



# Parry Sound Area Chamber of Commerce

Account Name	2021 Actuals	2020 Actuals	2022 Actuals	2023 Budget	Notes
Memberships in the Chamber	\$38,822.81	\$43,000	\$52,516.00	\$67,000.00	
Municipal Contribution	\$12,722.48	\$7,200	\$7,780.00	\$13,000.00	Only 3 contributions from year previ
Grants & Recoveries	\$59,639.39	\$500		\$10,000.00	*website grant
Sublet Office Rental Space				\$3,000.00	
Commissions- Affinity	\$9,125.81	\$11,000	\$12,208.79	\$13,000.00	
Advertising Revenue	\$0.00	\$1,200	\$45,502.00	\$1,000.00	
Fundraising Income	\$9,140.00	\$27,500	\$12,595.00	\$43,300.00	*Needs board input
Corporate Sponsorships	\$1,110.00	\$5,000		\$0.00	
Intern/ Summer Student Grant	\$5,346.00	\$0		\$0.00	
CEWS	\$0.00	\$10,967		\$0.00	
Investments	\$45,000.00			\$0.00	
<b>Income Totals</b>	<b>\$180,906.49</b>	<b>\$106,367</b>	<b>\$130,601.79</b>	<b>\$150,300.00</b>	
<b>EXPENSES</b>					
Chamber Advertising	\$150.00	\$1,500	\$35,400.00	\$1,000.00	
Chamber Accounting and Legal	\$4,572.50	\$5,300	\$5,040.00	\$5,300.00	
Chamber Bank Fees	\$1,079.38	\$3,300	\$1,080.00	\$300.00	
Chamber Credit Card Fees	\$1,140.83	\$1,200	\$400.00	\$300.00	
Chamber Insurance	\$3,978.30	\$4,656	\$5,430.00	\$2,200.00	
Membership Fees/OCC/CCC?Chamber Exec	\$1,277.38	\$4,000	\$3,320.00	\$4,000.00	
Postage	\$45.00	\$200		\$100.00	
Office Supplies	\$1,599.54	\$1,040	\$1,650.00	\$2,000.00	
Photocopier	\$150.00	\$2,920	\$766.00	\$1,000.00	
Chamber Car Allowance	\$1,379.18	\$500	\$450.00	\$500.00	
Manager Cell Phone	\$0.00	\$720		\$0.00	
Office Rent/utilities	\$8,182.63	\$8,424	\$8,789.00	\$13,000.00	
Repairs/ Maintenance	\$160.00	\$100	\$480.00	\$100.00	
Office Phone/internet	\$93.56	\$300	\$1,545.00	\$1,600.00	
Director/ Committee Expenses	\$86.74	\$500	\$260.00	\$500.00	
Website	\$404.04	\$600		\$10,000.00	
Networking expenses	\$0.00	\$500		\$300.00	
AGM Expenses	\$65.00	\$250		\$300.00	
Fundraising	\$5,361.00	\$20,500	\$11,821.00	\$30,640.00	Board needs to determine fundraisi
Staff Training	\$0.00	\$100		\$0.00	
Conference Registration & Costs	\$0.00	\$1,150		\$0.00	Missed the deadline for 2023
Intern Wages/summer student	\$6,159.71	\$0		\$0.00	
Chamber Employee Wages/source deductions	\$45,397.17	\$41,750	\$72,805.00	\$77,300.00	
HST- Reciever General	\$1,428.98	\$3,144		\$1,500.00	
Membership Works/survey monkey/sage/zoom/adot	\$432.00	\$500	included in subscriptions	\$1,356.00	
Website Subscriptions/hosting fees	\$600.00		included in subscriptions	\$600.00	Website monthly hosting fee
Gov Loan Repayment CERWB	\$30,000.00	\$0		\$0.00	
<b>Expense Totals</b>	<b>\$113,742.94</b>	<b>\$103,154</b>	<b>\$149,236.00</b>	<b>\$153,896.00</b>	
<b>Profit/ Loss</b>	<b>\$64,363.94</b>	<b>(\$217)</b>	<b>-\$18,634.21</b>	<b>-\$3,596.00</b>	

# **THE PARRY SOUND AREA CHAMBER OF COMMERCE**

**FINANCIAL STATEMENTS  
OCTOBER 31, 2022**

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# **THE PARRY SOUND AREA CHAMBER OF COMMERCE**

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### **TO THE FINANCIAL STATEMENTS**

**OCTOBER 31, 2022**

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## COMPILATION ENGAGEMENT REPORT

To Management of The Parry Sound Area Chamber of Commerce:

On the basis of information provided by management, I have compiled the balance sheet of The Parry Sound Area Chamber of Commerce as at October 31, 2022, the statements of income and retained earnings for the year then ended, and Note 1, which describes the basis of accounting applied in preparation of the compiled financial information.

Management is responsible for the accompanying financial information, including the accuracy and completeness of the underlying information used to compile it and the selection of the basis of accounting.

I performed this engagement in accordance with the Canadian Standard on Related Services (CSRS) 4200, Compilation Engagements, which requires me to comply with relevant ethical requirements. My responsibility is to assist management in preparation of the financial information.

I did not perform an audit engagement or a review engagement, nor was I required to perform procedures to verify the accuracy or completeness of the information provided by management. Accordingly, I do not express an audit opinion or a review conclusion, or provide any form of assurance on the financial information.

Readers are cautioned that the financial information may not be appropriate for their purposes.

Parry Sound, Ontario  
January 4, 2023

Terry D. Clark, CPA, CA  
Chartered Accountant



# THE PARRY SOUND AREA CHAMBER OF COMMERCE

## BALANCE SHEET

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AS AT OCTOBER 31, 2022

	2022	2021
<b>ASSETS</b>		
<b>CURRENT ASSETS</b>		
Bank	\$ 39,548	\$ 37,285
Short-term investments	40,080	85,080
Accounts receivable	1,844	1,373
Prepaid expenses	2,364	2,364
	<u>83,836</u>	<u>126,102</u>
<b>CAPITAL ASSETS (Note 3)</b>	825	1,051
	<u>\$ 84,661</u>	<u>\$ 127,153</u>
<b>LIABILITIES</b>		
<b>CURRENT LIABILITIES</b>		
Accounts payable and accrued liabilities	\$ 2,992	\$ 1,548
Deferred revenues	-	24,000
CEBA loan repayable portion	40,000	40,000
	<u>42,992</u>	<u>65,548</u>
<b>MEMBERS' EQUITY</b>		
Balance, beginning of year	61,605	40,159
Net income for the year	(19,936)	21,446
Balance, end of year	<u>41,669</u>	<u>61,605</u>
	<u>\$ 84,661</u>	<u>\$ 127,153</u>

APPROVED BY THE BOARD:

\_\_\_\_\_  
Director

\_\_\_\_\_  
Director

Unaudited - See attached Compilation Engagement Report

# THE PARRY SOUND AREA CHAMBER OF COMMERCE

## STATEMENT OF INCOME

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FOR THE YEAR ENDED OCTOBER 31, 2022

	Budget	2022	2021
<b>REVENUES</b>			
Memberships	\$ 45,000	\$ 52,956	\$ 44,257
Municipal contributions	-	7,780	12,722
Commissions - Group insurance	11,000	12,209	10,879
Fund raising projects (net)	-	20,296	(6,986)
Corporate sponsorships	2,000	-	88
Miscellaneous	460	2,208	691
	58,460	95,449	61,651
<b>EXPENSES</b>			
Advertising and promotion	2,600	35,382	704
Amortization	-	227	293
Bank charges and interest	4,200	1,473	2,289
Committee & director expenses	1,000	59	-
Copier lease and maintenance	600	766	150
Insurance	5,000	5,428	3,978
Membership fees	4,451	3,411	1,277
Office and general	1,500	1,817	2,569
Professional fees	7,000	5,038	3,923
Rent and utilities	11,000	8,874	8,927
Repairs and maintenance	100	-	160
Salaries and benefits	64,000	74,517	57,893
Staff training, conferences & travel	3,150	848	1,645
Telephone and communications	1,200	1,545	94
	105,801	139,385	83,902
Less - Grants and recoveries	(70,000)	(24,000)	(43,697)
	35,801	115,385	40,205
<b>NET INCOME</b>	\$ 22,659	\$ (19,936)	\$ 21,446

Unaudited - See attached Compilation Engagement Report



# THE PARRY SOUND AREA CHAMBER OF COMMERCE

## NOTES TO THE UNAUDITED FINANCIAL STATEMENTS

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### FOR THE YEAR ENDED OCTOBER 31, 2022

#### 1. BASIS OF ACCOUNTING

The basis of accounting applied in the preparation of the balance sheet of The Parry Sound Area Chamber of Commerce as at October 31, 2022, and the statement of income for the year then ended, is the historical cost basis and reflects cash transactions with the addition of accounts receivable, accounts payable and accrued liabilities as at the reporting date.

#### 2. PURPOSE OF THE ORGANIZATION

The Parry Sound Area Chamber of Commerce is an incorporated not for profit organization. Its main purpose is the promotion of tourism, recreation and economic development in the Parry Sound Area.

The Chamber is a non-profit organization within the meaning of the Income Tax Act (Canada) and is exempt from income taxes.

The Chamber was incorporated under the federal Boards of Trade Act, on June 14, 1897.

#### 3. CAPITAL ASSETS

Capital assets acquired are valued at acquisition cost and recorded as an addition to assets. Amortization based on the estimated useful life of the asset is calculated as follows:

Office furniture and equipment	20%, declining balance
Computer equipment	30%, declining balance

When capital assets are acquired during the year, one-half of the annual amortization is provided for.

	2022		2021	
	Cost	Accumulated Amortization	Net	Net
Office furniture & equipment	\$ 23,174	\$ 22,470	\$ 704	\$ 879
Computer equipment	19,358	19,237	121	172
	\$ 42,532	\$ 41,707	\$ 825	\$ 1,051

Unaudited - See attached Compilation Engagement Report

**From:** Benjamin John <[bjohn@gbbr.ca](mailto:bjohn@gbbr.ca)>  
**Sent:** January 24, 2023 12:01 PM  
**To:** Benjamin John <[benjamin.paul.john@gmail.com](mailto:benjamin.paul.john@gmail.com)>  
**Subject:** EV Charging Station Funding Opportunity

Hello ICECAP Members and Partners,

A funding opportunity has recently emerged that you may be interested in. Green Economy Canada is now accepting applications for their EV Charger Incentive Program. Applications are reviewed on a first-come-first serve basis, so there is value in submitting an application early. Full details about this opportunity can be found at the link [here](#).

What's in it for you?

- Receive up to 50% of total project costs (up to \$100,000) for the purchase and installation of EV chargers.
- Installed charging stations can be located in public places, on-streets, workplaces, or can be installed for fleet vehicles.

Why install an EV charging station?

- EV charging stations can enable you to generate revenue through service fees.
- A major barrier to community EV adoption in the region is a lack of access to charging infrastructure.
- The federal government has mandated that all new light-duty vehicles sold in Canada by 2035 must be zero emission vehicles. This can help with preparing you for the future.
- EV charging stations support GHG reductions in your community and your fleet.

For more information, please see the applicant guide [here](#). If you have any questions about EV charging stations and/or solutions, or are interested in exploring this opportunity, please do not hesitate to reach out.

Kind regards,

**Benjamin John, MREM, EPT | He/His | Climate & Energy Programs Manager | Georgian Bay Biosphere**

+01 705 774 0978 | PO Box 662 Parry Sound ON P2A 2Z1 | [gbbr.ca](http://gbbr.ca)



RESOLUTION NO.: 2023-09



DATE: January 18, 2023

CARRIED: ✓

DEFEATED:           

<u>MOVED BY:</u>	<u>DIVISION LIST</u>	<u>FOR</u>	<u>AGAINST</u>
<u>Councillor Constable</u>	Councillor Blower	<u>          </u>	<u>          </u>
	Councillor Constable	<u>          </u>	<u>          </u>
<u>SECONDED BY:</u>	Councillor Hamer	<u>          </u>	<u>          </u>
	Councillor Ryman	<u>          </u>	<u>          </u>
	Mayor Robinson	<u>          </u>	<u>          </u>

WHEREAS McDougall and Nobel Public Schools currently provide a safe rural community learning environment for the Municipalities of McDougall, Carling, McKellar, The Archipelago North, and the Shawanaga First Nation; and

WHEREAS Parry Sound High School (PSHS) currently serves the West Parry Sound area as a regional high school; and

WHEREAS all three schools are currently located in central locations to serve their respective catchment areas very well and provide community hubs in their current locations; and

WHEREAS all three schools are in need of major upgrading or replacement; and

WHEREAS the current Near North District School Board (NNDSB) proposal to replace all three schools as a single building including portable classrooms on a single site for JK to 12 does not have the support of the community, and was based on a flawed and outdated Accommodation Review Committee (ARC) process from 2013; and

WHEREAS no building design can overcome the inherent poor safety and learning environment for the elementary students; and

WHEREAS numerous recent lockdowns at the PSHS demonstrate the potential for risk if elementary students had been present in the same building; and

WHEREAS a single site does not provide the community hub functions that benefit the education process for elementary students;

NOW THEREFORE BE IT RESOLVED THAT the NNDSB abandon the current proposal that has been delayed for the past 10 years; and

FURTHER BE IT RESOLVED THAT the NNDSB with support and proper input from the parents of the students affected and local municipal governments replace Nobel and McDougall Public Schools with at least one new elementary school in McDougall, and a new High School in the Town of Parry Sound.

  
\_\_\_\_\_  
MAYOR



January 25, 2023

RE: Appointment to Parry Sound Emergency Medical Services Advisory Committee

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At the Committee of the Whole meeting for the Township of Carling held on January 24, 2023 Council passed the following resolution:

**Moved by Councillor Doubrough**  
**Seconded by Councillor Cook**

**WHEREAS** Carling has appointed Pam Wing to the Parry Sound Emergency Medical Services Advisory Committee as the representative for the Municipality of McDougall, the Municipality of Whitestone, the Township of McKellar and the Township of Carling;

**AND WHEREAS** the Municipality of McDougall and the Municipality of Whitestone have appointed Joel Constable;

**NOW THEREFORE BE IT RESOLVED** that Committee of the Whole on behalf of Council appoint Joel Constable to the Parry Sound Emergency Services Advisory Committee.

**Carried**

Please note that this resolution will be adopted as part of the Consent Agenda at the Township of Carling's Regular Meeting of Council on February 14, 2023.

If you require further information, please do not hesitate to contact the undersigned at 705-342-5856 ext. 9181 or mtaylor@carling.ca

Sincerely

Mackenzie Taylor  
Deputy Clerk





# TOWNSHIP OF CARLING

2 West Carling Bay Road, Nobel ON P0G 1G0

**Email:** mtaylor@carling.ca

**Phone:** 705-342-5856

**Fax:** 705-342-9527

January 25, 2023

RE: Appointment to District Social Services Administration Board

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At the Committee of the Whole meeting for the Township of Carling held on January 24, 2023 Council passed the following resolution:

**Moved by Councillor Kelly  
Seconded by Councillor Doubrough**

**WHEREAS** Carling has appointed Bruce Kelly to the District Social Services Administration Board as one of two representatives for the Municipality of McDougall, the Municipality of Whitestone, the Township of McKellar and the Township of Carling;

**AND WHEREAS** the Municipality of McDougall has appointed Joel Constable, the Municipality of Whitestone has appointed Janice Bray and the Municipality of McKellar has appointed Morley Haskim;

**NOW THEREFORE BE IT RESOLVED** that Committee of the Whole on behalf of Council appoint Janice Bray and Joel Constable to the District Social Services Administration Board.

**Carried**

Please note that this resolution will be adopted as part of the Consent Agenda at the Township of Carling's Regular Meeting of Council on February 14, 2023.

If you require further information, please do not hesitate to contact the undersigned at 705-342-5856 ext. 9181 or mtaylor@carling.ca

Sincerely

Mackenzie Taylor  
Deputy Clerk



# TOWNSHIP OF CARLING

2 West Carling Bay Road, Nobel ON P0G 1G0

**Email:** mtaylor@carling.ca

**Phone:** 705-342-5856

**Fax:** 705-342-9527

January 25, 2023

RE: Appointment to Parry Sound District Municipal Association Executive

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At the Committee of the Whole meeting for the Township of Carling held on January 24, 2023 Council passed the following resolution:

**Moved by Councillor Doubrough  
Seconded by Councillor Cook**

**NOW THEREFORE BE IT RESOLVED** that Committee of the Whole on behalf of Council appoint Lisa Cook as the ward 3 representative for the Parry Sound District Municipal Association Executive

**Carried**

Please note that this resolution will be adopted as part of the Consent Agenda at the Township of Carling's Regular Meeting of Council on February 14, 2023.

If you require further information, please do not hesitate to contact the undersigned at 705-342-5856 ext. 9181 or mtaylor@carling.ca

Sincerely

Mackenzie Taylor  
Deputy Clerk



Time	Length	Session	Location
11:00 AM	60 mins	Good Roads Advisory Board of Past Presidents (Closed)	Quebec
11:30 AM	30 mins	Meeting of Good Roads Board of Directors	Algonquin
12:00 PM	60 mins	Joint Meeting of Good Roads Board of Directors and Advisory Board of Past Presidents (Closed)	Quebec
1:30 PM	5 hrs	Registration	Convention Foyer
2:00 PM	180 mins	Workshop: MMS Five-Year Review	Ontario Room
2:00 PM	180 mins	Emerging Municipal Leaders Forum	Northwest Territories
3:00 PM	240 mins	Trade Show	Convention Foyer, Concert Hall, and Ballroom
5:00 PM	90 mins	Opening Reception	Convention Foyer, Concert Hall, and Ballroom

## 2023 Good Roads Conference

### Meet People With Answers

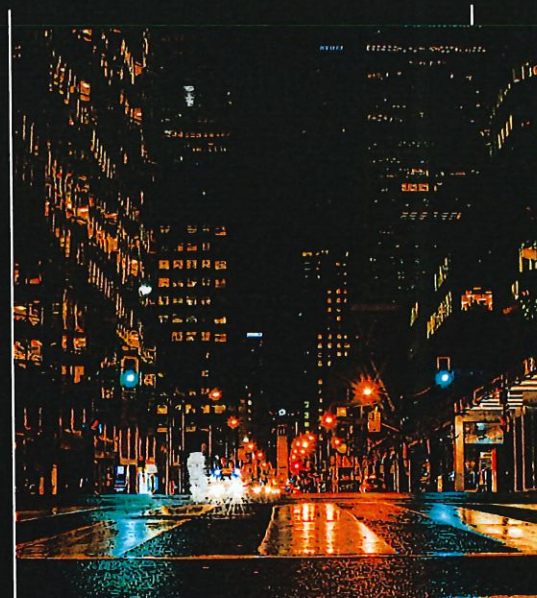
Join 1500+ municipal infrastructure and transportation professionals alongside experts from industry, academia, and other levels of government to discuss ideas, solutions, and network.

#### Quick Facts You Need To Know:

- Four days of networking: April 16 – 19, 2023
- Location: Fairmont Royal York, Toronto
- Brilliant solutions. New ideas. Expert advice.
- Sessions. Study tours. Exhibitor hall.

Don't be left out of the conversation, represent your municipality at the annual conference and take back useful information for your region.

Early bird registration ends February 17th.



