; and
- b) Exercise the care, diligence and skill that a reasonably prudent consultant would exercise in comparable circumstances.

SECTION 3.04- OMAA

The Client shall permit Shaw to attend the Fall Workshop of the Ontario Municipal Administrators’ Association on October 17 and 18, 2019 at the **Client’s** expense

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ARTICLE 4

COMPENSATION

SECTION 4.01 - FEES

The **Client** shall pay to the **Consultant** for the performance of the Services the fees set out in Schedule B attached to this Agreement (the “**Fees**”).

SECTION 4.02 - EXPENSES

Expenses relating to performance of the **Services** shall be the responsibility of the **Consultant** or reimbursed by the **Client** as set out in Schedule B.

SECTION 4.03 - NO WITHHOLDINGS

The **Consultant** shall pay on its own account or remit, as applicable, all expenses related to Income Tax, Canada Pension Plan, Employment Insurance, group health, H.S.T. and any other income or business tax as may be required by any Governmental Body. It is understood and agreed that all the above are the sole and exclusive responsibility of the **Consultant**. As an independent contractor, the **Consultant** acknowledges that it is responsible for and shall remit to the appropriate Governmental Body any tax and other amounts as required by any Governmental Body.

For greater certainty, payment of the Fees shall be made without withholdings for Income Tax, Canada Pension Plan or Employment Insurance contributions or other like deductions.

SECTION 4.04 - NO ADDITIONAL FEES

For greater certainty, unless otherwise agreed to in writing by the parties hereto, no additional fee, wage, salary, commission or other payment shall be paid to the **Consultant** on account of the Services herein contemplated.

SECTION 4.05 - RECORDS

The **Consultant** shall maintain such records as reasonably prescribed by the **Client** from time to time to verify and substantiate the Services rendered by the **Consultant** to the **Client**.

ARTICLE 5 **CONFIDENTIALITY**

SECTION 5.01 - CONFIDENTIALITY

The **Consultant** is aware of the **Client's** needs to maintain confidentiality of its business. Therefore, except with the consent in writing of the **Client**, the **Consultant** shall not, at any time, directly or indirectly use or disclose to any person or persons, firm, association, syndicate, company or corporation as principal, agent, shareholder or in any other manner whatsoever, any **Confidential Information**, except as reasonably required in performance of the Services.

On the termination of this Agreement, the **Consultant** shall return all of the **Client's** papers, effects and materials which have been entrusted to it.

SECTION 5.02- COVENANTS

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The parties agree that by reason of the **Consultant's** unique knowledge and association with the **Business**, all restrictions contained in this section are all necessary and fundamental to the protection of the legitimate interests of the **Client** and are reasonable and valid. The covenants contained in this section 5 shall subsist even if the rest of this Agreement shall be terminated for any reason whatsoever and are severable for such purpose.

ARTICLE 6

PROPERTY RIGHTS

SECTION 6.01- PROPERTY RIGHTS

All reports created by the **Consultant** and provided to the **Client** in connection with the **Services** (the "**Work Product**") shall be the property of the **Client** and, to the extent that the **Consultant** retains ownership of, or other proprietary rights in, any **Work Product**, the **Consultant** hereby assigns and transfers all of such rights, title and interest in and to such **Work Product** to the **Client**, and the **Consultant** agrees at the **Client's** reasonable request and expense to execute any and all other documents and to give all aid and assistance that, in the opinion of the **Client**, may be necessary or desirable in connection with this assignment and transfer or to enable the **Client**, its successors and assigns to protect or exploit any **Work Product** in any country of the world.

ARTICLE 7

ASSIGNMENT

SECTION 7.01 - ASSIGNMENT BY THE PARTIES

This Agreement shall be binding upon the parties hereto and shall enure to the benefit of the **Client's** successors and assigns. This Agreement is personal to the **Consultant** and is not assignable and shall not enure to the benefit of its successors and assigns.

ARTICLE 8

LEGAL RELATIONS

SECTION 8.01 - LEGAL RELATIONSHIP

The legal relationship between the **Consultant** and the **Client** arising under this Agreement shall only be that of an independent contractor and the purchaser of services and, in particular, nothing in this Agreement shall be construed so as to render the relationship between the **Client** and the **Consultant** to be that of an employer and employee, principal and agent, partnership or joint venture.

ARTICLE 9

TERMINATION

SECTION 9.01 - EVENTS OF DEFAULT

It is an event of default (a “**default**”) if:

- a) either party fails to observe, perform or carry out any of its obligations hereunder and such failure is not remedied within 20 days of the other party giving it written notice of such failure;
- b) either party engages in any act, omission or conduct which would entitle the other party at common law to terminate this Agreement;
- c) either party ceases to operate its business;
- d) either party becomes bankrupt or commits any act of bankruptcy or makes an assignment for the benefits of creditors or otherwise.

Notwithstanding the above, the **Consultant** shall be deemed not to be in default if any of the events described in this Section 9.01 are caused by the death, illness or disability of Shaw.

SECTION 9.02 - ELECTIVE REMEDIES

In the event of a **default**, the non-defaulting party may do any one or more of the following:

- a) Pursue any remedy available to it in law or equity, it being acknowledged that specific performance, injunctive relief (mandatory or otherwise) or equitable relief may be the only adequate remedy for a default;
- b) Take all action in its own name as may be reasonably required to cure the default, in which event, all reasonable payments, expenses and costs incurred therefore shall be payable by the **other party** on demand;
- c) Terminate this Agreement by notifying the other party of the default and the exercise of such election; or
- d) Waive the default except, however that a waiver of a particular default shall not operate as a waiver of any subsequent or continuing default.

SECTION 9.03 – TERMINATION ON NOTICE

This Agreement may be terminated for any reason by the **Client** immediately upon giving notice in writing to the **Consultant**. In the event of any such termination, the **Consultant** shall be

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entitled to payment for time spent performing the duties of the interim CAO of The Town of Tillsonburg to date plus 20 days on a prorated basis, but in any event not to exceed the total value of this Agreement. The **Consultant** shall also be paid any expenses to which it is entitled in accordance with this Agreement.

ARTICLE 10

CONFLICT OF INTEREST

SECTION 10.01 – CONFLICT OF INTEREST

The **Consultant** represents that it is not a party to any agreement which represents a conflict of interest with its role as the **Client's** consultant or the terms of this Agreement or which materially and adversely affects the **Consultant's** ability to perform the Services. Further, the **Consultant** agrees it will not enter into any agreement or business relationship during the term of this Agreement that could place it in a conflict of interest position.

ARTICLE 11

LIABILITY LIMITATIONS

SECTION 11.01 – LIABILITY EXCLUSIONS/MAXIMUMS

Neither party shall be liable to the other for special, punitive, contingent, indirect or consequential loss or damage. The maximum aggregate liability of the **Consultant** to the **Client** for any claim, demand, action, cause of action, suit or proceeding under or relating to this Agreement (collectively, the “**Claims**”), whether arising in contract, tort, including negligence, by statute or as matters of strict or absolute liability, shall be limited to an amount equal to the total Fees payable to the **Consultant** hereunder. Notwithstanding the above, the limits on **Consultant's** liability under this Agreement shall not apply to **Claims** arising out of the wilful, fraudulent or criminal misconduct of the **Consultant** or its directors, officers, employees or agents.

The **Consultant** shall fall under the **Client's** liability policies and insurance while performing the duties of interim CAO for The Corporation of the Town of Tillsonburg.

ARTICLE 12

GENERAL PROVISIONS

SECTION 12.01 - SEVERABILITY

Each provision of this Agreement is declared to constitute a separate and distinct covenant and to be severable from all other such separate and distinct covenants.

SECTION 12.02 - VALIDITY

If any covenant or provision herein is deemed to be void or unenforceable in whole or in part, then it shall not be deemed to affect or impair the enforceability or validity or any other covenant or provision of this Agreement or any part thereof.

SECTION 12.03 - ENTIRE AGREEMENT

The provisions herein constitute the entire agreement between the **Client** and the **Consultant** and supersedes all previous expectations, understandings, communications, representations and agreements, whether verbal or written, between the **Client** and the **Consultant** with respect to the subject matter hereof and may not be modified except by subsequent agreement in writing and executed by the **Client** and the **Consultant**.

SECTION 12.04 - GOVERNING LAW

The validity, enforcement and interpretation of this Agreement, and the rights and liabilities of the parties, shall be construed and governed by the laws of the Province of Ontario and the laws of Canada applicable in Ontario.

SECTION 12.05 - INDEPENDENT LEGAL ADVICE

Each party acknowledges that it has an opportunity prior to executing this Agreement to review and seek independent legal advice with respect to the terms and conditions of this Agreement.

SECTION 12.06 - CAPTIONS

The captions or headings appearing in this Agreement are inserted for convenience of reference only and shall not affect the construction thereof.

SECTION 12.07 – NOTICE IN WRITING

Any notice to be given hereunder shall be in writing and shall be sufficiently given if delivered personally or by prepaid courier or registered mail:

(a) If to the **Consultant**, to: Attention: Ron Shaw, 146 Unger Island Road, Napanee, ON K7R 3L1

(b) If to the **Client**, to: Attention: Donna Wilson, Clerk, Town of Tillsonburg, 200 Broadway, Suite 204, Tillsonburg, ON N4G 5A7.

Any notice given personally or by prepaid courier shall be deemed to be given when so delivered, and any notice given by prepaid registered mail shall be deemed to be given on the fourth Business Day after it was mailed.

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IN WITNESS WHEREOF, the **Client** and the **Consultant** have executed this Agreement as of the ____ day of _____, 2019.

THE CORPORATION OF THE TOWN OF TILLSONBURG

By: _____
Steven Molnar, Mayor

By: _____
Donna Wilson, Clerk

RON SHAW & ASSOCIATES INC.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

By: _____
Ron Shaw, President

SCHEDULE A

SERVICES

Reporting to the Mayor/Council the **Chief Administrative Officer** is the senior official of the municipality providing organizational leadership. This position is responsible to Council for administration and coordination of the delivery of services to the municipality's residents and businesses in a manner that will ensure the effective utilization of the available human, financial and physical resources. Through Directors and Corporate Managers, implement policies approved by Council, advise Council on all matters under its jurisdiction, act as a liaison between Council and staff, represent the Town as directed with other governments and/or organizations.

PRINCIPAL RESPONSIBILITIES:

- Reports to, is accountable to and receives direction from Council in the performance of their duties.
- Coordinates the policy advice that is prepared by Directors/Corporate Managers, external agencies and consultants to ensure that Council is presented with clear, comprehensive information and alternatives on which to make reasoned policy decisions.
- Attends Council and, when required, advisory Committee meetings, being available to provide advice and information in the formulation of Corporate policy.
- Oversees the overall interpretation, implementation and administration of Council direction.
- Provides a well coordinated communications network from all administrative levels to the political level and vice-versa.
- Coordinates all functions of the various departments/offices working with the area municipalities and special boards and commissions to provide a high level of service to the residents of the Town.
- Hires, directs, motivates, evaluates the performance, and disciplines up to and including termination, of the following:
 - Director of Operations
 - Director of Recreation, Culture & Parks
 - Director of Finance
 - Fire Chief
 - Clerk
 - Manager of Human Resources
 - General Manager, Hydro Operations
 - Chief Building Official
 - Development Commissioner
- Directs and assists with Human Resource matters within the mandates approved by Council.
- Acts as central reference source for inquiries from the public regarding Town operations, providing prompt and accurate responses and referring technical items to the appropriate department/office.

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- Maintains positive public relations for the Town, dealing with the media and community groups. Will be the primary contact with officials of local municipalities, County of Oxford and all others concerned with Town operations.
- Maintains up-to-date knowledge of trends and developments affecting Town operations including legislation, Ministry directives, funding opportunities, procedural rulings & related matters, bringing relevant items to the attention of Council and/or Committees and Boards.
- Has signing authority.
- May represent the Town's interests as a member of the Board of Directors of Tillsonburg Hydro Inc.
- Performs such additional duties and exercises additional responsibilities that may be required in the interest of the Town and as Council may assign.

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SCHEDULE B**FEES**

Total fees (the “**Fees**”) earned and payable as follows:

- \$13,333 per month to be paid monthly.
- Shaw may invoice for each month within one week of beginning each 30 day period and which shall be paid within two weeks.
- Any reasonable travel expenses are in addition and will be invoiced at cost and in accordance with the Town’s travel policy.
- It is Shaw’s responsibility to get to and from work at his expense.
- Services provide from December 16 to December 20, 2019 will not be billed.
- Fees are subject to H.S.T.

	Report Title	Local Court Security Advisory Committee – Town of Tillsonburg Representative
	Report No.	CLK 19-22
	Author	Donna Wilson, Town Clerk
	Meeting Type	Council Meeting
	Council Date	September 9, 2019
	Attachments	<ul style="list-style-type: none"> • Email – County of Oxford • Terms of Reference Local Court Security Advisory Committee Appointee Request • Report CAO 17-04 Local Court Security Advisory Committee – Town of Tillsonburg Representative • Report CAO 16-11 Shared Court Security Funding Model

RECOMMENDATION

THAT Report CL 19-22, Local Court Security Advisory Committee – Town of Tillsonburg Representative, be received;

AND THAT the Town of Tillsonburg recommends the appointment of Larry Scanlan, Chair of the Tillsonburg Police Service Board, to the Local Court Security Advisory Committee.

BACKGROUND

As noted in the attached email from the Clerk of the County of Oxford, the Local Court Security Advisory Committee as established by the Council of the County of Oxford is requesting Council appoint one person from the Town of Tillsonburg. The only stipulation regarding an appointee is that it be a non-County Councillor member. Therefore, in the case of the Town of Tillsonburg, Mayor Molnar could not be appointed to the Advisory Committee. Council can appoint someone other than a Town of Tillsonburg Council member.

DISCUSSION

In 2017, County Council established a Local Court Security Advisory Committee for the purpose of recommending to County Council the level of funding for costs incurred by the Woodstock Police Service and the Ontario Provincial Police for court security and prisoner transportation services. The purpose was to provide a more equitable funding model for these services that benefit all municipalities within the county, and to advocate for court security and prisoner transportation funding from the Province.

The terms of reference indicates that the composition of the Advisory Committee is to be comprised of ten members - nine non-County Councillor members appointed by their respective area municipal Council; three from Woodstock and one from each of the remaining seven

municipalities, with the exception of the County Warden who will represent their respective municipality and act as chair of the Committee.

Additional background information has been provided through the Reports CAO 16-11 and CAO 17-04.

In 2017 Council appointed Mr. Larry Scanlan, Chair of the Tillsonburg Police Services Board to be Council's representative on the Committee. The theory was that Mr. Scanlan would provide a Town of Tillsonburg representative that is knowledgeable about policing needs and how they relate to Court Security and Prison Transportation.

Staff is recommending that Mr. Scanlan be re-appointed to the Committee. He is the current chair of the Tillsonburg Police Service Board and will represent the best interests of the Police Service Board as well as the Town of Tillsonburg.

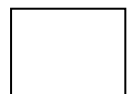
FINANCIAL IMPACT/FUNDING SOURCE

There may be financial impact on the County levy depending on future recommendations from the Local Court Security Advisory Committee to Oxford County Council.

There may also be minimal expenses for mileage for meeting attendance.

COMMUNITY STRATEGIC PLAN (CSP) IMPACT

1. Excellence in Local Government
 - ☒ Demonstrate strong leadership in Town initiatives
 - ☒ Demonstrate accountability



CAO

From: Chloe Senior

To: ahumphries@cityofwoodstock.ca; Donna Wilson; clerk@swox.org; kmartin@zorra.on.ca; kkruger@norwich.ca; mgraves@ingersoll.ca; rmordue@blandfordblenheim.ca; wjaques@ezt.ca; David Mayberry; Deb Tait; dmckay@ezt.ca; Larry Martin; Marcus Ryan; Mark Peterson; Sandra Talbot; Stephen Molnar; Ted Comiskey; Trevor Birtch

Cc: Angie Ferrell; lbuchner@oxfordcounty.ca

Subject: Local Court Security Advisory Committee Appointee Request

Date: Thursday, August 8, 2019 9:25:21 AM

Attachments: [Local Court Security Advisory Committee.pdf](#)

Good morning;

On behalf of Warden Martin, please see the following request seeking appointees to the Local Court Security Advisory Committee for this term of council.

In 2017, County Council established a Local Court Security Advisory Committee for the purpose of recommending to County Council the level of funding for costs incurred by the Woodstock Police Service and the Ontario Provincial Police for court security and prisoner transportation services. The purpose was to provide a more equitable funding model for these services that benefit all municipalities within the county, and to advocate for court security and prisoner transportation funding from the Province.

According to the Terms of Reference (see attached), the composition of the Advisory Committee is to be comprised of ten members - nine non-County Councillor members appointed by their respective area municipal Council; three from Woodstock and one from each of the remaining seven municipalities, with the exception of the County Warden who will represent their respective municipality and act as chair of the Committee.

Please seek interest from your respective councils and forward the appointee's name, email and telephone contact information to the undersigned by Friday, September 13, 2019, in order to have a 2020 levy established by mid-October.

In the meantime if you have any questions, please contact me.

Thank you,

Chloé Senior | Clerk

519.539.9800, ext. 3001 | 1.800.755.0394

www.oxfordcounty.ca

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Terms of Reference

Local Court Security Advisory Committee

October 2017

BACKGROUND

In accordance with the subsection 4(1) of the Police Service Act, R.S.O. 1990, c. P. 15, (PSA) “Every municipality to which this subsection applies shall provide adequate and effective police services in accordance with its needs.” The Act clarifies in subsection 4(4), that 4(1) applies to “lower-tier municipalities in the County of Oxford”. Subsection 137(1) of the Act specifically assigns responsibility for court security to the Police Services Board having jurisdiction over the premises where court proceedings are conducted – regardless of the fact that the court is run by provincial officials and its administration falls under the Ministry of the Attorney General.

In accordance with the PSA, the Oxford County Provincial Courthouse, located in the City of Woodstock, currently receives court security services from Woodstock Police Services (WPS) at a level determined appropriate by the Chief of WPS. As the City of Woodstock annually funds WPS police services, the City’s taxpayers currently pay for court security costs for the Oxford County Courthouse, net of Court Security and Prisoner Transportation Funding which resulted from the *Provincial-Municipal Fiscal Service Delivery Review* (PMFSDR) completed in 2008.

The Oxford County Courthouse serves all of its eight area municipalities with respect to Provincial court related services. The County’s Provincial Offences Court is administered by the County through a Memorandum of Understanding with the Ministry of the Attorney General. Court security costs for the administration of POA services are currently funded by user fees, net of Court Security and Prisoner Transportation Funding.

PURPOSE/MANDATE

At County Council’s regular meeting held May 10, 2017, Council passed Resolution No. 10, to strike a Local Court Security Advisory Committee, with a mandate to:

- i. Annually recommend to County Council the level of County funding for costs incurred by the Woodstock Police Service and the Ontario Provincial Police for Court Security and Prisoner Transportation services, having regard to the efficient use of resources; and
- ii. Advocate for court security and prisoner transportation funding from the Province that achieves 100% of municipal costs by 2019 and thereafter.

COMPOSITION

The Local Court Advisory Committee shall consist of ten members, nine non-County Councillor members of whom are appointed by their respective area municipal Council; three of whom will represent the City of Woodstock; one representative for each of the remaining seven municipalities; with the exception of the County Warden, who is appointed Chair of the Committee.

A Committee's term shall be concurrent with the term of the appointing council, or until a successor is appointed.

RULES OF PROCEDURE

The County Warden shall chair the Committee meetings in accordance with the County of Oxford Procedure By-law No. 5852-2016, as amended with the exception of meeting dates and times which will be determined by the Committee and at the call of the Chair.


COMMITTEE FUNDING

Committee members will be reimbursed by the County of Oxford for local travel expenses incurred, payable at established County of Oxford rates.

COMMITTEE SUPPORT

The work of the Committee will be support by the following: Police Service Boards across Oxford County; the Oxford County and City of Woodstock Treasurers; the Woodstock Police Chief; and, Oxford OPP Detachment Inspector.

The Deputy Clerk of the County of Oxford will attend all meetings of the Committee and post meeting minutes on the County website at www.oxfordcounty.ca .

	Report Title	Local Court Security Advisory Committee – Town of Tillsonburg Representative
	Report No.	CAO 17-04
	Author	David Calder
	Meeting Type	Council Meeting
	Council Date	August 21, 2017
	Attachments	<ul style="list-style-type: none"> • MEMORANDUM – COUNTY OF OXFORD RE: LOCAL COURT SECURITY ADVISORY COMMITTEE • REPORT CAO 16-11 SHARED COURT SECURITY FUNDING MODEL

RECOMMENDATION

THAT Council receive report CAO 17-04 Local Court Security Advisory Committee – Town of Tillsonburg Representative;

AND THAT the Town of Tillsonburg recommends the appointment of Mr. Larry Scanlan, Chair of the Tillsonburg Police Services Board to the Local Court Security Advisory Committee.

EXECUTIVE SUMMARY

As noted in the attached Memorandum from the Clerk of the County of Oxford, the Local Court Security Advisory Committee as established by the Council of the County of Oxford is requesting one appointee from the Council of the Town of Tillsonburg. The only stipulation regarding an appointee is that it be a non-County Councillor member. Therefore, in the case of the Town of Tillsonburg, Mayor Molnar could not be appointed to the Advisory Committee. It is staffs understanding that Council could appoint someone other than a Town of Tillsonburg Council member.

BACKGROUND

As Council will recall, Report CAO 16-11 Court Security Funding Model outlined the proposal by the County of Oxford to share costs with the Woodstock Police Services Board for the provision of Court Security at the Oxford County Court House. Security is provided at the Oxford County Court House for the benefit of all County of Oxford residents who attend the Court House. A portion of funding that use to come to the Town of Tillsonburg from the Ministry of Community Safety and Correctional Services goes to help fund court security. As the cost of security increases or new measures become available, these costs are shared by the area municipalities and the County of Oxford. The County when addressing the issue of shared funding,

recommended the creation of a Local Court Security Advisory Committee made up of representatives from the area municipalities for the purpose of annually recommending to County Council, the level of County funding for costs incurred by the Woodstock Police Services and the Ontario Provincial Police for Court Security and Prisoner Transportation services. Since the funding for Court Security and Prisoner Transportation is to be funded through annual taxation, the County felt it was important to have representatives from the area municipalities on an advisory committee for the purposes of reviewing and making recommendations to the County on funding requests that may come through the Woodstock Police Services and the Ontario Provincial Police.

In order to provide a Town of Tillsonburg representative that is knowledgeable about policing needs and how they relate to Court Security and Prison Transportation, staff is recommending that Mr. Larry Scanlan, current Chair of the Tillsonburg Police Services Board be Council's representative on the Committee. Mr. Scanlan and the Town CAO have a positive rapport which will ensure a transfer and sharing of any required information in order to assist in the Committee's work. Mr. Scanlan will represent the best interest of the Tillsonburg Police Services Board as well as the Town of Tillsonburg.

CONSULTATION/COMMUNICATION

The Town of Tillsonburg Council has provided information in the past to Oxford County Council regarding Court Security. In addition, staff have consulted with Mr. Scanlan and he is willing to have his name stand for Council's consideration and is willing to serve on the Local Court Security Advisory Committee as Council's representative.

COMMUNITY STRATEGIC PLAN IMPACT


As noted in the Community Strategic Plan (CSP), the plan identifies Excellence in Local Government as a strategic outcome and participating on the Local Court Security Advisory Committee will reinforce positive local decision making.

FINANCIAL IMPACT/FUNDING SOURCE

There is little direct financial impact other than some travel expenses for meeting attendance. There may be financial impact on the County levy depending on future recommendations from the Local Court Security Advisory Committee to Oxford County Council.



CAO

	Report Title	Shared Court Security Funding Model
	Report No.	CA0 16-11
	Author	David Calder, CAO
	Meeting Type	Council Meeting
	Council Date	September 26, 2016
	Attachments	<ul style="list-style-type: none"> • OXFORD COUNTY REPORT NO. CS 2016-23 SHARED SECURITY FUNDING MODEL • OXFORD COUNTY REPORT NO. 2015-45 COURT SECURITY FUNDING REQUEST – WOODSTOCK POLICE SERVICES

RECOMMENDATION

THAT Council receive report CAO 16-11 Shared Court Security Funding Model, for information;

AND THAT report CAO 16-11 Shared Court Security Funding Model be provided to Oxford County Council as the Town of Tillsonburg's response to Oxford County Report No. CS 2016-23.

EXECUTIVE SUMMARY

The purpose of this report is to provide information to Council regarding the following recommendation adopted by Oxford County Council at its meeting of August 10, 2016.

"That County Council authorize staff to circulate Report No. CS 2016-23, titled Shared Court Security Funding Model, to the Area Municipalities and the Woodstock Police Services Board for review and comment, to be received on or before September 30, 2016."

A copy of Oxford County report CS 2016-23, Shared Court Security Funding Model is attached.

BACKGROUND

In 2015, a delegation from the Woodstock Police Services Board presented to County Council a request for funding to assist with their increasing court security and prisoner transportation costs relative to the Oxford County Provincial Courthouse located at 415 Hunter Street, Woodstock. County staff, in November of 2015 subsequently prepared Report No. CS 2015-45 (copy attached) and passed the following resolution at their meeting of November 25, 2015:

"That County Council, in response to the Woodstock Police Services Board's request for funding court security and prisoner transportation costs, commits to collaborating with all Area

Municipalities within the County in determining a course of action that will be in the best interest of all of Oxford County.”

Staff can confirm that there has been no collaboration with the Town of Tillsonburg and the most recent report from Oxford County is the first time Town input has been requested. The Town had no input into the contents of the most recent County report dated August 10, 2016.

Based on the County report, County Council wanted to “formulate a proposed course of action regarding a fair and equitable funding model for court security and prisoner transportation costs related to the Oxford County Provincial Courthouse”. As a result, the County report takes an “approach that allocates net CSPT costs incurred by all municipalities on the County levy in the same manner as other County services...” By taking this approach, there would be “a shift in property tax from Woodstock taxpayers in the amount of approximately \$178,000 to the remaining area municipalities – resulting in an average increase of approximately \$26,000.” For the Town of Tillsonburg, this would be an increase of approximately \$37,000.

