



TOWN OF ERIN
Regular Council Meeting
AGENDA

September 15, 2015

7:30 PM

Municipal Council Chamber

Pages

1. **Call to Order**
2. **Approval of Agenda**
3. **Declaration Pecuniary Interest**
4. **Community Announcements**
5. **Adoption of Minutes** 1 - 15
September 1, 2015 Regular Meeting
September 8, 2015 Special Meeting - Public Information - CBM
6. **Business Arising from the Minutes**
7. **Accounts**
8. **Reports**
 - 8.1 **Building/Planning/By-Law**
 - 8.1.1 **Chief Building Official - Conditional Site Plan Control Approval for 16 Erinville Drive** 16 - 20
 - 8.1.2 **Chief Building Official - Building Permit Activity Report** 21 - 25
 - 8.2 **Fire and Emergency Services**
 - 8.2.1 **Fire Chief - Purchase of Scott Pack Breathing Apparatus** 26 - 27
 - 8.3 **Finance**
 - 8.3.1 **Financial Analyst - FIT 4 Solar – Centre 2000** 28 - 32
 - 8.3.2 **Director of Finance - Ballinacfad Community Centre-Committee Request to Pay Major Repairs Invoice** 33 - 37
 - 8.3.3 **Director of Finance - Small Communities Fund (intake 2) Project Recommendation** 38 - 42
 - 8.4 **Committees**
 - 8.4.1 **Let's Get Hillsburgh Growing - July 30 Meeting Minutes** 43 - 44
 - 8.4.2 **Committee of Adjustment - August 15, 2015 Meeting Minutes** 45 - 48

| | | |
|------------|--|----------|
| 9. | Correspondence | |
| 9.1 | Activity List | 49 - 50 |
| 9.2 | Recycling Council of Ontario - Waste Reduction Week in Canada | 51 - 52 |
| 9.3 | Grand River Conservation Authority - Conservation Authorities Act Review | 53 - 95 |
| 10. | Closed Session | |
| | Matters under the following exemptions in the Municipal Act S. 239 (2) : | |
| | - labour relations or employee negotiations; (policy) | |
| | - litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; (claims status) | |
| | - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose (library) | |
| 11. | Return from Closed Session | |
| 11.1 | Motion to Reconvene | |
| 11.2 | Report Out | |
| 12. | By-Laws | 96 - 113 |
| | Procedural | |
| | Confirming | |
| 13. | Notice of Motion | |
| | Councillor Smith: | |
| | That the appropriate staff provide a report on the cost, advantages, and disadvantages, and any other considerations of employing a full time By-law Officer to provide proactive enforcement as well as complaint driven enforcement of the Town's By-laws. | |
| 14. | Adjournment | |



Minutes of the Regular Town of Erin Council Meeting

September 1, 2015

1:00 pm

Municipal Council Chamber

PRESENT

- Allan Ails**
- John Brennan**
- Matt Sammut**
- Rob Smith**
- Jeff Duncan**

- Mayor**
- Councillor**
- Councillor**
- Councillor**
- Councillor**

STAFF PRESENT: Kathryn Ironmonger

- Dina Lundy**
- Sharon Marshall**
- Larry Wheeler**
- Andrew Hartholt**

- CAO/Town Manager**
- Clerk**
- Director of Finance**
- Financial Analyst**
- Chief Building Official**

1. Call to Order

Mayor Ails called the meeting to order.

2. Approval of Agenda

Resolution # 15-325

Moved By Councillor Smith

Seconded By Councillor Brennan

Be it resolved that the agenda be approved as circulated.

Carried

3. Declaration Pecuniary Interest

None.

4. Community Announcements

The Town is hosting a celebration to recognize the reign of Queen Elizabeth II, which on September 9, 2015, will be the longest in our modern history,

September 1, 2015 Regular Council Meeting

surpassing that of Canada's other great Mother of Confederation, Queen Victoria.

September 9 - 11:45am at Centre 2000 - Queen's reign celebration

September 14 - EWCS Annual Meeting

September 14 - Federal Campaign All Candidates Meeting - Centre 2000

September 20 - Annual Terry Fox Run

September 20 - Feast of Hops - Food Challenge and Craft Beer Festival

September 19&20, 26&27 - Annual Hills of Erin Studio Tour

5. Adoption of Minutes

Resolution # 15-326

Moved By Councillor Brennan

Seconded By Councillor Smith

Be it resolved that Council hereby adopts the following meeting minutes as circulated;

August 11, 2015 Regular Meeting

August 13, 2015 Special Meeting

August 21, 2015 Special Meeting

Carried

6. Business Arising from the Minutes

6.1 Councillor Duncan - Resolution regarding Community Safety Zones

Resolution # 15-327

Moved By Councillor Duncan

Seconded By Councillor Brennan

Be it resolved that Council, under authority of the Highway Traffic Amendment Act (Community Safety Zones) that received Royal Assent on June 26, 1998, hereby directs the appropriate municipal personnel to report back to Council on the suitable actions/options required to implement a Community Safety Zone By-law. The By-law would indicate as per the Act that public safety "is of special concern" on the Main Street area within the Towns jurisdiction of the urban area of the village of Erin and the Trafalgar Road area within the Towns jurisdiction of the urban area of the village of Hillsburgh.

Carried

September 1, 2015 Regular Council Meeting

7. **Accounts**

Resolution # 15-328

Moved By Councillor Smith

Seconded By Councillor Brennan

Be it resolved that the accounts in the amount of \$998,928.15 be paid.

Carried

8. **Reports**

8.1 **Water**

8.1.1 **Interim Water Superintendent - Glendevon Reservoir Repair Update**

Resolution # 15-329

Moved By Councillor Duncan

Seconded By Councillor Brennan

Be it resolved that council accepts the Interim Water Superintendent's Glendevon Reservoir Repair Update report.

And that Council authorizes the expenditure of \$35,000 +HST.

Carried

8.2 **Building/Planning/By-Law**

8.2.1 **Chief Building Official - Building Permit Activity Report - July 2015**

Resolution # 15-330

Moved By Councillor Smith

Seconded By Councillor Brennan

Be it resolved that Council hereby receives the Building Department Building Activity report dated September 1, 2015 for information.

Carried

8.2.2 **Chief Building Official - Demo Report - 6029 First Line**

Resolution # 15-331**Moved By** Councillor Brennan**Seconded By** Councillor Smith

Be it resolved that Council hereby receives Building Department Demolition Report, dated September 1, 2015, regarding the application for demolition permit to demolish a single residential dwelling located at 6029 First Line, Town of Erin, Assessment Roll No. 23 16 000 006 06600 000;

And that Council hereby approves the issuance of the demolition permit.

Carried**8.3 Finance****8.3.1 Financial Analyst - Ontario Regulation 284/09****Resolution # 15-332****Moved By** Councillor Duncan**Seconded By** Councillor Smith

Be it resolved that Council receives the 2015- 08 'Ontario Regulation 284/09 – Budget 2015' report as information;

And that Council adopts this report.

Carried**8.3.2 Finance - FIT4 Rooftop Solar - Potential Projects****Resolution # 15-333****Moved By** Councillor Brennan**Seconded By** Councillor Smith

Be it resolved that Council receives report 2015- 09 'FIT4 Rooftop Solar - Potential Projects' as information;

And that Council agrees to participate in the upcoming FIT4 application process scheduled to begin September 30, 2015;

And that Council accepts the following recommended proposal to enter into a 20 year FIT4 contract for a rooftop solar panel system:

September 1, 2015 Regular Council Meeting

(OPTION B) Guelph Solar for a 49% stake in a 300.00 kW DC (1150 panel) system to be installed at Centre 2000 for an investment of \$302,460.

Carried

8.3.3 Financial Analyst - Ontario Community Infrastructure Fund (OCIF) – 2015 Intake

Resolution # 15-334

Moved By Councillor Smith

Seconded By Councillor Duncan

Be it resolved that Council hereby receives the Financial Analyst's report 2015– 10 'Ontario Community Infrastructure Fund (OCIF) – 2015 Intake.

And that Council hereby approves staff's recommendation to submit the Church Boulevard West Watermain Project under the Ontario Community Infrastructure Fund (OCIF) for \$73,000.00.

Carried

8.4 Administration

8.4.1 Clerk - Proposed changes to the Procedural By-law

Resolution # 15-335

Moved By Councillor Duncan

Seconded By Councillor Sammut

Be it resolved that Council approves the recommended changes to the Procedural By-Law and directs the Clerk to bring the by-law back for consideration at the next regular Council meeting.

Carried

8.4.2 CAO - Completion of the Operational Review

Resolution # 15-336

Moved By Councillor Smith

Seconded By Councillor Brennan

September 1, 2015 Regular Council Meeting

Be it resolved that Council directs the CAO to negotiate and finalize with StrategyCorp the scope of the operational review to a maximum of \$15,000.

Carried

8.5 Committees

8.5.1 Appoint new member to the Town of Erin Heritage Committee

Resolution # 15-337

Moved By Councillor Brennan

Seconded By Councillor Duncan

Be it resolved that Council hereby appoints Donna Revell to the Town of Erin Heritage Committee.

Carried

9. Correspondence

Resolution # 15-338

Moved By Councillor Sammut

Seconded By Mayor Alls

Be it resolved that Council receives correspondence items 9.1 to 9.3 for information.

Carried

10. Closed Session

Resolution # 15-339

Moved By Councillor Sammut

Seconded By Councillor Brennan

Be it resolved that Council adjourns the meeting to proceed into a closed session at the hour of 3:37pm to discuss the matter(s) pertaining to:

(b) personal matters about an identifiable individual, including municipal or local board employees; (Economic Development)

(d) labour relations or employee negotiations;(Director of Operations)

(e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;(Corporate lawsuit)

Carried

11. Return from Closed Session**11.1 Motion to Reconvene****Resolution # 15-340****Moved By** Councillor Sammut**Seconded By** Councillor Smith**Be it resolved that** the meeting be reconvened at the hour of 4:57pm.**Carried****Resolution # 15-341 (verbal)****Moved By** Councillor Duncan**Seconded By** Councillor Brennan**Be it resolved that** Council hereby waives the rules regarding the curfew provision.**Carried****11.2 Report Out****Resolution # 15-342 (verbal)****Moved By** Councillor Smith**Seconded By** Councillor Duncan**Be it resolved that** the Town of Erin retain Madorin, Snyder LLP to defend the claims made by Frank Miele, not covered by the Town of Erin's Insurance, as against the Town of Erin, Barbara Tocher, Kathryn Ironmonger, Josie Wintersinger, and Deborah Callaghan.**Carried****Resolution # 15-343(verbal)****Moved By** Councillor Duncan**Seconded By** Councillor Smith**Be it resolved that** Council hereby appoints Dave Doan to the Economic Development Committee.**Carried****8. Reports****8.4 Administration**

8.4.3 CAO - New Economic Development Officer Position

Resolution # 15-344

Moved By Councillor Sammut

Seconded By Councillor Brennan

Be it resolved that Council receives the CAO's Economic Development Officer – New Position report.

Carried

12. New Business

12.1 Momentum, Town of Erin Economic Development Action Plan - Council comments and questions

The Economic Development Coordinator informed Council that he would like to propose a different course of action with regards to the Momentum Action Plan.

- Extend public input in written form to October 1, 2015 at 4:30pm
- Present to the EEDC - that both EWCC and the BIA hold separate meetings with the committee to communicate verbal input into the plan
- Schedule an EEDC meeting once all input has been received to go over all responses and the plan
- Bring final report back to Council on the second meeting in October

Direction to proceed with this course of action was given.

13. By-Laws

13.1 Public Input on conveyance of Road Allowances By-law

The public was given an opportunity to comment regarding the by-law, however no one came forward.

13.2 Consideration of By-laws

Resolution # 15-345

Moved By Councillor Sammut

Seconded By Councillor Brennan

September 1, 2015 Regular Council Meeting

Be it resolved that By-Law numbers 15 – 33 to 15 - 35 inclusive, are hereby passed.

Carried

14. Notice of Motion

None.

15. Adjournment

Resolution # 15-346

Moved By Councillor Sammut

Seconded By Councillor Brennan

Be it resolved that the meeting be adjourned at the hour of 5:09 pm.

Carried

Mayor Allan Alls

Clerk Dina Lundy



Minutes of the Town of Erin Special Council Meeting

September 8, 2015

7:00 p.m.

Centre 2000 - Shamrock Room

14 Boland Drive, Erin ON

| | | |
|-----------------|---------------------|-------------------|
| PRESENT: | Allan Alls | Mayor |
| | John Brennan | Councillor |
| | Matt Sammut | Councillor |
| | Rob Smith | Councillor |
| | Jeff Duncan | Councillor |

| | | |
|-----------------------|---------------------------|-------------------------|
| STAFF PRESENT: | Kathryn Ironmonger | CAO/Town Manager |
|-----------------------|---------------------------|-------------------------|

1. Call to Order

Mayor Alls called the meeting to order.

This is a Public Meeting as required by the Ontario Planning Act to deal with Planning matters regarding land development in the Province of Ontario.

If a person or public body that files an appeal of a decision of the Town of Erin in respect to a proposed Official Plan, Zoning By-Law Amendment and/or a Plan of Subdivision or Condominium does not make oral submission at a public meeting or make written submission to the Town of Erin before the proposed Official Plan Amendment, Zoning By-law Amendment and/or Plan of Subdivision or Condominium is adopted or refused, then the Ontario Municipal Board may dismiss all or part of the appeal.

Council requests that anyone wishing to provide comments or concerns to Town Council and/or staff do so in written form to ensure that the message is provided effectively and accurately and to record their interest in the matter and to request a notice of decision of the matter.

This meeting is to provide information for Council, exchange views, generate input etc. Council has not taken a position on the matter; Council's decision will

September 8, 2015 Public Information Meeting #2 - CBM

come after full consideration of input from the meeting, submissions from the public and comments from agencies.

2. Declaration of Pecuniary Interest

None.

3. Topics for Discussion**3.1 Zoning/OPA Amendment - CBM Aggregates, a division of St. Mary's Cement (Canada) Inc.**

Mark Van Patter, Manager of Planning and Environment - County of Wellington:

Mr. Van Patter gave a brief overview of the application before Council. The proposal is for the expansion of the existing Hillsburgh Pit owned by CBM St Mary's Cement. This is the second public meeting regarding this application.

- First public meeting was held March 25, 2015
- Still concerns with the loss of 5.4ha of wood lot (Town, County, CVC, and MNR)
- Letters from the public received - form letter with 6 main concerns
- Would recommend that peer reviews are undertaken to have a second look and verify reports
- If a settlement is reached on the issues, there would be recommendations to the site plan, and if supported by Council a resolution passed. If supported, the County would adopt the amendment, and the Town would then pass a zoning amendment by-law. The process would then go to the Ministry for licence approval.
- If a settlement cannot be reached on the issues, there would likely be an appeal to the Ontario Municipal Board, who would make the decision.

Mayor Alls asked the applicant to further explain the reasons for and purpose of the proposed amendment.

September 8, 2015 Public Information Meeting #2 - CBMSteve May - CBM Aggregates

Mr. May gave a brief description of the company's history and accomplishments. He then presented information on the existing Hillsburgh pit, and the proposed expansion. Mr. May also addressed the concerns brought forth in the form letter regarding loss of agricultural lands without rehabilitation, loss of woodland areas, increased truck traffic, noise/dust pollution, property value decreases, and risk to drinking water:

- limited in the area that can be disturbed at one time
- expecting farm land to be restored to comparable or better agricultural land
- woodland area has good quality resource underneath - considering the option of not mining this site
- the tonnage increase is to allow for flexibility for large scale projects and is not normal practice to operate at that level - willing to decrease to a certain degree, possibly 850,000 tonnes rather than the proposed 1 million tonnes.
- being an established operation, do not expect property values to be affected
- below water table extraction is not part of this application - it was previously peer reviewed with no concerns from agencies
- open to productive solutions

Mayor Alls invited those who wish to speak to address Council, and noted that all comments and questions should be put to the Chair. Speakers are to give their names and addresses for the record. Personal opinions and comments made by the public attending this meeting may be collected and recorded in the meeting minutes.

Stewart Sebben - 6083 Eighth Line

- opposed 100% to the rezoning
- not against aggregate, but there has to be a balance
- review of Aggregate Resources Act - standing committee report
- this pit has already existed for over 30 years - adding 25 more
- would like clarification on the depth of extraction - 120 feet or 90 feet?
- would like guarantee that no below water table extraction will take place

September 8, 2015 Public Information Meeting #2 - CBM

- unpredictable weather can cause a drought situation and increase bacteria levels in wells
- need decisions to be common sense
- agree with the need for peer reviews
- the land is prime agriculture land, rare, and could be destroyed for the future

John Morland-Jones - 9255 Sideroad 27

- fully object to this application
- CBM has incredible safety record
- Peer reviews need to be completed
- County recommended new entrance - believe that by not installing the new entrance, CBM is compromising safety. Hillsburgh is waiting for an accident to happen
- studies are outdated
- 16 residents around pit - some of which will now have it on their doorstep
- forested area is Greenland on the OP. The County undertook a peer review showing the report was poorly done and did not identify protected species. Ministry has serious concerns with mining this area - as do the CVC, County
- No spring flower evaluation completed
- need a report on rehabilitation
- information shows pit is 50 years old - without any reinstatement
- topsoil when stored for a long period of time deteriorates - no weed mitigation
- heritage home located beside phase 1 with barn housing migrating swallows

Bob Simpson - 5159 Fourth Line

- What are the benefits to the Town?
- How many dump trucks per year is 750,000 tonnes? How many for 1,000,000 tonnes?
- Cost of plowing in the winter to keep roads safe for dump trucks?
- Erin is becoming horse country - expensive homes - no one wants to build near a gravel pit

Judy Patterson - 5697 Third Line

- main concern is water

September 8, 2015 Public Information Meeting #2 - CBM

- do not want it to go into the aquifer
- we cannot afford to have our aquifer at risk
- invasive species increase with truck traffic - chemicals used to control - pollutes water
- If the Ministry has air/water criteria who monitors? How do we get access to the results?
- If CBM defaults 30 years down the road, what happens?
- need to look globally for results

Barb Tocher - 19A Trafalgar Road

- aggregate/gas/water-taking are all controversial issues
- one thing that will haunt Council is truck traffic
- need to work on changing the haul route - 8th Line to WCR 22 is already a haul route - will affect least amount of people - Town and CBM should work together

Deb Vaillancourt - 2 Barbour Drive

- lived on Barbour Drive for 17 years
- truck traffic has increased immensely
- noise from trucks major concern - especially for shift workers

Mike Porter -6020 Trafalgar Road

- live less than 50m away from site
- have seen devastation and lack of remedial work
- strongly opposed to the rezoning of this area
- Erin's history was built on agriculture, not aggregate

A video with an aerial view of the site was shown with permission from Council, showing the excavation, and proposed expansion areas.

Mayor Alls offered the applicant the opportunity to respond to the comments heard.

Steve May - CBM Aggregates

Mr. May stated that he appreciates all the comments which will be taken into consideration, and CBM will provide a response to Council, hopefully by the end of the month. The Town has permission to post this response on their website for public viewing.

September 8, 2015 Public Information Meeting #2 - CBM

Mayor Alls thanked all those attending and advised that Council will consider all input prior to making a decision on the matter.

4. Adjournment

Mayor Alls declared the meeting adjourned.

Mayor Allan Alls

Clerk Dina Lundy



Staff Report

Report #: SP02-15

Date: September-15-15

Submitted By: **Andrew Hartholt, Chief Building Official**

Subject: Conditional Site Plan Control Approval for 16 Erinville Drive

Recommendations:

Be it resolved that Council approves the site plan submitted by 913960 Ontario Limited as it relates to development of 16 Erinville Drive subject to the conditions of Appendix 1.

Background:

The applicant seeks site plan approval to construct a 693.77 m² (7360 ft²) industrial building. The industrial steel plant is 6000 ft² with office space at the front of the building (1360 ft²) and loading at the rear of the building (50' by 60') area.

The main site statistics are:

| | | |
|--------------------------------|------------------------|--------------------------|
| Total Lot Area | 8136.54 m ² | 87581.02 ft ² |
| Lot Frontage – Erinville Drive | 30.43 m ² | 99.85 ft ² |
| Total Gross Floor Area | 683.77 m ² | 7360 ft ² |
| Total Plant GFA | 557.42 m ² | 6000 ft ² |
| Total Office GFA | 126.35 m ² | 1360 ft ² |
| Parking Required | 9 regular | |
| Parking Provided | 12 regular | 1 handicapped |
| Area of Septic bed | 278.72 m ² | 3000 ft ² |

Vehicular access is via Erinville Drive.

Legal description

The subject land is located at 16 Erinville Drive. The lands are legally described as Plan 814 Pt BLK 5 RP 61R-8048; Part 2.

Zoning

The site is zoned M2, General Industrial.

Severance

A severance was completed in 2015 for the property to be divided into three separate lots. 16 Erinville Drive is the remaining lot with a total lot area of 87581.2 ft²

Financial Impact:

None

Consultation:

The site plan complies with the Town of Erin Zoning By-law.

Communications Plan:

Through regular council meeting

Conclusion:

That council approves the site plan submitted by 913960 Ontario Limited as it relates to development of 16 Erinville Drive subject to the conditions of Appendix 1.

Appendices:

Appendix I -Conditions of Site Plan Approval
Appendix II – Proposed Site Plan

Appendix I – Conditions of Site Plan Approval

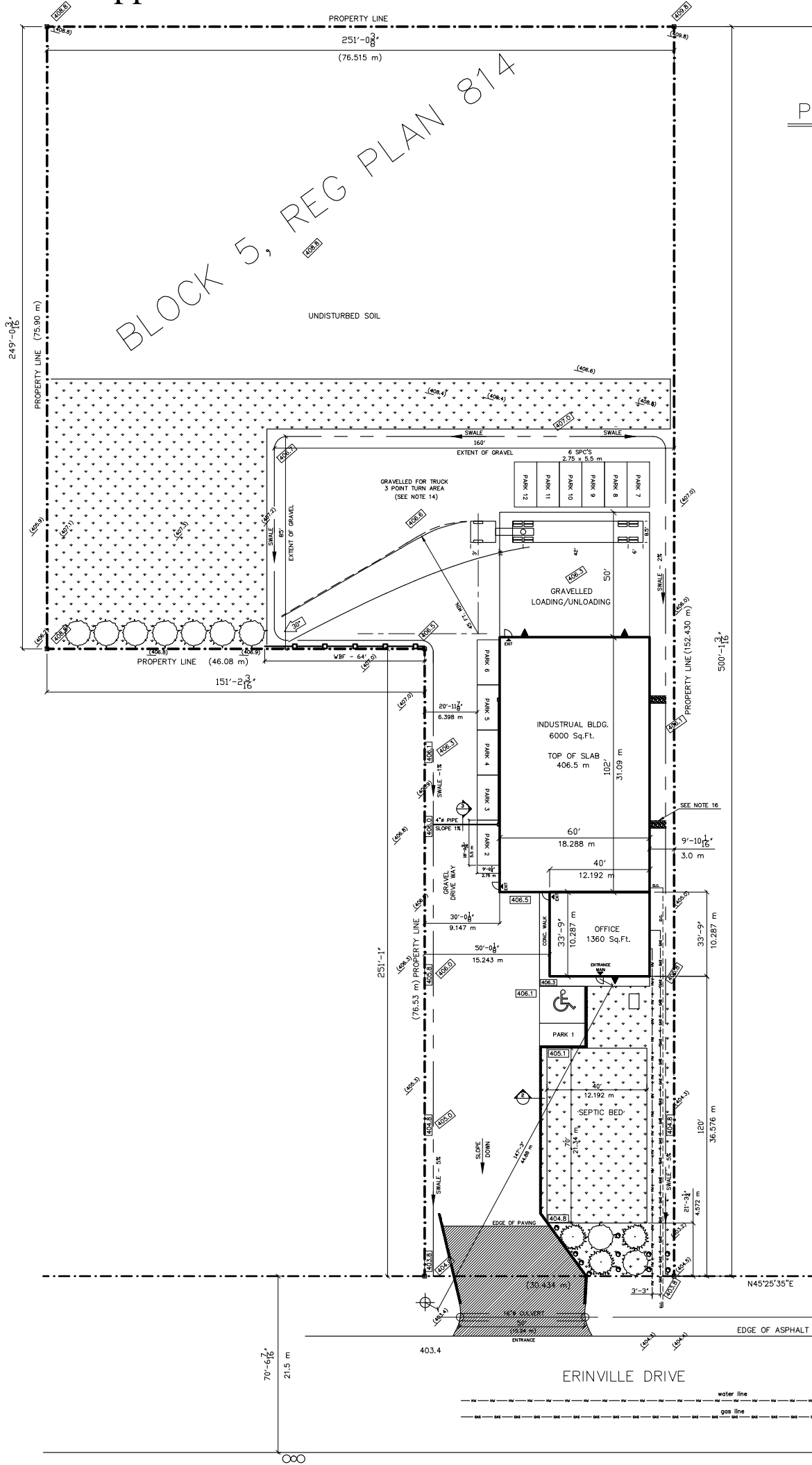
A. Conditions which must be satisfied prior to building permit issuance.

