

Stratford City Council Regular Council Open Session AGENDA

Meeting #: 4521st

Date: Monday, March 27, 2017

Time: 7:00 P.M.

Location: Council Chamber, City Hall

Council Present: Mayor Mathieson - Chair Presiding, Councillor Beatty, Councillor Brown,

Councillor Bunting, Councillor Henderson, Councillor Ingram, Councillor Mark,

Councillor McManus, Councillor Ritsma, Councillor Vassilakos

Staff Present: Rob Horne - Chief Administrative Officer, Joan Thomson - City Clerk, Andre

Morin - Director of Corporate Services, Carole Desmeules - Director of Social Services, David St. Louis - Director of Community Services, Ed Dujlovic - Director of Infrastructure and Development Services, Jacqueline Mockler - Director of Human Resources, John Paradis - Fire Chief, Tatiana Dafoe -

Deputy Clerk, Jeff Leunissen - Manager of Development Services

Pages

Call to Order:

Mayor Mathieson, Chair presiding, to call the Council meeting to order.

Councillor Clifford has provided regrets for this meeting.

Singing of O Canada

Moment of Silent Reflection

2. Declarations of Pecuniary Interest and the General Nature Thereof:

The *Municipal Conflict of Interest Act* requires any member of Council declaring a pecuniary interest and the general nature thereof, where the interest of a member of Council has not been disclosed by reason of the member's absence from the meeting, to disclose the interest at the first open meeting attended by the member of Council and to otherwise comply with the *Act*.

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3.	Adopt	cion of the Minutes:							
	Motion by								
		the Minutes of the Regular Meeting of Council of The Corporation of the formal stratford dated February 27, 2017 and March 6, 2017 be adopted as ed.							
4.	Adopt	tion of the Addendum/Addenda to the Agenda:							
	Motio	n by							
		the Addendum/Addenda to the Regular Agenda of Council and Standing nittees dated March 27, 2017, be added to the Agenda as printed.							
5.	Repor	t of the Committee of the Whole In-Camera Session:							
	5.1	From the February 27, 2017 Session under the Municipal Act, 2001, as amended:							
		 Personal matters about an identifiable individual(s) including municipal employees or local board employees (section 239.(2)(b)); 							
		Motion by							
	THAT Scott Mitchell be appointed to the Energy and Environment Committee as a citizen representative for the remainder of a term to November 30, 2017 or until a successor is appointed;								
		AND THAT Lorraine Kuepfer be appointed as the second Energy and Environment Committee representative to the Active Transportation Advisory Committee for the remainder of a term to November 30, 2017 or until a successor is appointed.							
	5.2	From the March 6, 2017 Session under the Municipal Act, 2001, as amended:							
		 Security of municipal property of the municipality or local board (section 239.(2)(a)); 							

Motion by _____

That hangar lease agreements be entered into with William Christian, 911512 Ontario Inc., 2329475 Ontario Limited and Andrew Woodham for the use of certain airport lands owned by The Corporation of the City of Stratford.

- 5.3 At the March 27, 2017 Session, under the Municipal Act, 2001, as amended, a matter concerning the following item was considered:
 - Labour relations or employee negotiations (section 239.(2)(d));
 - Labour relations or employee negotiations (section 239.(2)(d)) and Proposed or pending acquisition or disposal of land by the municipality or local board (section 239.(2)(c));
 - Proposed or pending acquisition or disposal of land by the municipality or local board (section 239.(2)(c));
 - Litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board (section 239.(2)(e)) and Advice that is subject to solicitor-client privilege including communications necessary for that purpose (section 239.(2)(f)); and
 - Personal matters about an identifiable individual(s) including municipal employees or local board employees (section 239.(2)(b)).
- 6. Hearings of Deputations and Presentations:

6.1	Public Meeting - Development Charges	39 - 61
	Motion by	
	That the Council meeting adjourn for the purpose of holding a Public Meeting under the Development Charges Act to review the By-law regarding proposed development charges, to reconvene at the conclusion of the public meeting.	

7. Orders of the Day:

7.1	Proclamation - Human Values Day	62 - 65
	Motion by	
	That Stratford City Council hereby proclaims April 24, 2017 as "Human	

That Stratford City Council hereby proclaims April 24, 2017 as "Human Values Day" in the City of Stratford to support the Walk for Values 2017 which raises awareness to practice human values and build "Communities of Character".

7.2 Acceptance of Quote [Q17-02] Rehabilitation of Romeo Street Field Wells

	1 and 2 (COU17-010)	
	Motion by	
	Staff Recommendation: THAT Lotowater Technical Services Inc. be retained for Q17-02, Rehabilitation of Field Wells 1 and 2 at a cost of \$150,177 including HST.	
7.3	Resolution - Cambria Street Road Widening	
	Motion by	
	That the City of Stratford accept Part 1 on Reference Plan 44R-5377 as public highway and dedicate as forming part of Cambria Street.	
7.4	Resolution - Treasurer's Statement of 2016 Council Remuneration and Expenses	68
	In accordance with Section 284 of the Municipal Act, 2001 as amended, the Treasurer is providing the 2016 Remuneration and Expenses Summary.	
	For the information of Council.	
7.5	Resolution - 2017 Blues and Ribfest Municipal Significance	69
	The Stratford Blues and Ribfest organizing committee has requested designation of the 2017 Blues and Ribfest to be held June 23, 24 and 25, 2017, as a municipally significant event for the purpose of obtaining a liquor licence. City Departments, the Health Unit, and Stratford Police Services have not expressed concerns with the request.	
	Motion by	
	That City Council hereby designates the 2017 Blues and Ribfest to be held June 23, 24 and 25, 2017 around the Veterans Drive Bandshell and in the York Street Parking Lot, as having municipal significance in Stratford for the purpose of obtaining liquor licences from the AGCO, subject to the necessary permits being obtained and compliance with the City's Municipal Alcohol Risk Policy.	
7.6	Acceptance of Cellular Services Proposal RFP17-02 (COU17-011)	70 - 71
	Motion by	
	Staff Recommendation: That Wireless Personal Communications Inc. be	

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	None	schedule	ed.								
9.	Reports of the Standing Committees:										
	9.1	Report of the Infrastructure, Transportation and Safety Committee:									
		Motion	by								
			e Report of the Infrastructure, Transportation and Safety ttee dated March 27, 2017 be adopted as printed.								
		9.1.1	Request for a Special By-law Enforcement Officer for 142 Ontario Street (ITS17-005)	72 - 73							
			THAT the request from Knox Presbyterian Church to appoint Roger Albrecht as a Special By-law Enforcement Officer to enforce certain parking restrictions on private property at 142 Ontario Street be approved;								
			AND THAT an agreement be entered into with respect to the appointment of the Special By-law Enforcement Officer.								
		9.1.2	Request for an Additional Special By-law Enforcement Officer for 91 Avonwood Drive (ITS17-007)	74 - 75							
			THAT the request from Perth Condominium Corporation No. 1 to appoint Amy Springer as a Special By-law Enforcement Officer to enforce certain parking restrictions on private property at 91 Avonwood Drive be approved;								
			AND THAT an agreement be entered into with respect to the appointment of the Special By-law Enforcement Officer.								
	9.2	Report	of the Finance and Labour Relations Committee:								
		Motion by									
		That the Report of the Finance and Labour Relations Committee dated March 27, 2017, be adopted as printed.									
		9.2.1	2017 Community Grant Appeals (FIN17-008)	76 - 98							
			That a one time grant in the amount of \$5,000 be approved for Stratford Summer Music to assist with 2017 special projects.								

9.2.2 2017 Grant Request - Stratford Strikers GU17 (FIN17-007) 99 - 119

That the grant request from the Stratford Strikers GU17 be denied.

9.2.3 Tax Adjustments – February 21, 2017 (FIN17-005)

120 - 122

THAT the Report of the Supervisor of Tax Revenue dated February 21, 2017 regarding the approval of tax adjustments under Section 357 for 2016 be approved;

AND THAT the Assessment Review Board Decisions for 2013-2016 be received for information.

9.2.4 Ministry of Finance Update on Property Tax (FIN17-006)

123 - 130

That staff be directed to obtain stakeholder input regarding the Vacancy Rebate Program and prepare a recommendation report for the consideration of Council.

9.2.5 Bill 68 – Modernizing Ontario's Municipal Legislation Act (FIN17-009)

131 - 202

THAT the report on Bill 68 – Modernizing Ontario's Legislation Act, be received as information.

10. Notice of Intent:

10.1 Intent to adopt a by-law to permanently close part of Durkin Street

City Council intends to pass a by-law to permanently close a portion of Durkin Street north of Wright Boulevard. Any one who wishes to address City Council regarding the intent to close this portion of Durkin Street may be heard at the April 10, 2017 Council meeting beginning at 7:00 pm in the Council Chamber, City Hall. A map showing the portion of Durkin Street to be closed is available for viewing in the Clerk's Office Ground Floor of City Hall during regular business hours.

Written comments regarding the intent to permanently close a portion of Durkin Street may be made to the City Clerk, by April 6, 2017.

10.2 Court of Revision - Local Improvement Projects

A Court of Revision will be held on Tuesday April 21, 2017 prior to the Finance and Labour Relations Sub-committee meeting. The purpose of the Court of Revision is to hear appeals regarding local improvement projects on Matilda Street and Mornington Street.

11. Reading of the By-laws:

The following By-laws require First and Second Readings and Third and Final

Readings and could be taken collectively upon unanimous vote of Council present: Motion by _____ That By-laws 11.1 to 11.11 be taken collectively. Motion by _____ That By-laws 11.1 to 11.11 be read a First and Second time. Motion by That By-laws 11.1 to 11.11 be read a Third time and Finally Passed. 203 11.1 Appointments to City Advisory Committees To amend By-law 142-2014 as amended, to accept the resignation of Christine Nobles-Smith and to make appointments to the Energy and **Environment Committee and to Active Transportation Advisory** Committee for the remainder of terms to November 30, 2017. 11.2 Airport Hangar Lease Agreement - William Christian 204 To authorize the entering into and execution of an airport hangar lease agreement with William Christian for twenty years effective December 1, 2016. 11.3 205 Airport Hangar Lease Agreement - 911512 Ontario Inc. To authorize the entering into and execution of an airport hangar lease agreement with 911512 Ontario Inc., for twenty years effective December 1, 2016. 11.4 Airport Hangar Lease Agreement - 2329475 Ontario Limited 206 To authorize the entering into and execution of an airport hangar lease agreement with 2329472 Ontario Limited for twenty years effective December 1, 2016. 11.5 Airport Hangar Lease Agreement - Andrew Woodham 207 To authorize the entering into and execution of an airport hangar lease agreement with Andrew Woodham for twenty years effective December 1, 2016.

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Appointment of Special By-law Enforcement Officers

11.6

To amend By-law 195-2009, as amended, to appoint special by-law enforcement officers to enforce certain parking regulations on private property at 91 Avonwood Drive and at 142 Ontario Street.

11.7 Acceptance of Quotation Q17-02

212

To authorize the acceptance of the quotation, execution of the contract and the undertaking of the work by Lotowater Technical Services Inc., for rehabilitation of Field Wells 1 and 2.

11.8 Authorizing the Use of Alternative Voting

213

To authorize the use of internet and telephone voting as an alternate voting method for the 2018 Election in Stratford.

11.9 Conveyance for Road Widening on Cambria Street

214 - 215

To authorize the acceptance of a conveyance from Patricia Louise O'Malley of Part 1 on Plan 44R-5377 as a condition of consent approval.

11.10 Dedication as Public Highway forming part of Cambria Street

216 - 217

To dedicate Part 1 on Plan 44R-5377 as public highway forming part of Cambria Street.

11.11 Acceptance of Cellular Services Proposal RFP17-02

218

To authorize the acceptance of the proposal, execution of the contract and the undertaking of the work by Wireless Personal Communications Inc., for the provision of cellular services.

12. Consent Agenda: CA-2017-33 to CA-2017-36

219 - 225

Council to advise if they wish to consider any items listed on the Consent Agenda.

13. New Business:

14. Adjournment to Standing Committees:

The next Regular	Council meeting	is April 10,	2017 in t	the Council	Chamber,	City
Hall.						

Motion	by			

That the Council meeting adjourn to convene into Standing Committees as follows:

- Infrastructure, Transportation and Safety Committee [7:15 pm or thereafter following the Regular Council meeting];
- Community Services Committee [7:20 pm or thereafter following the Regular Council meeting];
- Finance and Labour Relations Committee [7:25 pm or thereafter following the Regular Council meeting];
- Planning and Heritage Committee [7:30 pm or thereafter following the Regular Council meeting];
- Social Services Committee [7:35 pm or thereafter following the Regular Council meeting]; and

and to Committee of the Whole if necessary, and to reconvene into Council.

15. Council Reconvene:

15.1 Declarations of Pecuniary Interest made at Standing Committees

The Municipal Conflict of Interest Act requires any member of Council declaring a pecuniary interest and the general nature thereof, where the interest of a member of Council has not been disclosed by reason of the member's absence from the meeting, to disclose the interest at the first open meeting attended by the member of Council and otherwise comply with the Act.

Declarations of Pecuniary Interest made at Standing Committee meetings held on March 27, 2017 with respect to the following Items

and re-stated at the reconvene portion of the Council meeting:

Name, Item and General Nature of Pecuniary Interest

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15.2 Committee Reports

15.2.1 Social Services Committee

Motion by _____

That Item 5.1 of the Social Services Committee meeting dated March 27, 2017 be adopted as follows:

Item 5.1 - The Journey Together: One-Time Capacity Funding Transfer Payment Agreement with the Ontario Ministry of Education (SOC17-005)

THAT the Mayor and Clerk be authorized to enter into the One-Time Capacity Funding Transfer Payment Agreement with the Ministry of Education Early Years Division in the amount of \$49,000.

15.2.2 Infrastructure, Transportation and Safety Committee

Motion	by			
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That Items 5.1 and 6.1 of the Infrastructure, Transportation and Safety Committee meeting dated March 27, 2017 be adopted as follows:

Item 5.1 - Angle Parking on McCarthy

That City Council grant an exemption from Traffic and Parking By-law 159-2008 – Section 8 (No Parking in Unposted Locations) to allow angle parking and parking in the bicycle lane on the north side of McCarthy Road West from Fire Station No. 2 to the Rotary Complex site on April 5-6, 2017 and April 4-5, 2018 from 7:00 a.m. to 9:00 p.m. subject to the following conditions:

That McCarthy Place and Windmill Gardens continue to

- have unimpeded driveway access at all times;
- That a distance of 8.8 metres / 29 feet between the rear bumper of vehicles angle parked on the north side of McCarthy Road West to the south side curb is maintained at all times to allow for the safe passage of traffic and emergency vehicles, and;
- Permission is obtained from the property owner/developer for parking on the unassumed road allowance from the Rotary Complex site to the dead end of McCarthy Road West at Fraser Street.

Item 6.1 - 2016 Water Summary Report

THAT the 2016 Water Summary Report be received for information.

15.3 Reading of the By-laws (reconvene):

226 - 228

The following By-laws require First and Second Readings and Third and Final Readings and could be taken collectively upon unanimous vote of Council present:

By-law 11.12 - Transfer Payment Agreement

To authorize the entering into and execution of an Ontario Transfer Payment Agreement with Her Majesty the Queen in right of Ontario as represented by the Minister of Education to support the local implementation of Ontario's Journey Together early years initiative.

By-law 11.13 - Traffic and Parking By-law Exemption

To grant temporary exemptions from Traffic and Parking By-law 159-2008 as amended, to allow for angle parking on certain parts of McCarthy Road West and for parking in bicycle lanes during the 2017 and the 2018 Canadian Dairy XPO events

By-law 11.14 - Confirmatory By-law

То	confirm	the	proceed	ings of	Council	of	The	Corpor	ation	of t	the	City	of
Str	atford a	t its ı	meeting	held o	n March	27	, 20	17.					

Motion by
That By-laws 11.12 to 11.14 be taken collectively
Motion by

	That By-laws 11.12 to 11.14 be read a First and Second Time.
	Motion by
	That By-laws 11.12 to 11.14 be read a Third time and Finally Passed.
15.4	Adjournment of Council Meeting
	Meeting Start Time: Meeting End Time:
	Motion by
	That the March 27, 2017 Regular Council meeting adjourn.



Stratford City Council Regular Council Open Session MINUTES

Meeting #: 4519th

Date: Monday, February 27, 2017

Time: 7:00 P.M.

Location: Council Chamber, City Hall

Council Present: Mayor Mathieson - Chair Presiding, Councillor Beatty, Councillor

Brown, Councillor Bunting, Councillor Clifford, Councillor Henderson, Councillor Ingram, Councillor Mark, Councillor

McManus, Councillor Ritsma, Councillor Vassilakos

Staff Present: Rob Horne - Chief Administrative Officer, Joan Thomson - City

Clerk, Andre Morin - Director of Corporate Services, Carole
Desmeules - Director of Social Services, David St. Louis Director of Community Services, Ed Dujlovic - Director of
Infrastructure and Development Services, John Paradis - Fire
Chief, Jacqueline Mockler - Director of Human Resources,
Tatiana Dafoe - Deputy Clerk, Jeff Leunissen - Manager of
Development Services, Mike Mousley - Manager of Transit,

Taylor Crinklaw – Project Engineer

Also Present: Members of the Public and Media

1. Call to Order:

Mayor Mathieson, Chair presiding, called the Council meeting to order.

Singing of O Canada

Moment of Silent Reflection

2. Declarations of Pecuniary Interest and the General Nature Thereof:

The *Municipal Conflict of Interest Act* requires any member of Council declaring a pecuniary interest and the general nature thereof, where the interest of a member of Council has not been disclosed by reason of the member's absence from the meeting, to disclose the interest at the first open meeting attended by the member of Council and to otherwise comply with the *Act*.

A declaration of pecuniary interest was not made by a member of Council.

3. Adoption of the Minutes:

R2017-61

Motion byCouncillor BeattySeconded ByCouncillor Brown

That the Minutes of the Regular Meeting of Council of The Corporation of the City of Stratford dated February 13, 2017 be adopted as printed.

Carried

4. Adoption of the Addendum to the Agenda:

R2017-62

Motion byCouncillor McManusSeconded ByCouncillor Ingram

That the Addendum to the Consent Agenda adding Item CA-2017-030 dated February 27, 2017 be added to the Agenda as printed.

Carried

5. Report of the Committee of the Whole In-Camera Session:

- 5.1 At the February 27, 2017 Session under the Municipal Act, 2001, as amended, a matter concerning the following item was considered
 - Personal matters about an identifiable individual(s) including municipal employees or local board employees (section 239.(2)(b));

Direction was given to Administration at the Committee of the Whole In-Camera Session respecting this matter.

6. Hearings of Deputations and Presentations:

None scheduled for the February 27, 2017 Council meeting.

7. Orders of the Day:

7.1 Notice of OMB Decision PL150675 for 485 Romeo Street South

Memorandum of Oral Decision delivered on November 17, 2016 and Order of the Board.

The Appellant, the City and the Applicant reached a settlement with respect to the application before the OMB, providing for the modification of By-law 70-2015 to prohibit the following uses: drive-in restaurant, nursery and any patio associated with the restaurant use. In addition, the parties agreed that the existing single detached dwelling could remain a legal non-conforming use.

The Board orders that the ZBA appeal is allowed in part and By-law 70-2015 is hereby amended in the manner set in Attachment 1 to this Order.

For the information of Council.

7.2 Acceptance of Proposal for RFP16-15 – Provision of In-camera Meeting Investigation Services (COU17-006)

R2017-63

Motion byCouncillor CliffordSeconded ByCouncillor Vassilakos

THAT the proposal from the Association of Municipalities of Ontario / Local Authority Services for the provision of In-camera Meeting Investigation Services [RFP16-15] for two (2) years, be accepted, including the option to renew for three (3) one (1) year terms thereafter by the City (total of 5 years);

THAT the appointment of Local Authority Services as the City of

Stratford's In-camera meeting investigator and for Municipal Liaison Committee and Spruce Lodge Board of Management, continue under By-law 87-2011;

AND THAT the Mayor and Clerk be authorized to enter into an agreement with Local Authority Services including the option to renew for additional terms.

Carried

7.3 Proclamation - Red Cross Month

R2017-64

Motion byCouncillor IngramSeconded ByCouncillor McManus

That Stratford City Council hereby proclaims March 2017 as Red Cross Month in the City of Stratford.

Carried

7.4 Resolution - Part Lot Control Application PLC01-17 (COU17-004)

R2017-65

Motion byCouncillor IngramSeconded ByCouncillor Vassilakos

THAT Council approves Part Lot Control application PLC01-17 to exempt Parts 1, 2, 3, and 4 of Plan 44R-5368 and Parts 1 and 2 of Plan 44R-5372 from Part Lot Control for one year from the date of the passing of the by-law.

Carried

7.5 Acceptance of Tender - Update 2017 Janitorial Services for Perth and Stratford Housing Corporation apartment buildings. (COU17-005)

R2017-66

Motion byCouncillor BuntingSeconded ByCouncillor Vassilakos

THAT Precise Janitorial Services Inc. be awarded the tender T16-20 for 2017 Janitorial Services at 18 apartment buildings located in Stratford, Perth County and St. Marys for a total tender price

of \$241,353.17 including HST;

AND THAT the Mayor and Clerk be authorized to execute the required contract documents.

Carried

7.6 Continuation of One-Third Tax Free Council Remuneration (COU17-007)

R2017-67

Motion byCouncillor HendersonSeconded ByCouncillor Clifford

THAT the City of Stratford deems it desirable to continue with the practice of providing one-third of the remuneration paid to elected members of Council and Local Boards to be deemed expenses incidental to the discharge of their duties.

Carried

8. Business for Which Previous Notice Has Been Given:

None scheduled.

- 9. Reports of the Standing Committees:
 - 9.1 Report of the Infrastructure, Transportation and Safety Committee:

R2017-68

Motion byCouncillor McManusSeconded ByCouncillor Ingram

THAT Items 9.1.2 and 9.1.3 of the Report of the Infrastructure, Transportation and Safety Committee dated February 27, 2017 be adopted as printed.

Carried

Motion by Councillor Beatty
Seconded By Councillor Brown

THAT Item 9.1.1. of the Report of the Infrastructure, Transportation and Safety Committee be adopted as printed.

Defeated

9.1.1 Ballantyne Avenue Road Reconstruction – Open House and Design Approval (ITS17-002)

THAT Council approve the design to reconstruct Ballantyne Avenue, as described in the report - "Ballantyne Avenue Road Reconstruction — Open House and Design Approval - ITS17-002" dated January 13, 2017;

AND THAT the design include traffic calming measures to reduce speed.

9.1.2 Alternate Fire Coordinator – Perth County (ITS17-001)

THAT Council receive the report entitled Alternate Fire Coordinator – Perth County, dated January 5, 2017, for information;

AND THAT Council approve the City of Stratford Fire Chief accepting the role of Alternate Fire Coordinator for the County of Perth;

AND That Council authorize the City Clerk to notify the Office of the Fire Marshal and Emergency Management of this appointment.

9.1.3 Request for a Special By-law Enforcement Officer for 91 Avonwood Drive (ITS17-003)

THAT the request from Perth Condominium Corporation No. 1 to appoint Robert Roth as a Special By-law Enforcement Officer to enforce certain parking restrictions on private property at 91 Avonwood Drive be approved;

AND THAT an agreement be entered into with respect to the appointment of the Special By-law Enforcement Officer.

An inquiry was made at the Council meeting into why traffic calming measures was added to the recommendation from the previous meeting. Councillor Vassilakos stated she made an amendment at the previous meeting to add traffic

calming measures. The Director of Infrastructure and Development Services advised the item was added for the purpose of reducing speeding on the subject road.

It is questioned whether the subject road requires the installation of traffic calming measures and what type(s) of measures are to be added. The Director of Infrastructure and Development Services advised an asphalt or concrete speed hump is the preferred measure.

An inquiry was made into potential snow plowing issues with the installation of a speed hump. The Director of Infrastructure and Development Services advised other communities have installed speed humps and there has not been issues with respect to snow plowing.

Questions were asked respecting cost of installation. The Director of Infrastructure and Development Services noted the speed hump would originally be asphalt and after a year it would be layered. The cost of installing the speed hump is approximately \$2,000.

Questions respecting the design of the road were discussed, including suggestions that more options are needed for review.

Motion by Councillor Henderson

Seconded By Councillor Mark

THAT the design of Ballantyne Avenue consist of two sidewalks on both sides.

Before the question was called on the two sidewalk design, a motion to refer was taken.

R2017-69

Motion byCouncillor VassilakosSeconded ByCouncillor McManus

THAT the design for Ballantyne Avenue be referred to Administration.

Carried

9.2 Report of the Planning and Heritage Committee:

R2017-70

Motion byCouncillor RitsmaSeconded ByCouncillor McManus

THAT the Report of the Planning and Heritage Committee dated February 27, 2017 be adopted as printed.

Carried

9.2.1 Heritage Conservation District (HDC) Permit Application for 46 Ontario Street (PLA17-002)

THAT, based on the recommendation of the Heritage Stratford Permit Review Committee, Council accept Mr. Whitaker's proposal to remove the "4" and "6" from the brick work;

AND THAT a Heritage Alteration Permit, as amended, be issued for the second storey brick replacement for 46 Ontario Street.

9.3 Report of the Finance and Labour Relations Committee:

R2017-71

Motion byCouncillor CliffordSeconded ByCouncillor Vassilakos

THAT the Report of the Finance and Labour Relations Committee dated February 27, 2017 be adopted as printed.

Carried

9.3.1 Festival Hydro Quarterly Financial Update - Sept. 30, 2016 (FIN17-002)

THAT the Festival Hydro Inc. financial statement and commentary for September 30, 2016, be received for information;

AND THAT the Festival Hydro Services Inc. financial statement and commentary for September 30, 2016, be received for information.

9.3.2 2017 Grant Request - Stratford Blues & Ribfest (FIN17-003)

THAT the Stratford Blues and Ribfest be given a 2017 grant of \$3,000 from the contingency fund.

10. Notice of Intent:

10.1 Notice of Public Meeting - Development Charges By-law

Stratford City Council will hold a Public Meeting pursuant to s 12 of the Development Charges Act, 1997 as amended, to present and obtain public input on the proposed development charges by-law and underlying background study. The Public Meeting is scheduled for March 27, 2017 at 7:00 pm in the Council Chamber, City Hall, 1 Wellington Street, Stratford. The background study and draft by-law are available on the City's website.

10.2 Notice of Intent - Community Logo Contest

The Community Logo Working Group is pleased to announce the launch of a contest for a community logo. The purpose of the contest is to submit designs for a community logo that can be used by community groups, agencies, sports associations, teams and businesses or incorporated into their existing logos and brands. The deadline for submitting designs is March 31, 2017.

Details of the contest launch to be provided on the City's website.

An inquiry was made into the members of the working group. The Clerk noted members consist of representatives from the Communities in Bloom Advisory Committee, Heritage Stratford, Sesquicentennial and Stratford of the World.

11. Reading of the By-laws:

The following By-laws require First and Second Readings and Third and Final Readings and could be taken collectively upon unanimous vote of Council present:

R2017-72

Regular Council February 27, 2017 10

Motion byCouncillor VassilakosSeconded ByCouncillor Beatty

That By-laws 20-2017 to 25-2017 be taken collectively.

Carried unanimously

R2017-73

Motion byCouncillor CliffordSeconded ByCouncillor Ingram

That By-laws 20-2017 to 25-2017 be read a First and Second time.

Carried two-thirds support

R2017-74

Motion byCouncillor BuntingSeconded ByCouncillor Henderson

That By-laws 20-2017 to 25-2017 be read a Third time and Finally Passed.

Carried

11.1 One-third Remuneration - By-law 20-2017

To confirm one-third of remuneration paid to elected members of Council and its local boards as expenses incident to the discharge of their duties, for the 2014-2018 term of elected officials.

11.2 Acceptance of Tender - Janitorial Services T16-20 - By-law 21-2017

To authorize the acceptance of the tender, execution of the contract and the undertaking of work by Precise Janitorial Services Inc. for 2017 Janitorial Services for Perth and Stratford Housing Corporation apartment buildings - Tender T16-20.

11.3 Acceptance of Proposal - In-camera investigation services RFP16-15 - By-law 22-2017

To continue the appointment of Local Authority Services pursuant to section 239 of the Municipal Act, 2001 for The Corporation of the City of Stratford , its local boards and committees and for the Municipal Liaison Committee and for Spruce Lodge Board of Management and to accept

the proposal from Local Authority Services for the provision of in-camera meeting investigation services.

11.4 Appointment of Special By-law Enforcement Officer for 91 Avonwood Drive - By-law 23-2017

To amend By-law 195-2009 as amended, to appoint a special by-law enforcement officer to enforce certain parking regulations on private property at 91 Avonwood Drive.

11.5 Agreement for the Provision of accessibility compliance services - By-law 24-2017

To authorize the entering into and execution of an agreement with the Corporation of the County of Perth for the provision of accessibility services under the Accessibility for Ontarians with Disabilities Act for the City and the Public Library effective February 1, 2017.

11.6 Part Lot Control Exemption PLC01-17 - By-law 25-2017

To grant a part lot control exemption to exempt Parts 1, 2, 3 and 4 on Plan 44R-5368 and Parts 1 and 2 of Plan 44R-5372 for 32, 34, 36 and 38 Frederick Street, for a one year period.

12. Consent Agenda: CA-2017-025 to CA-2017-029

The Clerk reminded Members of Council of the Addendum to the Consent Agenda which added Item CA-2017-030, which provides notification from the Infrastructure and Development Services Department that they intend to call for Requests for Proposals for Quinlan Pumping Station and Forcemain Design.

An inquiry was made into Item CA-2017-026, specifically if there are accessible paths to the referenced parks. The Director of Community Services noted that if an accessible path does not currently exist it will be added to the reconstruction.

A further inquiry was made into the status of hiring a Fleet Supervisor. The Director of Infrastructure and Development Services noted the recruitment process is underway and the posting closes soon.

13. New Business:

13.1 Potholes

Concerns have been received regarding potholes on a variety of streets including:

- St. Vincent;
- Norfolk;
- Borden;
- Romeo;
- Gordon;
- Dover; and
- Perth.

Inquiries were made into whether these roads are included in the Capital Works Program and how roads are assessed for repair.

The Director of Infrastructure and Development Services noted that St. Vincent is included in the Capital Works Program. For streets not included, such as Norfolk and Dover, each Spring the roads in the City are assessed, taking into account the volume of traffic and the condition of the road, specifically if it warrants an overlay or a complete re-construction. Upon completion of all assessments the Capital Works Program is reviewed which may lead to projects not originally on the list being added.

The process for reporting potholes was raised. The Director of Infrastructure and Development Services advised residents can call City Hall at extension 259 and report a pothole. The information they will need is the street it is located on, including any cross-streets and the building it is in front of. Alternatively, residents can download the Stratford Life App which will transmit the exact location to the Infrastructure and Development Services Department.

13.2 Parking Rates

An inquiry was made into the status of evaluating parking rates in the core. The Director of Corporate Services noted that at the last Infrastructure, Transportation and Safety Committee the parking rates, including those proposed by the BIA were reviewed. As construction

continues on the Market Square more analysis will be undertaken and reports will be prepared for consideration by Council.

13.3 Crosswalk - Front and Ontario Street

A request was made for the lights at Front and Ontario Street to be reviewed following a concern expressed by a resident who had difficulty crossing the street before the lights changed. The Director of Infrastructure and Development Services indicated the lights would be reviewed.

14. Adjournment to Standing Committees:

The next Regular Council meeting is March 6, 2017 in the Council Chamber, City Hall.

R2017-75

Motion byCouncillor McManusSeconded ByCouncillor Ingram

That the Council meeting adjourn to convene into Standing Committees as follows:

- Planning and Heritage Committee [7:15 or thereafter following the Regular Council meeting]; and
- Community Services Committee [7:20 or thereafter following the Regular Council meeting]; and
- Infrastructure, Transportation and Safety Committee [7:25 or thereafter following the Regular Council meeting]

and to Committee of the Whole if necessary, and to reconvene into Council.

Carried

15. Council Reconvene:

15.1 Declarations of Pecuniary Interest made at Standing Committees

The Municipal Conflict of Interest Act requires any member of Council declaring a pecuniary interest and the general nature thereof, where the interest of a member of Council has not been disclosed by reason of the

member's absence from the meeting, to disclose the interest at the first open meeting attended by the member of Council and otherwise comply with the Act.

A declaration of pecuniary interest was not made by a member of Council.

15.2 Committee Reports

15.2.1 Infrastructure, Transportation and Safety Committee

R2017-76

Motion byCouncillor McManusSeconded ByCouncillor Vassilakos

That Item 5.1 of the Infrastructure, Transportation and Safety Committee meeting dated February 27, 2017 be adopted as follows:

Item 5.1 Oxford Street and Guelph Street Watermain Replacement - Open House and Design Approval (ITS17-006)

That Council approve the design to reconstruct the Watermain Infrastructure within Guelph Street and Oxford Street, as described in this report.

Carried

15.3 Reading of the By-laws (reconvene):

The following By-law requires First and Second Reading and Third and Final Reading:

By-law 11.7 Confirmatory By-law - By-law 26-2017

To confirm the proceedings of Council of The Corporation of the City of Stratford at its meeting held on February 27, 2017.

R2017-77

Motion byCouncillor MarkSeconded ByCouncillor Bunting

That By-law 26-2017 be read a First and Second time.

Carried two-thirds support

R2017-78

Motion byCouncillor BeattySeconded ByCouncillor Brown

That By-law 26-2017 be read a Third time and Finally Passed.

Carried

15.4 Adjournment of Council Meeting

R2017-79

Motion byCouncillor HendersonSeconded ByCouncillor Mark

That the February 27, 2017 Regular Council meeting adjourn.

Carried

Meeting Start Time: 7:00 pm Meeting End Time: 7:36 pm

Reconvene Meeting Start Time: 8:01 p.m. Reconvene Meeting End Time: 8:03 p.m.

Mayor - Daniel B. Mathieson

Clerk - Joan Thomson



Stratford City Council Regular Council Open Session MINUTES

Meeting #: 4520th

Date: Monday, March 6, 2017

Time: 7:00 P.M.

Location: Council Chamber, City Hall

Council Present: Mayor Mathieson - Chair Presiding, Councillor Beatty, Councillor

Brown, Councillor Bunting, Councillor Clifford, Councillor Henderson, Councillor Ingram, Councillor Mark, Councillor

McManus, Councillor Ritsma, Councillor Vassilakos

Staff Present: Rob Horne - Chief Administrative Officer, Joan Thomson - City

Clerk, Andre Morin - Director of Corporate Services, Ed Dujlovic -

Director of Infrastructure and Development Services, John
Paradis - Fire Chief, Jacqueline Mockler - Director of Human
Resources, Jeff Leunissen - Manager of Development Services,
Tatiana Dafoe - Deputy Clerk, Michael Mousley - Manager of

Transit

Also Present: Members of the Public and Media

1. Call to Order:

Mayor Mathieson, Chair presiding, called the Council meeting to order.

Singing of O Canada

Moment of Silent Reflection

2. Declarations of Pecuniary Interest and the General Nature Thereof:

The *Municipal Conflict of Interest Act* requires any member of Council declaring a pecuniary interest and the general nature thereof, where the interest of a member of Council has not been disclosed by reason of the member's absence from the meeting, to disclose the interest at the first open meeting attended by the member of Council and to otherwise comply with the *Act*.

Councillor Ingram declared a pecuniary interest of Item 7.6 regarding the resolution for Part Lot Control Application PLC03-16 (COU17-009) on the March 6, 2017 Regular Council Agenda as she has a property under construction that has not yet closed. She did not participate in the discussion or vote on the matter.

3. Adoption of the Minutes:

There were no minutes to be adopted. The February 27, 2017 Regular Council minutes will be available at the March 27, 2017, Regular Council meeting.

4. Adoption of the Addenda to the Agenda:

R2017-80

Motion byCouncillor IngramSeconded ByCouncillor McManus

That the Addenda to the Regular Agenda of Council and Standing Committees dated March 6, 2017, be added to the Agenda as printed to include By-law 11.4 and an additional item to Section 5.

