



Township of Douro-Dummer Agenda for a Regular Meeting of Council

Tuesday, September 5, 2023, 5:00 p.m.
Council Chambers in the Municipal Building

Please note, that Council may, by general consensus, change the order of the agenda, without prior notification, in order to expedite the efficiency of conducting business

Electronic Meetings

Regular and Special meetings of Council are being held in person and electronically. Regular Meetings are recorded and live-streamed on the Township YouTube channel. Special Meetings will be recorded and live-streamed where feasible.

To watch the meeting live or access a recording please visit the Township's YouTube Channel

https://www.youtube.com/channel/UCPpzm-uRBZRDjB89o2X6R_A

Please contact the Acting Clerk if you require an alternative method to virtually attend the meeting.
martinac@dourodummer.on.ca or 705-652-8392 x210

	Pages
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2. Land Acknowledgement	
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14.1	Withdrawn - Councillor Johnston - Request for Reconsideration - Presented on August 1, 2023	
	Notice of Motion to reconsider Resolution Number 213-2023 regarding ORVs on selected County Road as shown in Option B.	

14.2 Mayor Watson - Police Service Board Amalgamation - Presented August 1, 2023

WHEREAS, The Community Safety & Policing Act received Royal Assent on March 26, 2019 but regulations have not yet been released and is not in force and effect; and

WHEREAS, Part 4, Section 24 is designed to create efficiencies through amalgamating Section 10 Police Services Boards throughout the province; and

WHEREAS, Section 22, Item 8 extends Section 10 Boards to include First Nations representation on these newly amalgamated Boards; and

WHEREAS, Under the Police Services Act (1990), Section 10 Police Services Boards have historically been administered through existing municipal resources; and

WHEREAS, The amalgamation process will consume considerable resources to recruit and train members, establish policies, create a strategic plan and establish communication tools, all of which are required by the province; and

WHEREAS, First Nations do not have an available tax base from which to help fund Police Service Board operations; and

WHEREAS, Municipalities and municipal tax payers are left to fund significant start-up costs to implement the requirements of the Community Safety & Policing Act governance and implementation of community safety initiatives; and

WHEREAS, To date there have been no funds confirmed from the province to assist with the amalgamation or start-up costs;

THEREFORE BE IT RESOLVED THAT; The Council of the Township of Douro-Dummer ask that the Ministry of the Solicitor General provide one-time funding to assist with the start-up costs related to the amalgamation of Section 10 Boards in the province; and

THAT, A copy of this Resolution be circulated to Minister Michael Kerzner, Hon. David Piccini, MPP Dave Smith, Association of Municipalities of Ontario, Ontario Association of Police Service Board, all Municipalities and Williams Treaty First Nations.

15. Announcements:

16. Closed Session:

17. Rise from Closed Session with or without a Report

18. Matters Arising from Closed Session

19. Confirming By-law - 2023-38

168

20. Next Meeting

September 19, 2023

21. Adjournment

Minutes of the Special Meeting of Council of the Township of Douro-Dummer

August 1, 2023, 4:00 PM

Special Closed Session

**The open portions of this meeting will be recorded.
The recording of this meeting will be posted on the Township's YouTube
Channel as soon as possible after the meeting.**

https://www.youtube.com/channel/UCPpzm-uRBZRDjB89o2X6R_A?

Present:
Mayor Heather Watson
Deputy Mayor Harold Nelson
Councillor Thomas Watt
Councillor Adam Vervoort
Councillor Ray Johnston

Staff Present:
CAO - Elana Arthurs
Acting Clerk - Martina Chait-Hartwig

1. Reason(s) for Special Meeting:

The Mayor called the meeting to order at 4:00 p.m. and stated the reasons for the Special Meeting is to allow Council to enter into closed session for personal matters about an identifiable individual, including municipal or local board employees, under Section 239 (2) of the Municipal Act, 2001, S.O. 2001, c. 25.

2. Land Acknowledgement

The Mayor recited the Land Acknowledgement.

3. Disclosure of Pecuniary Interest:

The Mayor reminded members of Council of their obligation to declare any pecuniary interest they might have. None were declared.

4. Approval of Closed Session Agenda - August 1, 2023

Resolution Number 224-2023

Moved by: Councillor Vervoort

Seconded by: Councillor Johnston

That the agenda for the Special Council Meeting, dated August 1, 2023, be adopted as circulated.

Carried

5. Adoption of Closed Session Minutes

Resolution Number 225-2023

Moved by: Councillor Vervoort

Seconded by: Councillor Watt

That the Closed Session meeting minutes, dated June 6, 2023 and June 20, 2023 both be received and approved, as circulated.

Carried

6. Move into Closed Session

6.a Human Resources Update, C.A.O.-2023-18

Resolution Number 226-2023

Moved by: Councillor Johnston

Seconded by: Councillor Vervoort

That Council to enter into Closed Session for Reasons Under Section 239 (2) of the Municipal Act, 2001, S.O. 2001, c. 25, as follows:

(b) personal matters about an identifiable individual, including municipal or local board employees; (4:07 p.m.)

Carried

7. Rise from Closed Session with or without a Report

Resolution Number 227-2023

Moved by: Councillor Watt

Seconded by: Councillor Vervoort

That Council come out of closed session at 4:45 p.m. without a report. Carried

8. Adjournment

Resolution Number 228-2023

Moved by: Deputy Mayor Nelson

Seconded by: Councillor Watt

That the Closed Session Meeting of August 1, 2023 adjourn at 4:45 p.m.

Carried

Mayor, Heather Watson

Acting Clerk, Martina Chait-Hartwig

Minutes of the Regular Meeting of Council of the Township of Douro-Dummer

**August 1, 2023, 5:00 PM
Council Chambers in the Municipal Building**

Member Present: Mayor Heather Watson
Deputy Mayor Harold Nelson
Councillor Thomas Watt
Councillor Adam Vervoort
Councillor Ray Johnston

Staff Present: CAO - Elana Arthurs
Acting Clerk - Martina Chait-Hartwig
Temporary CBO - Don Helleman
Planner - Christina Coulter

1. Call to Order

With a quorum of Council being present, the Mayor called the meeting to order at 5:02 p.m.

2. Land Acknowledgement

The Mayor recited the Land Acknowledgement.

3. Moment of Silent Reflection

Council observed a moment of silent reflection.

4. Disclosure of Pecuniary Interest:

The Mayor reminded members of Council of their obligation to declare any pecuniary interest they might have. None were declared.

5. Adoption of Agenda: August 1, 2023

Resolution Number 229-2023

Moved by: Councillor Vervoort

Seconded by: Councillor Johnston

That the agenda for the Regular Council Meeting, dated August 1, 2023, be adopted, as circulated.

Carried

6. Adoption of Minutes and Business Arising from the Minutes

6.1 Special Council Meeting Minutes - June 20, 2023

6.2 Regular Council Meeting Minutes - June 20, 2023

6.3 Special Council Meeting Minutes - July 18, 2023

Resolution Number 230-2023

Moved by: Councillor Watt

Seconded by: Councillor Vervoort

That the Special Council Meeting minutes from June 20, 2023 and July 18, 2023 and the Regular Council Meeting minutes from June 20, 2023 all be received and approved.

Carried

7. Consent Agenda (Reports voted upon by ONE motion) - No Debate

7.1 City of Peterborough - Notice of Master Plan - Eastside Transportation Study

7.2 Birchcliff Property Owners Association - Agenda for Annual General Meeting

7.3 Municipal Appraisal Forms (MAF) for Severance Files B-49-23 and B-55-23

7.4 County of Peterborough, Waste Management - 2022 Waste Diversion Report

Resolution Number 231-2023

Moved by: Councillor Johnston

Seconded by: Councillor Vervoort

That the Consent Agenda dated August 1, 2023, be received, as circulated.

Carried

8. Delegations, Petitions, Presentations or Public Meetings:

8.1 Holly Richards-Conley, Black Point Construction Services - Request to purchase a road allowance fronting the property known as 2345 Sixth Line Road North.

Resolution Number 232-2023

Moved by: Councillor Watt

Seconded by: Councillor Vervoort

That the presentation from Holly Richards-Conley, Black Point Construction Services, regarding the request to purchase the road allowance fronting the property known as 2345 Sixth Line Road North be received, that Council waive the requirement in Policy No. T6 - Road Allowance Closure Policy which states "requests for closure of any road allowance along or leading up to water will not be considered" and that staff be directed to follow the steps laid out in the Policy. Carried

8.2 Russell Rowe - Presentation regarding the use of Off-Road Vehicles (ORVs) in the Township

Resolution Number 233-2023

Moved by: Councillor Vervoort

Seconded by: Councillor Johnston

That the presentation from Russell Rowe regarding the use of Off-Road Vehicles (ORVs) in the Township be received and that staff be directed to request that the OPP attend a future Council meeting to discuss ORV use and statistics regarding complaints and accidents and further that the Township's insurance company also be requested to attend a future Council meeting to discuss ORVs and the impact on municipal liability insurance. Carried

8.3 Maggie Braun - Comments on New Official Plan

Resolution Number 234-2023

Moved by: Councillor Watt

Seconded by: Councillor Johnston

That the presentation from Maggie Braun regarding the new Official Plan be received with thanks. Carried

9. Staff Reports

9.1 Report and Capital Project Status

Resolution Number 235-2023

Moved by: Councillor Watt

Seconded by: Councillor Johnston

That the report and capital project status for August 2023 be received with thanks.

Carried

9.2 County of Peterborough Official Plan ERO Posting, Planning-2023-25

Resolution Number 236-2023

Moved by: Councillor Watt

Seconded by: Councillor Vervoort

That the report, dated August 1, 2023, regarding the County of Peterborough Official Plan ERO Posting be received and;

That a letter be sent to the County of Peterborough in support of the request to delay the provincial approval of the new Official Plan.

Carried

9.3 2024 Budget Schedule, Treasurer-2023-19

Resolution Number 237-2023

Moved by: Councillor Johnston

Seconded by: Councillor Vervoort

That the report, dated August 1, 2023, regarding the 2024 Budget Schedule be received and that the budget schedule, including the three special meetings on October 31st, November 1st and November 8th be approved.

Carried

- 9.4 Award of RFP ADM-2023-01 Strategic Plan, Treasurer-2023-18
Resolution Number 238-2023
Moved by: Councillor Johnston
Seconded by: Councillor Vervoort
That the report, dated August 1, 2023 regarding the Award of RFP ADM-2023-01 – Strategic Plan be received and that Quarry Consulting be awarded the contract to complete the 2023-2027 Corporate Strategic Plan in the amount of \$19,920 plus HST. Carried

- 9.5 Update on Historical Committee Recruitment, Clerk's Office-2023-23
Resolution Number 239-2023
Moved by: Councillor Johnston
Seconded by: Councillor Vervoort
That the report, dated August 1, 2023 regarding an update on the recruitment process for the Historical Committee be received. Carried

- 9.6 Response to Request for Procedural Changes, Clerk's Office-2023-22
Resolution Number 240-2023
Moved by: Councillor Vervoort
Seconded by: Councillor Johnston
That the report, dated August 1, 2023 regarding a response to a request for Procedural Change be deferred and that staff be requested to bring forward a draft proposal to implement a Comment Period in the Procedural By-law for Council's review. Carried

10. Committee Minutes and Other Reports:

At this time Councillor Vervoort left the meeting (6:49 p.m.).

- 10.1 Update on County Council Matters - Deputy Mayor Nelson
Resolution Number 241-2023
Moved by: Councillor Johnston
Seconded by: Councillor Watt
That the verbal report from Deputy Mayor Nelson regarding an update on County Council matters be received. Carried

At this time, Councillor Vervoort rejoined the meeting (6:52 p.m.)

10.2 Township of Douro-Dummer Public Library Minutes - May 9, 2023 and June 13, 2023

Resolution Number 242-2023

Moved by: Councillor Watt

Seconded by: Deputy Mayor Nelson

That the Public Library Board Meeting Minutes from May 9, 2023 and June 13, 2023, both be received. Carried

10.3 Committee of the Whole Meeting Minutes - June 27, 2023

Resolution Number 243-2023

Moved by: Councillor Johnston

Seconded by: Councillor Vervoort

That the Committee of the Whole meeting minutes from June 27, 2023 be received and approved. Carried

11. Correspondence – Action Items:

11.1 Township of Selwyn - Resolution regarding Short-Term Rentals

Resolution Number 244-2023

Moved by: Councillor Vervoort

Seconded by: Councillor Johnston

That the Resolution regarding Short-Term Rentals from the Township of Selwyn calling for new Provincial regulations be received and supported.

Carried

11.2 Ministry of Natural Resources and Forestry - Letter regarding Amendments to the Public Lands Acts

Resolution Number 245-2023

Moved by: Councillor Watt

Seconded by: Councillor Vervoort

That the letter from the Ministry of Natural Resources and Forestry, dated June 23rd, 2023, regarding amendments to the Public Lands Act be received. Carried

- 11.3 Township of North Kawartha - Legislative Amendments to Improve Municipal Codes of Conduct and Enforcement
Resolution Number 246-2023
Moved by: Councillor Johnston
Seconded by: Councillor Watt
That the letter from the Township of North Kawartha, dated July 6th, 2023, regarding a request for legislative amendments to improve Municipal Codes of Conduct and the enforcement of Codes be received and supported. Carried
- 11.4 Town of Amherstburg - Support for Local Emergency Response System and Gaps in Healthcare regarding Code Red and Code Black Frequency
Resolution Number 247-2023
Moved by: Councillor Vervoort
Seconded by: Councillor Watt
That the letter from the Town of Amherstburg, dated July 7th, 2023, regarding the local emergency response system and gaps in healthcare related to the frequency of Code Red and Code Black calls be received and supported. Carried
- 11.5 Town of Petrolia - Resolution regarding regulations for licensed home-based childcare operators
Resolution Number 248-2023
Moved by: Councillor Watt
Seconded by: Councillor Vervoort
That the letter from the Town of Petrolia, dated July 11th, 2023, requesting support for a Resolution regarding regulations for licensed home-based childcare operators be received and supported. Carried

- 11.6 Municipality of North Perth - Resolution regarding Vacant Building Official Positions
Resolution Number 249-2023
Moved by: Councillor Johnston
Seconded by: Councillor Vervoort
That the letter from the Municipality of North Perth, dated June 26th, 2023 requesting support for a Resolution regarding Vacant Building Official Positions be received. Carried
- 11.7 The Municipality of Wawa - Resolution requesting that the Province maintain OHIP coverage for chronic pain treatments
Resolution Number 250-2023
Moved by: Councillor Watt
Seconded by: Councillor Vervoort
That the letter from the Municipality of Wawa, dated June 20th, 2023, regarding a Resolution requesting that the Province maintain OHIP coverage for chronic pain treatments be received. Carried
- 11.8 Ontario Ombudsman - Letter regarding complaint handling processes and service restrictions
Resolution Number 251-2023
Moved by: Councillor Johnston
Seconded by: Councillor Vervoort
That the letter from the Ontario Ombudsman, dated June 27th, 2023, regarding complaint handling processes and service restrictions at the Township be received. Carried
- 11.9 Town of Parry Sound - Resolution regarding the call for housing while protecting freshwater resources
Resolution Number 252-2023
Moved by: Councillor Watt
Seconded by: Deputy Mayor Nelson
That the letter from the Town of Parry Sound, dated June 20th, 2023, requesting support for a Resolution regarding the call for housing while protecting freshwater resources be received. Carried

12. By-laws:

12.1 By-law 2023-33 - Being a By-law to assume certain parcels into the Township Road System (10' Strips)

Moved by: Deputy Mayor Nelson

Seconded by: Councillor Vervoort

That By-law 2023-33, being a By-law to assume certain parcels into the Township Road System (10' Strips) be passed, in open council this 1st day of August, 2023 and that the Mayor and the Acting Clerk be directed to sign same and affix the Corporate Seal thereto. Carried

13. Reports derived from previous Notice of Motions

14. Notices of Motion - No Debate

15. Announcements:

Councillor Johnston reminded Council of the Lion's Benefit to be held on August 19, 2023.

Council congratulated Councillor Johnston on his 50th wedding anniversary.

19. Confirming By-law 2023-34

Moved by: Deputy Mayor Nelson

Seconded by: Councillor Vervoort

That By-law Number 2023-34, being a By-law to confirm the proceedings of the Special and Regular Meetings of Council, held on the 1st day of August, 2023, be passed in open Council and that the Mayor and the Acting Clerk be directed to sign same and affix the Corporate Seal thereto. Carried

21. Adjournment

Resolution Number 253-2023

Moved by: Councillor Vervoort

Seconded by: Councillor Watt

That this meeting adjourn at 7:04 p.m.

Carried

Mayor, Heather Watson

Acting Clerk, Martina Chait-Hartwig



**Notice of Public Information Centre (PIC)
Hickey's Bridge Replacement
Municipal Class Environmental Assessment**

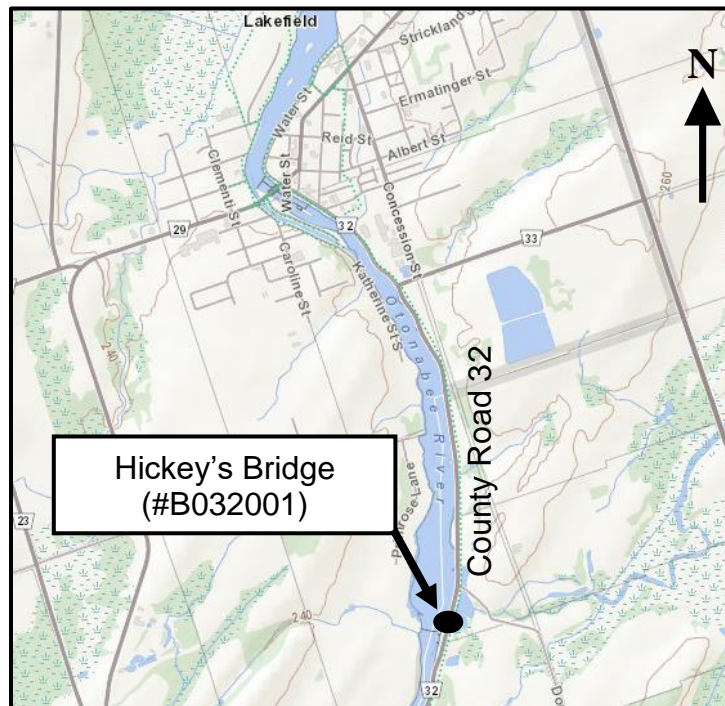


The County of Peterborough (County) is preparing for the replacement of Hickey's Bridge located on County Road 32 (River Road), 0.1 km south of Hickey Road in the Township of Douro-Dummer and approximately 2.0 km south of the Village of Lakefield.

The County has retained D.M. Wills Associates Limited (Wills) to undertake the Municipal Class Environmental Assessment (MCEA) for the project. The proposed work is a Schedule 'B' undertaking and, subject to MCEA approval, the County intends to proceed with the planning, design and implementation of the preferred alternative solution as recommended in the resulting Project File.

**Date & Time: Thursday September 21, 2023, from 5:00 pm to 7:00 pm
Location: Lakefield Arena (Community Centre)
20 Concession Street – Upper Meeting Room**

The PIC will consist of a drop-in type format with displays showing alternatives for the project.



Please contact the following individuals for additional information or to provide comments:

Tim Rosborough, P.Eng.
Structural Engineering Department
D.M. Wills Associates Ltd.
p. 705.742.2297 ext.317
e. trosborough@dmwills.com

Peter Nielsen, C.E.T
Planning & Public Works Dept.
County of Peterborough
p. 705.775.2737 ext.3200
e. pnielsen@ptbocounty.ca

Comments and information regarding this study are being collected to assist in meeting the requirements of the *Environmental Assessment Act*. These comments will be maintained on file for use during the study in accordance with *the Freedom of Information and Protection of Privacy Act*. All comments, with the exception of personal information, will become part of the public record. If you have any accommodation requirements in order to participate in this project, please contact one of the project team members listed above.

Recommendation:

That Report Planning-2023-26, dated September 5, 2023, regarding Zoning By-law Amendment – File R-04-23 be received; and

That Council receive all comments related to Zoning By-law Amendment File R-04-23; and

That the By-law to enact the amendment be passed at the appropriate time in the meeting.

Overview:

Corey and Brittany McMillan have applied to amend the existing zoning on their property located at 833 Iron Woods Drive, being Roll No. 1522-020-003-06600. The subject property is currently zoned the Rural Zone (RU) as shown on Schedule B14 to By-law No. 10-1996, as amended.

The effect of this By-law Amendment is to rezone the subject lands (Parts 1, 2, 3 and 4, Plan 45R-17504) from the Rural Zone (RU) to the Hamlet Residential Zone (HR).

The rezoning is required as a condition of consent for severance applications Files B-179-22, B-180-22 and B-181-22, that were conditionally approved by Peterborough County on April 6, 2023.

A copy of the draft By-law is attached to this Report.

Conformity to Provincial Policy Statement (PPS) and A Place to Grow, Growth Plan for the Greater Golden Horseshoe (Growth Plan):

The application has demonstrated consistency with PPS Sections 2.1 and 2.2 referencing Natural Heritage and Water.

The subject property is located within an aggregate deposit. Policy 2.5.2.5 of the Provincial Policy Statement (PPS) states that "in known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

- a) resource use would not be feasible; or
- b) the proposed land use or development serves a greater long-term public interest; and
- c) issues of public health, public safety and environmental impact are addressed."

Given that the parcel is located within a designated settlement area, and surrounded by residential uses, it is not likely that an aggregate operation would be established in this area. Therefore, an aggregate impact assessment was not required in support of the applications.

In correspondence dated August 22, 2023, the Otonabee Region Conservation Authority indicated that the subject property is located outside of any known natural flooding/erosion hazards and the application is consistent with Section 3.1 of the PPS referencing Natural Hazards.

A copy of the ORCA comments are attached to this Report and further comments are outlined below.

While a key hydrologic feature (Indian River) is within close proximity to the subject lands, the property is within a settlement area and therefore Sections 4.2.3 and 4.2.4 of the Growth Plan do not apply.

Conformity to Official Plan:

The subject property is designated Hamlet within the Local Component of the County Official Plan. The predominant use of land within the Hamlet designation shall be for single detached residential dwellings with some limited provision for multiple unit dwellings (S. 6.2.3.2). The proposed residential use complies with the Official Plan.

Comments:

As of the writing of this Report, no comments have been received from members of the public.

Comments were received from the following agencies:

- Enbridge Gas Inc.: No objections to the application.
- Kawartha Pine Ridge District School Board: No concerns or issues related to their mandate.
- Otonabee Region Conservation Authority:

The subject property is located outside of any known natural flooding/erosion hazards and the application is consistent with Section 3.1 of the PPS referencing Natural Hazards.

Otonabee Conservation mapping shows the proposed new lots fall outside of the regulated area. A permit is NOT required from the Authority for the new development.

The subject lands are not located in a vulnerable area as per the Revised Trent Source Water Protection Plan (SPP).

Copies of these agency comments are attached to this Report.

The application was circulated to Senior Staff on August 14, 2023. As of the writing of this Report, there were no concerns identified by Senior Staff.

Conclusion:

The requested zoning by-law amendment, to rezone the subject lands from the Rural Zone (RU) to the Hamlet Residential Zone (HR), is required in order to meet conditions of Peterborough County Land Division Files B-179-22, B-180-22 and B-181-22.

The severed and retained parcels (Parts 1, 2, 3 and 4, Plan 45R-17504) comply with the minimum lot area requirement of 1,880 m² and minimum lot frontage requirement of 30 m for a single detached dwelling in the (HR) Zone (S. 5.2.1 (a) & (b)). The existing dwelling on Part 4 complies with the minimum front, side and rear yard setback requirements for the (HR) Zone (S. 5.2.1 (c), (d) & (f)). The proposed rezoning meets the intent of municipal and provincial policies.

Financial Impact:

All costs related to the application for a Zoning By-law Amendment are the responsibility of the Owner/Applicant.

Strategic Plan Applicability: N/A

Sustainability Plan Applicability: N/A

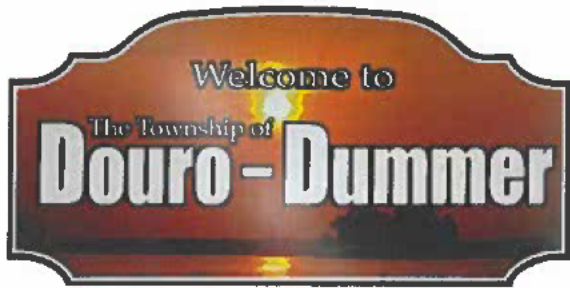
Report Approval Details

Document Title:	R-04-23 (McMillan) Report.docx
Attachments:	<ul style="list-style-type: none"> - R-04-23 McMillan Application_Redacted.pdf - R-04-23 McMillan Site Plan.pdf - R-04-23 - Draft By-law.pdf - Enbridge R-04-23 (McMillan) (August 18, 2023).pdf - KPRDSB R-04-23 (McMillan) (August 15, 2023).pdf - ORCA Comments PPLD-2280 (August 22, 2023).pdf - R-04-23 - ZBA Notice.pdf
Final Approval Date:	Aug 28, 2023

This report and all of its attachments were approved and signed as outlined below:

Martina Chait-Hartwig

Elana Arthurs



Office Use Only	
File No.	R-04-23
Date App. Submitted	Aug 2/23
Application Fee	\$ 1500-
Date Fee Received	Jul 20/23
Date Application Deemed Complete	
Roll No.	1522-020-003-0600

**Township of Douro-Dummer Application for
Amendment to Zoning By-law #10-1996, as amended**
(Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended)

1.0 Applicant Information

Registered Owner(s): Corey and Brittany McMillan
(Please Indicate Name(s) *Exactly* as Shown on the Transfer/Deed of Land)

Address: [REDACTED]
[REDACTED]
[REDACTED]

Phone: (home) [REDACTED] Email: [REDACTED]
Phone: (work) _____
Phone: (cell) _____ Fax: _____

2.0 Agent Information

Authorized Agent (if any): _____

Address: _____

Phone: (home) _____ Email: _____
Phone: (work) _____
Phone: (cell) _____ Fax: _____

3.0 Other Information – Charges Against the Land

If known, the name(s) and address(es) of holder(s) of any mortgages, charges or other encumbrance(s) in respect of the subject land: _____

4.0 Legal Description/Location/Property Characteristics/Access to Subject Land:

County		Township Douro-Dummer	Ward (Former Township) Dummer
Concession Number(s) 1	Lot Number(s) 12	Legal Description: Residential	
Registered Plan No: 1522020003066000000	Lot(s)/ Block No. 12 RF 45R13052 part 1	Civic/911 Address: 833 Iron woods Drive	
Reference Plan No:	Part Number(s):	Are there any easements or restrictive covenants affecting the property?	
Date subject land was purchased by current		2018	

4.1 Dimensions of the Subject Land

Frontage:	Depth:	Area:
<input type="checkbox"/> Water: _____	<input type="checkbox"/> Min: 149.82	2.6 HA
<input checked="" type="checkbox"/> Road: Iron woods Drive 121.22m	<input type="checkbox"/> Max: 213.32	

4.2 Access to the Subject Land

Access to Subject Property –		<input checked="" type="checkbox"/> Existing	or	<input type="checkbox"/> Proposed
<input checked="" type="checkbox"/> Municipal Road – maintained year round		<input type="checkbox"/> Private Road		
<input type="checkbox"/> County Road		<input type="checkbox"/> Right-of-way		
<input type="checkbox"/> Provincial Highway		<input type="checkbox"/> Water		
<input type="checkbox"/> Other public road (Specify):				
Name of Road/Street:	Iron Woods Drive			
If access to the land is by water only:				
Where are parking and docking facilities:				
Approximate distance from subject land:				
Approximate distance from nearest public road:				

5.0 Official Plan Designation and Zoning

Official Plan Designation: Hamlet

Please provide an explanation of how the application for rezoning will conform to the Official Plan severance of 1 property into 4 total properties

Zoning By-law : Rural (RU)

Is the subject land in an area where zoning conditions apply? Yes No. If yes, please explain how the application conforms to the Official Plan policies relating to zoning with conditions: meets relevant policies - see preliminary severance review

5.1 Density and Height Requirements

Are there minimum and maximum density requirements on the property: Yes No
If Yes, what are they and are they being met? _____

Are there minimum and maximum height requirements on the property: Yes No
If Yes, what are they and are they being met? Section 9.2.4 J

6.0 Purpose of the Application

Please describe the nature and extent of the rezoning request: re-zoning from ~~Residential~~ ^{Rural} to Hamlet to allow for additional properties. ^{Residential} For severance Applications

B-179-22, B-180-22, B-181-22

Please explain the reason for the requested rezoning: to be able to sever the current property into 4 parcels.

Meets relevant policies. _____

7.0 Settlement/Employment Areas

Does the application propose to implement or alter a boundary of an area of settlement: Yes No If Yes, please explain the details of the Official Plan or Official Plan Amendment that deal with this matter? _____

Does the application propose to remove land from an area of employment (Hamlet or Special Industrial properties): Yes No If Yes, please explain the details of the Official Plan or Official Plan Amendment that deal with this matter? _____

9.0 Existing and Proposed Uses and Structures:

What is the subject land currently used for? residential

How long have the existing uses of the subject land continued? 2019

What are the proposed uses of the subject land? Hamlet Residential

In the tables below, please provide information regarding all existing and proposed structures (this information must also be included on the site plan provided with the application). **Please note** that an up-to-date location survey will be required.

Existing Structures (in metric)

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Length	Width	Height	Date Constructed
Residential home	2000 SQ FT	2500 SQ FT	1.5	70 FT	60 FT	22 FT	2019-2020
Storage Shed	60 SQFT	60 SQFT	1	10 FT	6 FT	8 FT	2021
(To Be removed)							

Please place an asterisk (*) beside any existing structure that will be demolished.

Proposed Structures (in metric)

Type of Structure	Ground Floor Area	Gross Floor Area	Number of Storeys	Length	Width	Height

Will the proposal add any of the following?

	Yes	No	If yes, please provide:	Existing	Proposed
Total Living Area	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Size		
Bedrooms	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Number		
Bathrooms	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Number		
New Plumbing Fixtures	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Number of Fixtures		

10.0 Existing and Proposed Structures: Setbacks

In the tables below, please provide information regarding all existing and proposed structures (this information must also be included on the site plan provided with the application). **Please note** that an up-to-date location survey will be required.

Existing Structures (in metric)

Type of Structure	Front Lot Line	Rear Lot Line	Side Lot Line	Side Lot Line	Water yard	Other (specify)
House	118 m	34 m	13.46m	33 m	NA	

Please place an asterisk (*) beside any existing structure that will be demolished.

Proposed Structures (in metric)

Type of Structure	Front Lot Line	Rear Lot Line	Side Lot Line	Side Lot Line	Water yard	Other (specify)

Note: Information regarding the definitions of the requested dimensions and setbacks can be obtained from the Township's Zoning By-law 2010-55.

Lot Coverage (in metric and percentage)

	Existing		Proposed
Principle Use (i.e. Dwelling)	342 m ²	1.28%	
Accessory Structures			
Total			

11.0 Other Information:

Please provide any additional information that you feel may be relevant in the review of this application on additional pages as necessary along with any required studies.

12.0 Other Planning Applications

Please indicate if the subject land is or has been the subject of an application under the Planning Act.