Currently the Town of Tillsonburg budgets for Court Security and Prisoner Transportation (CSPT) costs through the OPP contract which totalled \$17,418 in 2015. This expense was partially offset from a grant from the Ministry of Community Safety and Correctional Services in the amount of \$6,718 for a total net impact to the local levy in 2015 of \$10,700.

In the proposal as provided by Oxford County, the County will budget for CSPT costs for all municipalities. Under this method, the net CSPT costs on the County levy will be \$362,665. It is assumed that these funds would then be transferred to the Woodstock Police Services Board to fund CSPT. It is staff’s understanding that the Town would still budget for OPP contract CSPT expenses, however, the offset to revenue will be from the County rather than from the Ministry. The Town would fully recover the costs resulting in a net Town of Tillsonburg levy impact of \$0. The issue is that even though the Town will see a savings through the Town levy, taxpayers will be paying more (\$37,000) for CSPT costs through the County levy.

As stated in the County report, the proposed distribution is similar to other services the County provides to the area municipalities. Staff suggest there is a difference in CSPT services over other County services in that it is currently the Woodstock Police Services Board that sets the service level and not the County. Therefore, the County nor the area municipalities have any say in the cost of the Woodstock Police Services Board providing CSPT. Based on the contents of the County report, in the future, the Woodstock Chief of Police could establish a local court security committee to assist in developing a court security plan. The problem is this plan could be developed with little to no accountability to County Council or the area municipalities.

The proposal as contained in the County report is basically a proposal to share expenses with the Woodstock Police Services Board for the provision of CSPT. Conversely, there are revenue programs that are not shared with all area municipalities which might help offset increased CSPT costs. For example, there are revenues raised through the payment of fines through the Provincial Offences Act (POA). It would seem that POA revenues would be an appropriate source of funding towards court security as fines are generated by both the OPP and WPS.



CAO

The current proposal is basically a method of subsidizing the provision of CSPT which under the Police Services Act is the responsibility of the Woodstock Police Services Board. The Act states;

Municipalities with police forces

137. (1) A board that is responsible for providing police services for one or more municipalities has the following responsibilities, with respect to premises where court proceedings are conducted:

1. Ensuring the security of judges and of persons taking part in or attending proceedings.
2. During the hours when judges and members of the public are normally present, ensuring the security of the premises.
3. Ensuring the secure custody of persons in custody who are on or about the premises including persons taken into custody at proceedings.
4. Determining appropriate levels of security for the purposes of paragraphs 1, 2 and 3. R.S.O. 1990, c. P.15, s. 137 (1); 1997, c. 8, s. 41.

Currently, the Police Services Act seems clear on the responsibility of the municipality in which the court proceedings are conducted. The benefit to the local economy which has the courthouse can be significant in terms of local employment and service to local residents. In addition, the Police Services Act is currently under review so it may be premature to make any decisions related to court security in advance of any possible revisions to the Act.

Finally, there are four conclusions outlined on page seven of the County report. Staff are concerned about a number of the recommendations. Perhaps as the report identifies, prior to changing the funding model, the first course of action would be to encourage the Ministry of the Attorney General to ensure the courthouse is adequately fitted with security measures to protect those using the facility. As well, the report suggests new reporting criteria to the County by the area municipality in terms of budgets and reconciling year end actuals which is not currently required. Conversely, if the proposal was approved, consideration should be given to area municipality representation on the local court security committee.


Staff is of the opinion that the current funding model should remain in place but would be supportive of efforts to advocate for increased funding for court security from the province and waiting for the completion of the Police Services Act review.

COMMUNITY STRATEGIC PLAN IMPACT

NA

FINANCIAL IMPACT/FUNDING SOURCE

No direct costs at this time.

	Report Title	BIA Board of Management Resignations
	Report No.	CLK 19-23
	Author	Amelia Jaggard, Legislative Services Coordinator
	Meeting Type	Council Meeting
	Council Date	September 9, 2019
	Attachments	

RECOMMENDATION

THAT Council receives Report CLK 19-23 BIA Board of Management Resignations;

AND THAT By-Law 4338 to amend By-Law 4260, be brought forward for Council consideration.

BACKGROUND

The Clerk's Office received notice from the BIA Executive Director on Tuesday, August 27, 2019, regarding resignations from the BIA Board of Management.

DISCUSSION

John Scott of Staples provided notice of his resignation on March 20th, 2019. The BIA Board of Management received the resignation at their meeting held on March 21st, 2019.

Marcel Rosehart of the Carriage Hall provided notice of his resignation on June 6th, 2019. The BIA Board of Management received the resignation at their meeting held on June 20th, 2019.

A by-law to remove the above noted names from By-Law 4260 will be brought before Council for consideration.

FINANCIAL IMPACT/FUNDING SOURCE

N/A

COMMUNITY STRATEGIC PLAN (CSP) IMPACT

Section 1 – Excellence in Local Government – providing for citizen engagement for municipal initiatives.

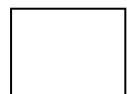
Report Approval Details


Document Title:	CLK 19-23 BIA Board of Management Resignations.docx
Attachments:	
Final Approval Date:	Aug 28, 2019

This report and all of its attachments were approved and signed as outlined below:



David Calder - Aug 28, 2019 - 3:20 PM



	Report Title	Appointment of By-Law Enforcement Officer
	Report No.	DCS 19-25
	Author	Geno Vanhaelewyn, Chief Building Official
	Meeting Type	Council Meeting
	Council Date	September 9, 2019
	Attachments	N/A

RECOMMENDATION

THAT Council receives Report DSC 19-25 Appointment of By-Law Enforcement Officer as information;

AND THAT By-Law 4339 to appoint Cameron Cyr as a By-Law Enforcement Officer for the Town of Tillsonburg, be brought forward for Council consideration.

EXECUTIVE SUMMARY

Building and By-Law Services recently recruited Cameron Cyr as By-Law Enforcement/Property Standards Officer in order to fill a vacancy within the department. This report is to request Council for the official appointment of Cameron Cyr as a “By-Law Enforcement Officer” which will allow the officer to issue Part 1 and Part 2 Provincial Offences Notices (fine/ticket) within the Town of Tillsonburg. Some examples of current Part 1 fines within the department are related to Animal Control, Garbage, Noise, Signs, etc. and all Part 2 fines are related to the Traffic and Parking By-Law.

BACKGROUND

N/A

CONSULTATIONS/COMMUNICATIONS

N/A

FINANCIAL IMPACT/FUNDING SOURCE

N/A

COMMUNITY STRATEGIC PLAN (CSP) IMPACT

Objective 1 – Excellence in Local Government - Demonstrates strong leadership and accountability in Town initiatives.


Report Approval Details

Document Title:	DCS 19-25 Appointment of By-Law Enforcement Officer.docx
Attachments:	
Final Approval Date:	Aug 28, 2019

This report and all of its attachments were approved and signed as outlined below:



David Calder - Aug 28, 2019 - 8:58 AM

	Report Title	Building, Planning, By-Law Services CO-OP Student & Internship
	Report No.	DCS 19-26
	Author	Geno Vanhaelewyn, Chief Building Official
	Meeting Type	Council Meeting
	Council Date	SEPTEMBER 9, 2019
	Attachments	DCS 19-21 - 2019 Second Quarter Report Building, Planning & By-Law Services

RECOMMENDATION

THAT Council receives Report DCS 19-26 Building, Planning, By-Law Services CO-OP Student and Internship, as information;

AND THAT Council continues to support the requirements set in the Ontario Building Code Act to ensure adequate staffing are in place to administer the Ontario Building Code;

AND FURTHER THAT Council direct staff to proceed in establishing the Building, Planning, By-Law Office Assistant – CO-OP Student and Building Services Inspector Internship positions and recruitment process.

EXECUTIVE SUMMARY

Tillsonburg has continued to witness strong development and as a result staffing levels within the Building/Planning Department will be inadequate to maintain the required level of service required to support the development community's needs. Staff identified the need for additional support staff to ensure these demands can be maintained and therefore the Town must adjust quickly to ensure the development process is not stalled. This recommendation will ensure that the Town continues to display an inviting "open for business" impression to investors and the development community.

BACKGROUND

Building & Planning Services is committed to maintaining the excellent level of service to the development community, residents and business owners. The department has maintained this service over the past few months with the assistance of two summer student positions, however, as of August 30th students returned to school and the additional administrative functions that assisted the Development Technician and Building Inspectors have been lost. As the Town has been experiencing a continued increase in the amount of development, particularly four large apartment developments, institutional church projects, along with the implementation of the Oxford County Amanda permitting system, continued management of planning applications, increased inquiries, etc. the current staffing levels are not adequate to maintain this level of service. As a result, staff has identified the need for additional administrative support roles to ensure the services that the Building, Planning Department provides to the community is not compromised. At this time it is uncertain if the continued development will continue over the long term and therefore it is recommended to establish the following two temporary positions rather than a permanent full time position:

1. Building, Planning, By-Law Office Assistant – CO-OP Student. This position would recruit from post-secondary school programs and would be reviewed on a co-op term/semester basis as required. The

main duties would be to support the Development Technician position with inquiries, permit entry, planning applications, open permit/deposit program, etc.

2. Building Services Inspector Internship. This position would be established based on the Ontario Building Officials Association recognized internship program which provides municipalities with applicants that come with industry related education and/or experience looking to enter the municipal building inspection field. The internship program requires an 18 month commitment between the municipality and the applicant. The position's main functions would be to assist building inspectors with inquiries, permit administration, project report organization, permit application review, etc. The program is also a way for the municipality to assist in training individuals along with building a resource pool within the industry which is in high demand to service our future needs.

FINANCIAL IMPACT/FUNDING SOURCE

The proposed temporary CO-OP student position is recommended to be compensated with an hourly rate/range of \$16.00/hr and the Inspector Internship position to be compensated with an hourly rate/range of \$18.00/hr – \$22.00/hr.

The CO-OP students will be funded directly through the 2019 increase in permit and planning activity/revenue. Financial records for 2019 - Q2 recorded a surplus of \$179,150.00 and it is anticipated that surpluses will continue quarterly, therefore, the positions can be absorbed by the 2019 budget without any financial impact. An 18 month internship commitment can be funded from 2019/2020 permit revenue along with the Building Permit Reserve which currently sits at \$271,258.00 if required. The proposed positions will add two additional FTE counts.

COMMUNITY STRATEGIC PLAN (CSP) IMPACT

Objective 1 – Excellence in Local Government - Demonstrates accountability as Council continues to support the requirements set in the Ontario Building Code Act.


Objective 2 – Economic Sustainability - Demonstrates support of new and existing businesses.

Report Approval Details

Document Title:	DCS 19-26 Building, Planning and By-Law Services CO-OP Student and Internship.docx
Attachments:	- DCS 19-21 2019 Second Quarter Building, Planning and By-Law Services.docx
Final Approval Date:	Sep 4, 2019

This report and all of its attachments were approved and signed as outlined below:

Dave Rushton - Sep 4, 2019 - 10:29 AM

	Report Title	2019 Second Quarter Report Building, Planning & By-Law Services
	Report No.	DCS 19-21
	Author	Geno Vanhaelewyn, Chief Building Official
	Meeting Type	Council Meeting
	Council Date	AUGUST 12, 2019
	Attachments	Q2 Financial Summaries

RECOMMENDATION

THAT Council receives Report DCS 19-21 - 2019 Second Quarter Report Building, Planning & By-Law Services as information.

EXECUTIVE SUMMARY

This report contains information on activity volumes, trends over time, financials and updates on major initiatives. The statistics provided are inclusive from **January 1, 2019 to June 30, 2019.**

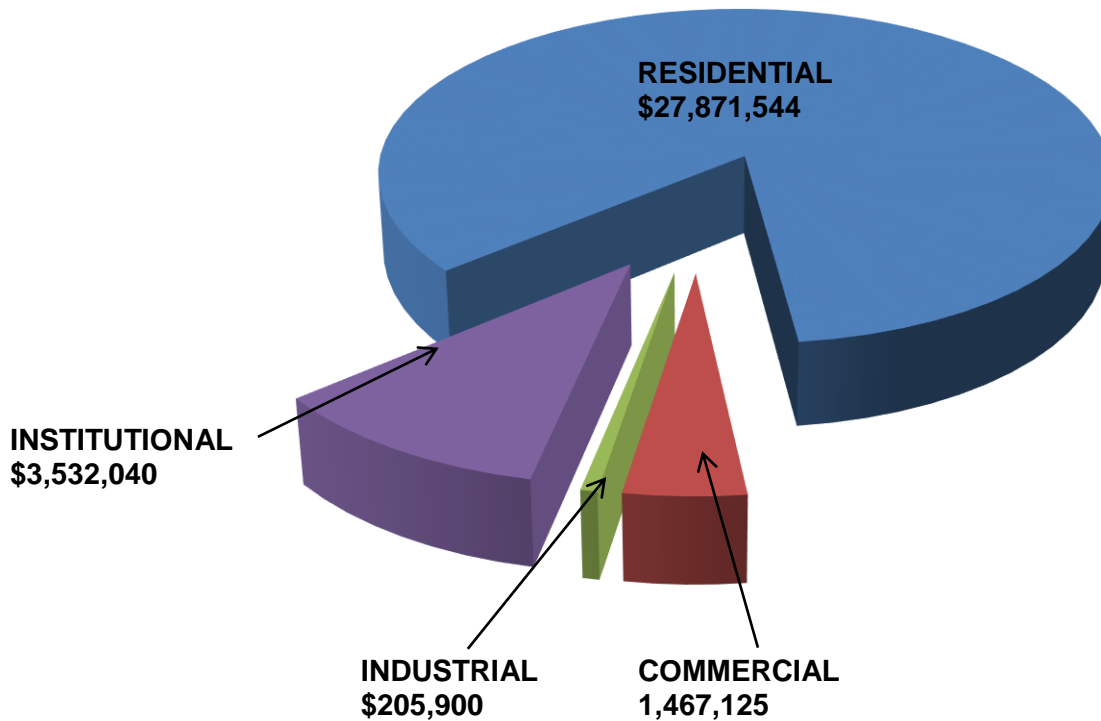
BUILDING SERVICES

Tillsonburg has continued to witness strong activity in construction in terms of total value of construction although the total number of permits issued has decreased slightly. The residential housing market has continued to be the main contributor of these statistics. The commercial sector leveled back off while the industrial and institutional sectors remained fairly consistent compared to previous years. These activities are noted in the tables below.

2019 – Building Permit Activity Overview – (Jan 1/19 – June 30/19 inclusive)

Total Permits Issued	204
Total Construction Value	\$33,076,609
Total Permit Revenue	\$355,178

VALUE OF CONSTRUCTION COMPARISON



Value of Construction Comparisons – Jan 1, 2019 – June 30, 2019

TYPE	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Residential (Value)	6,169,114	7,854,086	7,614,660	10,673,174	12,416,246	17,441,481	27,871,544
Commercial (Value)	565,057	693,799	154,300	1,615,705	1,205,305	6,245,180	1,467,125
Industrial (Value)	2,146,100	1,052,500	92,600	92,000	488,254	708,702	205,900
Institutional (Value)	791,175	4,393,400	1,362,173	13,114	4,000	2,336,665	3,532,040
TOTAL	9,671,446	13,993,785	9,223,733	12,393,993	14,113,805	26,732,028	33,076,609

Number of Permits Issued - Jan 1, 2019 – June 30, 2019

TYPE	<u>2013</u>	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Single Detached Dwellings	26	38	27	50	48	50	30
Total Dwelling Units	29	41	50	50	52	78	110
Total All Permits	162	185	155	202	239	239	204

Residential Development - Jan 1, 2019 – June 30, 2019

DEVELOPER	NUMBER OF SINGLE DETACHED DWELLINGS
Hayhoe Homes	12
Wagler Homes	1
Bamford Homes – South Ridge Heights	1
Oxford Builders – Annandale Phase 7	2
Trevalli Homes Ltd – William Street	1
Gentrac Homes	0
Riviera Homes	8
Dalm Construction	2
Misc.	1
Private	2

Inspection Activity Comparisons - Jan 1, 2019 – June 30, 2019

Output Measures/Activity	2014	2015	2016	2017	2018	2019
Building Inspections Completed	703	741	871	1022	988	843

Major Construction/Development Projects:

- 360 Quarter Town Line – new townhouse condo complex
- 253 Broadway – new commercial/residential apartments
- 136 Concession St E- new 5 story/49 unit apartment building
- 3 John Pound- new 4 story/33 unit apartment building
- 83 Rolph Street - Public School conversion to apartments
- Andrews Crossing Subdivision- Phase 1 & 2
- Sandy Court Subdivision

Building Financial Impact

Financial records indicate that the Building sector has a surplus of \$179,150 ending Q2. The ongoing permit activity is a direct result of the increased revenue found in the attached financial summary to this report. The forecast at this time for year end is to be under budget.

PLANNING SERVICES

2019 – Planning Activity - Jan 1, 2019 – June 30, 2019

Output Measures/Activity	2014	2015	2016	2017	2018	2019
Minor Variance Applications	1	5	7	6	13	7
Zone Change Application	2	4	4	8	4	7
Site Plan Formal Consultations	2	2	2	3	0	2
Site Plan Approvals	4	3	2	2	5	6
Site Plan Applications (in progress)	3	6	7	3	9	4
Subdivision Agreements	0	2	2	2	0	2
Pre-Servicing Agreements	0	0	0	0	3	1

Site Plan Applications (in progress)

- 17 Wren Court – Town House Apartments
- 183 Tillson Avenue – Existing Site
- 671 Broadway- Glassford's
- 540 Broadway- Burger King
- 18 Harvest Ave- First Baptist Church

BY-LAW SERVICES

All records were not available for analysis and the records that were available are provided in the table below. Parking tickets issued are up slightly from previous years and overall animal tags issued are down slightly.

2019 – By-Law Activity - Jan 1, 2019 – June 30, 2019

Output Measures– Quantity		2014	2015	2016	2017	2018	2019
Parking Tickets Issued		240	337	573	394	366	382
Animal Tags Issued	Cats	886	845	1121	948	848	1129
	Dogs	1686	1815	1842	1973	2254	1909
Enforcement – Complaints and Occurrences	Parking, Noise, Garbage, Taxi	96	103	62	86	90	-
	Property Stds, Zoning, Clean Yard, Sign, Fence, etc.	116	113	143	152	137	-
	Animal Control	196	184	179	160	139	-

By-Law Services has a vacant By-Law/Property Standards Officer position and is currently in the recruiting process. Due to the 50% reduction in By-Law staffing it is expected that a response for by-law service will be delayed until the position has been filled and the new recruit has completed orientation and training.


By-Law Financial Impact

Financial records indicate that the Protection/By-Law sector is slightly over budget \$78 ending Q2. The forecast at this time for year end is to be on budget. A copy of the financial summary has been attached to this report.

DEPARTMENTAL TASKS/BUSINESS OBJECTIVES

Objective	Target	Project Status
Implement Amanda Building Permitting Software Solution	Q2 Q3	Completed
Communicate Building Code Amendments	Ongoing	In Progress
Develop Post-Disaster Event Protocol/Procedures	Q4	Not Started
By-Law Reviews - Noise	Q4	Completed
By-Law Reviews – Animal Control, Traffic	Q4	Not Started
Camera Installation at Library Lane – Monitor Alley Dumping	Q2 Q3	In Progress
Central Area Design Study – Vehicular/Pedestrian Movement Reconfiguration – Town Centre Mall Rear Entrance Proposal	Q3	In Progress
Central Area Design Study – Public Objectives – Alley Connecting Walkways Proposal	Q3	In Progress

Central Area Design Study – Façade Improvement Program	Q4	In Progress
Review Planning Process & Procedures	Q1	Completed
Zoning By-Law Review & Housekeeping Amendments	Q1 Q4	In Progress
Review Site Plan Approval By-Law & Process	Q1	Completed

	Report Title	Auditor's Management Letter Report
	Report No.	FIN 19-16
	Author	Dave Rushton
	Meeting Type	Council Meeting
	Council Date	September 9, 2019
	Attachments	Auditor's Management Letter

RECOMMENDATION

THAT Council receive Report FIN 19-16 Auditor's Management Letter Report, as information.

EXECUTIVE SUMMARY

As part of the reporting by the Auditor, in addition to Financial Statements, a Management Letter is prepared with suggestions on improvements to the Town's financial processes and systems.

OBJECTIVE

This report will clarify some of the comments by the Auditor and summarize the actions that have been taken or will be taken as a result of the year end work done by both staff and the Auditor.

BACKGROUND

2018 was a year of transition in the financial functions of the Town. There were changes in financial software programs that started in 2017 with the addition of a purchasing software called Paramount and the end of life of a software called Class which processed all of the Recreation transactions as well as cash receipts for the rest of the Town's transactions. The Recreation software was replaced with a software called Legend and the Town's other cash receipts were changed to be processed directly into our accounting software Great Plains. The integration of Paramount and Legend with Great Plains was not as straight forward as staff had hoped. At the same time a new Manager of Finance and Financial Analyst were hired. These positions carried out the bulk of the reconciliation work and each transaction had to be traced through the various systems to ensure accuracy in the Town's accounting records. This added to the time frame of completing the year end work and staff was several weeks later than normal in completing their tasks.

Management will respond to each of the items raised by the Auditor;

Deposits

As indicated by the Auditor, in 2018, staff did apprise Council of the movement of Inactive Building Permits, Design Deposits and New Home Construction Deposits from their respective accounts to the Development Remediation Reserve (See report Inactive Design Criteria Deposit Policy #3-006). These funds were used to finance road and sidewalk reconstruction during 2019. The process requires staff to attempt to return deposits where possible to the people or companies that deposited funds with the Town. This process will continue as deposits more than four years old are reviewed annually. The Town also holds deposits for security on subdivision developments as well as construction holdbacks and these are being reviewed as well to ensure that work was completed properly and where appropriate, money will be returned to the companies that deposited them or they will be moved to the Development Remediation Reserve. Finance staff has identified these items as part of the preparation for the 2018 year end and will work with Engineering staff to bring these deposits to a resolution after the current construction season.

Recreation

All revenue collected was deposited as it was received in 2018. The reconciliation of ensuring the accuracy of the posting to accounts in both software programs started in 2018 and was finalized in 2019. The auditors were not able to do a review on this in November and had to wait until after the reconciliation was done. The staff and processes are now in place to ensure these transactions are balanced monthly.

Reconciliations

Management agrees with the Auditor. The complexities of reconciling accounts coupled with new staff and new software led to significant delays in completing these activities. The Deputy Treasurer prepares the final review of the reconciliations and the Treasurer approves them. This process will be done in timely manner in 2019.

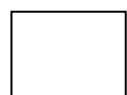
Allowance for Doubtful Accounts

Management agrees with the Auditor. An administrative policy is being developed to improve the accounts receivable process and collections.

Purchases

All invoices were approved either electronically or manually by the proper signing authorities. The process for approving invoices electronically proved to be too cumbersome to continue so staff returned to manually approving the items not purchased through a purchase order. A new purchasing policy is in the process of being developed addressing invoice approval and other purchasing requirements.

HST



CAO

Staff arranged for a HST consultant to review financial transactions from 2014 to 2018 and netted an additional refund to the Town of over \$105,000. This also provided staff with more detailed information on additional transactions that were eligible beyond what is indicated in the auditor's letter. Staff will continue ensuring that all HST is recovered and will verify HST recoverable again in 2021 with another review by a HST consultant.

Amortization Policy

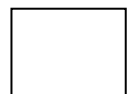
As indicated by the Auditor, the Asset Management Plan does a much more thorough analysis of the expected remaining life of Town assets than the provincial averages used at the time of moving to PSAB accounting. With this new information currently being developed through the Asset Management Plan, staff will coordinate this with the amortization used in the Town's accounting for Financial Statements.

FINANCIAL IMPACT/FUNDING SOURCE

The Auditor's letter has no direct financial impact although the recommendations may lead to improved processes to continue to safeguard and recover monies due to the Town.

COMMUNITY STRATEGIC PLAN (CSP) IMPACT

1. Excellence in Local Government
 - ☒ Demonstrate accountability



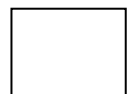
Report Approval Details

Document Title:	FIN 19-16 Auditor's Management Letter Report.docx
Attachments:	- 2018 Town of Tillsonburg Management letter.pdf
Final Approval Date:	Aug 27, 2019

This report and all of its attachments were approved and signed as outlined below:



David Calder - Aug 27, 2019 - 10:12 AM



August 2, 2019

**Members of Council
Corporation of the Town of Tillsonburg
10 Lisgar Avenue
Tillsonburg, Ontario
N4G 5A5**

Dear Sirs:

We have completed our audit of the financial statements of the Corporation for the year ending December 31, 2018 and would like to take this opportunity to address the following areas that we believe the Town should consider in order strengthening its accounting systems. These comments are not intended to reflect on the integrity of your employees, but are intended to provide recommendations to improve your systems.

Deposits

We have commented on deposits held by the Town in our previous management letters. During 2018, Council received Staff Reports relating to Inactive Building Permit and Design Deposits and New Home Construction Deposits. In addition, a new reserve, Development Remediation Reserve, was established for inactive/stale open permits. We would recommend the same review of security deposits held by the Town.

Recreation

The Town implemented a new accounting system for recreation to track revenues and bookings. We were unable to audit the internal controls over this new system in 2018 as the Town did not post the revenues from this system until 2019 and processed 2018 transactions to 2018 at that time. We recommend the Town continue to improve their utilization of this system and ensure proper internal controls are implemented to enable testing of these controls.

Reconciliations

During 2018, the bank was not reconciled monthly and as a result several other balance sheet accounts could not be reconciled. These reconciliations were not completed until mid 2019. Reconciliations of significant balance sheet accounts should be done monthly and the bank reconciliation should be reviewed and approved by the Treasurer to ensure a proper segregation of duties within the internal control process. In general, work performed by one individual in the Treasury department should be reviewed by a second individual to ensure accuracy and oversight.

Allowance for Doubtful Accounts

There are several accounts receivable in the records of the Town that were recorded prior to 2017 and have not been collected as of December 31, 2018. It is recommended the Town review these accounts to determine collectability. A provision has been made in the records of the Town based on an estimate of possible amounts that will be written off. It is our understanding the Town will develop a policy regarding delinquent accounts.

