



TOWN OF ERIN
Regular Council Meeting
AGENDA

March 5, 2019

1:00 PM

Municipal Council Chamber

Pages

1. **Call to Order**
2. **Approval of Agenda**
3. **Declaration Pecuniary Interest**
4. **Community Announcements**
5. **Adoption of Minutes**
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6. **Business Arising from the Minutes**
7. **Reports**
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10.	Closed Session	
	Matters under the following exemptions in the Municipal Act S. 239 (2) :	
	(b) personal matters about an identifiable individual, including municipal or local board employees;	
	(c) a proposed or pending acquisition or disposition of land by the municipality or local board;	
11.	Return from Closed Session	
11.1	Motion to Reconvene	
11.2	Report Out	
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	Confirming	
13.	Notice of Motion	
14.	Adjournment	

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	Fees and Charges By-law Amendment	
	Confirming	
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14.	Adjournment	



Minutes of the Regular Town of Erin Council Meeting

February 19, 2019

6:30 PM

Municipal Council Chamber

Present:	John Brennan	Councillor
	Rob Smith	Councillor
	Jamie Cheyne	Councillor
Absent:	Allan Alls	Mayor
	Michael Robins	Councillor
Staff Present:	Nathan Hyde	Chief Administrative Officer
	Ursula D'Angelo	Director of Finance
	Lisa Champion	Deputy Clerk
	Paul Evans	Chief Building Official
	Jessica Spina	Communications & Special Projects Officer
County Staff	Joanna Salsberg	Building and Planning Technician
	Sarah Wilhelm	Manager of Policy Planning
	Jessica Rahim	Junior Planner

1. Call to Order

Acting Mayor John Brennan Called the Meeting to order.

2. Approval of Agenda

Resolution # 19-045

Moved By Councillor Smith

Seconded By Councillor Cheyne

Be it resolved that the agenda be approved as circulated.

Carried

3. Declaration Pecuniary Interest

None.

4. Public Meetings

4.1 Zoning By-law Amendment (Z18-05)

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 would otherwise have an ability to appeal the decision of the Council of the Town of Erin and/or to the Local Planning Tribunal (LPAT) but the person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Erin before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Town of Erin before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal (LPAT) unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

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 on 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.

Members of Council did not have a pecuniary interest on this item.

Planning Staff presented their report.

John Cox, representing the applicant addressed Council.

Council asked questions pertaining to the intended use of the buildings, the definition of Hobby Farm, as well as how this change affects taxes on the property.

Staff addressed questions from members of Council.

No members of the public addressed Council at this time.

The public meeting was adjourned at 6:52 pm.

Resolution # 19-046

Moved By Councillor Cheyne

Seconded By Councillor Smith

Be it resolved that this Public Meeting Report regarding proposed Zoning By-law Amendment Z18-05 be received for information.

Carried

5. Community Announcements

All Roads lead to Erin exhibit continues at the Wellington County Museum.

East Wellington Family Health Team continues their series of workshops/presentation on a variety of life and medical conditions.

The Business Advisor series continues at Hillsburgh Library from 10am to 4pm on Tuesday March 19th. The one hour consultation is free, but pre-registration is required.

February 20th Erin Eco-Film Festival begins its 10th season at the Legion with "The Social Shift". Doors open at 6:30 and movie at 7:00 p.m. Admission is free but donations are gratefully accepted. The postponed film "Being The Change" will be shown on March 7th.

County Councillor Jeff Duncan holds his next monthly Community Hours session on Wednesday February 27th from 7-9pm at the Hillsburgh Fire Station Meeting Room.

Congratulations to Ruth Barbour and Doug Jackson from Hillsburgh on having their Country Boy 123 named Horse of the Year for the 3rd consecutive year at the Quarter Horses Ontario Awards Banquet on February 16th.

Details on these and more at www.erin.ca/whats-on/

6. Adoption of Minutes

Resolution # 19-047

Moved By Councillor Smith

Seconded By Councillor Cheyne

Be it resolved that the following meeting minutes be approved as circulated:

February 5th Regular Council Meeting

Carried

7. Business Arising from the Minutes

None.

8. Reports

8.1 Finance

8.1.1 Cancellation, Reduction and Refund of Taxes

Resolution # 19-048

Moved By Councillor Cheyne

Seconded By Councillor Smith

Be it resolved that Council receives the Director of Finance's Report 2019-03F "*Cancellation, Reduction and Refund of Taxes*" for information.

And that Council approve the cancellation, reduction or refund of taxes pursuant to applications in Appendix A made under Sections 357 and 358 of the *Municipal Act, 2001*.

Carried

8.1.2 Review of Accounts

Resolution # 19-049

Moved By Councillor Cheyne

Seconded By Councillor Smith

Be it resolved that that Council receives the Director of Finance's Report #2019-04F "*Review of Accounts*" for information.

Carried

8.2 Building/Planning/By-Law

8.2.1 Tree Canopy and Natural Vegetation Protection and Enhancement

Resolution # 19-050

Moved By Councillor Cheyne

Seconded By Councillor Smith

Be it resolved that Council hereby receives Report Number PD2019-02 "Tree Canopy and Natural Vegetation Protection and Enhancement" for information;

And that this report be received and endorsed as the Town's fulfillment of the requirement of section 270(1) 7 of the Municipal Act, 2001, as amended.

Carried

8.2.2 Elevator Tender Award

Resolution # 19-051

Moved By Councillor Cheyne

Seconded By Councillor Smith

Be it resolved that Council hereby receives report BD2019-05 "Tender Award-Barrier Free Alterations and Elevator RFT 2019-01B" for information;

And that Council hereby approves an increase of \$60,000 towards the budget allocated for the elevator funded from debt.;

And that Council hereby approves the award RFT 2019-01B for the building alterations for the barrier free elevator and stairwell to Ritestart Ltd.

Carried

9. New Business

None.

10. Correspondence

Resolution # 19-052

Moved By Councillor Smith

Seconded By Councillor Cheyne

Be it resolved that Council receives correspondence item 10.1 to 10.2 for information.

Carried

11. By-Laws

Resolution # 19-053

Moved By Councillor Cheyne

Seconded By Councillor Smith

Be it resolved that the Council of the Corporation of the Town of Erin having given due consideration to the following By-law, 19-12 as reproduced in this days Council Agenda, be passed, and authorize the Acting Mayor and Deputy Clerk to sign and seal same.

19-12

A By-law to adopt, ratify and confirm the proceedings of the Council of the Corporation of the Town of Erin held February 19, 2019.

Carried

12. Notice of Motion

None.

13. Adjournment

Resolution # 19-054

Moved By Councillor Smith

Seconded By Councillor Cheyne

Be it resolved that the meeting be adjourned at the hour of 7:10 PM.

Carried

Acting Mayor, John Brennan

Deputy Clerk Lisa Campion

Town of Erin

Corporate Report



Date: 2019-03-05

To: Mayor & Members of Council

From: Paul Evans, Chief Building Official

Report Number:

BD2019-01

Meeting Date:

2019-03-05

Subject

Building By-law 99-18 Amendment and Grading Deposit

Recommendation

Be it resolved that Council receives Report BD2019-01, "*Building By-law 99-18 Amendment and Grading Deposit*" for information;

And that Council hereby approves an amendment to Building By-law 99-18 to add sub-section 3.6 (as presented in Appendix A);

And that Council hereby approves an amendment to Fees and Charges By-law 17-63 adding a \$500 survey review and site inspection fee to the Building Permit Fee Schedule, Table 1, Section G, Administrative Fees (as presented in Appendix B);

And that Council hereby approves an amendment to Fees and Charges By-law 17-63 adding a \$5,000 grading deposit to the Building Permit Fee Schedule, Table 1, Section G, Administrative Fees (as presented in Appendix B).

Background

Building By-law 99-18, sentence 2.3.5 states that building permit applications are to be accompanied by a site plan referencing an up-to-date survey as prepared by a licensed Ontario Land Surveyor (OLS). A proposal for new residential construction, ie: single dwelling residential (SDR) or large addition, requires a new survey prepared by an OLS and is to include all proposed grading, site works, location of proposed building(s), on-site sewage system, etc. This survey is to be included as part of the building permit application documentation and is sent to the Town's consulting engineers for review and comment prior to issuance of the building permit.

Prior to spring of 2017, the requirement for submission of an OLS prepared survey was not always enforced and subsequently there have been a number of developments that may or may not have been constructed in a positive manner. Staff have received numerous enquiries and heard concerns and complaints from property owners regarding the state of their properties.

Currently, all new SDR applications and large addition applications require a survey prepared by an OLS but, there is no procedure in place to ensure that a homeowner, contractor, developer and/or builder completes the site works in accordance with the reviewed survey. The Ontario Building Code outlines requirements for the construction of the building and the grading adjacent to the building. A building that is not constructed in accordance with the permit documents will be in contravention of the Building Code Act (BCA); Site works of this nature (outside of subdivision and site plan agreements) are not considered applicable law and therefore not enforceable under the provisions of the BCA.

Instituting the requirement of providing a deposit, should compel the builder to construct as per the approved documents.

Comments

Note: This will not apply to development proposals that are subject to the provisions of the Wellington County Official Plan and/or Town of Erin Official Plan and/or Town of Erin Zoning By-law. Requirements for securities will be outlined in a subdivision agreement.

The applicant will be required to submit a final grading certificate to the Town prior to requesting a deposit refund.

Financial Impact

If the site works and grading are completed to the satisfaction of the Town, the deposit will be returned thus, there is no additional cost to the applicant.

Conclusion

Staff recommend the approval of a deposit to ensure that site works and grading on residential sites (that are not controlled by subdivision, condominium or site plan agreements), are completed in accordance with the approved building permit documentation.

Attachments

Appendix A: Building By-law 99-18, Proposed Amendment

Appendix B: Fees and Charges By-law 17-63, Proposed Amendment



THE CORPORATION OF THE TOWN OF ERIN

By-Law # 19 –

**A By-law to amend By-Law 99-18,
being a By-law respecting construction,
demolition, and change of use permits and
inspections.**

Whereas the Building Code Act, S.O. 1992, c.B.23 Section 7 empowers Council to pass certain by-laws respecting construction, demolition and changes of use permits and inspections;

And Whereas the Council of the Corporation of the Town of Erin passed By-Law 99-18 on April 6th, 1999;

And Whereas the Council of the Corporation of the Town of Erin deems it necessary to amend part of the By-law 99-18;

Now therefore The Council of the Corporation of the Town of Erin hereby Enacts as Follows:

That Section 3, “Fees” of By-law 99-18 is amended as follows:

1. That the following Sentence 3.6 be added:

Each building permit application for construction of a single dwelling residential unit, unless set out in the provisions of a subdivision, condominium and/or site plan control agreement, at the discretion of the Chief Building Official, is required to be accompanied by a site works and grading deposit as outlined in the Fees and Charges By-law.

Upon completion of all building construction and site works, the applicant is required to submit a Final Grading Certificate, as found in Schedule D, Forms, for review and approval by the Town. An Ontario Land Surveyor or Professional Engineer on behalf of the applicant will be required to certify that the final grading of the lot and the related building construction are in conformity with the survey approved by the Town. This certification is to be carried out after the property has been graded and seeded or sodded, which is to occur within 12 months after the date of a positive inspection prior to occupancy is completed by the Town's Building Department.

Upon receipt and approval of a positive Final Grading Certificate and once the

Appendix A

building permit file has been closed by the Town's Building Department, the applicant may apply for return of securities by submitting a completed Request for Site Works and Grading Deposit Refund as found in Schedule D, Forms.

2. That all other aspects of By-law 99-18 remain in full force and effect.

Passed in open Council on March 5, 2019.

Mayor, Allan Allis

Deputy Clerk, Lisa Campion



THE CORPORATION OF THE TOWN OF ERIN

Appendix B

By-Law # 19 –

**A By-law to amend By-Law 17-63
being 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 Pat XI, which scale shall be designed to meet only the anticipated costs of the municipality;

And Whereas the Council of the Corporation of the Town of Erin passed By-Law 17-63 on December 12th, 2017;

And Whereas the Council of the Corporation of the Town of Erin deems it necessary to amend part of the By-law 17-63;

Now therefore The Council of the Corporation of the Town of Erin hereby Enacts as Follows:

1. That a \$500 survey review and site inspection fee be added to the Building Permit Fee Schedule, Table 1 Section G Administrative fees; and
2. That \$5,000 grading deposit be added to the Building Permit Fee Schedule Table 1 Section G Administrative Fees.

Passed in open Council on March 5, 2019.

Mayor, Allan Alls

Deputy Clerk, Lisa Campion

Town of Erin

Corporate Report



Date: 2019-03-05

To: Mayor & Members of Council

From: Paul Evans, Chief Building Official

Report Number:

BD2019-02

Meeting Date:

2019-03-05

Subject

Fence Cost Sharing By-law

Recommendation

Be it resolved that Council receives Report BD2019-02 "*Fence Cost Sharing By-law*" for information;

And that Council hereby approves the proposed Fence Cost Sharing By-law attached as Appendix A to this report.

Background

The Line Fences Act is one of Ontario's most historic pieces of legislation that provides a local method of arbitrating fencing disputes between neighbouring property owners. The act applies where one owner wants to construct, repair or maintain a fence directly on a property boundary line, but is unable to reach agreement with the other owner on the type of fence to be erected, the sharing of the costs of the fence, or both of these issues. Currently, if neighbouring owners cannot reach an agreement regarding the construction, maintenance or repair of a fence, either owner may initiate the process by applying formally to the Clerk of the Town for arbitration by appointed fence-viewers.

The arbitration procedure is applicable to two situations where the owners are unable to reach agreement.

1. Where no fence currently exists at the boundary between the two properties, and one owner wants a new fence to be constructed to mark the boundary.
2. Where a line fence already exists, and one owner believes that it needs to be reconstructed or repaired.

