



TOWN OF ERIN
Regular Council Meeting
AGENDA

December 15, 2015

6:30 PM

Municipal Council Chamber

Pages

- 1. Call to Order**
 - 1.1 Fire Safety Award
- 2. Approval of Agenda**
- 3. Public Question Period**
- 4. Declaration Pecuniary Interest**
- 5. Community Announcements**
- 6. Adoption of Minutes** 1 - 19

November 23, 2015 Special Capital Plan Meeting
December 1, 2015 Regular Meeting
December 1, 2015 Special Public Meeting Angelstone
- 7. Business Arising from the Minutes**
- 8. Delegations/Petitions/Presentations**
 - 8.1 Pierre Brianceau, County Councillor - County Update 20 - 23
 - 8.2 Chris Carrier - Fire Marque Inc. - Indemnification Technology Presentation 24 - 51
 - 8.3 Paul Sapounzi, +VG Architects - Renovation concepts
- 9. Reports**
 - 9.1 Building/Planning/By-Law
 - 9.1.1 Gary Cousins, County of Wellington Planning - Angelstone Zoning Amendment 52 - 64
 - 9.1.2 Building and Planning Assistant - Building Permit Activity Report 65 - 69
 - 9.1.3 Building and Planning Assistant - Conditional Site Plan Approval, D15-SP04-15 2 Thompson Crescent 70 - 74
 - 9.2 Fire and Emergency Services
 - 9.2.1 Fire Chief - Agreement with Fire Marque Inc. 75 - 77

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9.3	Finance	
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9.4	Committees	
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10.	New Business	
10.1	Set meeting date(s)	
10.2	Councillor Duncan - Discussion regarding the potential of having a County Wide Fill By-law	
10.3	Release of Securities - Madison Lake Estates	86 - 87
11.	Correspondence	
11.1	Activity List	88 - 90
11.2	Conservation Authorities Agendas and Minutes Grand River Conservation Authority: http://www.grandriver.ca/index/document.cfm?Sec=13& Sub1=71 Credit Valley Conservation Authority: http://www.creditvalleyca.ca/about-cvc/board-of-directors/board-meetings/	
11.3	Grand River Conservation Authority - Grand River Source Protection Plan Approved	91
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11.7	James Dick Construction Limited - Annual Extraction Limit Amendment	95
11.8	Town of Halton Hills - Need for a long term truck strategy	96 - 98
12.	Closed Session	
	Matters under the following exemptions in the Municipal Act S. 239 (2) :	
	<ul style="list-style-type: none"> • labour relations or employee negotiations (HR Matter) • litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board (Agreement, Keeping of Animals By-law) 	

13. Return from Closed Session

13.1 Motion to Reconvene

13.2 Report Out

14. By-Laws

99 - 142

Agreement - Fire Marque

Keeping of Dogs (to remove schedule and add fees to Fees and Charges

By-law)

Fees and Charges

Appoint MLEO Officers

Agreement - Canine Control

Procedural

Zoning Amendment - Angelstone

15. Notice of Motion

16. Adjournment



Minutes of the Town of Erin Special Council Meeting

November 23, 2015

6:00 p.m.

Municipal Council Chamber

PRESENT:	Allan Alls	Mayor
	John Brennan	Councillor
	Matt Sammut	Councillor
	Rob Smith	Councillor
	Jeff Duncan	Councillor
STAFF PRESENT:	Kathryn Ironmonger	CAO/Town Manager
	Dina Lundy	Clerk
	Sharon Marshall	Director of Finance
	Larry Wheeler	Financial Analyst
	Dan Callaghan	Fire Chief
	Dave Knight	Interim Roads Superintendent
	Bob Cheetham	Economic Development Coordinator
	Robyn Mulder	Economic Development Officer

1. Call to Order

Mayor Alls called the meeting to order.

2. Declaration of Pecuniary Interest

None.

3. Approval of the Minutes

3.1 November 10, 2015 Special Meeting

Resolution # 15-452

Moved By Councillor Brennan

Seconded By Councillor Sammut

November 23, 2015 Regular Council Meeting

Be it resolved that Council approves the following meeting minutes as circulated:

November 10, 2015 Special Meeting

Carried

4. Topics for Discussion

4.1 Five Year Capital Plan 2016 – 2020, Draft: Nov 23, 2015

The Director of Finance began by describing the impact of the 5 year capital plan as presented at the last meeting. She would like Council to choose a level of support, and choose projects to defer or delete. Cumulative tax impacts over 5 years (2016-2020) were then presented, as well as debt balances and debt servicing payments for the proposed 2016 budget.

The Financial Analyst presented 3 new sources of finance strategies that the Finance Department has identified:

1. To direct Assessment Growth revenue to a new " Assessment Growth Capital Plan Reserve"
2. Erin Community Centre "Arena Floor Replacement Surcharge"
3. Invoice Insurance Companies by Erin Fire Department towards a "Fire Capital Plan Reserve"

There was general agreement by Council on these strategies and direction to the Finance Department to bring back additional information at the next meeting.

Each department's capital projects were discussed with Council making decisions to defer several items. The capital plan will be updated to reflect the changes at the next meeting.

Resolution # 15-453

Moved By Councillor Duncan

Seconded By Councillor Sammut

Be it resolved that Council hereby receives Report 2015- 14 'Five Year Capital Plan 2016 – 2020, Draft: Nov 23, 2015' as information.

Carried

November 23, 2015 Regular Council Meeting

5. Adjournment

The meeting was adjourned at 9:48 pm.

Mayor Allan Alls

Clerk Dina Lundy



Minutes of the Regular Town of Erin Council Meeting

December 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

Joe Babin

Robyn Mulder

CAO/Town Manager

Clerk

Director of Finance

Financial Analyst

Interim Water Superintendent

Economic Development Officer

1. Call to Order

Mayor Ails called the meeting to order.

1.1 Service Award Presentation

Mayor Ails presented Shelly Ballantyne with a long service award for achieving a 10 year milestone.

Mayor Ails also thanked staff that worked on the Christmas Parade Float. Staff and family members donated over 100 hours of free time to put the float together. The event was well attended, as over 40 floats took part this year. Congratulations to the community for all the hard work and participation as well.

2. Approval of Agenda

Resolution # 15-454**Moved By** Councillor Smith**Seconded By** Councillor Brennan**Be it resolved that** the agenda be approved as amended to add:

- New Business item - Potential Greenbelt Expansion

Carried**3. Public Question Period**Jay Mowat

When will the Environmental Committee become active and when can people apply to sit on the committee?

There is no direction from Council on this committee. Normally advertising for committee members takes place at the beginning of the year.

Nyola Holliday

We have been without a Water Superintendent and Roads Superintendent for quite a while - is there any reason why they have not been posted?

The Town has posted for a Director of Infrastructure and Operations and is currently working on filling the position.

4. Declaration Pecuniary Interest

None.

5. Community Announcements**5.1 Headwaters Tourism Awards**

Headwaters Tourism Award winners:

Best Arts, Culture or Heritage Experience - Hills of Erin Studio Tour

Best Culinary Tourism Experience - The Friendly Chef Adventures

Tourism Ambassador - Maria Britto

Dec 2-4, 6, and 7-9 - Erin Theatre presents "Sleight of Mind" at David's Restaurant 7pm

Dec 3-18 - Shop the Village - Extended Christmas Hours

Dec 18 - A Community Christmas at Centre 2000 - Orangeville
Community Band (Mayor Alls as Narrator)

Please see our website www.erin.ca/whats-on/

6. Adoption of Minutes

Resolution # 15-455

Moved By Councillor Brennan

Seconded By Councillor Smith

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

November 17, 2015 Regular Meeting

Carried

7. Business Arising from the Minutes

Councillor Duncan

9.1 - Mark Van Patter, County of Wellington Planning - CBM Comments

Council consensus to forward additional questions to Gary Cousins

9.1.3 - CBO - Demolition Report - 63A Trafalgar Road

Resolution # 15-456 (verbal)

Moved By Councillor Duncan

Seconded By Councillor Brennan

Be it resolved that as Business Arising from the minutes of the Regular Council Meeting November 17, 2015 item 9.1.3 CBO-Demolition Report - 63A Trafalgar Road(Tavaras - Nodwell 1864 Farmstead), Council directs the CBO and Planning staff provide Council, staff and the Heritage Committee with a brief report on the procedures, policies and options available to the municipality and applicants with respect to the processing of a demolition permit for listed heritage properties.

Carried

8. Accounts

Resolution # 15-457**Moved By** Councillor Smith**Seconded By** Councillor Brennan**Be it resolved that** the accounts in the amount of \$61,293.68 be paid.**Carried****9. Delegations/Petitions/Presentations****9.1 Linda Dickson, Emergency Manager - Emergency Management Program Report for 2015**

Ms. Dickson presented Council with the 2015 Emergency Management Program report for 2015, and also outlined what has been done to maintain and comply with the requirements of the legislation. She further explained enhancements that are being worked on over and above the requirements.

Resolution # 15-458**Moved By** Councillor Brennan**Seconded By** Councillor Smith**Be it resolved that** Council for the Town of Erin accepts the annual emergency management report;

And further that this report serves as the annual review of the Town's Emergency Management Program for 2015.

Carried**9.2 Deborah Martin-Downs - Credit Valley Conservation 2016 Proposed Budget**

Ms. Martin-Downs introduced Jeff Payne, Director of Corporate Services for the CVC. The budget presentation was given to Council, which also included information on the CVC's partnerships, programs and other revenue sources. Of special consequence is the severe decline of Provincial Funding over the years. The Town's portion for 2016 is \$69,652.

Resolution # 15-459**Moved By** Councillor Brennan**Seconded By** Councillor Sammut

Be it resolved that Council receives the delegation of Deborah Martin-Downs of Credit Valley Conservation regarding the 2016 proposed budget.

Carried

9.3 Kari Simpson and Stephanie Conway, EWCS - Updating Council on the programs and services offered to residents

Kari Simpson and Stephanie Conway went over the programs that are offered by East Wellington Community Services, including adult, senior, and youth programs. They appreciate the support that the Town of Erin provides as well as other partners, and feel that their biggest hurdle is awareness.

Resolution # 15-460

Moved By Councillor Brennan

Seconded By Councillor Smith

Be it resolved that Council receives the delegation from Kari Simpson and Stephanie Conway of East Wellington Community Services regarding an update on the programs and services offered to residents.

Carried

10. Reports

10.1 Water

10.1.1 Interim Water Superintendent - Water Department Project Updates

Resolution # 15-461

Moved By Councillor Brennan

Seconded By Councillor Smith

Be it resolved that Council receives the Interim Water Superintendent's Report concerning recent Water Department Projects.

Carried

10.1.2 Interim Water Superintendent - Frozen Water Service Policy

Resolution # 15-462**Moved By** Councillor Sammut**Seconded By** Councillor Smith**Be it resolved that** Council approves the Frozen Water Service Policy;**And that** Council supports the recommendations brought forward from the Water Department.**Carried****10.2 Administration****10.2.1 Clerk - Proposed Corporate Services Fee By-Law**

Council suggested amendments to the proposed by-law, including increasing the tax certificate fee to \$50, exempting the first 5 pages for photocopying from the fee, as well as exempting the press from the agenda printing fee.

Resolution # 15-463**Moved By** Councillor Sammut**Seconded By** Councillor Smith**Be it resolved that** Council receives the Clerk's report regarding a Proposed Corporate Services Fee By-Law;**And that** Council directs the Clerk to add fees and charges related to Fire Department services;**And that** Council will consider the proposed By-law at its next regular meeting on December 15, 2015, as amended.**Carried****10.2.2 CAO - Council's First Year Report Card**

The CAO provided a lengthy list of Council and staff accomplishments over the first year of this Council term.

Resolution # 15-464**Moved By** Councillor Sammut**Seconded By** Councillor Brennan

Be it resolved that Council receives the CAO's report regarding Council's first year report card.

Carried

10.3 Finance

10.3.1 Director of Finance - Temporary Borrowing By-law 2015

Resolution # 15-465

Moved By Councillor Brennan

Seconded By Councillor Smith

Be it resolved that Council receives the Director of Finance's Report "Temporary Borrowing Bylaw 2015" for information;

And that Council considers the adoption of the Borrowing By-law as recommended.

Carried

10.3.2 Financial Analyst - Five Year Capital Plan 2016 – 2020, Draft: Dec 1, 2015

Council agreed that they would continue by finalizing the 2016 Capital Budget and Operating Budget and then consider finalizing the five year Capital Plan. A Capital Budget meeting was set for December 15 at 4pm, as well as two Operating Budget meetings January 13, 2016 10am to 4pm, and January 20, 2016 1pm to 4pm.

Council also discussed setting a public meeting to gather input regarding a crosswalk in the village of Erin as well as a truck by-pass.

Resolution # 15-466

Moved By Councillor Sammut

Seconded By Councillor Smith

Be it resolved that the Council of the Town of Erin hereby receives report 2015- 15 'Five Year Capital Plan 2016 – 2020, Draft: Dec 1, 2015' as information.

Carried

10.3.3 Director of Finance - Approval of Accounts - Revised Process

Resolution # 15-467

Moved By Councillor Smith

Seconded By Councillor Sammut

Be it resolved that Council receives the Director's Report on "Approval of Accounts- Revised Process" for information;

And That Council supports the Director's recommendations.

And finally that the Clerk is directed to amend the Procedural By-law to reflect the changes to the "Accounts" procedure for the next regular meeting.

Carried

10.4 Committees

10.4.1 Town of Erin Heritage Committee - September 21 and October 19 meeting minutes, November 16 resolution

Resolution # 15-468

Moved By Councillor Sammut

Seconded By Councillor Smith

Be it resolved that Council receives the Heritage Committee September 21, 2015 and October 19, 2015 meeting minutes;

And further that Council receives the Heritage Committee November 16, 2015 resolution regarding no concerns with the partial demolition of 5498 Fifth Line.

Carried

10.4.2 Let's Get Hillsburgh Growing - October 15 Meeting Minutes

Resolution # 15-469

Moved By Councillor Smith

Seconded By Councillor Sammut

Be it resolved that Council receives the Let's Get Hillsburgh Growing Committee October 15, 2015 meeting minutes.

Carried

11. Correspondence

Resolution # 15-470

Moved By Councillor Sammut

Seconded By Councillor Smith

Be it resolved that Council receives correspondence items 11.1 to 11.12 for information.

Carried

11.9 Erin Village BIA - Meeting minutes from July 23, Sept 3, and Oct 1 2015

Resolution # 15-471

Moved By Councillor Smith

Seconded By Councillor Sammut

Be it resolved that Council receives the BIA July 23, 2015, September 3, 2015, and October 1, 2015 meeting minutes.

Carried

12. New Business

12.1 Set Budget Meeting Dates

Council considered this item earlier in the meeting.

12.2 Added item: Potential Greenbelt Expansion

Councillor Duncan added this item to inform Council, and Town/County staff about a plan posted on the Greenbelt Foundation's website showing the potential expansion of the greenbelt which includes Erin and other municipalities within Wellington County.

13. Closed Session

Resolution # 15-472

Moved By Councillor Smith

Seconded By Councillor Sammut

Be it resolved that Council adjourns the meeting to proceed into a closed

session at the hour of 3:58 pm to discuss the matter(s) pertaining to:

- personal matters about an identifiable individual, including municipal or local board employees (IT, CBO, Recreation Department);
- labour relations or employee negotiations (Director of Infrastructure and Operations);
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; (Agreement, Keeping of Animals By-law)
- advice that is subject to solicitor-client privilege, including communications necessary for that purpose (EA)

Carried

14. Return from Closed Session

14.1 Motion to Reconvene

Resolution # 15-473

Moved By Councillor Smith

Seconded By Mayor Alls

Be it resolved that the meeting be reconvened at the hour of 5:12 pm.

Carried

14.2 Report Out

Council reported out that the Town has hired Michael Tapp for the one year contract Systems Administrator position, and Carol House for the Chief Building Official position.

Council also reported out that they will move forward with four firms for the request for proposals for the Wastewater EA. The four firms in alphabetical order are: Aecom Canada Ltd., Ainley Group, J.L. Richards Associates Limited, and XCG Consulting Limited.

15. By-Laws

Resolution # 15-474

Moved By Councillor Sammut

Seconded By Councillor Smith

Be it resolved that By-Law numbers 15 – 47 to 15 - 51 inclusive, are hereby passed.

Carried

16. Notice of Motion

None.

17. Adjournment

Resolution # 15-475

Moved By Councillor Smith

Seconded By Councillor Sammut

Be it resolved that the meeting be adjourned at the hour of 5:13 pm.

Carried

Mayor Allan Alls

Clerk Dina Lundy



Minutes of the Town of Erin Special Council Meeting

December 1, 2015

6:30 p.m.

Municipal Council Chamber

PRESENT:	Allan Ails	Mayor
	John Brennan	Councillor
	Matt Sammut	Councillor
	Rob Smith	Councillor
	Jeff Duncan	Councillor
STAFF PRESENT:	Kathryn Ironmonger	CAO/Town Manager
	Dina Lundy	Clerk

1. Call to Order

Mayor Ails called the meeting to order.

Mayor Ails announced 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.

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 or 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

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

Mayor Alls introduced Council and Staff, the consultant and the applicant.

All comments and questions should be put to the Chair. Speakers shall state 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.

2. Declaration of Pecuniary Interest

None.

3. Topics for Discussion

3.1 Zoning Amendment - Angelstone Farms Inc. 8720 WCR50

Mr. Cousins presented his planning report to Council, outlining the intent of the application received October 9, 2015, and also highlighting some of the concerns as well as improvements that have been made by Angelstone to address those concerns to date.

John Richardson - Lawyer representing Angelstone

- acknowledge there have been problems
- with the Major Events permitting system in place there has been a progression of improvements made
- 2016 projected season is more abbreviated and no events are scheduled from mid-June to mid-August

John Cox - Agent for Angelstone

- for the 2015 season - there was a checklist of improvements completed, including sound, drainage, emergency plan update, site plan update, fencing etc that had to be done and was completed by the end of June
- detailed major events permits were done that included provisions for noise, hours of operation, camping etc, as well as monitoring of the adherence to the conditions
- the noise study consultants have been asked to evaluate the improvements to the sound system and to report on their findings

- in 2016 there will be no events from June 20 to August 16, which is more than an 8 week period during the summer.

Anna Spiteri – 9030 WCR 50

- asking that the request be denied
- understand this is horse country - not anti-equine
- see Angelstone as a commercial equine entertainment establishment
- disruptive to neighbours
- too small and inappropriately located, especially for future growth plans
- granting zoning could affect future uses of the property which may not be compatible
- Council should develop a master development plan before approving this rezoning
- there is a need to strike a balance
- what are the economic benefits to the Town of Erin

Nancy Smith – Lawyer representing Fred and Nancy Gilbert

- Angelstone use - not just an equestrian competition. It is a full scale special events business. How does this relate to agriculture and agricultural related uses?
- Gilbert's use - up to 2011 enjoyed 'quiet enjoyment' of their property. Please review appeal package
- Unacceptable adverse impacts - had requested the Town revoke permits. Ask that when Council is making its decision that the scale of these events is kept in mind. Problem is relentless
- Public interest - law of nuisance says that you cannot do something on your property that is a nuisance to another's. Angelstone did not live up to what they assured they would do.
- if the impacts are the result of an agricultural related activity, and are acceptable in a prime agricultural designation and you feel you would endure these impacts without complaint if you lived at 5129 Eramosa Erin Townline you should approve the rezoning application. However, if you answer no to any of these points, you should deny the application.

Keith Aitken

- live on County Road 50, across from the Angelstone farm
- agree that the Gilbert's are impacted profoundly - have known them for 20 years

- Angelstone are my neighbours too - they've done a lot wrong, but they have also done a lot of things right
- not everyone is upset about this.
- In terms of agriculture - the land is very wet and not very farm-able
- sometimes farm operations run 24 hours
- as a farmer, I spread manure - definitely impacting my neighbours

Margaret Aitken

- overwhelmed by the activity at Angelstone - it is absolutely beautiful
- impressed by the operation and how it involves the community
- there is a high standard that is beneficial to the equestrian world and youth
- run quite wonderfully - organized and great hospitality
- noise not an irritant at my property (across the road)

Dave Dautovich – 3rd Line

- have been following the issue
- clear requirement for Angelstone to meet - which they did not according to what I have heard tonight
- appreciate and support the presentation made by the Gilbert's lawyer

Ed Mc Kelvey – 5022 Trafalgar

- quite a few miles away - not directly impacted
- impressed by Nancy Smith's presentation
- if this operation was next to me, I would be quite upset

Greg Mance – 5143 Erin Eramosa Townline

- Neighbour to both the Gilbert's and Angelstone
- neutral - not impacted as severely as the Gilberts
- had small issues with Angelstone that were resolved
- Gilberts are established long-term residents and the onus should be on Angelstone to make it right
- Gilberts lives have been turned upside down

Nancy Gilbert – 5129 Erin Eramosa Townline

- have lived in a rural setting all my life - raised on a farm
- expect farm nuisances but do not expect these type of impacts
- Angelstone is a not a farm - it is a large commercial operation

John Cox – Agent for Angelstone

- there have been a number of issues raised
- Zoning could open itself to other things - with this restricted zoning that could not happen, the zoning would be specific to the equine operation
- regarding Nancy Smith's submission - the reference to prime agriculture uses - definition is per the Provincial Policy Statement, and the Wellington County and Town Official Plans - Equine uses are consistent with this - the application was not submitted late per the major events permit

Chelsea Miller - Angelstone

- the timing of the log in Nancy Smith's presentation - where is that coming from (Gilbert's observations)
- the banging noises could be horses kicking in their stalls

Mr. Cousins advised that he is interested in receiving any submissions, and a report will be coming back to Council as soon as possible.

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

4. Adjournment

The meeting was adjourned at 8:36pm.

Mayor Allan Alls

Clerk Dina Lundy

REQUEST TO BE A DELEGATION BEFORE COUNCIL



Council meetings are generally held the 1st and 3rd Tuesday of each month, unless noted differently. Requests to appear before Council must be received in writing by the Clerk NO LATER than noon of the THURSDAY immediately preceding the scheduled Council meeting complete with a copy of the presentation materials as detailed in the delegation protocol on page 2. This form must be complete and legible in order to be accepted.