Type of Planning Application	Yes	No	File Number	Status
Approval of Plan of Subdivision (under Section 51)	<input type="checkbox"/>	<input type="checkbox"/>		
Consent (Severance) (Section 53)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	B-179, 180, 181-23	Provisional consent
Minor Variance (Section 45)	<input type="checkbox"/>	<input type="checkbox"/>		
Other:	<input type="checkbox"/>	<input type="checkbox"/>		

13.0 Provincial Plans

Is the application consistent with the Provincial Policy Statements? Yes or No

Is the subject property within an area of land designated under any provincial plan(s)? Yes or No
(Growth Plan applies to the entire County of Peterborough)

If yes, does the application conform to or meet the intent of the provincial plan(s)? Yes or No

14.0 Public Consultation Strategy:

Please provide a description of the Public Consultation Strategy that will be used by the applicant during the zoning by-law amendment process to ensure that the public is consulted, please attached additional pages if needed:

Public meeting and mailing circulation as per
Planning Act

15.0 Authorization by Owner to Appoint an Agent:

I/We Corey McMillan, Brittany McMillan being the owner(s) of the subject land, hereby, authorize _____ to be the applicant in the submission of this application.

Signature  _____

Date July 25 2023

Signature  _____

Date July 25, 2023

16.0 Freedom of Information:

For the purposes of the Freedom of Information and Protection of Privacy Act, I/We authorize and consent to the use by or the disclosure to any person or public body or publishing on the Municipal website any information that is collected under the authority of the Planning Act for the purposes of processing this application.



Owner/Applicant/Agent Signature

July 25 2023
Date

Owner/Applicant/Agent Signature

Date

17.0 Access to Property:

I/We Corey, Brittany McMillan, hereby, authorize the members of the Council of the Township of Douro-Dummer or their agent(s)/representative(s) to attend at the subject property located at [insert address] 833 Iron Woods Drive.



Owner/Applicant/Agent Signature

July 25 2023
Date

18.0 Declaration of Applicant:

I/We Corey, Brittany McMillan of the Douro-Dummer in the
(name of owner(s)/agent(s) (city/town/township in which you reside)

Canada in Ontario solemnly
(County/Upper-tier municipality, if applicable) (Province/Territory)

declare that:

All the statements contained in this application and provided by me are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath

Declared before me at the Township of Douro-Dummer in the County of Peterborough this 26 day of July, 2023.

[Redacted Signature]

Signature of Commissioner, etc.
Donna Kelly
Deputy Treasurer/AP Payroll Clerk
Commissioner of Oath
Township of Douro-Dummer

To be signed in the presence of a Commissioner for taking affidavits

[Redacted Signature]

Owner/Applicant Agent Signature

Owner/Applicant Agent Signature

This application must be accompanied by the Township of Douro-Dummer Zoning By-law Amendment Fee (\$1500.00) plus the ORCA Fee in cash, by Interac or cheque made payable to the Treasurer of the Township of Douro-Dummer).

Personal information contained on this form, collected pursuant to the Planning Act, will be used for the purpose of responding to the initial application. Questions should be directed to the Freedom of Information and Privacy Coordinator at the institution conducting the procedures under the Act.

File Name/No. _____

Roll No. _____

Affidavit

In the Matter of a **Zoning By-law** application to the Township of Douro-Dummer,

I/We, Corey McMillan, make oath and say that:
[Print Owner/Applicant/Agent name]

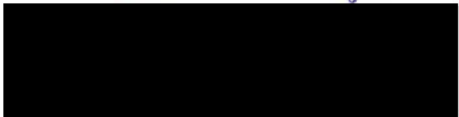
1. I am: [Place a clear mark within the square opposite one of the following paragraphs that describes capacity of deponents.]

- the applicant or one of the applicants in the Application(s).
- the authorized agent acting in this matter for the applicant or applicants.
- an officer of the corporate applicant named in the Application(s).

2. On or before the [Insert date] Date provided by municipality, I will ensure that the notice or notices of the Application(s) provided to me (or the Applicant, as the case may be) by the Township of Douro-Dummer have been posted so as to be clearly visible and legible from a public highway, or other place to which the public has access, at every separately assessed property in the area that constitutes the subject land of the Application(s) or, where posting on the property was impractical, at a nearby location so as to adequately indicate to the public what property is the subject of the Application(s).

Should the notice(s) be removed, by any means from the posting area(s), I will immediately contact the Township of Douro-Dummer Planning Department for replacement copies of the notice(s).

Declared before me at the Township of Douro-Dummer in the County of Peterborough this 2 day of August, 2023.



Signature of Commissioner, etc.

To be signed in the presence of a Commissioner for taking affidavits



Owner/Applicant Agent Signature

Owner/Applicant Agent Signature

Note: Failure to post the notices, as required by this Affidavit, may result in additional costs and/or delays with your application.

Donna Kelly
Deputy Treasurer/AP Payroll Clerk
Commissioner of Oath
Township of Douro-Dummer



Township of Douro-Dummer

Planning Application Costs Acknowledgement Form

I/We, Corey McMillan
[Print Owner/Applicant/Agent name]

do hereby acknowledge and agree that the payment of the fee that is submitted with this application for a Zoning By-law Amendment, as being an application fee only, will be used to defray the costs of processing this application, and;

do also hereby acknowledge and agree to assume all costs** incurred by the Township of Douro-Dummer associated with the processing of this application that exceed the amount of the application fee, including, but not restricted to, Professional Planning Fees, Engineering Fees and Legal Fees, in addition to the municipal costs associated with this application, and;

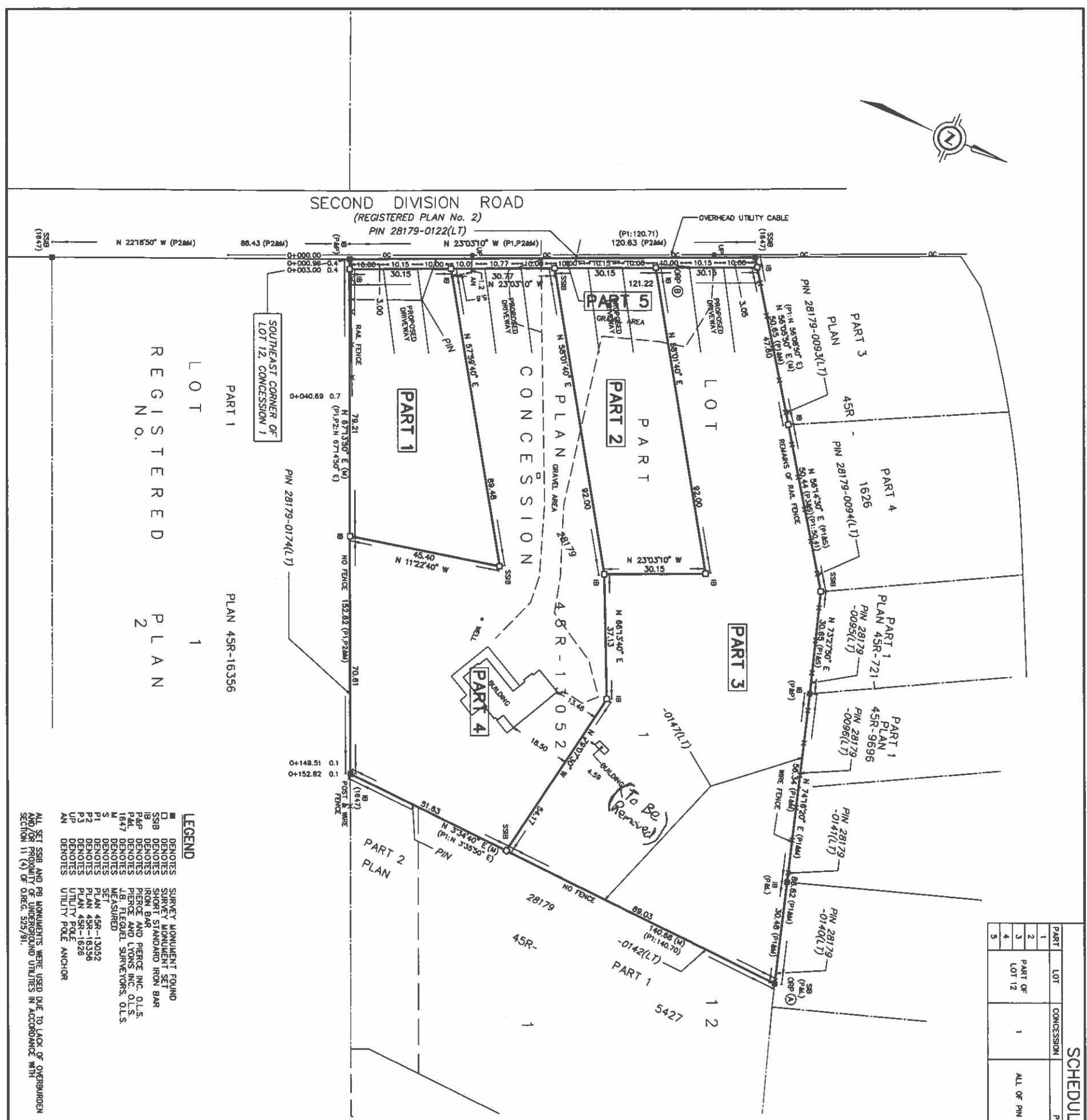
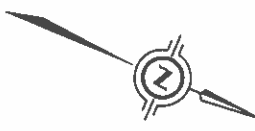
do also hereby acknowledge and agree to assume all costs** incurred by the Township of Douro-Dummer associated with any Appeal to the Local Planning Appeal Tribunal with respect to this application.

Dated this 2 day of August, 2023.



Owner/Applicant/Agent Signature

****** Written consent from the applicant will be obtained prior to any such additional costs being incurred.



SCHEDULE			
PART	LOT	CONCESSION	PIN
1	1		3 095.1 sqm
2	2		2 740.3 sqm
3	PART OF LOT 12		10 150.6 sqm
4			8 148.3 sqm
5			3 434.4 sqm

SCHEDULE			
PART	LOT	CONCESSION	PIN
ALL OF PIN 28179-0147			

- LEGEND**
- DENOTES SURVEY MONUMENT FOUND
 - DENOTES SURVEY MONUMENT SET
 - SSB DENOTES SHORT STANDARD IRON BAR
 - IB DENOTES IRON BAR
 - P&P DENOTES PIERCE AND PIERCE INC. O.L.S.
 - P&L DENOTES PIERCE AND LYONS INC. O.L.S.
 - M DENOTES METAL SURVEYORS' O.L.S.
 - S DENOTES SET MEASURED
 - P1 DENOTES PLAN 456-13052
 - P2 DENOTES PLAN 458-16356
 - P3 DENOTES PLAN 459-1626
 - UP DENOTES UTILITY POLE
 - AN DENOTES ANCHOR

ALL SET SSB AND PB MONUMENTS WERE USED DUE TO LACK OF OVERBURDEN AND/OR PROXIMITY OF UNDERGROUND UTILITIES IN ACCORDANCE WITH SECTION 11 (4) OF OREG. 525/91.

PLAN OF SURVEY OF
**PART OF LOT 12,
 CONCESSION 1**
 GEOGRAPHIC TOWNSHIP OF DUMMER
 NOW IN THE
TOWNSHIP OF DOURO-DUMMER
 COUNTY OF PETERBOROUGH
 J.D. BARNES LIMITED

METRIC DISTANCES AND/OR COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

SCALE 1 : 750

THE INTENDED PLOT SIZE OF THIS PLAN IS 609mm IN WIDTH BY 457mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:750

NOTES

BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010).

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 1.000207.

FOR BEARING COMPARISONS, A ROTATION OF 1°33'10" COUNTER-CLOCKWISE WAS APPLIED TO BEARINGS ON P1.

INTEGRATION DATA

OBSERVED REFERENCE POINTS (ORP-):	UTM ZONE 17, NAD83 (CSRS) (2010.0), COORDINATES TO URBAN ACCURACY PER SECTION 14 (2) OF OREG 218/10.
POINT ID	NORTHING
ORP (A)	4 923 310.14
ORP (B)	4 923 195.57
	EASTING
	727 652.81
	727 470.19

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

THE RESULTANT TIE BETWEEN ORP (A) AND ORP (B) IS 215.54 N 57°33'0" E

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON JULY 14, 2023.

JULY 18, 2023

DATE

SHAWN M. OGDONOR
 ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER V-54451

Elliott and Parr
 (PETERBOROUGH)

Surveying and Mapping
 A Division of OMB

J. D. Barnes Limited
 211 SHEPPARD AVE. E. PETERBOROUGH, ONT. N2H 2N2
 T: (705) 745-8444 F: (705) 745-5314 www.jdbarnes.com

DRAWN BY: JK
 CHECKED BY: SMO
 REVISION NO.: 23-19-087-00

DATE: 07/19/2023
 PLOTTED: 7/24/23

The Corporation of the Township of Douro-Dummer

By-law Number 2023-XX

Being a By-law to amend By-law Number 10-1996, as amended, otherwise known as "The Township of Douro-Dummer Comprehensive Zoning By-law"

Whereas By-law Number 10-1996, as amended, regulates the use of land and the use and erection of buildings and structures within the Township of Douro-Dummer;

And Whereas Section 34 of The Planning Act, RSO 1990, as amended, permits the Council to pass an amending Zoning By-law;

And Whereas the Council of the Township of Douro-Dummer required the rezoning of the subject lands as a condition of Peterborough County Consent Applications B-179-22, B-180-22 and B-181-22;

And Whereas the Council of the Township of Douro-Dummer deems it advisable to further amend By-law No. 10-1996 as amended;

Now Therefore the Council of the Township of Douro-Dummer hereby enacts as follows:

1. Schedule B14 to By-law No. 10-1996, as amended, is hereby further amended by changing the zone category on lands known municipally as 833 Iron Woods Drive and described as Parts 1, 2, 3 and 4, Plan 45R-17504, Part Lot 12, Concession 1 (Dummer Ward) from the Rural Zone (RU) to Hamlet Residential Zone (HR) as shown on Schedule "1" attached hereto and forming part of this By-law.
2. All other relevant provisions of By-law 10-1996, as amended, shall apply.

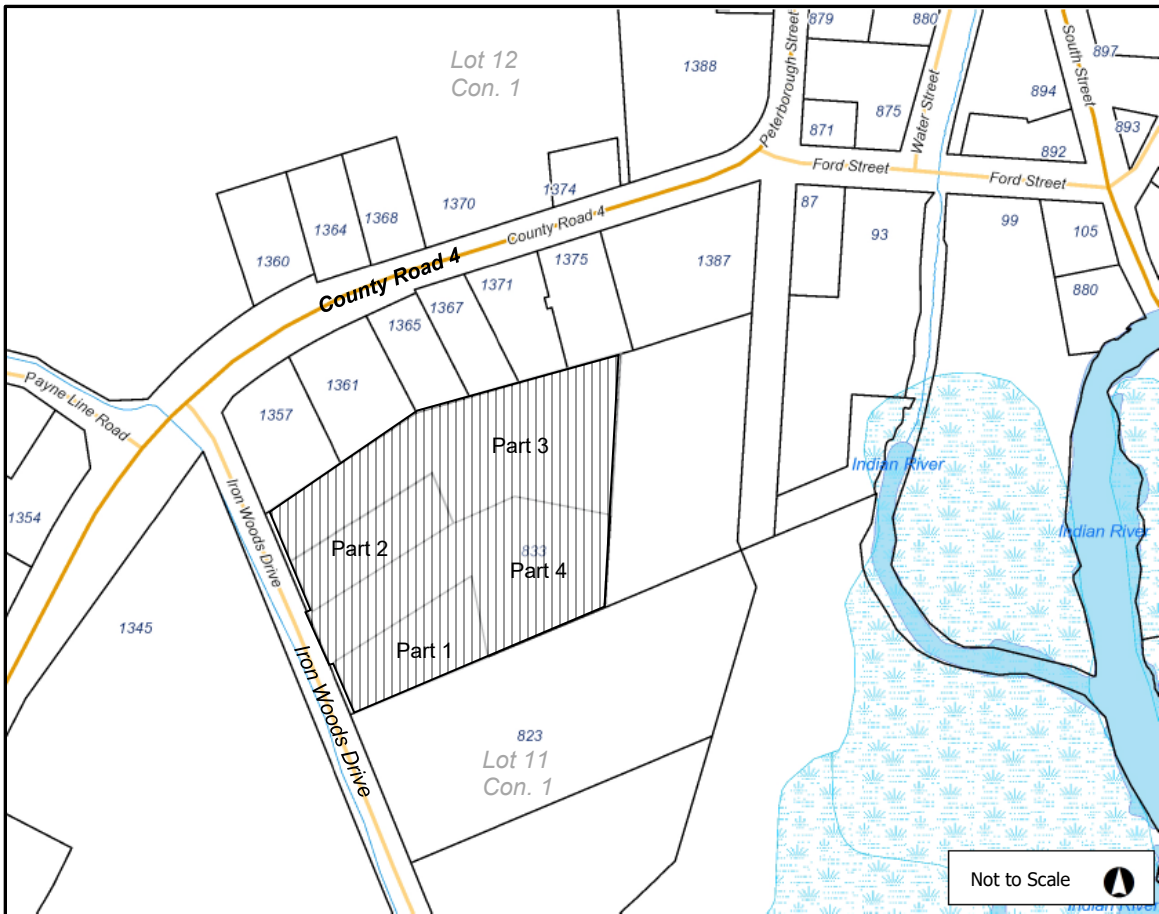
If no notice of objection is filed with the Acting Clerk within the time provided, this By-law shall become effective on the date of passing hereof, subject to the provisions of The Planning Act, RSO 1990, as amended.

Passed in Open Council this 5th day of September, 2023.

Mayor, Heather Watson

Acting Clerk, Martina Chait-Hartwig

Schedule "1" to By-law 2023-XX



 **Area to be rezoned from the 'Rural Zone (RU)' to the 'Hamlet Residential Zone (HR)'**

This is Schedule '1' to By-law No. 2023-XX passed this 5th day of September, 2023.

Mayor, Heather Watson

Acting Clerk, Martina Chait-Hartwig

From: [Municipal Planning](#)
To: [Christina Coulter](#)
Subject: RE: R-04-23 (McMillan)
Date: August 18, 2023 1:53:40 PM
Attachments: [image001.png](#)

Thank you for your circulation.

Enbridge Gas does not object to the proposed application however, we reserve the right to amend our development conditions.

Please continue to forward all municipal circulations and clearance letter requests electronically to MunicipalPlanning@Enbridge.com.

Regards,

Jasleen Kaur

Municipal Planning Coordinator
Engineering

ENBRIDGE
TEL: 437-929-8083
500 Consumers Rd, North York, ON M2J1P8
enbridge.com
Safety. Integrity. Respect. Inclusion.

From: Christina Coulter <ChristinaC@dourodummer.on.ca>
Sent: Monday, August 14, 2023 10:26 AM
Cc: Martina Chait <MartinaC@dourodummer.on.ca>
Subject: [External] R-04-23 (McMillan)

CAUTION! EXTERNAL SENDER

Were you expecting this email? TAKE A CLOSER LOOK. Is the sender legitimate?
DO NOT click links or open attachments unless you are 100% sure that the email is safe.

Good morning;

The Township is in receipt of a rezoning application File R-04-23 (McMillan). A copy of the Notice of Complete Application and Public Meeting along with the Draft By-law are attached. The Notice and supporting documents will also be posted on the [Township website](#) today.

Please provide your comments to me no later than 8:30 a.m. on Friday, August 25, 2023.

Sincerely,
Christina

Christina Coulter B. Sc. (Hons.)
Planner

T: 705 652 8392 x 226 F: 705 652 5044

Township of

Douro-Dummer

From: [Ian Dyck](#)
To: [Christina Coulter](#)
Subject: RE: R-04-23 (McMillan)
Date: August 15, 2023 6:42:21 PM
Attachments: [image001.png](#)

Good Afternoon Christina,

Thank you for the agency circulation for R-04-23.

Kawartha Pine Ridge District School Board (KPR) has reviewed this amendment; and has not identified any concerns or issues related to our mandate.

Please accept this as a formal response from Kawartha Pine Ridge District School Board.

Thank you for the opportunity to comment.

Have a good day,
Ian Dyck

Ian Dyck - Planning GIS Technician

Planning Services

Kawartha Pine Ridge District School Board

Cell: 705-740-5473

Office: 705-742-9773 ext. 2034

Email: ian_dyck@kprdsb.ca

From: Christina Coulter <ChristinaC@dourodummer.on.ca>

Sent: Monday, August 14, 2023 10:26 AM

Cc: Martina Chait <MartinaC@dourodummer.on.ca>

Subject: R-04-23 (McMillan)

You don't often get email from christinac@dourodummer.on.ca. [Learn why this is important](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning;

The Township is in receipt of a rezoning application File R-04-23 (McMillan). A copy of the Notice of Complete Application and Public Meeting along with the Draft By-law are attached. The Notice and supporting documents will also be posted on the [Township website](#) today.

Please provide your comments to me no later than 8:30 a.m. on Friday, August 25, 2023.

Sincerely,
Christina

Christina Coulter B. Sc. (Hons.)
Planner

T: 705 652 8392 x 226 F: 705 652 5044

Township of

Douro-Dummer



August 22, 2023

Martina Chait-Hartwig
Acting Clerk
Township of Douro-Dummer
894 South Street, PO Box 92
Warsaw, Ontario, K0L 3A0

Dear Martina Chait-Hartwig

Re: ZBA File No, R-04-23 for Consent B-179-22; B-180-22; and B-181-22, Corey and Brittany McMillan, 833 Iron Woods Drive, Township of Douro-Dummer, Roll No. #152202000306600; ORCA FILE: PPLD-2280

The Otonabee Region Conservation Authority (Otonabee Conservation) has received the above noted circulation regarding the proposed Zoning By-law Amendment as a condition of consent. Otonabee Conservation staff have reviewed the available information in accordance with our mandate and policies and offer the following comments.

The land in question is currently zoned Rural Zone (RU). The effect of this By-law Amendment is to rezone the subject lands (Parts 1, 2, 3 and 4, Plan 45R-17504) from the Rural Zone (RU) to the Hamlet Residential Zone (HR).

This rezoning is required as a condition of Consent for files B-179-22, B-180-22, and B-181-22 that were conditionally approved by Peterborough County on April 6, 2023.

Otonabee Conservation's interest in this application is outlined below:

- 1. Otonabee Conservation has reviewed this application through our mandated authority under Ontario Regulation 686/21, pursuant to the Conservation Authorities Act, to ensure consistency to natural hazards policies in any policy statement or provincial plan issued under the Planning Act.*

Otonabee Conservation mapping indicates the proposed lots are located outside of any known natural flooding/erosion hazards. **It is the opinion of Otonabee Conservation staff that the application is consistent with Section 3.1 of the Provincial Policy Statement.**

- 2. Otonabee Conservation has reviewed the application through a regulatory lens. Under Ontario Regulation 167/06, this Authority's 'Development, Interference with Wetlands and Alterations to Shorelines and Watercourses' regulation under Section 28 of the Conservation Authorities Act, any development, interference with or alteration within a flooding hazard, erosion hazard, watercourse, wetland, and their adjacent lands/areas of interference requires a permit from the Authority. When an application circulated under the Planning Act will also require an Otonabee Conservation permit, it is the practice of the Authority to establish the policy requirements of both processes during the planning stage.*

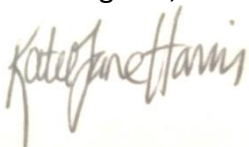
Otonabee Conservation mapping shows the proposed new lots fall outside of the regulated area. **A permit is NOT required from the Authority for the new development.**

- 4. Otonabee Conservation has reviewed the application for conformance with the provisions of the Revised Trent Source Water Protection Plan (SPP), prepared under the Clean Water Act. The SPP, intended to protect Ontario's drinking water at its source, came into effect on January 1, 2014 and contains policies to protect sources of municipal drinking water supplies from existing and future land use activities.*

The subject lands are not located in a vulnerable area as per the SPP.

Please contact me if you have any questions or concerns.

Best Regards,



Katie Jane Harris
Planning and Development Officer



**Township of Douro-Dummer
Notice of Complete Application and Public Meeting
Concerning a proposed Zoning By-law Amendment
Application R-04-23**

The meeting will be held in person and electronically

Take Notice that the Council of The Corporation of the Township of Douro-Dummer has received a complete application for Zoning By-law Amendment and will hold a public meeting to consider the proposed amendment to the Township of Douro-Dummer Comprehensive Zoning By-law under Section 34 of the Planning Act, R.S.O., 1990.

Date and Time: **Tuesday, September 5, 2023 at 5:00 p.m.**
Location: Council Chambers of the Municipal Office
 894 South Street, Warsaw ON and
 Electronic Meeting Site

Public Hearing: While the meeting will be held in person, given the ongoing Covid-19 concerns, any person wishing to make written and/or oral submissions either in support of or opposition to the proposal is invited to make arrangements to attend the hearing virtually. In order to make arrangements to attend the virtual (electronic) hearing please contact the Acting Clerk by email at martinac@dourodummer.on.ca no later than 9:00 a.m. on the day of the scheduled public hearing. Although it is possible for members of the public to “attend” a meeting electronically, and provide verbal submissions, we encourage you to communicate with Council by forwarding written comments in support or in opposition to martinac@dourodummer.on.ca.

If you wish to view the public meeting in real time, but do not wish to speak to the application, the meeting will be hosted on the [Township’s YouTube Channel](#). The meeting will also be recorded and available after the meeting for public viewing on the same platform.

Legal Description/ Address:	833 Iron Woods Drive Parts 1, 2, 3 and 4, Plan 45R-17504 Part Lot 12, Concession 1 (Dummer Ward) Roll No.: 1522-020-003-06600 A key map is provided on the next page
Owner/Applicant:	Corey and Brittany McMillan
File Name:	R-04-23

Purpose and Effect of Application:

The owners have applied to amend the existing zoning of their property located at 833 Iron Woods Drive, in the former Township of Dummer, (now the Dummer Ward of the Township of Douro-Dummer) in the County of Peterborough.

The land in question is currently zoned the Rural Zone (RU). The effect of this By-law Amendment is to rezone the subject lands (Parts 1, 2, 3 and 4, Plan 45R-17504) from the Rural Zone (RU) to the Hamlet Residential Zone (HR).

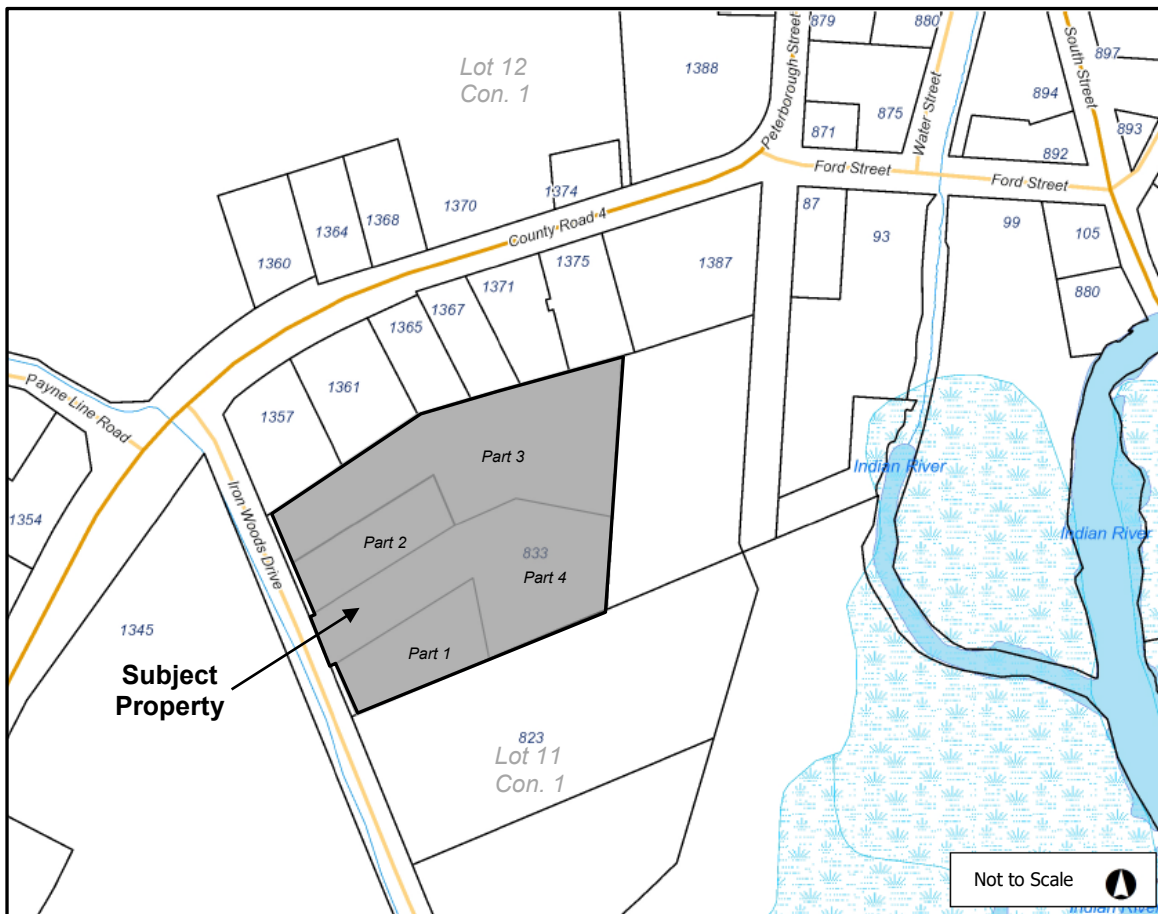
This rezoning is required as a condition of **Consent Applications (Files B-179-22, B-180-22 and B-181-22)**, that were conditionally approved by Peterborough County on April 6, 2023.

Additional Information relating to the proposed zoning by-law amendment is available by contacting the undersigned or by visiting the Township Website at: <https://www.dourodummer.ca/modules/news/en>.

Accessibility: If you have accessibility needs and require alternative formats or other accommodations, please contact the undersigned.

Notification: If you wish to be notified of the decision of the Council of the Township of Douro-Dummer on the proposed zoning by-law amendment, you must make a written request to the Acting Clerk of the Township of Douro-Dummer using the contact information provided below.

Key Map:



The Right to Appeal

If a person or public body would otherwise have an ability to appeal the decision of the Township of Douro-Dummer to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Douro-Dummer before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Township of Douro-Dummer before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Any person may attend the electronic/virtual public meeting and make written and/or verbal submissions either in support of or in opposition to the proposed zoning by-law amendment. In order to make arrangements to attend the virtual meeting, please contact the Acting Clerk by email at martinac@dourodummer.on.ca no later than 9:00 a.m. on the day prior to the scheduled meeting. It is the responsibility of the interested member of the public to have technology in place to connect to the meeting.

Privacy Disclosure: All written submissions, documents, correspondence, e-mails or other communications (including your name and address) are collected under the authority of the *Planning Act* and become part of the public record and may be made available for public viewing or distribution. Please note that by submitting any of this information, you are providing the Township with your consent to use and disclose this information as part of the planning process.

Dated this 14th day of August, 2023 at the Township of Douro-Dummer.

