



AGENDA
Strategic Priorities Committee

July 19, 2022

9:00 am

Video Conference

Click the following link:

<https://www.youtube.com/channel/UCzuUpFqxcEI8OG-dOYKteFQ>

Pages

1. **CALL TO ORDER**
2. **DECLARATIONS OF PECUNIARY INTEREST**
3. **AMENDMENTS AND APPROVAL OF THE AGENDA**

RECOMMENDATION

THAT the July 19, 2022 Strategic Priorities Committee agenda be accepted as presented.

4. **STRATEGIC PRIORITIES REVIEW**

4.1. COR 33-2022 2023 Pre-Budget

5

RECOMMENDATION

THAT COR 33-2022 2023 Pre-Budget report be received; and

THAT the Strategic Priorities Committee recommends to Council:

THAT Council approves the proposed 2023 timelines; and

THAT Council provides pre-budget approval for the following projects:

- \$150,000 - PRC – 2 HVAC units
- \$10,000 - Cameras (Kin Pavilion & Cadzow Pavilion)
- \$600,000 - Town Hall Roof Replacement
- \$43,000 - MOC Carpet Replacement
- \$25,000 - MOC Painting of Admin Side; and

THAT Council provides the following budget direction to staff:

- *(to be determined by the Committee)*

4.2. ADMIN 39-2022 Report Back on Draft Refreshment Vehicle By-Law

16

RECOMMENDATION

THAT ADMIN 39-2022 Report Back on Draft Refreshment Vehicle By-Law report be received; and

THAT staff be directed to make the following updates to the draft Refreshment Vehicle By-law and report to Council with a final draft:

- Update the private property location requirements to permit Refreshment Vehicles to operate on any industrial, commercial, or institutional zoned property;
- Update the proposed fees to those as recommended in report ADMIN 39-2022.

RECOMMENDATION

THAT ADMIN 40-2022 Advisory Committee Inventory and Review report be received; and

THAT that the Strategic Priorities Committee recommends to Council:

THAT Council direct staff to place a call for applications for advisory committee members; and

THAT Council approves housekeeping amendments to the following advisory committee terms of reference:

- Committee of Adjustment
- Community Policing
- Green; and
- Recreation and Leisure; and

THAT Council makes the following recommendations to the 2022-2026 Nomination Committee:

- **THAT** the Accessibility Advisory Committee be disbanded, and that staff be directed to continue to follow the legislative requirements of the Accessibility for Ontarians with Disabilities Act with respect to consultation with persons with disabilities through a wide scope of communication tools.
- **THAT** the Heritage Advisory, Museum Advisory and Public Art Advisory Committees be amalgamated as the Heritage and Culture Advisory Committee.
- **THAT** the Recreation and Leisure Services Advisory and Senior Services Advisory Committees be amalgamated as the Recreation and Leisure Services Advisory Committee.
- **THAT** the youth council no longer be deemed to be an advisory committee of Council but remain a stakeholder group to be consulted by staff.

5. NEXT MEETING

August 23, 2022 - 9:00 am, live streamed to the Town's YouTube channel

Topics to be discussed:

- Process improvements due to Bill 109

6. ADJOURNMENT

RECOMMENDATION

THAT this meeting of the Strategic Priorities Committee adjourns at _____ pm.

FORMAL REPORT

To:	Chair Stratthdee and Members of Strategic Priorities Committee
Prepared by:	André Morin, Director of Corporate Services / Treasurer
Date of Meeting:	19 July 2022
Subject:	COR 33-2022 2023 Pre-Budget

PURPOSE

To provide Committee with information as staff begin 2023 budget documentation and calculations, and for Committee to provide staff any strategic direction in relation to preparation of the operating and capital budgets.

RECOMMENDATION

THAT COR 33-2022 2023 Pre-Budget report be received; and

THAT the Strategic Priorities Committee recommends to Council:

THAT Council approves the proposed 2023 timelines; and

THAT Council provides pre-budget approval for the following projects:

- \$150,000 - PRC – 2 HVAC units
- \$10,000 - Cameras (Kin Pavilion & Cadzow Pavilion)
- \$600,000 - Town Hall Roof Replacement
- \$43,000 - MOC Carpet Replacement
- \$25,000 - MOC Painting of Admin Side; and

THAT Council provides the following budget direction to staff:

- *(to be determined by the Committee)*

BACKGROUND

Town staff are beginning to plan for the 2023 operating and capital budget. The CAO reported at the April 19, 2022 Strategic Priorities meeting the Corporate Priorities for the Town (report ADMIN 19-2022), which was subsequently approved by Council. Staff will incorporate those priorities into the draft budget.

Each year, staff provide Council with budget related information at the beginning of the budget process to outline opportunities and challenges expected, and to receive any input and guidance from Council on the process.

REPORT

Within this report, staff will present the following information to which Committee may provide input to:

1. Update on current financial status – update on 2021 and 2022 year to date

2. Review of 2022 Budget summary
3. The proposed 2023 budget process and timelines
4. Potential 2023 opportunities and challenges that will be considered in the budget
5. Pre-Budget Capital approval
6. General 2023 budget discussion and committee direction to staff

1. Update on Current Financial Status:

2021 Unaudited Financials:

Staff have been working to complete the final accounting for the 2021 financials. The 2021 Unaudited Financial Results are projecting as follows: Surplus **\$950,000**. The major contributors to the projected surplus are shown below.

As Council will recall, the 2021 was difficult to set due to the unknown of the pandemic. Council and staff's approach was to develop a conservative budget that provided for services and programs to be delivered, but assumed that pandemic restrictions like capacity limits and disinfection would remain in place. This resulted in costs being estimated conservatively high, and revenues being estimated conservatively low.

- Administration: \$95,000
 - \$30,000 – Community Developer Revenue
 - \$15,000 - Police
 - \$50,000 – Legal, Professional Development, Various
- Community Services: \$500,000
 - \$20,000 – Home Support
 - \$100,000 – Daycare (COVID related funding)
 - \$340,000 – Recreation (COVID related reduced revenues, offset by reduced wages and reduced utilities at PRC, staff gapping)
 - \$40,000 – Museum
- Corporate Services: \$300,000
 - \$200,000 - Supplementary taxes
 - \$100,000 – Tax write-offs
 - \$40,000 – Community Transportation no expense required
 - \$40,000 – Finance and IT Staff gapping
 - -\$50,000 – IT increased software/contracting costs
 - \$40,000 – Communication (reduced spending)
 - \$50,000 – Tourism and Events (reduced spending)
 - \$50,000 – External Transfers (EMS lower, unused Community Grants)
 - -\$170,000 – Other (net COVID costs, general revenues)
- Fire Services: \$30,000
 - \$20,000 – COVID related staffing
 - \$10,000 – Emergency Measures

- Human Resources: \$10,000
 - \$10,000 (several small variances)
- Library: \$40,000
 - \$35,000 – Extra grants and revenues
 - \$5,000 – small variances
- Public Works: -\$130,000
 - -\$110,000 – Fleet increased maintenance costs
 - -\$20,000 – Public Works variances
- Development Services: \$105,000
 - \$65,000 – Extra building and planning revenues, various reduced costs
 - \$40,000 – Facilities variances

2022 Year to Date:

Finance staff are undertaking a review of its internal processes to develop monthly and quarterly actual to budget reports. This will be implemented later in 2022. In the meantime, the actual to June 30th budget summary is below with comments. It is important to note that a few large expenditures are fully expensed in the second half of the year; for example insurance and road resurfacing. As well, the Town's compensation policy includes COLA increases beginning in July and therefore salaries and benefits will be increased in the second half of the year.