MEETING DATE BEING REQUESTED:

1st Choice _____

2nd Choice _____

Pierre Bricanseau

Name of Delegate(s) or Group Representative

Group Delegation Represents _____

PURPOSE OF DELEGATION (PLEASE ATTACH FULL PRESENTATION):

County Council activity update

DESIRED ACTION OF COUNCIL THAT YOU ARE SEEKING:

For Comm N/A

CONTACT INFORMATION:

Name: *Pierre Bricanseau*

Address: *5737 Third Line, RR #1, Hillsburgh ONT. NOB 1Z0*

Phone: ~~519 885 236 979-2254~~ E-Mail: *pierneb@wellington.ca*

The Clerk's Department will contact you prior to the meeting to confirm your attendance. Please ensure you receive confirmation, and follow up with the Clerk if you have not.

I have read the delegation protocol and tips on presentations (on page 2 of this form), and understand that the information contained herein, including any attachments, will become public documents, included in the meeting agendas, and posted on the Town website.

I also understand that my presentation and any supporting documentation must be submitted with this delegation form and typed or legibly written, in order for this form to be accepted. The completed form and attachments may be submitted by e-mail to dina.lundy@erin.ca. ALL submissions must be received by the Clerk no later than 12:00 pm on the Thursday immediately preceding the meeting.

I also understand that if any correspondence relating to this request contains obscene or improper matters, language, or does not meet the requirements of the delegation protocol, the Clerk shall decide whether it should be included in the agenda for a Council meeting and if not, I will be notified.

Signature of Applicant _____

Date *Dec 9/2015*

Your name, address, comments, and any other personal information is collected and maintained for the purpose of creating a record available to the general public pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56 as amended. Questions about this collection should be directed to the Clerk, The Corporation of the Town of Erin, 5684 Trafalgar Road, Hillsburgh, ON NOB 1Z0. Call: (519) 855-4407 Ext 233 or Toll Free 1-877-818-2888 Fax: (519) 855-4821 E-mail dina.lundy@erin.ca Website: www.erin.ca

December 2015: Town of Erin Wellington County Councillor newsletter (as submitted to the Erin Advocate)

Among the many awards won by your County, Taste Real Programme is the proud recipient of the Ontario Culinary Tourism Alliance (OCTA) Award of Excellence for Event of the Year. The Local Food Fest is held annually in June at the Ignatius Jesuit Centre and Farm, attracting families, students, seniors and professionals. More than 50 exhibitors also took part offering prepared foods, craft beer samples, fresh produce and flowers. The awards, presented by OCTA in Toronto last month, celebrate the passion and excellence of those dedicated to advancing the culinary tourism movement in Ontario. They recognize the efforts of those who help promote farmers, chefs and beverage producers. The County also won two International "Business, retention and Expansion" Awards.

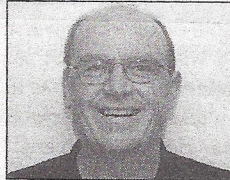
At the November County Council a motion was passed that "County staff, with the assistance of consultants as required, initiate the process of creating a report, to outline the County's direction in Solid Waste issues in future years". Over the next three years, the following items will be considered: Provision of Waste Management Services, Future of Waste Disposal and Independent Topics with each their specific timelines. Examples: rural collection, single versus dual stream, carts, organics, number and location of facilities, user fees, etc. Public consultation will start at the early part of the process. Next will be the future of waste disposal, alternative technologies and landfill bans. The last part will focus on co-operative and food waste management, legislation, outreach, event days, diversion with the end goal of "Zero Waste". This month, the annual SWS calendar will become available and the 2016 theme is "the three R's and more". Also in 2016, as part of a brand new initiative, a Mobile Household Hazardous Waste (HHW) Depot will be going to each of the six waste facilities, one month at a time. In case you wonder if your efforts pay off, please note that earned revenues in 2014 from the blue box recycling were \$842,660. More at the following site: www.wellington.ca/sws

On October 15th 2015, just 15 years after the Centre 2000 Library opened, the first steps were taken towards a 2017 completion for the new Hillsburgh Library. The construction of a new library in Hillsburgh is the next chapter in the rejuvenation of the Wellington County Public Library system. The location is on lands that surround the Mill Pond and includes the neighbouring property at 9 Station Street. With the trails nearby and talk of a park and even the possibility of a boardwalk, it is my personal belief that this is the best opportunity for updating the last Wellington County Library on the books for renewal. According to Warden George Bridge "The County is very pleased to have acquired this property. Once the project is completed, the new Hillsburgh Library will serve as a centre for life-long learning as well as establish a cultural and social hub in the Town of Erin. It will certainly be a showpiece of our library system, and indeed the envy of library systems throughout the Province."

While working with Mayor Alls on the Brisbane parking issue we learned from the roads committee that parking is a School Board responsibility. The County will continue to cooperate with the School Board and the OPP to work out a long term solution for the concerns raised by the parent's council. More information is always available at www.wellington.ca

As per Quicklinks/Helpful Links on the Town of Erin Website, my email is: pierreb@wellington.ca

Pierre Brianceau
RR#1 3rd Line #5737
Hillsburgh, ON
NOB 1Z0, 07/05/2015



May Newsletter from County of Wellington Councillor Pierre Brianceau...

Since October 27th, 2014, I have been representing the residents of the Town of Erin at Wellington County Council along with Al Alls, Mayor of Erin.

Since County Council works with committees, here are our choices: Economic Development, Solid Waste Services and Accessibility Advisory for me while Mayor Alls is on Administration, Finance and Personnel plus Planning and Land Division.

The County is made up of five townships (Wellington North, Mapleton, Centre Wellington, Guelph Eramosa, Puslinch) and two towns (Erin and Minto).

In total, at County Council, we have the seven mayors along with nine county councillors for a total of 16 votes.

Following Provincial amalgamations in 1998, Wellington County went from 21 municipalities to seven.

One of the results of the "Who does What" study, was a download of major services/ programmes including: responsibility for funding OPP in rural areas; funding of the Farm Tax Rebate Programme; Social Services (Ontario Works, Childcare and Social Housing); Land Ambulance; 122kms of Provincial Highways; Public Health; Property Assessment (MPAC).

The net impact today is over \$40 million to the County tax levy.

On May 27th, at the initiative of our Warden, George Bridge, all local councillors and their CAOs were invited to a "member municipality orientation" to get a better idea of what the County does.

During this joint session with County Council, participants heard from the heads of Treasury; Roads and Solid Waste; Social Services; Planning and Development; Museum, Archives and Library; Wellington Terrace; Human Resources and Economic Development.

Today I will focus on the Treasury report and others will follow. An important component of the County taxes is the Farm Tax Rebate. Prior to 1998, properties assessed as farmland paid 100% of their assessed property tax and then filed an application with the province to receive a 75% rebate of their property taxes paid directly by the province. Since 1998, farmland's property taxes are only on 25% of the assessed value of the property.

The old Community Reinvestment Fund (CRF) grant - since replaced by the Ontario Municipal Partnership Fund (OMPF) - was supposed to cover the cost of this rebate through a grant programme.

The County and its member municipalities now receive \$8.4 million in OMPF funding annually while the farmland assessment is worth approximately \$25.5 million of taxes per year.

The net shift of farmland taxes onto other property tax classes is \$17.1 million.

Under the old system, this cost would have been shared province-wide through income taxes. Your County council is actively lobbying the Province to have all municipalities receive full provincial reimbursement of their lost property tax revenue on farmland properties, while eligible landowners continue to enjoy the streamlined process and the 25% ratio currently in place.

For Mayor Alls and myself at this time, other active files are: finding a solution to the parking problems at Brisbane Public School to be implemented before the new school year starts and the Hillsburgh Library to be completed in 2017, the last library on the list for Wellington County.

More information is available at www.wellington.ca.

pierreb@wellington.ca

Know Your Community

TOWN OF ERIN ~ SUMMER 2015



Since October 27th, 2014, I have had the pleasure of representing the residents of the Town of Erin at Wellington County Council. My previous experience as one of 17 school board trustees on the Upper Grand District School Board and later one of 18 volunteers on the Ontario Trillium Foundation Grant Review Team, has been helpful.

I chose Economic Development, Solid Waste Services and Accessibility Advisory for my committees and also attend Roads and Finance.

Our county stretches over 100 km from Morriston to Clifford and the challenge is to reconcile the varied interests of seven diverse municipalities.

Key sectors in Wellington are manufacturing, agriculture, health care and creative professional services.

Just recently we entertained a business delegation from Holland that visited both Agri-food companies in Guelph and an organic dairy farm in Moorefield, finishing the day at the Wellington County Museum before moving on to Toronto.

In the meantime, at a broader level, we have to work at recreating a level

County councillor finds his experience helpful in his new role

playing field between cities and rural municipalities. Changes made in 1998 to the Farm Tax Rebate have created a net shift of farmland taxes onto other property tax classes at a cost of \$17.1 million in 2015. Your County Council is actively lobbying the Province to have all municipalities receive full provincial reimbursement of their lost property tax revenue on farmland properties, while eligible landowners continue to enjoy the streamlined process and the 25% ratio currently in place.

I am working with Mayor Alls to find a solution to the parking problems at Brisbane Public School before the new school year starts.

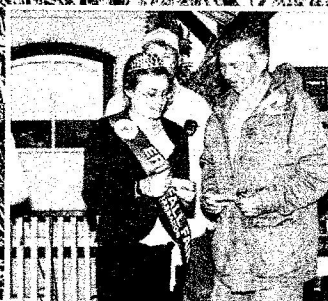
Also on the agenda is the Hillsburgh Library to be completed in 2017, the last library on the list for Wellington County.



Councillor Pierre Brianceau at the Inaugural County meeting.

Unfinished business for me is the soccer field at Erin District High School which, despite my best attempts before the year 2000, never received support from council and now, 15 years later, the students are still waiting.

More information is available at www.wellington.ca
pierreb@wellington.ca



REQUEST TO BE A DELEGATION BEFORE COUNCIL



Council meetings are held the first Tuesday of each month at 1:00 pm and the third Tuesday of each month at 7:30 pm, unless otherwise posted. Please note that there is only one meeting during July and August. The Requests to appear before Council must be received in writing by the Clerk NO LATER than noon of the WEDNESDAY immediately preceding the scheduled Council meeting complete with a copy of the presentation materials as detailed in the delegation protocol on page 2. This form must be complete and legible in order to be accepted. The Clerk will evaluate this request, and assign a presentation date once it has been deemed appropriate.

MEETING DATE BEING REQUESTED:

Dec, 15th 2015

1st Choice

Chris Carrier-National Accts Manager

Name of delegate(s) or group representative

2nd Choice

Fire Marque Inc.

Group Delegation Represents

PURPOSE OF DELEGATION (PLEASE ATTACH FULL PRESENTATION):

To provide a review for Council of Fire Marque's cost recovery program for their Fire Dept.

DESIRED ACTION OF COUNCIL THAT YOU ARE SEEKING:

Appointment By-law and Amendment to User Fee By-law are on the agenda for later in the evening

CONTACT INFORMATION:

Name: Chris Carrier

Address: _____

Phone: 705-888-7230 cell E-Mail: chris@firemarque.com

Once a date and time has been established, the Clerk's Department will contact you by phone, fax or e-mail. Please ensure you receive confirmation, and follow up with the Clerk if you have not.

I have read the excerpt from the Town of Erin Procedural By-Law (on page 2 of this form), and understand that the information contained herein, including any attachments, will become public documents, included in the meeting agendas, and posted on the Town website.

I also understand that my presentation and any supporting documentation must be submitted with this delegation form and typed or legibly written, in order for this form to be accepted. The completed form and attachments may be submitted by e-mail to dina.lundy@erin.ca. ALL submissions must be received by the Clerk no later than 12:00 pm on the WEDNESDAY immediately preceding the meeting.

I also understand that if any correspondence relating to this request contains obscene or improper matters, language, or does not meet the requirements of the delegation protocol, the Clerk shall decide whether it should be included in the agenda for a Council meeting and if not, I will be notified.

December 4th 2015

Signature of Applicant

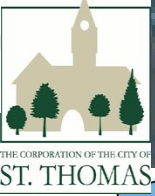
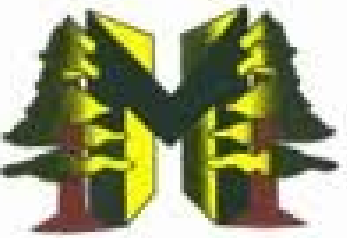
Date

Your name, address, comments, and any other personal information is collected and maintained for the purpose of creating a record available to the general public pursuant to Section 27 of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c.M.56 as amended. Questions about this collection should be directed to the Clerk, The Corporation of the Town of Erin, 5684 Trafalgar Road, Hillsburgh, ON NOB 1Z0. Call: (519) 855-4407 Ext 233 or Toll Free 1-877-818-2888
Fax: (519) 855-4821 E-mail dina.lundy@erin.ca Website: www.erin.ca



Henry Ford - *"Coming together is the beginning. Keeping together is progress. Working together is success"*

Some of Fire Marque's Clients



A photograph of a house on fire. Thick black smoke billows from the roof, and bright orange flames are visible on the right side. In the foreground, two firefighters wearing yellow helmets and dark gear are spraying high-pressure streams of water onto the burning structure. The scene is chaotic and intense, illustrating the context of the text.

Can the Fire Department recover their expenses from property related calls?

Yes, but it will vary and that is what I would like to present today for your consideration.

A photograph of a house on fire at night. Thick black smoke billows from the roof, and bright orange flames are visible. Firefighters in full gear are positioned around the house, spraying high-pressure streams of water onto the burning structure. The scene is illuminated by the fire and the firefighters' equipment.

Your Property Insurance Policy Coverage Includes Fire Department Service Charges!

**Municipal Fire Departments are a named
1st Party Coverage**

**Unlike Auto Insurance-Fire
Department Charges are a Specified
Coverage in Property Policies!**

Your Property Insurance Policy Coverage Includes Fire Department Service Charges!

Key language in this contract
“25,000.00 dollar limit and
“liability of the Insured
assumed by contract or
agreement prior to the loss”

t prior to loss

Department Charges are a Specified
Coverage in Property Policies!

Your Property Insurance Policy Coverage Includes Fire Department Service Charges!

5 Key language in this contract, \$1,000.00 limit, “for charges for which the insured is legally responsible” ...

Unlike Auto Insurance-Fire Department Charges are a Specified Coverage in Property Policies!

Your Property Insurance Policy Coverage Includes Fire Department Service Charges!

Key language in this contract, \$2,000.00 limit, “ legal liability to or an agreement with a fire department outside the municipality where your dwelling is located” or

Unlike Auto Insurance-Fire Department Charges are a Specified Coverage in Property Policies!

A photograph of a house on fire. Thick black smoke billows from the roof, and bright orange flames are visible. Firefighters in full gear are in the foreground, spraying water from a hose onto the burning structure. The scene is chaotic and dangerous.

What is Indemnification Technology ®?

Legal Definition

1,478,801. 2010/04/28. Fire Marque Inc., c/o 15th Floor. Bankers

Court, 850
Represent
FRASER M
1420, OTTA

INDE

SERVICES:
and property
billing oppo
insurance c
with respect
early as Mar

SERVICES:
d'incendie, c
police d'ass
facturation

Fire department incident reporting, data collection and property insurance policy wording interpretation to maximize billing opportunities on behalf of fire departments by invoicing insurance companies for costs of fire department attendance with respect to insured perils.

facturation aux sociétés d'assurances des coûts de surveillance des services d'incendie en ce qui a trait aux risques couverts. Employée au CANADA depuis au moins aussi tôt que le 22 mars 2010 en liaison avec les services.

Office de la propriété intellectuelle du Canada / Canadian Intellectual Property Office

Trade-marks Certificate of Registration

This is to certify that the trade-mark, identified in the attached extract from the register of trade-marks, has been registered and that the said extract is a true copy of the record of its registration.

In accordance with the provisions of the *Trade-marks Act*, this trade-mark is subject to renewal every 15 years from the registration date.

TECHNOLOGY

Número d'enregistrement / Registration Number: TMA792,198
Número de dossier / File Number: 1478801

Date d'enregistrement / Registration Date: 7 mars/Mar 2011

Canada

Registraire des marques de commerce / Registrar of Trade-marks (C.I.P.O. 1989)11-10



How Does Fire Marque's Indemnification Technology® Program Work?





How it works

**BY-LAW NUMBER 074 – 2011
OF THE
CORPORATION OF THE MUNICIPALITY OF MEAFORD**

**BEING A BY-LAW TO AUTHORIZE THE MAYOR AND CLERK
TO ENTER INTO AN AGREEMENT WITH FIRE MARQUE INC.
FOR THE PURPOSE OF INDEMNIFICATION TECHNOLOGY**

WHEREAS Section 9 of the *Municipal Act 2001, S.O. 2001, c. 25*, as amended, grants municipalities the rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and

WHEREAS Council of the Corporation of the Municipality of Meaford deems it expedient to enter into an agreement with Fire Marque Inc. for the purpose of indemnification technology;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE MUNICIPALITY OF MEAFORD ENACTS AS FOLLOWS:

1. That this Council does hereby authorize the Mayor and Clerk to execute the Agreement with Fire Marque Inc., attached hereto as Schedule "A" (the Agreement), for the establishment of indemnification technology.
2. That Schedule "A", the Memorandum of Agreement, forms part of this by-law.
3. This By-law shall come into force and take effect upon being passed by Council.

READ a FIRST, SECOND and THIRD time and finally passed this 28th day of September, 2011.


Francis Richardson, Mayor


Pamela Fettes, Clerk



CORPORATION OF THE TOWN OF HUNTSVILLE

BY-LAW NUMBER 2012-12

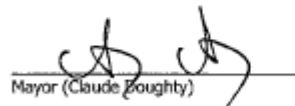
**Being a By-law to authorize the entering into an Indemnification
Technology Fees Collection Agreement between the Corporation of the
Town of Huntsville and Fire Marque Inc.**

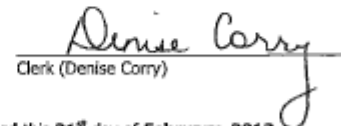
WHEREAS: The Council of the Corporation of the Town of Huntsville finds it expedient to confirm the services, terms and conditions of the Agreement attached hereto and forming part of this by-law;

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

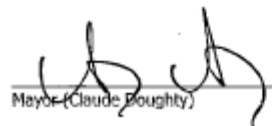
- 1) That the Council of the Corporation of the Town of Huntsville authorizes the Mayor and Clerk to execute and affix the Corporate Seal to the Indemnification Technology Fees Collection Agreement between the Corporation of the Town of Huntsville and Fire Marque Inc.

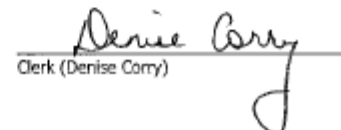
READ a first time this 21st day of February, 2012.


Mayor (Claude Boughy)


Clerk (Denise Corry)

READ a second and third time and finally passed this 21st day of February, 2012.


Mayor (Claude Boughy)


Clerk (Denise Corry)

Amend your Fees and Charges By-law Schedule for the Fire Department Fees Attached

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO. 2013-014

**BEING A BY-LAW TO AMEND BY-LAW NO. 2011-129
(USER FEES FOR NORTH BAY FIRE & EMERGENCY SERVICES –
SCHEDULE "A")**

Emergency Response

1st	No charge	1st - No charge
Ontario Fire Code	Overhead charges	
Indemnification Technology	Current MTO rate per truck and personnel/hour plus any additional cost to North Bay Fire & Emergency Services or City of North Bay for each and every call.	Current MTO rate per truck and personnel/hour plus any additional cost to North Bay Fire & Emergency Services or City of North Bay for each and every call.



Why is a by-law required? Because Insurance Policy Wordings Require It!

Allstate – Elite Homeowner Wordings

Fire Department Charges:

We will reimburse you up to \$5000 for fire department charges you are required to pay when a fire department attends your Dwelling because of an Insured Peril.

We will not pay for charges incurred as a result of a false alarm.

We do not pay for any liability claim arising from the use of the responding fire equipment or caused by the actions of any member or members of the responding fire department.

This protection does not increase the amount of insurance in this policy.

Any deductible specified in the Declaration page does not apply to this coverage.

The Process

1.

Fire Dept.

- Completes SIR

2.

Fire Marque

- Reviews
- Indemnity
- Stats
- Subrogation
- Trust Acct.

3.

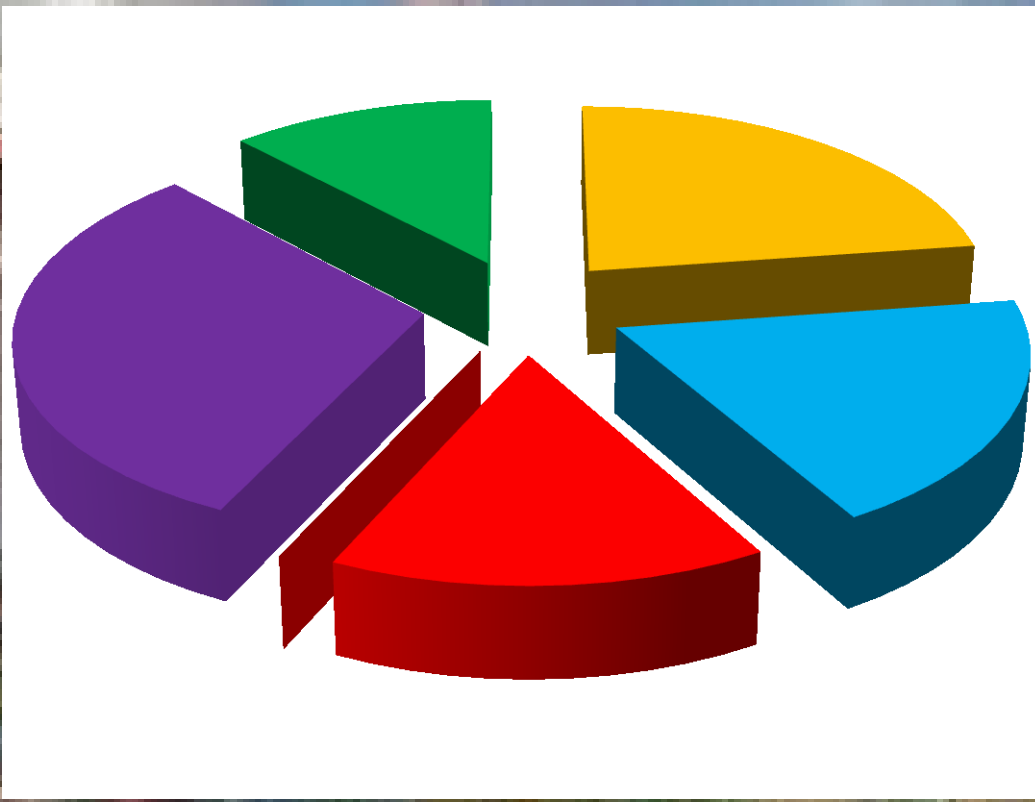
Fire Department

- Allocates funds

No Additional Work by Your Staff-We do the work-You receive the \$\$\$\$\$!