In such cases, an owner can request that a municipality assign “fence-viewers” to resolve the dispute and issue a decision which is called an “award”. The fence-viewers are authorized to only address one or both of the following issues in such situations. The apportionment of responsibility for the fencing work between the two adjoining owner or, the description of the fence that is to be constructed or reconstructed on the boundary line, including the materials to be used.

If the fence-viewers are requested to arbitrate and make an award stating that a fence is required, the award must include a description of the fence to be built and materials to be used. The Town has Fence By-law 10-52 that sets out the height and description of lawful fences, and the description of the fence specified in the award must conform to the By-law.

The Line Fences Act will not apply, other than section 20, as permitted by Sections 11 and 98 of the Municipal Act, 2001 in the Town once council has passed the Fence Cost Sharing By-law.

Council cannot exempt itself from section 20 of the Line Fences Act, which sets out the fencing responsibilities of owners of former rail lines in locations where a farming business is carried out on the adjoining land.

Comments

A Fence Cost Sharing By-law will set out how the cost of building and maintaining a fence is to be shared between neighbouring landowners and will remove the Town from the responsibility to oversee (with appointed fence viewers) disputes between neighbours. This By-law will provide the minimum construction requirements, monetary values and process and procedures for neighbours to determine and resolve line fence matters.

Fences that are not located directly on the actual property line would not be subject to the requirements of the Fences Cost Sharing By-law. All fences must comply with the Town Fence By-law 10-52, Pool Enclosure By-law 09-14 and any other pertinent By-laws and legislature that may be applicable.

Other municipalities that currently utilize a fence cost sharing By-law in some form include Cities of Burlington, Mississauga, Pickering and Vaughn and Towns of Ajax, Clarington, Orangeville and Whitby.

Exemptions to the provisions of the Fence Cost Sharing By-law would include:

- * Properties zoned agricultural that are equal to, or greater than 1 hectare (2.5 acres)
- * Development properties that are subject to site plan control and/or condominium or subdivision agreements.

Financial Impact

Removal of the necessity to appoint a Line Fence Viewers Committee would negate the remuneration obligations of the Town.

Conclusion

Staff recommends the adoption of a Fence Cost Sharing By-law.

Attachments

Appendix A: Proposed Fence Cost Sharing By-law



THE CORPORATION OF THE TOWN OF ERIN

Appendix A

By-Law # 19 –

A By-law to determine cost-sharing for division fences

Whereas, pursuant to Subsection 98(1) of the Municipal Act, 2001, a local municipality may provide that the Line Fences Act does not apply to all or any part of the municipality; and

And Whereas, paragraph 7 of Subsection 11(3) of the Municipal Act, 2001 provides that a lower-tier municipality may enact by-laws respecting structures, including fences;

The Council of the Corporation of the Town of Erin Enacts as Follows:

1. Short Title

1.1. This By-law may be cited as the **Fence Cost Sharing By-law**

2. Definitions

2.1. In this by-law:

actual cost means the total cost of the construction of a *division fence* and includes the cost of the material used and the value of the labour performed to complete the work.

Adjoining Owner means the person who owns land adjacent to land of an *Owner*.

basic cost means the cost of constructing a 1.2 metre (4 foot) high steel chain link fence which:

- a. has a diamond mesh not greater than 38mm (1 ½ inches);
- b. is constructed of galvanized steel wire not less than 11 gauge or steel wire covered with vinyl forming a total thickness equivalent to 11 gauge galvanized wire;
- c. is supported by at least 38mm (1 ½ inch) diameter galvanized steel posts encased in a minimum of 50mm (2 inches) of concrete from grade to a minimum of 1.2 metres (4 feet) below grade; such posts to be spaced not more than 3 metres (10 feet) apart; and
- d. top and bottom horizontal rails of 32mm (1 ¼ inch) minimum galvanized steel (except that a minimum 9 gauge galvanized steel wire may be substituted for the bottom horizontal steel rail).

construct means to build from new where no existing *division fence* was existing;

division fence means a *fence* marking the boundary between adjoining parcels of land, not under common ownership;

expense means the cost of carrying out the *work* to be done pursuant to section 7.4, including the cost of hiring the services of a security company and/or Police Services (if required), and an administration charge as outlined in the *Town Fees and Charges By-law*;

fence includes but not limited to a railing, wall, hedge, line of posts, shrubs, wire, gate, boards or other similar items, used to enclose or divide in whole or in part a yard or other land or to establish a property boundary, but does not include a privacy screen;

Owner means the *owner* of land who initiates procedures pursuant to the By-law to install and apportion the costs of a *division fence* and includes the person managing or receiving the rent for the land or premises whether on his own account or as agent or trustee for the owner;

reconstruct means to replace an existing *division fence* that is not in a *good state of repair*, using the same materials and building to the same style as the existing *division fence*;

repair means to restore an existing *division fence* to its original *state of good repair*;

state of good repair means for the purposes of this By-law:

- a. the *fence* is complete and in a structurally sound condition, plumb and securely anchored;
- b. protected by weather-resistant materials;
- c. *fence* components are not broken, rusted, rotten or in a hazardous condition;
- d. all stained or painted *fences* are maintained free of peeling; and
- e. the *fence* does not present an unsightly appearance that is out of character to abutting land or to the neighbourhood

Town means The Corporation of the *Town* of Erin;

upgrade means to raise an existing *division fence* to a higher standard, greater value, or quality of materials; and

work means to *construct a division fence*.

3. References to Legislation

3.1. In this By-law, reference to any Act, regulation or By-law is reference to that Act, regulation or By-law as it is amended or re-enacted from time to time.

4. Exemptions

4.1. This By-law does not apply to:

- a. the construction of any fence that is intentionally not constructed on the boundary line of the property;
- b. any land that constitutes a public highway, including land abutting a public highway that is held as a reserve by the *Town* or other public authority to separate land from the highway, or to land that is being held by the *Town* or other public authority as an unopened road allowance or for future public highway purposes;
- c. any lands in the *Town* zoned Agricultural as defined by Zoning By-laws of the *Town* that are equal to or larger than 1 hectare;
- d. any person that is under a legal requirement, either by an Act, Regulation, By-law, or any other legislation, to erect and maintain a division fence;
- e. an *owner* wishing to *upgrade* an existing *Division Fence* that is in a state of good repair; or
- f. any noise barriers located on public lands.

5. Right to *Construct, Reconstruct, Repair or Upgrade*

5.1. An *Owner* of land may *construct, reconstruct, repair or upgrade a division fence* in accordance with an Act, Regulation, By-law, or any other legislation regarding *fence construction* in the *Town*.

6. Written Agreement

6.1. Where the *Adjoining Owner* has agreed, in writing, to the *construction, reconstruction, repair, or upgrade of a division fence*, each *owner* shall be responsible for fifty percent of the *actual cost* of the work, unless otherwise provided for in the written agreement.

7. No Written Agreement

7.1. Where the *Adjoining Owner* has not agreed, in writing, to the *construction, reconstruction or repair of a division fence*, the *Owner* desiring to *construct, reconstruct or repair a division fence* shall serve or cause to be served upon the *Adjoining Owner*, by registered mail, a notice of his or her intention to do so at least fourteen (14) days prior to the commencement of any *work* or execution of any contract in relation to the *work* to be undertaken. The fourteen (14) day

notice period shall commence on the date following the day the notice is mailed. This notice may include items such as;

- a. a copy of the Cost Sharing By-law;
- b. a date for beginning the *work* to be undertaken;
- c. a complete breakdown of the costs of the *fence*;
- d. any estimates received for the cost of the *fence*; and
- e. a request for payment calculated as set out in this by-law.

7.2. Where the *Adjoining Owner* has not agreed in writing, to the construction of a *division fence*, the cost for the *work* shall be paid as follows:

- a. the *Adjoining Owner* shall pay fifty percent (50%) of the *basic cost* or fifty percent (50%) of the *actual cost*, whichever is less; and,
- b. the *Owner* shall pay the balance of the *actual cost*.

7.3. Where the *Adjoining Owner* has not agreed in writing, to the *reconstruction* or *repair* of a *division fence*, each *owner* shall be responsible for fifty percent of the *actual cost* of the work.

7.4. Where the *adjoining owner* has not agreed in writing, to the *upgrade* of an existing *division fence*, but the *owner* still proceeds with the upgrade, the entire cost of the *upgrade* shall be at the *expense* of the *owner*.

7.5. Where the *adjoining owner* has not agreed in writing to the *upgrade* or *repair* of an existing *division fence* but the *owner* is under a legal requirement to *upgrade* or *repair* the existing *division fence* then the existing *division fence* will be *upgraded* or *repaired* and all costs shall be borne by the *owner*.

8. General Provision

8.1. The provisions of this By-law shall only apply prior to the commencement of any work and cannot be used retroactively for previously completed work unless agreed upon in writing between the *owner* and *adjoining owner*.

8.2. Unless otherwise agreed, the cost for the *work* shall be paid within 30 days of completion of the work.

8.3. Any *division fence* constructed, *reconstructed* or repaired pursuant to the provisions of this by-law shall comply with the provisions of any Act, Regulation, By-law, or any other legislation regarding *fence construction* in the *Town*.

8.4. Where an *Owner* and *Adjoining Owner* are in default of their obligations pursuant to the *Town's* Property Standards By-law, the *Town* may cause the *fence* to be repaired and/or replaced accordingly. The *Town* shall be entitled to recover the *expense* incurred from completing the required *work* by placing fifty

percent (50%) of the entire *expense* as municipal real property taxes on both the properties of the *Owner* and *Adjoining Owner*.

- 8.5. The provision of this By-law shall not supersede any fencing restrictions, requirements or condition as set out in a Site Plan Agreement, Condominium, Subdivision and or Development Agreement.

9. Heritage Properties

- 9.1. Any division fence constructed, reconstructed or repaired on a property pursuant to Part IV of the Ontario Heritage Act is subject to the requirements outlined in the designated By-law.

10. Enforcement

- 10.1. Where an *owner* or *adjoining owner* is in default of their obligations under this By-law, the person desiring to enforce the provision of this By-law shall, within ninety (90) days after the completion of the *construction* of the *division fence*, serve or cause to be served on the defaulting person a notice by registered mail requiring compliance with this By-law, and if such compliance does not take place within thirty (30) days after service of the notice, the person serving the notice may make appropriate proceedings under the Provincial Offences Act to recover the proportionate share of the cost of the work from the defaulting person.

11. Validity

- 11.1. If a Court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of this By-law and it is hereby declared that the remainder of the By-law shall be valid and shall remain in force.
- 11.2. This By-law shall come into full force and effect upon the date of its passage.

Passed in open Council on March 5, 2019.

Mayor, Allan Ails

Deputy Clerk, Lisa Campion

Town of Erin

Corporate Report



Date: 2019-03-05	Report Number: BD2019-03
To: Mayor & Members of Council	Meeting Date: 2019-03-05
From: Paul Evans, Chief Building Official	

Subject

Municipal Property Damage Deposit

Recommendation

Be it resolved that Council receives Report BD2019-03, "*Municipal Property Damage Deposit*" for information;

And that Council hereby approves the proposed Municipal Property Damage Deposit By-law attached as Appendix A to this report;

And that Council hereby amend the Fees and Charges By-law 17-63 adding a \$2,000 damage deposit to the Building Permit Fee Schedule, Table 1, Section G, Administrative Fees (as presented in Appendix B).

Background

During the building construction process, excavators etc. traversing boulevards, parks, sidewalks and other municipally owned property may inadvertently cause damage to the Town property. In-ground swimming pools, additions to homes and buildings and construction of porches or decks may require the use of heavy machinery and/or excavation equipment. Equipment equipped with tracks/treads may cause damage to curbs and roads, large vehicles reversing into driveways may damage to culverts and ditches and some contractors may wish to traverse through public parks to access rear of properties.

Two (2) occurrences of damage to Town property have occurred within the past few years due to heavy equipment, one for a building addition where the sidewalk was damaged and one for septic installation where the contractor accessed the rear of the

lot by way of a public park. Both caused minor damage and were rectified by staff, but this may not always be the case.

Many towns request a deposit or securities for similar projects. Amounts range from \$0 (Guelph) to \$5,000. Examples - Richmond Hill: \$3,000. Halton Hills: per metre up to \$4,000, Vaughan: \$3,000. Caledon: \$2,000. Aurora: \$25/metre up to \$750. King Township: \$5,000. Orangeville: max \$750.

Comments

Staff recommend a \$2,000 deposit in accordance with the proposed by-law in the form of a money order or certified cheque, collected with the building permit application fee.

The Roads Superintendent will be responsible for a pre-construction inspection and a post-construction inspection and will provide the Building Department with written clearance and no objection to the return of the deposit upon request from the applicant.

A \$100 site inspection fee will be deducted from the deposit as per the Roads Superintendent recommendation.

Conclusion

Staff recommend the implementation of the Municipal Property Damage Deposit By-law.