Department	Department Class	Sum of Budget Variance	Comments
Administration	Corporate Administration	47,447.50	Gapping, election expenses will be mostly 4th quarter
	Council	11,019.00	
	Police	34,352.00	
Administration Total		92,818.50	
Community Services	Childcare	- 136,531.00	Revenue from Stratford timing
	Home Support	14,092.50	
	Museum	20,048.50	
	Recreation	214,378.50	Insurance and utilities timing
Community Services Total		111,988.50	
Corporate Services	Comm/Herit/Ec Dev	18,846.50	
	External Transfers	-	
	IT	- 97,846.50	Software cost transfers not completed
	Taxation	- 56,155.00	
	Treasury	145,480.00	Gapping , Insurance not yet posted
Corporate Services Total		10,325.00	
Development	Build & Prop Stds	27,569.00	
	Facilities	58,170.00	Insurance not yet posted
Development Total		85,739.00	
Fire	Fire	2,002.00	
Fire Total		2,002.00	
HR	HR	26,544.50	Gapping, employee recognition
HR Total		26,544.50	
Library	Library	67,049.50	Wages, PCIN, grant timing
Library Total		67,049.50	
Public Works	Fleet	- 56,446.00	
	Public Works Operations	214,710.50	Resurfacing contract is in the fall
Public Works Total		158,264.50	
Current Trending to Budget - 2022		554,731.50	

2. Review of 2022 Budget:

As a reminder, a summary of the 2022 approved budget is shown below. A tax rate comparison is shown on the next page.

TOWN OF ST. MARYS
2022 FINAL BUDGET - February 8, 2022

	2021	2022	% Increase	\$ Increase
Total Tax Levy	12,799,710	13,328,384	4.13%	\$528,674
2021 Growth	412,296			
Adjusted Tax Levy	13,212,006	13,328,384	0.88%	\$116,378

TOTAL MUNICIPAL BURDEN ON MEDIAN RESIDENTIAL DWELLING

¹ Median Municipal Tax - Residential Dwelling	3,279.16	3,308.04	0.88%	\$29
Wheelie Bin	129.00	131.58	2.00%	\$3
² Education Tax	400.86	400.86	0.00%	\$0
Total - Property Tax bill	3,809.02	3,840.48	0.83%	\$31
³ Water	433.50	442.08	1.98%	\$9
³ Wastewater	457.75	467.76	2.19%	\$10
Total - Utility bill	891.25	909.84	2.09%	\$19

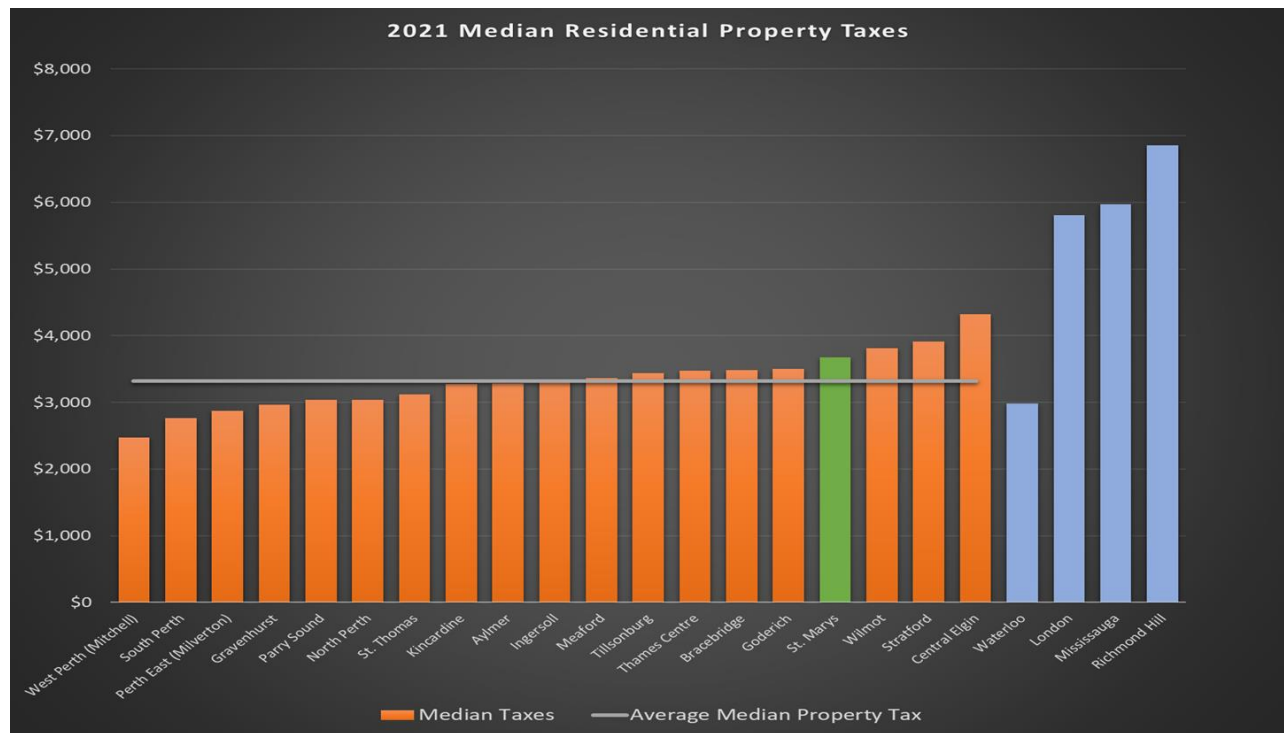
TOTAL MUNICIPAL BURDEN	4,700.27	4,750.32	1.06%	\$50
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¹ *Municipal Tax (does not include education tax) based on Median Assessment of \$268,000*

² *Education rates prescribed by Province -Confirmed*

³ *Based on average use of 13 cubic meters per month*

St. Marys will continue to compare our average property taxes per residential property with our comparator municipalities – the 2022 data is not yet available, but the 2021 data is below:



3. 2023 Proposed Budget Timeline

Due to the election the schedule for budget deliberations with Council has been altered, but staff intend to keep the process relatively similar to other years. The Council deliberations will not begin until the new year and will also be used for new Council orientation.

2023 Budget Schedule		
DRAFT		
Action Item	Date	Notes
Pre-Budget Meeting	2022-07-19	SPC Meeting
Capital Pre-Budget Approval	2022-07-19	or August 16th Council
Operating Budget Discussions	Aug/Sep 2022	Internal
Capital Budget Discussions	Sep 2022	Internal
Fee By-law	2022-09-20	SPC Meeting
COLA Discussion	2022-09-20	SPC/Council
AMP Financial Plan	Nov 2022	to be confirmed
Draft Budget Binder Complete	2022-12-09	
Council - Operating Budget/Department Orientation	2023-01-03	
Council - Operating Budget/Department Orientation	2023-01-17	
Council - Capital Budget/AMP/Property Tax	2023-01-31	
Council - Budget Wrap up/Public Meeting	2023-02-07	
2023 Budget Passed	2023-02-28	

4. 2023 Opportunities and Challenges

In this section, we will discuss potential opportunities and challenges impacting the 2023 budget that we are aware of today; with the understanding that the economy is currently very volatile and we may need to alter our decisions. We will begin with the challenges, followed by what actions will be or can be taken to mitigate that challenge.

Inflation:

- We are currently experiencing the highest inflation we have seen in 30-40 years. Below is the year over year increase by month in 2022:

January	5.1%
February	5.7%
March	6.7%
April	6.8%
May	7.7%
Average	6.4%
*Source: CPI Monthly – Canada (Table 18-10-004-13)	

Further to CPI, the Construction Price Index (Non-Residential Toronto) was up 26.5% year over year in the first quarter of 2022.

Inflation has a dual impact on the Town – first, it means the cost to provide our services is increasing. Secondly, it means the ability for our community to pay property taxes and fees/charges is diminishing. Further compounding these unpredictable economic times, is the possibility that the efforts used to curve inflation may shift the economy closer to a recession – bringing with it a different set of challenges to consider.

- How to deal with current CPI challenge:
- Having a stable financial base with a long-term outlook - The Town as a municipal corporation has the advantage of providing the best service to our community forever; meaning we must take a long-term approach to our financial planning. While CPI is currently high, it should be a short-term challenge and should not impact the long-term stability of the Town. If it becomes a longer-term trend, that is when the Town needs to make significant shifts. As well, the Town has a stable financial base and has cash and reserves to stabilize short term budget impacts. Below is a historical trend, along with current Federal projections to 2027. The projections show CPI trending back to around 2% in 2023.