Carried

5. Report of the Committee of the Whole In-Camera Session:

5.1 At the March 6, 2017 Session under the Municipal Act, 2001, as amended, matters concerning the following items were considered:

- Security of municipal property of the municipality or local board (section 239.(2)(a));
- Labour relations or employee negotiations (section 239.(2)(d)).

The City Clerk advised of the Addenda to the Committee of the Whole In-Camera Session Agenda regarding a:

 Proposed or pending acquisition or disposal of land by the municipality or local board (section 239.(2)(c).

Direction was given regarding the matters concerning the security of municipal property of the municipality or local board (section 239.(2)(a)) and labour relations or employee negotiations (section 239.(2)(d)).

6. Hearings of Deputations and Presentations:

6.1 Long Service Award - Ralph Steckly

Mayor Mathieson and the Manager of Transit presented a long service award to Ralph Steckly, Community Services Department, Transit Division and expressed appreciation on behalf of the City of Stratford. Members of Council congratulated Mr. Steckly.

7. Orders of the Day:

7.1 Notice of 2017 Association of Municipalities of Ontario (AMO) Conference

The 2017 AMO Annual General Meeting and Annual Conference, *Main Street Meets Globalization*, takes place August 13-16. Members of Council wishing to attend are asked to make their arrangements with the CAO's Office.

Members are advised that due to the date of AMO Annual General Meeting and Annual Conference the regular council schedule must be changed. Administration to follow-up on this matter.

7.2 Resolution - Resignation from Energy and Environment

R2017-81

Motion byCouncillor McManusSeconded ByCouncillor Brown

That the resignation of Christine Nobles-Smith from the Energy and Environment Advisory Committee and as the Energy and Environment representative on the Active Transportation Advisory Committee, be accepted.

Carried

7.3 Resolution - Canadian Dairy XPO Municipal Significance

The Canadian Dairy XPO has requested designation of the 2017 Canadian Dairy XPO to be held April 5-6, 2017, as a municipally significant event for the purpose of obtaining a liquor licence.

City Departments, the Health Unit and Stratford Police Services have not expressed concerns with the request.

R2017-82

Motion byCouncillor BeattySeconded ByCouncillor Ritsma

That City Council hereby designates the 2017 Canadian Dairy XPO to be held April 5-6, 2017 at the Stratford Rotary Complex in the Cow Coliseum, as having municipal significance in Stratford for the purpose of obtaining liquor licences from the AGCO, subject to the necessary permits being obtained and compliance with the City's Municipal Alcohol Risk Policy.

Carried

7.4 Proclamation - Oncology Nursing Day

R2017-83

Motion byCouncillor VassilakosSeconded ByCouncillor Ingram

That City Council hereby proclaims Tuesday, April 4, 2017 as "Canadian Oncology Nursing Day" in the City of Stratford in recognition of the special contribution oncology nurses provide to the public.

Carried

7.5 Resolution - Parkland Dedication Deferral, Stratford East Investment Ltd. (COU17-008)

R2017-84

Motion byCouncillor McManusSeconded ByCouncillor Ingram

THAT Council authorizes the Mayor and the Clerk to sign the parkland deferral agreement with Stratford East Investments Ltd., in order to fulfill the condition of provisional consent for file B05-16.

Carried

7.6 Resolution - Part Lot Control Application PLC03-16 (COU17-009)

An inquiry was made into whether a part lot control application for a period of three years has been granted previously. Manager of Development Services indicated this has not been done in the past. The practice is normally one year but do to the nature of the project, a part lot control for a period of one year is not sufficient for the contractor to complete all work and is why a three years period has been recommended.

R2017-85

Motion byCouncillor McManusSeconded ByCouncillor Mark

THAT Council approves Part Lot Control Application PLC03-16 by Werner Bromberg Ltd., to exempt Lots 41 to 78 on Plan 44M-39, Parts 1-44 of 44R-5376, from part lot control for a period of 3 years from the date of the passing of the implementing By-law.

Carried

8. Business for Which Previous Notice Has Been Given:

None scheduled.

9. Reports of the Standing Committees:

9.1 Report of the Community Services Committee

R2017-86

Motion by Councillor Beatty
Seconded By Councillor Bunting

That the Report of the Community Services Committee dated March 6, 2017, be adopted as printed.

Carried

9.1.1 Statistical Review of Sunday Transit Service Trial

That the Sunday Transit Service be reduced to 11:00 a.m. until 6:00 p.m. rather than 10 a.m. commencing April 1, 2017 for a 3 month trial period.

10. Notice of Intent:

None scheduled.

11. Reading of the By-laws:

The following By-laws require First and Second Readings and Third and Final Readings and could be taken collectively upon unanimous vote of Council present:

R2017-87

Motion byCouncillor IngramSeconded ByCouncillor Bunting

That By-laws 27-2017 and 28-2017 be taken collectively.

Carried unanimously

R2017-88

Motion byCouncillor BrownSeconded ByCouncillor Mark

That By-laws 27-2017 and 28-2017 be read a First and Second Time.

Carried two-thirds support

R2017-89

Motion by Councillor Vassilakos

Regular Council March 6, 2017 7

Seconded By Councillor Henderson

That By-laws 27-2017 and 28-2017 be read a Third time and Finally Passed.

Carried

R2017-90

Motion byCouncillor CliffordSeconded ByCouncillor Mark

That By-law 29-2017 be read a First and Second Time.

Carried two-thirds support

R2017-91

Motion byCouncillor BeattySeconded ByCouncillor Henderson

That By-law 29-2017 be read a Third time and Finally Passed.

Carried

11.1 Agreement with Stratford East Development Ltd. - By-law 27-2017

To execute an agreement with Stratford East Investment Ltd. with respect to a Committee of Adjustment condition to defer the dedication of parkland at 305 C. H. Meier Boulevard until such time as the retained parcel is developed through a future Plan of Subdivision or Site Plan Application.

11.4 Addenda - Repeal By-law 12-2017 - By-law 28-2017

To repeal By-law 12-2017 authorizing the conveyance/transfer of Lots 16, 17 and Part of Lot 18 Plan 44M-38 designated as Parts 2 and 3 on Plan 44R-5294 to Damlar Inc.

11.2 Part Lot Control - Ahrens Drive - By-law 29-2017

To exempt Parts 1-44 on Plan 44R-5376, Ahrens Drive, from the provisions of part-lot control for a period of three years for the purpose of conveying single detached dwelling units to individual owners.

12. Consent Agenda: CA-2017-31 to CA-2017-32

Council did not advise of any items they wished to consider listed on the Consent Agenda.

13. New Business:

13.1 City Center BIA

Congratulations were extended to the City Center BIA for their successful initiative. It was noted the BIA gave out \$10,100 in gift certificates and had a total sales of \$123,500.

13.2 Bus Pass

An inquiry was made into why there is a different colour bus pass for Ontario Works. It was noted this matter has been referred to Social Services for review.

13.3 Allman Arena

Members were advised of a call received regarding an incident at Allman Arena where a resident fell using the stairs. An inquiry was made into adding a railing to the subject area. It was noted this matter has been referred to Community Services for review.

13.4 Ballantyne Avenue Road Reconstruction

A request was made for a motion to be placed on the floor for the purposes of reconsidering the Ballantyne Avenue Road Reconstruction. As there was no seconder to the motion, no further action was taken.

13.5 Service Delivery Review

A discussion took place on challenging City Council to think of ideas to save money. It was determined a structure is needed, and to review the consultant's report on Core Service Review.

R2017-92

Motion byCouncillor BrownSeconded ByCouncillor McManus

That the Finance and Labour Relations Sub-committee develop a process for reviewing service delivery at the City of Stratford with Senior Administration evaluating the recommendations.

Carried

14. Adjournment to Standing Committees:

The next Regular Council meeting is March 27, 2017 in the Council Chamber, City Hall.

R2017-93

Motion byCouncillor IngramSeconded ByCouncillor Bunting

That the Council meeting adjourn to convene into Standing Committees as follows:

- Infrastructure, Transportation and Safety Committee [7:10 pm] or thereafter following the Regular Council meeting];
- Finance and Labour Relations Committee [7:15 pm] or thereafter following the Regular Council meeting];

and to Committee of the Whole if necessary, and to reconvene into Council.

Carried

15. Council Reconvene:

15.1 Declarations of Pecuniary Interest made at Standing Committees

The Municipal Conflict of Interest Act requires any member of Council declaring a pecuniary interest and the general nature thereof, where the interest of a member of Council has not been disclosed by reason of the member's absence from the meeting, to disclose the interest at the first open meeting attended by the member of Council and otherwise comply with the Act.

Declarations of Pecuniary Interest made at Standing Committee meetings

held on March 6, 2017 with respect to the following Items and re-stated at the reconvene portion of the Council meeting:

Councillor Bunting declared a matter of pecuniary interest on Item 5.2 "2017 Grant Request for Stratford Strikers GU17 (FN17-007)" on the Finance and Labour Relations Committee Agenda because he is a member.

15.2 Reading of the By-laws (reconvene):

The following By-laws requires First and Second Reading and Third and Final Reading:

By-law 11.3 Confirmatory By-law - By-law 30-2017

To confirm the proceedings of Council of The Corporation of the City of Stratford at its meeting held on March 6, 2017.

R2017-94

Motion byCouncillor BeattySeconded ByCouncillor Henderson

That By-law 30-2017 be read a First and Second Time.

Carried two-thirds support

R2017-95

Motion byCouncillor VassilakosSeconded ByCouncillor Ingram

That By-law 30-2017 be read a Third time and Finally Passed.

Carried

15.3 Adjournment of Council Meeting

R2017-96

Motion byCouncillor BrownSeconded ByCouncillor Bunting

That the March 6, 2017 Regular Council meeting adjourn.

Carried

Meeting Start Time: 7:00 P.M. Meeting End Time: 7:33 P.M.

Reconvene Meeting Start Time: 8:06 P.M. Reconvene Meeting End Time: 8:07 P.M.

Mayor - Daniel B. Mathieson

Clerk - Joan Thomson

City of Stratford

2017 Development Charges

Public Meeting

March 27, 2017



Timelines for DC Process

- ✓ Project Start-up meeting November 15, 2016
- ✓ Staff Interviews December 8 & 9, 2016
- ✓ Stakeholder Meeting (#1) January 18, 2017
- ✓ Stakeholder Meeting (#2) February 3, 2017
- ✓ Finance & Labour Relations Committee Workshop February 6, 2017
- ✓ Final Background Study and draft D.C. by-law February 9, 2017
- ✓ Public Meeting March 27, 2017
- By-law adoption April 10, 2017



Public Meeting Purpose

- The meeting is a mandatory requirement under the Development Charges Act
- Prior to Council's consideration of a by-law, a background study must be prepared and available to the public a minimum 60 days prior to the DC by-law passage
- The public meeting is to provide for a review of the DC proposal and to receive public input on the proposed policies and charges



Format for Public Meeting

- DCA Public Meeting
 - Opening remarks
 - Presentation of the proposed policies and charges
 - Questions from Council
 - Presentations by the Public
 - Close Public Meeting



Development Charges

Purpose:

- To recover the capital costs associated with residential and non-residential growth within a municipality
- The capital costs are in addition to what costs would normally be constructed as part of a subdivision (i.e. internal roads, sewers, watermains, roads, sidewalks, streetlights, etc.)
- Municipalities are empowered to impose these charges via the Development Charges Act (DCA)



Overview of DCA (simplified steps)

- 1. Identify amount, type and location of growth
- Identify servicing needs to accommodate growth
- Identify capital costs to provide services to meet the needs



Overview of DCA (simplified steps)

4. Deduct:

- Grants, subsidies and other contributions
- Benefit to existing development
- Statutory 10% deduction (soft services)
- Amounts in excess of 10 year historical service calculation (note that Bill 73 defines a special forward looking service standard for Transit Services)
- DC Reserve funds (where applicable)
- Net costs then allocated between residential and non-residential benefit
- Net costs divided by growth to provide the DCcharge

Mandatory Exemptions

Exemptions:

- Mandatory exemptions
 - for industrial building expansions (may expand by 50% with no DC)
 - May add up to 2 apartments for a single detached unit as long as size of home doesn't double
 - Add one additional unit in medium & high density buildings
 - Upper/Lower Tier Governments and School Boards



Discretionary Exemptions

Exemptions:

- Discretionary exemptions
 - Reduce in part or whole DC for types of development or classes of development (e.g. industrial, places of worship, affordable housing)
 - May phase-in over time
 - Redevelopment credits to recognize what is being replaced on site (not specific in the Act but provided by case law)



Current Exemptions in Stratford's D.C. By-law (45-2013)

Exemptions:

- The City or a local board or commission thereof;
- The County of Perth or a local board or commission thereof;
- A School Board as defined in Section 1(1) of the Education Act;
- a development that is limited to only the enlargement of an existing dwelling unit;
- the creation of additional dwelling units as provided in Schedule A of the Bylaw;
- a development of existing commercial buildings or structures or part thereof where the square footage is not increased;
- any use permitted pursuant to section 39 of the Planning Act (Temporary Use);
- the creation of residential use within existing buildings located in the Heritage Conservation District, pursuant to City By-law No. 173-97;
- the conversion of industrial buildings to residential uses within Special Policy Area No.7: Factory District, of the City's Official Plan;
- an industrial development; and
- An accessory building.

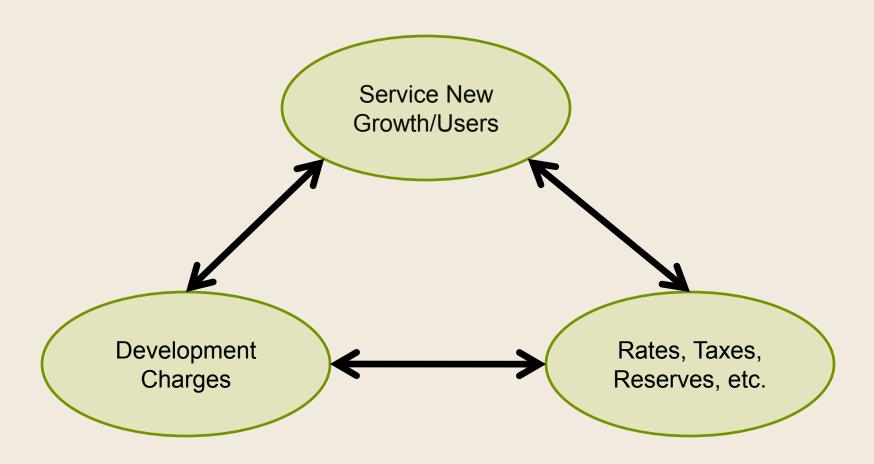


Local Service Policies

- As part of the DC process, need to define what is included in the DC and what is a developer responsibility
- Generally, a developer is responsible for :
 - Water and Wastewater connections to trunk mains and pumping stations to service specific areas
 - Storm Water Management
 - Internal roads, sidewalks, streetlights, private entrances

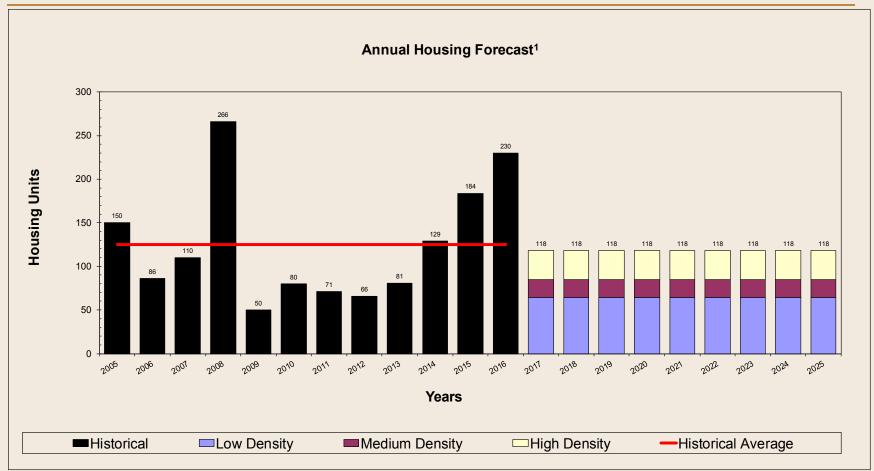


Relationship Between Needs to Service Growth vs. Funding





Growth Forecast



Source: City of Stratford Planning Department

1. Growth Forecast represents calendar year.



Growth Forecast Increase

The 2017 Development Charge forecast provides for the following growth:

Measure	10 Year	20 Year	Urban Build Out
ivieasure	2017-2026	2017-2036	2017-Urban Build Out
(Net) Population Increase	1,438	2,622	14,920
Residential Unit Increase	1,155	2,005	7,458
Non-Residential Gross Floor Area Increase (ft²)	732,300	1,499,800	8,537,400
Commercial/Institutional Gross Floor Area Increase (ft²)	458,800	831,500	3,283,300

Source: Watson & Associates Economists Ltd. Forecast 2017



Current Development Charges

CITY OF STRATFORD DEVELOPMENT CHARGES AS AT JANUARY 1, 2017

		Non-Residential			
Service	Single & Semi Detached	Multiples	Apartments with >= 2 Bedrooms	Apartments with < 2 Bedrooms	per ft²
Municipal-Wide Services:					
Roads and Related	3,591	2,703	2,330	1,429	0.84
Other Transportation	421	317	273	168	0.33
Municipal Parking	83	62	54	33	0.07
Transit Services	237	179	154	95	0.21
Fire Protection Services	254	192	165	101	0.18
Police Services	222	167	144	89	0.18
Outdoor Recreation Services	1,303	981	846	519	0.06
Indoor Recreation Services	2,889	2,175	1,875	1,150	0.15
Library Services	416	312	270	166	0.02
Administration	75	56	49	30	0.07
Wastewater Services	3,872	2,914	2,512	1,541	0.67
Water Services	457	344	297	182	0.07
Total	13,821	10,402	8,968	5,503	2.85
Area Specific Charge - Riverbend Area					
Stormwater and Drainage	2,517	1,894	1,633	1,003	0.95



Summary of Services Considered

General Services:

- Other Transportation Services
- Fire Protection Services
- Police Services
- Municipal Parking
- Outdoor Recreation Services
- Indoor Recreation Services
- Library Services
- Administration

Infrastructure Services

- Wastewater Services
- Water Services
- Services Related to a Highway

**Transit Services to be reviewed subsequent to this study

^{*}Stormwater is to be continued and indexed based on previous study

Summary of Calculated Charge

		COMMERCIAL / INSTITUTIONAL			
Service	Single and Semi- Detached Dwelling	Apartments - 2 Bedrooms +	Apartments - Bachelor and 1 Bedroom	Other Multiples	(per ft² of Gross Floor Area)
Municipal Wide Services:					
Other Transportation Services	385	245	158	280	0.33
Municipal Parking	111	71	45	81	0.10
Fire Protection Services	274	175	112	199	0.19
Police Services	265	169	108	192	0.23
Outdoor Recreation Services	1,739	1,108	712	1,262	0.11
Indoor Recreation Services	3,518	2,241	1,440	2,554	0.23
Library Services	286	182	117	208	0.02
Administration	122	78	50	89	0.11
Waste Diversion	56	36	23	41	0.05
Total Municipal Wide Services	6,756	4,305	2,765	4,906	1.37
Infrastructure Services					
Services Related to a Highway	2,993	1,907	1,225	2,173	0.48
Wastewater Services	3,395	2,163	1,389	2,465	0.54
Water Services	414	264	169	301	0.07
Total Infrastructure Services	6,802	4,334	2,783	4,939	1.09
GRAND TOTAL	13,558	8,639	5,548	9,845	2.46

Note: Transit Services are not included in the DC update and is to be reviewed in a subsequent study



Comparison of Current and Calculated Charges - Residential

Residential (Single Detached) Comparison

Service	Current	Calculated	Difference
Municipal Wide Services:			
Other Transportation	421	385	(36)
Municipal Parking	83	111	28
Transit Services	237		(237)
Fire Protection Services	254	274	20
Police Services	222	265	43
Outdoor Recreation Services	1,303	1,739	436
Indoor Recreation Services	2,889	3,518	629
Library Services	416	286	(130)
Administration	75	122	47
Waste Diversion	-	56	56
Total Municipal Wide Services	5,900	6,756	856
Infrastructure Services:			
Services Related to a Highway	3,591	2,993	(598)
Wastewater Services	3,872	3,395	(477)
Water Services	457	414	(43)
Total Infrastructure Services	7,921	6,802	(1,119)
Grand Total	13,821	13,558	(263)
Area Specific Charge - Riverbend Servicing Area:			
Stormwater and Drainage	2,517	2,517	ļ

Transit Services are not included in the DC update and is to be reviewed in a subsequent study



Comparison of Current and Calculated Charges – Commercial / Institutional

Non-Residential (per ft2.) Comparison

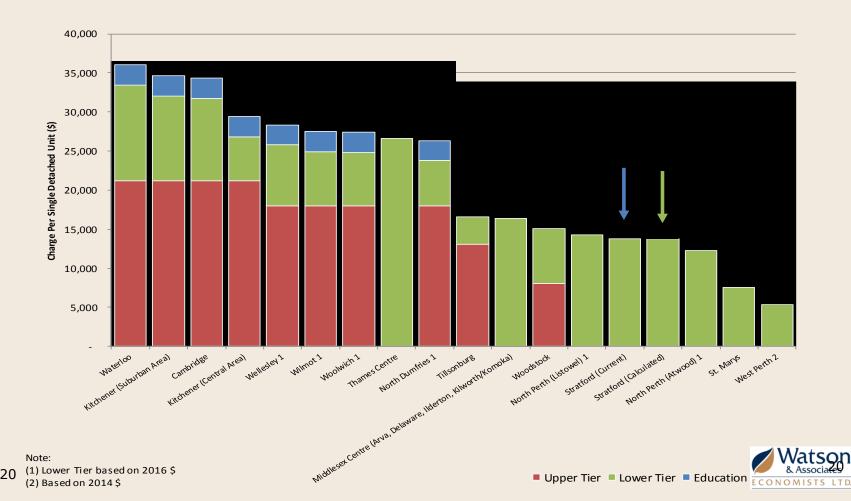
Service	Current	Calculated	Difference
Municipal Wide Services:			
Other Transportation	0.33	0.33	(0.00)
Municipal Parking	0.07	0.10	0.03
Transit Services	0.21		(0.21)
Fire Protection Services	0.18	0.19	0.01
Police Services	0.18	0.23	0.05
Outdoor Recreation Services	0.06	0.11	0.05
Indoor Recreation Services	0.15	0.23	0.08
Library Services	0.02	0.02	(0.00)
Administration	0.07	0.11	0.04
Waste Diversion	-	0.05	0.05
Total Municipal Wide Services	1.27	1.37	0.10
Infrastructure Services:			
Services Related to a Highway	0.84	0.48	(0.36)
Wastewater Services	0.67	0.54	(0.13)
Water Services	0.07	0.07	(0.00)
Total Infrastructure Services	1.58	1.09	(0.49)
Grand Total	2.85	2.46	(0.39)
Area Specific Charge - Riverbend Servicing Area:			
Stormwater and Drainage	0.95	0.95	-

Transit Services are not included in the DC update and is to be reviewed in a subsequent study



Survey of Residential D.C.s

Development Charge Rates for Stratford and Select Municipalities
Residential Per Single Detached Unit
(As of March 1, 2017)

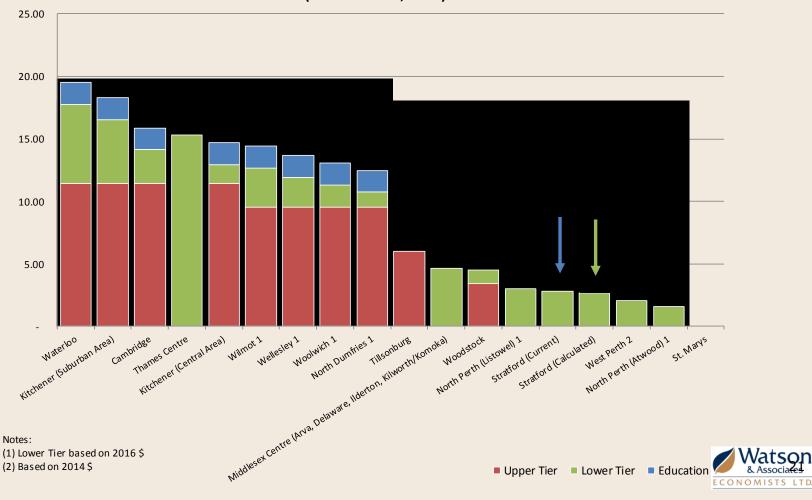


Survey of Commercial D.C.s

Development Charge Rates for Stratford and Select Municipalities

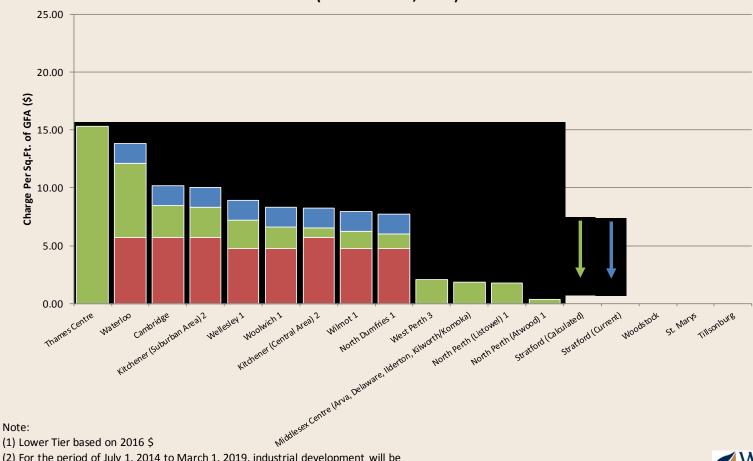
Commercial Per Square Foot of GFA

(As of March 1, 2017)



Survey of Industrial D.C.s

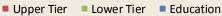
Development Charge Rates for Stratford and Select Municipalities Industrial Per Square Foot of GFA (As of March 1, 2017)



(2) For the period of July 1, 2014 to March 1, 2019, industrial development will be charged 50% of the non-residential development charge rate.

(3) Based on 2014 \$





Next Steps

 Council will review all public input and consider policies, charges and adopt a By-law (April 10, 2017)







www.walkforvalues.com

Celebrating 15 Years of Walk For Values and Honouring 150 Years of Canada

What is Walk for Values?

This is a walkathon which was started in the town of Malvern, ON., in 2003 by the Parent Council of the Sathya Sai School of Canada, a private elementary school, registered with the Ontario Ministry of Education. The school's thrust is **Education in Human Values**, where the staff, parents, students and volunteers all focus on *integrating human values* into the regular curriculum.

In 2004, this Walk became a national event being conducted annually in the cities of Ottawa, Kingston, Toronto, Saskatoon, Winnipeg, Edmonton, Calgary, and Coquitlam where representatives from Vancouver, Surrey, and Abbotsford join together with the City's Teddy Bear Parade. In 2007, it continued at Dundas Square, in downtown Toronto and in 2007, it also became *international* when it was done in Australia in 5 major cities on a national scale. Today it has spread over 4 continents in 30 major cities across the world. This is *the little Walk that grew* from just over 3000 walkers in Malvern in 2003 to over 5000 participants in 2010 at Yonge-Dundas Square, the heart of downtown Toronto, growing by the end of 2014 to an annual <u>international event</u> covering 28 major cities in 4 continents and counting! Since 2013, this Walk is being conducted from the prestigious **Nathan Phillips Square**, at Toronto City Hall.

This Walk is aimed at raising awareness of the importance of practicing **positive values** at helping in the eradication of violence, bullying, drugs, crime, disrespect and greed in our society. The uniqueness of the event is that **it is not a fundraiser**. Rather, each participant resolves to make the community richer **by pledging to practice a value of his or her choice**. In this way, it is a **"walk of love"** aimed at making our city, one citizen at a time, richer in our commitment to human values as a first step towards raising our social conscience.

Mission Statement

"Walk for Values" is a walk designed to raise awareness of Human Values and to promote individual and collective responsibility for the progress of humanity, one step at a time.

Vision Statement

A non-monetary, non-denominational event, this unique initiative, based on the five basic universal human values of Truth, Right Conduct, Peace, Love and Non-violence, is part of a global drive to seed human consciousness with timeless affirmations such as hope, kindness, patience and honesty, along with other positive values deemed integral to the sustenance and survival of mankind.

It calls for an honest self-examination from all its participants who identify areas for personal growth and pledge to practice associated values not only for self-transformation but also collectively for social, environmental and global reformation.

The Objective of the "Walk for Values"

The objective of the "Walk for Values" is to give members of the community, participating organisations and students a clearer understanding of the importance of a values-based life. Basic Human Values of truth, right conduct, peace, love and non-violence have been on the decline in our communities and our nations. We can see this in the daily reports in the newspapers, radio and TV news broadcasts. Guns, violence and drugs have infiltrated our streets, our communities and our families. By doing nothing we contribute to the increase of this decline. As responsible citizens, we simply must do something about it. This WALK is an opportunity to fulfil that responsibility in a positive way by raising the awareness of human values in our community.



Walk for Values ■ ■ ■



A Walk for me, my family and my community!

www.walkforvalues.com

Celebrating 15 Years of Walk For Values and Honouring 150 Years of Canada

The Values we walk for are Values to live by

TRUTH - honesty, integrity, optimism, excellence

RIGHT CONDUCT - courtesy, gratitude, fairplay, perseverance, determination, responsibility, sacrifice, initiative, leadership, courage, duty, ethics

PEACE - contentment, discipline, humility, patience, satisfaction, self-control, self-confidence, self-respect, understanding, modesty

LOVE - caring, compassion, reverence, forgiveness, generosity, kindness, enthusiasm, tolerance, dedication, devotion, unity

NON-VIOLENCE - gentleness, consideration, moderation, cooperation, brotherhood, equality, cultural respect, social justice

Current Locations, touching the 4 A-continents of America, Australia, Asia and Africa:

<u>Canada:</u> Ottawa, Kingston, Toronto, Saskatoon, Winnipeg, Edmonton, Calgary Fort McMurray and Coquitlam.

<u>Australia:</u> Sydney, Melbourne, Adelaide, Canberra, Perth and Brisbane. <u>USA:</u> New York, Austin, Houston, Dallas, Raleigh, Seattle, Detroit, Ann Arbor, Chicago and Tempe. <u>India:</u> Chandigarh, Visakhapatnam New Delhi. <u>New Zealand:</u> Auckland. <u>Malaysia:</u> Kampala. <u>Hong Kong:</u> The city of Hong Kong. <u>Africa:</u> Cape Town and Johannesburg.

Event Highlights focusing on the Tenth Anniversary, 2013

- It's not a fund raiser, but an event to promote Human Values and Character Development.
- The only major public event that supports & promotes excellence in Character in communities
- Collection of non-perishable food items with goal of 10 tons on a National basis for the Food Banks across Canada
- Conducting a **National Blood Donation** drive in partnership with CBS
- Collecting new and re-usable **clothing** to be distributed to the needy
- Donated 108 Children's' beds to charity through the agency of 'Furniture Bank'
- Colorful floats, music bands and participation by other local public schools
- Motivational keynote speakers from the various community organizations
- "Go Green" was the theme for 2009 and continues as an underlying goal of all events
- Promotion of family values with fun games and prizes for children
- Leaders from the three levels of Government and other community organisations lead the parade
- Ignite Partner of Pan Am Games
- Alliance Partner for Canada 150

Respectfully submitted,

Ron Naidoo (For Walk for Values, Toronto.)



PRIME MINISTER · PREMIER MINISTRE

June 19, 2016

Dear Friends:

I am delighted to extend my warmest greetings to everyone taking part in the 14th annual Walk for Values in Toronto.

What started as a community initiative in Malvern in 2003 has grown to an annual event in cities across Canada and around the world. Today, Canadians of all ages and from all backgrounds have taken a pledge to practice a basic human value that will enrich their personal lives and help make the world a better place. As they do so, they will have a wonderful opportunity to reflect on our blessings as a nation and on the values we hold dear: peace, freedom, respect, compassion and diversity.

I would like to commend all those walking today for their commitment to promoting unity and harmony, one step at a time. I would also like to thank the organizer, Sathya Sai School of Canada, for working together with community sponsors and volunteers to make this event such a success.

Please accept my best wishes for a memorable experience.

Sincerely,

The Rt. Hon. Justin P.J. Trudeau, P.C., M.P. Prime Minister of Canada

2015



Walk For Values

A walk for me, my family, and my community!



is proud to celebrate

"Walk For Values Day"

as proclaimed by the Mayors and Members of Council in the following Canadian municipalities.



City of Edmonton May 30th, 2015



City of Markham May 31st, 2015



Town of Oakville May 31st, 2015



City of Pickering May 31st, 2015



City of Brampton June 3rd, 2015



City of Ottawa June 7th, 2015



City of Toronto June 11th, 2015



City of Saskatoon June 15-20th, 2015



City of Oshawa June 25th, 2015



Town of Ajax July 9th, 2015



Town of Whitchurch-Stouffville July 16th, 2015



Cape Breton County November 23rd, 2015



City of Cornwall November 23rd, 2015



City of Estevan November 23rd, 2015



Town of Gananoque November 23rd, 2015



Town of Goderich November 23rd, 2015



City of Nanaimo November 23rd, 2015



Town of Parry Sound November 23rd, 2015



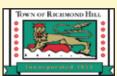
Municipality of Port Hope November 23rd, 2015



City of Prince Albert November 23rd, 2015



City of Quinte West November 23rd, 2015



Town of Richmond Hill November 23rd, 2015



City of Stratford November 23rd, 2015



City of St. Thomas November 23rd, 2015



City of Thunder Bay November 23rd, 2015



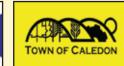
Town of Whitby November 23rd, 2015



City of Yellowknife November 23rd, 2015



Town of Aurora November 26th, 2015



Town of Caledon November 26th, 2015



City of Orillia November 26th, 2015

www.walkforvalues.com

Values Without Borders!



Infrastructure and Development Services Department

MANAGEMENT REPORT

Date: March 27, 2017 **To:** Mayor and Council

From: Mike Mortimer, Manager of Environmental Services

Report#: COU17-010

Attachments: None

Title: Contractor Services for Q17-02 Rehabilitation of Romeo Street Field Wells 1 and 2

Objective: To retain a contractor to rehabilitate Romeo Street Field Wells 1 and 2

Background: The City of Stratford water supply consists of 11 production wells. Well rehabilitation is a component of the Water Operations well maintenance program and it has previously been determined that well rehabilitations are required every 5 to 10 years.

The Romeo Street Field Wells 1 and 2 were scheduled to be rehabilitated in 2015, but were put on hold due to scheduling issues and other unexpected rehabilitation priorities. Romeo Street Field Well 7 had an unexpected break in its piping in late 2015 and repairs were undertaken in 2016.

Field Well 1 experienced a break in the piping of the well in 2016 and is currently offline until the rehabilitation process can take place. Field Well 2 is historically scheduled to be rehabilitated with Field Well 1.

Field Wells 1 and 2 are located at 52 Romeo Street South in the Art Gallery landscape. Due to the invasive nature of such work, it is practical to undergo rehabilitation of both wells at the same time to reduce the frequency of interruptions to the property (Field Wells 3 and 4 are also on this property and currently are scheduled for 2019)

Analysis: The notification of the quotation for Rehabilitation of Field Wells 1 and 2 was listed on the December 19, 2016, Consent Agenda. The City of Stratford mailed out invitations to four qualified well contractors the week of January 16, 2017.

Only one proposal was received from Lotowater Technical Services Inc. at a cost of \$150,177 including HST. Although higher than budgeted, the submission is consistent with previous costs of more recent well rehabilitation projects.

It had been anticipated that there would be a cost benefit since the two wells are in close proximity to each other and could be rehabilitated at the same time. This assumption contributed to the under estimate of the project.

This increase does not impact overall budget forecasts. Other scheduled projects can be delayed to remain on budget for 2017.

Financial Impact: The project is included as part of the 2017 water operating budget.