Martina Chait-Hartwig
Acting Clerk
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Township of Douro-Dummer

Report and Capital Project Status

- Directed by Council and/or CAO
- Directed by the Province/legislation
- Directed by an Agency
- New items and updates are highlighted in Yellow

Report Status

Department	Date Requested	Directed By	Resolution/Direction	Est. Report Date
CAO	August 3, 2021	Council	Committee Recommendation on Short-Term Rentals	September 2023
CAO	June 20, 2023	Council	Approve the By-law to regulate use of Municipal Docks	Completed
CAO	April 11, 2023	COW	Report regarding Tree Seedling Program	Complete
CAO and Clerk	April 11, 2023	COW	Report to Council re ORV use in Township	Summer 2023
Clerk	April 4, 2023	Council	Recruitment for Historical Committee	Complete
Clerk	June 6, 2023	Council	Report Back – Request for various policy changes – Report presented August 1 st , 2023,	Draft Changes September 2023

Clerk	February 14, 2023	Council	Review of Records Retention By-law	Early Fall 2023
Corporate	May 3, 2022	Council	Future Gravel Resources	Winter 2023/2024
Finance/Clerk	February 21, 2023	Council	Policy/Program for Community Grants	October 2023
Finance/Clerk	February 21, 2023	Council	Policy to allow for multi-year budgets	Fall 2023
Planning	June 7, 2022	Council/Province	Bill 109 – Update to Site Plan Control By-law, Create Pre-Consultation By-law, ensure the language in Official Plan allows for Peer Review as part of Complete Application	Changes pending release of final provincial regulations
Public Works/CAO	March 7, 2023	Council	Indacom Drive Lot 3	Fall 2023

Capital Project Status

Department	Capital Project List	Status
Fire	Douro Station Reconfiguration	Ongoing
Fire	Resurfacing of the parking lot at Fire Station 2	Fall 2023
Fire	Station 2 Pumper	Completed
Fire	Fans for the Trucks	Completed
Fire	Paging Infrastructure Fees	Fall/Winter 2023
Fire	Bunker Gear	Completed
Fire	Master Fire Plan & Community Risk Assessment	Due 2024
General Government	Demolition of Old House at Fifth Line	Barn is removed – August 2022 Tender for house demolition and clean up – Waiting on results of contaminates test
General Government	New Sloped Roof - Town Hall	RFP in Fall 2023
General Government	Asset Management Plan	Ongoing

General Government	Computer Modernization	Ongoing
General Government	Finance Modernization	In progress – will continue into 2023 - New Payroll Module in place – Jan 2023
General Government	Municipal Office Front Door Replacement	Complete
General Government	Pay Equity Review	Complete
General Government	Development Charge Study	2023
General Government	Strategic Plan	Starting March 2023
General Government	Marriage License and Civil Marriage Ceremonies	Complete – Now working on internal procedures and for new staff to be in place
General Government	Public Conduct Policy and Procedure	Complete
Parks and Recreation	Parks and Rec Master Plan – Implementation	On hold due to Covid-19
Parks and Recreation	Tables and Chairs	Complete
Parks and Recreation	Lime Kiln Restoration – 2022 Budget	Spring 2023
Parks and Recreation	Consultant Fees - Arena Facilities Future Ad-Hoc Committee	Fall 2023 – Committee will be meeting September 2023

Parks and Recreation	Back Dam Shelter Roof	Completed
Parks and Recreation	New Parks Mower	Complete
Parks and Recreation	Garage Door Replacement – Douro Community Centre	Ordered/waiting on installation
Parks and Recreation	Water Softener Replacement – Warsaw Community Centre	Completed
Parks and Recreation	Compressor Replacement Reserve Contribution	2024
Parks and Recreation	New Park Trailer	Complete
Planning	Zoning By-Law Update	On hold until Province Approves OP
Planning	Proposed Provincial Planning Statement	Complete
Public Works	Spot Gravel Repairs - Centre Dummer Road	Summer 2023
Public Works	Gravel Pit Purchase	Late 2023
Public Works	Excavator with Brush head (John Deere 190)	Waiting on delivery

Severance Review

File No: B-116-21 Amended – REVISED (Revised Report)
Name: David and Debra Brown
Location: 400 Douro First Line
Part Lot 5, Concession 2 (Douro)
Roll No. 1522-010-002-05800

Recommendation:

That Planning-2023-27 Report, be received and that Peterborough County Land Division be advised that the Township of Douro-Dummer has revised their comments as they pertain to Severance Application B-116-21 Amended – REVISED; and that

Based on additional information received from OMAFRA and County of Peterborough Staff, the proposed severance does not appear to conform to Minimum Distance Separation (MDS) requirements; and that

Should the proposed severed lot be relocated outside of the MDS Arc, but within 120 metres of a key hydrologic feature, confirmation is required, to the satisfaction of the Township and County of Peterborough, that a 30 metre vegetation protection zone (VPZ) has been identified and that the proposed lot is located outside of the VPZ as required by Section 4.2.4 of the Growth Plan; and that

The revised location of the severed parcel be reviewed by the Manager of Public Works to ensure that a safe entrance is possible; and that

The amended Municipal Appraisal Form (MAF) dated August 24, 2023 attached to this Report be provided to Peterborough County Land Division.

Purpose of the application – Creation of two new residential lots.

Background:

At the June 6, 2023 Regular Meeting of Council, Staff presented Report Planning-2023-18 regarding Peterborough County Severance File B-116-21 Amended – REVISED. The minutes of the June 6, 2023 Meeting can be found at the following link: [Regular Council Meeting - June 06, 2023 \(escribemeetings.com\)](https://www.escribemeetings.com).

While there was an unresolved objection to the application from the owners of 369 Douro First Line, the Staff Report recommended the application based on the findings of the Clark Consulting Services (CCS) Addendum dated June 2, 2022. The CCS Addendum accepted the EcoVue suggestion that the existing livestock facility is capable of housing 45 beef cattle which generates an MDS I setback of 136 m. The proposed severed parcel is located 138 metres away from this livestock facility and based on

these calculations, the proposed lot appeared to comply with the MDS requirements in accordance with Section 1.1.5.8 of the PPS.

Additional information from the owners of 369 Douro First Line provided by the County of Peterborough after the writing of Report Planning-2023-18 and subsequent discussions with Staff from the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) and the County of Peterborough Planning Department have determined that the existing livestock facility located at 369 Douro First Line is capable of housing a maximum of 45 beef cattle and 5 medium frame horses. A copy of the AgriSuite MDS I Calculation is attached to this Report.

Based on the accepted design capacity in the attached MDS I calculation, the proposed severed lot must be setback a minimum of 145 metres from the 2720 ft² (253 m²) livestock facility located at 369 Douro First Line.

Since the severed lot is only setback 138 metres from this livestock facility, the proposed lot does not appear to comply with the MDS requirements in accordance with Section 1.1.5.8 of the PPS and therefore conflicts with Sections 6.2.2.3 (d), 6.2.2.5 (e), and 7.2.3 of the Official Plan.

Official Plan Designation:

Severed:	Rural
Retained:	Rural and Provincially Significant Wetland.

OP Conformity:

The severed parcel is designated Rural in the Local Component of the County Official Plan (the Township Official Plan).

Sections 6.2.2.3(d), 6.2.2.5(e) and 7.2.3 of the Official Plan require that new development shall only be established in accordance with the Minimum Distance Separation (MDS) requirements of the Provincial Policy Statement (PPS) in order to protect farm operations from encroachment and to allow for the future flexibility and expansion of existing farm operations. Based on additional information provided by the County of Peterborough and OMAFRA, the proposed severance does not appear to comply with the above noted sections of the Official Plan.

Zoning:		Rezoning Required:
Severed:	Rural (RU)	Yes
Retained:	Rural (RU) & Environmental Conservation Provincially Significant Wetland (EC(P))	No

Zoning Conformity:

The severed parcel is zoned Rural (RU) as identified on Schedule 'A1' to By-law No. 10-1996, as amended. A residential use is permitted in the (RU) Zone (S. 9.1.5) and requires a minimum lot area of 0.4 hectares and a minimum lot frontage of 45 metres (S. 9.2.4 (a) & (b)). The proposed severed parcel appears to meet these requirements. However, Section 3.23 of the By-law provides that no residential use, located on a separate lot shall be erected or altered unless it complies with the MDS formulae established by the Province, as amended from time to time. Since the severed lot does not meet the MDS I formula, a building permit could not be issued for the severed parcel.

In accordance with Section 8.2 of *The Minimum Distance Separation (MDS) Document, Publication 853*, OMAFRA does not generally support or encourage reductions to MDS setbacks, especially for new development. Allowing for reductions to MDS setbacks can increase the potential for land use conflicts and undermine the intent of this MDS Document. As such, Township Staff do not recommend a rezoning to reduce the MDS setback.

The retained parcel is zoned Rural (RU) and Environmental Conservation Provincially Significant Wetland (EC(P)) as identified on Schedule 'A1' to By-law No. 10-1996, as amended. An agricultural use or farm is permitted in the (RU) Zone (S. 9.1.1) and requires a minimum lot area of 20 hectares and a minimum lot frontage of 135 metres (S. 9.2.1 (a) & (b)). The retained parcel appears to meet these requirements.

PPS and Growth Plan Conformity:

Based on the accepted design capacity in the attached MDS I calculation, the proposed severed lot does not meet the minimum 145 metre setback from the 2720 ft² (253 m²) livestock facility located at 369 Douro First Line and therefore does not appear to comply with the MDS requirements in accordance with Section 1.1.5.8 of the PPS.

Comments:

Should Council accept the revised MDS findings, it is recommended that Staff be directed to provide an amended Municipal Appraisal Form (MAF) to the County of Peterborough. The amended MAF would indicate that the application does not conform to the Official Plan or the Zoning By-law and that the Township does not recommend the application or support a rezoning and/or minor variance. However, if the application is approved, the conditions requested in Report Planning-2023-18 are still required.

The Applicant has the option of amending the application to relocate the severed parcel outside of the MDS arc. For example, if the severed parcel was shifted approximately 44 metres south or a total of approximately 277 metres south of the Allowance between Lots 5 and 6, the severed parcel would be located outside of the MDS Arc. However, shifting the severed lot to the south by approximately 44 metres would place the

proposed severed lot within 120 metres of the non-evaluated wetland and seepage area to the south.

Similarly, the proposed lot could be relocated approximately 188 metres to the north or a total of approximately 93 metres south of the Allowance between Lots 5 and 6, and thus the severed parcel would be located outside of the MDS Arc. However, this would also place the proposed severed lot within 120 metres of the seepage area to the North.

Staff consulted with the Applicants, David and Debra Brown, who indicated they are amenable to shifting the severed lot to the south. Through their consultant, Bob Clark, CCS Consulting, the attached severance sketch was provided on August 24, 2023 which illustrates the proposed severance could be moved further south outside of the 145 metre MDS Arc. Mr. Clark indicated that both he and Chris Ellingwood [GHD] have seen this updated sketch and have agreed that it should be submitted to reflect the adjusted consent to address the increase in the MDS Separation Distance as agreed to by OMAFRA.

According to the attached sketch, the severed parcel is outside of the 145 metre MDS Arc and within 99 metres of the unevaluated wetland and 90 metres of the seepage area to the south.

Based on the findings of the October 10, 2022 GHD correspondence, "if the 120 m distance cannot be met as a result [of other factors such as MDS arc, minimum road frontage and minimum lot area], the following statements can be made.

1. The wetlands are located on low areas to the north and south and associated with drainage off of the rolling hills and drumlins.
2. The northern wetland is less than 2 hectares in size, at 0.5 acres.
3. The hill where the severance is proposed is well above the elevation of the wetlands and at the highest point on the property.
4. The field associated with the severance is active agricultural land and has limited ecological functions.
5. The creation of lot and the construction of a single family dwelling would not have a negative impact on the natural features or ecological functions of the southern or northern wetland.
6. No hydrological impacts from the proposed severance or dwelling construction are anticipated as the runoff from the top of this hill will continue to be downslope to the north and south."

The GHD Report was not peer reviewed by ORCA or the County's Peer Review Consultant since the severed lot was located outside of the 120 metre wetland setbacks and the proposal complied with the relevant sections of the legislation.

Planning Staff support the revised location and more regular shape of the severed parcel as presented by Mr. Clark.

Should the proposed severed lot be relocated outside of the MDS Arc, but within 120 metres of a key hydrologic feature, confirmation is required, to the satisfaction of the Township and County of Peterborough, that a 30 metre vegetation protection zone (VPZ) has been identified and that the proposed lot is located outside of the VPZ as required by Section 4.2.4 of the Growth Plan.

The revised location of the severed parcel be reviewed by the Manager of Public Works to ensure that a safe entrance is possible.

The revised location of the severed parcel would be located outside of the MDS Arc and would meet the minimum lot area and minimum lot frontage requirements for a residential use in the Rural Zone (S. 9.2.4 (a) & (b)).

These comments have been added to the MAF for consideration by Peterborough County Land Division.

A copy of the revised MAF is attached to this Report.

Report Approval Details

Document Title:	B-116-21 Amended - REVISED (Revised Report).docx
Attachments:	- B-116-21 AgriSuite J Brown MDS 1 (prepared by C. Coulter) (August 23, 2023).pdf - B-116-21 MAF (Amended).pdf - B-116-21 - 5034 Aug 24 Severance Sketch.pdf
Final Approval Date:	Aug 28, 2023

This report and all of its attachments were approved and signed as outlined below:

Martina Chait-Hartwig

Elana Arthurs


MDS I

General information

Application date Aug 23, 2023	Municipal file number B-116-21 Amended - REVISED	Proposed application Lot creation for a maximum of three non-agricultural use lots
Applicant contact information David and Debra Brown 400 Douro First Line Douro-Dummer, ON K0L 2B0 705-652-1645 dbrown50@rogers.com	Location of subject lands County of Peterborough Township of Douro-Dummer DOURO Concession 2 , Lot 5 Roll number: 152201000205800	

Calculations

369 Douro First Line

Farm contact information Jordan & Melinda Brown 369 Douro First Line Douro-Dummer, ON K0L 2B0 jordbrow@gmail.com	Location of existing livestock facility or anaerobic digester County of Peterborough Township of Douro-Dummer DOURO Concession 1 , Lot 5 Roll number: 152201000201100	Total lot size 100 ac		
Livestock/manure summary				
Manure Form	Type of livestock/manure	Existing maximum number	Existing maximum number (NU)	Estimated livestock barn area
Solid	Beef, Feeders (7 - 16 months), Yard/Barn	45	15 NU	2025 ft ²
Solid	Horses, Medium-framed, mature; 227 - 680 kg (including unweaned offspring)	5	5 NU	1250 ft ²
 Confirm Livestock/Manure Information (369 Douro First Line) The livestock/manure information has not been confirmed with the property owner and/or farm operator.				
Setback summary				
Existing manure storage	V3. Solid, outside, no cover, >= 30% DM			
Design capacity	20 NU			
Potential design capacity	40 NU			
Factor A (odour potential)	0.78	Factor B (design capacity)	240	
Factor D (manure type)	0.7	Factor E (encroaching land use)	1.1	
Building base distance 'F' (A x B x D x E) (minimum distance from livestock barn)				145 m (476 ft)
Actual distance from livestock barn				NA
Storage base distance 'S' (minimum distance from manure storage)				145 m (476 ft)

Preparer signoff & disclaimer

Preparer contact information

Christina Coulter
Township of Douro-Dummer
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P.O. Box 92
Warsaw, ON
K0L 3A0
705-652-8392 x226
ChristinaC@dourodummer.on.ca

Signature of preparer

Christina Coulter , Planner

Date (mmm-dd-yyyy)

Note to the user

The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.



COUNTY OF PETERBOROUGH
MUNICIPAL APPRAISAL FORM

APPLICANT: David and Debra Brown

FILE B - 116-21 Amended - REVISED (Amended MAF)

LOT: 5, CON.: 2 MUNICIPAL WARD: Douro

911 address: 400 Douro First Line, Roll #: 1522-010-002-05800, Island # or other: _____

APPLICATION FOR: Creation of a new lot _____

RECOMMENDATION:

Application does not conform to the Official Plan. Severed parcel does not conform to the Zoning By-Law. Retained parcel conforms to the Zoning By-Law. The Township does not recommend this application. If the application is approved, the following conditions are requested:

- 1. \$1250 Cash-in-lieu of parkland fee be paid to the Municipality.
2. A 3-metre strip of frontage from the severed parcel be deeded to the Township for road widening purposes. Cost to be incurred by the applicant.
3. A test hole for the septic system be inspected, there is a fee to inspect test holes to ensure a septic system would be viable - current fees are \$150 per severed lot severed and applicant is responsible for the digging of the test holes.

Comments: The Township supports the revised location and more regular shape of the severed parcel as presented by Mr. Clark, CCS Consulting on August 24, 2023 and attached to this MAF.

According to the attached sketch, the severed parcel is outside of the 145 metre MDS Arc and within 99 metres of the unevaluated wetland and 90 metres of the seepage area to the south.

Should the proposed severed lot be relocated outside of the MDS Arc, but within 120 metres of a key hydrologic feature, confirmation is required, to the satisfaction of the Township and County of Peterborough, that a 30 metre vegetation protection zone (VPZ) has been identified and that the proposed lot is located outside of the VPZ as required by Section 4.2.4 of the Growth Plan.

The revised location of the severed parcel be reviewed by the Manager of Public Works to ensure that a safe entrance is possible.

The revised location of the severed parcel would be located outside of the MDS Arc and would meet the minimum lot area and minimum lot frontage requirements for a residential use in the Rural Zone (S. 9.2.4 (a) & (b)).

OFFICIAL PLAN:

Application does not conform to the Township Official Plan policies, Section(s) 6.2.2.3(d), 6.2.2.5(e), & 7.2.3.

Severed Parcel:

- a) Proposed Use: Residential
b) Land Use Designation(s): Rural.
c) The proposed use is a permitted one.
d) Special policies affecting the severed parcel (i.e. OPA): _____.

Retained Parcel(s):

- a) Proposed Use: Agricultural with residence.
b) Land Use Designation(s): Rural and Provincially Significant Wetland.
c) The proposed use is a permitted one.
d) Special policies affecting the retained parcel (i.e. OPA): _____.

ZONING BY-LAW:

Severed Parcel:

- a) The severed parcel does not conform to the Township Zoning By-Law provisions, Section(s) 3.23.
b) A rezoning is required for the severed parcel.
c) A minor variance is not required for the severed parcel.
d) The existing zoning of the severed parcel is: _____.
e) The recommended zoning of the severed parcel would be: _____.

Retained Parcel(s):

- a) The retained parcel conforms to the Township Zoning By-Law provisions, Section(s) 9.1.1, 9.2.1(a) & (b).
b) A rezoning is not required for the retained parcel.
c) A minor variance is not required for the retained parcel.
d) The existing zoning of the retained parcel is: _____.
e) The recommended zoning of the retained parcel would be: _____.

General:

- a) If the severed and/or retained parcel(s) do not conform to the Zoning By-Law, Council does not support a rezoning and/or minor variance.

Completed By: Christina Coulter

Date: June 7, 2023

Amended Date: August 24, 2023

**Dave Brown
Severance
400 First Line
Douro Dummer**

Legend

Retained Lot



Severed Lot



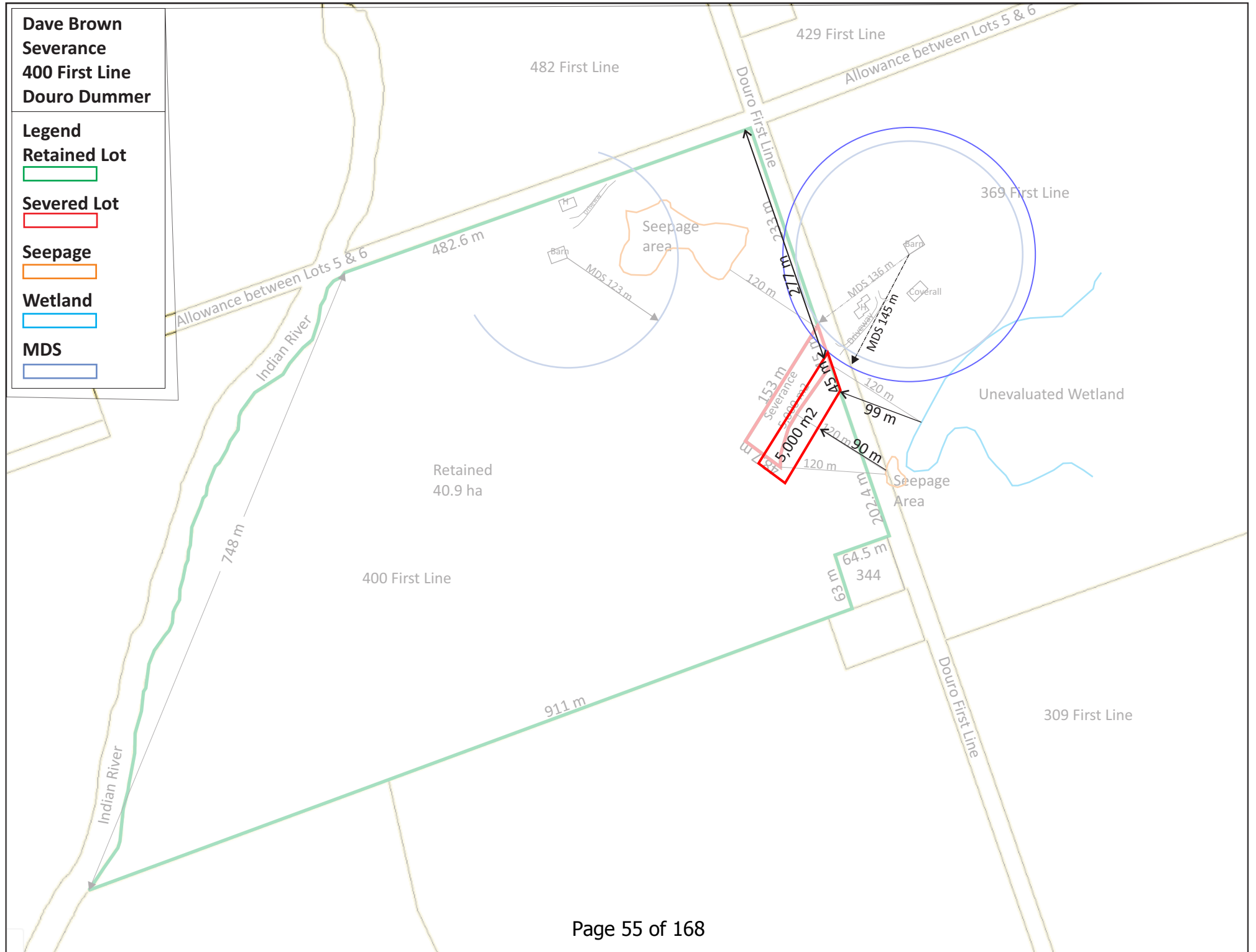
Seepage



Wetland



MDS



Recommendation:

That the Clerk's Office-2023-24 report, dated September 5, 2023 regarding a request for a public comment period at Council meetings be received and that Staff be requested to prepared an Amending By-law for Council approval at the next regular meeting.

Overview:

At the June 6th, 2023 Council meeting, a request for procedural changes dated May 29th, 2023 was received from Lynn McCabe, Marie Howran, Pat Smallman and Susan Field. In the letter they outline three changes they would like to be considered:

- 1) That draft minutes be released within 48 hours of the occurrence of a Council meeting.
- 2) That the Agenda be published in draft form seven days prior to a Council meeting.
- 3) That the public be allowed to ask questions and make statements during the meeting.

In response to the requests, Council passed the following Resolution:

June 6, 2023

Resolution Number 191-2023

Moved by: Councillor Johnston

Seconded by: Deputy Mayor Nelson

That the letter from Lynn McCabe, Marie Howran, Pat Smallman and Susan Field dated May 29th, 2023, regarding requests for various policy change be received and staff be requested to bring back a report on the request to a future Council meeting. Carried

At the August 1, 2023 Council meeting staff presented a report regarding the three requests and provided recommendations to Council. Council passed the following recommendation:

Resolution Number 240-2023

Moved by: Councillor Vervoort

Seconded by: Councillor Johnston

That the report, dated August 1, 2023 regarding a response to a request for Procedural Change be deferred and that staff be requested to bring forward a draft proposal to implement a Comment Period in the Procedural By-law for Council's review. Carried

This report outlines a concept for Council's review of changes to the Procedural By-law to allow for the implementation of a public Comment Period.

Staff are suggesting that a Comment Period be created after "Item 8. Delegations, Petitions, Presentation or Public Meetings" on the Agenda. This new item would be "9. Public Comment Period – No debate or Decision". All other items on the agenda will be renumbered to follow suit.

This new item will provide a maximum of 30 minutes for any members of the public to request to make a five (5) minute deputation to Council regarding an item listed on the agenda. Requests to be listed as a deputation in Item 9. Public Comments, shall be received by the Clerk, no later than the Monday at noon prior to the Council meeting date. For example, if the Council meeting is to be held on Tuesday, September 5th, the deadline to apply for Public Comment is Monday, September 4th, at noon. All requests will be in writing on the Public Comment Request Form. A draft copy of the Form is attached to this report and if approved would be added as "Schedule C- Public Comment Form" to the Procedural By-law.

On Monday afternoon, Staff will compile the submitted requests and provide them to Council via email. A copy of the list will also be posted as an addendum to the Agenda on the Township website at the same time. The name of the person and the item on which they provided a comment on will appear in the minutes of the meeting.

To set out the expectations and regulations for "Public Comment Period" a new Part shall be inserted as "Part 15 – Public Comment Period" all other parts of the By-law will be renumbered accordingly. This new part will be similar to Part 14 in that it will speak to the following items:

- How to file a request and the deadline to do so – See explanation above
- Time Limit for the Comment – Five (5) Minutes
- Restrictions and Permissions – Can only speak to the matter listed on their request form and that it must be an item already listed on the Agenda
- Number of Public Comments per Meeting – Six (6), five (5) minute public comments for a maximum of 30 minutes.
- Limits on Repetition to allow for a diversity of points of view and best use of limited time
- Delegations Deemed Inappropriate for Council
- No Debate or Decision shall be made on Public Comments. They can be discussed when the item they referred to appears on the Agenda

Further to the changes above, to allow the public more time to view the Agenda and submit a request for Public Comment, Item 4.2 in the Procedural By-law shall be amendment to read that the Agenda shall be released to Council and the public on the Thursday prior to the Council meeting by 4:30 p.m.

Conclusion:

As per Council's request Staff have created a mechanism to allow for public comments at Council meetings while also protecting the requirements to have open, accessible and transparent Council meetings.

Financial Impact:

There is no anticipated financial impact with this proposed change.

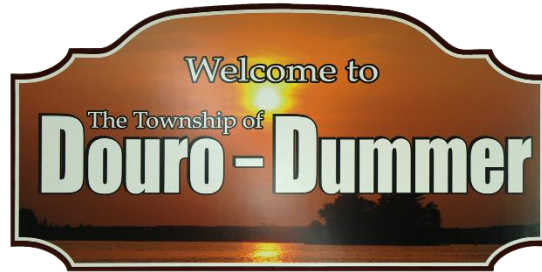
Strategic Plan Applicability: To ensure and enable an effective and efficient municipal administration.

Report Approval Details

Document Title:	Requested Changes to Procedural By-law.docx
Attachments:	- 2022-21 - Procedural By-law.pdf - Draft - Schedule C.docx
Final Approval Date:	Aug 28, 2023

This report and all of its attachments were approved and signed as outlined below:

Elana Arthurs



Corporation of the Township of Douro-Dummer

By-law No. 2022-21

**A By-law to Govern the Proceedings of the Council of the
Corporation of the Township of Douro-Dummer and to
Repeal By-law 2021-73**

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The Corporation of the Township of Douro-Dummer

**By-law Number 2022-21
(Repeals By-law 2021-73)**

Procedural By-law

Whereas The *Ontario Municipal Act, 2001*, authorizes the Council of every municipality to pass By-laws for governing the proceedings of its Council, the conduct of its Members and the calling of meetings; and

And Whereas Section 238 further indicates that every municipality and local board shall pass a Procedural By-law for governing the calling, place and proceedings of meetings; now therefore be it

Resolved, that the Council of the Corporation of the Township of Douro-Dummer hereby enacts as follows:

**Short Title
Council Procedural By-law**

**Part 1
Definitions**

1.1 Definitions

In this By-law:

Abstention

"Abstention" means a refusal to vote either for or against a proposal.

Address

"Address" shall mean primary domicile.

Advisory committee

"Advisory Committee" shall mean a committee appointed by Council to provide recommendations, advice and information to Council through one of its committees.

Amend

"Amend" shall mean to alter or vary the terms of a main motion without materially changing its purpose, an amendment shall have a corresponding meaning.

Chair

"Chair" means the Mayor or Deputy Mayor or Chairman is the person in a meeting who is actually presiding at the time that the meeting is being held.

Chief Administrative Officer

"Chief Administrative Officer, means the Chief Administrative Officer (CAO) of the Township of Douro-Dummer designated by By-law.

Clerk

"Clerk" shall mean the Clerk of The Corporation of the Township of Douro-Dummer or their designate.

Closed session

"Closed Session" shall mean a closed session of Council, the Committee of the Whole or committee meeting not open to the public, held in accordance with the Municipal Act, as amended.

Committee of the Whole

"Committee of the Whole" means a meeting of Elected Members of Council, the device to enable the Members to give detailed consideration to a matter under consideration and greater means to discuss the matter.

Corporation

"Corporation" means The Corporation of the Township of Douro-Dummer.

Council

"Council" means Elected Members of Council of the Township of Douro-Dummer who were elected by registered voters or who have been appointed by virtue of a vacancy.

Debate

"Debate" means a discussion to put forth reasons for or against, in which a difference of opinion may be expressed.

Defer

"Defer" shall mean to delay consideration of a matter by Council, the Committee of the Whole or a committee.

Deputy Mayor

"Deputy Mayor" means the Elected Members of Council of the Township of Douro-Dummer who were elected by registered voters or who have been appointed by virtue of a vacancy to fill the seat of Deputy Mayor.

Electronic Participation

"Electronic Participation" includes telephone, video, audio or audio-visual conferencing, or any other interactive method whereby Members, staff and the public are able to hear the Member(s) participating by electronic means and the Member(s) participating by electronic means are able to hear other Members, staff and the public.

Improper conduct

"Improper Conduct" shall mean the open disregard of the rulings of the Chair and rules and conduct outlined in this Procedural By-Law and Robert's Rules of Order.

Local Board

"Local Board" means a municipal service board, transportation commission, public library board, board of health, police services board, planning board, or any other board commission, committee, body or local authority established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities, excluding a school board and a conservation authority.

Majority

"Majority" shall mean more than fifty percent (50%) of the members present at the meeting.

Mayor

"Mayor" shall mean Head of Council as defined in the Ontario Municipal Act, 2001, as amended.

Meeting

"Meeting" means any regular, special, committee, or other meeting of a Council, of a local board or of a committee or other meeting of a Council, of a local board, or of a Committee or any of them where a quorum of Members is present and Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of the Council, local board or committee.

Member

"Member" shall mean an elected member of the Council and includes the Head of Council. It shall also refer to persons who have been appointed to a Township Board or Committee.

Motion

"Motion" shall mean a proposal by a member for the consideration of Council, the Committee of the Whole, advisory or special committee that is moved by a member and seconded by another member.

Notice of Motion

"Notice of Motion" shall mean a motion provided to the Clerk, in writing, by a member, requesting the inclusion of a motion on a future Agenda of a meeting of Council, Committee of the Whole or a standing committee with the provisions of this By-law.

Point of Information

"Point of Information" means a request through the Chair, for information relevant to the business at hand, but not related to parliamentary procedure.

Point of Order

"Point of Order" means a matter that a Member considers to be a departure from or contravention of the rules, procedures or generally accepted practices of Council.

Question of Privilege

"Question of Privilege" means a question of rights and privileges of the assembly or any of its Members to be brought up for possible immediate consideration because of its urgency.

Published

"Published" shall mean the provision of documents in print and/or electronic formats.

Recorded Vote

"Recorded Vote," means the making of a written record of the names and the vote of each Member who votes on a formal question.

Recording Devices

"Recording Devices" shall mean any type of video recorders or audio recorders, which includes but is not limited to digital cameras, Digital Video Recorders (DVRs), Personal Video Recorders (PVRs), cellphones, smartphones, Personal Digital Assistant (PDAs), Portable Media Players (PMPs), laptops and similar computing devices.