1. That this approval lapse if no building permit has been issued within two years from the date of site plan approval.
2. That a detailed grading, drainage and site servicing plan be reviewed and approved by the Town of Erin.
3. That all design will be in accordance with the Municipal Servicing Standards of the Town of Erin.
4. That the proposed landscape plan be completed and stamped by a Landscape Architect, be revised to the satisfaction of the Planning Department.
5. That the owner provide a detailed written estimate of costs for landscaping, all paving, curbing, drainage and storm sewers, stormwater management facilities, installation and maintenance of erosion and siltation control measures, tree protection, boulevard restoration, roof top mechanical screening, garbage enclosures and site works listing items, quantities, unit costs, and total costs. This estimate to be reviewed and approved by the Town of Erin.
6. That the owner deposit securities with the Finance Department, in a form meeting the Finance Department's requirements, covering full costs of landscaping, all paving, curbing, drainage and storm sewers, stormwater management facilities, installation and maintenance of erosion and siltation control measures, tree protection, boulevard restoration, roof top mechanical screening, garbage enclosures and site restoration.
7. That provision be made for screening of all roof top mechanical equipment from public view and that the details of the screening of the roof top mechanical equipment be approved by the Planning Services Department.
8. That any Fire Protection concerns be resolved
9. That the applicant confirms that the signage conforms to the sign by-law to the satisfaction of the By-law Enforcement staff.
10. That the drainage from the property be approved by the Town of Erin.
11. That the owner shall apply to the Town's Water Department to review any servicing concerns relating to the water connection and pay all necessary fees, if required.
12. That the driveway design be approved by the Town of Erin Roads Department.
13. That an entrance permit or curb cut permit be obtained from the appropriate Road Authority.
14. That driveway culverts, if necessary, be installed to the satisfaction of the Roads Department.
15. That all comments from circulated staff have been satisfied.

B. Conditions required to be met prior to securities being released.

16. That the owner will submit as-built drawings confirming that the grading have been installed in accordance with the approved Drawings prior to the release of any securities.
17. That for all undeveloped or phased areas of the site that ground cover be established prior to release of any securities.

18. That all padmount electrical transformers be screened from public view with appropriate landscaping to the satisfaction of the Town and Hydro Authority.
19. That all external refuse containers be fully screened with material compatible to the main structure and be maintained in good repair.
20. That on-site lighting not impinge on adjacent lands and be directed away from nearby residences.
21. That the applicant acknowledge that the site plan approval does not constitute approval of any signage that may be shown on the plans and that the applicant is required to obtain sign permits from the By-law Enforcement and Licensing Section of the Building Services Department for all signage on the subject site.
22. That any proposed wood fence be constructed of pressure treated pine or western red cedar with all hardware being galvanized.
23. That no landscaping or site facilities (i.e. signs, planters, parking, entry features) be placed within the road widening area, other than sod and street trees, unless specifically approved by the Roads Department.
24. That all conditions of this Site Plan approval shall have been complied with prior to the 15th of September in the second year following the issuance of the building permit failing which Town staff may proceed to draw on the securities to complete all outstanding site plan conditions.
25. That for all designated handicapped parking spaces, the applicant will ensure the provision of appropriate pavement markings as well as the installation of the standard Town signage for each handicapped parking space.





Staff Report

Report #: BD2015-13

Date: September-15-15

Submitted By: Andrew Hartholt, CBO

Subject: Building Permit Activity Report

Recommendations:

Be it resolved that Council hereby receives Building Department Building Activity Report dated September 15, 2015 for information.

Background:

Overall the building permit numbers this year are up over last year's numbers. For the month of August, we have issued 25 permits, 4 of which were for new housing starts and 1 new multiple residential unit.

See attached appendices for full breakdown of the comparison of the 2015 building permit activity vs. 2014 building permit activity.

Financial Impact:

None

Consultation:

N/A

Communications Plan:

To be presented at a regular council meeting for information

Appendices:

Appendix I – Building Permit to Date – August 31, 2015
 Appendix II – Monthly Comparison – August 2015

Appendix I - Building Permit to Date

Town Of Erin

Permit Comparison Summary

Issued For Period **JAN 1,2015** To **AUG 31,2015**

| | Previous Year | | | Current Year | | |
|---|---------------|-----------|--------------|--------------|-----------|---------------|
| | Permit Count | Fees | Value | Permit Count | Fees | Value |
| Accessory Building | | | | | | |
| Deck | 15 | 6,022.30 | 155,200.00 | 10 | 2,957.64 | 129,300.00 |
| Pool | 14 | 3,000.00 | 339,900.00 | 9 | 1,800.00 | 220,000.00 |
| Accessory Building - Residential | | | | | | |
| Accessory Building - Residential | 31 | 17,647.94 | 641,500.00 | 17 | 14,236.28 | 592,000.00 |
| Assembly | | | | | | |
| Assembly | 1 | 75.00 | 5,000.00 | 1 | 75.00 | 0.00 |
| Change of Use | | | | | | |
| Change of Use | 2 | 2,951.80 | 25,000.00 | 1 | 750.00 | 0.00 |
| Commercial | | | | | | |
| Commercial | 2 | 0.00 | 1,810,000.00 | 0 | 0.00 | 0.00 |
| Commercial - Major renovation | 2 | 2,750.00 | 100,000.00 | 4 | 5,500.00 | 135,778.00 |
| Commercial - Minor renovation | 4 | 2,325.00 | 80,000.00 | 0 | 0.00 | 0.00 |
| Demolition | | | | | | |
| Demolition Permit | 0 | 0.00 | 0.00 | 3 | 600.00 | 15,000.00 |
| Demolition Permit - Non-Residential | 2 | 1,500.00 | 0.00 | 0 | 0.00 | 0.00 |
| Farm Building | | | | | | |
| Farm Building - Addition/renovation | 7 | 5,010.00 | 694,800.00 | 2 | 2,057.60 | 487,500.00 |
| Farm Building - New | 8 | 12,327.18 | 874,250.00 | 7 | 4,897.20 | 319,300.00 |
| Industrial | | | | | | |
| Industrial | 1 | 8,160.00 | 150,000.00 | 0 | 0.00 | 0.00 |
| Industrial - Major | 2 | 1,500.00 | 840,000.00 | 2 | 7,070.00 | 506,000.00 |
| Institutional | | | | | | |
| Institutional - Major | 1 | 2,000.00 | 400,000.00 | 0 | 0.00 | 0.00 |
| Institutional - Minor | 1 | 750.00 | 3,000.00 | 0 | 0.00 | 0.00 |
| Residential | | | | | | |
| Residential - Major | 14 | 30,122.10 | 2,410,000.00 | 19 | 35,307.88 | 2,838,000.00 |
| Residential - Minor | 8 | 2,102.53 | 79,000.00 | 11 | 3,278.96 | 153,200.00 |
| Residential - Multiple | 0 | 0.00 | 0.00 | 3 | 11,400.00 | 980,000.00 |
| Residential - New | | | | | | |
| Residential -SDR | 15 | 44,571.99 | 6,310,000.00 | 29 | 92,949.12 | 13,258,000.00 |
| Septic Permit | | | | | | |
| Septic Permit | 30 | 13,850.00 | 0.00 | 46 | 21,850.00 | 0.00 |
| Septic Permit - Tank Replacement | 6 | 1,200.00 | 0.00 | 8 | 1,600.00 | 0.00 |
| Tent | | | | | | |
| Tent | 4 | 800.00 | 3,000.00 | 6 | 1,200.00 | 0.00 |

Town Of Erin

Permit Comparison Summary

Issued For Period JAN 1,2015 To AUG 31,2015

| | <u>Previous Year</u> | <u>Current Year</u> |
|---------------------------------|----------------------|---------------------|
| Total Permits Issued | 170 | 178 |
| Total Dwelling Units Created | 18 | 35 |
| Total Permit Value | 14,920,650.00 | 19,634,078.00 |
| Total Permit Fees | 158,665.84 | 207,529.68 |
| Total Compliance Letters Issued | 22 | 41 |
| Total Compliance Letter Fees | 1,650.00 | 3,075.00 |

| <u>Permit Charge</u> | <u>Amount</u> |
|--------------------------------|---------------|
| Accessory Building - Residenti | 14,236.28 |
| Assembly | 75.00 |
| Change of Use | 750.00 |
| Commercial - Major renovation | 5,500.00 |
| Deck | 2,957.64 |
| Demolition Permit | 600.00 |
| Farm Building - Addition/renov | 2,057.60 |
| Farm Building - New | 4,897.20 |
| Industrial - Major | 7,070.00 |
| Pool | 1,800.00 |
| Residential - Major | 35,307.88 |
| Residential - Minor | 3,278.96 |
| Residential - Multiple | 11,400.00 |
| Residential -SDR | 92,949.12 |
| Septic Permit | 21,850.00 |
| Septic Permit - Tank Replaceme | 1,600.00 |
| Tent | 1,200.00 |
| Total | 207,529.68 |

Appendix II - Monthly Comparison

Town Of Erin

August

Permit Comparison Summary

Issued For Period **AUG 1,2015** To **AUG 31,2015**

| | Previous Year | | | Current Year | | |
|---|---------------|-----------|--------------|--------------|-----------|--------------|
| | Permit Count | Fees | Value | Permit Count | Fees | Value |
| Accessory Building | | | | | | |
| Deck | 3 | 1,214.12 | 20,000.00 | 0 | 0.00 | 0.00 |
| Pool | 0 | 0.00 | 0.00 | 2 | 400.00 | 30,000.00 |
| Accessory Building - Residential | | | | | | |
| Accessory Building - Residential | 6 | 3,544.29 | 140,000.00 | 1 | 1,385.28 | 80,000.00 |
| Change of Use | | | | | | |
| Change of Use | 1 | 200.00 | 0.00 | 0 | 0.00 | 0.00 |
| Farm Building | | | | | | |
| Farm Building - New | 2 | 5,592.00 | 270,000.00 | 1 | 750.00 | 38,000.00 |
| Residential | | | | | | |
| Residential - Major | 6 | 12,463.54 | 415,000.00 | 1 | 2,307.14 | 250,000.00 |
| Residential - Minor | 0 | 0.00 | 0.00 | 2 | 400.00 | 41,000.00 |
| Residential - Multiple | 0 | 0.00 | 0.00 | 1 | 11,000.00 | 903,000.00 |
| Residential - New | | | | | | |
| Residential -SDR | 3 | 8,744.36 | 1,185,000.00 | 4 | 9,924.75 | 2,280,000.00 |
| Septic Permit | | | | | | |
| Septic Permit | 7 | 3,500.00 | 0.00 | 8 | 3,575.00 | 0.00 |
| Septic Permit - Tank Replacement | 0 | 0.00 | 0.00 | 2 | 400.00 | 0.00 |
| Tent | | | | | | |
| Tent | 2 | 400.00 | 3,000.00 | 3 | 600.00 | 0.00 |

| | <u>Previous Year</u> | <u>Current Year</u> |
|---------------------------------|----------------------|---------------------|
| Total Permits Issued | 30 | 25 |
| Total Dwelling Units Created | 4 | 10 |
| Total Permit Value | 2,033,000.00 | 3,622,000.00 |
| Total Permit Fees | 35,658.31 | 30,742.17 |
| Total Compliance Letters Issued | 4 | 7 |
| Total Compliance Letter Fees | 300.00 | 525.00 |

| <u>Permit Charge</u> | <u>Amount</u> |
|--------------------------------|---------------|
| Accessory Building - Residenti | 1,385.28 |
| Farm Building - New | 750.00 |
| Pool | 400.00 |
| Residential - Major | 2,307.14 |

Town Of Erin

Permit Comparison Summary

Issued For Period AUG 1,2015 To AUG 31,2015

| | |
|--------------------------------|-----------|
| Residential - Minor | 400.00 |
| Residential - Multiple | 11,000.00 |
| Residential -SDR | 9,924.75 |
| Septic Permit | 3,575.00 |
| Septic Permit - Tank Replaceme | 400.00 |
| Tent | 600.00 |

| | |
|-------|-----------|
| Total | 30,742.17 |
|-------|-----------|



Staff Report

Report #: 2015-F01

Date: September-15-15

Submitted By: Dan Callaghan, Fire Chief

Subject: Purchase of Scott Pack Breathing Apparatus
Tender 2015-F01
TENDER RESULTS

Recommendations:

Be it resolved that Council receives the Purchase of Scott Self Contained Breathing Apparatus, Auxiliary Equipment and Training Tender #2015-F01 Tender Results report;

And Further That Council accepts the bid of 3635112 Canada Inc. o/a M&L Supply (the lowest qualified bidder) for the supply of Scott Packs at a price of \$ 293,635.02 including HST and Contingency.

Background:

Tender requests were emailed by the Town of Erin to the three Scott Pack suppliers in Ontario for pricing, availability and training.

The tenders received have been checked for errors and omissions and no arithmetical errors were found. The following two tenders were received:

| | |
|------------------------|--------------|
| M&L Supply | \$293,635.02 |
| Acklands-Grainger Inc. | \$344,279.13 |

It is recommended that council award the Contract to 3635112 Canada Inc. o/a M&L Supply in the amount of \$ 293,635.02 which includes an allowance for Contingencies and HST.

Financial Impact:

This expenditure is included in the 2015 Capital Budget. The financial impact to the Town of Erin will be \$264,427.43.

Consultation:

Director of Finance

Communications Plan:

Report to Council.

Conclusion:

That Council accepts the tender of the lowest bidder, 3635112 Canada Inc. o/a M&L Supply for the supply and training of 24 Scott Packs, bottles, masks, and associated training for a price of \$ 293,635.02 including HST.

Appendices:

N/A



Staff Report

Report #: 2015- 10

Date: September-15-15

Submitted By: Larry Wheeler / Financial Analyst

Subject: FIT 4 Solar – Centre 2000

Recommendations:

Be It Resolved, that Council of the Town of Erin hereby:

- 1) Receives Report 2015- 10 'FIT 4 Solar – Centre 2000' as information.
- 2) Accepts the Financial Analyst's recommendation to complete the necessary documentation in order that Guelph Solar can submit the finished proposal on the September 30th opening day of the application period. As per the attached letter from Guelph Solar, Council may choose at its October 6th Council Meeting to withdraw from the programme if it is not satisfied that the financial returns are satisfactory.

Background:

The Independent Electricity System Operator (IESO) is currently in the process of determining the FIT4 pricing structure for 2016, which it intends to publish before opening the application period on September 30th.

As of writing this report, the pricing structure has not been released. As a result, the financial analysis required to ascertain the Town's participation in the program cannot be completed. However, in order to maintain the highest chance of a winning submission it is imperative that our application be submitted on the opening day, as the submissions are time stamped and the program will be oversubscribed.

Financial Impact:

As per the Guelph Solar representative at our Sept 1st Council Meeting, the costs to date have been absorbed by Guelph solar.

Consultation:

Staff continues to work alongside Guelph Solar in preparation of the application. Also, staff will know immediately when IESO announces the 2016 pricing structure.

Communications Plan:

Once the pricing structure is announced, staff will forward the information directly to Council. Staff will then complete the necessary analysis and prepare a report for the October 6th meeting. If Council then decides to withdraw from the program, staff will inform Guelph Solar who will withdraw our application.

Conclusion:

Prior to the pricing structure being released by IESO, Council cannot make an informed decision to continue with the FIT 4 programme. Staff will obtain that information and perform the necessary analysis.

Council retains the option to withdraw from the FIT 4 application process at its October 6th meeting if it believes the price structure (once announced) is not satisfactory.

Appendices:

Attachment 1 – IESO originally distributed electronic message.

Attachment 2 – Guelph Solar strategy letter for continuation of application documentation.

Click [here](#) if you are having trouble viewing this message.



In response to feedback received from stakeholders, the IESO is commencing the annual price review to determine the FIT and microFIT pricing structure for 2016. The IESO expects to post the 2016 price schedule before opening the application period for FIT 4. This will provide the price certainty for FIT 4 that stakeholders have requested.

As a result of advancing the price review, the FIT 4 application period is expected to run from September 30 to October 23, 2015. The FIT 4 procurement schedule has been updated to reflect these changes. Final versions of the FIT 4 Program Rules, Contract, and Standard Definitions are now available so applicants may begin to prepare their applications. These documents reflect the feedback received on the draft program documents, as well as the original feedback received on the FIT 2015 Discussion Paper. In addition, the FIT website, Prescribed Forms and Guidance Documents are being updated to reflect the new FIT 4 information and to incorporate a more streamlined structure. This will be completed over the coming weeks.

More information on these developments is available on the [FIT website](#).

Please note, the Ontario Power Authority merged with the Independent Electricity System Operator on January 1, 2015 to create a new organization that carries the name Independent Electricity System Operator (IESO). For more information, visit www.ieso.ca.

You have received this message from the Independent Electricity System Operator (IESO). IESO is located at 120 Adelaide Street West, Suite 1600, Toronto, Ontario M5H 1T1. You may contact IESO by emailing us at customer.relations@ieso.ca or visiting us on our website at www.ieso.ca.

[Unsubscribe](#) or to change your [Subscription Preferences](#).



Sept 10, 2015

Town of Erin Council
5684 Trafalgar Rd.
Hillsburgh, ON N0B 1Z0

Thanks you for your time and consideration to complete the Centre 2000 rooftop solar PV project. All of CED co-op, its members, the Erin residents we work with and Guelph Solar are looking forward to a successful project.

Seeing as we have yet to see what the final tariff price will be for the project, we are not able to give certain project financial yield estimates. However, we are certain to have a tariff set before the application window opens on September 30, 2015 and will provide a financial model when we know the tariff.

Since priority for IESO Contract Offers are set by Application Time Stamps, we want to submit the application on the 30th as early as possible in order to secure the project.

However, due to the timing of the next two council meetings, we will allow the September 15 "Get out of jail free card" mentioned on the September 1st council meeting to terminate the project pushed back to the October 6, 2015 Council meeting.

Please take this letter as a guarantee that if Town were to sign up for a Solar Lease Agreement in order to submit an application by September 30th, that you have the option to request a termination of the project IESO FIT application and Guelph Solar will terminate it shortly thereafter. This decision will be made on the Oct 6th Council meeting based on the posted tariff and revised financial model. Termination will be without any penalty or liability. However we kindly ask the Town to keep in mind that Guelph Solar's estimates are always conservative and our project track record outperforms our estimates by 105%. We choose to under-promise and over-deliver so that our customers and partners are absolutely satisfied with their projects.

Unfortunately, we are unable to add this language into the Lease agreement since it would nullify any application for a FIT contract so please take this letter as our guarantee.

Councilor Smith had requested clarification regarding Termination of the project during its commercial operation (ie. 5 years down the road). With respect to the IESO FIT contract, the Town and CED co-op, as partners and with mutual agreement, may terminate the IESO FIT contract at any time. With respect to the Lease and Partnership agreement with CED co-op and the Town, termination is only possibly in the event of Default, or with mutual agreement. The Town has the option to buy CED co-op out of the project (within the IESO FIT Contract and Rules), or sell their



portion of the project to CED co-op or a third party.

Guelph Solar does not advise cancellation of the Project and advises that FIT projects of this size and caliber have increased value after several years of proven cash flow and operation. The Town should consider selling its project rights before any termination is considered.

We hope that this letter eases any pressure to sign a Lease for the Centre 2000 rooftop space and that you will dedicate resources to finalize the Lease before September 30.

Many thanks for your consideration.

Anton Lamers
Commercial Sales and Projects Manager



Staff Report

Report #: 2015-10

Date: September-15-15

Submitted By: **Sharon Marshall, Director of Finance**

Subject: Ballinafad Community Centre- Committee Request to Pay Major Repairs Invoice

Recommendations:

Be it resolved that major structural repairs to the concrete front entrance of the Ballinafad Community Centre were required unexpectedly, and that Council authorizes the payment of the repair invoice to Garinn Construction Inc. in the amount of \$6,771.16 including HST.

Background:

Earlier this summer, the Ballinafad Community Centre Committee noticed deterioration in the front door and entrance of the Hall, including a “separation’ or ‘gap’ that created a safety hazard. The problem was reported to the Town’s Building Department. Building Inspector Harold Knox inspected the site and determined that major repairs were required. He engaged the services of Garinn Construction to undertake the repairs, under his direction. The removal and replacement of the steps and railings were completed by August. Harold has signed off on the invoice.

The repair was unexpected and the costs were not included in the BCC’s 2015 Budget. Although the volunteer Committee of the BCC usually fundraises for regular repairs and maintenance, they do not have the funds set aside for this unforeseen expense. The Committee, therefore, is asking the Town to cover the costs of the Garinn invoice. (see attachment Appendix B).

Financial Impact:

The unbudgeted repair costs are \$5,992.18 – not including the 100% refundable HST.

Consultation:

The Building Inspector was consulted and signed the invoice. The Ballinafad Community Centre Treasurer was circulated the invoice. The Councillor who sits on the BCC, John Brennan, has been advised of the issue.

Communications Plan:

If Council authorizes the payment, the Ballinafad Community Centre Committee will be informed and a Town cheque will be issued to Garinn Construction.

Conclusion:

The Ballinafad Community Centre Hall is owned by the Town of Erin. It is an aging building and requires annual repairs and upgrades. The Committee operates the facility for the Town through their own volunteer efforts. Although the Committee usually funds the day-to-day regular repairs to the Hall (including new windows, replaced roof, foundation repairs), this issue was unexpected and funds are not available within their own small budget. As a Town-owned facility, the responsibilities for structural integrity and safety issues are the Corporation's.

Therefore, I support the Ballinafad CC. Committee's request, and recommend that the invoice be paid by the Town from the "general recreation" budget.

Appendices:

- A. Garinn Construction Inc. Invoice dated August 10, 2015
- B. Ballinafad Community Centre Committee Treasurer's Letter requesting payment (email)

GARINN CONSTRUCTION INC.

210 DANIEL ST BOX 477 ERIN, ONTARIO N0B 1T0 TELEPHONE: 519-833-0791 CELL: 519-939-1200

August 10 , 2015

Town of Erin
Attention: Harold Knox
Erin, Ontario

RECEIVED
AUG 11 2015
TOWN OF ERIN

INVOICE

Work Completed at Balinfad Community Centre

| | |
|---|-------------|
| -Remove old railings and support post | |
| -Remove 20" concrete slab and all debris | |
| -Build barrier wall in place of glass doors | |
| -Jack Hammer Rental | |
| -Materials | \$ 1,971.00 |
| | |
| -Supply and install new ¾" clear gravel approximately 16" thick and compact | |
| -Rental of Plate Tamper | |
| -Materials | \$ 519.68 |
| | |
| -Install forms for new 6" concrete slab | |
| -Includes, 2-5X5 steel angles, bolts and rebar | |
| | \$ 603.00 |
| | |
| -Pour new concrete slab approximately 97sq.ft X 6" thick | |
| | \$ 1,500.00 |

-Remove forms

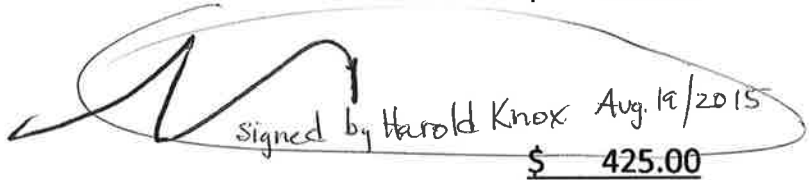
-Supply and install new support posts and railings

\$ 465.00

-Reinstall glass doors and sill

\$ 508.50

-Concrete removal

 Signed by Harold Knox Aug. 19/2015

\$ 425.00

Sub-Total \$ 5,992.18

H.S.T. \$ 778.98

TOTAL COST OF JOB \$ 6,771.16

If you have any questions, please don't hesitate to call me at 519-939-1200

Thank you,
 Chuck Stewart
 Garinn Construction Inc.