Canada: Inflation rate from 1987 to 2027

(compared to the previous year)



Staffing Costs:

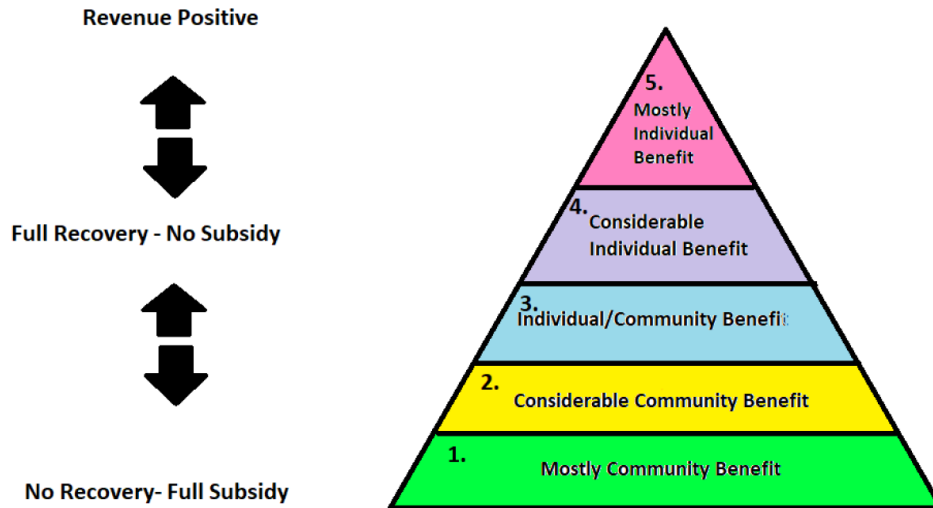
- As with many employers, the Town is beginning to experience more challenges with retaining and recruiting staff. In 2021 Council adopted a new staff compensation program to assist in employee retention and recruitment. The implementation began in 2022 and will continue through to 2024/2025. In 2023, the financial impact is expected to be approximately \$290,000, or an increase of 3.4% over 2022 wages and benefits. Secondly, Council will have to weigh staff cost of living increases for 2023 with current and projected CPI.
- How to deal with increased staff costs:
 - The Town has budgeted staff costs using a very precise approach which was effective due to the Town's workforce being relatively young and stable; but like many organizations, retaining staff is becoming more difficult and recruiting staff is taking more time. This leads to challenges internally to fulfill our service levels. On the other hand, it does lead to budget surpluses due to gapping and vacancies in staff. The chart below represents the actual salary and benefits costs compared to the budget over the last 6 years:

YEAR	ACTUAL (Tax supported)	BUDGET (Tax Supported)	DIFFERENCE	%
2016	\$6,104,736	\$6,263,809	(\$159,073)	-2.5%
2017	\$6,351,853	\$6,277,818	\$74,035	1.2%
2018	\$6,790,767	\$6,693,296	\$97,471	1.5%
2019	\$6,947,228	\$6,926,492	\$20,736	0.3%
2020	\$6,143,164	\$7,169,773	(\$1,026,609)	-14.3%
2021	\$7,154,457	\$7,504,436	(\$349,889)	-4.7%
Average 2016 - 2021			(\$223,903)	-3.1%
Average 2016 - 2019			\$8,292	0.1%

- Pre-pandemic, the difference between budget and actuals has been well within 2.5%. The pandemic years of 2020 and 2021 lead to large variances – most of which due to the pandemic. However, if we look more in depth into the 2021 variance, gapping is the cause of approximately \$60,000 of the surplus. In 2022, we have a similar scenario where we are currently experiencing some gapping within the HR, Finance, and Public Works departments. Staff will propose that we budget an estimate for staff gapping moving forward – that amount will be available to either reduce the 2023 tax burden or be available to supplement resources.
- The balance of the compensation review increases will need to be absorbed into the operating budgets through to 2025.

User Fees:

- In September, staff will bring forward recommended user rate changes. The Town continues to use the model below in relation to recommending and establishing user fees. As discussed above, our residents will be challenged to pay increased fees given other inflationary pressures affecting their lives. Council will have to weigh our users' current ability to pay with the rising cost of providing services.



➤ How to handle user fees increases in 2023:

- Staff will bring recommended user fee increases for 2023 at the SPC meeting in September 2022. It is recommended that staff continue to use the approach above; and work to keep increases at a sustainable level – not recommending large increases, but also not freezing rates which will lead to necessary large increases in the future.

Climate Change:

- Climate change is likely the largest financial challenge facing municipalities over the long term. This is and will continue to impact our costs in many areas. There is an impact on operating and maintenance costs of our assets and facilities. Capital costs will increase both due to the technical requirements of climate change, but also due to the national infrastructure gaps creating too much competition in the construction industry. Lastly climate change is increasing the risk profile for municipalities – some of those risks are not insurable.
- How to handle the financial impacts of climate change:
 - The most important factor is to be aware. The Town has already endorsed Draft #1 of our Climate Change Action Plan. As well, staff intend on ensuring decisions are made through a climate change lens moving forward, along with strategic plans and asset management.

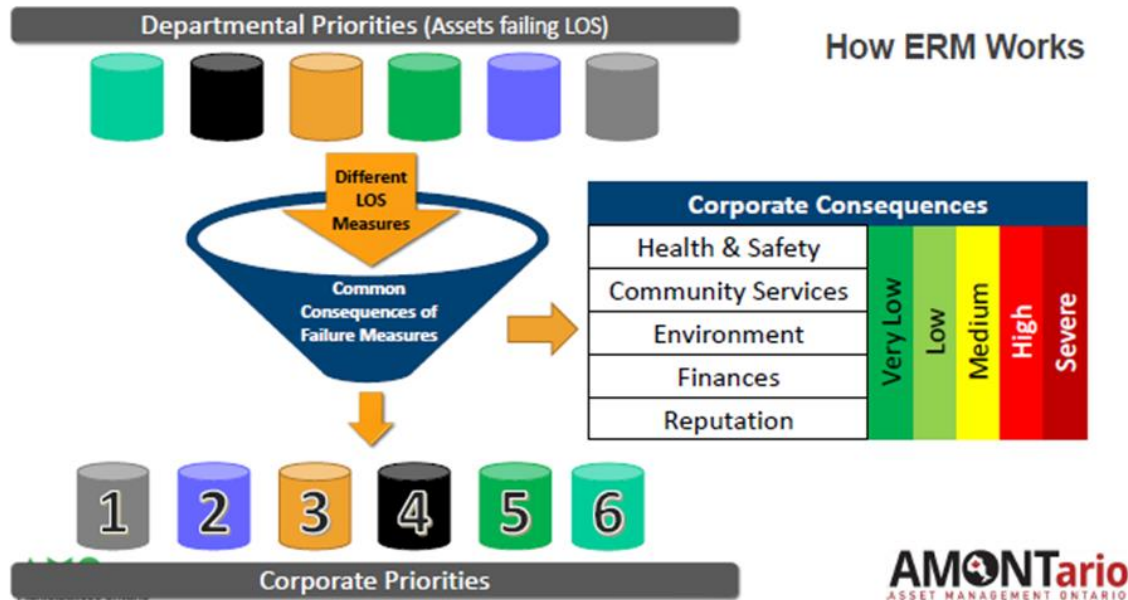
Risk Management:

- As noted above, costs associated with risk have been very much on the rise over the last few years. This is expected to continue to rise as climate change impacts continue.

Levels of Service Increases:

- As our community continues to grow and evolve, the need for increasing the quantity of services will add pressure to our current service levels. Furthermore, the pace at which the public needs are changing is more rapid than ever before, making it difficult for the Town to keep with current community needs.
- How to deal with Climate Change, Risk Management, and Levels of Service:
 - The above three noted challenges are significant challenges impacting all municipalities in Canada. As such, the proposed methods of dealing with the impacts are all related:
 - Continue planning ahead – strategic planning, priority setting, and long-term planning will all continue to be helpful tools to properly manage these large challenges in sustainable chunks.

- As part of the asset management plan, the Town needs to better identify its risk priorities and levels of service to properly allocate its resources – Enterprise Risk Management (ERM). The reality is municipalities will not have enough funds to keep all their assets in a high-quality condition all the time – therefore, we must prioritize where those funds are to be used. This happens today, but without a framework for consistency or long-term projections. This is a philosophy staff will be working towards to provide better decision-making recommendations moving forward and to better project our financial requirements in the future. Diagram below is general ERM framework:



- Continue to include continuous improvement (modernization and efficiency reviews) as part of our corporate culture.
- Continue to collaborate with our municipal, provincial, and federal partners to work together to confront and fund these national issues.