Attachments

Appendix A: Proposed Municipal Property Damage Deposit By-law

Appendix B: Fees and Charges By-law 17-63, Proposed Amendment



THE CORPORATION OF THE TOWN OF ERIN

BY-LAW #19 – ____

Being a By-law to regulate
Municipal Property
Damage Deposits

Whereas, Pursuant to the Municipal Act, 2001, S.O. 2001, c. 25 as amended, provides a municipality may enact by-laws to regulate or prohibit in regard to: highways, municipal services, sidewalk, curbing, boulevard, *Town* owned land, parks and fields, structures and/or fences;

And Whereas subsection 8(3) of the Municipal Act, 2001, provides that a by-law under section 11 of the Act respecting a matter may, regulate or prohibit and, as part of the power to regulate or prohibit respecting the matter, may require a *person* to do things respecting the matter, or may provide for a system of permits respecting the matter;

And Whereas pursuant to the Municipal Act, 2001 a municipality possesses certain enforcement powers including the authority to undertake remedial action and recover the costs for such action from the *person* responsible;

And Whereas by-laws imposing such fees and charges are authorized by section 391 of the Municipal Act, 2001;

And Whereas section 425 of the Municipal Act, 2001 authorizes The Corporation of the Town of Erin to pass by-laws providing that a *person* who contravenes a by-law of The Corporation of the Town of Erin passed under that Act is guilty of an offence;

Now Therefore the Council of the Corporation of the Town of Erin hereby enacts as follows;

1. Short Title

1.1. This by-law may be cited as the **Municipal Property Damage Deposit By-law**

2. Definitions

2.1. In this by-law:

Highway includes a common and public highway, street, avenue, parkway, boulevard, driveway, square, place, bridge, viaduct or trestle, and includes the area between the lateral property lines thereof;

Owner means the *owner* of land who initiates procedures pursuant to the by-law and includes the *person* managing or receiving the rent for the land or premises whether on his own account or as agent or trustee for the *owner*;

Permit includes a lot grading *permit*, a municipal *permit*, building *permit* and any other *permit* as required by the *Town*;

Person includes a corporation unless the context otherwise requires;

Town means The Corporation of the *Town* of Erin;

Town Owned Property means highways, municipal services, sidewalks, curbing, boulevard, *Town* owned land, parks and fields, structures and/or fences located within, and owned by The Corporation of the *Town* of Erin;

3. References to Legislation

3.1. In this by-law, reference to any Act, regulation or by-law is reference to that Act, regulation or by-law as it is amended or re-enacted from time to time.

4. General Requirements

4.1. This No *Person* shall obstruct or damage, or cause or permit the obstruction or damage of any *Town owned property*.

4.2. No *person* shall deposit, throw, spill or track or cause or permit the deposit, throwing, spilling or tracking of any material, waste or soil onto any *Town owned property*.

4.3. The *owner* of a lot abutting any curbing, sidewalk or boulevard on which any building is being constructed or demolished shall take reasonable precautions to minimize damage to *Town owned property*.

4.4. The *owner* of a lot where construction is proposed is required to submit securities to the *Town* in the form of a damage deposit.

4.5. Upon the completion of the construction or demolition of the building and upon application by the *person* who paid the deposit to the *Town*, the said deposit, less the costs the *Town* incurs for any repairs or removal of material, waste or soil from *Town*

owned property, less the amount required for site inspection by the *Town* shall be refunded by the *Town*.

4.6. Nothing in this By-law shall be intended to supersede, replace, fetter or relieve any *Person* from complying with any requirements under the Building Code Act, 1992, S.O. 1992, c.23 as amended, or the Building Code, O.Reg. 332/12 as amended.

4.7. Refer to Schedule "A" attached for fees and charges related to this by-law.

5. Permits

5.1. Every *person* who undertakes construction on land abutting on a highway and every *person* who undertakes construction or site works shall, prior to commencing the work, obtain the relevant *permits* as required pursuant to this by-law and/or any other legislature or by-law.

5.2. A *person* may apply for a *permit* under this, or another by-law if the *person*:

5.2.1. Completes an application for the *permit* on the forms as provided by the *Town*;

5.2.2. Submits the application along with the applicable fees and charges as provided for in the applicable by-law or the *Town's* current Fees and Charges By-law; and

5.2.3. Provides any documentation, deposit or security as set out in Schedule "A" to this by-law, or insurance certificates, as required by the *Town* as prerequisites and requirements for the issuance of the *permit*.

5.2.4. This by-law does not relieve any *person* from the necessity of acquiring any other license or *permit* or complying with any other applicable laws, by-laws, regulations and requirements of other governmental authority.

5.2.5. A *Permit* is the property of the *Town* and is not transferable unless otherwise authorized by the *Town*.

5.2.6. Every applicant shall post with the *Town* the required deposit or security, by way of certified cheque or money order in a form satisfactory to the *Town*. The *Town* does not accept payments for deposits or securities by credit card.

5.2.7. The *Town* shall not pay interest on deposits and securities to a *permit* holder or to any other *person*.

6. Permit Holders

- 6.1.1. A *permit* holder shall comply or ensure compliance with all provisions and conditions of the *permit* and this by-law.
- 6.1.2. Failure to comply with any provision or condition of a *permit* or this by-law may result in the revocation of the *permit* by the *Town*, in addition to any other enforcement proceedings against the *permit* holder as permitted by law.
- 6.1.3. The *permit* holder of a revoked *permit* shall immediately cease or ensure the immediate cessation of all the activities for which a *permit* has been issued upon revocation of the *permit* under subsection 6.1.2.
- 6.1.4. Every *permit* holder and every *owner* and occupier of land shall forthwith rectify damaged conditions on, and shall reinstate the *Town owned property*, as the case may be, to the satisfaction of the *Town*.

7. Enforcement

- 7.1. Notwithstanding any other provision of this by-law, in default of the *permit* holder complying with paragraph 6.1.1 or paragraph 6.1.4 of this by-law, and upon notice to the *permit* holder in such form and within such period of time as determined by the *Town* to be reasonable in the circumstances, the *Town* may at any time take steps to repair or reinstate the *Town owned property* damaged by a *permit* holder, *owner*, or occupier of land and such *permit* holder, *owner* or occupier of land shall be responsible for the costs incurred by the *Town* to repair or reinstate same.
- 7.2. The cost of repairing or reinstating any *Town owned property*, which has been damaged as a result of work for which a *permit* was issued, including damages caused by the crossing of vehicles or equipment and including applicable administrative charges, may be deducted by the *Town* at any time from the deposit, or drawn from the securities, provided by a *permit* holder pursuant to this by-law.
- 7.3. Where the cost of repairing and restoring the *Town owned property* exceeds the amount held on deposit or posted as security, the excess amount of the costs shall be a debt owing to the *Town*, and in addition to any other remedy available to it the *Town* may recover the excess amount of the costs by action or by adding the excess amount of the costs to the tax roll of the *permit* holder's lands and collecting them in the same manner as taxes.

8. Offences

- 8.1. No *Person* shall violate any provision of this by-law or a *permit* issued under this by-law.

- 8.2. Every *person* who contravenes a provision of this by-law or a *permit* is guilty of an offence and upon conviction is liable:
- 8.2.1. on a first conviction, to a fine of not more than \$50,000; and
 - 8.2.2. on any subsequent convictions, to a fine of not more than \$100,000.
- 8.3. Despite subsection 8.2, where the *person* convicted is a corporation:
- 8.3.1. on a first conviction, to a fine of not more than \$500,000; and
 - 8.3.2. on any subsequent convictions, to a fine of not more than \$1,500,000.
- 8.4. For the purposes of subsections 8.2 and 8.3, an offence is a subsequent offence if there has been a previous conviction under this by-law.
- 8.5. Where a *person* has been convicted of an offence, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty imposed by this by-law, make an order prohibiting the continuation or repetition of the offence by the *person* convicted.

9. Administration and Interpretation

- 9.1. The *Town* shall be responsible for the administration of this by-law including, without limiting the generality of the foregoing, determining, instructing, and directing the institution of enforcement steps such as commencing an action to recover costs incurred by the *Town*.
- 9.2. Unless the context otherwise requires, words importing the singular shall include the plural, and words importing the masculine gender shall include the feminine.
- 9.3. The headings inserted in this by-law are for convenience only.
- 9.4. Should any part of this by-law, including any part of Schedule "A", 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 Schedule "A", as applicable, shall continue to operate and to be in force and effect.
- 9.5. Nothing in this by-law shall be intended to supersede, replace, fetter or relieve any *person* from complying with any requirements under the Building Code Act, 1992, S.O. 1992, c.23, as amended, or the Building Code, O.Reg. 403/97 as amended.
- 9.6. The fees and charges payable under this by-law will be subject to Harmonized Sales Tax (H.S.T.) where applicable.

- 9.7. Payment for deposits is due prior to the issuance of a *permit* under this, or any by-law, unless otherwise stated by the *Town* and must be made in full by certified cheque or money order. Payments cannot be split and uncertified cheques are not accepted.
- 9.8. Combined payment of all non-refundable fees and charges and deposits is due prior to the issuance of a *permit* under this, or any by-law, unless otherwise stated by the *Town*, and must be made in full by certified cheque or money order for the combined payment. Payments cannot be split and uncertified cheques are not accepted.
- 9.9. Payment of all fees and deposits is due at the time of the transaction, unless the *Town* issues an invoice for a fee and deposit in which case payment is due as stated on the invoice.
- 9.10. Overdue accounts for fees and deposit payments will be charged in accordance with the *Town* Finance department policies. Government bodies are exempt from interest.
- 9.11. No discount will apply for early payment of any fees and deposits under this by-law.
- 9.12. The Chief Building Official shall be responsible for the administration of this by-law, including but not limited to the enforcement thereof and the collection activity, and for instructing legal services to take such legal action as may be considered appropriate.
- 9.13. The Roads Superintendent shall be responsible for the site inspection of *Town owned property*.
- 9.14. Where a deposit has been paid in accordance with the provisions of this by-law and remains unclaimed for a period of seven (7) years, the Director of Finance may, at the request of the Chief Building Official, transfer to the general funds of the Corporation all such deposits against which no claim has been made, free of and from any and all claims whatsoever.

10. Exemptions

- 10.1. This by-law does not apply to development proposals that are subject to the provisions of the Wellington County Official Plan and/or *Town* of Erin Official Plan or *Town* of Erin Zoning By-law for site plan control, condominium or subdivision agreements. Requirements for securities will be outlined in said agreements.

And that this by-law shall come into force and take effect upon receiving the final passing thereof.

Passed in open Council on _____.

Mayor, Allan Alls

Deputy Clerk, Lisa Campion

Schedule A: Refer to Fees and Charges By-law #17-63, as amended for damage deposit and site inspection amounts.



THE CORPORATION OF THE TOWN OF ERIN

By-Law # 19 –

**A By-law to amend By-Law 17-63
being 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 Pat XI, which scale shall be designed to meet only the anticipated costs of the municipality;

And Whereas the Council of the Corporation of the Town of Erin passed By-Law 17-63 on December 12th, 2017;

And Whereas the Council of the Corporation of the Town of Erin deems it necessary to amend part of the By-law 17-63;

Now therefore The Council of the Corporation of the Town of Erin hereby Enacts as Follows:

1. That a \$2,000 Damage Deposit be added to the Building Permit Fee Schedule Table 1, Section G “Administrative Fees.”

Passed in open Council on March 5, 2019.

Mayor, Allan Alls

Deputy Clerk, Lisa Campion

Town of Erin

Corporate Report



Date: 2019-03-05

To: Mayor & Members of Council

From: Paul Evans, Chief Building Official

Report Number:

BD2019-04

Meeting Date:

2019-03-05

Subject

Building Permit Activity 2018

Recommendation

Be it resolved that Council receives Report BD2019-04 'Building Permit Activity 2018' for information.

Background

The Town of Erin Building Department provides annual summaries of Building Permit Activity. This report summarizes the total number of building permits, their constructed value, as well as looks into registered severances and accessory dwelling units.

Building permit statistics were calculated using Keystone Complete, the software that tracks building permits for the Town of Erin. This data includes all closed, completed, issued, pending, reviewed, revoked, and inactive building permits January 1, 2018 – December 31, 2018. To compare to previous years, permit information was similarly drawn from 2017 and 2016.

The total number of building permits has decreased from 2016 to 2018. In 2016, the total number of permits was 284, in 2017 the total number of permits was 271, and in 2018 the total number of permits was 241 (see Appendix A). The permit types with the highest number of building permits include accessory buildings, residential renovations, alterations, and additions, single detached residential homes, as well as septic permit applications (see Appendix B). In total, the construction value of all 2018 building permits was \$24,167,662.36 which is down by \$16,405,112.64 from 2017.

General trends include a decrease in the number of Single Detached Residential

building permits over time. Residential accessory buildings permits have increased from 2017 numbers (see Appendix B).

The total number of severances registered within the Town of Erin increased from 2015 – 2017 within the Town of Erin. The data for 2018 is not yet complete due to the fact that most applications have not met their one year timeline to complete their conditions so they are still open applications, and some 2018 applications will be going to the March Land Division Committee meeting. Final numbers for 2018 will not be released until March 2020 (Appendix C).

In 2018 the Town of Erin issued one building permit for a garden suite, and renewed one garden suite. In 2017 no building permits were issued for garden suites, and no garden suite was renewed. In 2016, one building permit issued for a garden suite and no garden suites were renewed.

In summer 2018, the Town updated its zoning by-law to include accessory dwelling units within accessory buildings, and better address accessory dwellings within existing homes. Since this time, the Town has issued one building permit for an accessory dwelling unit within an accessory building.

Comments

The total number of building permits has decreased from 2016 to 2018. The total construction value of building permits has decreased from 2016 to 2018. Registered severances have increased from 2015 – 2017, however 2018 numbers are not yet available. The Town has issued one building permit for an accessory dwelling unit under the new zoning by-law requirements.

Financial Impact

Due to the decrease in building permit applications, revenues have also decreased since 2016.

Conclusion

That Council receive Report BD2019-04 'Building Permit Activity 2018' for information.