Sharon Marshall

From: Sharon Marshall
Sent: September-09-15 11:17 AM
To: Sharon Marshall
Subject: Letter from BCC - request to pay Invoice for Front Step repairs

Sharon Marshall, Members of Council,

June of this year, when the post office delivery driver opened the main entrance door, the pins and hinges collapsed causing the door to fall outwards and onto the delivery driver. Thankfully he was not injured. A temporary fix was done by placing shims under the door frame. As this posed a serious safety risk, the BCC committee determined that immediate repairs needed to be made. The committee had originally thought the problem was water getting in underneath the steps, causing the ground to sink and the steps to pull away from the building, and the entrance door frame to shift.

Once the steps were removed, it was discovered there was a wood foundation that had rotted out, whereas it should have been a concrete foundation on the building. This now became a major structural issue with the building itself and required an inspection by the Town's engineer/inspector and no longer normal repairs and maintenance.

The BCC committee budgets for normal repairs and maintenance. We host fund raising events to cover the costs for large ticket items. In the past, we have raised funds to replace the Community Centre's windows, paint walls, refinish the hall floors, replace stoves, and refrigerators, install security cameras to prevent vandalism, etc. The Town assists with some of the costs for major capital expenditures, as the Ballinacfad Community Centre is a Town owned facility.

The repairs to the front entrance to the community centre was an unexpected expense and not accounted for in our 2015 budget. The expense incurred was to repair a structural deficiency on a Town owned building. Therefore, the Ballinacfad Community Centre committee is requesting the Town of Erin pay the invoice for the front entrance repairs.

Respectfully submitted by,

Elizabeth van Ravens
Treasurer, Ballinacfad Community Centre

cc: Gloria Buckley, President
Karen Hamilton, Secretary

SCF

Small Communities Fund

Recommended Project > Production Wells Programme

Project Description > Production Wells Programme includes > tender, obtain temporary PTTW, drill, analyze pumping test, water quality testing, obtain PTTW, confirm GUDI status, source water protection evaluation updates.

Estimated Cost > \$153,000

Application Amount > \$102,000 (2/3 recommended)

SCF Advantages

- ❖ **Drinking Water** is specifically designated as a critical infrastructure category in the Communities Component (CC) of the Building Canada Fund.
- ❖ The motivation behind our goal of developing new water supplies in Hillsburgh and Erin is not expansion (which is not an Ontario priority) but is the “renewal and replacement” of our existing water supplies, which is an Ontario priority.
- ❖ Eligible project costs include: environmental assessment, design, engineering, project management, materials, and construction.
- ❖ Our proposed project passes the four tests of ‘assessment’:
 - (i) Evidence of technical merit
 - (ii) Evidence of economic benefit
 - (iii) Included in Asset Management Plan
 - (iv) Core infrastructure adequately planned for and funded.
- ❖ Our project meets the SC Fund timeline of completion by October, 2021.

- ❖ The only **OBJECTIVE** of the SCF Drinking Water category is *“To invest in water infrastructure that contributes to economic growth, a clean environment and stronger communities”*.
- ❖ There are two Subcategories of eligible Water projects:
 - (1) Drinking water treatment infrastructure
 - (2) **Drinking water distribution systems**
- ❖ One of the SCF Water **‘Outcomes and Benefits’** listed is *“Improving the protection and / or management of drinking water sources”*.
- ❖ One of the SCF Water **‘Eligibility Clarifications’** listed is *“projects that improve the efficiency and service reliability of distribution systems, including preventing / reducing structural failure”*.

Political Advantages

- ❖ The proposed project has already gained the consensus of Council as per its proportional approval in the 2015 (50%) and 2016 (50%) Capital Budget.
- ❖ The water servicing EA is identified & recommended in the SSMP.
- ❖ The proposed project is identified in the Development Charges Background Study.
- ❖ The proposed project is identified in the Five Year Capital Plan.
- ❖ The proposed project potentially benefits both the two largest urban centres equally.
- ❖ There is ongoing discussion with regard to who should be paying for the water servicing EA i.e. urban tax payers vs. rural tax payers vs. developers. Federal and Provincial grant funding would help to alleviate this debate.

To summarize, the fee estimate associated with the water servicing Class EA is as follows:

| Task | Fee Estimate (excluding HST) |
|---|---------------------------------|
| Project Management and Class EA Co-Ordination by Triton Engineering | \$52,800 |
| Water Supply Assessment by BHI | \$118,780 |
| Test Well Drilling and Pumping Tests | \$80,000 |
| Production Well Drilling and Pumping Tests | \$120,000 |
| Water Quality Testing | \$9,000 |
| Source Water Protection Evaluation Updates | \$24,000 |
| Total | \$404,580 |

2

3.7 **TASK 7 – DEVELOP PRODUCTION WELL(S) AND OBTAIN A PTTW**

If the test wells show promise, production wells will be drilled in close proximity to the test wells. It is proposed that the drilling of the production wells will be an option to the drilling tender, and subject to minor revisions based on the findings of the test well drilling, the option to continue the drilling contract can be exercised. The following tasks are proposed:

- refine production well(s) tender documents;
- evaluate tenders and award contracts, if required;
- obtain a temporary PTTW to conduct a pumping test;
- drill production well(s), assume to be 10 inch diameter and develop the well(s) to appropriate standards;
- conduct a long-term pumping test, 72 hours to 7 days, the length will be based on discussions with the MOECC and the findings of the test well assessment;
- analyze pumping test results and water quality;
- assuming the well(s) is suitable for municipal water supply, prepare supporting documentation for the PTTW;
- confirm GUDI status;
- refine Source water protection analysis if necessary; and,
- assist the Town in the submission of the PTTW.

- Bridges
- Water
- Wastewater

Federal Government's Small Communities Fund

- Highways or major roads (including bridges)Public transit
- Disaster mitigation
- Connectivity or broadband
- Innovation
- Wastewater
- Green energy
- Drinking water
- Solid waste management
- Brownfield redevelopment
- Local and regional airport
- Short line rail
- Short sea shipping

Please see Appendix B for the detailed list of eligible project categories and criteria.

Note: Construction should not have already begun for the project or the phase of the project being proposed.

5.8 Can I reapply with the same project that was unsuccessful in the first intake?

It is up to each applicant to determine which project to put forward. Re-submitted projects will be accepted and re-evaluated according to the assessment criteria.

5.9 My project is still being considered under Intake 1

of the Small Communities Fund, can I still apply?

We continue to work with the federal government to review your project and hope for an expeditious decision. You are eligible to submit a new project under Intake 2 and it is up to each applicant to determine which project to put forward. Please contact the OMAFRA (Ontario Ministry of Agriculture, Food and Rural Affairs) call centre (1-877-424-1300) to discuss this issue in further detail.

5.10 What types of projects are priorities for the province?

A focus of the Municipal Infrastructure Strategy is to provide support for critical core infrastructure projects. Ontario's priority will be projects that focus on renewal, rehabilitation, and replacement projects. If expansion projects are proposed they will only be considered if the eligible applicant demonstrates that core infrastructure projects are being addressed and that there is a plan to fund the lifecycle costs of the expansion (e.g., ongoing maintenance). The province may also prioritize projects that assist in meeting other provincial policy, operation, and implementation and design requirements. The province may also prioritize First Nations drinking water system projects.

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.

5.11 What project costs are eligible / ineligible for reimbursement?

Ontario Community Infrastructure Fund

Eligible project costs are third-party costs such as:

- Environmental assessment costs (if any)
- Design/engineering costs
- Project management costs
- Materials

**Minutes of the Let's Get Hillsburgh Growing Committee
Meeting
July 30, 2015**

Members present: Lloyd Turbitt, Ruth Maddock, Donna Revell, Donna Muir, Jackie Turbitt, Liz Ewasick, Elizabeth MacInnis
Regrets: Jeff Duncan

1) Minutes:

Motion 3-7-2015: LGHG Minutes

Moved by Ruth Maddock; seconded by Jackie Turbitt: That the minutes of the LGHG Committee meeting of July 16, 2015 be adopted as circulated. Carried.

2) Accounts:

Motion: 4-7-2015: Accounts

Moved by Liz Ewasick; seconded by Ruth Maddock: That LGHG accounts in the amount of \$ 1671.25 (list attached) be paid. Carried.

These are expenses for Family Fun Day and payment for "Thank You to Donors" ad in Erin Advocate.

3) Spirit of the Hills, Hillsburgh's Family Fun Day, and Saturday August 15

Advertising (Donna R.):

Committee members are busy distributing posters in locations around Town.

Actions needed:

- 1) Donna will send press releases to Erin Advocate, Wellington Advertiser and Orangeville Banner for publication next week.
- 2) Donna to place ad in Erin Advocate for Spirit of the Hills, Hillsburgh's Family Fun Day for next week's (August 6) edition.
- 3) Lloyd to contact Ronia Michael at Erin Radio about interview to promote LGHG Committee and Family Fun Day.
- 4) Donna to send information to Jennifer McKinnon for posting on electronic sign.
- 5) Lloyd to contact Terry at the Arena to post Fun Day on sign board
- 6) Donna will put Fun Day on the Library's sign.

Car show (Lloyd):

County of Wellington has sent a box of memo pads for the car show goodie bags.
Volunteers for Car Show: Lloyd, Grace, George Nakamura + 1 student volunteer.

Community Groups requesting booths:

4H Art Club will display their artwork in the Historical Park.
Green Legacy EWCS (Children's Programmes)
Guelph Storm Erin Agricultural Society (Erin Fall Fair)
Fire Department with truck
Rotary Club

Vendors: Jackie ran down a list of vendors that are coming at this point, 21 in total.

Silent Auction (Donna M.):

Contact made with donors from last year. Donations received or promised so far:

RBC – coin set

Taoist Tai Chi International Centre – gift certificate for lessons

Grace Lush – gift basket with coffee

Erin Agricultural Society – 2 passes to Erin Fall Fair

Sue Veeck – gift basket with hair products

County of Wellington – gift basket

Guelph Lakes Golf & Country Club – green fees & cart for 2

Action needed: Committee members to continue to canvas for items for silent auction.

| | | |
|-----------------------|-------------------------------|-----------|
| Entertainment: | Tai Chi Demonstration | 11 am |
| | St. Andrews Church Bell Choir | 12 (Noon) |
| | Celebrity Challenge | 1 pm |

Celebrity Challenge (Liz):

John Brennan, Jeff & Pierre Brianceau have agreed to participate.

Action needed: Small (maybe 4'X4' at the largest) platform needed for this activity. Lloyd will investigate stage at the arena.

Action needed: Jeff has been asked to contact Town Council members who have not replied to invitation.

Volunteers (Donna R.):

11 (possibly 12) students have volunteered to help.

Adult volunteers (in addition to LGHG Committee members): Jamie, Ashley, Jennifer Veeck, Wendy (8:30 – 12)

Games (Donna R.):

Large bouncy castle: Lloyd will need to pick this up this year.

Action needed: Lloyd to try to obtain 3 large furniture boxes from Butcher Furniture.

Action needed: Donna and student volunteers will start work on games and photo cut-out boards next week.

Balloons: Will need helium-filled balloons to mark the games.

Action needed: Jackie & Lloyd to purchase 2 small tanks of helium.

4) Other Business & Round Table

Historical Park: Water line in the park has been installed. Lloyd has the key to unlock the water tap when needed.

Letter received from Donna Muir advising of her resignation from the LGHG Committee effective August 16.

**Next Meetings:
7 pm at the Hillsburgh Library
Thursday August 13**

Town of Erin
 Minutes of the Minor Variance Public Meeting
 held on August 19, 2015
 in the Municipal Office
 at 7:00 P.M.

| | | |
|----------|-----------------|---------------------|
| PRESENT: | Wayne Parkinson | Chairperson |
| | Rob Fletcher | Committee Member |
| | Craig Switzer | Committee Member |
| | Jamie Cheyne | Committee Member |
| | Jessica Wilton | Secretary Treasurer |

Roll#003-08350

Application: A08-15 Susan Jefferson

Property Description: 9612 Sideroad 5 Con 10 W Pt Lot 6

The Chair called the public meeting to order and announced that this meeting has been called under the authority of Section 45(1) of the Planning Act, R.S.O. 1990, Chapter P.13, as amended to seek relief from Zoning By-Law 07-67, section 4.2.3 to construct an accessory building to be used for personal storage with a height of 18'3" (5.6m). Height exceeds the maximum height permitted by 3'6" (1.1m).

The Chair asked for any declaration of pecuniary interest. None.

The Chair stated that the meeting is to provide information for the Committee to exchange views, generate input, and that the Committee has not taken a position on the matter. The Committee's decision will come after full consideration of input from the meeting, submissions from neighbours and any other interested parties, and comments from agencies.

The Secretary explained the appeal process to the applicant, that anyone wishing to appeal the Committee's decision, must do so within twenty days, by filing with the Secretary of the Committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the secretary of the fee prescribed by the Municipal Board under the Ontario Municipal Board Act.

The Chair advised those present that personal opinions and comments made by the public attending this meeting may be collected and recorded in the meeting minutes.

The Chair advised that this is a Public Meeting as required by the Ontario Planning Act to deal with planning matters regarding land development in the Province of Ontario.

The Chair advised that if a person or public body does not make oral submission at a public meeting or make written submission to the Committee of Adjustment before a decision is made, the person or public body may not be added as a party

to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

The Chair advised that the Committee will consider all input prior to making a decision on the matter before the end of the meeting.

The Chair introduced the Committee and staff.

The Chair asked the Secretary to advise the method by which notice of the meeting was given and the confirmation of the date the notice was issued.

The Secretary advised that notice was given by prepaid first class mail on July 30, 2015 to every owner of land within 60 metres of the area to which the application applies and agencies prescribed in the Planning Act governing Minor Variance Applications. Notice was also given through posting on the Town Website.

The Chair asked the Secretary to advise what agencies were circulated.

The Secretary advised that CVC, GRCA, County of Wellington, Ministry of Agriculture, Food & Rural Affairs, Ministry of Transportation, and the four School Boards, as well as Town staff were circulated.

The Chair read the nature of the responses.

Correspondence Received:

Building and Planning Departments

The applicant has submitted a Minor Variance application to request relief from Zoning By-Law 07-67, as amended, Section 4.2.3 "General Provisions", specifically the height of an accessory building.

The above noted property is zoned Agricultural (A) zone.

The height of an accessory building in the Agricultural zone not used for agricultural purposes is limited to 4.5 m in height. The relief being sought is to construct an accessory garage with a height of 5.6m exceeds the maximum height permitted by 1.1m.

The application states that the proposed building will be 2 storeys in height, and be used for personal storage. The building may only be used for personal use, and not as a business, commercial or industrial use.

A permit from the CVC will be required in addition to the building permit.

The Building Department has no objection to the minor variance application, subject to the applicant obtaining a building permit from the Building Department.

County

We understand that minor variance application MV08-15 is to provide relief for height for a proposed accessory shed. The relief being sought is 1.1m for a total building height of 5.6 m.

The subject property is in a rural location with agricultural land to the rear. All other requirements of the Zoning By-law are maintained.

This office has no objection to this variance being requested.

The following conditions are recommended:

1. That the accessory structure is used only for personal storage.
2. That the accessory structure cannot be used for business purposes or habitation.

Credit Valley Conservation

CVC has no objection to the minor variance but the entire property is regulated by CVC and will require a permit for the accessory building.

The Chair asked for the applicant to describe the reasoning for the extra height in the shed.

Applicant explained that the main level is going to be used for a shop on one side and storage on the other. There is no plumbing going in only electricity to allow for a TV and couch on the second storey.

Craig Switzer asked about the reason for the extra height, why do you need 8 feet tall ceilings.

Applicant explained that the 8ft tall was mainly for the shop to allow for extra height and they wanted the second storey to look the same. They also got all the wood for free so they had that available to make both floors 8 ft tall.

Craig Switzer asked if it was insulated and heated.

Applicant explained that it was insulated and a base heater would be used for the second storey.

Rob Fletcher asked about the accessibility to the second storey and deck off the second floor.

Applicant explained that there was access from the stairs on the outside of the building.

Craig Switzer asked about them building without a permit and why that occurred.

Applicant explained that they thought they would be able to rebuild the shed that was destroyed from the ice storm using the existing footings. However the building inspector notified them after they started building that they needed a permit.

The Chair explained the process of 20 appeal period ending on September 8th at 4:30 pm and they cannot continue to build until the 20 day appeal period is up.

The Chair stated the conditions that the county outlined again to only be used for personal storage and no business or habitation in the accessory building.

The following motion was passed with the conditions outlined above from the County.

Resolution

Moved by Committee Member Rob Fletcher

Seconded by Committee Member Jamie Cheyne

BE IT RESOLVED THAT the Committee approves the minor variance application A08/15 with the following conditions:

- That the accessory structure is used only for personal storage
- That the accessory structure cannot be used for business purposes or habitation

CARRIED.

The Chair then declared the meeting adjourned.

Secretary

Chair

Activity List 2015

| Description of Request | Person Responsible | Date Directed | Suggested Completion | Status |
|---|--------------------------------------|---------------|----------------------|--------------|
| Open Items | | | | |
| Fill By-law | CAO | 2014 | 19-May-15 | 70% |
| Stanley Park Arch and Gates - ownership/formal designation | CAO/Heritage Committee | 20-Jan-15 | 31-Dec-15 | 90% |
| Review of Committees of Council | CAO/Economic Development Coordinator | 3-Feb-15 | 31-Dec-15 | |
| Set dates for Special Meetings - strategic initiatives | Council | 3-Feb-15 | ongoing | as scheduled |
| Centre 2000 Shared Use Agreement | CAO | | 31-Dec-15 | |
| Alcohol Risk Policy - update | CAO | 19-May-15 | Q4 | |
| Mayor and Reeves Wall of Recognition | TEHC | 2-Jun-15 | 2016 | 75% |
| Station 50 - Update Emergency Plan | Fire Chief/County Emergency Manager | 2-Jun-15 | Q4 | |
| Wastewater EA Terms of Reference | Triton Engineering | 2-Jun-15 | Fall 2015 | |
| GMF Application for wastewater class EA feasibility study - submission and results | Triton Engineering | 2-Jun-15 | | |
| Technical Meeting to discuss issues related to how the land use planning and EA should proceed | Triton Engineering | 13-Jul-15 | Q3 | |
| Determine the best option for updating the Official Plan | Council | 13-Jul-15 | Fall 2015 | |
| Operational Review Recommendations - Implementation | CAO | June | Fall 2015 | |
| Outstanding Operational Review Item - Fire Department Review | CAO | 1-Sep-15 | Q4 | |
| Organizational and Compensation Review | CAO | | Q4 | |
| Corporate Strategic Plan - Finalizing 4 year objectives | CAO | | Q4 | |
| Report on actions/options required to implement a Community Safety Zone By-law | New Director of Operations/County | 1-Sep-15 | | |
| Quarterly Major Project Updates | CAO | 1-Sep-15 | Each Quarter | |
| | | | | |
| Completed Items | | | | |
| Report on cost and practicality of implementing a ban on the sale of bottled water in Town owned Facilities | Facilities Manager | 16-Dec-14 | 3-Feb-15 | 100% |
| Economic Development Committee | Economic Development Coordinator | 16-Dec-14 | 3-Feb | 100% |
| Establish Ad Hoc Committee - Grant Requests | Director of Finance/CAO | 3-Feb-15 | 17-Feb | 100% |
| Report - Procedural By-law changes | Clerk | 3-Feb-15 | 3-Mar | 100% |

Activity List 2015

| Description of Request | Person Responsible | Date Directed | Suggested Completion | Status |
|---|-----------------------------------|---------------|----------------------|--------|
| Provide comments to Halton Region regarding 4th Line Well Field Expansion by March 9 | Water Superintendent | 17-Feb-15 | 9-Mar | 100% |
| Provide comments to the Ministry of Transportation, Ontario Good Roads Association and Association of Municipalities of Ontario opposing any amendment to default speed limits. | Roads Superintendent | 17-Feb-15 | 27-Feb | 100% |
| Integrity Commissioner - implications of rescinding Code of Ethics | CAO/Integrity Commissioner | 3-Feb-15 | 7-Apr-15 | 100% |
| Celebrate Erin | Committee | 16-Dec-14 | 18-Apr-15 | 100% |
| Procedural By-law change | Clerk | 21-Apr-15 | 5-May-15 | 100% |
| Ice Storm Assistance Grant Agreement By-law | Clerk | 21-Apr-15 | 5-May-15 | 100% |
| Report on Waterford Drive with recommendations | Road Superintendent | 21-Apr-15 | 5-May-15 | 100% |
| Victoria Park - Concession booth work/rent | Facilities Manager | 7-Apr-15 | 19-May-15 | 100% |
| Operational Review Report to Council | Consultant | | 23-Jun-15 | 100% |
| Glendevon Reservoir - Report - Update on status and cost of repairs | Interim Water Superintendent | 2-Jun-15 | 16-Jun | 100% |
| Sideroad 10 unopened road allowance - possible closure of portion | CAO | 20-Jan-15 | n/a | 100% |
| Research on status of field inspections -examination of dams | Emergency Manager - Linda Dickson | 16-Jun-15 | September | 100% |

RECEIVED
SEP 04 2015
TOWN OF ERIN

Sept. 3, 2015

Dear Council,

In our ongoing effort to educate and engage communities about waste reduction, Recycling Council of Ontario asks municipalities from across the province to demonstrate their commitment to the environment and proclaim Oct. 19 – 25, 2015 as Waste Reduction Week in Ontario.

For communities that do not formally proclaim weeks/events, we encourage additional activities for public engagement.

Waste Reduction Week in Canada is a national campaign that builds awareness around issues of sustainable and responsible consumption, encourages the selection of environmentally responsible products/services, and promotes actions that divert waste from disposal and conserve natural resources.

Your community's commitment and participation in Waste Reduction Week in Ontario demonstrates the importance of waste reduction, and encourages residents and businesses to contribute to environmental protection.

There are five ways for council to support Waste Reduction Week in Ontario.

1. Promote Waste Reduction Week in Ontario through social media using hashtag #WasteReductionWeek. Share ideas, examples, and pictures of waste reduction initiatives that show your commitment to reducing waste at home, the office, and in the community.
2. Organize Waste Reduction Week in Ontario events in your local community. Register online at www.wrwcanda.com/events.
3. Proclaim online at www.wrwcanda.com/proclamations

continued

4. Incorporate the following into a formal municipal resolution and email your resolution/proclamation to wrw@rco.on.ca:

WHEREAS the generation of solid waste and the needless waste of water and energy resources are recognized as global environmental problems and,

WHEREAS municipal and provincial governments have an important role to play in promoting waste reduction, reuse, recycling, composting and other conservation measures and,

WHEREAS communities, businesses and organizations across Canada have committed to working together to raise awareness of these issues during Waste Reduction Week in Canada, and,

NOW KNOW YE THAT We do by these presents proclaim and declare that Oct. 19 - 25, 2015, inclusive, shall be known as Waste Reduction Week.

5. Utilize the attached certificate and include your municipality's logo or seal. An electronic version of the certificate is also available at www.rco.on.ca/wrw_ontario. Email your completed certificate to wrw@rco.on.ca.

Please join municipalities across Canada by participating Oct. 19 - 25, 2015 in Waste Reduction Week in Ontario.

For more information, visit www.wrwcanada.com.

Thank you for your commitment to the environment and waste reduction.