Alternate Fire Department 2015 Draft Operating Budget Summary-Revenues \$131,832.00

Non Tax Revenue Summary



- Municipal Recoveries (MTO)
\$30,000.00
- Licences/Permits/Rents
\$25,000.00
- User Fees & Charges
\$20,000.00
- Other Revenue (In & Out
\$4,700.00) nets \$0.00
- Transfer from Reserves
\$41,000.00
- Indemnification Technology®
\$15,832.00

Alternate Fire Department 2015 Draft Operating Budget Summary-Revenues \$131,832.00

Non Tax Revenue Summary

■ Municipal Recoveries (MTO)

How did you arrive at the revenue projection for our Fire Department of \$15,832.00?

The revenue projection for Indemnification Technology® is based on the average recovery (residential, farm, commercial) per thousand population occurring annually. We know the number of insured peril SIR's per thousand population and we know the average amount that we recover. We simply extrapolate the numbers. Our experience has shown the "farming centers" average is a little less, as well in the "built up" areas the average recovery is a little more. Should a tornado occur the average recovery per population would be much higher.

■ Indemnification Technology®
\$15,832.00

Revenues Stay Within the Fire⁴¹ Budget in 3 Areas! Public Education!



Revenues Stay Within the Fire⁴² Budget in 3 Areas! Personnel Training!



Revenues Stay Within the Fire⁴³ Budget in 3 Areas! Capital Purchases!





**Questions,
comments,
concerns?**



What Does The Municipal Act Say About User Fees?

Section XII Sub-section 394 (1) Restriction, fees and charges-No fee or charge by-law shall impose a fee or charge that is based on, is in respect of or is computed by reference to,

- A) The income of a person, however it is earned or received, **except that a municipality or local board may exempt, in whole or in part, any class of person from all or part of a fee or charge on the basis of inability to pay;**

Section II General Municipal Powers sub-section 14(1) Conflict between by-law and Statutes, etc. A by-law is without effect to the extent of any conflict with,

- A) A provincial or federal Act or a regulation made under such an Act: or
- B) An instrument of a legislative nature, including an order, licence or approval, made or issued under a provincial or federal Act or regulation 14(2) Same-without restricting the generality of subsection (1), there is a conflict between a by-law of a municipality and an Act, regulation or instrument described in that subsection if the by-law frustrates the purpose of the Act, regulation or instrument.

Legislatures have reversed the way in which cities exercise their jurisdiction:

Under the old scheme, any bylaw or resolution had to be expressly allowed by the governing statute.

With the natural person powers, councils are no longer restricted to the words of the statute, but are allowed to do what logically flows from the general powers granted by the Act (except where to do so would conflict with the express wording of the statute).



Insurance Rates Will Not Go Up As A Result of the Fire Marque Program

Property insurance underwrites the building and contents. Buildings generally remain constant. **What the insurance company considers includes, for example: How close is a building to a fire hydrant or fire station? Does the building have a sprinkler system? Out of what materials is it constructed? Is there an alarm system?**

Consumers are spending more on home insurance because they're buying bigger policies to cover the recent rapid rise of home values in Canada and because they have more possessions to insure. Basements, once used to store old clothes and hockey equipment, are now often finished and filled with expensive electronic equipment.

The full text can be viewed at:

<http://www.moneyville.ca/article/1046571-wild-weather-makes-this-the-costliest-year-on-record>

Insurance companies have been calculating premiums to include charges for Fire Department services even though they haven't had to pay out on the coverage.

Fire Marque recovers these funds.

Property insurance is very different that auto insurance.



Will Property Owners Be Required To Pay A Deductible?

No.

It is underwritten in the policy.



If The Property Owner Pays Taxes, Which Include Fire Department Services, Why Should FDs Charge Fees?

The Indemnification Technology® program is not an “extra fee”.

Just as property owners have paid taxes for fire services, they have already bought and paid for fire service expense coverage in their property insurance policies.

By requesting insurance companies pay those expenses, the insurance companies are being asked to honour the contractual agreement of the policy they issued.



Why do we need you to do it-Can't we just do it ourselves?⁴⁹

“Fire Marque Incorporated has the **knowledge, staff and infrastructure** to perform cost recovery from insurance companies through an agency agreement. They are former insurance professionals who are experienced in insurance policy wording interpretation, data collection, policy review with respect to insured perils, invoicing and recordkeeping.”

Town of Bradford West Gwillimbury Staff Report October 2nd 2012

Fire Marque has created an industry-recognized, **trademarked program known as Indemnification Technology®.**

Indemnification Technology® maximizes the billing opportunities on behalf of Fire Departments by invoicing insurance companies directly for costs of Fire Department attendance with respect to insured perils using **pre-existing clauses** within insurance policies...

Based on consultation with Fire Services and with other municipalities currently working with Fire Marque, and the financial benefit to the City, it is recommended that Oshawa waive the Purchasing By-Law 17-2010 and authorize the Manager, Purchasing Services to enter into a three year agency agreement with Fire Marque.

City of Oshawa Staff Report November 14th 2013

Report to Council-CSBU 2013-74, July 18th 2013

Council could consider submitting claims and collecting funds using City Staff.

This alternative is also **not recommended** as the **City does not have the staff resources and expertise necessary for the submission of the claims and the follow-up required with various insurance companies.**

City of North Bay Staff Report July 18th 2013

Why Fire Marque?

Experts in INDEMNIFICATION TECHNOLOGY®



50



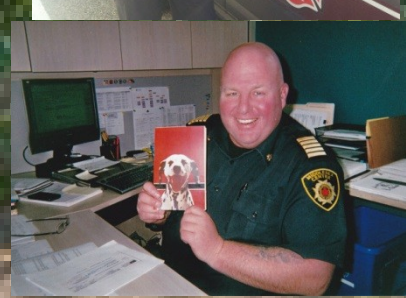
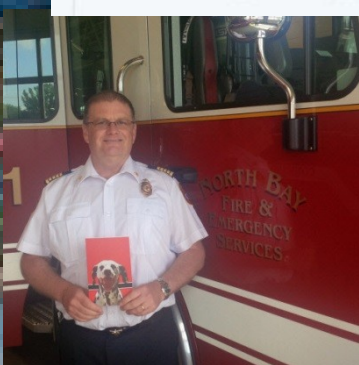
Brad Patton @CWFireChief · 16 Jun 2014

P3. CW Fire received a cheque for almost \$20,000 from **Fire Marque** to cover our cost to extinguish a structure fire.



← 1 ★ 1

[View photo](#)



FIRE MARQUE



www.firemarque.com

1-855-424-5991

chris@firemarque.com

1-705-888-7230





PLANNING REPORT for the TOWN OF ERIN

Prepared by the County of Wellington Planning and Development
Department

DATE: December 10, 2015
TO: Kathryn Ironmonger, CAO
 Town of Erin
FROM: Gary Cousins, Director of Planning & Development
 County of Wellington
SUBJECT: **Angelstone Farms Inc.**
Zoning Amendment Application – Public Meeting

1. APPLICATION (October 9, 2015)

Purpose: “To permit the property to be used for equestrian competitions, camping for staff necessary for the care and security of horses and the sale of related equestrian merchandise, food and beverages

Location: 8720 Wellington Road 50 at the Eramosa-Erin Townline (see map)

Size: 25.9 hectares (64 acres) in total
 3.5 hectares (9 acres) in woodland
 22.4 hectares (55 acres) cleared
 390 metres frontage and 604 metres of depth

Official Plan: designated Prime Agricultural and Greenlands in County and Erin Official Plans

Zoning: zoned Agriculture (A) and Rural Environmental Protection (EP2) in Town of Erin Zoning Bylaw

2. RECENT HISTORY

- 2007 - Angelstone acquires property
- 2011-2013 - Angelstone begins to host equestrian events
 - Complaints from neighbours related to noise, traffic, late night entertainment and other matters
 - after 2013 Town of Erin advises Angelstone that zoning required
- 2014-2015 - Town of Erin pass two temporary use by-laws, 2015 by-law appealed
 - Town also puts Major Event by-law in place and requires studies and improvements
 - Town initiates a monitoring process for 2015
 - Angelstone files zoning application for the 2016 Season

3. PUBLIC MEETING

At the December 1, 2015 public meeting, the Gilberts and their lawyer express concerns about a variety of issues as they have in the past. Noise is the main concern and they have provided a detailed list of when noises were audible during the 2015 season. They also question whether Angelstone is a valid agricultural use and believe the special event permits should have been applied for at the same time or the zoning.

Others spoke at the public meeting both in support of Angelstone and the Gilberts. No one else expressed any significant concerns about noise on their own behalf. This is very different than in previous public meetings in 2014 and May 2015.

In 2014, a large number of nearby neighbours expressed concerns particularly about noise and late night activities. In May 2015, there were fewer concerns expressed by neighbours and some noted improvements but were concerned that a permanent zoning may remove Angelstone's incentive to improve its operation.

Both at the December public meeting and after the meeting, through letters, a number of individuals – Dr. Wevers, A. Spiteri, C. Porterfield, G. Mance, M. Oldman, D. Oldman and M. Forrester expressed a variety of concerns about the nature of the Angelstone event, traffic issues, the need for a broader planning framework, agriculture, drainage and precedent.

4. IS IT AGRICULTURE?

Planning staff have previously concluded that the Angelstone operation is an allowed agricultural use under current provincial, county and town policy. This view has not changed and, based on additional research and the opportunity to visit the site numerous times during the 2015 season, has been strengthened.

a) The Angelstone Operation:

Angelstone Farms buys, sells and breeds horses. Mr. White recently indicated that they own 15 horses and board another 13 in their 28 stall barn. They train their own and other horses thereby adding value. They sell to both amateur and professional riders. Horses are present on site from April to December and their own horses are in Florida from December to April.

Angelstone Tournaments operates equestrian events on the Angelstone property. They had 35 event days over 7 weeks in 2015 and propose 25 event days over 5 weeks in 2016. According to Angelstone, hosting events allows Angelstone to compete at home and allows other local operators to have a nearby venue to train and compete. Angelstone views competition as an integral part of training which adds value to both their own and other horses that come to their site. In 2015 between 500 and 800 horses were on site during each of the 7 events, although not all at once. Buyers come to the site.

Angelstone Tournaments earns revenues from selling hay and shavings, renting stalls and collecting entry fees as well as through corporate sponsorships.

The daytime activity from 9 am to 6 pm generally focuses on training younger horses and riders. There are very few spectators on site during these hours but the site is often busy with equestrians and workers maintaining the horses and facilities.

Thursday and particularly Saturday evenings from 6 pm to 11 pm is more focused on entertainment but continues to be both training and competition. The Saturday evening “Grand Prix” is Angelstone attempt “to grow the sport” through promotion. It is also a major source of revenue through corporate sponsorship.

While the Thursday evening events in 2015 seemed relatively low key with attendance largely from many equestrians training on site the Saturday evening event drew very large crowds of spectators for high quality show jumping events often with international competitors. (in part due to Pan Am Games). Angelstone estimates that Thursdays average 250 people and Saturdays 1000 people.

b) The Equine Industry:

Equine Canada is the governing body that represents, promotes and services Canada’s equine community and industry. Nationally it is recognized by Agriculture and Agri-Food Canada, Sport Canada and the Canadian Olympic Committee. The lead statement on its web page states:

“Canada has created a robust equine industry whereby the horse breeding industry is supported by a deep and comprehensive system of expertise in a value chain that includes breeders, handlers, trainers, participants in equine sport, businesses, organizations, internationally recognized Horse Show Venues as well as racing infrastructure contribute significantly to the development of Canadian-bred horses.”

Equine Canada goes on to define the equine industry by sectors of use (the activity for which the horse was produced.) The four sectors are:

- Sports Sector which includes jumping, dressage, eventing etc.
- Draft Horse Hitching and Performance
- Racing Sector
- Recreation Sector

Equine Canada recognized the Sports Sector (Angelstone’s sector) as part of the national equine industry and breeding, training and Horse Show Venues as part of the value chain for the equine industry.

In Ontario statistics on the equine industry are not readily available. A 2009 University of Guelph report by Drs. Wilton and Caldwell entitled “Rural Ontario’s ‘Hidden’ sector: The Importance of the Horse Industry” provided some useful information from their research and an on-line survey answered by 1680 respondents:

- In 2006 Wellington County had 27,530 horses which was more than any other Ontario county or region.
- From 2001 to 2006 the number of horses in Wellington increased by 50%. Many horses are not captured in recent census.
- In Ontario the greatest participation in equine disciplines was Hunter/Jumper at 37% and Dressage at 34%
- Equine business trends are viewed as positive

- The estimated total provincial annual expenditures in 2009 in Ontario was \$2.6 billion or just under \$7000 per horse
- Between 2004-2009 the average annual capital investment in horse farms was \$735 million
- While both harness racing and thoroughbred racing are important components of the Ontario equine industry, a significant portion of the growth in the industry can be attributed to the sport and recreation sector (including hunter jumper)

The report calls for more research and concludes: “As rural Ontario continues to undergo transformations, it will be increasingly important to have a thorough understanding of all sectors that play a role in the mosaic of the Ontario countryside”.

The Town of Erin is part of a group called Headwaters Horse Country that also includes Caledon, King and Dufferin County. They estimate in 2015 that 78% of Ontario’s horse population resides within 2 hours of Headwaters Horse Country, that there are 224 boarding and breeding farms in the area, 9 major agriculture and horse show facilities, 4 internationally recognized event facilities and over 2000 horse farms.

While most of the above statistical information is dated or based on estimates and therefore not definitive, it is indicative of a growing and strong equine industry in Ontario, Wellington County and the Town of Erin.

c) **Provincial Policy:**

Provincial Planning Policy clearly recognizes the raising of horses as an agriculture use. Provincial policy also recognizes additional uses appropriate on prime farmland including:

- i) **Agriculture-related uses:** means those farm related commercial and farm related industrial uses that are directly related to the farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products or services to farm operations as a primary activity
- ii) **On-farm diversified uses:** means uses that are secondary to the principal agricultural use of the property and are limited in area. On-farm diversified uses include, but are not limited to home occupations, home industries, agri-tourism uses and uses that produce value added agricultural products.
- iii) **Agri-tourism uses:** means those farm-related tourism uses, including limited accommodation such as bed and breakfast, that promote enjoyment, education or activities related to the farm operation.

The province has moved to broaden agricultural use to more clearly recognize value added activities, to remove limitations on scale, to recognize that farms can share value added activities and to encourage diversification.

In February 2015, The Ministry of Agriculture, Food and Rural Affairs released a Draft document for discussion, entitled “Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas” which is intended to provide additional clarity about provincial

agricultural policy. The document is not approved but will eventually be an important guidance document.

On page 15 of the draft Guideline clearly indicates that a “horse farm (breeding, raising, boarding, maintenance, training) including stables and indoor or outdoor riding arenas/tracks” is an agricultural use provided all PPS criteria are met.

In the discussion on agricultural-related uses, equine events is neither specifically used as an example or rejected as not agricultural-related. The guidelines provides a little more detail on the notion of an agricultural-related use providing services and products to other farms in the area. Examples of agricultural-related uses include livestock assembly yards, auction yards and farmer’s markets all of which represent central commercial venues servicing many farms where the commercial activity could take up significant land area.

Campgrounds are specifically listed as not being agricultural-related but in my view they are referring to permanent or seasoned recreational campgrounds and not camping areas used on a temporary basis by individuals providing care and security for horses or other livestock. In 2016 Wellington County will host the International Plowing Match and a temporary campground for people with business on site has been a part of the event in other Counties and Regions in which it has been held.

On-farm diversified uses must be located on an agricultural property that is actively farmed. Typically these uses have included home occupations and home industries which can be accommodated in a relatively small area. The discussion paper seems to favour equine events as an on-farm diversified use despite the desire to limit size. They accept that intermittent uses may require a greater area and specifically mention equine events as an agri-tourism use and also recognize café/small restaurant or an on-farm diversified use.

In dealing with both agricultural-related uses and on farm diversified uses the draft guideline recognizes that temporary use bylaws, site plan control and Municipal Act Bylaws (like Erin’s) for nuisance issues may be useful.

The Provincial Growth Plan also refers to agriculture and encourages diversity but largely relies on the PPS to govern land use.

d) Wellington County Policy:

The Wellington County Official Plan was first approved in May 1999 and has been brought up to date with the Growth Plan, The Greenbelt Plan, the 2005 Provincial Policy Statement and has had a recent 5 Year Review. It has not yet been updated to reflect the 2014 PPS but where there are differences the newest PPS prevails.

The Wellington County Official Plan designated the Angelstone property as Prime Agriculture and Greenlands and contains the following policy:

6.4.2 Agriculture First

In Prime Agricultural Areas, all types, sizes and intensities of agricultural use and normal farm practices will be promoted and protected in accordance with provincial standards.

As a general rule, land use activities which support agriculture will be encouraged and land use activities which do not support agriculture will be discouraged.

The County Plan permits agriculture use including livestock and agriculture related uses including value added uses. These uses are more narrowly defined than current provincial policy.

e) Town of Erin Policy and Regulation:

The Town of Erin Official Plan designates the Angelstone property as Prime Agriculture and Greenlands but generally defers to the County Plan on policy.

The Town of Erin Zoning Bylaw zones the property Agricultural A and Environmental Protection (on the wooded area). The Agricultural Zone allows agricultural uses including horses and the definition of agricultural use includes “secondary uses creating value added agricultural products from the farming operation.” Equine events, the sale of food and beverages, the sale of equine products and camping are not specifically mentioned although accessory uses are permitted.

In 2014, the Town of Erin established a Major Event Bylaw under the Municipal Act to regulate uses like Angelstone. The Major Event Bylaw is intended to regulate larger scale “cultural, recreational and educational events, including any fair, show, sale, tournament, competition or similar event that occurs on one or more calendar days” and that includes “outdoor illumination visible beyond the property boundaries”, “electronically amplified announcements...and music audible beyond the property boundaries” and which is “attended by a total of 500 or more persons, including participants, competitors, spectators, vendors, support staff and members of the public on any one calendar day.”

The major event bylaw attempts to minimize public nuisance and allows the regulation of hours of operation, dates of operation, number of attendees, parking, security, traffic control, restriction on noise, outdoor illumination, electronically amplified sound and other nuisances.

f) Other Matters:

Two aspects of Angelstone are often raised as public concerns and contribute to the concerns about the agricultural nature of the operation – the size of the facility and the entertainment elements.

Provincial, county and local policy do not restrict the size of agricultural uses. In fact, both the Provincial Policy Statement and the Wellington County Official Plan state that “all types, sizes and intensities of agricultural use and normal farm practices will be promoted and protected...” While the size of the training components has been a major point of public comment, the policy framework does not restrict size.

The entertainment element of the Angelstone Tournaments Operation has also been of concern to the public both for its nuisance potential and for its compliance with

agricultural land use policy. To assess the entertainment component, it may be helpful to view the Angelstone operation in two parts:

- The operation between 9:00 am and 6 pm
- The operation Thursday and Saturday between 6pm and 11pm

The daytime activity generally focuses on younger horses and riders providing training and competition and thereby adding value. There are very few spectators on site during these hours but the site is busy with equestrians and workers maintaining the facilities and horses and there are announcements and music at times. Training is clearly the essential function although one would expect it is both entertaining and recreational for those involved in the training. These activities represent over 80% of the total event hours.

The 10 hours of evening activity continues to be training and competition for participants but the entertainment element is clearly the main focus, particularly of the Saturday evening Grand Prix. This event attracts one thousand spectators on average and is a major source of revenue through corporate sponsorship and food and beverage sales. There is no admission charge. The Thursday evening events tend to be much smaller (250 people) and seem to be largely for equestrians and workers on site during the day. Nevertheless entertainment is the main focus.

Nothing in provincial, county or local policy prevents an agricultural activity from being entertaining or raising revenue by entertaining people. Ontario has a long history of agricultural fairs, plowing matches, horse racing and other agricultural events including horse shows. New provincial policy under on-farm diversified and agri-tourism allows wineries, including wine tasting, cheese factory, bakery, abattoir, farm market, antique business, café/small restaurant, farm vacations, petting zoos, horse trail rides, seasonal events and equine events.

The evening horse show contains elements of on-farm diversified use and agri-tourism by providing a secondary value added agricultural use which promotes enjoyment, education or activities related to the farm operation.

g) Analysis:

The equine industry through Equine Canada recognizes horse breeding is supported by expertise in a “value chain” that includes breeders, handlers, trainers, participants in equine sport, businesses, organizations, internationally recognized Horse Show Venues as well as racing infrastructure.

Angelstone falls within the Equine Canada value chain by buying, selling and breeding horses and through training, including competition, and running an internationally recognized horse show.