Unpredictability:

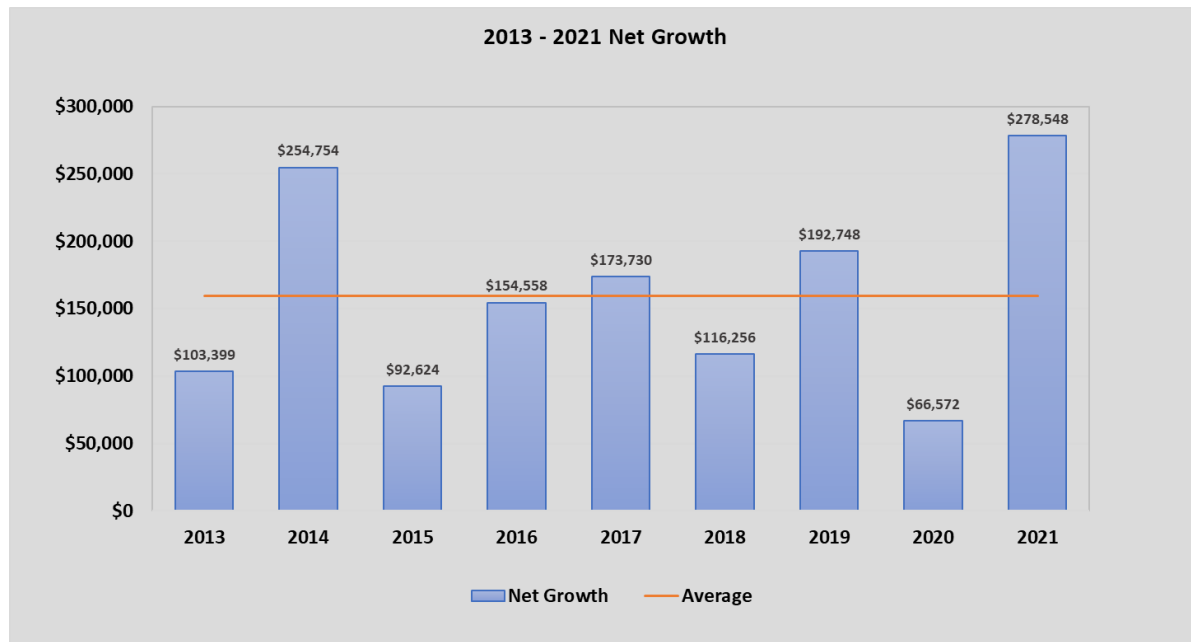
- If the last few years has taught us anything, it is that the future will be increasingly difficult to predict. Economic challenges, financial markets, and health protocols have all been extremely volatile. Social and community behaviours have also been altered through the pandemic. It is more important than ever to ensure the Town is prepared to act quickly when necessary and have proper resources set aside – the reserve policy guidelines will have to be continually assessed to ensure it meets our needs of the day.

Budget Opportunities:

Although there are some budget constraints facing the Town, many opportunities currently exist to mitigate some of those constraints:

- 2023 will be a lower capital year – the Town has completed some substantial work in the last 3 years. 2023 is expected to be slower relative to our past few years for capital works. This will allow staff to complete ongoing projects, build long-term plans, and hopefully allow the construction volatility to stabilize.
- Growth continues to be above normal levels providing new property tax revenue. Growth is typically around 1%. For the 2022 budget (2021 growth), growth was over 2%. While hard to fully predict, staff expects new assessment growth to be close to 2% again this year. Growth is

used to pay for providing services to the new growth areas, funding increased asset management reserves, and funding increased operational expenditures.



- Investment returns can be potentially increased. The pandemic caused central banks to lower interest rates – lowering the returns for fixed income investments (GICs and Bonds). With the current spike in interest rates, fixed income investment returns have increased (over 4% with GICs at time of writing). During the last two years, the Town has renewed most of its matured investments with short term investments at 1 year. Furthermore, the Town has been able to increase its cash reserves. This provides a unique opportunity to lock in investments over a longer-term period: 3 – 5 years at favourable rates which will assist in combating high inflation.

5. 2023 Pre-Budget Capital Approvals:

As Council will not formally meet regarding the budget until the new year, there are a few projects that staff are recommending Council consider providing pre-budget approval. This allows staff time to properly tender the projects in the fall of 2022 – this provides two potential advantages: firstly, this allows contractors time to source supplies/equipment; and secondly, the Town may receive favourable pricing if tenders are public early for 2023 projects. The projects listed below are all life cycle related and will be funded from capital reserves.

- \$150,000 - PRC – 2 HVAC units
- \$10,000 - Cameras (Kin Pavilion & Cadzow Pavilion)
- \$600,000 - Town Hall Roof Replacement
- \$43,000 - MOC Carpet Replacement
- \$25,000 - MOC Painting of Admin Side

There is expected to be a couple more complex projects requiring pre-budget approval, however those will be brought forward under separate reports for consideration at a future meeting.

6. General Budget Discussion and Direction to Staff:

Typically, at the annual pre-budget meeting a further general discussion on budget strategies, service levels, and property tax targets assists staff gather information and prepare the draft budget documents to be presented to Council for deliberation in the fall. This process has proven to enhance the efficiency of the budget deliberations over the last few budget cycles.

This year being an election year may complicate this portion of the discussion as it will be the new Council that will approve the 2023 budget. However, Town Council has been communicating and listening to our constituents during these complicated times and any direction provided this meeting for preparing the 2023 budget will be useful for staff and the new Council.

2023 will be the beginning of a new term of Council – the 2023 budget is expected to reflect the completion of Council's latest strategic plan and set up the stage for the beginning of new strategic plan.

FINANCIAL IMPLICATIONS

As noted in the report.

SUMMARY

The intent of this report is to provide the Committee an opportunity to discuss any strategies, processes, and targets; providing staff with proper direction as the 2023 draft budget documents are prepared.

STRATEGIC PLAN

☒ Not applicable to this report.

OTHERS CONSULTED

Senior Management Team

Denise Feeney, Manager of Finance

ATTACHMENTS

None

REVIEWED BY

Recommended by the Department



André Morin, Director of Corporate Services/Treasurer

Recommended by the CAO



Brent Kittmer

Chief Administrative Officer

FORMAL REPORT

To:	Chair Stratthdee and Members of Strategic Priorities Committee
Prepared by:	Brent Kittmer, Chief Administrative Officer
Date of Meeting:	19 July 2022
Subject:	ADMIN 39-2022 Report Back on Draft Refreshment Vehicle By-Law

PURPOSE

The purpose of this report is to provide follow-up information to the Committee as requested at the June 21, 2022 Strategic Priorities Committee meeting. Staff is requesting that Council consider the information within the report section below and provide direction regarding the draft Refreshment Vehicle by-law.

RECOMMENDATION

THAT ADMIN 39-2022 Report Back on Draft Refreshment Vehicle By-Law report be received; and

THAT staff be directed to make the following updates to the draft Refreshment Vehicle By-law and report to Council with a final draft:

- Update the private property location requirements to permit Refreshment Vehicles to operate on any industrial, commercial, or institutional zoned property;
- Update the proposed fees to those as recommended in report ADMIN 39-2022.

BACKGROUND

The *Municipal Act*, 2001 provides licencing authority to municipalities for the purpose of consumer protection and to promote the health and safety of the public. Many municipalities choose to license Refreshment Vehicles as a method of ensuring safety for the public, both in terms of public health safety related to food, and safety in the operation of vehicles and equipment.

The Town's draft Refreshment Vehicle by-law is generally consistent with industry norms, with a goal of ensuring that important public health and safety issues are addressed. While many common elements are found in refreshment vehicle by-laws, each is tailored to the specific municipality. Through the course of developing the draft by-law in 2016-2018, Council and staff adapted the draft by-law to the practical reality of the St. Marys community.