For more information visit:  
[www.GoodRoads.ca/Conference](http://www.GoodRoads.ca/Conference)



Time	Length	Session Name	Location
7:30 AM	9 hrs	Registration	Convention Foyer
8:00 AM	1 hr	Breakfast	Convention Foyer
8:30 AM	8 hrs	Trade Show	Convention Foyer, Concert Hall, and Ballroom
8:45 AM	15 mins	Opening of 2023 Good Roads Conference	Canadian Room
9:00 AM	10 mins	Hon. Doug Ford, Premier of Ontario (Invited)	Canadian Room
9:10 AM	60 mins	Keynote: Brent Toderian	Canadian Room
10:10 AM	10 mins	Hon. Caroline Mulroney, Minister of Transportation (Invited)	Canadian Room
10:20 AM	30 mins	Coffee Break	Convention Foyer, Concert Hall, and Ballroom
10:50 AM	30 mins	The Future of the Gas Tax	Canadian Room
11:20 AM	40 mins	Plenary Programming	
12:00 PM	90 mins	Lunch	
12:00 PM	180 mins	Study Tour: Nuclear Waste Management Organization	Oakville
12:00 PM	180 mins	Study Tour: Pave-It Plant Tour	Mississauga
1:30 PM	5 mins	Municipal Concrete Award	Canadian Room
1:35 PM	10 mins	Hon. Steve Clark, Minister of Municipal Affairs & Housing (Invited)	Canadian Room
1:45 PM	45 mins	Navigating Complexity: Policy Making for an Evolving World	Canadian Room
1:30 PM	2.5 hours	AORS Annual General Meeting	Imperial Room
2:30 PM	10 mins	Marit Stiles, Leader of the Official Opposition (Invited)	Canadian Room
2:40 PM	20 mins	Plenary Programming	Canadian Room
3:00 PM	30 mins	Coffee Break	Convention Foyer, Concert Hall, and Ballroom
3:30 PM	75 mins	Smart Cities I: Advancements in Pavement Preservation	Northwest Territories Room
3:30 PM	75 mins	Investing in Your Workforce: Municipal PD & HR	Confederation 5&6
3:30 PM	75 mins	Ontario's Energy Future	British Columbia Room
3:30 PM	75 mins	Utility Locates	Ontario Room
3:30 PM	75 mins	Colliers Project Leaders - Concurrent Session	Tudor 7&8
5:00 PM	90 mins	VIP Reception	TBD



Time	Length	Session Name	Location
7:30 AM	7 hrs	Registration	Convention Foyer
8:00 AM	1 hr	Breakfast	Convention Foyer
8:30 AM	3.5 hrs	Trade Show	Convention Foyer, Concert Hall, and Ballroom
8:45 AM	10 mins	Good Roads Annual General Meeting	Canadian Room
8:55 AM	5 mins	Volunteer of the Year Award	Canadian Room
9:00 AM	10 mins	Hon. Kinga Surma, Minister of Infrastructure (Invited)	Canadian Room
9:10 AM	55 mins	Day 2 Keynote	Canadian Room
10:05 AM	10 mins	John Fraser, Interim Leader, Ontario Liberal Party (Invited)	Canadian Room
10:15 AM	30 mins	Coffee Break	Convention Foyer, Concert Hall, and Ballroom
10:45 AM	75 mins	Green Infrastructure	Ontario
10:45 AM	75 mins	Future of the OAPC – Trillium Award Program	Tudor 7&8
10:45 AM	75 mins	Enbridge - Concurrent Session	Confederation 5&6
10:45 AM	75 mins	New Councillor Orientation	Northwest Territories
10:45 AM	75 mins	Smart Cities II: Illumination and Traffic Signals	British Columbia
11:30 AM	180 mins	Elections: Good Roads Board of Directors	Salon A
12:00 PM	90 mins	Lunch Break	
12:00 PM	90 mins	Study Tour: Waterfront Toronto Don River Rehabilitation	Portlands
12:00 PM	90 mins	Study Tour: Toronto Traffic Management Centre	Toronto Traffic Management Centre
1:30 PM	75 mins	Project Budgeting in an Inflationary Period	Tudor 7&8
1:30 PM	75 mins	Recycled Aggregates	British Columbia Room
1:30 PM	75 mins	EVs & Public Charging Infrastructure	Northwest Territories Room
1:30 PM	75 mins	Asset Management	Confederation 5&6
1:30 PM	75 mins	Safe Roads Engineering: Roadside Safety – Past, Present, and Future	Ontario Room
2:45 PM	30 mins	Coffee Break	Convention Foyer, Concert Hall, and Ballroom
3:15 PM	5 mins	Election Results: Good Roads Board of Directors	Canadian Room
3:20 PM	5 mins	Municipal Paving Award	Canadian Room
3:25 PM	10 mins	President, Federation of Canadian Municipalities	Canadian Room
3:35 PM	25 mins	Kenn Beer, Safe Systems Solutions	Canadian Room
4:00 PM	45 mins	Panel: Fixing Poorly Designed Roads	Canadian Room
4:45 PM	0 mins	Wrap Up	Canadian Room
5:00 PM	90 mins	xChange Reception	Ballroom



Time	Length	Session Name	Location
7:30 AM	3 hours	Registration	Toronto Room
8:00 AM	1 hr	Hot Breakfast	Convention Foyer
8:45 AM	5 mins	Prize Draw #1	Canadian Room
8:50 AM	10 mins	Installation of Good Roads President	Canadian Room
9:00 AM	10 mins	Mike Schreiner, Leader, Green Party of Ontario (Invited)	Canadian Room
9:10 AM	60 mins	Plenary Programming	Canadian Room
10:10 AM	5 mins	John Niedra Better Practices Competition	Canadian Room
10:15 AM	75 mins	The Final Word Panel	Canadian Room
11:30 AM	5 mins	Prize Draw #2	Canadian Room
11:35 AM	5 mins	Closing Session	Canadian Room



J. Paul Dubé, Ombudsman

**BY EMAIL**

January 30, 2023

Township of McKellar  
c/o Mayor David Moore  
P.O. Box 69  
701 Highway 124  
McKellar, Ontario P0G 1C0

Dear Members of Council for the Township of McKellar:

**Re: Report – Office of the Ontario Ombudsman**

I have completed my investigation into complaints regarding meetings held by council for the Township of McKellar on August 24, August 31, and September 9, 2021, and April 12, 2022.

Please find my final report enclosed.

In accordance with section 14.1(8) of the *Ombudsman Act*, the municipality should make my report available to the public, and we ask that this be done no later than the next council meeting. In accordance with s. 239.2(12) of the *Municipal Act, 2001*, the township should pass a resolution stating how it intends to address this report.

Pursuant to section 14.1 (9) of the *Ombudsman Act*, I will also post a copy of the report on my website at [www.ombudsman.on.ca](http://www.ombudsman.on.ca).

Yours truly,

A handwritten signature in black ink, appearing to read 'Paul Dubé', written over a large, stylized blue 'O' that is part of the Ombudsman logo.

Paul Dubé  
Ombudsman of Ontario

CC: Ina Watkinson, Clerk/Administrator, Township of McKellar

483 Bay Street, 10<sup>th</sup> Floor, South Tower / 483, rue Bay, 10<sup>e</sup> étage, Tour sud  
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[www.ombudsman.on.ca](http://www.ombudsman.on.ca)

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## **Ombudsman Report**

**Investigation into complaints about meetings  
held by council for the Township of McKellar  
on August 24, August 31, and September 9, 2021,  
and April 12, 2022**

**Paul Dubé  
Ombudsman of Ontario  
January 2023**

## Complaint

- 1 My Office received complaints about meetings held by council for the Township of McKellar (the “Township”) on August 24, August 31, and September 9, 2021, and April 12, 2022.
- 2 The complainants told my Office that significant sound quality and connectivity issues occurred during the council meeting on August 24, 2021, which the public could observe via livestream. The complainants alleged that these issues impeded the public’s ability to observe the meeting.
- 3 Second, the complainants told my Office that when council returned to open session after meeting *in camera* on August 31, 2021, the remaining portion of the meeting was not livestreamed.
- 4 Third, the complainants indicated that public notices for the September 9, 2021 special council meeting contained contradictory information concerning the time of the meeting and the link to access the livestream, which impacted their ability to attend the meeting in progress.
- 5 Fourth, a complainant told my Office that the Township had posted contradictory public notices concerning the location of the April 12, 2022 council meeting. Additionally, the complainant told us that members of council frequently did not speak into their microphones during the meeting, and were therefore difficult to hear.

## Ombudsman jurisdiction

- 6 Under the *Municipal Act, 2001*<sup>1</sup> (the “Act”), all meetings of a council, local board, and committee of either must be open to the public unless they fall within prescribed exceptions.
- 7 As of January 1, 2008, the Act gives anyone the right to request an investigation into whether a municipality has complied with the Act in closing a meeting to the public. Municipalities may appoint their own investigator or use the services of the Ombudsman. The Act designates the Ombudsman as the default investigator for municipalities that have not appointed their own.
- 8 The Ombudsman is the closed meeting investigator for the Township of McKellar.

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<sup>1</sup> SO 2001, c 25.



- 9 In investigating closed meeting complaints, we consider whether the open meeting requirements in the Act and the municipality's governing procedures have been observed.
- 10 Since 2008, my Office has investigated hundreds of closed meetings in municipalities throughout Ontario. To assist municipal councils, staff, and the public, we have developed an online digest of open meeting cases. This searchable repository was created to provide easy access to the Ombudsman's decisions on, and interpretations of, the open meeting rules. Summaries of the Ombudsman's previous decisions can be found in the digest: [www.ombudsman.on.ca/digest](http://www.ombudsman.on.ca/digest).

## Investigative process

- 11 On October 20, 2021, we advised the Township of our intent to investigate the complaints regarding the August 24, August 31, and September 9, 2021 meetings of council. On November 28, 2022, we advised the Township of our intent to investigate the complaint about the April 12, 2022 meeting of council.
- 12 Members of my Office's open meeting team reviewed relevant portions of the Township's procedure by-law, as well as the Act. We reviewed the meeting records, including the public notices, agendas, minutes, and audio recordings.
- 13 Finally, members of my Office's open meeting team interviewed the former Mayor, the Clerk, and the former Acting Clerk.
- 14 My Office received full co-operation in this matter.

## August 24, 2021 meeting

- 15 Council met in chambers on August 24, 2021 at 6:30 p.m. The meeting was livestreamed for the public using Zoom. At 9:21 p.m., council resolved to move to an *in camera* session. It reconvened in open session at 10:13 p.m., and the meeting adjourned at 10:15 p.m.
- 16 The complainants told my Office that there were sound quality and connectivity issues throughout the open session of council, which effectively closed portions of the meeting to the public.

- 17 During interviews, we were told that the meeting had to be stopped a number of times to re-establish connectivity and the issues worsened as more members of the public joined the meeting.
- 18 The Clerk informed my Office that Township staff suspended the meeting whenever they became aware of a connectivity issue. However, we were told by staff that there may have been short periods of time when the council meeting proceeded before staff became aware of a connectivity issue, thus leaving the public out for portions of the meeting.
- 19 My Office's review of an audio recording provided by the Township confirmed that connection with the public was lost at least twice in the course of the recording. Both times, staff informed council of the connectivity issues and the meeting was briefly suspended.
- 20 My Office could not independently assess the sound quality from the public's perspective, as the audio recording provided by the Township emanated from a tape recorder that was physically present in council chambers, instead of from Zoom audio. The recording provided also did not allow my Office to assess the full extent of the connectivity issues as it ended at approximately 8:10 p.m., one hour and forty minutes into the two-hour and fifty-one minute meeting. When asked, Township staff were unable to provide a reason for why the recording cut out at this time.
- 21 Staff explained that the Township does not have high-speed internet and experiences frequent connectivity and technical issues as a result. However, the Clerk did inform us that the Township was actively consulting with technical experts to look at the connectivity issues.
- 22 Township staff told us that connectivity and sound issues would likely persist until the Township acquired high-speed internet. We were told that a high-speed internet grant had recently been provided to the Township and would be used to improve infrastructure over the next two to three years. Finally, we were informed that audio-visual equipment, including speakers and microphones, had been installed in the community centre to improve sound quality for meetings held at that location.

## Analysis

- 23** Subsection 239(1) of the *Municipal Act, 2001* requires that all meetings of a municipal council be open to the public, subject to prescribed exceptions. As indicated by the Supreme Court of Canada in *London (City) v. RSJ Holdings Inc.*, the open meeting requirements set out in the Act demonstrate that the public has “the right to observe municipal government in process.”<sup>2</sup>
- 24** In response to the COVID-19 pandemic, the open meeting rules were modified in subsection 238(3.1) of the Act to allow municipalities to amend their procedure by-laws to permit council to hold electronic meetings. This gives the option to municipalities to satisfy the open meeting requirement without holding in-person council meetings. However, the Act’s basic requirement that meetings be open to the public remains.
- 25** Everyone we spoke to agreed that there were significant technical issues during the August 24, 2021 meeting that adversely affected sound quality and connectivity. Due to the frequency of the sound and connectivity issues, there were periods of time during which the meeting continued without public access. While Township staff did their best to suspend the discussion until connectivity was re-established, they did not always notice the problem immediately and the sound issues persisted throughout the meeting. This left the public unable to observe some portions of the meeting.
- 26** I find that the public was at times unable to listen to council proceedings, and, as a result, the council meeting was improperly closed to the public, contrary to the Act.
- 27** We are cognizant of the practical difficulties experienced by rural municipalities lacking adequate internet infrastructure required to operate electronic meetings during the pandemic. I remain concerned that poor broadband infrastructure in some parts of Ontario may impede the public’s right to observe municipal decision-making in action.<sup>3</sup>
- 28** However, connectivity issues should not eclipse the open meeting rules. Municipalities must be prepared for technical issues and know how to respond in a way that is consistent with their legal obligations under the Act. Council business cannot proceed when technical issues prevent the public from observing a meeting.<sup>4</sup>

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<sup>2</sup> *London (City) v. RSJ Holdings Inc.*, 2007 SCC 29, at para 32.

<sup>3</sup> Letter from Ombudsman to the Township of Lanark Highlands (2 February 2021), online: <<https://www.ombudsman.on.ca/resources/reports-and-case-summaries/municipal-meetings/2021/township-of-lanark-highlands>>.

<sup>4</sup> *Westport (Village of) (Re)*, 2021 ONOMBUD 5, at para 19, online: <<https://canlii.ca/t/jdpvc>>.

- 29 My Office recognizes that the Township has, in good faith, tried to address the persisting connectivity and sound quality issues, notably by suspending meetings when staff became aware of issues and consulting with an IT expert. However, the Township could do more to ensure it complies with the open meeting rules despite technical challenges. In my 2020-2021 Annual Report, I noted the following best practices for electronic meetings:
- Develop procedures to address technological issues – e.g., if the livestream goes down during an open meeting – and make them public;
  - Monitor live broadcasts or teleconferences to ensure transmission quality, so the meeting can be stopped if problems arise;
  - Have a backup method of broadcasting in case the first one fails; and
  - Consider providing telephone conferencing or other alternatives for members of the public who can't watch a livestream.
- 30 In this case, staff participating in the meeting monitored the livestream and stopped the meeting when problems were identified, but did not always notice immediately, such that portions of the discussion were not visible or audible to the public. These problems may have been identified sooner had a member of staff been monitoring the broadcast remotely. The Township should consider having staff watch the livestream of open meetings as if they were a member of the public to monitor the quality.

## August 31, 2021 meeting

- 31 Council met in chambers on August 31, 2021, at 5:30 p.m. The meeting was livestreamed for the public using Zoom. Council resolved to move *in camera* at 5:35 p.m., and reconvened in open session at 7:15 p.m. The meeting adjourned at 7:46 p.m.
- 32 The complainants told us that the public was “shut out” of the meeting when council moved *in camera* and could not observe the portion of the meeting after council returned from closed session.
- 33 During the half hour period after council reconvened in open session (between 7:15 and 7:46 p.m.), council passed seven resolutions. Council discussed the approval of recommendations contained in a report from the Wellness Centre & Pool Committee (a Township committee), the appointment of a member of council to the Joint Municipal Service Board, and a requirement to receive a plan for a fundraising campaign pertaining to the



West Parry Sound Recreation and Wellness Centre. Council also adopted a confirmatory by-law.

- 34 Township staff confirmed to my Office that the proceedings were not streamed following the closed session because the public did not have Zoom access for this part of the meeting. We were told that this was consistent with the Township's normal practice at the time to not broadcast the portion of a meeting that follows an *in camera* discussion.
- 35 We were told that the Township has staffing limitations and did not want to ask staff to continue working to readmit the public to a meeting after closed session.
- 36 Since discussing this complaint with my Office in October 2021, the Township told us that it has begun to livestream open sessions that follow a closed meeting.

## Analysis

- 37 As noted above, subsection 239(1) of the Act requires that all meetings of a municipal council be open to the public, subject to prescribed exceptions. The public has a right to observe all open portions of meetings of a council, local board, or committee of either.
- 38 The requirement to return to open session and facilitate public participation on August 31, 2021 was not a mere formality.
- 39 During this half hour period, members of council discussed council business and passed seven resolutions. When council failed to ensure the meeting was livestreamed when it came out of closed session, the public was denied the right to observe half an hour of discussions, debates, and votes.
- 40 The Township's failure to publicly livestream the portion of the meeting that occurred after council returned from an *in camera* discussion effectively closed the meeting to the public. This contravened the open meeting requirements contained in the Act.

## September 9, 2021 meeting

- 41 Council met in chambers for a special meeting on September 9, 2021, at 5:00 p.m. The meeting was livestreamed for the public using Zoom. The meeting adjourned at 6:42 p.m.
- 42 The agenda posted on the Township's website ahead of the meeting stated that it was scheduled to begin at 5:00 p.m. and contained a Zoom link for public access.
- 43 A public notice was subsequently published on the Township's website on its public notice page before the meeting, advising that the September 9 meeting was scheduled to begin at 5:30 p.m. This notice contained a different Zoom link from the one indicated on the agenda that had previously been posted online.
- 44 The complainants told us that, relying on the public notice, they joined the meeting at 5:30 p.m. only to realize the meeting was already in progress, having begun 30 minutes earlier at 5:00 p.m.
- 45 No one we interviewed could confirm at what time the agenda and public notice were posted. However, they did confirm that the documents were both public and accessible at the time of the meeting. Further, those interviewed could not confirm which of the two Zoom links was used during the meeting.

## Analysis

- 46 Subsection 238(2.1) of the Act requires that the Township's procedure by-law provide for public notice of meetings. This requirement applies to any meetings of council, committees, or local boards.
- 47 The Township's procedure by-law provides that the Clerk shall give at a minimum 24 hours' notice to the public for all special meetings of council. It does not indicate if such notice must be provided in the meeting agenda or a separate public notice.
- 48 To uphold the public's right to observe municipal government, municipalities must provide notice of the time and place of the meeting, and then proceed to meet at the time and place specified in the notice.<sup>5</sup> For the purposes of an electronic meeting, the "place" is electronic and notice of the place is effected

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<sup>5</sup> Russell (*Township of*) (*Re*), 2020 ONOMBUD 1 at para 41, online: <<https://canlii.ca/t/j6n2t>>.

by publishing the procedure for how the public can observe the meeting electronically, including a link.

- 49 In interviews, staff explained that the differences between the public notice and the agenda were the result of an inadvertent error in the preparation of the meeting documents.
- 50 Staff confirmed that the Township inadvertently released two public notices with contradictory information about the time and place of the meeting. The Township could not proceed to meet at the time and place specified in both notices.
- 51 Members of the public relying on the public notice, rather than the agenda, could not have known the correct start time of the meeting. In order for a meeting to be open to the public, the public must be able to observe local government decision-making in process. Accordingly, the meeting was effectively closed to the public between 5:00 and 5:30 p.m., in contravention of the Act.<sup>6</sup>
- 52 As a best practice, to promote transparency and eliminate confusion, the Township should provide consistent instructions in all agendas and meeting notices as to how and when members of the public can access an electronic meeting. The Township should also consider adopting a procedure or policy to ensure that meeting documents are accurate and consistent.

## **April 12, 2022 meeting**

- 53 The Township posted an agenda for the April 12, 2022 meeting to its website on the evening of April 8, 2022. It stated that the April 12, 2022 meeting would take place electronically and provided a Zoom link for public access.
- 54 On the morning of April 11, 2022, the Township published a notice on the Township's website on its public notice page. The notice advised that the April 12, 2022 meeting would take place in person at the community centre and that electronic access was cancelled. However, the previously posted agenda with the outdated Zoom information was not amended and remained accessible for the public on another page of the Township's website.
- 55 Council met at the McKellar Community Centre on April 12, 2022, at 6:30 p.m.

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<sup>6</sup> *Hamilton (City of) (Re)*, 2018 ONOMBUD 5 at para 26, online: <<https://canlii.ca/t/hvmtt>>.

- 56 The complainant told my Office that, during the in-person meeting, council members frequently forgot to turn their microphones on, making it difficult for them to be heard by the public present in the room. My Office was also told that one member of council phoned into the meeting and was difficult to hear, and this member appeared to have difficulty hearing the proceedings in the room.
- 57 We reviewed an audio recording from a device placed near council members, which captured the council members' discussion clearly, with the occasional exception of the councillor participating via telephone.
- 58 Staff explained to my Office that that the location of the April 12, 2022 meeting was changed due to a last minute staffing issue. We were told that the failure to update or remove the existing notice in the agenda with the Zoom coordinates was an inadvertent error resulting from this staffing issue.
- 59 Staff also informed my Office that they frequently remind council members to turn their microphones on, and are looking to purchasing voice-activated microphones to address this issue going forward.