Attachments

Appendix A – Building Permit Summary 2016 - 2018

Appendix B – Charts and Graphs

Appendix C – Number of Registered Severances 2015 – 2018

Appendix A. Building Permit Summary 2016 - 2018

Building Permit Summary						
Permit Type	2016		2017		2018	
	Number of Permits	Construction Value of Permits	Number of Permits	Construction Value of Permits	Number of Permits	Construction Value of Permits
Demolition	11	\$105,250.00	5	\$41,000.00	13	\$134,200.00
Accessory Building - Residential	47	\$1,600,500.00	35	\$1,472,000.00	43	\$1,942,871.00
Deck	21	\$217,250.00	10	\$106,000.00	13	\$312,000.00
Pool Permit	13	\$434,500.00	22	\$647,500.00	23	\$781,500.00
All Residential Reno, Alt, Add	34	\$3,621,700.00	48	\$3,006,000.00	44	\$5,471,801.36
Single Detached Residential	44	\$18,852,000.00	35	\$25,952,000.00	17	\$9,005,000.00
Residential Multiple	0	\$0.00	1	\$150,000.00	0	\$0.00
Septic	74	\$287,500.00	73	\$31,075.00	47	\$2,403,000.00
Commerical	0	\$0.00	0	\$0.00	1	\$350,000.00
Commerical Reno, Alt, Add	3	\$60,000.00	6	\$431,000.00	7	\$105,550.00
New Farm Building	12	\$1,853,500.00	15	\$1,646,200.00	13	\$2,297,650.00
Farm Building Reno, Alt, Add	4	\$225,000.00	1	\$1,400,000.00	2	\$65,000.00
Industrial	5	\$1,461,000.00	3	\$315,000.00	0	\$0.00
Industrial Reno, Alt, Add	2	\$2,160,000.00	4	\$1,270,000.00	2	\$1,012,000.00
Change of Use	5	207050	3	\$15,000.00	1	\$5,000.00
Tent	7	6500	5	\$0.00	8	\$15,990.00
All Assembly	1	\$15,000.00	1	\$2,800,000.00	1	\$5,000.00
Institutional	0	\$0.00	1	\$30,000.00	2	\$6,000.00
Institutional Reno, Alt, Add	1	\$25,000.00	3	\$1,260,000.00	4	\$255,100.00
Totals	284	\$31,131,750.00	271	\$40,572,775.00	241	\$24,167,662.36

Appendix B. Charts and Graphs

Figure One. 2016 - 2018 Building Permit Type Summary

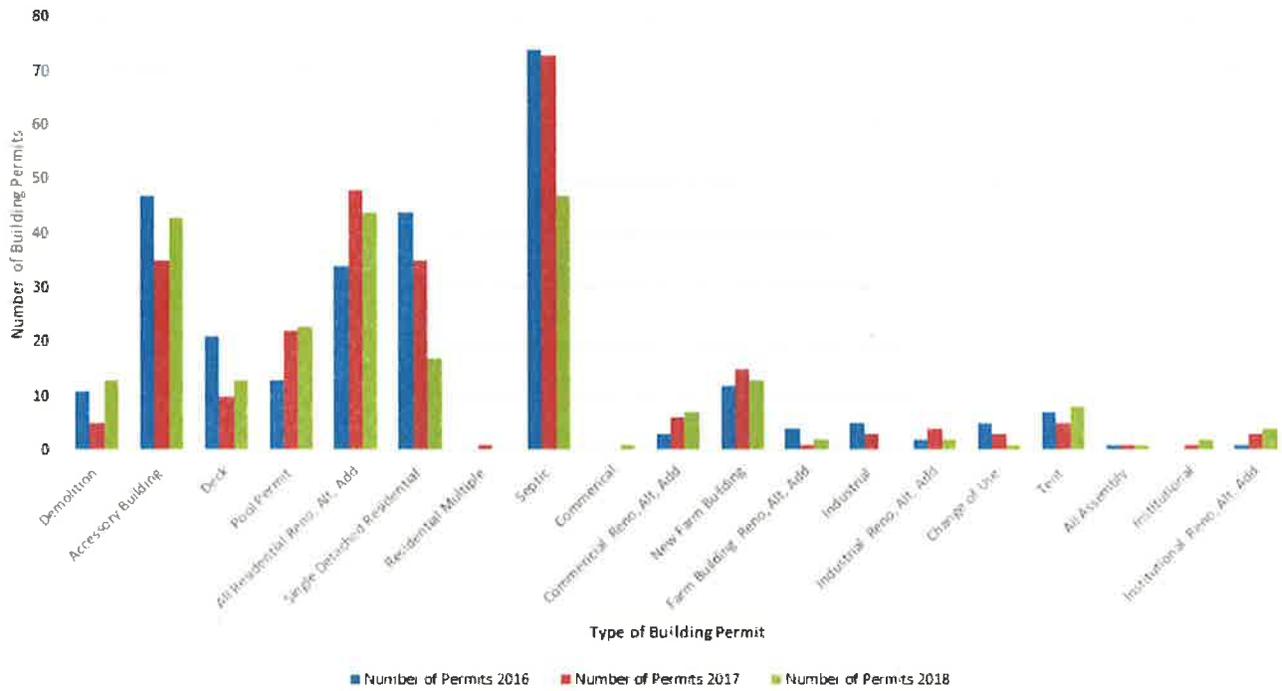


Figure Two. 2016 - 2018 Construction Value of Building Permits

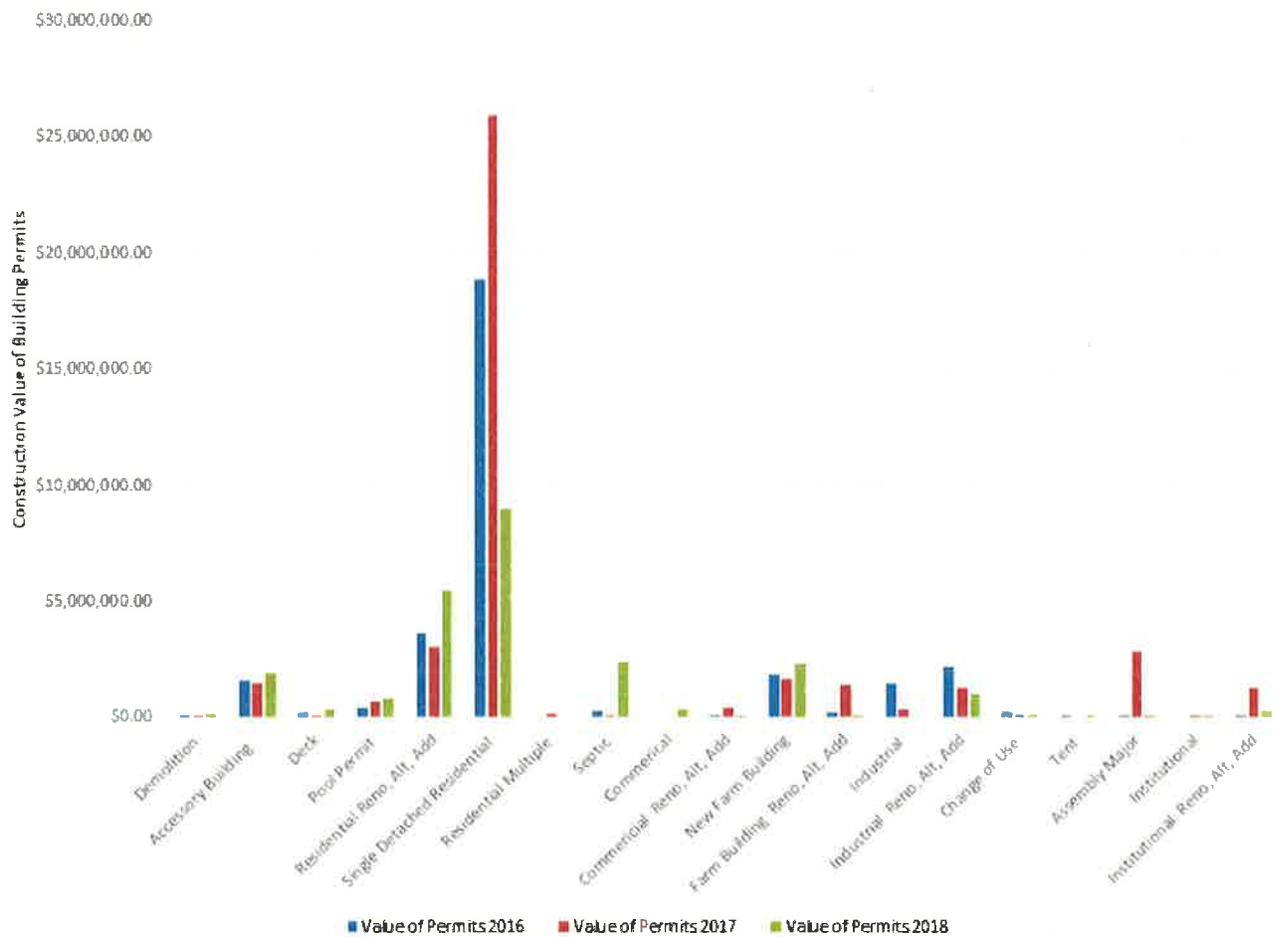
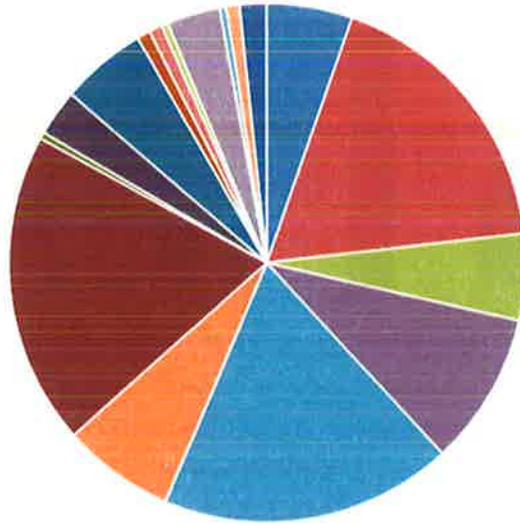
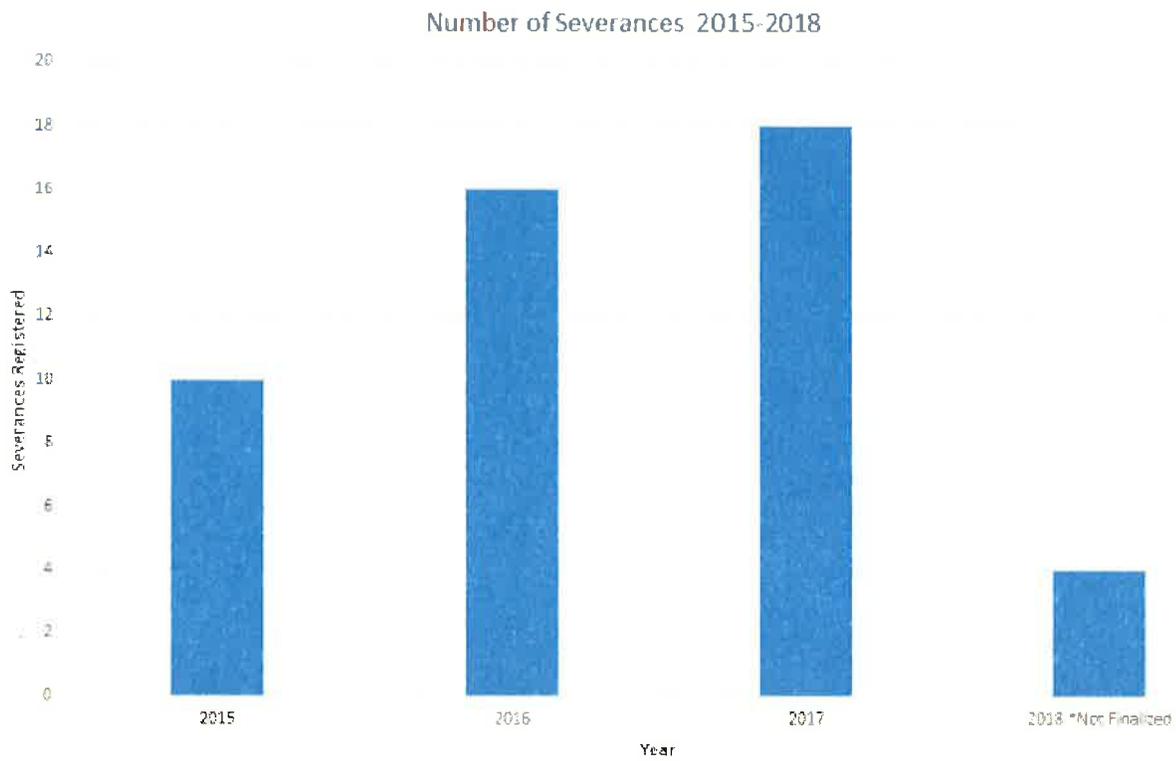


Figure Three. Breakdown of Building Permits 2018



- Demolition
- Accessory Building
- Deck
- Pool Permit
- Residential Reno, Alt, Add
- Single Detached Residential
- Residential Multiple
- Septic
- Commercial
- Commercial Reno, Alt, Add
- New Farm Building
- Farm Building Reno, Alt, Add
- Industrial
- Industrial Reno, Alt, Add
- Change of Use
- Text
- Assembly Major
- Institutional
- Institutional Reno, Alt, Add

Appendix C. Number of Registered Severances 2015 - 2018



*The data for 2018 is not yet complete due to the fact that most applications have not met their one year timeline to complete their conditions. Also, some 2018 applications will be going to the March Land Division Committee meeting. Final numbers for 2018 will not be released until March 2020 (Appendix C).

Town of Erin

Corporate Report



Date: 2019-03-05

To: Mayor & Members of Council

From: Ursula D'Angelo, Director of Finance
Jamie Adams, Parks and Recreation Officer

Report Number:

2019-06F

Meeting Date:

2019-03-05

Subject

Parks and Recreation Operational Review

Recommendation

Be it resolved that Council receives the Report 2019-05F Parks and Recreation Operational Review for information.

Background

During the 2018 Budget, Parks and Recreation program was selected for an operational review to evaluate internal controls and processes for efficiencies and effectiveness. The report in Appendix A, outlines the challenges, opportunities and the implementation of new processes that lowered risk and improved efficiencies and effectiveness at the same time increasing customer satisfaction.

Comments

The report in Appendix A is a synopsis of operational gaps to improve business practices and deliver optimal service to the community.

Financial Impact

There is no financial impact associated with the proposed recommendation.