Kind regards,



Jo-Anne St. Godard
Executive Director
Recycling Council of Ontario
416.657.2797, ext. 3
wrw@rco.on.ca



400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

Phone: 519.621.2761 Toll free: 866.900.4722 Fax: 519.621.4844 Online: www.grandriver.ca

RECEIVED

August 28, 2015

SEP - 3 2015

TOWN OF ERIN

Dina Lundy, Clerk
Town of Erin
5684 Trafalger Road, R.R. #2
Hillsburgh, ON N0B 1Z0

Dear Ms. Lundy:

Re: Conservation Authorities Act Review

The Province of Ontario is conducting a review of the *Conservation Authorities Act*. On August 28, 2015 the members of Grand River Conservation Authority (GRCA) received the attached report. GRCA will be forwarding the report to the province as a formal response to the review.

In addition to the comments set out in the report, the Members of GRCA provided the following comments:

- GRCA is prepared to work with watershed municipalities and the Province to ensure that there is no duplication of effort among those organizations.
- GRCA Members would like the Province to recognize the importance of Conservation Authorities' lands and outdoor recreation facilities.
- GRCA will be submitting an application under the Feed-in Tariff Program for a hydro production project. The Members would encourage the Province to support this type of revenue generation opportunity for Conservation Authorities.
- The enclosed report identifies the need for funding support and GRCA members would like to strongly emphasize this point.
- If the Province elects to appoint representatives to the Board of a Conservation Authority, GRCA Members would prefer that such representatives be staff with experience in water and natural resource management.

The Provincial Discussion Paper is also enclosed for your consideration. We are encouraging Grand River watershed municipalities to provide comments directly to the province.

If you would like further information please contact Joe Farwell or Keith Murch at (519) 621-2761.

Yours truly,

Jane Mitchell
Chair
Grand River Conservation Authority

c.c. Chris White, GRCA Member (cover letter only)

Grand River Conservation Authority

RECEIVED
SEP - 3 2015
TOWN OF ERIN

Report number: GM-08-15-82

Date: August 28, 2015

To: Members of the Grand River Conservation Authority

Subject: Grand River Conservation Authority response to the *Conservation Authorities Act* Review

Recommendation:

That Report GM-08-15-83 - *Conservation Authorities Act* Review be received as information, AND THAT the report be forwarded to watershed Municipalities for consideration.

Report:

The Province of Ontario (Ontario) is carrying out a review of the *Conservation Authorities Act (CA Act)*. A discussion paper is posted on the Environmental Registry, and it poses a series of questions. The comment period for the posting runs through to October 19, 2015. A link to the discussion paper is found at http://apps.mnr.gov.on.ca/public/files/er/Discussion_Paper_2015.pdf. The review is focused on governance, funding mechanisms, and the roles and responsibilities of Conservation Authorities (CAs).

Conservation Ontario has formed a working group to prepare a response to the discussion paper. The response will be considered by Conservation Ontario Council at its September 28, 2015 meeting. The working group has identified four key messages that will be conveyed to the province:

1. CA activities around Ontario's natural resources have changed significantly over the years in response to increasing challenges to water and land resources. Stresses such as climate change, rapid growth, and changing land uses significantly challenge the ability of natural ecosystems to support economic growth, a sustainable environment, and the lifestyles and health of residents.
2. CAs are recognized for watershed management, science-based expertise and for being able to adapt to changing conditions. Sustainable provincial funding would ensure greater consistency and continuation of programs.
3. CA programs contribute significantly to addressing key provincial priorities including: climate change, Great Lakes, urbanization and growth, healthy people and a strong economy.
4. A more streamlined approach to environmental management is needed in Ontario and this will be achieved through a more integrated working relationship between CAs and Ontario.

From the perspective of CAs the goal for the review is that through any changes to the *Conservation Authorities Act*, Ontario will fully recognize and support the significant integrated watershed management role that CAs play in keeping Ontarians safe and keeping communities healthy.

CAs are recommending four areas for discussion:

1. Confirm the current CA mandate as outlined in the *CA Act* which is to undertake watershed-based programs for the conservation, restoration, development and management of natural resources;
2. Formalize and expand the CA working relationships across Ontario Provincial Ministries in order to capitalize on the important contributions of CA programs and services, and to more widely leverage and support CA efforts in local watersheds;
3. Discuss the governance model in relation to the funding model;
4. Sustainable provincial funding formula that captures and reflects the actual range of CA programs and services that support multiple provincial objectives.

In addition to providing the Province with the overview comments noted above, there is an opportunity to respond to specific questions from the discussion paper. Questions fall under the general headings of Governance, Funding Mechanisms, and Roles and Responsibilities. A brief description of the current status of the three matters under consideration and a proposed Grand River Conservation Authority (GRCA) response to each question follows.

Governance

The Province, through the *CA Act*, defines the objectives to be pursued by CAs and the power granted to achieve these objectives. The activities undertaken by a CA are directed by a municipally appointed board of directors. The Province has established legislative, regulatory and policy requirements. In the past, the Province played a more direct role in overseeing CAs by approving budgets and programs, appointing provincial representatives to CA boards, and selecting the Chair of the board. While oversight of CAs is still shared between the Province and the municipalities, changes to the *CA Act*, policy and general practice over time have resulted in less direct provincial oversight.

QUESTION #1: In your view, how well is the current governance model as provided in the *CA Act* working?

- a. What aspects of the current governance model are working well?

Members of the board of directors are appointed by the watershed municipalities. This is an effective method for assuring local accountability. It also allows the CA to tailor programs to meet local needs. The *CA Act* allows for a range of partnerships with the Province to address watershed management issues like water quantity and quality, and managing natural resources. CAs implement local programs to address provincial and federal priorities like great lakes quality, and natural hazard management.

- b. What aspects of the current governance model are in need of improvement?

CAs provide an integrated watershed management approach. They deliver local programs, while meeting provincial science, policy, and legislative objectives. It is an efficient service delivery model. Closer collaboration between CAs, watershed municipalities and provincial ministries would assist in efficient delivery on provincial objectives.

CAs assist several provincial ministries to achieve their objectives. The attached document titled "Adding Value – How Conservation Authorities support provincial priorities" provides a summary of the programs that have a direct link to provincial priorities. These Ministries include Natural Resources and Forestry (MNRF), Environment and Climate Change (MOECC), Municipal Affairs and Housing (MMAH),

and Agriculture, Food and Rural Affairs (OMAFRA). There is a need for increased coordination of effort and communication between the Province, Municipalities and CAs.

c. In terms of governance, what should be expected of:

i. The board and its members?

The role of the members is described in the GRCA by-laws. Consistent with this role, the board meets current best practices of and requirements for any not-for-profit corporation board. Voting should be done in accordance with the best interest of the watershed. The board adheres to Municipal Conflict of Interest legislation, policies, and protocols.

ii. The General Manager (GM) or Chief Administrative Officer (CAO)?

The role of the CAO is outlined in the GRCA by-laws. The principle role of the CAO is to ensure operational delivery is consistent with applicable legislation and contractual commitments and board approved policies, and to direct CA staff accordingly.

iii. Municipalities?

The role of the municipalities is to appoint members and establish a process for them to report back; to work with the CA in the budget development and approval process; to engage and collaborate with CAs in the developing and implementing strategic initiatives like climate adaptation strategies, subwatershed planning and water management strategies. Municipalities play a further role in continuing to fund programs like the Rural Water Quality Program (RWQP), which support local environmental sustainability.

iv. The Ministry of Natural Resources and Forestry (MNRF)?

The role of the MNRF is to lead the update of the provincial policy, science and standards that guide the natural hazards program and water management programs in Ontario. In addition, the MNRF should address the shortfall in transfer payments for this delegated program responsibility.

v. Other provincial ministries?

Other provincial ministries with an interest in managing natural resources should participate on a cross-ministry and municipal committee, to ensure coordinated delivery of provincial science, policy, and legislative objectives, and to proactively fund programs supporting provincial environmental sustainability.

vi. Others?

Various watershed stakeholders could continue to participate in the developing and implementing local projects. Examples in the Grand River watershed include the RWQP and Fisheries Management Plan Implementation Committee.

d. How should the responsibility for oversight of CAs be shared between the Province and municipalities?

Oversight of CAs should rest with the *CA Act*. Municipalities are critical partners; they decide on the formation of a CA, appoint representatives to the board, and provide funding support for CAs. The Province should establish a committee that includes CAs, municipalities, and Provincial Ministries with an interest in water and resource management. This committee would assist with coordinated delivery

of provincial science, policy, and legislative objectives. The Province should return to a more equitable cost sharing partnership between the province and municipalities.

- e. Are there other governance practices or tools that could be used to enhance the existing governance model?

Improvements from the proposed *Ontario Not for Profit Corporations Act* and other legislation that institutes best practices could be integrated into the *CA Act*.

Funding Mechanisms

The *CA Act* establishes a number of mechanisms which CAs use to fund programs. The *CA Act* allows the MNRF to provide CAs with funding to support Ministry approved programs. A CA may also apply for funding from the Province to deliver programs on its behalf. Local resource management programs and services are funded through Municipal levies. CAs can generate revenue through service and user fees, resource development and fundraising. CA funding needs vary depending on watershed size, population levels, watershed characteristics (such as the amount of hazard land and the potential for flood, drought, etc.). The number of water and erosion control structures owned or operated by a CA has a significant impact on its budget requirements.

QUESTION #2: In your view, how are the programs and services delivered by CAs best financed?

- a. How well are the existing funding mechanisms outlined within the *CA Act* working?

The funding partnership between the Province and Municipalities has undergone many changes over time. It has moved from a 50/50 partnership to a point where, today, CAs derive a large portion of their budgets from local Municipalities through the levy. Funding for CAs is derived from a variety of sources, but on the average 48% is provided through Municipal levies; 40% comes from self-generated revenues; 10% comes from the Province for flood management and source water protection programs; 2% is provided by Federal grants or contracts (2013 Conservation Ontario Survey). GRCA's revenue sources include 36% from Municipal levy, 47% self-generated, 10% from provincial grants and 7% from reserves and from other Municipal grants like the RWQP.

As many of the benefits are local, it is fitting that funding of watershed-based programs is derived from the local tax base (the Municipal levy). However, many of the benefits are in the broader public interest and require financial support from the Province. It is appropriate that a portion of the funding to be derived from the Provincial tax base.

Since the mid-1990s, MNRF has only approved provincial funding for the water related natural hazard management role of CAs. This includes flood and erosion control. Funding for this program was cut in the mid-1990's, and again 2012 for GRCA. At the GRCA aging infrastructure and climate change are placing increased demand on the water management infrastructure. Increasing population and the accompanying development causes increased service demand in the areas of plan review and natural hazard regulation. In addition, the growing population places increased demand on natural areas acquired by the GRCA for protection, but without a revenue source for managing the lands. Provincial funding support is required for these program areas which provide a broader public benefit.

In 2015, Conservation Ontario requested an additional \$5.9 million to enable CAs to improve floodplain mapping, conduct strategic asset management planning, and improve delivery of cost

effective flood warning and prevention programs. This funding would have complemented current provincial annual funding shared between 36 CAs: Water and Erosion Control Infrastructure (\$5 million) and Provincial transfer payment of \$7.4 million towards flood operations. In the delivery of the natural hazards and flood control program other provincial partners are involved. Ministries with responsibility for infrastructure management, land use planning policies to prevent development in hazard lands, flood emergency management and, low impact development approaches to stormwater management work together with CAs to achieve provincial objectives. This reinforces the need for the transfer payment for this program area to be more than just an MNRF responsibility.

- b. What changes to existing funding mechanisms would you like to see if any?

It is recommended that the Province establish an Inter-Ministry approach to transfer payments in support of the water related natural hazard prevention and management. To achieve the greatest environmental and economic benefit for the residents of Ontario, the Province should develop a sustainable Multi-Ministry funding formula for basic operational activities of CAs that support multiple Provincial objectives. Without this investment, there will continue to be limited capacity to deliver on existing and any additional Provincial priorities.

- c. Which funding mechanisms, or combination of funding mechanisms, are best able to support the long term sustainability of CAs?

There should be continued Municipal and Provincial funding to support the core operating capacity of CAs. Carbon pricing revenues could be used as a potential new source of Provincial revenue that could be used to support growth planning and climate change mitigation and adaptation activities of CAs.

- d. Are there other revenue generation tools that should be considered?

Other sources of revenue that could be facilitated through legislative amendment or policy for CA eligibility include: *Development Charges Act*, stormwater fees or rates, Trillium Foundation, Infrastructure funding for recreational or outdoor education facilities.

Roles and Responsibilities

The *CA Act* enables CAs to undertake a wide range of activities on behalf of Provincial, Municipal and other interests. CAs are the only resource management agencies in Ontario that are organized on a watershed basis. The *CA Act* provides CAs with the power to develop their own programs and services tailored to the local needs and interests they serve. This flexibility allows CAs, and the Municipalities that fund them, to focus their resources on areas of greatest need to the local population. It also results in variability in the scale and range of programs and services delivered by any individual CA. Recent years have seen an increased interest in reviewing CA roles in resource management in Ontario. The *Commission on the Reform of Ontario's Public Service* called on the Province to undertake a review of the programs and services delivered by both the MNRF and CAs to clarify responsibilities and eliminate any duplication. In 2007 the Provincial government created a CAs Liaison Committee with representatives from the building industry, Province, Municipalities, CAs, Conservation Ontario and environmental organizations. MNRF approved the 2010 *'Policies and Procedures for Conservation Authority Plan Review and Permitting Activities'* developed by the committee that clarifies the role of CAs in the Municipal planning process, and in issuing CA permits.

QUESTION #3: In your view, what should be the role of CAs in Ontario?

- a. What resource management programs and activities may be best delivered at the watershed scale?

From a science perspective the watershed is at a right scale for the managing of water. The watershed is the most natural unit for modeling responses to various land use and climate change scenarios. Ontarians are interested in the quality and quantity of water and natural areas where they live, locate their businesses and enjoy recreation. CAs provide science-based advice to deliver services within their watersheds including: watershed planning, water quality and quantity monitoring and modeling, natural hazards management and regulation, natural heritage and forestry, source protection, watershed stewardship and restoration, technical input and review for Municipal land use planning and development. Under the *CA Act*, the watershed boundary was chosen for CA jurisdictions as an important ecosystem boundary to manage water and other natural resources.

- b. Are current roles and responsibilities authorized by the *CA Act* appropriate? Why or why not? What changes, if any, would you like to see?

The current CA mandate, as outlined in sections 20 and 21 of the *CA Act*, remains relevant today. It enables integrated watershed management. The legislation provides a broad mandate and empowers CAs to set local programs and priorities in collaboration with member Municipalities, Government Ministries and partners. Section 21 of the *CA Act* outlines the 'Powers of Authorities' including the ability to establish watershed-based resource management programs as well as other 'powers' necessary for effective program delivery. It allows conservation authorities to charge fees for services approved by the MNRF and to enter into agreements with other implementers. The legislation allows for partnerships to develop solutions to current issues like flood management, drinking water and Great Lakes water quality, climate change, rapid urbanization/growth. CAs would like to have a stronger relationship the Province which is sufficiently funded to maximize use of CAs as an efficient, local service delivery model.

- c. How may the impacts of climate change affect the programs and activities delivered by CAs? Are CAs equipped to deal with these effects?

Impacts of climate change, including rising temperatures and changing precipitation patterns in Ontario, have already changed river flows, warmed surface waters and impacted wetlands. These impacts will likely continue. Other threats to environmental, public health and our economy are expected. Threats include increased flooding and reduced quantity and quality of drinking water, disruption to businesses, and damage to infrastructure.

CAs cannot deal with these effects alone. They need the Province to take a leadership role in providing policies/technical guidelines and the best available science to facilitate mitigation and adaptation. These initiatives should be pursued together and be supported by Provincial funding.

The large flood control system in the Grand River watershed was built in partnership between the Province and watershed Municipalities. Climate change will put additional stress on the dams and dikes. As the infrastructure ages, Provincial funding support is key to ensuring it can be operated to provide protection to watershed communities.

- d. Is the variability in CAs' capacity and resourcing to offer a range of programs and services a concern? Should there be a standard program for all CAs to deliver? Why or why not?

Provincial priorities (e.g. climate change, Great Lakes protection, source water protection, natural hazards management, growth, economy) that are best delivered at the watershed scale should be funded by the province, with standard program design for all CAs. The existing flexibility should be retained for CA board approved programs that support local watershed needs.

- e. What are some of the challenges facing CAs in balancing their various roles and responsibilities? Are there tools or other changes that would help with this?

The Provincial funding shortfall is a major challenge in delivery of the natural hazards management program. There is a need for the MNRF and partner Ministries to provide leadership and support in modernizing the Provincial technical guidelines. The lack of sustainable funding that recognizes the multi-ministry benefits of the CA watershed management program is another major challenge.

- f. Are there opportunities to improve consistency in service standards, timelines and fee structures? What are the means by which consistency can be improved? What are some of the challenges in achieving greater consistency in these areas?

To improve consistency, the Province should provide regular training sessions for the Municipal and development sectors with CAs to discuss Provincial expectations of CAs, their role and service delivery. As well, MNRF could undertake a CA audit/review where complaints about service levels are most prevalent.

6.4. Other Areas of Interest

Broad input is critically important to ensure that a range of perspectives, opinions and ideas are collected. While we encourage respondents to focus on the discussion questions provided above we welcome feedback on additional areas.

QUESTION #4: Are there any other areas, questions or concerns regarding the CA Act or CAs in general that you feel should be considered as part of the review?

GRCA plays a significant role in the watershed it serves. Flood forecasting and warning is important to the safety of watershed communities. The operation of large dams provides flood protection and supplies water to the rivers during the summer low flow periods. With 19,400 hectares of land GRCA is able to protect natural spaces and provide outdoor recreation opportunities for Ontario residents. There are programs to teach children about the importance of protecting the natural environment. Resource planning and natural hazards management programs help to minimize future risk from development in floodplains, wetlands, and erosion prone areas. The Province, watershed Municipalities and GRCA should continue to work together to deliver effective resource management in the watershed.

Prepared by:

Joe Farwell, P.Eng.

Chief Administrative Officer

Discussion Paper

Conservation Authorities Act

A review of the roles, responsibilities, funding and governance of conservation authorities under the Conservation Authorities Act.



Photo credits:

Cover photos (left to right): Grand River Conservation Authority (Caledonia Dam); Otonabee Region Conservation Authority; Otonabee Region Conservation Authority

Page 6: Conservation Halton

Page 21: Niagara Peninsula Conservation Authority

Page 27: E. Hartlen; Long Point Region Conservation Authority

Table of Contents

1. Introduction
2. Conservation Authorities Act - Overview
3. Governance
4. Funding Mechanisms
5. Roles and Responsibilities
6. Summary and Questions for Discussion
7. How to Provide Input

References

Appendices

1. Introduction

The *Conservation Authorities Act*, administered by the Ministry of Natural Resources and Forestry (MNRF), enables two or more municipalities in a common watershed to establish a conservation authority in conjunction with the province. The purpose of a conservation authority is to deliver a local resource management program at the watershed scale for both provincial and municipal interests.

Conservation authorities have played a significant role in Ontario's natural resource management landscape for nearly 70 years, establishing a successful legacy of resource stewardship and an impressive record of protecting people, property, and communities from water-related natural hazards (e.g. flooding, drought, erosion etc.). With the increasing pressures of Climate Change on the environment, it is imperative that conservation authorities have the proper tools to successfully build upon this legacy.

Conservation authorities are unique organizations, established on watershed rather than political boundaries in order to better serve local needs and allow for resource management from a science-based perspective. Using the tools provided within the *Conservation Authorities Act*, and with support from participating municipalities and the province, conservation authorities protect people from water-related natural hazards, provide recreational and educational opportunities, support science and research, and conserve and protect the natural environment. Collectively, conservation authorities are the second-largest landowner in the province after the Crown.

The framework and conditions for natural resource management in Ontario have changed significantly since the Act's creation, and the way conservation authorities operate within that framework has changed along with it. Resource management has become increasingly complex due to increases in population numbers and density, the expansion of agencies from all levels of government involved in resource management and environmental activities and new challenges such as addressing climate change further complicating resource management decisions. In addition, conservation authorities have been evolving as organizations, growing their funding sources and influence and accepting and being assigned additional roles that extend their responsibilities into additional areas of natural resource management and environmental protection. At the same time, the disparity among conservation authorities in resourcing and capacity has and continues to increase.

Ontario's Conservation Authorities

Ontario has 36 conservation authorities – the vast majority of which are located in southern Ontario.

Over 12 million people, or 90% of the province's population, live within a conservation authority's jurisdiction.

As a result of these and for other reasons the MNRF is seeking to engage ministries, municipalities, Aboriginal communities, conservation authorities, stakeholders and the public in a review of the *Conservation Authorities Act* to ensure that the Act is meeting the needs of Ontarians in a modern context.

Interest in a review of the *Conservation Authorities Act* has been building over the last several years. The Commission on the Reform of Ontario's Public Service recommended that the MNRF undertake a review of the programs and services delivered by the MNRF and conservation authorities to clarify responsibilities and eliminate any overlap in roles and responsibilities for resource management and environmental protection that are currently shared across levels of government. In addition, municipalities, developers, and conservation authorities have all identified their interest in and support for a formal government review.

The objective of this review is to identify opportunities to improve the legislative, regulatory and policy framework that currently governs the creation, operation and activities of conservation authorities that may be required in the face of a constantly changing environment. The purpose of this discussion paper is to seek feedback on the following three areas:

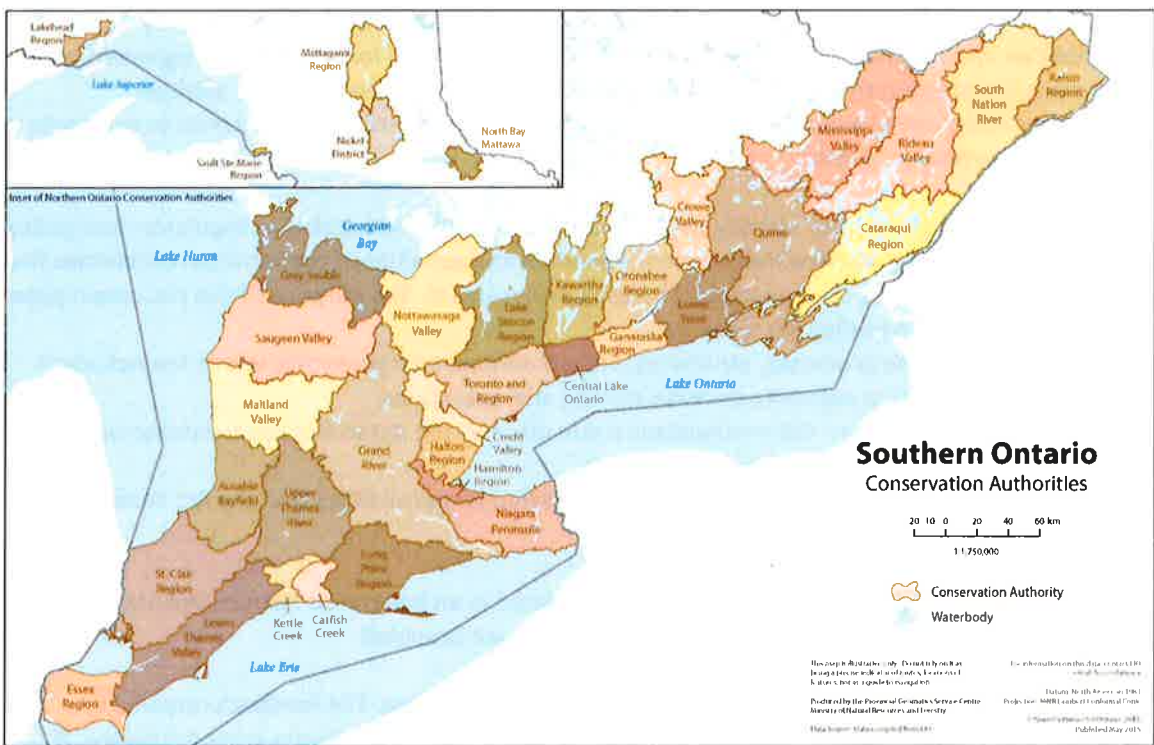
1. *Governance* – the processes, structures, and accountability frameworks within the Act which direct conservation authority decision-making and operations;
2. *Funding Mechanisms* – the mechanisms put in place by the Act to fund conservation authorities; and
3. *Roles and Responsibilities* – the roles and associated responsibilities that the Act enables conservation authorities to undertake.