Purchases

The Town implemented a new purchasing system during 2018, however due to implementation issues, invoices were also processed under the old system. As a result, there was not a consistent approval process of invoices to be paid. The Town should review its purchasing policy and ensure all invoices are approved in accordance with this policy.

HST

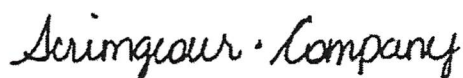
The Town has both taxable and exempt services as defined by CRA for HST purposes. The purchases made by the Town for taxable services are eligible for ITC which results in the Town receiving the full HST it paid from CRA. These would include services such as recreation and rentals. Exempt services receive a formula-based rebate which is lower. The Town should ensure it processes purchase invoices for taxable services in accordance with these rules to ensure the maximum HST is claimed.

Amortization Policy

As part of the Asset Management Plan process, the Town should review its amortization policy to ensure it accurately reflects the life cycle of its assets. In 2009, the Town was required to capitalize its assets under Public Sector Accounting Standards and amortize over the anticipated lives of these assets. The Town used amortization periods based on Province wide averages. It is recommended that the Town review these averages to ensure they reflect properly the useful lives of the specific assets owned by the Town.

We would like to take this opportunity to thank your staff for their assistance during our audit.

Sincerely,



Scrimgeour & Company
CPA Professional Corporation

	Report Title	Turtlefest Loan Repayment
	Report No.	FIN 19-17
	Author	Dave Rushton, Director of Finance
	Meeting Type	Council Meeting
	Council Date	September 9, 2019
	Attachments	

RECOMMENDATION

THAT Council receives FIN 19-17 Turtlefest Loan Repayment, as information.

EXECUTIVE SUMMARY

At the July 8, 2019 meeting, Council approved a loan to cover the deficit from Turtlefest 2019. Council agreed to lend \$7,000 to pay for outstanding payables and that the Director of Finance would develop a repayment plan.

BACKGROUND

Turtlefest gets money from sponsorship and other fees they charge for the event, held in June. As the flow of funds would not be until 2020 and the Town of Tillsonburg has provided \$10,000 in funding through the annual community grant program in the past, it is recommended that the grant would provide the earliest repayment opportunity by repaying the loan out of the proceeds of the 2020 community grant as determined by Council as part of the 2020 Budget deliberations.

FINANCIAL IMPACT/FUNDING SOURCE

The \$7,000 loan has already been forwarded to Turtlefest and vendors were paid. A repayment from the 2020 community grant will be used to eliminate this debt.

COMMUNITY STRATEGIC PLAN (CSP) IMPACT

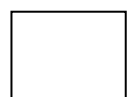
1. Excellence in Local Government
 - ☒ Demonstrate strong leadership in Town initiatives
 - ☒ Demonstrate accountability

Demographic Balance

- ☒ Make Tillsonburg an attractive place to live for youth and young professionals
- ☒ Provide opportunities for families to thrive

2. Culture and Community

- ☒ Promote Tillsonburg as a unique and welcoming community
- ☒ Provide a variety of leisure and cultural opportunities to suit all interests



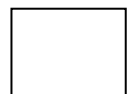
Report Approval Details


Document Title:	FIN 19-17 Turlefest Loan Repayment.docx
Attachments:	
Final Approval Date:	Aug 27, 2019

This report and all of its attachments were approved and signed as outlined below:



David Calder - Aug 27, 2019 - 10:15 AM



	Report Title	2018 Financial Statement Reconciliation
	Report No.	FIN 19-20
	Author	SHEENA PAWLIWEC, CPA, CGA
	Meeting Type	Council Meeting
	Council Date	SEPTEMBER 9, 2019
	Attachments	None

RECOMMENDATION

THAT Council receive Report FIN 19-20 2018 Financial Statement Reconciliation, as information.

BACKGROUND

The surplus as indicated on the financial statements differs from that as presented by the municipality due to Public Sector Accounting Standards (PSAB) financial presentation requirements which require reclassifying certain items for presentation purposes only.

FINANCIAL IMPACT/FUNDING SOURCE

The 2018 financial statements show a surplus of \$2,805,113 while the Town's operating surplus is \$54,461. These two figures reconcile as follows:

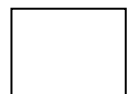
Financial Statement Surplus	\$ 2,805,113
BIA excess revenue over expenses	(78,704)
Amortization	2,601,784
Capital expenses	(8,886,808)
Debt principal payments	(1,091,006)
Equity acquired in Tillsonburg Hydro Inc.	(356,464)
Net contribution from reserve	(399,808)
Loss on disposal of Tangible Capital Assets	855,094
Debt proceeds	4,524,234
Sale of assets	81,026
Operating Surplus	\$ 54,461


Report Approval Details

Document Title:	FIN 19-20 2018 Financial Statement Reconciliation.docx
Attachments:	
Final Approval Date:	Sep 4, 2019

This report and all of its attachments were approved and signed as outlined below:

Dave Rushton - Sep 4, 2019 - 10:27 AM



	Report Title	2018 Surplus Allocation
	Report No.	FIN 19-21
	Author	SHEENA PAWLIWEC, CPA, CGA
	Meeting Type	Council Meeting
	Council Date	SEPTEMBER 9, 2019
	Attachments	None

RECOMMENDATION

THAT Council receives report FIN19-21 2018 Surplus Allocation, as information;
 AND THAT Council approve the allocation of the 2018 surplus of \$54,461 be contributed to specific reserves; Fleet & Equipment \$50,000; and the balance to Tax Rate Stabilization \$4,461.

EXECUTIVE SUMMARY

To allocate the 2018 surplus to specific reserve accounts.

FINANCIAL IMPACT/FUNDING SOURCE

Staff is requesting Council to approve allocating \$50,000 of this surplus to Fleet.

The balance of the surplus funds will go into the Tax Rate Stabilization Reserve for the future.

This allocation follows the policy as outlined in the 2017 report FIN 17-16 Annual Surplus/Deficit Allocation Policy.

COMMUNITY STRATEGIC PLAN (CSP) IMPACT

Excellence in Governance

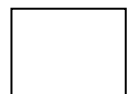
- 1.3 Demonstrate accountability – Having and responsibly utilizing a surplus demonstrates accountability.


Report Approval Details

Document Title:	FIN 19-21 2018 Surplus Allocation.docx
Attachments:	
Final Approval Date:	Sep 3, 2019

This report and all of its attachments were approved and signed as outlined below:

Dave Rushton - Sep 3, 2019 - 5:32 PM



	Report Title	RFT 2019-013 – Annandale Diamond Lighting Enhancements
	Report No.	RCP 19-35
	Author	Rick Cox, Director of Recreation, Culture & Parks
	Meeting Type	Council Meeting
	Council Date	September 9, 2019
	Attachments	

RECOMMENDATION

THAT Council receives Report RCP 19-35 RFT 2019-013 Annandale Diamond Lighting Enhancements;

AND THAT Council cancel RFT 2019-13;

AND THAT the Annandale Diamond Lighting Enhancements are considered during the 2020 Budget deliberations.

EXECUTIVE SUMMARY

The Annandale Diamond Lighting Enhancements project is intended to replace the diamond lighting on Diamond 3 with modern, efficient LED sports lights, add LED sports lighting to Diamond 2 and build in the capacity to add lighting to Diamond 4 in the future. The tender submissions received greatly exceed the available budget. Council should consider the project's updated cost in context with other capital priorities so this report recommends that the project be deferred to the 2020 budget process. Alternatively, Council could decide to award the tender and use a portion of the one-time additional \$487,351 in Federal Gas Tax funding received in 2019 to supplement the approved budget.

BACKGROUND

The lighting at Annandale Diamond #3 was identified as not meeting the required standard through a Facility Condition Analysis in 2017 and replacement of both system and pole infrastructure was recommended. In discussions with the diamond user groups, it became clear that the preferred approach is an enhancement to the facility by adding a second lit diamond to increase the capacity for hosting league play and tournaments in Tillsonburg.

The proposed LED lighting systems will consume considerably less energy than the existing system, but in order to implement the project the overall hydro infrastructure must be upgraded to meet regulatory approvals. The change requires a new pad-mount transformer and upgraded three-phase service. Once fully implemented, it is expected that the energy consumption from all three LED-lit diamonds will be the same or less than that consumed by the current single-diamond system.

The initial draft of the 2018 Capital budget included a proposed Annandale Lighting project to replace the Diamond 3 lights and add Diamond 2 lights with a total budget of \$350,000. Of that, \$81,000 was to be funded by Development Charges for a net taxation impact of \$269,000. During SLT's review of the draft budget, the project was adjusted to have a budget of \$100,000, funded with \$81,000 in DC's, \$5,000 in community contributions and \$14,000 from taxation. The planned approach was adjusted to be a phased project with Diamond 3 replacements in 2018 and Diamond 2 expansion in 2019. The implementation plan for this was that the labour to design and install the lighting was to be done using Town staff from both RCP and Hydro Operations within existing labour budgets. This was how the final 2018 budget was approved, with the expectation of the 2nd diamond being funded in 2019. In order to use DC's the project must include the added capacity achieved by lighting a 2nd diamond.

Implementing the project in 2018 using Town staff was found to be impossible for regulatory, workload, and technical knowledge reasons. An alternative approach to obtain and redeploy a used system was pursued in order to stay within the budget. The used pole infrastructure is reusable but the actual lighting system was found to be beyond salvage. Staff then secured an external consultant to design the project and prepare specifications for procurement. The design scope included replacement of Diamond 3 lights, installation of lights at Diamond 2, and upgrades to the base electrical infrastructure on the site to support the expansion including capacity for future lighting at Diamond 4.

The 2019 as approved budget added another \$50,000 from taxation to the overall project budget for a total of \$150,000. Staff expected the implementation to be phased with one diamond in 2019 and the second moving forward in 2020, unless the procurement process secured pricing at or close to the available budget.

The design specifications were completed June 21, and the tender was issued on June 26 as one complete project rather than a phased project. The tendered design was for both diamonds to be lit as one installation in the hopes of securing maximum mobilization savings. In addition, the design utilizes shared poles between the two diamonds so the balancing of the elevated components to maintain pole integrity is very important, and considerably easier if done as one installation. The tender closed on July 28, and the bids submitted greatly exceed the available approved budget.

RFT 19-013 was issued and four qualified bids were received. The tendered cost for the project is significantly higher than the available budget, largely because the original implementation model of using Hydro Operations staff to do the work is not viable. In addition, the cost of components is higher than anticipated due to exchange rates and market pricing fluctuations.

Vendor	Submitted Bid
Clark-Haasen Electric	\$267,276.00
Pfaff Electric Ltd	\$270,500.00
911777 Ontario Limited O/A T.A. Thomson Electrical Contractors	\$288,744.00
Holaco Installations Limited	\$428,300.00

The design team has reviewed the bids and do not have any concerns with any of the vendors' ability to complete the specified work. If Council decides to proceed with the project in 2019, staff

recommends that the work be awarded to Clark-Haasen Electric, the lowest compliant bid price submitted.

CONSULTATION/COMMUNICATION

The lighting project design was completed by Chorley & Bissett Consulting Engineers. Prior to the development of the design, staff received input and suggestions from the diamond user groups.

FINANCIAL IMPACT/FUNDING SOURCE

The approved budget in 2019 for the Annandale Diamond Lighting Enhancement project is \$150,000 funded by \$81,000 in Development Charges, \$5,000 in contributions from the Tillsonburg Mens Slo-Pitch organization and \$64,000 from the taxation-supported capital program. To date, \$49,992 has been spent to acquire the lighting poles for the project and on the project design and tender review, leaving \$100,008.

The difference between the remaining approved budget and the lowest compliant bid is \$167,268. As the funding gap is so significant, staff recommends that Council cancels the current tender process and reviews the project as part of the larger context of the 2020 Capital Budget process.

As the level of Development Charge funding was established as an estimate a number of years ago, it is also possible to amend the amount of DC funding allocated to equal 90% of the actual costs of implementing the increased capacity represented by the 2nd diamond and larger service. A reasonable calculation of this would increase the potential DC contribution from \$81,000 to \$120,000.

If Council prefers to proceed with the project, staff recommends the differential amount is funded by utilizing the increased DC allocation and a portion of the \$487,351 in one-time additional Gas Tax funding received for 2019. Use of Gas Tax funds is subject to approval by AMO; however staff has obtained preliminary confirmation that the project does meet Gas Tax funding criteria. The alternative resolution for this approach would be:

THAT Council receives Report RCP 19-37 – Awarding RFT 2019-034 – Annandale Diamond Lighting Enhancements;
 AND THAT Council award RFT 2019-34 to Clark-Haasen Electric for their tendered price of \$267,276;
 AND THAT the Development Charge funding allocated to the project be increased to \$120,000;
 AND THAT \$128,268 in Gas Tax funding be allocated to the project.

COMMUNITY STRATEGIC PLAN (CSP) IMPACT

1. Excellence in Local Government

- ☐ Demonstrate strong leadership in Town initiatives
- ☐ Streamline communication and effectively collaborate within local government
- ☒ Demonstrate accountability

2. Economic Sustainability

- ☒ Support new and existing businesses and provide a variety of employment opportunities

- ☐ Provide diverse retail services in the downtown core
- ☐ Provide appropriate education and training opportunities in line with Tillsonburg's economy

3. Demographic Balance

- ☒ Make Tillsonburg an attractive place to live for youth and young professionals
- ☒ Provide opportunities for families to thrive
- ☒ Support the aging population and an active senior citizenship

4. Culture and Community

- ☒ Promote Tillsonburg as a unique and welcoming community
- ☒ Provide a variety of leisure and cultural opportunities to suit all interests
- ☒ Improve mobility and promote environmentally sustainable living

Report Approval Details

Document Title:	RCP 19-35 - RFT 19-013 - Annandale Diamond Lighting Enhancements.docx
Attachments:	
Final Approval Date:	Sep 3, 2019


This report and all of its attachments were approved and signed as outlined below:

Dave Rushton - Sep 3, 2019 - 10:56 AM

No Signature - Task assigned to David Calder was completed by workflow administrator Donna Wilson

David Calder - Sep 3, 2019 - 11:34 AM

Donna Wilson - Sep 3, 2019 - 1:46 PM

	Report Title	RZone Policy – Responsible Behaviour in Recreation Spaces
	Report No.	RCP 19-36
	Author	Andrea Brown, Recreation Programs & Services Manager
	Meeting Type	Council Meeting
	Council Date	September 9, 2019
	Attachments	Draft RZone Policy

RECOMMENDATION

THAT Council receives Report RCP 19-36 RZone Policy - Responsible Behaviour in Recreation Spaces;

AND THAT By-Law 4340 to adopt an RZone Policy, be brought forward for Council's consideration.

EXECUTIVE SUMMARY

The purpose of this report is to provide an overview of the RZone policy and to seek approval to implement the policy for the Town of Tillsonburg.

BACKGROUND

The Town of Tillsonburg is committed to fostering an environment that ensures the safety of the general public, user groups, volunteers and staff in its Recreation, Culture and Parks programs, facilities and properties. The RZone policy originated in Oakville and has been adopted by many other municipalities and has been successful in reducing inappropriate behaviours in public spaces. The Town of Tillsonburg acknowledges permission from the Town of Oakville to adopt and adapt the policy for use in recreation facilities.

The policy provides community volunteers and Town staff with the tools to manage inappropriate behaviour effectively and enforcement guidelines to maintain fairness and consistency in how specific incidents are handled across the Recreation, Culture and Parks department.

The purpose of the RZone policy is to promote:

- Facilities that are free from violence, disrespect and other inappropriate behaviours;
- The safety and security of attendees, volunteers and staff at recreation facilities;
- An environment of **Respect** for others, and **Responsibility** for one's actions for all those attending Town of Tillsonburg recreation facilities;
- Reduced vandalism, violence and other inappropriate behaviours at recreation facilities, through enforcement of the policy.

CONSULTATION/COMMUNICATION

At the Recreation & Sports Advisory Committee meeting on June 26, 2019 the committee passed the following resolution:

THAT the RZone Policy as presented to the Recreation & Sports advisory committee be approved and endorsed by the committee and THAT this policy be adopted by the Council as town policy.

The committee would like to see the RZone policy in place in September in order to ensure there is time to educate user groups and contract holders about the expectations around appropriate behaviour in municipal facilities.

The Recreation, Culture and Parks department will educate facility users and program participants on the policy including: posting the RZone policy and related information on the Town website; making information pamphlets available at facilities and for program participants and user groups; and including RZone policy awareness in Recreation, Culture and Parks employee training programs.

FINANCIAL IMPACT/FUNDING SOURCE

The costs of signage associated with implementing and communicating the RZone policy will be funded through the 2019 RCP operational budget.

COMMUNITY STRATEGIC PLAN (CSP) IMPACT

1. Excellence in Local Government
 - ☒ Demonstrate strong leadership in Town initiatives
 - ☐ Streamline communication and effectively collaborate within local government
 - ☒ Demonstrate accountability
2. Economic Sustainability
 - ☐ Support new and existing businesses and provide a variety of employment opportunities
 - ☐ Provide diverse retail services in the downtown core
 - ☐ Provide appropriate education and training opportunities in line with Tillsonburg's economy
3. Demographic Balance
 - ☒ Make Tillsonburg an attractive place to live for youth and young professionals
 - ☒ Provide opportunities for families to thrive
 - ☐ Support the aging population and an active senior citizenship
4. Culture and Community
 - ☒ Promote Tillsonburg as a unique and welcoming community
 - ☒ Provide a variety of leisure and cultural opportunities to suit all interests
 - ☐ Improve mobility and promote environmentally sustainable living

**RECREATION, CULTURE AND PARKS****Policy 9-009: RZone Policy**

Approval Date: September 9, 2019

Approval Authority: Council, By-Law #####

Effective Date: September 9, 2019

Next Scheduled Review Year: 2023

Department: Recreation, Culture and Parks

Last reviewed: Month, DD, YYYY

Revision Date/s:

Schedules:

Policy Statement:

Tillsonburg's properties include facilities such as arenas, swimming pools, parks, skate parks, trails, community centre, sports fields and associated parking lots. These properties provide residents with opportunities to enjoy social and recreational activities in a safe and positive environment.

Tillsonburg operates programs and properties that encourage public participation and is committed to ensuring the safety of all participants, spectators, volunteers and staff in accordance with the Occupiers' Liability Act, the Ontario Human Rights Code, The Occupational Health and Safety Act, the Trespass to Property Act, the Criminal Code, municipal by-laws and policies and other provincial legislation.

Throughout Tillsonburg, many programs, services and facilities are operated and managed by community volunteers. Tillsonburg wants to ensure that they have the ability to volunteer in a safe and positive environment. The user groups or contract holders utilizing Tillsonburg's facilities and property must take PRIMARY responsibility for the behaviour of all individuals associated with their usage of the facility or property; this includes the athletes, coaches, officials, spectators, volunteers, renters and users.

Purpose:

The RZone Policy requires persons using a Town facility, park or program to respect others and take responsibility in helping the Town maintain a safe and comfortable environment for all participants, spectators, volunteers and staff. They have the right to expect that others will behave in a manner consistent with a safe and positive environment in public spaces. With this right comes the responsibility to be accountable for actions/behaviours that put the safety of others at risk. The RZone Policy helps to ensure that inappropriate behaviours are dealt with in an equitable and consistent manner.

The Town of Tillsonburg will have zero tolerance for inappropriate behavior, violence, indecency or vandalism within its programs or properties, and will take appropriate action where necessary to deal with these incidents.

Scope:

The policy applies to all Tillsonburg Properties (including indoor and outdoor facilities) and activities that are being conducted on all of the properties – both structured (permit issued) and unstructured (no permit issued) and to all patrons and guests.

The aim of this policy is to ensure that measures are in place so that incidents of inappropriate behaviour, violence, indecency, or vandalism do not occur on its properties. Circumstances not addressed in this policy or exceptions to this policy will be addressed on a “case by case” basis.

Policy Goals:

1. To provide a comfortable, respectful and safe environment for patrons and guests of the Towns programs and properties.
2. To provide a comfortable, respectful and safe work environment for Town of Tillsonburg staff and community volunteers. This policy will be applied in coordination with Tillsonburg’s respect in the workplace, workplace harassment and violence policies.
3. To recognize and meet the needs of all Tillsonburg programs and properties to implement zero tolerance when dealing with inappropriate public conduct on Tillsonburg property.
4. To reduce or eliminate violence on town properties, both indoor and outdoor.
5. To increase the level of awareness of users regarding appropriate behaviour and the importance of a positive and supportive environment.
6. To ensure that wireless internet connections in Town of Tillsonburg facilities are used in keeping with the respectful and decent tone of a public facility used by children and families.
7. To outline the process that will be implemented to address inappropriate behaviour, violence, vandalism and the inappropriate use of technology.

Definitions:

Community Volunteer

- a) A representative of a community hall group;
- b) A representative of a field management group; or
- c) A representative of a community group sponsoring a recognized Town of Tillsonburg special event.

Contract Holder

- a) An individual who assumes personal responsibility for the contract;
- b) Designated representative of a recognized minor or junior sports association; or
- c) Legal entity or corporation.

Harassment

For the purpose of this policy, harassment is defined as engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome” as defined by the Ontario Human Rights Code and covered by the Town of Tillsonburg’s Workplace Violence and Workplace Anti-Violence, Harassment and Sexual Harassment Policies.

Inappropriate Behaviours and/or Violence

For the purposes of this policy, the definitions of inappropriate behaviour and/or violence, inappropriate use of technology and vandalism include but are not limited to:

- Refusal to abide by specific program or facility rules and any contravention of Town by-laws, policies or procedures
- Verbal assaults (profanity and/or loud verbal assaults including racial or ethnic slurs, directed at participants, spectators, referees, staff and volunteers)
- Threats or attempts to intimidate
- Throwing of articles in a deliberate or aggressive manner
- Aggressive approaches to another individual
- Attempts to goad or incite violence in others
- Physical striking of another individual
- Theft of property
- Vandalism
- Harassment
- Possession of weapons
- Participation in any illegal act on Town of Tillsonburg Property (i.e. drugs, drinking, use of tobacco products in areas designated tobacco free, etc.)

Inappropriate Use of Technology

For the purposes of this policy, inappropriate use of technology includes but is not limited to:

- Using technology devices to photograph images of participants, spectators, Town of Tillsonburg staff or volunteers without their express written consent using technology device(s) for illegal or criminal purposes.
- Invading or attempting to invade another person’s privacy
- Sending or receiving documents, websites or pages that contain lewd, illegal or offensive materials via internet.
- Viewing, producing or exhibiting lewd, illegal or offensive materials, either hard copy or using technology devices.
- Sending or creating viruses, worms and other invasive computer programs
- Hacking or other unauthorized access or attempts thereof
- Illegal downloading or copying software or data.

Regular User Sport Group

Resident or non-resident sport organizations, that rent facilities on a weekly basis for the applicable sport season.

Rzone

Respect for yourself; Respect for others; and Responsibility for your actions.

Staff

Incident Review and follow-up staff shall mean the Director of Recreation Culture and Parks and the Recreation, Programs and Services Manager.

RZone Appeals Committee

Senior Leadership Team except the Director of Recreation Culture and Parks

Vandalism

For the purpose of this policy, vandalism is defined as the deliberate act of destruction or damage to Town of Tillsonburg owned property, buildings, or equipment. Examples of vandalism include but are not limited to:

- Glass breakage
- Graffiti
- Theft
- Arson

Enforcement Procedures:

In accordance with the Occupiers' Liability Act, the Occupational Health and Safety Act, the Trespass to Property Act, the Criminal Code, municipal by-laws and policies and other provincial legislation, contract holders and community volunteers are authorized to initiate enforcement options at Town of Tillsonburg programs and properties.

In the event that the contract holder or community volunteer cannot control the situation:

1. When possible, Town of Tillsonburg facility staff will be asked for assistance; or
2. In the event that Town of Tillsonburg facility staff are not available, the contract holder and/or community volunteer will contact the Ontario Provincial Police (OPP) for assistance.

When inappropriate behaviour, violence, vandalism or inappropriate use of technology is witnessed:

1. Assess situation to determine if policy should be enacted.
2. Request that the identified party, without jeopardizing one's safety, cease the inappropriate behaviour and/or violence immediately.
3. Advise the identified party that failure to cease the inappropriate behaviour, violence, vandalism or inappropriate use of technology that jeopardizes the safety of others or themselves, will result in police being called and advise they will be considered to be trespassing.
4. If the individual refuses to cease inappropriate activity, do not engage in argument or physical confrontation, call the police (911) and report the individual(s) immediately.
5. Advise authorized staff of the situation, if applicable.
6. Complete all aspects of the RZone Incident Form and submit to **the Director of Recreation, Culture and Parks within three (3) business days of the incident.**

7. Incident will be reviewed by Recreation, Culture & Parks staff.
8. Follow up action will be taken and documented.

Incident Review and Follow-up:

This process will be administered by the Recreation, Culture and Parks department upon receipt of an RZone Incident Report.

1. Staff will review the RZone Incident Form. As well, staff may view available video of the occurrence and follow up with interviews if necessary.
2. Staff will contact the Ontario Provincial Police to determine if a report has been filed and obtain any further information or details related to the incident.
3. Should the incident be associated with a contract holder or community volunteer at the time of occurrence, staff will work with the contract holder or community volunteer to determine the details of the incident.
4. Staff (and the contract holder or community volunteer, if applicable) will meet with the individual(s) responsible for the inappropriate behaviour, violence, vandalism or inappropriate use of technology to review the suspension and issue the letter of suspension. Facility staff, contract holder and/or community volunteer and the police will be notified when applicable and copied regarding outcome of the investigation.
5. Should the individual(s) choose not to meet, a letter of suspension will be sent by staff utilizing registered mail (if address is known).
6. Should the incident involve damages to a Town of Tillsonburg facility or result in increased maintenance, an invoice for recover of repair of damages, including materials and labour and an administrative fee will be charged.
7. There will be no reconsideration by the Town of Tillsonburg with respect to the length of the suspension time given, unless new information becomes available.
8. Following the fifth (5th) anniversary of a reported incident, with no further contraventions of this policy, the individual's record will be expunged.