At the June 21, 2022 SPC meeting, the committee reviewed the draft Refreshment Vehicle by-law which is substantially the same as the one that was tabled by Council in August 2018. Through the review, Council and staff were able to identify new impacts the by-law may have, mostly due to changing circumstances since 2018.

Staff received direction to report back at a future date with further information regarding:

- grandfathering option for existing businesses
- term of the licence (i.e.: length of licence, renewal period)

- fee for licence

For the committee's reference, a copy of an updated draft by-law is attached to this report. The updated draft includes minor updates to address comments received from the Committee during the June 21 meeting.

The balance of this report is used to provide information to facilitate discussions by the Committee regarding the impact of the location requirements in the draft by-law and the fee structure for licensing refreshment vehicles.

REPORT

Discussion 1: Location Requirements

Attached to this report, Council will find a letter from the owners of Fat Panda which explains their concerns regarding the proposed location requirements in the draft Refreshment Vehicle by-law.

As written, the private properties permitted to host a refreshment vehicle are specific and will essentially limit food trucks to operating on properties where food facilities already exist. The current draft by-law permits refreshment vehicles to operate on private property:

- For regular public sale operations, only on properties where the zoning permits: "Eating establishment (take out)", "caterer's establishment", "Banquet hall" and/or "Hotel".
- For public events, on any private property for up to three days as approved by the Clerk.
- For private events, on any private property.

The impact of these provisions was reviewed by the Committee with a request for staff to provide grandfathering options to consider. Staff have developed the following options:

1. **Eliminate the Specificity of Permissible Private Properties:** Under this approach, the by-law would be written to allow refreshment vehicles to be licensed to operate on any private property that is zoned for an industrial, commercial or institutional use. This approach would simplify the licensing process as staff would not need to complete zoning reviews as part of license review. This approach also simplifies the by-law as it eliminates the need to write-in any potential grandfathering scenarios.
2. **Location Grandfathering:** Under this approach, the by-law would maintain the current language which restricts refreshment vehicle operation to private properties with permitted uses of: "Eating establishment (take out)", "caterer's establishment", "Banquet hall" and/or "Hotel". The by-law would have language written into it allowing for grandfathering of existing refreshment vehicles that operate at non-complying locations. This could be done in one of two ways:
 - i. **Short-term:** existing operators could be grandfathered at the non-complying location for a specific period of time (i.e. one-year) with the expectation that they move to a compliant location once their grandfathering expires.
 - ii. **In-Perpetuity:** existing operators could be grandfathered at non-complying locations in perpetuity so long as they remain the owner of the refreshment vehicle. Under this approach, the by-law would be written to specify that the grandfathered location would be non-transferrable to a new owner of the refreshment vehicle by-law.

Recommendation: It is staff's recommendation to move forward with option 1 above which eliminates the specificity attached to permissible private properties. As noted, this option is more efficient for by-law administration purposes, and results in a cleaner by-law without location grandfathering.

Discussion 2: Fee Review

Within the “Others Consulted” section of this report Council will find a summary of concerns raised by the owners of Broken Rail Brewing regarding the draft Refreshment Vehicle By-law, including concerns regarding the proposed fees.

In 2018, the direction from Council was to set the Town’s refreshment vehicle licensing fees at the top of the municipal comparator group. Council’s rationale for this approach was that higher fees would help close a perceived competition advantage that refreshment vehicles have over bricks and mortar establishments.

Accordingly, the 2018 draft refreshment vehicle by-law was written with the following fee structure:

- One day licence \$230.00
- Three-day licence \$465.00
- Annual licence \$1,225.00
- Fees waived for refreshment vehicles operated by existing St. Marys food establishment owners.
- Fees waived for refreshment vehicles participating in events organized by non-profit and charitable organizations.
- No licence or fees requires for a refreshment vehicle operating at a private event on private property.

Following direction received at the June 21, 2022 SPC meeting, staff have developed an inventory of the fee structure of 21 municipalities. A full summary is attached to this report. Upon review, staff have made two key observations:

1. The Town’s approach to charging fees using a time-based approach is not the typical way to establish a fee structure. Almost all other municipalities charge annual fees by the category of refreshment vehicle being licensed, with a daily fee being established.

Recommendation: Based on the findings of the review, staff recommends establishing the fee structure categories as follows:

- Annual fee for refreshment vehicles that are motorized and/or have food cooking/preparation facilities.
 - Annual fee for refreshment vehicles that are non-motorized and sell prepackaged or iced products.
 - Daily fee covering all categories for refreshment vehicles that operate in the community on a short-term basis.
2. The fees proposed in 2018 are significantly higher than what is typically charged. As Council will see from the attached summary, there is no one consistent way that municipalities charge fees. Each is unique and different. A simplified analysis using the categorization recommended above produced the following results:
 - Fees for refreshment vehicles that are motorized and/or have food cooking/preparation facilities.

Annual Fee

- Range of annual fees observed¹: \$150 - \$630/year
- Average annual fee charged: \$390/year
- Median data point for annual fee: \$360/year

- Most frequent annual fee charged: Of the municipalities sampled, annual fees most frequently fall in the \$300 - \$400/ year range (8 of 21 data points)

Daily Fee

- Range of daily fees charges: \$50 - \$100/day
- Average daily fee charged: \$78

Note 1 –One municipality (Burlington) charges up to \$1,300/year under specific circumstances. This data point was omitted as an outlier because it skews the data.

- Fees for refreshment vehicles that are non-motorized and sell prepackaged or iced products.

Annual Fee

- Range of annual fees observed: \$100 - \$300/year
- Average annual fee charged: \$180/year
- Median data point for annual fee: \$177/year
- Most frequent annual fee charged: Of the municipalities sampled, annual fees most frequently fall in the \$150 - \$190/ year range (7 of 13 data points)

Daily Fee

- Only one data point of \$50/day existed for this category of refreshment vehicles.
- Special Event Fees
 - There was no consistency in special event fees to produce a meaningful analysis.
 - The most relevant observation from the analysis is that license fees are typically waived for refreshment vehicles operating at events organized by the municipality and/or non-profit organizations.

Fee Recommendation:

Based on the fee review completed, staff are recommending the following fee structure to be considered:

Annual Fee (refreshment vehicles that are motorized and/or have food cooking/preparation facilities)	\$360 per year
Annual Fee (refreshment vehicles that are non-motorized and sell prepackaged or iced products)	\$180 per year
Daily Fee for all refreshment vehicles	\$80 per day
Refreshment vehicles operated by existing St. Marys food establishment owners.	Fees Waived
Refreshment vehicles participating in events organized by non-profit and charitable organizations.	Fees Waived
Refreshment vehicle operating at a private event on private property.	Fees Waived

Discussion #3: By-Law Administration

Within the “Others Consulted” section of this report Council will find a summary of concerns raised by the owners of Broken Rail Brewing regarding the draft Refreshment Vehicle By-law, including concerns related to how the by-law will be implemented:

- *Will refreshment vehicle operators have to travel to Town twice: once for an inspection, and then again on the day of operation? If so, this will be a barrier to the brewery in attracting operators to their location.*
 - ➔ Staff have reviewed this question with the HPPH and have learned that inspections may differ slightly between short-term events versus an annual operation. For refreshment vehicle approvals from HPPH, when inspections are required, they will be scheduled during HPPH regular business hours.
 - ➔ Staff have reviewed this question with the Fire Chief and have learned that it is a requirement to have the inspection completed prior to the event and not on the day of the event. The purpose is to mitigate possible delays in opening should the refreshment vehicle not pass the inspection. This seems to be the common practice amongst other municipalities.
- *Would the Town accept a recent inspection from another public health in place of an HPPH inspection?*
 - ➔ Staff have reviewed this question with the HPPH and have learned that inspections from other public health areas will not be accepted in Huron Perth as each public health area may impose their own requirements and restrictions.
 - ➔ Because it is the HPPH who establishes the rules and requirements for food establishments in Huron and Perth, the Town should not accept inspections from other health. By doing so, the Town may put the refreshment vehicle operator in a position where they are operating and not compliant with HPPH requirements. This could potentially expose the Town to liability.