Provincial land use policy allows and supports the Equine Canada value chain by recognizing the raising of horses as an agricultural use and through permitting value added activities through agricultural-related uses and on-farm diversified uses, including agri-tourism uses. Draft guideline from the province more specifically accept that a “horse farm (breeding, raising, boarding, maintenance, training) including stables and indoor or outdoor riding arenas/tracks is an agricultural use.

The operation of Angelstone Farms which raises and trains its own horses and those of others boarded on site clearly falls within the province's policy framework and is a permitted agricultural use.

Angelstone Tournaments is more complex but its essential nature is a training facility, including competition, on outdoor riding arenas permitted under provincial policy. Angelstone boards horses from other farms and provides training service which adds value consistent with the provincial policies for agricultural related uses or on farm diversified uses. Angelstone Tournaments has two issues which contribute to its complexity – its size and its entertainment components.

The entire Angelstone Tournament event is most properly viewed as an agricultural-related use which provides a commercial service to area farms, support agriculture, benefits from being in close proximity to farms and provides services to farms as a primary activity. Reading provincial policy, as a whole, Angelstone Tournaments is consistent with the overall intent of promoting agricultural and value added agricultural services to support both the farm economy and the provincial economy.

5. IS THE SITE SUITABLE?

The public has, in previous years, expressed concerns that the 25.9 hectare site is too small for the activities for which it is used.

Angelstone attracted between 500-800 horses per event although all horses were not on site on any one day. During the course of the Town monitoring program in 2015, there did not appear to be any significant issues with on-site parking of cars, horse trailers or campers. All horses were stabled in a series of tent facilities between the Main Stadium and the western (Gilbert) lot line. Three locations were made available for manure management and water sources were available in a number of locations.

For equestrians and the public washroom facilities (portable toilets) were available in a number of locations and food and beverages were available at the Main Stadium. Public seating for spectators was located at the Main Stadium although many people sat on the grass slope adjacent to the main show ring. There were some seating facilities near the Hunter rings but they were fairly minimal and not extensively used.

Improvements required by the Town for access and drainage were made and a site plan put in place. Angelstone has an emergency management plan approved by the Erin Fire Chief and a nutrient management plan filed with the province. The Town monitors expressed no concern with compliance to the site plan.

There was no evidence that the site could not manage the horses, riders and spectators who came to the site. The issues related to noise were primarily related to the PA systems not the number of people, horses or vehicles on site.

6. IS IT COMPATIBLE?

a) **General:**

New uses established through official plan and zoning amendments are required to be compatible with existing uses. Compatible does not mean “the same” nor does it mean that there will be no impacts but impacts must be reasonable.

The Town’s Major Event Bylaw attempts to minimize impacts to avoid public nuisance.

While agriculture is a long standing use on the Angelstone property, some of the elements related to entertainment are new and require zoning. It is therefore reasonable for Angelstone to be compatible with other nearby uses. It is worth remembering that new agricultural uses can be established in Prime Agricultural areas based on MDS regulation and normal farm practice and these uses may create disturbances to neighbours from operating farm machinery, farm animals and manure management.

For the most part Angelstone is surrounded by agricultural uses particularly to the east and south. To the north is a tannery business with residence and to the west is the Gilberts rural residence. Other rural residences are present but beyond the previously mentioned uses. Also to the west is the Keurwood Equestrian Centre, which boards and trains horses on 25 acres and which has a 120’ x 200’ outdoor sand ring and full jump course and cross country grass course and a shaded patio for spectators as well as indoor facilities. To the south is Mane Street Stable which has a training track for harness racing.

During 2013 and 2014 there were significant neighbour concerns about noise, music, late night parties, alcohol, traffic and trespass coming from both farm and non-farm residences. Generally people indicated that 2014 was better than 2013 but expressed concern about whether the improvement would continue.

b) **Town Monitoring:**

In 2015, the Town of Erin put a monitoring program in place to ensure Angelstone was meeting the requirements of the Major Event Permits issued by the Town. After the 2015 season, only the Gilbert rural residence expressed concerns about the Angelstone operation, although some other neighbours expressed support for the Gilberts.

Based on the monitoring reports, the Gilberts continued to have reasons to be concerned, primarily related to noise from announcements.

A summary report of monitoring has been provided to Council in fall 2015. The monitors were on site a total of 133 hours or just under 4 hours on average every day for the 35 event days. Additionally the Town Bylaw Enforcement Officer visited the site 12 times over 11 days.

The monitors found general compliance with all aspects of the permit except noise. Some minor issues were identified but were not viewed as significant problems.

The monitors reported noise issues on 15 of 35 days mostly during the first four events. The main issue was noise from announcements – noise from music was audible occasionally but not a major issue.

The noise from announcements was generally not of high volumes but was clearly audible at times and because it can be frequent represented a nuisance at times in the view of the monitors.

The Town's Bylaw Enforcement Officer did not report any noise concerns. The officer went to the site early morning to check on noise before the event and he went once between events to check on the occupancy of campers and found no issues. The Town Office received no complaints in 2015 other than from the Gilberts.

c) Submission by the Gilberts:

The Gilberts provided a submission to the December 1, 2015 public meeting documenting their concerns about noise. They identified noise from a variety of sources including announcements, music, machinery and bins banging. The identified noise from announcements and music on many days was not noted by the monitors; however the Gilberts live on the site and it seems reasonable that they would have greater exposure to noise.

From the monitoring and the Gilberts submission it is quite clear that noise from announcements was heard numerous times and it represented a disturbance. The impact from music was far less a concern for the monitors but was a concern for the Gilberts.

Other noises experienced by the Gilberts such as machinery operation are directly related to agriculture and not normally a noise that would be controlled in an agricultural community. When asked about the "bins banging" Angelstone suggested the sound was most likely horses kicking the stall. Given this sound was often heard in the early morning before the event day started, Angelstone's response seems reasonable.

d) Submission by HGC and Angelstone:

Angelstone has recently provided a report entitled "Sound Mitigation Report for 2015" which has had an initial review by HGC Engineering – the firm that provided the 2014 Environmental Noise Study for Angelstone.

The Angelstone Report documents the changes made to its sound system based on the 2014 HGC report including:

- Optimally aim and position speakers
- Use of smaller/lower powered speakers
- Directionally aim speakers close to the intended audience
- Use of limiters to prevent over-amplification

The report provides a history of the sound systems in use from 2012 onward and the movement towards a lower powered system.

The report also provides a detailed chronology of improvements made before and during the 2015 season. These improvements began May 24, 2015 and were

completed August 28, 2015 just prior to the last event day. They have broadly summarized the improvements as follows:

- Deactivation of horns
- Adoption of Showgroundslive
- Angelstone stadium sound mitigation
- ESI ring sound mitigation
- EEC ring Sound mitigation
- Astalos ring sound mitigation
- Angelstone stadium warm-up sound mitigation
- BLU lounge sound mitigation

The report also provides detail related to directional improvements to sounds by altering the aim and position of speakers.

The two page letter report by HGC was prepared after the 2015 season and the documented measures reported by Angelstone have not been verified. The author also indicated the review is “cursory, in that we have not analysed the modifications to re-assess the impacts.”

The HGC letter report does confirm that the changes set out in Angelstone’s report correspond to the concepts recommended in the environmental noise study and “are expected to contribute to lower noise intrusions at the neighbouring receptors. They further note that, while not a specific recommendation, the implementation of a smartphone application goes to further reduce the intrusions from the site.

The report concludes as follows:

“It is noted that the above documented measures have not been verified or audited and also cannot guarantee inaudibility; however, it is expected that the above measures would result in a reduction of off-site sound level intrusions. The overall sound power reduction is expected to have its greatest effect on receptors at large distances, and the optimization of speaker layout is expected to reduce intrusions at closer receptors, especially for day-to-day activities.”

The HGC report is cautious, as it needs to be, but does indicate that the changes to the sound system outlined by Angelstone are in keeping with HGC’s recommendations. I can confirm some, but not all, of the changes to the sound system based on my visits to the site including the removal of speakers from the stable area, the removal of large horn style speakers and the introduction of some smaller speakers aimed away from the western property line. I can’t confirm all changes or assess the technology.

e) **Analysis:**

Angelstone has satisfied the concerns of many of its neighbours through various improvements to both their site and their sound system. Recent sound system improvements particularly have allowed them to operate in a compatible manner with the neighbours to the north, east, south and southwest.

The improvements have not fully addressed the concerns of the Gilberts to the west and the Town monitoring program confirms that noise, particularly from announcements, remains an issue. As such Angelstone has not demonstrated that they can consistently operate in a compatible manner with the Gilbert property.

7. CONCLUSIONS

Angelstone Farm and Tournaments are agricultural and agricultural related uses and are permitted by provincial, county and town planning policy.

The site used to host Angelstone Farm and Tournaments is appropriate to its use and the improvements made to the site will allow the uses to function appropriately.

Angelstone Tournament has implemented a number of significant changes to their operation to address offsite impacts, notably noise. While these impacts have addressed the concerns of many of the neighbours, it has not addressed the concerns of the Gilberts. In my view, Angelstone has not demonstrated a sufficient level of compatibility to warrant a permanent zoning.

Angelstone has demonstrated an ability to address noise issues and has implemented technologies that should allow noise from announcement and music to be reduced to reasonable levels. The continuous improvements made through 2014 and 2015 and the introduction of improved technology warrants another temporary use bylaw.

The Gilberts have experienced a number of years of disruption and, while in my opinion, the impacts have been reduced, they cannot continue much longer. While a temporary use bylaw needs to be put in place for the 2016 season, the Major Event permits could be issued only for the two June events. If the Angelstone operation has not demonstrated a reasonable level of compatibility by that point, the three permits for August could be refused. This would of course require some monitoring of at least the June events.

8. RECOMMENDATIONS

- a) That the permanent zoning requested by Angelstone not be approved.
- b) That another 1 year temporary use bylaw be approved specifically for 5 events covering 25 event days
- c) That the Town only approve Major Event Permits for the two June events and consider the three August permits only after being satisfied that the impacts of the June events, particularly related to noise, was reasonable.
- d) That Town staff work with Angelstone to determine how best to monitor the June events
- e) That no further temporary use bylaws be approved and permanent zoning be considered based on the results of the 2016 season.



Staff Report

Report #: BD2015-20

Date: December-15-15

Submitted By: **Jessica Wilton, Building and Planning Assistant**

Subject: Building Permit Activity Report

Recommendations:

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

Background:

Overall the building permit numbers this year are up over last year's numbers. For the month of November, we have issued 16 permits, 4 of which were for new housing starts. Building permit fees and construction values are up when compared to the same time last year.

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 – November, 2015
 Appendix II – Monthly comparison – November 2015

Appendix I - Building Permit to Date

Town Of Erin

Permit Comparison Summary

Issued For Period **JAN 1,2015** To **NOV 30,2015**

	Previous Year			Current Year		
	Permit Count	Fees	Value	Permit Count	Fees	Value
Accessory Building						
Deck	16	6,222.30	157,200.00	13	4,834.43	166,300.00
Pool	14	3,000.00	339,900.00	10	2,000.00	260,000.00
Accessory Building - Residential						
Accessory Building - Residential	39	21,272.16	819,500.00	29	19,427.92	1,017,000.00
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	1	75.00	0.00
Commercial - Major renovation	2	2,750.00	100,000.00	5	5,700.00	215,778.00
Commercial - Minor renovation	5	3,075.00	104,000.00	0	0.00	0.00
Demolition						
Demolition Permit	1	200.00	5,000.00	6	1,200.00	15,100.00
Demolition Permit - Non-Residential	2	1,500.00	0.00	0	0.00	0.00
Farm Building						
Farm Building - Addition/renovation	8	6,510.00	709,800.00	4	3,557.60	541,500.00
Farm Building - New	10	14,577.18	1,014,250.00	10	8,707.20	596,300.00
Industrial						
Industrial	2	10,660.00	170,000.00	1	7,470.00	150,000.00
Industrial - Major	4	7,900.00	1,290,000.00	2	7,070.00	506,000.00
Institutional						
Institutional - Major	1	2,000.00	400,000.00	0	0.00	0.00
Institutional - Minor	2	1,500.00	28,000.00	0	0.00	0.00
Residential						
Residential - Major	21	35,946.46	3,570,600.00	22	37,707.88	3,026,000.00
Residential - Minor	10	2,686.15	128,000.00	17	5,795.45	237,400.00
Residential - Multiple	0	0.00	0.00	3	11,400.00	980,000.00
Residential - New						
Residential -SDR	24	73,278.13	10,295,000.00	41	128,677.18	18,608,000.00
Septic Permit						
Septic Permit	42	19,850.00	0.00	62	28,500.00	15,000.00
Septic Permit - Tank Replacement	7	1,400.00	0.00	11	2,200.00	0.00
Tent						
Tent	5	1,000.00	3,000.00	8	1,600.00	1,200.00

Town Of Erin

Permit Comparison SummaryIssued For Period **JAN 1,2015** To **NOV 30,2015**

	<u>Previous Year</u>	<u>Current Year</u>
Total Permits Issued	220	247
Total Dwelling Units Created	27	47
Total Permit Value	20,974,250.00	26,335,578.00
Total Permit Fees	218,354.18	276,747.66
Total Compliance Letters Issued	32	61
Total Compliance Letter Fees	2,400.00	4,500.00

<u>Permit Charge</u>	<u>Amount</u>
Accessory Building - Residenti	19,427.92
Assembly	75.00
Change of Use	750.00
Commercial	75.00
Commercial - Major renovation	5,700.00
Deck	4,834.43
Demolition Permit	1,200.00
Farm Building - Addition/renov	3,557.60
Farm Building - New	8,707.20
Industrial	7,470.00
Industrial - Major	7,070.00
Pool	2,000.00
Residential - Major	37,707.88
Residential - Minor	5,795.45
Residential - Multiple	11,400.00
Residential -SDR	128,677.18
Septic Permit	28,500.00
Septic Permit - Tank Replaceme	2,200.00
Tent	1,600.00
Total	276,747.66

Appendix II - Monthly Comparison

Town Of Erin

Permit Comparison Summary

November

Issued For Period **NOV 1,2015** To **NOV 30,2015**

	Previous Year			Current Year		
	Permit Count	Fees	Value	Permit Count	Fees	Value
Accessory Building - Residential						
Accessory Building - Residential	2	1,238.76	65,000.00	1	416.25	40,000.00
Commercial						
Commercial - Minor renovation	1	750.00	24,000.00	0	0.00	0.00
Demolition						
Demolition Permit	0	0.00	0.00	2	400.00	100.00
Farm Building						
Farm Building - Addition/renovation	0	0.00	0.00	2	1,500.00	54,000.00
Farm Building - New	0	0.00	0.00	1	1,800.00	102,000.00
Industrial						
Industrial - Major	1	0.00	250,000.00	0	0.00	0.00
Institutional						
Institutional - Minor	1	750.00	25,000.00	0	0.00	0.00
Residential						
Residential - Major	1	200.00	28,000.00	2	2,200.00	158,000.00
Residential - New						
Residential -SDR	4	11,392.42	1,460,000.00	4	14,932.81	1,950,000.00
Septic Permit						
Septic Permit	4	2,000.00	0.00	7	3,200.00	15,000.00

	<u>Previous Year</u>	<u>Current Year</u>
Total Permits Issued	14	19
Total Dwelling Units Created	4	5
Total Permit Value	1,852,000.00	2,319,100.00
Total Permit Fees	16,331.18	24,449.06
Total Compliance Letters Issued	1	5
Total Compliance Letter Fees	75.00	375.00

<u>Permit Charge</u>	<u>Amount</u>
Accessory Building - Residenti	416.25
Demolition Permit	400.00
Farm Building - Addition/renov	1,500.00
Farm Building - New	1,800.00

Town Of Erin

Permit Comparison Summary

Issued For Period NOV 1,2015		To NOV 30,2015
Residential - Major		2,200.00
Residential -SDR		14,932.81
Septic Permit		3,200.00
<hr/>		
	Total	24,449.06



Staff Report

Report #: D15-SP04-15

Date: December-15-15

Submitted By: **Jessica Wilton, Building and Planning Assistant**

Subject: Conditional Site Plan Approval, D15-SP04-15 2 Thompson Crescent

Recommendations:

BE IT RESOLVED THAT Council approves the site plan submitted by 385277 Ontario Limited as it relates to development of 2 Thompson Crescent subject to the conditions of Appendix 1.

Background:

The applicant seeks site plan approval to construct an addition to the existing building that was previously approved by Council in 2013 subject to conditions of site plan control that have been completed to the Towns satisfactory.

The applicant seeks site plan approval to construct an addition to the existing Building "A" by enclosing the existing patio area and increasing the floor area by 42.57 m² (458 ft²).

The main site statistics are:

Total Lot Area	5,999.91m ² (unchanged)	64,578 ft ² (unchanged)
Total GFA (Building A and B)	1,178.41m ²	12715ft ²
Total Building 'A' GFA	183.54m ²	1,975 ft ²
Total Existing GFA	104.97m ²	1,517ft ²
Total Addition GFA	42.57m ²	458ft ²
Parking Required	34	1 handicapped
Parking Provided	53 (19 surplus)	Increased by 3 spaces 1 handicapped
Area of Septic bed	970m ² (unchanged)	10,440.98ft ²

Vehicular access is via Thompson Crescent.

Origin and Background

The subject land is located at 2 Thompson Crescent. The lands are legally described as Lot 11 Registered Plan 768.

Zoning

The site is zoned C2, Highway Commercial

Financial Impact:

None

Consultation:

Building/Planning/Water/Fire/Roads Departments/Triton Engineering

Communications Plan:

To be presented at a regular council meeting for information and Council approval of conditions.

Appendices:

Appendix I – Conditions of Site Plan Approval

Appendix II – Site Plan showing proposed addition and elevation drawings

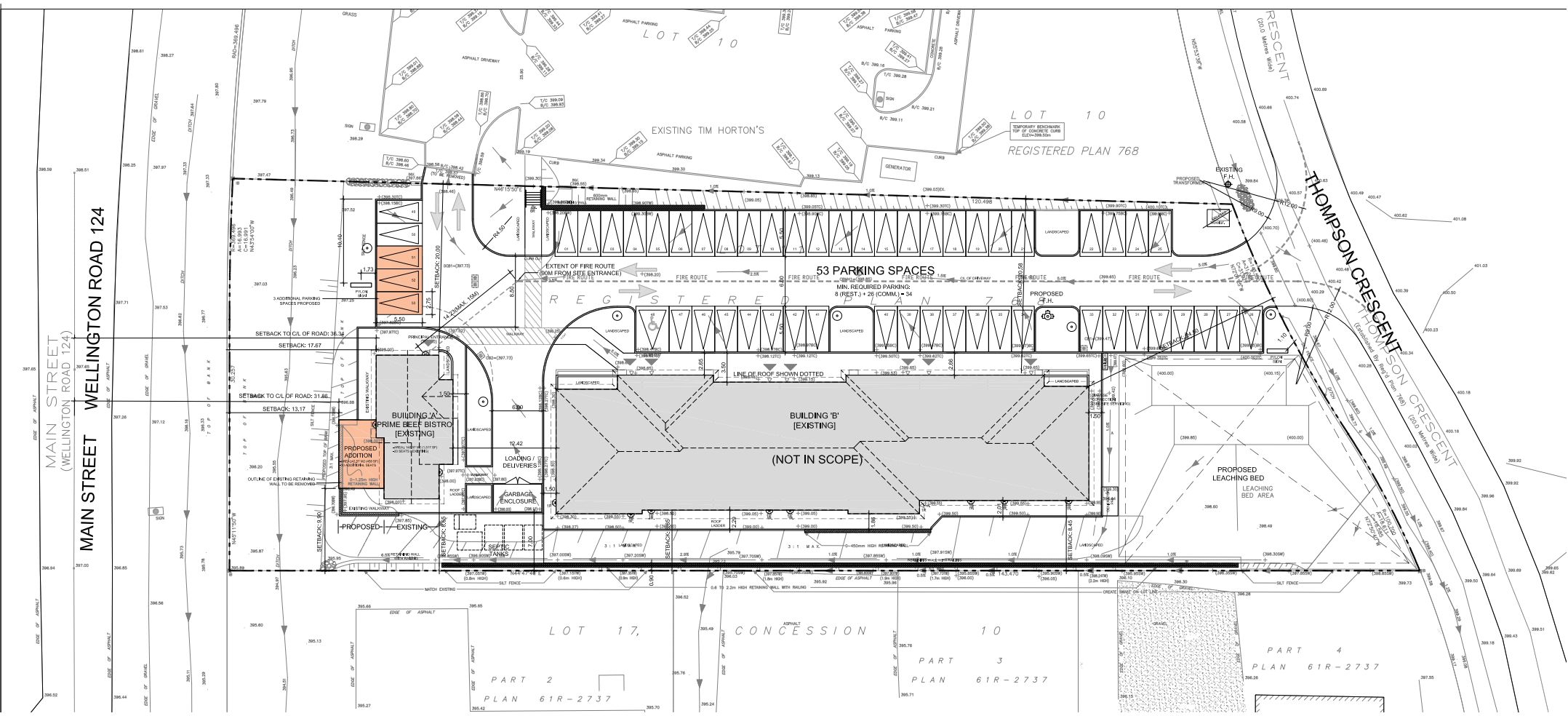
Appendix 1 – Conditions of Site Plan Approval

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 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.
5. 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.

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

1. That the owner will submit as-built drawings confirming that the grading and stormwater management facilities have been installed in accordance with the approved Drawings and Stormwater Management Report prior to the release of any securities.
2. That for all undeveloped or phased areas of the site that ground cover be established prior to release of any securities.
3. That on-site lighting not impinge on adjacent lands and be directed away from nearby residences.
4. That any proposed wood fence be constructed of pressure treated pine or western red cedar with all hardware being galvanized.
5. 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.
6. That all conditions of this Site Plan approval shall have been complied with prior to 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.
7. That for all designated handicapped parking spaces, the applicant will ensure the provision of appropriate markings as well as the installation of the standard Town signage for each handicapped parking space.