Conclusion

The operational review provided an opportunity for the Parks and Recreation program to review current practices and develop new processes to improve customer satisfaction and accountability.

Attachments

Appendix A – Parks and Recreation Operational Review



TOWN OF
ERIN

**PARKS AND RECREATION
OPERATIONAL REVIEW**

March 5, 2019

1. Introduction

1.1 Purpose of the Operational Review

The purpose of the review was to evaluate processes for risk, efficiencies and effectiveness of processes in the Parks and Recreation program.

1.2 Review Process

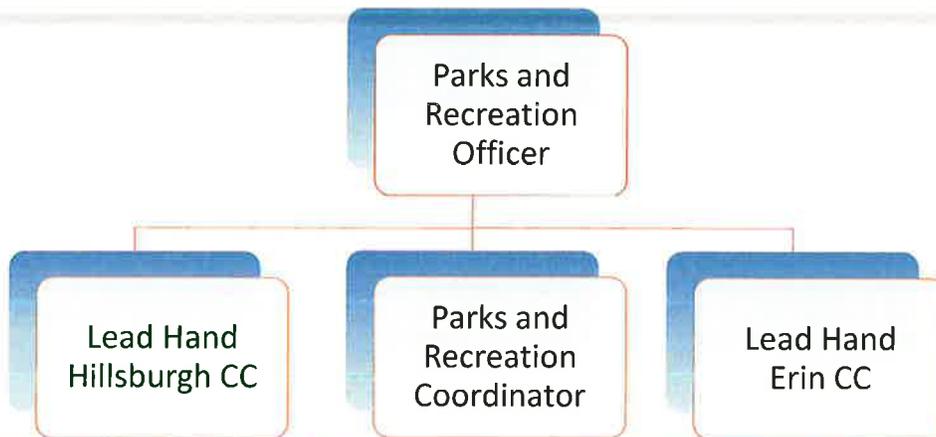
During the Winter and Summer of 2018, the following tasks were carried out:

- Assessment of operational processes and policies
- Interviews with staff
- Facility walk-throughs
- General observations
- Assessment of internal controls

2. Background

Historically, facilities and parks in the urban areas of Erin and Hillsburgh were operated and maintained by community volunteers. These facilities were rented to sports and community groups. After the amalgamation of both areas in 1998, the operations and maintenance of the facilities and parks (except for Ballinafad Community Centre) was handed over to the municipality. Once this occurred, community centres and parks continued to be rented out to sports and community groups.

In the summer of 2017, the Parks and Recreation underwent some staffing changes and established the current organization chart (below). By the Fall of 2017, a new Parks and Recreation Officer was hired in time to prepare the ice for hockey and related sports.



Part time staff serve in the following roles:

- Parks Attendant I & II
- Facility Attendant I & II
- Theatre Technical Attendant

Below is a list of locations and activities for the year that are supported by Parks and Recreation staff.

Location	Activity
Erin Community Centre (ECC) or also known as Centre 2000	Ice rentals, floor surface (off season only), birthday parties, banquet facilities, meeting facilities, tennis courts, skate park, theatre, baseball diamond and soccer field
Hillsburgh Community Centre (HCC)	Ice rentals, floor surface (off season only), birthday parties, banquet facilities, meeting facilities
Ballinafad Community Centre	Banquet facilities, baseball diamond, soccer field and playground equipment
McMillan Park	Special events, farmers market and community space
Athenwood Park	Playground, basketball, community space
Erin Riverside Park	Community space
Barbour Field	Baseball diamonds, playground, soccer fields and washrooms
Carberry Park	Playground equipment
Hillsburgh's Historical Park	Special events and community space
Lions' Club Park	Playground equipment
Mountainview Parkette	Community space
Victoria Park	Playground equipment, baseball diamond, outdoor skating area and washrooms
Trails	Erin Village Walking Trails, Erin Rotary River Trail, Woollen Mills Trail, Water Tower Trail, Rotary Trail

The operational review began two months after the Parks and Recreation Officer started. The Internal Audit and Risk Management Analyst and Parks and Recreation Officer combined efforts to assess operational processes and internal controls. The following were some observations at the beginning of the review.

- Cash handling processes were deficient of internal controls best practices. For example, staff accepted large cash payments (greater than \$500) for contracts and recording of cash payments for last minute ice time.
- Petty cash or cash float was not reconciled on a timely basis
- Contract pricing did not match Recreation Fees By-Law approved by Council. Reviewed records management and safekeeping of customer information.
- Approach to customer facilities bookings was inconsistent and customers were not satisfied with allocations.
- Last minute cancellation refunds were inconsistent and lacked a formal policy.
- Revenue recognition was immediate even if the contract was over two fiscal years which did not follow accounting rules for deferred revenue.
- There was a communication gap with the community due to absence of stakeholder outreach initiatives and marketing plan.
- Capital planning was based on incidents and emergency repairs.
- Independent building condition assessments by a third party was never conducted.

- Town does not offer third party liability to customers that book facilities.
- Accounting Software does not meet customer and business needs.
- Customer feedback was not tracked.
- Lack of performance measures.

3. Process Improvements

The following are process improvements that were implemented to address the gaps that were identified during the initial review.

3.1 Cash Handling

New processes were created for receiving payments. Cheques or debit or credit card payments are now encouraged. If cash payments are received, then cash is put into a slot in the safe and only accessed by the Parks and Recreation Officer or the Coordinator. Similarly, during public skates, cash collected at the end of the session is inserted into the safe slot. Deposits at the bank are weekly or bi-weekly and entered into Keystone on a timely basis. Deposit slip and Keystone report are scanned and sent to Finance on a consistent basis for bank reconciliation process.

3.2 Petty Cash versus Cash Flow

Two cash floats were created for each community centre, ECC and HCC. Process was created so that the floats are balanced on a daily basis and staff are held accountable for any float discrepancies. This is fulfilled with forms that are signed by two staff and reconciliations now encompass comparison of services being sold versus cash on hand.

3.3 Contracts and Records Management

Recreation Fees By-law is strictly enforced and standard contracts are issued and processed centrally. Customer information is safeguarded and records are secured.

3.4 Facilities Bookings

A Facility Allocations Policy was created to address unfair and inconsistent approach to allocating facility space. The policy was implemented before the Fall of 2018 after Council approval. User groups now benefit from clarity around the process and the allocation criteria as staff adhere to the policy.

A new process was created and facility bookings are now processed centrally at ECC to maintain consistent customer service approach. The webpage was updated to inform customers how to electronically request bookings.

3.5 Last minute cancellations were refunded to customers

A new Refund Policy was created and customers are now advised at the time of purchase. The Terms and Conditions are now included in the contract. The new process is non-refundable deposit of 20% is accepted at time of book. Payments in full are required 30 days prior to date of event. Refunds are permitted 14 days prior to date of event less 20% deposit. Cancellations less than 14

days of the event are non-refundable and enforced by staff. Exceptions are allowed for inclement weather or facility operations disruption.

3.6 Revenue recognition in Keystone

A process was created to recognize revenue as it is earned to follow accounting rules (Generally Accepted Accounting Principles). On a monthly basis, Parks and Recreation Coordinator generates this process in Keystone (financial software) which recognizes the revenue according to the month that the activity occurred. Although it is an accounting function, it is important that the Town tracks revenue as it is earned.

3.7 Marketing and Community Outreach

Marketing materials, consistent with corporate branding, were developed to promote programs and services for revenue opportunities. In addition, a social media presence was created to communicate with the community.

The Parks, Recreation and Culture webpage was revamped and will provide information of community events, public access programs, trails and facility information when it is launched this spring.

3.8 Capital Planning and Building Condition Assessment

The Parks and Recreation Officer identified a need to assess building and structure conditions operated and used by the program. This report will be used for future budget processes, Parks and Recreation Masterplan and the asset management plan.

3.9 Third Party Liability

Third Party Liability insurance protects the event organizer and the Town. Liability claims may arise from third parties such as guests, spectators and others suffering from injuries that may have been caused by negligence. Currently, customers that use facilities and serve alcohol are asked to obtain insurance before the day of the event. Customers are asking for the Town to provide third party liability insurance for all activities in our facilities. Standard practice in neighbouring municipalities is to offer third party liability insurance at an additional fee. The Town will be reviewing corporate insurance policy and will be exploring the opportunity to offer third party liability for an additional fee.

3.10 Software

In the 2019 Budget, Council approved funding for a new facilities booking software that will streamline management of facility scheduling, point of sale payment processing, facility usage analytics and online reservations and availability. In addition, the software will provide options for online program registration, membership management and point of sale. Some of the benefits will be improved customer service, user friendly, self-serve options and greater efficiency of staff resources.

3.11 Customer Feedback

A formal process is being developed to get customer feedback on the services and customer satisfaction surveys. This will promote a continuous improvement framework and we anticipate using the feedback as the Parks, Recreation and Culture Masterplan is developed.

3.12 Performance Measures

The new Recreation specific software program will assist with the development of performance measures to assist with quantifying benchmarks and determining levels of service as part of a broader corporate initiative.

4. Conclusion

The Operational Review identified critical risk areas, key issues and challenges that were addressed by creating new processes and identifying future opportunities for improvements. In addition, it provided staff with opportunity to take corrective action, reducing risk and improving service delivery. The implementation of new user fees, cancellation policy, centralized facility bookings and cash handling processes has set a solid foundation despite the fact that the Parks, Recreation and Culture Masterplan is underway.

Town of Erin

Corporate Report



Date: 2019-03-05	Report Number: 2019-06F
To: Mayor & Members of Council	Meeting Date: 2019-03-05
From: Ursula D'Angelo, Director of Finance	

Subject Review of Accounts

Recommendation

Be it resolved that that Council receives the Director of Finance's Report # 2019-05F "Review of Accounts" for information.

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 Register		
February 14 - 28		\$97,627.72
February 14 - 28	(Direct Deposit)	\$140,757.60

The following is a list of larger payments.

Vendor and Description	Budget	Total Amount (incl. Taxes)
Pinchin Environmental – facilities assessment	Operating	\$19,379.50
Town of Erin – Development Charges transfer to DC Bank Account	n/a	\$17,488.00
Ontario Clean Water Agency – service agreement (February)	Operating	\$62,080.32

Financial Impact

The accounts, as listed, were paid as submitted.

Conclusion

That Council receives the report from the Director of Finance regarding the payment of the Accounts.



Mayor Alls to present a verbal report.

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister

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

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre

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



19-2037

Dear Head of Council:

As the consultation on our government's Housing Supply Action Plan has come to a close, I wanted to draw your attention to one part of that work that is focused on land use planning – the need to increase supply and streamline the development approval process to speed up the time it takes to get the right kind of housing built in the right places. We have received some great suggestions in that consultation that will inform potential changes.

Our Government for the People is going to take swift action to streamline the development approvals system. Earlier this year we introduced proposed changes to the Growth Plan for the Greater Golden Horseshoe. These proposed changes are in response to the implementation challenges our government heard about when we took office. Consultation on these changes closes on February 28, 2019.

Given that land use planning and development approvals are critical to achieving housing and job-related priorities in communities across Ontario, my Ministry is also reviewing the *Planning Act* and Provincial Policy Statement to ensure they are calibrated to achieve our streamlining and housing supply objectives.

My intention is to bring forward legislation and concrete policy changes that would impact planning province-wide in the coming months. I encourage you to consider the context of this streamlining work and its focus on the *Planning Act* and the Provincial Policy Statement, as it may help to inform your local actions. You may wish to consider an interim pause on some planning decisions or reviews of major planning documents such as official plans or comprehensive zoning bylaw updates until this work is completed.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Clark".

Steve Clark
Minister

**Ministry of
Municipal Affairs
and Housing**

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Sincerely,

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Steve Clark
Minister

**Ministry of the Environment,
Conservation and Parks**

**Ministère de l'Environnement,
de la Protection de la nature et des
Parcs**



Ontario

Office of the Minister

Bureau du ministre

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Télééc.: 416 314-6748

357-2019-110

FEB 12 2019

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

Dear Mayor Ails:

I would like to thank you and your delegation for meeting with me at the 2019 Rural Ontario Municipalities Association (ROMA) conference in Toronto.

Rural communities are vital to the province's success, and our government is committed to working with our municipal partners to build up rural Ontario and achieve our environmental goals.

It is always valuable to meet with municipal partners to learn about the issues of concern in their communities. I appreciated our discussion about local waste management issues and potential provincial and federal funding for wastewater servicing. The ministry is reviewing the Erin Urban Centre Wastewater project and the Part II Order requests, and will be providing a response once the review is complete.

I assure you that I understand the importance of working with you so that we can achieve our common goals.

Thank you, again, for taking the time to meet with me, and please accept my best wishes.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rod Phillips', written over a circular stamp.

Rod Phillips
Minister

2019 ROMA Conference Report

John Brennan

Sunday January 27

11:15am Delegation to Ministry of Municipal Affairs & Housing

1:00pm Concurrent Sessions

Bill 68 Changes to Municipal Conflict of Interest Act
Paul Cassan - Wishart Municipal Law Group
Peggy Young-Lovelace - Expertise for Municipalities

Municipal Act

- Municipalities must now have Code of Conduct
As of March 1, 2019, municipalities will be required to have a Code of Conduct for Members of Council and Local Boards.
- Municipalities must appoint and indemnify an Integrity Commissioner
The integrity commissioner will investigate complaints under the Code of Conduct and report to full Council in open session on those complaints. Council can then decide upon corrective actions.
- Municipalities must adopt a Staff Council Relations Policy
Applies to BOTH Councillors and Staff
Clarifies and confirms ROLES of Council, CAO, Staff
Council is Political, Policy branch
Staff is Professional Advisors and Management of Municipal Organization
Confirms equal treatment of and by Councillors and communication of information
Confirms communication protocols
Lays out manner of communication, formality of relationships and professionalism
Details a complaint and investigation process depending on Respondent

Municipal Conflict of Interest Act

Applies to municipal Members of Council or Local Boards. Does NOT apply to Staff
The *MCI*A imposes statutory burdens on municipal Councillors and Local Board Members to behave in a manner free from pecuniary conflicts of interest.