Staff Recommendation: THAT Lotowater Technical Services Inc. be retained for Q17-02, Rehabilitation of Field Wells 1 and 2 at a cost of \$150,177 including HST.

Mike Mortimer, Manager of Environmental Services

Ed Dujlovic, Director of Infrastructure and Development Services

Rob Horne, Chief Administrative Officer

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CITY OF STRATFORD 2016 MAYOR & COUNCILLORS REMUNERATION & EXPENSES SUMMARY

	REMUNERATION	REMUNERATION FOR MEETINGS (incl. Local Boards) *	EXPENSES	MILEAGE	TOTAL
Mayor Dan Mathieson	63,551	6,502	11,939	3,032	85,024
Deputy Mayor Martin Ritsma	13,173	0	0	0	13,173
Councillor Brad Beatty	11,537	5,070	2,897	0	19,504
Councillor George Brown	11,537	450	0	0	11,987
Councillor Tom Clifford	11,537	2,370	1,263	218	15,388
Councillor Bonnie Henderson	11,537	4,140	47	0	15,724
Councillor Frank Mark	11,537	3,480	0	0	15,017
Councillor Kerry McManus	11,537	1,800	0	0	13,337
Councillor Graham Bunting	11,537	6,433	1,308	210	19,488
Councillor Danielle Ingram	11,537	2,310	25	0	13,872
Councillor Kathy Vassilakos	11,537	5,970	221	164	17,892
TOTALS	180,557	38,525	17,700	3,624	240,406

This statement is in accordance with the Municipal Act 2001, section 284.(1), section 284.(2) and section 284.(3), and City of Stratford By-law #20-98 as amended.

* Local Boards include:

Festival Hydro Inc. - Mayor Mathieson, Councillors Beatty, Mark Festival Hydro Services Inc. - Mayor Mathieson, Councillors Mark, McManus Police Services - Mayor Mathieson, Councillor Bunting



Corporate Services Department Clerk's Office City of Stratford P.O. Box 818 City Hall Stratford, ON N5A 6W1

The Stratford Blues and Ribfest requests designation as a municipal significant event, subject to obtaining the required permits.

The event dates are June 23, 24, 25 of June 2017.

The event will be held around the Veterans Drive Band Shell and in the York St Parking Lot.

Sincerely,

Organizing Committee
Stratford Blues & Ribfest

127 Falstaff Street

Stratford, ON N5A 3T6

info@stratfordbluesandribfest.ca



MANAGEMENT REPORT

Date: March 27, 2017

To: Mayor Mathieson and City Council

From: Naeem Khan, Manager of Information Technology

Report#: COU17-011

Attachments: None

Title: Cellular Services Contract

Objective: To recommend the awarding of a new cellular services contract.

Background: A request for proposal for cellular services was issued on February 7, 2017, and proposals were accepted until February 22, 2017. Evaluations were made based on price, knowledge, experience and qualifications of the three proposals received. The Evaluation Team was comprised of the Manager of Information Technology (I.T.), Manager of Finance and Deputy City Clerk.

The City currently has 109 devices with 82 smartphones and 27 basic phones. The existing contract expired as of December 2016. The current use of basic phones is to make phone calls and text messages only. Smartphones include basic phone capabilities and are used to monitor and respond to corporate emails, and manage calendar; with some devices capable of accessing internal files.

Analysis: As our technology has grown and I.T. security has been enhanced, we now can have smartphone devices that enable us to perform many more functions. Our new proposed contracts will allow for Android devices which expand the capabilities of the Blackberry platform. For example, the City's Parking Officers now use smartphones to check and issue parking tickets that send the data in real time to the system – allowing the Clerk's counter to have access to the ticket information seconds after it is issued.

As we incorporate future applications into our business systems, smartphones will provide a key component in providing internal efficiencies in simple and efficient ways. As we move forward with our unified communications projects, our devices will also be linked to our desktop phones and computers.

The cellular contract will enable not only competitive rates but also the devices that will support the technology for the next 24 months. The Corporate Leadership Team is reviewing our policies to ensure the type of device and service plan matches the requirements of each position.

The Evaluation Team recommends that Wireless Personal Communication Inc. be awarded the contract based on the RFP requirements.

Financial Impact: The cellular contract is managed by the I.T. Division, but the operating costs are provided for within each departmental budget based on usage. The total corporate annual expenditure on the cellular contract ranges from \$65,000 - \$75,000, depending on the amount of users and usage amount.

It is expected that the recommended contract will provide enhanced services and annual cost savings of between \$5,000 - \$7,500, depending on the amount of users and usage amount.

Staff Recommendation: That Wireless Personal Communications Inc. be awarded the cellular services contract for 24 months.

Naeem Khan, Manager of Information Technology

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André Morin, Director of Corporate Services

Rob Horne, Chief Administrative Officer



MANAGEMENT REPORT

Date: March 1, 2017

To: Infrastructure, Transportation and Safety Sub-committee

From: Joan Thomson, City Clerk

Report#:

Attachments: None

Title: Request for a Special By-law Enforcement Officer for 142 Ontario Street

Objective: To consider the appointment of a special by-law enforcement officer for 142 Ontario Street.

Background: A request has been received from Knox Presbyterian Church to appoint Roger Albrecht as a special by-law enforcement officer to enforce certain parking restrictions at 142 Ontario Street.

Analysis: The Special Parking Enforcement Officer will enforce the following provisions of Traffic and Parking By-law 159-2008:

- a) To prohibit parking on private property without consent;
- b) To prohibit parking in the area designated as a fire route; and
- c) To prohibit unauthorized parking in a space designated for vehicles transporting persons with a disability, which vehicle displays the appropriate designated permit.

Financial Impact: Cost of providing training and ticket books can be accommodated using existing resources. There is potential for revenue from the collection of parking fines.

Staff Recommendation: THAT the request from Knox Presbyterian Church to appoint Roger Albrecht as a Special By-law Enforcement Officer to enforce certain parking restrictions on private property at 142 Ontario Street be approved;

AND THAT an agreement be entered into with respect to the appointment of the Special By-law Enforcement Officer.

Joan Thoms	
Joan Thomson, City Clerk	
John Li	

André Morin, Director of Corporate Services

Rob Horne, Chief Administrative Officer

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MANAGEMENT REPORT

Date: March 1, 2017

To: Infrastructure, Transportation and Safety Sub-committee

From: Joan Thomson, City Clerk

Report#: ITS17-007

Attachments: None

Title: Request for an Additional Special By-law Enforcement Officer for 91 Avonwood Drive

Objective: To consider the appointment of an additional special by-law enforcement officer 91 Avonwood Drive.

Background: A request has been received from Perth Condominium Corporation No. 1 to appoint Amy Springer as a special by-law enforcement officer to enforce certain parking restrictions at 91 Avonwood Drive.

Analysis: The Special Parking Enforcement Officer will enforce the following provisions of Traffic and Parking By-law 159-2008:

- a) To prohibit parking on private property without consent;
- b) To prohibit parking in the area designated as a fire route; and
- c) To prohibit unauthorized parking in a space designated for vehicles transporting persons with a disability, which vehicle displays the appropriate designated permit.

Financial Impact: Cost of providing training and ticket books can be accommodated using existing resources. There is potential for revenue from the collection of parking fines.

Staff Recommendation: THAT the request from Perth Condominium Corporation No. 1 to appoint Amy Springer as a Special By-law Enforcement Officer to enforce certain parking restrictions on private property at 91 Avonwood Drive be approved;

AND THAT an agreement be entered into with respect to the appointment of the Special By-law Enforcement Officer.

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Joan Thomson, City Clerk

R& Hour

André Morin, Director of Corporate Services

Rob Horne, Chief Administrative Officer



MANAGEMENT REPORT

Date: February 21, 2017

To: Finance & Labour Relations Sub-committee **From:** André Morin, Director of Corporate Services

Report#: FIN17-008

Attachments: 2017 Grant Request – Canadian Dairy XPO (CDX)

2017 Grant Request – Stratford Summer Music

Title: 2017 Community Grant Appeals

Objective: To consider grant appeals from two community groups.

Background: Council gave final approval for individual 2017 grants on December 12, 2016. The City's 2017 budget received final approval on January 23, 2017.

All groups who applied for a 2017 grant were advised of Council's decision, and were given the opportunity to have the decision reconsidered by submitting a formal appeal. Two requests have been received to date, and these groups have been scheduled to attend the Sub-committee meeting on February 21st to present their appeals.

Analysis: The following is a brief summary of each group's original 2017 grant request, Council's 2017 decision and comparative 2016 decision. Grant applications for each group are attached for reference.

No additional information was submitted by Canadian Dairy XPO for their appeal. Stratford Summer Music has submitted a revised budget for its appeal and it is included in the attached grant request.

Organization	2017 Request	2017 Approval	2016 Approval
Canadian Dairy XPO	\$11,200	\$0.	\$6,600.
(CDX)	(\$8,000 +		(\$5,000 +
	\$3,200 in-kind		\$1,600 in-kind
	Policing)		Policing)
Stratford Summer Music	\$30,000.	\$20,000.	\$20,000.

Financial Impact: Any funding approved as a result of the two grant appeals would come from the grants contingency budget.

Staff Recommendation: For the consideration of Sub-committee.

André Morin, Director of Corporate Services

John Li

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Rob Horne, Chief Administrative Officer



YOUR Canadian Dairy Showcase April 5-6 2017

2017 CANADIAN DAIRY XPO (CDX) GRANT PROPOSAL presented to:



The Canadian Dairy XPO (CDX) is a professional tradeshow for dairy producers and their families to see the latest in innovation and be educated on producing safe nutritious dairy products to you, the consumer. CDX is held at the Stratford Rotary Complex, in Perth County – which has the highest concentration of dairy farms in Canada. When farmers do well, so do their communities!

After 3 years of exponential growth, the Canadian Dairy XPO has firmly planted its roots as a member and contributor to the City of Stratford. Attracting 15,200+ attendees annually, CDX has become a destination for the dairy community. Our 350 exhibiting companies represent 3,000 agribusiness individuals – traveling from 30 countries.

CDX has a significant, \$2 million annual impact on county businesses, hotels, restaurants, local amenities and gas bars; directly attributed to our exhibiting companies and attending dairy producers who travel to Stratford for the XPO. Perth County and Stratford surrounding areas have the highest concentration of dairy production in Canada, with 3,500 – 4,000 medium to large scale commercial dairy farms, making Stratford Ontario the Dairy nucleus of Canada.

For 2017 sponsored producer bus tours / air travel groups are already in the works from the following provinces and states:

- Eastern Ontario
- Quebec
- Manitoba
- British Columbia
- Nova Scotia
- PFI
- New Brunswick
- Michigan
- Pennsylvania
- New York
- California
- Florida

CDX has made Stratford and the Stratford Rotary Comples their permanent home. We understand the importance of supporting the community in which you do business in; we are proud to give back to local communities and currently support the following regional organizations:

- Member of Stratford Tourism
- Member of the Stratford Chamber of Commerce
- Sponsor of Stratford Minor Hockey Association
- Annual financial commitment to the Stratford Agricultural Society (breakfast, on site volunteering)
- Ag More than Ever (Farm Credit Canada Initiative)
- Local 4-H dairy youth clubs (Oxford and Perth County)
- Perth County Dairy Committee
- Stratford Stingers Volleyball club

PROPOSAL – CheeseFEST & Dominant Welcome signage \$8,000:

We would like to continue our mutually beneficial partnership of cross promotion with the City of Stratford; helping to increase international awareness and tourism for Stratford Ontario - through sponsorship of the CheeseFEST evening function taking place the first evening of CDX.

We are asking the City of Stratford to once again support this annual economic driver and continue to contribute to the advancement of Perth County dairy operations, making them more sustainable, efficient and globally competitive. The spirit of this grant request is to assist with the costs of our complimentary evening social - CheeseFEST.

CheeseFEST is our complimentary networking social where we invite: dairy producers, commercial industry, media and the community of consumers together - all under one roof. CDX is fusing the gap between the Canadian dairy producer and the general consumer, while promoting the category of high quality and healthy Canadian dairy products.

"CheeseFEST" has become the buzz word onsite for connecting and networking with fellow producers, the commercial Ag industry and even local community consumers! Outside of the tradeshow, an important and unique part of the CDX culture is sharing between producers and business-to-business between exhibitors. CheeseFEST creates a high energy platform to do this.

CheeseFEST attendance has grown over just a 2-year period, to close to 2,000 people in a 3 hour period. Complimentary admission and complimentary fine cheese sampling make for an attractive event for all to attend. Many on-farm cheese processors/dairy farmers from Perth County and surrounding area are featured at CheeseFEST and CDX compensates those suppliers for the cheese provided. In addition to cheese, local wines, whisky and micro brew are featured. Something for everyone!

CheeseFEST is held in the Cow Coliseum, on the first evening of CDX, Wednesday April 5th from 4pm – 7pm. The cost of sponsorship will go directly to offsetting the hard costs associated with producing this complimentary CheeseFEST networking social. This event also supports and gives back to 4-H dairy youth clubs. For 2017, CheeseFEST will expand throughout the entire Cow Coliseum. The amplified entertainment and overall optics will advance with this ever growing event-within-an-event.

The City of Stratford would be recognized as a major co-presenting sponsor with CDX, Trillium Mutual Insurance and Farm Credit Canada. This is a great opportunity for the City of Stratford to give back to the agricultural and rural communities through this 'grass roots' social and networking function.

Features of the night will include:

• Massive cheese buffet featuring: cow, sheep, goat and water buffalo cheeses

- Grilled cheeses made by 4H youth (fundraiser) 80
- Local wines and micro brews (cash bar)
- Milking Robot Showcase
- European Hospitality HUB, featuring Dutch speciality foods
- Agri-youth fundraising activities
- Rick Mercer Milk off with Minister (tentative)
- Live entertainment (Duelling banjos: Purple Hill Country Band and Jaclyn VanHappen, acoustic guitar)

The Honorable Mayor will be invited to bring greetings and introduce the City Council members in attendance.

CDX Wagon Welcome banners

The City of Stratford brand and messaging will be the first to be seen as attending dairy families, industry and community members drive into Perth County and the last to be seen as they leave. CDX will have dominant hay wagons with welcome banners, located at four farm properties, outside of the Stratford City limits and within Perth County. Banners to have "Welcome to CDX" message and CDX logo and City of Stratford logo.

CDX TO:

- Include City of Stratford colour logo, as "Host City" in \$250,000+ print media buy where appropriate, hotlinked on CDX website, E-letters and included in 20,000 CDX Official Show Programs (distributed pre and during show)
- Produce and install 2 large (hockey style banners) with the City of Stratford logo and messaging,
 "Welcome to the City of Stratford and CheeseFEST Community Excellence with Worldwide Impact!"
- Producer welcome banners; Connect direct with farms and arrange placement of hay wagons; Setup/position all four hay wagons and banner signage
- Provide complimentary static 10ft exhibit space in front foyer to CDX. Does not have to be manned and can feature Tourism, Economic Development and Chamber of Commerce literature and initiative focus
- The City of Stratford to be recognized as a contributor to CheeseFEST through PA announcements by CheeseFEST MC
- Invite all residents of new development (adjacent to Cow Coliseum building) and residents from McCarthy Road Mornington Rd. to CheeseFEST via VIP ticket distributed one week prior to April 5 2017
- CheeseFEST Provide 20 VIP All Access badges comp day passes to CDX for The City of Stratford key staff, council and volunteers

City of Stratford TO:

- Disbursement of \$8,000 grant to the Canadian Dairy XPO (CDX)
- Provide 3 police offers and 2 police cars (in kind)
- Provide required amount of barricades and controlled access signage at each end of McCarthy Road (@ Mornington and Fraser Dr)
- Provide high res (300 dpi+) logo file to CDX
- Optional to provide City of Stratford "community greeters/welcome committee" during the hours of CheeseFEST. We see Council members at the main entrance and exit to CheeseFEST welcoming farmers, exhibitors and general public (optional)
- Option to have the Honorable Mayor, bring formal greetings at the opening of CheeseFEST

Stratford Summer Music

Request for support from the City of Stratford, for the 2017 season

2016 Festival Season Report

Statistical Highlights

- 500 + donors and sponsors
- 250 + individual artists
- 85 + events over six weeks
- Over 20,000 people enjoyed free performances
- Over 4,800 people attended ticketed events

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Artistic Highlights

- Six full weeks of ticketed and free performances in celebration of our 16th season
- Opening night on Tom Patterson Island with the Canadian Arabic Orchestra and traditional fireworks choreographed to the music of Berthold Carrière, free for the entire community to experience in Lower Queen's Park. Special invitations were extended to Stratford's newest citizens, recently arrived from Syria, who were touched by the inclusion of music of their heritage in their new hometown.



- A sold out performance of the famous black gospel group, The Harlem Gospel Choir performing with Canadian Soprano Measha Brueggergosman at Knox Church on a steamy July evening.
- The week-long TorQ Percussion Seminar, where 8 young people furthered their preprofessional training in percussion performance with instruction and master classes held
 in Stratford Central School, taught by TorQ Percussion Quartet along with Canadian
 percussionist Beverly Johnson and composer for percussion Christos Hatzis. Music for
 an Avon Morning early morning performances on Tom Patterson Island were attended
 by hundreds of people.
- A six week, 12 performance series of Musical Brunches at the Prune Restaurant, featuring harp music from around the world.

- Two popular performances of The Artie Shaw Orchestra at The Best Western Arden Park hotel.
- The second annual Vocal Academy, offering intensive training in professional preparation and performance skills, taught by internationally renowned founding faculty consisting of Michael Schade, Phillip Addis* and Emily Hamper*, guest faculty members Krisztina Szabo, Nathalie Paulin, Howard Dyck, Geraint Wyn Davies*, and Robert Harris with Master Classes which were open to the public. (*Stratford residents)
- Three well attended performances of Rossini's Barber of Seville as a dinner opera at Revival House featuring five outstanding young Canadian singers with pianist and musical director Peter Tiefenbach.
- A season finale performance of the Stratford Six, a collection of notable and entertaining female vocalists with ties to our community who performed operatic and other vocal hits, at St Andrew's Church.
- The Classical Piano Series, featuring among others, the world renowned pianist Simone Dinnerstein (USA), and 13 year old jazz phenomenon Joey Alexander (Bali / USA), Luca Buratto (Italy), plus Stratford's favourite Jan Lisiecki, from Alberta, all performing at St Andrew's Church.





An exceptional series of 30 free performances on the MusicBarge, with a wide variety of artists and genres, enjoyed by locals and tourists alike. The Steel City Rovers, The Andrew Collins Trio, The Ennis Sisters, Eliana Cuevas, Swamperella, and the Pipes and Drums of the Guelph Pipe Band were the artists who contributed to MusicBarge's eclectic programming mix this season, enjoyed by over 15,000 people who

listened, sang, danced and clapped throughout this series of free concerts.

- In co-operation with members of the Stratford Field Naturalists, we hosted two Bach Walks on Sunday mornings, throughout the TJ Dolan natural area, accompanied by Charm of Finches, a classical flute ensemble playing music by JS Bach and others. These walks were free to the public, in part due to the support of RTO4 and the Stratford City Centre committee's Animation Fund.
- A return performance by local favourite country / folk performers Whiskey Jack. This
 year, in a tribute to famous Canadian fiddlers such as Don Messer, they featured special
 guest and Stratford musician Dan Stacey. This sold out performance was held at the
 Royal Canadian Legion.

2017 Festival Season

Monday July 17th to August 27th

Six weeks of performances by Canadian and international artists, with plans continuing to evolve.

Opening Night

Free for the entire community with fireworks set to *Music for a Midsummer's Night*. The evening's program will introduce an important theme for the 150th anniversary of Canada's confederation, celebrating the historical and living traditions of Ontario's First Nations in song and dance.

National Youth Orchestra and National Youth Choir



2017 is the first year these two-long standing Canadian musical groups will tour the country together, coast to coast to coast, in honour of Canada's 150th anniversary. We are delighted to announce that their first engagement will be at Stratford Summer Music on July 21.

Music Academies

Plans are already underway for the third consecutive **Vocal Academy** under the tutelage of Phillip Addis and Emily Hamper, along with other top flight Canadian vocal instructors. We also anticipate for 2017 the return of the popular **School of Rawk** led by the dynamic teaching rock group **Speed Control** from Whitehorse Yukon.

BargeMusic

A variety of Canadian and heritage musical styles over six weeks of free concerts on the music festival's floating stage on the banks of the Avon River.

Cabaret Series

Evening performances at Revival House Restaurant feature Canadian artists with dinner & show packages. Returning by popular demand will be **Patricia O'Callaghan**, who opened our Cabaret series in 2016. Discussions with other prominent artists, including **Jens Lindemann**, **Jane Bunnett** and **Molly Johnson** are underway.



Financial Report

Our fiscal year end is November 30, with 2016 financial statements becoming available in February 2017. Our 2015 financial statements are attached, and show a surplus at the end of the 2015 fiscal year. We project another surplus at the end of this year, based on strong ticket sales and fiscally responsible spending. We contracted a fund developer this year, who is working to find diverse and continuous funding sources going forward.

Request to the City of Stratford

Our request for 2017 is an investment of \$30,000 from the City of Stratford. The requested investment will fund free music performances and events for the citizens of Stratford and area next summer. New for 2017, with the support of the City of Stratford, is special programming to be considered for the newly defined Market Square area behind City Hall. This grant level represents just over 3% of Stratford Summer Music's total revenue and 15% of the music festival's funding from government agencies.

Stratford Summer Music is internationally recognized as one of Canada's finest summer music festivals. The Festival has grown successfully from one to six weeks of programming over 16 years. This success is in no small part attributable to the support afforded SSM by the City of Stratford, its residents, businesses and the tourists who visit. In return, Stratford Summer Music contributes richly to the quality of life, the economic vitality and the cultural fabric of the community.

Thank you for your prior support and for your consideration of this request for 2017.

Respectfully Submitted,

John Miller, Artistic Producer

Judy Matheson, General Manager

o/a Stratford Summer Music	Budget 2016	Actual 2016 (unaudited)	Budget 2017 (revised)
REVENUE			
EARNED REVENUE			
Ticket Sales	145,000	172,000	175,000
Camp / Workshop Registration	5,000	5,200	7,000
Merchandise	6,000	10,000	5,000
Advertising Revenue	10,000	12,000	10,000
Other Revenue	500	13,500	15,000
Interest Earned	1,000	340	1,000
TOTAL EARNED REVENUE	167,500	213,040	213,000
PRIVATE SECTOR REVENUE			
Individual Donations	100,000	121,000	130,000
Corporate Donations & Sponsorships	150,000	149,000	150,000
Foundation Grants	39,500	35,000	40,000
Stability Fund *	1	21,000	50,000
Soiree Income	20,000	17,900	20,000
Over the Top Income	30,000	46,700	45,000
In-kind Donations (incl rent)	30,000	34,000	34,000
In-Kind Media	50,000	24,000	26,500
TOTAL PRIVATE SECTOR REVENUE	419,500	448,600	495,500
GOVERNMENT REVENUE	25.000	20.000	20.000
Municipal - City of Stratford	25,000	20,000	30,000
Provincial - OAC Operating	31,565	29,987	29,987
Provincial - OAC Foundation interest		1,355	1,000
Provincial - OCAF		70.000	100,000
Provincial - Celebrate Ontario	92,000	76,800	45,000
Provincial - Ontario 150	+		25,000
Provincial - RTO4		2,500	5,000
Federal - Canadian Heritage	35,000	35,000	35,000
Federal - Canada Summer Jobs	4,700	11,800	5,000
TOTAL GOVERNMENT REVENUE	188,265	177,442	275,98
TOTAL REVENUE	775,265	839,082	984,48
EXPENSES			
Artistic Expenses	310,000	330,000	355,500
Production Expenses	95,000	72,000	107,500
Administration Expenses	192,000	188,000	190,000
	140,000	142,000	179,500
Marketing & Communications Expenses	0.7.000	50,000	47,500
	27,600		1.700
Fundraising Expenses	5,000	3,800	
Fundraising Expenses Contingency / foreign exchange			6,000
Fundraising Expenses Contingency / foreign exchange OCAF payback			6,000 40,000
Fundraising Expenses Contingency / foreign exchange OCAF payback Amortization	5,000	3,800	6,000 40,000 4,500
Marketing & Communications Expenses Fundraising Expenses Contingency / foreign exchange OCAF payback Amortization Stability Fund * TOTAL EXPENSES	5,000	3,800 4,500	6,000 40,000 4,500 50,000 980,50 0

^{*} Stability Fund is a Board Directed fund to be built over the next three years, creating a surplus equal to one year's operating costs, designed to alleviate seasonal cash flow issues.

The Stratford Arts Foundation o/a Stratford Summer Music Financial Statements For the Year Ended November 30, 2015

For the Year Ended November 30, 2015

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Tel: 519 271 2491 Fax: 519 271 4013 www.bdo.ca BDO Canada LLP 380 Hibernia Street Stratford ON N5A 5W3 Canada

Independent Auditor's Report

To the Members of
The Stratford Arts Foundation
o/a Stratford Summer Music

We have audited the accompanying financial statements of The Stratford Arts Foundation, which comprise the statement of financial position as at November 30, 2015, the statements of operations, changes in net assets and cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian accounting standards for not-for-profit organizations, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements present fairly, in all material respects, the financial position of The Stratford Arts Foundation as at November 30, 2015, and the results of its operations and its cash flows for the year then ended in accordance with Canadian accounting standards for not-for-profit organizations.

Chartered Professional Accountants, Licensed Public Accountants

Stratford, Ontario February 23, 2016

The Stratford Arts Foundation o/a Stratford Summer Music Statement of Financial Position

November 30		2015	2014
Assets			
Current	\$	8,404 \$	
Cash Short term investments (Note 2)	\$	8,404 \$ 5,123	5,080
Accounts receivable		19,944	10,975
HST recoverable		2,066	3,434
Prepaid expenses		7,111	5,739
		42,648	25,228
Capital assets (Note 3)		20,316	21,136
	\$	62,964 \$	46,364
Liabilities and Shareholders' Equity Current Bank indebtedness (Note 4) Accounts payable and accrued liabilities Deferred revenue	\$	- \$ 28,585 275	18,362 64,044 725
		28,860	83,131
Net Assets			
HEC Wasera		5,838	(65,852)
Unrestricted net assets			04 454
Unrestricted net assets Net assets invested in capital assets		20,317	21,136
Unrestricted net assets		•	7,949
Unrestricted net assets Net assets invested in capital assets	_	20,317	•

On behalf of the Board:

Director

Director

The Stratford Arts Foundation o/a Stratford Summer Music Statement of Changes in Net Assets

November 30	 nrestricted Net Assets	Ir	Net Assets nvested in ital Assets	Maureen Forrester Young Canadian Artist Fund	2015	2014
Net revenue (expenditures) for the year	\$ 75,457	\$	(4,586)	\$ -	\$ 70,871 \$	(28,537)
Transfers	(3,767)		3,767	-	•	-
Balance, beginning of year	 (65,852)		21,136	7,949	(36,767)	(8,230)
Balance, end of the year	\$ 5,838	\$	20,317	\$ 7,949	\$ 34,104 \$	(36,767)

The Stratford Arts Foundation o/a Stratford Summer Music Statement of Operations

For the year ended November 30		2015	2014	
Revenue				
Earned Revenue				
Ticket sales	\$	182,900	\$	102,188
Advertising sales		11,500		15,600
Merchandise & other sales		11,725		8,995
Interest		855		1,084
		206,980		127,867
Donations and Fundraising				
Corporate donations		94,685		142,285
Foundation donations		36,000		49,250
Individual donations		95,312		99,744
In-kind donations		104,901		56,393
Special event revenue		140,736		72,796
		471,634		420,468
Government Grants				
Federal (Note 5)		44,727		39,621
Provincial (Note 5)		194,516		125,361
City of Stratford		21,000		19,801
		260,243		184,783
Total Revenue		938,857		733,118
Expenditures				
Artistic (Schedule of Expenses)		342,880		293,438
Production (Schedule of Expenses)		92,213		86,524
Administration (Schedule of Expenses)		197,641		222,440
Marketing & fundraising (Schedule of Expenses)		230,666		155,043
Amortization	_	4,586		4,210
		867,986		761,655
Net revenue (expenditures) for the year	\$	70,871	\$	(28,537)

The Stratford Arts Foundation o/a Stratford Summer Music Statement of Cash Flows

For the year ended November 30	·	2015	2014
Cash from operating activities Net revenue (expenditures) for the year	\$	70,87 1 \$	(28,537)
Items not affecting cash: Amortization		4,586	4,210
		75,457	(24,327)
Changes in non-cash working capital: Accounts receivable		(7,601)	15,941
Prepaid expenses		(1,372)	(1,141)
Accounts payable and accrued liabilities		(35,459)	37,887
Deferred revenue		(450)	(44,275)
		30,575	(15,915)
Cash flows from investing activities Change in short term investments		(43)	(47)
Purchase of capital assets		(3,766)	(3,644)
		(3,809)	(3,691)
Cash flows from financing activities			
(Decrease) increase in bank indebtedness	_	(18,362)	18,362
Net increase (decrease) in cash		8,404	(1,244)
Cash, beginning of the year	_	-	1,244
Cash, end of the year	\$	8,404 \$	

November 30, 2015

1. Significant Accounting Policies

Purpose of Organization

The Stratford Arts Foundation (the "Foundation") was incorporated under the laws of Canada by letters patent dated November 14, 2000 and is exempt from income taxes as a registered charity under section 149(f) of the Income Tax Act. The Foundation obtained its Certificate of Continuance as required under section 211 of the Canada Not-for-Profit Corporations Act on May 1, 2014. The Foundation's purpose is to establish, maintain and operate cultural projects, and particularly a summer music festival, in the City of Stratford.

Basis of Accounting

The financial statements have been prepared using Canadian accounting standards for not-for-profit organizations.

Capital Assets

Capital assets are stated at cost less accumulated amortization. Amortization is provided using the straight-line method over the following estimated useful lives:

	Years
Barge	10
Computer equipment	3
Office equipment	5
Festival equipment	10

Contributed Materials/Services

A substantial number of volunteers contribute a significant amount of their time to the Foundation each year. Due to the difficulty of determining fair value, these contributed services are not recognized in the financial statements.

Contributed materials for which the fair value is determinable and the item would have been otherwise purchased are recorded in the financial statements as both an in-kind donation and an expense. The Foundation receives in-kind donations of rent and advertising. The Foundation also receives in-kind donations of auction items, which are included in the special event revenue and the fundraising expenses.

Revenue Recognition

The Foundation follows the deferral method of accounting for contributions. Restricted contributions are recognized as revenue in the year in which the related expenses are incurred. Unrestricted contributions are recognized as revenue when received or receivable if the amount to be received can be reasonably estimated and collection is reasonable assured.

Revenue from ticket sales, soirees, garden parties and dinners is recognized as the events are held. Deferred revenue may arise if funds are received in the current fiscal year that relate to subsequent fiscal years.

November 30, 2015

1. Significant Accounting Policies (continued)

Financial Instruments

The Foundation recognizes and measures financial assets and financial liabilities on the balance sheet when it becomes a party to the contractual provisions of a financial instrument. All transaction costs related to financial instruments are recorded as incurred. All financial instruments are measured at fair value on initial recognition. In subsequent periods, the Foundation's financial instruments are reported at cost or amortized cost less impairment, if applicable. Financial assets are tested for impairment when changes in circumstances indicate the asset could be impaired.

Use of Estimates

The preparation of financial statements in accordance with the Canadian accounting standards for not-for-profit organizations requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the reporting periods. Actual results could differ from management's best estimates as additional information becomes available in the future.

Maureen Forrester Young Canadian Artist Fund

The Board set aside proceeds from a tribute concert in order to establish the Maureen Forrester Young Canadian Artist fund. This fund will support on-going programming at the organization for young artists at professional rates. The funds may be used at the discretion of the Board.

Foreign Currency Translation

Foreign currency transactions are translated at the rates of exchange in effect at the dates of the transaction. Resulting foreign currency denominated monetary assets and liabilities are translated at the rates of exchange in effect at the balance sheet date. Gains and losses on translation of monetary assets and liabilities are included in net income.

November 30, 2015

2. Short Term Investments

Short term investments consist of a \$5,000 non-redeemable guaranteed investment certificate (GIC) with an annual compound interest rate of 0.9%.

3. Capital Assets

	Cost	2014 Accumulated Amortization				
Barge Computer equipment Office equipment Festival equipment	\$ 43,099 4,529 500 20,256	\$	33,295 4,413 500 9,860	\$	39,333 4,529 500 20,256	\$ 31,849 3,298 500 7,835
	 68,384		48,068	_	64,618	43,482
Net book value		<u>\$</u>	20,316			\$ 21,136

4. Bank Indebtedness

The Foundation has established a bank operating line of credit of up to \$37,500 bearing interest at Scotiabank prime plus 4% and secured by a general security agreement providing a charge on all assets of the Foundation and a cash collateral charge. At November 30, 2015 the Foundation had undrawn credit capacity under this facility of \$37,500 (2014 - \$18,722).

November 30, 2015

5. Government Grants

	_	2015	 2014
Federal Grants Canada Heritage Canada Summer Jobs	\$	40,000 4,727	\$ 35,000 4,621
		44,727	39,621
Provincial Grants Ontario Arts Council Ministry of Tourism and Culture Ontario Arts Foundation Ontario Cultural Attractions Fund Ontario Tourism Partnership Corporation Ontario Summer Experience Program		31,565 85,950 1,045 70,000 5,956	 33,225 89,250 - - - 2,886
	\$	194,516	\$ 125,361

6. Financial Instruments

Unless otherwise noted, it is management's opinion that the Foundation is not exposed to significant currency or credit risks arising from its financial instruments. The Foundation is exposed to interest rate risk to the extent that its line of credit is at a floating rate of interest. Fluctuations in this rate will impact the cost of temporary borrowing in the future.

The Stratford Arts Foundation o/a Stratford Summer Music Schedule of Expenses

For the year ended November 30		2015	2015	
Artistic Artistic salaries Artistic expenses Performer fees Performer accommodations Performer travel costs SOCAN	\$	70,218 9,932 193,898 48,064 16,164 4,604	\$	68,208 6,546 160,574 36,221 13,918 7,971
Production Production/technical staff wages Site rentals Production expenses		31,954 14,211 46,048 92,213		30,443 8,935 47,146 86,524
Administration Administration salaries/fees Professional fees Insurance Rent Administration and membership expenses Merchandise expense		105,269 16,645 4,307 24,000 40,342 7,078		135,761 15,891 4,390 24,000 34,943 7,455 222,440
Marketing and Fundraising Advertising and marketing salaries/fees Advertising and marketing expenses Fundraising expenses	<u> </u>	10,000 189,926 30,740 230,666	\$_	7,770 121,381 25,892 155,043



MANAGEMENT REPORT

Date: February 21, 2017

To: Finance & Labour Relations Sub-committee **From:** André Morin, Director of Corporate Services

Report#: FIN17-007

Attachments: Stratford Strikers GU17 – 2017 Grant Application

Title: 2017 Grant Request -Stratford Strikers GU17

Objective: To review a grant request from the Stratford Strikers (girls under age 17)

soccer team.

Background: Community organizations are able to apply for a City community grant after budgets have been approved by Council. A contingency amount has been set aside under the 2017 grants budget to cover appeals and after-budget requests.

Analysis: The Stratford Strikers GU17 team is requesting financial assistance in the amount of \$3,600., to attend the San Marino Cup being held in Italy in July 2017. This is an international youth soccer tournament and the Stratford team is requesting funds toward tournament fees and travel costs for players only. Their grant application is attached.

No grants of this nature have been approved within at least the last 5 years.

Financial Impact: Grant requests approved after-budget can be funded from the grants contingency.

Staff Recommendation: For the consideration of Sub-committee.