It is also important to point out that the draft Refreshment Vehicle by-law is not the piece of legislation that is creating the requirements for food safety and fire safety inspections. The requirements to have these inspections completed already exist in other legislation. Even as it stands today without a Town by-law in place, refreshment vehicle operators are required to have an inspection from the HPPH and from the Fire Department before operating.

If the Town's by-law is put in place, the only new requirement regarding inspections will be that the Town is now requiring proof that these inspections have occurred. If Council decides to enact a Refreshment Vehicle by-law, it would be staff's goal to implement it reasonably while maintaining the overall goal of public safety.

In the case of Broken Rail, they typically bring back food truck operators for multiple dates throughout the season. Staff would not expect to have a new inspection for each date the same operator operates in Town. With the exception of certain fire inspections, it is expected that one inspection would be sufficient for a full season.

FINANCIAL IMPLICATIONS

As a general rule, fees charged by municipalities are expected to be set at a rate that recovers the cost of providing the services. Fees that are set over and above the cost-of-service delivery can be considered a form of taxation that is not permitted. The fees as proposed would be sufficient to cover staff's time to process license applications.

SUMMARY

Staff is requesting that Council consider the information within the report section below and provide direction regarding the draft Refreshment Vehicle by-law.

Once Council has provided the direction requested by staff, it is staff's intent to update the by-law and to present a final draft to Council at a future meeting.

STRATEGIC PLAN

☒ Not applicable to this report.

OTHERS CONSULTED

Since the June 21, 2022 Strategic Priorities Committee meeting two existing business owners have provided comments to members of Council and/or staff regarding the draft Refreshment Vehicle by-law

Fat Panda

The owners of Fat Panda (Tracey and Barry Mielke) has provided a letter for Council to consider which is attached to this report. Within the letter, they speak to the specific nature of the private property location requirements proposed in the by-law and how it will impact their ability to operate. Mr. Mielke is requesting that Fat Panda be given “grandfathered” status to remain in operation at their current location on James Street South if the by-law is enacted as currently written.

Broken Rail Brewing

The owner of Broken Rail Brewing (Mr. Ryan Leaman) has contacted members of Council and staff to explain his concerns with how the proposed by-law may impact his business. Mr. Leaman’s concerns are summarized as follows:

- The Town was aware at the time of selling Junction Station to Broken Rail that hosting a rotating schedule of refreshment vehicles was part of the brewery’s business model to attract patrons to the business and tourists to the Town. Introducing a by-law and applying strict requirements to the short-term nature of their operation at the brewery may impact Mr. Leaman’s ability to attract and secure operators to his location. This will have a negative impact to his business.
- The fees included in the draft by-law are too high and will act as a barrier for the brewery to attract and secure operators to his location.
- How will certain components of the licensing be practically implemented? For example:
 - Inspections by the Town prior to issuing a license. Will the Town require the operator to drive to town to be inspected prior to operating, or will the inspection occur on the day of operation?
 - Inspections by the health unit. If an operator has a current inspection from their local health unit (i.e. Middlesex London) would the Town accept that in place of an HPPH inspection?

ATTACHMENTS

1. Letter from Fat Panda Owner Mr. Barry Mielke
2. Refreshment Vehicle Fee Review Summary
3. Updated Draft Refreshment Vehicle By-Law (July 2022)

REVIEWED BY

Recommended by the CAO



Brent Kittmer
Chief Administrative Officer

June 28, 2022

Attention Town of St. Marys Council Members

As the owners of the Fat Panda Grill we are writing with some concerns for the new Vehicle refreshment by-law that is being looked at by the Town of St. Marys.

As you know we opened our food truck here in St. Marys in late 2019. When we opened the trailer we went to the town to find out what we had to do to be able to open in St. Marys. We were told that we had to be on a commercial space and couldn't be on private property. At this time there was no fees for us to pay to the town. We went ahead and found the space where we are currently located at which is the Omega Paw property. We rent this location from Omega Paw and we paid over \$10,000 to put in all the services to operate from this location.

We understand that the current by-law regarding refreshment vehicles is out dated and hasn't been updated for a long time. As a local business owner who operates a food truck but doesn't have a brick and mortar shop, we feel like the by-law being proposed will push out a small business that also employs some local people. We also feel that we are being discriminated against because we don't have a brick and mortar shop that we work from.

We are held to the same standards as any business that sells and prepares food for the public. We also pay rent at our current spot as do other brick and mortar businesses in St. Marys, this includes paying property taxes. We have to have public health inspections and have been inspected by fire as well. We are licensed to operate and are more than willing to pay a levee to the town, but hasn't been a requirement to date.

The discussion point of food trucks undermining permanent business isn't a fair statement to us. We may not be open in the winter months (this is a benefit to brick and mortar) but we are still a permanent business here. We do not travel anywhere else and are always at the same location. We are supporting some local families in employment and are just unsure why any business is more important than another in a rapidly growing community of over 7500 people.

We are not asking to be exempt from any levies or inspections the town puts into place, (we are more than willing to pay any proposed fees, which we feel are high for a small town and should be compared to other small towns, but we are asking that we not have to change or move our location. We are asking that refreshment vehicles be able to remain on commercial spaces, or that our business is grandfathered in to this location since we have been here for 2 and a half years and have put in a lot of work and money as a small business to run at our current location. We don't think that any current restaurant in St. Marys that is zoned for an eating establishment would allow us to relocate to their location. We think that some of the new proposed by-law mandates will greatly impede our ability to stay open and most certainly close a small business in the Town of St. Marys that people enjoy.

As a small business we have also done fundraisers for different causes in and out of St. Marys and hope to be able to continue to do these things in the future.

Your consideration to this matter is greatly appreciated and we hope you take our concerns into account while looking at the new proposal for this by-law. We may not be a brick and mortar business but have built a business here in our home town of over 30 years and would be crushed to see it be forced to close. Please inform us of anymore action on this bylaw going forward.

Best Regards
Tracey and Barry Mielke
Owners and Operators of The Fat Panda Grill

Refreshment Vehicle Fees Chart

Note: Links included are to the legislation/website from which the info is sourced.

Municipality	Provisions Given			
Mississauga (Pop: 717, 900) Mobile business licensing – City of Mississauga	Annual; Special Event	Annual: Separate Driver (\$176.25) and Owner (\$293.00) licenses.		Special Event license is the responsibility of event co-ordinator: \$56.50 per vendor, \$35.25 if event City-affiliated.
Loyalist Township (Pop: 17,000) Refreshment-Vehicle-By-law-2020-085-Fillable-PDF-version.pdf (loyalist.ca)	Annual; licence NOT REQUIRED when part of Special Events approved by the Mun.	Annual: For Carts, \$100.00 (Renewal \$50.00); For all others, \$300.00 (Renewal \$150.00)		
Whitby (Pop: 138,500) c5f07da1-134f-4903-996c-735e68a0240a (whitby.ca)	Generally annual , but with a short-term option.	Annual: standard, \$250.00 (Renewal \$200.00); If Pre-packaged, frozen foods only, \$200 (\$100 if non-motorized)	Short-term/Special Event: \$100.00, for the duration of an event to a max. of 96 hours; or may be waived, if participation in event separately agreed upon with the Town.	
Port Hope (Pop: 17,800) By-law 122 2007-Refreshment Vehicle Licensing.pdf	Annual; no Special Event-assoc. fee, but event operator is	Annual: \$500.00		

porthope.ca	liable for enforcement of regulations.			
Vaughan (Pop: 323,000) THE CORPORATION (vaughan.ca) 158-2021 (Consolidated).pdf (vaughan.ca)	Annual; Temporary, for temporary replacement of licensed vehicles (30 days max.); and Event-specific.	Annual: Owner, \$494.00 (\$464.00 renewal) for Vehicle/Trailer; Driver, \$135.00 (\$125.00 renewal). For non-motorized cart, \$475.00 (\$446.00 renewal).	Temporary: \$60.00.	Special Event: \$67.00, for the duration of the event for which the license is granted.
Smith's Falls (Pop: 9,300) The Corporation of the Town of Smiths Falls	Annual, or Event	Annual: \$600.00 for motorized, or \$150.00 if non-motorized.		Event: \$200.00 from event organizer, for event lasting <6 days/2 consecutive weekends.
Brock (Pop: 11,600) THE CORPORATION OF THE TOWNSHIP OF BROCK Refreshment Vehicles - Township of Brock	Annual, or special events.	Annual: motor vehicle or trailer, \$570.00; cart, \$285.00.		Special Events: No special price, appears to require a 'normal' (IE Annual) permit, but may have fees waived if non-profit/volunteer.
London (Pop: 422,300) Business Licensing By-law - L.-131-16 City of London	Annual; may be part of an approved Special Event, but no set fees for the vendor.	Annual: if motorized and has cooking facilities, \$510.00; all else \$180.00.		
Wilmot (Pop: 20,500)	Annual, or Daily	Annual: \$370.00	Daily: \$60.00	