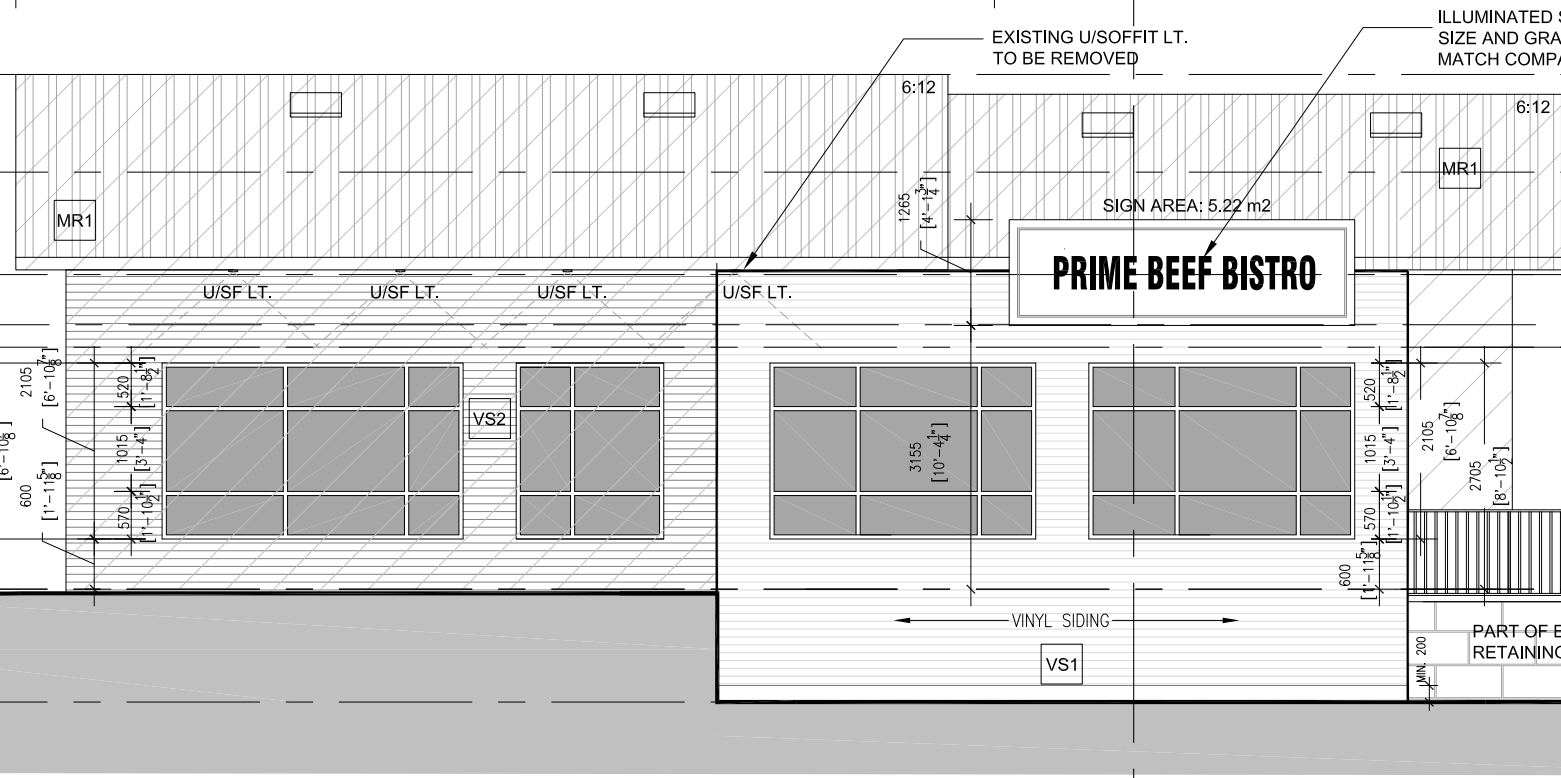
EXISTING

PROPOSED

EXTERIOR MATERIAL

VS1 VINYL SIDING VS1:

VINYL WINDOWS:



EXISTING U/SOFFIT LT. TO BE REMOVED

ILLUMINATED SIGN : FONT SIZE AND GRAPHICS TO MATCH COMPANY LOGO

PEAK OF HIGHEST ROOF (E)

MID-HEIGHT OF HIGHEST R

T/O PARAPET (PROPOSED)

T/O PLATE (PROPOSED)

U/S OF T-BAR CEILING (PRC

GROUND FLOOR SLAB (EXISTING & PROPOSED)

GRADE (TO BE VERIFIED BY CONTRACTOR ON SITE) SOUTH EAST CORNER

PROPOSED WEST (SIDE) ELEVATION



Staff Report

Report #: 2015-02F

Date: December-15-15

Submitted By: **Dan Callaghan, Fire Chief**

Subject: Approval to enter into a three (3) year Agreement with Fire Marque Inc.

Recommendations:

Be it resolved that council receives staff report 2015-02F and that the necessary by-law be enacted to authorize the Mayor and CAO to enter into a three (3) year Agency Agreement with Fire Marque Inc.

Background:

Fire Marque Inc. is a Canadian company that specializes in recovering costs for municipalities for Fire Services attendance at fire incidents through property insurance policies. They have created an industry recognized, trademarked program known as Indemnification Technology®. This process maximizes the billing opportunities on behalf of Fire Departments by invoicing insurance companies directly for costs of Fire Department attendance with respect to insured perils using pre-existing clauses within insurance policies.

The Indemnification Technology® program was created by Fire Marque Inc., and there are no comparable services offered in the marketplace. Municipalities are engaging Fire Marque Inc. through sole sourcing as there are no other service providers available.

The majority of property insurance policies provide coverage to the insured for Fire Department costs incurred when called upon. The amount of the coverage can range from \$500.00 to \$25,000.00, depending on the policy.

Fire Marque Inc. acts on behalf of the municipality to recover the costs for the fire services provided through an agency agreement. Costs would only be recovered if the individual had insurance coverage.

After responding to a fire, the Fire Department completes a Standard Incident Report (SIR), which is the current practice as required by the Ontario Fire Marshal's Office. Fire Marque Inc.

receives a copy of each SIR and then prepares the necessary documentation to submit to the insurance company.

Fire Marque Inc. will submit a detailed invoice of services performed by the fire department to the property owner's insurance company with regard to costs for the incident. If insurance coverage is available, money up to the maximum for fire coverage will be collected. Property owners will not be responsible for paying any outstanding balance on the invoice that exceeds the fire coverage on the insurance policy. If there is no insurance coverage or no coverage for the fire department services then nothing happens as no funds will be recovered.

Fire Marque Inc. has the knowledge, staff and infrastructure to perform Indemnification Technology® through an agency agreement. They are experienced in wording, interpretation, data collection, policy review with respect to insured perils, invoicing and record-keeping and are also experienced former insurance professionals.

The Town of Erin does not have the staff expertise to assess, review and determine Indemnification Technology® invoicing with respect to insured perils.

Financial Impact:

Fire Marque Inc. will apply a 30% fee and will only receive this fee when invoiced accounts have been collected by them. No additional budget considerations will be required by the municipality to fund this agreement.

Indemnification Technology® proceeds are recovered from insured perils for fire department services and are required within the agreement to be remitted to the fire department to meet insurance and agency requirements. The emergency cost recovery proceeds may be used for equipment purchases, firefighter training, fire inspection and most importantly fire prevention and public education programs. A budget account would be required to be developed to receive the proceeds from Fire Marque Inc.

It is anticipated that, based on current call volumes, the agreement will produce a revenue stream of over \$15,000.00 per year with no offsetting operating costs.

Consultation:

Finance Department, CAO, and other municipalities.

Communications Plan:

Staff Report

Conclusion:

Staff is of the view that entering into this agreement will produce a new revenue stream that will not adversely impact the property owner/policy holder. A large number of municipalities in Ontario have entered into similar agreements in this regard and all staff inquiries have received very favourable responses.

Appendices:

None



Staff Report

Report #: 2015-F04

Date: December-15-15

Submitted By: **Dan Callaghan, Fire Chief**

Subject: Purchase of a Diesel Generator with outdoor enclosure

Recommendations:

Be it resolved that Council authorize Erin Fire & Emergency Services to purchase a 40kw 120/208 volt 3 phase 1800 RPM Diesel Generator with outdoor enclosure from _____, in the amount of \$ _____.

Background:

Erin Fire and Emergency Services completed construction on the new Station 50 Fire Station in 2013. This centre is used as a Fire and EMS Station. During the Ice Storm in 2013 this station was used as a warming and emergency provisions centre. Application was made to JEPP for financial assistance with the purchase of such generator but was rejected. At that time decision was made by Council to include the purchase in the 2015 Town of Erin Capital Budget.

Financial Impact:

This was an RFP sent to dealers selling the outlined Diesel Generators within Ontario. I recommend the purchase from _____ for \$ _____. This purchase was a budget item for 2015.

Consultation:

Generator Specialists and Emergency Management personnel were consulted in the appropriate type and mhz required to power the station in an emergency power outage situation.

Communications Plan:

N/A

Conclusion:

That Council authorize the Fire Chief to purchase a 40kw 120/208 volt 3 phase 1800 RPM Diesel Generator with outdoor enclosure from _____.

Appendices:

N/A



Staff Report

Report #: 2015-12B
Date: December-15-15
Submitted By: Gail Broadfield, Deputy Treasurer
Subject: Approval of Accounts

Recommendations:

Be it resolved that Council receives the Deputy Treasurer's Report #2015-12B on "Approval of Accounts".

Background:

Invoices in the amounts listed below have been authorized for payment by Department Heads, or their designates, and entered for payment as follows:

Cheque Listing #1045	\$ 466,602.34
Manual Cheque Listing #	
Online Internet Payments #1041	\$ 12,044.49
#1044	\$ 33,649.21
TOTAL	<u>\$ 512,296.04</u>

Financial Impact:

The accounts, as listed, will be paid as submitted.

Consultation:

Department Heads and CAO

Communications Plan:

Regular report to Council

Conclusion:

That Council receives the report from the Deputy Treasurer regarding the payment of the Accounts.

Appendices:

N/A



GENERAL MEMBERSHIP MEETING MINUTES

November 05, 2015 – 9:00 a.m. to 10:30 a.m.
Tintagels, 50 Main Street, Erin

ATTENDEES:	Chris Bailey, Chair <i>Brighten Up</i>	Stephanie Bailey <i>Brighten Up</i>	Stephanie Conway <i>EWCS</i>
	Audrey Devonshire <i>Tintagels / Minerva's</i>	Shelley Foord <i>Décor Solutions</i>	Thortin Macdonald <i>Bistro Riviere</i>
	Rob Smith <i>Council Rep, Town of Erin</i>	Mary Venneman <i>BIA Administrative Assistant</i>	
GUEST:	Mayor Allan Alls <i>Town of Erin</i>		

Approval of Minutes

Revise Economic Development recommendation to read: Town lease/buy old Steen's building and use as multi-use purpose building for tourist information/heritage/teaching workspace/community OPP office and public washrooms (biodegradable in interim)

Motion to approve revised minutes by S. Bailey, seconded by S. Foord. Motion passed.

MARKETING

Events

Erin Fall Fair Debrief

BIA partnered with Erin Agricultural Society, Town of Erin and Headwaters Tourism to host the Welcome Booth at the entrance gate.

- Very popular; all 1000 gift bags were handed out. People open to being engaged, e.g., where are they from, what brought them to the Fair.
- Mixed response to BIA coupon included in gift bag.

Free horse-drawn carriage rides between the Fall Fair entrance and downtown (pilot project by BIA in partnership with Town of Erin):

- Worked very well on Saturday and succeeded in bringing Fair visitors downtown. Primary value in exposing visitors to downtown, prompting return visits. Cancelled on Sunday because horse was injured (no rides scheduled for Monday).

Recommendation: Start planning in June. People not available in the summer and September is too late.

Window Wonderland

Friday, Nov. 13 @ 6 pm – downtown Erin Village

Window unveiling at 6 pm; Christmas tree lighting at 6:30 pm. Christmas wreaths will hung on the lamp posts before the event.

- Empty windows in vacant stores will undermine the impact of the event.

Action: Need volunteers to decorate vacant windows BY: all
 Contact Chris Bailey at villageoferin@gmail.com DUE: Nov 12

Horse carriage rides start/stop point will be Valu-Mart. The Grinch volunteer will collect money and help with boarding/disembarking.

Action: Need a volunteer Grinch (responsible with money) BY: all
 Send names to Stephanie Bailey at stephanie.giugovaz@gmail.com DUE: Nov 12

Valu-Mart will donate the food and will be available in front of the store.

Santa Claus Parade

Saturday, Nov. 28, 1:30 start – Main Street

For this year, the parade will still start at 1:30 pm. Main Street will be closed.

The early afternoon time is detrimental to downtown merchants. Saturday afternoon is a prime retail period and the parade inhibits shopping: parade watchers don't shop and other patrons are discouraged from shopping because a) they can't access downtown because the street is closed, and b) can't access the stores because of the crowds.

Continuing discussion with Lion's Club to move parade to later in the afternoon or Sunday next year.

Action: Send evidence (anecdotal, data, statistics) to show how timing is detrimental to retail stores BY: all
 Send information to Chris Bailey at villageoferin@gmail.com DUE: Nov 30

BIA will enter a float this year to promote downtown merchants. Theme is "Shop the Village, not the box". Float will feature a huge Christmas box with presents spilling out. Village streetscape around the perimeter of the float. Elves hand out merchant coupons. Float will also promote the Christmas hours.

Action: Loan of merchandise for the gift box. Prefer large items, will show up better. BY: all
 Contact Shelley Foord at info@decorsolutions.ca DUE: Nov 25

Action: Loan of antique cash register. BY: all
 Contact Shelley Foord at info@decorsolutions.ca DUE: Nov 25

Promotion

In the Hills Advertising

Once again negotiated a 5% group discount for the four 2016 issues.

Action: Interest in participating in 2016 *In The Hills* collaborative advertising campaign BY: all
 Contact Shelley Foord at info@decorsolutions.ca DUE: Nov 30

Christmas in the Country Promotion

November 14 to Dec 31

Cards are printed and will be distributed to merchants on November 12th for distribution to customers starting November 14th. Avoid handing out during Winter Wonderland; card is not not valid on the 13th but customers expect a stamp.

Pilot Project – Extended Christmas Hours

A majority of store front retailers have agreed to participate in a pilot project extending store hours to 8 pm on Thursday and Friday for the three weeks prior to Christmas. Extended hours will be advertised in the local papers and posted on the Agricultural Society sign board.

Action: Extend store hours to 8 pm on Thursday and Friday in December BY: all
December 3 & 4 | December 10 & 11 | December 17 & 18

OTHER BUSINESS

Council Update

Final Economic Development Plan presented to Council (available on the Town website). Lot of quick hits especially for downtown. Won't see a lot of building in this Council's mandate but will establish the direction and footprint.

The new Economic Development Officer has been hired and starts Nov 9th.

The site for the new Hillsburgh Library was announced. As a heritage property surrounding the Mill Street Pond it will be a focal point for the Village of Hillsburgh.

Council will be tackling several capital projects that have been deferred for years, requiring more debt than has been typical in the past but with low interest rates now is the best time.

BIA still requires a new representative to replace Chris Bailey on the Economic Development Committee. Committee generally meets the first Wednesday of every month for 2 hours.

Action: Expressions of interest in being BIA rep on the Economic Development Committee BY: all
Contact Chris Bailey at villageoferin@gmail.com for more details DUE: asap

The *Heritage Walking Tour* brochure is complete. Would like downtown merchant's help with distribution by having copies available for handout.

Action: Brochures available from Chris Bailey BY: all
Contact Chris Bailey at villageoferin@gmail.com DUE: asap

Ongoing

Add/update your business on the Town of Erin Business Directory

Action: Link > [Town of Erin Business Directory](#) BY: all

Add/update job openings and accommodation on Live and Work in Erin website

Action: Create account to add listings (<http://liveandworkerin.com>) BY: all

Miscellaneous

Interesting article in last issue of *In The Hills* on Orangeville's downtown revitalization

BIA Christmas Potluck Dinner

Dec 16th @ 6:30 pm - Tintagels

Action: RSVP and pot-luck contribution BY: all
Contact Chris Bailey at villageoferin@gmail.com DUE: asap

Waiting for information from the Town of Erin before Board can develop 2016 budget.

Happy Moments

The EWCS Fashion Show was a great success. Sold-out event and raised over \$2200 for EWCS.

EWCS has installed a new LED sign on their building. Space available for advertising.

Caledon Townhall Players new play, *Nana's Naughty Knickers* with Stephanie Bailey directing, opens Nov 5th. An excellent evening's entertainment.

Décor Solutions has officially been transferred to new owner.

Next Meeting

December 3rd at Tintagels, 9 00 a.m.



Suggestions Log

Town lease/buy old Steen's building and use as multi-use purpose building for tourist information/heritage/teaching workspace/community OPP office and public washrooms (biodegradable in interim)

Alliance with Belfountain to promote cross-exchange of visitors.

Sports tournaments bring a lot of visitors to town but doesn't seem to translate into visitors downtown; patronize Tim Horton's because it's close and it's fast. Need ideas to capitalize on this market. Focus on encouraging a return visit rather than trying to attract them on the day. Suggestion to install BIA event board at the local recreation facilities showing a map of downtown businesses and advertise upcoming events and promotions.



**TRITON
ENGINEERING
SERVICES
LIMITED**

Consulting Engineers

105 Queen Street West, Unit 14
Fergus
Ontario N1M 1S6
Tel: (519) 843-3920
Fax: (519) 843-1943
e-mail: info@tritoneng.on.ca

COPY

ORANGEVILLE • FERGUS • GRAVENHURST

November 30, 2015

Town of Erin
5684 Trafalgar Road
R.R. #2
HILLSBURGH, Ontario
N0B 1Z0

RECEIVED

DEC 08 2015

TOWN OF ERIN

Attention: Kathryn Ironmonger
Chief Administrative Officer

RE: TOWN OF ERIN
MADISON LAKE ESTATES
FINAL ACCEPTANCE AND
RELEASE OF LETTER OF CREDIT
OUR FILE: A4656A

Dear Kathryn:

Further to our correspondence dated April 2, 2015 and GM Blue Plan's correspondence dated September 4, 2015 (attached), the Developer, Metro Financial Corporation has requested Final Acceptance and the release of all remaining securities for the development known as Madison Lake Estates Subdivision.

We understand that the Municipality is currently holding a Letter of Credit for this development in the amount of \$145,000.00.

In accordance with Section 15; "Final Acceptance of Services" of the Subdivision Agreement, we would recommend final acceptance of services based on the following information:

- An onsite inspection of Subdivision Services has been performed with Municipal Staff and all noted deficiencies have been completed.
- Record Drawings have been received for the development from the Developer's Consultant.
- *Statutory Declaration of Accounts Paid* dated January 2014 provided by Developer.
- Correspondence dated July 4, 2007 from Sheldon J. Skryzlo confirming fulfillment of all conveyances and easements noted in *Schedule 'E' Confirmation 61M-118* of the Subdivision Agreement.
- Correspondence dated December 23, 2013 from the Developer's Consultant, GM Blue Plan Engineering confirming that the site servicing component has been constructed in general conformance with the approved servicing plans.
- *Surveyor's Assumption Certificate* dated April 5, 2013 issued by Black, Shoemaker, Robinson and Donaldson Surveying.



Further, we recommend that the current securities held by the Municipality in the amount of \$145,000.00 be released. This reduction is subject to the Town confirming that all outstanding accounts with respect to the development have been paid in full and that the Developer is not in default of its obligations pursuant to its agreement(s) with the municipality.

We trust that this information is satisfactory and should you have any questions, please contact the undersigned.

Yours very truly,

TRITON ENGINEERING SERVICES LIMITED



Paul F. Ziegler, C.E.T.

PFZ

cc: Dina Lundy, Clerk, Town of Erin
Sharon Marshall, Director of Finance, Town of Erin



Activity List 2015

Description of Request	Person Responsible	Date Directed	Suggested Completion	Status
Open Items				
Fill By-law	CAO	2014	Q1 2016	70%
Set dates for Special Meetings - strategic initiatives	Council	3-Feb-15	ongoing	as scheduled
Centre 2000 Shared Use Agreement	CAO		Q1 2016	
Alcohol Risk Policy - update	CAO/Facility Manager	19-May-15	2016	
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	Q1 2016	
GMF Application for wastewater class EA feasibility study - submission and results	Triton Engineering	2-Jun-15	n/a	50% (application submitted)
Determine the best option for updating the Official Plan	Council	13-Jul-15	Q1 2016	
Outstanding Operational Review Item - Fire Department Review	CAO	1-Sep-15	Jan-16	
Organizational and Compensation Review	CAO		Jan-16	consultant selected
Operational Plan - Finalizing 4 year objectives	CAO		Q1 2016	
Report on actions/options required to implement a Community Safety Zone By-law	New Director of Operations/County	1-Sep-15	Q1 2016	
Quarterly Major Project Updates	CAO	1-Sep-15	Each Quarter	
Research on status of field inspections -examination of dams	Emergency Manager - Linda Dickson	16-Jun-15		awaiting response from Ministry
List of types of desired businesses	New EDO	15-Sep-15	2016	
Stanley Park Arch and Gates - formal designation	TEHC	20-Jan-15	Q1 2016	
Full time By-law Officer Report	CBO	6-Oct-15	Q1 2016	
Circulate County BMA study	Director of Finance	20-Oct-15	when available	
Review possible user options for old public school property	New EDO	20-Oct-15		
Report - 5 year on range of possible tax implications - increase based on CPI and current AMP	Director of Finance	3-Nov-15	Q1 2016	
Schedule meeting to review strategies to address current economic challenges	EDO	3-Nov-15		
Report on potential amendments to the sign by-law	By-law	17-Nov-15	Q1 2016	
Report on procedures, policies and options re: Demolition Permit	CBO/Planning staff	1-Dec-15	Q1 2016	

Activity List 2015

Description of Request	Person Responsible	Date Directed	Suggested Completion	Status
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%
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%
Stanley Park Arch - ownership	CAO/Heritage Committee	20-Jan-15	31-Dec-15	100%
Technical Meeting to discuss issues related to how the land use planning and EA should proceed	Triton Engineering	13-Jul-15	22-Sep-15	100%
Community Support Policy and Application - Report	Director of Finance	n/a	20-Oct	100%
Report on flying sports flags	Clerk	6-Oct-15	20-Oct	100%
Solar - Leasing option report	Financial Analyst	6-Oct-15	20-Oct	100%

Activity List 2015

Description of Request	Person Responsible	Date Directed	Suggested Completion	Status
Review property options with Suncor	New EDO	15-Sep-15	business operating at location	n/a
Delivery of Final Momentum:Town of Erin 2015-2018 Economic Development Action Plan to Council	Economic Development Coordinator	1-Dec-14	3-Nov	100%
Planning Report - 63A Trafalgar/TEHC Resolution	Planning Department	6-Oct-15	3-Nov	100%
Review of Committees of Council	CAO/Economic Development Coordinator	3-Feb-15	31-Dec-15	100%
Operational Review Recommendations - Implementation Plan	CAO	June	Fall 2015	100%
Wastewater EA Terms of Reference	Triton Engineering	2-Jun-15	Fall 2015	firms selected



Grand River Conservation Authority
GRCA NEWS

December 3, 2015
Release on receipt

Grand River Source Protection Plan approved

A plan to protect the sources of municipal drinking water in the Grand River watershed has been approved by the Ontario Ministry of Environment and Climate Change, the Grand River Conservation Authority (GRCA) announced today.