Refer

"Refer" shall mean to request that the matter under consideration be directed to another entity for some specific reason such as - clarification of the matter or for additional information prior to the matter returning for the Council's consideration.

Signed Document

"Signed Document" shall include any written submission to Council which shall be signed in pen or via electronic signature by at least one (1) person and submitted in its original form or electronically in Portable Document Format (PDF) or by fax.

Special committee

"Special Committee" means a committee appointed by Council, who acts independently from and for the Council and who has been delegated specific responsibilities and who go out of existence as soon as they have completed the specified task.

Quorum

"Quorum" shall mean a majority (50% + 1) of the members of Council, committee or board.

Time

"Time" means the time as defined under the Time Act.

Part 2 General

2.1 Rules - regulations - observed - at all times

The rules and regulations contained in this By-law shall be observed in all proceedings of the Council and shall be the rules and regulations for the order and dispatch of business of all Council meetings and in Committees, provided that the rules and regulations contained herein may be suspended by a two-thirds (2/3) vote of Members of the Council present and voting, in any case for which provision is not made herein and shall not be debatable or amendable.

2.2 Parliamentary procedure - proceedings

Those proceedings of the Council, Committee of the Whole, advisory and special committees thereof not specifically governed by the provisions of this By-law shall be regulated in accordance with Robert's Rules of Order, latest edition. Where a conflict arises between the Procedural By-law and Robert's Rules of Order, latest edition, this By-law shall take precedence.

2.3 Rules - regulations - suspended - majority - Council

Suspension of the Procedural By-law requires a majority of the members present to vote in favour of the suspension.

2.4 Meeting Location

The agenda posted on the Township's website will give notice to the location of meetings. Meetings of the Council and the Committee of the Whole shall be held either electronically or in Council Chambers located at 894 South Street, Warsaw, Ontario. Council may from time to time direct the Clerk by way of a majority vote to hold a meeting at another venue that is in the municipality subject to the venue being accessible to the public and to provide the appropriate public notice of the meeting and venue.

2.5 Recording and Livestreaming of Meetings

Meetings of Council and certain Committees as set out in their Terms of Reference may be audio/video recorded and/or broadcast through livestreaming in accordance with "Schedule B" attached hereto and forming part of this By-law.

Members of the public or media may record proceedings of meetings in accordance with "Schedule B" attached hereto and forming part of this By-law. Should the recording differ from "Schedule B", a request to do such may be considered by Council.

2.6 Electronic Participation during an Emergency

Members of Councils, local boards and committees who participate electronically in open and closed meetings are to be counted for purposes of quorum.

2.7 Adding Items to the Agenda

Council by unanimous vote may add an item to the Agenda at the Adoption of the Agenda. The vote shall be recorded in the minutes.

Part 3 Schedule of Meetings

3.1 Inaugural Meeting

Following the 2022 regular municipal election and all other subsequent regular municipal elections, the inaugural meeting shall be held on the third Tuesday in November commencing at 5:00 p.m., if the results of the election are contested the Inaugural Meeting shall be held the first Tuesday in December commencing at 5:00 p.m.

3.1.1 Inaugural Agenda

The Mayor-Elect and the Clerk shall be responsible for the content of the Agenda of the Inaugural Meeting and the arrangements for the Inaugural Proceedings.

3.2 Annual Schedule of Meetings - prepared by Clerk

The Clerk shall, by November 30th of each calendar year, submit a schedule of the upcoming meetings for each Council year for consideration and adoption by the Council.

When setting the annual schedule of meetings, the following shall apply:

- (a) Unless otherwise decided by Council, regular meetings of Council shall be held:

On the first and third Tuesdays of each month, other than July where there shall be no meeting and August where only one meeting shall occur, commencing at 5:00 p.m., unless otherwise approved in the annual schedule of meetings noted in Section 3.2 above;

- (b) Provision shall be made for meetings to consider and adopt the annual Operating and Capital Budgets and other matters as deemed necessary by Council.

3.3 Special meetings

3.3.1 Special meetings – Mayor

In addition to Public meetings, the Mayor may at any time summon a Special meeting of Council by giving direction to the Clerk stating the date, time and purpose of the Special meeting.

3.3.2 Special meeting – Members of Council

Upon receipt of the petition of the majority of the Members, the Clerk shall summon a Special meeting for the purpose and at the date and time mentioned in the petition.

3.3.3 Notice – by Clerk

The Clerk shall give all Members notice of a Special Meeting of Council at least forty-eight (48) hours before the time appointed for such meeting, Emergency Meetings are excluded from this requirement.

3.3.4 Delivery Notice

Notice may be given via the electronic agenda system, by electronic mail or by other appropriate means.

3.3.5 Nature of Business – Notice

The written notice shall indicate the nature of the business to be considered, date, time and place of the Special meeting and no other business shall be discussed.

3.3.6 No other business

No business other than that indicated in the written notice shall be considered at the Special meeting.

3.3.7 Special meeting – place

All Special meetings of Council shall be held at the location of the last regular meeting of Council, unless an alternative location is specified in the notice of meeting.

Part 4 Notice of Meetings

4.1 Agenda is deemed notice

The Agenda shall be considered as adequate notice of regular, special or emergency meetings.

4.2 Agenda – Regular meetings - to be delivered to Council – Thursday prior to meeting by 4:30 p.m.

The Agenda and materials for meetings shall be sent electronically (unless otherwise requested for accessibility reasons) to each member of council, so as to be received no later than 4:30 p.m. on the Thursday prior to the meeting.

Access to Agenda materials for a regular Council meeting will be posted to the Township website on the Friday prior to the meeting by 4:30 p.m.

4.3 Agenda - Special meetings – to be delivered - 48 hours in advance

Notice of special meetings called in accordance with section 3.3 of this By-law shall be sent electronically to each member, so as to be received at least 48 hours before the hour appointed for the special meeting.

Agenda Materials for a special Council meeting will be posted to the Township's website, whenever possible, a minimum of 48 hours prior to the scheduled Special meeting.

4.4 Emergency Agenda - notice not required

Notwithstanding any other provision of this By-law, an emergency meeting may be held, without written notice, to deal with an emergency situation, provided that an attempt has been made by the Clerk to notify the members about the meeting as soon as possible and in the most expedient manner available. Examples of the need for an emergency meeting are:

- (i) considered to be of an urgent or time sensitive nature, or
- (ii) which could affect the health or well-being of the residents of the municipality.

Agenda Materials for an Emergency Council meeting will be posted to the Township's website, as soon as is feasible.

4.5 Agenda – if notice not received – meeting still valid

Lack of receipt of a notice or of the Agenda by the members or the public shall not affect the validity of the meeting or any action taken thereat.

4.6 Postponement of meeting – due to emergency

The Mayor may, when emergency situations arise, postpone a meeting, for not more than seven (7) days, to such date determined by the Mayor in consultation with the Clerk.

4.7 Postponement - notice by Clerk

In the event of an unforeseen circumstances or an emergency, a Council meeting may be postponed at the direction of the Mayor. In such event, the Clerk shall notify the members of Council of the postponement and will post the details of the postponement on the Township Website. If the new date and time for the meeting has been established, the notice shall contain such information and be provided both to the Council and the public at least twenty-four (24) hours in advance.

4.8 Cancellation of Meeting

The Clerk, with the approval of the Mayor, may cancel a meeting of Council when, in their opinion, there is sufficient cause to do so.

4.9 Notice Irregularity

Notice which has been substantively provided but may not be in strict compliance with this By-law will not invalidate the holding of a meeting or any proceeding taken at a meeting.

Part 5 Open Meetings

5.1 Meetings - open to public

Except as otherwise provided by Section 239 of the Municipal Act, 2001, S.O. 2001, c.25, as amended, all meetings shall be open to the public.

5.2 Meetings – closed session

A meeting or part of a meeting of the Council or a Committees may be closed to the public if held in accordance with the Municipal Act, S.O. 2001, c. 25, as amended and any successor legislation thereto as amended.

5.3 Closed session - resolution required

Prior to holding a meeting, which is closed to the public, Council or the Committee shall pass a resolution stating the purpose of the holding of the closed meeting and including the general nature of the matter to be considered at the closed meeting.

At the start of Closed Session each member shall make a statement to verify the appropriateness of their location for a Closed Session meeting.

5.4 Meetings – shall not be closed during vote

Except as provided in section 5.1 of this By-law, a Council, Committee of the Whole, advisory or special committee meeting shall not be closed to the public during the taking of a vote.

5.5 Meetings – may be closed during vote - exception

A Council, Committee of the Whole, advisory or special committee meeting may be closed to the public during a vote if:

- (a) section 5.2 permit or require the meeting to be closed to the public; and
- (b) the vote is for a procedural matter or for giving direction or instruction to officers, employees or agents of the municipality, local board or committee of either of them or persons retained by or under a contract with the municipality or local board.

5.6 Confidential Matters

Members are to ensure that confidential matters disclosed to them during meetings closed to the public, are kept confidential. Any Member, who contravenes the confidentiality clause, may be subject, by majority vote of the Council, to penalties in accordance to Section 9 of the Procedural By-law and of the adopted **Code of Conduct** By-law.

Part 6 Council Agenda

6.1 Order of Agenda

The Clerk shall prepare the Council Agenda for all Council meetings consisting of the following and further the Clerk has the ability to adjust the agenda as needed:

1. Call Meeting to Order
2. Land Acknowledgement
3. Moment of Silent Reflection
4. Disclosure of Pecuniary Interest
5. Adoption of Agenda
6. Adoption of Minutes and Business Arising from the Minutes
7. Consent Agenda (reports voted upon by ONE motion) – No debate on these items
8. Delegations, Petitions, Presentations or Public Meetings
9. Staff Reports
10. Committee Minutes and Other Reports
11. Correspondence – Action Items
12. By-laws
13. Accounts
14. Reports derived from previous Notice of Motions

15. Notices of Motion (No Debate)
16. Announcements
17. Closed Session
18. Rise from Closed Session
19. Matters Arising from Closed Session
20. Confirming By-law
21. Next Meeting
22. Adjournment

6.2 Deadline for material to be included

The deadline for receipt of material by the Clerk to be included in the regular Council Agenda shall be 12:00 noon on the Tuesday prior to the meeting.

All written submissions shall be signed or contain a digital signature by at least one (1) person and may be submitted in its original form, electronically in Portable Document Format (PDF), through the Township website, via fax or hard copy.

6.3 Order of business - as specified - exception

The business of each meeting shall be taken up in the order in which it stands in the Council Agenda, unless otherwise decided by a general consensus of the members present.

Part 7 Commencement of Meetings

7.1 Quorum present

As soon after the hour fixed for a meeting as a quorum is present, the meeting of Council shall be called to order by the Chair. A majority of the Members elected (50% +1) shall constitute a quorum and further all Committee meeting require a quorum to be achieved to proceed with the meeting. Committees shall follow the steps outlined to achieve quorum.

7.2 Quorum – not present – time limit

If there should be no quorum present within fifteen (15) minutes after the time fixed for holding the meeting of the Council, the Mayor or Chair shall call the roll and the Clerk shall take down the names of the Members present.

7.2.1 Permitted motion – no quorum

Should there be no quorum at a duly called meeting, one of the following three motions can be legally called:

- a) **Motion to Adjourn**
By calling this motion, all matters listed on the Agenda shall be brought forward at the next regularly scheduled meeting.
- b) **Motion to Recess**
The Chair may call for a recess and request that the Members missing be called to inquire as to their attendance.
- c) **Motion to Set the time to Reconvene the Meeting**
The Chair may request to re-set the meeting to another date and time set before the next regular meeting to deal with matters listed on the Agenda.
- d) There can be no other motion that would advance the business of the Municipality or Committee legally permitted.

7.3 Mayor – Absence from Meeting

In the case of the Mayor not attending within fifteen (15) minutes after the hour fixed for holding the meeting of the Council, and provided that a quorum is present, the Deputy Mayor shall take the Chair and call the Members to Order; and they shall preside until the arrival of the Mayor.

7.4 Mayor – Deputy – absent

In the absence of the Mayor and Deputy Mayor, and if a quorum is present, the Clerk shall call the Members to order. A Chairperson shall be chosen from the Members present who shall preside over the meeting until the arrival of the Mayor or Deputy Mayor.

7.5 Quorum – Municipal Conflict of Interest – remedy for lack

Where the number of Members who, by reason of the provisions of the Municipal Conflict of Interest Act, are disabled from participating in a meeting is such that at that meeting the remaining Members are not of sufficient number to constitute a quorum, then despite any other general or Special Act, the remaining number of Members shall be deemed to constitute a quorum, provided that such a number is not less than two (2).

**Part 8
Roles and Duties**

8.1 Council

It is the role of Council to:

- a) Represent the public and to consider the well-being and interest of the municipality;
- b) Develop and evaluate the policies and programs of the municipality;
- c) Determine which services the municipality provides;
- d) Ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council
- e) Ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- f) Maintain the financial integrity of the municipality; and
- g) Carry out the duties of council under the *Ontario Municipal Act* or any other act.

8.2 Individual Authority – not provided

No individual Council Member may direct any Member of staff to perform such duties that have not been authorized by resolution of the Council.

8.3 Established Policies – Members – respect

Members of Council shall respect and adhere to the Policies set by the Council and under no circumstances take it upon themselves individually to circumvent established policies.

8.4 Council – liaison with Chief Administrative Officer

Council Members will liaise with the Chief Administrative Officer on any given matter concerning the municipality.

8.5 Information – by Staff – Members of Council

Council Members may request information from Members of staff who have been assigned the responsibility of providing standard operating procedures.

8.6 Questions – operational concerns – complaints

Questions or issues surrounding operational concerns or complaints, excluding basic issues covered in Section 8.5 shall be directed to the Chief Administrative Officer, who will then direct the questions or issues to the appropriate Manager.

8.7 Head of Council

It is the role of the Head of Council to:

- a) Act as Chief Executive Officer (CEO) of the municipality;
- b) Preside over Council Meetings so that its business can be carried out efficiently and effectively;
- c) Provide leadership to the Council
- d) Provide information and recommendations to the Council with respect to the role of council as described in section 8.1 (d) and (e) above; (without limiting section (8.7(c))
- e) Represent the municipality at official functions;
- f) Carry out the duties of the head of council under this or any other Act.
- g) Uphold and promote the purposes of the municipality
- h) Promote public involvement in the municipality's activities
- i) Act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally; and
- j) Participate in and foster activities that enhance the economic social and environmental wellbeing of the municipality and its residents.

8.8 Chief Administrative Officer

It is the role of the Chief Administrative Officer to:

- a) Exercise general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality and the staff placed under their supervision; and
- b) Perform such other duties as assigned by the municipality.

8.9 Clerk

It is the role of the Clerk to:

- a) Record, without note or comment, all resolutions, decisions and other proceedings of the Council;
- b) Record the name and vote of every Member voting on any matter or question, if required by any Member present at a vote;
- c) Keep the originals or copies of all By-laws and of all minutes of the proceedings of Council
- d) Perform the other duties required under the *Ontario Municipal Act*, the *Municipal Elections Act*, and any other Act and
- e) Perform such duties as are assigned by the municipality

8.10 Delegation – by Clerk

The Clerk may delegate in writing to any person, other than a Member of Council, any of the Clerk's powers and duties under this and any other Act.

- a) Despite the delegation, the Clerk may continue to exercise the delegated powers and duties.

8.11 Municipal Administration – Officers – Employees

It is the role of municipal administration to:

- a) Implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions;
- b) Undertake research and provide advice to Council on the policies and programs of the municipality; and
- c) Carry out other duties required under this or any Act and other duties assigned by the municipality.

8.12 Council

8.12.1 Preparation of Members to Council Meetings

Members of Council shall come prepared to every meeting where their participation is required, by having read all the material supplied, including agendas and staff reports, to facilitate discussion and the determination of action at the meeting. Whenever possible, the Members(s) shall make inquiries to Management regarding materials supplied in advance of the meeting. Page 74 of 168

8.12.2 Reports - Requests

All requests for substantive reports shall be by Council resolution, which shall identify the appropriate Department or Manager and objectives of the report.

8.12.3 Interference – directed to administration

No Members(s) shall have the authority to direct or interfere with the performance of any work by Administration of the municipality. All inquiries shall be directed through the office of the Chief Administrative Officer.

8.13 Mayor and Committee Chair(s)

8.13.1 Open Meeting – call to order

The Mayor or Committee Chair shall preside over the conduct of meetings, including the preservation of good order and decorum, ruling on points of order and deciding all questions relating to the orderly procedure of the meeting, subject to an appeal to the Council or Committee, as the case may be.

8.13.2.1 Speakers – recognized

The Mayor or Committee Chair shall recognize any Member of Council or Committee (as the case may be) who wishes to speak and determines the order of the speakers.

8.13.3 Motions – received – submitted – results announced

The Mayor or Committee Chair shall receive and submit in the proper manner, all motions presented by the Members and to put to vote all questions, which are duly moved, and to announce the result.

8.13.4 Mayor/Chair – Participating - Introduction of a motion and debate

The Mayor or Committee Chair may speak and/or vote on any question, but if they wish to make a motion, they shall first leave the Chair by designating the Deputy Mayor or the Vice-Chair to Chair the meeting. Should the Deputy Mayor/Vice-Chair be absent, by designating another Members to act in their stead until such time as the motion(s) and any amending motion to the main question have been decided upon and after which the Mayor/Chair shall resume the Chair.

8.13.5 Debate – enforcing the rules – restrains Members

It shall be the duty of the Mayor or Committee Chair to restrain the Members, within the rules and procedures when engaged in debate.

8.13.6 Decorum – order – enforced

It shall be the duty of the Mayor or Committee Chair to enforce on all occasions the observance of order and decorum among the Members.

8.13.7 By-laws – resolutions – minutes - authentication

It shall be the duty of the Mayor or Committee Chair to authenticate, by her/his signature when necessary, all By-laws, resolutions and minutes approved by the Council.

8.13.8 Authentication – refusal by Chair

In the event that the Chair refuses or is unable to authenticate any document as identified in section 6.2.7, the Deputy Chair shall have the authority to sign on her/his behalf.

Part 9 Conduct During Meeting

9.1 Chair determines speaking order

When two or more members indicate simultaneously that they wish to speak, the Chair shall name the member who is to speak first.

9.2 Speaking - limitation per subject - maximum 5 minutes

When a member is speaking to a motion, they shall confine their remarks to the motion and in speaking shall be limited to a maximum of two (2) five (5) minute responses, unless otherwise decided by a majority vote of the members present.

9.3 Motions under debate – questions allowed

When a motion is under debate, a member may ask a concisely worded question of the Chair, another member or appropriate staff, through the Chair, prior to the motion being put to a vote by the Chair in accordance with section 12.7 of this By-law.

9.4 Motion under debate – request to be read at any time

A member may require the motion under debate to be read by the Clerk at any time during the debate, but shall not interrupt a member who is speaking.

9.5 Disruption or offensive language - by member - prohibited

A member shall not disturb the Council by any disorderly deportment or improper conduct and shall not use profane or offensive words or insulting expressions.

9.6 Disobedience of rules and points of order - prohibited

A member shall not disobey the rules of the Council or a decision of the Chair or of the Council on points of order or on the interpretation of the rules of procedure of the Council.

9.7 Interruption of speakers - exception

A member shall not interrupt a member who is speaking, except to raise a point of order, point of information or a question of privilege.

9.8 Member shall inform Chair if leaving meeting - not returning

A member shall not leave the meeting when they do not intend to return thereto without first advising the Chair.

9.9 Disorderly conduct - member to be removed

In the event that a member persists in a breach of the rules prescribed in sections 9.5 to 9.8 inclusive of this By-law, after having been called to order by the Chair, the Chair shall put the question "Shall the member be ordered to leave their seat for the duration of the meeting?" and such question is not debatable.

9.10 Disorderly conduct - member to leave seat

If the Council decides the question set out in section 8.13 of this By-law in the affirmative by a majority vote of the members present, the Chair shall order the member to leave their seat for the duration of the meeting.

9.11 Disorderly conduct – member apologizes

If the member apologizes, the Chair, with the approval of the Council, may permit them to resume their seat.

9.12 Disorderly conduct - failure to leave seat

If a member does not leave their seat after being ordered to do so by the Chair in accordance with section 9.9 of this By-law and if the member does not apologize in accordance with section 9.11 of this By-law, then the Chair shall adjourn the meeting. At adjournment, all members shall leave the meeting location, if a member refuses to leave, the Ontario Provincial Police may be called at the request of the Mayor, CAO or Clerk.

9.13 Dress Code – Council Meetings – Public Meetings

All Members of Council shall wear proper business attire (ties optional) during regularly scheduled, special and In-Camera meetings.

9.14 Head Dressing

During the conduct of any meeting of the Council, wearing of any hats, other than for religious purposes, is strictly forbidden by any Members of the Council and Administration.

9.15 Code of Ethic – Confidentiality

9.15.1 Executive (In-Camera) subjects – public interest

Upon completion of any “In-Camera” council meetings, the decisions of the Council with respect to any of the enumerated items listed in Section 5.2; and direction to municipal Administration in accordance therewith, shall then be reported publicly by Council, to the extent that the public interest permits.

9.15.2 Council Response – In-Camera enquiries

The response of Council Members to enquiries about any matter dealt with during an “In-Camera” closed meeting, prior to it being reported publicly, shall be “This matter is still under advisement” “no comment”, or words to that effect.

a) Violation of regulation

Any violation of process to this regulation will result in exclusion of the offending Council Members, requiring a two-thirds vote, from future closed meetings of Council and that Members shall no longer be provided with correspondence, materials or information proposed to be dealt with by Members of Council at a closed meeting.

b) Exclusion – closed meetings

The determination of whether or not a violation of process to the closed meeting provisions of this By-law and the length of the exclusion from closed meetings, if so determined, shall be made by Council at a closed meeting and the issues shall be considered by Council prior to the affected Members being excluded from any closed meeting by a two-thirds vote. The results of Council’s deliberation shall be reported out publicly.

c) Separate Resolution – per Member

If the purported violation of the process to the closed meeting provisions of this By-law by more than one Member is to be considered, a separate resolution of Council with respect to each affected Members is to be considered.

d) Member not permitted to vote

Notwithstanding Section 9.16.1 sub-section (c), the Member affected shall not be permitted to vote on a motion respecting his purported violation of the closed meeting provision of the Procedural By-law, his exclusion from closed meetings, or the length of any such exclusion.

e) Members – expressing personal position

Notwithstanding Section 9.16.2 (b), unless council by vote determines otherwise, upon the public disclosure of any report discussed at an “In-Camera” meeting, (closed to the public), any individual Member may express their own personal position on the item, but shall not refer to or discuss the specific positions or opinions (written or verbal) of other Members or of municipal administration.

f) No public release – documents

Agendas or any items thereon for consideration by Council at a meeting closed to the public shall not be released to the public.

g) Obligation – confidentiality

It is the obligation of each Member of Council to keep information confidential and this obligation continues even after the Member ceases to be an elected Member of Council.

Part 10 Rules of Debate

10.1 Chair – preserve order

The Mayor/Chair shall preserve order and decorum and decide questions of order subject to an appeal to the Council/Committee by any Member.

10.2 Addressing the Chair

Any Member, previous to speaking on any motion, shall indicate their desire to speak by the raised hand and shall not rise to speak until recognized by the Chair.

10.3 Order – of speaking – determination

The Chair shall recognize the Members in the order that they indicate their desire to speak; be acknowledged by the Chair; and shall address all questions "Through the Chair".

10.4 Voting – Members – seated – disturbance – prohibited

When the Chair calls for the vote on a motion, each Member shall occupy their seat and shall remain there until the Chair has declared the result of the vote, and during such time, no Members shall walk across the room to speak to any other Members or make any noise or disturbance.

10.5 Speaking – Interruption

When a Member is speaking, no Member shall pass between the speaker and the Chair or interrupt the speaker except to raise a question of privilege, appeal from the decision of the Chair or raise a point of order.

10.6 Point of Order – Inform Members

It shall be the duty of the Chair to inform the Members on any point of order.

10.7 Speaking – subject of debate

No Member shall speak on any subject other than the subject that is currently being debated.

10.8 Speaking – motion read – upon request

Any Member may require a motion under discussion to be read at any time during the debate but not so as to interrupt a Member while speaking.

10.9 Speaking – duration – time limit

No Member of Council shall speak more than once to the main question and no longer than three (3) minutes on any question, except in explanation of a material part of their debate, which may have been misunderstood, but they may not introduce new matter. A right of reply may be allowed to a Member who has made a substantive motion to Council, and no Member shall speak to the same question or in reply, without permission of Council.

10.9.1 Speaking – duration – Council Committee - representative

Members of Council who wish to provide brief remarks on matters relating to a Special or Standing Committee to which they have been appointed, shall at the appropriate time within the Agenda and upon recognition by the Chair speak no more than three (3) minutes on the matter. There shall be no debate on the information provided.

10.10 Question – motion under discussion –through the Chair

A Member may concisely ask a question through the Chair only for the purpose of obtaining information relating to the motion under discussion.

10.11 Question – Integrity of Employees

A Member, while asking questions through the Chair, shall at no time, put into question the municipal employee's personal or professional integrity.

10.12 Motion – seconded – before debate

All motions shall be seconded before being debated and voted on.

Part 11 Questions of Privilege - Points of Order

11.1 Rights - privileges - integrity - of members - affected

If a member believes that their rights, privileges or integrity or those of the members collectively have been prejudicially affected, the member shall ask leave of the Chair to raise a question of privilege which shall take precedence over all other matters, but they shall not be permitted to enter into any argument or introduce any motion related to the question of privilege.

11.2 Rule of procedure - violation - raised by member

When a member desires to call attention to a violation of the rules or practices of procedure, they shall ask leave of the Chair to raise a point of order and after leave is granted, they shall state the point of order to the Chair succinctly and the Chair shall then decide upon the point of order and advise the members of their decision.

11.3 Appeal - Chair's decision - immediately - required

Unless a member immediately appeals the Chair's decision to the Council, the decision of the Chair shall be final.

11.4 Appeal - decision - question put - to Council

If the decision of the Chair is appealed to the Council, then the question "Shall the ruling of the Chair be sustained?" shall be put immediately without debate and its result shall be final.

11.5 Call to order - member to sit - speaking - permission

When the Chair calls a member to order, that member shall not speak again to the matter under discussion without the permission of the Chair, unless to appeal the ruling of the Chair.

Part 12 Motions - Order – Putting Motions

12.1 Notice of Motion

- 12.1.1 Notice in writing of all Motions for introducing new matters shall be filed with the Clerk, a copy of the motion type written shall be directed by the Clerk to within 48 hours.
- 12.1.2 The Clerk shall circulate a copy of Notice of Motion to all other Members of Council for their information on the next Agenda.
- 12.1.3 When a Member's Notice of Motion has been called from the Chair on two successive meetings and has not received Council disposition, it shall be dropped from the Agenda unless Council decides otherwise.
- 12.1.4 If at a third meeting such Notice of Motion is called from the Chair and not received disposition, it shall be deemed to be withdrawn.
- 12.1.5 Debate shall not be allowed on any Motion or amendment until it has been properly seconded and appropriate notice having been given.
- 12.1.6 After a Motion is read or has been stated by the Presiding Member, it shall be deemed to be in the possession of Council and can only be withdrawn with leave of Council and upon the consent of both the mover and seconder before decision or minor amendment.
- 12.1.7 No verbal notice of intent shall be given or received prior to the disposition of the Motion or minor amendment under discussion.

- 12.1.8 A Motion in respect of a matter which is beyond the jurisdiction of the Council shall not be in order.
- 12.1.9 Subject to the provisions of the Municipal Act, every Member present in the Council Chamber when a question is put shall vote thereon unless otherwise legally prevented from voting thereon and any Member who persists in not voting shall be deemed to have voted in the negative.
- 12.1.10 Subject to the provisions of any general or special Act and the provisions of this By-law, all matters before Council shall be determined by a majority vote of the Members present and in the event of a tie vote, the vote shall deem to be lost.

12.2 Question - urgent - included in Agenda

Notwithstanding the provisions of section 12.1 of this By-law, when a member, submitting a notice of motion to the Clerk within the deadline prescribed in section 6.2 of this By-law indicates in writing to the Clerk that the notice of motion is a question of urgency, the Clerk shall introduce the notice of motion in the Agenda during Notice of Motion as identified in section 6.1 of this By-law.

12.3 Motions for giving leave - non-amendable - debatable

Motions for giving leave shall be put immediately without amendment or debate.

12.4 Motion - seconded before debate - exception

Motions shall be seconded before being debated or put to a vote, except motions to adopt a recommendation from the Committee of the Whole, advisory or special committee.

12.5 Withdrawal - before put - requirement

Every motion shall be deemed to be in the possession of the Council for debate after it is accepted by the Chair, but may, with the permission of the Council, be withdrawn at the joint request of the mover and seconder at any time before the motion is disposed of.

12.6 Motion under debate – other motions permitted

When a motion is under debate, no other motion shall be in order except a motion:

- (a) to adjourn;
- (b) to proceed beyond the hour of 7:30 p.m.;
- (c) to table;
- (d) to put the question (to close the debate);
- (e) to postpone;
- (f) to refer; or
- (g) to amend.

12.7 Motion to adjourn - qualifications

A motion to adjourn shall:

- (a) not be amended;
- (b) not be debated;
- (c) not include qualifications or additional statements; and
- (d) always be in order, except when a member is speaking or the members are voting or when made in closed session.

12.8 Motion to adjourn - rejected - procedure

When a motion to adjourn has been decided in the negative, no further motion to adjourn shall be made until after some subsequent proceeding has taken place.

12.9 Adjournment - extension - maximum - permissible

The Council shall always adjourn at 7:30 p.m. if in session at that hour, unless otherwise decided before that hour to extend the meeting for one (1) thirty (30) minute

extension by a majority vote of the members present at the meeting. If the meeting is still in session at 8:00 p.m. local time, it shall adjourn.

12.10 Motion to proceed beyond 7:30 p.m. - qualifications

A motion to proceed beyond the hour of 7:30 p.m. shall:

- (a) not be amended;
- (b) not be debated; and
- (c) always be in order, except when a member is speaking or the members are voting.

12.11 Motion to table - qualifications

A motion to table shall:

- (a) not be amended;
- (b) not be debated;
- (c) apply to the main motion and any amendments thereto under debate at the time when the motion to table was made; and
- (d) not include qualifications or additional statements.

12.12 Motion to table - accepted – procedure

Notwithstanding the provisions of section 12.2 of this By-law, if a motion to table is decided in the affirmative by a majority vote of the members present, then the main motion and any amendments thereto shall be removed from the Council's consideration until such time as a notice of motion to lift the matter from the table is filed with the Clerk within the deadline prescribed in section 6.2 of this By-law and is included in the Agenda at Item 5. (Business arising out of previous minutes), as identified in section 6.1 of this By-law.

12.13 Motion to call the question - qualifications

A motion to put the question (to close the debate) shall:

- (a) not be amended;
- (b) not be debated;
- (c) not be introduced by a Council Member who has already spoken to the motion or amendment under debate, except a motion to proceed beyond the hour of 7:30 p.m.;
- (d) apply to the motion or amendment under debate at the time when the motion to put the question is made;
- (e) not be received in any committee;
- (f) be moved using the words "please call the question" and the mover and the seconder shall not be permitted to speak to the motion to put the question; and
- (g) not be permitted either when a motion or an amendment on the floor involves the approval of an expenditure by the Council that is \$5,000,000.00 or greater.

12.14 Motion to put the question - accepted - procedure

If a motion to put the question is decided in the affirmative by a majority vote of the members present, then the preceding motion or amendment shall be voted on immediately without further debate or comment.