These areas are all closely linked and need to be considered in an integrated fashion. We ask that you read this discussion paper and focus on the questions that are provided.

This discussion paper represents the first step in the Ministry's review. The feedback received in response to the questions outlined below will help the Ministry identify priority areas for review. If specific changes to the existing legislative, regulatory or policy framework are considered in the future, further public consultation will occur as appropriate, for example through subsequent Environmental Bill of Rights Registry postings.

Your opinions and insights are important to us. This discussion paper outlines a number of ways to engage in the review and we encourage everyone to participate. The review of site-specific permit applications and permitting decisions or other local decisions made by conservation authorities are not within the scope of the Ministry's review.

Figure 1 – Map of conservation authority jurisdictions¹



¹ This map has been produced by the MNR for illustrative purposes only and should not be relied upon as a precise indicator of conservation authority boundaries

2. Conservation Authorities Act - Overview

The *Conservation Authorities Act* was passed in 1946 in response to extensive flooding, erosion, deforestation and soil loss resulting from poor land, water and forestry management practices in prior decades. The Act outlines the process to establish, fund, dissolve, amalgamate and operate a conservation authority.

The creation of the Act and associated conservation authority model was guided by the following principles:

1. Local initiative – The process to form a conservation authority must be initiated and supported by municipalities within a common watershed, and that programs be locally driven and supported.
2. Cost sharing – The costs of the projects should be shared by the municipalities in the authority and the provincial government.
3. Watershed jurisdiction – Conservation authority jurisdictions would, where possible, follow watershed boundaries.

Conservation authority jurisdictions can be loosely characterized in various ways: rural or urban; south-eastern, south-central, or south-western; north or south; or according to revenue or geographic scale. Some conservation authority jurisdictions are less than a full watershed while other conservation authority jurisdictions include multiple watersheds. It is difficult to generalize or to speak about a generic conservation authority as the Act enables a great diversity of organizations in scale and operations, with significant variance in resourcing strategies, board structures, relationships, and local programs and activities.

Incorporation under the Act establishes conservation authorities as a distinct legal entity with a degree of autonomy from the individual municipalities and the province that establish it. Conservation authorities are local public sector organizations similar to hospitals, libraries or school boards – they are not agencies, boards, or commissions of the province.

Section 20 of the *Conservation Authorities Act* sets out the purpose (i.e. objects) of a conservation authority:

The objects of an authority are to establish and undertake, in the area over which it has jurisdiction, a program designed to further the conservation, restoration, development and management of natural resources other than gas, oil, coal and minerals.

The objects of an authority define the potential scope of programs and services which may be delivered by a conservation authority within its area of jurisdiction. The scope of potential programs is intentionally broad, providing each individual conservation authority with flexibility to develop local resource management programs which are tailored to suit local geography, needs and priorities.

The powers granted to a conservation authority to accomplish its objects are outlined within Section 21 of the Act and include, among other things, the power to study the watershed, acquire lands, enter into agreements, erect works and other structures, and charge fees for services.

Amendments to the Act in 1996 and 1998 scoped MNRF approval of conservation authority projects to those completed with MNRF funding and removed provincial appointees from authority boards. These changes gave conservation authorities and participating municipalities greater flexibility to decide local fiscal and program priorities, develop partnerships, and to charge fees for approved services on a cost recovery basis. The province also introduced provisions for conservation authority amalgamation and dissolution and standardized the authority of conservation authorities to regulate development and other activities.

The Act is supported by regulations that direct conservation authorities in the application of levies, the management of conservation areas, and in regulating development and other activities for purposes of public safety and natural hazard management. The province may also make regulations defining any undefined term appearing in the Act. An overview of regulations established under the *Conservation Authorities Act* has been provided in the Appendix.



3. Governance

Conservation authorities are local public sector organizations similar to public health units, hospitals, libraries or school boards – they are not agencies, boards, or commissions of the province as there are no provincial appointees on the authority boards. Under the Act, every authority is established as a corporation governed by a municipally-appointed board of directors. Incorporation under the Act establishes conservation authorities as a distinct legal entity with a degree of autonomy from the individual municipalities and the province that establish it. Under the Act, the board of directors is the conservation authority.

Governance² of conservation authorities has always been shared between the province and participating municipalities. The province has the primary responsibility for establishing a conservation authority (at the request of two or more municipalities), defining the powers of a conservation authority and directing and monitoring provincially approved programs. Municipalities, through municipally appointed boards of directors, have the primary responsibility for directing and overseeing conservation authority operations. The board is responsible for setting strategic and operational policies, and directing and providing oversight of the Authority's senior management. Oversight of day-to-day operations is typically delegated to a general manager or chief administrative officer who is responsible for directing authority staff.

3.1. Conservation Authority Boards

Each conservation authority is governed by a board of directors whose members are appointed by participating municipalities. Board members decide on the programs and policies of the authority, including strategic direction, operational decisions, procurement, staffing and budgets.

The Act lays out the composition of the conservation authority board and some general operational rules, and requires that each conservation authority have administrative policies in place to guide board operations. The Act does not establish a minimum or maximum number of board members however a meeting of the board must have at least three members in order to achieve quorum.

² Governance of public sector organizations involves a set of relationships among an organization's stakeholders, interest groups, citizens, boards, management and the government. These relationships are framed by laws, rules, and requirements, and provide the structure through which the objectives of the organization are defined, operating plans are prepared, performance is monitored, and information is communicated among parties (Institute of Internal Auditors, 2014).

As shown in Figure 2, the number of representatives that each municipality can appoint is based on the population of that municipality within the conservation authority's jurisdiction.³ Alternatively, the total number of board members of the authority and the number of members that each participating authority may appoint may be determined by an agreement that is confirmed by resolutions passed by the councils of all of the participating municipalities.⁴

There is significant variability in the size of conservation authority boards with some authority boards having as few as five board members while others have as many as 28.⁵ Board members must reside in a participating municipality and may be appointed for no more than three years at a time.⁶

3.2. Relationship with Municipalities

The creation of a conservation authority must be initiated by two or more municipalities located within a common watershed.⁷ Municipalities who want to establish a conservation authority must petition the province to establish the authority in accordance with the requirements of the *Conservation Authorities Act*. Once an authority is created, it can amalgamate with other authorities and more municipalities can join without the involvement of the province.⁸

Participating municipalities determine who to appoint to the board as their representative(s).⁹ Board members are usually elected municipal councillors; however, any individual may be appointed to the conservation authority board.¹⁰ Municipally-appointed representatives have the authority to vote and generally act on behalf of their municipalities.¹¹

Because decisions are made collectively by all the participating municipalities in an authority through the conservation authority board, the amount of control each municipality has over conservation authority decisions varies. For most matters, each representative on the board gets one vote, so that municipalities with a larger number of board representatives (as a result of having larger populations)

Figure 2: Municipal Representation on Conservation Authority Boards

The number of representatives that each municipality can appoint is based on the population of that municipality within the watershed:

| Population | Number of representatives |
|---------------------|---------------------------|
| 10,000 or less | 1 |
| 10,000-50,000 | 2 |
| 50,000-100,000 | 3 |
| 100,000-250,000 | 4 |
| 250,000-500,000 | 5 |
| 500,000-1,000,000 | 6 |
| More than 1,000,000 | 7 |

³ *Conservation Authorities Act* Section 2.(2).

⁴ *Conservation Authorities Act* Section 14.(2.1)

⁵ As reported by conservation authorities in 2012

⁶ *Conservation Authorities Act* Section 14.(3) and Section 14.(4)

⁷ *Conservation Authorities Act* Section 3.(1)

⁸ *Conservation Authorities Act* Section 10 and Section 11

⁹ *Conservation Authorities Act* Section 14

¹⁰ In 2012, over 80% of board members were municipally-elected officials

¹¹ *Conservation Authorities Act* Section 2.(3)

have a larger share in decision-making. For votes on the budget, votes are weighted so that each municipality has the same proportion of the vote as the proportion of the budget it pays.

The number of participating municipalities within each conservation authority is very diverse – some conservation authorities have more than twenty participating municipalities, while others have only two. In some conservation authorities, one or two municipalities may have the majority of the votes on the board.

3.3. Relationship with the Ministry of Natural Resources and Forestry

The process to create, operate and fund a conservation authority is established under the *Conservation Authorities Act* and administered by the MNRF. The province approves the creation and dissolution of a conservation authority, the dissolution requiring input from the Minister of Natural Resources and Forestry and the Minister of the Environment and Climate Change. The province designates the participating municipalities in the authority, and the authority's area of jurisdiction. The Act establishes the powers of the board and requires the authority to establish operational and administrative procedures. The MNRF provides a minimum standard for operational and administrative procedures which each board can further update or build on.¹²

While the Minister of Natural Resources and Forestry is responsible for overseeing the administration of the Act, he or she has limited authority under the Act to intervene in most regular day-to-day conservation authority activities and decisions. Minister's approval is required for projects partially or fully funded by MNRF through provincial grants, for the sale or lease of lands purchased with provincial funding and for the expropriation of land. The Minister cannot intervene in most local resource management or operational decisions.

Prior to Act amendments in the 1990's, the province played a more direct role in overseeing conservation authorities. The province directed conservation authorities by approving their budgets and all projects, appointing provincial representatives to authority boards, selecting the chair of the board, appointing provincial staff to authority advisory committees, and, when requested by the authority, appointing provincial field officers to direct and coordinate the authority's work. While oversight of conservation authorities is still shared between the province and the municipalities that form the authority, over time, the province has given conservation authorities greater autonomy to direct their own operations providing municipal representatives with a greater role in overseeing conservation authority activities.

3.4. Relationship with Other Provincial Ministries

With an investment of nearly 70 years of public funding in infrastructure, capacity, staffing, skills, resources, local knowledge, and land, in addition to local understandings and connections, conservation authorities have become attractive vehicles for delivery of other provincial initiatives at a local level.

¹² Section 30 of the Act requires each conservation authority to develop regulations on board administration. These regulations are approved by the Minister of Natural Resources and Forestry.

Recent years have seen an increased role for conservation authorities, individually and collectively, in the delivery of other provincial priorities on behalf of, or in partnership with, other provincial ministries – including, but not limited to – the Ministries of Environment and Climate Change, Agriculture, Food, and Rural Affairs, Municipal Affairs and Housing, Northern Development and Mines, Infrastructure, Education, and Tourism, Culture and Sport.

Conservation authority program relationships with other provincial ministries have grown over time and may be administered directly by individual ministries through various means (e.g. legislation, contracts, memorandums of understanding, etc.). A conservation authority's relationship with other provincial ministries is largely dependent on common interests and capacity, and on the scope of programs and services delivered by each individual conservation authority.

3.5. Relationships with Tribunals

Certain conservation authority decisions may be appealed to the Ontario Mining and Lands Commissioner (OMLC) or the Ontario Municipal Board (OMB). The OMLC and OMB are independent adjudicative tribunals that conduct hearings and make decisions on matters appealed under specific pieces of provincial legislation. In general, these tribunals are designed to resolve disputes in an informal, less costly and more timely manner than in the courts. In many instances, these tribunals seek to mediate issues first and practice alternative dispute resolution measures to expedite the resolution of matters thereby avoiding the need for a full hearing.

Decisions that have a provincial interest associated with them are referred to the OMLC. Decisions related more closely to municipal interests are referred to the OMB.

Ontario Mining and Lands Commissioner (OMLC)

Municipalities may appeal general levy apportionments to the OMLC. To date there have been only a few instances of municipalities appealing their municipal levies or levy apportionments the OMLC. Many of these appeals are resolved without proceeding to a hearing.

A person who has been refused a permit or who objects to conditions imposed on a permit by a conservation authority may appeal permit decisions and conditions to the Minister of Natural Resources and Forestry. The Minister has assigned the responsibility for hearing these appeals to the Ontario Mining & Lands Commissioner under the authority of the Ministry of Natural Resources Act.¹³

In 2013 the OMLC received seven applications under the *Conservation Authorities Act* with only one matter heard.¹⁴ The majority of cases (including permit appeals) received during 2013 were resolved in less than three months. There is no cost to filing an appeal.

¹³ *Ministry of Natural Resources Act Section 6.(4)*

¹⁴ Office of the Mining and Lands Commissioner, 2013

Ontario Municipal Board (OMB)

The OMB hears appeals by municipalities of municipal levies for special projects. Under the Act, the OMB also approves salary, expenses or allowances made to the members of the authority board of directors.

3.6. Relationship with Conservation Ontario

Conservation Ontario, formally the Association of Conservation Authorities of Ontario, is a non-profit, non-governmental organization that represents Ontario's 36 conservation authorities. On behalf of its members, Conservation Ontario builds strategic partnerships, develops programs and champions collective issues/concerns. Conservation Ontario is overseen by a General Manager and directed by a Council made up of two appointed representatives from each conservation authority that elects a six member Board of Directors from among the council members to oversee the association.

Conservation Ontario seeks to influence policy that affects conservation authorities and to provide collective services to the authorities including corporate communications, policy and program development, government relations, partnership development, research and information, evaluation and reporting, education and training, and the provision of insurance and benefits for conservation authority employees.

Conservation Ontario is funded by dues from each conservation authority supplemented by project funding and contract work.

Conservation Ontario is not established through the Conservation Authorities Act, nor is it governed by the Act. The structure, roles and responsibilities and funding of Conservation Ontario are not part of this review.

3.7. Other Accountabilities

Conservation authorities are also governed by other legislative requirements that apply to municipalities, such as the *Municipal Conflict of Interest Act* and parts of the *Municipal Act*, and laws that apply to corporations and employers. Conservation authorities follow accounting standards for the public sector established by the Public Sector Accounting Board (PSAB). When reviewing permit appeals, the board of an authority reassembles as a Hearing Board under the *Statutory Powers Procedure Act*. Most conservation authorities are also registered charities under federal law and must follow rules for charitable organizations.

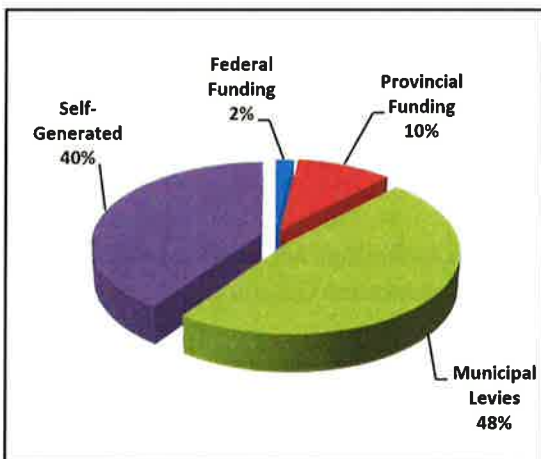
When undertaking infrastructure projects, conservation authorities are also subject to *Environmental Assessment Act* requirements. Conservation Ontario has developed a Class Environmental Assessment for Remedial Flood and Erosion Control Projects which has been approved by MOECC for conservation authorities to follow when planning remedial flood and erosion control projects.

4. Funding Mechanisms

Conservation authority revenue comes from various sources including provincial funding, municipal levies, and self-generated revenue. The total approximate annual revenue of all 36 conservation authorities in 2013 was \$305 million.¹⁵

As shown in Figure 3, in 2013, municipal levies accounted for roughly 48% of all conservation authority revenue, while self-generated revenue represented 40%, provincial funding represented 10% and federal funding represented 2%.¹⁶ Of the provincial funding provided, roughly 3% was provided by MNRF for natural hazards management, while 4% was provided for Ministry of the Environment and Climate Change's source water protection program and 3% was provided for various other special projects.¹⁷

Figure 3: Total Conservation Authority Revenue Sources (2013)



The revenue sources for individual conservation authorities are highly diverse and of variable combinations. For example, in 2013 provincial funding accounted for as much as 58% of one conservation authority's annual revenue and as little as 4% for another. In the same year, self-generated revenue accounted for as much as 71% of one authority's revenue and as little as 10% for another.

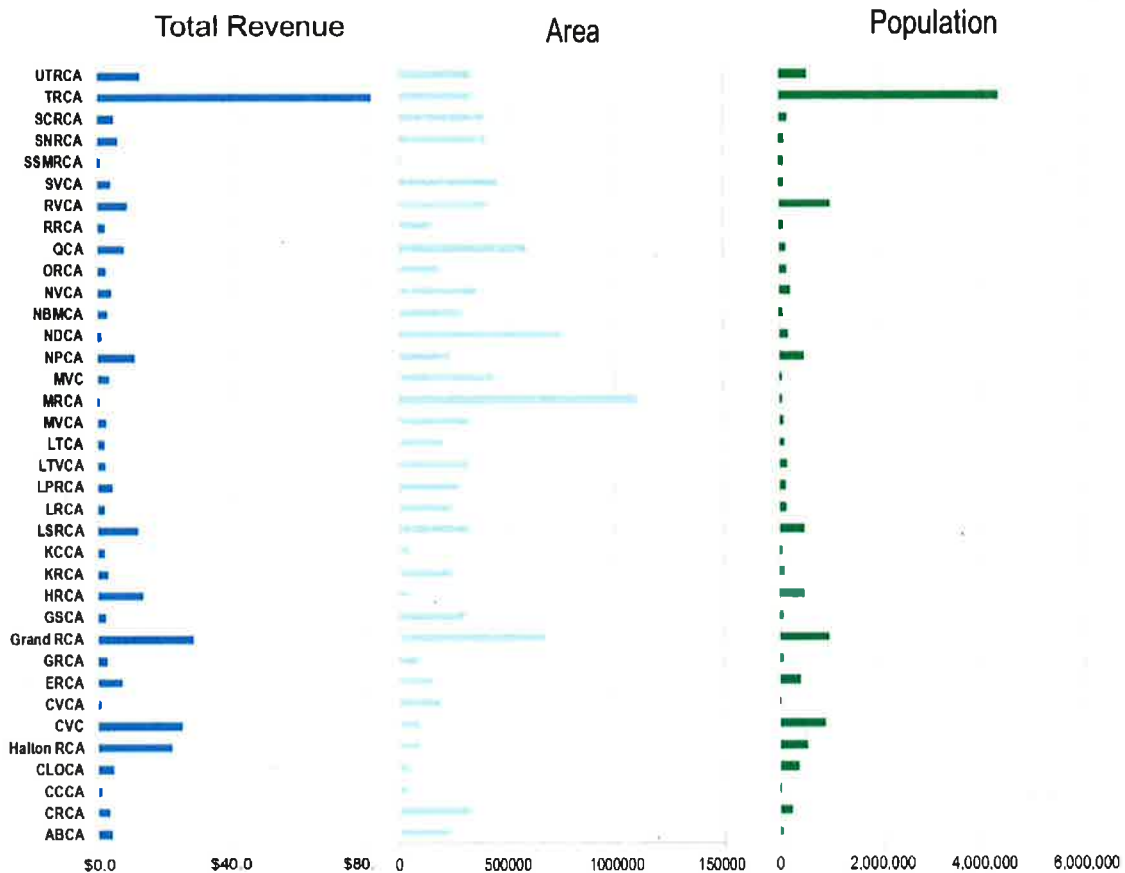
Table 1 below shows the variability in conservation authority revenue, area and population. This variability means that each conservation authority has a different capacity and ability to offer a different range of programs and services.

In addition to area and population, conservation authority funding needs vary depending on watershed characteristics such as the amount of hazard land and the potential for flooding, drought, etc. and the number and purpose of water and erosion control structures owned and or operated by the authority.

¹⁵ As reported by conservation authorities through annual statistics collected by Conservation Ontario

¹⁶ As reported by conservation authorities through annual statistics collected by Conservation Ontario

¹⁷ source protection funding will be shifting to a steady state

Table 1: Diversity of Conservation Authorities' Revenue, Area and Population¹⁸

Under the Act, conservation authorities are required to have an annual financial audit with the auditor's report provided to participating municipalities and the MNR. In terms of expenditures, conservation authorities report spending, in total, roughly 43% on water management, 42% of revenue on land management, 12% on administration and 3% on communications.¹⁹ However, expenditures from one conservation authority to another may vary significantly.

4.1. Municipal Levies

The *Conservation Authorities Act* enables conservation authorities to levy the cost of board-approved programs and services against their participating municipalities. In 2013, participating municipalities provided over \$140 million to conservation authorities through municipal levies.

The levy process is complex. First, a conservation authority budget is established and approved by the board. A portion of the budget is paid for with provincial, federal or self-generated revenue, and the rest

¹⁸ Revenues shown in Millions of Dollars, Area shown in Hectares, Population shown in Millions

¹⁹ As reported by conservation authorities through annual statistics collected by Conservation Ontario

is paid by participating municipalities through municipal levies. The total municipal levy amount is divided up among the participating municipalities according to the benefit each one receives from the authority's services, which is determined in different ways for different types of levies. Levies can be categorized as being for maintenance and administration costs, or for capital and project costs.

For most conservation authorities, the majority of the municipal levy amount is for maintenance and administration costs. These costs represent the administrative and operational funding provided to conservation authorities and is divided among all the municipalities according to a formula set out in regulation.²⁰ This formula is based on the total value of property within each municipality within an authority's jurisdiction so that municipalities with high land values pay more than those with low land values. The total land value is also modified according to the type of property, so that urban property types such as commercial, industrial and multi-residential are worth more than rural property types like residential, forest or farmland. Conservation authorities and municipalities can also agree on a different method of dividing these costs as an alternative to using the land value formula.²¹ How costs are divided (the 'apportionment') can be appealed by a participating municipality to the Ontario Mining and Lands Commissioner.

Capital and project costs may be levied only against certain municipalities who will benefit from the project. The conservation authority determines how these costs are divided. This apportionment can be appealed by municipalities to the Ontario Municipal Board.

Additional rules under Ontario Regulation 139/96 (Municipal Levies) also apply to any levies for costs that are not shared with the Province. These additional rules include weighted voting: each municipality gets the same percentage of the vote on the levy as the percentage of the total municipal levy that it pays.

4.2. Self-Generated Revenue

Conservation authorities can also generate their own revenue through various means including:

- earned revenues on a 'cost recovery' basis (contracts, fees for service, permits (campsites, entrance fees) related to conservation areas);
- earned income on a 'for profit' basis (rentals, sales, sales of land, resource development such as logging, hydroelectric production);
- commercial/industrial sector partnerships including businesses (gift shops) and joint contracts for resource development (generating hydro-electric power etc.); and
- private sector funding from individuals, corporations and foundations (fundraising, gifts, donations, sponsorships etc.).

In most cases, self-generated revenue may be used at the discretion of the authority board for any board-approved conservation authority program.²² Additional rules apply to the use of revenue generated through the disposition of conservation authority property.²³ In 2013, self-generated revenue accounted for over \$120 million in conservation authority revenue.

²⁰ As set out in Ontario Regulation 670/00 (Conservation Authority Levies)

²¹ *Ontario Regulation 670/00 Section 2.(1)(a)*

²² *Policies and Procedures for the Treatment of Conservation Authority Generated Revenue*

²³ *Policies and Procedures for the Disposition of Conservation Authority Property*

Fees for Service

Subsection 21(m.1) of the Act gives conservation authorities the power to charge fees for services. The Minister of Natural Resources and Forestry determines which services conservation authorities may charge fees for. The Minister has given conservation authorities approval to charge fees for permitting services, plan reviews, extension services (e.g. technical advice/ implementation of erosion control measures, technical studies etc.), education services (e.g., tours, presentations, workshops etc.), and any service under other legislation authorized under agreement with the lead ministry.²⁴

The MNRF's policies and procedures require each conservation authority to have a fees policy in place which includes a fee schedule, a process for public notification about the establishment of or any proposed changes to fee schedules, a clearly defined review and revision process, and a process for appeals for fees that are proposed or in place.²⁵

For planning, and compliance-oriented activities such as regulatory or permitting services, the fee structures should be designed to recover but not exceed the costs associated with administering and delivering the services on a program basis.²⁶

While the Minister of Natural Resources and Forestry approves the services which conservation authorities may charge fees for, fee amounts are set by individual conservation authorities. Costs vary from authority to authority for the provision of certain services so therefore the fee structures of conservation authorities may vary from one conservation authority to another. Through MNRF policy, conservation authorities are encouraged to review neighbouring conservation authorities' fee structures when developing or updating their own structure.²⁷

Fundraising

Most conservation authorities also receive funding from individuals, corporations and foundations through fundraising, gifts, donations and sponsorship. Additionally, conservation authorities provide many opportunities for in-kind donations to the organization such as volunteer services.