The Grand River Source Protection Plan was approved by Minister Glen Murray on November 26, 2015 and will take effect July 1, 2016. The plan and its associated documents are available at www.sourcewater.ca. The source protection planning process began in 2006, when the Ontario government passed the Clean Water Act to protect the sources of municipal drinking water throughout the province, and is based on technical studies, collaborative policy development, and extensive public consultation.

The process was guided by the Lake Erie Region Source Protection Committee, which is made up of representatives from municipalities, business, industry, farmers, landowners, and other stakeholders. The committee also developed plans for the Catfish Creek, Kettle Creek and Long Point Region watersheds. "Formal approval of the Grand River Source Protection Plan is a major milestone in the Committee's work with its community, agriculture, industry, conservation authority, municipal and provincial partners to protect and enhance municipal drinking water supplies," says Wendy Wright Cascaden, Acting Chair, Lake Erie Region Source Protection Committee. "We look forward to measuring and monitoring the Plan's future success."

She also commended Craig Ashbaugh, former chair of the Lake Erie Region Source Protection Committee, as well as staff of the Grand River Conservation Authority. "I wish to formally recognize Craig for his leadership in bringing together all of the partners, shaping the decisions and guiding the planning process over the last eight years," says Wright Cascaden. "The Source Protection Committee also received excellent support and guidance from the former Program Director, Lorrie Minshall, as well as Martin Keller, Source Protection Program Manager, and their staff. They made significant contributions to the development of an attainable plan and will play a key role in the successful implementation of the Plan in the future. The approved Grand River Source Protection Plan is a considerable achievement that will benefit generations to come."

The Lake Erie Region Source Protection Committee is continuing its work to address risks to water quantity. These components will be included in a future update to the Grand River Source Protection Plan.

With the approval of the Grand River Source Protection Plan, all 22 source protection plans are now in place across Ontario. Source protection plans are local science-based plans designed to protect the water quality of the lakes, rivers and sources of underground water that supply municipal drinking water systems. The plans set out actions to eliminate, manage or reduce potential risks to drinking water sources.

Policies in the Source Protection Plans include a variety of approaches to manage and prevent risks to municipal drinking water. These approaches include education and outreach, the development of risk management plans, land use planning, and monitoring. The policies are designed to keep contaminants out of rivers, lakes and groundwater aquifers that are sources of municipal drinking water.

The source protection planning process is directed and funded by the Ontario Ministry of the Environment and Climate Change in conjunction with municipalities. Local conservation authorities provide additional technical, communications and administrative support for the source protection planning process.



cc-Jessica
Dec 92

December 1, 2015

St. Marys Cement Inc. (Canada)
77 Industrial St.
Toronto, ON
M4G 3W9
Attention: Stephen May

RECEIVED

DEC 03 2015

TOWN OF ERIN

**RE: Application for a Class A, Category 1 (Pit Below the Water Table)
St. Marys Cement Inc. (Canada) (Hillsburgh Pit Expansion)
Part Lots 29 & 30, Concession 8
Town of Erin, County of Wellington**

Please be advised that this Ministry has reviewed the proposed Hillsburgh Pit Expansion compiled submission, received November 6, 2015 which documents the licencing process for the licence application noted above.

At this time, it would appear that there are 17 remaining objections to the licence application (13 public objections and 4 agency objectors, The Ministry of Natural Resources and Forestry, Credit Valley Conservation, The Town of Erin and the County of Wellington). It is also our understanding that the County of Wellington and the Town of Erin are still reviewing both an Official Plan Amendment and zoning by-law amendment application and that a decision to zone the lands for extraction is outstanding.

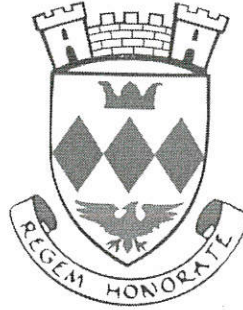
As per the Aggregate Resources of Ontario Provincial Standards, once the MNRF receives documentation of the licencing process, the MNRF has 30 days to either refer the application to the Ontario Municipal Board (OMB) for a hearing or make a recommendation to the Minister to issue or refuse the licence. In situations such as this, where there are still outstanding objections, the Ministry must refer the application to the OMB for a hearing. However, in cases where a decision has not yet been made regarding the zoning, the Ministry may defer sending the licence application to the OMB until the zoning has either been approved or appealed. As such, the application for the Hillsburgh Pit Expansion will not be referred to the OMB until the status of the zoning application is known.

It is our understanding that all parties continue to work towards resolving the remaining issues both under the ARA and zoning application. Please continue to copy this Ministry on all further correspondence between the parties.

Should you require any further information concerning this matter, please contact the undersigned at this office.

Yours truly,


Seana Richardson



TOWNSHIP OF MONTAGUE

MOVED BY: *[Signature]*RESOLUTION NO: *273-2015*SECONDED BY: *[Signature]*

DATE: November 17, 2015

WHEREAS Bill 100, Supporting Ontario Trails Act has the following purposes

1. To increase awareness about and encourage the use of trails.
2. To enhance trails and the trail experience.
3. To protect trails for today's generation and future generations.
4. To recognize the contribution that trails make to quality of life in Ontario
5. To recognize the contribution of quality of place.

AND WHEREAS the Association of Municipalities of Ontario has had input into this Bill looking out for municipal interests

AND WHEREAS the Bill includes stronger penalties for property damage and trespassing to discourage such actions

AND WHEREAS the Bill will be asking for best practices to be created and will have participation in these practices be voluntary therefore not creating undue hardship on the municipality

NOW THEREFORE LET IT BE RESOLVED THAT the Council of the Township of Montague supports the overall direction Bill 100 Supporting the Ontario Trails Act

AND FURTHER LET IT BE RESOLVED THAT the Council of the Township of Montague encourages the government to continue to work with stakeholders such as ROMA and OFA to enhance the liability and trespass provisions of the Bill

AND FURTHER LET IT BE RESOLVED THAT the Council of the Township of Montague forward this resolution for consideration by all other municipalities in the Province of Ontario.

 CARRIED

 DEFEATED

DEPUTY

REEVE

[Signature]

**Ministry of Natural
Resources and Forestry**

Office of the Minister

Room 6630, Whitney Block
99 Wellesley Street West
Toronto ON M7A 1W3
Tel: 416-314-2301
Fax: 416-314-2216

**Ministère des Richesses
naturelles et des Forêts**

Bureau du ministre

Édifice Whitney, bureau 6630
99, rue Wellesley Ouest
Toronto (Ontario) M7A 1W3
Tél.: 416-314-2301
Télééc.: 416-314-2216



DEC 03 2015

MNR5805MC-2015-2242

His Worship Allan Ails
Mayor
Town of Erin
5684 Trafalgar Road
RR 2
Hillsburgh ON N0B 1Z0

RECEIVED

DEC 08 2015

TOWN OF ERIN

Dear Mayor Ails:

Ted Arnott, MPP for Wellington-Halton Hills, shared with me your letter regarding the Town of Erin's comments with respect to the *Conservation Authorities Act* Review.

I would like to express my appreciation to you for providing my ministry with feedback on the *Conservation Authorities Act* Review Discussion Paper. My Parliamentary Assistant, Eleanor McMahon, is leading the review and I will be sharing the Town of Erin's comments with her. All comments and suggestions will be used to inform decisions regarding whether to pursue changes to Ontario's existing legislative, regulatory and policy framework for conservation authorities.

The discussion paper represents the first step in my ministry's review to help ensure that the *Conservation Authorities Act* is meeting the needs of Ontarians. If any specific changes to the existing legislative, regulatory or policy framework are considered in the future, further public consultation will be held.

If you have more questions regarding the *Conservation Authorities Act* Review, please contact Jennifer Keyes, Manager, Water Resources Section, at (705) 755-5244 or jennifer.keyes@ontario.ca.

Thank you for writing.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Mauro".

Bill Mauro
Minister of Natural Resources and Forestry

c: Ted Arnott, MPP, Wellington-Halton Hills
Jennifer Keyes, Manager, Water Resources Section
Eleanor McMahon, Parliamentary Assistant



JAMES DICK CONSTRUCTION LIMITED

MAIL: P.O. Box 470, Bolton, Ontario. L7E 5T4
 COURIER: 14442 Hwy. 50, Bolton, Ontario. L7E 3E2
 TELEPHONE: (905) 857-3500 FAX: (905) 857-4833



December 1, 2015

Corporation of the Town of Erin
 5684 Trafalgar Rd.
 R.R. #2 Hillsburgh, ON N0B 1Z0
 dina.lundy@erin.ca

RECEIVED
DEC 08 2015
TOWN OF ERIN

Attention: Ms. Dina Lundy, Clerk

RE: Annual Extraction Limit Amendment James Dick Erin Pit, Aggregate Resources Act License No. 5602 (Formerly P721028)

Dear Dina,

Please accept this letter as notice of our application to the MNRF to amend the annual extraction limit of our Erin Pit from the current rate of 725,600 tonnes per annum to 925,000 tonnes per annum.

This license was issued under the Pits and Quarries Control Act originally back in 1978 for 800,000 Imperial Tons per Annum. In 1990 the license was reissued under the Aggregate Resources Act for 725,600 Metric Tonnes.

Since then the market has grown considerably and our tonnage has grown to the point where we are close to our licensed limit. This year we expect to produce 700,000 Metric Tonnes. As such, we are formally requesting via this letter that our tonnage limit be increased to 925,000 tonnes per annum. In this way we can continue to compete in the marketplace.

If you wish to provide comments on this request, please provide them in writing back to both the MNRF and to myself at James Dick Construction Ltd. within 30 days of receipt of this letter.

The MNRF contact is:

Seana Richardson
 Aggregate Technical Specialist
 MNRF
 1 Stone Road West
 Guelph ON
 N1G 4Y2

Sincerely,
JAMES DICK CONSTRUCTION LIMITED

Greg Sweetnam, V.P. Resources



December 4, 2015

The Honourable Steven Del Duca
 Minister of Transportation
 Ministry of Transportation
 3rd Floor, Ferguson Block
 77 Wellesley Street West
 Toronto, ON M7A 1Z8

RECEIVED
DEC 08 2015
TOWN OF ERIN

Dear Minister Del Duca,

Re: Need for a Long-Term Truck Strategy – MTO Involvement (Halton Hills)

Please be advised that Council for the Town of Halton Hills at its meeting of Monday, November 30, 2015, adopted the following Resolution:

Resolution No. 2015-0252

WHEREAS over many years the Town of Halton Hills Council has been concerned about the increasing truck traffic through the urban areas of the municipality, including the downtown areas of Acton, Georgetown and Norval;

AND WHEREAS it is widely acknowledged that the truck traffic in these downtown areas has serious implications for the social fabric of the community due to the increasing traffic congestion, greenhouse gas emissions and safety concerns that degrade the ability of residents to enjoy their downtown and the success of the business community;

AND WHEREAS Highway 7 and its associated connecting links through Acton and Georgetown provide a continuous connection through Halton Hills that carry significant truck volumes;

AND WHEREAS the Town of Halton Hills, Halton Region, and neighbouring municipalities to the east have approved the Halton Peel Boundary Area Transportation Study and this work has informed the Ministry of Transportation's GTA West Transportation Corridor Planning and Environmental Assessment Study;

AND WHEREAS the recent proposed Hidden Quarry and the expectation of future quarry and fill operations and business interests north and west of the Town will bring increasing numbers of trucks along the Provincial Highway 7 through Acton;

AND WHEREAS the Provincial Connecting Link for Highway 7 through Acton's downtown already has existing significant physical constraints and safety issues;

AND WHEREAS there is not a plan to address the increasing truck traffic on Provincial Highway 7 through Acton's downtown and connect to the proposed improvements identified in the Halton Peel Boundary Area Transportation Study;

THEREFORE BE IT RESOLVED THAT the Town of Halton Hills requests the Honourable Steven Del Duca, Minister of Transportation to prioritize a long-term transportation solution for truck traffic that is impacting the Town of Halton Hills, by placing it on the Southern Highways Program, the Ministry's five-year investment plan in highway construction for Southern Ontario; and in the short term, partner with the Town of Halton Hills by contributing financially in completing a feasibility study to investigate alternatives to address truck traffic in the long-term, including reviewing the need for an alternative to the connecting link through Acton (Acton by-pass);

AND FURTHER THAT a copy of this report be forwarded to the Honourable Steven Del Duca, Minister of Transportation, Ted Arnott - Wellington Halton Hills MPP, the Honourable Kevin Flynn, Minister of Labour - Oakville MPP, Eleanor McMahon, Parliamentary Assistant, Ministry of Natural Resources and Forestry - Burlington MPP, Indira Naidoo-Harris – Halton MPP, Halton Region, Town of Oakville, City of Burlington, Town of Milton, County of Wellington, Town of Erin and Township of Guelph/Eramosa.

CARRIED

Enclosed is a copy of Resolution No. 2015-0252 for your records.

If you have any questions, please contact Richard Cockfield, Business Support and Planning Specialist for the Town of Halton Hills at 905-873-2601 ext. 2126 or richardc@haltonhills.ca.

Yours truly,



Renée Brown
Council and Committee Services Coordinator

: enclosure

- c. Ted Arnott, Wellington-Halton Hills MPP
- The Honourable Kevin Flynn, Minister of Labour – Oakville MPP
- Eleanor McMahon, Parliamentary Assistant, Ministry of Natural Resources and Forestry – Burlington MPP
- Indira Naidoo-Harris – Halton MPP
- Halton Region
- Town of Oakville
- Town of Milton
- City of Burlington
- County of Wellington
- Town of Erin
- Township of Guelph/Eramosa
- Mayor Rick Bonnette
- Councillor Jon Hurst
- Richard Cockfield, Business Support and Planning Specialist – Town of Halton Hills (letter only)

THE CORPORATION OF THE TOWN OF ERIN

BY-LAW NO. 15 - _____

**Being a By-Law to Authorize an Agreement between the
Corporation of the Town of Erin and Fire Marque Inc.
for Cost Recovery Services for Fire and Emergency Services**

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

AND WHEREAS Section 9 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS Section 11 (2) and (3) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, provides that a lower-tier municipality may pass by-laws, subject to the rules set out in subsection 4;

AND WHEREAS the Council for The Corporation of the Town of Erin deems it advisable and expedient to enter into a three-year agreement for cost recovery services provided by Fire Marque Inc. through its Indemnification Technology ® program for fire services provided at fire incidents;

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

- a) That the Mayor and Clerk are hereby authorized to execute the Agreement attached and forming part of this by-law as Schedule "A" on behalf of the Corporation of the Town of Erin.
- b) That this by-law comes into force on the day of its passing.

Passed in Open Council on December 15, 2015.

Mayor

Clerk

Schedule A
To By-Law 15-_____

This Agreement made the ____ day of _____, 20____

AGENCY AGREEMENT
(Herein after referred to as the "Agreement")

BETWEEN

FIRE MARQUE INC.
(herein after referred to as the "Agent")

AND

THE CORPORATION OF THE TOWN OF ERIN
(Herein after referred to as the "Municipality")

WHEREAS the Municipality Fire Department attends, when required, at incident sites to provide emergency services;

AND WHEREAS the costs and expenses incurred by the Municipality Fire Department as a result of attending at the Incident Sites and providing services may be recoverable through Indemnification Technology® with respect to insured perils through the insurance policies of the owner or tenant of the Incident Site;

AND WHEREAS the Municipality wishes to appoint the Agent, as its agent for the purpose of filing claims ("Claims") on behalf of the Municipality and to recover, on their behalf, any insurance proceeds from the insurers of the affected parties which are recoverable in accordance with the terms of any policy agreement for the costs and expenses incurred by the Fire Department as a result of attending at the Incident Sites.

AND WHEREAS the Agent wishes to make the Claims and recover the recoverable proceeds of insurance on behalf of the Municipality in accordance with the terms and conditions set forth herein;

NOW THEREFORE, in consideration of the mutual terms and covenants herein contained, the Parties covenant and agree as follows:

1. DEFINITIONS

- a) "**Agreement**" is the mutual understanding with respect to the rights, duties and obligations with one another;
- b) "**Agency Fee**" is the financial compensation expressed as a percentage of the recovered Emergency Cost Recovery Proceeds excluding taxes;
- c) "**Agency Fee Taxes**" are the HST or GST, and any other value added taxes as defined under the Tax Act;
- d) "**Agent**" is Fire Marque Inc.;
- e) "**Claims**" an amount requested for payment for an insured loss which falls under the terms of an insurance contract;
- f) "**Emergency Cost Recovery Proceeds**" are the funds recovered by the Agent as a result of filing claims with insurers pursuant to the Insurance Policies of the

owner or tenant of an Incident Site to recover the costs and expenses incurred by the Municipality Fire Department as result of attending and providing emergency services at an Incident site;

- g) **"Fire Department"** means a group of firefighters authorized to provide fire protection Services by The Corporation of the Town of Erin;
- h) **"Incident Reports"** are the property statistical fire reports also called Standard Incident Reports;
- i) **"Incident Sites"** is the municipal address or property location of the incident which is attended at by the Municipality's Fire Department in relation to which the Municipality's Fire Department incurs costs and expenses as a result of providing their emergency services;
- j) **"Indemnification Technology ®"** is the intellectual property owned and employed by the agent in making claims to recover costs and expenses of the Municipality's Fire Department incurred as result of providing emergency services at an Incident site and includes: incident reporting, data collection, and property insurance policy wording interpretation to maximize billing opportunities on behalf of the Fire Department by invoicing insurance companies for the costs of fire department attendance with respect to insured perils.
- k) **"Indemnities"** means the Agent, its directors, partners, officers, agents, and employees and the Municipality, Party or Parties its employees, servants, agents, subcontractors or volunteers.
- l) **"Initial Term"** A time commitment from the signing of this agreement.
- m) **"Insurers"** as defined in the Insurance Act.
- n) **"Insurance Policies"** is a system under which individuals, businesses and other entities, in exchange for a sum of money called the premium are guaranteed compensation for losses resulting from certain perils under specific conditions.
- o) **"Intellectual Property"** is a distinct type of creation for which a set of exclusive rights are recognized, these rights include copyrights, trademarks, patents and trade secrets.
- p) **"Losses"** are the basis for a claim for indemnity under the terms of an insurance policy.
- q) **"Party"** or **"Parties"** is the Agent and the "Municipality".
- r) **"Municipality"** is the municipality entering into the agreement.
- s) **"Renewal Term"** a three year time commitment after the initial term.
- t) **"Term"** is the Initial Term together with any subsequent Renewal Term;
- u) **"Termination Date"** is the date the agreement ends, or at the expiration of the 30-day notice period, whichever occurs first.
- v) **"Third Party Fire Departments"** is a fire department, fire brigade, persons and/or equipment that are not part of the Municipality Fire Department.

2. TERM

The term of this Agreement will begin as of the date hereof January 1, 2016 and continue for a period of three years (the "Initial Term"). Until terminated in accordance with Section 14, this Agreement will automatically renew for successive three years (each a "Renewal Term") upon the expiry of the Initial Term or any preceding renewal period (the Initial

Term and any subsequent Renewal Terms are hereinafter collectively referred to as the "Term").

3. APPOINTMENT

The Municipality hereby appoints the Agent as its exclusive agent during the Term of this Agreement for the purpose of filing, on behalf of the Municipality, all claims with insurers and to recover from any insurers on their behalf, any proceeds of insurance which are recoverable in accordance with the terms of any policy agreement of an owner or the tenant at any Incident Site.

4. AGENT OBLIGATIONS

During the term of the Agreement, the Agent agrees:

- (a) To proceed diligently to prepare and file claims with the insurer of the incident sites on behalf of the Municipality upon receipt of the Incident Reports from the Municipality's Fire Department;
- (b) To establish and maintain an interest bearing trust account to receive and hold any actually recovered proceeds of insurance (the "Emergency Cost Recovery Proceeds") in trust on behalf of the Municipality (which proceeds may be comingled with the proceeds recovered for other municipalities and/or fire departments, for which Agent is providing similar services);
- (c) To remit on a quarterly basis or such period as agreed to between the Agent and the Municipality, the Emergency Cost Recovery Proceeds to the Municipality, less any Agency Fee, and Agency Fee Taxes deducted in accordance with Sections 6 and 7.
- (d) To deliver a statement to the Municipality providing reasonable details in regards to the amounts being remitted for the applicable period; and
- (e) To maintain complete, detailed and adequate books and records pertaining to claims and Emergency Cost Recovery Proceeds.