12.15 Motion to Defer

A motion to postpone a matter to a certain time shall:

- (a) be open to debate as to the merit of the deferral only;
- (b) be amendable as to the time; and
- (c) can be reconsidered

12.16 Motion to Refer

A motion to refer a matter under consideration to another Committee, or to the Administration or elsewhere for a specific reason, (to obtain additional information or to investigate a matter and report back with a recommendation, shall be:

- (a) be open to debate

- (b) be amendable; and
- (c) preclude amendment or debate of the preceding motion, unless the motion to refer is resolved in the negative, in which case the preceding motion shall be open to debate and amendment.

12.17 Motion to amend

Only one motion to amend the main motion shall be permitted consideration at any one time. An amendment to the amendment of the main motion shall be allowed, however the amendment to the amendment shall be voted on first before any other motions are permitted to amend the amendment.

12.18 Motion to Reconsider

- 12.18.1 After any matter has been decided, any Member who voted on the question with the majority may either move for a reconsideration at the same meeting or may give notice of a Motion for reconsideration of the matter at the next meeting immediately after, but no discussion of the question that has been decided shall be allowed until the Motion for re-consideration has carried by a two-thirds vote.
- 12.18.2 Despite the above, reconsideration on the same matter may not be introduced more than once at the same meeting.

**Part 13
Voting**

13.1 Amendment - to amendment - voted on first

A motion to amend an amendment to a motion shall be voted on first.

13.2 Voting - order

Voting on the main motion and amending motions shall be conducted in the following order:

- (a) an amendment to the amendment to the main motion;
- (b) an amendment (as amended or not) to the main motion; and
- (c) the main motion (as amended or not).

13.3 Dividing the Motion for Voting Purposes

When the motion under consideration contains distinct propositions, upon the request of any member and provided a recorded vote has not been called for, the vote on each proposition shall be taken separately.

13.4 Voting on a Motion

A motion shall be put to a vote by the Chair immediately after all members desiring to speak on the motion have spoken in accordance with Section 10.8 of this By-law.

13.5 Mandatory vote - all members

Every member present shall vote on every motion unless the member indicated a conflict of interest, in which case the member shall recuse themselves from the vote.

13.6 Abstaining from Vote

Every member, who is not recused from voting by reason of a declared conflict of interest, shall be deemed to be voting against the motion if the member declines or abstains from the vote.

13.7 Voting on Motion – No Secret Ballot

When putting a question to the vote, the Chair will first ask those in favour of the adoption of the motion to indicate so by raising their hands, then ask for those opposed to its adoption to indicate so by raising their hands. At no time is it permissible for a motion to be determined by secret ballot.

13.8 Leaving seat - disturbance during vote - prohibited

A member shall not leave their seat or make any noise or disturbance while a vote is being taken or until the result is declared.

13.9 Announcing the Results of the Vote

The Chair shall announce the result of every vote. Where a Member disagrees with the result announced by the Chair, they may object immediately to the Chair's declaration and, with the consent of Council, the vote shall be retaken.

13.10 Tie vote – motion defeated

When there is a tie vote on any motion, it shall be deemed to have been decided in the negative.

13.11 Request for Recorded Vote

A member may call for a recorded vote immediately prior to the taking of the vote or immediately followed by the vote prior to any other matters being discussed or debated.

13.12 Recorded vote

When a recorded vote is requested, such request must be made, prior to the Chair calling for the vote on the question or immediately following the vote prior to any other matters being discussed or debated. When such a request has been made, the Clerk shall ask each member to indicate by voice their vote in the affirmative or negative to the motion. The Clerk shall record the name and vote of every member in the following order: Dummer Ward Councillor, Douro Ward Councillor, Councillor at Large, Deputy Mayor and then the Mayor, unless said member has excluded themselves by reason of the Municipal Conflict of Interest Act, R.S.O 1990, c. M. 50 and shall report the result of the vote to the Chair.

**Part 14
Delegations**

14.1 Written request - to Clerk - for Council and Committee of the Whole

Any person desiring to be heard by the Council or the Committee of the Whole shall submit a signed written request on the Delegation Request Form, attached to this By-law as Schedule 'A' and available on the Township website, to the Clerk in accordance with the established submission deadline as set out in Section 6.2 of this By-law. Persons that fill out a Delegation Request Form shall have their names shown on the meeting Agenda. Any supporting materials must be provided at the time of the request in one of the following formats: PDF, PowerPoint, JPEG or in hard copy. Late supporting documents will not be accepted.

14.2 Presenters – limited to 2 speakers

Persons appearing before Council or the Committee of the Whole shall have no more than two (2) persons to speak on behalf of the delegation and shall make their presentation from the speaker's podium if the meeting is taking place in the Council Chambers.

14.3 Business - stated - matters - related to

Persons appearing before Council or the Committee of the Whole shall confine their remarks to the business stated in their request.

14.4 Speaking - limited - 10 minutes

No delegation shall speak on a matter longer than a ten (10) minute period, without leave of a majority of the members present at a Council or Committee of the Whole, except as otherwise prescribed by applicable legislation.

14.5 Restrictions and permission

Presentations and/or Delegations shall not be permitted to appear before Council for the sole purpose of generating publicity for an event, or to promote their business.

a) Number of Presentations and/or Delegations – meetings

On any given scheduled Council meeting, there shall be a maximum of three (3) combined presentation(s) and/or delegation(s) permitted to speak for a maximum time allotment of 30 minutes – divided amongst the presenters. This shall not include Public Meetings which fall under the Planning Act, as Amended, or a Special Meeting called for the express purpose of hearing from the public on a set issue.

14.6 Questions – to delegation

Members shall be permitted to ask questions of delegates but shall not make statements nor enter into debate with such persons.

14.7 Delegations – requests for action – referred

Delegations, which request action to be taken by the Council, shall be referred to Administration, by majority vote, for a report that shall be presented to Council at an ensuing Council Meeting.

14.8 Delegations – no immediate decision

Under very limited circumstances, a decision Council may be made on a request by a Delegation at the same meeting the Delegation has been heard.

14.9 Repetition - prevented - hearing declined - exception

In order to avoid repetition and to ensure an opportunity for the expression of different points of view but except as required by law, Council or the Committee of the Whole or any committee via a decision by the Clerk, may decline to hear any person who has an identifiable common interest or concern with any other person who has already appeared and spoken before Council or a committee.

14.10 Appearance - previous - limitation - new information

Except as required by law, any person appearing before Council, the Committee of the Whole or a committee who has previously appeared before the same Council, Committee of the Whole, advisory or special committee on the same subject matter shall be limited to providing only new information in their second and subsequent appearance within a 12-month period.

14.11 Delegation – deemed – inappropriate for Council

When it is deemed inappropriate that a delegation address Council, the Clerk shall so notify the delegation and Council with a supporting explanation. Such written explanation shall be delivered with the Agenda and the Council, if it so wishes to hear the delegation, shall, by a majority of the Council Members present and voting, introduce a motion to suspend the rules (see Section 2.1) to allow the delegation to be heard at the next meeting.

14.12 Delegation – statements – unsubstantiated

Whenever a delegation in its deputation, offers comments or statements that are deemed to be erroneous and unsubstantiated, any Member of Council, or Staff Official, may be recognized by the Chair on a "Point of Order" whereby the Members of Council or Staff Official so recognized by the Chair may bring necessary corrections or clarifications to the comments or statement said by the delegation.

14.13 Placards, signs and other paraphernalia – prohibited

Placards, signs and other paraphernalia of any type shall not be permitted in the Council Chambers without prior approval of Council via a two-thirds vote of the Council Members present and voting (see Section 2.1).

Part 15 Public at Council and Committee Meetings

15.1 Public - Proper Decorum to Be Maintained At All Times

Members of the public and delegations in attendance at Council, Committee of the Whole or committee meetings shall conduct themselves with proper decorum at all times, in order to ensure a safe and respectful meeting environment.

15.2 Public - Disorderly Conduct

Any person who is not conducting themselves in a manner as set out in section 15.1 of this By-law shall be asked by the Chair to do so. If that person continues to conduct themselves in a manner contrary to section 15.1 of this By-law, then the person shall be removed from the meeting.

15.3 Public - Immediate Removal

Notwithstanding section 15.2 of this By-law, in the event a member of the public is conducting themselves in a manner which poses a threat to the personal safety of themselves or others in attendance at the meeting, the member of the public shall be removed from the meeting, without warning.

15.4 Suspension of meeting - order restored

The Chair may unilaterally suspend the meeting until order is restored in the meeting.

Part 16 Consent Agenda

16.1 Items – considered for inclusion

All items to be considered for the Consent portion of the Agenda shall be determined by the Mayor, Chief Administrative Officer and the Clerk.

16.2 Consent items – explanatory note – one motion

All Items listed under the Consent Agenda, shall be preceded by an explanatory note indicating as follows: "all matters listed on the Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion on these matters."

16.3 Items for discussion – routine

All items listed under the Consent Agenda shall contain routine matters which are not controversial in nature and which do not need further discussion.

16.4 Request to separate – consent item to Correspondence-Action

Should a Member of Council wish to discuss any matter listed under the Consent Agenda, the Member shall ask immediately upon the Mayor (Chair) calling "Any Amendments, Deletions or Corrections to the Agenda", at which time the Member shall request that the item be separated and dealt with under Correspondence-Action.

16.5 Consent Agenda – Inclusions

Inclusions into the Consent Agenda may be, but not limited to, petitions, proclamations, flag raising, notice of public meetings, procurement updates and other similar information items.

Part 17 Enactment of By-laws

17.1 Published - distributed - with Agenda

All By-laws, together with a brief description and the notation of the number of readings required, shall be listed on the agenda for the meeting at which they are to be read.

17.2 Distributed - with Added Communications - motion to introduce – majority vote

Notwithstanding the provisions of section 17.1 of this By-law, a motion to introduce those By-laws arising from New Business shall be decided by a majority vote of the members present prior to such By-laws being read.

17.3 Passing of By-laws – without first, second, third readings

All By-laws shall be passed without receiving first, second and third readings, unless otherwise directed by legislation or Council.

17.4 Signed – numbered - seal affixed - dates shown

Every By-law passed by the Council shall be numbered and dated, and shall be sealed with the Seal of the Municipal Corporation and signed by the Mayor and Clerk and shall be kept by the Clerk in the Clerk’s office or any other place appointed for that purpose.

17.5 Proceedings - all matters

At the conclusion of all regular meetings of the Council and prior to adjournment, a By-law shall be brought forward to confirm the actions of the Council at the meeting in respect of each motion, resolution and other action taken that consolidates and includes the provisions of any By-law previously passed by the Council. This By-law authorizes the execution of agreements and other documents and the proceedings of Council.

17.6 Non-amendable - non-debatable

A Confirmatory By-law when introduced shall be taken as read and finally adopted without debate.

**Part 18
Disclosures of Pecuniary Interest**

18.1 Pecuniary interest - disclosure - requirements

If a member has any pecuniary interest, direct or indirect, in any matter in which the Council is concerned and if the member is present at a meeting at which the said matter is the subject of consideration, then they shall:

- a) Disclose their interest and the general nature thereof at the appropriate juncture of the Council meeting or prior to any consideration of the matter at the meeting.
- b) Leave the Council Chambers or any other meeting location.
- c) Refrain from taking part in any consideration or discussion of the said matter.
- d) Refrain from voting on any motion in regard to the said matter.
- e) Not attempt in any way to influence the vote on the matter before, during or after the meeting on such questions.
- f) If a member is absent from the meeting where the matter is dealt with by Council, the member shall disclose the interest and the general nature thereof at the next regular meeting is attended by the member.
- g) The member that discloses a pecuniary interest shall provide a written statement of the interest and its general nature with the Clerk.

18.1 a) The Clerk shall keep a registry of the written statements on file which shall be available for public inspection.

18.2 Pecuniary interest - disclosure – requirements – closed session

Where the declaration of interest is made on a matter that is not open to the public, the Members shall provide in a written statement to the Clerk or the Secretary of Committee or local board (as the case may be), declare the interest, but not the general nature of that interest and shall be recorded in the minutes of the next meeting that is open to the public.

18.3 Pecuniary interest - minutes

The declaration of interest shall be provided in a written statement to the Clerk or the Secretary of Committee or local board (as the case may be) and shall be recorded in the minutes or report of the meeting and where the meeting was opened to the public, the general nature of such declaration.

18.6 Non-compliance - by member - validity not affected

The failure of one or more members to comply with section 18.1 of this By-law shall not affect the validity of the meeting in regard to the said matter. In the event that a member inadvertently fails to disclose an interest at the meeting of the subject matter, the member shall disclose at the next available meeting, offer an apology and same shall be recorded in the minutes.

18.7 Disclosure - by majority - quorum - requirement

Notwithstanding the provisions of section 7.1 of this By-law, when a majority of the members has disclosed an interest in accordance with section 18.1 of this By-law and the Municipal Conflict of Interest Act, as may be amended from time to time, the remaining number of members shall be deemed to constitute a quorum, provided such number is not less than two.

**Part 19
Committee of the Whole**

19.1 Committee of the Whole Agendas - composition - prepared by Clerk

The Clerk shall prepare Agendas for the Committee of the Whole consisting of the following parts:

1. Call to Order
2. Land Acknowledgement
3. Disclosure of Pecuniary Interest
4. Adoption of Agenda
5. Delegations, Petitions or Presentations
6. Reports - Managers' Updates – Reports
7. New Business to be requested for next Meeting
8. Closed Session
9. Rise from Closed Session
10. Matters Arising from Closed Session
11. Adjournment

19.2 Meeting Location

The agenda posted on the Township's website will give notice to the location of the Committee of the Whole meeting. Meetings of the Committee of the Whole shall be held either electronically or in Council Chambers located at 894 South Street, Warsaw, Ontario. Council may from time to time direct the Clerk by way of a majority vote to hold a meeting at another venue that is in the municipality subject to the venue being accessible to the public and to provide the appropriate public notice of the meeting and venue.

19.3 Recording and Livestreaming of Meetings

Meetings of the Committee of the Whole shall be audio/video recorded and/or broadcast through livestreaming in accordance with "Schedule B" attached hereto and forming part of this By-law.

19.4 Schedule of Meetings

Unless otherwise decided by Council, regular meetings of the Committee of the Whole shall be held every two months, on the second Tuesday of the month at 10:00 a.m. The first meeting of the Committee of the Whole each year shall be held in February.

19.5 Confidential Items - general description by Clerk

The Clerk shall include in the Agenda for the Committee of the Whole a description of the general nature of matters to be considered in a closed meeting under Item 8 (Closed Session) of the Committee of the Whole Agenda.

19.6 Chair - designated

At its first meeting of each year, the Committee shall elect from their members a Chair who shall hold office for a period of one year and is eligible for re-election.

19.7 The Chair is responsible for ensuring the effective operation of the Committee. Specific duties of the Chair include, but are not limited to:

- a) calling meetings to order;
- b) conducting Committee business in accordance with the Township's Procedural By-Law;
- c) maintaining regular communications with appropriate Township staff;
- d) acting as spokesperson and representing the Committee when necessary.

19.8 The Committee shall elect from their members a Vice-Chair who shall have all the powers and duties of the Chair when the Chair is absent or otherwise unable to act, and who shall hold office for a period of one year the term and is eligible for re-election.

19.9 Chair – Vice Chair is Absent

of the Committee of the Whole shall maintain order during the meeting. In the absence of the Chair, or if the Chair refuses to act or if the office is vacant, the Vice Chair shall serve as the Chair.

In the event that the Vice Chair is unable, for any reason, to act in the place and stead of the Chair and a quorum is present, the Clerk shall call the meeting to order and a member shall be appointed to act as the Chair for the duration of the meeting.

19.10 Report to Council

The Committee of the Whole shall consider and report to the Council on any other matter which has been referred to the Committee by resolution of the Council.

19.11 Rules of Procedure

The rules governing the procedure of the Council and the conduct of its members as presented in the Procedural By-law, shall be observed in the Committee of the Whole.

19.12 Report – to Council

The report and recommendations of the Committee of Whole shall be considered under reports from Committees and may be adopted and confirmed by the Council in a single motion or the recommendations may be dealt with and voted on separately if a member of Council requests a separate vote on each recommendation.

**Part 20
Advisory and Special Committees**

20.1 Advisory and Special Committees

An advisory or special committee may be appointed by the Council by resolution or By-law to consider and report on a specific subject, project or undertaking. Council shall designate one of its members to each Advisory or Special Committee.

At the start of every new term of Council, the Mayor, in consultation with elected Members of Council, shall determine and appoint individual Councillors to sit on various

Special Committees as a representative of Council. The appointments shall be endorsed by By-law.

The Committee shall report its progress in writing respecting the matters directed to it by Council at least annually.

20.1.2 Public Library Board

As per the Public Libraries Act, R.S.O. 1990, c. P.44, Council shall appoint a minimum of 5 persons to sit on the Board with a term that runs concurrent to the term of Council.

Further, the Board reports to Council via their meeting minutes but Council does not have the power to direct the Board other than to set a yearly budget allocation.

20.2 Advisory and Special Committees - Rules of Procedure

All Committees, recognized as an Advisory or Special Committee of Council through By-law and where a Member of Council sits on the Committee, shall conduct their meetings in accordance to the adopted "Procedures" By-law governing Members of Council.

20.3 Mayor - Ex Officio

The Mayor, shall be, an ex officio member of all committees of the Council.

20.4 Appointment of Chair

Each Advisory and Special Committee shall appoint a chair at its initial meeting in each year.

20.5 Appointment of Vice Chair

Each advisory and special committee shall appoint a Vice Chair at its initial meeting in each year.

20.6 Motions - seconded

Each advisory and special committee shall require motions made at its meetings to be seconded.

20.7 Minutes - report to Council

Minutes of the proceedings of Advisory and Special Committee meetings shall be kept and shall be forwarded to the Council.

20.8 Reports - adopted

The reports and/or minutes of advisory and special committee meetings may be adopted and confirmed by the Council in a single motion and the passage of such a motion shall be taken to confirm and adopt all of the recommendations contained in the report, with the exception when a member requests, prior to the adoption of an advisory and special committee report and/or minutes, that a specific recommendation be voted on separately due to a declared conflict of interest, and such a request shall not require the introduction of a motion.

20.9 Agenda - publication - notice

Upon the publication and distribution of the meeting Agenda notice shall be served on the members of the advisory or special committee of the meeting. The failure to receive the agenda by a member shall not affect the validity of the committee meeting or any action taken therein.

Part 21
Repeal - Enactment - Amendment

21.1 By-laws - previous

By-law 2018-09, as passed on January 16, 2018 and all of its amendments are hereby repealed.

21.2 Effective date

This By-law shall come into force and take effect on May 4, 2022.

Passed in open council this 3rd day of May, 2022.

Mayor, J. Murray Jones

Acting Clerk, Martina Chait-Hartwig

Schedule 'A' to By-law 2022-21



Delegations

Request to Address Council

If you would like to attend as a delegation before Council for the Township of Douro-Dummer or the Committee of the Whole, you must complete this form and submit it to the Municipal Office. Please note that the deadline for delegation requests is 12-noon, on the Tuesday prior to the meeting date.

A copy of any presentation or supporting materials is also required to be submitted at 12-noon, on the Tuesday prior to the meeting date. The only formats accepted are as follows: PFD, PowerPoint, Word, Excel or Jpeg.

Please note that as per Procedural By-law 2022-21, only three Delegations shall be scheduled for each meeting. The time limit of 10 minutes shall be strictly enforced.

Name of Individual(s): _____

*Note: Delegation(s) shall have no more than two (2) persons to speak on behalf of the delegation and 10 minutes to present. Council asks that delegations adhere to the 10-minute time limit.

Name of Organization: _____

Email: _____

Phone number: _____

Nature of delegation request: _____

*Please attach a separate sheet if more room is required.

For the purposes of the *Freedom of Information and Protection of Privacy Act*, by submitting this form, I/we authorize and consent to the use by, or the disclosure, to any person or public body or publishing on the Municipal website any information that is contained in this submission and recognize that my/our name may become part of the public record.

Signature(s):

Name:

Name:

Please submit the completed application to:

Martina Chait-Hartwig, Acting Clerk
martinac@dourodummer.on.ca
Fax: 705-652-5044
Phone: 705-652-8392 Ext. 210

To be completed by Municipal staff:

Meeting Date: _____ Page 91 of 168 Time: _____

Schedule 'B'
Recording and Livestreaming of Meetings

1. Regular, Special and Emergency meetings of Council held in Council Chambers at 894 South Street, Warsaw, Ontario or in another location will be recorded and broadcasted on the internet if the equipment is available.
2. Regular, Special and Emergency meetings of Council and other committees held virtually will be recorded and/or broadcasted on the internet if the equipment is available.
3. Committee and Advisory Meetings may or may not be audio/video recorded and broadcasted on the internet depending on the location of the meeting and equipment available.
4. Closed Session meetings in any format shall not be recorded.
5. In accordance with the Municipal Act, 2001, as amended, minutes of meetings are to be recorded without note or comment by the Clerk or designate. The approved minutes that are authored by the Clerk or designate shall be the official record of all Council meetings.

The Township (Clerk) will not provide transcripts of the meetings.

6. The electronic file of any recording will become a corporate record and may be saved on the Township's server and/or uploaded to the Township's Video Platform as soon as practical following the meeting.
7. Files on the internet are part of the public realm and may be subject to alteration by a member(s) of the public with no municipal control over such alterations. The Township assumes no liability associated with any alterations that are made by a member(s) of the public on the internet.
8. Signage shall be posted in the Council Chambers to advise members of the public that meetings may be recorded and will be made available on the internet.

A notation will be added to meeting agendas to make presenters and members of the public aware that proceedings may be recorded and may be made available on the internet.

The Presiding Officer shall make a statement at the commencement of applicable meetings that "This meeting is being recorded and the recording will be made available on the Township Video Platform". Access to recorded proceedings shall be in compliance with the Municipal Freedom of Information and Privacy Act.

Schedule 'C' to By-law 2022-21



Request for Public Comment Deputation

If you would like to attend a Council Meeting to make a Deputation regarding an Item listed on the Agenda, you must complete this form and submit it to the Municipal Office. Please note that the deadline for Public Comment requests is 12-noon, on the Monday prior to the meeting date.

Please note that as per Procedural By-law 2022-21, only 6 Public Comments shall be allowed for each meeting. The time limit of 5 minutes shall be strictly enforced.

Name of Individual: _____

Email: _____

Phone number: _____

Item to Which to Public Comment relates to and General Nature of the Comment:

For the purposes of the *Freedom of Information and Protection of Privacy Act*, by submitting this form, I authorize and consent to the use by, or the disclosure, to any person or public body or publishing on the Municipal website any information that is contained in this submission and recognize that my name may become part of the public record.

Signature:

Name:

Please submit the completed application to: Martina Chait-Hartwig, Acting Clerk

martinac@dourodummer.on.ca

Fax: 705-652-5044

Phone: 705-652-8392 Ext. 210

To Be Completed by Clerks Department

Date Received: _____

Time: _____

Recommendation:

That the C.A.O.-2023-21 report, dated September 5, 2023 regarding the OPP Amending Agreement – Contract Extension be received; and
That Council approve the By-law to execute the agreement at the appropriate time during the meeting.

Overview:

In 2019 the Township of Douro-Dummer entered into an agreement with Her Majesty The Queen In Right Of Ontario represented by the Minister of the Solicitor General for the provision of a policing contract. That contract is set to expire on December 31, 2023.

The Municipal Policing Bureau has advised that are offering to extend the contract by amending the agreement with a 1- or 2-year term in anticipation of the final approval of the Community Safety and Policing Act (CSPA) regulations. Alternatively, they would be seeking an entirely new contract with a 3-6-year term.

All terms and conditions in the previous agreement would remain in place for the duration.

Conclusion:

As the CSPA regulations have not been finalized, it is recommended that we enter into a Contract Extension for a 2-year period at which time we expect the CSPA to be approved and any impact could be addressed during negotiations for the next agreement.

Financial Impact:

There would be no additional cost other than as outline in the agreement as previously entered into and attached to this report.

The term of this Agreement, made in 2 originally executed copies, is from the 1st day of June 2019, to the 31st day of December 2022. 3

**AGREEMENT FOR THE PROVISION OF POLICE SERVICES
UNDER SECTION 10 OF THE POLICE SERVICES ACT, R.S.O. 1990, c. P.15, as am.**

BETWEEN:

**HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO AS REPRESENTED BY THE
MINISTER OF COMMUNITY SAFETY AND CORRECTIONAL SERVICES**

(“Ontario”)

OF THE FIRST PART

AND:

THE CORPORATION OF THE DOURO-DUMMER

(the “Municipality”)

OF THE SECOND PART

RECITALS:

- (a) Under s. 4(1) of the *Police Services Act*, R.S.O. 1990, c. P.15, as am., the Municipality is required to provide adequate and effective police services in accordance with its needs;
- (b) Under s. 5 of the *Police Services Act*, the Municipality's responsibility for providing police services may be discharged by entering into an Agreement with the Solicitor General under s. 10 of the Act;
- (c) Pursuant to Order-in-Council 497/2004, the powers assigned to the Solicitor General in law, including those set out in the *Police Services Act*, have been transferred to the Minister of Community Safety and Correctional Services; therefore, all references to the Minister of Community Safety and Correctional Services shall be deemed to include the powers previously exercised by the Solicitor General;
- (d) The Municipality has expressed its intent to provide police services, in pursuance of its responsibilities under s. 5 of the *Police Services Act*, by means of this Agreement, as evidenced by by-law number **XX-XXXX**, dated May **XX**, 2019 (attached as Schedule “A”);
- (e) This Agreement reflects the intent of the parties to provide an adequate and effective level of police services for the Municipality as set out in the "Contract Policing Proposal," dated May 08, 2019 (attached as Schedule “B”);

NOW THEREFORE, in consideration of the premises and covenants herein, the parties agree as follows:

1. The parties warrant that the recitals are true.

Definitions

2. In this Agreement:

- (a) "Annual Billing Statement" means a statement prepared by Ontario and submitted to the Municipality for review and approval which contains:
 - (i) the Municipality's policing costs for the year following the year in which the statement is prepared, based on an estimate of salary, benefits, overtime, shift premium, statutory holiday payouts, prisoner transportation, court security (if applicable), and accommodation/cleaning (if applicable); and
 - (ii) a year-end adjustment reconciling salary, benefits, overtime, shift premium, statutory holiday payouts, prisoner transportation, court security (if applicable), and accommodation/cleaning (if applicable) costs to those billed for the preceding year.
- (b) "Board" means Douro-Dummer Police Services Board.
- (c) "Commissioner" means the Commissioner of the O.P.P.
- (d) "Detachment Commander" means the O.P.P. officer in charge of Peterborough County Detachment.

General Provisions

- 3. Ontario shall provide adequate and effective police services in accordance with the needs of the Municipality in compliance with the terms and conditions of the Agreement. The Municipality shall pay Ontario for the police services provided under this Agreement in accordance with this Agreement.
- 4. The Commissioner shall ensure that the Detachment Commander responds appropriately to the Board's objectives and priorities for police services, developed after consultation with the Detachment Commander, pursuant to s. 10(9)(b) of the *Police Services Act*.
- 5. The Commissioner shall cause the Detachment Commander or his or her designate to report to the Board at mutually agreed upon intervals in accordance with the *Police Services Act* regarding the provision of police services in and for the Municipality. The O.P.P. will determine the information to be contained in the reports and the format in which they will be provided.
- 6. (a) For the purposes of s. 10(6) of the *Police Services Act*, the O.P.P. shall provide police services to the Municipality, including the enforcement of mutually agreed upon by-laws. The parties shall review this part of the agreement annually, with a view to revising or updating the list of by-laws requiring O.P.P. enforcement.

(b) Municipal Building Code violations overseen by the Municipality's Building Code inspector and those by-laws related to animal control will not form part of this Agreement.

7. The parties agree that sections 132 and 133 of the *Police Services Act* will be applied as if the Peterborough County Detachment of the O.P.P. was a municipal police force, and as if the Detachment Commander was a Chief of Police.

Service Levels

8. (a) Ontario shall cause the Commissioner to assign police officers and other persons to duties relating to the police services in and for the Municipality so as to provide the municipality adequate and effective policing services.
- (b) Where the Municipality receives dedicated enhancement positions, it shall be responsible for all costs associated with those dedicated resources. In the event that the Municipality decides to reduce the number of enhancement positions, it shall provide Ontario with at least one year's prior written notice and shall be responsible for all costs associated with such reduction.

Liability of Ontario

9. The O.P.P. shall be liable for any damages that may arise as a result of any negligent acts or omissions of its members in the performance of this Agreement.

Provincial Services Usage

10. The O.P.P. as legislated by the *Police Services Act*, must be capable of providing provincial level response that can be mobilized for emergencies, disaster or specialized needs. The O.P.P. may meet this requirement by deploying resources that normally would be assigned to the Detachment that serves the Municipality. The O.P.P. shall ensure that in the event resources are deployed to a situation requiring provincial level response, appropriate resources remain available to the Detachment to provide adequate and effective policing to the Municipality. The use of O.P.P. officers in cases where there is a provincial obligation to respond will be accounted for as part of the billing model.

Equipment and Facilities

11. Ontario shall supply or cause to be supplied all vehicles and equipment reasonably necessary and appropriate for the use of the O.P.P. in providing police services under this Agreement.
12. The parties will enter into negotiations concerning the provision and payment of appropriate buildings and rental agreements, including, but not limited to, location, leasehold improvements, and capital costs, where applicable.

Adequacy Standards Regulation

13. The O.P.P. shall undertake and be responsible for ensuring that all mandatory standards of adequate and effective police services as required by *Ontario Regulation 3/99* under the *Police Services Act* are met and maintained.
14. The Detachment Commander shall provide the Board with reasonable documentation, as agreed upon between the Board and the O.P.P., to allow the Board to evaluate the services and satisfy itself that adequate and effective standards and policies are in place.
15. It shall be the responsibility of the Board to monitor the delivery of police services to ensure that the provisions of the *Ontario Regulation 3/99* under the *Police Services Act* are satisfied on an ongoing basis.

Cost of Police Services

16. (a) On or before October 01st in each year, Ontario shall prepare and deliver to the Municipality for review and approval, the Annual Billing Statement for the following year, together with sufficient documentation and information reasonably necessary to explain and support the billing.

(b) The Municipality shall review the Annual Billing Statement upon receipt and, within 90 days of such receipt, shall approve the Annual Billing Statement or deliver to Ontario a request to review the Annual Billing Statement.
17. (a) In the event that the Municipality fails to approve or request a review of the Annual Billing Statement within 90 days of receipt, the Municipality shall be deemed to have approved the Annual Billing Statement.

(b) In the event that the Municipality requests a review of the Annual Billing Statement as provided in this paragraph, the Annual Billing Statement shall be approved, or amended and approved in accordance with Section 18.
18. Where the Municipality has delivered to Ontario a request to review the Annual Billing Statement, Ontario shall carry it out expeditiously, and Ontario shall cooperate to permit such a review to be carried out. If the parties are unable to agree on the Annual Billing Statement, either party may submit the matter to the dispute resolution mechanisms set out in paragraphs 22 and 23. In the event that the Municipality delivers a request to review to Ontario, the Annual Billing Statement shall be deemed to apply during the period of review.
19. The Municipality shall make monthly installment payments to Ontario due no later than 30 days following receipt by the Municipality of each monthly invoice, each one being one twelfth of the Annual Billing Statement for that year. Any amounts which have become due and owing shall bear interest at the rate set by the Minister of Finance from time to time.