Microsoft Word - Refreshment Vehicles and Carts By-law 1997-16 (wilmot.ca) By-Law-2021-60-Fees-and-Charges.pdf (wilmot.ca)				
Leeds and the Thousand Islands (Pop: 9,500) 2007-014-Refreshment-Vehicle-By-law.pdf (leeds1000islands.ca) 22-005--Amendment-to-General-Rates-and-Fees-By-law---Schedules.pdf (leeds1000islands.ca)	Annual, with special event exemption.	Annual: \$510.00		Special Events: “Exceptions” to the requirements of the by-law may be made if at a special event of <5 days. Exact provisions unspecified.
West Perth (Pop: 8,800) 69-2017---Licence--Regulate-Refreshment-Vehicles.pdf (westperth.com) 99-2021---Fees-and-Charges-By-law.pdf (westperth.com)	Annual, with special event exemption.	Annual: \$250.00		Special Events: License requirement notwithstanding for operation during special events, with prior approval of the Municipality.
West Lincoln (Pop: 14,500) THE CORPORATION OF THE (westlincoln.ca)	Annual, or Daily, ...	Annual: for vehicles and carts, \$400.00; for cycles, \$200.00	Daily: for vehicles and carts, \$100.00; for cycles, \$50.00	Special Events: waived if an agreed participant in a non-profit/charitable event.
Trent Hills (Pop: 12,900) Trent Hills - Document Center (civicweb.net)	Annual, with special event exemption.	Annual: \$350.00		Special Event: Exemption from license requirement for operation at

Trent Hills - Document Center (civicweb.net)				Special Events, as authorized by council.
Burlington (Pop: 183,300) 42-2008.pdf 110-2015.pdf	Annual only for most types, but several Short-Term options available for motorized ones with cooking facilities.	Annual: for motorized with 'limited' food preparation only, \$300.00; for non-motorized with only pre-packaged/frozen, \$140.00; for motorized with only pre-packaged/frozen, \$220.00; for motorized with cooking facilities, \$1300.00	Short-Term: for motorized vehicles with cooking facilities only, for 1-3 days \$85.00 daily; for monthly \$350.00; for a period of 3 months, \$700.00.	
Oshawa (Pop: 166,000) Street Food Vending - City of Oshawa	Annual, or Temporary	Annual: \$225.00, with a \$75.00 additional application fee.	Temporary: If for <5 consecutive days, \$95.00 + \$75.00 application fee.	
Brockton (Pop: 9,400) Refreshment Vehicle Licensing By-Law (brockton.ca) By-Law 2020-103 - 2021 Fees and Charges By-Law.pdf By-Law 2021-086 - Amend 2021 Fees and Charges By-Law.pdf	Seasonal, or Daily, with some special restrictions. Treated as a sub-category within Outdoor Vendor licensing.	Seasonal: \$350.00 per season; season being defined as 'Victoria Day to after Labour day.'	Daily: \$50.00 per day, per set location.	
Stratford BEING a By-law to establish the indemnity and	Annual only.	Annual: \$519.00 for vehicles, but \$173.00 for 'bicycle ice cream vehicles.'		

remuneration of members of council for the City of Stratford		Automatically increases annually based on Consumer Price Index data.		
Kitchener Refreshment Vehicles.pdf (kitchener.ca) Special Event.pdf (kitchener.ca)	Annual only. Special Events have a fee for the event organizer, but none for participants, and participants are <i>not</i> exempted from the requirement for a normal license.	Annual: for vehicle at one location only, \$230.00 (renewal \$179.00); if 'muscular powered' mobile vehicle, \$168.00 (renewal \$128.00); if mobile vehicle selling only pre-packaged, \$189.00 (renewal \$138.00).		
Woodstock Chapter 0628 Refreshment Vehicles (cityofwoodstock.ca)	Annual , with limited special event exemption – licence unneeded if in private event (or a charitable event) on private property with property owner's permission.	Annual: for trailer with cooking facilities, \$340.00; for vehicle selling iced products, \$180.00 (\$55.00 per additional vehicle on licence); for cooking cart, \$180.00 (\$55.00 per additional); for vehicle selling pre-packaged, \$340.00; for vehicle with cooking facilities, \$360.00; for each further operator for a licensed vehicle, \$30.00.		

St. Thomas Microsoft Word - By-Law 9-92 - Mobile Food & Refreshment Vendors REV July 09 (civiclive.com)	Annual only.	Annual: for vehicle/trailer with limited preparation facilities, \$300.00; for cart with cooking grill, \$300.00; for cart selling frozen items, \$50.00; for vehicle with cooking facilities, \$150.00; for vehicle selling frozen items, \$150.00.		
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BY-LAW xx-2022

THE CORPORATION OF THE TOWN OF ST. MARYS

Being a By-law to provide for the licencing, regulating and governing of refreshment vehicles within the Town of St. Marys.

WHEREAS: Pursuant to Section 150 and 151 of the *Municipal Act*, 2001, as amended, a municipality may provide for a system of licences with respect to any business wholly or partly carried on within the municipality, including the sale or hire of goods or services on an intermittent or one-time basis;

AND WHEREAS: Pursuant to Section 11(2) of the *Municipal Act*, 2001, as amended, a municipality may exercise its licencing powers for the purpose of consumer protection and to protect the health and safety of the general public;

AND WHEREAS: The Corporation of the Town of St. Marys has determined it is desirable to licence Refreshment Vehicles within the Town for reasons of health, safety and consumer protection;

NOW THEREFORE: The Council of the Corporation of the Town of St. Marys hereby enacts as follows;

1.0 DEFINITIONS

For the purpose of the By-law, the following terms shall have the meanings indicated:

- (a) "Applicant" shall mean the Refreshment Vehicle Owner, or their agent, who applies to the Clerk for a Refreshment Vehicle Licence in accordance with the provisions of this By-law;
- (b) "Clerk" shall mean the Clerk of the Corporation of the Town of St. Marys as appointed by By-law;
- (c) "Downtown" shall have the same meaning as defined in the Town of St. Marys Official Plan;
- (d) "Licence" shall mean a licence issued by the Clerk to operate a Refreshment Vehicle pursuant to the provisions of this By-law;
- (e) "Licensee" shall mean any person who is issued a Licence for a Refreshment Vehicle pursuant to the provisions of this By-law;
- (f) "Private Event" shall mean an event that is held on private property; that is by invite only and/or is not open to the general public; and where Refreshments are not made available to the general public, including but not limited to, weddings, birthday parties, family reunions, employee recognition events et cetera.

- (g) "Property Owner" shall mean the registered owner of land, and includes a lessee, mortgagee in possession or any person in charge of the property;
- (h) "Public Event" shall mean a cultural, recreational, educational, charitable or similar event that is open to the general public including, but not limited to, fairs, festivals and carnivals et cetera;
- (i) "Refreshment" shall mean any food or beverage prepared or provided for human consumption;
- (j) "Refreshment Vehicle" shall mean any vehicle whether motorized or not from which Refreshments are offered for consumption by the public and may include a motor vehicle, motor assisted bicycle, trailer, bicycle, tricycle or any other vehicle drawn, propelled or driven by any kind of power, including muscular power;
- (k) "Refreshment Vehicle Owner" shall mean the owner, or the operator in the case where the owner does not perform day to day operations, of the Refreshment Vehicle for which a Licence is applied pursuant to this By-law and in relation to a motor vehicle shall mean the registered owner of the vehicle as shown by the records kept by the Ministry of Transportation and includes a lessee or mortgagee in possession; and
- (l) "Town" shall mean the Corporation of the Town of St. Marys.