Prescribes the form in which conflict of interest declarations are to be made. After March 1, 2019, conflicts of interest MUST be in writing

Best practice: When the agenda is circulated – declare right away

At the meeting – declare as soon as you believe you are in a conflict

Your municipality will have a policy or protocol about how to declare

Detailed restrictions on influencing decision making when having a conflict of interest.
Integrity Commissioner to investigate and prosecute allegations of a breach.

Prior to March 1, 2019 a person complaining that a Councillor was in breach of the MCIA had to start a lawsuit in the Superior Court to enforce the complaint. Actions in the Superior Court routinely cost in excess of \$10,000. This meant that the actual enforcement of complaints was rare.

After March 1, 2019, complaints are free. Complaints are made to the Integrity Commissioner. Complaints are to be made within 6 weeks of when the complainant became aware of the breach – they must swear and affidavit confirming this. Once a complaint is made, it must be investigated by the Integrity Commissioner and funded by the Municipality. If the Integrity Commissioner determines that a breach has occurred, they are encouraged by the legislation to prosecute the matter in the Superior Court. This litigation on behalf of the Integrity Commissioner is funded by the Municipality. The Councillor may have to fund their own defence. The successful party is typically awarded “costs” by the Court. This may have major financial impact on Councillors found in breach of the Act.

If the Integrity Commissioner determines that a breach has occurred and they decide NOT to prosecute the matter in Court, they must publish written reasons why they have made the decision not to go to Court. This provides some discretion where there are good reasons that the conflict was “innocent” or the Councillor was diligent in attempting to determine a conflict.

Under new Bill 168 amendments, the functions of the Integrity Commissioner have been expanded. An Integrity Commissioner remains responsible for the following: 1. The application of the Code of Conduct for Members of Council and the Code of Conduct for Members of Local Boards. 2. The application of any procedures, rules and policies of the Municipality and Local Boards governing the ethical behaviour of Members of Council and of Local Boards. And is now responsible for: 3. The application of sections 5, 5.1 [written declarations] and 5.2 [use of influence] of the *Municipal Conflict of Interest Act* to Members of Council and of Local Boards. 4. Requests from Members of Council and of Local Boards for advice respecting their obligations under the Code of Conduct applicable to the Member. 5. Requests from Members of Council and of Local Boards for advice respecting their obligations under a procedure, rule or policy of the Municipality or of the Local Board, as the case may be, governing the ethical behaviour of Members. 6. Requests from Members of Council and of Local Boards for advice respecting their obligations under the Municipal Conflict of Interest Act. 7. The provision of educational information to Members of Council, Members of Local Boards, the Municipality and the public about the Municipality’s Codes of Conduct for Members of Council and Members of Local Boards and about the Municipal Conflict of Interest Act. 2017, c. 10, Sched. 1, s. 19 (1).

Requests for Advice must be in Writing. Advice from Integrity Commissioner shall be provided in writing. This process is confidential. Municipalities are wise to decide how the seeking of advice will be administered and funded.

Integrity Commissioner is entitled to have free access to all books, accounts, financial records, electronic data processing records, reports, files and all other papers things or property belonging to or used by the Municipality.

2:00pm TAPMO Meeting

Organization is in the midst of transition. Dennis Lever has been such an integral part of the process that not having him will take some adjustment. Possibility he will be recruited as an advisor to the group. Elections were held for a new Chair and Vice-Chair.

2:45pm Plenary Session

Stacy Laforme, Chief Mississaugas of the New Credit First Nation – Welcome remarks.

Alan Thompson, Interim Chair of ROMA – Welcome remarks. Mentioned urban/rural divide; OMPF funding issue; broadband; two-hatters; natural gas expansion and 5G network.

Ron Holman – former Chair of ROMA – mentioned OGRA/ROMA split; tiny summits (<1000 residents); Rural Ontario Institute and pay arbitration.

ROMA AGM, Financial Report and nominations
FCM Update

The Bellweather Effect: Stop Following! Start Inspiring! - Dr. Lance Secretan – author, founder The Secretan Centre - Motivational speaker expounding on the difference between motivating (not good) and inspiring (good).

Monday January 28

8:35am Plenary Session

Ernie Hardeman – Minister of Agriculture, Food and Rural Affairs – mentioned removing red tape blocks to progress; \$15B deficit; cost cutting; natural gas expansion and broadband.

Update On Cannabis Legalization
Ministry of the Attorney General

The *Cannabis Licence Act, 2018* creates a regulated licensing and regulatory framework for private storefront cannabis retailing in Ontario and establishes the Alcohol and Gaming Commission of Ontario (AGCO) as the independent provincial regulator for cannabis storefronts.

Given national supply shortage of legal cannabis, the province has temporarily changed the way private retail store licences will be allocated. The amended Ontario Regulation 468/18 under the *Cannabis Licence Act, 2018* sets out new requirements for the AGCO to administer the allocation of a maximum of 25 stores for April 1, 2019.

To help fight the unsafe and illegal supply of cannabis, the Province has established the Cannabis Intelligence Coordination Centre(CICC), which supports enforcement agencies as they shut down illegal storefronts.

The Ontario Police College (OPC) is leading the coordination of Standardized Field Sobriety Testing (SFST) training for the province. There is no cost to police services to have their officers attend this training. As of January 2019, 3,762 officers have been trained.

Drug Recognition Expert (DRE) certification training is currently coordinated by the Ontario Provincial Police (OPP) and is ongoing. As of January 2019, 349 officers have been trained.

Ontario continues to work with Public Safety Canada to finalize the plan to support the purchase of Approved Drug Screening Equipment.

Alcohol & Gaming Commission of Ontario

The agency is composed of approximately 630 staff, including approximately 150 staff from the Ontario Provincial Police(OPP). The agency is comprised of six divisions, including the Investigations and Enforcement Bureau overseen by an OPP Chief Superintendent.

Local municipalities that permit the retail sale of cannabis must have a population of 50,000 or more. The regulation is in effect until December 13, 2019, when it will be amended by the government. The AGCO Lottery Process covers a period of time from January 2, 2019, when the Rules were published, to December 13, 2019, when Ontario Regulation 468/18 will be amended by the government. This period of time is referred to as the "Lottery Process" and is the timeframe established by the government for the temporary cap of 25 Retail Store Authorizations while cannabis supply stabilizes.

Types of Licenses & Authorizations: Retail Operator Licence - For people/organizations who will be operating cannabis retail stores; Retail Store Authorization - The authorization to operate a physical storefront. Each retail store must have its own authorization; Cannabis Retail Manager Licence - For the people who have management responsibilities to ensure the responsible sale of cannabis.

Retail Store Location Requirements:

Must be located in a municipality or reserve that permits cannabis retail stores.

A cannabis retail store cannot be located near a school or private school, as defined in the *Education Act*, if the proposed retail store is less than 150 metres away from the property line of the school. This will be determined as follows: When the school or private school is the primary or only occupant of a building, 150 meters shall be measured from the property line of the property on which the school or private school is located. When the school or private school is not the primary or only occupant of a building, 150 meters shall be measured from the boundary of any space occupied by the school or private school within the building.

May only operate between the hours of 9:00 am –11:00 pm (Monday to Sunday).

Must be the only business that will operate at the proposed retail store and must only sell permitted items, that is, cannabis and federally-defined cannabis accessories and shopping bags.

Doug Ford – Premier of Ontario – mentioned cutting red tape that duplicates federal requirements; natural gas expansion; transportation \$ for rural communities; hallway medicine; scrapping Green Energy Act and consultation on joint & several liability issue.

10:30am Delegation to Ontario Green Party Leader Mike Schreiner

Concurrent Sessions

Here Comes 5G – very technical talk on potential applications of 5G technology.

11:45am Learning Lunches
Planning Together For a Reliable Electricity System – IESO

Ensures the reliability of Ontario's power system.

Plans for the future.

Works with communities to better meet their energy needs.

21 electricity regions - Based on electricity infrastructure boundaries. Planning based on each region's unique needs, incl. generation, transmission and innovative resources.

Every dollar invested in energy efficiency avoids \$3 in new infrastructure investments.

Pan-Canadian Framework on Clean Growth and Climate Change energy initiatives – annually add 53,000 jobs and \$12.5 billion to the GDP.

Municipal energy use: Housing 20%; Water Treatment & Pumping 18%; Sewage Treatment 16%; Street Lighting 14%; Multi-Purpose 14%; Arena 12% and Municipal Buildings 6%.

1:15pm Concurrent Sessions

Processes To Streamline Planning & Development

Kara Van Myall – Bruce County

Streamlining the planning process by having the different departments share a common information flow system (LEAN) since Spring 2018 has allowed more clearly defined roles; process gaps, duplication and variability are all more easily discovered; staff empowered to experiment and make 'just do it' improvements. Used a flow chart composed of post-it notes on a common tracking board so that each department could see what was needed and where any gaps were.

Eliminated supervisor sign-off on routine reports - Reports delivered to clients several days sooner.

Reduced process variability - Less customization need for new application software.

Standardized time frame and materials required for delegated staff approval of consents - Approval timing more predictable; Less revision and resubmission which reduces delay (working towards completely eliminating need for any resubmissions); More defensible decisions.

Stefan Szczerbak – Planscape
COMMUNITY PLANNING PERMIT SYSTEM:
TRADITIONAL PLANNING - Zoning (Use) -> Site Plan Control (Details) -> Building Permit -> Shovel
CPPS - Community Planning Permit -> Building Permit -> Shovel
Talked about a singular by-law process, but not well explained.

Chief Building Officials Association (CBOA)
Now every municipality has its own process. CBOA is looking at commonalities to establish standardized terminology, online applications, consistency and usage of LEAN process.

2:45pm Delegation to NDP party Ministry Critics of Environment, Municipal Affairs, Agriculture and Natural Resources Ministries

3:20pm Plenary Session

Labour Law & Municipal Government Employers
Craig Rix & John Saunders – Hicks, Morley Toronto
Review of Bills 47 and 57

Bill 47: What did Bill 47 do to Bill 148:

Repealed: All scheduling/on-call pay provisions save for minimum 3 hour pay rule; Equal pay for equal work (employee status); Reverse onus test; \$15.00 minimum wage; Two paid personal emergency leave days; Penalty certification provision of LRA; Bargaining unit consolidation provisions; First collective agreement interest arbitration.

Bill 57, *Restoring Trust, Transparency and Accountability Act, 2018*

Changes to Interest Arbitration:

Single arbitrator instead of Boards of Arbitration similar to police
Written submissions be exchanged in advance of the hearing date
Arbitrator required to provide written reasons, demonstrating their consideration of the statutory criteria under the legislation, upon the request of either party
New legislative criteria

Protection for Two-Hatters

No Penalties or Discipline: Prohibiting fire associations from penalizing or disciplining a firefighter because they have worked, are working or intend to work as a volunteer, even if the work is within the jurisdiction of the association or otherwise adversely affects its interests. Prohibited activities include denying a person membership within the association, suspending or expelling a member, or fining or attempting to collect fines from firefighters.

Closed Shop protections:

Associations will be prohibited from requiring the employer to refuse employment to a person as a firefighter, discharging a firefighter or refusing to assign a firefighter

because they have been expelled, suspended or refused membership in the association because the firefighter: was or is a member of another trade union or association; has engaged in activity against the association or on behalf of another association or trade union; has engaged in reasonable dissent within the association, including in respect of the individual's work, past work or intended work as a volunteer firefighter; has refused to pay unreasonable initiation fees, dues and assessments levied against them; has worked, is working or intends to work as a volunteer firefighter, even if that work is within the jurisdiction of the association or adversely affects its interests.

4:00pm Steve Clark – Minister of Municipal Affairs and Housing mentioned: balancing Ontario's finances, cutting red tape, increasing the housing supply, simplifying growth planning, reducing the reporting burden, reviewing regional government and consulting on joint & several liability.

4:15pm Ministers Forum
Questions included:

- 1) Maintaining public health as is.
- 2) Continuance of transfers for mandated services (social)
- 3) Concern over OMPF funding
- 4) Support for regional transportation
- 5) Full producer responsibility for waste
- 6) Community Safety Plan requirements for rural municipalities
- 7) Reform & improve EMS dispatch services
- 8) Ensuring EA Part 2 Orders are real & not frivolous and answered in a timely manner
- 9) Streamline the aggregates process
- 10) Speeding up provincial appointees to Police Boards
- 11) Reform funding for medium sized hospitals
- 12) Improving efficiency & effectiveness of police servicing costs
- 13) Make Natural Heritage impacts on severances uniform across the province
- 14) Extend current police board appointments
- 15) School Board amalgamations
- 16) Make it easier for farmers to butcher & sell meat directly
- 17) Stop school closings
- 18) Set up Provincial/Municipal/Indigenous committee to review duty to consult
- 19) Ease commercial kitchen regulations
- 20) Broadband needs to an essential service
- 21) Housing shortage mostly and urban not rural problem
- 22) Rural doctor shortages
- 23) Review & speed up LPAT review process
- 24) When will Federal/Provincial infrastructure grants come available
- 25) Integrity Commissioner cost arising from vexatious charges
- 26) Gender equity in educational curriculum

Tuesday January 29

7:30am Learning Breakfast
Municipal Role In Duty To Consult
Monika Turner – Director of Policy AMO

The Duty to Consult refers to a Crown obligation to consult with and accommodate concerns from rights-bearing Indigenous communities when the Crown contemplates action that could adversely impact existing or asserted Aboriginal and Treaty Rights. The “Duty to Consult” and corresponding “Duty to Accommodate” are legal terms different from statutory municipal “consultation” or “engagement.” They are the responsibility of the Crown in Right of Ontario and the Crown in Right of Canada. It is AMO’s view that Municipal Governments do not have an independent Duty to Consult because they are not the Crown (e.g. creatures of the Crown). Additionally, they also lack the financial and human resources and legal authority to meaningfully carry out the Duty.