20. Ontario shall keep all records, statements of account, invoices and any other such documents necessary to support the Annual Billing Statement, and all such records shall be kept for a period of seven years. Ontario shall permit the Municipality, upon notice to Ontario, to examine all such records and books of account and conduct a review of the Annual Billing Statement.
21. Upon the approval or deemed approval of the Annual Billing Statement, as provided in this Agreement, adjustments shall be made in the amounts paid by the Municipality by installment so that (i) the total amount paid in respect of the preceding year is equal to the amount shown on the approved Annual Billing Statement and (ii) the installments for the year following the year in which the statement is prepared are each equal to one twelfth of the approved Annual Billing Statement. Any amounts payable by one party to the other shall be paid to the appropriate party in the remaining monthly billings for the year following the year in which the statement is prepared.

Dispute Resolution Mechanisms

22. (a) The provisions of this paragraph apply in the event of a dispute between the Municipality and Ontario concerning financial and related issues arising out of the interpretation, application, administration, or alleged violation of this Agreement (“Financial Disputes”) or between the Board and the O.P.P. concerning policing issues arising out of the interpretation, application, administration, or alleged violation of this Agreement (“Policing Disputes”).
 - (b) In the event that a dispute arises, the Detachment Commander, or representative, and the Municipality or the Board, as the case may be, or their representative, shall meet within 30 days of such dispute arising, and use all best good faith efforts to resolve the dispute.
 - (c) If the dispute remains unresolved, the Regional Commander, or representative, and the Municipality or the Board, as the case may be, or representative, shall meet and use all best good faith efforts to resolve the dispute.
 - (d) If the dispute remains unresolved, the Commissioner, or Deputy Commissioner, and the Municipality or the Board, as the case may be, or representative, shall meet and use all best good faith efforts to resolve the dispute.
 - (e) If a Financial Dispute remains unresolved, the issue may be referred to mediation by either party, and each party shall use all good faith efforts to resolve the dispute.
23. (a) Financial Disputes that cannot be resolved through any of the methods described within paragraph 22, may be referred to and settled by binding arbitration. The provisions of the *Arbitration Act, 1991* shall apply to any such arbitration, unless otherwise indicated below:
 - (i) The language of the arbitration shall be English.

- (ii) The place of the arbitration shall be the Douro-Dummer
 - (iii) Each party agrees that the arbitration shall be conducted in a summary manner to ensure a full hearing in a cost effective and efficient manner.
 - (iv) Each party shall make prompt full disclosure to the other and, subject to the availability of an arbitrator the arbitration shall be commenced within 30 days of the conclusion of the meeting with the Commissioner, or the mediator, if applicable.
 - (v) Each party shall be responsible for its own legal expenses and for an equal share of the fees and expenses of the arbitration and any other related expenses. Section 54 of the *Arbitration Act* shall not apply; the arbitrator shall have no right to make an award relating to costs.
 - (vi) The parties shall have no right of appeal to a final decision of an arbitrator.
- (b) Policing Disputes shall not be subject to mediation or arbitration.
- (c) Neither party shall be entitled to proceed to mediation or arbitration until all of the meetings referred to in paragraphs 22 have been held, and each party undertakes to exert all best good faith efforts to resolve the dispute in those meetings.
- (d) Mediations or arbitrations of disputes conducted under this Agreement shall remain closed to the public. All parties to any dispute shall keep all details, admissions or communications made in the course of the dispute resolution process strictly confidential, nor shall such information be admissible in any legal proceeding, except as follows:
- (i) on consent of all parties;
 - (ii) as may be ordered by a court of competent jurisdiction;
 - (iii) the final decision of the arbitrator may be released.
- (e) Each of the meetings outlined in paragraph 22 shall be commenced no earlier than 15 days, and concluded no more than 30 days, from the conclusion of the prior stage unless the parties otherwise agree.
- (f) Notwithstanding any of the above provisions, nothing in this Agreement shall be construed so as to give the Municipality or the Board the right to alter any policy of the O.P.P. or the Ministry. Nothing in this Agreement shall be construed so as to give the Municipality or the Board, the right to supercede or vary the duties and obligations of the Solicitor General pursuant to s. 3(2) of the *Police Services Act*, or of the Commissioner pursuant to s. 17 and s. 41 of the *Police Services Act*, and further, the rights of the Municipality and the Board pursuant to the Agreement are subject to the Municipality's obligations under s. 4 of the *Police Services Act*.
-

Detachment Commander Selection

24. The Detachment Commander shall be selected from a short-listed pool of candidates as determined by the OPP in accordance with its relevant provincial policies. Following the formulation of the short-list, a joint committee consisting of Board members and persons nominated by the Commissioner, shall select the successful candidate in accordance with the process set out in the OPP's provincial policies.

Notice

25. Any notice, statement, invoice or account to be delivered or given by any of the below listed groups to any other of them shall be delivered to such groups using the delivery methods as listed below. Any notice, statement, invoice or account sent by mail shall be deemed to be received on the third day following the date of mailing unless shown to the contrary, and if sent by fax or by email, it shall be deemed to be received on the date it was sent. Any group may change its contact information by giving notice provided herein:
- (a) by mail to Ontario addressed to: The Minister of Community Safety and Correctional Services, 25 Grosvenor Street, 11th Floor, Toronto, Ontario, M7A 1Y6, or by fax to (416) 325-6067.
 - (b) by mail to the Commissioner addressed to: The Commissioner, Ontario Provincial Police, 777 Memorial Avenue, Orillia, Ontario, L3V 7V3, to the attention of the Manager, Municipal Policing Bureau, by fax to (705) 330-4191, or by email to opp.municipalpolicing@opp.ca
 - (c) by mail to the Municipality addressed to: The Mayor, Douro-Dummer, 894 South Street, P.O. Box 92, Warsaw, Ontario, K0L 3A0, or by fax to (705) 652-5044
 - (d) by mail to the Board addressed to: The Douro-Dummer Police Services Board, 894 South Street, P.O. Box 92, Warsaw, Ontario, K0L 3A0, or by fax to (705) 652-5044

Commencement and Termination of Agreement

- 26. Notwithstanding the date upon which this Agreement is signed, the term of this Agreement shall commence on the 1st day of June 2019, and shall conclude on the 31st day of December 2022.
- 27. Either party to this Agreement may terminate this Agreement upon one year written notice of termination to the other party, in which case this Agreement shall terminate one year following the delivery of such notice. Should a notice to terminate be given, the Municipality shall continue to be obligated to pay for the cost of providing police services under this contract to, and including the date of such termination and Ontario shall continue to be responsible to provide the services outlined in this Agreement.
- 28. Should the Municipality's designated responsibility to provide policing under the *Police Services Act* be changed, either by statute or government interpretation, the Municipality maintains its right upon being so informed to give written notice of its intention to terminate this Agreement forthwith.

Entire Agreement

- 29. This Agreement and the schedules attached constitute the entire Agreement between the parties, and there are no representations, warranties, collateral agreements or conditions affecting this Agreement or the relationship of the parties or supported hereby other than as expressed herein in writing. Any amendment to this Agreement must be in writing, duly executed by the parties.

IN WITNESS WHEREOF, the Municipality has affixed its Corporate Seal attested by the signature of its duly authorized signing officers, and the Deputy Minister of Community Safety, Ministry of Community Safety and Correctional Services has personally signed this Agreement to be effective as of the date set out herein.

FOR ONTARIO

Deputy Minister of Community Safety

FOR THE MUNICIPALITY

Douro-Dummer

Mayor

Chief Administrative Officer

Date signed by the Municipality _____

SCHEDULE "A"

BY-LAW OF THE MUNICIPAL COUNCIL

SCHEDULE "B"
PROPOSAL FOR POLICE SERVICES



The Township of Douro-Dummer

Contract Policing Proposal

Prepared by: Linda Davis
Ontario Provincial Police
Municipal Policing Bureau

Date: May 08, 2019

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Executive Summary

The Ontario Provincial Police (OPP) has over 100 years of experience in providing effective community-based policing and protection throughout Ontario. The OPP has provided municipal police services under contract for over 70 years and currently maintains contracts with over 140 communities across Ontario.

The Township of Douro-Dummer requested a contract proposal for OPP municipal policing. This proposal is based on the OPP Billing Model, with the Township paying an amount equal to the sum of its allocated portion of the OPP's total municipal policing Base and Calls for Service costs, as well as the costs for Overtime, Prisoner Transportation, Court Security, and Accommodation/Cleaning Services as applicable. Where a municipality chooses to receive police services from the OPP pursuant to a contract, the OPP will provide the level of police services required to provide adequate and effective policing, including providing the services set out in Regulation 3/99, Adequacy and Effectiveness of Police Services under the *Police Services Act*.

This proposal reflects the integrated policing concept, incorporating a police services contract for the Township of Douro-Dummer with OPP highway patrol services and provincial responsibilities under one administration. The Peterborough County OPP Detachment will remain as the Administration/Operations Centre. The resources will be deployed to the municipality from this facility.

The Peterborough County OPP Detachment Commander will be responsible to oversee all aspects of service delivery. The detachment management including Staff Sergeant(s) and Sergeant / Platoon Leaders as applicable will provide assistance and supervision to members of the Peterborough County Detachment.

It is the intent to maintain all existing community service programs and community policing committees, in consultation with the Police Services Board.

Any new community service program considered may be implemented after consultation with the Township of Douro-Dummer Council, the Township's Police Services Board and the Peterborough County OPP Detachment Commander.

When a municipality chooses to receive police services from the OPP under contract, the OPP will ensure that the municipality receives adequate and effective police services in accordance with the *Police Services Act* and Regulations. The shared infrastructure of the OPP broadens local access to resources, expertise, solutions, training and management without duplicating services. The Township of Douro-Dummer will continue to benefit as additional staff are readily available from within the Peterborough County OPP Detachment as well as neighboring detachments and regions, should the need arise.

The Township of Douro-Dummer will be required to maintain a Police Services Board, as mandated by Section 10 of the *Police Services Act* that will generally determine objectives and priorities for police services within the community, after consultation with the Detachment Commander. The Commissioner is committed to ensuring that the Detachment Commander of the Peterborough County OPP Detachment responds appropriately to the Board's advice and priorities in a manner consistent with the Board's identified concerns, expectations and needs.

It is long-standing OPP policy and practice to be accountable to the communities we serve. The Commander of the Peterborough County OPP Detachment, or designee, will report to the Police Services Board on a regular basis, as per the direction of the Board. The OPP is experienced in being accountable to the municipalities we serve. With over 100 contracts currently in place and future

contracts pending, there is great emphasis placed on OPP accountability to Police Services Boards.

The OPP is required to provide provincial level emergency response that can be mobilized in times of emergency, disaster or a specialized investigative need. The OPP meets such emergent needs, on an on-call, as-needed basis, by deploying small numbers of officers from multiple locations and assignments, both provincial and municipal. During such times, the OPP is responsible to ensure that appropriate resources remain in place to make certain the municipality receives adequate and effective police services in accordance with the *Police Services Act* and Regulations. The use of OPP officers in cases where there is a provincial obligation to respond will be accounted for as part of the billing model.

If the Township of Douro-Dummer chooses to accept an OPP contract for its policing service, the Peterborough County OPP Detachment Commander will assign resources, focusing on meeting the Township's unique policing needs.

Value for the Township of Douro-Dummer:

- Assurance of adequacy and effectiveness of police services;
- Dedication to resolving community issues through local involvement and community policing committees;
- Availability of additional staffing support from neighbouring detachments, regional headquarters and general headquarters;
- Work with the Detachment Commander in determining the local policing priorities and objectives through the Township's Police Services Board; and
- Access to a comprehensive infrastructure and specialized services

The estimated policing cost for 2019 associated to this proposal as presented in the Annual Billing Statement is **\$1,008,149**. This amount is reflective of the most current cost estimates under the OPP Billing Model, exclusive of the year-end adjustments.

The year-end adjustment for the year 2017 totalling **\$15,284** is listed separately from the 2019 estimated cost, but forms part of the Grand Total Billing as shown near the bottom of the Annual Billing Statement.

Not included in this proposal are:

- The cost of maintaining the Police Services Board
- Any applicable revenues accruing to the municipality as a result of police activity

OPP Contacts

Please forward any questions or concerns to Inspector Lisa Darling, Detachment Commander, Peterborough County Detachment, or Linda Davis, Municipal Policing Specialist, Municipal Policing Bureau, OPP General Headquarters.

Inspector Lisa Darling

(705) 742-0401

Linda Davis

(705) 329-6289

This AMENDING AGREEMENT is from the 30th day of December 2023 to the 31st day of December 2025

BETWEEN:

HIS MAJESTY THE KING IN RIGHT OF ONTARIO AS REPRESENTED BY THE SOLICITOR GENERAL (“Ontario”)

-and-

THE CORPORATION OF THE TOWNSHIP OF DOURO-DUMMER (“the Municipality”)

BACKGROUND

- A. The Parties entered into the Agreement for the provision of Police Services under Section 10 of the *Police Services Act* (the “Agreement”) which commenced on the 01st day of June 2019.
- B. The Agreement includes all the Schedules and Appendices to the Agreement.
- C. Pursuant to Section 29, the Parties may amend the Agreement by written agreement.
- D. The Parties wish to further amend the Agreement as set out in this Amending Agreement, by extending the duration of the contract to conclude on the 31st of December 2025, as supported by:

Bylaw # XXXX, dated MMMM DDth, 2023 of the Council of the Corporation of the Township of Douro-Dummer (attached as Schedule “A”).

NOW THEREFORE, the Parties agree as follows:

- 1. Section 26 of the Agreement shall be replaced with the following:
 - 26. Notwithstanding the date upon which this Agreement is signed, the term of this Agreement shall commence on the 01st day of June 2019, and shall conclude on the earlier of (i) the 31st day of December, 2025 or (ii) the date that the Community Safety and Policing Act, 2019 comes into force.

Relevant terms and conditions of the Agreement, that are not specifically amended but that relate to the amendments set out in this Amending Agreement shall be deemed to be amended so as to give effect to the changes herein.

Except for the amendments set out herein, the terms and conditions of the Agreement remain in full force and effect and time shall remain of the essence.

Notwithstanding the date upon which this Amending Agreement is signed, this Amending Agreement is effective as of the 30th day of December, 2023.

FOR ONTARIO

Deputy Solicitor General, Community Safety

FOR THE Corporation of
The Township of Douro-Dummer

Mayor

Chief Administrative Officer

Date signed by Municipality: _____

DRAFT

Schedule "A"

**BY-LAW OF THE MUNICIPAL COUNCIL
TOWNSHIP OF DOURO-DUMMER**

DRAFT

DRAFT

PLACEHOLDER FOR BY-LAW

**Minutes of the Township of Douro-Dummer Committee of Adjustment
Meeting**

**April 21, 2023, 9:00 AM
Electronic Meeting Site**

Present:
Chair - Harold Nelson
Member - Jim Patterson
Member - Robert Lamarre
Member - Rod Manley
Member - Mark Porter

Staff Present
Secretary-Treasurer/Acting Clerk - Martina Chait-Hartwig
Planner - Christina Coulter

1. Call to Order by Chair:

The Chair called the meeting to order at 9:04 a.m.

2. Disclosure of Pecuniary Interest:

The Chair reminded members of their obligation to declare any pecuniary interest they might have. None were declared.

3. Approval of Minutes:

3.1 Committee of Adjustment Meeting Minutes - March 23, 2023

Resolution Number 09-2023

Moved By: Jim Patterson

Seconded By: Rod Manley

That the Minutes from the Committee of Adjustment Meeting, held on March 23, 2023, be received and approved, as circulated.

Carried

4. Minor Variance Applications: None

5. Round Table Discussion:

5.1 Review of Training Materials

The Committee discussed the training course provided by the Ontario Association of Committees of Adjustments and took the opportunity to review work of the Committee.

6. Next Meeting Date: Committee of Adjustment May 26, 2023 (If required)

7. Adjournment

Resolution Number 10-2023

Moved By: Robert Lamarre

Seconded By: Mark Porter

That this meeting adjourn at 10:10 a.m.

Carried

Chair, Harold Nelson

Secretary-Treasurer, Martina Chait-Hartwig

That the OPP 1st quarter report be received.

Carried

b) Township of Asphodel Norwood – Resolution re OAPSB conference

c) Email from Tania Goncalves – Selwyn Township – OAPSB conference

Resolution

Moved by: Heather Watson

Seconded by: Caroline Goodenough

That the correspondence from the Townships of Asphodel-Norwood and Selwyn regarding the OAPSB conference be received and that staff be directed to work with the other Police Services Boards in the County to arrange for a pooling of costs if possible.

Carried

7. Accounts – None

8. By-laws – None

9. Other/New Business

a) Update from Joint PSB meeting held in North Kawartha on April 3, 2023

Ken spoke on this issue. He found the meeting very informative but realized there are a lot of decisions to be made which could affect the budget for 2024, specifically for member salaries and training needs.

b) General survey of existing local boards

At the April joint meeting, it was indicated that an email would be going out to all Boards requesting information. We have not received an email pertaining to this at this time.

c) Budget implications resulting in amalgamated Boards

From Ken's previous comments, there will be items to consider in the 2024 budget.

d) OAPSB spring conference – May 30 – June 1

No one from our Board is able to attend the 2023 OAPSB conference.

Chris Galeazza stated that the OPP are working on a three-year strategic planning cycle and if there's any suggestions from us or members of the community, to forward them to himself.

10. In Camera – none

11. Confirming By-Law No. 2023-2

Resolution

Moved by: Ken Jackman

Seconded by: Caroline Goodenough

That Confirming By-law 2023-2 be enacted and passed this 4th day of May, 2023

Carried

12. Next meeting date – to be determined

13. Adjournment

Resolution

Moved by: Caroline Goodenough Seconded by: Heather Watson

That this meeting be adjourned at 10:45 a.m.

Carried

Chair

Secretary

Short-Term Rental Advisory Committee Minutes

Thursday, May 18, 2023, 1:00 p.m.
Electronic and In-person Meeting

Members Present: Committee Chair - Harold Nelson
Committee Member - Richard Clark
Committee Member - Suzanne Coros
Committee Member - Nina Janosick Via Zoom
Committee Member - Jeff Martin
Committee Member - Doug Owens

Guests Present: Ajay Garjaria, Aird & Berlis LLP – Via Zoom

Staff Present: Elana Arthurs, CAO
Tara Lember, Administrative Assistant

Members Absent: Committee Member - Dave Koch

1. Call to Order

The Chair called the meeting to order at 1:07 p.m.

2. Land Acknowledgement

The Committee Chair recited the Land Acknowledgement.

3. Disclosure of Pecuniary Interest

There were no disclosures of interest.

4. Adoption of Agenda - May 18, 2023

Moved by: Jeff Martin

Seconded by: Suzanne Coros

That the agenda for the Short-Term Rental Committee Meeting, dated May 18, 2023, be adopted, as circulated.

Carried

5. Adoption of Minutes: Short Term Rental Committee Minutes - February 22, 2023

Moved by: Jeff Martin

Seconded by: Doug Owens

That the Minutes for the Short-Term Rental Committee Meeting, dated February 22, 2023, be adopted, as circulated.

Carried

6. Proposed Timeline for Committee Report to Council

Elana Arthurs, CAO provided an outline of what she hopes will come out of this meeting.

Once a consensus has been reached in terms of what committee members would like to explore, Township staff will conduct research to present at the next short-term rental committee meeting.

After committee members decide which avenues they would like to implement, a report will go to Council in September or October 2023.

7. Presentations

7.1 Christina Coulter, Planner - Review of Township Zoning By-law and Official Plan

Christina provided an overview of the County of Peterborough's existing Official Plan followed by the proposed Official Plan policies.

The existing zoning by-law for the Township of Douro-Dummer defines short-term rentals as "rental cabin" or "rental cottage" and as a "tourist establishment".

Christina discussed the current Township by-laws regulations for uses. There are currently Ten (10) properties within the Township that are currently zoned to permit either a tourist establishment or rental cabin.

Moved by: Richard Clark

Seconded by: Jeff Martin

That the presentation by Christina Coulter, Planner providing a review of the Township's current zoning by-law and the County of Peterborough's existing and proposed Official Plan be received and approved.

Carried

7.2 Ajay Gajaria, Aird Berlis - Update on the Short-term Rental Environment

Lawyer Ajay Gajaria with the firm Aird & Berlis LLP provided an updated redacted version of the original letter (Municipal Regulation of Short-Term Accommodations and Short-Term Accommodation Platforms Under the Authority of the *Municipal Act, 2001*) with the outcome of the Oro-Medonte case and noted that other cases before the courts are still to be determined.

Ajay clarified his role working with the committee is to provide the tools in the toolbox for various approaches to short-term rentals.

Ajay also provided recent developments from Quebec and referenced the province proposing their own regulations to take the pressure off the individual municipalities. He encouraged committee members to consider the costs associated with each approach.

Moved by: Suzanne Coros

Seconded by: Richard Clark

That the presentation by Ajay Gajaria, Aird & Berlis LLP with his update on the short-term rental environment be received and approved.

Carried

8. Options for Governing Discussion

A round table discussion took place where committee members took turns offering various options for governing short-term rentals.

Some of the options that were brought to the table include: the enhancement and proper enforcement of existing by-laws; updates to the zoning by-law and other relevant by-laws with set fines, and to explore a licensing program that could provide revenue to cover enforcement costs such as a 4% accommodations tax.

Richard Clark suggested a company called "Host Compliance" that offer a free assessment to determine the number of short-term rentals within a municipality.

Moved by: Doug Owens

Seconded by: Suzanne Coros

That Township staff explore licensing programs and a 4% accommodation tax to cover enforcement costs.

Carried

Moved by: Suzanne Coros

Seconded by: Richard Clark

That Township staff review the nuisance by-law and other relevant by-laws to put mechanisms and set fines in place to enforce them.

Carried

9. New Business

There was no new business.

10. Next Meeting - To be determined at the meeting

Elana anticipates the next meeting to take place in early August and will circulate a doodle poll to select a date.

11. Adjournment

Moved by: Suzanne Coros

Seconded by: Richard Clark

The meeting was adjourned at 2:36 p.m.

Carried

Township of Douro Dummer Events Committee

Minutes

Monday, June 19, 2023 at 5:30 p.m.

Douro Community Centre - Harvest Room

1. Call to Order

The Chair called the meeting to order at 5:30 p.m.

2. Introduction of Committee Members

All members introduced themselves to the Committee.

3. Disclosure of Pecuniary Interest

The Chair told members of their obligation to declare any pecuniary interest they might have. None were declared.

4. Adoption of Agenda - June 19, 2023

That the Agenda for June 19, 2023 was approved by consensus.

5. Other Business

5.1 Code of Conduct and Procedural By-law

Acting Clerk, Martina Chait-Hartwig, reviewed the Township's Code of Conduct for Council and Committee member and provided an overview of the Procedural By-law.

5.2 Township of Douro-Dummer Events Committee Terms of Reference

Acting Clerk, Martina Chait-Hartwig, reviewed the Terms of Reference for the Events Committee and answered questions.

5.3 Mayor Watson - Report to Events Committee

The Committee received the Report from Mayor Watson via consensus.

5.4 Discussion - Annual Events and Resources Required

A discussion took place regarding the Canada Day Parade and what resources were required from the Committee and the Township.

6. Next Meeting Date:

The next meeting shall be held on August 14th, 2023 or another date chosen by the Committee.

7. Adjournment

The meeting adjourned at 6:03 p.m.

Recommendation:

That the report to Council, dated September 5, 2023 from Mayor Watson be received and that Council authorize the Acting Clerk to work with the Mayor to undertake a 2023 CAO performance review.

Overview:

It has been roughly one year since an annual performance review has been completed for our CAO. Given that the CAO is the only employee that is accountable to Council, it is important that an annual review is undertaken to identify any performance issues before they become problematic. Regular performance evaluations promote a high-performing organization. Further, it gives rise to a conversation to support the CAO's goals and career objectives.

Last year the Acting Clerk assisted with the process of creating a 360-degree survey and analysis. While a 360-degree process is useful, a stakeholder survey may be more efficient. Council will also have an opportunity to provide feedback. The Acting Clerk has once again offered to assist with the process.

The process last year was effective with the Acting Clerk's assistance. The Acting Clerk prepared the survey and solicited responses. Responses were then compiled and reviewed by Council. A subsequent performance review meeting was held with Council and the CAO to review and discuss.

Conclusion:

The CAO's annual performance review is due. The Acting Clerk has offered to assist with collecting feedback on the CAO's performance.



CAO Performance Evaluation Toolkit

Guide for the Mayor & Council

An Ongoing Process: Not Just an Annual Event

A FREE RESOURCE BENEFITING CANADIAN MUNICIPALITIES

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Message From the Canadian Association of Municipal Administrators

It seems like a given, but regular performance evaluations of the Chief Administrative Officer (CAO) are not always a forethought for the Mayor and Council. Feedback suggests that when it is happening, it is not always used effectively. The Canadian Association of Municipal Administrators (CAMA) recognizes that performance evaluation is **an ongoing process and not just an annual event**. To facilitate the process, CAMA launched a Toolkit in 2017 with the support of our members, the Federation of Canadian Municipalities (FCM), and the elected officials, who completed our surveys at that time.

Over the years, we have heard feedback from our members and their Councils on the Toolkit and are pleased to provide you with a **new updated and improved 2023 edition**, which continues to be a flexible model that provides you and your CAO with the opportunity to choose the tools that work for your organization. Councils can change every four years and sometimes your entire direction changes which can be the same for the performance evaluation process. There is no right or wrong process or one that's perfect. What worked last year may not work this year depending on the complexities, so it's up to you and your CAO to customize the best performance evaluation model that works for everyone.

This new version of the Toolkit gives Mayors and Councils the tools and best practices to facilitate discussions with their CAO so that performance management is fair and effective, and the process is very easy for both parties. Using this Toolkit, the CAO and Mayor and Council can hold open conversations to assist in achieving a collective vision and reaching strategic goals for the success of the organization and the community.

For both parties, the Toolkit fosters:

- a foundation for good communication;
- an approach to dialogue and conversation that reduces misunderstandings;
- a process for setting annual work-related goals;
- a shared understanding of performance measures;
- a recognition of the CAO's achievements and assessment of what is being accomplished;
- an identification of performance gaps and proactive measures;
- a focus on aligning the CAO's goals with the strategic plan for the organization.

This Toolkit will support Mayors and Councils to work more effectively with their CAO, will shift Canadian practice to a higher level of professionalism, and will assist with the unique working relationships CAMA members must maintain with elected officials.

Please note that the reference to "Mayor and Council" in this document also includes Reeves, Wardens, Chairs, Heads of Council and elected officials.

Contact Jennifer Goodine, CAMA Executive Director (1-866-771-2262) admin@camacam.ca with your questions and comments.

TIP: Elected and appointed leadership need to strategically work together in an anticipatory fashion to align the municipal organization for success.

Introduction

CAMA produced this Toolkit in recognition of the importance of the relationship between the City Manager, Town Manager, or Chief Administrative Officer (CAO) and Mayor and Council. The CAO is the administrative head of the municipality who ensures policies and programs are implemented; advises and informs Mayor and Council about the operation and affairs of the municipality; and carries out the duties described in legislation.

CAOs stand at the crossroads of municipal management and politics, and in their job to follow the direction set by the municipality's elected officials - and a high degree of trust between each party is required.

Municipal World's article, by columnist Dawn McCoy entitled "CAO performance evaluation" explains the many responsibilities of the CAO:

"Consider this scenario. You are in charge of a multi-million dollar corporation with hundreds of employees. You have multiple stakeholders, all with an interest in how your organization meets their specific needs, many of which are not the same as each other's or your own. Your boss changes every four years and sometimes your entire direction changes, but it is not always clear what the new mandate is. In fact, you have multiple bosses, with different goals and ideas of what you should do and how you should do it. How do you know you are doing what you are supposed to do?"

This is the reality of the Chief Administrative Officer, the only employee of the elected council in most municipal government organizations. Given all the complexities, how does the CAO navigate through this murky maze to make sure they are leading the organization in the direction Council wants to go? How does Council know if the CAO is actually implementing their mandate or how well their goals are being met?"

In many Provinces and Territories, an annual CAO review is a requirement. However, even when it is not mandatory, it is advisable for Council to provide a yearly evaluation. For many municipalities, the annual performance evaluation is the key performance indicator of the

effectiveness of the CAO's strategic management decisions and actions and the performance of the organization. Appraisals are Council's opportunity to officially tell the CAO, from their perspective, how well they are discharging their duties. It is the CAO's report card.

CAMA encourages a broader, more holistic understanding of performance conversations, which form part of **an ongoing process, not just an annual event**. It is important to ensure Council strategy and expectations of the CAO are clearly defined, so there is something to measure performance against. To learn more about the principles of performance evaluation [click here](#).

Most Councils rely on the CAO to:

- be the connecting link between Council and municipal operations;
- implement the municipality's policies;
- assist Council in arriving at decisions and manage the efficient execution of those decisions by municipal staff;
- develop and use an appropriate decision making process;
- regularly review staff performance;
- maintain organizational health; and
- take all reasonable steps to run the organization professionally and within approved Council policies and the limits of government legislation.

This Toolkit will provide you with a Quick Reference Guide for each of the three steps in the process, but also a detailed step-by-step guide and checklist for the Mayor and Council when reviewing the CAO's self-evaluation, creating the *Final Performance Evaluation Report*, and the meeting with the CAO to discuss the results. The CAO has also been provided with their own guide for the process **"CAO Performance Evaluation Toolkit - Guide for the CAO"**.

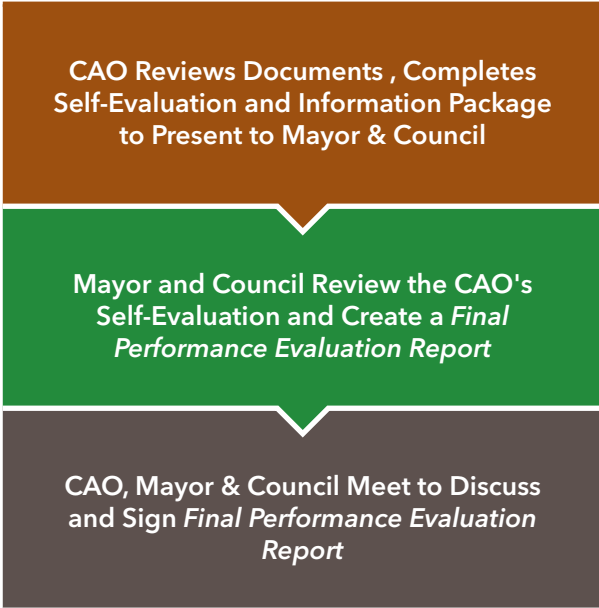
TIP: It is imperative that CAOs and Councils are using a process that everyone sees the value of, and has confidence in.

How to Use This Toolkit - Mayor & Council

This Toolkit is meant to be a guide of best practices and guidelines for the Mayor and Council and the CAO to follow, however it is **flexible and customizable**. It is recommended that you customize the performance evaluation process for your organization and choose the specific components that work for you. It can be used for

- a CAO and Council that are developing a new process and it is their first time conducting a performance evaluation; or
- a CAO and Council that already has an existing process with specific templates that already work well but would like to add some other components and best practices.

As the first step, the CAO will provide a recommended process to the Mayor for consideration.



What is Included in this Toolkit?

This Toolkit provides the following information:

- **Important Information on the Value of Performance Discussions.** A performance evaluation should be an **ongoing process - not an annual event**. There are some tips and best practices on the importance of setting up quarterly reviews with your CAO, developing a compensation framework when the CAO is hired, surveying stakeholders that interact with the CAO on a regular basis, and the possibility of hiring a third-party consultant to conduct a facilitated evaluation.
- **Quick Reference Guides:** A one-page Quick Reference Guide showing each step at-a-glance for each of CAMA's three-part process (for the CAO, Mayor and Council and the final performance evaluation meeting).
- **Details for the Mayor and Council's Deliverables for the CAO's Performance Evaluation.** A detailed step-by-step guide for the Mayor and Council's *Final Performance Evaluation Report* and meeting with the CAO.
- **Sample Best Practices.** The performance evaluation template included in this Toolkit is a best practice document to assist you in having quality discussions with your CAO around their performance and does not have a rating system. A sample mandate letter has also been provided as an option. The CAO will provide a recommendation on the process and metrics.
- **Mayor and Council Process Checklist.** A Mayor and Council Process Checklist to ensure you have included all steps of the CAO *Final Performance Evaluation Report* and are prepared for the meeting with the CAO.
- **Sample Timeline.** A sample timeline to be used as a guide, beginning in mid-August and finishing the first week of December to coincide with the calendar and budget year. This process can move at the pace set by the CAO and the Mayor and Council.