Appeal Process:

Individuals may appeal an RZone suspension by using the following process:

1. Individual(s) wishing to appeal any disciplinary measure may present their case in writing, accompanied with a mandatory \$100 fee to the RZone Appeals Committee within 14 days of the decision. The fee will be refunded if the appeal is successful.
2. The RZone Appeals Committee will review the in consultation with the appropriate staff or organization, appeal and any decision made is final.

Education & Awareness:

Town of Tillsonburg Recreation, Culture and Parks staff, along with community volunteers, will undertake a promotional and educational campaign aimed at raising awareness among parents, volunteers, spectators and general public of the RZone Policy and in particular, the importance of their role in creating a positive atmosphere when on Town of Tillsonburg properties.

Initiatives will include:

- Circulation of the policy to all facility rental contract holders and community having management agreements with the Town of Tillsonburg;
- Signage/posters to be displayed on all Town of Tillsonburg properties;
- The policy will be referenced in the Terms & Conditions section on all facility contracts and permits.
- Regular user groups will be asked to update and amend their club's constitutions and/or code of conduct to reflect this policy.
- Regular user groups will be asked to designate a person responsible for the implementation and administration of the Public Conduct on Town of Tillsonburg Policy at each event;
- Community volunteers will be asked to reference the policy in their organization newsletters/booklets/websites and will be provided with tools to help communicate to participants, parents and patrons.
- Where possible, announcements will be made prior to all games regarding the policy and reporting of incidents
- On an ongoing basis, staff will follow-up with representatives of organizations that have had incidents or been affected by this policy, to review the process and resulting consequences to ensure the policy is addressing inappropriate behavior in an effective manner; and
- Staff will review the education and promotional campaign on an annual basis with community groups to ensure the policy remains effective.

Prevention of Incidents

In an effort to prevent inappropriate behaviour, violence, vandalism or inappropriate use of technology, community groups shall be requested to:

- Ensure all participants, coaches and parents sign a **Code of Conduct contract**.
- Ensure all spectators are aware of the RZone Policy.
- Have a representative for each group or team on site who understands the terms of the policy.
- In the event of an incident, advise without jeopardizing one's safety, identified party that there is a zero tolerance for inappropriate behaviour and they are contravening the RZone Policy.

Recreation, Culture and Parks front-line staff will receive training on their roles and responsibilities as set out in the RZone Policy, and will be re-trained on an annual basis. Facility user groups and community volunteers will be notified of the updated policy. Recreation, Culture and Parks staff will provide orientation sessions to ensure they are aware of and informed about the updated policy and their role to ensure that all participants, spectators, volunteers and staff have the right to be safe and feel safe while attending a program or facility on Town of Tillsonburg property.

RZone Incident Report**Individual Reporting Details:**

Name of Person Reporting _____
Department _____
Position _____ extension _____
Date incident was reported _____

Incident Information:

Date _____ Time _____
Incident Information _____
Location of Incident _____

Participant(s) Involved:

Complainant Name _____
Address _____ Postal Code _____
Phone _____

Respondent Name _____
Address _____ Postal Code _____
Phone _____

If there are more participants involved, please attach extra pages.

Category (please check all that apply)

- | | |
|--|--|
| <input type="checkbox"/> Verbal assault | <input type="checkbox"/> Possession of Weapons |
| <input type="checkbox"/> Threats | <input type="checkbox"/> Use of alcohol or drugs |
| <input type="checkbox"/> Physical assault/harm | <input type="checkbox"/> Harassment |
| <input type="checkbox"/> Vandalism | <input type="checkbox"/> Theft of property |

Other (please specify in detail)

Describe in detail what happened:

Other relevant information:

Who else was made aware of the incident?

Name _____

Address _____ Postal Code _____

Phone _____

If there are more individuals involved, please attach extra pages.

If another individual was made aware of the incident, how were they informed?

☐ In-person

☐ Phone

☐ Email

Other (please specify in detail)

Date the individual was informed: _____

Please identify if another individual witnessed the incident.

Name _____

Address _____ Postal Code _____

Phone _____

If there are more individuals who witnessed the incident, please attach extra pages.

For Office Use Only:

Action Taken (please check):

☐ Verbal Warning

Date: _____

☐ Letter of Warning

Date: _____

☐ Letter of Trespass

Date: _____

Appeal:

☐ No

☐ Yes

Date: _____

Outcome: _____

Date File Closed: _____

Name: _____ Position: _____

Signature:

Personal information on this form is collected under the authority of the Municipal Act, 2001, S.O. 2001, c. 25 and will be used for the purpose of aggregate statistical reporting, and allocation of staff and resources. This information will also be used for the promotion of programs or activities so that we can provide good customer service.


RZone Enforcement Guidelines

The following chart represents guidelines and outlines the consequences for acts of inappropriate behaviour, violence, vandalism or inappropriate use of technology in Town of Tillsonburg programs and property. It is understood this does not include all types of inappropriate behaviour, violence, vandalism or inappropriate use of technology. Each incident will be reviewed based upon the information available at the time and that the consequences outlined below are guidelines and may be adjusted to reflect the severity of conduct and/or actions involved. Any restrictions/suspensions will apply to all Town of Tillsonburg programs and properties.

Subsequent acts of inappropriate behaviour, violence, vandalism or inappropriate use of the technology that will result in increased consequences and incidents may be reported to the Oxford OPP detachment, which may result in criminal charges.

Behavior	Description	Consequence of 1st Occurrence	Consequence of 2 nd Occurrence	Consequence of 3 rd Occurrence	Consequence of 4 th Occurrence
Inappropriate behaviour, non violent in nature:	<ul style="list-style-type: none"> - refusal to abide by specific program or facility rules or the terms of a rental contract - inappropriate verbal language and non verbal signs - illegal acts such as use of tobacco products, alcohol - inappropriate use of technology 	Immediate ejection, followed by written warning	1 Month Suspension	3 Month Suspension	6 Month Suspension
Inappropriate behaviour with the potential to incite	<ul style="list-style-type: none"> - threats and attempts to intimidate - verbal 	Immediate ejection, police contacted, followed by	6 Month Suspension	3 Year Suspension	

violence:	assaults - throwing of articles - physical intimidation	written warning			
Inappropriate behaviour with physical violence:	- physical contact - fighting (excluding on- ice, arena floor and sport field activities)	Immediate ejection, police called, 1 year suspension	3 Year Suspension	5 Year Suspension	
Vandalism	- glass breakage - graffiti - theft - arson - spam	Immediate ejection. Those identified as perpetrating vandalism will be required to pay 100% cost of repairs (including but not limited to materials, equipment, labour and administrative costs). A suspension may be applied. In the event that the individual(s) can't be identified, the contract holder will be held responsible and invoiced accordingly.			

	Report Title	Aquatic Facility Upgrades in Tillsonburg
	Report No.	RCP 19-37
	Author	Rick Cox, Director of Recreation, Culture & Parks
	Meeting Type	Council Meeting
	Council Date	September 9, 2019
	Attachments	Investing in Canada Infrastructure Program Guidelines RCP 19-27 - Aquatics Facility Needs and Concepts

RECOMMENDATION

THAT Report RCP 19-37 Aquatic Facility Upgrades in Tillsonburg be received;

AND THAT Staff prepare a submission for the Investing in Canada Infrastructure Program's Community, Culture & Recreation Stream 2019 funding intake;

AND THAT the submission incorporates a major upgrade to the Tillsonburg Community Centre in alignment with the expressed priorities of the community;

AND THAT the submission incorporates a revitalization of the Lake Lisgar Waterpark area;

AND THAT the submission reflects a municipal contribution of 27% up to a maximum of \$6,000,000.

EXECUTIVE SUMMARY

Council directed staff to provide information and recommendations with respect to the future of aquatic facilities in Tillsonburg. This report also includes a recommendation to proceed with submitting an application for funding to the Investing in Canada infrastructure Program with shared costs between the national, provincial and municipal levels of Government. It is anticipated that, if successful with the application, the detailed design work and procurement would take place in 2020 with construction in 2021 & 2022.

BACKGROUND

Council is familiar with the fact that the Town's indoor and outdoor aquatic facilities require expensive rehabilitation and updates to extend their life and to meet the changing needs and expectations of the community. Many communities like Tillsonburg are facing the same challenge with respect to aging and out-of-date infrastructure.

Facility Condition Analyses performed in 2017 as part of the Town's Asset Management Planning identified the need for an estimated \$2,275,000 asset management expenditure on these facilities during the 2018-2020 timeframe. These expenditures would bring the facilities into a 'state of good repair' at a status quo design. So far in 2018 and 2019, the Town has budgeted \$384,000 for this purpose (mostly at the Waterpark), leaving an estimated need of \$1,891,000 for 2020. This amount by itself represents more than the entire 2019 taxation-

funded capital funding envelope, leaving very little room for other capital priorities. Deferring this needed expense will compromise the ability of the indoor facilities to continue providing service at the level that Tillsonburg is accustomed to, and has already compromised the service level of the outdoor facility.

The update provided to Council in June (RCP 19-27 – Aquatic Facility Needs and Concepts) included a recap of the choices before Council as summarized by the consultants Monteith Brown and the high-level cost implications of each of those choices. This report provides more detail and staff recommendations with respect to the choices.

Indoor Aquatic Facilities

The Aquatics Facility Needs and Concepts report from Monteith Brown that was provided to Council in April includes the following recommendations, assuming that Council wishes to implement changes beyond 'status quo' that align with the community's indicated wishes and operational pressures:

- Add warm water/therapeutic opportunities
- Improve barrier-free accessibility
- Add family/universal changerooms
- Improve access control (circulation)
- Provide adequate (more) storage
- Consolidate aquatics administration space

MJMA considered these recommendations and other ideas in their conceptual design work which was also provided to Council in April. The proposed expansion potentially achieves all of the above improvements as well as the rehabilitation of the existing pool and deck at an estimated cost of \$20.67 million.

A project of this scale is only possible for a municipality the size of Tillsonburg when other levels of government participate, and the current Investing in Canada Infrastructure Program (ICIP) could provide up to 73% of the cost, leaving the Town's contribution in the range of \$5.6 million.

Council tasked the Memorial Park Revitalization Advisory Committee and the Recreation & Sport Advisory Committee (the Committees) with considering the future direction for aquatic facilities and providing a recommendation. In June, the Committees provided the following recommendation:

THAT the Memorial Park Revitalization and Recreation & Sports Advisory Committees recommend to Council that the future of indoor aquatics is critical and that they support continued work to determine the best options to have the aquatic facilities modernized through accessibility improvements, family change rooms, therapeutic and warm water.

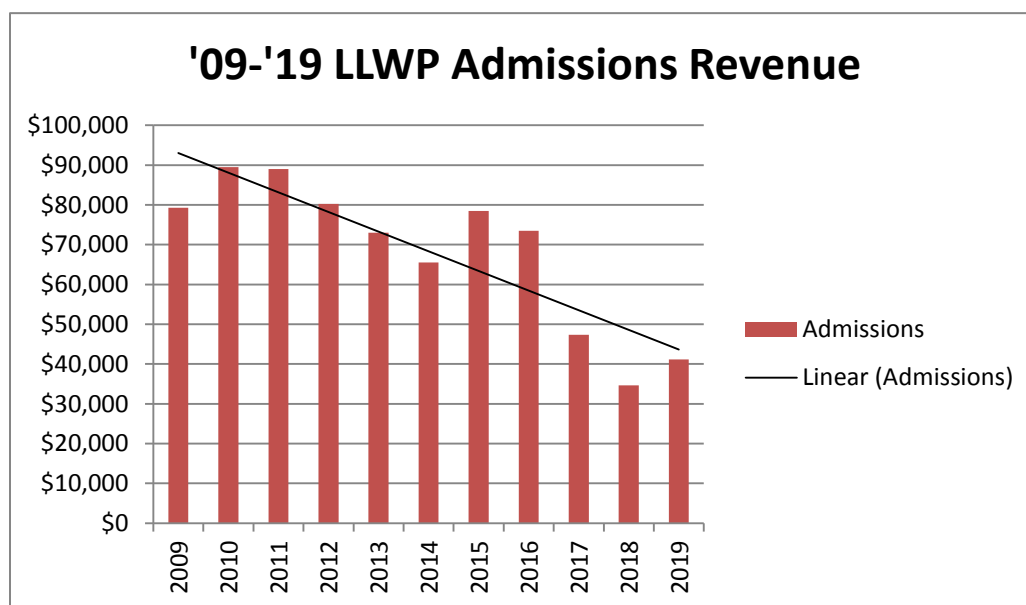
The Committee's recommendation reflects the greatest long-term value to Tillsonburg and area residents, provided that infrastructure funding grants are successfully obtained. If Council concurs with the Committee's recommendation, staff recommend that an application to the ICIP intake be prepared that aligns with the priorities of the community as presented in the Monteith Brown Aquatics Facility Study and using the concepts developed by MJMA.

At minimum, staff recommends that the Town implement the 2018-2020 asset renewal work in 2020 at the indoor facility to bring the facility to a 'state of good repair.' This will require an estimated \$1.1 -1.5 million for replacement of the ceramic tiles on the deck, changeroom floors, and in the pool tank as well as mechanical system replacements. It will also require a pool shutdown for 6-10 weeks to complete the work. This project will be brought forward as part of the 2020 draft capital budget as a fall-back position if ICIP funding is not secured in the current intake. There will be other infrastructure grant intake windows in the future and in the mean-time, carrying out this work will ensure the existing indoor facilities can continue to provide the current level of service.

Outdoor Aquatics Facilities

The Aquatics Facility Needs and Concepts report from Monteith Brown identifies that the priority decision that Council must make with respect to the long-term future of the facility is whether to stay in the waterpark business or not. Other decisions fall out from there. The report outlines the industry trends and summarizes the Tillsonburg facility's performance over the last 4-5 years.

The preliminary 2019 summer visitor count and admission revenue are significantly higher than that of 2018 which was the first year without an operational waterslide compounded by terrible summer for weather. However, it appears that the trend of year-over-year decline is continuing with admission results lower than 2017, a historically bad year due to water clarity issues.



(Note: 2019 results are preliminary)

Admission revenue has declined by about 50% over the last 10 years. This result indicates that the demand for the type of experience offered in Tillsonburg, while extremely valued by those who do attend, is no longer at a level where the estimated \$1.07 million cost to refurbish the pool, waterslide and mechanical aspects of the facility to 'a state of good repair' is warranted. This capital cost alone represents almost 24 years of admission revenue at 2019 levels, without taking any operating costs into account. If infrastructure grant funding is obtained through a program like the ICIP to reduce the local contribution required, the Town would still need to contribute approximately \$290,000 to the project.

To attempt to attract a larger visitor base (i.e. more admissions) will require a change in the experience offered. This means at minimum, a further \$833,000 estimated cost to refurbish the existing building, or an estimated \$3.47million to renovate the building to current accessibility and amenity standards. Expanded water play elements (e.g. lazy river or a 2nd waterslide) or Disney-esque thematic elements (e.g. Treasure Island or Jurassic Park) would change the experience offered but cost estimates for this type of major re-imagining of the facility begin at another \$500,000 and go up from there. Given recent performance, the business case for making this level investment is very poor, especially for a single-season outdoor facility.

Having considered all of the above, in June, the Committees provided Council with the following recommendation regarding outdoor aquatic facilities:

THAT the Memorial Park Revitalization Advisory Committee and Recreation & Sports Advisory Committee recommend to Council that the Lake Lisgar Water Park facility be demolished and replaced by a splash pad facility.

The Committee's recommendation reflects a fiscally responsible direction for Tillsonburg and area residents, especially when the opportunity to leverage ICIP funding is available. Including the demolition and replacement of the outdoor facility with a splash pad as part of the ICIF grant application at an approximate cost of \$1.06 million would require the Town to contribute \$286,000.

If Council supports the recommendation of the Committees, staff recommends that the LLWP be operated in 2020 at a status-quo level for a final year to provide a pool option next summer while the indoor pool work is done if the grant is unsuccessful. If the grant application is successful, then the demolition and replacement can begin after the end of the 2020 season in time for completion in 2021.

Comparison Projects

At the Council meeting of July 8, 2019, the following resolution was passed:

Moved By: Councillor Gilvesy Seconded By: Councillor Rosehart

THAT staff investigate and report back to council as part of the aquatics report information on the renovation of the Ingersoll and Port Hope indoor pools which would include cost and scope of project, architect and any other information that may be deemed appropriate as to provide council with a comparative project based in a similar sized municipality.

Below are examples of projects with similar elements for comparison purposes including those from Ingersoll and Port Hope.

Maitland Recreation Facility (2004) - \$19 Million - 81,800 square feet
 Goderich, Ontario. Population 7,600
 Architect: Tillman Ruth Robinson

Demolished outdoor pool to replace with splash pad. Built a new indoor facility with an indoor pool including hot tub and slide, arena, walking track, fitness centre, gymnasium and all the change room and dressing room facilities, lounge, snack bar.

Malton Community Centre Pool Addition (2010-2011) - \$9 Million - 14,200 square feet
Mississauga, Ontario. Population 829,000
Architect: MacLennan Jaunkalns Miller Architects

The pool addition and change facilities expanded the existing Malton Community Centre and was delivered on a fast-track schedule to meet the Federal Infrastructure Stimulus funding deadline.

Clarkson Community Centre Pool Addition (2010-2011) - \$9.3 Million - 18,400 square feet
Mississauga, Ontario. Population 829,000
Architect: MacLennan Jaunkalns Miller Architects

A new aquatic centre building addition to the existing Clarkson Community Centre created a revitalized focal point. The new 25metre lap pool and leisure basin project was delivered on a fast-track schedule to meet the Federal Infrastructure Stimulus funding deadline.

Jack Burger Sports Complex Revitalization (2014-2016) - \$6.5 Million – 22,000 square feet
Port Hope, Ontario. Population 16,700
Architect: Tillman Ruth Robinson

The Municipality of Port Hope revitalized the pool area at the Jack Burger Sports Complex, including a new pool viewing area, change rooms, and added a family accessible change room, a community room and mezzanine space, elevator and accessible components. The existing pool portion of the building was demolished and rebuilt with new energy systems and a new pool. The Low E Ceiling in the arena was replaced, as well as the arena light fixtures.

Ingersoll Pool Roof Repair (2018-2019) - \$1 million
Ingersoll, Ontario. Population 12,750
Architect: N/A

Ingersoll repaired the pool roof and moved the gym and put in all new equipment looking over the pool. The project also included painting throughout the building. The roof component was approximately \$750,000. The new gym was approximately \$150,000.

Family changeroom renovation (2018-2019) - \$60,000
Kincardine, Ontario. Population 11,200
Architect: N/A

Renovated the family change room into a fully functioning change room by adding partitions to make 4 private changing stalls. In the change area where there was a curtain for privacy, two large private change rooms that are wheelchair accessible and have a manual hoist were created. The floor was refinished with tiles and three showers were added, one of which is wheelchair accessible.

FINANCIAL IMPACT/FUNDING SOURCE

Debt financing will have to be part of the funding solution for a project of this scope. Pursuing a project of this size will considerably constrain the Town's ability to finance other projects. However, the opportunity to pursue infrastructure funding and secure up to 73% of the project budget cost from other levels of government makes the project much more viable for the Town. Long term capital borrowing is facilitated through Oxford County often through Infrastructure Ontario. The rates are locked in for the term of the debenture and are currently less than 4%.

Implementing a capital fundraising program as a Tillsonburg Sesquicentennial Legacy Project could result in a substantial non-tax funding source for this project. A properly resourced fundraising project has the potential to secure the full municipal contribution, although a 50% target (\$3million) is more likely to be successful. Whichever project scope that Council approves for the aquatic facility upgrades, staff recommends that a capital fundraising program is established with a target of 50% of the expected municipal contribution.

Local service clubs have contributed significantly in the past towards establishing the existing aquatic facilities. Information similar to that provided to Council has been sent to these organizations to invite their feedback. The service clubs may be willing to participate in raising funds for the project.

Council should consider making an approach to neighbouring municipalities in Oxford and Elgin Counties where a considerable percentage of the users for Tillsonburg's aquatic facilities live. Securing one-time support for a capital project that reflects the benefit to their residents is a reasonable request. A similar approach was made in the run-up to the 2002-2004 arena renovation project with some area municipalities agreeing to contribute.

Given the therapeutic elements incorporated into the conceptual design, it is worth considering an approach to area health providers for participation in the project. A partnership like this may improve the likelihood of ICIF application success as well as some local financial support.

The approved 2019-2024 Development Charge study includes a \$44,177 allocation for an expansion to the health club facility in the Community Centre which could be used towards the Town's component of the overall project funding if the health club elements are included in the project.

COMMUNITY STRATEGIC PLAN (CSP) IMPACT

1. Excellence in Local Government
 - ☒ Demonstrate strong leadership in Town initiatives
 - ☒ Streamline communication and effectively collaborate within local government
 - ☒ Demonstrate accountability
2. Economic Sustainability
 - ☒ Support new and existing businesses and provide a variety of employment opportunities
 - ☐ Provide diverse retail services in the downtown core
 - ☐ Provide appropriate education and training opportunities in line with Tillsonburg's economy

3. Demographic Balance

- ☒ Make Tillsonburg an attractive place to live for youth and young professionals
- ☒ Provide opportunities for families to thrive
- ☒ Support the aging population and an active senior citizenship

4. Culture and Community

- ☒ Promote Tillsonburg as a unique and welcoming community
- ☒ Provide a variety of leisure and cultural opportunities to suit all interests
- ☒ Improve mobility and promote environmentally sustainable living

Report Approval Details

Document Title:	RCP 19-37 - Aquatic Facility Upgrades in Tillsonburg.docx
Attachments:	- RCP 19-27 - Aquatics Facility Needs and Concepts Update.complete.pdf - ICIP 2019 Program Guidelines.pdf
Final Approval Date:	Sep 5, 2019

This report and all of its attachments were approved and signed as outlined below:


Dave Rushton - Sep 4, 2019 - 12:20 PM

No Signature - Task assigned to David Calder was completed by workflow administrator Amelia Jaggard

David Calder - Sep 5, 2019 - 3:08 PM

No Signature - Task assigned to Donna Wilson was completed by workflow administrator Amelia Jaggard

Donna Wilson - Sep 5, 2019 - 3:08 PM

	Report Title	Aquatic Facility Needs and Concepts Update
	Report No.	RCP 19-27
	Author	Rick Cox, Director of Recreation, Culture & Parks
	Meeting Type	Council Meeting
	Council Date	June 24, 2019
	Attachments	<ul style="list-style-type: none"> • Future of Aquatics in Tillsonburg - High-Level Capital Costing Estimates

RECOMMENDATION

THAT Council receives Report RCP 19-16 – Aquatics Facility Needs and Concepts Update for information.

EXECUTIVE SUMMARY

Tillsonburg's indoor and outdoor aquatic facilities need considerable capital maintenance over the next several years if the services which ratepayers have become accustomed to are going to be maintained. The facilities are also not able to meet current standards with respect to amenities like family and barrier-free change rooms. Council heard presentations from Monteith Brown and MMJA in April and directed staff to review the material with advisory committees and report back in June. This report provides Council with an update on progress to date.

BACKGROUND

At the Council meeting of April 8, 2019 Council received two presentations from consultants. Monteith Brown provided Council with a report on their community survey results as well as the industry context with respect to indoor and outdoor aquatic facilities. The report identified several options for Council's consideration. Building on the work that Monteith Brown had done, MMJA prepared a conceptual design of a next-generation aquatic facility for Tillsonburg that incorporated the needs and wants identified in the community survey.

Council referred both reports to the advisory committees and subsequently to staff for a report and recommendations, and asked for a report back in June.

Since April 8, the Memorial Park Advisory Committee and the Recreation & Sport Advisory Committee have each reviewed the aquatics facility reports at separate meetings. The two committees also held a joint meeting on May 29 so that there was awareness in both committees of the same information, issues and thoughts. That joint session included an opportunity for members to walk around the waterpark and the tennis court area so that the existing conditions and the potential impact of any changes were front-of-mind.

In their presentation, Monteith Brown provided a flow chart of the strategic options that the Town has to consider. The Committees used that diagram to shape their discussion. The diagram is presented here:

Implementation Summary

Indoor Aquatics Strategy

Expand the Tillsonburg Community Centre

- Additional pool tank (warm water/leisure)
- Improved barrier-free accessibility
- Family changerooms
- Improved control and circulation
- Aquatics administration and storage space

Outdoor Aquatics Strategy

Evaluate Cost/Feasibility of Continued Operations for Lake Lisgar Waterpark

Not Deemed Feasible

Deemed Feasible

Relocate Waterplay Features to Tillsonburg Community Centre Pool

Construct Splash Pad

Refurbish or Reimagine Waterpark

- Structural and mechanical repairs
- Improved barrier-free accessibility
- Bath house redevelopment and/or expansion

Separating the discussion into consideration of the indoor aquatics strategy as separate from the outdoor aquatics strategy assisted the Committee members to keep the options clear. The committee was provided with the attached “High Level Capital Costing Estimates” for reference.

Indoor Aquatics Strategy

The existing indoor pool requires extensive refurbishment in the very near future to continue operations. Specifically, there are an estimated \$1.13million dollars in work required to the deck, pool tank, and mechanical systems. The community is also looking for improvements and modernization to the changerooms and barrier-free elements, as well as warm water and leisure pool options. The joint committee passed the following resolution with respect to the Indoor Aquatics Strategy:

Moved by: Dace Zvanitajs Seconded by: Terry Smith

THAT the Memorial Park Revitalization and Recreation & Sports Advisory Committees recommend to Council that the future of indoor aquatics is critical and that they support continued work to determine the best options to have the aquatic facilities modernized through accessibility improvements, family change rooms, therapeutic and warm water. Carried.

Outdoor Aquatics Strategy

The existing outdoor pool also requires extensive refurbishment in the very near future to continue operations. The top level decision related to the outdoor facility is whether or not the

Waterpark is deemed a feasible operation. If it is seen as feasible, then the options include refurbishment at an estimated cost of \$4.5million, or a reimagining of the waterpark at a cost upwards of \$5million. If the Waterpark is deemed not to be feasible, the options on the table range from demolition (\$392,000 estimated cost) to demolition and replacement with a splash pad (\$1.05million estimated cost) to demolition and consolidation adjacent to the indoor facility (\$3.9million estimated cost).