5. MUNICIPALITY'S OBLIGATIONS

During the Term of the Agreement, the Municipality agrees:

- a) on a monthly basis or such period as agreed to between the Municipality and Agent, to provide the Agent with all the completed Standard Incident Reports relating to its attendance at all Incident Sites during the period, setting forth in reasonable detail the services provided and the costs and expenses incurred by the Municipal Fire Department in attending such Incident Sites and providing information as to the applicable insured, the insurance company and the policy number of the Incident Site, if available;
- b) In accordance with the insurance policies ensure that the Emergency Cost Recovery Proceeds that are remitted to the Fire Department are used by the Fire Department for its own purposes, which purposes may include but not be limited to the following:
 - (i) the purchase of equipment for the Fire Department; and/or
 - (ii) the provisions of training and education to the firefighters of the Fire Department; and/or
 - (iii) the purchase and/or provision of materials and equipment for fire inspection, fire prevention and public education programs and
- c) If requested to provide the Agent with documentation evidencing that the Municipal Fire Department is the sole beneficiary of any Emergency Cost Recovery Proceeds that have been remitted to the Municipality in accordance with Section 4.

6. AGENCY FEE

In consideration for the services provided by the Agent pursuant to the agreement, during the Initial Term, the Agent will be entitled to a fee equal to thirty (30%) of all Emergency Cost Recovery Proceeds (the "Agency Fee"). The Agent will be entitled, on a monthly basis, to invoice the Municipality for the Agency Fee accrued in respect of the previous month Emergency Cost Recovery Proceeds and to deduct the Agency Fee from the Emergency Cost Recovery Proceeds. The Agent shall not be entitled to any further consideration from the Municipality or the Municipality Fire Department. The amount of the Agency Fee shall be negotiated by the Parties for any Renewal Terms.

7. TAXES

It is understood by the parties that the Agency Fee is exclusive of all taxes, duties and other charges (including any GST, HST or other value added taxes), ("Agency Fee Taxes"), applicable to the services provided by the Agent hereunder. The Agent shall withhold and deduct from the Emergency Cost Recovery Proceeds that are to be remitted to the Municipality's Fire Department, any Agency Fee Taxes, and all such Agency Fee Taxes will be remitted to the applicable government agency, as and when required.

8. INTELLECTUAL PROPERTY

The Municipality agrees and acknowledges that any intellectual property of the Agent, including but not limited to any software, trade-names, trade-marks, and copyrighted materials and any of the foregoing as it relates to Indemnification Technology ® are the property of the Agent, and the Municipality has no rights to this Intellectual Property as a result of this agreement or otherwise.

9. AUDIT

The Municipality has the right to audit, at its own expense, the records and accounts, during reasonable business hours and on advance written notice to the Agent; and, for up to twenty-four (24) Months from the end of the calendar year to which the records and accounts relate.

10. UNRECOVERABLE EXPENSES

No action will be undertaken by Fire Marque Inc. to collect any proceeds or file any claims on behalf of the Municipality. The Fire Department will only be entitled to receive Emergency Cost Recovery Proceeds actually recovered by Fire Marque Inc. on behalf of the Municipality. The Municipality, at its own discretion, may elect to enforce the payment of the Emergency Cost Recovery Proceeds not recovered by Fire Marque through powers granted by their By-Laws or through litigation.

11. INCIDENTS ATTENDED TO BY OTHERS

It is acknowledged by the Parties that in certain instances, in addition to the Municipality Fire Department, other fire departments or other emergency personnel ("Third Party Fire Departments") may attend at an Incident Site and whose costs and expenses incurred as result of attending and providing emergency services at such Incident Site may also be recoverable under the Insurance Policies of the owner(s) or tenant(s) of such Incident Site. In such cases:

- a) the Municipality acknowledges that the Emergency Cost Recovery Proceeds recovered in respect of such Incident Site may have to be shared with the Third Party Fire Departments, and Agent makes no representation and will not be required take any action to determine the appropriate allocation of such Emergency

Cost Recovery Proceeds between the Municipality Fire Department and the Third Party Fire Departments.

- b) the Municipality shall negotiate an appropriate allocation of the Emergency Cost Recovery Proceeds with the Third Party Fire Departments. If the Municipality and the Third Party Fire Departments are unable to agree to an appropriate allocation within a reasonable time, then Agent may, in its sole discretion but without obligation to do so, and on notice to Municipality, commence interpleader or a similar action or proceeding in connection with any dispute in relation to allocation of the Emergency Cost Recovery Proceeds and pay the Emergency Cost Recovery Proceeds into court, whereupon the Agent shall be released from any further obligations in respect of such Emergency Cost Recovery Proceeds and the Municipality shall indemnify and hold harmless the Agent from any dispute arising with respect to such Emergency Cost Recovery Proceeds whether the Agent is acting as agent on behalf of the Third Party Fire Departments to the dispute or otherwise.

12. LIMIT ON LIABILITY

Other than Emergency Cost Recovery Proceeds actually recovered, the Agent will not be liable to the Municipality for any costs and expenses incurred as a result of the Municipality Fire Department attending and providing emergency services at an Incident Site which it was unable to recover through the insurance policy of the owner or tenant of such services.

13. INDEMNIFICATION

The Municipality and the Agent agree to indemnify and save harmless each other from and against any loss, damage, claim, demand, cost, action, suit, expense or liability whatsoever whether in respect to losses suffered by a Party or in respect to claims by third parties that arise out of, or are attributed in any respect to, their involvement as Parties to this Agreement, that the other may incur, suffer or be required to pay pursuant to any claim, demand, action, suit, litigation, charge, complaint, prosecution or other proceeding that may be made or asserted against or affect the party indemnified by reason of wrongful or negligent act or omission on the part of the indemnifying party, its employees, servants, agents, subcontractors or volunteers in the performance or rendering services. The obligation of either party to indemnify as set forth in this paragraph shall survive the termination of this Agreement for any reason.

14. TERMINATION

Notwithstanding Section 2, this Agreement will terminate with 30 days' written notice by either Party, provided that if this Agreement is terminated (other than as a result of a material breach of this Agreement by the Agent), the Agent shall be entitled to continue filing all Claims and collecting Emergency Cost Recovery Proceeds, for any incidents attended to by the Municipality Fire Department at Incident Sites which occurred prior to the date of the termination date of this Agreement, and such filings and recoveries shall remain subject to the terms and conditions of this Agreement. The Municipality or the Municipality Fire Department shall not make claims in respect of any incidents attended to by the Municipal Fire Department which occurred prior to the effective date of termination. The covenants set forth in this Section 14 shall survive the termination of this Agreement.

15. NOTICES

All notices, communications, statements and payments which may be required or permitted under this Agreement will be in writing and sent by registered mail, courier

services, or transmitted by facsimile or other electronic means which produces a physical copy. Any party may change its address by notice to the other parties. The addresses of the parties pursuant to this Section 15 are as follows:

if to the Municipality:

The Corporation of the Town of Erin
5684 Trafalgar Road
Hillsburgh, ON N0B 1Z0
Phone: 519-855-4407
Toll Free: 877-818-2888
Fax: 519-855-4821
Attention: Fire Chief

to the Agent:

Fire Marque Inc.,
P.O. Box 2018, Thornton, ON L0L 2N0
Phone: 1-855-424-5991 or 705-424-5991
Fax: 705-424-5702
Attention: Ted K. Woods

16. SEVERABILITY

If any provision of this Agreement is determined to be illegal, invalid or unenforceable by an arbitrator or any court of competent jurisdiction from which no appeal exists or is taken, that provision will be severed from this Agreement and the remaining provisions will remain in full force and effect.

17. ARBITRATION

All disputes, controversies and disagreements with respect to this Agreement, or any matter arising under or in connection with this Agreement, shall be finally settled by arbitration. Arbitration shall be conducted as follows:

- a) the reference shall be to a single arbitrator appointed in accordance with the *Arbitration Act, 1991*, S.O. 1991, C. 17 as amended;
- b) the decision of the arbitrator shall be final, conclusive and binding upon all parties;
- c) unless otherwise determined by the arbitrator, the Parties shall pay an equal portion of the fees and expenses of the arbitrator; and
- d) the *Arbitration Act, 1991*, S.O. 1991, C. 17 shall apply to and govern each such reference to arbitration; and
- e) All arbitrations shall be conducted in Erin, Ontario

18. GOVERNING LAW

This Agreement is governed by, interpreted and enforced in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable in the province. Subject to Section 17, each of the Parties irrevocably attorns to the exclusive jurisdiction of the Courts of Ontario.

19. WAIVER

No waiver of any provision of this Agreement constitutes a waiver of any other provision.

20. ENTIRE AGREEMENT

Except as stated herein, this Agreement constitutes the entire agreement between the Parties concerning the subject matter hereof and, during the term hereof, supersedes all prior written or verbal agreements concerning such subject matter.

21. AMENDMENTS

Amendments to this agreement shall be in writing and be executed by the Parties. If agreed in writing by both Parties to this agreement an amendment shall form a part of this agreement.

22. ASSIGNMENT

Neither this Agreement nor any of the rights or obligations under this Agreement are assignable or transferable by a Party without the prior written consent of the other Party, provided that nothing herein shall prevent The Agent from assigning this Agreement or any of its rights or obligations to an affiliate of The Agent, provided that the Agent agrees to remain liable to the Municipality for the obligations of such transferee affiliate

23. ENUREMENT

This Agreement shall be binding upon and enure to the benefit of the Parties and their respective successors.

24. COUNTERPARTS

This Agreement may be executed and delivered in any number of counterparts (including by facsimile or other electronic transmission) and all counterparts taken together constitute one and the same instrument.

25. LEGAL RELATIONSHIP

In this Agreement nothing gives rise to an employment relationship for the provision of services between the Municipality and Agent. The Parties expressly acknowledge that they are independent and neither an employer-employee relationship is intended or created by this Agreement.

26. COLLECTION AND DISCLOSURE OF PRIVATE INFORMATION

Any information collected by the Agent and Principal pursuant to this Agreement is subject to, and shall be handled in accordance with, the provisions of *the Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.56 as amended and the *Freedom of Information and Protection of Privacy Act*, R.S.O. 1990,c. F.31, as amended.

27. LAWS

The Municipality and Agent, its employees and representatives, if any shall at all times comply with any and all applicable federal, provincial and municipal laws, ordinances, statues, rules, regulations and orders in respect of the performance of this Agreement.

28. CONFIDENTIALITY

The Agent shall hold confidential and not disclose or release to any person other than the Agent and Principal at any time during or following the term of this Agreement, except where required pursuant to the provisions of the *Municipal Freedom of information and Protection of Privacy Act* and/or the *Personal Information Protection & Electronic*

Documents Act (PIPEDA), any information or document that identifies any individual or the nature and extent of services received by any individual without obtaining written consent of the Municipality prior to the release or disclosure of such confidential information

29. CONFLICT OF INTEREST

The Agent shall disclose to the Municipality without delay any actual or potential situation that may be reasonably interpreted as either a conflict of interest or a potential conflict of interest, or breach of law in relation to this Agreement. A breach of this section by the Agent shall entitle the Principal to terminate this Agreement in addition to any other remedies that the municipality may have in law or equity.

IN WITNESS WHEREOF the parties have executed this Agreement as of the date first above written.

The Corporation of the Town of Erin

Fire Marque Inc.

Mayor Allan Alls

Ted K. Woods, President

Clerk Dina Lundy

Witness

Witness

THE CORPORATION OF THE TOWN OF ERIN

BY-LAW #15-

Being a By-law to license and regulate the keeping of dogs, and to repeal By-law 08-08

WHEREAS Section 11 of the Municipal Act, 2001, S.O. 2001, c. 25 authorizes the Council of a lower-tier municipality to pass by-laws respecting animals;

AND WHEREAS Section 103 of the Municipal Act confers the power upon a municipality to pass a by-law to provide for the seizure and impounding of animals being at large or trespassing and the sale of impounded animals under certain conditions;

AND WHEREAS Section 105 of the Municipal Act requires that Council afford dog owners hearings with respect to muzzle orders;

AND WHEREAS Section 129 of the Municipal Act confer the power upon a municipality to pass a by-law prohibit and regulate noise;

AND WHEREAS Section 23.1 authorizes a municipality to delegate its powers and duties;

AND WHEREAS section 391 of the Municipal Act enables a municipality to pass by-laws imposing fees or charges on persons for services or activities provided or done by or on behalf of it;

AND WHEREAS sections 435 to 439 of the Municipal Act provide for the power of entry of an officer to determine compliance with a by-law;

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

1. DEFINITIONS

In this By-law:

“Appeal Committee” means a committee composed of members of Council for the purpose of conducting hearings under this By-law;

“At Large” means being at any place other than the premises of the owner of the dog and not under the control of the owner, except where the owner of the property permits the dog to be on his or her property;

“Council” means the Council of the Corporation of the Town of Erin;

“Dog” means a domesticated canine animal, male or female, over the age of three (3) months;

“Euthanized” means humanely destroyed;

“Guide Dog” shall mean a dog trained or in training and certified for a guide for the blind, hearing impaired, or other disability, and used as such;

“Impoundment Fee” is the daily charge that may be collected by the poundkeeper.

“Kennel” means a building or structure or part thereof whereby dogs are kept for remuneration for the purpose of breeding, boarding, housing, feeding and/or maintenance but does not include a dwelling unit;

“Kennel License” means a license for a kennel issued by the Town;

“License” means a license for a dog issued by the Town in the form of a tag for the dog;

“Muzzle” means a humane fastening or covering device made of metal, plastic, leather, or a combination of these materials that does not interfere with the breathing, panting, ability to drink, or vision of the dog when fitted and fastened over the mouth of the dog, but that is sufficient strength to prevent the dog from biting;

“Muzzle Order” means an order issued by an officer for a muzzle to be put on a dog;

“Officer” means a Police Officer, Municipal Law Enforcement Officer or other person appointed by the Town to enforce this by-law, and includes the poundkeeper;

“Owner” of a dog includes a person who possesses or harbours a dog, and, where the owner is a minor, the person responsible for the custody of the minor;

“Police Work Dog” shall mean a dog trained to aid law enforcement officers and used by such officers in the execution of their duties;

“Pound” shall mean such premises and facilities designated as a Town Dog Shelter and Pound;

“Poundkeeper” shall mean the person appointed as such by By-law of the Town;

“Premises” includes a dwelling unit, a house or building and the land or premises on which the building or house is situated or attached;

“Tag” shall mean a tag issued by the Town indicating the year and number issued;

“Town” means the Corporation of the Town of Erin;

“Under the control of” means when a dog is unleashed, that the dog is close to the owner, within sight and earshot of its owner, and that it responds to voice commands and it is prevented from approaching within one (1) metre of any animal or person without such person’s consent.

2. ADMINISTRATION

- 2.1 This By-law shall be administered by an Officer, and by such other person contracted and appointed to do so by by-law.

3. LICENSING

- 3.1 Every calendar year, an owner of a dog shall obtain a license for the dog from the Town.
- 3.2 The license shall be obtained before the 31st day of March of each calendar year, unless the dog came into the owner’s possession or care after that date.
- 3.3 Where a dog comes into the possession of an owner after the 31st day of March, the owner shall immediately obtain a license for the dog.
- 3.4 Notwithstanding any other provision in this by-law, the owner of a guide dog or a police work dog is not required to obtain a license from the Town.

3.5 The Town may require the owner of a dog to establish to the Town's satisfaction that the dog is a guide dog or a police work dog.

3.6 Every owner of a dog shall affix the tag to the collar of the dog when off its own property.

4. APPLICATION FOR A LICENSE

4.1 An application for a license or renewal of a license shall be completed on a form provided by the Town.

4.2 An application for a License shall be submitted to the Town together with the appropriate license fee as provided for in The Corporation of the Town of Erin Fees and Charges By-law.

4.3 An owner of a dog shall obtain a replacement tag in the event the tag is lost and pay the appropriate fee as provided for in The Corporation of the Town of Erin Fees and Charges By-law.

4.4 No owner shall permit a dog to wear a tag other than the one issued for that dog.

5. KENNELS

5.1 Every calendar year, a person who keeps or operates a kennel must obtain a kennel license from the Town.

5.2 Every person who keeps or operates a kennel shall comply with the following requirements:

- (a) The kennel building shall be a separate building and shall not be attached to any building used or capable of being used for human habitation.
- (b) The kennel building and its location shall conform to the Town's zoning by-law and the Ontario Building Code and the building shall be maintained in damage-free condition.
- (c) The kennel building shall be no less than 150 metres from any property line including the property line of a road allowance.
- (d) The kennel building shall be no less than 300 metres from a dwelling on a separate lot.
- (e) In the case where the lot of a proposed kennel abuts a vacant lot, the kennel building shall be no less than 300 metres from the vacant lot.
- (f) The kennel building shall have a floor of concrete or other impermeable material.
- (g) The floor of the kennel building shall have a drain opening constructed as a plumbing fixture connected to the sanitary sewer maintained in functioning condition at all times.
- (h) The kennel floor shall be thoroughly cleaned daily or more often if necessary to keep the floor clean.
- (i) Any cage shall be adequately sized to allow the dog to extend its legs to their full extent, to stand, sit, turn around, or lie down in a fully extended position.
- (j) Cages are to be constructed solely of metal, or wire, or partly of wire, and shall have metal or other impermeable bottoms, which shall be cleaned and washed daily, or more often, if necessary to keep clean.

- (k) The kennel building shall have:
 - i) electric lighting;
 - ii) windows which may be opened for proper ventilation;
 - iii) a heating system sufficient to adequately heat the building;
 - iv) hot and cold running water; and
 - v) a food preparation area.

- (l) The yards and runways associated with a kennel shall be completely enclosed with a solidly constructed fence so as:
 - i) to fully obstruct the visibility of the neighbouring properties from the dogs; and
 - ii) to prevent the dogs from escaping from the premises.

5.3 Every person who holds a kennel license, shall comply with the following requirements:

- (a) The license shall be exposed at all times in a conspicuous place in the interior of the kennel.
- (b) The kennel shall be maintained in a sanitary, well ventilated, clean condition, and free from offensive odours.
- (c) The dogs shall be kept in sanitary, well bedded, well ventilated, lighted, clean quarters and a healthful temperature shall be maintained at all times.
- (d) The dogs shall be adequately fed and watered periodically each day and kept in a clean, healthy condition, free from vermin and disease.
- (e) An exercise area, yard or runway shall be provided so as to enable each dog to exercise freely and easily so as to maintain physical health and well being.
- (f) The exercise area, yard or runway associated with the kennel shall be cleaned at least once daily when in use.
- (g) The excreta, dead animals and other waste resulting from the keeping of dogs shall be removed from the premises as necessary.

5.4 If the kennel is found not to conform to the requirements set out herein, an Officer may direct that the dogs be seized and impounded, at the owner's expense, and may revoke the license issued.

6. EXCREMENT

6.1 Every owner of a dog shall remove forthwith any excrement left by the dog on any property including a highway.

6.2 Section 6.1 does not apply to a person reliant on a guide dog or a person in control of a police work dog, when such dog is in the actual execution of its duties.

7. RUNNING AT LARGE

7.1 No person shall cause or permit his or her dog to run at large within the Town.

7.2 Section 7.1 does not apply to a police work dog, when the dog is in the course of performing its duties.

7.3 No person shall abandon or discard a dog within the Town.

8. LEASHING

8.1 Every owner of a dog shall keep the dog leashed or under the control of a person when the dog is on land in the Town, other than the owner's property, unless prior consent is given by the person owning the land on which the dog is found.

8.2 Section 8.1 does not apply to guide dogs or police work dogs, when these dogs are in the course of performing their duties.

9. KEEPING OF DOGS & NOISE

9.1 Any building, structure, pen or run used or intended to be used for the keeping of a dog shall be at least 1.5 metres (5 feet) from the boundary of the property upon which it is located.

9.2 No operator of a kennel or owner shall permit a dog to make noise which disturbs the peace, quiet, comfort or repose of any inhabitant of the Town at any time.

9.3 No person shall keep a dog permanently outdoors unless the dog is provided with a structurally sound, weather-proof insulated enclosure, of suitable size, with off the ground flooring.

9.4 Every owner shall keep a dog in clean and sanitary conditions.

9.5 Every person who keeps a dog in the Town of Erin shall provide the dog or cause it to be provided with such food, water, exercise, attention, and veterinary care as may be required from time to time to keep the dog in good health.

9.6 No person in the Town of Erin shall keep a dog tethered on a chain, rope or similar restraining device of less than three metres in length.

9.7 Every person who has tethered an animal shall ensure that at all times, the animal has unrestricted movement within the range of the tether, and that the animal shall not suffer injury as a result of the tethering.

10. OWNERS TO TAKE PRECAUTIONS

10.1 An owner of a dog shall exercise reasonable precautions to prevent the dog from:

- (a) biting or attacking a person or animal; or
- (b) behaving in a manner that poses a threat to the safety of persons or animals.

11. SEIZURE OR IMPOUNDMENT

11.1 Any dog found at large contrary to this By-law may be seized by an Officer.

11.2 An Officer may take possession of a dog for the purpose of providing protective care to it at any time when the Officer deems it necessary to provide protective care to the dog.

11.3 A dog seized under this By-law shall be impounded at the Town pound for a period of three (3) days, exclusive of the day on which the dog was impounded and statutory holidays and Sundays, unless:

- (a) The dog is redeemed by the owner during this period of impoundment in accordance with the provisions of this By-law; or
 - (b) The dog was seized for the purpose of providing protective care to it; or
 - (c) In the opinion of the Officer, the dog should be euthanized or receive veterinary care immediately.
- 11.4 The owner of a dog impounded under this By-law may redeem the dog upon:
- (a) payment of the appropriate impoundment and maintenance fees as provided for in The Corporation of the Town of Erin Fees and Charges By-law; and
 - (b) production of a valid license for the dog.
- 11.5 If a valid license can not be produced under section 11.4 (b), the owner of the dog shall obtain a license for the dog in accordance with the provisions of this By-law.
- 11.6 If a dog is not redeemed within the time period specified in this By-law, the dog shall become the property of the Town or its contractor and may be:
- (a) put up for adoption;
 - (b) euthanized by the Town or its contractor.
- 11.7 An Officer may euthanize a dog without delay without permitting any person to redeem it if:
- (a) the dog seized and impounded under this By-law is seriously injured or ill and should be euthanized without delay for humane reasons; or
 - (b) euthanasia of the dog seized and impounded under this By-law is necessary for the safety of persons.
- 11.8 Where, in the opinion of an Officer, a dog seized and impounded under this By-law is injured and requires the services of a veterinary surgeon, the Officer shall arrange for such services and, in addition to any amount charged under this By-law, be entitled to charge the owner of the dog the cost of the veterinary care to the dog.
- 11.9 Where a licensed dog is impounded and the pound keeper has not been able to contact the owner of the dog, the dog shall not be sold or destroyed without first delivering a notice to the owner of the dog. Notice shall be delivered personally or by registered mail to the address shown on the Dog License Application Form. The notice shall state that if the dog is not claimed by a specified date, the dog will be sold or destroyed without further notice or recourse.