4.3. Provincial Funding

Conservation authorities receive and may apply for funding from the province to support provincially-mandated activities and local projects.

The province provides conservation authorities with funding for provincially mandated programs – including the hazards management program funded by MNRF and the source water protection program funded by MOECC.

The MNRF's hazard management program is funded through two separate transfer payments.

²⁴ *Policies and Procedures for the Charging of Conservation Authority Fees (1997) – Section 5.1*

²⁵ *Policies and Procedures for the Charging of Conservation Authority Fees (1997) Section 5.2*

²⁶ *Policies and Procedures for the Charging of Conservation Authority Fees (1997) Section 5.3*

²⁷ *Policies and Procedures for the Charging of Conservation Authority Fees (1997) Section 5.5*

Since 2000, MNRF has provided over \$7 million in Section 39 transfer payments annually to conservation authorities to support the approved programs in natural hazard management and public safety. The provincial funds support flood and erosion control operations and maintenance, flood forecasting and warning, ice management, and the authorities' review of Official Plans and Plan Amendments for consistency with natural hazard policies of the Provincial Policy Statement (2014), natural hazards technical studies and administration.

The amount each conservation authority receives from MNRF is a fixed amount based on an average of 1990's operational costs and must be matched by municipal contributions through municipal levies. The MNRF amount provided to each conservation authority was reduced from \$7.6 million annually to \$7.4 million annually in 2011.

Additional funding for natural hazard management is also provided to conservation authorities through MNRF's Water and Erosion Control Infrastructure (WECl) transfer payment program. Since 2003, MNRF has provided conservation authorities with \$5 million annually in capital funding (with a temporary two year reduction to \$2.5M from 2012-14) to invest in major repairs and studies of existing conservation authority-owned or operated water and erosion control infrastructure. This project funding supports conservation authorities in ensuring the safe operation and maintenance of their dams and water control infrastructure. These funds are matched by participating municipalities involved, for an annual investment in water and erosion control infrastructure of \$10 million. The WECl funding program is an application-based program that funds the highest priority projects each year.

Conservations authorities may also receive funding from other federal departments and provincial agencies through transfer payments to implement programs or projects related to other government priorities established under other pieces of legislation.

For example, the Province (through MNRF and MOECC) has provided over \$220 million since 2004 in funding to conservation authorities to fulfill their duties as Source Protection Authorities under the *Clean Water Act*. Funding was used for capacity building, technical studies, and water budgets, and supported source protection committees and authorities in developing the province's first science-based source protection plans for local watersheds. Future levels of funding are expected to move to a steady state once current source protection plans are approved.

Additional funding may be provided to conservations authorities in support of special projects on a project by project or application basis. For example, conservation authorities may receive funding for projects from both the provincial and federal government under the Canada-Ontario Agreement on Great Lakes Water Quality and Ecosystem Health funding program.

5. Roles and Responsibilities

The objects of a conservation authority, under the *Conservation Authorities Act*, are to establish and undertake a program to further the conservation, restoration, development and management of natural resources other than gas, oil, coal and minerals. The Act defines the potential scope of programs and services which may be delivered by a conservation authority within its area of jurisdiction. The scope of potential programs is intentionally broad, providing each individual conservation authority with flexibility to develop local resource management programs which are tailored to meet local geography, needs and priorities.

Current roles and responsibilities for conservation authorities fall under the five broad headings outlined below.

5.1. Local Resource Management Agency

The *Conservation Authorities Act* provides conservation authorities with the authority to develop local resource management programs or projects that suit local needs and geography. The scope afforded to projects in the Act under S. 20 is broad – anything to “further the conservation, restoration, development and management of natural resources other than gas, oil, coal and minerals.” The scale of the authority projects and programs is determined at the local level, decided on by the board.

Conservation Area Statistics

73,645 hectares of conservation areas

including

2,491 kilometers of trails

and

8,442 campsites

accessed by

6,898,229 annual visitors

including

430,764 students

**As reported by conservation authorities*

Collectively through their local programs, conservation authorities play an important role in resource management and environmental protection through stewardship, conservation land acquisition and management, recreation, education, and science and research. These programs may include tree planting, habitat rehabilitation and restoration, water quality improvement and water supply management, ground water monitoring, education and outreach, heritage conservation, management of conservation areas, information management, data collection and mapping, monitoring and the development of technical studies, watershed plans and the development of natural heritage strategies. Every conservation authority board-approved local resource management program is unique, offering a different suite of programs designed to reflect local needs and priorities. Conservation authority local programs are often supported by community volunteers. In 2012 over 37,000 people volunteered to support more than

700 local conservation authority projects.²⁸

Conservation authorities also have a role in local resource management as land owners. Conservation authorities have accumulated large land holdings within their jurisdictions through property acquisition, eco-gifting and land conveyances. Conservation authority owned land is considered private land under the *Planning Act*. Some of these lands are operated by the authorities for educational and recreational purposes, for conservation or protection reasons and also for income generation. Conservation authorities may develop their lands to support local programs, or may maintain lands in a natural state in order to protect them and provide ecological and natural hazard management benefits to the public. Conservation authorities may also act as interested parties on development applications near their landholdings. In addition, because of their proximity to watercourses, conservation authorities own or control lands that have a high concentration of cultural heritage resources.

Board-approved local resource management programs may be funded by municipal levies, self-generated revenue, or through a contract with another organization. In areas of the province where conservation authorities have not been established, local resource management programs may be developed and administered directly by municipalities.

5.2. MNRF Approved Projects under the Act

Section 24 of the Act requires conservation authorities to obtain MNRF approval for projects that are funded by MNRF through the Act. The project that the Minister currently approves under the Act for all conservation authorities is related to public safety and natural hazard management. The increased frequency and severity of extreme weather events associated with climate change has further underscored the importance of this role in protecting persons and property from water-related natural hazards including flooding and drought.

All conservation authorities implement a shared provincial/ municipal program in public safety and natural hazard management. As part of their role in implementing the shared provincial/ municipal program in public safety and natural hazard management, conservation authorities own and or operate over 900 flood control structures including 256 dams, and numerous engineered channels, dykes and erosion control works. Under this shared provincial/ municipal program, conservation authorities also undertake flood forecasting and warning and ice management. To support these and other programs (e.g. hazard input into municipal planning), conservation authorities may also collect and prepare technical data related to natural hazards in their jurisdiction.

As part of the MNRF natural hazard program, the MNRF has delegated to conservation authorities the responsibility for representing the "Provincial Interest" for natural hazard policies (s.3.1) of the Provincial Policy Statement (PPS) (2014) under the *Planning Act* through a Memorandum of Understanding between the MNRF, the Ministry of Municipal Affairs and Housing (MMAH) and Conservation Ontario. This delegation does not occur under the *Conservation Authorities Act*. Conservation authorities are to comment on municipal planning policy and site plan applications submitted as part of the [Provincial One-Window Plan Review Service](#) to ensure consistency with the natural hazard policies of the PPS (2014). Where MMAH is not the approval authority conservation authorities still perform this role under the Municipal Plan Review. Conservation authority comments

²⁸ As reported by conservation authorities through annual statistics collected by Conservation Ontario

are to be made based on MNRF's *Natural Hazard Technical Guides* (2002) which were developed to support the PPS policies. When undertaking this role conservation authorities are guided by *Planning Act* definitions (e.g. for development, hazardous sites, etc.) and not by definitions under the *Conservation Authorities Act*.

The natural hazard program is funded by the MNRF through provincial grants and transfer payments, and cost shared with municipalities. In areas of the province without conservation authorities natural hazards are managed by municipalities under the natural hazard policies of the PPS and flood forecasting and warning responsibilities are undertaken by MNRF.

5.3. Regulatory Authority

Each conservation authority has a provincially-approved 'Development, Interference with Wetlands and Alterations to Shorelines and Watercourses' regulation developed under section 28 of the *Conservation Authorities Act*. Conservation authorities are responsible for regulating development within the regulatory limits described within their respective regulations. In areas of the province without conservation authorities development in hazardous areas is managed by municipalities under the natural hazard policies of the PPS. Conservation authorities' regulatory role is primarily funded through the use of permitting fees and municipal levies.

Under these regulations, conservation authorities are responsible for regulating development and other activities through a permitting process for purposes of natural hazard management. Regulated activities are:

- Development in areas related to water-related natural hazards such as floodplains, shorelines, wetlands and hazardous lands.²⁹ Under the Act, conservation authorities must consider development applications based on potential impacts to the control of water-related natural hazards which includes flooding, erosion, dynamic beaches, pollution or the conservation of land; and,
- Interference with or alterations to a watercourse or wetland.

In order to implement the approved regulation, the authority board sets regulatory policies and practices.

The *Conservation Authorities Act* regulation authority was expanded through Act amendments in 1998, and enacted through the 'generic' regulation approved by the province in 2004 and updated individual regulations approved by the Minister in 2006. The updated regulations require conservation authorities to regulate additional water related hazards such as unstable soils and bedrock, erosion and dynamic beaches. MNRF technical support for the regulations is provided through the *Guidelines for Developing Schedules of Regulated Areas* (2005) and the MNRF *Natural Hazards Technical Guides* (2002) developed for the PPS natural hazard policies.

Under the Act, a person who has been refused a permit or who objects to conditions imposed on a permit by a conservation authority may appeal permit decisions and conditions to the Minister of

²⁹ Hazardous lands is defined in the *Conservation Authorities Act* under S.28 (25) as land that could be unsafe for development because of naturally occurring processes associated with flooding, erosion, dynamic beaches or unstable soil or bedrock

Natural Resources and Forestry. The Minister has assigned the responsibility for hearing these appeals to the Ontario Mining & Lands Commissioner.

In 2010, MNRF released the [*Policies & Procedures for Conservation Authority Plan Review & Permitting Activities*](#) - a new policy for conservation authorities to clarify and provide best practices for their roles under the *Planning Act* and in the municipal planning process and in their regulatory authority under the *Conservation Authorities Act*. This policy was developed with the assistance of a multi-ministry, multi-stakeholder committee (the Conservation Authorities Liaison Committee) co-chaired by the MNRF and the Ministry of Municipal Affairs and Housing and was made up of representatives from the building industry, municipalities, conservation authorities and environmental organizations.

5.4. Roles under Other Provincial Legislation

Conservation authorities may be assigned responsibilities under other pieces of provincial legislation. For example, under the *Clean Water Act*, conservation authorities were assigned the duties and responsibilities of source protection authorities. In addition, the *Lake Simcoe Protection Act* assigns the local conservation authority – the Lake Simcoe Region Conservation Authority – a key role in implementing the policies in the Lake Simcoe Protection Plan in collaboration with the province, municipalities and others.

In many of these other legislative roles, conservation authorities are a commenting agency and are required to receive notice of proposals made under other pieces of legislation including the *Planning Act*, the *Niagara Escarpment Planning and Development Act*, the *Environmental Assessment Act* and the *Aggregates Resources Act*. In these roles, conservation authorities base any comments on board-approved policies that the authority has developed as a local resource management agency. Under the *Planning Act* as a public body and local board, conservation authorities can comment on and appeal municipal planning documents on a range of other PPS policies as directed by conservation authority board-approved policy. This more general PPS policy commenting role is distinct from the MNRF delegated commenting role related specifically to the PPS natural hazards policies.

5.5. Service Providers

Under the Act, every authority is a corporation, and as such has the inherent capacity to undertake responsibilities requiring an incorporated organization to accomplish. With an investment of nearly 70 years of public funding in infrastructure, capacity, staffing, skills, resources, local knowledge, connections in resource manage, and common interests, these organizations are attractive vehicles for delivery of initiatives of others whether by agreement or through a contract.

Conservation authorities may enter into agreements with others as may be necessary to carry out a project. As a result conservation authorities may have service agreements or contracts with federal and provincial government agencies and partnering municipalities or others (e.g. school boards, public health units, etc.) to perform a variety of services or tasks.

Some conservation authorities may have roles and responsibilities related to joint federal/ provincial interests such as supporting Environment Canada in implementing the Canada-United States Great

Lakes Water Quality Agreement and working with federal and provincial agencies as well as local groups to restore community waterfronts and Great Lakes “Areas of Concern.” Some conservation authorities may be undertaking projects funded under the Canada-Ontario Agreement on Great Lakes Water Quality and Ecosystem Health.

Some conservation authorities provide additional technical services to municipalities through service agreements. Types of services could include data collection and scientific expertise related to natural resource management, stormwater management, identifying natural heritage features and systems on behalf of their municipalities, and or reviewing natural heritage evaluations in support of municipal assessment of *Planning Act* applications or environmental assessments. Under an agreement with a municipality, an authority may assume a regulatory responsibility such as administering municipal tree cutting bylaws or septic system approvals or undertake technical reviews pursuant to the *Planning Act* [One Window Plan Review Service](#) on parts of planning policy or site plan applications.



6. Summary and Questions for Discussion

The following questions are intended to help focus the discussion. They are organized around the areas of review outlined in Section 1:

1. *Governance* – the processes, structures, and accountability frameworks within the Act which direct conservation authority decision-making and operations;
2. *Funding* – the mechanisms put in place by the Act to fund conservation authorities; and
3. *Roles and Responsibilities* – the roles and associated responsibilities that the Act enables conservation authorities to undertake.

The questions are general in nature and intended to prompt discussion on a number of focused areas and are not intended to discourage readers from raising questions or providing comments in other areas. Where possible, please provide specific examples and/ or links to supporting information.

6.1. Governance

Conservation authorities are governed by the *Conservation Authorities Act* and by a board of directors appointed by the municipalities that form the authority. The province, through the Act, defines the objectives to be pursued by the authority and the power granted to the authority to achieve these objectives. The activities undertaken by conservation authorities in the pursuit of their objectives are directed by a municipally appointed board of directors. Municipal representatives to conservation authority boards are directly accountable to the municipalities that appoint them and conservation authorities must abide by provincial legislative, regulatory and policy requirements.

In the past, the province played a more direct role in overseeing conservation authorities. The province directed conservation authorities by approving their budgets and programs, appointing provincial representatives to authority boards, selecting the chair of the board and, when requested by the authority, by appointing provincial field officers to direct and coordinate the authority's work. The provincial government was involved in approving projects and activities, and monitoring and reviewing conservation authority programs. While oversight of conservation authorities is still shared between the province and the municipalities that form the authorities, changes to the Act, policy and general practice over time have resulted in less direct provincial oversight. These changes have provided conservation authorities with greater autonomy to direct their own operations and have given municipal representatives who comprise the authority board a greater role in deciding and overseeing authority activities. It has also afforded conservation authority staff greater freedom to make proposals for programming and research for the board's collective review. Because decisions are made collectively by all the participating municipalities in an authority through the board, the amount of control each municipality has over conservation authority decisions varies.

At the same time, conservation authorities are developing new, and enhancing existing, relationships with other provincial ministries and other partners. In some cases, these relationships are managed

through other legislative frameworks, such as through the *Clean Water Act* and the *Lake Simcoe Protection Act*. In other cases these relationships are managed on a project-by-project or authority-by-authority basis by a contract or MOU. There are no processes, standards or tools within the *Conservation Authorities Act* or supporting framework governing these relationships.

It is difficult to generalize or to speak about a generic conservation authority as the result of the Act has been to enable a great diversity of organizations in scale and operations and capacity, with variance in resourcing or funding and funding strategies, board structures and the level of direct accountability to and interest of municipalities varies.

QUESTION #1: *In your view, how well is the current governance model as provided in the Conservation Authorities Act working?*

- a. What aspects of the current governance model are working well?
- b. What aspects of the current governance model are in need of improvement?
- c. In terms of governance, what should be expected of:
 - a. The board and its members?
 - b. The general manager or chief administrative officer?
 - c. Municipalities?
 - d. The Ministry of Natural Resources and Forestry?
 - e. Other provincial ministries?
 - f. Others?
- d. How should the responsibility for oversight of conservation authorities be shared between the province and municipalities?
- e. Are there other governance practices or tools that could be used to enhance the existing governance model?

6.2. Funding Mechanisms

The *Conservation Authorities Act* establishes a number of mechanisms which conservation authorities can use to fund their activities. The Act allows the MNRF to provide conservation authorities with funding to support Ministry approved programs. As a corporate body, conservation authorities may also receive or apply for funding from the province to deliver programs on its behalf. Local resource management programs and services can be funded through municipal levies and conservation authorities can self-generate revenue through service and user fees, resource development and fundraising.

Conservation authority revenue across Ontario's 36 conservation authorities is as varied as the programs and services offered by each authority. While the province provides all conservation authorities with funding towards approved natural hazards activities, the ability of each conservation authority to deliver other programs and services largely depends on the ability of each authority to

locally fund programs and services. Conservation authorities with large populations within their jurisdictions generally have a greater tax base to draw from, as well as more opportunities for self-generated revenue, so they can offer more programs and services at a lower per capita cost.

In addition, conservation authority funding needs vary depending on the size of their respective jurisdictions, population levels, watershed characteristics (such as the amount of hazard land and the potential for flood, drought, etc.) and the number and purpose of water and erosion control structures owned and/ or operated by the conservation authority.

QUESTION #2: *In your view, how are the programs and services delivered by conservation authorities best financed?*

- a. How well are the existing funding mechanisms outlined within the Act working?
- b. What changes to existing funding mechanisms would you like to see if any?
- c. Which funding mechanisms, or combination of funding mechanisms, are best able to support the long term sustainability of conservation authorities?
- d. Are there other revenue generation tools that should be considered?

6.3. Roles and Responsibilities

The *Conservation Authorities Act* enables conservation authorities to undertake a wide range of activities on behalf of provincial, municipal and other interests through several roles. These roles have been enabled through the Act, and the responsibilities have followed. Conservation authorities are the only resource management agencies in Ontario that are organized on a watershed basis.

The Act provides conservation authorities with the power to develop their own suite of programs and services tailored to the capacity and expertise of each individual authority and the local needs and interests they serve. This flexibility allows conservation authorities, and the municipalities that fund them, to focus their resources on areas of greatest need to the local population. It also results in variability in the scale and range of programs and services delivered by any individual conservation authority. Some conservation authorities offer a basic program primarily focused on stewardship, conservation land acquisition and management, recreation, education, and science and research. Other conservation authorities may offer the same programming at a much broader scale and complexity in addition to a wider range of programs that can include, for example, promotion of green infrastructure, development of strategies such as natural heritage strategies, land acquisitions strategies, and extensive watershed and water management planning. Some conservation authorities invest in resource development initiatives such as hydroelectric generation, large scale waterfront developments in lake fills, and income generation projects such as marina operation, cottage rentals and ski hills.

Recent years have seen an increased interest in reviewing conservation authority roles in resource management in Ontario. The Commission on the Reform of Ontario's Public Service in particular called on the province to undertake a review of the programs and services delivered by both the MNRF and conservation authorities to clarify responsibilities and eliminate any duplication. Other concerns have been raised regarding the lack of clarity in the scope of conservation authority roles and responsibilities especially in relation to municipalities and the province. Specifically questions have been raised

regarding conservation authorities' regulatory role and the intention of the regulations, with some key regulatory terms undefined in legislation (e.g. conservation of land and interference with a wetland).

QUESTION #3: *In your view, what should be the role of conservation authorities in Ontario?*

- a. What resource management programs and activities may be best delivered at the watershed scale?
- b. Are current roles and responsibilities authorized by the *Conservation Authorities Act* appropriate? Why or why not? What changes, if any, would you like to see?
- c. How may the impacts of climate change affect the programs and activities delivered by conservation authorities? Are conservation authorities equipped to deal with these effects?
- d. Is the variability in conservation authorities' capacity and resourcing to offer a range of programs and services a concern? Should there be a standard program for all authorities to deliver? Why or why not?
- e. What are some of the challenges facing conservation authorities in balancing their various roles and responsibilities? Are there tools or other changes that would help with this?
- f. Are there opportunities to improve consistency in service standards, timelines and fee structures? What are the means by which consistency can be improved? What are some of the challenges in achieving greater consistency in these areas?

6.4. Other Areas of Interest

Broad input is critically important to ensure that a range of perspectives, opinions and ideas are collected. While we encourage respondents to focus on the discussion questions provided above we welcome feedback on additional areas.

QUESTION #4: *Are there any other areas, questions or concerns regarding the Conservation Authorities Act or conservation authorities in general that you feel should be considered as part of the review?*

7. How to Provide Input

We want to hear from you. If you have comments or suggestions that should be considered in the review of the *Conservation Authorities Act*, please take advantage of this opportunity to provide us with your feedback. All comments received in response to this discussion paper will be read and considered in moving forward.

Send us your comments

We strongly encourage your participation in the discussion. Written comments can be provided by:

Responding to the Environmental Bill of Rights Registry posting by searching the EBR Registry number 012-4509 on the following website: www.ontario.ca/EBR

Or

Emailing us at:
mnrwaterpolicy@ontario.ca

Or

Submitting answers to the questions outlined in this paper through:
<https://www.surveymonkey.com/s/caactdiscussionpaper>

The deadline for providing comments is October 19th, 2015

Comments collected in response to this discussion paper will be used to inform decisions regarding whether or not to pursue changes to Ontario's existing legislative, regulatory and policy framework for conservation authorities. The review of individual conservation authorities, the specific programs and services they deliver, and site-specific permit applications and permitting decisions are not within scope of the Ministry's review.

All Ontarians are encouraged to learn more about Ontario's conservation authorities and the important role that they play in resource management and environmental protection.

To find out more about conservation authorities and the programs and services they provide please visit:

<https://www.ontario.ca/environment-and-energy/conservation-authorities>

To locate your local conservation authority please visit:

<http://www.conservation-ontario.on.ca/about-us/conservation-authorities/ca-contact-list>



References

Commission on the Reform of Ontario's Public Services. (2012). *Public Services for Ontarians: A Path to Sustainability and Excellence*. Retrieved from <http://www.fin.gov.on.ca/en/reformcommission/>

Government of Ontario. (1990). *Conservation Authorities Act*. (R.S.O. 1990, Chapter C.27) http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_90c27_e.htm

Government of Ontario. (1997). *Conservation Authorities Policies and Procedures Manual*.