Currently, the Provincial government is of the opinion that municipal governments may in certain circumstances have an independent Duty to Consult because they can make decisions that impact Aboriginal and Treaty rights independent of the Crown’s Ministers. AMO is disagreeing with this provincial position.

Municipal governments have an interest in participating in DTC proceedings where municipal business is at stake. It is also the neighbourly thing to do. That said, third parties can decline to participate but it is not advisable for them to do so. There are few resources available to municipal governments to make sense of and implement procedural aspects of the DTC.

Under the Provincial Policy Statement, 2014, (PPS) which outlines Ontario’s policies with respect to land use planning, municipal governments are “encouraged to coordinate planning matters with Aboriginal communities.” The document also requires planning authorities to “consider the interests of Aboriginal communities in conserving cultural heritage and archaeological resources,” and requires that the Provincial Policy Statement be locally “implemented in a manner that is consistent with the recognition and affirmation of existing Aboriginal and Treaty rights in Section 35 of the Constitution Act, 1982.” These PPS requirements are not the same as the Duty to Consult.

Challenges:

Policy Applicability – Where does the DTC apply? What thresholds or municipal activities trigger the Duty? Does the Duty apply to privately-owned lands? How much consultation is needed to satisfy the Duty?

Agreement – Is Indigenous agreement required to move forward with a project that is in the greater public interest? Can a rights-bearing community say no to a municipal proposal?

Funding/Capacity–Can a First Nation charge a municipality to finance Indigenous participation in DTC proceedings? Who pays? Isn’t the Crown responsible for this cost?

Information Sharing –Land claims and treaty negotiation are often subject to Crown-

Indigenous confidentiality. How is a municipal government to know where there is a claim of Aboriginal title, real or asserted?

An Ongoing Provincial Role –What role must the province legally play in Duty to Consult cases involving municipal governments?

8:30am Mike Schreiner – Leader Green Party of Ontario – mentioned protection of water and farmland; removal of Greenbelt adverse clauses; creating additional housing without using farmland; reducing paperwork, duplication and red tape; the clean economy; electric vehicles; broadband; funding for rural schools and hospitals; not cutting OMPF funding; reversing tax cuts for the 1%; raising resource levies.

8:45am Natural Gas Expansion In Rural Ontario
Allan Fogwill – Canadian Energy Research Institute

Natural Gas:

Current Canadian Gas Production

AB –70% BC -28% SK –2% NS –1%

Production 2103 – 2017 ranged from 15.88 to 18.30 bcf/d (billion cubic feet per day)

Net Exports ranged from 5.11 to 5.88 bcf/d

Natural gas prices will remain low for the foreseeable future.

However, the USA dominates gas production, producing nearly 53 bcf/d in 2017. This could mean that in the future Ontario will not use western Canadian gas.

Electricity:

Ontario is probably the most mis-managed market in North America. Rates will continue to rise because much of the costs have been spent or committed.

Rate of increase is uncertain due to: Amount of costs being moved from ratepayers to taxpayers; Change in government policies; Nuclear refurbishment.

Fuel Switching To Natural Gas:

Cost of the new system (residential/small commercial):

\$7 K conversion from propane to gas

\$12 K conversion from baseboard electric to gas

7 – 15 year payback period.

Conclusions:

Canadian Natural Gas prices will continue to stay low for the medium to long term.

Natural Gas Liquids Market will increase demand (and cost) of Propane.

Electricity prices in Ontario will continue to increase in the medium term.

Economics of conversion are uncertain and depend on: Conversion rate of customers; Business opportunities for energy intense activities; Financial risk tolerance of municipality.

9:40am Delegation to Ministry of the Environment, Conservation & Parks

10:20am Delegation to Ministry of Infrastructure



THE CORPORATION OF THE TOWN OF ERIN

By-Law # 19 – 13

A By-law to amend By-Law 99-18, being a By-law respecting construction, demolition, and change of use permits and inspections.

Whereas the Building Code Act, S.O. 1992, c.B.23 Section 7 empowers Council to pass certain by-laws respecting construction, demolition and changes of use permits and inspections;

And Whereas the Council of the Corporation of the Town of Erin passed By-Law 99-18 on April 6th, 1999;

And Whereas the Council of the Corporation of the Town of Erin deems it necessary to amend part of the By-law 99-18;

Now therefore The Council of the Corporation of the Town of Erin hereby Enacts as Follows:

That Section 3, "Fees" of By-law 99-18 is amended as follows:

1. That the following Sentence 3.6 be added:

Each building permit application for construction of a single dwelling residential unit, unless set out in the provisions of a subdivision, condominium and/or site plan control agreement, at the discretion of the Chief Building Official, is required to be accompanied by a site works and grading deposit as outlined in the Fees and Charges By-law.

Upon completion of all building construction and site works, the applicant is required to submit a Final Grading Certificate, as found in Schedule D, Forms, for review and approval by the Town. An Ontario Land Surveyor or Professional Engineer on behalf of the applicant will be required to certify that the final grading of the lot and the related building construction are in conformity with the survey approved by the Town. This certification is to be carried out after the property has been graded and seeded or sodded, which is to occur within 12 months after the date of a positive inspection prior to occupancy is completed by the Town's Building Department.

Upon receipt and approval of a positive Final Grading Certificate and once the building permit file has been closed by the Town's Building Department, the

applicant may apply for return of securities by submitting a completed Request for Site Works and Grading Deposit Refund as found in Schedule D, Forms.

2. That all other aspects of By-law 99-18 remain in full force and effect.

Passed in open Council on March 5, 2019.

Mayor, Allan Alls

Deputy Clerk, Lisa Campion



THE CORPORATION OF THE TOWN OF ERIN

By-Law # 19 – 14

A By-law to determine cost-sharing for division fences

Whereas, pursuant to Subsection 98(1) of the Municipal Act, 2001, a local municipality may provide that the Line Fences Act does not apply to all or any part of the municipality; and

And Whereas, paragraph 7 of Subsection 11(3) of the Municipal Act, 2001 provides that a lower-tier municipality may enact by-laws respecting structures, including fences;

The Council of the Corporation of the Town of Erin Enacts as Follows:

1. Short Title

1.1. This By-law may be cited as the **Fence Cost Sharing By-law**

2. Definitions

2.1. In this by-law:

actual cost means the total cost of the construction of a *division fence* and includes the cost of the material used and the value of the labour performed to complete the work.

Adjoining Owner means the person who owns land adjacent to land of an *Owner*.

basic cost means the cost of constructing a 1.2 metre (4 foot) high steel chain link fence which:

- a. has a diamond mesh not greater than 38mm (1 ½ inches);
- b. is constructed of galvanized steel wire not less than 11 gauge or steel wire covered with vinyl forming a total thickness equivalent to 11 gauge galvanized wire;
- c. is supported by at least 38mm (1 ½ inch) diameter galvanized steel posts encased in a minimum of 50mm (2 inches) of concrete from grade to a minimum of 1.2 metres (4 feet) below grade; such posts to be spaced not more than 3 metres (10 feet) apart; and
- d. top and bottom horizontal rails of 32mm (1 ¼ inch) minimum galvanized steel (except that a minimum 9 gauge galvanized steel wire may be substituted for the bottom horizontal steel rail).

construct means to build from new where no existing *division fence* was existing;

division fence means a *fence* marking the boundary between adjoining parcels of land, not under common ownership;

expense means the cost of carrying out the *work* to be done pursuant to section 7.4, including the cost of hiring the services of a security company and/or Police Services (if required), and an administration charge as outlined in the *Town Fees and Charges By-law*;

fence includes but not limited to a railing, wall, hedge, line of posts, shrubs, wire, gate, boards or other similar items, used to enclose or divide in whole or in part a yard or other land or to establish a property boundary, but does not include a privacy screen;

Owner means the *owner* of land who initiates procedures pursuant to the By-law to install and apportion the costs of a *division fence* and includes the person managing or receiving the rent for the land or premises whether on his own account or as agent or trustee for the owner;

reconstruct means to replace an existing *division fence* that is not in a *good state of repair*, using the same materials and building to the same style as the existing *division fence*;

repair means to restore an existing *division fence* to its original *state of good repair*;

state of good repair means for the purposes of this By-law:

- a. the *fence* is complete and in a structurally sound condition, plumb and securely anchored;
- b. protected by weather-resistant materials;
- c. *fence* components are not broken, rusted, rotten or in a hazardous condition;
- d. all stained or painted *fences* are maintained free of peeling; and
- e. the *fence* does not present an unsightly appearance that is out of character to abutting land or to the neighbourhood

Town means The Corporation of the *Town* of Erin;

upgrade means to raise an existing *division fence* to a higher standard, greater value, or quality of materials; and

work means to *construct* a *division fence*.

3. References to Legislation

3.1. In this By-law, reference to any Act, regulation or By-law is reference to that Act, regulation or By-law as it is amended or re-enacted from time to time.

4. Exemptions

4.1. This By-law does not apply to:

- a. the construction of any fence that is intentionally not constructed on the boundary line of the property;
- b. any land that constitutes a public highway, including land abutting a public highway that is held as a reserve by the *Town* or other public authority to separate land from the highway, or to land that is being held by the *Town* or other public authority as an unopened road allowance or for future public highway purposes;
- c. any lands in the *Town* zoned Agricultural as defined by Zoning By-laws of the *Town* that are equal to or larger than 1 hectare;
- d. any person that is under a legal requirement, either by an Act, Regulation, By-law, or any other legislation, to erect and maintain a division fence;
- e. an *owner* wishing to *upgrade* an existing *Division Fence* that is in a state of good repair; or
- f. any noise barriers located on public lands.

5. Right to *Construct, Reconstruct, Repair or Upgrade*

5.1. An *Owner* of land may *construct, reconstruct, repair or upgrade a division fence* in accordance with an Act, Regulation, By-law, or any other legislation regarding *fence construction* in the *Town*.

6. Written Agreement

6.1. Where the *Adjoining Owner* has agreed, in writing, to the *construction, reconstruction, repair, or upgrade of a division fence*, each *owner* shall be responsible for fifty percent of the *actual cost* of the work, unless otherwise provided for in the written agreement.

7. No Written Agreement

7.1. Where the *Adjoining Owner* has not agreed, in writing, to the *construction, reconstruction or repair of a division fence*, the *Owner* desiring to *construct, reconstruct or repair a division fence* shall serve or cause to be served upon the *Adjoining Owner*, by registered mail, a notice of his or her intention to do so at least fourteen (14) days prior to the commencement of any *work* or execution of any contract in relation to the *work* to be undertaken. The fourteen (14) day notice period shall commence on the date following the day the notice is mailed. This notice may include items such as;

- a. a copy of the Cost Sharing By-law;

- b. a date for beginning the *work* to be undertaken;
- c. a complete breakdown of the costs of the *fence*;
- d. any estimates received for the cost of the *fence*; and
- e. a request for payment calculated as set out in this by-law.

7.2. Where the *Adjoining Owner* has not agreed in writing, to the construction of a *division fence*, the cost for the *work* shall be paid as follows:

- a. the *Adjoining Owner* shall pay fifty percent (50%) of the *basic cost* or fifty percent (50%) of the *actual cost*, whichever is less; and,
- b. the *Owner* shall pay the balance of the *actual cost*.

7.3. Where the *Adjoining Owner* has not agreed in writing, to the *reconstruction* or *repair* of a *division fence*, each *owner* shall be responsible for fifty percent of the *actual cost* of the work.

7.4. Where the *adjoining owner* has not agreed in writing, to the *upgrade* of an existing *division fence*, but the *owner* still proceeds with the upgrade, the entire cost of the *upgrade* shall be at the *expense* of the *owner*.

7.5. Where the *adjoining owner* has not agreed in writing to the *upgrade* or *repair* of an existing *division fence* but the *owner* is under a legal requirement to *upgrade* or *repair* the existing *division fence* then the existing *division fence* will be *upgraded* or *repaired* and all costs shall be borne by the *owner*.

8. General Provision

8.1. The provisions of this By-law shall only apply prior to the commencement of any work and cannot be used retroactively for previously completed work unless agreed upon in writing between the *owner* and *adjoining owner*.

8.2. Unless otherwise agreed, the cost for the *work* shall be paid within 30 days of completion of the work.

8.3. Any *division fence* constructed, *reconstructed* or repaired pursuant to the provisions of this by-law shall comply with the provisions of any Act, Regulation, By-law, or any other legislation regarding *fence construction* in the *Town*.

8.4. Where an *Owner* and *Adjoining Owner* are in default of their obligations pursuant to the *Town's Property Standards By-law*, the *Town* may cause the *fence* to be repaired and/or replaced accordingly. The *Town* shall be entitled to recover the *expense* incurred from completing the required *work* by placing fifty percent (50%) of the entire *expense* as municipal real property taxes on both the properties of the *Owner* and *Adjoining Owner*.

8.5. The provision of this By-law shall not supersede any fencing restrictions, requirements or condition as set out in a Site Plan Agreement, Condominium, Subdivision and or Development Agreement.

9. Heritage Properties

9.1. Any division fence constructed, reconstructed or repaired on a property pursuant to Part IV of the Ontario Heritage Act is subject to the requirements outlined in the designated By-law.

10. Enforcement

10.1. Where an *owner* or *adjoining owner* is in default of their obligations under this By-law, the person desiring to enforce the provision of this By-law shall, within ninety (90) days after the completion of the *construction* of the *division fence*, serve or cause to be served on the defaulting person a notice by registered mail requiring compliance with this By-law, and if such compliance does not take place within thirty (30) days after service of the notice, the person serving the notice may make appropriate proceedings under the Provincial Offences Act to recover the proportionate share of the cost of the work from the defaulting person.