12. MUZZLING OF DOGS

- 12.1 Where an Officer has reason to believe that a dog has bitten a person or an animal, the Officer may issue a muzzle order to the owner of the dog.
- 12.2 The Officer may impose conditions on the muzzle order to ensure the health and safety of the owner, the dog, and other persons and animals.
- 12.3 A muzzle order may be served by:
- a) delivering it personally to the owner of the dog; or

- b) by posting it up in a conspicuous place on the premises of the owner; or
 - c) sending it by registered mail to the last known address of the owner of the dog.
- 12.4 Service of a muzzle order served by registered mail is deemed to be made on the seventh day after the day of mailing.
- 12.5 Notwithstanding any other section of this By-law, when a muzzle order has been served the owner of a dog shall:
- a) not permit the dog to be off the premises of the owner unless it is properly leashed and muzzled; and
 - b) ensure that the dog does not bite, chase or attack a person or a domestic animal on any property, including that of the owner; and
 - c) either tether the dog on a chain capable of restraining the dog or confine it within a fenced yard capable of preventing the dog from escaping; and
 - d) put the dog under the control of a person at least sixteen (16) years of age when the dog is not on the owner's premises; and
 - e) notify the Officer within five (5) days of transfer if the dog is transferred to a new location or if the ownership of the dog is transferred to another person; and
 - f) not contravene any other conditions imposed in the muzzle order; and
 - g) shall within seven (7) days purchase a Dangerous Dog warning sign from the Town and place it in a conspicuous place at the entrance to the owner's premises indicating the presence of a dog.
- 12.6 A muzzle order expires when the dog dies or the Officer is satisfied that it no longer resides in the Town.
- 12.7 Where an owner has been issued a muzzle order by a court of competent jurisdiction, the owner shall, in addition to complying with all the conditions listed in the muzzle order, within seven (7) days of being issued the muzzle order, purchase a Dangerous Dog warning sign from the Town and place it in a conspicuous place at the entrance to the owner's premises indicating the presence of a dog.

13. HEARING BEFORE AN APPEAL COMMITTEE

- 13.1 Where a muzzle order has been issued, the owner of the dog may apply for a hearing to appeal the order to the Appeal Committee.
- 13.2 An application for a hearing shall be made in writing and delivered to the Town Clerk within thirty (30) days after the muzzle order has been served.
- 13.3 An application for a hearing shall be accompanied by the appropriate fee as provided for in The Corporation of the Town of Erin Fees and Charges By-law.
- 13.4 Notice of a hearing shall be served on the owner at least seven (7) days prior to the hearing. Service shall be affected in accordance with sections 12.3 and 12.4 of this By-law.
- 13.5 Notice of a hearing shall include:
- a) A statement of the facts by the Officer;
 - b) Date, time and place of the hearing;

- c) A statement that if the owner does not attend the hearing the Committee may proceed in his/her absence and the owner is not entitled to any further notice regarding the proceedings.
- 13.6 When a hearing date before the Appeal Committee has been fixed and the owner who has been given notice of the hearing does not attend at the appointed time and place, the Appeal Committee may proceed in the absence of the owner and the owner will not be entitled to any further notice in the proceedings.
- 13.7 At the conclusion of a hearing, the Appeal Committee shall, as soon as practicable, make a decision, which shall:
- a) set out the findings of fact made by the Appeal Committee and its decision.
- 13.8 The Appeal Committee may uphold the muzzle order as issued by the Officer, exempt the owner in whole or in part from the requirements under the muzzle order and subject to any conditions the Appeal Committee deems appropriate.
- 13.9 A decision by the Appeal Committee is final and binding. The owner of the dog is not entitled to a further hearing on the matter.
- 13.10 An application made by the owner for a hearing under this By-law does not act as a stay of the muzzle order which shall take effect on the date it is served or deemed served, and shall continue to be effective until the Appeal Committee renders a decision indicating otherwise.

14. DELEGATION OF AUTHORITY

- 14.1 Council hereby delegates the authority to make final decisions for the purposes set out in this By-law to the Appeal Committee.

15. DAMAGES AND COMPENSATION

- 15.1 The Town, its officers, employees and agents shall not be liable for damages or compensation for any dog euthanized under the provisions of this By-law and no such damages or compensation shall be paid to any person.

16. SEVERABILITY

- 16.1 If a court of competent jurisdiction declares any section or part of this By-law invalid, it is the intention of Council that the remainder of the By-law shall continue in force.

17. SINGULAR AND PLURAL USE

- 17.1 In this By-law, unless the context otherwise requires words importing the singular shall include the plural and use of the masculine shall include the feminine, where applicable.

18. ENFORCEMENT AND PENALTY PROVISIONS

- 18.1 The enforcement of this By-law shall be conducted by an Officer.
- 18.2 An Officer may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether or not the By-law is complied with.
- 18.3 Despite any provision of this By-law an Officer exercising a power of entry on behalf of the Town under this By-law shall not remain in any room or place actually being used as a dwelling unless the consent of the occupier is obtained, the occupier first having been informed that the right of entry may be refused and, if refused, may only be made under

the authority of an order issued under section 438 of the Municipal Act, as amended, or a warrant issued under section 439 or 386.3 of the Municipal Act, as amended.

- 18.4 No person shall hinder or obstruct an Officer in the enforcement of this By-law.
- 18.5 Any person who is alleged to have contravened any section of this By-law shall identify themselves to the Officer upon request. Failure to do so shall be deemed to have hindered or obstructed the Officer in the execution of his duties.
- 18.4 Every person who contravenes any provision of this By-law is guilty of an offence and upon conviction shall be subject to a penalty in accordance with the Municipal Act, S.O. 2001, as amended.

19. REPEAL

- 19.1 That By-law 08-08 is hereby repealed.

Passed in Open Council on December 15, 2015.

Mayor

Clerk

THE CORPORATION OF THE TOWN OF ERIN

BY-LAW NUMBER 15-

A by-law to establish fees and charges for various services provided by the Corporation of the Town of Erin

WHEREAS Section 391, Part XII of the Municipal Act, 2001 authorizes a municipality to impose fees or charges on persons;

AND WHEREAS pursuant to Section 385, Part XI of the Municipal Act, 2001 a municipality may fix a scale of costs to be charged as the reasonable costs of proceedings under Part XI, which scale shall be designed to meet only the anticipated costs of the municipality;

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

1. That the fees and charges for various municipal services provided are shall be as set out in Schedule A, attached hereto and forming part of this By-law.
2. That where the provisions of this By-law may conflict with any other By-law, this By-law shall prevail.
3. That should any part of this By-law, including any part of the schedule attached hereto be determined by a Court of competent jurisdiction to be invalid or of no force and effect, it is the stated intention of Council that such invalid part of the By-law shall be severable and that the remainder of this By-law including the remainder of the schedule attached hereto, as applicable, shall continue to operate and to be in force and effect.
4. That this By-law shall come into force and take effect on January 1, 2016.

Passed in open Council on December 15, 2015.

Mayor

Clerk

**Schedule A
By-Law 15-**

Type Of Service	Fees
Commissioner of Oaths	
Certification of True Copy	\$10.00
Commissioning Signatures on Documents	\$10.00
Administering Oaths/Affidavits	\$10.00
Paper Copies	
Full year of Council Agendas (annual rate, paid by Jan. 31)	\$300.00/year
Single Council Agenda, per page charge	\$0.30/page
Per page copy charge for all other documents	\$0.30/page
Civil Marriage	
Civil Marriage (council chambers, during office hours)	\$250.00
Civil Marriage (council chambers, after hours)	\$350.00
Civil Marriage (offsite)	\$400.00
Licencing	
Dog Tag (Jan 1 to Mar 31)	\$20.00
Dog Tag (Apr 1 to Dec 31)	\$30.00
Dog Tag Replacement	\$5.00
Kennel Licence (Jan 1 to Mar 31)	\$150.00
Kennel Licence (Apr 1 to Dec 31)	\$200.00
Lottery Licence	3% of estimated prize value (\$20.00 minimum)
Taxes	
Tax Certificate	\$50.00
Tax Arrears Notice	\$5.00
Reprint of Tax Bill/Statement	\$15.00
Unpaid Charges added to Tax Roll (other than water arrears)	\$25.00
Other	
NSF Cheque	\$35.00
Burial Permit Administration Fee	\$15.00
Fence Viewing Request	\$400.00
Freedom of Information Requests	Per Legislation
Canine Control	
Pick-Up Fee (First pick-up)	\$30.00
Pick-Up Fee (Second pick-up)	\$40.00
Pick-up Fee (Third and subsequent pick-up)	\$50.00
Impoundment Fees	\$30.00/day
Hearing Fee Request (Muzzle Order)	\$50.00
Fire Department	
Indemnification Technology®	Recovery as per Indemnification Technology®

*All fees include HST where applicable

THE CORPORATION OF THE TOWN OF ERIN

By-Law #15 - _____

Being a By-law to provide for the appointment of Municipal Law Enforcement Officers, for the enforcement of the Keeping of Dogs By-law, and to repeal By-law #13-47.

WHEREAS Section 9, of the Municipal Act, 2001, S.O.2001 c.25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS Section 15, of the Police Services Act R.S.O 1990, c. P.15, as amended, authorizes the appointment of Municipal Law Enforcement Officers who shall be peace officers for the purpose of enforcing the by-laws of the municipality;

AND WHEREAS the Corporation of the Town of Erin has entered into an agreement with the Orangeville OSPCA for the provision of canine control services;

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

1. That the following individuals from Orangeville Ontario Society for the Prevention of Cruelty to Animals (Ontario Humane Society) A Society incorporated under the Ontario S.P.C.A. Act, be appointed as Municipal Law Enforcement Officers for the Corporation of the Town of Erin, to enforce By-law #15-_____, a by-law to regulate the licensing and keeping of dogs:
 - Joe Cairney
 - Jennifer Marlowe
2. That this by-law shall be deemed to have come into force and take effect January 1, 2016.
3. That this by-law hereby repeals and replaces by-law #13-47.

Passed in open Council on December 15, 2015.

Mayor

Clerk

THE CORPORATION OF THE TOWN OF ERIN

BY-LAW #15-

Being a By-law to authorize the signing of an agreement for Canine Control Services with the Ontario Society for the Prevention of Cruelty to Animals (Ontario Humane Society), Orangeville & District Branch

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

AND WHEREAS Section 9 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS Section 11 (2) and (3) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, provides that a lower-tier municipality may pass by-laws, subject to the rules set out in subsection 4;

AND WHEREAS the Council for The Corporation of the Town of Erin deems it advisable and expedient to enter into an agreement with the Ontario Society for the Prevention of Cruelty to Animals (Ontario Humane Society) a Society incorporated under The Ontario S.P.C.A. Act for canine control services;

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

1. That the Mayor and CAO/Town Manager are hereby authorized to execute the Agreement attached and forming part of this by-law as Schedule "A" on behalf of the Corporation of the Town of Erin.
2. That this by-law comes into force on January 1, 2016.

Passed in Open Council on December 15, 2015.

Mayor

Clerk

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 15-36

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) Reports
 - k) New Business
 - l) Correspondence
 - m) Closed Session
 - n) By-laws
 - o) Notice of Motion
 - p) 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. Public Question Period

- 10.1 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.
- 10.2 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, at the discretion of the Mayor or Presiding Officer.
- 10.3 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.

11. Delegations/Petitions/Presentations

- 11.1 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.
- 11.2 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.
- 11.3 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.
- 11.4 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.
- 11.5 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.
- 11.6 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.
- 11.7 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.

- 11.8 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.
- 11.9 Delegations shall not be permitted to appear before Council for the sole purpose of generating publicity or personal attacks.
- 11.10 Delegations that have previously appeared before Council on a subject matter shall provide new information only in any subsequent presentations relating to that matter.
- 11.11 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.
- 11.12 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.
- 11.13 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)
- 11.14 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.
- 11.15 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.
- 11.16 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.
- 11.17 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.

12. Reports

- 12.1 All reports of departments shall be coordinated with the CAO prior to the Wednesday that precedes the regular council meeting.
- 12.2 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.

- 12.2 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.

13. New Business

- 13.1 New business includes any correspondence to Council that may not necessarily require a staff report in order to be considered.
- 13.2 New business items shall be received by the Clerk no later than 12:00 pm on the Wednesday that precedes the regular council meeting.
- 13.3 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.

14. Correspondence

- 14.1 All correspondence shall be received by the Clerk no later than 12:00 pm on the Wednesday that precedes the regular council meeting.
- 14.2 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)
- 14.3 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.

15. By-laws

- 15.1 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.
- 15.2 Motions for amendment need not be written unless the effect of such amendment would be to substantially change the intent of the by-law.
- 15.3 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.
- 15.4 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.
- 15.5 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.
- 15.6 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.

16. Notice of Motion

- 16.1 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.
- 16.2 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.

17. Adjournment

- 17.1 The Council shall adjourn at the hour of 10:00 pm for meetings commencing at 6:30 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.
- 17.2 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.
- 17.3 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.

18. Voting and Motions/Resolutions

- 18.1 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.
- 18.2 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.
- 18.3 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.
- 18.4 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.
- 18.5 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.
- 18.6 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.
- 18.7 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.

- 18.8 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.
- 18.9 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"
- 18.10 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.

18.11 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.

18.12 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.

19. Reconsideration

- 19.1 Council may only reconsider a matter that has not been acted on by an officer, employee, or agent of the municipality.
- 19.2 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.
- 19.3 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.

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- 19.4 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.
- 19.5 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.
- 19.6 At the same meeting, if the motion to reconsider is adopted, the original motion as voted on shall be the next order of business.
- 19.7 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.
- 19.8 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.
- 19.9 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.
- 19.10 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.
- 19.11 No question shall be reconsidered more than once within 12 months following the date that a motion to reconsider was ratified.

20. Points of Order and Privileges

- 20.1 When a member of Council is speaking, no other member shall interrupt him/her except to raise a point of order.
- 20.2 Any member may raise a point of order.
- 20.3 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.
- 20.4 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.
- 20.5 The Council, if appealed to, shall decide on the question without debate and its decision is final.
- 20.6 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.
- 20.7 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.
- 20.8 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.
- 20.9 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.

21. Committees

- 21.1 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.
- 21.2 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.
- 21.3 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.

22. Amendment of These Rules

22.1 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.

23. Validity and Severability

23.1 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.

24. Repeal of By-law

24.1 By-law 15-36 is hereby repealed and replaced by this By-law on such date that this By-law comes into force.

24.2 This By-law comes into force and effect on the date of its passing.

Passed in open Council on December 15th, 2015.

Mayor

Clerk

The Corporation of the Town of Erin
By-law No. 15-__

A by-law to amend the Zoning By-law 07/67, as amended,
for the Corporation of the Town of Erin Angelstone Farms,
8720 Wellington Road 50
Part Lot 6, Concession 1, Town of Erin

Whereas the Council of the Corporation of the Town of Erin deems it desirable to amend By-law 07-67 as amended, pursuant to Section 34 of the Planning Act, R.S.O. 1990 as amended;

Now therefore Council for The Corporation of the Town of Erin hereby enacts as follows::

1. That Schedule 'A' of By-law 07-67, the Comprehensive Zoning By-law, is amended by rezoning 8720 Wellington Road 50, as shown on Schedule "A" of this By-law, from the Agricultural (A) Zone to the AGRICULTURAL SPECIAL PROVISION TEMPORARY **A-142 (T) ZONE**.
2. That **SECTION 14 – SPECIAL PROVISIONS** be amended by the addition of the following new section:

A-142(T)
By-law 15-_____
 Angelstone Farms
 8720 WR 50
 Pt. Lot 6, Con 1

Permitted Uses

Notwithstanding any other provision in the By-law, the lands zoned A-142(T) are subject to the regulations of the Agricultural (A) Zone and on the specific dates listed on Schedule "B", the following uses shall also be permitted on a temporary basis, while this By-law is in effect:

- a) Equestrian Major Events, including the training of horses and riders and competitions
- b) Camping for staff necessary for the care and security of horses
- c) Associated retail sales including
 - i) equestrian related merchandise
 - ii) food and beverages for consumption

Regulations

The use of the lands zoned A-142(T) for the temporary uses permitted by this By-law shall also require a Major Event permit from the Town.

3. That the subject land as shown on Schedule "A" to this By-Law shall be subject to all applicable regulations of Zoning By-Law 07-67, as amended.
4. This By-law shall become effective from the date of passage by Council and is in effect until September 16, 2016.

Passed in Open Council on December 15, 2015.

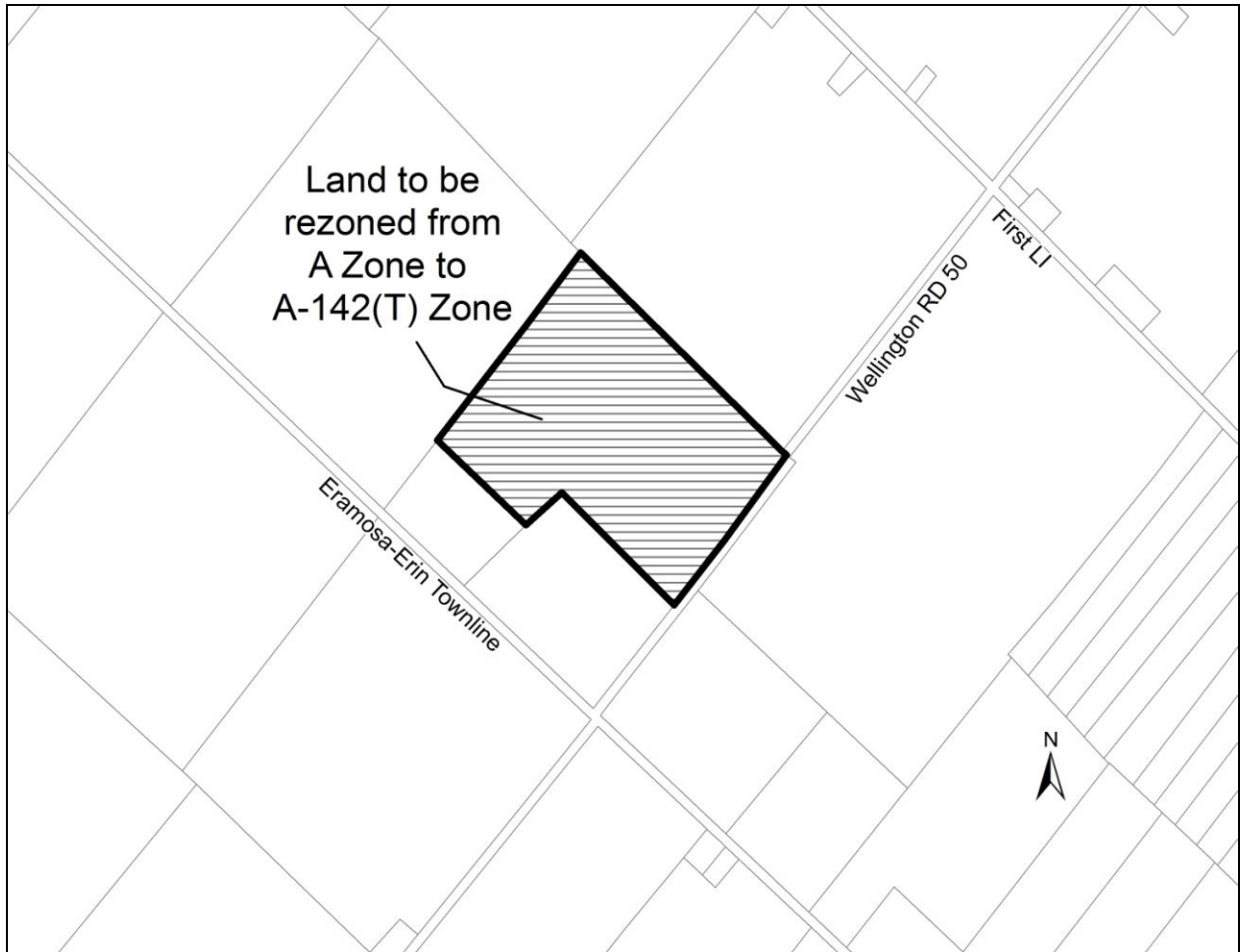
Mayor

Clerk

The Corporation of the Town of Erin

BY-LAW NO. 15-__

SCHEDULE "A"



The Corporation of the Town of Erin

BY-LAW NO. 15-__

SCHEDULE " B "

Angelstone Equestrian Major Events*

1. June 7 – 12, 2016
2. June 15 – 19, 2016
3. August 16 – 20, 2016
4. August 23 – 27, 2016
5. August 30 – Sept. 3, 2016

*dates do not include setting up and taking down facilities required to support the major events.

The Corporation of the Town of Erin

EXPLANATION OF BY-LAW NO. 15-

By-law Number **15-** __ amends the Town of Erin Zoning By-law 07-67 by rezoning Part of Lot 6, Concession 1 from the current Agricultural (A) Zone to an Agricultural Special Provision Temporary **A-142(T) Zone** as shown on Schedule “A” of this By-law.

The purpose of this Zoning By-law amendment is to allow the temporary use of an existing agricultural lot for major events for training horses and riders including competitions, camping for staff necessary for the care and security of horses and for the associated sale of equestrian related merchandise and food and beverages. The temporary uses are permitted for five events listed in Schedule “B” to this By-law.