Discussion at the committee reflected the recent declining usage levels, the increased demand for splashpad style recreation, and the challenges presented to the taxpayers by the requirement for a continued operational subsidy. The joint committee passed the following resolution with respect to the Outdoor Aquatics Strategy:

Moved by Joan Weston Seconded by Chris Rosehart

THAT the Memorial Park Revitalization Advisory Committee and Recreation & Sports Advisory Committee recommend to Council that the Lake Lisgar Water Park facility be demolished and replaced by a splash pad facility.

Carried

This report provides Council with an update on progress to date. Staff will provide Council with a follow-up report at a future Council meeting with options and recommendations regarding potential next steps.

FINANCIAL IMPACT/FUNDING SOURCE

There are no direct financial implications of this report.

COMMUNITY STRATEGIC PLAN (CSP) IMPACT

1. Excellence in Local Government
 - ☒ Demonstrate strong leadership in Town initiatives
 - ☐ Streamline communication and effectively collaborate within local government
 - ☒ Demonstrate accountability
2. Demographic Balance
 - ☒ Make Tillsonburg an attractive place to live for youth and young professionals
 - ☒ Provide opportunities for families to thrive
 - ☒ Support the aging population and an active senior citizenship
3. Culture and Community
 - ☒ Promote Tillsonburg as a unique and welcoming community
 - ☒ Provide a variety of leisure and cultural opportunities to suit all interests
 - ☒ Improve mobility and promote environmentally sustainable living

Future of Aquatics in Tillsonburg - High-Level Capital Costing Estimates

Indoor Aquatic Strategy		Sub Component	Estimate	
	Option 1A: Refurbish existing pool & deck	Pool, deck, mechanical	\$	1,130,400
	Option 1B: Expand to include new tank/HC/changerooms	New Aquatics/HC	\$	19,540,437
Total Option 1: Refurbish and Expand			\$	20,670,837
Outdoor Aquatic Strategy				
LLWP is Feasible	Option 2A: Refurbish Waterpark	Pool, slide, mechanical	\$	1,067,000
		building (incl. new changerrooms)	\$	3,469,530
			\$	4,536,530
	Option 2B: Reimagine Waterpark	Pool, slide, mechanical	\$	1,067,000
		building (incl. new changerrooms)	\$	3,469,530
		New watepark elements	\$	500,000
			\$	5,036,530
LLWP not Feasible	Option 3: Close Waterpark	demolish/relandscape LLWP	\$	392,000
			\$	392,000
	Option 4: Close Waterpark & build splashpad			
	4A: Outdoor splashpad consolidated @ 45 Hardy	reconfigure Hardy & construct	\$	3,484,215
	4B: Outdoor splashpad @ LLWP location	construct using existing water/sanitary	\$	666,600
	4C: Outdoor splashpad other location*	construct and add water/sanitary	\$	916,600
			\$	1,058,600
			\$	1,308,600
*Assumes location is on Town-owned land				

NOTE: Cost estimates provided by MMJA, April 2019

**Investing in Canada Infrastructure Program – Community, Culture and Recreation
Funding Stream Ontario Program Guidelines**



**INVESTING IN CANADA INFRASTRUCTURE PROGRAM:
Community Culture and Recreation**

Program Guidelines

**Investing in Canada Infrastructure Program – Community, Culture and Recreation
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1. Overview – Investing in Canada Infrastructure Program

The Investing in Canada Infrastructure Program (ICIP) is a federal program designed to create long-term economic growth, build inclusive, sustainable and resilient communities and support a low-carbon economy.

Through the ICIP, the federal government is providing \$11.8 billion dollars in federal infrastructure funding to cost-share projects under the following four streams:

- Public Transit
- Green Infrastructure
- **Community, Culture and Recreation**
- Rural and Northern Communities

The Province of Ontario is a cost sharing partner in these programs. Under this intake of the Community, Culture and Recreation Funding stream, Ontario is supporting community infrastructure priorities across the province. Community infrastructure is defined as publicly accessible, multi-purpose spaces that bring together a variety of different services, programs and/or social and cultural activities to reflect local community needs.

Approximately \$407 million in federal funding and \$320 million in provincial funding will be available for the Community, Culture and Recreation stream over 10 years starting in 2019-20. At least \$30 million of federal funding must be carved out for off-reserve Indigenous projects.* The following breakdown defines the maximum cost-share percentages of total eligible costs.

	<u>Percentage</u>
Federal Contribution	40.00
Provincial Contribution	33.33
Applicant Contribution	26.67

The following breakdown defines the maximum cost-share percentages of total eligible costs for Indigenous recipients (e.g. First Nations, Indigenous communities and organizations).

	<u>Percentage</u>
Federal Contribution	75.00
Provincial Contribution	18.33
Indigenous Contribution	6.67

** **Note:** Projects with an Indigenous focus will not be limited to funding from the \$30 million federal carve out for off-reserve Indigenous projects. Indigenous applicants will also be eligible for funding under the broader stream.*

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2. Objectives Community, Culture and Recreation Stream

The Community, Culture and Recreation stream supports projects that improve access to and / or quality of community, cultural, and recreation priority infrastructure projects. Priority is given to projects that are community-oriented, non-commercial and open to the public. Projects must be completed prior to 2027-28.

In addition to federal criteria, **Ontario's objectives** for the current proposed Community, Culture and Recreation stream project intake are noted below. Projects will be assessed based on their alignment with these objectives:

- Meets community and user needs or service gap
- Promotes good asset management planning
- Represents good value for money
- Fosters greater accessibility

See sections 4 and 7 for more details on these assessment criteria.

The intake will include two categories of funding:

- **Multi-Purpose Category**
- **Rehabilitation and Renovation Category**

Note: *The Community, Culture and Recreation intake is a competitive process. Funding approval is not guaranteed. In addition, the Province may contact an applicant to request additional information or for clarification on information provided in the application form or supporting documentation.*

3. Applicant Eligibility

Eligible applicants under Ontario's Community, Culture and Recreation Funding stream are:

- Municipalities
- First Nations
- Other Indigenous communities / organizations
- Broader public sector organizations*
- Non-Profit organizations

** Broader public sector organizations include, for example, school boards, hospitals, colleges and universities.*

Note: *Joint projects between multiple eligible applicants, particularly those that service multiple communities, are encouraged and will be given additional consideration as part of the assessment process.*

Note: *Education and health care facilities are ineligible for funding, with the exception of those advancing Truth and Reconciliation Commission Calls to Action. However, broader public sector organizations that typically deliver health care and education could apply for projects outside*

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their core mandate as long as they meet federal and provincial criteria. For example, a school board could apply for funding to construct or renovate a community centre attached to a school.

4. Project Eligibility and Conditions

4.1 Eligible Projects

(1) Required Eligibility Criteria:

- a. A project must include a capital component. A project may also include pre-construction planning and design work; however, planning and design work are not eligible as stand-alone projects.
- b. A project must meet the outcome of improving access to and/or increasing quality of cultural, recreational and/or community infrastructure for Ontarians. Facilities must be publicly accessible.
- c. A project must meet the following minimum technical requirements:
 - i. Project meets federal criteria and is aligned with provincial objectives and priorities
 - ii. Demonstrated organizational capacity to implement the project
 - iii. Demonstrated ongoing financing to manage operating pressures without creating operating and/or capital cost-pressures for the Province, municipalities, Consolidated Municipal Service Managers and District Social Service Administration Boards, from new infrastructure
 - iv. Demonstrated availability of cost-shared funding to proceed with project
 - v. Demonstrated project readiness
 - vi. Operational plan developed (alignment with asset management plans for municipal projects)
 - vii. Demonstrated community need for proposed project/service (e.g., service delivery gap / lack of access to services)

For more details regarding these minimum criteria for evaluation, refer to Appendix A.

Note: *Applicants are permitted to use approved funding from other project-based capital programs to demonstrate ongoing financing and availability of cost-shared funding.*

(2) Eligible asset type*:

- recreation facilities (e.g., hockey arenas, multipurpose recreation centres, playing fields)
- cultural facilities (e.g., theatres, libraries, museums, cultural centres, civic squares, performing arts centres)
- community centres / hubs (e.g., multi-purpose spaces that bring together a variety of different services, community centres including recreation facilities)
- education and health facilities advancing Truth and Reconciliation Commission Calls to Action (e.g., funding for new and/or existing Indigenous healing centres, spaces in education facilities for traditional teaching/programming)

Note: applicants are encouraged to reach out to a [Regional Advisor](#) or the ICIP Community, Culture and Recreation team at ICIPculture@ontario.ca or 1-888-222-0174 if they have questions or need clarification.

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(3) Eligible project types:

a. Multi-Purpose Category:

This project category focuses on the principle of integrated service delivery to address identified service gaps. The individual project cap will generally be \$50 million in total project cost, but exceptions may be made in some cases. Eligible projects consist of:

- new build / construction projects
- larger scale renovation
- expansion of existing facilities.

b. Rehabilitation and Renovation Category

This project category focuses on maximizing the funding impact of small-scale projects that would improve the condition of existing facilities. The individual project cap is \$5 million in total project cost. Eligible projects consist of:

- renovation and rehabilitations to address functionality and use of existing facilities
- Small-scale improvements to address accessibility (e.g., hand rails, ramps, accessible doors/parking/elevators, wayfinding and signage etc.)
- Small new build / construction projects of recreation, cultural or community centre infrastructure (e.g., playing fields, tennis courts, small community squares)

Note: broader facilities that include ineligible components (e.g., community centres with a neighbourhood health centre component) can be scoped to apply for only eligible components.

Note: projects that focus on vulnerable populations (e.g., low income persons) and Indigenous people will be given additional consideration as part of the assessment process.

(4) Other requirements:

Projects must meet the following other criteria to be considered eligible:

- ✓ Capital components must be owned by an eligible entity.
- ✓ Projects must be substantially completed by March 31, 2027.
- ✓ Projects must be informed by and consistent with an applicants' asset management plan (municipalities only).
- ✓ Projects components must meet or exceed the requirement of the highest published accessibility standard in Ontario in addition to applicable provincial building codes and relevant municipal by-laws, and any applicable accessible design guidelines.
- ✓ Project components must meet or exceed any applicable energy efficiency standards for buildings outlined in the Pan-Canadian Framework on Clean Growth and Climate Change.

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- ✓ For joint projects with other eligible applicants, all applicants must also secure the endorsement of their projects by their respective municipal, CMSM/DSSAB or First Nation Band Council, board of directors, or governing body and provide the Ministry with evidence of such endorsement in the form of by-laws / resolutions / letters of agreement.
- **Integrated asset types:** Applicants must select only one primary project asset type but may integrate more than one eligible project asset type (e.g., community centre with adjoining hockey arena). Integrated projects must demonstrate that each component of the project for which the applicant is requesting funding meets eligibility requirements.
- **Asset ownership:** Municipalities must attest to owning the infrastructure assets put forward for funding.

4.2 Joint Projects

Joint projects between eligible applicants are encouraged. Joint projects are those where each **co-applicant contributes financially** to the project or to the operation of the facility. The cap may be flexible for joint projects. All applicants must meet the applicant eligibility criteria.

Joint projects may be larger than projects submitted by a single applicant, as joint applicants may combine the grant funding they request. Neighbouring communities are encouraged to work together to assess co-use of facilities to address service level gaps and to achieve economies of scale.

The lead applicant will be required to sign a transfer payment agreement with the province and also enter into a partnership agreement with the other eligible applicant(s) that will be contributing to the project. Funds will only be made available to the lead applicant, who is responsible for the financial management of the project and meeting provincial reporting requirements. Successful joint applicants are encouraged to enter into an agreement clearly setting out the nature of their relationship and key elements of the project in line with the Community, Culture and Recreation stream application and with funding approval described in the projects ICIP transfer payment agreement.

4.3 Other Project Conditions

Projects must comply with the following conditions to be considered eligible:

- (1) **Contract Award Date:** Contracts must be awarded after federal approval of funding.
Contracts awarded before approval of funding are not eligible for reimbursement.
- (2) **Energy standards:** Projects must meet or exceed any applicable energy efficiency standards for buildings outlined in the [Pan-Canadian Framework on Clean Growth and Climate Change](#).
- (3) **Accessibility standards:** Projects must meet or exceed the requirements of the highest published accessibility standard in a jurisdiction in addition to applicable provincial building codes and relevant municipal by-laws and accessible design guidelines.

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- (4) Asset management plans [municipalities only]:** Projects should be informed by an applicant's asset management plan as outlined in Asset Management Planning for Municipal Infrastructure Regulation, O. Reg. 588/17. This means the proposed project was identified based on the plan's prioritized lifecycle activities (e.g., construction, maintenance, renewal, rehabilitation, replacement, etc.) for the applicable asset category (e.g., community, recreation and cultural facilities). For example, if an applicant has identified recreation centre needs as a priority lifecycle activity within its asset management plan, then submission of a recreation centre project would be appropriate. Where a project is not based on an asset management plan, a strong rationale must be provided in the application form.

Note: project prioritization in an asset management plan does not apply in cases where the project assets are not owned by the municipality.

- (5) Supporting documentation [First Nations only]:** Projects should be identified in, or supported by, a 5-Year Capital Plan; a Comprehensive Community Plan; a Strategic Community Plan; an Asset Conditions Reporting System report; a Feasibility Study or Detailed Design. Where not based on a supporting document, a strong rationale must be provided. The province may request an electronic copy of one or more supporting documents during the project review stage.
- (6) Financial sustainability:** Projects must have a financial plan in place to operate the assets and not seek senior level government support for ongoing operational funding. First Nations applicants may have operational funding arrangements with the federal government that satisfy this condition.

5. Project Submission Process

5.1 Number of Project Submissions

Eligible applicants can apply for multiple projects.

5.2 Submissions and Funding Approval Steps

Step 1: Applicants must register or login online through the Province of Ontario's online grant portal, [Transfer Payment Ontario](#). Step by step support for working with the online grant portal are found [here](#). For full functionality, the support tool link must be opened in Internet Explorer.

Step 2: Applicants must fully complete one Community, Culture and Recreation funding stream application form and the applicable business case. Completion of **only one business case is required**; the business case must correspond to the funding stream. **The application form and the associated business case are available through the Transfer Payment Ontario online portal.** Please follow the prompts in the application form and business case to respond to each question.

Step 3 [joint projects]: A joint project submitted by multiple applicants must provide supporting documentation by way of an individual partner-member municipal council resolution, a band council resolution or board of directors' resolutions or letter of agreement, clearly stating the project name and applicant / recipient contribution to the project.

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Step 4: The application and required attachments (i.e., business cases, supporting documents, etc.) must be submitted through Transfer Payment Ontario by **11:59 p.m. EDT on November 12, 2019**. A scanned application form will not be accepted. Failure to meet submission requirements will result in an incomplete submission and the submission may be considered ineligible. **If you are unable to submit the application form through the Transfer Payment Ontario, please contact:** TPONCC@ontario.ca or call (416) 325-6691/(855) 216-3090.

Step 5: Once the completed application form has been submitted, an automated acknowledgement of receipt and a file number will be emailed to the applicant.

Step 6: Projects will be assessed by the province and nominated for federal government review and approval. **Provincial project nomination to the federal government does not guarantee funding approval.**

Step 7: Applicants will be notified of both successful and unsuccessful projects. Provincial staff will be available to provide feedback for unsuccessful projects, if requested.

Step 8: The province may request **applicants to provide an attestation** that the recipient share of funding to undertake and complete the project has been secured.

Step 9: Successful municipal applicants will be required to obtain a municipal by-law or council resolution; other applicants will be required to submit a board of directors' resolution or letter of agreement or band council resolution to execute the project level transfer payment agreement with the provincial government.

Step 10: The transfer payment agreement will require procurement to be executed through a value-for-money process. Projects must undertake a competitive pricing or tendering process to demonstrate value-for-money. Applicants may be requested by the province to provide:

- Copies of proposals or bids from three (3) bidders;
- Statement indicating selected bidder; and
- Written explanation if the lowest bid is not chosen.

6. Timelines

- Applications and all supporting documentations must be submitted through Grants Ontario by **11:59 p.m. EDT on November 12, 2019**.

Note: that applications will not be accepted after this time. All supporting documentation must also be submitted by the deadline in order to be considered part of the application. Applicants cannot change the proposed project after the application deadline unless extraordinary circumstances arise (e.g., destruction of an arena) and permission is granted by the province.

- The province will notify applicants if their project has been selected for nomination to the federal government for review and approval in **winter 2020 (estimated)**.
- Applicants will be notified of the federal funding decision in **spring/summer 2020 (estimated)**.
- Projects must be completed by **March 31, 2027**.

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7. Evaluation Process

7.1 Recipient Eligibility and Application Completeness

Recipients must meet Community, Culture and Recreation program eligibility requirements. Additionally, all mandatory fields of the application form must be populated correctly for a submission to be considered validated and complete. For more information, refer to Section 4 above regarding eligibility and to 4.1.4 regarding eligible categories of funding under the program.

7.2 Project Scope Review

Projects must meet federal project eligibility requirements, be technically viable and be achievable within the program timelines.

7.3 Alignment with Provincial Objectives

- a) Applicants must demonstrate that projects meet the following objectives under the Community, Culture and Recreation stream:
 - a. **Meets community and user needs:** identified and demonstrable community-level need or service gap, including barriers to social inclusion and accessibility for Ontarians with disabilities, and underserved small communities;
 - b. **Promotes good asset management:** demonstrates optimization of assets, including through multi-purpose and integrated service delivery; aligns with municipal asset management plans (municipalities only);
 - c. **Represents good value for money:** demonstrated efficiency and value for money. The most cost-effective option for delivering a similar level of service should be sought, maximizing population/communities served;
 - d. **Foster greater accessibility:** commitment to meeting minimum highest level of accessibility standards; use of Universal Design Principles and innovative solutions to increasing accessibility beyond minimum standards.

See Appendix A for details of the technical criteria associated with these objectives.

Note: Please refer to the Community, Culture and Recreation stream Business case on the Grants Ontario website.

7.3.1 Asset Management Planning

Ontario Regulation 588/17- Asset Management Planning for Municipal Infrastructure, or the Asset Management Planning Regulation sets out new requirements for undertaking municipal asset management planning. The regulation is being phased in over a 6-year period, with progressive milestone requirements for municipalities with respect to their asset management plans.

For clarity, at the time of application, the asset management plan used to inform the proposed project can be developed according to either the province's 2012 Guide ([Building together: guide for municipal asset management plans](#)) or the new asset management planning regulation.

As part of project reporting requirements, and to remain eligible for funding, successful municipal applicants are required to submit their updated asset management plans in

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accordance with the regulation for the duration of the project. For example, municipalities that have an active project in 2021 will be required to submit asset management plans developed in accordance with the first phase of the regulation. Please refer to the Appendix which summarizes key regulation milestones in 2021, 2023 and 2024 for municipal asset management plans.

For more information about asset management planning, as well as tools and supports available to help municipalities develop and improve their plans, please visit the <http://www.ontario.ca/assetmanagement>.

8. Financial, Contractual and Reporting Requirements

8.1 Maximum Project Costs

Rehabilitation and Renovation Category:

- The maximum total eligible cost per project for a single applicant is **\$5 million**
- For projects with multiple applicants (i.e., joint projects), each applicant can submit up to \$5 million of total eligible project costs. For example, a joint project with three eligible co-applicants can submit a project with a maximum total eligible project cost of **\$15 million**.

Multi-purpose Category:

- The maximum total eligible cost per project for a single applicant is **\$50 million**. The cap may be flexible for joint projects. Value for money will be a significant funding consideration. If an applicant's project exceeds \$50 million, please contact ICIPCculture@ontario.ca or call **1-888-222-0174**.

Note: Projects that have a total eligible cost of more than **\$10 million** must complete a federal climate lens assessment and report on community employment benefits. See Appendix for more information.

Note: Applicants must pay for all ineligible project costs as well as any cost over-runs experienced on a project. **Cost over-runs reflect any costs that exceed the total project cost submitted at the time of application.**

8.2 Cost Sharing

The following breakdown defines the maximum cost share percentages of the total eligible cost:

Applicant Type	Federal Cost Share (Max %)	Provincial Cost Share (Max %)	Applicant Cost Share (Min %)
Municipality	40%	33.33%	26.67%
Non-Profit	40%	33.33%	26.67%
BPS	40%	33.33%	26.67%
Indigenous Recipient	75%	18.33%	6.67%

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Note: The cost-sharing breakdown assumes municipal or Indigenous applicants own or have control over the asset being nominated for funding and is subject to change

For instance, this means that:

- An eligible municipality may request up to 73.33% of the total eligible costs.
- Indigenous recipient may request up to 93.33% of the total eligible costs.

8.3 Stacking of Funding

General:

- Applicants may combine funding received through the Community, Culture and Recreation funding stream and funding from another project-based capital program.
- Applicants can apply for a project at the same location as a project already receiving funding from another capital program where the project in question would be ineligible for Community, Culture and Recreation funding, but the applicant must clearly scope out the component that is unique to the Community, Culture and Recreation funding stream application.

Applicants who are not sure how to best combine funding are encouraged to contact a [Regional Advisor](#) or the ICIP Community, Culture and Recreation team at ICIPculture@ontario.ca or call **1-888-222-0174** before submitting an application.

8.4 Eligible Costs

Project **costs are eligible only if they are incurred after federal approval**. Eligible Expenditures will include the following:

- All costs considered by Canada and Ontario to be direct and necessary for the successful implementation of an eligible Project, and which may include third party costs such as project management, capital costs, construction and materials, design / engineering and planning, contingency costs (25% maximum), and costs related to meeting specific Program requirements, including completing climate lens assessments (see Note 2 below) and creating community employment benefit plans;
- The incremental costs of employees of a Recipient may be included as Eligible Expenditures for a Project under the following conditions:
 - The Recipient is able to demonstrate that it is not economically feasible to tender a contract; and
 - The arrangement is approved in advance and in writing by Canada and Ontario.
 - *Note: Applicants submitting for these costs must submit a rationale for the use of own-force labour when the application is submitted.*

Note 1: Contracts must be awarded after federal approval of funding. Contracts awarded before approval of funding are not eligible for reimbursement.

Note 2: Costs associated with completing **climate lens assessments, which are eligible before project approval, but can only be paid if and when a project is approved by Canada** for contribution funding under contracts

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Note 3: *Capital costs are only eligible once the project receives notification that Canada is satisfied that the applicant has met its Duty to Consult and Environmental Assessment requirements. Before this notification is received, no site preparation, vegetation removal or construction may take place.*

8.5 Ineligible Costs

When a project meets a federal outcome in the Community, Culture and Recreation Infrastructure stream, it is not eligible for funding if it:

- has a private sector, for-profit Ultimate Recipient;
- is a stand-alone daycare facility, for-profit daycare facility, daycare facility associated with a school board, or a daycare facility funded under Canada's Early Learning and Child Care initiative;
- is a religious site that serves as a place of assembly for religious purposes, which includes among others, a site, church, mosque, synagogue, temple, chapel (e.g., within a convent or seminary), shrine or meeting house; or
- is a professional or semi-professional sport facility that is primarily a commercial operation, such as those that serve major junior hockey leagues.

Other ineligible project costs include:

- Costs incurred *before* federal project approval and all expenditures related to contracts signed prior to federal project approval, *except* for expenditures associated with completing climate lens assessments
- Costs incurred for cancelled projects
- Costs related to health or education functions (except for those advancing *Truth and Reconciliation Commission* Calls to Action)
- Acquisition or leasing of land, buildings and other facilities
- Leasing equipment other than equipment directly related to the construction of the project
- Real estate fees and related costs
- Financing charges
- Legal fees
- Loan interest payments including those related to easements (e.g. surveys)
- Costs of completing the application
- Taxes, regardless of rebate eligibility
- Any goods and services costs which are received through donation or In-kind
- Staff costs, unless *pre-approved* by the federal and provincial governments
- Operating costs and regularly scheduled maintenance work
- Costs related to furnishing and non-fixed assets which are not essential for the operation of the project
- Costs that have not been claimed for reimbursement by March 31 of year following the year in which the costs were incurred (e.g., costs incurred between April 1, 2018 and March 31, 2019 must be submitted for reimbursement no later than March 31, 2020).

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- All capital costs, including site preparation and construction costs, until Canada has confirmed in writing that environmental assessment and Indigenous consultation obligations have been met and continue to be met.
- All costs related to any component of the project other than the approved scope

A more detailed list of eligible and ineligible expenditure categories will be provided in individual project level contribution agreements.

8.6 Payments

Funding is claims based and will be reimbursed upon review and approval of eligible costs under transfer payment agreements. Reimbursement of claims is based on the cost sharing percentage. The claims process requires Recipients to submit claims for the Ministry's review, approval and submission to Canada and for Canada's review and approval once received from Ontario. The claims format will be outlined in individual contribution agreements.

All costs must be incurred by March 31, 2027. **Recipients are required to keep all receipts/invoices and claims as they are subject to audit by the province or the federal government.**

Note: A holdback of 10% may be applied to payments under the program. The holdback would be released upon successful completion of all reporting requirements following project completion.

8.7 Contractual Obligations

Successful applicants will be required to sign a provincial contribution agreement containing clauses regarding, among other things, items such as insurance, arm's length requirements, communications (including project signage), reporting requirements, and obligations with respect to consultations with Indigenous groups.

Successful applicants will be required to obtain a municipal council resolution or board of director/governing body resolution or letter of agreement to execute the project level contribution agreement with the province. Joint applicants will be required to enter into a joint partnership agreement and must provide a copy of that agreement to Ontario. For cases where the applicant is not the asset owner, the province will provide additional support to coordinate the execution of the transfer payment agreement.

Successful municipalities will also be required to complete an Asset Management Self-Assessment prior to signing their contribution agreement.

8.8 Reporting Requirements

Specific reporting requirements will be outlined in individual transfer payment agreements.

9. Consultations with Indigenous Peoples

The Government of Canada, the Government of Ontario and municipalities may have a duty to consult and, where appropriate, accommodate Indigenous peoples (e.g., First Nation and Métis communities) where an activity is contemplated that may adversely impact an established or asserted Aboriginal or treaty right.