## Analysis

- 60 As previously discussed, subsection 238(2.1) of the Act requires that the Township's procedure by-law provide for public notice of meetings. Municipalities must provide the time and place of the meeting in order to allow the public the opportunity to observe the meeting in progress.<sup>7</sup>
- 61 Paragraph 5.1.2 of the Township's procedure by-law provides that public notice is effected by posting a notice on the Township website. It does not provide a specific timeframe for giving public notice.
- 62 In this case, the outdated Zoom information was not removed from the published meeting agenda when the municipality's meeting plans changed. Members of the public relying on the agenda, rather than the newer public notice, would not have been aware of the location change prior to the meeting. While notice of the meeting with the correct location was also posted, the failure to remove the incorrect information interfered with the public's ability to observe the meeting in progress.

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<sup>7</sup> Russell (*Township of*) (*Re*), 2020 ONOMBUD 1 at para 41, online: <<https://canlii.ca/t/j6n2t>>.



- 63 To prevent similar confusion in future, the Township should ensure that all meeting notices and agendas include accurate and up-to-date information about the time and location of the meeting. If this information changes, previously published notices and agendas should be amended.
- 64 Regarding the public's ability to hear council's discussion, poor audio quality at a meeting may interfere with the public's ability to access a meeting.<sup>8</sup> In this case, I am satisfied that the discussion was audible to those present in the room to observe the meeting.
- 65 Nevertheless, the Township should remain alert to technical issues that could compromise the public's right to listen to proceedings of council. I am encouraged by the Township's recognition of the issue and their efforts to resolve it by looking to acquire a new voice-activated microphone system.

## Opinion

- 66 Council for the Township of McKellar contravened the open meeting rules on August 24, 2021, when a meeting proceeded during periods where sound and connectivity issues prevented the public from observing the meeting's livestream.
- 67 Council for the Township of McKellar also contravened the open meeting rules on August 31, 2021 when it failed to resume the livestream of the meeting following a closed session, effectively closing a portion of the meeting to the public.
- 68 Council for the Township of McKellar contravened the open meeting rules on September 9, 2021 when it met between 5:00 and 5:30 p.m. after failing to provide accurate public notice regarding the time and place of the meeting.
- 69 Council for the Township of McKellar also contravened the open meeting rules on April 12, 2022 when it simultaneously provided inconsistent meeting notices, each listing a different meeting location.

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<sup>8</sup> Letter from Ombudsman to the Township of Lanark Highlands (2 February 2021), online: <<https://www.ombudsman.on.ca/resources/reports-and-case-summaries/municipal-meetings/2021/township-of-lanark-highlands>>.

## Recommendations

- 70 I make the following recommendations to assist the Township of McKellar in fulfilling its obligations under the Act and enhancing the transparency of its meetings:

### **Recommendation 1**

**All members of council for the Township of McKellar should be vigilant in adhering to their individual and collective obligation to ensure that the municipality complies with its responsibilities under the *Municipal Act, 2001* and its procedure by-law.**

### **Recommendation 2**

**Council for the Township of McKellar should ensure that the public has unimpeded access to observe open council meetings, whether they are conducted in person or electronically.**

### **Recommendation 3**

**Council for the Township of McKellar should adopt a policy regarding the conduct of electronic council meetings that addresses how the quality of a meeting broadcast will be monitored and the steps to be taken if technical issues prevent public attendance during a meeting.**

### **Recommendation 4**

**Council for the Township of McKellar should ensure that that the public is able to observe all open portions of meetings, including any discussion following a closed session.**

### **Recommendation 5**

**Council for the Township of McKellar should ensure that all meeting notices and agendas include accurate and up-to-date information about the time and location of the meeting.**


### **Recommendation 6**

**Council for the Township of McKellar should ensure that its procedure by-law provides clear timelines for giving public notice of all meetings.**

## Report

- 71 Council for the Township of McKellar was provided the opportunity to review a preliminary version of this report and provide comments to my Office. No comments were received.

- 72 This report will be published on my Office's website, and should also be made public by the Township of McKellar. In accordance with s. 239.2(12) of the *Municipal Act, 2001*, council is required to pass a resolution stating how it intends to address this report.



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**Paul Dubé**  
**Ombudsman of Ontario**

**CORPORATION OF THE TOWNSHIP OF MCKELLAR****BY-LAW NO. 00-11**

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**Being a By-law to appoint a Deputy Chief Building  
Official**

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WHEREAS Section 207(45) of the Municipal Act, R.S.O. 1990 authorizes Council to appoint such officers and servants as it deems necessary for the purposes of the Corporation;

AND WHEREAS the Council of the Corporation of the Township of McKellar deems it expedient to appoint an officer to act in the capacity of the Deputy Chief Building Official and to establish the terms of employment of the said officer;

NOW THEREFORE the Council of the Corporation of the Township of McKellar hereby enacts as a By-law of the Corporation as follows:

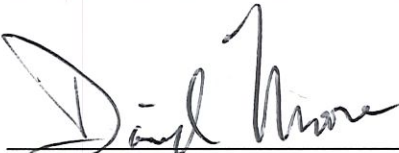
1. That the Chief Building Official for the Municipality of Whitestone is hereby appointed as Deputy Chief Building Official for the Township of McKellar.
2. The terms of this appointment are set out in Schedule 'A' attached to and forming part of this by-law. The terms of this appointment may be amended from time to time by resolution of Council with the agreement of the Municipality of Whitestone.
3. This by-law shall come into force and take effect upon passage by Council.

**READ a FIRST and SECOND time** this 5th day of June, 2000.

  
REEVE

  
CLERK

**READ a THIRD time and PASSED in OPEN COUNCIL** this 5th day of June, 2000.

  
REEVE

  
CLERK

**Schedule 'A' to By-law No. 00-11**

*See Resolution  
17-349 (attached)  
for amendment*

**TERMS OF APPOINTMENT**

The Municipality of Whitestone will provide Chief Building Official services to the Township of McKellar on the following basis:

- When the Chief Building Official for the Township of McKellar is sick, on holidays or out of town on municipal business, the Chief Building Official for the Municipality of Whitestone will provide on call services for building inspections.
- On call services will be requested when a builder cannot proceed with construction until an inspection has taken place, and such delay will cause additional cost and inconvenience to the builder.

Compensation for services will be paid at the rate of \$25.00 per hour to the Municipality of Whitestone. Invoices for services rendered will be submitted to the Township of McKellar on a monthly basis. Mileage charges from the McKellar Municipal Office for field inspections shall be paid by the Township of McKellar directly to the Deputy Chief Building Official upon submission of expense sheets.



## TOWNSHIP OF MCKELLAR

DATE: November 6, 2017

RESOLUTION No. 17-

349

Moved by

Seconded by

**WHEREAS** in the Council of the Corporation of the Township of McKellar passed By-law No. 2000-11 to appoint the Chief Building Official for the Municipality of Whitestone as the Deputy Chief Building Official for the Township of McKellar;


**AND WHEREAS** the terms of the appointment may be amended from time to time by a resolution of Council with the agreement of the Municipality of Whitestone;

**NOW THEREFORE** be it resolved that the Terms of Appointment attached to By-law No. 2000-11 as Schedule 'A' are hereby amended as per the attached Schedule 'A'.

Carried

✓

Defeated

  
Peter Hopkins, Reeve

### DIVISION VOTE

	YEA	NAY
Councillor Bonnie Beier	_____	_____
Councillor Morley Haskim	_____	_____
Councillor Mike Kekkonen	_____	_____
Councillor Debbie Zulak	_____	_____
Reeve Peter Hopkins	_____	_____

**SCHEDULE 'A' to resolution 2017 - 349**

Pursuant to Section 2 of By-law No. 2000-11, the Council of the Corporation of the Township of McKellar hereby amends Schedule 'A' to By-law No. 2000-11 as follows:

1. Bullet No. 1 to Schedule 'A' is hereby amended by adding "and permit issuance subject to the CBO's availability" after "building inspections".
2. That the hourly rate of compensation by the Municipality of Whitestone for services be increased from \$25.00 per hour to \$38.00 per hour.
3. That the Municipality of Whitestone be requested to make a similar amendment.



# CORPORATION OF THE TOWNSHIP OF MCKELLAR

DATE: February 7, 2023

RESOLUTION No. 23- .  
AGENDA ITEM No. 20.1.

Moved by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

**WHEREAS** the Council of the Corporation of the Township of McKellar passed By-law No. 2000-11 to appoint the Chief Building Official for the Municipality of Whitestone as the Deputy Chief Building Official for the Township of McKellar; and

**WHEREAS** the terms of the appointment may be amended from time to time by a Resolution of Council with the agreement with the Municipality of Whitestone;

**NOW THEREFORE BE IT RESOLVED THAT** the Terms of Appointment attached to By-law No. 2000-11 as Schedule 'A' are hereby amended as per the attached Schedule 'A'; and

**FURTHER THAT** the 2022 Invoice No. 2022-28 to the Municipality of Whitestone for shared CBO services be amended to the payment rate as set out in Resolution 17-349; and

**FURTHER THAT** payment of the Municipality of Whitestone invoices 45-2022 and 60-2022 be amended to the effective payment rate; and

**FURTHER THAT** the Municipality of Whitestone be requested to provide a copy of the Resolution that has been approved at the rate of \$45.18 for CBO services; and

**FURTHER THAT** a copy of By-law No. 2000-11 and amended Schedule "A" be sent to the Municipality of Whitestone.

Carried \_\_\_\_\_ Defeated \_\_\_\_\_ Deferred \_\_\_\_\_

\_\_\_\_\_  
David Moore, Mayor

## DIVISION VOTE

	YEA	NAY	ABSTAIN	ABSENT
Councillor Morley Haskim	_____	_____	_____	_____
Councillor Mike Kekkonen	_____	_____	_____	_____
Councillor Nick Ryeland	_____	_____	_____	_____
Councillor Debbie Zulak	_____	_____	_____	_____
Mayor David Moore	_____	_____	_____	_____



# CORPORATION OF THE TOWNSHIP OF MCKELLAR

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## Schedule 'A' to Resolution **2023-02-01**

Pursuant to Section 2 of By-law 2000-11, the Council of the Corporation of the Township of McKellar hereby amends Schedule 'A' to By-law No. 2000-11 as follows:

1. Remove:

"Compensation for services will be paid at the rate of \$25.00 per hour to the Municipality of Whitestone. Invoices for services rendered will be submitted to the Township of McKellar on a monthly basis. Mileage charges from the McKellar Municipal Office for field inspections shall be paid by the Township of McKellar directly to the Deputy Chief Building Official upon submission of expense sheets"

Replace with:

"Compensation for services will be paid at the CBO's wage rate effective the date the service is rendered. Invoices will be submitted to the Township of McKellar on a monthly basis. Mileage charges from the McKellar Municipal Office for field inspections shall be invoiced at the rate at which is current on the date of the inspection."

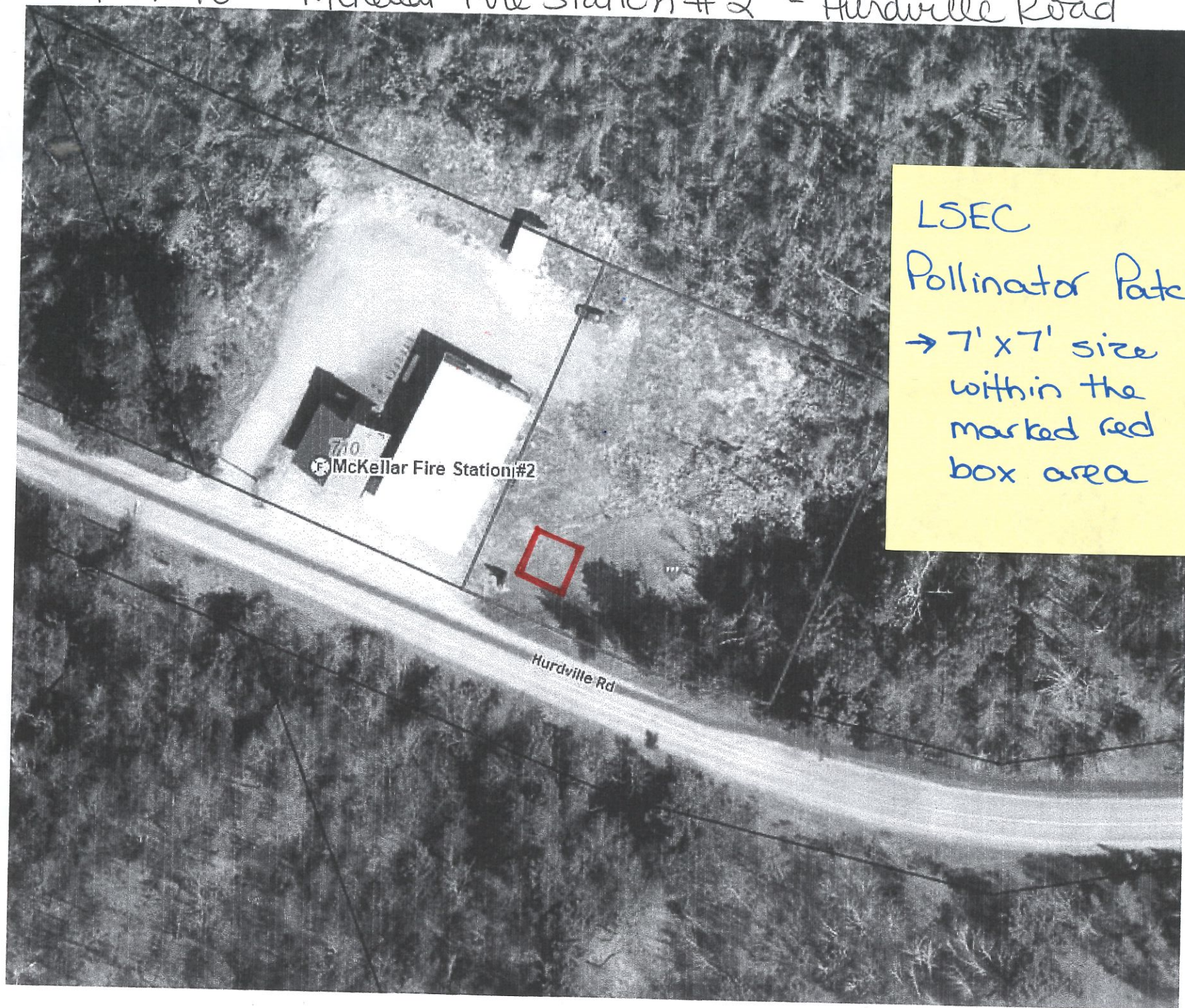


1-14548

McKellar Fire Station #2 - Hurdville Road

Item 20.2

20.2



LSEC  
Pollinator Patches  
→ 7' x 7' size  
within the  
marked red  
box area



1-13000 Hemlock Church Centre/Hurdville Road





2-30200 - Lakeside Boat Ramp



**THE CORPORATION OF THE TOWNSHIP OF MCKELLAR**

**BY-LAW NO. 2019-56**

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**Being a By-law to adopt a Policy for Donations/Grants**

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**WHEREAS** under Section 10(1) of the Municipal Act, S.O. 2001 as amended provides that a 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 Township of McKellar deems it desirable to establish a Policy for donations/grants;

**NOW THEREFORE** the Council of the Corporation of the Township of McKellar hereby enacts as follows:

1. That the Municipal Donations/Grants Policy attached hereto as Schedule 'A' is hereby adopted.
2. This By-law shall come into force and effect on the day of passing.

**READ a FIRST and SECOND** time this 2nd day of December, 2019.

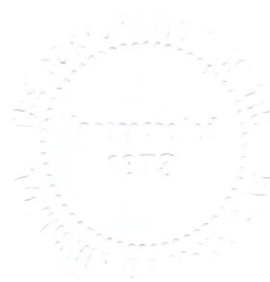
  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk

**READ a THIRD** time and **PASSED** in **OPEN COUNCIL** this 2<sup>nd</sup> day of December, 2019.

  
\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
Clerk





## **TOWNSHIP OF MCKELLAR**

### **DONATION/GRANT POLICY**

#### **PURPOSE:**

This policy outlines the approach and guidelines that the Township of McKellar applies to requests for sponsorships, fundraising and donations. The Township's primary mandate is to provide municipal services to ratepayers; it should not be viewed as a philanthropic organization. However, in order to enhance the life and social well-being of the McKellar community, an amount (to be determined by Council) shall be included in the annual budget to be allocated to support projects and activities related to the well-being of the community and the growth and/or recognition of individuals in the community. The Municipality may provide a donation/grant or in-kind service to eligible organizations which provide a community benefit (recreational, cultural, social, tourism, economic or environmental impact) and demonstrate a financial need.

This policy applies to requests for all donations and requests for funding from organizations from within the Township, as well as outside the Township.

The policy applies to Council, Staff and Public.

#### **PROCEDURES:**

1. A Municipal Grant Application (see Form 4.2) must be filled out and submitted to receive consideration for funding. Applicants are welcome to submit additional documentation that will assist in describing the project or activity.
2. Applicants wishing to address Council must apply through the established "Request for Delegation/Deputation" procedure, keeping in mind the application review schedule below.
3. The Township will accept and review applications once per year for the financial period of January to December which is the Township's fiscal year. The application deadline shall be March 1<sup>st</sup>.
4. All applications received by the application deadline will be evaluated by the Clerk Administrator and the Treasurer with the Township's policy, donation criteria and budget. A recommendation, including approval or rejection and the suggested amount of the donation, will be forwarded to Council in March of each year for their review and decision.
5. Applicants will be notified of their application status immediately following Council's decision.
6. During the evaluation process, the following criteria will be utilized:

- Consideration shall be given to the number of people reached by the requested donation/grant. Preference will be given to those donations/grants that serve a large number of the Township's citizens.
- Preference will be given to organizations with an established history of service to the community.
- The purpose of the donation/grant must be demonstrably and directly beneficial to the citizens of the Township of McKellar.
- In making donations/grants, the municipality may impose such conditions as it deems fit.
- Donation/grant requests shall be evaluated in terms of the need for the project, cost effectiveness, financial viability and contribution to the quality of life in the community and community involvement/response.

The following requests for a donation/grant will NOT be supported:

- Organizations and/or charities whose primary focus is not within the Municipality.
- Organizations that are in a position to issue charitable tax receipts themselves shall not be considered for a municipal donation/grant.
- Unless special circumstances warrant, consideration will not be given to requests for donations/grants from recreational sports groups (with the exception of youth minor sports organizations); nor will donations/grants be given to an individual athlete or team for a competition or to subsidize participation in a sports event.
- Projects or services that duplicate services or activities already provided for by the municipality or other government agencies.
- Projects, services or activities of a sectarian, religious or political nature.
- School projects, services or activities which are already supported through the school tax levy.
- Entertainment or social functions with no direct tangible benefit to the citizens of the Township.
- Requests to fund past operating or capital deficits.
- Organizations such as service clubs or foundations which act primarily as a funding source for other groups.
- Administrative projects.
- Capital projects.

The Township Council makes the final decision on all financial assistance requests at budget time. Other conditions may apply for one-time donations/grants.

A donation/grant from the Township in any one year is not to be regarded as an ongoing commitment by the municipality.



**CORPORATION OF THE TOWNSHIP OF MCKELLAR****DONATION/GRANT APPLICATION**

1. Date: \_\_\_\_\_
2. Name of Organization: \_\_\_\_\_
3. Address: \_\_\_\_\_
4. Please state the goals and objectives of your organization: \_\_\_\_\_  
\_\_\_\_\_
5. Purpose of grant: \_\_\_\_\_  
\_\_\_\_\_
6. What are the primary reasons for undertaking the project/service? \_\_\_\_\_  
\_\_\_\_\_
7. Will this be a one-time project/service or is it ongoing? \_\_\_\_\_  
\_\_\_\_\_
8. Dates/Duration of project/service: \_\_\_\_\_  
\_\_\_\_\_
9. Who will be responsible for the execution and successful completion of the project/service?  
Name: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email: \_\_\_\_\_
10. Describe the project funding:  
Total Budget: \_\_\_\_\_  
Requested contribution from McKellar: \_\_\_\_\_  
Amount of self-funded or fundraising: \_\_\_\_\_

- Other grants: \_\_\_\_\_
- Admission fees: \_\_\_\_\_
- Other sources: \_\_\_\_\_
11. Membership Fees: \_\_\_\_\_
- Current Year: \_\_\_\_\_ Previous Year: \_\_\_\_\_
12. Other sources of funding: \_\_\_\_\_
- \_\_\_\_\_
13. What is the basis for determining the requested McKellar donation amount? \_\_\_\_\_
- \_\_\_\_\_
14. Is there any other funding contingent upon receiving a grant from the Municipality? If yes, please explain: \_\_\_\_\_
- \_\_\_\_\_
15. Has your organization requested assistance from McKellar in the past? \_\_\_\_ Yes \_\_\_\_ No
- What year(s)? \_\_\_\_\_
- Amount requested: \_\_\_\_\_
- Purpose of previous grant: \_\_\_\_\_
- \_\_\_\_\_
16. Who will benefit from the project and how will they benefit? \_\_\_\_\_
- \_\_\_\_\_
17. What are the benefits to the Township of McKellar community? \_\_\_\_\_
- \_\_\_\_\_
18. The Township of McKellar requires a written summary report following the event. Failure to provide report will prohibit future donation/grant requests from your organization.
- Signature Required: \_\_\_\_\_

19. Any other information you wish to provide in support of this application? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

20. Number of citizens that participate/benefit: \_\_\_\_\_

21. Number of McKellar citizens that participate/benefit: \_\_\_\_\_

22. This grant application was authorized by a motion of the organization on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. (Please attach a copy of the resolution supporting this application)

23. Name and position of authorized Signing Officers:

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

24. Please attached a copy of your organization's most recent financial statement and a separate statement of current financial assets.