11. Validity

11.1. If a Court of competent jurisdiction should declare any section or part of a section of this By-law to be invalid, such section or part of a section shall not be construed as having persuaded or influenced Council to pass the remainder of this By-law and it is hereby declared that the remainder of the By-law shall be valid and shall remain in force.

11.2. This By-law shall come into full force and effect upon the date of its passage.

Passed in open Council on March 5, 2019.

Mayor, Allan Ails

Deputy Clerk, Lisa Campion



THE CORPORATION OF THE TOWN OF ERIN

BY-LAW #19 – 15

Being a By-law to regulate Municipal Property Damage Deposits

Whereas Pursuant to the Municipal Act, 2001, S.O. 2001, c. 25 as amended, provides a municipality may enact by-laws to regulate or prohibit in regard to: highways, municipal services, sidewalk, curbing, boulevard, *Town* owned land, parks and fields, structures and/or fences;

And Whereas subsection 8(3) of the Municipal Act, 2001, provides that a by-law under section 11 of the Act respecting a matter may, regulate or prohibit and, as part of the power to regulate or prohibit respecting the matter, may require a *person* to do things respecting the matter, or may provide for a system of permits respecting the matter;

And Whereas pursuant to the Municipal Act, 2001 a municipality possesses certain enforcement powers including the authority to undertake remedial action and recover the costs for such action from the *person* responsible;

And Whereas by-laws imposing such fees and charges are authorized by section 391 of the Municipal Act, 2001;

And Whereas section 425 of the Municipal Act, 2001 authorizes The Corporation of the Town of Erin to pass by-laws providing that a *person* who contravenes a by-law of The Corporation of the Town of Erin passed under that Act is guilty of an offence;

Now Therefore the Council of the Corporation of the Town of Erin hereby enacts as follows;

1. Short Title

1.1. This by-law may be cited as the **Municipal Property Damage Deposit By-law**

2. Definitions

2.1. In this by-law:

Highway includes a common and public highway, street, avenue, parkway, boulevard, driveway, square, place, bridge, viaduct or trestle, and includes the area between the lateral property lines thereof;

Owner means the *owner* of land who initiates procedures pursuant to the by-law and includes the *person* managing or receiving the rent for the land or premises whether on his own account or as agent or trustee for the *owner*;

Permit includes a lot grading *permit*, a municipal *permit*, building *permit* and any other *permit* as required by the *Town*;

Person includes a corporation unless the context otherwise requires;

Town means The Corporation of the *Town* of Erin;

Town Owned Property means highways, municipal services, sidewalks, curbing, boulevard, *Town* owned land, parks and fields, structures and/or fences located within, and owned by The Corporation of the *Town* of Erin;

3. References to Legislation

3.1. In this by-law, reference to any Act, regulation or by-law is reference to that Act, regulation or by-law as it is amended or re-enacted from time to time.

4. General Requirements

4.1. This No *Person* shall obstruct or damage, or cause or permit the obstruction or damage of any *Town owned property*.

4.2. No *person* shall deposit, throw, spill or track or cause or permit the deposit, throwing, spilling or tracking of any material, waste or soil onto any *Town owned property*.

4.3. The *owner* of a lot abutting any curbing, sidewalk or boulevard on which any building is being constructed or demolished shall take reasonable precautions to minimize damage to *Town owned property*.

4.4. The *owner* of a lot where construction is proposed is required to submit securities to the *Town* in the form of a damage deposit.

4.5. Upon the completion of the construction or demolition of the building and upon application by the *person* who paid the deposit to the *Town*, the said deposit, less the costs the *Town* incurs for any repairs or removal of material, waste or soil from *Town owned property*, less the amount required for site inspection by the *Town* shall be refunded by the *Town*.

4.6. Nothing in this By-law shall be intended to supersede, replace, fetter or relieve any *Person* from complying with any requirements under the Building Code Act, 1992, S.O. 1992, c.23 as amended, or the Building Code, O.Reg. 332/12 as amended.

4.7. Refer to Schedule "A" attached for fees and charges related to this by-law.

5. Permits

5.1. Every *person* who undertakes construction on land abutting on a highway and every *person* who undertakes construction or site works shall, prior to commencing the work, obtain the relevant *permits* as required pursuant to this by-law and/or any other legislature or by-law.

5.2. A *person* may apply for a *permit* under this, or another by-law if the *person*:

5.2.1. Completes an application for the *permit* on the forms as provided by the *Town*;

5.2.2. Submits the application along with the applicable fees and charges as provided for in the applicable by-law or the *Town's* current Fees and Charges By-law; and

5.2.3. Provides any documentation, deposit or security as set out in Schedule "A" to this by-law, or insurance certificates, as required by the *Town* as prerequisites and requirements for the issuance of the *permit*.

5.2.4. This by-law does not relieve any *person* from the necessity of acquiring any other license or *permit* or complying with any other applicable laws, by-laws, regulations and requirements of other governmental authority.

5.2.5. A *Permit* is the property of the *Town* and is not transferable unless otherwise authorized by the *Town*.

5.2.6. Every applicant shall post with the *Town* the required deposit or security, by way of certified cheque or money order in a form satisfactory to the *Town*. The *Town* does not accept payments for deposits or securities by credit card.

5.2.7. The *Town* shall not pay interest on deposits and securities to a *permit* holder or to any other *person*.

6. Permit Holders

- 6.1.1. A *permit* holder shall comply or ensure compliance with all provisions and conditions of the *permit* and this by-law.
- 6.1.2. Failure to comply with any provision or condition of a *permit* or this by-law may result in the revocation of the *permit* by the *Town*, in addition to any other enforcement proceedings against the *permit* holder as permitted by law.
- 6.1.3. The *permit* holder of a revoked *permit* shall immediately cease or ensure the immediate cessation of all the activities for which a *permit* has been issued upon revocation of the *permit* under subsection 6.1.2.
- 6.1.4. Every *permit* holder and every *owner* and occupier of land shall forthwith rectify damaged conditions on, and shall reinstate the *Town owned property*, as the case may be, to the satisfaction of the *Town*.

7. Enforcement

- 7.1. Notwithstanding any other provision of this by-law, in default of the *permit* holder complying with paragraph 6.1.1 or paragraph 6.1.4 of this by-law, and upon notice to the *permit* holder in such form and within such period of time as determined by the *Town* to be reasonable in the circumstances, the *Town* may at any time take steps to repair or reinstate the *Town owned property* damaged by a *permit* holder, *owner*, or occupier of land and such *permit* holder, *owner* or occupier of land shall be responsible for the costs incurred by the *Town* to repair or reinstate same.
- 7.2. The cost of repairing or reinstating any *Town owned property*, which has been damaged as a result of work for which a *permit* was issued, including damages caused by the crossing of vehicles or equipment and including applicable administrative charges, may be deducted by the *Town* at any time from the deposit, or drawn from the securities, provided by a *permit* holder pursuant to this by-law.
- 7.3. Where the cost of repairing and restoring the *Town owned property* exceeds the amount held on deposit or posted as security, the excess amount of the costs shall be a debt owing to the *Town*, and in addition to any other remedy available to it the *Town* may recover the excess amount of the costs by action or by adding the excess amount of the costs to the tax roll of the *permit* holder's lands and collecting them in the same manner as taxes.

8. Offences

- 8.1. No *Person* shall violate any provision of this by-law or a *permit* issued under this by-law.

- 8.2. Every *person* who contravenes a provision of this by-law or a *permit* is guilty of an offence and upon conviction is liable:
- 8.2.1. on a first conviction, to a fine of not more than \$50,000; and
 - 8.2.2. on any subsequent convictions, to a fine of not more than \$100,000.
- 8.3. Despite subsection 8.2, where the *person* convicted is a corporation:
- 8.3.1. on a first conviction, to a fine of not more than \$500,000; and
 - 8.3.2. on any subsequent convictions, to a fine of not more than \$1,500,000.
- 8.4. For the purposes of subsections 8.2 and 8.3, an offence is a subsequent offence if there has been a previous conviction under this by-law.
- 8.5. Where a *person* has been convicted of an offence, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty imposed by this by-law, make an order prohibiting the continuation or repetition of the offence by the *person* convicted.

9. Administration and Interpretation

- 9.1. The *Town* shall be responsible for the administration of this by-law including, without limiting the generality of the foregoing, determining, instructing, and directing the institution of enforcement steps such as commencing an action to recover costs incurred by the *Town*.
- 9.2. Unless the context otherwise requires, words importing the singular shall include the plural, and words importing the masculine gender shall include the feminine.
- 9.3. The headings inserted in this by-law are for convenience only.
- 9.4. Should any part of this by-law, including any part of Schedule "A", 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 Schedule "A", as applicable, shall continue to operate and to be in force and effect.
- 9.5. Nothing in this by-law shall be intended to supersede, replace, fetter or relieve any *person* from complying with any requirements under the Building Code Act, 1992, S.O. 1992, c.23, as amended, or the Building Code, O.Reg. 403/97 as amended.
- 9.6. The fees and charges payable under this by-law will be subject to Harmonized Sales Tax (H.S.T.) where applicable.

- 9.7. Payment for deposits is due prior to the issuance of a *permit* under this, or any by-law, unless otherwise stated by the *Town* and must be made in full by certified cheque or money order. Payments cannot be split and uncertified cheques are not accepted.
- 9.8. Combined payment of all non-refundable fees and charges and deposits is due prior to the issuance of a *permit* under this, or any by-law, unless otherwise stated by the *Town*, and must be made in full by certified cheque or money order for the combined payment. Payments cannot be split and uncertified cheques are not accepted.
- 9.9. Payment of all fees and deposits is due at the time of the transaction, unless the *Town* issues an invoice for a fee and deposit in which case payment is due as stated on the invoice.
- 9.10. Overdue accounts for fees and deposit payments will be charged in accordance with the *Town* Finance department policies. Government bodies are exempt from interest.
- 9.11. No discount will apply for early payment of any fees and deposits under this by-law.
- 9.12. The Chief Building Official shall be responsible for the administration of this by-law, including but not limited to the enforcement thereof and the collection activity, and for instructing legal services to take such legal action as may be considered appropriate.
- 9.13. The Roads Superintendent shall be responsible for the site inspection of *Town owned property*.
- 9.14. Where a deposit has been paid in accordance with the provisions of this by-law and remains unclaimed for a period of seven (7) years, the Director of Finance may, at the request of the Chief Building Official, transfer to the general funds of the Corporation all such deposits against which no claim has been made, free of and from any and all claims whatsoever.

10. Exemptions

- 10.1. This by-law does not apply to development proposals that are subject to the provisions of the Wellington County Official Plan and/or *Town of Erin* Official Plan or *Town of Erin* Zoning By-law for site plan control, condominium or subdivision agreements. Requirements for securities will be outlined in said agreements.

And that this by-law shall come into force and take effect on the day of its passing

Passed in open Council on _____.

Mayor, Allan Alls

Deputy Clerk, Lisa Campion



THE CORPORATION OF THE TOWN OF ERIN

By-Law # 19 – 16

A By-law to amend By-Law 17-63 being 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 Pat XI, which scale shall be designed to meet only the anticipated costs of the municipality;

And Whereas the Council of the Corporation of the Town of Erin passed By-Law 17-63 on December 12th, 2017;

And Whereas the Council of the Corporation of the Town of Erin deems it necessary to amend part of the By-law 17-63;

Now therefore The Council of the Corporation of the Town of Erin hereby Enacts as Follows:

1. That a \$500 survey review and site inspection fee be added to the Building Permit Fee Schedule, Table 1 Section G Administrative fees; and
2. That \$5,000 grading deposit be added to the Building Permit Fee Schedule Table 1 Section G Administrative Fees; and
3. That a \$2,000 Damage Deposit be added to the Building Permit Fee Schedule Table 1, Section G Administrative Fees.
4. That all other aspects of By-law 17-63 remain in full force and effect.

Passed in open Council on March 5, 2019.

Mayor, Allan Alls

Deputy Clerk, Lisa Campion



THE CORPORATION OF THE TOWN OF ERIN

By-Law # 19 – 17

A By-law to confirm the proceedings of Council at its Regular Meeting held March 5, 2019

Whereas, Section 5, Subsection 1 of the Municipal Act, being Chapter 25 of the Statutes of Ontario, 2001, the powers of a municipal corporation are to be exercised by its Council;

And Whereas, Section 5, and Subsection 3 of the Municipal Act the powers of every Council are to be exercised by By-Law;

And Whereas, it is deemed expedient that the proceedings of the Council of the Corporation of the Town of Erin at its Special meeting held **March 5, 2019** be confirmed and adopted by By-Law;

The Council of the Corporation of the Town of Erin Enacts as Follows:

1. That the action of the Council at its Special Meeting held on **March 5, 2019** in respect to each report, motion, resolution or other action passed and taken by the Council at its meeting, is hereby adopted, ratified and confirmed, as if each resolution or other action was adopted, ratified and confirmed by separate by-law.
2. That the Mayor and the proper officers of the Town are hereby authorized and directed to do all things necessary to give effect to the said action, or to obtain approvals where required, and, except where otherwise provided, the Mayor and the Clerk are hereby directed to execute all documents necessary in that behalf and to affix the corporate seal of the Town to all such documents.
3. That this by-law, to the extent to which it provides authority for or constitutes the exercise by the Council of its power to proceed with, or to provide any money for, any undertaking work, project, scheme, act, matter of thing referred to in subsection 65 (1) of the Ontario Municipal Board Act, R.S.O. 1990, Chapter 0.28, shall not take effect until the approval of the Ontario Municipal Board with respect thereto, required under such subsection, has been obtained.
4. That any acquisition or purchase of land or of an interest in land pursuant to this by-law or pursuant to an option or agreement authorized by this by-law, is conditional on compliance with Environmental Assessment Act, R.S.O. 1990, Chapter E.18.

Passed in open Council on March 5, 2019.

Mayor, Allan Alls

Deputy Clerk, Lisa Campion