Government of Ontario. (2010). *Policies and Procedures for Conservation Authority Plan Review and Permitting Activities*. Retrieved from http://www.web2.mnr.gov.on.ca/mnr/water_erb/CALC_Chapter_Final_Apr23_Final.pdf

Government of Ontario. (2014). *Provincial Policy Statement*. Retrieved from <http://www.mah.gov.on.ca/AssetFactory.aspx?did=10463>

Institute of Internal Auditors. (2014). *Assessing Organizational Governance in the Public Sector*. Retrieved from <http://www.ontariocanada.com/registry/downloads/Ontario%20Regulatory%20Policy.pdf>

Office of the Mining and Lands Commissioner. (2013). *Annual Report*. Retrieved from <https://dr6j45jk9xcmk.cloudfront.net/documents/4271/omlc-annual-report-2013-2014-en.pdf>

Appendices

List of Conservation Authorities

| Conservation Authority | Acronym* |
|--|------------|
| Ausable Bayfield Conservation Authority | ABCA |
| Cataraqui Region Conservation Authority | CRCA |
| Catfish Creek Conservation Authority | CCCA |
| Central Lake Ontario Conservation Authority | CLOCA |
| Credit Valley Conservation Authority | CVC |
| Croze Valley Conservation Authority | CVCA |
| Essex Region Conservation Authority | ERCA |
| Ganaraska Region Conservation Authority | GRCA |
| Grand River Conservation Authority | Grand RCA |
| Grey Sauble Conservation Authority | GSCA |
| Halton Region Conservation Authority | Halton RCA |
| Hamilton Region Conservation Authority | HRCA |
| Kawartha Region Conservation Authority | KRCA |
| Kettle Creek Conservation Authority | KCCA |
| Lake Simcoe Region Conservation Authority | LSRCA |
| Lakehead Region Conservation Authority | LRCA |
| Long Point Region Conservation Authority | LPRCA |
| Lower Thames Valley Conservation Authority | LTVCA |
| Lower Trent Region Conservation Authority | LTCA |
| Maitland Valley Conservation Authority | MVCA |
| Mattagami Region Conservation Authority | MRCA |
| Mississippi Valley Conservation Authority | MVC |
| Niagara Peninsula Conservation Authority | NPCA |
| Nickel District Conservation Authority | NDCA |
| North Bay-Mattawa Conservation Authority | NBMCA |
| Nottawasaga Valley Conservation Authority | NVCA |
| Otonabee Region Conservation Authority | ORCA |
| Quinte Conservation Authority | QCA |
| Raisin Region Conservation Authority | RRCA |
| Rideau Valley Conservation Authority | RVCA |
| Saugeen Valley Conservation Authority | SVCA |
| Sault Ste. Marie Region Conservation Authority | SSMRCA |
| South Nation River Conservation Authority | SNRCA |
| St. Clair Region Conservation Authority | SCRCA |
| Toronto and Region Conservation Authority | TRCA |
| Upper Thames River Conservation Authority | UTRCA |

*As used within this Discussion Paper

List of Conservation Authority Regulations

Conservation authority activities are guided by a series of regulations established under the Act.

Section 27 (2) O. Reg. 670/00 Conservation Authority Levies Regulation. Outlines means for determining apportionment by the conservation authority of the levy payable by a participating municipality for maintenance costs on the basis of the benefit derived each municipality, either by agreement or using ‘modified current value assessment’ under the Assessment Act.

Section 27 (3) O. Reg. 139/96 Municipal Levies Regulation. LGIC regulation that outlines how ‘non-matching’ municipal levies are decided with a ‘weighted’ vote at a conservation authority board Meeting convened to do so.

Section 28 (6) O. Reg. 97/04 - Content of Conservation Authority Regulations under subsection 28 (1) of the Act Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. Lieutenant Governor in Council regulation governing the content of regulations made by authorities including flood event standards and other standards that may be used, and setting out what must be included or excluded from regulations made by the authorities and approved by the Minister.

Section 28 O. Regs. 42/06, 146/06-182/06, 319/09, – Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation. Regulation enables conservation authorities to regulate development in areas prone to water-based natural hazards (i.e. shorelines, floodplains, wetlands) for impacts to the control of the water-based hazards (i.e. flooding and erosion) or for changing or ‘interfering’ with a watercourse or wetland for purposes of public safety and natural hazard prevention and management.

Section 29 O. Regs. 98/90 -136/90 – Conservation Areas Regulation. Discretionary regulation applies to conservation areas owned & operated by the conservation authority, outlines prohibited activities or activities requiring a permit and rules of use (i.e. control of animals, vehicles, with provisions for enforcement).

Section 30 “Mandatory Regulations”- All conservation authorities were required to make regulations outlining administration functions of the board. Originally Minister approved, these regulations are now ‘by-laws’ which can be amended without Minister approval if amendments conform to the approved generic template provided to conservation authorities in 1985.

Section 40 Regulations. The province may make regulations defining any term that is used in the *Conservation Authorities Act* and that is not defined in the Act. This regulation making authority has not yet been used.



Conservation
ONTARIO
Natural Champions

ADDING VALUE

How Conservation Authorities support provincial priorities



Climate change

- Local adaptation strategies such as green infrastructure, urban and rural stormwater management, tree planting
- Flood management programs to address climate change
- Data collection, monitoring, modelling and research



Healthy Great Lakes

- Rural stewardship, urban and rural stormwater management, nutrient management, green infrastructure and other programs reduce nutrient impact on Great Lakes
- Great Lakes Guardian Fund projects
- Data collection, monitoring, modelling and research



Growth and urbanization

- Conservation Authorities Act Section 28 regulations control development in and near wetlands, floodplains, steep slopes and Great Lake shorelines
- Advice to municipalities to ensure development is compatible with a healthy and sustainable environment and consistent with the Provincial Policy Statement and provincial plans (e.g. Greenbelt Plan, Oak Ridges Moraine Conservation Plan, Growth Plan for the Greater Golden Horseshoe)



Flood warning and protection

- \$2.7 billion worth of public infrastructure including more than 900 dams, dikes, channels and erosion control structures
- Floodplain mapping, flood monitoring and warning systems to protect lives and properties
- Flood damage reduced \$100 million annually

ADDING VALUE

How Conservation Authorities support provincial priorities



Natural heritage and biodiversity

- 146,000 hectares of natural land protected through CA ownership
- Tree planting, forest management, river habitat and wetland protection and improvements
- Support provincial efforts to protect Species at Risk and manage Invasive Species



Recreation, health and tourism

- 250 Conservation Areas attracting 6.8 million visitors annually
- 2,500 kilometres of trails connecting people to nature



Education

- Close to 50 outdoor education facilities serving more than 400,000 students annually at 3,800 schools in partnership with 50 of the province's 72 district school boards
- Partners in Water Festivals: fun, interactive way for kids to learn about water issues
- Partners in Specialist High Skills Major Program



Water quality

- Implementing the Clean Water Act for drinking water source protection
- Stewardship programs protect water quality on farm and rural land



Water supplies

- Implement Low Water Response Program during dry conditions
- Water budgets and other research guide informed decisions on municipal water supplies
- Some CAs operate reservoirs used to maintain river flows in summer and fall



Monitoring and reporting

- Partner in Provincial Water Quality Monitoring Network and Provincial Groundwater Monitoring Network, Hydrometric Network and others
- CA Watershed Report Cards provide an overview of watershed health

Conservation Authorities are proud to work with these ministries:

Natural Resources & Forestry, Environment & Climate Change, Municipal Affairs & Housing, Agriculture, Food & Rural Affairs, Economic Development, Employment & Infrastructure, Health, Tourism Culture & Sport, Education, Northern Development & Mines

THE CORPORATION OF THE TOWN OF ERIN

BY - LAW NO. 15 -

A by-law to provide rules governing the order and proceedings of the Municipal Council of the Corporation of the Town of Erin, and its Committees and Local Boards, and to repeal By-law 15-17

WHEREAS pursuant to Section 238 (2) of the *Municipal Act, S.O., 2001, c. 25*, as amended, every Council and local board shall adopt a procedure by-law governing the calling, place and proceedings of meetings;

NOW THEREFORE the Council of the Corporation of the Town of Erin enacts as follows:

1. Definitions

- 1.1 **“Ad Hoc Committee”** means a committee appointed to review and report on a specific issue; once the report is delivered, the ad hoc committee is automatically dissolved unless continued by Council.
- 1.2 **“Agenda”** means the specific items of business to be dealt with at a Meeting of Council or Committee of Council, placed in sequence and defined by the order of business.
- 1.3 **“By-law”** means a law of the municipality passed by the municipal council.
- 1.4 **“CAO”** means the Town Manager/Chief Administrative Officer of the Corporation of the Town of Erin, or his or her designate.
- 1.5 **“Clerk”** means the Clerk of The Corporation of the Town of Erin, or his or her designate.
- 1.6 **“Closed Session”** means a meeting or part of a meeting that is not open to the public under authority of section 239 of the *Municipal Act, S.O. 2001, c. 25*, as amended, may also be referred to as an “In Camera Session”.
- 1.7 **“Committee of Council”** means an advisory or other Committee, sub-Committee or similar entity of which at least one of the Members is also a Member of Council.
- 1.8 **“Committee”** means any committee, such as an advisory, ad hoc or standing committee established by the Council from time to time.
- 1.9 **“Council”** means the Municipal Council of The Corporation of The Town of Erin.
- 1.10 **“Defer”, “Deferred” or “Deferral”** means, when used in connection with a matter or item before the Council or Committee of Council, that the said matter or item is to be dealt with at the next or specified meeting of the same body; may also be referred to as “postponing” a matter.
- 1.11 **“Delegation”** means a person or persons who address Council or a Committee of Council in the manner described within the provisions of this by-law.
- 1.12 **“Emergency”** means a situation or the possibility of an impending situation which by its nature and magnitude requires a timely, coordinated and controlled response.
- 1.13 **“Ex Officio”** means a member of a body (a board, committee, council, etc.) who is part of it by virtue of holding another office.
- 1.14 **“Head of Council”** means the Mayor of The Corporation of the Town of Erin.
- 1.15 **“Local Board”** means a municipal service board, transportation commission, public library board, board of health, police services board, planning board, or any other board, commission, committee, body or local authority established

or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities, excluding a school board and a conservation authority.

- 1.16 **“Main Motion”** means a formal proposal introducing a substantive question to the meeting as a new subject, or a subject related to past business.
- 1.17 **“Majority”** means a number greater than half of the total.
- 1.18 **“Meeting”** means the official assembly of the Council, or a Committee, as the case may be, includes the Chairperson/Mayor.
- 1.19 **“Member”** means a member of the Council or a committee, as the case may be.
- 1.20 **“Municipality”** means The Corporation of the Town of Erin.
- 1.21 **“Notice of Motion”** means an advance notice to Members of a matter on which the Council or Committee of Council will be asked to take a position.
- 1.22 **“Pecuniary Interest”** means a direct or indirect pecuniary interest within the meaning of the Municipal Conflict of Interest Act, R.S.O. 1990, chapter M.50 as amended.
- 1.23 **“Point of Order”** means a matter that a Member considers to be a departure from or contravention of the rules, procedures or generally accepted practices of Council or a Committee of Council.
- 1.24 **“Presiding Officer”** means the person presiding at a meeting. Also known as the Chairperson.
- 1.25 **“Quorum”** means the majority of all the whole number of members, excluding those members with a declared conflict of interest, required to constitute Council and/or Committee; or not less than two members where by reason of *The Municipal Conflict of Interest Act* members are disallowed by the Act from participating in the meeting.
- 1.26 **“Recommendation”** means a recommended course of action. A Committee of Council may pass a recommendation to be later taken up by Council for its consideration.
- 1.27 **“Recorded Vote”** means documenting within the minutes of a Meeting the name of each Member and their vote on a matter or question, in favour, opposed, abstained (shall be recorded as opposed), or absent.
- 1.28 **“Regular Meeting”** means a scheduled Meeting held in accordance with the approved calendar or schedule of Meetings.
- 1.29 **“Resolution”** means a motion or question to be considered by Council or Committee of Council.
- 1.30 **“Council/Staff Working Meeting”** means a special meeting called by Council resolution for the purpose of interacting with staff on specific matter(s).

2. General Rules

- 2.1 The rules and regulations contained within this by-law shall be observed in all proceedings of Council and shall be the rules and regulations for the order and the dispatch of business of the Council and, wherever possible and with the necessary modifications, for all Committees of Council, unless otherwise prescribed.
- 2.2 All points of order or procedure for which rules have not been provided with this by-law shall be decided by the Presiding Officer in accordance, as far as it is reasonably practical, with the rules of parliamentary law as contained in James Lochrie’s Meeting Procedures, Parliamentary Law and Rules of Order for the 21st Century.

- 2.3 No provision of this by-law shall be suspended except by resolution by a majority vote of the members of Council.
- 2.4 The use of cameras, electric lighting equipment, television cameras and any other device of mechanical, electronic or similar nature used for transcribing or recording proceedings by auditory or visual means by accredited and other representatives of any news media may be permitted with the approval of the Head of Council.
- 2.5 Cell phones are required to be either turned off or placed on vibrate during Council or Committee meetings. Members of Council and municipal staff shall not communicate by electronic means during a meeting.
- 2.6 The members may by resolution, cancel or alter the time, day, or place of any meeting pursuant to the notice provisions of this by-law.

3. Meetings

3.1 Location of Meetings

- a) All meetings of Council shall take place in the Council Chambers at the municipal office, 5684 Trafalgar Road, Hillsburgh, or such other place designated and used by Council from time to time. Notice of meetings held at locations other than the municipal office shall be provided in accordance with the notice provisions of this by-law.
- b) Notwithstanding section 3.1 a) above, in the event of an emergency, the Council shall determine, at its discretion, other locations within or outside the municipality to hold its meeting, pursuant to Section 236 (1) of the Municipal Act, 2001. The Clerk shall provide notice in accordance with section 4.3 of this by-law.

3.2 Inaugural Meeting

- a) The inaugural meeting of the new Council, in each term, shall be held on the first Tuesday in December in each election year, in the Council Chambers of the municipal office at 6:30 pm.
- b) Notwithstanding section 3.2 a), an alternate location, date, and time of the inaugural meeting may be determined by resolution of Council.

3.3 Regular Meetings

- a) Council meetings shall be held on the first and third Tuesday of each month of the year at the hours of 1:00 pm and 6:30 pm, respectively, unless by resolution, Council selects an alternate meeting date or time.
- b) Notwithstanding section 3.3 a), during the months of July and August, there shall be one (1) meeting scheduled for each month by resolution setting out the date, time, and location.
- c) The fourth Tuesday of each month may be used from time to time as a Regular Council Meeting should there be sufficient business in the opinion of the Clerk and Town Manager/CAO.
- d) When the day for a meeting is a public or civic holiday, the Council shall meet at the same hour on the next regular business day, unless decided otherwise.

3.4 Calling of Meetings to Order and Quorum / No Quorum

- a) A majority of all members of council shall constitute a quorum and be necessary for the transaction of business. A majority of all members shall be determined as three (3) members of Council.

- b) Unless there is a quorum present within fifteen (15) minutes after the time appointed for the meeting, the Council or Committee of Council shall stand adjourned until the next meeting date, and the Clerk shall record the names of the members present at the expiration of the fifteen (15) minutes.
- c) As soon after the hour of the meeting as there is a quorum present, the Mayor shall assume the chair and call the members to order. In the absence of the Mayor, a Presiding Officer shall be chosen from the members present and that person shall preside during the meeting until the arrival of the Mayor.
- d) If at any time during the meeting there is no quorum in attendance, the meeting shall automatically stand recessed until there is a quorum once again in attendance. Should the lack of a quorum continue for fifteen (15) minutes from the time of its occurrence, the meeting shall stand adjourned until the next scheduled meeting.
- e) Where the number of members of Council who are unable to participate in a meeting by reason of the provisions of the Municipal Conflict of Interest Act, R.S.O. 1990, such that, at the meeting the remaining members are insufficient to constitute a quorum, the remaining members shall be deemed to constitute a quorum, provided such number is not less than two (2).
- f) If members of Council are not going to be in attendance or are going to be late for a meeting, they shall contact the office of the Clerk in advance of the meeting.

3.5 Special Meetings

- a) The Head of Council may at any time call a special meeting. See section 3.1 for location of meetings, and section 4.2 of this by-law for notice of special meetings.
- b) Upon receipt of a petition of the majority of the members of Council, the Clerk shall call a special meeting of Council for the purpose and the time mentioned in the petition. See section 3.1 for location of meetings, and section 4.2 of this by-law for notice of special meetings.
- c) No business may be transacted at a special meeting other than that specified in the notice or agenda.
- d) Notwithstanding any other provision of this by-law, a special meeting may be held without notice in the case of an emergency, as defined in the Emergency Management Act, provided that attempts have been made to reach all members and notice is placed on the Town website.
- e) A Special Meeting **may also constitute** a Public Meeting pursuant to legislation, including but not limited to matters under the Planning Act.
- f) Notwithstanding the provisions of this by-law, the time limitation for delegations, as set out in this by-law, shall not apply to a Public Meeting pursuant to legislation, including but not limited to matters under the Planning Act.
- g) A Special Meeting also constitutes a Council/Staff Working Meeting for the matter(s) listed on the Agenda.

3.6 Closed Sessions

- a) For the purpose of this section, a meeting or a portion thereof, not open to the public shall be called a 'closed session'.
- b) All meetings of council and committees shall be open to the public except as provided for in section 239 of the Municipal Act, 2001.

Exceptions:

- i. The security of the property of the municipality or local board;
 - ii. Personal matters about an identifiable individual, including municipal or local board employees
 - iii. A proposed or pending acquisition or disposition of land by the municipality or local board;
 - iv. Labour relations or employee negotiations;
 - v. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality;
 - vi. Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - vii. A matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act; 2001, c.25, s. 239 (2);
 - viii. If the subject matter relates to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act if the Council, Board, Commission or other body is the head of an institution for the purposes of that Act. 2001, c. 25, s. 239(3);
 - ix. If the meeting is held for the purpose of educating or training the members and if no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the council, local board or committee of that Act 2006, c.32, Schedule A, s. 103(1).
- c) Before holding a closed session, the Council shall state by resolution the reason for holding the closed session and the general nature thereof.
 - d) When a closed session is necessary, it will be a requirement that the minutes shall be prepared and circulated in the next closed session agenda and signed by the Presiding Officer and Clerk.
 - e) All agendas, confidential reports and materials for closed sessions will be circulated to the members in sealed envelopes in advance of the closed session whenever possible.
 - f) The closed session material shall be returned to the Clerk or his/her designate, at the close of the meeting at which the closed session is held.
 - g) The Clerk shall be responsible for retaining a confidential copy of all original documentation distributed in relation to closed sessions, and for retaining the confidential minutes of all closed sessions.
 - h) It shall be the responsibility of the members and staff to respect the confidentiality of all matters disclosed to them and materials provided to them during closed sessions.
 - i) Members of Council shall not disclose any information pertaining to matters dealt with by Council in closed session, prior to it being reported out publicly. Items can either be ratified in open Council immediately after the closed session or at a future scheduled Council meeting. Upon the reporting out of any closed session agenda item, any individual member may express their own personal position on the item, but shall not refer to or discuss the specific positions or opinions (written or verbal) of other members of Council or any staff member.

4. Notice of Meetings

4.1 Regular Meetings

- a) A meeting schedule shall be maintained on the Town website. Posting of meetings on this schedule shall constitute notice of regular and special meetings of council, and will include the date and time of the meeting.
- b) A copy of the Council meeting agenda shall be provided to the members of Council and posted on the Town's website for public viewing. The posted agenda shall be considered as notice of regular and special meetings of council. The agenda shall include the date, time, and place of the meeting.
- c) The Clerk shall ensure that notice of each regular meeting of council is provided to the members of council and the public at least forty eight (48) hours in advance of said meeting. The members of council shall receive notice of the regular meeting electronically, or by telephone, and the public shall receive notice in the manner identified in section 4.1 a) and 4.1 b).
- d) The Clerk or CAO, may cancel a meeting of Council when, in their opinion, there is sufficient cause to do so. The Clerk shall provide notice of cancellation of a meeting to Council, staff, the local media, and other interested parties within at least (3) hours in advance of a meeting. The public shall receive notice by the method identified in section 4.1 b), and/or by posting notice on the entrance doors located at the municipal office; or the entrance door of the location where the meeting was scheduled to be held.

4.2 Special Meetings

- a) The Clerk shall ensure that notice of each special meeting of Council is provided to the members of Council and the public at least twenty four (24) hours in advance of the said meeting. The members of Council shall receive notice of a special meeting electronically, or by telephone, and the public shall receive notice in the manner specified in 4.1 a) and 4.1 b).

4.3 Emergency Meetings

- a) The Clerk shall ensure that notice of an emergency meeting of Council is provided to the members of Council and the public once the meeting has been scheduled. The members of Council shall receive notice of an emergency meeting electronically, or by telephone, and the public shall receive notice in the manner specified in 4.1 a) and 4.1 b) of this by-law. If it is not feasible to provide notice by any of the above methods, then notice shall be given in whatever manner is deemed to be effective and appropriate, given the circumstance.

- 4.4 Lack of receipt of the notice by any member of Council shall not affect the validity of holding a meeting nor any action taken at a meeting.

5. Responsibilities of the Presiding Officer or Chairperson

- 5.1 The Mayor as Head of Council shall chair all meetings of Council or Committee unless otherwise provided for. The Mayor is a Member, ex officio, of all other Committees of the Council, and shall have the same rights, including voting rights, as a member.
- 5.2 The Mayor shall be the Presiding Officer at all Council meetings. In the absence of the Mayor, and if a quorum is present, the Council shall elect a chairperson from amongst the members present. While presiding, the member appointed by Council shall have all the powers and duties of the Head of Council.
- 5.3 It shall be the duty of the Presiding Officer to:
 - a) open the meeting of Council by taking the Chair and calling the members to order;

- b) announce the business before the Council in the order in which it is to be acted upon;
- c) ensure the meeting agenda is followed and that the meeting progresses with due efficiency;
- d) receive and submit, in the proper manner, all motions presented by the members of Council;
- e) put to a vote all motions which are moved and seconded, or necessarily arise in the course of proceedings, and to announce the results;
- f) decline to put to vote resolutions which infringe upon the rules of procedure or are beyond the jurisdiction of Council;
- g) restrain the members, within the rules of order, when engaged in debate;
- h) enforce the observance of order and decorum among the members;
- i) do all matters to permit the meeting to proceed in an orderly and efficient manner;
- j) expel or exclude from any meeting any member of the gallery who is guilty of improper conduct at the meeting;
- k) call on another member to assume the role of Presiding Officer if desiring to take part in debate or otherwise;
- l) authenticate, by his signature when necessary, all by-laws and minutes of the Council;
- m) inform or advise the Council on points of order or usage;
- n) represent and support the Council, declaring its will and implicitly obeying its decisions in all things;
- o) ensure that the decisions of Council are in conformity with the laws and by-laws governing the activities of the Council;
- p) adjourn the meeting when the business is concluded;
- q) adjourn the meeting without question in the case of grave disorder arising in the Council Chambers;
- r) select members of Council who are to serve on Committees, such selections to be ratified by Council.

6. Responsibilities of All Council Members

- 6.1 All members of Council shall come prepared to every meeting by having read all the material supplied, including the agenda and staff reports, to facilitate discussion and the determination of action at the meeting. The members are encouraged to make inquiries of staff regarding the materials supplied with the agenda in advance of the meeting.
- 6.2 Requests for reports that will take more than one (1) hour of staff time to prepare shall be authorized by Council resolution, and the resolution shall identify the appropriate department or department head and the objectives of the report.
- 6.3 No member of Council shall have the authority to direct or interfere with the performance of any work for the Municipality.
- 6.4 The Municipality's "Council Code of Ethics" policy shall govern the actions and behaviour of the members of Council. The code of ethics can be found on the Town of Erin website.

- 6.5 The Council, by majority vote, may expel or exclude a member of Council who is guilty of improper conduct at a meeting.

7. Roles of Administration

7.1 Town Manager/Chief Administrative Officer (CAO)

- a) The Town Manager/CAO shall have such general control and management of the administrative affairs of the Corporation of the Town of Erin, as may be prescribed by Council by by-law and shall be responsible for the efficient administration of all its departments to the extent he/she is given control over such departments by by-law.
- b) In accordance with Section 227 of the Municipal Act, 2001, the Town Manager/CAO shall be responsible to establish and implement such policies as may be required to carry out the administrative duties prescribed by the Council of the Town of Erin.
- c) All reports and recommendations of the Senior Management Team shall be coordinated through the Town Manager/CAO.

7.2 Clerk

- a) The Clerk shall be responsible for preparing and distributing the agenda for all Council meetings, in accordance with the provisions of this by-law, and shall determine the appropriateness and location of all items to be placed on the agenda.
- b) The Clerk shall make such minor clerical, typographical or grammatical corrections in form to any by-law, motion, resolution and/or minutes as may be required for the purpose of ensuring correct and complete implementation of the actions of Council.
- c) The Clerk, in conjunction with the Town Manager/CAO and Senior Management Team, shall ensure that administrative processes relative to the agenda preparation and distribution are comprehensive, efficient and cost effective.
- d) The Clerk shall maintain the originals of all by-laws and minutes of the proceedings of Council.