**CORPORATION OF THE TOWNSHIP OF MCKELLAR**  
**BY-LAW NO. 2023-18**

**Being a By-law to Erect Stop Signs at the  
Intersection of Hurdville Road and Blackwater Road**

**WHEREAS** Section 137 of the Highway Traffic Act, R.S.O. 1990, Chapter H.8, provides that the Council of a municipality may by By-law provide for the erection of stop signs at intersections on highways under its jurisdiction, and every stop sign so erected shall comply with the regulations of the Ministry;

**NOW THEREFORE** the Council of the Corporation of the Township of McKellar hereby enacts as follows:

1. **THAT** the intersections on highways set out in Column 1 are designated as intersections where stop signs shall be erected at the locations shown in Column 2.

**Column 1**

Intersection

Hurdville Road and Blackwater Road  
Hurdville Road and Blackwater Road

**Column 2**

Facing Traffic

Southbound on Broadbent Road  
Eastbound on Hurdville Road

2. **THAT** the penalties provided in Section 214 of the Highway Traffic Act, R.S.O. 1990 shall apply to offences against this by-law.
3. **THAT** each designation made by Section 1 shall not become effective until stop signs have been erected in accordance with the regulations of the Highway Traffic Act.
4. **THAT** the signs installed be larger than the standard size for greater visibility.
5. **THAT** the stop signs are accompanied by stop ahead signs and solar red flashing beacons.

**READ** a **FIRST** and **SECOND** time this 7<sup>th</sup> day of February, 2023.

\_\_\_\_\_  
David Moore, Mayor

\_\_\_\_\_  
Karlee Britton, Deputy Clerk

**READ** a **THIRD** time and **PASSED** in **OPEN COUNCIL** this 7<sup>th</sup> day of February, 2023.

\_\_\_\_\_  
David Moore, Mayor

\_\_\_\_\_  
Karlee Britton, Deputy Clerk



THE CORPORATION OF THE TOWNSHIP OF MCKELLAR  
BY-LAW NO. 2022-42

Being a By-law to establish and regulate a Fire Department  
within the Township of McKellar

**WHEREAS** Section 2 of the *Fire Protection and Prevention Act* requires every municipality to establish a program which must include public education with respect to fire safety and certain components of fire prevention, and to provide such other fire protection services as it determines may be necessary in accordance with its needs and circumstances;

**AND WHEREAS** Section 5 of the *Fire Protection and Prevention Act* authorizes the Council of a municipality to establish, maintain and operate a fire department to provide fire suppression services and other fire protection services in the municipality.

**AND WHEREAS** Sections 8 and 11 of the *Municipal Act* authorize a municipality to provide any service that the municipality considers necessary or desirable for the public, and to pass by-laws respecting, *inter alia*, health, safety and well- being of persons, protection of persons and property, and services that the municipality is authorized to provide;

**AND WHEREAS** Section 391 of the *Municipal Act* authorizes a municipality to impose fees or charges on persons for services or activities provided by the municipality, and for costs payable by the municipality for services or activities provided or done by or on behalf of any other municipality;

**AND WHEREAS** Section 425 of the *Municipal Act* provides that the Council of a municipality may pass by-laws providing that a person who contravenes a by-law of the municipality is guilty of an offence;

**AND WHEREAS** Section 446 of the *Municipal Act* provides that if a municipality has the authority under that or any other act, or under a by-law under that or any other Act, to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person's expense, and the municipality may recover the costs of doing a matter or thing from the person directed or required to do it by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes;

**AND WHEREAS** the Council of the Township of McKellar deems it desirable, necessary and expedient to amend, consolidate, revise, and update its by-law to establish and regulate a fire department for the Township of McKellar;

**NOW THEREFORE** the Council of the Corporation of the Township of McKellar hereby enacts as follows;

1. DEFINITIONS

In this by-law, unless the context otherwise requires:

- 1.1 **"Approved"** means approved by the Council.
- 1.2 **"Automatic Aid"** means an Approved agreement under which a municipality that is capable of responding more quickly to an area agrees to provide an initial response to fires, rescues, and emergencies in another municipality, or where a municipality agrees to provide a supplemental response to fires, rescues, or emergencies that may occur in another municipality.
- 1.3 **"CAO/Clerk"** means the Chief Administration Officer and Clerk of the Township of McKellar;
- 1.4 **"Corporation"** means The Corporation of the Township of McKellar.
- 1.5 **"Council"** means the Council of the Corporation.
- 1.6 **"Deputy Fire Chief"** means a person(s) appointed by *Council* to act on behalf of the *Fire Chief* of the Fire Department in the case of absence or a vacancy in the office of the *Fire Chief* and to carry out Duties as assigned;
- 1.7 **"Department"** means the McKellar Fire Department;

- 1.8 **"Emergency Management and Civil Protection Act"** means *Emergency Management and Civil Protection Act, 1990, S. O.1990, c. E.9, as amended, and any successor legislation.*
- 1.9 **"Fire Chief"** means the person appointed by *Council* as the *Fire Chief* for the *Township* and who is ultimately responsible to *Council* as set out in the *Fire Protection and Prevention Act*.
- 1.10 **"Emergency"** means a situation or impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and is caused by forces of nature, a disease or other health risk, an accident or act whether intentional or otherwise;
- 1.11 **"Emergency Control Group"** means a group of senior staff from the Township of McKellar and allied agencies who are called together from time to time to manage emergencies constituted under the EMPCA;
- 1.12 **"Fire Code"** means Ontario Regulation 213/07, as amended, and any successor regulation.
- 1.13 **"Fire Department"** means a group comprised to those individuals outlined in section 3.1 of this By-law which has been established pursuant to section 2.1 of this By-law;
- 1.14 **"Firefighter"** means the *Fire Chief* and any other person employed in, or appointed to, the *Fire Department* to undertake *Fire Protection Services*, and shall include a *Volunteer Firefighter*
- 1.15 **"Fire Protection and Prevention Act"** means the *Fire Protection and Prevention Act, 1997, S.O. 1997, c.4, as amended.*
- 1.16 **"Fire Protection Agreement"** is a contract between municipalities, other agencies, individuals or a company that clearly defines the responsibilities, terms, conditions, and all other aspects of fire protection services purchased, provided and/or required;
- 1.17 **"Fire Protection Services"** includes fire suppression, rescue and emergency services, fire prevention, public fire safety education, mitigation, prevention and safety education of the risk created by unsafe levels of carbon monoxide, communications, training of personnel involved in the provision of *Fire Protection Services*, and the delivery of all those services.
- 1.18 **"Limited Service"** means a variation of service significantly differentiating from the norm as a result of extenuating circumstances, such as the insufficient response of *Volunteer (paid-on-call) Firefighters* in sufficient numbers to safely carry out the delivery of *Fire Protection Services*, environmental factors, or the inability of *Fire Department resources* to access a property due to remote location remote properties, (i.e. island) weather, or road or driveway obstruction by debris, water, snow, ice, design deficiency or inadequate maintenance;
- 1.19 **"Member"** means any person employed by, appointed to the Fire Department and includes the Fire Chief, Deputy Fire Chief(s), Captains, Lieutenants, Fire Prevention Officers, other officers, firefighters and administration and support staff.
- 1.20 **"MFIPPA"** means the Municipal Freedom of Information and Protection of Privacy Act
- 1.21 **"Municipal Act"** means the *Municipal Act, 2001, S.O. 2001, c.25, as amended, and any successor legislation.*
- 1.22 **"Mutual Aid"** means a plan established pursuant to section 7 of the *Fire Protection and Prevention Act* under which *fire departments* that serve a designated area agree to assist each other on a reciprocal basis in the event of a major fire or emergency.
- 1.23 **"Officer"** means *Fire Chief, Deputy Fire Chief, Chief Training Officer, Captain, Acting Captain, Training Officer, Fire Prevention Officer, and any person designated by the Fire Chief to supervise Firefighters.*
- 1.24 **"Operational Guideline"** means a written process or procedure developed by the Fire Department based on best / informed practices in the fire service which takes into account local capability, equipment levels and training, and approved by the Fire Chief.
- 1.25 **"Volunteer Firefighter"** means a person who provides *Fire Protection Services* voluntarily or for a nominal consideration, honorarium, or training or activity allowance.
- 1.26 **"Water access only properties"** means properties that are primarily only accessed ~~able~~ by travel onto a body of water or onto ice over a body of water and which properties are

Commented [EV1]: Section 5.2 includes a statement that no services will be provided to water access properties.

Commented [EV2]: This definition is related to the exclusion to the provision of any Fire Protection Services in section 5.2. Accordingly, the definition should not have any ambiguities or loopholes. There may exist properties that are not on islands but to which normal access occurs by water. In those cases, the property may have some limited access via land via ATV trails that are not passable by fire department vehicles. Thus, the wording may need to be revised. I have proposed some wording for discussion/consideration.

Commented [RM3R2]: I believe this is a fair statement

not readily accessed by private roads or trails that are designed and/or maintained for access by Fire Department motor vehicles (as defined in the Highway Traffic Act, but excluding an All Terrain Vehicle).

2.0 ESTABLISHMENT"

2.1 The *Fire Department* is continued under this By-law to provide Fire Protection Services and other services as set out herein for the Township and shall be to be known as the "McKellar Fire Department".

3.0 DEPARTMENT STRUCTURE

- 3.1 *Council* shall appoint a *Fire Chief* who shall be the highest-ranking *Officer* and director of the *Fire Department*.
- 3.2 In addition to the *Fire Chief*, *Council* shall appoint a *Deputy Fire Chief* who shall report to the *Fire Chief* as the second highest ranking *Officers* of the *Fire Department*. In the absence or vacancy of the *Fire Chief*, The *Deputy Fire Chief* shall have the powers and perform the duties of the *Fire Chief*.
- 3.3 In addition to the *Fire Chief* and *Deputy Fire Chief* the *Fire Department* shall consist of, *Officers*, *Volunteer Firefighters*, and other *Members* as deemed necessary and appointed by the *Fire Chief* to provide *Fire Protection Services*.
- 3.4 The *Fire Department* shall be structured in conformance with the Approved *Fire Department* Organizational Chart as set out in Schedule "A" attached hereto and forming part of this by-law.

4.0 ORGANIZATION

4.1 The Fire Department shall be structured in conformance with the approved Organizational Chart as set out in Appendix "B".

5.0 APPROVED CORE SERVICES AND LIMITATIONS

- 5.1 The *Fire Department* shall provide such *Fire Protection Services* and programs as *Approved* by the *Council* in accordance with Part II of the *Fire Protection and Prevention Act*, and set out in Schedule "B" attached hereto and forming part of this by-law.
- 5.2 In consideration of the reliance by the *Fire Department* on the response of *Volunteer Firefighters*, whose deployment to emergencies in sufficient numbers cannot in all instances be guaranteed, adverse climate conditions, delays or unavailability of specialized equipment required by the *Fire Department*, or other extraordinary circumstances which may impede the delivery of *Fire Protection Services*, any *Approved* service set out in Schedule "B" may from time to time be provided as a *Limited Service* as defined in this by-law, as determined by the *Fire Chief*, his or her designate, or the highest-ranking *Officer* in charge of a response.

Notwithstanding the foregoing, no Fire Protection Services whether Approved core services or Limited Service shall not be provided to water access only properties by the Fire Department at any time.

5.3. The Corporation shall accept no liability for the provision of *Limited Service* or for a delay in service response however caused.

6.0 FIRE CHIEF RESPONSIBILITIES AND AUTHORITY

- 6.1 The *Fire Chief* shall be ultimately responsible to *Council* as set out in subsection 6(3) of the *Fire Protection and Prevention Act* for the proper administration and operation of the *Fire Department*, including delivery of *Approved* services and programs.
- 6.2 The *Fire Chief* shall be deemed to be the Chief Fire Official of the municipality for the purposes of the *Fire Protection and Prevention Act* and regulations enacted thereunder, and shall have all statutory authority and shall carry out all prescribed duties and responsibilities in respect thereof.
- 6.3 The Fire Chief shall be the head of the Fire Department and is ultimately responsible to Council, for proper administration and operation of the Fire Department including the delivery of Fire Protection Services.
- 6.4 Without limiting the generality of the foregoing, the *Fire Chief* shall be authorized and responsible for:
- (a) Performing all statutory duties of the *Fire Protection and Prevention Act* and any

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Commented [EV4]: I don't believe this statement provides (or can provide) an absolute limitation on potential liability from a response or lack thereof.

Commented [RM5R4]: How would you recommend the 5.3 be altered? What statement would provide the best insulation for the Township/Department/and its members?

Commented [EV6]: What is the intended significance/purpose of the use of this undefined term?

Commented [RM7R6]: Agreed and is likely an American Terminology used incorrectly. Should be "Assistant to the Fire Marshal" to coincide with the FPPA terminology.

Commented [EV8]: Seems to duplicate section 6.1 and could be deleted.

Commented [RM9R8]: Agreed

Commented [EV10]: This list is very long and detailed. I haven't encountered such a detailed list previously; many other by-laws I reviewed include an abbreviated list, each item of which was more general in nature. There are some duplications in various items.

Commented [RM11R10]: Agreed, List was meant to exhaustive with the intention of editing it down to a more palatable length with your input. These are likely mostly unnecessary and can be replaced by a more generalized statement of responsibility.

other legislation applicable to the administration or operation of the *Fire Department*.

- (b) Reporting to *Council* as required by the *Fire Protection and Prevention Act*.
- (c) Enforcement of this by-law and any regulations established under this by-law, and the enforcement of any other by-laws of the *Corporation* respecting the administration and operation of the *Fire Department*.
- (d) Periodically reviewing this by-law and any other by-laws of the *Corporation* respecting the administration and operation of the *Fire Department*, and the *Fire Chief* may establish an advisory committee consisting of such *Members* of the *Fire Department* and other persons, possibly including *members* of the general public, as may be necessary from time to time to assist in discharging this duty.
- (e) Recommending to *Council* amendments to this by-law, or any other by-law of the *Corporation*, that the *Fire Chief* considers relevant and appropriate.
- (f) Developing, establishing, and implementing policies, operating procedures and guidelines, general orders and department rules, and other measures as the *Fire Chief* may consider necessary for the proper administration and efficient operation of the *Fire Department*.
- (g) Periodically reviewing, revising, or revoking as required, all policies, operating procedures and guidelines, general orders, and rules of the *Fire Department*, and the *Fire Chief* may establish an advisory committee from time to time to assist in discharging these duties.
- (h) Arranging for the provision and allotment of strategic staffing and proper facilities, apparatus, equipment, materials, services, and supplies for the *Fire Department*.
- (i) The proper care and protection of all *Fire Department* property.
- (j) The *Fire Chief* is delegated the authority on behalf of council to execute any *automatic aid*, *mutual aid* or Fire Protection Agreement that may be necessary from time to time to provide or receive Fire Protection Services from the Province of Ontario, and other Municipalities or company as may be necessary.
- (k) Determining and establishing the qualifications and criteria for employment or appointment, and the duties and responsibilities of all *Members* of the *Fire Department*.
- (l) Appointment, subject to *Approved* hiring policies, of any qualified person as a *Member* of the *Fire Department*.
- (m) The conduct and discipline of all *Members* of the *Fire Department*, including disciplinary actions as required which may range from reprimand to dismissal.
- (n) Keeping an accurate record of all fires, rescues and emergencies responded to by the *Fire Department*, all fire safety inspections and fire investigations, and other such records as may be required by *Council* in a manner consistent with applicable records management policies of the *Corporation*, and for retaining such records for a period prescribed by *Approved* records retention policies and statutory requirements.
- (o) Enforcement of the *Fire Code*, reporting all fires to the Fire Marshal, and complying with all Fire Marshal's directives as mandated by the *Fire Protection and Prevention Act*.
- (p) Reporting to the appropriate Crown Attorney or other prosecutor, or law enforcement or other *officer*, the facts upon the evidence in any case in which there is reason to believe that a fire has been the result of criminal intent or negligence, or in which there is reason to believe that an offence has been committed under the *Fire Protection and Prevention Act*, or other applicable regulation or statute.
- (q) Preparing and presenting annual and periodic reports to *Council* as deemed necessary by the *Fire Chief*, and any other specific reports as directed by the *Council*.
- (r) Preparing and submitting annual budget estimates for approval by *Council*, and effectively administering, monitoring, and controlling the *Fire Department* operating and capital budgets.
- (s) For coordinating the provision of emergency communications services for the Department;
- (t) For the appointment, promotion, and demotion of Members of the Fire Department



in accordance with such standing orders, operating guidelines, rules and regulations as may be in existence from time to time provided that such measures do not conflict with the provisions of this By-law or any other By-law of the Township and;

(u) For any other duties assigned by Council.

6.5 The *Fire Chief* as a senior member of the Township structure may assist with the preparation, implementation, and maintenance of the municipal Emergency Plan pursuant to the *Emergency Management and Civil Protection Act*.

6.6 The *Fire Chief* shall be responsible for assisting other public officials in an emergency declared by the Head of *Council*, the Premier of Ontario, or the Prime Minister of Canada.

## 7.0 POWERS

7.1 The *Fire Chief* shall exercise all powers and duties prescribed by the *Fire Protection and Prevention Act*, and shall be empowered to take all reasonable and proper measures for the prevention, control, and extinguishment of fires, and for the protection of life, property and the environment, and for the management of emergencies within the jurisdiction of the municipality.

7.2. Without limiting the generality of the foregoing, the *Fire Chief* and his/her designates shall be empowered and authorized to carry out the following:

- (a) Enforcement of all municipal by-laws in respect of fire safety and fire prevention.
- (b) Pulling down or demolishing any building or structure when necessary to prevent the spread of fire.
- (c) Any necessary action to guard against fire or other danger, risk, or accident, which may include boarding up or barricading of buildings or property, when unable to contact the owner of the property.
- (d) Recovery of costs incurred by such necessary actions for the *Corporation* in a manner provided by the *Municipal Act* and the *Fire Protection and Prevention Act*.
- (e) Taking any and all steps as set out in Parts V, VI and VII of the *Fire Protection and Prevention Act*.

7.3 As set out in the *Fire Protection and Prevention Act*, the *Fire Chief* may delegate any of his/her powers or duties to the *Deputy Fire Chief* or any *Officer* or *Member* that the *Fire Chief* deems appropriate, subject to such limitations, restrictions or conditions as may be set out in the delegation, and such *Officer* or *Member* so delegated shall have all the powers and shall perform all duties as delegated.

## 8.0 DEPUTY FIRE CHIEF(s)

8.1 The Deputy Fire Chief shall be subject to and shall obey all orders of the Fire Chief and shall perform such duties as are assigned to him or her by the Fire Chief and shall act on behalf of the Fire Chief in case of absence or a vacancy in the office of Fire Chief.

## 9.0 SUPERVISION OF STAFF

9.1 The Members of the Fire Department, while on duty, shall be under the direction and control of the Fire Chief or the next ranking officer present at any site.

## 10.0 GENERAL DUTIES AND RESPONSIBILITIES

10.1 Every Member shall conduct themselves in accordance with standing orders, operating guidelines, rules and regulations made by the Fire Chief or Council and shall give their whole and undivided attention while on duty to the efficient operation of the Fire Department and shall perform the duties assigned to them to the best of their ability in accordance with the FPPA and any written agreement that may be applicable.