André Morin, Director of Corporate Services

RobHoure

Rob Horne, Chief Administrative Officer



CITY OF STRATFORD 2017 GRANT APPLICATION FORM

RECEIVED

(deadline: Sept 15,2016)

FEB 0 9 2017

Before submitting your application:

Please review the 2017 Grant Application Guidelines on the City's website. Following instructions will ensure your application is complete and accurate

1.Grant Information				
Amount requested for this grant:	\$\$200 per player total \$3600			
Which category does your grant request fall under: Arts, Heritage, Culture Environment, Beautification Social, Health Services Recreation Other (please explain): This falls into Culture and promotes our city. Some girls would never get to experience other cultures like Italy with				
Please indicate how the grant funds will be used:				
The funds will be used towards tournament fees and travel costs for players only				
How will this funding request contribute to the City's strategi priorities?				
This event promotes Active Healthy Living as a part of Canada's #1 growing sport and puts Stratford,Ontario on the world stage in soccer.				
2.General Organization Information				
Organization Name: Stratford Strikers GU17				
Contact Name: Lynda Sauve				
Mailing Address:				
City/Town:	Postal Code:			
Telephone No.:	Fax No.:			
Email:				
Web Site:				
l s	nissions/goals: We provide world class soccer training to every girl with an opportunity to play soccer at her highest level in a safe and supportive environment that encourages the development of soccer skills and the love of the game. Our mission is to foster the physical, mental and emotional growth and development of Stratford's travel through the conduct recover and competition.			
Please attach a list of your organizational structure (where applicable):				
 Board of Directors, Executive Officers, Staff (indicate which staff positions are paid) *** do not include personal information such as home addresses/telephone nos.*** 				
Number of volunteers: 6 parents as chaperones				
	Does the organization operate as a not-for-profit? Yes No			

The personal information collected on this form or in background material included with your application is collected under the authority of the *Municipal Act, 2001* and will be used by Corporate Services staff and City Council for the purpose of reviewing grant applications and other related administrative purposes. Questions regarding the collection and use of this information may be made to the City Clerk, P.O.Box 818, Stratford, ON, N5A 6W1 or by telephone 519-271-0250 ext. 235 during business hours.

CITY OF STRATFORD 2017 GRANT APPLICATION FORM

Page 2

Is the organization incorporated?	Yes No				
If yes, please provide date:	Date of Incorporation				
Does the organization have charitable status?	Yes No				
If yes, please provide charitable number:	Charitable No.				
Are fees charged for membership or for any of the services/activities you provide?	● Yes ○ No				
If yes, please explain:					
There is a registration fee for all players on the team. We have 18 players					
Does anyone other than City of Stratford residents belong to your organization, or benefit from your services/activities?	●Yes				
If yes, please explain:	·				
We have four girls that live in our surrounding area not in town.					

3.Program Information					
Attach supporting information to illustrate your or meet the Community Grants Program eligibility cri	ganization's programs and activities, and how they teria.				
4. Financial Information					
Attach the following financial information: - Most recent year-end financial statements - Budget for the year in which the funds are being requested - Indicate separately any funding requested or received from other levels of government and other agencies, and the status of each application.					
5.Name of Individual completing this form					
Name: Lynda Sauve	Application Date: Feb. 2017				
Position: treasuer					
If you require this form in an alternate format, contact Corporate Services Department					

The personal information collected on this form or in background material included with your application is collected under the authority of the *Municipal Act, 2001* and will be used by Corporate Services staff and City Council for the purpose of reviewing grant applications and other related administrative purposes. Questions regarding the collection and use of this information may be made to the City Clerk, P.O.Box 818, Stratford, ON, N5A 6W1 or by telephone 519-271-0250 ext. 235 during business hours.

at 519-271-0250 ext. 202 or TTY at 519-271-5241

Total Costs per player

Italy Tour - SanMarino Cup

06 nights / 08 days trip

4 stars standard hotel

Triple Room 1.630,00Euros / 2.280,00Cad\$

Double Room 1.670,00Euros / 2.330,00Cad\$

Single Room 1.830,00Euros / 2.550,00CadS

INCLUSIONS:

Flights

- From Toronto to Rome and back;
- Taxes / surcharges included;

Meals & Accommodation

- Dinner and breakfast daily;
- 6 nights in quality hotel in San Marino/Rimini Riviera area;

Transportation

^{*} If number of people change significantly, we reserve the right to update the price.

^{**} Prices are changed into Cad \$ with a rate Euro exchange at 1,00 Euro = 1,40 Cad \$ and subject to change if you don't pay in CAD\$ - no subject to change if you pay in Euros.

- Full time private bus for all your stay (approx 12 hours per day); All transfers as per the daily program;

Assistance

- Full time private and well experienced Tour Manager during all your stay speaking Italian & English;

Excursions

- Free time on the Rimini Riviera;
- Free time in San Marino Republic;

Tournament

- Tournament registration fee;
- San Marino Super Card for all the participants;
- Free sports gadget for all the participants;
- San Marino Cup Souvenir;
- Medals for all the participants;
- Entry at Opening Olympic style Ceremony;
- Welcome gala Dinner for 2 coaches;
- Tournament Assistance;
- Disco night for players
- 4 matches guaranteed;

2016/17 SYS BOARD OF DIRECTORS

NAME

POSITION

EMAIL.

Graham Bunting

President / Photos

Mike Vancea

Vice-President / Tournament

Kevin Machado

Treasurer

Tony Hunter

Secretary

Frank Misuraca

Sponsors

Gabriele Nemeth Head of House League / Indoor

Lucy Doney

SMSC Rep.

Don Herlick

Head of Travel

Carla Vancea

Uniforms & Equipment

John De Boeck

Field maintenance

Lynda Sauve

Travel assistant

2/9/2017

Stratford Youth Socceb Board of Directors and Staff

Anita Dube

House League assistant

Todd Steel

Director

Carla Binns

Director

Mike Binns

Director

2016/17 STAFF

NAME

POSITION

EMAIL

Maureen Mitchell

Administrator

Lori Misuraca Communications Administrator

Holly Deighton

Referee Scheduler

Tom Charette House League Technical Director

Fundraising For The San Marnio Trip

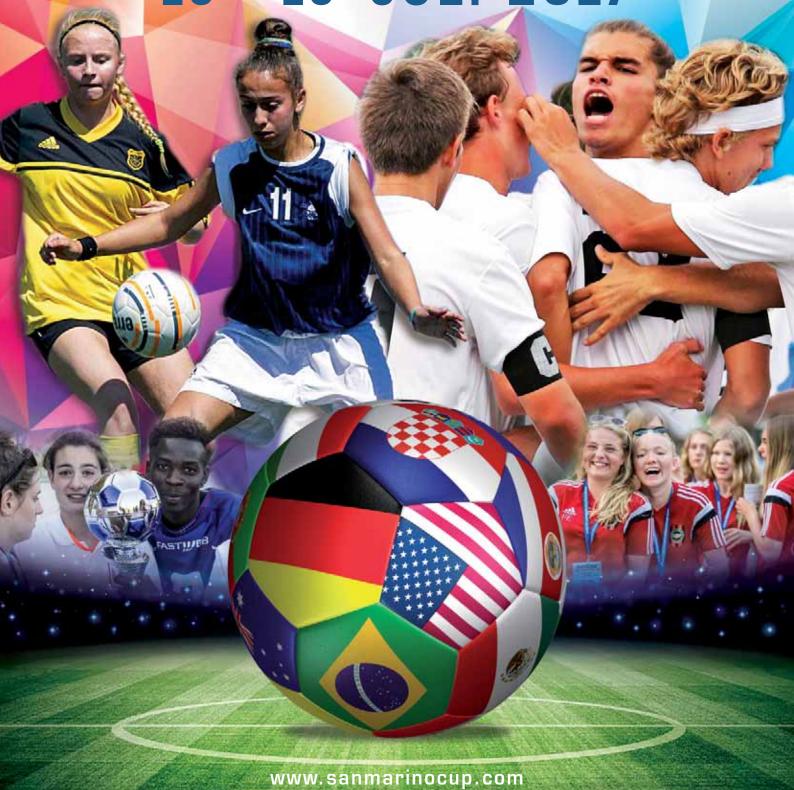
- -Feb 11th-14th selling mint smoothies at Zehrs profit \$500-\$700
- -May, June, July BBQ's at different locations in Stratford profit estimated at \$1000
- -May, Bottle drive profit estimated \$1000
- -April, Boston Pizza "All you can Eat" night profit anywhere from \$1000-\$3000
- -Silent Auction late March profit estimated at \$1500
- -Car wash in June profit estimated \$500
- -Toonie ask at the till at Zehrs profit estimated \$500-\$1000
- -Happy Hands event at Central School in late June profit estimated \$1000

We are trying to explore any and all fundraising ideas.



International Youth Soccer Tournament

SAN MARINO CUP 10"- 15" JULY 2017





CATEGORIES

BOYS

GIRLS

Category **A**: born in 2006/2007 (7 a-side)

Category **B**: born in 2004/2005

Category **C**: born in 2002/2003

Category D: born in 2000/2001

Category **E**: born in 1998/1999

Category **F**: born in 2003/2004/2005

Category **G**: born in 2001/2002

Category **H**: born in 1998/1999/2000



PLAYING TIMES

Category A: 2 halves of 18 minutes each (20 minutes for finals)

Category **B**: 2 halves of 20 minutes each (25 minutes for finals)

Categories **C - F**: 2 halves of 25 minutes each (30 minutes for finals)

Categories **D** - **E** - **G** - **H**: 2 halves of 30 minutes each (40 minutes for finals)



OVERAGE PLAYERS

It's allowed a maximum of 3 overage players in the field (max 1 year older - born on the previous year) to play at the same time during a game (only 2 for the 7 a-side A Category). You can bring as many overage players as you want, but only 3 players can play simultaneously in the playing field.

* Special dispensation for US & English teams: players born from 1st Aug to 31st Dec of the previous year will not be considered overage players.



WEEKLY PROGRAM

Monday, July 10th - Arrival at the tournament headquarter in San Marino for the check-in. The team will get all the information and documents to participate in the event. Remember to bring with you Players' Passports in order to check the age even if you have already sent copies to the tournament! (All the teams must be at the check-in no later than 07.00 pm). Final transfer to your selected hotel and check-in.

Tuesday, July 11th - After breakfast, qualification games start today according to your games schedule. Leisure time during the day depending on your tournament schedule. Tonight: Opening ceremony at 09.30 pm.

Wednesday, July 12th - After breakfast, qualification games continue in the morning and in the afternoon, depending on your tournament schedule.

Thursday, July 13th - Tournament games. Tonight Coaches party for 2 coaches of each team.

<u>Friday, July 14th</u> - During all the day last quarter finals and semi-final games for all categories according to your games schedule. Tonight at 09.30 p.m. the San Marino Cup tournament disco will open. It is reserved to boys and girls attending the tournament (special entry for owners of Super Card).



Saturday, July 15th - After breakfast, hotel check-out and final games for each category in the morning and in the early afternoon. At the end of all finals, prize-giving ceremony with medals for all players and trophies for winners of each category. Departure.



- **Note 1:** flying substitutions are not allowed.
- **Note 2:** players replaced during the game cannot re-enter during the same match.
- **Note 3:** maximum 24 players can be listed per team (except Cat A 7 a-side that has 18 players in the list).
- **Note 4:** maximum 7 substitutions are allowed for game per team.
- **Note 5:** a player can play with more teams registered in different categories (max in 2 categories), but not with more teams playing in the same category (We need to be informed in advance about this and prepare a special dispensation for these players).
- **Note 6:** except the Cat A and Cat B, girls can't play with boys teams and boys with girls teams. Girls are able to play with boys only in the A Category without limit of numbers (and max 1 year older than Boys) and in the B category with a limit of 3 Girls players and same age of Boys (not older).
- Note 7: additional note from the tournament office:
 maximum 3 overage players (max 1 year older born on
 the previous year) are allowed to play at the same time
 during a game (only 2 for the A Category 7 a-side).
 You can bring as many overage players as you want, but
 only 3 players can play simultaneously in the playing field.
- **Note 8:** Each player t-shirt must have the number on the back.

- Note 9: The Soccer pitches will be both natural grass and astroturf, bring with you the right footwear (You can't use Metal/Aluminium Studs on astroturf Pitches).
- **Note 10:** For preliminary tournament matches, a person of your staff will do the linesman. The tournament organization will provide linesman only for finals.
- **Note 11:** Special dispensation for US & English teams: players born from 1st Aug to 31st Dec of the previous year will not be considered overage players.
- Note 12: Age control: before arrival all players must confirm their age. We'll need to receive colour Passport / Identity card copies which will be stamped and validated at the check-in the day of arrivall at the tournament (That day we will verify the original Passport / ID Card). At the end of the age control will be given the list of Passport copies that will be used as official document in order to play the games.

FAIR PLAY RULE - We inform clubs that the handshake between players and coaches of the two opponent teams before the beginning of the match will be considered a compulsory rule.







ACCOMMODATION

There are different options in the hotel category.

We have a great selection of 2 stars, 3 stars, 3 stars superior, 4 stars hotels and all of them suitable to the team needs and budget. Some of the hotels are located in the San Marino Republic and some on the beach at just a few minutes walking distance from the seaside. All the hotels are in good position and very close to restaurants, city centres pubs, clubs, shops, markets. Coaches and parents can book twin or single rooms while players will be booked in rooms with 3 or 4 beds according to their request and to the hotel availability. Basic accommodation package includes 2 meals a day (breakfast and dinner). Breakfast and dinners are always served at the hotel and if you desire to include lunch we'll provide the extra cost.





TRANSPORTATION

By bus Highway A14 – Rimini Sud exit **By train** Rimini railway station



By plane

International airports:

Rimini airport 5 kms - Ancona airport 90 kms

Bologna airport 100 kms - Florence airport 220 kms - Venice airport 260 kms - Pescara airport 260 kms Treviso airport 280 kms - Pisa airport 290 kms - Milan Linate airport 320 kms - Bergamo airport 350 kms Milan Malpensa airport 380 kms - Rome airport 400 kms

The tournament organization will provide transfer from / to Railway stations and international airports at a special price.

HOW TO MOVE DURING THE SAN MARINO CUP

1st Option - Rent your private bus

Teams can rent their own private bus for all the week in relation to their group size. It is a private bus service. Extra cost will be charged if the services exceed 12h per day or 250 kms per day.

For more information and costs ask a quote through our contact form.



2nd Option - Tournament Shuttle bus

The tournament organization is able to provide the shuttle bus service. You'll be able to reach the soccer fields and the events venues (opening ceremony, tournament disco and prize giving ceremony) at a very special price! Drivers / Buses can change every transfer.



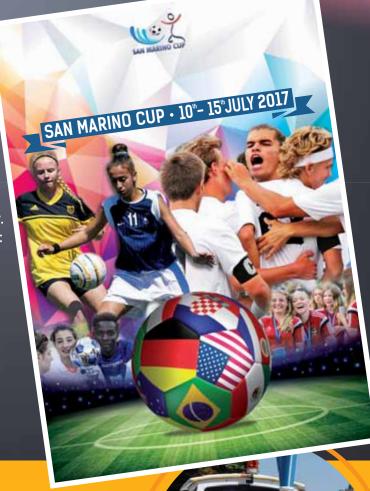


SUPER CARD

Your passport to the tournament

Super Card, the official pass to the tournament activities, to the great Opening Ceremony and Prize Giving Ceremony. Your Super Card will be ready upon your arrival: take the chance to enjoy the many opportunities it offers.

With your super card you will have discounts in some shops and entry fees with reductions. Bring your super card always with you!





EXCURSIONS

AQUAFAN

The largest Italian Water park.
The complex is divided into 4 themed areas:
children's games, water games, relaxation, and sport & fun,
with attractions to please all tastes.



Situated in one of the best medieval villages of Italy and a popular destination for day-trippers offers some interesting historical attractions, that include the imposing fortress.

FOOD/WINE TASTING

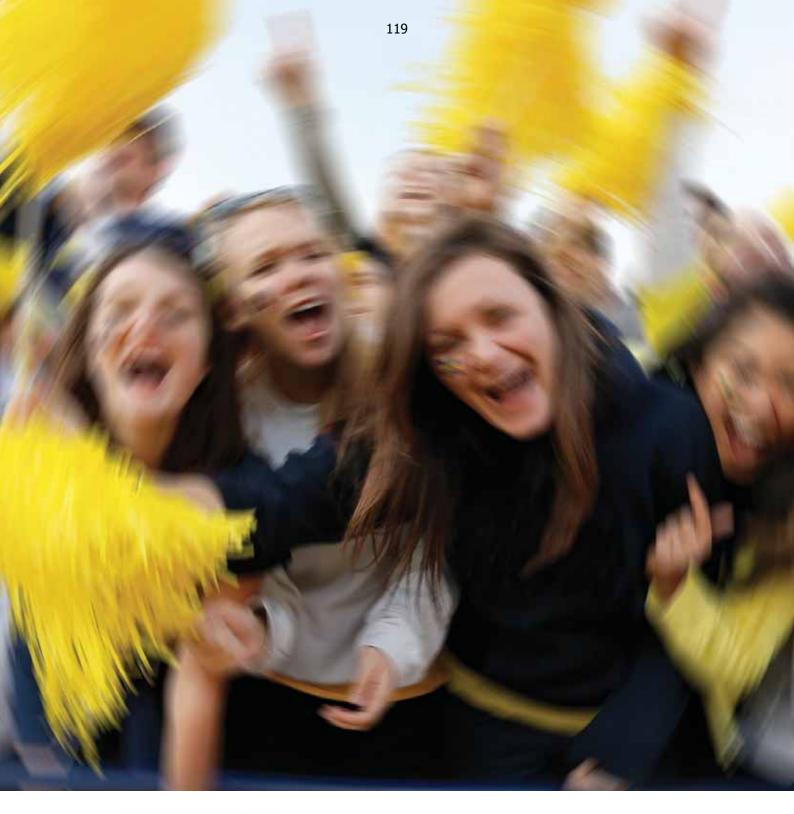
You will have the possibility to explore the fascinating itinerary of the Route of Wines and Flavours of Rimini's Hills, which gives tourists the possibility to taste genuine local staples.

TRAIN PUB TOUR

The San Marino train will take you in some of the best pub of the old Republic.









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MANAGEMENT REPORT

Date: February 21, 2017

To: Finance & Labour Relations Sub-committee **From:** Marilyn Pickering, Supervisor of Tax Revenue

Report#: FIN17-005

Attachments: Summary of Tax Adjustments – February 21, 2017

Title: Tax Adjustments – February 21, 2017

Objective: To consider approval of tax adjustments under Section 357 for 2016 and to receive Assessment Review Board Decisions for 2013-2016.

Background: Section 357 of the Municipal Act, 2001 states in part 'upon application to the treasurer, the local municipality may cancel, reduce or refund all or part of taxes levied on land in the year in respect of which the application is made.' Details of the tax adjustments for approval are attached.

Assessment Review Board Decisions are for information purposes.

Analysis: Summary is attached.

Financial Impact: There has been an allowance made in the 2017 Budget for anticipated tax adjustments.

Staff Recommendation: THAT the Report of the Supervisor of Tax Revenue dated February 21, 2017 regarding the approval of tax adjustments under Section 357 for 2016 be approved;

AND THAT the Assessment Review Board Decisions for 2013-2016 be received for information.

michering

Marilyn Pickering, Supervisor of Tax Revenue

Andre Morin, Director of Corporate Services

Rob Horne, Chief Administrative Officer

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SUMMARY OF TAX ADJUSTMENTS - FEBRUARY 21, 2017

APP. NO.	ROLL NO.	PROPERTY ADDRESS	REASON FOR APPLICATION AND ASSESSMENT AMOUNT	COVERED IN DAYS	TOTAL ADJMT	LEDGER REDUCTION	CASH REBATE	CITY CENTRE	TOTAL ADJMT
1	2-6-094	SECTION 357 DECISIONS - 2016 313 DELAMERE AVE	NO LONGER OPERATING B&B ASSESSMENT - RT 37,000	244	346.07	346.07	0.00	0.00	346.07
2	4-7-012	551 ONTARIO ST	HOUSE DEMOLISHED ASSESSMENT - RT 66,000	34	86.02	86.02	0.00	0.00	86.02
			TOTAL		432.09	432.09	0.00	0.00	432.09
		ASSESSMENT REVIEW BOARD DECISION UNDER SECTION 40 - 2013							
1	5-1-085	145-155 ERIE ST	ASSESSMENT REDUCED ASSESSMENT - CT 146,250 TOTAL	365	5,683.51	0.00	5,683.51	322.02	6,005.53
					5,683.51	0.00	5,683.51	322.02	6,005.53
		ASSESSMENT REVIEW BOARD DECISION UNDER SECTION 40 - 2014							
1	5-1-085	145-145 ERIE ST	ASSESSMENT REDUCED ASSESSMENT - CT 185,500	365	7,123.09	0.00	7,123.09	403.58	7,526.67
			TOTAL		7,123.09	0.00	7,123.09	403.58	7,526.67
		ASSESSMENT REVIEW BOARD DECISION	UNDER SECTION 40 - 2015						
1	5-1-085	145-155 ERIE ST	ASSESSMENT REDUCED ASSESSMENT - CT 224,750	365	8,580.82	0.00	8.580.82	551.79	9,132.61
			TOTAL		8,580.82	0.00	8,580.82	551.79	9,132.61
		ASSESSMENT REVIEW BOARD DECISION							
1	5-1-085	145-155 ERIE ST	ASSESSMENT REDUCED ASSESSMENT - CT 264,000	356	9,759.80	0.00	9,759.80	621.65	10,381.45
2	5-1-085	145-155 ERIE ST	ASSESSMENT REDUCED ASSESSMENT - CT 264,000	10	274.15	0.00	274.15	17.46	291.61
			TOTAL		10,033.95	0.00	10,033.95	639.11	10,673.06

Information on this form is compiled by the City under the authority of the Municipal Act, 2001 for the purpose of considering applications for cancellation, reduction or refund of taxes by the City and for administrative purposes. This information may be included in material available in acordance with the provisions of the Municipal Freedom of Information and Protections of Privacy Act.

Questions regarding the use and disclosure of this information may be directed to the City Clerk 1 Wellington Street, Stratford ON NSA 6W1, telephone 519-271-0250 ext. 235 during business hours.



MANAGEMENT REPORT

Date: February 9, 2017

To: Finance and Labour Relations Sub-committee **From:** Marilyn Pickering, Supervisor of Tax Revenue

Report#: FIN17-006

Attachments: Ministry of Finance 2017 Taxation Update

Title: Ministry of Finance Update on Property Tax

Objective: To update members of Sub-committee on a provincial review taking place on a number of property tax policies for the 2017 taxation year.

Background:

<u>Vacant Rebate and Reduction Programs:</u> The Vacant Unit Rebate Program provides property tax relief to owners of vacant commercial and industrial buildings through rebates issued by municipalities and governed by the Municipal Act, 2001 s364. The current rebate is 30% of the property tax for vacant commercial space and 35% for vacant industrial space.

The Province is moving forward in providing municipalities broader flexibility for 2017 and future years. Municipalities will be able to tailor the vacant rebate to their own needs and circumstances, while considering the interests of local businesses. Options to consider may include: eliminating the rebate, reducing the amount of the rebate, phasing out the rebate for a limited number of years, or granting the rebate as long as certain conditions are met.

<u>Business Property Tax Capping</u>: All business properties are paying at current value assessment. A by-law was passed September 26, 2016 to exit the tax capping program for commercial, industrial and multi-residential property classes for 2016 and subsequent taxation years.

<u>Multi-Residential Properties:</u> Regarding multi-residential properties, the Province is currently reviewing Stratford's tax ratio and will advise if a levy restriction will need to be implemented for 2017.

Analysis: Any change to the Vacant Unit Rebate Program would be in effect for the 2017 taxation year, meaning rebate applications submitted to the City for 2016 taxes would not be affected. There were 78 rebate requests in 2016 for the 2015 taxation year which totalled \$285,500 – a rebate of \$180,000 in municipal taxes and a rebate of \$105,500 in education taxes.

In order to make any changes to the Vacancy Rebate Program, the City must consult with the business community and apply to the Minister for any changes.

Financial Impact: Any changes to the vacancy rebate program would not impact the 2017 budget. The budget amount for 2018 and future years for the Vacant Unit Rebate Program would be presented based on any options being considered for the program.

The impact of a Multi-Residential tax ratio cap will be presented at a future meeting.

Staff Recommendation: If Sub-committee would like staff to perform public consultation around possible changes to the Vacancy Rebate Program, the following motion should be made:

That staff be directed to obtain stakeholder input regarding the Vacancy Rebate Program and prepare a recommendation report for the consideration of Council;

Alternatively, Sub-committee can pass the following motion:

That the report be received for information.

Marilyn Pickering, Manager of Tax Revenue

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Andre Morin, Director of Corporate Services

Rob Horne, Chief Administrative Officer

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Ministry of Finance Provincial-Local Finance Division 10th Floor 777 Bay Street Toronto ON M5G 2C8 Tel (416) 327-0264 Fax (416) 325-7644

Ministère des Finances
Division des relations provincialesmunicipales en matière de finances
10° étage
777, rue Bay
Toronto (Ontario) M5G 2C8
Tél.: 416 327-0264
Téléc.: 416 325-7644



December 21, 2016

2017

Dear Municipal Treasurer,

I am writing to advise you of a number of important decisions for the 2017 taxation year related to municipal flexibility in setting tax policy and to provide a property assessment update.

Please note that all of these decisions will be reflected in the Online Property Tax Analysis (OPTA) system to support municipal property tax analysis and policy implementation.

The Province will update municipalities when regulations implementing the property tax policy decisions are in place.

Property Tax - 2016 Ontario Economic Outlook and Fiscal Review Update

Vacant Rebate and Reduction Programs

As you may know, the Province has been reviewing the Vacant Unit Rebate and Vacant/Excess Land Subclasses. The review was initiated in response to municipal concerns regarding the appropriateness of the lower tax level provided through these programs and any unintended implications this may have for local economies.

Since the 1990s, these programs have provided tax rebates and reductions to property owners who have vacancies in commercial and industrial buildings or land. In response to municipal requests, the Province introduced a legislative framework through the 2016 Ontario Budget to facilitate potential program changes as a result of the ongoing review.

The Province is now moving forward with providing municipalities broad flexibility for 2017 and future years to tailor the programs to reflect community needs and circumstances, while considering the interests of local businesses. Municipalities can implement changes by notifying the Minister of Finance of their intent to utilize this flexibility and providing details of the proposed changes along with a council resolution.

As you are aware, the Province has an interest in continuing to ensure tax competitiveness and consistency for taxpayers and as such, will be encouraging municipalities to engage with their local business community.

To accommodate different municipal budgeting schedules, an administrative process has been put in place to provide municipalities three opportunities to notify the Minister of their intent. The Minister can be notified by one of the following dates to ensure requested amendments are included in regulation in a timely fashion:

- March 1, 2017
- April 1, 2017
- July 1, 2017

To further support the municipal implementation of any changes, the Ministry of Finance will provide a check-list. The check-list will include considerations for making changes to the programs, including engaging with your local business sector. To request a copy of the check-list or if you have any questions, please email info.propertytax@ontario.ca.

Business Property Tax Capping

The Province is providing municipalities with increased flexibility to manage business property taxes through the business property tax capping program. This builds on 2016 enhancements to the capping program that provided municipalities increased flexibility to accelerate progress to current value assessment (CVA) level taxes, as well as the option to exit or phase-out from the program.

Beginning in 2017, eligibility criteria to allow municipalities to phase out the capping program are more extensive. Municipalities may choose to exclude vacant land from the phase-out eligibility criteria where all properties must be within 50% of CVA level taxes. Municipalities will also have the option to limit capping protection only to reassessment-related changes prior to 2017. For municipalities that select this option, reassessment-related increases, beginning in 2017, would not be subject to the cap.

The adoption of any flexibility measure is a municipal decision and would be enacted through a municipal by-law.

Multi-Residential Properties

The Province has heard concerns about the significantly higher property tax burden for multi-residential apartment buildings and its potential implications for housing affordability in the rental market. In response to these concerns, the Province has announced it will review the property taxation of multi-residential apartment buildings. The review will involve extensive consultations with municipalities, as well as other affected stakeholders, including renters and apartment building owners. Consultations are anticipated to begin in early 2017.

Currently, the average municipal property tax burden on multi-residential apartment buildings is more than double that of residential properties. In many cases, multi-residential properties are taxed by municipalities at nearly three times the rate of residential properties. The inequity resulting from this higher property tax burden is especially concerning given the lower average incomes of tenants in multi-residential apartment buildings. In fact, the average income of apartment renters is less than half of other residential households.

While the review is under way, the Province will take steps to ensure that high municipal tax burdens on multi-residential properties do not increase. For these municipalities, this means that the municipal property tax burden for multi-residential properties will be no higher in 2017 than it was in 2016.

For the 2017 tax year, municipalities with a multi-residential tax rate that is double the residential rate or higher will be restricted from increasing this burden. This means, where the multi-residential tax ratio is greater than 2.0, a full levy restriction will be implemented and reassessment related shifts onto the multi-residential class will be prevented.

Since 1998, the Province has treated all forms of housing similarly by prescribing a uniform province-wide education tax rate for the residential and multi-residential property classes. To ensure equitable taxation for education purposes, the Province will continue to treat all forms of housing equally.

Other Property Tax Decisions

Property Tax Rate Calculation Adjustment

In response to municipal requests, a technical adjustment to the provincially prescribed notional property tax rate calculation was announced in the 2016 Ontario Budget. This adjustment ensures that when calculating notional tax rates, municipalities and the Province are able to address any unintended effects due to specific in-year property assessment changes, such as assessment appeal losses.

Municipalities have the option to adjust the year-end assessment used in the notional property tax rate calculation to offset changes resulting from certain in-year reassessment related changes, including:

- Assessment Review Board decisions;
- Request for Reconsiderations;
- Post Roll Amended Notices: and
- Special Advisory Notices.

Applying the technical adjustment is an annual municipal decision and requires a council resolution.

In 2016, regulations were enacted for each municipality that adopted the adjustment. For 2017 and future years, the Ministry has taken steps to ensure a more streamlined process, which will not require further regulations. Adoption of the adjustment can be implemented for any municipality by selecting the adjustment through the OPTA system. Municipalities that do not use OPTA are required to send information including their calculations supporting their adjustment to the Ministry via email to info propertytax@ontario.ca.

To ensure the ongoing integrity of education property tax revenues, the property tax rate calculation adjustment is also applied to education property tax rates.

Tax Ratio Flexibility

Municipalities will continue to be provided with tax ratio flexibility to avoid most tax shifts that may occur between property classes as a result of phased-in reassessment impacts. For the 2017 tax year, municipalities that tax multi-residential properties at more than double the rate of residential properties will continue to have tax ratio flexibility, but will not be able to increase the multi-residential tax ratio. These municipalities will still be able to choose whether to use tax flexibility in response to reassessment-related tax shifts among other property classes.

Modified Levy Restriction

Municipalities with property classes subject to the levy restriction will continue to have the flexibility to apply a municipal tax increase to those classes of up to 50 per cent of any increase applied to the residential class. For instance, a municipality levying a 2 per cent increase in residential taxes could raise taxes on any restricted class by up to 1 per cent. As noted above, a full levy restriction will apply to multi-residential properties with a tax ratio greater than 2.0 in 2017.

Property Assessment Update

Landfills Assessment Review

Earlier this year, the Ministry engaged former Cabinet Minister John Wilkinson to lead a review on the assessment methodology for landfills and make recommendations for the 2016 reassessment. Mr. Wilkinson delivered a report which recommended using an historic valuation approach for 2017 to 2020, implementing a new income approach for 2021 and future years, creating a new landfill property class, and excluding the value of environmental protection features from the assessed value of landfills. The Minister of Finance accepted these recommendations in June 2016.

In November 2016, Mr. Wilkinson submitted a second report advising on the technical implementation of his recommendations regarding the definition of the new landfill property class and the proposed tax ratio framework. Both reports on Landfills Assessment Review can be accessed from the Ministry's website at: http://www.fin.gov.on.ca/en/consultations/par/.

On December 13, 2016, an amendment to *Ontario Regulation 282/98* under the *Assessment Act* was filed, which implements several of the Landfills Assessment Review recommendations. The regulation:

- prescribes the use of the historic valuation methodology to assess landfills for the 2016 reassessment. The historic methodology values landfills as vacant industrial land, with structures assessed based on the replacement cost approach;
- prescribes the exclusion of environmental protection features from the assessed value of landfills; and
- establishes a new landfill property class, which is defined as recommended by Mr. Wilkinson.

The Minister's decisions regarding the tax ratio framework for the new landfill property class for 2017-2020 are anticipated in the near future.

Special Purpose Business Property Assessment Review

The Ministry worked in partnership with municipalities, the Municipal Property Assessment Corporation (MPAC) and stakeholders to complete the implementation of the recommendations of the Assessment Review (Special Purpose Business Property Assessment Review) to improve the property assessment system for the 2016 reassessment.

One of the key recommendations from the Assessment Review was the introduction of an advance disclosure process for special purpose business properties that involve complex assessment methodologies. MPAC completed the implementation of this process for the 2016 reassessment, which enabled affected municipalities and businesses to contribute to the determination of assessed values before the assessment roll was finalized.

The Ministry has published a final progress update bulletin which will summarize how each of the Assessment Review recommendations were implemented

The implementation plans for the Assessment Review recommendations were guided by the Assessment Review Reference Committee, which included municipal staff representatives. The insights and contributions from the Reference Committee were a crucial factor for the successful implementation of the Assessment Review recommendations.

Property Tax and Assessment Municipal Advisory Committee

The Ministry is committed to ongoing collaboration with municipalities to strengthen Ontario's property tax and assessment system.

Following the implementation of the Assessment Review recommendations, the Ministry will continue to engage with municipalities on assessment and tax policy matters. To further support this work, the Ministry established a Property Tax and Assessment Municipal Advisory Committee in spring 2016, which provides a collaborative environment for municipalities and the Province to discuss property tax and assessment policy issues.

Contact Information

If you have any questions related to property tax policy decisions, please contact Andrea Chow, Manager, Property Tax Policy Unit at 416-327-0252 or Andrea.Chow@ontario.ca.

For questions related to the property assessment update, please contact Carolina Torres, Manager, Assessment Policy Unit at 416-325-4754 or Carolina Torres@ontario.ca.

Sincerely,

Allan Doheny

Assistant Deputy Minister



MANAGEMENT REPORT

Date: February 13, 2017

To: Finance and Labour Relations Sub-committee

From: Joan Thomson, City Clerk

Report#: FIN17-009

Attachments: AMO Submission concerning the 2015 Municipal Act Five-year Review

and Conflict of Interest Review

AMCTO Submission on the Municipal Act and Municipal Conflict of

Interest Act

Ministry of Municipal Affairs Release – Modernizing Ontario's Municipal

Legislation Act

Title: Bill 68 – Modernizing Ontario's Municipal Legislation Act

Objective: To advise Sub-committee regarding proposed amendments to certain municipal legislation that regulates municipalities and municipal councils.

Background: Bill 68 has received 2nd Reading and is under debate in the Legislature. The Bill if adopted would introduce change to municipal governance in the Municipal Act, Municipal Elections Act, Municipal Conflict of Interest Act, Planning Act and Building Code Act.

The Association of Municipalities of Ontario (AMO) and the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) have been actively involved in the Province's review of municipal legislation. Each made submissions to the Province as part of the Review and copies are attached.

The following is a summary of some of the Bill 68 amendments to enhance accountable and transparency measures regarding Council operations:

1. Term of elected office for Council would change:

May 1 – Start of filing candidate nomination papers for the 2018 election; July 27 – Nomination Day (last day for candidates to file); October 22 – Voting Day for the 2018 election;

November 15 – new term of Council begins (currently Inaugural Council is early December)

- 2. Provision for electronic participation in meetings by elected members of Council. This would apply only to meetings open to the public. Member participation by electronic means would not count toward quorum. Councillor(s) can participate in meetings electronically if there is in-person quorum.
- 3. Clearer definitions of meetings under open meeting provisions. The definition of "meeting" would change under Bill 68 to include:
 - a) quorum of members present
 - b) that members discuss or otherwise deal with any matter in a way that materially advances the business or decision making of the Council
- 4. Expansion of the number of discretionary exemptions where Council may meet in Incamera Session.