7.3 Senior Management Team

- a) The role of the Senior Management Team and all members of staff is to provide information, guidance, advice and recommendations for all matters to Council while considering the interests and safety of the whole community.
- b) Each Department Head or designate is required to act in accordance with applicable legislation and to carry out their statutory duties as outlined in the legislation.
- c) The administrative programme of the Corporation of the Town of Erin is divided among and performed by the municipal departments and each Department Head shall be responsible to and subject to direction and control by the Town Manager/CAO.

8. Agendas

- 8.1 All items for the Agenda shall be delivered in writing to the Clerk, prior to 12:00 pm on the Wednesday preceding the meetings of Council.

- 8.2 The Clerk shall prepare the Council Agenda under the following headings:

- a) Call to Order
- b) Approval of Agenda

- c) Declaration of Pecuniary Interest
- d) Public Meeting(s)
- e) Community Announcements
- f) Adoption of Minutes
- g) Business Arising From the Minutes
- h) Public Question Period
- i) Delegations/Petitions/Presentations
- j) Accounts
- k) Reports
- l) New Business
- m) Correspondence
- n) Closed Session
- o) By-laws
- p) Notice of Motion
- q) Adjournment

- 8.3 The order of business shall be taken upon the order in which it stands on the agenda, unless otherwise decided by consent of the majority of council.
- 8.4 At the time of approval of the Agenda, a change in the order set forth on the Agenda may be permitted by majority vote of the members present and heard under the appropriate section in the Agenda.
- 8.5 An item of business not listed on the Agenda cannot be introduced at a Council meeting unless the item related to an item already on the Agenda and must be approved by Council (having regard for provisions of Notice in this by-law, or any other related by-law).
- 8.6 The Clerk shall place any agenda items not dealt with at a meeting on the agenda for the next regular meeting, unless otherwise decided by the Council.
- 8.7 When it appears there is insufficient business for a regular meeting of the Council, the Clerk or CAO may cancel the meeting.
- 8.8 Public Meetings or Public Information Sessions for any purpose giving such notice as may be deemed necessary or required by legislation, may be conducted during a regular scheduled meeting of Council, or as a separate meeting on a designated day.
- 8.9 An Agenda, with the necessary modifications and applicable sections, will be prepared by the Clerk for Special Council Meetings.

9. Minutes

- 9.1 The minutes of a meeting shall record:
 - a) The date, time, and place of the meeting.
 - b) The record of attendance of the Members of Council and Senior Staff.
 - c) All resolutions voted on and their disposition.

- d) All other proceedings of the meeting without note or comment.
- 9.2 The Clerk shall ensure that the minutes of the regular and special meetings are circulated along with the agenda prepared in accordance with section 7.2 and 8.2 of this by-law, and that the minutes of closed meetings are circulated with the next closed session agenda package. The minutes of regular and special meetings shall be posted on the Town of Erin website for public inspection.
- 9.3 The minutes may be adopted by council or the respective committee without having been read at the meeting at which the question of their adoption is considered.
- 9.4 Only changes in the form of errors or omissions in the recording of any action taken or not taken at a previous Council meeting can be made at the time of adopting the minutes.
- 9.5 When the minutes have been adopted, they shall be signed by the Mayor and Clerk.
- 9.6 Items under the heading "Business Arising from the Minutes" shall be business from the previous meeting requiring additional consideration by Council. Items under this heading may also include follow-up information provided by staff or consultants.

10. Accounts

- 10.1 A listing of accounts to be approved shall be made available to Council Members prior to a Council Meeting.
- 10.2 In the event that any Council Meeting is suspended, or that any accounts must be paid prior to a Council Meeting, the Director of Finance may prepare such invoices for payment as necessary.

11. Public Question Period

- 11.1 The Public Question Period is an opportunity granted to the members of the public present at a regular Council meeting to ask questions of Council or administration through the Mayor or Presiding Officer, and shall be restricted to a time limit of fifteen (15) minutes in total.
- 11.2 Persons invited to address Council during Public Question Period shall be restricted to one question, and a time limit of five (5) minutes, including Council and/or administration response.
- 11.3 Persons addressing Council shall stand or sit, as may be appropriate, at a place usually reserved for that purpose or as may be directed by the Mayor or Presiding Officer, state a maximum of two statements sufficient to establish the context of the question, and pose the question to Council.

12. Delegations/Petitions/Presentations

- 12.1 Any person wishing to appear before the Council on a matter which requires specific action of Council, and is a matter that falls within the jurisdiction of the Town, may notify the Clerk by providing a completed "Request to Appear as a Delegation" form no later than 12:00 p.m. on the Wednesday preceding the meeting.
- 12.2 The "Request to Appear as a Delegation" form, as well as any correspondence that is to be presented to Council, shall be legibly written, typed, or printed, and shall not contain any obscene or defamatory language.
- 12.3 Any requests to appear before Council that are received by the Clerk after the deadline as set out in section 11.1, shall be approved by the Clerk before it will be added to the Agenda.

- 12.4 The Clerk shall evaluate the request for Delegation and decide whether the request complies with the criteria set out within this by-law. If the Clerk decides not to place a delegation on the agenda, and the delegation wishes to appeal the Clerk's decision, the information shall be distributed under separate cover to Council for their consideration.
- 12.5 The Clerk may, upon receipt, refer any correspondence or petition to a department head without the prior consideration of Council. Any correspondence or petition sent anonymously will not be received.
- 12.6 Once a date and time has been established for the person requesting delegation status, the Clerk shall provide confirmation, by telephone, fax or electronic means.
- 12.7 The scheduling of delegations for regular meetings shall be limited to three (3) per meeting, unless otherwise determined by the Clerk, in consultation with the Town Manager/CAO.
- 12.8 Any person desiring to address the Council by oral communication who has not requested to be a delegation shall not be permitted to speak unless determined by unanimous consent of the Council.
- 12.9 Delegations shall not be permitted to appear before Council for the sole purpose of generating publicity or personal attacks.
- 12.10 Delegations that have previously appeared before Council on a subject matter shall provide new information only in any subsequent presentations relating to that matter.
- 12.11 Delegations shall be limited to two (2) speakers, shall stand or sit, as may be appropriate, at a place usually reserved for that purpose or as may be directed by the Mayor or Presiding Officer, and shall limit their address to ten (10) minutes. All remarks shall be addressed to the Council as a body and not to any member thereof. No person, other than the members of Council and the person having the floor, shall be permitted to enter into any discussion either directly or through the members of Council.
- 12.12 A person who is unable to attend a Council Meeting but who has registered with the Clerk as a delegation may arrange for another person to appear on their behalf and to read aloud a prepared statement, adhering to the time allotment and the provisions of this by-law.
- 12.13 If a staff report is required to provide further information, the matter shall be referred to the appropriate staff to report back to Council at a subsequent meeting. (See Section 6.2)
- 12.14 Delegations shall not:
 - a) Speak disrespectfully of any person;
 - b) Use offensive words;
 - c) Speak on any subject other than the subject that they have received approval to address Council;
 - d) Disobey a decision of the Presiding Officer or Council;
 - e) Enter into a cross debate with other Delegations, staff, Council Members, or the Presiding Officer.
- 12.15 The Mayor or Presiding Officer may curtail any Delegation, for disorder or any other breach of this by-law and, if he/she rules that the Delegation is concluded, the person appearing as a Delegation shall withdraw, and the decision of the Mayor or Presiding Officer shall not be subject to challenge.
- 12.16 Upon the completion of a Delegation, any discussion between the Members and the Delegation shall be limited to Members asking questions for

clarification and obtaining additional, relevant information only. Members shall not enter into debate with the Delegation. Once a Motion has been moved and seconded, no further presentation or questions of the Delegation shall be permitted.

- 12.17 Delegations will not be permitted on items that will be the subject of a scheduled public meeting pursuant to the Planning Act. Persons should present their concerns and opinions at the scheduled public meeting where their comments can be considered along with all other submissions. Delegations or submissions to Council after the Public Meeting has been completed and before Council has made its determination will not be permitted.

13. Reports

- 13.1 All reports of departments shall be coordinated with the CAO prior to the Wednesday that precedes the regular council meeting.
- 13.2 All reports of departments and committees shall be received by the Clerk no later than 12:00 pm on the Wednesday that precedes the regular council meeting.
- 13.2 Walk-in reports shall be discouraged. Reports not included on the agenda may be circulated to the members of Council at a regular meeting; however consideration of such report shall be given at the next meeting unless otherwise determined by the consent of the majority of Council.

14. New Business

- 14.1 New business includes any correspondence to Council that may not necessarily require a staff report in order to be considered.
- 14.2 New business items shall be received by the Clerk no later than 12:00 pm on the Wednesday that precedes the regular council meeting.
- 14.3 New business shall be listed on the Agenda or may be added to the Agenda by resolution during Approval of the Agenda, in order to be discussed by Council.

15. Correspondence

- 15.1 All correspondence shall be received by the Clerk no later than 12:00 pm on the Wednesday that precedes the regular council meeting.
- 15.2 Correspondence may be that for which direction or a decision of Council is required. Council may request a report and recommendation from any person or Committee, on correspondence of this nature. (See Section 6.2)
- 15.3 Correspondence for which direction or a decision of Council is not required may be received by one motion, but prior to consideration of such motion, members may request that specific items be removed from consideration under such motion and Council shall consider such items individually.

16. By-laws

- 16.1 Every by-law listed on the agenda shall be considered by Council for enactment by one main motion, but any Member may request that a proposed by-law be considered separately.
- 16.2 Motions for amendment need not be written unless the effect of such amendment would be to substantially change the intent of the by-law.
- 16.3 A by-law shall deem to have been read upon the title or heading or short description thereof being read or taken as read unless a member of Council requires the by-law or any portion thereof to be read in full.

Procedural By-Law 15-

- 16.4 The Clerk may make minor corrections of errors and omissions in any by-law before it is signed and sealed for the purpose of ensuring complete implementation of Council's decision.
- 16.5 The proceedings at every regular and special meeting shall be confirmed by by-law so that every decision of Council and every resolution passed at a meeting shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.
- 16.6 Every by-law passed by Council shall:
- a) Be signed by the Mayor or Presiding Officer;
 - b) Be signed by the Clerk;
 - c) Be sealed with the seal of the Corporation;
 - d) Indicate the date of passage;
 - e) Be numbered and filed by the Clerk for safe keeping.

17. Notice of Motion

- 17.1 The Notice of Motion shall be introduced at a Meeting of Council but shall not be discussed or debated until the next Regular Meeting. The Member introducing the notice of motion shall provide the Clerk with a written copy of the proposed motion by 12:00 pm on the Wednesday preceding the date of the next Regular Meeting.
- 17.2 At the Regular Meeting following the introduction, the motion previously introduced through a notice of motion shall be included in full in the Agenda Package and listed on the Agenda under New Business. The motion shall be seconded by a Member before being debated.

18. Adjournment

- 18.1 The Council shall adjourn at the hour of **10:00 pm** for meetings commencing at 7:30 pm, and 5:00 pm for meetings commencing at 1:00 pm, if in session at that hour, unless otherwise determined by a resolution of Council passed unanimously among the Members present; and provided that such motion does not require the meeting to be extended for more than one (1) hour. This motion requires a second, is not debatable, and is not amendable.
- 18.2 When the Council adjourns before the Agenda is completed, the items on the Agenda not dealt with shall be noted and deferred to the next Regular meeting, unless a resolution is adopted by a majority vote to reconvene at a date and time prior to the next Regular Meeting.
- 18.3 A Regular Council Meeting shall not be adjourned until a by-law confirming the proceedings of the Meeting at the time of adjournment has been presented and adopted by Council.

19. Voting and Motions/Resolutions

- 19.1 No vote shall be taken by ballot or any other method of secret voting, and every vote so taken is of no effect, in accordance with section 244 of the Municipal Act, 2001.
- 19.2 All motions shall be duly moved and seconded before being debated. Upon request, the motion may be read or stated by the Mayor or Presiding Officer, or Clerk at any time during the debate.
- 19.3 Every member of Council shall have one vote. Voting shall be by show of hands, where no recorded vote is required. The failure to vote by a qualified member of Council shall be deemed to be a negative vote. The Mayor or Presiding Officer, except where disqualified to vote, may vote on all questions, and when doing so, shall vote last.

- 19.4 Once the Mayor or Presiding Officer states the question, the motion shall be deemed to be in the possession of the Council, but may, with the consent of the majority of Council, be withdrawn at any time before decision or amendment.
- 19.5 After a motion is put to a vote, no member of Council shall speak to the motion nor shall any other motion be made until after the vote is taken and the result declared.
- 19.6 No member of Council shall speak more than once to the same question without the consent of the Council or until all of the other members of Council have had the opportunity to speak to the question a first time, except in explanation of a material part of his/her speech which may have been misconstrued, and in doing so, is not to introduce a new matter.
- 19.7 The Mayor or Presiding Officer may answer questions and comment in a general way without leaving the chair, but if he/she wishes to make a motion or speak to a motion taking a definite position and endeavouring to persuade the Council to support that position, then he/she shall first leave the chair.
- 19.8 Except where expressly provided in statute, any question on which there is an equality of votes shall be deemed to be defeated. See section 245 of the Municipal Act, 2001.
- 19.9 All votes shall be announced openly, as carried or defeated, by the Mayor or Presiding Officer. Should the result of a vote be stated by any Member to be in doubt, the Mayor or Presiding Officer shall require the vote to be retaken in alternative manner and the result of this vote shall be final. The Clerk shall record the results of the votes as follows:
- a) If passed "Carried"
 - b) If not passed "Defeated"
- 19.10 A main motion properly before the Council shall receive disposition before any other motion can be considered, except in respect of matters listed below, namely:
- To recess;
 - To adjourn;
 - To postpone the motion under consideration to a definite date;
 - To postpone the motion under consideration indefinitely;
 - To refer the motion under consideration to a Committee or staff for a report;
 - To amend the motion under consideration; and
 - To close debate (to end debate on the motion under consideration)
- a) A motion to recess:
 - i. Is permissible when there is business before Council for consideration;
 - ii. Shall specify the length of time of the recess;
 - iii. Is not debatable except with regard to the length of the recess; and
 - iv. Shall be amendable with respect to the length of the recess.
 - b) A motion to adjourn:
 - i. Is permissible;
 - ii. Is not amendable;
 - iii. Is not debatable;
 - iv. Is not in order when a Member is speaking or during a vote; and
 - v. When resolved in the negative, cannot be made again until the Presiding Officer has deemed sufficient business has been conducted by Council in the intervening time.
 - c) A motion to postpone:
 - i. May or may not state a definite time or date as to when the matter shall be further considered;
 - ii. Shall apply to the main motion and to any adhering motions to amend the main motion that are pending;

- iii. Is not debatable except as to date or time; and
- iv. Shall not be amendable except as to date or time.

Where a motion to postpone is adopted without a definite time or date as to when the matter shall be further considered, it shall be considered at the next regular meeting.

- d) A motion to refer:
 - i. Shall be open to debate;
 - ii. May be amended;
 - iii. Shall include the terms of referral including the time of conditions under which the matter is to be returned to Council for consideration; and
 - iv. May include the reasons for the referral.
- e) A motion to amend:
 - i. Shall be relevant to the main motion;
 - ii. Shall not be directly contrary to or propose a direct negative to the main motion;
 - iii. Shall be debatable; and
 - iv. Shall not itself be amended more than once;
 - v. And motions to amend shall be put to a vote in reverse order from which they are made, and should the motion to amend be carried, the main motion shall then be considered by Council as amended.

Notwithstanding the foregoing, a motion to amend shall not be required where the mover and seconder of the main motion agree to re-word the main motion to accommodate a proposed amendment and no Member of Council objects.

- f) A motion to close debate:
 - i. Is not permissible until every Member present has had the opportunity to speak to the question at least once;
 - ii. Is not amendable;
 - iii. Is not debatable; and
 - iv. Upon adoption, the Presiding Officer shall forthwith put the main motion and all amendments thereto to a vote.
- g) A motion to suspend the rules:
 - i. Is permissible;
 - ii. Is not amendable;
 - iii. Is not debatable;
 - iv. Shall include a statement as to the purpose of the suspension; and
 - v. Is not permissible with regard to any statutory requirements that apply to the proceedings of Council.

19.11 Precedence of motions and rules governing such motions, shall unless otherwise indicated herein, be in accordance with James Lochrie's Meeting Procedures, Parliamentary Law and Rules of Order for the 21st Century.

19.12 Recorded votes:

- a) The Mayor or Presiding Officer shall require a recorded vote to be taken on any question upon request of a member if such request is made prior to the commencement of the voting or immediately thereafter. When a member present requests a recorded vote, all members present at the meeting shall vote, unless otherwise prohibited by statute, shall announce his/her vote openly and individually in favour of or against the question except for the Mayor or Presiding Officer, who shall announce his/her vote last.
- b) The Clerk shall call each member to vote in random order, except for the Mayor who shall vote last. When called to vote, each member shall answer "Yes", "No", or "Abstain". Abstain will be considered a "No" vote.
- c) The Clerk shall record each member's vote and each member's vote shall be noted in the minutes. The Clerk shall record in the minutes the name of a member who is not present when the recorded vote is taken.

- d) If during the recorded vote any member present refuses or fails to vote, he/she shall be deemed and recorded as voting against the motion.

20. Reconsideration

- 20.1 Council may only reconsider a matter that has not been acted on by an officer, employee, or agent of the municipality.
- 20.2 After any question has been decided by Council, any member who voted with the prevailing side in respect of such question may move a motion for reconsideration. In the event that the original motion was not decided by a recorded vote, the Mayor or Presiding Officer shall determine that the motion to reconsider is being appropriately introduced.
- 20.3 Should a main motion be defeated due to a tie vote, only a member who voted in the negative may move a motion for reconsideration.
- 20.4 Any member who was absent at the time the vote was taken on the original motion shall be deemed to be a member who voted with the prevailing side for the purposes of section 19.2 of this by-law.
- 20.5 When a motion for reconsideration is made at the same meeting at which the question to be reconsidered was carried or defeated, the motion for reconsideration shall be resolved at that meeting and shall require the support of the majority of the members present.
- 20.6 At the same meeting, if the motion to reconsider is adopted, the original motion as voted on shall be the next order of business.
- 20.7 Where a motion for reconsideration is made at a meeting subsequent to that at which the question to be re-opened for debate was carried or defeated, the motion for reconsideration shall be initiated by a notice of motion pursuant to section 16 of this by-law (Notices of Motion). The motion for reconsideration of a vote shall require the support of the majority of Council present.
- 20.8 At the subsequent meeting, if the motion to reconsider is adopted, the original motion as voted on shall be the next order of business or a motion on the same matter, subject to a Notice of Motion, shall be the next order of business.
- 20.9 No discussion on the original motion shall be allowed unless the motion for reconsideration is carried in the affirmative by the majority of Council, present.
- 20.10 The original motion shall remain in effect until a new motion is carried that supersedes the original motion, subsequent to a motion of reconsideration carried in the affirmative.
- 20.11 No question shall be reconsidered more than once within 12 months following the date that a motion to reconsider was ratified.

21. Points of Order and Privileges

- 21.1 When a member of Council is speaking, no other member shall interrupt him/her except to raise a point of order.
- 21.2 Any member may raise a point of order.
- 21.3 When a member rises on a point of order, a member shall state the point of order to the Mayor or Presiding Officer who shall immediately rule on the point of order, and there shall be no debate by the members.
- 21.4 Thereafter, the member raising the point of order shall only address the Council for the purpose of appealing the decision of the Mayor or Presiding Officer. If there is no appeal, the decision is final.

- 21.5 The Council, if appealed to, shall decide on the question without debate and its decision is final.
- 21.6 The procedure for decision on matters of personal privilege or privilege of the Council as a whole shall be the same as for point of order.
- 21.7 Where a member considers that a member's integrity or the integrity of Council as a whole has been impugned, the member may as a matter of privilege rise at any time, for the purpose of drawing the attention of the Council to this matter.
- 21.8 Where the CAO or a member considers staff as being maligned, the CAO or member may as a matter of personal privilege rise at any time, for the purpose of drawing the attention of the Council to this matter.
- 21.9 Where the discussion is such that the integrity of any Town employee has been impugned or questioned, the discussion will cease and any further discussion or debate will be held in closed session.

22. Committees

- 22.1 Special or ad hoc committees may be established from time to time by Council to consider a specific matter. The committee shall report directly to Council. Once an ad hoc committee has completed its work, the committee shall be deemed to be dissolved, unless otherwise determined by Council.
- 22.2 Council may appoint representatives to serve on local boards, advisory committees, or any other body to which Council is required or empowered to appoint a representative. Appointments to such boards/committees may be a member of Council or may be a person appointed from amongst its ratepayers.
- 22.3 The following applies to all committees:
 - a) The rules and regulations contained in this by-law shall apply to all committees, with necessary modifications.
 - b) A quorum for a committee is a majority of the members thereof, not including the Mayor.
 - c) The members of a committee shall appoint a Chairperson from among them and shall specify the term of office.
 - d) Unless authorized by the budget or by by-law, no committee or member of a committee shall incur any expense or liability in the name of the Corporation.
 - e) The Chairperson shall preside at every meeting and may vote on all questions submitted, except where disqualified to vote by reason of interest or otherwise, may vote with the other members on all questions, and, except where otherwise expressly provided by this Act, any question on which there is an equality of votes shall be deemed to be negative.
 - f) In the absence of the Chairperson, one of the other members shall be elected to preside, who shall discharge the duties of the Chairperson during the meeting, or until the arrival of the Chairperson.
 - g) The Minutes of every Committee of Council shall be recorded and shall be circulated for confirmation or correction, once approved a copy of the minutes must be forwarded to the Municipal Office.
 - h) The Committee members present shall vote unless disqualified from voting by an Act, and in the event a member refuses to vote without being excused; his or her vote shall be counted in the negative. Each member of a Committee shall have one vote at Committee meetings.
 - i) All meetings shall be open to the public unless it is in accordance with section 3.6 of this by-law.

- j) The Chairperson of the Committee may expel or exclude any person from the gallery who is guilty of improper conduct at a meeting.
- k) The committee, by majority vote, may expel or exclude a member of the committee who is guilty of improper conduct at a meeting.
- l) Should a Chairperson of any Committee neglect to call a meeting of his Committee at such time, or with such frequency, as the proper dispatch of the business entrusted to the Committee requires, or do the business of the Committee without the knowledge or consent of its members, or contrary to their wishes or sanction, the Committee may report such neglect, refusal, or action to the Council who may, if Council deems it advisable, remove the said Chairperson from the Committee and appoint another member in his or her place and also may appoint a new Chairperson of the said Committee.
- m) Should any member or members of a Committee neglect or refuse to attend the properly summoned meetings of their Committee, the Chairperson shall report such neglect or refusal to the Council, who may remove the said member or members from the Committee and appoint another member or other members in their place or places, or should any Committee neglect or refuse to give due attention to all business or matters before them, the Council may by resolution discharge such Committee and appoint another in its stead.
- n) Members of the Council may attend the meetings of any of its Committees, but shall not be allowed to vote, nor shall they be allowed to take part in any discussion or debate, except by the permission of the majority of the members of the Committee.
- o) The Mayor may appoint a member of Council to sit on the various Committees, such appointment to be ratified by Council; the appointed individual shall be deemed a member of the Committee and shall be allowed all rights of committee membership.

23. Amendment of These Rules

- 23.1 These rules may be amended, or new rules adopted by a majority vote of all members of Council, provided that the proposed amendments or new rules shall have been introduced into the record at a prior Council meeting.

24. Validity and Severability

- 24.1 It is hereby declared that notwithstanding any of the sections or provisions of this by-law or parts thereof, may be declared by a court of competent jurisdiction to be invalid, unenforceable, illegal or beyond the powers of the Council to enact, such sections or parts thereof shall be deemed to be severable and shall not affect the validity or enforceability of any other provisions of this by-law as a whole or part thereof and all other sections of this by-law shall be deemed to be separate and independent therefrom and enacted as such.

25. Repeal of By-law

- 25.1 By-law 15-17 is hereby repealed and replaced by this By-law on such date that this By-law comes into force.
- 25.2 This By-law comes into force and effect on the date of its passing.

Passed in open Council on September 15, 2015.

Mayor

Clerk