## 11.0 PROPERTY

11.1 No person shall use any apparatus, equipment or other property of the Fire Department for any personal or private use except with prior approval of the Fire

Chief.

11.2 No person shall willfully damage or render ineffective or inoperative any apparatus, equipment or other property belonging to or used by the Fire Department.

## **12.0 ACTIONS AT EMERGENCIES AND THE SUPPRESSION OF FIRES**

12.1 The Fire Department may take any reasonable action to deal with an emergency or hazardous condition and suppress any fire by extinguishing it or by taking any other reasonable action and, for these purposes, may enter private property without notice if necessary to do so.

12.2 The Fire Department may request other persons present at a fire or emergency to assist in:

- (a) extinguishing fires;
- (b) pulling down or demolishing buildings or structures to prevent the spread of fire;
- (c) crowd and traffic control; or,
- (d) the suppression of fires or other hazardous conditions in other reasonable ways.

## **13.0 EMERGENCY RESPONSES OUTSIDE THE LIMITS OF THE MUNICIPALITY**

13.1 The Fire Department shall not respond to a call with respect to a fire or emergency outside the territorial limits of the Township except with respect to a fire or emergency:

- (a) that, in the opinion of the Fire Chief or his or her designate, threatens property in the territorial limits of the Town or property situated outside the territorial limits of the Township that is owned or occupied by the Township;
- (b) in a municipality with which a fire protection agreement, automatic aid or mutual aid agreement has been entered into to provide Fire Protection Services;
- (c) on property with which an approved agreement has been entered into with any person or Township to provide Fire Protection Services;
- (d) at the discretion of the Fire Chief, to a municipality authorized to participate in any mutual aid plan established by a fire coordinator appointed by the Fire Marshal or any other similar reciprocal plan or program; or,
- (e) on property beyond the territorial limits of the Township where the Fire Chief or designate determines immediate action is necessary to preserve life or property and the appropriate Fire Department is notified to respond and assume command or establish alternative measures acceptable to the Fire Chief or designate.

## **14.0 REFUSAL TO LEAVE**

14.1 No person present at a fire or emergency shall refuse to leave the immediate vicinity of that fire when required to do so by a Member of the Fire Department if, in the opinion of that Member, the fire poses a threat to that person's health or safety.

## **15.0 CONDUCT AT FIRES**

15.1 During a fire, and for the time after it has been extinguished that is required to remove the apparatus and equipment of the Fire Department and render the location and vicinity safe from fire, no person, either on foot or with a vehicle of any kind, shall enter or remain upon or within:

- (a) the portion of any street or lane upon which the site of the fire abuts or upon any street or lane for fifteen (15) metres on each side of the property damaged by fire; or
- (b) any additional street or lane or part of a street or lane or any additional limits in the vicinity of the fire as may be prescribed by the Fire Chief or the next ranking officer present at the fire.

- (c) the provisions of section 15.1 shall not apply to a resident of any street or lane or within the prescribed additional limit or to any person so authorized to enter or remain by an officer of the Fire Department.

## 16.0 RECOVERY OF COSTS

- 16.1 If as the result of a *Fire Department* response to a fire, rescue, or other emergency, the *Fire Chief*, his or her designate, or the highest ranking *Officer* in charge determines that it is necessary to retain a private contractor, rent special equipment, or use consumable materials other than water in order to suppress or extinguish a fire, preserve property, prevent a fire from spreading, remove hazardous materials, assist in or otherwise conduct an investigation to determine the cause of a fire, or otherwise control or eliminate an emergency situation, the *Corporation* shall recover the costs incurred by the *Corporation* for taking such actions from the owner of the property on which the fire or other emergency occurred.
- 16.2 The Additional Services obtained pursuant to section 19.1 may be obtained notwithstanding any other Township By-law or policy.
- 16.3 The recovery of costs related to fire suppression, rescue, hazardous materials response, fire investigation or any other activity shall be in accordance with any By-law or agreement as may be established from time to time for this purpose.
- 16.4 The *Corporation* may recover costs incurred by such necessary actions in a manner provided by the *Municipal Act* and the *Fire Protection and Prevention Act* in accordance with the fees prescribed by the applicable Fees By-law of the *Corporation* from time to time.
- 16.5 A fee imposed upon a person under this by-law, including any interest, penalty charges and costs of collection, constitutes a debt of the person to the *Corporation*, and a person who is charged a fee under this by-law and fails to pay the fee within thirty days of receipt of an invoice shall be charged interest in accordance with the applicable Fees and Charges By-law of the *Corporation*.
- 16.6 If a property owner who is charged a fee under this by-law fails to pay the fee within ninety days of receipt of an invoice, the *Corporation* may add the fee, including penalty and interest, to the tax roll for any real property in the registered in the name of the owner and collect the fee, including penalty and interest, in like manner as municipal taxes.

## 17.0 INTERFERENCE

- 17.1 No person shall obstruct, hinder, or interfere with the *Fire Chief* or any *Member* of the *Fire Department* in the performance of his or her duties in accordance with this by-law and the *Fire Protection and Prevention Act*.20.1 No person shall impede or interfere with or hinder any Member of the Fire Department in the performance of its duties as set out in this By-law, the FPPA or the Fire Code.

## 18.0 FIRE ALARM

- 18.1 No person shall prevent, obstruct or interfere in any manner whatsoever with the communication of a fire alarm to the Fire Department or with the Fire Department responding to a fire alarm that has been activated.

## 19.0 OFFENCES

- 19.1 Every person who contravenes any provision of this by-law is guilty of an offence and, upon conviction, is liable to a penalty established by the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as may be amended from time to time, and any successor legislation.

## 20.0 CONFLICT

- 20.1 Where this By-law may conflict with any other By-law of the Township, this By-law shall take precedence to the extent of the conflict.

## 21.0 SEVERABILITY

- 21.1 Should a court of competent jurisdiction find any section or provision, or part thereof, of this by-law to be invalid or to be of no force and effect, such section or provision or part thereof shall be deemed to be severable, and all other

sections or provisions or parts of this by-law shall be deemed to be separate and independent there from and to be enacted as such.

22.0 REPEAL

- 22.1 That By-law No. 79-2 and amendment 91-5 are hereby repealed.
- 22.2 That notwithstanding Section 39, the appointments of the *Fire Chief, Deputy Fire Chief*, and all other *Members* of the *Fire Department*, who were appointed under the provisions of By-Law No. 79-2 remain in effect under the new By-law.

23.0 FORCE AND EFFECT

- 23.1 This By-law shall come into force and effect on the day on which it is passed by Council.

**READ** a **FIRST** and **SECOND** time this 9th day of August, 2022.

Peter Hopkins, Mayor

Ina Watkinson, Clerk

**READ** a **THIRD** time and **PASSED** in **OPEN COUNCIL** this 9th day of August, 2022.

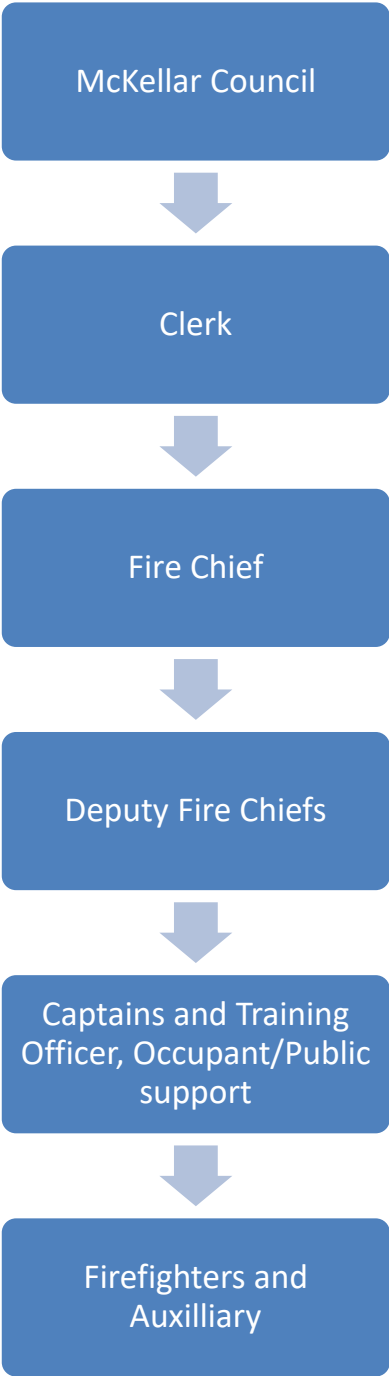
Peter Hopkins, Mayor

Ina Watkinson, Clerk



**Schedule “A” to By-law 2022-42**

The Fire Department shall be structured in conformance with the following Fire Department Organizational Chart:



**Schedule “B” to By-Law No. 2022-42**

**FIRE RESCUE & EMERGENCY SERVICES APPROVED SERVICES AND PROGRAMS**

The *Fire Department* shall provide the following services and programs:

**B.1 Emergency Response**

**B.1.1 Basic Firefighting Services:**

- (a) The *Fire Department* shall respond to fires, alarms of fire, and pre-fire conditions to provide fire suppression services, and shall exercise best efforts to conform to the most recent edition of National Fire Protection Association (NFPA) 1720, *Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Volunteer Fire Departments* as revised from time to time.

**B.1.2 Structural Firefighting Services:**

- (a) For the purpose of this Schedule, “Structural Firefighting” shall have the same meaning as Structural Firefighting as defined by NFPA 1720, *Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Volunteer Fire Departments*.
- (b) **Interior Search and Rescue** – Shall be provided when possible and as appropriate in accordance with the following:
  - Service shall be provided to search for and rescue endangered, trapped or potentially trapped persons within the structure.
  - Service shall be provided only when, in the opinion of the *Fire Chief* or most senior *Officer* in charge, all of the following are true:
    - i. A scene risk assessment has been completed, and the level of risk reasonably justifies entry into the structure;
    - ii. Building integrity permits entry into the structure;
    - iii. Sufficient Trained Firefighter staffing is deployed at the fire ground;
    - iv. Reliable water supply with adequate flow can be sustained; and
    - v. Adequate fire ground supervision and support is provided.
- (c) **Interior Fire Suppression (Offensive Operations)** – Shall be provided when possible and as appropriate in accordance with the following:
  - Service shall be provided to contain the fire and prevent further loss of property.
  - Service shall be provided only when, in the opinion of the *Fire Chief* or most senior *Officer* in charge, all of the following are true:
    - i. A scene risk assessment has been completed, and the level of risk reasonably justifies entry into the structure;
    - ii. Building integrity permits entry into the structure;
    - iii. Sufficient Trained Firefighter staffing is deployed at the fire ground;
    - iv. Reliable water supply with adequate flow can be sustained; and
    - v. Adequate fire ground supervision and support is provided.
- (d) **Exterior Fire Suppression (Defensive Operations)** – Shall be provided when possible and as appropriate, in the opinion of the *Fire Chief* or most senior *Officer* in charge, in accordance with the following:
  - i. There shall be no expected rescue component with this service.
  - ii. Service shall be provided to prevent fire spread to adjacent areas.
  - iii. Service shall be provided when Interior Fire Suppression is not possible or appropriate.
  - iv. Service shall be provided as water supply permits.

**B.1.3 Rural Firefighting Operations:**

- i. Rural firefighting operations using tanker shuttle service shall be provided in areas without municipal water supply and best efforts shall be exercised to conform to NFPA 1142, Standard on Water Supplies for Suburban and Rural Fire Fighting.*
- ii. The Fire Department shall maintain Superior Tanker Shuttle Service accreditation by Fire Underwriters Survey or other recognized accreditation body.*

**B.1.4 Vehicle Firefighting Services:**

- iii. Service shall be provided to control and extinguish vehicle fires.*

**B.1.5 Grass, Brush, and Forestry Firefighting Services:**

- iv. Service shall be provided and best efforts shall be exercised to conform to SP103 Standard by the Ministry of Natural Resources and Forestry, and NFPA 1143, Standard for Wildland Fire Management.*

**B.1.6 Marine Firefighting Services:**

- v. Marine firefighting service shall be limited to shore-based, defensive firefighting operations only.*

**Fire Protection Services shall not be provided to water access only properties by the Fire Department at any time.**

**B.1.7 Automatic Aid Response Services:**

- vi. Service shall be provided in accordance with any Automatic Aid agreements Approved by the Council.*

**B.1.8 Mutual Aid Response Services:**

- vii. Service shall be provided in accordance with the Mutual Aid Plan established in respect to the municipalities within the Parry Sound District, pursuant to sections 5, 5(a), 5(b) and 6 of the Fire Protection and Prevention Act.*

**B.1.9 Tiered Medical Assistance Services:**

- viii. Service shall be provided in accordance with the Emergency Medical Tiered Response Agreement between the Parry Sound Emergency Medical Services and the McKellar Fire Department.*

**B.1.10 Ambulance Assistance Services:**

- ix. Service shall be provided to assist Emergency Medical Services with emergency and non-emergency situations with respect to providing access and/or the provision of care to patients.*

**B.1.11 Police Assistance Services:**

- x. Service shall be provided to assist Police with emergency and non-emergency situations for which the Fire Department has equipment and/or specialized skills to assist in the mitigation.*

**B.1.12 Public Assistance Services:**

- xi. Service shall be provided to assist the public with emergency and non-emergency situations for which the Fire Department has the equipment and/or specialized skills to mitigate the incident.*

**B.1.13 Public Hazard Assistance Services:**

- i. Carbon monoxide Incidents – Response shall be provided to carbon monoxide alarms and emergencies.*
- ii. Public Utility Incidents – Response shall be provided to public utility incidents that pose a public hazard, in accordance with the level of training, including:*
  - i. Electrical utility emergencies;*
  - ii. Propane gas utility emergencies.*



**B.1.14 Vehicle Accident Services:**

- xii. *The Fire Department shall respond to vehicle accidents within the limits of the Township boundary's along Highway 124 and on all Municipal Roads. Response on inadequately maintained roads, driveways, laneways, or trails may be limited due to access.*
- xiii. *Costs associated with Fire Department responses to these highway and roadways shall be recovered in accordance with provincial Fire Service agreements and the Township of McKellar.*
- xiv. *The Fire Department shall respond to vehicle accidents to provide the following services:*
  - i. *Stabilizing the scene of the accident;*
  - ii. *Stabilizing the vehicles involved in the accident;*
  - iii. *Providing aid to injured or trapped persons;*
  - iv. *Mitigating adverse effects to the natural environment;*
  - v. *Vehicle Extrication Services in accordance with level of training and available equipment.*

**B.1.15 Vehicle Extrication Services:**

- i. *Vehicle search and rescue services, including extrication, shall be provided at the level trained for and level required by NFPA 1001 stabilizing the scene, stabilizing the vehicle and stabilizing the patient. NFPA 1006 when personnel and equipment allow.*

**B.1.16 Transportation Incidents involving Vehicles, Trains, Aircraft:**

- xv. *Response shall be provided to large-scale transportation incidents that may involve large numbers of casualties, widespread damage to property, and/or significant environmental impact.*

**B.1.17 Highway Incident Services:**

- xvi. *Fire Protection Services shall be provided to the Kings Highway and other provincial highways in accordance with department SOG's.*
- xvii. *Costs associated with Fire Department response to provincial highways shall be recovered in accordance with applicable provincial fire service agreements.*

**B.1.18 Hazardous Materials Response Services:**

- xviii. *When personel and training allow, Service shall be provided at the awareness Level in accordance with NFPA 472, Standard for Competence of Responders to Hazardous Materials*
- xix. *Hazardous materials response services at the NFPA 472 Technician Level shall not be provided by the Fire Department.*

**B.1.19 Water and Ice Rescue Services:**

- (a) *Water/Ice Rescue – Service shall be provided in accordance with the level of training, provided the Township and the Department's SOG's and NFPA 1670 Chapter 9.3 Operations Level **excluding Swift Water**, Standard for Operations and Training for Technical Search and Rescue Incidents, and may include or be limited to, shore based, water entry, and craft rescue operations.*
  - iii. *Dive Rescue will not be provided by this department.*
  - iv. *Recovery services to retrieve property or human remains by entering into or onto a body of water, or onto ice over a body of water, shall not be provided by the Fire Department.*
  - v. *Animal rescue/recovery will only be, a modified shore-based consisting of the talk, throw, reach tactics. Rescue/recovery services by entry into or onto a body of water, or onto ice over a body of water shall not be provided.*

**B.1.20 Urban Search and Rescue Services:**

- xx. *Fire Department response to urban search and rescue incidents shall be limited to providing Structural Collapse Search and Rescue services at the Awareness Level in accordance with NFPA 1670, Standard for Operations.*
- xxi. *Urban search and rescue service requiring structural collapse search and rescue services at the Operations or Technician Levels shall not be provided.*

**B.1.21     Rope Rescue Services:**

- xxii. Rope rescue services, such as high-angle and low-angle rescue services, shall be provided at the Awareness Level in accordance with NFPA 1670, *Standard for Operations and Training for Technical Search and Rescue Incidents*.
- xxiii. *Rope rescue services at the Operations or Technician Levels shall not be provided by the Fire Department.*

**B.1.22     Confined Space Rescue Services:**

- Service shall be provided at the Awareness Level in accordance with NFPA 1670, *Standard for Operations and Training for Technical Search and Rescue Incidents*.
- Confined space rescue services at the Operations or Technician Levels shall not be provided by the Fire Department.

**B.1.23     Trench Rescue Services:**

- xxiv. Service shall be provided at the Awareness Level in accordance with NFPA 1670, *Standard for Operations and Training for Technical Search and Rescue Incidents*.
- xxv. *Trench rescue services at the Operations or Technician Levels shall not be provided by the Fire Department.*

**B.1.24     Cave, Mine, and Tunnel Rescue Services:**

- xxvi. Service shall be provided at the Awareness Level in accordance with NFPA 1670, *Standard for Operations and Training for Technical Search and Rescue Incidents*.
- xxvii. Cave, mine, and tunnel rescue services at the Operations or Technician Levels shall not be provided by the Fire Department.

**B.1.25     Farm and Silo Rescue Services:**

- xxviii. *Fire Department* response to farm and silo rescue incidents that involve a rope rescue and/or a confined space rescue component shall be limited to providing such technical rescue services at the Awareness Level in accordance with the NFPA 1670 standard.
- xxix. Farm and silo rescue incidents requiring rope rescue and/or confined space rescue services at the Operations or Technician Levels shall not be provided by the Fire Department.

**B.1.26     Industrial and Machinery Rescue Services:**

- i. Service shall be provided at the Awareness Level in accordance with NFPA 1670, *Standard for Operations and Training for Technical Search and Rescue Incidents*.
- ii. Industrial and machinery rescue incidents at the Operations or Technician level shall not be provided by the Fire Department.

**B.1.27     Community Emergency Plan Response Services:**

- i. Service shall be provided in accordance with the *Approved* Township of McKellar Emergency Management Program.

**B.1.28     Assistant to the Fire Marshal Services – Fire Suppression:**

- ii. Duties of Assistant to the Fire Marshal shall be carried out as prescribed by the *Fire Protection and Prevention Act*.

**B.2 Fire Prevention and Public Education**

**B.2.1 Fire Inspection Services may include:**

- Conducting complaints inspections.
- Conducting vulnerable occupancy inspections.
- Conducting requested inspections.
- Conducting routine inspections.
- Enforcing code compliance.
- Enforcing municipal by-laws.
- Issuing Burn permits and Fireworks Permits.
- Preparing reports and issuing written response to requests.

**B.2.2 Public Education Services may include:**

- Providing fire and life safety public education programs.
- Facilitating smoke alarm and carbon monoxide alarm initiatives.
- Distributing public safety messaging to the media.
- Delivery of specialized programs.

**B.2.3 Fire Investigation Services may include:**

- Determining cause and origin of fires and explosions.
- Assessing code compliance.
- Determining effectiveness of built-in suppression features.
- Determining compliance with building standards.
- Interacting with police, fire investigators, and other agencies.
- Supporting criminal prosecutions, including appearances in court.

**B.2.4 Plans Examination Services may include:**

- Reviewing and approving fire safety plans.
- Examining and providing comment on new construction and renovation plans.
- Reviewing and providing comment on subdivision and development agreements.
- Reviewing and providing comment on site plans.
- Inspecting sites of *Approved* plans to determine compliance.

**B. 2.5 Risk Assessment Services may include:**

- Conducting community fire risk assessments.
- Compiling, analyzing and disseminating functional statistics.
- Selecting appropriate fire service programs.