The expanded exemptions for meeting In-camera would better align with the Municipal Freedom of Information and Protection of Privacy Act to protect categories of records from disclosure, including commercially confidential and proprietary matters. Categories would be added for:

- plans, instructions or positions to be carried out in negotiation;
- information supplied in confidence;
- commercially confidential material
- 5. Additional accountably measures are included in Bill 68. It would be mandatory for Council to have the function of an Integrity Commissioner available and mandatory to have a Council Code of Conduct and other rules governing ethical behaviour of members.

Furthermore, the role of the Integrity Commissioner would be expanded under Bill 68. The Integrity Commissioner would be able to initiate and conduct inquiries as to whether or not members of Council have contravened their Code of Conduct or the provisions of the Municipal Conflict of Interest Act. The Integrity Commissioner would also be authorized to provide advisory role and education to members of Council on the Code of Conduct and conflicts of interest.

- Relationship with officers and employees. Bill 68 requires that Council adopt a policy
 governing the relationship between members of Council and officers and employees of
 the municipality.
- 7. Climate Change and Environmental Matters. Bill 68 would provide general power for municipalities to regulate with respect to the environment, climate change and energy conservation. By-laws could be adopted respecting "economic, social & environmental well-being of the Municipality including respecting climate change".

Amendments to the Planning Act would stipulate mitigation of greenhouse gas emissions and adaption to a changing climate as matters of provincial interest. The provisions for a municipality to also partner in energy conservation programs would be strengthened to provide for long term planning for energy use, including consider of energy conservation, climate change and green energy.

There would also be a requirement to have policies on tree conservation and canopy cover and "the manner in which the municipality will protect and enhance the tree canopy and natural vegetation in the municipality".

- 8. Bill 68 would expand the availability of administrative penalties to all municipal by-laws, rather than currently only for parking by-laws. An admin penalty is an alternate mechanism for enforcement of a by-law and is intended to promote compliance with the By-law rather than punishment for contravention. An offender can appeal the penalty to a hearing officer appointed by the Municipality and any unpaid penalty would become a debt owed to the municipality.
- 9. Bill 68 provides clarification that Member vacancy conditions in the Municipal Act do not apply to a member who is absent for up to 20 consecutive weeks if absent as a result of the Member's pregnancy, birth of the member's child or adoption of a child by the Member.
- 10. A Member declaring an interest under Municipal Conflict of Interest Act would be required to file a written statement of the interest and general nature with the Clerk. The municipality would need to create a registry that tracks these registered conflicts of interest provided to the Clerk. The registry would be made available to the public.

There are new penalties proposed under the Act that include suspension and fines for a Member found to be in contravention of the Act. A judge would have the authority to reprimand a member, suspend a Member's remuneration for up to 90 days, declare the Member's seat vacant on Council or disqualify a Member or former Member from being a Member for up to seven years after the order is made. If there was a financial gain, a judge could order the Member to make restitution to an affected part(ies).

Furthermore, there would be a time limit for a person applying to a judge for a determination whether a Member or former Member (while a Member) has contravened the Municipal Conflict of Interest Act. A person can also apply to the Integrity Commissioner for an inquiry and again, there is a time limit to do so.

11. In addition to other changes to the Municipal Elections Act from 2016, the Clerk would be required to provide a certificate of municipal allowance campaign expenses at the time of filing of nomination of a candidate.

Bill 68 would increase maximum individual contributions to any one candidate from \$750 to \$1200. Further, the maximum contribution by a candidate (or spouse) to his/her own campaign, combined shall not exceed the lesser of:

- \$25,000
- for head of council \$7,500 plus 20 cents for each elector
- for member of council \$5,000 plus 20 cents for each elector

Analysis: Once Bill 68 is proclaimed by the Province and the legislative changes comes into effect, staff will review for further analysis. It is expected that Bill 68 will create new areas of jurisdiction, amend Council operations and responsibilities and have other legal implications for the municipality.

Financial Impact: There may be an impact on future operating budgets with respect to Bill 68. For example, the cost for an Integrity Commissioner may need to be added to the budget and could be covered by existing reserves and a small increase in annual contribution to the reserve as needed. Other implications could involve more substantial budget implications. Full details will be provided once the details of Bill 68 are passed by the Ontario government.

Staff Recommendation: THAT the report on Bill 68 — Modernizing Ontario's Legislation Act, be received as information.

Joan Thomson, City Clerk

RobHour

André Morin, Director of Corporate Services

Rob Horne, Chief Administrative Officer



Ministry of Municipal Affairs and Ministry of Housing

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You are here > <u>Home</u> > <u>Your Ministry</u> > <u>Local Government</u> > <u>Modernizing Ontario's Municipal Legislation Act – what's being proposed:</u>

Modernizing Ontario's Municipal Legislation Act – what's being proposed:

Email this page

Ontario is committed to helping local governments be more open, flexible and accountable to the people they serve.

Legislative amendments to three key pieces of municipal legislation have been proposed in the Modernizing Ontario's Municipal Legislation Act [insert link to Act].

- The <u>Municipal Act, 2001</u> sets out many of the roles, responsibilities and powers for Ontario's municipalities.
- The <u>City of Toronto Act, 2006</u> sets a similar framework specifically for the City of Toronto, while reflecting Toronto's status as Ontario's largest municipality.
- The <u>Municipal Conflict of Interest Act</u> sets out conflict of interest rules for municipal council members and members of local boards.

<u>Consultation on these three pieces of legislation</u> took place between June and October 2015.

Accountability and transparency

Ontario aims to make the rules clearer, more effective and responsive to local needs. If passed, these changes would:

- Require municipalities to establish codes of conduct for members of municipal council and local boards, which could include rules that guide the ethical conduct of those members. This proposal would help ensure that every municipality in Ontario has a code of conduct for council members, and also for members of certain local boards.
- Provide the public and municipal councillors with access to an integrity commissioner with broadened powers to investigate complaints, provide advice to councillors and initiate investigations related to conflicts of interest and the municipality's code of conduct.
- Enhance justice by providing a broader range of penalties for contraventions to the Municipal Conflict of Interest Act.

- Update the definition of "meeting" in certain cases within the legislation to help ensure that rules
 would be clearer for municipal officials, local board members and the public.
- Provide more options to use modern technology to participate in meetings.

Municipal financial sustainability

Ontario is supporting strong and financially sustainable local governments by giving eligible municipalities the option to invest according to the prudent investor standard. This may enable them to earn better investment returns by building a more diverse portfolio of investments.

The proposed legislation would also shorten the length of time a municipality has to wait to initiate a tax sale of a property to two years.

Responsive and flexible service delivery

New measures that would, if passed, support local governments by providing the powers and the flexibility they need to be creative and responsive to their communities, include:

- Clarifying that municipalities may pass climate change by-laws, and participate in long-term planning for energy use, which could help to lessen and address the impacts of climate change in their communities.
- Requiring reviews of regional council composition after every second municipal election, beginning in 2018, to strengthen democratic representation at the local level.

Pregnancy or Parental Leave

Ontario is increasing fairness and reducing barriers, by ensuring that women and parents are entitled to take time off for pregnancy or parental leave, without fear of being removed from elected office. While some municipalities have either formal or informal policies on this matter, the proposed legislation would require all municipalities to have a policy on pregnancy and parental leave for council members. The offices of members of council would be protected during an absence related to pregnancy, birth or the adoption of a member's child for up to 20 consecutive weeks.

There are a number of other changes being proposed as part of the Modernizing Ontario's Municipal Legislation Act. You can find all of the proposed changes under the Modernizing Ontario's Municipal Legislation Act.

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- LAST MODIFIED:WEDNESDAY, NOVEMBER 16, 2016

AMCTO SUBMISSION on the MUNICIPAL ACT & MUNICIPAL CONFLICT OF INTEREST ACT





About AMCTO:

AMCTO represents excellence in local government management and leadership. AMCTO has provided education, accreditation, leadership and implementation expertise for Ontario's municipal professionals for over 75 years.

With approximately 2,200 members working in 98 per cent of municipalities across Ontario, AMCTO is Canada's largest voluntary association of local government professionals, and the leading professional development organization for municipal administrative staff.

Our mission is to provide management and leadership service to municipal professionals through continuous learning opportunities, member support, and legislative advocacy.

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October 30, 2015

Honourable Ted McMeekin Minister of Municipal Affairs and Housing 777 Bay Street, 17th Floor Toronto, ON M5G 2E5

Dear Minister McMeekin

RE: Municipal Legislation Review

I am writing on behalf of AMCTO and the more than 2,200 municipal professionals who make up our membership, to present our submission as part of the Municipal Legislation Review.

AMCTO is pleased to present our submission which contains recommendations on the themes of modernization, accountability and transparency, financial fairness, good governance and clarity. We would encourage the government to carefully consider these recommendations and those that are being put forward by other associations and municipalities. Our goal is to ensure that the *Municipal Act* and *Municipal Conflict of Interest Act* function as effective documents that enable local governments to operate in an efficient, effective manner while offering high quality services to their citizens.

We appreciate your consideration of our suggestions and look forward to hearing back in a timely manner. Should you have any questions about this submission, please do not hesitate to contact Rick Johal, Director of Member & Sector Relations at AMCTO. He is best reached at rjohal@amcto.com or 905 602 4294 Ext. 232.

Yours sincerely,

Chris Wray

AMCTO President

- C. Deputy Minister Laurie LeBlanc
- C. Assistant Deputy Minister Kate Manson-Smith
- C. Pat Vinini, Executive Director Association of Municipalities of Ontario (AMO)

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AMCTO MA/ MCIA Submission

THE CONTEXT

Local governments in Ontario are in a period of transition and change, and as with all transitions, the implications are significant. This period of transition, in particular, will impact the way that local governments fund services, staff key positions, interact with their citizens, and maintain critical infrastructure in the future. The Government of Ontario's review of municipal legislation, therefore, comes at a fortuitous time. It offers municipalities, municipal professionals, associations, public servants and elected officials a unique opportunity to engage in a sustained conversation about the most important issues faced by the municipal sector.

Since the time that local government was first envisioned in the Baldwin Act (*Municipal Corporations Act*) of 1849, municipalities have become increasingly complex, expanding into a range of activities not originally envisioned at their conception. As the province of Ontario grew in size and industrialized it was only natural for local governments to take on increased responsibilities beyond providing and maintaining roads, sewers and streetlights. Municipalities are now responsible for a range of substantive and complex programs and services, including economic development, infrastructure, public health, housing, and a range of human and social service programs. Yet despite the expansion of responsibility for local governments, the intergovernmental relationship between the province and municipalities has remained skewed, with most of the power for the regulatory, legal, operational, and financial levers of local government left with the province.²

Outside of the intergovernmental relationship, the world outside local government has also shifted to become more complex. Steady urbanization, rapid technological advancements, demographic transformation, and globalization have all produced monumental changes in society. Local governments have worked to adapt to these changes by adopting new approaches to planning and development, service delivery, law enforcement, public safety, representation and advocacy. Yet, citizens in Ontario, Canada, and around the world have nevertheless come to expect their governments to deliver faster, cheaper, and better quality public services, while at the same time, technology has enabled an instantaneous feedback loop that leaves a very small margin of error for governments to experiment or make mistakes.⁴

¹ Andre Cote and Michael Fenn, "Approaching an Inflection Point in Ontario's Provincial-Municipal Relations," IMFG Perspectives, No. 6, 2014, 2

² Cote and Fenn, 2014, 2

³ Richard Dobbs et al., "How to you govern a disrupted world?" McKinsey & Company, May 2015

⁴ Dobbs, 2015

Accountability and transparency

Expectations are now higher than ever, and growing rapidly, for increased accountability and transparency in government. In 2014 the government of Ontario passed Bill 8, the *Public Sector and MPP Accountability and Transparency Act*, 2014, which amongst other things extended the oversight authority of the Ontario Ombudsman to cover municipalities, as well as hospitals, universities and school boards. Bill 8 is the latest in a growing accountability and transparency regime for municipalities that includes existing provincial oversight, reporting, and statutory requirements for everything from financial management to conflict of interest and local elections.⁵ Canadians have high aspirations and expectations for open and transparent decision-making, and low tolerance for behaviour seen to be unethical. These expectations carry important implications, as there is a strong correlation between even perceptions of corruption or unethical behaviour and public trust in government.⁶

In many ways the current thrust for strong accountability and transparency is reflective of declining levels of trust in government, which are at an all-time low. While there are many explanations for this declining trust, including high profile scandals and the 2008 financial crisis, the trend has been clear for several decades. In Canada, trust in government has fallen from approximately 60 percent in the early 1970s to 24 percent in 2013, according to research done by Canadian polling firm EKOS. Similar work done by the Organization for Economic Cooperation and Development (OECD) found that between 2006-2008 and 2011-2012, confidence in government fell by at least six percentage points in 18 of 34 OECD member states (figure 1). In fact by 2012 an average of only four of every 10 people in OECD member countries expressed confidence in their government. For governments at all levels maintaining citizen trust satisfaction is now more difficult than ever.

Figure 1:

⁵ Cote and Fenn, 2014, 5

⁶ OECD, Government at a Glance 2013, OECD Publishing, 2013, 22

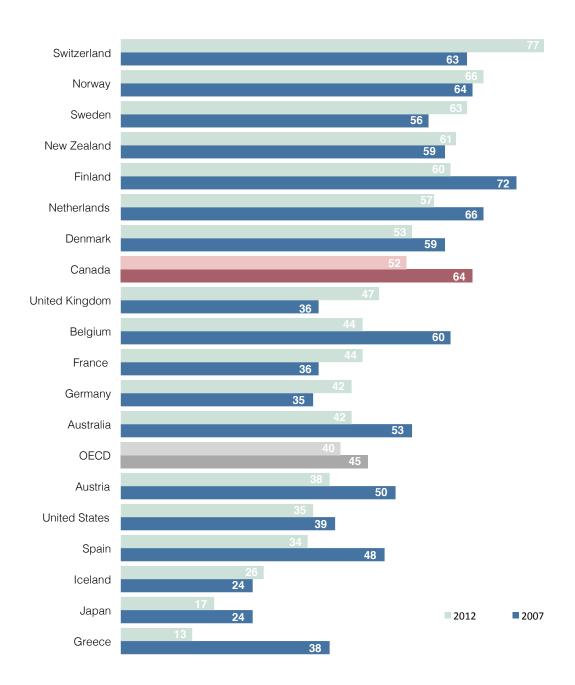
⁷ Frank Graves, "The EKOS poll: Democracy and the death of trust," iPolitics, January 2, 2014

⁸ Drew Silver, "Confidence in government falls in much of the developed world," *Pew Research Centre*, November 2, 2013

⁹ OECD, 2013, 20

¹⁰ OECD, 2013, 20

Confidence in OECD National Governments, 2006-8 to 2011-1211



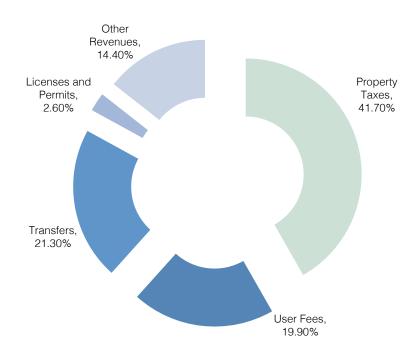
Source: OECD, Government at a Glance 2013, OECD Publishing, 2013, 22

Fiscal pressure

¹¹ Percentage of 'yes' in answer to question: Do you have confidence in your national government?

Local governments in Ontario are also facing a fiscal squeeze as the services they offer are becoming more expensive and complex to administer. Many Canadian municipalities are concerned about their ability to provide services to their citizens with existing sources of revenue. There is concern about both maintaining current high service standards, as well as the probable growth of complexity and demand in the future. 12 Most projections expect that municipal operating expenditures will continue to grow significantly over the next decade. 13 Yet, despite these pressures municipalities still have relatively limited sources of revenue (figure 2).





Source: Ministry of Municipal Affairs and Housing, Financial Information Returns, 2013.

Within their current powers, the majority of municipal revenues still come from property taxes, followed by conditional grants and user fees. ¹⁴ The Association of Municipalities

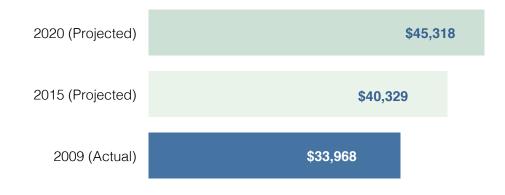
¹² Enid Slack et al., "Fiscal Health of Ontario Large Cities: Is there Something to Worry About?" Draft Paper, Conference on Measuring Urban Fiscal Health, Institute of Municipal Finance and Governance, 2013, 3

¹³ Association of Municipalities Ontario (AMO), What's Next Ontario? Imagining a prosperous future for our communities, 2015, 4

¹⁴ Slack et al., 3

Ontario (AMO) predicts that if all other sources of revenue remain unchanged, property taxes will need to increase by 4.51% ¹⁵ per year over the next decade for municipalities to be able to meet current service standards (Figure 3). ¹⁶ For a more detailed breakdown of projected operating costs see Appendix A.





Source: Association of Municipalities Ontario (AMO), What's Next Ontario? Imagining a prosperous future for our communities, 2015, 4

The largest area of expenditure for municipalities is salaries, wages and employee benefits. In 2011 these costs represented approximately 43 percent of municipal operating spending, which was a 37 percent increase from 2001. Most municipal workers are unionized, which in combination with the highly fragmented environment for collective bargaining makes it difficult to control costs, as high agreements or settlements in one municipality act as precedents for all of the others. This problem is especially acute when it comes to emergency services. Police, fire, and paramedics are not permitted to strike, which leaves municipalities with little control over costs, as arbitrators replicate agreements in different municipalities with little regard for local economic conditions or ability to pay.¹⁷ As a result, over the past 10 years, base wages for police officers and firefighters have grown at an average of 3.3 percent per year, compared to 2.7 for other unionized municipal workers and 2.2 for those in the private

¹⁵ An earlier version of this submission put this figure at 10%. This number was based upon projections done by AMO in April of 2015, which they later retracted and revised to the current figure of 4.51%. The initial calculation did not factor other sources of revenue, while the current figure assumes all non-property tax revenue remains stable at \$21 billion annually to 2025.

¹⁶ AMO, 2015, 4

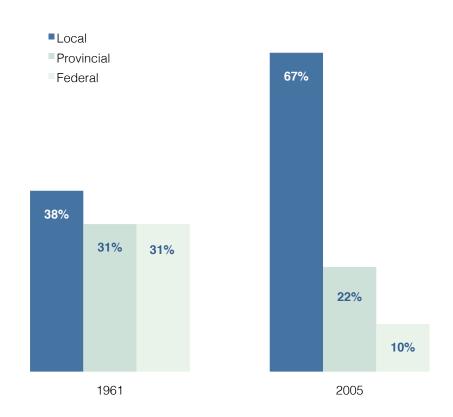
¹⁷ Cote and Fenn, 2014, 6

sector.¹⁸ Ontarians now pay the highest policing costs in the country, of which 86 percent goes to staffing.¹⁹

The infrastructure deficit

However, perhaps the most significant fiscal pressure facing municipalities is the infrastructure deficit. Approximately 40 per cent of public infrastructure in Ontario is owned by municipalities (when factoring in hospitals and educational facilities), including a number of roads and bridges, water and wastewater facilities, transit systems, social housing, and government buildings (figure 4).

Figure 4: Federal, Provincial, and Municipal Asset Ownership, 1961 — 2005 (excluding provincially-owned infrastructure dedicated to education and healthcare)



Source: Association of Municipalities Ontario (AMO), What's Next Ontario? Imagining a prosperous future for our communities, 2015, 23

¹⁸ Cote and Fenn, 2014, 6

¹⁹ AMO, 2015, 13

In 2008, the infrastructure deficit was estimated to be approximately \$60 billion, not including tourism-related cultural assets, parks and recreation facilities, or the costs for social housing units, which are valued at an additional \$40 billion. According to AMO, in order to close that gap, municipalities would have to levy an additional 3.84% of property taxes, which would mean a combined 8.35% increase in property taxes until 2025.

While the gas tax, as a dedicated source of predictable long-term funding, has helped, it is not enough to fill the gap. The current infrastructure deficit is too vast, and systemic to be covered under the current structure. Take the GTHA for example, where population growth and increased density are projected to increase the regional population to 8.6 million people by 2021, and where traffic congestion is said to already cost the economy \$6 billion in lost productivity a year.²³

A similar situation exists with the provinces roads and bridges. Municipalities are responsible for over 140,000 kilometers of roads and 15,000 bridges and large culverts in Ontario. The Provincial-Municipal Fiscal and Service Delivery Review in 2008 estimated that roads and bridges account for \$2.8 billion, or approximately half of the infrastructure gap. These costs are expected to grow 19 percent between 2009-2020.²⁴ This is not a problem that can be solved without bold action or direct support from senior orders of government.

Succession planning

In addition to critical infrastructure assets, many municipalities in the province are also staring down a deficit of critical human infrastructure, as the current generation of municipal professionals prepares to retire. The public sector work force is generally older than the private sector and thus more vulnerable to the effects of demographic change.²⁵ As many experienced municipal professionals leave, they will take significant accumulated knowledge, expertise and experience with them. While this provides

²⁰ Cote and Fenn, 2014, 6

²¹ An earlier version of this submission put this figure at 19%. This number was based upon projections done by AMO in April of 2015, which they later retracted and revised to the current figure of 8.35%. The initial calculation did not factor other sources of revenue, while the current figure assumes all non-property tax revenue remains stable at \$21 billion annually to 2025.

²² AMO, 2015, 4

²³ AMO, 2015, 10

²⁴ AMO, 2015, 11

²⁵ Bonnie G. Munslow, "Succession Planning: Building a strategy to address a critical need for a mid-sized municipality," *AMCTO*, 2010, 3

exciting opportunities for new professionals and new ideas to enter the sector, it also presents those same individuals with a steep learning curve. Many municipalities are working on strategies to mitigate the effects of these demographic changes that are likely to cause serious turnover in the municipal sector, as a significant number of babyboom aged senior managers retire. Many municipalities are not.²⁶

Government transformation

In the face of all of these challenges, many governments are responding by launching both small- and large-scale transformation initiatives. In general the government transformation agenda has crystallized around a number of trends, including citizencentred services, sharing responsibility for policy development, integrating operations across government departments, and crucially the adoption of digital technology.²⁷ It is especially the opportunities offered by emerging digital technologies, big data, and the growth of mobile computing that are pushing governments to adapt and transform.²⁸ Transactions in Canada are now increasingly happening online, as consumers and citizens alike now bank, study, socialize, shop and in some cases even vote in a completely digital environment. Many of these changes have been pushed by demographic transformation,²⁹ as traditional notions of customer service are changing, and consumers are increasingly in favour of interacting with institutions through the use of digital, streamlined, mobile-friendly, web-based applications.³⁰ Many municipalities have responded through open data/open government initiatives, and by pioneering the use of Internet voting, however, there is still significant work to be done to automate operations and modernize service delivery.

²⁶ Jessie Carson, "Managing the Future: Why Some Ontario Municipalities Are Not Engaging in Succession Planning," *Queen's University Discussion Paper*, No. 2009-01, 2009

²⁷ Sunil Johal, et al., "Reprogramming Government for the Digital Era," Mowat Centre, 2014, 1

²⁸ Johal, 2014, 2

²⁹ This shift is perhaps best exemplified in the rise of the sharing economy; where in Ontario 40 percent of those in the crucial 18-43 demographic are active consumers (Source: Andrea Holmes and Liam McGuinty, "Harnessing the Power of the Sharing Economy: Next Steps for Ontario," *Ontario Chamber of Commerce*, 2015)

³⁰ Mitch Solomon, "Millennials Don't Want More Customer Service—They Want Different Customer Service," *Forbes,* August 27, 2015

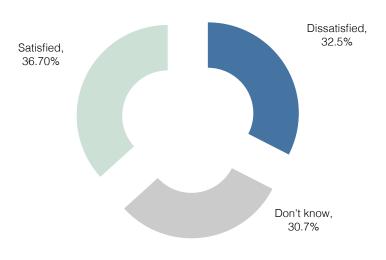
MAKING THIS REVIEW MATTER

The motivation to transform government is largely the result of eroding public trust and steadily declining satisfaction with government services.³¹ According to research conducted by IPSOS MORI in 2014, only 36.7 percent of Canadians were satisfied with the way the government was running the country.³² While this places Canada above a

number of other countries, it sets a low bar for citizen satisfaction. Declining citizen satisfaction levels are especially important for municipalities, who are the primary face of government in most communities and offer the most direct and tangible services to the public. Municipalities are also the level of government where citizens think that most decisions about public services should be made.³³

Governments at the local level are generally well managed,³⁴ and well liked by citizens, compared to other levels of government.³⁵ Yet the challenge of declining citizen satisfaction and trust remains even in the municipal sector. IPSOS MORI found the same level of citizen satisfaction (36.7) for local public services, as it did for government services at the federal level (figure 5).³⁶

Figure 5:
Overall, how satisfied or dissatisfied are you with local public services (e.g. public transportation, public education, public safety and social services)?



Source: IPSOS MORI, Global Trends 2014, http://www.ipsosglobaltrends.com/local.html

³¹ Emma Dudley et al., "Implementing a citizen-centric approach to delivering government services," *McKinsey & Company*, July 2015

³² IPSOS MORI, Global Trends 2014, http://www.ipsosglobaltrends.com/local.html

³³ IPSOS MORI, Global Trends 2014, http://www.ipsosglobaltrends.com/local.html

³⁴ Cote and Fenn, 2015, 1

³⁵ Michael Fenn, "Successful Staff/Council Relations: Old Lessons For New Challenges," *AMCTO Policy and Management Briefs*, Issue 02, August 17, 2015, 1

³⁶ IPSOS MORI, Global Trends 2014, http://www.ipsosglobaltrends.com/local.html

Given the constraints faced by municipalities, the initiatives currently underway to transform public services, and declining trust and satisfaction with government, this legislative review comes at an important time. Public servants at all levels need to redouble their efforts to improve service delivery and good governance. Municipalities need an enabling environment that encourages cooperation, innovation, continuous-improvement, and autonomy. There are a lot of ways that this can be created, from moving towards smart regulation, to empowering municipalities to become fiscally sustainable. However, there is no silver bullet; there is no one policy or program that can achieve this goal. Rather, to do so requires seizing upon every opportunity to give municipalities the tools they need to respond to and engage their citizens. This legislative review is one of those opportunities.

This submission contains recommendations across the themes of modernization, accountability and transparency, financial fairness, good governance, and clarity.³⁷ They are the result of an intensive process of research and review conducted by an advisory group of local government professionals from across the province. We would encourage the government to carefully consider these recommendations and those that are being put forward by other association and municipalities. Our goal is to ensure that the *Municipal Act* functions as an effective document that enables local governments to operate in an efficient, effective manner while offering high quality services to their citizens. There are three high-level principles that we believe will help achieve this goal, and should become essential elements of the intergovernmental framework for municipal-provincial relations going forward.

Respecting municipal diversity

Too often the province develops policy based on the assumption that all municipalities are the same. Yet the challenges and strengths of each local government is different, especially in rural vs. urban, small vs. large, and north vs. south. The default inclination to treat all municipalities as if they are same, ignores the fact that some municipalities have fewer than 5 employees who are deeply connected to the local community and some are larger than provincial governments and have robust financial controls, rigorous accountability regimes, and sophisticated policy-making functions.³⁸ This "one size fits all" approach often creates perverse outcomes that would scarcely be tolerated in other sectors. For instance, there is a substantial effort made to differentiate the regulatory and enabling environments for small businesses, compared to large- and medium-size enterprises. Yet in the municipal sector, the government frequently imposes the same regulations on Wawa as it does on Mississauga.

³⁷ This submission primarily contains recommendations for the *Municipal Act*, however, there are several recommendations with implications for the *Municipal Conflict of Interest Act* as well.

³⁸ Cote and Fenn, 2015, 3

Responsible orders of government

In addition to respecting diversity, the province should also treat municipalities like responsible orders of government. Local governments in Canada have often been referred to as 'creatures of the provinces' because Canada's Constitution assigns the provinces responsibility for local institutions, and all of the provinces in Canada have some legislation governing their municipalities.³⁹ Yet the province has repeatedly declared that Ontario's municipalities are responsible orders of government in their own right.⁴⁰ If that is so, than they should be treated as such. To do so, is the best opportunity for promoting effective governance and management at the local level. If municipalities are driven strictly by compliance and rote functionality they will struggle to truly become modern, fiscally sustainable agents of good governance, who promote professionalism, ethics, and accountability.

Legislating outcomes, and not behaviours

Nevertheless, the province is the regulator of local government and there is a role for it to play in guiding policy and practice within the sector. However, regulation should focus on outcomes and not behaviours. While there is no need for legislation with overly specific proscription, such as requirements to send documents via official mail, there is space for the province to provide broad guidance and direction. Yet far too often, policy from the province is far too proscriptive and developed without a concrete understanding of the complex factors that affect its implementation. The province should focus on legislating high-level outcomes and leave the specific implementation details to the public servants working in municipalities that bear the responsibility for understanding and executing those details.

³⁹ Slack et al., 2013, 2

⁴⁰ Ministry of Municipal Affairs and Housing, Municipal Legislation Review Public Consultation Guide, June 2015, 22

RECOMMENDATIONS:

RECOMMENDATION 1: Modernize council decision-making by allowing a broader range of decisions to be made without the use of a formal instrument, such as a bylaw or resolution

RECOMMENDATION 2: Clarify the requirements for retention of electronic records, and consider giving municipalities more latitude to develop their own retention protocols, including with respect to the accessibility of electronic backups

RECOMMENDATION 3: Consider a new regulatory approach for the sharing economy, recognizing the limited ability of municipalities to regulate activities that are no longer constrained to traditional borders or boundaries

RECOMMENDATION 4: Establish a clear definition of a meeting

RECOMMENDATION 5: Review the circumstances where council can meet in closed session, providing clarity about when a municipality may meet in the absence of the public to discuss the security of its tangible assets and intangible property, and to deal with confidential information of government entities and third parties

RECOMMENDATION 6: Require all municipalities to adopt their own 'Codes of Conduct' for council and staff

RECOMMENDATION 7: Create additional rules for Integrity Commissioners (ICs) to promote greater consistency in investigations, specifically by providing more guidance on how investigations are conducted and reported, while giving ICs extended powers to consider a broader range of penalties

RECOMMENDATION 8: Establish an accountability mechanism for accountability officers and meetings investigators

RECOMMENDATION 9: Clarify Council's responsibility for ensuring local boards are accountable (including BIAs and Conservation Authorities)

RECOMMENDATION 10: Review Ontario's Joint and Several Liability tort system, with the goal of ensuring that it more fairly balances the needs of all parties

RECOMMENDATION 11: Allow lower tier municipalities to factor tax arrears into their requisitions to school boards and the upper tier

RECOMMENDATION 12: Implement recommendations made by the Municipal Finance Officers Association (Appendix B)

RECOMMENDATION 13: Promote greater knowledge of municipal issues in the judicial system, and explore the creation of a specific provincial tribunal to handle local government issues

RECOMMENDATION 14: Enhance the enforcement provisions of the Act

RECOMMENDATION 15: Establish more precise rules for the transition period between elections

RECOMMENDATION 16: Give municipalities more flexibility to determine the time frame for filling council vacancies

RECOMMENDATION 17: Consider reorganizing the Act in a more consistent, logical manner

RECOMMENDATION 18: Clarify the principles for ward boundary reviews, specifically by aligning the timelines with the federal and provincial governments (every 10 years), creating guidelines for how consultations are to be conducted, embedding the principles that support effective representation, eliminating the petition process, and requiring upper tier municipalities to adjust their council composition to ensure fair representation of each lower tier

RECOMMENDATION 19: Review the definitions and descriptions of 'administration' and 'council,' and remove the 'CEO' title from the description of the head of council

RECOMMENDATION 20: Clarify the process and tests to follow when dealing with potentially conflicting roles, responsibilities, and legislation between different orders of government

RECOMMENDATION 21: Clarify the role of municipal services corporations and the applicability of municipal provisions

RECOMMENDATION 22: Create clearer procedures for boundary lines, roads and bridges

RECOMMENDATION 23: Review how the MA interacts with MFIPPA, and look for ways to create greater alignment of MFIPPA with the Act

RECOMMENDATION 24: Remove the 'subject to the approval of the municipal auditor' wording from sec. 255(1)(3)

RECOMMENDATION 25: Provide greater clarity and a clearer definition for indirect conflicts of interest in the Municipal Conflict of Interest Act

PART I: MODERNIZATION

Over the past several decades the boom in electronic and digital technology has radically transformed society and presented governments with new challenges and opportunities. Organizations all across the public sector have begun to integrate technology into their operations, processes and services. Some sectors, such as healthcare, have firmly embraced the transformational power of technology, and are using it to introduce new service-level improvements, such as electronic health records, telemedicine, and e-prescriptions.⁴¹ Within the municipal sector, a number of local governments have embraced Internet voting, moved services online, and integrated digital automation to make their operations more efficient.

These changes represent what some are calling the "first wave of digitization"—taking simple, transactional services and moving them online. ⁴² Future changes will look at more advanced functions like the current open data/open government movement, and will have even more significant implications for government. As these changes take place it is important that both the legislative and regulatory frameworks that govern society keep pace, and for the province to look for new ways to remove barriers and enable municipalities in Ontario to modernize. There area a range of options from simple things like removing the requirements to use registered mail, to more complex measures.

However, any movement towards modernization in the municipal sector will likely involve a discussion of whether or not to allow councils to meet or make decisions electronically. While there are some obvious benefits and advantages to such an idea, it is not a decision that should be taken lightly. AMCTO would urge the government to take a cautious approach when considering the possibility of electronic council meetings, and look for ways to balance the imperative of modernization with the importance of preserving and protecting the democratic process.

Outside of electronic meetings there are other ways that the government can modernize the council decision-making process. Municipal councils are now making decisions on a range of increasingly complex issues that affect public policy and administration at the local level, from wastewater treatment, to managing infrastructure, and social services. As the number and type of decisions being made by councils continues to grow, municipal councils need more flexibility in how they make decisions.

⁴¹ ITAC, Advancing Health and Prosperity: A Brief to the Advisory Panel on Healthcare Innovation, 2014

⁴² Johal, 2014

Currently the *Municipal Act* allows municipal councils to exercise their powers primarily through two formal legal instruments: a bylaw or resolution of council. However, while these legal instruments have generally served municipalities well, there is a range of decisions that a council must undertake that do not need to be encumbered with the weight or formality of an official bylaw or resolution. For example, according to the *Act* Municipal Clerks must all be officially appointed by bylaw. Similarly decisions about where a municipality places its traffic lights and street signs are all made with bylaws. As a result of these requirements municipalities pass an inordinate number of bylaws. The City of Toronto, for example, has already passed almost 1,000 in 2015 alone. Councils in municipalities across the province need more freedom to simply render decisions.

RECOMMENDATION 1: Modernize council decision-making by allowing a broader range of decisions to be made without the use of a formal instrument, such as a by-law or resolution

Currently the *Municipal Act* contains a detailed section on records retention. This section includes detailed and specific provisions for destruction, transfer, inspection and copying official records of the municipality. However, there are no detailed provisions for how municipalities should deal with electronic records.

The rise of the digital age has created an explosion of data and the number of electronic documents that are now being created and shared has grown exponentially. Governments in highly industrialized countries are now creating and receiving more documents, data and 'records' than could have possibly been imagined even 10 years ago. While there are no exact figures, some estimates from Europe indicate that up to 90 percent of the records generated by governments are now electronic. ⁴³ While this number might be higher in Europe, where government e-initiatives have pushed more activity onto electronic platforms, it paints a picture of where we are headed in the future. Governments in Ontario, at all three levels, will continue to produce more and more electronic records. While the rise of electronic records has provided interesting opportunities for government transparency (open government) and more detailed data collection and analysis to improve policy development and program delivery, it also creates serious challenges for those tasked with managing and maintaining those records.