What About the CAO's Process?

If you would like to review the detailed recommended process for the CAO's self-evaluation and preparation of the CAO *Information Package* for the Mayor and Council visit the [CAO Performance Evaluation Toolkit: Guide for the CAO](#).

Tips on Customizing Your Performance Evaluation Process

Every Council and their CAO is different and therefore the way that performance evaluations are conducted are going to be unique. The Toolkit is designed to provide you with foundational steps (the regular performance evaluation process) as well as optional steps (quarterly reviews, developing a compensation framework, and a stakeholder survey) which are outlined in detail in the next section. You may choose elements to start a simple process in your organization or pick additional pieces to add to your existing process. However, at the beginning of the process, the CAO will work with the Mayor and Council to determine the vision.

As a best practice, to facilitate a qualitative discussion during performance conversations with your CAO, you may consider using CAMA's performance evaluation template **without a rating system**, as a guide focusing on the specific annual Council and CAO goals for the evaluation period. You may also complete a mandate letter that outlines the annual expectations of a CAO of being a role model and good corporate leader, but also the specific expectations for the year based on the goals of Council and the CAO, approved by Council the previous year. These templates can be customized to suit your needs.

The performance evaluation process starts and ends with the CAO and he or she will initiate the process and both parties will decide on the template and performance metrics used for the evaluation. It is important for the Mayor and Council to take their time in reviewing the CAO's *Information Package* and prepare a *Final Performance Evaluation Report*. The end product is a meeting with the CAO, Mayor and Council to discuss the *Final Performance Evaluation Report* and set goals for the following year.

TIP: A numbered rating system is not always helpful.

"Evaluating someone's performance is a complex process and reducing it to a scale of 1 to 5 helps neither the evaluated nor the evaluators. Some people are "hard graders" and others just check the top box. Some will use it to avoid providing specific, meaningful feedback. In our experience, rating systems reduce the amount of feedback provided to the manager, and often produce a muddled and confusing result without clear direction to the manager."

Source: ICMA article titled "A Better Way: The Facilitated CAO Performance Review"

The Value of Performance Discussions

Effective performance management and performance evaluation should improve communication and the employment relationship between CAOs and their Councils. This is a unique relationship in that there are a number of people involved in evaluating the performance of the CAO, even though Council as a body sets direction. The relationship is significantly more complex than a traditional one-to-one of supervisor to employee. While there may be similarities to Board of Director/Chief Executive Officer relationships, the municipal context has these differences:

- In many cases, provincial legislation sets the basis for the Council/CAO relationship.
- Elected officials may or may not have prior experience and training in the oversight and performance evaluation of a professional senior executive.
- Municipal compensation systems may provide financial incentives (i.e. an annual bonus) to drive/reward performance.

Both elected officials and municipal CAOs operate under daily scrutiny of the public and the media. Regular performance evaluations promote a high-performance organization that is better able to withstand that scrutiny. They also create a vision for Council for their mandates.

The key value to conducting a written performance evaluation of the CAO provides the following benefits:

- An opportunity to increase communication between the CAO and the Mayor and Council.
- The conversation gives the CAO an opportunity to identify goals that support his or her career objectives.
- Aligning the municipality's strategic goals with the CAO's goals supports the organization's excellence.
- The performance review of the CAO provides the Mayor and Council with a formal record of their performance conversation and appraisals of the CAO's achievement of agreed-upon goals, and of the organization's performance in achieving its goals.



Goal setting occurs at the start of an evaluation cycle and the key results are an important component at the end of the annual evaluation cycle. **CAO's need to be in sync with the expectations of Council and these should be articulated at the outset and generally discussed again every year at the evaluation.**

Performance evaluations show appreciation for and feedback on the work of the CAO. Through performance evaluation the CAO better understands the roles and responsibilities of the position. Evaluations:

- offer a prime opportunity for organizational feedback;
- recognize the challenges the CAO faces;
- allow elected officials to hear about the CAO's managerial style; and
- encourage appreciation for the need for succession planning; and discuss/clarify the future.

An Ongoing Process - Not Just an Annual Event

The importance of regular conversations or "check-ins" throughout the year cannot be overstated. Building solid, respectful working relationships will advance everyone's interests and avoid having surprises arise over the course of the year and specifically at year-end. Regular performance conversations make it easier to link compensation to performance at the year-end performance evaluation.

Setting Up Quarterly Reviews

Although this Toolkit is for **annual** Performance Evaluation Reviews, some municipalities set up **quarterly reviews** for a more formal approach to "checking in," which gives the opportunity to review/change goals that are no longer achievable due to new circumstances.

Discussion with CAO on Compensation

During discussions about job descriptions, hiring, and performance evaluation, a compensation framework can be developed. When the Mayor and Council meet to discuss the *Final Performance Evaluation Report*, they may use the time to decide upon compensation. The Report identifies the level of performance satisfaction for the entire performance period. In addition to the ratings and executive summary of the *Final Performance Evaluation Report*, compensation decisions may be based on:

- the economic climate of the municipality and community;
- the general status of comparable compensation in the private sector of the community;
- compensation decisions for other employees of the local government; and
- a comparative salary review.

ICMA's Employment Agreement recommends the following options: an increase dependent upon the results of the performance evaluation in the form of salary and/or performance incentive and/or increase in benefits; the Consumer Price Index; compensation by percent each year; or by at least the average across the board increase granted to other employees of the Employer.

Optional Steps

Stakeholder Survey

Whether the municipality is small, medium, or large, there are components of performance evaluations that can elevate their effectiveness, such as a survey of stakeholders. Stakeholders include senior staff who report directly to the CAO and stakeholders identified by the CAO and confirmed by Mayor and Council.

This is an **optional step** in the performance evaluation; however, the review provides valuable information on how results are achieved and how the community perceives both the CAO and the municipality. Some evaluations call for a 30-minute interview with all stakeholders except for those stakeholders who provide feedback online. Conducting performance evaluations holds all those involved to professional standards and builds a community within the organization because all stakeholders involved are asked for input. This includes staff who report to the CAO, stakeholders who work with the CAO, and Mayor and Council. All participants in the Survey of Stakeholders must be assured that their input is confidential and that the results of interviews and surveys will be scrubbed to be non-attributable.

Hiring a Third Party Consultant for a Facilitated Evaluation

The goal of the performance evaluation is to provide the CAO with meaningful feedback. As stated by ICMA in an article entitled “A Better Way: The Facilitated CAO Performance Review” –

“Meaningful feedback is a gift. It is critical to effective leadership in ensuring that a City Manager’s actions align with the elected officials to whom they report.”

Sometimes Councils often find the process time-consuming, cumbersome, and not particularly effective. However, hiring a third party, such as a consultant, to work with the Mayor and Council to facilitate the process to ensure it is fair is a good best practice. A third party manages the evaluation process, acts as a neutral party to gather data from elected officials (and other evaluators), analyzes the data, and presents the findings to the CAO in a way that encourages growth.

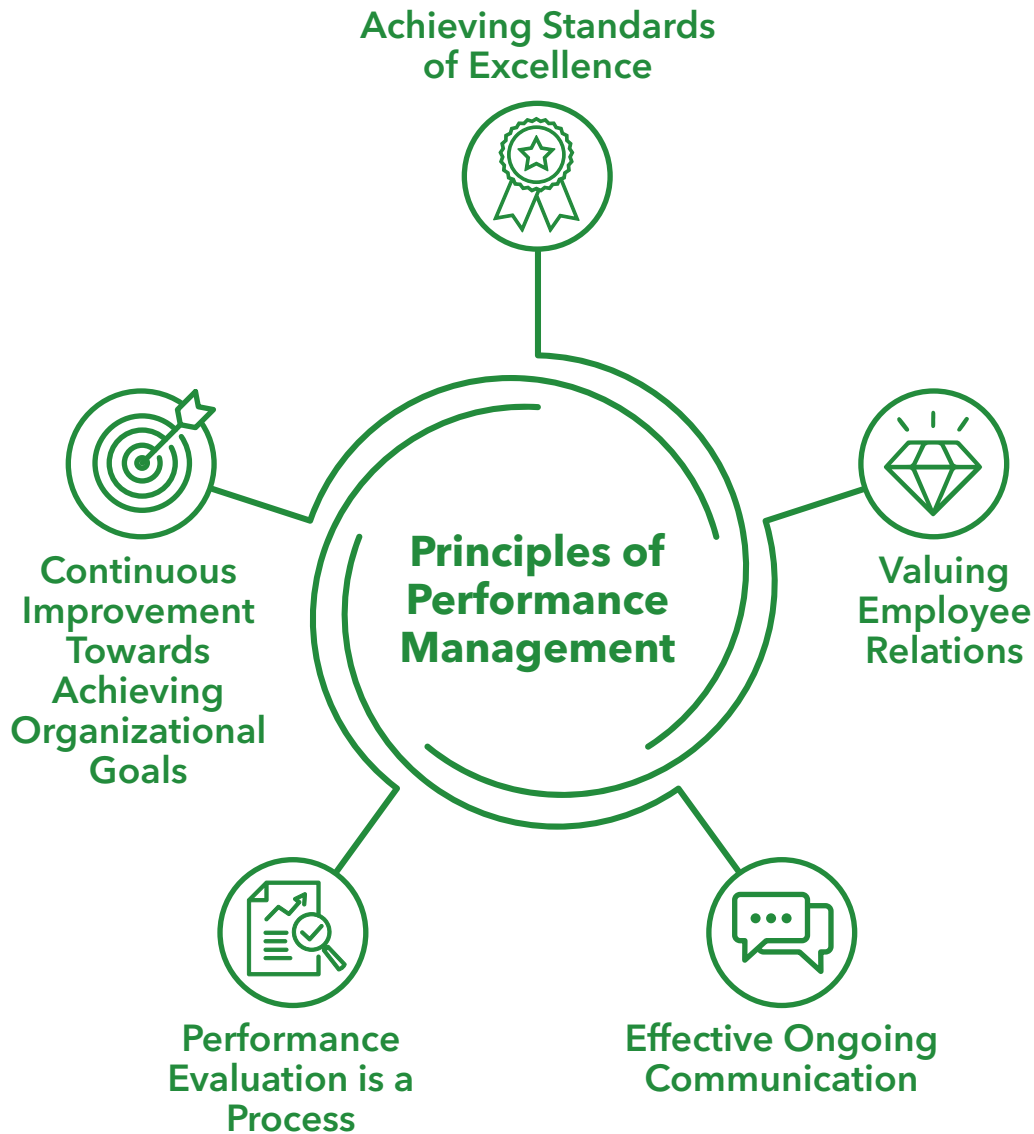
For the CAO, it provides meaningful feedback, it clears the air if there are any issues identified by Council, it separates the message from the messenger, and it focuses on results-oriented opportunities. For the elected officials, it professionalizes the process, values all opinions around the table, makes the process easier with one person responsible for managing the evaluation from start to finish, and it creates clarity.

The cost to pay for a facilitator is minimal when considered alongside the benefits and should be recognized as the key to a successful CAO-Council relationship. Given the significant investment that you have made in your CAO, the number of staff and budgets that they are responsible for, and the importance of assessing and correcting course as needed, it can create huge cost-savings from avoiding breakdowns in the Council-CAO relationship and is the key to success.

TIP: It is not recommended that the Human Resources Department or any other employee be intimately involved in the process as it puts them in an awkward situation as they all report to the CAO. The City Clerk may be involved in the process on behalf of the Mayor and Council. If a consultant is hired a recommendation would be that they meet with the Sub-Committee and/or Council to do an orientation on the purpose of a performance evaluation.

Source: ICMA article titled “A Better Way: The Facilitated CAO Performance Review”

Principles of Performance Management



Principle	Explanation
Achieving Standards of Excellence	Professional Chief Administrative Officers are essential for effective local government to operate with standards of excellence.
Valuing Employee Relations	<p>CAO performance evaluations are a way for Mayor and Council to recognize, appreciate, and evaluate their relationship with their employee.</p> <p>Mayor and Council may change more often than the CAO, so the performance evaluations offer a way to ensure all involved have clearly outlined understandings and expectations for the CAO. The best time to make those expectations known is during the annual evaluation.</p> <p>Performance evaluations, when there is a good relationship between the CAO and the Mayor and Council, allow for a discussion about the performance of the whole organization. The performance evaluations are a tool to better inform and engage Mayor and Council with the CAO's work, and to recognize the challenges the CAO faces. In gaining such an understanding, Mayor and Council can better appreciate the effectiveness of the CAO's work and determine ways to strengthen their support of this work.</p> <p>The relationship between Mayor and Council and the CAO ought to be front and center in any performance evaluation. Positive relationships, marked by respect, trust, and transparency will advance the achievement of organizational goals.</p>
Continuous Improvement Toward Achieving Organizational Goals	<p>The foundation of a performance management system aligns goals and expectations for the CAO with overall organizational strategies.</p> <p>High performance organizations promote continuous improvement for the CAO and the organization, empowering both to achieve success. As long-term outcomes come within reach, standards of excellence can be redefined.</p> <p>In some Provinces and Territories, the first goal is to meet legislative requirements that Council conduct regular CAO performance evaluations. Many jurisdictions have policies and by-laws in place that describe responsibilities and expectations towards performance evaluation of CAOs. Performance evaluation is a tool for organizational excellence. Legislative context enriches the process and provides additional tools in the toolbox that are specific to provincial and civic jurisdictions.</p>

Principle

Explanation

Effective Ongoing Communication

Positive working relationships are built and maintained with effective, ongoing communications.

Communication is one tool in the working relationship between the manager and elected officials and is NOT a report card that is an end in itself. With ongoing communication between the manager and officials, nothing in the performance evaluation should come as a surprise; it should be a summary of previously held conversations.

The performance evaluation is also an opportunity for the Mayor and Council to better define their vision and their expectations.

Performance Evaluation is a Process

Performance evaluation is a process that begins with a job description.

CAMA's Toolkit divides the process into three cycles. Part 1 involves seven steps of gathering information and preparing the *CAO Information Package* for Performance Evaluation. Part 2 involves six steps for creating the *Final Performance Evaluation Report*, and Part 3 has three steps for reviewing the *Final Performance Evaluation Report*.

TIP: "I have never had a performance evaluation from Council. I have to base my actions going forward on day-to-day successes I can see myself and staff attain, and by trying to determine what goals and actions Council would like to see achieved by listening during their discussions."

- Chief Administrative Officer

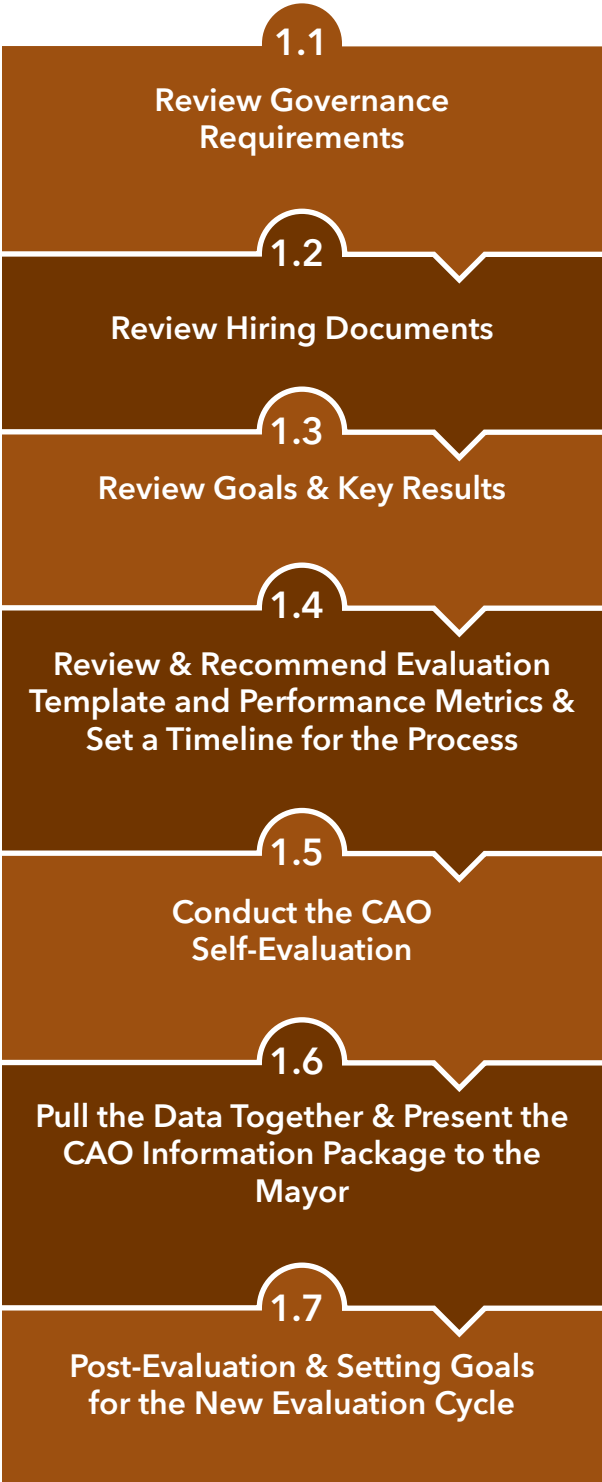


Quick Reference Guides

Part 1: The CAO's Process

Reviewing Documents, Creating Information Package and Completing Self-Evaluation for the Mayor & Council

Note that your municipality may not have all the elements described in the process, but because this Toolkit is a “flexible and customizable” model, that is completely fine. Use the elements that you do have, and consider, as you read through, whether you’d like to investigate additional elements. As you work through Part 1, you will collect information to give to the Mayor and Council for their work in preparing the *Final Performance Evaluation Report* in Part 2.



1.1 Review Governance Requirements: The CAO gathers and reviews all policies, by-laws, regulations, and acts that relate to or clarify the role of the CAO, or that Council must follow regarding performance evaluations of their CAO.

1.2 Review Hiring Documents: The CAO gathers and reviews the CAO job description, contract, and covenants (if any).

1.3 Review Goals & Key Results: The CAO gathers and reviews previously agreed-upon mandate letters, strategic goals, key result areas, the strategic plan, and/or Council priorities.

1.4 Review & Recommend Evaluation Template and Performance Metrics & Set a Timeline for the Process: After review, the CAO meets with the Mayor and recommends a performance evaluation template (included in this Toolkit or their own) to the Mayor and Council and the performance metrics that are used to rate performance. Several other questions are asked during this meeting. In addition, a timeline and a process are also agreed to collectively by both parties.

1.5 Conduct the CAO Self-Evaluation: The CAO uses the agreed upon Performance Evaluation template and metrics to conduct his or her self-evaluation prior to the Mayor and Council using the same evaluation template for their evaluation of the CAO. This self-evaluation is included in the Information Package.

1.6 Pull the Data Together & Present the CAO Information Package to the Mayor: The CAO has completed a review of relevant documents, including any quarterly or periodic reviews, and prepares an Information Package to present to the Mayor to circulate to Council.

1.7 Post-Evaluation & Setting Goals for the New Evaluation Cycle: Following the joint meeting with the CAO and Mayor and Council to review and sign off the Final Performance Evaluation Report, the paperwork is completed for the Human Resources Department. The process then starts again with Council to set new strategic goals and key results for the coming year to be linked to the CAO's goals with the municipality's Strategic Plan and Council's priorities.



Part 2: Mayor and Council's Process

Creating the *Final Performance Evaluation Report*

Part 2 of the performance evaluation cycle occurs when Mayor and Council have received the *CAO's Information Package* which includes his or her self-evaluation.



2.1 Mayor and Council Organize their Review:

Once a performance evaluation template and performance metrics are agreed upon by both parties, the task of gathering and assessing the data involves agreeing on how to get input from all members, whether to designate a committee of Council to lead the exercise and, whether assistance is required from a consultant. Confirming a timeline for the process is also important.

2.2 Mayor & Council Receive & Review the CAO's Information Package:

The CAO's Evaluation includes all the background/foundational data the CAO gathered as part of the package as well as the CAO's self-evaluation.

2.3 Mayor & Council Complete the Performance Evaluation Using a Template:

This is the traditional step of the process wherein Mayor and Council rate the CAO's performance using the template that has been agreed upon by both parties.

2.4 The Final Performance Evaluation Report is Completed:

Using the agreed template, the person responsible for compiling the information, gathers all the evaluations and written comments from each Council member and organizes the findings as per the process previously agreed on for capturing the rolled-up feedback in Step 2.1.

2.5 Council Prepares for the Discussion with the CAO:

Things to be considered include the rules of feedback, the purpose and desired outcome of the performance evaluation discussion, and who is chairing the discussion.

2.6 Council Shares the *Final Performance Evaluation Report*:

The *Final Performance Evaluation Report* is shared with the CAO, Mayor and Council to allow all parties time to review this document prior to the meeting to discuss it.

Part 3: CAO, Mayor and Council Meet to Discuss the Performance Evaluation Report

3.1

Joint Review of the Final Performance Evaluation Report & Final Sign Off

3.2

Meet to Discuss New Goals for the Next Evaluation Cycle

3.3

A New Year: Begin the Performance Evaluation Cycle Again

3.1 Joint Review of the Final Performance Evaluation Report & Final Sign Off: An In-Camera/Closed meeting is held with the Mayor, Council and CAO to have a conversation between both parties to discuss the final report. The conversation uses constructive feedback to present and discuss the collective comments from the Mayor and Council. The CAO, Mayor and Council sign off on the document.

3.2 Meet to Discuss New Goals for the Next Evaluation Cycle: After the CAO's performance evaluation is complete, it's important for Council to set new strategic goals and key results for the coming year, which link to the CAO's goals, the municipality's Strategic Plan and Council's priorities. This may take a minimum of two meetings with the first meeting being to discuss Council's vision and strategic goals/priorities, and the second meeting being to review and approve the CAO's goals for the coming year based on that vision. If a mandate letter is part of the performance evaluation process it should be completed at this meeting.

3.3 A New Year: Begin the Performance Evaluation Cycle Again: Begin the performance evaluation cycle again.

"As Mayor (and Chair) of the performance committee, the process was discussed ahead of time with Councillors and the CAO. The results of the formal process survey were aggregated and agreed with the CAO so that the range of results could be seen. Results where there was significant agreement as well as those areas with a wide range of responses were discussed. A cumulative report was filed with opportunity for further discussion."

- Mayor

Part 2: Mayor and Council's Process

Creating the Final Performance Evaluation Report

Step #	Step and Explanation
2.1	<p data-bbox="381 499 967 533">Mayor & Council Organize Their Review</p> <p data-bbox="381 558 1373 621">Part 2 of the performance evaluation cycle occurs when Mayor and Council have received the <i>CAO's Information Package</i> which includes his or her self-evaluation.</p> <p data-bbox="381 646 899 680">Pre-Meeting Between the CAO and Mayor</p> <p data-bbox="381 701 1419 798">Prior to receiving the <i>CAO's Information Package</i>, the CAO will meet with the Mayor to present a recommended performance evaluation template and metrics, and set a timeline for the entire performance evaluation process with the Mayor and Council. Setting up a calendar from the start will help to keep the process on schedule and ensure it is not only started, but that it is also completed. The following questions and topics should be discussed during this meeting between the CAO and the Mayor:</p> <ul data-bbox="381 911 1422 1381" style="list-style-type: none">• Who will be the Chair of the CAO Performance Evaluation?• Will a third party such as a consultant be hired to work with the Mayor and Council to ensure the process is fair?• Will there be a Sub-Committee of Council that will prepare the <i>Final Performance Evaluation Report</i> and collect the responses from each member of Council? Or work with the consultant to prepare the <i>Final Performance Evaluation Report</i>?• A recommended performance evaluation template and metrics will be presented to the Mayor by the CAO for consideration.• Any compensation clauses noted in the CAO's employment contract and how they relate to his/her performance evaluation.• The option of conducting a stakeholder survey as part of the review.• Creating a timeline/calendar that includes deadlines for the entire process and some additional dates to start the process of setting goals for the next year. <p data-bbox="381 1407 1130 1440">Mayor's Follow-Up with Council (Post-Meeting with the CAO)</p> <p data-bbox="381 1461 1427 1591">Following the meeting with the CAO, the Mayor needs to contact the City Clerk to set up a Private/In-Camera meeting with Council to determine how to manage the performance evaluation process. Following are some questions for discussion that can form the Agenda for the meeting:</p> <ul data-bbox="381 1604 1406 1730" style="list-style-type: none">• Chair of the CAO Performance Evaluation. Typically, the Mayor takes the lead on the CAO's Performance Evaluation unless he/she appoints a Sub-Committee of Council to lead the process where another Councillor would be appointed as the Chair.

- **Third Party Consultant/Facilitator.** Having a third-party consultant/facilitator that has expertise in performance evaluations is advantageous, however there is a cost that goes with it. Having a consultant and neutral party professionalizes the process, ensures all opinions are valued around the table, makes the process easier with one person responsible for managing the evaluation from start to finish, and it creates clarity. If a consultant is hired a recommendation would be that they meet with the Sub-Committee and/or Council to do an orientation on the purpose of a performance evaluation.

Important Note: Council often leans on the Human Resources Director because of their expertise. However, because the CAO is an employee of the Mayor and Council, the role of the CAO is unique. The Human Resources Department reports to the CAO and would therefore be in an awkward position if asked to manage the CAO's performance evaluation.

- **Sub-Committee & Preparation of *Final Performance Evaluation Report*.** Will there be a Sub-Committee of Council that will prepare the *Final Performance Evaluation Report* and collect the responses from each member of Council? Or work with the consultant to prepare the *Final Performance Evaluation Report*? Options that could be considered for those responsible for completing the *Final Performance Evaluation Report* Committee include: the Mayor, Council, a Committee of Council, a consultant, or a combination of the above. The Mayor and Council also need to agree on the process for capturing agreement of their feedback and developing the *Final Performance Evaluation Report* (rolled up feedback).
- **Performance Evaluation Template and Metrics.** The CAO has already presented a recommended performance evaluation template and metrics to the Mayor. The Mayor will make the decision on the template or forward it to the Sub-Committee. It is not recommended that the entire Council be involved in choosing the template. There must be a consensus on this before the process starts as both parties (CAO and Council) must use the same form. **It is important that all Council members complete the template and participate in the CAO's performance evaluation.**
- **Compensation Framework.** The CAO has advised the Mayor of any compensation clauses noted in his/her employment contract and how they relate to his/her performance evaluation. This needs to be taken into consideration during the performance review.
- **Optional Step: Surveying Stakeholders.** Does Council wish to undertake a survey of stakeholders which would include the CAO's direct report staff and any stakeholders he/she identifies in the community.
- **Creating a Timeline/Calendar.** A timeline should be confirmed that includes the following:
 - A deadline for the *CAO's Information Package* including the self-evaluation to be submitted to Council.
 - A time the CAO can meet with the Mayor and/or consultant to review the *CAO's Information Package*.
 - A date that the *CAO's Information Package* will be sent to all Council members.
 - A deadline when Council's evaluations must be completed and submitted to the Mayor/Sub-Committee and/or consultant.
 - A deadline when the *Final Performance Evaluation Report* must be completed by the Mayor/Sub-Committee and/or consultant.
 - A date for the review of the *Final Performance Evaluation Report* by Council.

- o A final date for an In-Camera/Private Council meeting with the CAO to discuss and sign the *Final Performance Evaluation Report*.
- o Some additional dates should also be set with the City Clerk's Office to start the process of setting goals for the next year.

Post-Meeting with the CAO

Following the Council meeting, the Mayor has a second meeting with the CAO to advise him/her of the decisions made by Council with respect to the performance evaluation process. Following is a list of the information that the CAO needs to know before he/she can proceed with their self-evaluation and completing the CAO *Information Package* for the Mayor and Council:

- Who will chair the process?
- Will Council be hiring a consultant to facilitate the process? If not, who will be overseeing the process?
- Who will be preparing the *Final Performance Evaluation Report* and how will the feedback be captured?
- What is the final performance evaluation template and metrics that will be used by both parties?
- Will there be a stakeholder survey?
- What is the final timeline/calendar that has been confirmed for the process?

It is the responsibility of the Mayor and City Clerk to ensure that the timelines are met to keep this process moving forward. If it is the decision of the Mayor and Council to hire a third party to assist with the CAO's performance evaluation, this should be done as soon as possible following the municipality's procurement process.

2.2

Mayor & Council Receive & Review the CAO Information Package

The CAO may meet with the Mayor and/or consultant (Chair of Sub-Committee) to review the *CAO Information Package* before it is circulated to all members of Council.

If the CAO did not make enough copies for the *CAO Information Package* for each member of Council, the Mayor's Office will complete this task. A blank template should also be kept for the *Final Performance Evaluation Report*.

Each Council member receives the *CAO Information Package*. It includes all the background/foundation data gathered by the CAO as pertinent for their evaluation. In addition, the CAO's self-evaluation is provided for review, and a blank performance evaluation template that was agreed upon by both parties is provided for completion by each Council member.

Each Council member should review the following documents included in the *CAO Information Package* and ask the following questions as they complete the evaluation template:

- Governance documents including any legislation, municipal policies, and by-laws describing the CAO job descriptions, duties, powers or the performance evaluation process. Are there any new pieces of legislation or municipal by-laws that have triggered the need for change?
- Do any aspects of the CAO's job description or employment contract/offer letter need to be changed?
- In the CAO's self-evaluation, how well has he/she met the goals and key results defined at the beginning of the performance evaluation cycle?

2.3

Mayor & Council Complete the Performance Evaluation Using a Template

This is the traditional step in the performance evaluation process. In addition to reviewing the CAO's self-evaluation, the Mayor and each Council member rate the CAO's performance using the template and metrics that have been agreed upon by both parties.

Following completion, each copy is turned over to the person responsible for compiling the information into the *Final Evaluation Report* (Mayor, Chair of the Sub-Committee or the consultant).

2.4

The Final Performance Evaluation Report is Completed

Using the agreed template, the person responsible for compiling the information, gathers all of the evaluations and written comments from each Council member and organizes the findings as per the process previously agreed on for capturing the rolled-up feedback in Step 2.1. The report will show areas of excellence as well as areas for improvement. The written comments are grouped into thematic areas and appended to the *Final Evaluation Report*.

2.5

Council Prepares for the Discussion With the CAO

Upon receipt of the *Draft Final Performance Evaluation Report* from the Sub-Committee or consultant, the Mayor and Council will meet in an In-Camera/Closed meeting to discuss the report and the CAO's self-evaluation.

The Mayor and Council decide how feedback will be discussed, how one-of-a-kind comments will be handled, who will chair the performance evaluation conversation, and the purpose and desired outcome of the meeting with the CAO. Council also determines any salary adjustment (merit increase) based on the overall performance and any compensation clauses in the CAO's employment contract/offer letter.

Any final changes are noted and a few days to a week are allowed for preparation of the *Final Performance Evaluation Report* prior to the meeting with the CAO.

TIP: Council's philosophy should be to help the CAO succeed. If they succeed, then staff succeeds; if administration succeeds then Council succeeds.