**B.2.6 Consultation Services may include:**

- Consulting with families, schools, health professionals, and police with respect to TAPP-C and other juvenile fire starting programs.
- Consulting with architects, engineers, planners, and builders.
- Interacting with building departments.
- Interacting with other government agencies.
- Providing input into fire prevention policy development.

**B.2.7 Assistant to the Fire Marshal Services – Fire Prevention:**

- Duties of Assistant to the Fire Marshal shall be carried out as prescribed by the *Fire Protection and Prevention Act*.

**B.3 Emergency Planning**

**B.3.1 Pre-Incident Planning Services:**

- Pre-incident plans shall be developed and maintained in accordance with NFPA 1620, *Standard for Pre-Incident Planning*.
- Community Emergency Management Planning Service
- Collaborating with the development, review, revision, and implementation of the *Approved* Emergency Plan.

**B.4 Fire Department Administration**

**B.4.1 Planning and Development Services:**

- Strategic planning.
- Evaluating *Fire Department* programs and services.
- Projecting station locations and reallocations.
- Determining staffing levels and assignments.
- Developing policies, procedures, operating guidelines.
- Coordinating with other emergency services.
- Coordinating development with other municipal departments.

**B.4.2 Financial Services:**

- Coordinating with the Municipalities Finance Department for financial services.
- Coordinating use of information and statistics from suppression and fire prevention activities to determine funding requirements.
- Providing input into levels of service based on available funding.
- Developing and administering operating and capital budgets.
- Identifying alternative sources of revenue and fees for services.
- Initiating cost recovery measures.
- Purchasing.

**B.4.3 Records Management Services:**

- Documenting *Fire Department* activities.
- Maintaining *Fire Department* records in accordance with records retention policies and applicable legislation.
- Complying with all applicable freedom of information legislation, including the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c. M.45, as amended, or successor legislation.

**B.4.4 Department Human Resources Services:**

- Recruitment, selection, promotion, and retention of staff.
- Performance evaluation.
- Career development.
- Job classifications.
- Discipline.

**B.4.5 Customer Relations Services:**

- Environmental scanning, anticipating pressures and developing communication strategies.
- Enhancing public image of the *Fire Department* and its staff.
- Developing and maintaining inter-agency relationships.

**B.4.6 Health and Safety Services:**

- Implementing a *Fire Department* health and safety program.
- Implementing a joint health and safety committee for the Fire Department.
- Implementing an occupational exposure program.
- Establishing a Designated Officer with respect to communicable disease regulations.

**B.4.7 Legal Services:**

- Carrying out mandated enforcement duties of the *Fire Department* in accordance with applicable by-laws, statutes, and regulations.
- Prosecuting offences under applicable by-laws and statutes.
- Coordinating the services of solicitors and legal counsel.

**B.5 Communications**

**B.5.1 Dispatch Services:**

- Arranging for the provision of dispatch services from an external agency to dispatch appropriate *Fire Department* resources.
- Liaising with dispatch centres.
- Providing current municipal information to the dispatch centres, including response protocols, mapping, local streets, property, and water service information, road closures, and caution notes.
- Monitoring *Fire Department* dispatch centre performance and resolving any service issues.



**B.5.2 Technology Services:**

- Arranging for maintenance, repair, and technical support of Fire Department telecommunications and computer systems.
- Developing specifications for *Fire Department* radios, communications devices and systems, and computers.
- Arranging for interface capabilities with other data systems.

**B.6 Training and Education**

**B.6.1 Training Program Standards:**

- Providing a training program for *Firefighters* that conforms to NFPA 1001, *Standard for Fire Fighter Professional Qualifications*.
- Providing a training program for apparatus drivers and operators that conforms to NFPA 1002, *Standard for Fire Apparatus Driver/Operator Professional Qualifications*.
- Providing a training program for technical rescue operations that conforms to NFPA 1006 as required, *Standard for Technical Rescuer Professional Qualifications*.
- Providing a training program for *Officers* that conforms to NFPA 1021, *Standard for Fire Officer Professional Qualifications*.
- Providing a training program for fire inspectors that conforms to NFPA 1031, *Standard for Professional Qualifications for Fire Inspector and Plan Examiners*.
- Providing a training program for fire investigations that conforms to NFPA 1033, *Standard for Professional Qualifications for Fire Investigators*.
- Providing a training program for fire and life safety educators that conforms to NFPA 1035, *Standard for Professional Qualifications for Fire and Life Safety Educator, Public Information Officer, and Juvenile Firesetter Intervention Specialist*.
- Providing a training program for fire service instructors and training *officers* that conforms to NFPA 1041, *Standard for Fire Service Instructor Professional Qualifications*.
- Providing a training program for incident safety officers that conforms to NFPA 1521, *Standard for Fire Department Safety Officer Professional Qualifications*.

**B.6.2 Providing Access to Training Facilities:**

- Coordinating access to appropriate training facilities.
- Delivering hands-on training to staff.

**B.6.3 Providing Station Training:**

- Delivering curriculum specific to operational and strategic needs.
- Providing supervisory training drills.

**B.6.4 Program Development Services:**

- Developing trainer facilitators.
- Coordinating core curriculum.
- Providing *officer* training and development.
- Developing specialized staff development programs.

**B.7 Maintenance**

**B.7.1 Fleet and Equipment Maintenance Services:**

- Maintaining fleet and equipment (both routine and emergency).
- Providing periodic inspection and testing programs.
- Complying with the requirements of provincial regulations.
- Providing annual pump capacity and certification testing.
- Developing specifications for new apparatus and equipment.
- Acceptance testing of new apparatus and equipment.
- Maintaining, testing, and calibrating specialized equipment.

**B.7.2 Facilities Maintenance Services:**

- Routine cleaning and housekeeping of fire stations.
- Arranging for maintenance and repair of fire station infrastructure.
- Providing input regarding design and construction of fire stations.

Schedule “C” to By-Law No. 2022-42

FIRE RESCUE & EMERGENCY SERVICES VOLUNTEER FIREFIGHTER TERMS AND CONDITIONS OF EMPLOYMENT

The employment of *Volunteer Firefighters* shall be governed by the following:

C.1 VOLUNTEER FIREFIGHTER EMPLOYMENT

- C.1.1 The employment of *Volunteer Firefighters* shall be governed by the *Employment Standards Act, 2000*, S.O. 2000, c.41, as amended, and the *Ontario Human Rights Code*, RSO 1990, c H.19, as amended.
- C.1.2 To be eligible for appointment to the position of *Volunteer Firefighter*, every candidate shall:
- (a) Be at least 18 years of age.
  - (b) Be medically fit to perform the duties of *Firefighter* and produce a medical evaluation report to the satisfaction of the *Fire Chief* from a qualified medical practitioner which attests to the candidate’s ability to endure the physical, emotional, and psychological demands of performing the essential job tasks of *Firefighter* in accordance with NFPA 1582, *Standard on Comprehensive Occupational Medical Program for Fire Departments*.
  - (c) Be physically fit to perform the duties of *Firefighter* and successfully complete a Candidate Physical Ability Test (CPAT) to the satisfaction of the *Fire Chief*.
  - (d) Complete a Criminal Record Check which indicates no record of unpardoned criminal or summary convictions for offences that would adversely affect public trust, and a Police Vulnerable Sector Check which indicates no record of sexual offences.
  - (e) Reside in the municipality and/or within proximity acceptable to the *Fire Chief* to a fire station in order to be able to respond to emergencies in a manner consistent with the deployment criteria of NFPA 1720, *Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Volunteer Fire Departments*.
  - (f) Complete and successfully pass all written, oral, and physical examinations to the satisfaction of the *Fire Chief*.
  - (g) Have the ability to attend an acceptable number of emergency calls on a call-out basis, as determined by the *Fire Chief*.
  - (h) Have the ability to meet the training attendance requirements of the *Fire Department*, as determined by the *Fire Chief*.
- C.1.3 Every newly appointed *Volunteer Firefighter* shall complete a term of probation of 12 months, during which time he or she shall successfully complete all training and examinations, and shall meet all attendance and performance expectations, as may be required by the *Fire Chief*.
- C.1.4 At the discretion of the *Fire Chief*, a probationary *Firefighter* may be placed on an additional term of probation of up to 12 months at the completion of the initial probationary period should circumstances warrant, and the probationary *Firefighter* shall successfully complete all training and examinations, and shall meet all attendance and performance expectations during the additional probationary period.
- C.1.5 Following the successful completion of the term of probation, the *Fire Chief* may appoint a Probationary *Firefighter* as a qualified *Member* of the *Fire Department* in accordance with *Approved* hiring policies.

- C.1.6 If a probationary *Firefighter* fails to successfully complete any required training or examinations, or fails to meet any requirement of the *Fire Department* or any obligations as may be agreed upon, or whose attendance, performance, attitude or character is otherwise unsatisfactory, the *Fire Chief* may dismiss the person.
- C.1.7 The *Fire Chief* may promote, from time to time, any qualified *Member* in order to maintain a sufficient complement of *Officers* in accordance with the *Approved Fire Department Organizational Chart*.
- C.1.8 In consideration of the physical, emotional, and psychological demands associated with performing the essential job tasks of a *Firefighter*, the recognition under the *Workplace Safety and Insurance Act, 1997* as amended, that certain cancers and other illnesses are presumed to be occupational diseases due to the nature of *Firefighters'* employment, and the *Managing Corporation's* responsibility to ensure the safety, health and wellness of employees performing fire suppression and emergency response duties, the *Fire Chief* may at their discretion:
- (a) Require *Volunteer Firefighters* to produce a medical evaluation report from a qualified medical practitioner prior to appointment which attests to the candidate's medical fitness to perform the duties of *Firefighter*.
  - (b) Establish a medical screening and monitoring program wherein every *Volunteer Firefighter* shall be required to periodically undergo a medical examination and produce a medical evaluation report from a qualified medical practitioner confirming the *Volunteer Firefighter's* fitness to perform the duties of *Firefighter*.
  - (c) Establish a program to ensure each *Volunteer Firefighter's* continued physical ability to perform the duties of *Firefighter* by successfully completing a Candidate Physical Ability Test (CPAT) beginning at an age determined by the *Fire Chief* and periodically thereafter.
- C.1.9 Every *Member* who is required to carry out any *Approved Emergency Response* program or service as set out in Section B.1 of Appendix "B" of the By-Law to Establish and Regulate a Fire Department, shall be medically and physically fit to perform the duties of *Firefighter*, and shall submit to a medical examination and/or a Candidate Physical Ability Test at such times as the *Fire Chief* may reasonably require.
- C.1.10 If a qualified medical practitioner finds a *Volunteer Firefighter* to be unfit to perform the essential job tasks of *Firefighter*, the *Corporation* may take such actions it deems necessary in respect of the *Volunteer Firefighter's* employment subject to the *Managing Corporation's* duty to accommodate pursuant to the Ontario *Human Rights Code*.

**C.3 WORKPLACE SAFETY AND INSURANCE BOARD COVERAGE**

- C.3.1 For the purposes of the *Workplace Safety and Insurance Act, 1997*, and the regulations enacted thereunder, *Volunteer Firefighters*, shall be considered workers as defined by the Act, and the *Corporation* shall be the deemed employer in respect of Workplace Safety and Insurance Board coverage for *members* of McKellar Fire Department.
- C.3.2 The *Corporation* shall maintain coverage for *Volunteer Firefighters* according to the annual maximum insurable earning ceiling as may be established by the Workplace Safety and Insurance Board from time to time.

C.4 GENERAL DUTIES AND RESPONSIBILITIES

C.4.1 All Members shall conduct themselves in conformance with the By-law to Establish and Regulate a Fire Department, all applicable policies of the Corporation, and all policies, procedures, operating guidelines, general orders, and rules of the Fire Department, and shall faithfully and diligently perform their assigned duties to the best of their ability.

C.5 DISCIPLINE

C.5.1 The Fire Chief may reprimand, suspend, or take disciplinary action up to and including dismissal of any Member for an infraction of any provision of the By-law to Establish and Regulate a Fire Department, any applicable policy of the Corporation, or any policy, procedure operating guideline, order, directive, or rule of the Fire Department.

C.6 LEAVES OF ABSENCE

- C.6.1 Volunteer Firefighters shall be entitled to all statutory unpaid leaves of absence to which they are entitled under the provisions of the Employment Standards Act, 2000.
- C.6.2 A Volunteer Firefighter who has completed the twelve (12) month probationary period may request a voluntary leave of absence from the Fire Chief without pay for a period of up to twelve (12) months, and such requests shall not be unreasonably denied.
- C.6.3 All requests for a voluntary leave of absence must be submitted in writing to the Fire Chief at least twenty (20) calendar days prior to when the leave of absence is to commence. The Fire Chief, at his or her discretion, may waive this notice period.
- C.6.4 A request for a second or subsequent leave of absence within twelve (12) months of a previous leave of absence shall be evaluated on a case by case basis.

C.7 TERMINATION

C.7.1 The employment relationship between a Volunteer Firefighter and the Township may be terminated in the following ways:

- (a) Resignation: A Volunteer Firefighter may terminate employment by providing written notice to the Fire Chief or designate.
- (b) Termination with Cause: The Corporation may terminate the employment of a Volunteer Firefighter for cause without notice or payment in lieu of notice at any time during the course of employment.
- (c) Termination Without Cause: The employment of a Volunteer Firefighter may be terminated without cause at any time by the Corporation, at its sole discretion for any reason, by providing the Volunteer Firefighter with the minimum amount of notice, or pay in lieu of notice, ~~and severance pay if applicable to which the he or she is entitled under the Employment Standards Act, 2000. In addition, the Corporation shall continue to pay its share of the Volunteer Firefighter's benefits, if any, for the duration of the notice of termination period, pursuant to the Employment Standards Act, 2000.~~
- (d) Mandatory removal from frontline response: Due to the physical rigors of firefighting, at the discretion of the Fire Chief, employees who cannot perform the physical task of firefighting and it's associated disciplines will be offered a transition into an auxiliary role consisting of non frontline related tasks (accountability officer, training officer, public relations, canteen and rehabilitation, etc.). At the end of the calendar year that the firefighter reaches the age of 70 there will be a mandatory migration into an auxiliary role, at no time will a volunteer be forced out of the department based solely on age, and all reasonable efforts will be made to accommodate the volunteer with a role suitable to their abilities.

Commented [EV12]: Volunteer Firefighters are not in a true employer-employee relationship with the Municipality. They are protected under the WSIB legislation as though they were employees. In the absence of some union organization and agreement under the Labour Relations Act providing for some "termination" pay, volunteer firefighters are not entitled to formal severance pay. Was the inclusion of this section intended or something that was included in an existing by-law upon which the draft was modelled?

Commented [RM13R12]: It is a general modelling, however given that there is in fact a collective agreement and an association I felt it had merit. Please alter as you see fit given the presence of the agreement and association.

Commented [EV14]: See above.





1 Halton Hills Drive, Halton Hills, L7G 5G2  
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haltonhills.ca

January 26, 2023

Honourable Doug Ford, Premier of Ontario  
Via Email

**Re: Repeal Bill 23 – The Build More Homes Faster Act**

Please be advised that Council for the Town of Halton Hills at its meeting of Monday, January 23, 2023, adopted the following Resolution:

WHEREAS Bill 23, the Build More Homes Faster Act was introduced on October 25th, the day after Municipal elections in Ontario at a time when councils were in a transition period and unable to respond to the legislation prior to passage of the legislation;

AND WHEREAS the Association of Municipalities (AMO) was not given an opportunity to present its concerns with Bill 23 to the Standing Committee on Heritage, Infrastructure and Cultural Policy further eroding the municipal/provincial relationships;

AND WHEREAS the loss of revenue to the Town of Halton Hills as a result of Bill 23 is estimated at \$58 -\$87 million over 10 year which, without provincial compensation, will severely impact the provision of municipal services including transportation, parks and recreation facilities;

AND WHEREAS the elimination of the Regional role in approval of official plans creates uncertainty around the planning for regional services to support the growth aspirations of the local municipalities;

AND WHEREAS the role of Conservation Authorities has been limited to natural hazards only, thereby precluding a broader role in providing expert advice and services to municipalities on natural heritage matters as part of the planning process;

AND WHEREAS AMO's evaluation concluded that there is no confidence that the measures in Bill 23 will do anything to improve the affordability of housing.

NOW THEREFORE BE IT RESOLVED THAT the Town of Halton Hills urges the Provincial Government to repeal Bill 23;

AND FURTHER THAT this resolution be circulated to Premier Doug Ford, Steve Clark, Minister of Municipal Affairs and Housing, Provincial opposition parties, Ted Arnott MPP, and AMO.

(Appendix A – Town of Halton Hills Report No. PD-2022-0050)

(Appendix B – List of references)

Attached for your information is a copy of Resolution No. 2023-0007.

If you have any questions, please contact Valerie Petryniak, Town Clerk for the Town of Halton Hills at [valeriep@haltonhills.ca](mailto:valeriep@haltonhills.ca).

Sincerely,

A handwritten signature in blue ink, appearing to read 'M Lawr', is positioned above the printed name.

Melissa Lawr  
Deputy Clerk – Legislation

cc. The Honourable Steve Clark, Minister of Municipal Affairs and Housing  
The Honourable Ted Arnott Speaker of the Ontario Legislature and MPP, Wellington-Halton Hills  
John Fraser, Leader of the Ontario Liberal Party and MPP, Ottawa South  
Peter Tabuns, Leader of the New Democratic Party of Ontario and MPP, Toronto Danforth  
Mike Schreiner, Leader of the Ontario Green Party and MMP, Guelph  
Association of Municipalities of Ontario (AMO)  
All 444 Municipalities of Ontario



THE CORPORATION  
OF  
THE TOWN OF HALTON HILLS

Resolution No.: 2023-0007

Title: Bill 23 – The Build More Homes Faster Act

Date: January 23, 2023

Moved by: Councillor J. Fogal

Seconded by: Councillor C. Garneau

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Item No. 13.1

WHEREAS Bill 23, the Build More Homes Faster Act was introduced on October 25th, the day after Municipal elections in Ontario at a time when councils were in a transition period and unable to respond to the legislation prior to passage of the legislation;

AND WHEREAS the Association of Municipalities (AMO) was not given an opportunity to present its concerns with Bill 23 to the Standing Committee on Heritage, Infrastructure and Cultural Policy further eroding the municipal/provincial relationships;

AND WHEREAS the loss of revenue to the Town of Halton Hills as a result of Bill 23 is estimated at \$58 -\$87 million over 10 year which, without provincial compensation, will severely impact the provision of municipal services including transportation, parks and recreation facilities;

AND WHEREAS the elimination of the Regional role in approval of official plans creates uncertainty around the planning for regional services to support the growth aspirations of the local municipalities;

AND WHEREAS the role of Conservation Authorities has been limited to natural hazards only, thereby precluding a broader role in providing expert advice and services to municipalities on natural heritage matters as part of the planning process;

AND WHEREAS AMO's evaluation concluded that there is no confidence that the measures in Bill 23 will do anything to improve the affordability of housing.

NOW THEREFORE BE IT RESOLVED THAT the Town of Halton Hills urges the Provincial Government to repeal Bill 23;

AND FURTHER THAT this resolution be circulated to Premier Doug Ford, Steve Clark, Minister of Municipal Affairs and Housing, Provincial opposition parties, Ted Arnott MPP, and AMO.

(Appendix A – Town of Halton Hills Report No. PD-2022-0050)

(Appendix B – List of references)

  
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Mayor Ann Lawlor





## REPORT

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**TO:** Mayor Lawlor and Members of Council

**FROM:** Bronwyn Parker, Director of Planning Policy

**DATE:** December 7, 2022

**REPORT NO.:** PD-2022-0050

**SUBJECT:** Bill 23 – More Homes Built Faster Act

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### RECOMMENDATION:

THAT Report No. PD-2022-0050 dated December 7, 2022 regarding Bill 23 – the More Homes Built Faster Act, be received;

AND FURTHER THAT staff continue to assess the implications of Bill 23, the More Homes Built Faster Act and provide further update reports to Council as may be appropriate;

AND FURTHER THAT the Province be requested to provide supplemental funding to offset the reductions in Development Charges and cash-in-lieu of parkland accruing to the Town as a result of Bill 23, the More Homes Built Faster Act;

AND FURTHER THAT the Town Clerk forward a copy of Report PD-2022-0050 to the Minister of Municipal Affairs and Housing, the Minister of Tourism, Culture and Sport, the Minister of the Environment, Conservation and Parks, and the Minister of Finance; Halton Area MPPs; the Region of Halton; the City of Burlington; the Town of Milton and the Town of Oakville for their information.