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Before providing funding to a project, the Government of Ontario will assess whether its duty to consult obligations are engaged. If the duty to consult is triggered, Ontario may delegate the procedural aspects of consultation to project proponents. Therefore, it is important that all applicants recognize that a duty to consult process may be necessary and appropriately plan for this work (e.g., resources, time, etc.) as part of their funding submission. *The application form contains preliminary questions to begin considering the potential that a duty to consult may exist.*

Consultation requirements will vary depending on the size and location of the project in question and the depth and scope of the project's potential adverse impacts on Aboriginal treaty rights. For successful applications, the province will provide further details in writing surrounding specific consultation requirements, including which communities require consultation. Throughout the duration of the project applicants should ensure they are fulfilling the duty to consult requirements delegated to them.

10. Further Information

Please contact a [Regional Advisor](#) or the ICIP Community Culture and Recreation team can be reached by telephone at

1-888-222-0174 or by email at ICIPculture@ontario.ca.

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Appendix A – Technical Criteria

The province will assess and prioritize projects for federal nomination and funding based on the following criteria, aligned with provincial objectives:

Provincial Objective A: Meets Community and User Needs

Criterion 1: Community Need

Applications must demonstrate that the proposed project is filling a clearly identified and documented service level gap and that there is a need in the community for the services that will be provided. Applicants should demonstrate that community members are in need of proposed services, and that the project will provide them with access to the required services. This may include both quantitative elements (e.g., demographic data), and qualitative elements (e.g., evidence that the community lacks access to services). Additional consideration will be given to projects focusing on vulnerable populations and/or Indigenous people (First Nations, Métis and Inuit populations).

Criterion 2: Funding Need for Proposed Project

Projects will be assessed according to greater funding need, including the cost of the proposed project per household, median household income and weighted property assessment per household. **Note:** for Indigenous Communities, proxy values may be applied.

In general, applicants with greater funding need (i.e., higher project cost per household, lower median household income, lower weighted property assessment per household) will be more competitive in the evaluation process. However, applicants **must still be able to fund all project costs and potential cost over-runs to be eligible for funding.**

Applicants should clearly note whether user fees or other sources of revenue are collected at the facility.

Provincial Objective B: Promotes Good Asset Management

Criterion 3: Provincial Land-Use Planning

Projects must be aligned and support the expected and required provincial priorities and outcomes, as set out in provincial land use policy, provincial land use plans, and municipal official plans and supported by policy direction in the Provincial Policy Statement (PPS).

Criterion 4: Efficiencies Through Joint Projects

Additional consideration will be given to joint projects for providing benefit to multiple communities and generating efficiencies and community benefits.

Criterion 5: Project Readiness

Applications must demonstrate that planning is underway and that the projects are ready to begin, to ensure completion within federal timelines.

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Provincial Objective C: Represents Good Value for Money

Criterion 6: Financial Risk Assessment and Due Diligence

The Province will conduct a financial risk assessment to ensure that sufficient resources are available to support project completion, including coverage of any cost overruns. Projects should have a financial plan in place to operate the assets and not seek senior level government support for operational funding. The Province may request additional supporting documentation upon review of the application.

Criterion 7: Organizational Capacity for Implementation

Projects will be evaluated based on organizational capacity. Organizations must demonstrate capacity to carry out capital project and implement the requested project and to manage ongoing costs related to operating the facility. Applicants must demonstrate that organizations (or partners) have sufficient funding to commit to the project (i.e., funding in place for the cost-shared amount, or demonstrated ability to fundraise the required amount).

Criterion 8: Developed Operational Plan

Applicants must demonstrate that there is a strong operational plan in place for the ongoing operation of the facility. This will include alignment with asset management plans for municipalities and may include memoranda of understanding for joint projects/partnerships.

Provincial Objective D: Fosters Greater Accessibility

Criterion 9: Accessibility

Applications must demonstrate that projects will meet the highest published accessibility standards in alignment with the Accessibility for Ontarians with Disabilities Act (AODA) and the Ontario Building Code. Projects will additionally be evaluated based on exceeding minimum standards; use of Universal Design Principles, accessible guidelines and innovative solutions to increasing accessibility.

Appendix B – Federal Program Parameters

In the event of any conflict, contradiction or inconsistency in interpretation, the federal language in the Appendix shall prevail over summaries provided in the body of the guidelines.

I. Eligible Recipients

Eligible recipients for the Community, Culture and Recreation funding stream, subject to the terms and conditions of the Canada-Ontario ICIP Agreement, include:

- a) An Ontario municipal or regional government established by or under provincial statute;
- b) An Ontario's broader public sector organizations (school boards, hospitals, colleges and universities). These entities can apply for funding of projects outside of their regular business. However, core business functions are not eligible (e.g., health and education services).
- c) Non-profit organizations
- d) First Nations and Indigenous Communities

Investing in Canada Infrastructure Program – Community, Culture and Recreation Funding Stream Ontario Program Guidelines

II. Procurement

- Successful applicants must award **third-party** contracts in a way that is fair, transparent, competitive and consistent with value-for-money principles, or in a manner otherwise acceptable to Canada, and if applicable, in accordance with the *Canadian Free Trade Agreement* and international trade agreements. Applicants must adopt a value for money procurement approach. Any requests for sole source procurement exemptions will be evaluated on a case-by-case basis and requires **pre-approval** by the federal and provincial governments. **Sole source procurement is not encouraged as approval is not guaranteed.** (Refer to Section 4.5 above)

III. Climate Lens Assessment

Applicants with projects that have a **total eligible cost of \$10 million or more** are required to complete a climate lens assessment using methodologies developed by the federal government after federal government approval of the project. The climate lens assessment consists of two potential assessments for projects being brought forward for funding which include a greenhouse gas (GHG) mitigation assessment and a climate change resilience assessment. Visit Infrastructure Canada's [Climate Lens – General Guidance](#) webpage for information on how to complete the assessment.

Costs associated with completing climate lens assessments are eligible before project approval but can only be paid if and when a project is approved by Canada for contribution funding under this Agreement.

Applicants are permitted to defer the Climate Lens assessment at the time of application, with the rationale that the Climate Lens assessment will be conducted during the detailed design phase of the project.

Applicants can contact the [Climate Services Support Desk](#) to obtain standardized climate lens data that can be used to support the completion of climate lens assessments.

IV. Community Employment Benefits

Applicants with projects that have a **total eligible cost of \$10 million or more** are required to report on community employment benefits provided to at least three federal target groups (apprentices - from traditionally disadvantaged communities, Indigenous peoples, women, persons with disabilities, veterans, youth, new Canadians, or small-medium-sized enterprises and social enterprises). Visit the Community Employment Benefits General Guidance webpage for more information. Additional details on this reporting will be provided to Recipients when applicable.

V. Environmental Assessment

No site preparation, vegetation removal or construction will occur for a Project and Canada and Ontario have no obligation to pay any Eligible Expenditures that are capital costs, as determined

Investing in Canada Infrastructure Program – Community, Culture and Recreation Funding Stream Ontario Program Guidelines

by Canada and Ontario, until Canada and Ontario are satisfied that the federal requirements are met and continue to be met:

- Requirements under the *Canadian Environmental Assessment Act, 2012* (CEAA, 2012),
- other applicable federal environmental assessment legislation that is or may come into force during the term of this Agreement, and;
- other applicable agreements between Canada and Indigenous groups (also referred to as Indigenous Peoples).

VI. Indigenous Consultation

No site preparation, vegetation removal or construction will occur for a Project and Canada and Ontario have no obligation to pay any Eligible Expenditures that are capital costs, as determined by Canada and Ontario, until Canada and Ontario is satisfied that any legal duty to consult, and where appropriate, to accommodate Indigenous groups (also referred to as Indigenous Peoples) or other federal consultation requirement has been met and continues to be met. If required, Canada must be satisfied that for each Project:

- a) Indigenous groups have been notified and, if applicable, consulted;
- b) If applicable, a summary of consultation or engagement activities has been provided, including a list of Indigenous groups consulted, concerns raised, and how each of the concerns have been addressed, or if not addressed, an explanation as to why not;
- c) Accommodation measures, where appropriate, are being carried out by Ontario or the Ultimate Recipient and these costs may be considered Eligible; and
- d) Any other information has been provided that Canada may deem appropriate.

**Investing in Canada Infrastructure Program – Community, Culture and Recreation
Funding Stream Ontario Program Guidelines**

Appendix C – Asset Management Regulation Phase-In Schedule [municipalities only]

Asset Management Plan


Ontario Regulation 588/17- Asset Management Planning for Municipal Infrastructure, or the Asset Management Regulation sets out new requirements for undertaking asset management planning. The regulation will be phased in over a 6-year period, with progressive requirements for municipalities with respect to their asset management plans.

Asset Management Phase-in Schedule

Date	Milestone
July 1, 2019	Date for municipalities to have a finalized strategic asset management policy that promotes best practices and links asset management planning with budgeting, operations, maintenance and other municipal planning activities.
July 1, 2021	Date for municipalities to have an approved asset management plan for core assets (roads, bridges and culverts, water, wastewater and stormwater management systems, arenas, theatres) that identifies current levels of service and the cost of maintaining those levels of service.
July 1, 2023	Date for municipalities to have an approved asset management plan for all municipal infrastructure assets that identifies current levels of service and the cost of maintaining those levels of service.
July 1, 2024	Date for municipalities to have an approved asset management plan for all municipal infrastructure assets that builds upon the requirements set out in 2023. This includes an identification of proposed levels of service, what activities will be required to meet proposed levels of service, and a strategy to fund these activities.

Recipients will also be required to complete an Asset Management Self-Assessment prior to signing their TPA.

For more information about asset management planning, as well as tools and supports available to help municipalities develop and improve their plans, please visit the <http://www.ontario.ca/assetmanagement>.

	Report Title	Auditorium Kitchen Upgrade Update
	Report No.	RCP 19-38
	Author	Rick Cox, Director of Recreation, Culture & Parks
	Meeting Type	Council Meeting
	Council Date	September 9, 2019
	Attachments	

RECOMMENDATION

THAT Report RCP 19-38 Auditorium Kitchen Upgrade Update be received, as information.

EXECUTIVE SUMMARY

Council directed staff to provide an update on the status of the Lions Auditorium Kitchen Upgrade project.

BACKGROUND

At the August 12, 2019 Council meeting, the following resolution was passed:

THAT Staff provide an update report on the Lions Auditorium Kitchen upgrade at the September 9, 2019 Council Meeting.

As of the preparation of this report, the electrical work awarded earlier this year has almost been completed. The new high-temperature dishwasher will be installed in September. The electrical work exposed the optical fibre connection to the building leaving it vulnerable to damage. The fibre will be disconnected to re-route it through new conduit, and this work will require the network connection to the building be shut down for several hours.

Quotes obtained to replace the stove exhaust hood and fire suppression system exceed the purchasing threshold for staff approval and require a tender process with award to be approved by Council. It is anticipated this tender will come to Council for approval in October.

The implementation of this project has been carefully staged so that each component can be completed and costs confirmed before the next large commitment is made. As of the preparation of this report, the project work is 70% completed.

FINANCIAL IMPACT/FUNDING SOURCE

The kitchen upgrade project has an approved budget of \$150,000 from the 2017 budget. To date, \$60,111 has been spent, with a further \$26,000 committed. The remaining allocation of \$63,889 is prioritized for the exhaust hood and fire suppression, and any remaining funds after that work is completed will be used for purchase of equipment (e.g. holding cabinets, cooler, rolling carts).

COMMUNITY STRATEGIC PLAN (CSP) IMPACT

1. Excellence in Local Government
 - ☐ Demonstrate strong leadership in Town initiatives
 - ☐ Streamline communication and effectively collaborate within local government
 - ☒ Demonstrate accountability
2. Economic Sustainability
 - ☒ Support new and existing businesses and provide a variety of employment opportunities
 - ☐ Provide diverse retail services in the downtown core
 - ☐ Provide appropriate education and training opportunities in line with Tillsonburg's economy
3. Demographic Balance
 - ☒ Make Tillsonburg an attractive place to live for youth and young professionals
 - ☒ Provide opportunities for families to thrive
 - ☒ Support the aging population and an active senior citizenship
4. Culture and Community
 - ☒ Promote Tillsonburg as a unique and welcoming community
 - ☒ Provide a variety of leisure and cultural opportunities to suit all interests
 - ☒ Improve mobility and promote environmentally sustainable living

Report Approval Details

Document Title:	RCP 19-38 - Auditorium Kitchen Upgrade Update.docx
Attachments:	
Final Approval Date:	Sep 4, 2019

This report and all of its attachments were approved and signed as outlined below:

Dave Rushton - Sep 4, 2019 - 12:18 PM

No Signature - Task assigned to David Calder was completed by workflow administrator Donna Wilson

David Calder - Sep 4, 2019 - 12:48 PM

No Signature - Task assigned to Donna Wilson was completed by workflow administrator Amelia Jaggard

Donna Wilson - Sep 4, 2019 - 1:14 PM



The Corporation of the Town of Tillsonburg

Cultural, Heritage and Special Awards Advisory Committee

August 7, 2019

5:30 p.m.

Suite 203, 200 Broadway, 2nd Floor

MINUTES

Present:

Deb Beard, Rosemary Dean, Mark Dickson, Penny Esseltine, James Murphy and Collette Takacs.

Regrets:

Terry Fleming, Vernon Fleming, Erin Getty, Carrie Lewis.

Also Present:

Amelia Jaggard, Legislative Services Coordinator

Mandy Byrnes, President, Tillsonburg and Area Optimist Club

Karlee Slattery, Board Member, Tillsonburg and Area Optimist Club

Regrets:

Patty Phelps, Culture and Heritage Manager/Curator

1. Call to Order

The meeting was called to order at 5:32 p.m.

2. Adoption of Agenda

Proposed Resolution #1

Moved by: Rosemary Dean

Seconded by: James Murphy

THAT the Agenda as prepared for the Cultural, Heritage and Special Awards Advisory Committee meeting of August 7, 2019, be adopted.

Carried.

3. Disclosures of Pecuniary Interest and the General Nature Thereof

There were no disclosures of pecuniary interest declared.

4. Adoption of Minutes of Previous Meeting

Proposed Resolution #2

Moved by: James Murphy

Seconded by: Deb Beard

THAT the Minutes of the Cultural, Heritage and Special Awards Advisory Committee meeting of June 5, 2019, and the Minutes of the Cultural, Heritage and Special Awards Advisory Committee special meeting of June 20, 2019, be approved.

Carried.

5. Presentations/Deputations

~~5.1. Cultural Grant Application—Tillsonburg Tri County Fair Talent Show~~

The application was withdrawn.

5.2. Cultural Grant Application – Santa Clause Parade

Mandy Byrnes, President of the Tillsonburg and Area Optimist Club and Karlee Slattery, Board Member, were present and provided an overview of the plans for this year's Santa Clause Parade.

The Tillsonburg and Area Optimist Club will be resubmitting their Cultural Grant Application for review at the September 4, 2019 committee meeting.

An updated financial statement will be submitted that more accurately reflects the previous year.

The Club is requesting funds for bands and hopes to update the float belonging to the Club.

It was suggested to install a sound system on the Club's float to improve Santa's ability to communicate with the crowd.

It was suggested to request that the Glendale High School Band perform.

Mandy Byrnes and Karlee Slattery left at 5:50 p.m.

6. General Business & Reports

~~6.1. Cultural Grant Application—Tillsonburg Tri County Fair Talent Show~~

The application was withdrawn.

6.2. Cultural Grant Application – Santa Clause Parade

To be discussed when an updated application is received.

6.3. Volunteer of the Month Nomination

Motion:

Moved by: Deb Beard

Seconded by: Mark Dickson

THAT the committee select Chris Kelly to be recognized as the Volunteer of the Month for September 2019.

AND THAT staff schedule the award presentation for the Council meeting of Monday, September 9, 2019.

Carried.

Staff to request more information about the nominee and his work with the Tillsonburg Soccer Club to be included in the award presentation.

7. Correspondence

8. Other Business

9. Next Meeting

Wednesday, September 4, 2019 at 5:30 p.m. at the Corporate Office in Suite 203.

10. Adjournment

Proposed Resolution #3

Moved by: Rosemary Dean

Seconded by: James Murphy

THAT the August 7, 2019 Cultural, Heritage and Special Awards Advisory Committee meeting be adjourned at 6:04 p.m.

Carried.



The Corporation of the Town of Tillsonburg

Tillsonburg Transit Advisory Committee

August 20, 2019

10:00 a.m.

Suite 203, 200 Broadway, 2nd Floor

MINUTES

Present:

Cindy Allen, David Brown, Sherry Hamilton, Pete Luciani, Lynn Temoin, Carolijn Verbakel and John Verbakel.

Regrets:

Kathryn Leatherland

Also Present:

Kevin De Leebeeck, Director of Operations
Amelia Jaggard, Legislative Services Coordinator
Alex Piggott, Transit Coordinator

Regrets:

David Calder, Chief Administrative Officer

1. Call to Order

The meeting was called to order at 10:03 a.m.

2. Adoption of Agenda

Proposed Resolution #1

Moved by: Pete Luciani

Seconded by: Lynn Temoin

THAT the Agenda as prepared for the Tillsonburg Transit Advisory Committee meeting of August 20, 2019, be adopted.

Carried.

3. Disclosures of Pecuniary Interest and the General Nature Thereof

There were no disclosures of pecuniary interest declared.

4. Adoption of Minutes of Previous Meeting

Proposed Resolution #2

Moved by: Carolijn Verbakel

Seconded by: Pete Luciani

THAT the minutes of the Tillsonburg Transit Advisory Committee dated July 16, 2019, be approved.

Carried.

5. Presentations/Deputations

None.

6. General Business & Reports

6.1. T:GO Transit

6.1.1. Draft Transit Survey

Staff reviewed transit surveys from other municipalities.

It was suggested to put an emphasis on “public transit” as many people do not realize TGO is a public transit system.

It was suggested to include a question which asks transit users if there are any other locations they want included as stops on the route.

Staff to send online survey to committee members for trial.

It was suggested to publish the survey in the fall after implementing the communications and marketing plan.

The survey will be available online and in print. Physical copies will be made available on the TGO bus and in municipal offices.

It was suggested to include a question which asks transit users if they would utilize evening bus service and Saturday bus service.

The BTS Network proposed in 2018 to offer Saturday bus service starting the last Saturday in November through to the end of December to promote shopping local. This will be offered again in 2019.

Staff noted that advertising opportunities to offset operating costs will be explored in the future.

6.1.2. Draft Communications & Marketing Plan

Staff noted that the Tillsonburg Newspaper will be utilized for advertising through the Towns weekly information page.

Staff are exploring opportunities for shared promotion with neighbouring municipalities when promotions begin for the Inter-Community Routes. This promotion cannot begin until after October 21st or the upcoming Federal Election

It was suggested to explore advertising in SNAPD for the Inter-Community Routes.

Staff have delivered TGO posters and brochures to numerous locations within the community including the Tillsonburg and District Multi-Service Centre, Tillsonburg District Memorial Hospital, Tillsonburg Public Library etc.

Staff will be presenting the TGO information at local institutions.

Staff will distribute TGO brochures to local schools once classes resume in September.

Retail locations have begun selling TGO tickets.

Motion:

Moved by: John Verbakel

Seconded by: Cindy Allen

THAT the committee endorse the communications and marketing plan as presented.

Carried.

6.1.3. Report OPS 19-35 TGO Fare Structure & Launch Update

Staff to add information regarding income tax deductions for public transit passes on the website under frequently asked questions.

6.1.4. Action Item Summary

Staff to provide TGO promotional passes to the Special Olympics representative Pat Benoit for distribution.

6.1.5. Style of bus

Discussed under item 6.2.1.

6.2. Inter-Community Transit

6.2.1. Draft Routes & Schedule

The consultant (IBI Group) is currently reviewing the routes and schedule to ensure they are economical and logical.

It was suggested to explore opportunities for integration with other transit systems and ensure that layover times in other communities are appropriate for appointments, etc.

Staff noted that the style of the bus used will have to be in accordance with the inter-community transit agreement. The style of bus must meet AODA requirements.

According to regulation if a bus is not equipped with an announcement system or a pull lever system, the bus driver is required to make a verbal announcement of what the next stop is on the route.

Item to be brought forward on the next Agenda.

7. Correspondence

8. Other Business

9. Next Meeting

Tuesday, September 17, 2019, at 10:00 a.m. at the Corporate Office in Suite 203,
200 Broadway, Tillsonburg, ON.

10. Adjournment

Proposed Resolution #3

Moved by: Cindy Allen

Seconded by: Pete Luciani

THAT the August 20, 2019 Tillsonburg Transit Advisory Committee meeting be
adjourned at 11:28 a.m.

Carried.



The Corporation of the Town of Tillsonburg

TILLSONBURG AIRPORT ADVISORY COMMITTEE

August 15, 2019

5:30 p.m.

Tillsonburg Regional Airport Boardroom
244411 Airport Rd., South-West Oxford

MINUTES

ATTENDANCE

David Brandon, Dan Cameron, Jeff Dean, Valerie Durston, Deb Gilvesy, Geoffrey Lee, John Prno, Mark Renaud **Staff:** Annette Murray, Dan Locke, Kevin De Leebeeck

Guests: Chris Rosehart, Dwayne Shephard (ERTH), David Bell (HM Aero – by telephone), Adam Martin (HM Aero)

MEMBERS ABSENT/REGRETS

Euclid Benoit, Valerie Durston, Jeffrey Miller, Jeremy Stockmans

1. Call to Order

The meeting was called to order at 5:30 p.m. Mark Renaud sat as the Chair and John Prno acted as Recording Secretary for the meeting.

2. Adoption of Agenda

Resolution #1

Moved By: Deb Gilvesy

Seconded By: Dan Cameron

THAT the Agenda as prepared for the Airport Advisory Committee meeting of August 15, 2019, be adopted.

Carried

3. Disclosures of Pecuniary Interest and the General Nature Thereof

None Declared

4. Adoption of Minutes of Previous Meeting

4.1. Minutes of the Meeting of June 20, 2019

Resolution #2

Moved By: Dan Cameron

Seconded By: Deb Gilvesy

THAT the Minutes of the Tillsonburg Airport Advisory Committee Meeting of June 20, 2019, be approved.

Carried

5. Delegations and Presentations

5.1. EARTH Corporation – Hydro Options

Given that the Tillsonburg Airport is proposing to build seven additional general aviation hangars, EARTH Corporation was hired to evaluate hydro options for this development. Dwayne Shephard from EARTH Corporation updated the Committee on their findings. Previous discussions with Hydro One had indicated that the Airport had exceeded the amount of transformation on site and that any additional transformation would require installation of primary metering or a three phase line from Hwy 19 at the Airport's expense. Further discussions between EARTH and Hydro One have now revealed the ability to add additional services to be fed from existing transformers on the Airport property. The seven currently proposed general aviation hangars can thus be powered without costly infrastructure changes. With regards to expansion beyond the proposed general aviation hangars, the Committee agreed to continue exploring the two future options (primary metering and three-phase power) and to do a similar hydro evaluation for the commercial side of the Airport.

5.2. HM Aero – Airport Feasibility Study

Adam Martin and Dr. David Bell from HM Aero introduced the study mandate to the committee, explained their work to date, and led the Committee members in a discussion on what is working well at the airport and what could work better. They noted their first impression of an airport with good infrastructure, that is busy and well maintained. The restaurant and credit card fueling station were two items of particular note. Discussion took place about the need to speed up decision making... "to get on with the job, do it well and do it quickly." The ultimate goal for any airport is to be an attractive place for new business

and a good place for existing business, while generating income into the community. Their report is expected in the fall.

6. General Business & Reports

6.1. Business Arising

6.1.1 Taxiway Paving Project Update

Kevin De Leebeeck updated the Committee. The paving at the Airport is part of the town's annual paving program that has most of the in-town work done during the spring. Costing for the work on the Taxiway G3 extension and commercial apron rehab is being reviewed next week with Dufferin Construction expected to mobilize for the work in September.

6.1.2 New Hangar Update

Dan Locke updated the Committee on hangar development activities. There are currently five signed agreements in place with two sets of drawings submitted to the Town's Chief Building Official for review. Others are pending. Dan expects four of these five hangars to be constructed this year.

The Committee felt that upon completion of this year's construction, it would be a good opportunity to obtain feedback from the new hangar owners on the development process and how it could be improved. Staff agreed to follow up.

6.1.3. Follow up on Proposed Charter Event

Chair Renaud presented a report on the early planning activities surrounding the proposed charter event. He and other committee members noted the high level of community interest around the proposed event. Suitable airplane availability is the issue causing the most difficulty, given the current 737MAX grounding and peak summer travel season. It was decided that moving to a Spring 2020 date would address this issue and that planning efforts should continue.

6.2. Feedback from Tenant Open House with HM Aero

Chair Renaud updated the committee on the Tenant Open House held last evening, and summarized the five follow up items needed:

- Better communication with airport tenants, users, pilots and public via a regular automated e-mail update.
- One cohesive document/process for operations and development at the airport in the form of a manual.
- A marketing plan for the Airport.
- Investigating a courtesy car or other means of transportation for customers who fly into the Airport.
- Promotion of the Sky-Way Café as part of the overall marketing plan.

7. Correspondence

None

8. Other Business

None

9. Closed Session

None

10. Next Meeting

The next meeting of the Airport Advisory Committee will be on Sept. 19, 2019 at 5:30 p.m.

11. Adjournment

Resolution #3

Moved By: David Brandon

Seconded By: Jeff Dean

THAT the Airport Advisory Committee Meeting of August 15, 2019 be adjourned at 7:50 p.m.



**LONG POINT REGION CONSERVATION AUTHORITY
BOARD OF DIRECTORS MINUTES of July 3, 2019
Approved September 4, 2019**

Members in attendance: Dave Beres, Robert Chambers, Michael Columbus, Valerie Donnell, Tom Masschaele, Stewart Patterson, John Scholten and Peter Ypma
Staff in attendance: J. Maxwell, A. LeDuc, L. Minshall and D. McLachlan
Regrets: Kristal Chopp, Roger Geysens and Ken Hewitt

The meeting was called to order at 6:35 pm Wednesday July 3, 2019 in the Tillsonburg Administration Office Boardroom.