⁴³ James Manyika, et al., "Big Data: The next frontier for innovation, competition, and productivity," *McKinsey Global Institute*, 2011, 56

Within this context, there is a need for more clarity within the *Municipal Act* about how municipalities should handle electronic records. Key to this clarity is flexibility, ensuring that each local government has the ability to develop a policy that is appropriate for their own municipality, given that the volume and types of records varies from community to community. The protocols needed in Toronto are vastly different from those that are needed in Sioux Lookout. As the number of records produced in the digital age continues to duplicate at an exponential rate, municipalities should be given the flexibility to develop their own retention protocols, bearing in mind that each government operates in its own distinct context.

RECOMMENDATION 2: Clarify the requirements for retention of electronic records, and consider giving municipalities more latitude to develop their own retention protocols, including with respect to the accessibility of electronic backups

In addition to changes in how municipal governments make decisions and store electronic records, there is also a need for the province to recognize the changes that have taken place in the consumer market, and explore more modern approaches to regulation. At the end of September, Toronto's City Council voted in favour of incorporating ride-sharing service Uber into its regulatory framework that governs taxis. The decision came as municipalities have been struggling to respond to Uber and similar services that now make up the 'sharing economy.' Once peripheral, these

1 in 5 residents in the GTA have used Uber, while 45 per cent of Canadians are willing to rent their belongings to others, and 42 percent are willing to rent from others.

services have now become dominant players in the service industry. For instance according to research done by the Ontario Chamber of Commerce and PwC, 1 in 5 residents in the GTA have used Uber, while 45 per cent of Canadians are willing to rent their belongings to others, and 42 percent are will to rent from others.⁴⁴

The mere existence of the sharing economy is not new, nor is the change or challenges that it has introduced. However, the quick growth of services like Uber and AirBnB has exposed the limited ability of our current regulatory framework to adapt to such

⁴⁴ Andrea Holmes and Liam McGuinty, "Harnessing the Power of the Sharing Economy: Next Steps for Ontario," *Ontario Chamber of Commerce*, 2015, 4

shocks.⁴⁵ Toronto was the first municipality in Ontario to begin incorporating the sharing economy into its regulatory infrastructure, but it will not be the last. More and more municipalities will begin to follow suit in the coming months. However, the result will be a fragmented, ad-hoc regulatory framework for services that are not local in scope, but exist at the sub-national, national and international level. They are emblematic of our increasingly globalized world, and the way that many services and sectors are no longer constrained to traditional legal boundaries or borders. The province should recognize that this is not an isolated event, rather a tectonic shift in the service industry, and take the led on a proactive and progressive set of regulations. This means taking a holistic approach, and not leaving it to the provinces 444 municipalities to attempt a piecemeal solution to what is a provincial problem.

There are precedents from other jurisdictions where higher orders of government have taken the lead, and attempted to determine the best approach to regulating the sharing economy. For instance in the in the UK, the national government launched a commission to review and better understand the economic and societal issues that the growth of the sharing economy had exposed. Following months of consultation and study, the result was reform of 1970s-era laws restricting short-term rental space and updates to zoning guidance to allow sharing parking spaces.⁴⁶ The government of Ontario could do the same.

RECOMMENDATION 3: Consider a new regulatory approach for the sharing economy, recognizing the limited ability of municipalities to regulate activities that are no longer constrained to traditional borders or boundaries

⁴⁵ Sunil Johal and Noah Zon, "Policy Making for the Sharing Economy: Beyond Whack-A-Mole," *Mowat Centre*, 2015, 4

⁴⁶ Holmes and McGuinty, 2015, 5

PART II: ACCOUNTABILITY & TRANSPARENCY

Accountability and transparency are key features of democratic governance and increasingly important to Canadians. Currently at the municipal level, the infrastructure for accountability and transparency includes a range of oversight and reporting requirements. This section contains recommendations that are designed to fill gaps and ensure that accountability and transparency initiatives at the local level are effective and achieve their objectives.

Closed meeting investigations have been one of the most prominent accountability measures in the past several years. Despite some media portrayals, decision-making at the municipal level is perhaps the most transparent of any level of government in Canada. The *Municipal Act* requires that meetings of municipal councils be open to the public, and only happen behind closed doors in limited circumstances. Comparatively, most decisions made by provincial or the federal governments are made away from the public, at closed-door cabinet or caucus meetings.

Part of the process for ensuring that open meeting rules are followed is closed meeting investigations conducted under Section 239 of the *Act*. However, while these investigations are an important way of ensuring transparency and accountability, they are currently premised on an unclear definition of

what defines a 'meeting.' Moreover different closed meeting investigators conduct their investigations using different definitions. The Ontario Ombudsman's office, in particular, has taken an expansive view of what constitutes a meeting. The *Municipal Act* for its part does not provide a clear

Section 239(1): Except as provided in this section, all meetings shall be open to the public

or specific definition stating only that a meeting is a "regular, special, or other meeting of council, of a local board or of a committee of either of them."⁴⁷

The current ambiguity about what constitutes a meeting has had negative and perverse repercussions for municipal governance. For instance, one councilor in the City of London has taken to carrying around a flow chart listing which of his fellow councilors sit on which committees, to ensure that he is not at risk of contravening the rules for

⁴⁷ Andrew Sancton, "What is a Meeting? Municipal Councils and the Ontario Ombudsman: Draft," *Political Science Publications*, paper 34, 2014, 10

closed meetings.⁴⁸ Even more harmful, however, the ambiguity around what constitutes a meeting has prohibited some members of council from openly discussing policy issues with their colleagues outside of the council chambers. The Mayor of Greater Sudbury for instance won't talk to other councilors or lobby for support on any issues before council because she is worried about breaking the rules.⁴⁹ While it is undeniably important to ensure that the publics business is conducted in the open, when it is reasonable to do so, it is equally important that the rules to govern that process are clear and easily understandable.

RECOMMENDATION 1: Establish a clear definition of a meeting

In addition to clarifying the rules around what constitutes a meeting, there also needs to be more clarity about the circumstances where council is permitted to meet in closed session. Given the scrutiny that surrounds closed session meetings, this is not a section of the *Act* that benefits from ambiguity. There are a number of circumstances where it is important or necessary for council to meet in a confidential setting. Whether it is to discuss human resource matters or to develop strategy for commercial negotiations or intergovernmental relations, municipalities need to have the confidence of knowing that their actions fall within the scope of reasonable behaviour.

In these circumstances, the *Municipal Act* should clearly articulate that closed meetings are appropriate and acceptable. This is especially important, given the ambiguity in the *Act* surrounding 'security of the property' and circumstances where council is requested or required by a third party (often a provincial government ministry) to meeting behind closed doors. Around security of the property, in particular, while there is currently an exemption to the open meeting rule, previous rulings from the IPC and others have indicated that municipal councils should be required to hold these meetings in public, which would force them to publicly discuss the details of business negotiations.

RECOMMENDATION 2: Review the circumstances where council can meet in closed session, providing clarity about when a municipality may meet in the absence of the public to discuss the security of its tangible assets and intangible property, and to deal with confidential information of government entities and third parties

⁴⁸ Patrick Maloney, "London politician forced to go to absurd lengths to avoid breaching uncle law against illegal secret meeting," *London Free Press*, September 30, 2015

⁴⁹ Sanction, 2014, 12

Many municipalities have rules and policies governing the ethical behaviour of their staff, councilors, and members of local boards. Codes of Conduct address a broad range of issues, including how to handle gifts and benefits, proper use of municipal

"The ethical culture of an organization is the set of values operating within it.

Those values constitute the first line of defence against unethical behaviour, and they exert by far the most powerful influence. In any organization, there is a formal ethical culture and an informal ethical culture. Formal culture is written policy. Informal is learned behaviour of others—and it usually prevails. Ideally, formal culture and informal culture are the same, and the values set down on paper reflect the real values at work in the organization every day."

—The Honourable Madame Justice Denise E Bellamy, Report on the Toronto Computer Leasing Inquiry resources, proper conduct at council meetings and how to behave when acting on behalf of the municipality. These codes range from general principles to prescriptive lists of rules, and are generally left to each municipality to develop based on the unique needs of their community.

Codes of Conduct are an important and useful plank in the ethical framework of governments at all levels. While many large municipalities have created formal codes of conduct to embed proper practices for ethical behaviour, most medium or small sized municipalities have not.⁵⁰ However, if they are important for some municipalities, they should be important for all. Codes of Conduct should be made mandatory in the *Municipal Act* for all

municipalities (with separate codes for council and staff). However, while the *Act* should proscribe that each municipality is responsible for creating a Code of Conduct, it should leave the responsibility for creating the code to municipalities themselves. This would allow each community to create a Code of Conduct that is appropriate for its municipality.

RECOMMENDATION 3: Require all municipalities to adopt their own 'Codes of Conduct' for council and staff

Central to ensuring that municipal Codes of Conduct are upheld, are investigations and oversight provided by Integrity Commissioners. The *Municipal Statute Law Amendment Act*, 2006 (Bill 130), which amended the *Municipal Act* and entered into effect on

⁵⁰ Ministry of Municipal Affairs and Housing, Municipal Legislation Review Public Consultation Guide, June 2015, 7

January 1st 2007 gave municipalities the option of appointing an Integrity Commissioner, who would report to council, but functionally would be tasked with independently ensuring that the municipality is operating in an ethical manner. Initially recommended by Justice Bellamy, following her probe of the Toronto Computer Leasing program, not all municipalities handle their ICs the same way. While most look at how members of council comply with ethical standards of behaviour, in some municipalities they are also tasked with educational training or providing advice on ethics and professional conduct.

At this point, still early in the lifespan of the role of the Integrity Commissioner, there is a need for more structure to be created around the position. There is still far too much variability in how

RAISING THE BAR ON ETHICAL BEHAVIOUR

Recommendation 3 falls in line with a broader range of work that AMCTO has undertaken in 2015 to develop a new Code of Ethics & Values. This work is designed to heighten awareness of the importance of ethics and accountability and point towards the efforts of current public servants who are raising the bar on ethical leadership in the municipal sector. While this effort is aimed specifically at AMCTO members, it cannot replace the importance of each municipality having its own set of values and ethics.

Integrity Commissioners exercise their roles, and how they investigate and report back to council. The *Act* should contain more guidance for ICs, so that investigations are being conducted more consistently across the province. It would also be useful to broaden the range of penalties that ICs have at their disposal and give them greater powers to impose a wider range of penalties when infractions are discovered. Currently if an Integrity Commissioner reports that a member of council or local board has contravened that municipality's code of conduct, the municipality can offer either a reprimand, or a suspension of pay for up to 90 days. This is a very limited range of options, and does not provide the IC or the municipality with a range of options that might be better suited to the offence. Integrity Commissioners are important, but there is still work to be done to increase their impact, and improve consistency across the province.

RECOMMENDATION 4: Create additional rules for Integrity Commissioners (ICs) to promote greater consistency in investigations, specifically by providing more guidance on how investigations are conducted and reported, while giving ICs extended powers to consider a broader range of penalties

Just as there are gaps in the position of Integrity Commissioner, there are similar gaps around mechanisms for ensuring the accountability of accountability officers themselves. In addition to an Integrity Commissioner, Justice Bellamy also

recommended three other accountability officers that are now available to municipalities, including a Lobbyist Registrar, Auditor General, and Ombudsman. A meetings investigator has since rounded out these positions, to monitor compliance with the *Act's* open meeting provisions.

These are all important positions critical to the oversight of municipal governance, but they are themselves not immune from ethical or professional lapses, and should not be placed outside the reach of oversight. While there is not currently a section within the *Act* that establishes an accountability mechanism for accountability officers, one should be created.

RECOMMENDATION 5: Establish an accountability mechanism for accountability officers and meetings investigators

Finally, one remaining gap in the accountability and transparency framework surrounds the position of local boards. As agents of the municipal corporation, local boards, including Conservation Authorities and Business Improvement Areas (BIAs), should be required to maintain and uphold the same standards of ethical, professional, and accountable conduct as all other municipal representatives and employees. Yet, there are currently few provisions within the *Act* that clearly define the accountability and transparency requirements for local boards.

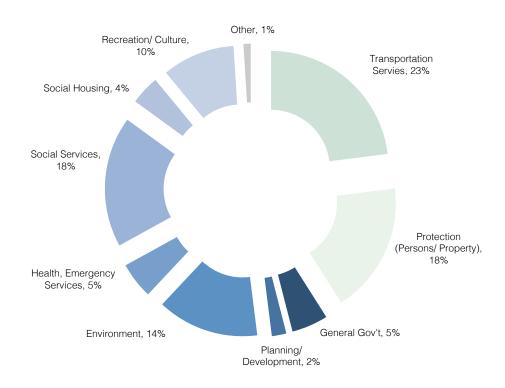
All local boards, including Conservation Authorities, BIAs, and Health, Library and Police Services Boards, should be brought into the local government accountability regime. They should be responsible for monitoring their own accountability and transparency, and upholding the same principles of the municipality they belong to. They should be regularly audited, have Codes of Conduct, be required to have open meetings, and to record minutes of all meetings and make them publicly accessible.

RECOMMENDATION 6: Clarify Council's responsibility for ensuring local boards are accountable (including BIAs and Conservation Authorities)

PART III: FINANCIAL FAIRNESS

The fiscal challenges faced by the province's local governments are complex, and there is no single solution. What is needed is a broader conversation that looks beyond the current tools and revenue streams currently on offer. In the interim, however, there are a series of smaller steps that the government can take, many as part of this legislative review, to improve the financial footing of many municipalities. This section contains a series of recommendations that are designed to help improve the financial fairness for local governments in Ontario. Some of the recommendations emerged through AMCTO's review process, while others are the work of our partner associations.

Figure 6: Ontario Municipal Expenses, by Service (2013)



Source: Ministry of Municipal Affairs and Housing, Financial Information Returns, 2013.

One of the more significant hurdles to fiscal sustainability in the municipal sector is the province's joint and several liability provisions, often referred to as the 1 per cent rule. This system requires that even defendants in a civil suit who are found as little as 1 per cent at fault can still be made to pay 100 per cent of the damages. This system has

often resulted in local governments, who are presumed to have vast financial resources, becoming the targets of litigation and inevitably covering the cost of other defendants, who do not have the means to pay high damage rewards, but may bear a greater proportion of the liability. Joint and several liability not only places disproportionate liability on municipalities, it has also created a context where municipalities are forced to offer generous out of court settlements to avoid protracted and expensive court battles.⁵¹

In the past AMCTO has raised its concerns about Joint and Several Liability, and the province declared its interest in reforming this system, before reversing course in 2014. However, if the province is serious about improving the fiscal sustainability of local governments, joint and several liability reform would be a good place to start. There are a range of reform options. Most come from other jurisdictions and have been successfully implemented, while providing reasonable protection for the needs of both plaintiffs and defendants. These options include proportionate liability, a reallocation model, a percentage threshold, or a specific joint and several liability that is based on the type of damage, as exists in California, New York, Mississippi, Nevada and Nebraska. Whatever the solution, there is a pressing need to implement a system that is fairer for all parties.

RECOMMENDATION 1: Review Ontario's Joint and Several Liability tort system, with the goal of ensuring that it more fairly balances the needs of all parties

Aside from reforming joint and several liability, smaller lower-tier municipalities across the province would also benefit from greater flexibility and accommodation with respect to their requisitions to school boards and the upper tier. Specifically there needs to be consideration for the tax arrears that a municipality is holdings on its books, and how this affects their ability to pay these requisitions quarterly. Lower tiers have to pay upper-tier and school board requisitions on predetermined timelines, regardless of if the municipality has collected taxes or is faced with a significant number of properties in arrears. As a result, municipalities are in effect acting as lenders for those who pay their property taxes late, or who fail to make their payments entirely. This carries significant implications for a municipality and can leave it with severe cash flow problems, and cause lower tiers to engage in unnecessary short- or long-term borrowing to cover for citizens who do not pay their taxes. Rather than borrowing to invest in priority projects,

⁵¹ Association of Municipalities Ontario (AMO), The Case for Joint and Several Liability Reform in Ontario, April 1, 2010

⁵² AMO, 2010, 27-28

these municipalities are forced to use up potential investment income to cover for negligent taxpayers. Requisition schedules for school boards and upper tier municipalities need to factor in a municipality's tax arrears position.

RECOMMENDATION 2: Allow lower tier municipalities to factor tax arrears into their requisitions to school boards and the upper tier

In addition to the recommendations that AMCTO has developed through our own review process, we would also like to endorse and recommend that the government implement the recommendations made by the Municipal Finance Officers Association (MFOA). These recommendations have been developed by MFOA with input and advice from treasurers and municipal finance professionals from across the province.

RECOMMENDATION 3: Implement recommendations made by the Municipal Finance Officers Association (Appendix A)

PART IV: GOOD GOVERNANCE

As the level of government closest to the people in communities across the province, municipalities provide important public services that are crucial to keep Ontario's communities moving. It is especially important, therefore, that municipalities have the freedom and autonomy to govern well and respond to the needs of their citizens. The province has repeatedly declared that it views municipalities as responsible and accountable orders of government and that it wants to make sure that they have "the flexibility they need to govern." This section contains recommendations that are designed to allow municipalities to do just that.

One of the most pervasive challenges to good governance in the municipal sector is the lack of knowledge within the court system about municipal issues. AMCTO has highlighted this concern previously, specifically surrounding the *Municipal Elections Act*. Recently in *Gleeson v. Conseil Scolaire du district catholique des aurores boreales*, 2015 and A*shby v. Town of Ajax*, 2015, the courts chose to ignore clear contraventions of the province's election laws.

However, these issues are not limited to elections and exist throughout all areas of municipal jurisprudence. Other common issues that are endemic to the justice system include a lack of knowledge amongst Justices of the Peace about enforcement of municipal provisions, an unwillingness to utilize existing enforcement provisions, a lack of respect for by-laws passed by municipalities, and a general lack of knowledge about that statutes that govern municipal affairs. For example in *Myshrall v. Toronto* the court decided that claimants should not be responsible for identifying the date and location of an accident when making a claim related to municipal road repair, despite the fact that this makes it next to impossible for municipalities to defend themselves.

As part of its review of municipal legislation, the government should look for ways that it can increase knowledge of municipal issues in the judicial system. This is an initiative that AMCTO would support and be willing and interested in partnering with the government to achieve. However, the government should also go further and consider what other actions it could take to ensure that the principles of good governance are being upheld in the judicial system. One option worth exploring would be the creation of a specific tribunal to handle local government adjudication.

RECOMMENDATION 1: Promote greater knowledge of municipal issues in the judicial system, and explore the creation of a specific provincial tribunal to handle

⁵³ Ministry of Municipal Affairs and Housing, Municipal Legislation Review Public Consultation Guide, June 2015, 22

In addition to enhancing the capacity of the judicial system to enforce municipal provisions, the actual enforcement provisions themselves should also be reviewed. The current enforcement mechanisms do not effectively uphold the statutes. There is still considerable work to be to ensure that enforcement provisions, such as those in Part XIV of the *Municipal Act*, are adequately structured to meet the nature of the offences. We would encourage the government to conduct a wholesale review of the penalties and oversight contained within the *Act* in order to create rules that are actually followed, and penalties that meet the nature of the offence and are upheld by the courts.

RECOMMENDATION 2: Enhance the enforcement provisions of the Act local government issues

Outside of enforcement and the courts, there are a few other gaps and rigidities that, once addressed, will help municipalities govern more effectively. One such gap that currently exists within the *Municipal Act* relates to the transition period following an election, before a new council is sworn in. Peaceful transitions from one government to another are a hallmark of democratic governance, and therefore an incredibly important period for municipalities. However, the current guidance in the *Act* is vague. Newly elected representatives are always eager to get to work, which leaves Municipal Clerks in an uncomfortable position of trying to work with two separate councils, without clear guidelines on what to do.

The transition period would be improved by including more specific protocols and rules to govern the time after the election before the new council takes over. Specifically, there needs to be a set of guidelines for outgoing councilors and a set of guidelines for incoming members, so that both understand their responsibilities and obligations.

Municipalities would also benefit from greater flexibility to schedule and prepare for their inauguration along a timeline that best suits their particular context. As mentioned in the introduction, each municipality operates in a different environment, and uniform rules for every municipality in the province do not often produce good outcomes or lead to good governance.

RECOMMENDATION 3: Establish more precise rules for the transition period between elections

In addition to greater flexibility to schedule their inauguration, municipalities would also benefit from greater flexibility when it comes to filling vacancies on council. Section 263 of the *Municipal Act* sets out the procedures for filling a council vacancy, namely that a

municipality has 60 days following a declaration of vacancy to either appoint a replacement or pass a by-law to hold a by-election to select a replacement. However, this section is too prescriptive and does not give municipalities enough flexibility to act in the interests of good government. While 60 days may be appropriate in certain circumstances, there are others, such as holidays or the summer, where 60 days does not give a local council sufficient time to meet and determine the best course of action, or staff enough time to prepare for that outcome. Just as legislatures at the provincial and federal level break for holidays and the summer, so too do municipal

Section 263: (1) If a vacancy occurs in the office of a member of council, the municipality shall, subject to this section, (a) fill the vacancy by appointing a person who has consented to accept the office if appointed; or (b) require a by-election to be held to fill the vacancy in accordance with the Municipal Elections Act.

councils. At present the leadership of federal and provincial governments have more flexibility about when to call a by-election and there is little justification to not give municipalities that same latitude.

RECOMMENDATION 4: Give municipalities more flexibility to determine the time frame for filling council vacancies

PART V: CLARITY

One of they key challenges faced by municipalities when working with municipal legislation is a lack of clarity. This is a concern that was highlighted by AMCTO's submission on the *Municipal Elections Act*, and is a matter of equal importance for this review of municipal legislation. Far too many pieces of the legislation that govern municipal operations are unclear, and difficult to interpret. This problem is exacerbated by the reluctance of the Ministry of Municipal Affairs and Housing to help municipalities interpret municipal legislation. As a result local governments are left to either spend taxpayer dollars on legal opinions, or attempt to interpret the statutes themselves, creating the risk of litigation. This is a particular challenge for smaller municipalities who do not have a City Solicitor or in-house counsel. This section contains recommendations that are meant to highlight sections of the *Municipal Act* that would benefit from greater clarity.

ORGANIZATION OF THE MUNICIPAL ACT:

Part I General

Part II General Municipal Powers

Part III Specific Municipal

Powers

Part IV Licences

Part V Municipal Reorganization

Part V Accountability and

Transparency

Part VI Practices and

Procedures

Part VII Financial Administration

Part VIII Municipal Taxation

Part IX Limitation on Taxes for

Certain Property Classes

Part X Tax Collection

Part XI Sale of Land for Tax

Arrears

Part XII Fees and Charges

One of the most significant steps that could be taken to provide greater clarity to the *Act* would be to reorganize and restructure it in a more consistent, logical manner. The current Municipal Act has a sclerotic organizational framework that seemingly jumps from one topic to another at random. The Act opens with municipal powers, and then moves on to licences, municipal reorganization, accountability and transparency and doesn't discuss general items of practice and procedure (the section of the Act spells out the role of council, administration, and the first meeting of council) until Part VI, by which point it has already covered municipal reorganization, and accountability and transparency. It is illogical for the Act to discuss

reorganization of a municipality before it discusses organization, and accountability and transparency for council, before it even discusses the role of council. If this review is able to enhance the clarity of the *Act*, it should start at the beginning and reorganize it in a more consistent, logical manner.

RECOMMENDATION 1: Consider reorganizing the *Act* in a more consistent, logical manner

Another area of the *Act* that would benefit from greater clarity is the section that lays out the power for municipalities to conduct ward boundary reviews. Section 222 of the *Municipal Act* gives local governments the power to "divide or redivide the municipality into wards or to dissolve existing wards." What follows are provisions to deal with

Section 222: (1) Without limiting sections 9, 10 and 11, those sections authorize a municipality to divide or redivide the municipality into wards or to dissolve the existing wards.

conflicts, providing notice to citizens and MPAC, appeals to the OMB, and a process for petitions. However, these provisions remain vague, which is problematic for a process that carries such significant political implications.

There needs to be greater clarity and structure around the ward boundary review process. It would make sense for there to be greater alignment between these reviews at the local level, and those at that also take place federally and provincially every 10 years. There also needs to be more coherent guidelines for how the consultations are to be conducted, ensuring that notice given and feedback sought by municipalities is both genuine and effective. A genuine and effective process for consultation and notice, however, makes the petition process redundant and unnecessary. As part of the review process, upper tier municipalities should also be required to adjust the composition of their Council to ensure that, based on census data, they are fairly and equitably representing each of the lower tier municipalities in their region.

Finally, there is now a sufficient body of case law that lays out the principles of effective representation. As these principles are fundamental to the theory and practice of democratic representation and to creating and reviewing wards, they should be embedded within the *Act*.

RECOMMENDATION 2: Clarify the principles for ward boundary reviews, specifically by aligning the timelines with the federal and provincial governments (every 10 years), creating guidelines for how consultations are to be conducted, embedding the principles that support effective representation, eliminating the petition process, and requiring upper tier municipalities to adjust their council composition to ensure fair representation of each lower tier

Another area that would benefit from greater clarity are the definitions of 'council' and 'administration.' As discussed in the introduction to this submission the world of local government has, and will continue to, undergo a significant period of transition. Within that context the traditional definitions of council and administration should be reviewed, to ensure that the specific definitions contained within Part VI of the *Act* are still relevant to the new environment for municipal governance. Specifically, it would be worth reexamining the definition for the CAO and the Head of Council.

Section 229: A municipality may appoint a chief administrative officer who shall be responsible for,

- (a) exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality; and
- (b) performing such other duties as are assigned by the municipality.

The CAO position has changed considerably over the past several decades. While originally focused on the operational management of a municipality, the role of CAO has now evolved into a position that is dedicated to strategic leadership. However, the definition currently in the *Act* still presents the role as responsible for "general control"

Section 226(1): As chief executive officer of a municipality, the head of council shall, (a) uphold and promote the purposes of the municipality; (b) promote public involvement in the municipality's activities; (c) act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and (d) participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents.

and management." This definition no longer fits with the way that the CAO position has evolved. For one, most CAOs no longer directly manage operations or even use their institutional power or authority, preferring influence and strategic leadership.54 Rather, the CAO is now one of the most important positions within the community, increasingly responsible for economic competitiveness, relations with other orders of government and defining the municipality's place in a world that is quickly globalizing and increasingly international.55 The definition in the Municipal Act should recognize and incorporate this evolution.

⁵⁴ David Siegel, "What Do CAOs Really Do?" AMCTO Policy and Management Briefs, Issue 01, 2015, 2 – 3

⁵⁵ Patrick Eamon O'Flynn, "The Evolving Role of the Municipal Chief Administrative Officer in Canada, 1985-2010," *M.A. Thesis*, University of Guelph, 2011, 3 – 5

The definition of the head of council as 'Chief Executive Officer,' located in section 226.1 of the *Act*, is also deeply problematic and needs to be revisited. We typically associate the role of Chief Executive Officer as a position of asymmetrical power, with absolute authority over an organization's administrative structure. However this definition does not align with the role of head of council. Ontario has what is commonly described as a 'weak mayor' system. While heads of council have the power to preside over meetings of council, convene special meetings, and sit on committees, they have only one vote and generally exercise their power through more informal mechanisms, such as persuasion and consensus building. Moreover, the head of council is not responsible for the administrative policies, practices and procedures of the municipality, which the *Municipal Act* places with the CAO, who sits atop the administrative structure. The CEO definition creates confusion, and misrepresents the role of both council and its head.

RECOMMENDATION 3: Review the definitions and descriptions of 'administration' and 'council,' and remove the 'CEO' title from the description of the head of council

An additional area of confusion is conflicting legislation, and the roles and responsibility between different orders of government. There is currently not enough clarity about how municipalities are supposed to react when faced with policies or laws from the provincial or federal government that conflict with their own statutes.

For example, during this year's federal election there was a dispute between a number of municipalities and political candidates over election signs. Some municipalities, such as the Cities of Vaughan and Markham, have by-laws governing the posting of election signs, specifically regarding the amount of time that they can be up for, and locations where signs cannot be placed. Lawyers representing political candidates, however, have issued letters threatening legal action, by arguing that these bylaws violate the *Canadian Elections Act*, which prohibits anyone from attempting to "prevent or impair the transmission to the public of an election advertising message without the consent of a person with authority to authorize its transmission."

⁵⁶ A.G. Lawley, "What Only the CEO Can Do," Harvard Business Review, May 2009

⁵⁷ Royson James, "How to be mayor in Toronto's weak-mayor system," *The Toronto Star,* November 1, 2014

⁵⁸ Ken Strong, "Heading the Round Table," Municipal World, April 2008, 6

A similar conflict has emerged between municipalities and Canada Post, a federal crown corporation, over its decision to end home delivery in approximately 1,000,000 homes across the country in favour of community mailboxes. Specifically municipalities have objected to Canada Post claiming its federal mandate allows it to place so called 'super-mailboxes' wherever it would like, without consent of the municipality. The City of Hamilton passed a bylaw to regulate this activity and is now engaged in a lengthy court battle with Canada Post,⁵⁹ while in Montreal the Mayor drew headlines by literally taking a jackhammer to a concrete slab of a future community mailbox in protest.⁶⁰⁶¹

There is no clear process to guide municipalities who are attempting to navigate these complex situations, and far too often the province remains silent during these disputes. The government should give some thought to how municipalities are meant to determine which laws to follow if both come from duly elected representatives of the people. There needs to be clearer tests for municipalities to follow when handling these conflicts.

The government also needs to give serious thought to the way that it determines responsibility for regulation. Municipalities still retain responsibility for regulating a set of activities and industries that are no longer neatly confined to traditional borders or boundaries. The sharing economy is one example, but there are numerous others like the towing or medical marijuana where local governments are responsible for regulating activities that operate across municipal jurisdictions, or are subject to conflicting laws from other orders of government. It's time for the province to review the way that it allocates regulatory responsibility.

RECOMMENDATION 4: Clarify the process and tests to follow when dealing with potentially conflicting roles, responsibilities, and legislation between different orders of government

Another area in need of clarity is the role of municipal services corporations. Outside of indicating that corporations created by municipalities "shall comply with such requirements as may be prescribed," there is no clear explanation of how or to what

⁵⁹ Samantha Craggs, "Hamilton will appeal Canada Post super mailbox court decision," CBC, June 18, 2015

⁶⁰ Kalina Laframboise, "Coderre delivers on promise to remove concrete base installed by Canada Post," *Montreal Gazette*, August 13, 2015

⁶¹ Shortly after the 2015 federal election, which resulted in a change in government, Canada Post announced a temporary moratorium on the end of home delivery and installation of community mailboxes, saying it would consult with the new government, which had as a central plank of its platform a pledge to restore home delivery services.

extent municipal provisions apply to municipal services corporations. Given that these entities exercise authority on behalf of the municipality, but exist with a separate "incorporator, director, officer or member," this is an issue that is not easily resolved without greater clarity in the *Act*.

RECOMMENDATION 5: Clarify the role of municipal services corporations and the applicability of municipal provisions

Greater clarity is also needed around boundary lines, roads and bridges. While section 11 of the *Municipal Act* discusses spheres of jurisdiction and section 19 provides the rules around geographic boundaries, neither specifically lays out how to determine responsibility for areas that are shared by two municipalities. Specifically there needs to be greater clarity about the planning, development, and maintenance of these bordering areas. Who is responsible for plowing a bridge that connects two separate municipalities? How should planning decisions be made along a road that splits one municipality from another? These are all questions with no clear answer, and can lead to inconsistency, conflict or inaction.

RECOMMENDATION 6: Create clearer procedures for boundary lines, roads and bridges

There also needs to be a greater balance between the *Municipal Act* and the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), specifically by finding new ways to align MFIPPA with the *Act*. Municipalities are currently faced with a difficult balancing act between the protection of privacy on the one hand, and responding to the desire of citizens to have greater transparency and accountability in government on the other. These are not irreconcilable differences, but they do require clear guidance, and an open dialogue.

RECOMMENDATION 7: Review how the MA interacts with MFIPPA, and look for ways to create greater alignment of MFIPPA with the *Act*

Section 255(1)(3) of the *Municipal Act* requires that the municipal auditor approve retention periods during which "the records of the municipality and local boards of the municipality must be retained and preserved in accordance with section 254." Records retention requirements are incredibly important for governments at all levels. They help to preserve the historical record of policy development, decision-making and execution, but also help to encourage and enhance accountability. At the local level, Municipal Clerks dedicate significant time and resources to determining the best methods to retain this information, and place great importance in their statutory responsibility to do so. This provision of the *Act*, however, does not contribute, reinforce, or even encourage their ability to do so. Requiring auditors to give their 'approval' for retention periods while a useful idea in theory, does not

Section 255(1)(3): A municipality may, subject to the approval of the municipal auditor, establish retention periods during which the records of the municipality and local boards of the municipality must be retained and preserved in accordance with section 254.

deliver sound or effective outcomes in practice. Most auditors are reluctant to give 'approval,' because the issues that generally arise, such limitation periods, are not in their purview. There may be a role for auditors in this process, but it should be to advise the municipality about whether the proper process was followed to derive its retention periods, and not to sign off or give approval.

RECOMMENDATION 8: Remove the 'subject to the approval of the municipal auditor' wording from sec. 255(1)(3)

Finally, greater clarity is also needed around conflicts of interest. There are numerous references inside the *Municipal Conflict of Interest Act (MCIA)* to 'indirect' conflicts of interest. For instance sec. 5(1) states "Where a member, either in his or her own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the council or local board at which the matter is the subject of consideration, the member...." However, despite this reference to an 'indirect' interest, the definition for an indirect conflict is vague and lacking specifics. As has been noted by other organizations, it is important for the municipal accountability framework to be straightforward and written in plain language so that it can be easily understood. If municipal councilors are going to be held to this standard, it needs to be explained with greater clarity.

RECOMMENDATION 9: Provide greater clarity and a clearer definition for indirect conflicts of interest in the *Municipal Conflict of Interest Act*

CONCLUSION

Over its 77 years of representing the municipal profession, AMCTO has remained dedicated to professionalism, leadership and good governance at the local level. The recommendations in this submission are designed to improve the *Municipal Act* and *Municipal Conflict of Interest Act* and help ensure that it continues to function as an effective statutory enabler of effective municipal governance. We would encourage the government to use the occasion of this review to engage in a sustained discussion about a variety of issues, and listen to the feedback that it hears from municipalities themselves, as well as their respective associations, and other stakeholders.

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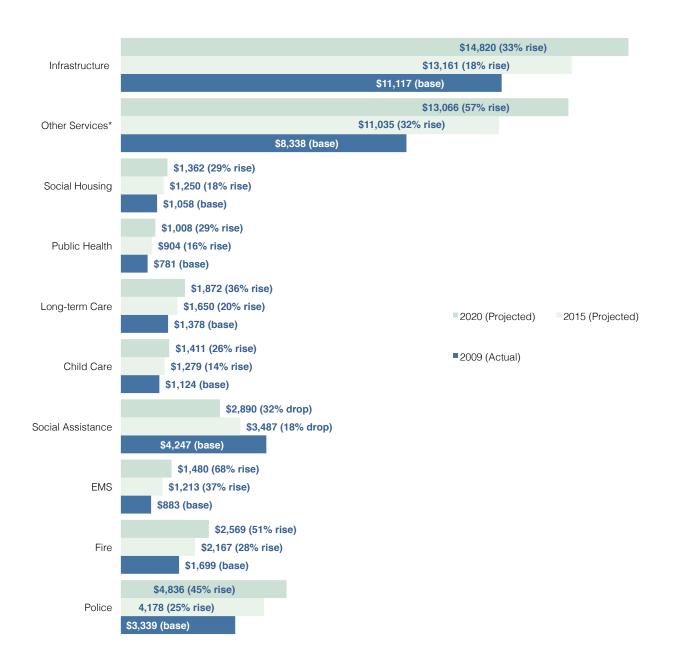
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APPENDIX A: Projected Ontario Municipal Operating Costs to 2020 (in millions)



^{*} Other services include: general government, winter control, street-lighting, recreation, culture, libraries, etc.)