### KEY POINTS:

The following are key points for consideration with respect to this report:

- Bill 23, the *More Homes Built Faster Act, 2022* was introduced into the legislature on October 25, 2022.
- The goal of Bill 23 is the creation of an additional 1.5 million new homes in Ontario over the next ten years.

- There are 10 Schedules to Bill 23, (9 of which are applicable in Halton) proposing sweeping changes to various pieces of legislation including but not limited to, the *Planning Act*, *Development Charges Act*, *Conservation Authorities Act* and *Ontario Heritage Act*.
- The opportunity to provide public feedback was offered via postings on the Environmental Registry of Ontario (ERO), with comment deadlines ranging from 30 – 66 days. Comments were provided on a number of the postings in accordance with the established deadlines. Key concerns raised are highlighted in the report, with more detailed comments included as Appendix 2.
- Bill 23 received Royal Assent on November 28, 2022. Most of the Bill is in force as of that date. This report provides an overview of Bill 23 in its final form.

## **BACKGROUND AND DISCUSSION:**

The Ministry of Municipal Affairs and Housing (the Ministry) has committed to a goal of 1.5 million new homes being constructed over the next 10 years, with the *More Homes, Built Faster: Ontario's Housing Supply Action Plan 2022-2023* as the key driver behind the delivery of these housing units. The Housing Supply Action Plan (HSAP) suggests that the housing supply shortage can be addressed by "...reducing government fees and fixing development approval delays that slow housing construction and increase costs".

In order to achieve the Province's overarching objectives, Bill 23, the *More Homes Built Faster Act, 2022* was introduced into the Ontario Legislature on October 25, 2022. Bill 23 consists of ten schedules that entail sweeping changes to the various pieces of legislation including but not limited to the *Planning Act*, *Development Charges Act*, *Ontario Land Tribunal Act*, *Conservation Authorities Act* and the *Ontario Heritage Act*. A series of postings on the Environmental Registry with varying commenting deadlines were also introduced at the same time.

Bill 23 is the third piece of legislation prepared by the Province over the last four years that entails significant changes to the land use planning system in Ontario. In 2019, Royal Assent was given to the *More Homes, More Choice Act* (Bill 108). In 2022, the *More Homes for Everyone Act* (Bill 109) received Royal Assent. Bill 109 was discussed in report PD-2022-0031 and is further considered via report PD-2022-0049, which is included on this Council agenda.

At the November 7, 2022, meeting, Council passed a resolution expressing a number of initial concerns with Bill 23. Among other matters, the resolution requested that the Province extend the commenting deadlines from 30 and 31-day postings to 66-day postings, which would mirror some of the ERO postings released on October 25, 2022. While the Province did extend some of the postings to 45-day postings, they did not provide the full 66-day review period Council had requested. A copy of the Council resolution is attached to this report as Appendix 3 for reference purposes.

Bill 23 received Royal Assent on November 28, 2022. Most of the Bill is in force as of that date. The purpose of this report is to summarize Bill 23 in its final form. The report will also touch on some of the key concerns with Bill 23 that were identified by staff.

## Bill 23

As identified earlier in this report, Bill 23 was introduced and received First Reading on October 25, 2022. It moved to Second Reading on October 31, 2022 and was ordered referred to the Standing Committee on Heritage, Infrastructure and Cultural Policy at that time. After presentations to the Standing Committee, much discussion and debate, a slightly amended version of Bill 23 passed Third Reading and received Royal Assent on November 28, 2022.

There are ten key elements of the approved Bill 23 that this report will focus on. These include:

1. The role of Halton Region in the local planning approval process
2. The role of the Conservation Authorities
3. Three residential unit permissions
4. Required zoning by-law amendments regarding MTSA's
5. Public meetings for draft plan of subdivision applications
6. Changes to site plan control for up to ten units
7. Removal of 2-year prohibitions on amendments for specified applications
8. Restrictions on third-party appeals for minor variance and consent
9. Changes to the *Ontario Heritage Act*
10. Parkland dedication calculation rate changes
11. Development Charge exemptions

### **1. The role of Halton Region in the local planning approval process**

One of the most significant changes as a result of Bill 23 is the pending removal of approval authority from the Region of Halton as it relates to local planning matters. Halton, along with a handful of other GGH upper-tier municipalities including Peel, Durham, York, Niagara, Waterloo and the County of Simcoe, will become "an upper-tier municipality without planning responsibilities". At a date yet to be determined, the Minister of Municipal Affairs and Housing will take over the approval role for local Official Plans and amendments thereto including Secondary Plans.

Based on the foregoing, it is staff's understanding that local municipalities such as Halton Hills would inherit the applicable components of the Regional Official Plan within our jurisdiction. These components would be used as a basis to complete further updates to the Town's Official Plan. Municipalities await the release of regulations and applicable transition policies clarifying these various pieces, which are yet to be announced by the province.

### **2. The role of the Conservation Authorities**

As of January 1, 2023, Conservation Authorities will no longer be permitted to comment on any aspects of the planning approval process including development applications and supporting studies, other than those matters dealing with natural hazards and

flooding. They will also no longer be able to require certain components of the planning process (such as watershed planning; wetland evaluations; or elements related to ecology and biodiversity during Scoped Subwatershed Studies, SISs, EAs, etc.) to be completed to their satisfaction/approval.

In addition, a single regulation has been proposed for all 36 Conservation Authorities in Ontario, rather than having separate regulations pertain to each Authority. This regulation has not yet been prepared or released for comment and the date upon which it would come into effect remains to be determined.

Another significant change as a result of Bill 23 is that any development that has been approved through an application under the *Planning Act* will no longer require a permit from the applicable Conservation Authority. These exemptions will be based on specific conditions or requirements, yet to be determined through regulation. The timeframe for when these exemptions will come into effect are also unknown. Staff would expect to see these draft regulations released for comment early in 2023.

### **3. Three residential unit permissions**

As of November 28, 2022, all Ontario municipalities are required to permit up to three residential units per lot within settlement areas, so long as that lot is serviced by municipal water and wastewater systems. The Province views this as a form of gentle intensification that will deliver a modest amount of supply relative to the overall 1.5 million new homes Provincial target. This permission allows for all three units to be contained within the main building (the principal home on the lot), or two units within the main building and one unit in an accessory building. Municipalities are not permitted to require a minimum size/area for these additional residential units, however, building permits are still required for each residential unit constructed. In addition, municipalities cannot require more than one parking space per residential unit.

In the Halton Hills context, through the Town's Comprehensive Zoning By-law Review, the Town will be required to update its existing zoning requirements (which currently require a minimum of 2 parking spaces for the principle dwelling and 1 parking space per additional residential unit), reducing the minimum number of parking spaces required to only 1 space per residential unit. The Official Plan and Zoning By-law will also require updating to ensure that up to three residential units are permitted on each serviced urban residential lot.

There are no appeal rights afforded as it relates to any required amendments to a municipal Official Plan or Zoning By-law as a result of these changes. In addition, any existing local requirements regarding the number of units permitted, the minimum size of units, or the minimum number of parking spaces per unit, are superseded by Bill 23.

### **4. Required zoning by-law amendments regarding MTSAs**

Under a new subsection (16(20)) of the *Planning Act*, Bill 23 requires that within one-year of approval of an Official Plan Amendment delineating a Major Transit Station Area (MTSA) and identifying the minimum number of residents and jobs per hectare that are planned to be accommodated within that area, municipalities must update their zoning

by-laws. These zoning by-law updates must include minimum heights and densities within the MTSA in keeping with the policies approved through the Official Plan Amendment.

With the recent approval of ROPA 49<sup>1</sup> by the Minister of Municipal Affairs and Housing and given both the Georgetown and Acton MTSAs were not assigned minimum density targets through that approval, appropriate population and employment density targets for these MTSAs must be established. The Town commenced the Georgetown GO Station Secondary Plan review in 2022. At this juncture, staff believe that is the appropriate process for assessing and assigning those prescribed minimum densities. It is our understanding that once the Secondary Plan with the minimum density targets is approved, the Town will have one year to update the zoning by-law mirroring those minimum density targets.

The Acton GO Station Secondary Plan is targeted for a comprehensive review in the coming years (currently scheduled for 2025), at which time those minimum density targets will also be considered and updated as appropriate.

## **5. Public meetings for draft plan of subdivision applications**

One of the changes from Bill 23 is that Statutory Public Meetings for draft plans of subdivision are no longer required under the *Planning Act*. This change came into effect upon Royal Assent on November 28, 2022.

The change does not preclude a municipality from continuing to hold a public meeting for subdivision applications. In our experience, subdivision applications are submitted in conjunction with zoning by-law amendments and in some cases official plan amendments both of which require public meetings. There is little if any efficiency to be gained by not including the plan of subdivision in the statutory public meeting. The public typically will be interested in the road layout, the lotting patterns and the location of blocks for schools, parks, recreational amenities and natural heritage all of which will be shown on the draft plan of subdivision. Given the importance of public consultation to the planning process, the Town will continue to hold public meetings for subdivision proposals that result in the creation of new lots.

## **6. Changes to site plan control for up to ten units**

Site plan control is a land use planning tool that municipalities utilize to evaluate site specific elements when development is proposed. As is described in the provincial site plan control guide, this control over detailed site-specific matters ensures that a development proposal is well designed, fits in with the surrounding uses and minimizes any negative impacts. Items typically considered through site plan control include

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<sup>1</sup> ROPA 49 was approved by the Minister of Municipal Affairs and Housing on November 4, 2022. That approval requires that Halton Region update their Table 2 and 2a density targets to establish minimum population and employment targets within MTSAs. However, Bill 23 identifies Halton Region as “an upper-tier without planning responsibilities”. As such, it is unclear as to whether the Georgetown and Acton MTSA densities will be established by the Town or Region. It is expected that the Bill 23 regulations and transition policies yet to be released will provide that clarification.



lighting, drainage, access to and from the site (pedestrian and vehicular), waste and snow storage, landscaping, and architectural and urban design among others.

Where a municipality could apply site plan control for any type or scale of development as defined in a municipal site plan control by-law, Bill 23 has now created an exemption for residential developments for 10 units or less. As a result, the Town will be required to update its current site plan control by-law to clarify the application of the tool, removing the requirements where 10 or less residential units are proposed.

In addition, Bill 23 has also removed architectural details (i.e., matters of urban design) and landscape design aesthetics from the scope of site plan control. As per Section 41, subsection 4.1.1 of the *Planning Act*, site plan control can still apply to "...elements, facilities and works on the land if the appearance impacts matters of health, safety, accessibility, sustainable design or the protection of adjoining lands". This subsection provides the Town with the permissions necessary in order to continue to apply Green Development Standards (GDS) at the appropriate time during the development approval process.

## **7. Removal of 2-year prohibitions on amendments for specified applications**

Previous amendments to the *Planning Act* prohibited applications for amendments to a new official plan and secondary plans for a two-year period following initial approval unless Council permission to file such applications was granted. Similarly, applications to further amend a new zoning by-law and a new site-specific zoning by-law amendment or to seek a minor variance to the same were also prohibited for a two-year period without Council permission. Bill 23 has revoked those changes completely, meaning applications to amend any of these approved planning documents are now permitted without any time restrictions.

## **8. Restrictions on third-party appeals for minor variance and consent**

Bill 23 has restricted the appeal rights for minor variance and consent applications, only allowing the applicant, the municipality, certain prescribed public bodies and the Minister the opportunity to appeal decisions for these types of applications.

In addition, this new rule applies retroactively to October 25, 2022 (the date that Bill 23 was first introduced into the Legislature). This means that any existing third-party appeals to the Ontario Land Tribunal on a minor variance or consent decision, where a hearing date has not yet been established, will be dismissed.

Third party appeal rights of Council decisions on official plan and zoning by-law amendments remain in place under *The Planning Act*.

## **9. Changes to the *Ontario Heritage Act***

Sweeping amendments to the *Ontario Heritage Act* (OHA) have been approved through Bill 23, however, as of the date of writing of this report, none of these changes are in force. At a date to be proclaimed by the Minister, these amendments will come into effect.

Bill 23 requires that all information currently included in a municipal Heritage Register must be made available online, and that all future properties must meet criteria established by regulation to be listed on the Heritage Register. It is worth noting that the Town already provides the majority of this information on our website and offers this information freely to the public.

Amendments to the OHA will allow owners to serve a notice of objection to a municipality for properties added to the Heritage Register at any time. The Town undertook a multi-phase approach with significant public consultation to build our Heritage Register. As the Town's process to build the Heritage Register was ahead of legislative requirements at the time, these amendments seem to negate the comprehensive and public approach undertaken by the Town.

Removals of listed properties from the Heritage Register are one of the key amendments resulting from Bill 23. Conditions have been specified that would necessitate the removal of a listed property from the Heritage Register, including a Notice of Intention to Designate being withdrawn, and a by-law being repealed or not being passed. These removals would not require consultation with the Town's municipal heritage committee. In addition, properties listed on the Heritage Register would be removed after two years if they have not been designated, and are not eligible for re-listing on the Register for five years after their removal.

Another change through Bill 23 is that municipalities are prohibited from designating a property unless it was already/previously listed on the Heritage Register, and any properties will be required to meet two or more criteria for designation, whereas properties are currently required to meet only one of the three criteria identified in Ontario Regulation 9/06 in order to be designated.

Additional amendments to the OHA will require future Heritage Conservation Districts (HCDs) to meet criteria for determining whether they are of heritage value or interest and will allow for amendments or repeals to Heritage Conservation District by-laws. HCDs are a planning tool that guide the conservation of an historic area or neighbourhood's cultural heritage value. The Town of Halton Hills has designated one Heritage Conservation District under Part V of the OHA. The Syndicate Housing Heritage Conservation District was designated by Council in 2005 and is located along Bower Street in Acton.

Finally, amendments to the OHA through Bill 23 will allow the Minister of Citizenship and Multiculturalism to review, confirm, or revise determinations of cultural heritage value for provincially owned heritage properties, and would allow exemptions for those properties from Heritage Standards and Guidelines for proposals where other major priorities will be advanced.

## **10. Parkland dedication calculation rate changes**

Amendments to the *Planning Act* alter previous legislation regarding alternative parkland dedication calculations. Under Bill 23, the rate has been reduced to 1 hectare/600 units if land is conveyed and 1 hectare/1,000 units for cash in lieu of parkland. The alternative rate is subject to a cap of 10% of the land for lands that are

five hectares (+/- 12 acres) or less and 15% of the land for lands greater than 5 hectares. Both changes came into effect on November 28, 2022, upon Bill 23 receiving Royal Assent.

Parkland dedication rates are also now calculated on the day that a zoning by-law amendment for a development proposal is passed, or the day that a related site plan application is filed, whichever is later. If neither a zoning by-law amendment nor site plan approval is/are required, parkland dedication is calculated on the day that the first building permit related to the development is issued.

In addition, beginning in 2023, municipalities will be required to spend or allocate at least 60% of their parkland reserve funds at the start of each calendar year.

Additional parkland dedication provisions not yet in force under Bill 23 include: the exemption of affordable and attainable units from parkland dedication and cash-in-lieu requirements; encumbered parkland; strata parks (parks built on top of structures, such as rooftops or parking garages); and privately owned publicly accessible open spaces ("POPS") such as small parkettes often found within condominium developments, will be eligible for parkland credits. Landowners will also be permitted to propose which areas of their land they wish to provide towards their parkland contributions. While municipalities will be able to refuse any such offer they deem to be unacceptable, landowners will have the right to appeal those refusals to the Ontario Land Tribunal. These amendments will come into force upon proclamation by the Lieutenant Governor.

As it relates to Town staff observations on the parkland dedication rate changes, broadly speaking, it is estimated that an overall 60-75% decrease in parkland dedication fees could be expected over the next 14 years. This is based on a very preliminary review and is dependent on the number of medium or high-density residential development applications received over that time period. Based on current estimates, this could represent a reduction of \$24 million to \$30 million dollars. It is important to note that a detailed financial analysis would be required in order to fully assess the potential financial ramifications of the reduced parkland contribution impacts from Bill 23. This review would be required in coordination with Finance staff and a review of the Long-Range Financial Plan and 10 Year Capital Forecast.

## **11. Development Charge (DC) exemptions**

Significant amendments were made to the *Development Charges Act* (DC Act) through Bill 23. Some of these changes have come into effect as of November 28, 2022, while other changes await release of updated regulations and/or proclamation by the Lieutenant Governor.

One of the amendments now in effect includes a five-year phasing in of DC rate increases for any DC By-laws passed on or after January 1, 2022. These reductions begin with a 20% reduced fee for year one, with the reduction decreasing by 5% for each year thereafter until the fifth year when the full new rate would apply. This means that the fee at year one would be 80% of the approved DC rate; 85% in year two, 90% for year three and 95% for year four, before the full 100% DC rate could be charged at year five. In addition, DCs are exempt for non-profit housing development and

inclusionary zoning residential units. Bill 23 also provides DC discount of 25% for purpose-built rental housing with 3 or more bedrooms; 20% for 2 bedrooms; and 15% for less than 2 bedrooms.

Additional changes in force as of Royal Assent which may have significant ramifications for the Town include the extension of DC by-law expiry dates from every five years to every ten years; growth related studies (including Secondary Plan Studies, Scoped Subwatershed Studies, Environmental Assessments etc.) and land cost (for services yet to be prescribed) are now excluded from recovery through DCs; interest rates on phased DCs must be capped at prime plus 1% for rental, and institutional developments; and municipalities are now required to spend or allocate at least 60% of their DC reserve funds at the beginning of each calendar year (beginning in 2023) on priority services, such as water, wastewater and roads.

Future regulations regarding “attainable housing units” and the DC exemptions tied to such developments have not yet been released. Additional DC exemptions are also being implemented at a future date for affordable residential units. The impacts of these changes are not yet fully understood given the associated regulations have not yet been released.

Similar to the financial ramifications identified above with respect to the parkland dedication rate changes, the DC Act changes could significantly impact the Town from a financial perspective. Depending on the scenarios related to the attainable, affordable, and non-profit housing forms, the projected DC loss is estimated in the range of \$34 million to \$57 million dollars over the next 10 years (or \$20 million to \$31 million dollars over 5 years). This represents a 12% to 20% reduction in DC revenue over 10 years, as compared to DC revenues projected under the Town’s DC by-law prior to Bill 23. Again, it is important to note that a detailed financial analysis would be required in order to fully assess the potential financial ramifications from Bill 23.

Based on the estimated impacts above, staff recommend requesting that the Province provide supplemental funding to offset the reductions in Development Charges and cash-in-lieu of parkland accruing to the Town as a result of Bill 23.

### Environmental Registry of Ontario Postings

On October 25, 2022, a series of postings were made on the Environmental Registry of Ontario website (the ERO). Some of these postings were directly tied to changes proposed through Bill 23 (such as amendments to the *Planning Act* and *Development Charges Act*), whereas other postings not discussed within this report or its appendices were not directly tied to Bill 23 (such as the proposed changes to the Greenbelt Plan).

These postings were made available for comment, with deadlines ranging between 30 to 66 days. Appendix 1 to this report provides a table outlining the various Bill 23 related postings and their respective comment timeframes. It also identifies the status of Town staff review. Any staff level comments that have been submitted on the Bill 23 ERO postings as of finalization of this report are attached as Appendix 2.

Key comments submitted through the ERO postings highlight the Town's concerns regarding the sweeping amendments made by Bill 23. These concerns include the following:

- Bill 23 has significant financial implications for the Town. The loss in development charge and cash-in-lieu of parkland revenue is anticipated to be significant and will impact the Town's ability to fund necessary infrastructure improvements and public service facilities such as libraries, community centres and arenas that are an essential component of a complete community.
- Secondary Plans and related supporting studies are required to facilitate new development in greenfield and key intensification areas. The inability to fund such studies creates significant challenges for municipalities and may slow down the delivery of new housing supply.
- Limitations on undertaking urban design as part of the site plan process. Good urban design contributes to a sense of place and is an important consideration in developing complete communities and ensuring compatibility.
- The potential elimination of Green Development Standards plays a vital role in improving energy efficiency and reducing greenhouse gas emissions<sup>2</sup>.
- Significant changes to the *Ontario Heritage Act* that on balance were not considered necessary considering the Town's measured approach to managing cultural heritage resources.
- The scoping of the role of Conservation Authorities to natural hazards only thereby precluding a broader role in providing advice on natural heritage matters. Staff recommended that the Conservation Authorities continue to play a role in environmental plan review subject to appropriate Memorandums of Understanding (MOU) with municipalities.