ADDITIONAL AGENDA ITEMS

MOTION A-88/19 moved: J. Scholten seconded: P. Ypma

THAT the Board of Directors add a deputation by Mary Weber under "Deputations" as item 4 to the July 3, 2019 agenda.

CARRIED

MOTION A-89/19 moved: P. Ypma seconded: S. Patterson

THAT the Board of Directors add "Staff Comments Re: Deputation" under "New Business" as item 10 (g) to the July 3, 2019 agenda.

CARRIED

DECLARATION OF CONFLICTS OF INTEREST

None

DEPUTATIONS

a) Flooding in Long Point

Ms. Weber made a presentation to Norfolk County and brought it to the Conservation Authority for information only. She and other property owners are concerned with the amount of flooding along the shoreline at Lake Erie, and especially Hastings Drive, Long Point. The public road that is Hastings Drive has been closed due to the flooding. Property owners are seeking advice and are requesting quick action to be taken by all concerned parties.

MOTION A-90/19 moved: P. Ypma seconded: T. Masschaele

THAT the LPRCA Board of Directors receives the deputation from Mary Weber re: Flooding in Long Point" as information.

FULL AUTHORITY COMMITTEE MEMBERS

Dave Beres, Robert Chambers, Kristal Chopp, Michael Columbus, Valerie Donnell, Roger Geysens, Ken Hewitt, Tom Masschaele, Stewart Patterson, John Scholten, Peter Ypma

CARRIED

MINUTES OF PREVIOUS MEETINGS

No questions or comments.

MOTION A-91/19 moved: S. Patterson seconded: V. Donnell

THAT the minutes of the Board of Directors Regular Meeting held June 5, 2019 be adopted as circulated.

CARRIED

BUSINESS ARISING

None

REVIEW OF COMMITTEE MINUTES

a) Backus Museum Committee Minutes

MOTION A-92/19 moved: S. Patterson seconded: D. Beres

THAT the minutes from the Backus Museum Committee meeting of May 6, 2019 be received as information.

CARRIED

CORRESPONDENCE

None

DEVELOPMENT APPLICATIONS

a) **Staff Approved applications**

Staff approved 21 applications over the past month. LPRCA-70/19, LPRCA-86/19, LPRCA-93/19, LPRCA-95/19, LPRCA-100/19, LPRCA-101/19, LPRCA-103/19, LPRCA-105/19, LPRCA-106/19, LPRCA-107/19, LPRCA-108/19, LPRCA-109/19, LPRCA-113/19, LPRCA-114/19, LPRCA-119/19, LPRCA-121/19, LPRCA-122/19, LPRCA-123/19, LPRCA-124/19, LPRCA-125/19 and LPRCA-127/19.

MOTION A-93/19 moved: D. Beres seconded: S. Patterson

That the Board of Directors receives the Staff Approved Section 28 Regulation Applications report dated June 25, 2019 as information.

CARRIED

FULL AUTHORITY COMMITTEE MEMBERS

Dave Beres, Robert Chambers, Kristal Chopp, Michael Columbus, Valerie Donnell, Roger Geysens, Ken Hewitt, Tom Masschaele, Stewart Patterson, John Scholten, Peter Ypma

b) New applications

The Planning Department recommended approval for three applications: one major repair to a shoreline protection structure, one vacation home replacement and one new vacation home.

The Board asked who is responsible for shoreline protection? Shoreline protection is the owner's responsibility and some municipalities may choose to fund a project. Staff also noted that there hasn't been a government grant available for shoreline protection since approximately 1996.

MOTION A-94/19

moved: S. Patterson

seconded: D. Beres

THAT the LPRCA Board of Directors approves the following Development Applications contained within the background section of the report:

- A. For Work under Section 28 Regulations, Development, Interference with Wetlands & Alterations to Shorelines and Watercourses Regulations (R.R.O. 1990 Reg. 178/06),*

LPRCA-120/19

LPRCA-129/19

LPRCA-130/19

- B. That the designated officers of LPRCA be authorized to complete the approval process for this Development Application, as far as it relates to LPRCA's mandate and related Regulations.*

CARRIED

NEW BUSINESS

a) GENERAL MANAGER'S REPORT

The GM highlighted some of the recent operational activities of the various departments. The backordered transformer has arrived and been installed. A new hydro pole is expected to be installed shortly so that Hydro One can make the connections. The target move-in date for campers is July 12th.

On Friday June 28th, the Minister and Parliamentary Assistant from the Ontario Ministry of Natural Resources and Forestry requested the use of the pond at Backus to help kickoff Family Fishing Week. There was an opportunity to have an informal meeting with them which was attended by the GM, Chair and staff of Backus.

MOTION A-95/19

moved: S. Patterson

seconded: D. Beres

THAT the LPRCA Board of Directors receives the General Manager's Report for June 2019 as information.

FULL AUTHORITY COMMITTEE MEMBERS

Dave Beres, Robert Chambers, Kristal Chopp, Michael Columbus, Valerie Donnell,
Roger Geysens, Ken Hewitt, Tom Masschaele, Stewart Patterson, John Scholten, Peter Ypma

CARRIED**b) MARKETING UPDATE**

The GM reviewed the report detailing the various promotional items, publications, and advertisements for this summer. There are still radio ads with giveaways running, and social media promotions are ongoing.

MOTION A-96/19

moved: D. Beres

seconded: S. Patterson

THAT the LPRCA Board of Directors receives the report on the current and upcoming marketing initiatives for 2019 as information.

CARRIED**c) CHRISTMAS OPERATING SCHEDULE**

Traditionally, LPRCA has closed down operations (except for emergency response) over the Christmas-New Year period. Staff proposed a similar process for 2019. The Board has traditionally granted a complimentary day off with pay for those staff working that time of year and LPRCA staff will be required to utilize two vacation days for this shutdown period or take time off without pay.

MOTION A-97/19

moved: V. Donnell

seconded: R. Chambers

THAT the LPRCA Board of Directors closes operations (except for emergency response) from December 25/19 to January 1/20 inclusive, and

THAT staff working at that time be granted one complimentary day off with pay; and

THAT staff be required to utilize two (2) vacation days during the closure period or take unpaid leave - along with three statutory holidays.

CARRIED**d) STRATEGIC PLAN UPDATE**

Staff provided a review of the process to date in updating the Strategic Plan for 2019-2023. The Strategic Planning Committee had their first meeting with senior staff May 15th; managers then reviewed the current Strategic Plan with their departments and received feedback from staff. A draft Plan is proposed to be presented to the Committee August 28th.

MOTION A-98/19

moved: R. Chambers

seconded: P. Ypma

THAT the LPRCA Board of Directors receives LPRCA STRATEGIC PLAN 2019 – 2023 Update Report as information.

CARRIED

FULL AUTHORITY COMMITTEE MEMBERS

Dave Beres, Robert Chambers, Kristal Chopp, Michael Columbus, Valerie Donnell,
Roger Geysens, Ken Hewitt, Tom Masschaele, Stewart Patterson, John Scholten, Peter Ypma

e) TIMBER TENDER – LP317-19 GESQUIERE TRACT

Two bids were received by the June 21st deadline and the winning bid was at the top end of the expected range.

MOTION A-99/19

moved: R. Chambers

seconded: V. Donnell

THAT the LPRCA Board of Directors accepts the tender submitted by Springwater Mills for marked standing timber at the Gesquiere Tract – LP-317-19 for a total tendered price of \$46,000.

CARRIED**f) HEARING PROCEDURES POLICY UPDATE**

The changes made to the Hearing Procedures Policy are administrative resulting from the updates to the *Conservation Authorities Act*, for example, Mining and Lands Commissioner has changed to the Mining and Lands Tribunal; and the updated schedules (samples).

MOTION A-100/19

moved: R. Chambers

seconded: V. Donnell

THAT the LPRCA Board of Directors approves the Administrative Amendment to the LPRCA Hearing Procedures Policy.

CARRIED**g) STAFF COMMENTS RE: DEPUTATION**

Staff explained that LPRCA policies, and policies across the province, say development shouldn't be allowed in high hazard areas. Property owners within Norfolk and Haldimand Counties have been encouraged by LPRCA staff to floodproof and take other measures to help protect life and property in these areas, and especially in these extreme situations.

In 2018, the Board approved a simplistic, not engineer-designed, emergency shoreline protection remedy, that some of the property owners had requested, to replace/repair current shoreline protection and fill gaps between properties.

Staff noted that the water levels on Lake Erie are 82cms above average and 13cms above the record high set in 1986. This is an unusual situation with the other upstream great lakes also higher than normal. There is concern that the issue may continue into next year.

A first draft Turkey Point and Long Point Safety Strategy had been prepared in cooperation with Norfolk County for submission to the Province as part of the Norfolk County Official Plan review. Staff suggested working again with Norfolk County staff to

FULL AUTHORITY COMMITTEE MEMBERS

Dave Beres, Robert Chambers, Kristal Chopp, Michael Columbus, Valerie Donnell,
Roger Geysens, Ken Hewitt, Tom Masschaele, Stewart Patterson, John Scholten, Peter Ypma

complete the Safety Strategy.

MOTION A-101/19 moved: R. Chambers seconded: P. Ypma

THAT the LPRCA Board of Directors does now enter into a closed session to discuss:

- ☐ *Personal matters about an identifiable individual, including employees of the Authority*
- ☐ *Litigation or potential litigation, including matters before administrative tribunals (e.g. Local Planning Appeal Tribunal), affecting the Authority*

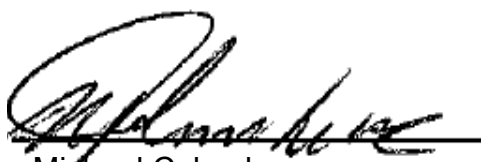
CARRIED

MOTION A-102/19 moved: R. Chambers seconded: D. Beres

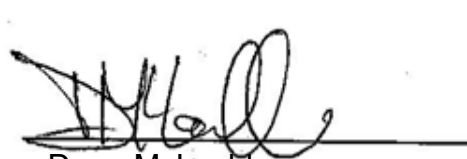
THAT the LPRCA Board of Directors does now adjourn from the closed session.

CARRIED

The Chair adjourned the meeting at 8:10pm.



Michael Columbus
Chair



Dana McLachlan
Administrative Assistant

FULL AUTHORITY COMMITTEE MEMBERS

Dave Beres, Robert Chambers, Kristal Chopp, Michael Columbus, Valerie Donnell,
Roger Geysens, Ken Hewitt, Tom Masschaele, Stewart Patterson, John Scholten, Peter Ypma



**LONG POINT REGION CONSERVATION AUTHORITY
BOARD OF DIRECTORS MINUTES (Conference Call) of August 7, 2019
Approved September 4, 2019**

Members in attendance: Dave Beres, Robert Chambers, Kristal Chopp, Michael Columbus, Roger Geysens, Tom Masschaele, Stewart Patterson and Peter Ypma
Staff in attendance: J. Maxwell, L. Minshall and D. McLachlan
Regrets: Valerie Donnell, Ken Hewitt and John Scholten

The LPRCA Chair called the meeting to order at 1:00 PM, Wednesday August 7, 2019.
The roll was called.

ADDITIONAL AGENDA ITEMS

None

DECLARATION OF CONFLICTS OF INTEREST

None

DEVELOPMENT APPLICATIONS

a) New applications

The Planning Department recommended approval for three applications; all are replacement structures.

MOTION A-103/19 moved: D. Beres seconded: R. Geysens

THAT the LPRCA Board of Directors approves the following Development Applications contained within the background section of the report:

A. For Work under Section 28 Regulations, Development, Interference with Wetlands & Alterations to Shorelines and Watercourses Regulations (R.R.O. 1990 Reg. 178/06),

LPRCA-136/19

LPRCA-151/19

LPRCA-156/19

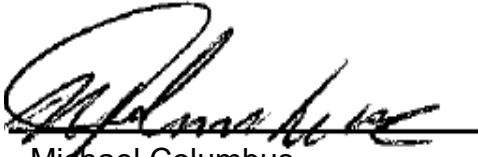
B. That the designated officers of LPRCA be authorized to complete the approval process for this Development Application, as far as it relates to LPRCA's mandate and related Regulations.

CARRIED

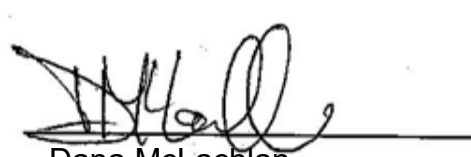
FULL AUTHORITY COMMITTEE MEMBERS

Dave Beres, Robert Chambers, Kristal Chopp, Michael Columbus, Valerie Donnell, Roger Geysens, Ken Hewitt, Tom Masschaele, Stewart Patterson, John Scholten, Peter Ypma

The Chair adjourned the meeting at 1:10 PM.



Michael Columbus
Chair



Dana McLachlan
Administrative Assistant

FULL AUTHORITY COMMITTEE MEMBERS

Dave Beres, Robert Chambers, Kristal Chopp, Michael Columbus, Valerie Donnell,
Roger Geysens, Ken Hewitt, Tom Masschaele, Stewart Patterson, John Scholten, Peter Ypma

**THE CORPORATION OF THE TOWN OF TILLSONBURG
BY-LAW 4338**

A BY-LAW, To Amend By-Law 4260, to Appoint Directors to the Board of Management of the Tillsonburg Business Improvement Area (BIA) Established by The Corporation of The Town of Tillsonburg.

WHEREAS it is deemed necessary and expedient to amend By-Law 4260.

BE IT THEREFORE ENACTED by the Council of the Corporation of the Town of Tillsonburg as follows:

1. THAT By-Law 4260 be amended to remove John Scott and Marcel Rosehart as members of the BIA Board of Management;
2. THAT these amendments to By-Law 4260 are hereby declared to be part of that By-Law as if written therein;
3. THAT this By-law shall come into full force and effect upon passing.

READ A FIRST AND SECOND TIME THIS 9th day of SEPTEMBER, 2019.

READ A THIRD AND FINAL TIME AND PASSED THIS 9th day of SEPTEMBER, 2019.

MAYOR – Stephen Molnar

DEPUTY CLERK – Lana White

**THE CORPORATION OF THE TOWN OF TILLSONBURG
BY-LAW 4339**

A BY-LAW To Appoint a By-Law Enforcement Officer.

WHEREAS the Municipal Act , 2001 S.O. 2001, c.25, authorizes council to appoint officers and employees as may be necessary for the purposes of the corporation, or for carrying into effect any Act of the Legislature or by-law of the council;

AND WHEREAS Section 15(1) of the Police Services Act R.S.O. 1990, c.P. 15, authorizes the Council of any municipality to appoint one or more Municipal Law Enforcement Officers, who shall be peace officers for the purposes of enforcing the by-laws of the municipality;

AND WHEREAS the Council of the Corporation of the Town of Tillsonburg deems it necessary and expedient to appoint a By-law Enforcement Officer to enforce by-laws enacted by the Council of the Corporation of the Town of Tillsonburg.

THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF TILLSONBURG ENACTS AS FOLLOWS:

1. THAT Cameron Cyr is hereby appointed as a By-law Enforcement Officer for the Corporation of the Town of Tillsonburg.
2. THAT this By-law shall come into full force and effect upon passing.

READ A FIRST AND SECOND TIME THIS 9th day of SEPTEMBER, 2019.

READ A THIRD AND FINAL TIME AND PASSED THIS 9th day of SEPTEMBER, 2019.

MAYOR – Stephen Molnar

DEPUTY CLERK – Lana White

THE CORPORATION OF THE TOWN OF TILLSONBURG

BY-LAW 4340

A BY-LAW To Adopt an RZone Policy.

WHEREAS Section 270(1) of the Municipal Act, 2001 states that a municipality shall adopt and maintain policies with respect to the manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public.

AND WHEREAS the Council of the Corporation of the Town of Tillsonburg is desirous of adopting the RZone Policy.

BE IT THEREFORE ENACTED by the Council of the Corporation of the Town of Tillsonburg as follows:

1. THAT the RZone Policy attached hereto as “Schedule A” is hereby adopted and forms part of this by-law;
2. THAT this By-Law shall come into full force and effect upon passing.

READ A FIRST AND SECOND TIME THIS 9th day of SEPTEMBER, 2019.

READ A THIRD AND FINAL TIME AND PASSED THIS 9th day of SEPTEMBER, 2019.

MAYOR – Stephen Molnar

DEPUTY CLERK – Lana White



RECREATION, CULTURE AND PARKS

Policy 9-009: RZone Policy

Approval Date: September 9, 2019

Approval Authority: Council, By-Law 4340

Effective Date: September 9, 2019

Next Scheduled Review Year: 2023

Department: Recreation, Culture and Parks

Last reviewed: Month, DD, YYYY

Revision Date/s:

Schedules:

Policy Statement:

Tillsonburg's properties include facilities such as arenas, swimming pools, parks, skate parks, trails, community centre, sports fields and associated parking lots. These properties provide residents with opportunities to enjoy social and recreational activities in a safe and positive environment.

Tillsonburg operates programs and properties that encourage public participation and is committed to ensuring the safety of all participants, spectators, volunteers and staff in accordance with the Occupiers' Liability Act, the Ontario Human Rights Code, The Occupational Health and Safety Act, the Trespass to Property Act, the Criminal Code, municipal by-laws and policies and other provincial legislation.

Throughout Tillsonburg, many programs, services and facilities are operated and managed by community volunteers. Tillsonburg wants to ensure that they have the ability to volunteer in a safe and positive environment. The user groups or contract holders utilizing Tillsonburg's facilities and property must take PRIMARY responsibility for the behaviour of all individuals associated with their usage of the facility or property; this includes the athletes, coaches, officials, spectators, volunteers, renters and users.

Purpose:

The RZone Policy requires persons using a Town facility, park or program to respect others and take responsibility in helping the Town maintain a safe and comfortable environment for all participants, spectators, volunteers and staff. They have the right to expect that others will behave in a manner consistent with a safe and positive environment in public spaces. With this right comes the responsibility to be accountable for actions/behaviours that put the safety of others at risk. The RZone Policy helps to ensure that inappropriate behaviours are dealt with in an equitable and consistent manner.

The Town of Tillsonburg will have zero tolerance for inappropriate behavior, violence, indecency or vandalism within its programs or properties, and will take appropriate action where necessary to deal with these incidents.

Scope:

The policy applies to all Tillsonburg Properties (including indoor and outdoor facilities) and activities that are being conducted on all of the properties – both structured (permit issued) and unstructured (no permit issued) and to all patrons and guests.

The aim of this policy is to ensure that measures are in place so that incidents of inappropriate behaviour, violence, indecency, or vandalism do not occur on its properties. Circumstances not addressed in this policy or exceptions to this policy will be addressed on a “case by case” basis.

Policy Goals:

1. To provide a comfortable, respectful and safe environment for patrons and guests of the Towns programs and properties.
2. To provide a comfortable, respectful and safe work environment for Town of Tillsonburg staff and community volunteers. This policy will be applied in coordination with Tillsonburg’s respect in the workplace, workplace harassment and violence policies.
3. To recognize and meet the needs of all Tillsonburg programs and properties to implement zero tolerance when dealing with inappropriate public conduct on Tillsonburg property.
4. To reduce or eliminate violence on town properties, both indoor and outdoor.
5. To increase the level of awareness of users regarding appropriate behaviour and the importance of a positive and supportive environment.
6. To ensure that wireless internet connections in Town of Tillsonburg facilities are used in keeping with the respectful and decent tone of a public facility used by children and families.
7. To outline the process that will be implemented to address inappropriate behaviour, violence, vandalism and the inappropriate use of technology.

Definitions:**Community Volunteer**

- a) A representative of a community hall group;
- b) A representative of a field management group; or
- c) A representative of a community group sponsoring a recognized Town of Tillsonburg special event.

Contract Holder

- a) An individual who assumes personal responsibility for the contract;
- b) Designated representative of a recognized minor or junior sports association; or
- c) Legal entity or corporation.

Harassment

For the purpose of this policy, harassment is defined as engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome” as defined by the Ontario Human Rights Code and covered by the Town of Tillsonburg’s Workplace Violence and Workplace Anti-Violence, Harassment and Sexual Harassment Policies.

Inappropriate Behaviours and/or Violence

For the purposes of this policy, the definitions of inappropriate behaviour and/or violence, inappropriate use of technology and vandalism include but are not limited to:

- Refusal to abide by specific program or facility rules and any contravention of Town by-laws, policies or procedures
- Verbal assaults (profanity and/or loud verbal assaults including racial or ethnic slurs, directed at participants, spectators, referees, staff and volunteers)
- Threats or attempts to intimidate
- Throwing of articles in a deliberate or aggressive manner
- Aggressive approaches to another individual
- Attempts to goad or incite violence in others
- Physical striking of another individual
- Theft of property
- Vandalism
- Harassment
- Possession of weapons
- Participation in any illegal act on Town of Tillsonburg Property (i.e. drugs, drinking, use of tobacco products in areas designated tobacco free, etc.)

Inappropriate Use of Technology

For the purposes of this policy, inappropriate use of technology includes but is not limited to:

- Using technology devices to photograph images of participants, spectators, Town of Tillsonburg staff or volunteers without their express written consent using technology device(s) for illegal or criminal purposes.
- Invading or attempting to invade another person’s privacy
- Sending or receiving documents, websites or pages that contain lewd, illegal or offensive materials via internet.
- Viewing, producing or exhibiting lewd, illegal or offensive materials, either hard copy or using technology devices.
- Sending or creating viruses, worms and other invasive computer programs
- Hacking or other unauthorized access or attempts thereof
- Illegal downloading or copying software or data.

Regular User Sport Group

Resident or non-resident sport organizations, that rent facilities on a weekly basis for the applicable sport season.

Rzone

Respect for yourself; Respect for others; and Responsibility for your actions.

Staff

Incident Review and follow-up staff shall mean the Director of Recreation Culture and Parks and the Recreation, Programs and Services Manager.

RZone Appeals Committee

Senior Leadership Team except the Director of Recreation Culture and Parks

Vandalism

For the purpose of this policy, vandalism is defined as the deliberate act of destruction or damage to Town of Tillsonburg owned property, buildings, or equipment. Examples of vandalism include but are not limited to:

- Glass breakage
- Graffiti
- Theft
- Arson

Enforcement Procedures:

In accordance with the Occupiers' Liability Act, the Occupational Health and Safety Act, the Trespass to Property Act, the Criminal Code, municipal by-laws and policies and other provincial legislation, contract holders and community volunteers are authorized to initiate enforcement options at Town of Tillsonburg programs and properties.

In the event that the contract holder or community volunteer cannot control the situation:

1. When possible, Town of Tillsonburg facility staff will be asked for assistance; or
2. In the event that Town of Tillsonburg facility staff are not available, the contract holder and/or community volunteer will contact the Ontario Provincial Police (OPP) for assistance.

When inappropriate behaviour, violence, vandalism or inappropriate use of technology is witnessed:

1. Assess situation to determine if policy should be enacted.
2. Request that the identified party, without jeopardizing one's safety, cease the inappropriate behaviour and/or violence immediately.
3. Advise the identified party that failure to cease the inappropriate behaviour, violence, vandalism or inappropriate use of technology that jeopardizes the safety of others or themselves, will result in police being called and advise they will be considered to be trespassing.
4. If the individual refuses to cease inappropriate activity, do not engage in argument or physical confrontation, call the police (911) and report the individual(s) immediately.
5. Advise authorized staff of the situation, if applicable.

6. Complete all aspects of the RZone Incident Form and submit to **the Director of Recreation, Culture and Parks within three (3) business days of the incident.**
7. Incident will be reviewed by Recreation, Culture & Parks staff.
8. Follow up action will be taken and documented.

Incident Review and Follow-up:

This process will be administered by the Recreation, Culture and Parks department upon receipt of an RZone Incident Report.

1. Staff will review the RZone Incident Form. As well, staff may view available video of the occurrence and follow up with interviews if necessary.
2. Staff will contact the Ontario Provincial Police to determine if a report has been filed and obtain any further information or details related to the incident.
3. Should the incident be associated with a contract holder or community volunteer at the time of occurrence, staff will work with the contract holder or community volunteer to determine the details of the incident.
4. Staff (and the contract holder or community volunteer, if applicable) will meet with the individual(s) responsible for the inappropriate behaviour, violence, vandalism or inappropriate use of technology to review the suspension and issue the letter of suspension. Facility staff, contract holder and/or community volunteer and the police will be notified when applicable and copied regarding outcome of the investigation.
5. Should the individual(s) choose not to meet, a letter of suspension will be sent by staff utilizing registered mail (if address is known).
6. Should the incident involve damages to a Town of Tillsonburg facility or result in increased maintenance, an invoice for recover of repair of damages, including materials and labour and an administrative fee will be charged.
7. There will be no reconsideration by the Town of Tillsonburg with respect to the length of the suspension time given, unless new information becomes available.
8. Following the fifth (5th) anniversary of a reported incident, with no further contraventions of this policy, the individual's record will be expunged.

Appeal Process:

Individuals may appeal an RZone suspension by using the following process:

1. Individual(s) wishing to appeal any disciplinary measure may present their case in writing, accompanied with a mandatory \$100 fee to the RZone Appeals Committee within 14 days of the decision. The fee will be refunded if the appeal is successful.
2. The RZone Appeals Committee will review the in consultation with the appropriate staff or organization, appeal and any decision made is final.

Education & Awareness:

Town of Tillsonburg Recreation, Culture and Parks staff, along with community volunteers, will undertake a promotional and educational campaign aimed at raising awareness among parents, volunteers, spectators and general public of the RZone

Policy and in particular, the importance of their role in creating a positive atmosphere when on Town of Tillsonburg properties.

Initiatives will include:

- Circulation of the policy to all facility rental contract holders and community having management agreements with the Town of Tillsonburg;
- Signage/posters to be displayed on all Town of Tillsonburg properties;
- The policy will be referenced in the Terms & Conditions section on all facility contracts and permits.
- Regular user groups will be asked to update and amend their club's constitutions and/or code of conduct to reflect this policy.
- Regular user groups will be asked to designate a person responsible for the implementation and administration of the Public Conduct on Town of Tillsonburg Policy at each event;
- Community volunteers will be asked to reference the policy in their organization newsletters/booklets/websites and will be provided with tools to help communicate to participants, parents and patrons.
- Where possible, announcements will be made prior to all games regarding the policy and reporting of incidents
- On an ongoing basis, staff will follow-up with representatives of organizations that have had incidents or been affected by this policy, to review the process and resulting consequences to ensure the policy is addressing inappropriate behavior in an effective manner; and
- Staff will review the education and promotional campaign on an annual basis with community groups to ensure the policy remains effective.