Delivering Positive and Constructive Feedback in the Written Narrative and Discussion

It has been said of performance evaluations that when 'an atmosphere of trust, respect and transparency characterizes the relationship between CAO, Mayor and Council, the CAO's performance can have a direct and lasting impact on the ability of Council to carry out its mandate.' Sometimes constructive feedback is necessary, and there are tips to do this effectively. The earlier the better is a good rule. If the feedback did not come with the actual event, and has accrued through the performance evaluation period, then there are some suggestions to keep in mind.

- Don't use the delivery of the constructive feedback to vent.
- Accentuate the positive. If there is a constructive comment, there must be a positive outcome that is being sought. What is it?
- Ask how the problem originated—it helps to get to the root of the problem.
- Involve the CAO and Mayor and Council in the solution.

For positive feedback, it is equally important to be fair and realistic. As noted in the quote below, too much positive feedback can be deceiving. A better approach is to coach the CAO on the type of appropriate and effective behaviour that could be exercised more often.

A Consultant Describes an Avoidable Feedback Scenario

[There are a] number of instances wherein I have been called by a Council concerned about its deteriorating relationship to the CAO and yet having just polished off another performance assessment proclaiming that the CAO is soon to walk on water. The CAO is of course stunned by one result/sentiment or the other and most likely both. It is akin to the hockey coach receiving a very positive endorsement just prior to the fateful call (sometimes by the same fellow) announcing that the team in its wisdom felt that a change was needed, hard to fire the team, need a different voice ...

(Cuff, George. *FCMC. 2015. Governance Zone: What Results? p.1*)

2.6

Council Shares Final Evaluation Report

The *Final Performance Evaluation Report* is circulated to all participants. The CAO, Mayor and Council should have time to review the Final Evaluation Report prior to the meeting to discuss it.

Part 3: CAO, Mayor and Council Meet to Discuss the Performance Evaluation

Step #	Step and Explanation
3.1	<p>Joint Review of the <i>Final Performance Evaluation Report</i> & Final Sign Off</p> <p>The Mayor, Council and CAO have received a copy of the <i>Final Performance Evaluation Report</i>. An In-Camera/Closed meeting is held to have a conversation between both parties to discuss the final report. The conversation uses constructive feedback to present and discuss the collective comments from the Mayor and Council on the CAO's <i>Information Package</i> and self-evaluation.</p> <ul style="list-style-type: none">• How well did the CAO's performance align with Council's Strategic Goals?• What were the overall ratings (if a rating system was used)?• What discussion arises from the final notes? Are there any themes that emerged? <p>TIP: Maintaining an open communication is important to the success of the municipality. The evaluation should be a conversation between Council and the CAO, not just Council offering their opinions.</p> <p>The CAO, Mayor and Council sign off on the document and the CAO is responsible for submitting a copy of the report and his/her self-evaluation to the Human Resources Department to be placed in his/her personnel file. The CAO is also responsible for completing any paperwork (signed by the Mayor) to be submitted to the Payroll Department for any compensation related to the performance evaluation.</p>
3.2	<p>Meet to Discuss New Goals for the Next Evaluation Cycle</p> <p>After the CAO's performance evaluation is complete, it's important for Council to set new strategic goals and key results for the coming year, which link to the CAO's goals, the municipality's Strategic Plan and Council's priorities. These new goals can be part of a mandate letter if you and the CAO choose to use this tool.</p> <p>Certain goals set last year may remain unchanged, as they are ongoing strategic goals for the municipality and therefore the CAO. Other goals may be new, so this is the time to discuss all the chosen goals for the coming year considering of their:</p> <ul style="list-style-type: none">• Appropriateness for the municipality;• Advancing the CAO's professional goals and interests; and• Potential for enhancing the relationship between the CAO, Mayor and Council, staff, stakeholders, and the community.

Step #

Step and Explanation

One effective way of setting goals is to use the S.M.A.R.T goal concept. A variety of interpretations of the SMART acronym have been used since the 1960s. George T. Doran's interpretation (1981) is often considered to be the foundational one and is described below.

S Specific: Target a specific area for improvement.

M Measurable: Quantify, or at least suggest, an indicator of progress.

A Assignable: Specify who will do it.

R Realistic: State what results can realistically be achieved given available resources.

T Time-related: Specify when the result can be achieved.

Setting Achievable Goals

...a good performance review would [include a] discussion regarding whether or not those goals [from last year] were set in a moment of euphoria (i.e., filling all the potholes) or actually achievable.

(Cuff, George B. 2015 Governance Zone: What Results? p.2)

This may take a minimum of two meetings with the first meeting being to discuss Council's vision and strategic goals/priorities, and the second meeting being to review and approve the CAO's goals for the coming year based on that vision.

3.3

A New Year: Begin the Performance Evaluation Cycle Again

Begin the performance evaluation cycle again.

Mayor & Council's Checklist for the CAO's Performance Evaluation

Mayor & Council Organize Their Review.

- ✔ **First Meeting with CAO.** The Mayor has met with the CAO to discuss the entire performance evaluation process (with the Mayor and Council) including a timeline. The CAO has also presented his/her recommended performance evaluation template and metrics for consideration. As noted in Step 2.1 there are a number of questions that the Mayor has to follow-up on with Council before the process can begin.
- ✔ **Contact the City Clerk.** The Mayor has contacted the City Clerk to set up a Private/In-Camera meeting with Council to determine how to manage the CAO performance evaluation process.
- ✔ **Meeting with Council.** The Private-In-Camera meeting is held with Council to discuss the questions outlined in 2.1 above.
- ✔ **Second Meeting with the CAO.** Following the Council meeting, the Mayor has a second meeting with the CAO to advise him/her of the decisions made by Council with respect to the performance evaluation process. See the list of questions under "Post-Meeting with CAO" in Step 2.1 above.
- ✔ If it is the decision of the Mayor and Council to hire a third party to assist with the CAO's performance evaluation, this should be done as soon as possible following the municipality's procurement process.
- ✔ **Optional Step.** The Mayor/consultant conduct a stakeholder survey if this is the decision of Council.

Mayor & Council Receive & Review the CAO Information Package

- ✔ **Third Meeting.** The Mayor and/or Consultant (Chair of the Sub-Committee) have met with the CAO to review the *CAO Information Package* before it is circulated to all members of Council.
- ✔ If the CAO did not make enough copies for the CAO Information Package for each member of Council, the Mayor's Office must complete this task. A blank template has also been kept for the *Final Performance Evaluation Report*.

Mayor & Council Complete the Performance Evaluation Using a Template

- ✓ The *CAO Information Package* has been circulated to all members of Council with a request to complete the template by a deadline.
- ✓ Completed performance evaluations from all members of Council have been submitted to the person responsible for compiling the information into the *Final Evaluation Report* (Mayor, Chair of the Sub-Committee or the consultant).

The *Final Performance Evaluation Report* is Completed

- ✓ The draft *Final Performance Evaluation Report* has been completed.

Council Prepares for the Discussion with the CAO

- ✓ The Mayor and Council meet in an In-Camera/Closed meeting to discuss the Draft *Final Performance Evaluation Report* and the CAO's self-evaluation. At this meeting, the Mayor and Council decide how feedback will be discussed, how one-of-a-kind comments will be handled, who will chair the performance evaluation conversation, and the purpose and desired outcome of the meeting with the CAO. Council also determines any salary adjustment (merit increase) based on the overall performance and any compensation clauses in the CAO's employment contract/offer letter.

Council Shares Final Evaluation Report

- ✓ Any final changes to the Draft *Final Performance Evaluation Report* have been made and the Mayor, Council and CAO have received a copy of the Final Performance Evaluation Report.

Joint Review of the *Final Performance Evaluation Report* & Final Sign Off

- ✓ An In-Camera/Closed meeting is held to have a conversation between both parties to discuss the final report.
- ✓ The CAO, Mayor and Council sign off on the document (which is submitted to the Human Resources Department by the CAO) and the CAO has also provided the Mayor with any paperwork for signature for any compensation related to the performance evaluation.

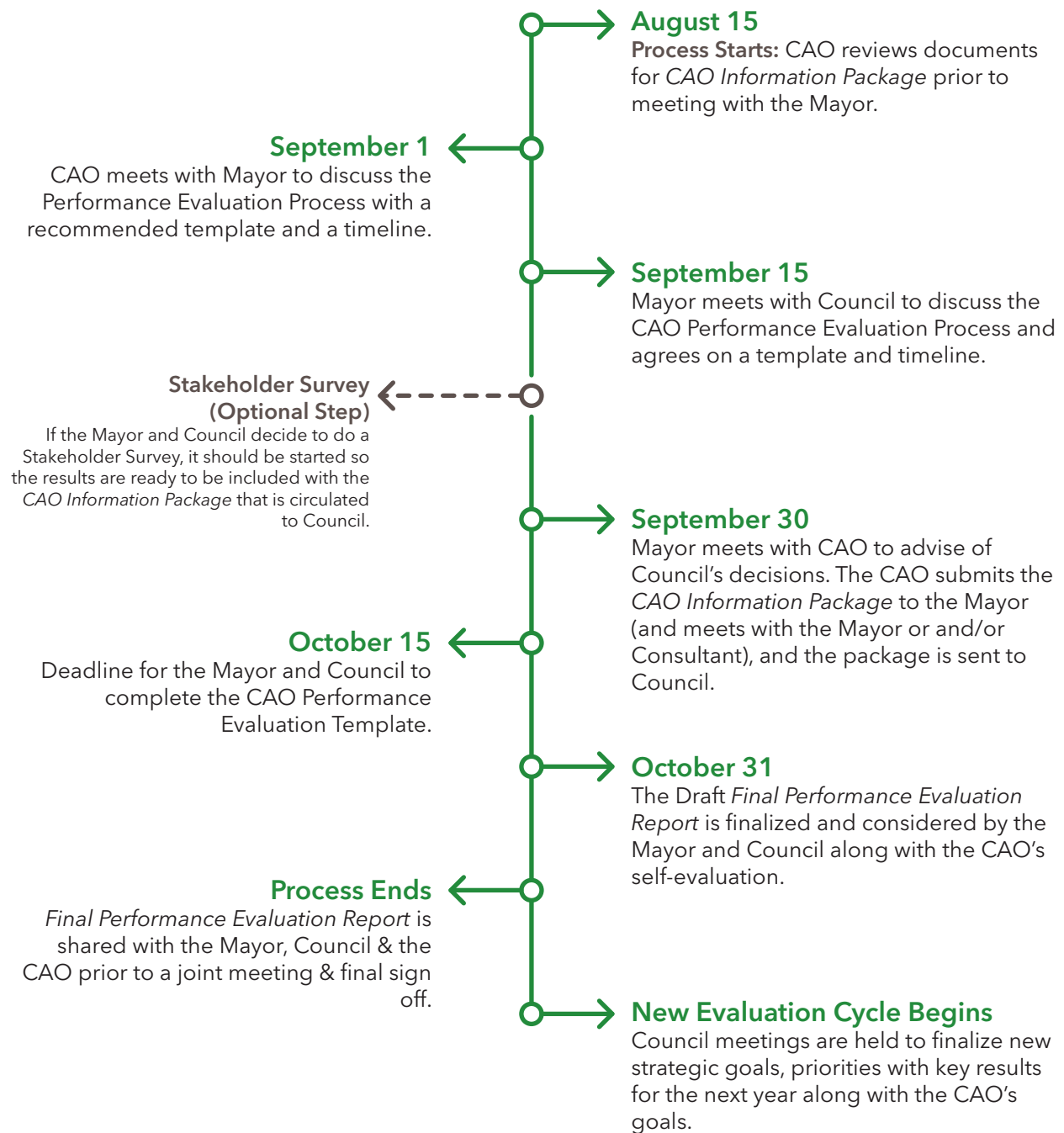
Meet to Discuss New Goals for the Next Evaluation Cycle

- ✓ **Setting New Goals.** Dates have been set for two more Council meetings to set new strategic goals and key results for the coming year which link to the CAO's goals with the municipality's Strategic Plan and Council's priorities. These new goals can be part of a mandate letter if the CAO and Mayor and Council choose to use this tool.

With the new performance evaluation cycle typically starting in January, it is important to have quarterly reviews in March and June or at least one review prior to the annual review.

CAO Performance Evaluation Timeline

The CAO Performance Evaluation process can move at the pace set by the CAO and the Mayor and Council and the Council meeting schedule. Below is an example of a process based on the calendar year that begins in mid-August and ends the first week of December.





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705-325-2315

August 11, 2023

Climate Emergency Unit
c/o The David Suzuki Institute
201 Pringle Farm Rd
Saltspring Island, BC
V8K 2Y2

Dear Erin Blondeau, Director of Communications

Re: Climate Emergency Just Transition Transfer (JTT)

Please be advised that the Council for the Township of Severn received correspondence respecting the Just Transition Transfer (JTT) at their recent August 9th, 2023 Council meeting.

Following discussion Motion C2023-042 was passed:

Moved by Councillor - Ward 3 Phil Brennan
Seconded by Deputy Mayor Judith Cox

WHEREAS Canada's greenhouse gas (GHG) emissions are slowly starting to trend downward, but the reduction trajectory remains incongruent with what science and justice demands;

WHEREAS Canada must spend what it takes to confront the climate emergency, and there is an urgent need for Canada to spend more on climate infrastructure that would drive down GHGs and hasten the transition off fossil fuels;

WHEREAS Canada needs to make an audacious and hopeful offer to those workers and communities whose employment and economic security is currently tied to the fossil fuel industry (and to a lesser extent the auto, steel, concrete, and agriculture industries, etc., all of which face substantial transition challenges), and to Indigenous communities on the frontlines of fossil fuel extraction;

WHEREAS the federal government has introduced a *Sustainable Jobs Act*, but this Act needs to be paired with and backed-up by a substantial investment in the jobs of the future;

WHEREAS much of the climate infrastructure needed will come under provincial, municipal and Indigenous jurisdiction (renewable energy, grid upgrades, public transit, zero-emission housing, etc.), and training comes under provincial jurisdiction, but it is the federal government that has the greatest capacity to pay;

WHEREAS a new federal Climate Emergency Just Transition Transfer (JTT) specifically linked to funding climate infrastructure projects that would create hundreds of thousands of jobs, along with training and apprenticeships programs for workers and those leaving the oil and gas industry -- would be a transformative program that signals that Canada is indeed entering emergency mode;

WHEREAS the JTT would be an annual transfer of approximately \$25 billion from the federal government to provincial/territorial, municipal and Indigenous governments, purpose-built to meet the climate emergency imperative to decarbonize our society, ensuring communities can fund the infrastructure and training needed to transition off fossil fuels, while creating thousands of sustainable jobs in a way that is specific to their needs and locale;

WHEREAS the JTT's distribution would be based on a formula linked to recent GHG emissions in each province (but fixed from that point onward, so as not to perversely incentivize continued high GHGs), recognizing that some jurisdictions face a more challenging task to transition their local economies;

WHEREAS the JTT would transfer federal funds to newly established just transition agencies in each province and territory -- jointly governed by the federal government, provincial/territorial governments, municipal governments, and local Indigenous nations -- and in some case directly to Indigenous nations, ensuring the transfer money is not simply absorbed into provincial or municipal budgets or used to displace other infrastructure or

training funds, but rather, ensuring the money is used for its intended purpose, and that fund are allocated in a manner sensitive to local climate action plans, the unique GHG profiles of each region, and to local labour market/training needs;

WHEREAS a JTT could provide significant, stable, multi-year funding for the climate infrastructure and training/employment needs of municipalities, Indigenous communities, energy utilities, public transit authorities and public housing authorities;

WHEREAS the federal government is welcome to title such a new transfer as they see fit (e.g. a Sustainable Jobs Transfer or a Climate Infrastructure Transfer);

NOW THEREFORE BE IT RESOLVED, that the Township of Severn formally endorses the call for a new Just Transition Transfer; and

THAT the Township of Severn urges the federal government to establish a new Just Transition Transfer, starting with a major financial commitment in the next federal budget; and will write to the federal ministers concerned expressing this support;

AND THAT this resolution be circulated to all municipalities.

Carried

Should you have any questions or concerns, please feel free to contact me at (705) 325-2315 x 232 or by email at agray@severn.ca

Regards,

Alison Gray

Alison Gray, BAH, CMO, AOMC
Clerk

Cc Ontario Municipalities



CORPORATION OF THE MUNICIPALITY OF SOUTH HURON

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August 2, 2023

Via email: Kaleed.Rasheed@ontario.ca

Honourable Rasheed
Minister of Public and Business Service Delivery (MPBSD)

Re: Support Time for Change – Municipal Freedom of Information and Protection of Privacy Act

South Huron Council passed the following resolution at their July 17, 2023 Regular Council Meeting:

Motion: 284-2023

Moved by: T. Oke

Seconded by: M. Denomme

That South Huron Council support the June 26, 2023 resolution of the Municipality of Chatham-Kent regarding Time for Change - Municipal Freedom of Information and Protection of Privacy Act.

Disposition: Carried

Please find attached the originating correspondence for your reference.

Respectfully,

Sue Johnson, Administrative Assistant

Municipality of South Huron

sjohnson@southhuron.ca

519-235-0310 ext 225

Encl.

cc: Judy Smith, Clerk/Freedom of Information Coordinator, Municipality of Chatham-Kent ckclerk@chatham-kent.ca

Lisa Thompson MPP lisa.thompsonco@pc.ola.org

Ben Lobb, MP ben.lobb@parl.gc.ca
Information and Privacy Commissioner of Ontario info@ipc.on.ca
AMCTO Legislative and Policy Advisory Committee amcto@amcto.com
Amo amo@amo.on.ca
All Municipalities in Ontario

July 5, 2023

Via Email: Kaleed.Rasheed@ontario.ca
Minister of Public and Business Service Delivery (MPBSD)

Honourable Rasheed:

**Re: Time for Change
Municipal Freedom of Information and Protection of Privacy Act**

Please be advised the Council of the Municipality of Chatham-Kent at its regular meeting held on June 26, 2023 passed the following resolution:

WHEREAS the Municipal Freedom of Information and Protection of Privacy Act R.S.O. 1990 (MFIPPA) dates back 30 years;

AND WHEREAS municipalities, including the Municipality of Chatham-Kent, practice and continue to promote open and transparent government operations, actively disseminate information and routinely disclose public documents upon request outside of the MFIPPA process;

AND WHEREAS government operations, public expectations, technologies, and legislation surrounding accountability and transparency have dramatically changed and MFIPPA has not advanced in line with these changes;

AND WHEREAS the creation, storage and utilization of records has changed significantly, and the Municipal Clerk of the Municipality is responsible for records and information management programs as prescribed by the Municipal Act, 2001;

AND WHEREAS regulation 823 under MFIPPA continues to reference antiquated technology and does not adequately provide for cost recovery, and these financial shortfalls are borne by the municipal taxpayer;

AND WHEREAS the threshold to establish frivolous and/or vexatious requests is unreasonably high and allows for harassment of staff and members of municipal councils, and unreasonably affects the operations of the municipality;

AND WHEREAS the Act fails to recognize how multiple requests from an individual, shortage of staff resources or the expense of producing a record due to its size, number or physical location does not allow for time extensions to deliver requests and unreasonably affects the operations of the municipality;

AND WHEREAS the name of the requestor is not permitted to be disclosed to anyone other than the person processing the access request, and this anonymity is used by requesters to abuse the MFIPPA process and does not align with the spirit of openness and transparency embraced by municipalities;

AND WHEREAS legal professionals use MFIPPA to gain access to information launch litigation against institutions, where other remedies exist;

AND WHEREAS there are limited resources to assist administrators or requestors to navigate the legislative process;

AND WHEREAS reform is needed to address societal and technological changes in addition to global privacy concerns and consistency across provincial legislation;

BE IT RESOLVED THAT the Ministry of Government and Consumer Services be requested to review the MFIPPA, and consider recommendations as follows:

1. That MFIPPA assign the Municipal Clerk, or designate to be the Head under the Act;
2. That MFIPPA be updated to address current and emerging technologies;
3. That MFIPPA regulate the need for consistent routine disclosure practices across institutions;
4. That the threshold for frivolous and/or vexatious actions be reviewed, and take into consideration the community and available resources in which it is applied;
5. That the threshold for frivolous and/or vexatious also consider the anonymity of requesters, their abusive nature and language in requests to ensure protection from harassment as provided for in Occupational Health and Safety Act;
6. That the application and scalability of fees be designed to ensure taxpayers are protected from persons abusing the access to information process;
7. That administrative practices implied or required under the Act, including those of the IPC, be reviewed and modernized;
8. That the integrity of the Act be maintained to protect personal privacy and transparent governments.

If you have any questions or comments, please contact Judy Smith at ckclerk@chatham-kefn.ca

Sincerely,

Judy Smith

Digitally signed by
Judy Smith
Date: 2023.07.05
10:48:27 -04'00'

Judy Smith, CMO
Director Municipal Governance
Clerk /Freedom of Information Coordinator

c.

Lianne Rood, MP
Dave Epp MP
Trevor Jones, MPP
Monte McNaughton, MPP
Information and Privacy Commissioner of Ontario
Association of Municipalities of Ontario
AMCTO Legislative and Policy Advisory Committee
Ontario municipalities

The Corporation of the Township of Douro-Dummer

By-Law Number 2023-35

Being a By-Law to Appoint a Clerk

Whereas the Section 228 of the Municipal Act, 2001, S.O. 2001 c.25 as amended provides that a municipality shall appoint a Clerk;

And Whereas the Municipality of The Township of Douro-Dummer deems it advisable to appoint a Clerk;

Now Therefore the Council for the Corporation of the Township of Douro-Dummer enacts as follows:

1. That Martina Chait-Hartwig be and is hereby appointed as Clerk for the Township of Douro-Dummer.
2. That By-law Numbers 2015-09, 2015-10 and 2021-56 and 2013-64 are all hereby repealed.
3. That this By-Law shall come into force and effect upon the passage of such.

Passed in open council this 5th day of September, 2023.

Mayor, Heather Watson

Deputy Clerk, Elana Arthurs

The Corporation of the Township of Douro-Dummer

By-law Number 2023-36

Being a By-law to amend By-law Number 10-1996, as amended, otherwise known as "The Township of Douro-Dummer Comprehensive Zoning By-law"

Whereas By-law Number 10-1996, as amended, regulates the use of land and the use and erection of buildings and structures within the Township of Douro-Dummer;

And Whereas Section 34 of The Planning Act, RSO 1990, as amended, permits the Council to pass an amending Zoning By-law;

And Whereas the Council of the Township of Douro-Dummer required the rezoning of the subject lands as a condition of Peterborough County Consent Applications B-179-22, B-180-22 and B-181-22;

And Whereas the Council of the Township of Douro-Dummer deems it advisable to further amend By-law No. 10-1996 as amended;

Now Therefore the Council of the Township of Douro-Dummer hereby enacts as follows:

1. Schedule B14 to By-law No. 10-1996, as amended, is hereby further amended by changing the zone category on lands known municipally as 833 Iron Woods Drive and described as Parts 1, 2, 3 and 4, Plan 45R-17504, Part Lot 12, Concession 1 (Dummer Ward) from the Rural Zone (RU) to Hamlet Residential Zone (HR) as shown on Schedule "1" attached hereto and forming part of this By-law.
2. All other relevant provisions of By-law 10-1996, as amended, shall apply.

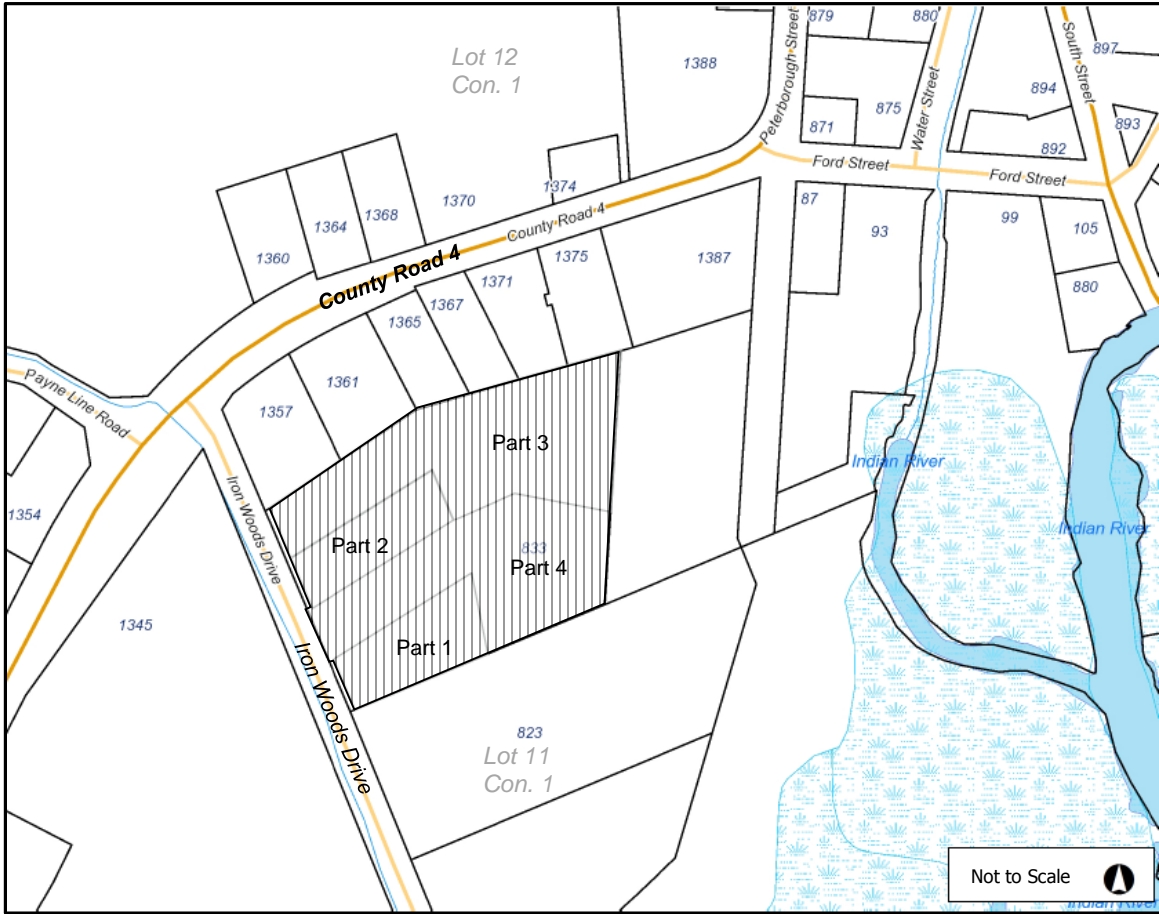
If no notice of objection is filed with the Acting Clerk within the time provided, this By-law shall become effective on the date of passing hereof, subject to the provisions of The Planning Act, RSO 1990, as amended.

Passed in Open Council this 5th day of September, 2023.

Mayor, Heather Watson

Acting Clerk, Martina Chait-Hartwig

Schedule "1" to By-law 2023-36



Area to be rezoned from the 'Rural Zone (RU)' to the 'Hamlet Residential Zone (HR)'

This is Schedule '1' to By-law No. 2023-36 passed this 5th day of September, 2023.

Mayor, Heather Watson

Acting Clerk, Martina Chait-Hartwig

The Corporation of the Township of Douro-Dummer

By-law Number 2023-37

**Being a By-law to authorize the execution of an Amendment to the service agreement
with
HIS MAJESTY THE KING IN RIGHT OF ONTARIO
Represented by
The Minister of the Solicitor General
(OPP Policing Contract - By-law 2019-30)**

Whereas the Corporation of the Township of Douro-Dummer deems it expedient and necessary to enter into an Amending Agreement with HIS MAJESTY THE KING IN RIGHT OF ONTARIO represented by The Minister of Solicitor General for the provision of a policing contract originally to expire December 31, 2023;

And Whereas the Corporation of the Township of Douro-Dummer wishes to extend the original contract for an additional two-year term until the 31st day of December 2025;

Now Therefore, the Council of the Corporation of the Township of Douro-Dummer enacts as follows:

1. That the Corporation of the Township of Douro-Dummer do enter into that certain Amending Agreement in writing attached hereto as Appendix 'A' and forming part of this By-law, between The Corporation of the Township of Douro-Dummer, and, HIS MAJESTY THE KING IN RIGHT OF ONTARIO, represented by The Minister of Solicitor General upon and subject to the terms and conditions therein stated.
2. That the Mayor and the Acting Clerk be and are hereby authorized and directed to execute that certain Agreement and affix the Corporate Seal thereto.

Passed in Open Council this 5th day of September, 2023.

Mayor, Heather Watson

Acting Clerk, Martina Chait-Hartwig

This AMENDING AGREEMENT is from the 30th day of December 2023 to the 31st day of December 2025

BETWEEN:

HIS MAJESTY THE KING IN RIGHT OF ONTARIO AS REPRESENTED BY THE SOLICITOR GENERAL (“Ontario”)

-and-

THE CORPORATION OF THE TOWNSHIP OF DOURO-DUMMER (“the Municipality”)

BACKGROUND

- A. The Parties entered into the Agreement for the provision of Police Services under Section 10 of the *Police Services Act* (the “Agreement”) which commenced on the 01st day of June 2019.
- B. The Agreement includes all the Schedules and Appendices to the Agreement.
- C. Pursuant to Section 29, the Parties may amend the Agreement by written agreement.
- D. The Parties wish to further amend the Agreement as set out in this Amending Agreement, by extending the duration of the contract to conclude on the 31st of December 2025, as supported by:

Bylaw # XXXX, dated MMMM DDth, 2023 of the Council of the Corporation of the Township of Douro-Dummer (attached as Schedule “A”).

NOW THEREFORE, the Parties agree as follows:

- 1. Section 26 of the Agreement shall be replaced with the following:
 - 26. Notwithstanding the date upon which this Agreement is signed, the term of this Agreement shall commence on the 01st day of June 2019, and shall conclude on the earlier of (i) the 31st day of December, 2025 or (ii) the date that the Community Safety and Policing Act, 2019 comes into force.

Relevant terms and conditions of the Agreement, that are not specifically amended but that relate to the amendments set out in this Amending Agreement shall be deemed to be amended so as to give effect to the changes herein.

Except for the amendments set out herein, the terms and conditions of the Agreement remain in full force and effect and time shall remain of the essence.

Notwithstanding the date upon which this Amending Agreement is signed, this Amending Agreement is effective as of the 30th day of December, 2023.

FOR ONTARIO

Deputy Solicitor General, Community Safety

FOR THE Corporation of
The Township of Douro-Dummer

Mayor

Chief Administrative Officer

Date signed by Municipality: _____

DRAFT

Schedule "A"

**BY-LAW OF THE MUNICIPAL COUNCIL
TOWNSHIP OF DOURO-DUMMER**

DRAFT

DRAFT

PLACEHOLDER FOR BY-LAW

The Corporation of the Township of Douro-Dummer

By-law Number 2023-38

Being a By-law of The Corporation of the Township of Douro-Dummer to confirm the proceedings of the Special Meeting of Council held on the 5th day of September, 2023 and the Regular Meeting of Council held on the 5th day of September, 2023, in the Municipal Building

The Municipal Council of The Corporation of the Township of Douro-Dummer Enacts as follows:

1. **That** the action of the Council at the Special Meeting of Council held on the 5th day of September, 2023 and the Regular Meeting of Council held on the 5th day of September, 2023, in respect to each motion, resolution, and other action passed and taken by the Council at its said meeting is, except where prior approval of the Local Planning Appeal Board is required, hereby approved, ratified, and confirmed.

2. **That** the Mayor and the proper officers of the Township are hereby authorized to do all things necessary to obtain approvals where required, and to execute all documents as may be necessary in that behalf and the Acting Clerk is hereby authorized and directed to affix the Corporate Seal to all such documents.

Passed in Open Council this 5th day of September, 2023.

Mayor, Heather Watson

Acting Clerk, Martina Chait-Hartwig