## **STRATEGIC PLAN ALIGNMENT:**

This report has ramifications for many aspects of the Town's Strategic Plan such as:

- preserve, protect and enhance the Town's natural environment;
- to preserve, protect and promote our distinctive historical urban and rural character through the conservation and promotion of our built heritage and cultural heritage landscapes;
- to achieve sustainable growth to ensure that growth is managed so as to ensure a balanced, sustainable, well planned community infrastructure and services to meet the needs of residents and businesses; and,
- to provide responsive, effective municipal government and strong leadership in the effective and efficient delivery of municipal services.

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<sup>2</sup> The final version of Bill 23 incorporates permissive language with respect to sustainable design which is considered to resolve this concern.



## **RELATIONSHIP TO CLIMATE CHANGE:**

At this time, the impacts to the Town's Climate Change portfolio and initiatives are not fully understood given the magnitude of the legislative changes approved through Bill 23. It is worth noting that from the time of 1<sup>st</sup> Reading to Royal Assent, amendments were made to Bill 23 which reinstated the ability for municipalities to proceed with the application of Green Development Standards.

## **PUBLIC ENGAGEMENT:**

Public Engagement for Bill 23 is coordinated by the province through the various ERO postings and to a certain extent, through submissions received by the Standing Committee on Heritage, Infrastructure and Cultural Policy. Where possible, at the implementation stages, the Town will ensure the public is provided an opportunity to be engaged and consulted on the required changes to local policies and procedures resulting from Bill 23.

## **INTERNAL CONSULTATION:**

The Recreation and Parks, Finance, Development Review and Planning Policy teams coordinated a review of the Bill 23 changes. Comments from this internal review are included within this report.

## **FINANCIAL IMPLICATIONS:**

Estimated financial impacts associated with implementation of the DC and parkland contribution legislative changes have been identified in this report. It is estimated that an overall 60-75% decrease in parkland dedication fees could be expected over the next 14 years, which based on current estimates, could represent a reduction of \$24 million to \$30 million dollars over that timeframe. With respect to the DC reductions, depending on the scenarios related to the attainable, affordable, and non-profit housing forms, the projected DC loss is estimated in the range of \$34 million to \$57 million dollars over the next 10 years (or \$20 million to \$31 million dollars over 5 years). This represents a 12% to 20% reduction in DC revenue over a 10-year timeframe. A detailed financial analysis would be required in order to fully assess the potential financial ramifications from Bill 23. Based on the estimated financial impacts identified within this report, staff recommend that the Province provide supplemental funding to offset these anticipated funding losses as a result of Bill 23.

Reviewed and approved by,

John Linhardt, Commissioner of Planning & Development

Chris Mills, Chief Administrative Officer

## Appendix B – List of References

- Ontario Public Health Association Bill 23 Input to Province
- Canadian Environmental Law Association Written Submission to Standing Committee on Bill 23
- Association of Municipalities of Ontario - Unpacking Bill 23
- Ontario Nature Bill 23 What You Need to Know
- An Integrated Approach to Address The Ontario Housing Crisis (amo.on.ca)



# Applying to the Green and Inclusive Community Buildings Program

GICB program Webinars for Applicants – January 4, 2023



*Presented by:*

The Green and Inclusive Community Buildings Program Team  
Infrastructure Canada

## Before we begin

- Email [gicbwebinar-webinairebcvi@info.gc.ca](mailto:gicbwebinar-webinairebcvi@info.gc.ca) for a copy of the webinar presentation
- Audio and Video are off during the presentation.
- Questions? Join us at **slido.com**. How to access slido:
  1. QR code with your phone's camera
  2. Follow the link: <https://app.sli.do/event/oLNcNZqgMNWDNMzb6ZckrQ>
  3. Search "**slido.com**" in your browser and enter the code **#1452107**



Joining as a participant?

# 1452107





# Agenda

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## 1. GICB Program Overview

- Overview and objectives

## 2. Program Requirements

- Who can apply?
- What types of projects are eligible?
- Project requirements
- Project cost and funding

## 3. How to Apply

- Tips on developing an application
- After you apply

## 4. Questions?

- Email us: [gicbp-pbcvi@infc.gc.ca](mailto:gicbp-pbcvi@infc.gc.ca)

# The Green and Inclusive Community Buildings program

## Key pillars



Support  
economic  
recovery



Improved  
environmental  
outcomes



Improved  
inclusive  
outcomes

- \$1.5B in funding over five years (April 1, 2021 to March 31, 2026)
- Supports green and accessible retrofits of existing public community buildings and the construction of new publicly-accessible community buildings
- *Merit-based and direct to recipient* funding program
- Minimum 10% of program allocations for projects serving First Nations, Inuit and Métis communities, including Indigenous populations in urban centres
- Rolling intake for small/medium retrofit projects and timed intake for large retrofits and new builds

## *Since the April 2021 Launch...*

- GICB has received over 1000 applications seeking close to \$7 Billion
  - ✓ 35% of approved projects are Indigenous projects
- The first scheduled intake for new builds and large retrofits over \$3 million:
  - ✓ Received more than 500 applications
  - ✓ Indigenous applications made up close to 45% of total submissions
  - ✓ 57 announced projects under GICB program (Visit [www.canada.ca/en/news](http://www.canada.ca/en/news))
- Very competitive Program
- The second scheduled intake launched on December 5, 2022
- Applications to both project streams will be accepted **until February 28 2023 at 3PM Eastern Time**

**Green and Inclusive  
Community Buildings**

**Bâtiments  
communautaires  
verts et inclusifs**



## The two funding streams

GICB streams	Types of Project	Eligible costs	Other details
Scheduled intake	<ul style="list-style-type: none"><li>• Large retrofits,</li><li>• New builds</li><li>• Addition/demolition of 30% or greater of a building's footprint</li></ul>	\$3M to \$25M	<ul style="list-style-type: none"><li>• Competitive</li><li>• Firm deadline: February 28, 2023 at 15:00 ET</li><li>• Once submitted, you cannot retrieve or change your application.</li></ul>
Continuous Intake	<ul style="list-style-type: none"><li>• Small and medium retrofits</li><li>• Addition/demolition of up to 29.9% of the building's footprint</li></ul>	\$100,000 to \$2,999,999	<ul style="list-style-type: none"><li>• Applications accepted and projects approved on a rolling basis.</li><li>• Deadline for submissions: February 28, 2023 at 15:00 ET</li></ul>

## Who can apply to GICB?

### ✓ *Eligible Applicants*

- Municipal, local or regional governments
- Provincial and territorial governments
- Public sector bodies
- Federally or provincially incorporated not-for-profit organizations and registered charities

### Eligible Indigenous applicants

- First Nation, Inuit or Métis governments or authorities
- Indigenous not-for-profits whose primary mandate is to improve Indigenous outcomes
- Indigenous not-for-profit development corporations

### ✗ *Ineligible Applicants*

- Commercial and for-profit organizations
- Individuals and private citizens
- Federal entities, including federal Crown corporations



## What types of projects can GICB fund?



GICB can fund the construction and retrofits of non-commercial community-oriented structures that provide publicly-accessible community services

Projects must:

- ✓ Be in an area with underserved populations experiencing high needs.
- ✓ Be the site of publicly-accessible programming and/or activities that serve these communities.
- ✓ Improve energy efficiency (retrofits)
- ✓ Achieve highest environmental and energy standards

# Examples of eligible community buildings and facilities

Building types	New Build (non-Indigenous)	Retrofit (non-Indigenous)	New Builds and Retrofits (Indigenous)
<b>Community, culture and recreation facilities such as:</b> <ul style="list-style-type: none"> <li>Community centres</li> <li>Public sports and recreational facilities</li> <li>Cultural buildings, libraries, museums and theatres</li> <li>Child and youth centres</li> <li>Community adult learning, and seniors' activity centre</li> </ul>	✓	✓	✓
<b>Community health and wellness facilities, such as:</b> <ul style="list-style-type: none"> <li>Food safety and security, community food storage facilities</li> <li>Greenhouses, and food banks</li> <li>Community health centres</li> <li>Addictions/mental health centres, and rehabilitation centres</li> </ul>	X	✓	✓
<b>Health and social infrastructure facilities such as:</b> <ul style="list-style-type: none"> <li>Short-term medical recovery facilities</li> <li>Long-term care facilities/Elders' lodges</li> <li>Family violence and homeless shelters</li> </ul>	X	X	✓
<b>Education facilities such as:</b> <ul style="list-style-type: none"> <li>Schools, universities and colleges</li> <li>Early childhood and daycares</li> </ul>	X	X	✓

## *What types of projects will not be considered for funding*

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- Administrative buildings
- Religious facilities (places operating for religious worship, training or study, and administering or promoting organized religious activities)
- Multi-unit housing and hospices
- Projects to be undertaken in a federally-owned building
- Public Works buildings and associated facilities (utilities, water treatment plants, etc.)

## Project Requirements

If your project fails to meet any one of these criteria, it will be screened out.

New Build	Retrofit	Minimum Requirements for Projects
X		The proposed <b>project is designed to meet</b> , with or without the addition of a verified transition plan, the <b>Zero Carbon Building – Design Standard Version 3</b>
	X	The proposed project will implement <b>measures that improve energy efficiency (minimum 10%) and/or reduce greenhouse gas emissions, as demonstrated through the use of the RETScreen® Expert software</b>
X	X	The proposed project must demonstrate that they have conducted a climate risk assessment and identify measures mitigating all medium and high risks.
X		The proposed <b>project must</b> meet the highest published accessibility standard(s) – as defined in the <a href="#">Canadian Standards Association's Accessible Design for the Built Environment (CAN/CSA B651- 18)</a> (or its most recent version) – or relevant provincial or territorial building codes, or municipal by-laws. This is a merit criteria for retrofit projects
X	X	The <b>application is complete</b> . Note: Incomplete applications under the scheduled intake will not be assessed
X	X	The <b>applicant commits to securing the balance of funding</b> (for ineligible amounts under GICB) should the project be approved for funding

## New builds only

### Net-Zero Carbon design

All new construction projects must be either:

1. Built to be net-zero carbon
2. Built to be net-zero-carbon-ready
3. Exempt from the net-zero-carbon and net-zero-carbon-ready pathways, and be built to a high energy efficiency standard

Consult the [Zero Carbon Building – Design Standard Version 3](#) established by the [Canada Green Building Council](#) to register and for more information.

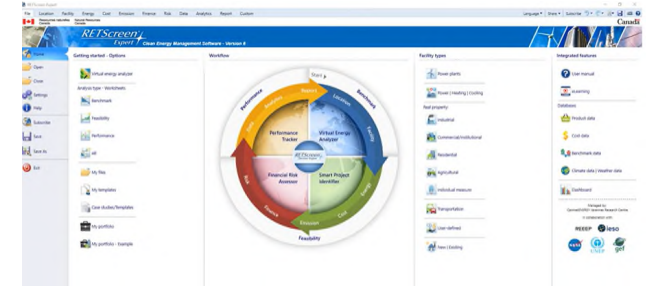
You will be required to provide an **attestation letter**, completed by a **qualified registered professional**, who can verify which net-zero building design standard your project is designed to meet

The costs of obtaining the attestation letter and certification **are eligible costs if your project is approved for funding** under the GICB program and if incurred after April 1, 2021 and prior to March 31, 2026.



## Retrofits only

### RETScreen® software



- Retrofit projects must submit their building's energy profile, and GHG emissions using the **RETScreen® Expert software**
- The software is free to download
- Retrofit projects must achieve a minimum of 10% in energy efficiency improvements compared to the building's baseline energy consumption

- Download RETScreen Expert at [RETScreen Capacity Building](#)
- For guidance: [Using RETScreen for your GICB application with Infrastructure Canada](#)
- RETScreen Questions?: [RETScreen@nrcan-rncan.gc.ca](mailto:RETScreen@nrcan-rncan.gc.ca)

***Please note that NRCan will host webinars on RETScreen in January 2023.***

## Climate Resilience

- Given climate change, severe weather events require a more in-depth consideration of the impacts
- Projects must demonstrate that they have **consulted climate data to identify climate risks and associated mitigations**
- Applicants must include measures in their design to mitigate the risks that these events will pose to both the building and to the community

See the Applicant Guide and the Resources page on the GICB Web site for information on assessing climate risks

# Accessibility



- All new build projects must meet, at a minimum, the highest published accessibility standard
- Retrofit measures that increase accessibility are eligible for funding under the GICB program, provided that the project also meets the minimum criteria for green retrofit measures
- Retrofit projects that include accessibility retrofits and that meet the highest published accessibility standard will be scored more favourably

# Indigenous Consultation and Environmental Impact Assessment

## INFC funding is contingent upon:

- ✓ Canada fulfilling the Duty to Consult and, where appropriate, accommodate Indigenous peoples
- ✓ Ensuring the respect of all environmental statutory requirements

### Indigenous Consultation

Required when project could impact Aboriginal and treaty rights

Applicants carry out Indigenous engagement and consultation activities

Early engagement is encouraged

### Environmental Impact Assessments

Projects may be subject to:

- *Impact Assessment Act*
- Other provincial or territorial environmental statutory requirements
- Northern Regulatory Regimes

Applicants outline potential adverse impacts and mitigation measures

Please visit the **GICB Resources Page** for more information on Indigenous Consultation and Environmental Impact Assessments

## Financial considerations

**Eligible Costs** are costs are:

- considered to be direct and necessary for the project's successful implementation
- Incurred between April 1, 2021, and March 31, 2026

The GICB program will provide funding up to the following limits of total eligible project costs

Total Eligible Project Cost	General program (up to % max from program)	In the territories and for Indigenous communities (up to % max from program)
Retrofits up to \$9,999,999	80%	100%
Retrofits costs \$10,000,000 +	60%	100%
New builds up to first \$9,999,999 of costs	60%	100%
New build costs \$10,000,000 +	50%	100%



## Financial considerations

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### Stacking limits

- The maximum amount of funding permitted from Canadian governments combined (i.e., federal, provincial/territorial and/or municipal) is 100% of total eligible costs
- Applicants must be aware of stacking limits: if other government program funding sources have stacking limits of less than 100%, ensure your project conforms with all requirements

**Cost Increases or overruns** above the approved amount, will not be funded by Infrastructure Canada

- Consider projected cost increases a year from application (e.g., inflation, supply/labour cost increases)

## *Financial considerations (2)*

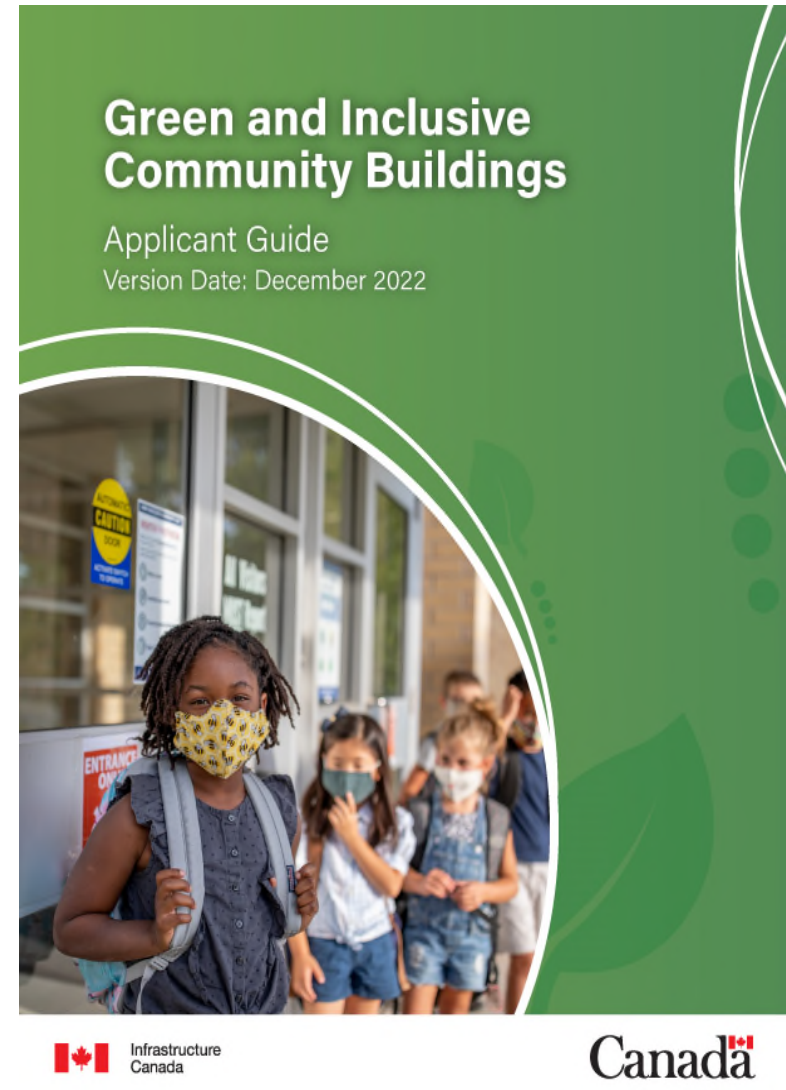
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### **Sole-source contracting**

- Contracts must be awarded in a way that is fair, transparent and competitive
- Non-competitive contracts (sole source) must receive the authorization from the Government of Canada prior to their signature
- Expenditures and projects associated with non-competitive contracts may be considered ineligible, or may result in long funding delays

## Beginning the application

- ✓ Visit the [Green and Inclusive Community Buildings website](#)
- ✓ Review the **Applicant Guide** and **Resources Page** for information on the program, eligibility requirements, and ways to strengthen your application
- ✓ Register to create an account for your eligible organization and to receive access to the application portal
- ✓ Explore the applicant portal
- ✓ Complete and submit the application



## Who can submit an application?

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**The primary applicant** must be an eligible applicant. They must:

- have the authority to undertake the project
- be directly affiliated with the applicant organization, and
- duly authorized to submit the application

Third parties are permitted to support applicants and must be identified as **secondary contacts**



## *Tips for Developing an Application*

For INFC to properly evaluate your application, it must be:

Accurate

Comprehensive

Complete

- ☐ Be mindful of the **deadline**: February 28, 2023 at 15:00 Eastern Time
- ☐ Access the Applicant Portal and beginning your application **as far in advance as possible**.
- ☐ **Save and return** to applications as many times as necessary before the deadline.
- ☐ Be mindful of **character limits**.
- ☐ Ensure the **accuracy** of the application. For example in the budget, make sure to including contingency amounts



## *What happens after I apply?*

Applicant Submits Project Application(s)

GICB Program Conducts Completeness, Eligibility and Merit Assessments

Minister of Infrastructure and Communities Makes Funding Decisions

Applicants Notified of Results

Funding Agreements Negotiated and Signed

Project Commences (or continues), Recipient Completes Reporting Requirements, and Infrastructure Canada Issues Payments

## *Any questions?*

Please submit your questions on slido

1. Scan with your phone



2. Click on the link:

<https://app.sli.do/event/oLNcNZqgMNWDNMzb6ZckrQ>

3. Search "**slido.com**" in your browser and enter the code **#1452107**

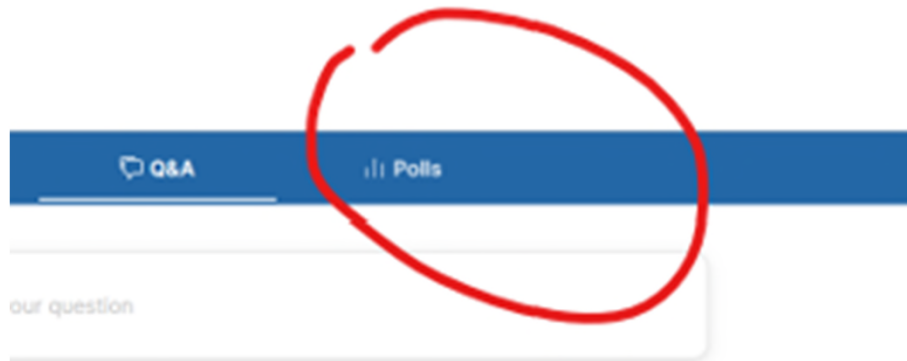


**Joining as a participant?**

# 1452107



Since we are on Slido already, join us for our last poll



Search "**slido.com**" in your browser and enter the code **# 1452107**

Joining as a participant?

# 1452107





Infrastructure  
Canada

# Contact the GICB Team

Website: <https://www.infrastructure.gc.ca/gicb-bcvi/index-eng.html>

General Inquiries and Technical Support: [gicbp-pbcvi@infc.gc.ca](mailto:gicbp-pbcvi@infc.gc.ca)