Source: Association of Municipalities Ontario (AMO), What's Next Ontario? Imagining a prosperous future for our communities, 2015, 21

APPENDIX B: MFOA Municipal Act Review Recommendations

Section	Currently	MFOA Position
Amendments to the Municipal Act, 2001		
COTA S267 "City of Toronto Revenue Tools	The City of Toronto may impose direct taxes with a few exceptions. Examples of permitted direct taxes include: land transfer, amusement, sin, billboard, and vehicle registration taxes.	Amend the Municipal Act, 2001, to include a broad power to impose taxes beyond the property tax as is found in section 267 of the City of Toronto Act, 2006. The power to impose non-traditional taxes must also include any ancillary enforcement powers as well as powers to impose fines and penalties in cases of non-compliance.
Hotel/ accommodation tax	Ontario is the only province that does not authorize municipalities to levy hotel taxes, but major hotels in a number of Ontario cities have voluntarily agreed to collect a 3% destination marketing fee. The funds are earmarked for tourism marketing and development purposes, and are overseen by industry associations.	Amend the MA to include the power to impose hotel/accommodation tax.
Tax capping	Introduced in 1998, the end of tax capping is long overdue as the program was first made redundant by the four-year phase-in program creates inequitable tax treatment, and is cumbersome to administer.	That Part IX of the Act be amended to give municipalities the authority to opt out of the provisions of tax capping.

Tax administration	 Multiple amendments are needed including: Allowing surplus funds to be collected from a readvertised tax sale (MA s 380.1) to be applied to amounts that were previously written off. Removing the error in paragraph 3 of Form 10 Final Notice of Readvertisement, as it is in contravention of MA s 378 (1). Expanding the list of methods of payments to include certified cheques from credit unions (Rule 25). Eliminating the stalemate that occurs due to conflicting legislation when a purchaser has paid balance owing and has been declared the successful purchaser, but refuses to sign the documents required to register tax deed. 	That the proposed amendments for streamlining and clarifying various elements of tax administration be implemented.
MA Section 110	Restrictions in the Act are overly limiting and do not align with the broad powers of the Act.	That subsection 110(1) be amended to permit a municipality to enter into agreements for the provision of municipal capital facilities by any person, including another municipality.
Conservation authority land	Municipalities should be able to avoid the current situation whereby conservation authorities levy municipalities to pay municipal taxes.	That the Municipal Act, 2001, be amended to include the power to exempt conservation authority land from municipal tax as it is found in section 451 of the City of Toronto Act, 2006.
MA Subsection 106(2): Bonusing	There is some ambiguity in the language in subsection 106(2) which may unintentionally limit the scope of municipal activities that would not normally be considered akin to granting a bonus.	That Municipal Act, 2001, Subsection 106(2) be amended to include "where any of the actions referred to in subparagraphs (a) to (d) above, both inclusive, would result in the granting of a bonus."
MA Section 17: Federal Insolvency Legislation	The Act fails to the Companies' Creditors Arrangement Act, a key piece of Canadian insolvency legislation. To be prudent, Section 17 should make it clear that the entire federal insolvency legislative regime does not apply to Ontario municipalities.	That Municipal Act, 2001, Section 17 be amended to include a reference to the Companies' Creditors Arrangement Act.

MA Section 413: Use of money received	To ensure funds raised via the insurance of debentures are used as intended.	That section 413 of Municipal Act, 2001, be amended to restrict the uses to which an Ontario municipality can apply the proceeds of sale from a property financed through the issuance of debentures while the debentures remain outstanding.
		That section 413(2)(b) of the Municipal Act, 2001, be amended to address an ambiguity to clarify the uses to which an Ontario municipality can apply debenture proceeds that are in excess of or are not required for the purpose for which the debentures were issued while the debentures remain outstanding.
Amendments to Re	egulations	
MA Section 323: "Heads and Beads"	A number of properties in Ontario are subject to taxation, but not based on current value assessment. Currently the "Heads and Beds" rate is set at \$75. This rate was established in 1987 and has not been adjusted in the subsequent 25 year period.	The current "Heads and Beds" rate of \$75 be raised to the \$140 beginning in 2016 and reset every 5 years with each review of the Municipal Act, reflecting inflation in the Ontario consumer price index.
MA Section 315: "Right of way" rates	The rates on railway assets and electrical corridors have not been amended since 1998.	That the railway "right of way" and electrical corridors tax rates be updated and reset regularly.
Road pricing	Once a regulation is made, a municipality may designate a highway as a toll highway and operate and maintain the designated highway as a toll highway. While this provision has been in the Act for over 10 years, no regulations have been formulated.	The Province should issue regulations under subsection 40(3) of the Municipal Act, 2001, to permit municipalities to adopt road pricing mechanisms.
MA Section 305: Sale of debt	Once a regulation is issued, a municipality may sell any prescribed debt payable to the municipality to any other person in accordance with the prescribed rules and conditions. To date no regulations have been issued.	The Province should issue regulations to permit the sale of debt payable to a municipality as provided in section 305.

Section 418: Investment	 Expand eligible investment powers to include, prudent investor status, among other items: U.S. Dollar Investments AAA Rated Maple Bonds and TransLink (New Category) Bond Forward Agreements 15 Percent Limit on Swapped Loans Income Trusts and Real Estate Investment Trusts BBB Rated Bonds 	That O. Reg. 438/97 be amended to set out in the CHUMS/LAS submission tot he Debt and Investment Committee and that the regulation to be amended to provide the One Investment Program with prudent investor status. It is also recommended that the regulation be amended to permit municipalities to hold US dollar denominated securities.
		That O. Reg 438/97 be amended to provide the authority to: unwind commodity hedges; extend the settlement period of bond forward agreements to 365 days; and collapse or sell bond forward agreements
Section 203: Power to establish corporations	Members have suggested that restrictions placed on the ownership structure of municipal services corporations inhibit their usage.	That O. Reg. 599/06 Municipal Services Corporations be reviewed.
Amendment to the notional rate	Corrections of MPAC errors are made during the four years of phase-in, rather than on an annual basis. This omission is costly for both the province and municipalities.	 That O. Reg. 73/03 is amended by adding a paragraph 3 to subsection (2) of section 12 of O. Reg. 73/03 as follows: The municipality may adjust the total assessment for property in the property classes to which the levy applied in paragraph (1) by corrections resulting from requests for reconsideration, appeals or applications under section 39.1, 40, of 46 of the Assessment Act as reported by the assessment corporation.

Annual repayment limit (ARL)	No one size fits all and there are inconsistencies in the current calculation. O. Reg. 289/11 sets a precedence by amending the ARL for York Region.	Extend provisions 4.1 of O. Reg. 403/02 to other high growth municipalities or, alternatively, the provisions of O. Reg. 610/06 under the City of Toronto Act, 2006 which allows the City to establish its own debt limit.
Other issues		
Fixed rates in other legalstion	Municipalities are affected by rates in fixed regulations of other Acts. For example, airport levies (Assessment Act, 1990), license and tonnage fees (Aggregate Resources Act, 1990), and rates for nuclear generating facilities (Assessment Act, 1990).	That tax rates fixed under Acts other than the Municipal Act, 2001 that affect municipalities (such as airports under the Assessment Act, 1990) be updated to reflect inflation in the Ontario consumer price index.
Municipal implications of the Education Act	Section 58 of the Education Act, 1990 gives school boards the authority to refuse to pay their water and wastewater bills. This authority has not been used to date.	That the municipal fiscal implications of Section 58 of the Education Act, 1990 be reviewed.
Vacant Unit Rebates	the definition of a vacancy has been broadened since inception.	Amend section 364 of the Municipal Act, 2001, to ensure vacant unit rebates are used in the manner intended by the Act. This amendment should be enacted sooner rather than later.

APPENDIX C: Members of AMCTO's Municipal Legislation Review Advisory Team

AMCTO would like to thank the following members of its Municipal Act Advisory Team for providing the technical expertise for this submission. Please note that the recommendations and opinions included in this report are AMCTO positions, and do not necessarily reflected the views of individual members.

- Jeff Abrams, City Clerk, City of Vaughan (Chair)
- Kimberley Kitteringham, City Clerk, City of Markham
- Angela Morgan, City Clerk, City of Burlington
- Pam Hillock, County Clerk, Director of Corporate Services, County of Dufferin
- Vanessa Bennett-Metcalfe, Director of Financial Services/ Treasurer, United Counties of Storming, Dundas, and Glengarry
- Nancie Irving, Clerk/ Lottery Licensing Officer, Town of Aylmer
- Leslie Donnelly, Deputy Clerk, City of Ottawa





SEPTEMBER 8, 2015



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The Board has had several discussions about the Ministry's Municipal Legislation Review and makes this initial submission which addresses both the *Municipal Act* and the *Conflict of Interest Act*.

We recognize that the Ministry is likely to receive input from others outside municipal government in response to the review of the authorities, accountability and transparency elements. We'd be pleased to provide practical, operational commentary to the Ministry on the input of others. At the end of the day, the ability to implement policy is just as important as any policy change itself. New policy needs the lens of operational considerations so that consequences are understood and can be avoided at best or mitigated.

A. Municipal Act Review

Background:

The current framework of the *Municipal Act* sets out the broad powers of municipal government, spheres of jurisdiction as well as natural person powers, all of which are the outcomes of previous major change to the Act.

These were changes that municipal governments had championed for years. A more modern Act was introduced, ending a legislative framework that for far too long told municipal governments how to do their business in very specified detail, treating all municipal governments in the same manner.

AMO, along with various staff associations¹ worked together and in the fall of 2004 established nine key principles to direct the Province in the review of the *Municipal Act*, 2001 and any future legislation affecting municipalities in Ontario. Those principles are:

Principles for a Mature Provincial-Municipal Relationship:

- 1. Municipalities are responsible and accountable governments.
- 2. New legislation shall enhance existing municipal powers.
- 3. The Province shall stop micromanaging municipal governments.
- 4. Where there is a compelling provincial interest the Province shall, when regulating municipal government, define at the outset that interest.
- 5. Provincial legislation shall be drafted with the expectation of responsible municipal government behaviour and not as a remedial tool.
- 6. Accountability means mutual respect between municipal government, the Province and other public agencies.

¹Association of Municipal Clerks and Treasurers of Ontario (AMCTO), the Municipal Finance Officers' Association (MFOA), the Ontario Municipal Administrators' Association (OMAA), the Municipal Law Departments Association of Ontario (MLDAO) and the Ontario Good Roads Association (OGRA),



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- 7. Resources for municipal governments shall be sustainable and commensurate with the level of responsibility.
- 8. The *Municipal Act* shall include principles that will protect the *Municipal Act* and municipal powers from provincial legislation.
- 9. The Province shall commit to increasing the understanding and awareness of municipal government within all ministries.

The review commenced in 2005 by then Premier, Hon. Dalton McGuinty was done with special attention to ensuring the province was not micro-managing municipalities. On more than one occasion, the Premier said that he was not elected to run municipal government but rather that is what municipal elections served. There was mutual agreement that providing a municipal governing framework that permitted local solutions within the context of local circumstances would be better than a top down, provincially prescribed rules based, one-size fits all approach, which was the historical approach of the Act.

The nine (9) principles above guided that work and AMO made significant recommendations to the government during the pre-consultation phase and in its submission to the Standing Committee on General Government. Many of those recommendations found their way into the 2006 legislation (Bill 130, *Municipal Statute Law Act*) which took effect January 1, 2007. It required a municipal council and administration to be less reliant as a 'ward' of the province and to use its 'own legs' – determining the policy and procedures that made sense within the community and to change them when needed.

With the changes to the Act in 2006, the province moved a good distance to end its micromanagement approach and AMO saw it "as yet another milestone in the advancement of a more collaborative and respectful relationship." Greater local authority and greater choice meant better local responsibility. It certainly helped reduce the number of Bills including private member Bills being introduced in the House to deal with a local matter as one example of the benefit of the new framework.

Today:

AMO's principles used 10 years ago still hold true for this five-year review and the Board has reconfirmed them.

Basically, the *Municipal Act's* framework is working well and there is no major overhaul needed, but rather some clarity and some additional authority.



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In addition to this submission, we will be looking at some technical amendments being developed by several staff associations, in particular the Municipal Finance Officers Association's review of the financial areas of the Act and we will provide further comment.

In considering the above, AMO's recommendations in this initial submission on the *Municipal Act* are:

1. As a measure to help diversify the municipal revenue base, incorporate into the Act the taxing authority that resides in the City of Toronto Act. In making this recommendation, AMO wishes to make it clear that this additional permissive taxing authority may be helpful to several municipal governments but it will not bring fiscal sustainability across Ontario, even to those that might use some of that authority. We have witnessed the campaigns of special interest groups, e.g., real estate industry against the use of the land transfer tax, which is the vulnerability of such authority.

City of Toronto Act

267. (1) The City may, by by-law, impose a tax in the City if the tax is a direct tax, if the by-law satisfies the criteria described in subsection (3) and if such other conditions as may be prescribed are also satisfied. 2006, c. 11, Sched. A, s. 267 (1).

Exclusions, types of tax

- (2) The City is not authorized to impose any of the following taxes:
- 1. A tax imposed on a person in respect of the person's income, revenue, profits, receipts or other similar amounts.
- 2. A tax imposed on a person in respect of the person's paid up capital, reserves, earned surplus, capital surplus or any other surplus, indebtedness or in respect of similar amounts.
- 3. A tax imposed on a person in respect of machinery and equipment used in research and development or used in manufacturing and processing and in respect of any assets used to enhance productivity, including computer hardware and software.
- 4. A tax imposed on a person in respect of remuneration for services, including non-monetary remuneration, that is paid or payable by the person or that is conferred or to be conferred by the person.
- 5. A sales tax imposed on a person in respect of the acquisition or purchase of any tangible personal property, any service or any intangible property, other than a tax imposed on the person,
- i. for the purchase of admission to a place of amusement as defined in the Retail Sales Tax Act,
- ii. for the purchase of liquor as defined in section 1 of the Liquor Licence Act for use or consumption,
- iii. for the production by the person of beer or wine, as defined in section 1 of the *Liquor Licence Act*, at a brew on premise facility, as defined in section 1 of that Act, for use or consumption, or
- iv. for the purchase of tobacco as defined in section 1 of the *Tobacco Tax Act* for use or consumption.
- 6. A tax imposed on a person in respect of lodging in or the use of the rooms or other facilities of a hotel, motel, hostel, apartment house, lodging house, boarding house, club or other similar type of accommodation, including a tax in respect of services provided by the owner of the accommodation that are related to the lodging or that are related to the use of the rooms or other facilities, but not a tax described in subparagraphs 5 i to iv.
- 7. A tax imposed on a person in respect of the acquisition of any gas or liquid that may be used for the purpose of generating power by means of internal combustion and in respect of any special product or any substance that may be added to the gas or liquid.
- 8. A tax imposed on a person in respect of the person's consumption or use of energy, including electricity.
- 9. A tax on a person's wealth, including an inheritance tax and a tax in respect of,



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- i. the total value of assets or the total value of two or more classes of assets owned by the person, or
- ii. any monetary assets or financial instruments owned by the person.
- 10. A poll tax imposed on an individual by reason only of his or her presence or residence in the City or in part of it.
- 11. A tax on the generation, exploitation, extraction, harvesting, processing, renewal or transportation of natural resources.
- 12. A tax on the supply of natural gas or artificial gas.
- 13. A tax on the use of a highway (as defined in subsection 1 (1) of the *Highway Traffic Act*) by a person in respect of equipment placed under, on or over the highway for the purpose of supplying a service to the public. 2006, c. 11, Sched. A, s. 267 (2).

Across Ontario, there is a significant infrastructure gap in municipal core infrastructure (over \$60 billion). In addition, there is other capital and operating demands such as the housing stock transferred to municipal governments in the late 1990s, which is not captured in this gap figure, nor are the recreation, park and cultural facilities that contribute to quality of life and vibrancy of community.

The municipal fiscal challenges cannot be met with the nine cents of every household tax dollar that municipal governments in Ontario receive. It can only be tackled in a substantive manner with a more predictable and secure approach. AMO is currently working on a project "What's Next Ontario?" to develop in concert with its membership a framework for municipal fiscal sustainability and will share with the province the outcomes of this work as it develops. In the meantime, as noted, some municipal governments may be in a position to utilize Toronto's additional special tax tools authority.

2. The *Municipal Act* must contain a better definition of a "meeting". The need for this has become readily apparent as a result of closed meeting investigations conducted under Section 239. The current regime did not anticipate that closed meeting investigators would hold different approaches as to what constitutes a meeting for the purposes of the Act. The broad definition used by the Ontario Ombudsman means that any gathering of members of council or a committee would constitute a meeting. For example, a delegation of council members to meet with a Minister could be captured by the Ombudsman's definition. This is confusing to not only councils but the people who advise them about the rules for open meetings as well as the public.

As we did with Bill 8, we recommend that the common law definition of meeting be included in the Act to provide clarity and consistency for all participants. We have suggested that a meeting be defined as when a quorum of elected officials gathers to deal with matters which would ordinarily form the basis of council or a local board or committee's business and acts in such a way as to move them materially along the way.



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The definition of meeting should not be as broad as the Ontario Ombudsman's. The Ombudsman for British Columbia has brought some common sense to this by differentiating between a meeting and a gathering as follows:

"A gathering is less likely a meeting if:

- there is no quorum of board, council or committee members present
- the gathering takes place in a location not under the control of the council or board members
- it is not a regularly scheduled event
- it does not follow formal procedures
- no voting occurs and/or
- those in attendance are gathered strictly to receive information or to receive or provide training

A gathering is more likely a meeting if:

- a quorum of council, board or committee members are present
- it takes place at the council or board's normal meeting place or in an area completely under the control of the council or board
- it is a regularly scheduled event
- formal procedures are followed
- the attendees hold a vote and/or
- the attendees are discussing matters that would normally form the basis of the council's business and dealing with the matters in a way that moves them toward the possible application of the council's authority."



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It is unfortunate that in Ontario we need to legislate what constitutes a meeting, but the current conflicting approaches cannot continue and a reasonable definition, one that has support in jurisprudence should be incorporated in the Act.

3. Apply prudent investment standard to One Investment Program, which would enable this pooled investment authority to provide its participants with greater diversification. It would provide for the management of funds based on return potential and risk rather than the "legal list" approach of the statute. A legal list cannot keep pace with evolving investment markets.

The One Investment Program has a solid track record, with a very active oversight Board and accountability to its participants. It needs to move from the "legal list" to letting professional investment managers manage portfolios according to the market. Prudent investment status would allow the municipal governments to better utilize investments as a source of revenue. Additional revenue would help municipal budgets and related capital financing plans.

AMO and its Local Authority Services subsidiary, and the Municipal Finance Officers Association of Ontario have managed this pooled investment plan with solid rates of return for 15 years. We have provided vast amounts of documented evidence over the years as we have pursued this change. Our current understanding is that the Ministry is contemplating giving the City of Toronto prudent investment status. There is no barrier to the City participating in the One Investment Program. If other large municipalities are designated as such and the One Investment Program does not receive the status, we will not be able to compete and the pooled program will erode, resulting in higher fees with fewer investment options. AMO choses to believe that the province would not take any action that would undermine the investment program and three important municipal organizations.

- 4. There are also several changes that would lend clarity and further modernize the Act.
 - Develop a provision to clearly provide parental leave for Mayors and Councillors by cross-referencing the parental leave legislation. This should be done in such a manner that parental leave does not require authorization from Council under the *Municipal Act*, and that it does not constitute an absence from meetings of Section 259 (1).
 - Permit a council to establish a policy, if it chooses, on when participation at its meetings, committee and local board meetings, including accessibility advisory committee meetings might be conducted by using telephone or video conferencing. Section 40(7) of the Northern Services Board Act permits meetings by tele-conference, video-conference or other means of distance communication.



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Council could include in its policy provisions related to the frequency and method of conferencing, other limitations and when council's policy should be reviewed. Where a council prepares such a policy, it would form part of the municipal government's procedures. There can be situations where remote participation supports the representative role of councillors. It is our view that individual members of council would use this authority judiciously. We recognize that this recommendation would not be enabled in parts of Ontario because of technology limitations, but it does reflect the principles articulated above.

Summary:

By and large, the *Municipal Act* is working well and our review did not reveal any major failings. It provides municipal governments with broad authority so that councils' policy decisions can reflect local circumstances and local needs as they evolve over time. These initial recommendations on authority are made to add some clarity and modernity and as previously noted, we will be providing further advice based on the technical recommendations of the various staff associations.

B. Transparency and Accountability

Background:

Appendix A provides a summary of the existing accountability framework within the *Municipal Act* and the *Municipal Conflict of Interest Act* (MCIA). The latter Act has not had any major review over the years.

Municipal ethics is concerned with ensuring that the standards of behaviour of municipal officials adhere to the core values of the municipality. The public consistently rates municipalities as the most trusted order of government in Canada. If a municipal government does not have the public's trust, it then holds every reason to earn it. Simply put, good government is best served when municipal governments and their designated bodies meet that goal independently rather than through provincial micromanagement and specific oversight.

The government's focus on accountability and transparency in this Review is related to integrity situations that have occurred during the last few years that have received a great deal of public attention. The recommendations that follow have benefited from the insight and advice from municipal associations, senior municipal staff and experts on municipal governance and accountability, including lawyers and integrity commissioners.



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The AMO Board believes that the following should form the desired outcomes of this review:

- ✓ Any municipal accountability framework shall recognize that municipal governments are mature, responsible and accountable levels of government. The provincial government has recognized municipalities both generally and specifically as responsible governments and, as such, any changes should not undermine this position.
- Any municipal accountability framework should be straightforward and it should be easily understood by elected officials and the public. In other words, it should not be complex or legalistic. Additionally, any changes to the framework must not expose staff and municipal governments to increased liability.
- ✓ Elected officials should have access to a person who is able to provide them with advice on potential conflicts of interest and they should be able to rely on that advice. Certainty and affordability are key values in any process, including conflicts of interest.
- ✓ An accountability framework should have safeguards to prevent and to address frivolous and vexatious complaints. Without these safeguards, it could be misused for political and other ends.

Specific Recommendations:

In addition to the above desired outcomes, the following recommendations are being made to the Ministry:

- 1. The existing municipal accountability framework is confusing and needs to be structured in a way that allows elected officials to understand their obligations and to conduct themselves in a way that complies with those obligations. The *MCIA* is overly legalistic and it is difficult to understand, particularly by elected officials who bear personal responsibility for complying with the *Act*.
- 2. The term "pecuniary interest" is an outdated term. The *MCIA* should be updated to incorporate modern language and overarching principles of ethics and integrity.
- 3. The *MCIA* is rather draconian and the penalties are too severe. It should be amended to provide for a broader range of penalties. Removal from office should be reserved for the most egregious conduct.
- 4. Elected officials should be able to seek advice from a municipal integrity commissioner for *MCIA* as well as municipal code of conduct advice and they should be able to rely on the advice received. As with the closed meeting investigation and ombudsman framework, the provincial integrity commissioner could be the default advisor for municipal governments.



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- 5. An appointed municipal integrity commissioner should be able to investigate complaints related to conflict of interest matters under the *Municipal Conflict of Interest Act*, with the authority to impose penalties. A municipal integrity commissioner can be appointed under the *Municipal Act* to deal with codes of conduct complaints. The provincial integrity commissioner could act as a default investigator for those municipalities that do not appoint their own.
- 6. Where an integrity commissioner has the ability to remove someone from office for an offence under the *MCIA*, there should be a process for judicial review.
- 7. An accountability framework should give clear authority and set out safeguards to prevent and to address frivolous and vexatious complaints.
- 8. Some codes of conduct are drafted to include conflicts of interest arising from a member's financial interest, raising the possibility that a single action could breach both the *MCIA* and a council's code of conduct. Personal financial interests should be separate from code of conduct matters. Codes of conduct should focus on councils' behaviour; e.g. use of workplace assets, 'gifts', staff/council member interaction, etc. Combining all potential ethical matters in a code of conduct can create confusion.
- 9. Require that accountability and transparency training is completed within 90 days of taking office. Council members are already required to do mandatory training on their personal liabilities with respect to the *Safe Drinking Water Act*. Human behaviour cannot be legislated, however solid upfront knowledge, the clarity of law, and reliable advice are important inputs to judgement and action for both elected officials and others.
- 10. One of the outcomes of Bill 8's amendment process is to exempt the City of Toronto from the 'final oversight' of the Ontario Ombudsman. In the Committee's review process, it did not exempt other municipal governments who appoint their own municipal ombudsman. There is no reasonable rationale for such a dual standard and this should be rectified.



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Summary:

The already extensive and complex municipal accountability framework should not be made even more complex and legalistic. There will no doubt be differing perspectives on how to 'reform' the accountability framework, including the *Municipal Conflict of Interest Act.* AMO remains open to discussing with the Ministry ideas for change that may come from others.

At the end of the day, municipal governments are the most accessible and accountable order of government. Any change to the accountability framework needs to complement this rather than detract from it. The desired outcomes articulated above have merit and should be used in evaluating any legislative change. In addition, there needs to be an across-the-board view in making any changes to any part of the framework.

Conclusion:

AMO's Board submits these comments and recommendations for consideration. As noted, there may be some additional technical amendments from municipal staff associations. As always, AMO is available for government to government discussions on these and any other recommendations the Ministry receives.



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Appendix "A"

The Existing Accountability Framework

Ontario does not have a comprehensive statute or regulation that addresses municipal accountability and transparency. Codes of conduct and integrity commissioners are addressed in Part V.1: Accountability and Transparency of the *Municipal Act*, while open meetings are addressed in Part VI: Practices and Procedures of the *Municipal Act*. Financial conflicts of interest are dealt with in the *Municipal Conflict of Interest Act*. Additional sources of municipal accountability and transparency rules include the *Criminal Code*, judicial inquiries/common law and, as of January 2016, the *Ombudsman Act*.

The Municipal Act

CODES OF CONDUCT

The *Municipal Act* permits municipalities to establish local codes of conduct for members of council and local boards. Codes of conduct are bylaws that establish standards for ethical behaviour when members are acting in their official capacity and for compliance with the municipality's rules, policies and procedures. Common issues addressed in codes of conduct include relations with other members of council, staff and the public, gifts and benefits, confidentiality, use of property and discrimination/harassment. Some codes have gone beyond these areas and touch upon financial interest, which can be confusing.

It is up to a municipality to determine the content of its code of conduct, the complaints process and many of the rules around its enforcement. However, a municipality cannot make it an offence to breach the code of conduct. The only two penalties available for breaching the code of conduct are a reprimand or a suspension of pay for up to 90 days. Responsibility for overseeing the code of conduct is normally assigned to a municipal integrity commissioner appointed by the municipality.

INTEGRITY OFFICERS

The *Municipal Act* permits municipalities to appoint the following integrity officers to help increase accountability and transparency at the local level:

- Integrity Commissioner
- Municipal Ombudsman
- Auditor General
- Lobbyist Registry

Integrity Commissioner: A municipality may appoint an integrity commissioner who is independent of council to interpret its code of conduct, to provide confidential advice to members on their obligations under the code and other rules, procedures and policies. In carrying out his or her responsibilities, the integrity commissioner may exercise such powers and perform such duties as are lawfully assigned by the municipality. Generally, a municipal integrity commissioner may investigate an alleged code violation and make recommendations to council about penalties. Other processes are in place to do this. If council accepts the integrity commissioner's recommendation, it may either reprimand the member or suspend the member's pay for up to 90 days. Councils do



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not have the ability to impose other types of penalties or to make a breach of the code of conduct an offence punishable by law. The Integrity Commissioner has no authority for assigning penalties; this is a matter for Council as a body in the public domain.

Municipal Ombudsman: A municipality may appoint a municipal ombudsman to investigate complaints or self-identified investigations (i.e. system reviews) of matters that deal with the administration of the municipality and its agencies, boards and commissions. A municipal ombudsman shall conduct all investigations in private and maintain confidentiality. The municipal ombudsman's power is limited to reporting and making recommendations to council. Aside from Toronto, which is required to appoint a municipal ombudsman, no Ontario municipalities have availed themselves of this authority.

Auditor General: A municipality may appoint an Auditor General who reports to council and is responsible for assisting the council in holding itself and its administrators accountable for the quality of stewardship over public funds and for achievement of value for money in municipal operations. Most municipalities rely on their internal or external auditor to determine the municipal government's financial picture and financial statements. Aside from Toronto, which is required to have an Auditor General, Ottawa appears to be the only municipality that currently has an Auditor General. The Provincial Auditor General already holds the ability to investigate use of provincial grant funds for a specific purpose or as a systemic review/value for money of a funding program.

Lobbyist Registry: A municipality may establish a public registry for lobbyists, establish a code of conduct for lobbyists and prohibit former public office holders from lobbying for a designated period of time. Toronto, Ottawa and Hamilton currently have lobbyist registries.

OPEN MEETINGS

Meetings of councils and local boards must be held in public, unless they fall into one of the limited closed meeting exemptions in Section 239 of the *Municipal Act*. For example, meetings may be closed for discussion of matters that are before the courts, a pending purchase or sale of land, or personal matters about an identifiable individual.

Municipalities may appoint an independent open meeting investigator to investigate whether a meeting was properly closed to the public. Municipalities have appointed individuals or investigative services or have defaulted to the Ontario Ombudsman as the closed meeting investigator. Open meeting investigations often hinge on determining whether a meeting has in fact occurred.

JUDICIAL INQUIRIES

The *Municipal Act* authorizes a municipality to pass a resolution requesting that a judge conduct an inquiry under the *Public Inquiries Act*, to investigate any supposed breach of trust or other misconduct, to inquire into any matter connected with the good government of the municipality or to inquire into the conduct of any part of the public business of the municipality. In conducting an inquiry, a judge has the extensive investigatory powers. However, a judge does not have any enforcement powers; he or she can only make recommendations to the municipal council.



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There have been two high profile municipal inquiries in Ontario in recent years. In 2005, Justice Denise Bellamy delivered her report of the Toronto Computer Leasing Inquiry/Toronto External Contracts Inquiry. The inquiry resulted from allegations of conflict of interest, bribery and corruption in the newly amalgamated City of Toronto's procurement practices. Justice Bellamy found that there were a number of improprieties in the City's dealings with its external contractors and she made 241 recommendations to Council.

With respect to ethics, Justice Bellamy recommended that council appoint an integrity commissioner to provide advice to councillors and staff, investigate complaints and recommend an appropriate range of sanctions for misconduct. She also recommended an expansion of the existing code of conduct to include broader principles and conflicts of interest and more stringent rules around lobbying, including the creation of a lobbyist registry. Some of Justice Bellamy's recommendations were adopted in new accountability and transparency sections of the *City of Toronto Act* and the *Municipal Act* during the 2006 legislation review.

In 2011, Justice Douglas Cunningham released his final report of the Mississauga Judicial Inquiry, titled "Updating the Ethical Infrastructure". The second part of the inquiry stemmed from allegations that Mayor Hazel McCallion improperly inserted herself into a land development deal between the City of Mississauga and a private company in which her adult son had a financial interest. Justice Cunningham found that Mayor McCallion had a "real and apparent conflict of interest", but she did not breach the narrow rules laid out in the *MCIA*.

Justice Cunningham made 27 recommendations pertaining to municipal accountability. Similar to Justice Bellamy, he recommended expanding the code of conduct and definition of a conflict of interest and appointing an integrity commissioner to provide advice, investigate complaints and make recommendations to Council. He also recommended providing safeguards to preserve the independence of the integrity commissioner such as security of tenure and indemnification.

Justice Cunningham spent a substantial amount of time discussing the *MCIA* and the need to clarify and coordinate the respective roles of integrity commissioners and judges in regulating conflict of interest. Some of Justice Cunningham's recommendations would require municipalities and staff to take on some responsibility for conflict of interest compliance such as publishing a list of conflicts and providing comfort letters to parties doing business with a municipality.



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The Municipal Conflict of Interest Act

The *Municipal Conflict of Interest Act (MCIA)* regulates how elected officials are to conduct themselves when they have a 'pecuniary' or financial interest in a matter that is being considered by council or a committee. Conflicts of interest arise where there is a clash between a member's private financial interest and their public duty. When present at a meeting in which a matter is to be considered, a member who has a direct or indirect financial interest in the matter must declare a conflict of interest, describe the nature of the conflict and recuse himself or herself from voting on the matter. The member is also prohibited from influencing or attempting to influence the vote on a matter in which they have a financial interest. The financial interests of a member's parent, spouse or child that are known to the member are deemed to be the financial interests of the member for the purposes of the *Act*.

The *Act* provides some exceptions to the general rule on conflict of interest, including where the member has a financial interest in common with electors generally or where the interest of the member is so remote or insignificant in its nature that it cannot reasonably be regarded as likely to influence the member.

Within six weeks of becoming aware of the conflict, an "elector" who believes that a member has contravened the *MCIA* may apply to a court to determine the question. A judge is required to declare the seat of a member vacant where a conflict of interest exists, unless the judge finds that the member contravened the *MCIA* through inadvertence or an error in judgment. While the *MCIA* provides for some additional discretionary penalties, the consequences for breaching the *Act* are severe. Individual members bear personal responsibility for complying with the *MCIA* and must seek their own independent legal advice about potential conflicts of interest.

As the *MCIA* is interpreted and enforced by the courts, much of the law on conflict of interest is found in court decisions. Additionally, confusion arises when there is an overlap between codes of conduct and the *MCIA*. Some codes of conduct address conflicts of interest arising from a member's financial interest, raising the possibility that a single action could breach both the *MCIA* and a council's code of conduct. It is not often clear whether a municipal integrity commissioner may continue to investigate in these circumstances and how a court proceeding will affect a municipal integrity commissioner's investigation.

The Criminal Code

It is a criminal offence for a municipal official to commit fraud or a breach of trust in connection with their duties of office. It is also a criminal offence to corrupt a municipal official or to use threats, deceit or other unlawful means to influence a municipal official. The maximum penalty for breaching the municipal provisions in the Criminal Code is five years imprisonment.



15

The Ontario Ombudsman Act

As of January 1, 2016, the Ontario Ombudsman will have expanded oversight of municipal governments. The following changes will be made to the municipal accountability framework:

- The Ontario Ombudsman will become the default ombudsman for municipal governments that do not appoint a municipal ombudsman, except in the City of Toronto.
- The Ontario Ombudsman will have 'final oversight' of individual complaints where a municipal ombudsman has been appointed, except in the City of Toronto.
- The Ontario Ombudsman will have oversight of municipal auditors general and integrity commissioners. The government has not provided clarification on the scope of the Ontario Ombudsman's powers in these areas.
- The Ontario Ombudsman will be able to conduct 'systemic' investigations of all municipal governments, including the City of Toronto.
- The existing closed meeting investigation regime will be maintained and there will be no ability to refer a matter for 'final oversight' to the provincial Ombudsman. The Ontario Ombudsman will continue to be the default closed meeting investigator where a municipality has not appointed a closed meeting investigator.
- By regulation, boards of health, library boards, long-term care homes and police services boards are to be excluded from an Ombudsman's oversight. It is not clear what, if any, role the Ontario Ombudsman will play in enforcing codes of conduct and whether the Ontario Ombudsman's role will be limited to maladministration. There is also concern that municipal integrity officers will be required to breach their confidentiality requirements under the Municipal Act by turning over confidential documents and information to the Ontario Ombudsman.

It is not clear what, if any, role the Ontario Ombudsman will play in enforcing codes of conduct and whether the Ontario Ombudsman's role will be limited to maladministration. There is also concern that municipal integrity officers will be required to breach their confidentiality requirements under the *Municipal Act* by turning over confidential documents and information to the Ontario Ombudsman.



BEING a By-law to amend By-law 142-2014 as amended, to accept the resignation of Christine Nobles-Smith and to make appointments to the Energy and Environment Committee and the Active Transportation Advisory Committee.