Prevention of Incidents

In an effort to prevent inappropriate behaviour, violence, vandalism or inappropriate use of technology, community groups shall be requested to:

- Ensure all participants, coaches and parents sign a **Code of Conduct contract**.
- Ensure all spectators are aware of the RZone Policy.
- Have a representative for each group or team on site who understands the terms of the policy.
- In the event of an incident, advise without jeopardizing one's safety, identified party that there is a zero tolerance for inappropriate behaviour and they are contravening the RZone Policy.

Recreation, Culture and Parks front-line staff will receive training on their roles and responsibilities as set out in the RZone Policy, and will be re-trained on an annual basis. Facility user groups and community volunteers will be notified of the updated policy. Recreation, Culture and Parks staff will provide orientation sessions to ensure they are aware of and informed about the updated policy and their role to ensure that all participants, spectators, volunteers and staff have the right to be safe and feel safe while attending a program or facility on Town of Tillsonburg property.

RZone Incident Report**Individual Reporting Details:**

Name of Person Reporting _____
Department _____
Position _____ extension _____
Date incident was reported _____

Incident Information:

Date _____ Time _____
Incident Information _____
Location of Incident _____

Participant(s) Involved:

Complainant Name _____
Address _____ Postal Code _____
Phone _____

Respondent Name _____
Address _____ Postal Code _____
Phone _____

If there are more participants involved, please attach extra pages.

Category (please check all that apply)

- | | |
|--|--|
| <input type="checkbox"/> Verbal assault | <input type="checkbox"/> Possession of Weapons |
| <input type="checkbox"/> Threats | <input type="checkbox"/> Use of alcohol or drugs |
| <input type="checkbox"/> Physical assault/harm | <input type="checkbox"/> Harassment |
| <input type="checkbox"/> Vandalism | <input type="checkbox"/> Theft of property |

Other (please specify in detail)

Describe in detail what happened:

Other relevant information:

Who else was made aware of the incident?

Name _____

Address _____ Postal Code _____

Phone _____

If there are more individuals involved, please attach extra pages.

If another individual was made aware of the incident, how were they informed?

☐ In-person

☐ Phone

☐ Email

Other (please specify in detail)

Date the individual was informed: _____

Please identify if another individual witnessed the incident.

Name _____

Address _____ Postal Code _____

Phone _____

If there are more individuals who witnessed the incident, please attach extra pages.

For Office Use Only:

Action Taken (please check):

☐ Verbal Warning

Date: _____

☐ Letter of Warning

Date: _____

☐ Letter of Trespass

Date: _____

Appeal:

☐ No

☐ Yes

Date: _____

Outcome: _____

Date File Closed: _____

Name: _____ Position: _____

Signature:

Personal information on this form is collected under the authority of the Municipal Act, 2001, S.O. 2001, c. 25 and will be used for the purpose of aggregate statistical reporting, and allocation of staff and resources. This information will also be used for the promotion of programs or activities so that we can provide good customer service.

RZone Enforcement Guidelines

The following chart represents guidelines and outlines the consequences for acts of inappropriate behaviour, violence, vandalism or inappropriate use of technology in Town of Tillsonburg programs and property. It is understood this does not include all types of inappropriate behaviour, violence, vandalism or inappropriate use of technology. Each incident will be reviewed based upon the information available at the time and that the consequences outlined below are guidelines and may be adjusted to reflect the severity of conduct and/or actions involved. Any restrictions/suspensions will apply to all Town of Tillsonburg programs and properties.

Subsequent acts of inappropriate behaviour, violence, vandalism or inappropriate use of the technology that will result in increased consequences and incidents may be reported to the Oxford OPP detachment, which may result in criminal charges.

Behavior	Description	Consequence of 1st Occurrence	Consequence of 2 nd Occurrence	Consequence of 3 rd Occurrence	Consequence of 4 th Occurrence
Inappropriate behaviour, non violent in nature:	<ul style="list-style-type: none"> - refusal to abide by specific program or facility rules or the terms of a rental contract - inappropriate verbal language and non verbal signs - illegal acts such as use of tobacco products, alcohol - inappropriate use of technology 	Immediate ejection, followed by written warning	1 Month Suspension	3 Month Suspension	6 Month Suspension
Inappropriate behaviour with the potential to incite	<ul style="list-style-type: none"> - threats and attempts to intimidate - verbal 	Immediate ejection, police contacted, followed by	6 Month Suspension	3 Year Suspension	

violence:	assaults - throwing of articles - physical intimidation	written warning			
Inappropriate behaviour with physical violence:	- physical contact - fighting (excluding on- ice, arena floor and sport field activities)	Immediate ejection, police called, 1 year suspension	3 Year Suspension	5 Year Suspension	
Vandalism	- glass breakage - graffiti - theft - arson - spam	Immediate ejection. Those identified as perpetrating vandalism will be required to pay 100% cost of repairs (including but not limited to materials, equipment, labour and administrative costs). A suspension may be applied. In the event that the individual(s) can't be identified, the contract holder will be held responsible and invoiced accordingly.			

THE CORPORATION OF THE TOWN OF TILLSONBURG

BY-LAW NUMBER 4341

A BY-LAW to appoint a Chief Administrative Officer for the Town of Tillsonburg.

WHEREAS Municipal Councils may appoint a Chief Administrative Officer pursuant to Sections 72 and 73 of The Municipal Act, R.S.O. 1990, Chapter *M.45*.

BE IT THEREFORE ENACTED as follows:

1. THAT Ron Shaw is hereby appointed Interim Chief Administrative Officer with such authority and duties as contained in Schedule “A” attached hereto.
2. Schedule “A” shall form part of this By-Law as if written and incorporated herein.
3. That By-Law 3689, To Appoint David Calder as CAO, is hereby repealed.
4. This By-Law shall come into full force and effect on September 16, 2019.

READ A FIRST AND SECOND TIME THIS 9th DAY OF SEPTEMBER, 2019.

READ A THIRD AND FINAL TIME AND PASSED THIS 9TH DAY OF SEPTEMBER, 2019.

MAYOR Stephen Molnar

DEPUTY CLERK Lana White

Schedule “A”

POSITION DESCRIPTION

POSITION TITLE: **Chief Administrative Officer**

DEPARTMENT: CAO

REPORTING TO: Mayor /Town Council

POSITIONS SUPERVISED: 9

REVISED DATE:

POSITION SUMMARY:

The Chief Administrative Officer is the senior official of the municipality providing organizational leadership. This position is responsible to Council for administration and coordination of the delivery of services to the municipality’s residents and businesses in a manner that will ensure the effective utilization of the available human, financial and physical resources. Through Directors and Corporate Managers, implement policies approved by Council, advise Council on all matters under its jurisdiction, act as a liaison between Council and staff, represent the Town as directed with other governments and/or organizations.

PRINCIPAL RESPONSIBILITIES:

1. Reports to, is accountable to and receives direction from Council in the performance of their duties.
2. Coordinates the policy advice that is prepared by Directors/Corporate Managers, external agencies and consultants to ensure that Council is presented with clear, comprehensive information and alternatives on which to make reasoned policy decisions.
3. Attends Council and, when required, advisory Committee meetings, being available to provide advice and information in the formulation of Corporate policy.
4. Oversees the overall interpretation, implementation and administration of Council direction.
5. Provides a well coordinated communications network from all administrative levels to the political level and vice-versa.
6. Coordinates all functions of the various departments/offices working with the area municipalities and special boards and commissions to provide a high level of service to the residents of the Town.
7. Hires, directs, motivates, evaluates the performance, and disciplines up to and including termination, of the following:
 - Director of Development & Communication Services
 - Director of Operations
 - Director of Parks & Recreation Services
 - Director of Finance
 - Fire Chief
 - Town Clerk
 - Manager of Human Resources
 - Development Commissioner
 - Chief Building Official
8. Fulfils any functions of CAO as defined within the Municipal Act and such other legislation that may be relevant.

9. Provides leadership and support to the various Directors/Corporate Managers, Committees and Boards in the preparation of budgets and is responsible for the general administration of the budgets through the Treasurer and Directors/Corporate Managers.
10. Directs and assists with Human Resource matters within the mandates approved by Council.
11. Acts as central reference source for inquiries from the public regarding Town operations, providing prompt and accurate responses and referring technical items to the appropriate department/office.
12. Maintains positive public relations for the Town, dealing with the media and community groups. Will be the primary contact with officials of local municipalities, County of Oxford and all others concerned with Town operations.
13. Maintains up-to-date knowledge of trends and developments affecting Town operations including legislation, Ministry directives, funding opportunities, procedural rulings & related matters, bringing relevant items to the attention of Council and/or Committees and Boards.
14. Has signing authority.
15. May represent the Town's interests as a member of the Board of Directors of Tillsonburg Hydro Inc.
16. Performs such additional duties and exercises additional responsibilities that may be required in the interest of the Town and as Council may assign.

CONSULTING SERVICES AGREEMENT

B E T W E E N:

THE CORPORATION OF THE TOWN OF TILLSONBURG

(the "**Client**")

- and -

RON SHAW & ASSOCIATES INC.

(the "**Consultant**")

AND WHEREAS Ron Shaw ("Shaw") is the President and primary or sole shareholder or partner, officer and director of the **Consultant**.

AND WHEREAS the **Client** has agreed to retain the **Consultant** to provide consulting services to the **Client** as more fully described in this Agreement and the **Consultant** has agreed to act in that capacity on the terms and conditions set forth in this Agreement.

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the mutual covenants and agreements contained in this Agreement, the parties agree each with the other as follows:

ARTICLE 1 **INTERPRETATION**

SECTION 1.01 - DEFINITIONS

For all purposes of this Agreement, except as otherwise expressly provided or unless the context otherwise requires:

- a) All references to currency herein are deemed to mean currency of Canada;
- b) Any reference to "agreement", "approval", "authorization" or "consent" of a party hereto means the written agreement, written approval, written authorization or written consent of such parties;
- c) "Business Day" means any day, other than Saturday, Sunday or any statutory holiday in the Province of Ontario;
- d) "Business" means the business of the administration of services by a local government;

- 2 -

- e) "Services" means those services as defined section 3.01 of this Agreement;
- f) "Governmental Body" shall mean:
 - (i) any federal, state, provincial, municipal or other government body;
 - (ii) any subdivision, department, bureau, agency, commission, board, instrumentality or authority of any of the foregoing governments or bodies;
 - (iii) any quasi-governmental or private body exercising any regulatory, expropriation or taxing authority under or for the account of any of the foregoing governments or bodies; or
 - (iv) any judicial, quasi-judicial, arbitration or administrative court, grand jury, commission, board or panel.
- g) "Confidential Information" means all confidential or proprietary information, intellectual property (including trade secrets) and confidential facts relating to the administration of local government and protected under the *Municipal Freedom of Information and Protection of Privacy Act*:

For greater certainty "Confidential Information" excludes information that is:

- (i) in the public domain before disclosure to the **Consultant**, or becomes in the public domain thereafter otherwise than as a result of a breach by the **Consultant** of its obligations of confidentiality under this Agreement;
- (ii) known to the Consultant before it is disclosed by the **Client**;
- (iii) developed independently by the **Consultant** without reference to the information disclosed by the **Client**, as evidenced by written or other tangible records; or
- (iv) received by the **Consultant** from a third person, who is not under any obligation to the **Client** to restrict disclosure.

ARTICLE 2

APPOINTMENT AND TERM

SECTION 2.01 - APPOINTMENT

The **Client** confirms the engagement of the **Consultant** to provide the Services as set out in this Agreement. The Services to be provided by the **Consultant** will be as an independent contractor during the term of this Agreement and the **Consultant** confirms its agreement to provide the Services to the **Client** in accordance with the terms of this Agreement. The Services shall be primarily provided by Shaw, which is a fundamental term of this Agreement.

SECTION 2.02 - TERM

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The term of this Agreement shall commence on September 16, 2019 and shall continue until December 20, 2019, unless terminated earlier in accordance with the provisions of this Agreement or otherwise extended by mutual written agreement of the parties. Both parties recognize that Shaw has previous commitments already scheduled for September 13, September 20 and December 11, 2019 with AMCTO.

ARTICLE 3

SERVICES

SECTION 3.01 - SERVICES TO BE PROVIDED

During the term of this Agreement the **Consultant** shall provide the consulting services described in Schedule A attached to this Agreement and such other services as may be agreed upon in writing from time to time by the parties (the “**Services**”).

SECTION 3.02 - TIME AND ATTENTION

The **Consultant** shall devote the necessary time and attention to the performance of the Services under this Agreement. The hours are expected to be variable and will be based on the requirements of the Services to be performed for the **Client** and the availability of the **Consultant**. The **Consultant** is at liberty to provide services for any other person, firm, corporation or entity provided it meets the requirements as set out in this Agreement.

SECTION 3.03 - DILIGENCE

In providing the Services under this Agreement, the **Consultant** shall:

- a) Act honestly and in good faith with a view to the best interests of the **Client**; and
- b) Exercise the care, diligence and skill that a reasonably prudent consultant would exercise in comparable circumstances.

SECTION 3.04- OMAA

The Client shall permit Shaw to attend the Fall Workshop of the Ontario Municipal Administrators’ Association on October 17 and 18, 2019 at the **Client’s** expense

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ARTICLE 4

COMPENSATION

SECTION 4.01 - FEES

The **Client** shall pay to the **Consultant** for the performance of the Services the fees set out in Schedule B attached to this Agreement (the “**Fees**”).

SECTION 4.02 - EXPENSES

Expenses relating to performance of the **Services** shall be the responsibility of the **Consultant** or reimbursed by the **Client** as set out in Schedule B.

SECTION 4.03 - NO WITHHOLDINGS

The **Consultant** shall pay on its own account or remit, as applicable, all expenses related to Income Tax, Canada Pension Plan, Employment Insurance, group health, H.S.T. and any other income or business tax as may be required by any Governmental Body. It is understood and agreed that all the above are the sole and exclusive responsibility of the **Consultant**. As an independent contractor, the **Consultant** acknowledges that it is responsible for and shall remit to the appropriate Governmental Body any tax and other amounts as required by any Governmental Body.

For greater certainty, payment of the Fees shall be made without withholdings for Income Tax, Canada Pension Plan or Employment Insurance contributions or other like deductions.

SECTION 4.04 - NO ADDITIONAL FEES

For greater certainty, unless otherwise agreed to in writing by the parties hereto, no additional fee, wage, salary, commission or other payment shall be paid to the **Consultant** on account of the Services herein contemplated.

SECTION 4.05 - RECORDS

The **Consultant** shall maintain such records as reasonably prescribed by the **Client** from time to time to verify and substantiate the Services rendered by the **Consultant** to the **Client**.

ARTICLE 5 **CONFIDENTIALITY**

SECTION 5.01 - CONFIDENTIALITY

The **Consultant** is aware of the **Client's** needs to maintain confidentiality of its business. Therefore, except with the consent in writing of the **Client**, the **Consultant** shall not, at any time, directly or indirectly use or disclose to any person or persons, firm, association, syndicate, company or corporation as principal, agent, shareholder or in any other manner whatsoever, any **Confidential Information**, except as reasonably required in performance of the Services.

On the termination of this Agreement, the **Consultant** shall return all of the **Client's** papers, effects and materials which have been entrusted to it.

SECTION 5.02- COVENANTS

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The parties agree that by reason of the **Consultant's** unique knowledge and association with the **Business**, all restrictions contained in this section are all necessary and fundamental to the protection of the legitimate interests of the **Client** and are reasonable and valid. The covenants contained in this section 5 shall subsist even if the rest of this Agreement shall be terminated for any reason whatsoever and are severable for such purpose.

ARTICLE 6

PROPERTY RIGHTS

SECTION 6.01- PROPERTY RIGHTS

All reports created by the **Consultant** and provided to the **Client** in connection with the **Services** (the "**Work Product**") shall be the property of the **Client** and, to the extent that the **Consultant** retains ownership of, or other proprietary rights in, any **Work Product**, the **Consultant** hereby assigns and transfers all of such rights, title and interest in and to such **Work Product** to the **Client**, and the **Consultant** agrees at the **Client's** reasonable request and expense to execute any and all other documents and to give all aid and assistance that, in the opinion of the **Client**, may be necessary or desirable in connection with this assignment and transfer or to enable the **Client**, its successors and assigns to protect or exploit any **Work Product** in any country of the world.

ARTICLE 7

ASSIGNMENT

SECTION 7.01 - ASSIGNMENT BY THE PARTIES

This Agreement shall be binding upon the parties hereto and shall enure to the benefit of the **Client's** successors and assigns. This Agreement is personal to the **Consultant** and is not assignable and shall not enure to the benefit of its successors and assigns.

ARTICLE 8

LEGAL RELATIONS

SECTION 8.01 - LEGAL RELATIONSHIP

The legal relationship between the **Consultant** and the **Client** arising under this Agreement shall only be that of an independent contractor and the purchaser of services and, in particular, nothing in this Agreement shall be construed so as to render the relationship between the **Client** and the **Consultant** to be that of an employer and employee, principal and agent, partnership or joint venture.

ARTICLE 9

TERMINATION

SECTION 9.01 - EVENTS OF DEFAULT

It is an event of default (a “**default**”) if:

- a) either party fails to observe, perform or carry out any of its obligations hereunder and such failure is not remedied within 20 days of the other party giving it written notice of such failure;
- b) either party engages in any act, omission or conduct which would entitle the other party at common law to terminate this Agreement;
- c) either party ceases to operate its business;
- d) either party becomes bankrupt or commits any act of bankruptcy or makes an assignment for the benefits of creditors or otherwise.

Notwithstanding the above, the **Consultant** shall be deemed not to be in default if any of the events described in this Section 9.01 are caused by the death, illness or disability of Shaw.

SECTION 9.02 - ELECTIVE REMEDIES

In the event of a **default**, the non-defaulting party may do any one or more of the following:

- a) Pursue any remedy available to it in law or equity, it being acknowledged that specific performance, injunctive relief (mandatory or otherwise) or equitable relief may be the only adequate remedy for a default;
- b) Take all action in its own name as may be reasonably required to cure the default, in which event, all reasonable payments, expenses and costs incurred therefore shall be payable by the **other party** on demand;
- c) Terminate this Agreement by notifying the other party of the default and the exercise of such election; or
- d) Waive the default except, however that a waiver of a particular default shall not operate as a waiver of any subsequent or continuing default.

SECTION 9.03 – TERMINATION ON NOTICE

This Agreement may be terminated for any reason by the **Client** immediately upon giving notice in writing to the **Consultant**. In the event of any such termination, the **Consultant** shall be

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entitled to payment for time spent performing the duties of the interim CAO of The Town of Tillsonburg to date plus 20 days on a prorated basis, but in any event not to exceed the total value of this Agreement. The **Consultant** shall also be paid any expenses to which it is entitled in accordance with this Agreement.

ARTICLE 10

CONFLICT OF INTEREST

SECTION 10.01 – CONFLICT OF INTEREST

The **Consultant** represents that it is not a party to any agreement which represents a conflict of interest with its role as the **Client's** consultant or the terms of this Agreement or which materially and adversely affects the **Consultant's** ability to perform the Services. Further, the **Consultant** agrees it will not enter into any agreement or business relationship during the term of this Agreement that could place it in a conflict of interest position.

ARTICLE 11

LIABILITY LIMITATIONS

SECTION 11.01 – LIABILITY EXCLUSIONS/MAXIMUMS

Neither party shall be liable to the other for special, punitive, contingent, indirect or consequential loss or damage. The maximum aggregate liability of the **Consultant** to the **Client** for any claim, demand, action, cause of action, suit or proceeding under or relating to this Agreement (collectively, the “**Claims**”), whether arising in contract, tort, including negligence, by statute or as matters of strict or absolute liability, shall be limited to an amount equal to the total Fees payable to the **Consultant** hereunder. Notwithstanding the above, the limits on **Consultant's** liability under this Agreement shall not apply to **Claims** arising out of the wilful, fraudulent or criminal misconduct of the **Consultant** or its directors, officers, employees or agents.

The **Consultant** shall fall under the **Client's** liability policies and insurance while performing the duties of interim CAO for The Corporation of the Town of Tillsonburg.

ARTICLE 12

GENERAL PROVISIONS

SECTION 12.01 - SEVERABILITY

Each provision of this Agreement is declared to constitute a separate and distinct covenant and to be severable from all other such separate and distinct covenants.

SECTION 12.02 - VALIDITY

If any covenant or provision herein is deemed to be void or unenforceable in whole or in part, then it shall not be deemed to affect or impair the enforceability or validity or any other covenant or provision of this Agreement or any part thereof.

SECTION 12.03 - ENTIRE AGREEMENT

The provisions herein constitute the entire agreement between the **Client** and the **Consultant** and supersedes all previous expectations, understandings, communications, representations and agreements, whether verbal or written, between the **Client** and the **Consultant** with respect to the subject matter hereof and may not be modified except by subsequent agreement in writing and executed by the **Client** and the **Consultant**.

SECTION 12.04 - GOVERNING LAW

The validity, enforcement and interpretation of this Agreement, and the rights and liabilities of the parties, shall be construed and governed by the laws of the Province of Ontario and the laws of Canada applicable in Ontario.

SECTION 12.05 - INDEPENDENT LEGAL ADVICE

Each party acknowledges that it has an opportunity prior to executing this Agreement to review and seek independent legal advice with respect to the terms and conditions of this Agreement.

SECTION 12.06 - CAPTIONS

The captions or headings appearing in this Agreement are inserted for convenience of reference only and shall not affect the construction thereof.

SECTION 12.07 – NOTICE IN WRITING

Any notice to be given hereunder shall be in writing and shall be sufficiently given if delivered personally or by prepaid courier or registered mail:

- (a) If to the **Consultant**, to: Attention: Ron Shaw, 146 Unger Island Road, Napanee, ON K7R 3L1
- (b) If to the **Client**, to: Attention: Donna Wilson, Clerk, Town of Tillsonburg, 200 Broadway, Suite 204, Tillsonburg, ON N4G 5A7.

Any notice given personally or by prepaid courier shall be deemed to be given when so delivered, and any notice given by prepaid registered mail shall be deemed to be given on the fourth Business Day after it was mailed.

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IN WITNESS WHEREOF, the **Client** and the **Consultant** have executed this Agreement as of the ____ day of _____, 2019.

THE CORPORATION OF THE TOWN OF TILLSONBURG

By: _____
Steven Molnar, Mayor

By: _____
Donna Wilson, Clerk

RON SHAW & ASSOCIATES INC.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

By: _____
Ron Shaw, President

SCHEDULE A

SERVICES

Reporting to the Mayor/Council the **Chief Administrative Officer** is the senior official of the municipality providing organizational leadership. This position is responsible to Council for administration and coordination of the delivery of services to the municipality's residents and businesses in a manner that will ensure the effective utilization of the available human, financial and physical resources. Through Directors and Corporate Managers, implement policies approved by Council, advise Council on all matters under its jurisdiction, act as a liaison between Council and staff, represent the Town as directed with other governments and/or organizations.

PRINCIPAL RESPONSIBILITIES:

- Reports to, is accountable to and receives direction from Council in the performance of their duties.
- Coordinates the policy advice that is prepared by Directors/Corporate Managers, external agencies and consultants to ensure that Council is presented with clear, comprehensive information and alternatives on which to make reasoned policy decisions.
- Attends Council and, when required, advisory Committee meetings, being available to provide advice and information in the formulation of Corporate policy.
- Oversees the overall interpretation, implementation and administration of Council direction.
- Provides a well coordinated communications network from all administrative levels to the political level and vice-versa.
- Coordinates all functions of the various departments/offices working with the area municipalities and special boards and commissions to provide a high level of service to the residents of the Town.
- Hires, directs, motivates, evaluates the performance, and disciplines up to and including termination, of the following:
 - Director of Operations
 - Director of Recreation, Culture & Parks
 - Director of Finance
 - Fire Chief
 - Clerk
 - Manager of Human Resources
 - General Manager, Hydro Operations
 - Chief Building Official
 - Development Commissioner
- Directs and assists with Human Resource matters within the mandates approved by Council.
- Acts as central reference source for inquiries from the public regarding Town operations, providing prompt and accurate responses and referring technical items to the appropriate department/office.

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- Maintains positive public relations for the Town, dealing with the media and community groups. Will be the primary contact with officials of local municipalities, County of Oxford and all others concerned with Town operations.
- Maintains up-to-date knowledge of trends and developments affecting Town operations including legislation, Ministry directives, funding opportunities, procedural rulings & related matters, bringing relevant items to the attention of Council and/or Committees and Boards.
- Has signing authority.
- May represent the Town's interests as a member of the Board of Directors of Tillsonburg Hydro Inc.
- Performs such additional duties and exercises additional responsibilities that may be required in the interest of the Town and as Council may assign.

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SCHEDULE B

FEES

Total fees (the “**Fees**”) earned and payable as follows:

- \$13,333 per month to be paid monthly.
- Shaw may invoice for each month within one week of beginning each 30 day period and which shall be paid within two weeks.
- Any reasonable travel expenses are in addition and will be invoiced at cost and in accordance with the Town’s travel policy.
- It is Shaw’s responsibility to get to and from work at his expense.
- Services provide from December 16 to December 20, 2019 will not be billed.
- Fees are subject to H.S.T.

THE CORPORATION OF THE TOWN OF TILLSONBURG

BY-LAW 4337

BEING A BY-LAW to confirm the proceedings of Council at its meeting held on the 9th day of September, 2019.

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;

NOW THEREFORE THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE TOWN OF TILLSONBURG ENACTS AS FOLLOWS:

1. All actions of the Council of The Corporation of the Town of Tillsonburg at its meeting held on September 9, 2019, 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. This by-law shall come into full force and effect on the day of passing.

READ A FIRST AND SECOND TIME THIS 9th DAY OF SEPTEMBER, 2019.

READ A THIRD AND FINAL TIME AND PASSED THIS 9th DAY OF SEPTEMBER, 2019.

MAYOR – Stephen Molnar

DEPUTY CLERK – Lana White