WHEREAS Council of The Corporation of the City of Stratford adopted By-law 142-2014 to appoint Council Members to Sub-committees of Council and Standing Committees of Council and to Advisory Committees, Boards and Agencies and to appoint Citizens to Advisory Committees and Boards during the 2014 term of municipal office;

AND WHEREAS a resignation from the Energy and Environment Committee and Active Transportation Advisory Committee has been received;

AND WHEREAS Council of The Corporation of the City of Stratford deems it necessary to make further appointments to its Advisory Committees, Committees and Boards for 2017 and 2018;

NOW THEREFORE BE IT ENACTED by Council of The Corporation of the City of Stratford as follows:

- 1. That By-law 142-2014 as amended, is further amended by repealing the appointment of Christine Nobles-Smith to the Energy and Environment Committee as provided for in subsection 2.7(k).
- 2. That By-law 142-2014 as amended, is further amended by adding to subsection 2.7 the following appointment:
 - k) "Scott Mitchell be appointed to the Energy and Environment Committee as a citizen representative for the remainder of a two-year term to November 30, 2017 or until a successor is appointed".
- 3. That By-law 142-2014 as amended, is further amended by repealing the appointment of Christine Nobles-Smith as the second Energy and Environment Committee representative to the Active Transportation Advisory Committee as provided for in subsection 2.3(c).
- 4. That By-law 142-2014 as amended, is further amended by adding to subsection 2.3 the following appointments:
 - c) "Lorraine Kuepfer be appointed as the second Energy and Environment Committee representative to the Active Transportation Advisory Committee for the remainder of a two-year term to November 30, 2017 or until a successor is appointed".
- 5. This By-law shall come into force and take effect upon final passage thereof.

Read a FIRST, SECOND and THIRD time and

FINALLY PASSED this 27th day of March, 2017.

Mayor – Daniel B. Mathieson	

Clerk - Joan Thomson



BEING a By-law to authorize the entering into and execution of a lease agreement with William Christian for a hangar at the Stratford Municipal Airport effective December 1, 2016.

WHEREAS The Corporation of the City of Stratford is the owner of certain lands situated in the Township of Perth East on which are located the Stratford Municipal Airport;

AND WHEREAS The Corporation of the City of Stratford has previously agreed to the construction of airport hangars at the Stratford Municipal Airport;

AND WHEREAS The Corporation of the City of Stratford entered into a lease agreement with William Christian to allow for the construction and use of its lands for a hangar at the Stratford Municipal Airport;

AND WHEREAS the previous lease agreement has expired;

AND WHEREAS The Corporation of the City of Stratford and William Christian have agreed to enter into a new lease agreement for the continued use of certain land at the Stratford Municipal Airport for a hangar by William Christian;

NOW THEREFORE BE IT ENACTED by the Council of The Corporation of the City of Stratford as follows:

 That the Lease Agreement dated the 1st day of December 2016 between The Corporation of the City of Stratford and William Christian be entered into, and the Mayor and Clerk or their respective delegates be and are hereby authorized to execute the said agreement on behalf of and for this corporation and to affix the corporate seal thereto.

Read a FIRST, SECOND and THIRD time and



BEING a By-law to authorize the entering into and execution of a lease agreement with 911512 Ontario Inc., for a hangar at the Stratford Municipal Airport effective December 1, 2016.

WHEREAS The Corporation of the City of Stratford is the owner of certain lands situated in the Township of Perth East on which are located the Stratford Municipal Airport;

AND WHEREAS The Corporation of the City of Stratford has previously agreed to the construction of airport hangars at the Stratford Municipal Airport;

AND WHEREAS The Corporation of the City of Stratford entered into a lease agreement with 911512 Ontario Inc., to allow for the construction and use of its lands for a hangar at the Stratford Municipal Airport;

AND WHEREAS the previous lease agreement has expired;

AND WHEREAS The Corporation of the City of Stratford and 911512 Ontario Inc., have agreed to enter into a new lease agreement for the continued use of certain land at the Stratford Municipal Airport for a hangar by 911512 Ontario Inc.;

NOW THEREFORE BE IT ENACTED by the Council of The Corporation of the City of Stratford as follows:

 That the Lease Agreement dated the 1st day of December 2016 between The Corporation of the City of Stratford and 911512 Ontario Inc., be entered into, and the Mayor and Clerk or their respective delegates be and are hereby authorized to execute the said agreement on behalf of and for this corporation and to affix the corporate seal thereto.

Read a FIRST, SECOND and THIRD time and

FINALLY PASSED this 27th day of March, 2017.

Mayor – Daniel B. Mathieson

Clerk – Joan Thomson



BEING a By-law to authorize the entering into and execution of a lease agreement with 2329475 Ontario Limited for a hangar at the Stratford Municipal Airport effective December 1, 2016.

WHEREAS The Corporation of the City of Stratford is the owner of certain lands situated in the Township of Perth East on which are located the Stratford Municipal Airport;

AND WHEREAS The Corporation of the City of Stratford has previously agreed to the construction of airport hangars at the Stratford Municipal Airport;

AND WHEREAS The Corporation of the City of Stratford entered into a lease agreement with 2329475 Ontario Limited to allow for the construction and use of its lands for a hangar at the Stratford Municipal Airport;

AND WHEREAS the previous lease agreement has expired;

AND WHEREAS The Corporation of the City of Stratford and 2329475 Ontario Limited have agreed to enter into a new lease agreement for the continued use of certain land at the Stratford Municipal Airport for a hangar by 2329475 Ontario Limited;

NOW THEREFORE BE IT ENACTED by the Council of The Corporation of the City of Stratford as follows:

 That the Lease Agreement dated the 1st day of December 2016 between The Corporation of the City of Stratford and 2329475 Ontario Limited be entered into, and the Mayor and Clerk or their respective delegates be and are hereby authorized to execute the said agreement on behalf of and for this corporation and to affix the corporate seal thereto.

Read a FIRST, SECOND and THIRD time and

FINALLY PASSED this 27th day of March, 2017.

Mayor – Daniel B. Mathieson

Clerk – Joan Thomson



BEING a By-law to authorize the entering into and execution of a lease agreement with Andrew Woodham for a hangar at the Stratford Municipal Airport effective December 1, 2016.

WHEREAS The Corporation of the City of Stratford is the owner of certain lands situated in the Township of Perth East on which are located the Stratford Municipal Airport;

AND WHEREAS The Corporation of the City of Stratford has previously agreed to the construction of airport hangars at the Stratford Municipal Airport;

AND WHEREAS The Corporation of the City of Stratford entered into a lease agreement with Andrew Woodham to allow for the construction and use of its lands for a hangar at the Stratford Municipal Airport;

AND WHEREAS the previous lease agreement has expired;

AND WHEREAS The Corporation of the City of Stratford and Andrew Woodham have agreed to enter into a new lease agreement for the continued use of certain land at the Stratford Municipal Airport for a hangar by Andrew Woodham;

NOW THEREFORE BE IT ENACTED by the Council of The Corporation of the City of Stratford as follows:

 That the Lease Agreement dated the 1st day of December 2016 between The Corporation of the City of Stratford and Andrew Woodham be entered into, and the Mayor and Clerk or their respective delegates be and are hereby authorized to execute the said agreement on behalf of and for this corporation and to affix the corporate seal thereto.

Read a FIRST, SECOND and THIRD time and

Mayor – Daniel B. Mathieson	
Clerk – Joan Thomson	_



BEING a By-law to amend By-law 195-2009, as amended, to appoint a special by-law enforcement officer to enforce certain parking regulations on private property at 91 Avonwood Drive and at 142 Ontario Street.

WHEREAS Section 8.(1) of the *Municipal Act, 2001, S.O. 2001, c.25* as amended, provides that the powers of a municipality under this or any other Act, shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 10(1) of the *Municipal Act 2001* provides that a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHERAS By-law 195-2009 was enacted by Council of The Corporation of the City of Stratford to provide for the appointment of special by-law enforcement officers to enforce certain parking regulations on private property;

AND WHEREAS it is deemed necessary to further amend By-law 195-2009 as amended;

NOW THEREFORE BE IT ENACTED by Council of The Corporation of the City of Stratford as follows:

- 1. That Amy Springer is hereby appointed as a special by-law enforcement officer to enforce certain parking regulations on private property at 91 Avonwood Drive, Stratford and that this appointment be added to Schedule "A" to By-law 195-2009 as amended.
- 2. That Roger Albrecht is hereby appointed as a special by-law enforcement officer to enforce certain parking regulations on private property at 142 Ontario Street, Stratford and that this appointment be added to Schedule "A" to By-law 195-2009 as amended.
- 3. That the Mayor and Clerk of The Corporation of the City of Stratford, or their respective delegates, are authorized to execute the agreements and other documents as necessary with respect to this appointment.
- 4. That Schedule "A" attached hereto, forms part of this By-law.
- 5. That this By-law shall come into force and take effect upon final passage.

Read a FIRST, SECOND and THIRD time and

Mayor – Daniel B. Mathieson
Clerk – Joan Thomson

This is Schedule "A" to By-law -2017

of
The Corporation of the City of Stratford

Adopted this 27th day of March, 2017

To Amend By-law 195-2009 as amended

PROPERTY AND ADDRESS	OFFICER
Perth Condominium Corporation No. 1 91 Avonwood Drive	Arthur Tucker Robert Roth Amy Springer
Stratford General Hospital: 46 General Hospital Drive 90 John Street 88 John Street 86 John Street 118 John Street 130 Youngs Street	Brenda Smellie Chuck Meyer
Perth County Court House, 1 Huron St. Court House, St. Andrew St. lot	Brian Priestap John Kirkham
Strat-Fam Agency, Family Services Perth-Huron 142 Waterloo Street south	Steven Malcho
St. Michael Catholic Secondary School 240 Oakdale Avenue	Renita Roxburg Daniel Peters Karen Tigani
Stratford Perth Family YMCA 204 Downie Street	Alma Akins David Gaffney Colton Maracle
FAG Bearings, 801 Ontario Street (Wackenhut Canada)	Rick Ballantyne Harold McLeod Don Herlick Nathan Proulx Brad Paulen Wayne Wigelsworth
Liquor Control Board of Ontario 91 Wellington Street	Ron Oggelsby Carol Eckenswiller
St. Andrew's Presbyterian Church 25 Andrew Street	John Edmonds
Stratford Central Secondary School 60 St. Andrew Street	Laurie Langstaff Dave Hurley
Brokerlink (formerly Lawson Killer Insurance) 51 Albert Street	Terry Whitehead

PROPERTY AND ADDRESS

Perth Condominiums 3, **Huntingdon Condominiums**

30 Front Street

OFFICER

Daniel Thomas Brooks

Lisa Breault

Perth Condominium Corporation No. 28

30 Front Street

Lisa Breault

Shopper's Drug Mart

211 Ontario Street

Dr. John Lean

La Debonaire Hair Design

155 Ontario Street

Karey Ball

Olde English Parlour & Pub

101 Wellington Street

Bill Windsor

Royal Canadian Legion

207 St. Patrick Street

Jim Millar Tom MacArthur Art Boon

Hudson's of Stratford Ltd.

141 Downie Street

Lee Helperin Doug Fillion

Culliton Law

145 Ontario Street

Tina Grasby

River Garden

10 Romeo Street North

Michael William Garcia

Theocharis Brothers Properties Inc.

17 George Street East

Peter Theocharis

Sugarfield Commercial Inc. 168-194 Ontario Street

71 Cobourg Street

Tobin Schlegel

151 Ontario Street

Cathy Brubacher Jacqueline Catania

Perth Condominium Corp No. 8

97 Huron Street

Lisa Breault

Perth Vacant Land Condominium

Corporation No. 20

Units 2-51 North Pointe Drive

Lisa Breault

Perth Standard Condominium Corporation No. 29

241-257 and 300-316 Dufferin Street

Lisa Breault

PROPERTY AND ADDRESS

<u>OFFICER</u>

Perth Standard Condominium Corporation No. 30 400 Romeo Street North Lisa Breault

Perth Standard Condominium Corporation No. 32 50 Galt Road Lisa Breault

Perth Standard Condominium Corporation No. 42 36 Front Street Lisa Breault

Knox Presbyterian Church 142 Ontario Street Roger Albrecht



BEING a By-law to authorize the acceptance of the quotation, execution of the contract and the undertaking of the work by Lotowater Technical Services Inc., for rehabilitation of Field Wells 1 and 2 [Q17–02].

WHEREAS Section 8.(1) of the *Municipal Act, 2001, S.O. 2001, c.25* as amended, provides that the powers of a municipality under this or any other Act, shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

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

AND WHEREAS Section 10.(1) of the *Municipal Act 2001* provides that a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

NOW THEREFORE BE IT ENACTED by Council of The Corporation of the City of Stratford as follows:

- 1. That the quotation from Lotowater Technical Services Inc., for rehabilitation of Field Wells 1 and 2 [Q17–02] be accepted, and the Mayor and Clerk or their respective delegates are hereby authorized to execute the contract for the said work on behalf of The Corporation of the City of Stratford and to affix the corporate seal thereto.
- 2. The accepted amount of the quotation is \$150,177 including HST.
- 3. That Lotowater Technical Services Inc., is authorized to undertake the said work in accordance with the accepted quotation and as further directed by the Director of Infrastructure and Development Services, or authorized delegate.

Read a FIRST, SECOND and THIRD time and

Mayor – Daniel B	. Mathi	eson	
riayor barrier b	···	CSOIT	
Clerk – Joan Tho	mson		



BEING a By-law to authorize the use of internet and telephone voting as an alternate voting method for the 2018 Municipal and School Board Election in the City of Stratford.

WHEREAS Section 42 of the *Municipal Elections Act, 1996, S.O. 1996 c.32* as amended, (the Act) provides that Council may, by by-law, authorize the use of an alternate voting method that does not require electors to attend at a voting place in order to vote;

AND WHEREAS Section 42 of the Act provides that when a by-law authorizing the use of an alternative voting method is in effect, section 43 (Advance Votes) applies only if the by-law so specifies;

AND WHEREAS the Council of The Corporation of the City of Stratford considers it desirable to pass such a by-law;

NOW THEREFORE BE IT ENACTED by Council of The Corporation of the City of Stratford as follows:

- 1. That Council of The Corporation of the City of Stratford hereby authorizes the use of internet and telephone voting as an alternate voting method that does not require electors to attend at a voting place in order to vote at municipal and school boards elections and bi-elections under the *Municipal Elections Act, 1996, S.O. 1996 c.32* as amended.
- 2. That Section 43, By-law regarding advance votes, of the *Municipal Elections Act, 1996, S.O. 1996 c.32* as amended is applicable in the 2018 Election in the City of Stratford.
- 3. This By-law shall come into force and take effect upon final passage.

Read a FIRST, SECOND and THIRD time and	
FINALLY PASSED this 27th day of March, 2017.	
	Mayor – Daniel B. Mathieson
	Clerk – Joan Thomson



BEING a By-law to authorize the acceptance of a transfer (conveyance) from Patricia Louise O'Malley of Part 1 on Reference Plan 44R-5377 as a condition of consent approval.

WHEREAS The Corporation of the City of Stratford (the "City") has, pursuant to Sections 8, 9 and 10 of the *Municipal Act, 2001, S.O. 2001, c. 25* as amended (the "Act"), the authority to purchase property and enter into agreements;

AND WHEREAS Patricia Louise O'Malley is the owner of lands that are described in Section 2 of this By-law (the "Subject Property");

AND WHEREAS as a condition of consent approval, Patricia Louise O'Malley is required to convey Part 1 on Reference Plan 44R-5377 to The Corporation of the City of Stratford for the widening of Cambria Street, Stratford;

NOW THEREFORE BE IT ENACTED by Council of The Corporation of the City of Stratford as follows:

- 1. That The Corporation of the City of Stratford accepts a transfer (conveyance) from Patricia Louise O'Malley of the lands described in Section 2 herein for the consideration stated therein, and the Mayor and City Clerk or their respective delegates are authorized to execute the necessary documents related to the conveyance that have been prepared by or reviewed by the City's Solicitor.
- 2. That the lands referred to in Section 1 herein are described as being:

Firstly: Part Lot 7, Plan 84, now designated as Part 1 on Reference Plan 44R-5377;

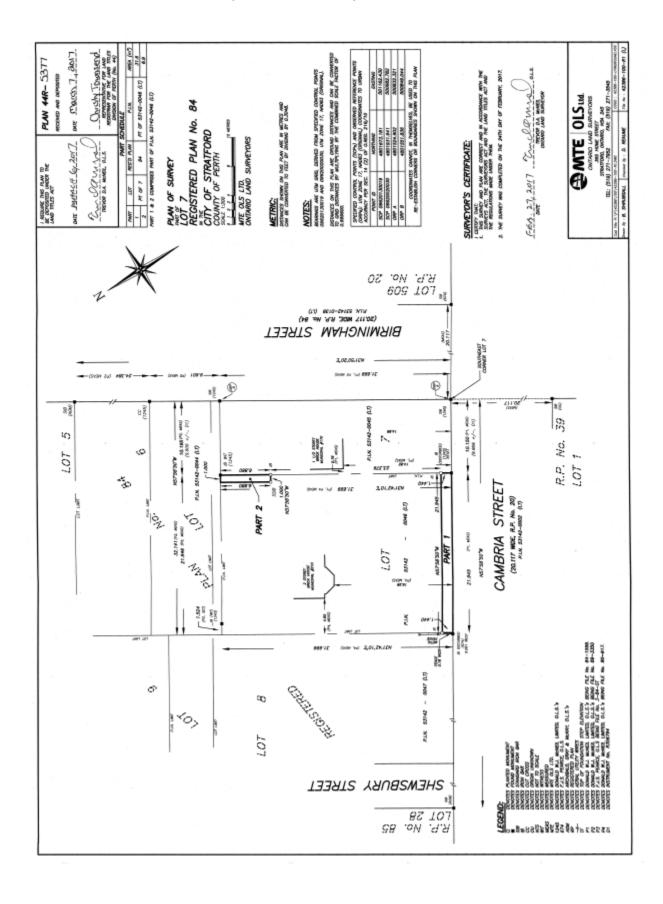
Being PIN 53142-0046 (LT).

- 3. That the Mayor and City Clerk or their respective delegates representing The Corporation of the City of Stratford, are hereby authorized to execute all other documents related to this conveyance that have been prepared by or reviewed by the City's Solicitor.
- 4. A copy of Reference Plan 44R-5377 is attached to this By-law as Schedule "A".

Read a FIRST, SECOND and THIRD time and

Mayor – Daniel B. Mathieson	
Clerk – Joan Thomson	

This is Schedule "A" to By-law -2017 Adopted this 27th day of March, 2017





BEING a by-law to dedicate Part 1 on Plan 44R-5377 as public highway forming part of Cambria Street.

WHEREAS Section 8.(1) of the *Municipal Act, 2001, S.O. 2001, c.25* as amended, provides that the powers of a municipality under this or any other Act, shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS Section 31(2) of the *Municipal Act* provides that after January 1, 2003, land may only become a highway by virtue of a by-law establishing the highway and not by the activities of the municipality or any other person in relation to the land, including the spending of public money;

AND WHEREAS The Corporation of the City of Stratford is now the owner of Part 1 on Plan 44R-5377 being PIN 53142-0046 (LT);

NOW THEREFORE BE IT ENACTED by Council of The Corporation of the City of Stratford as follows:

- 1. That the lands described in Section 2 herein are hereby dedicated as public highway forming part of Cambria Street in the City of Stratford.
- 2. That the lands referred to in Section 1 herein are described as being:

Part Lot 7, Plan 4847, now designated as Part 1 on Reference Plan 44R-5377;

Being PIN 53142-0046 (LT)

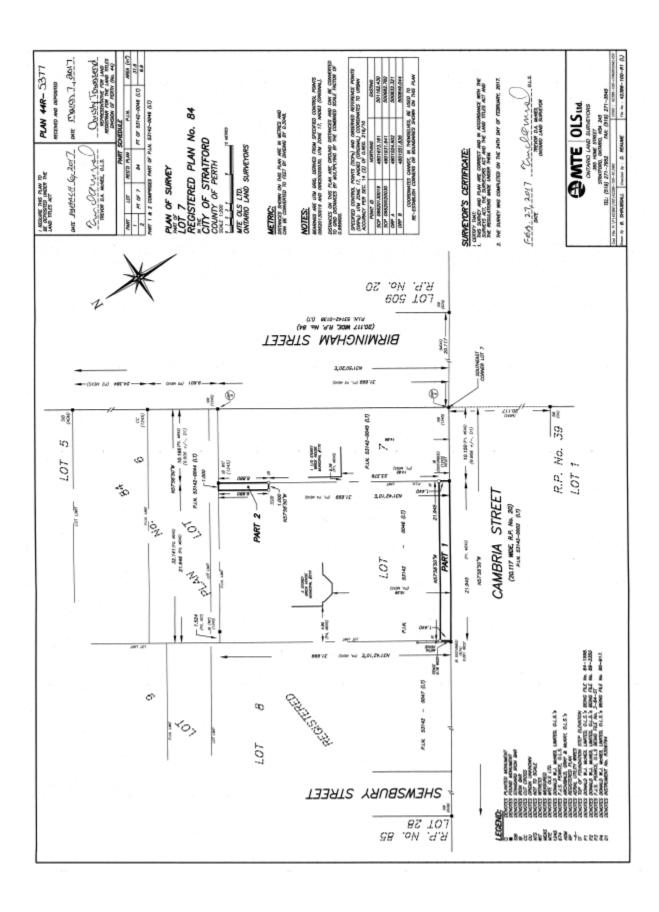
- 3. That this By-law shall come into force upon registration of this By-law in the Land Titles Office for Perth County.
- 4. That the City Solicitor is hereby authorized to register or have registered, this By-law in the Land Titles Office for Perth County.
- 5. That a copy of Reference Plan 44R-5377 is attached to this By-law as Schedule "A".

Read a FIRST, SECOND and THIRD time and

Mayor – Daniel B. Mathieson	
Clerk – Joan Thomson	

This is Schedule "A" to By-law -2017

Adopted this 27th day of March, 2017





BEING a By-law to authorize the acceptance of the proposal, execution of the contract and the undertaking of the work by Wireless Personal Communications Inc. for cellular services [RFP17–02].

WHEREAS Section 8.(1) of the *Municipal Act, 2001, S.O. 2001, c.25* as amended, provides that the powers of a municipality under this or any other Act, shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

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

AND WHEREAS Section 10.(1) of the *Municipal Act 2001* provides that a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

NOW THEREFORE BE IT ENACTED by Council of The Corporation of the City of Stratford as follows:

- 1. That the proposal from Wireless Personal Communications Inc. for cellular services [RFP17–02] be accepted, and the Mayor and Clerk or their respective delegates are hereby authorized to execute the contract for the said work on behalf of The Corporation of the City of Stratford and to affix the corporate seal thereto.
- 2. That Wireless Personal Communications Inc. is authorized to undertake the said work and provide the contracted services in accordance with the accepted proposal and as further directed by the Director of Corporate Services, or authorized delegate.

Read a FIRST, SECOND and THIRD time and

Mayor – Daniel B. Math	nieson
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STRATFORD CITY COUNCIL CONSENT AGENDA

March 27, 2017

REFERENCE NO. CONSENT AGENDA ITEM

CA-2017-33

Resolution from The Municipality of Thames Centre requesting that the Premier and Ministry of Education develop a policy that enables all schools and school boards to install AED's in their schools.

Attachment – Letter dated February 28, 2017

Endorsement of the resolution is requested.

CA-2017-34

Notification that the London Health Sciences Foundation, Children's Health Foundation, and St. Joseph's Health Care Foundation are selling Dream Lottery raffle tickets. Provincial Lottery Licences #8727 for Stub Draw, #8728 for 50/50 Draw Special and #8729 for a Calendar Draw were issued for ticket sales in Ontario. Tickets will be sold at Shoppers Drug Mart in Stratford from March 30, 2017 to June 22, 2017. The proceeds support London Health Sciences Centre (Children's Hospital, University Hospital and Victoria Hospital) and St. Joseph's Health Care London (St. Joseph's Hospital, Parkwood Institute, Mount Hope Centre for Long Term Care, Regional Mental Health Care London and Southwest Centre for Forensic Mental Health).

CA-2017-35

Correspondence from the Perth District Health Unit regarding new information about previous tobacco industry lobbying resolutions made by municipal councils and their recommendation that municipal councils pass new resolutions.

Attachment – Letter dated January 13, 2017 from PDHU

Endorsement of Motion A or B is requested.

CA-2017-36

In accordance with By-law 102-2008, the City Clerk provides notification that the following streets were/will be temporarily closed for parades/street events:

 Richard Monette Way, Parkview Drive from Water Street to Richard Monette Way and Lakeside Drive from Lakeside Drive North to Richard Monette Way on Saturday, May 13, 2017 from 9:00 a.m. to 12:00 p.m. for the Stratford Walk for Alzheimer's. • Lakeside Drive from Front Street to Lakeside Drive North and Queen Street from Lakeside Drive to the Festival Theatre parking lot on Sunday, June 25, 2017 from 6:00 a.m. to 4:00 p.m. for the "ACES" car show.

Emergency Services were notified.



Corporation of the Municipality of Thames Centre

4305 Hamilton Road, Dorchester, Ontario NOL 1G3 ~ Phone 519-268-7334 ~ Fax 519-268-3928 ~ www.thamescentre.on.ca ~ inquiries@thamescentre.on.ca

February 28, 2017

Honourable Kathleen Wynne, Premier of Ontario Legislative Building – Room 281 Queen's Park Toronto, ON M7A 1A1

Dear Premier Wynne:

At its last regular meeting held on February 22, 2017, the Council of The Corporation of the Municipality of Thames Centre enacted the following resolution:

"WHEREAS, Automated External Defibrillators are used to treat sudden cardiac arrest and have been proven to be life-saving during the waiting time period for emergency services;

AND WHEREAS, for every minute a person in cardiac arrest goes without being successfully treated by defibrillation, the chance of survival decreases by 7 percent in the first, and decreases by 10 percent per minute as time advances past 3 minutes;

AND WHEREAS, Andrew Stoddart, a 15 year old boy, passed away while playing soccer in Kintore, Ontario, an AED on site may have increased his odds of survival. Andrew's Legacy Foundation has currently purchased 22 AEDs for across Oxford County, including all three elementary schools in Zorra Township;

AND WHEREAS, Thames Valley District School Board has yet to put together a policy for having AED's in place in all, or any, of their public elementary and secondary schools;

THEREFORE BE IT RESOLVED THAT the Municipality of Thames Centre requests that the Premier, and Minister of Education, develop a policy that enables all schools and school boards in Ontario, including the Thames Valley District School Board, that allows individual elementary and secondary schools to have an AED installed in their schools;

AND THAT the Municipality of Thames Centre request that the Thames Valley District School Board and all other schools in Ontario develop a policy to install AEDs in all schools as soon as possible for the safety of our children.

AND THAT this resolution be sent to the Premier, Minister of Education, AMO, Thames Valley District School Board; Middlesex County; and all Ontario Municipalities for consideration and support."

Letter – Premier Wynne February 28, 2017 Page 2

The Council is very concerned with this issue and respectfully requests that further consideration be given to ensure a policy is developed that enables all schools and school boards in Ontario, including the Thames Valley District School Board, and that allows individual elementary and secondary schools to have an AED installed in their schools.

Thank you.

Sincerely,

The Corporation of the Municipality of Thames Centre

Jim Maudsley

Mayor

cc: Minister Mitzie Hunter, Education

Association of Municipalities of Ontario (AMO)

Laura Elliott, Director, Thames Valley District School Board

Kathy Bunting, Clerk, Middlesex County

All Ontario Municipalities

Kerby Waud, Principal, River Heights Public School

Catherine Zeisner, Principal, Northdale Central Public School

Suzanne Terpstra, Principal, St. David Catholic School Cathy Johnston, Principal, West Nissouri Public School

Christine Vitsentzatos, Principal, Lord Dorchester Secondary School



January 13, 2017

Robert Wilhelm, Mayor of Perth South Bob McMillan, Mayor of Perth East Walter McKenzie, Mayor of West Perth Al Strathdee, Mayor of the Town of St. Marys Julie Behrns, Mayor of North Perth Dan Mathieson, Mayor of Stratford mayor@perthsouth.ca mayor@pertheast.ca wmckenzie@westperth.com astrathdee@town.stmarys.on.ca jbehrns@perthcounty.ca dmathieson@stratfordcanada.ca

Dear Mayor and Members of Council:

Re: Tobacco Industry Lobbying

Municipalities across Perth County and Ontario are leaders in tobacco control and in promoting health and safety for their residents.

A recently leaked presentation from Imperial Tobacco Canada Ltd shows how Imperial Tobacco has used front groups such as the Canadian or Ontario Convenience Store Association and the National Coalition Against Contraband Tobacco to engage municipal councils in conversations about contraband tobacco in an effort to prevent effective regulations and tax increases. It is estimated that about 40-50 Ontario municipalities have endorsed tobacco industry contraband campaigns without being fully aware of the nature of the campaign.

In December, the Perth District Health Unit's Board of Health received a staff report on Tobacco Industry Lobbying. In response to this report, the Board of Health is recommending that municipal councils review their minutes to seek previous such industry interaction and to consider endorsing either Motion A or Motion B (see Appendix A). The health unit and the Ontario Campaign for Action on Tobacco recognize that not every municipality will be able to endorse the motions exactly as written. Feel free to revise as appropriate to your municipality.

Sincerely,

Miriam Klassen, MD, MPH Medical Officer of Health

MK/ikl

Attachment

MOTION A: FOR MUNICIPALITIES THAT ENDORSED THE TOBACCO INDUSTRY'S ANTI-CONTRABAND CAMPAIGN:

"WHEREAS a 2012 slide deck from Imperial Tobacco Canada Ltd. (ITCL) demonstrates that the National Coalition Against Contraband Tobacco (NCACT) and the Ontario Convenience Store Association (OCSA) have worked on behalf of ITCL to convince Ontario municipalities of the importance of the contraband tobacco problem;

and WHEREAS this referenced information makes clear that the anti-contraband campaign pursued by the NCACT and the OCSA in Ontario is designed in part to block tobacco excise tax increases and regulation of tobacco products generally;

and WHEREAS these other campaign objectives were not communicated to municipalities by either the NCACT or the OCSA during meetings with municipal staff or councillors;

and WHEREAS (municipality X) supports tobacco excise tax increases as a proven effective means of encouraging tobacco cessation;

and WHEREAS contrary to tobacco industry messaging, impartial research by the Ontario tobacco Research Unit at the University of Toronto has shown that tobacco excise tax increases do not lead to large increases in contraband;

and WHEREAS (municipality X) previously passed a smoke-free bylaw and supports protection of the public from second-hand tobacco smoke

THEREFORE BE IT RESOLVED that (municipality X) retracts its previous endorsement for the tobacco industry anti-contraband campaign, and further,

THAT elected representatives and staff of (municipality X) have no further meetings or discussions about any tobacco-related issue with representatives of the NCACT, the OCSA, or individuals otherwise representing the tobacco industry, and further,

THAT (municipality X) calls on the Ontario Ministry of Finance 1) to raise tobacco excise taxes by at least \$10/carton and 2) to enhance enforcement activities designed to reduce the presence of contraband tobacco in Ontario communities."

MOTION B: FOR MUNICIPALITIES THAT DID NOT ENDORSE THE TOBACCO INDUSTRY'S ANTI-CONTRABAND CAMPAIGN:

"WHEREAS a 2012 slide deck from Imperial Tobacco Canada Ltd. (ITCL) demonstrates that the National Coalition Against Contraband Tobacco (NCACT) and the Ontario Convenience Store Association (OCSA) have worked on behalf of ITCL to convince Ontario municipalities of the importance of the contraband tobacco problem;

and WHEREAS this referenced information makes clear that the anti-contraband campaign pursued by the NCACT and the OCSA in Ontario is designed in part to block tobacco excise tax increases and regulation of tobacco products generally;

and WHEREAS these other campaign objectives were either not communicated to municipalities by either the NCACT or the OCSA during meetings with municipal staff or councillors;

and WHEREAS (municipality X) supports tobacco excise tax increases as a proven effective means of encouraging tobacco cessation;

and WHEREAS contrary to tobacco industry messaging, impartial research by the Ontario Tobacco Research Unit at the University of Toronto has shown that tobacco excise tax increases do not lead to large increases in contraband;

and WHEREAS (municipality X) previously passed a smoke-free bylaw and supports protection of the public from second-hand tobacco smoke,

THEREFORE BE IT RESOLVED that elected representatives and staff of (municipality X) will have no further meetings or discussions about any tobacco-related issue with representatives of the NCACT, the OCSA, or individuals otherwise representing the tobacco industry;

THAT (municipality X) calls on the Ontario Ministry of Finance 1) to raise tobacco excise taxes by at least \$10/carton and 2) to enhance enforcement activities designed to reduce the presence of contraband tobacco in Ontario communities."



BEING a By-law to authorize the entering into and execution of an Ontario Transfer Payment Agreement with Her Majesty the Queen in right of Ontario as represented by the Minister of Education to support the local implementation of Ontario's Journey Together early years initiative.

WHEREAS Section 8.(1) of the *Municipal Act, 2001, S.O. 2001, c.25* as amended, provides that the powers of a municipality under this or any other Act, shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

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

AND WHEREAS Section 10.(1) of the *Municipal Act 2001* provides that a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS the Council of The Corporation of the City of Stratford deems it in the public interest to enter into an Ontario Transfer Payment Agreement to support the local implementation of Ontario's *Journey Together* early years initiative;

NOW THEREFORE BE IT ENACTED by the Council of The Corporation of the City of Stratford as follows:

1. That the Ontario Transfer Payment Agreement dated the 1st day of December, 2016 between Her Majesty the Queen in right of Ontario as represented by the Minister of Education and The Corporation of the City of Stratford with respect to funding to support the local implementation of Ontario's *Journey Together* early years initiative, be entered into and the Mayor and Clerk or their respective delegates are hereby authorized to execute the said Memorandum of Understanding on behalf of The Corporation of the City of Stratford and to affix the corporate seal thereto.

READ a FIRST, SECOND and THIRD time and

Mayor – Daniel B. Mathieson	
Clark Israel Theorem	
Clerk – Joan Thomson	



BEING a By-law to grant temporary exemptions from Traffic and Parking By-law 159-2008 as amended, to allow for angle parking on certain parts of McCarthy Road West and for parking in bicycle lanes during the 2017 and the 2018 Canadian Dairy XPO events.

WHEREAS Section 10.(1) of the *Municipal Act 2001, S.O. 2001, c. 25* provides that a single-tier municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS Council deems it necessary to grant exemptions from certain provisions in Traffic and Parking By-law 159-2008 for the 2017 and the 2018 Canadian Dairy XPO events to allow for angle parking on certain parts of McCarthy Road West and for parking in the bicycle lane on McCarthy Road West;

NOW THEREFORE BE IT ENACTED by Council of The Corporation of the City of Stratford as follows:

- 1. That Council of The Corporation of the City of Stratford hereby grants exemptions from Traffic and Parking By-law 159-2008 as amended, to permit angle parking of vehicles and to permit said angle parking in the bicycle lane on the north side of McCarthy Road West from Fire Station No. 2 to the Rotary Complex Site.
- 2. That the provisions of this By-law shall come into effect only on April 5-6, 2017 and April 4-5, 2018 and shall cease to be in force and effect after those dates.
- 3. All other provisions of Traffic By-law 159-2008, as amended, shall remain in force and effect.

Read a FIRST, SECOND and THIRD time and

Mayor – Daniel B. Mathieson	
Clerk – Joan Thomson	



BEING a By-law to confirm the proceedings of Council of The Corporation of the City of Stratford at its meeting held on March 27, 2017.

WHEREAS subsection 5(1) of the *Municipal Act, 2001, S.O. 2001 c.25* as amended, provides that the powers of a municipal corporation are to be exercised by its council;

AND WHEREAS subsection 5(3) of the *Act* provides that the powers of council are to be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Stratford at this meeting be confirmed and adopted by By-law;

NOW THEREFORE BE IT ENACTED by the Council of The Corporation of the City of Stratford as follows:

- 1. That the action of the Council at its meeting held on March 27, 2017 in respect of each report, motion, resolution, recommendation or other action passed and taken by the Council at its meeting, is hereby adopted, ratified and confirmed, as if each report, motion, resolution or other action was adopted, ratified and confirmed by its separate by-law.
- 2. The Mayor of the Council and the proper officers of the City are hereby authorized and directed to do all things necessary to give effect to the said action, to obtain approvals where required, and, except where otherwise provided, to execute all documents necessary in that behalf in accordance with the by-laws of the Council relating thereto.

Read a FIRST, SECOND and THIRD time and

Mayor – Daniel B. Mathieson	_
Clerk – Joan Thomson	