2.0 REQUIREMENTS

1. No person shall offer any Refreshment to the public from any Refreshment Vehicle unless the person has a valid Licence.
2. No person including any Property Owner shall cause or permit any person to offer Refreshments from a Refreshment Vehicle on any property located within the Town of St. Marys unless there is a valid Licence.

3.0 APPLICATIONS

1. Any person who wishes to sell Refreshments to the public from a Refreshment Vehicle must be a minimum of eighteen (18) years of age, and may apply to the Clerk for a Licence for the Refreshment Vehicle to be accompanied by the following:
 - (a) a completed application in writing in a form authorized by the Clerk and executed by the Applicant;
 - (b) an application fee as prescribed in the Town's Fees and Charges By-law, as amended;
 - (c) a satisfactory inspection report from the Health Unit completed no more than three (3) months prior to the date of application
 - (d) a Technical Standards & Safety Authority Field Approval for all equipment and appliances that are not approved by the Canadian Standard Association or the Underwriter Laboratories of Canada;
 - (e) proof that the Refreshment Vehicle complies with propane, handling and storage provision of the *Technical Standards and Safety Act*, 2000, S.O 2000, c. 16, as amended, and any regulations thereunder, where applicable;

- (f) proof that the Refreshment Vehicle has received a satisfactory inspection of its fire suppression system and fire extinguishers. The fire suppression system and fire extinguishers are required to be reinspected if the Refreshment Vehicle is on operation for greater than six (6) months of the year;
 - (g) documentation from the Fire Chief or designate confirming that the refreshment vehicle and all buildings, structures, and facilities, or the plan for same, are in compliance with applicable fire safety regulations;
 - (h) documentation from the City's Chief Building Official confirming that all buildings, structures and facilities, on site, or the plans for same, are or will be in compliance with the requirements of Property Standards By-law and the Building Code Act S. O. 1992, c.23, as amended;
 - (i) proof of a valid Province of Ontario driver's licence, if applicable;
 - (j) a copy of the ownership for the Refreshment Vehicle, if applicable;
 - (k) proof of general liability insurance (by an insurer satisfactory to the Town) in the amount of \$2,000,000.00 naming the Town as an additional insured;
 - (l) proof of automotive liability insurance (by an insurer satisfactory to the Town) in the amount of \$2,000,000.00 on all vehicles used in Refreshment Vehicle operations;
 - (m) the dimensions of the Refreshment Vehicle;
 - (n) a plan for the containment and disposal of grey water, grease and garbage in a sanitary manner satisfactory to the Town;
 - (o) evidence that the Refreshment Vehicle does not require the use of municipal services when operating on public property;
 - (p) a description of food menu;
 - (q) a photograph of the Refreshment Vehicle;
 - (r) written permission from the Property Owner of private property, clearly acknowledging the intended use of the property (if applicable); and
 - (s) a general sketch or plan outlining the location of all roads and streets and their names, all buildings, the buildings dimensions and their proximity to other buildings and property lines.
 - (t) the appropriate licence fee required in accordance with the Fees By-law
2. A Licensee must ensure the required certificates and approvals are kept in the Refreshment Vehicle at all times and available for immediate inspection upon demand by the Clerk, Police Officer, By-Law Enforcement, Fire Inspector, or Public Health Inspector.

4.0 ISSUANCE, INELIBILITY, AND DISQUALIFICATION OF LICENCE

1. The Clerk is not required to consider any application for a Licence until the application is complete, and the Applicant has provided all information and documentation as required pursuant to this By-law, as well as the annual application fee.

2. The Clerk is not required to consider any application for a Licence if the applicant is in breach of this or any other Town by-law or health unit or provincial or federal legislation.
3. The Clerk may approve or refuse any Licence application and may impose any conditions upon an approval as they deem appropriate. This can be done based on the vehicle type, appearance or where the location is deemed inappropriate, unsuitable or unsafe.
4. No person shall operate a Refreshment Vehicle within fifteen (15) metres from a fuel dispenser at a fuel dispensing stations or retail propane dispensing tanks and cylinders.
5. The St. Marys Fire Department may impose alternative setbacks from adjacent structures or Vehicles as is deemed necessary in the interest of public safety.
6. Licensees shall comply with all Town by-laws, including, but not limited to the Town's Zoning By-Laws and Property Standards By-Law, and comply with all provincial and federal legislation.
7. A Licensee shall comply with all Licence requirements.
8. If, at any time, the Clerk determines, as a result of evidence that is provided, that the operation of a licenced Refreshment Vehicle does not conform to the requirements of this or any Town by-law or health unit or provincial or federal legislation, the Clerk may suspend or revoke the Licence.
9. A total of two (2) Licences shall be issued for permanent Refreshment Vehicles to be located in the Downtown as detailed in Section 5 of this by-law. Each Refreshment Vehicle shall be subject to the Licence fees and regulations as set out in this By-law. Existing Licence holders will have priority, subject to being in good standing with the Town, over applications submitted by new applicants.
10. Notwithstanding Section 4.9, there shall be no limit on the number of Licences for Public Events which are located in the Downtown.

5.0 LOCATIONS

1. Downtown:
 - a. The parking stall on the west side of Water Street North, south of Trout Creek, adjacent to the municipal parking lot;
 - b. Additional location(s) deemed appropriate by the Town.
2. Municipal Facility Parking Lots and Municipal Parks:
 - a. being requested by municipal staff to attend the property or;
 - b. having been granted a licence issued by the Clerk after considering the provisions of 5.3.c below; and
 - c. operating in compliance with regulations provided by the Town; and
 - d. operating in compliance with the by-law.
3. Private Property and Offering Refreshments to the General Public

- a. Private property in zones that includes as a permitted use any of the following: “Eating establishment (take out)”, “Caterer’s establishment”, “Banquet hall” and/or “Hotel”, subject to the Refreshment Vehicle and its location meeting the requirement of the Town’s zoning by-law and traffic by-laws.
 - b. Notwithstanding subsection 3.a, the Clerk may approve the operation of a Refreshment Vehicle for a Public Event on private property in any zone with the submission of the following:
 - i. Written proof of invitation to the location from the property owner or event organizer; and
 - ii. Written proof the event is no more than three consecutive days in length.
 - c. The Clerk’s approval shall consider:
 - i. the general intent of the by-law;
 - ii. the past actions by the Refreshment Vehicle operator; and
 - iii. the impact on the community.
4. Private Events on Private Property
- a. Refreshment Vehicles that are providing services to Private Events with the consent of the Property Owner, and where Refreshments are not made available to the general public, are exempt from requiring a Licence and paying a fee.
 - b. Notwithstanding Section 4.2 (a) above, Refreshment Vehicles that are providing services to Private Events shall comply with all applicable Town, Provincial, Federal provisions and regulations.

6.0 TERM OF LICENCE

- 1. Licences shall be issued for a maximum period of one year and shall come into effect on the date that they are issued, and expire on December 31 of that same year, unless revoked or suspended.
- 2. Daily licenses are valid only for the date(s) as indicated on the license.
- 3. Licences are not transferable except with the written consent of the Clerk.

7.0 PROVISIONS

- 1. A Refreshment Vehicle shall not exceed:
 - (a) 2.6 metres in width, and ;
 - (b) 13.4 metres in length, and;
 - (c) or no larger than one parking stall if located within the Downtown, and;
 - (d) 4,500 kilograms.
- 2. No person shall carry on a Refreshment Vehicle business or occupation for which a Licence is required under this by-law:

- (a) if the Licence has expired or been revoked; or,
 - (b) while the Licence is under suspension.
- 3. Refreshment Vehicles shall be exempt from hourly parking limits on Town highways provided they are:
 - (a) parked in legal parking stalls;
 - (b) actually engaged in the operation of the Refreshment Vehicle business; and,
 - (c) in compliance with this by-law.
- 4. No person shall operate a Refreshment Vehicle business except in the defined areas set out in section 5 of this by-law, subject to Zoning By-Law compliance and compliance with other applicable by-laws not exempted by this by-law.
- 5. No person shall operate a Refreshment Vehicle without affixing a refreshment vehicle licence issued under the provisions of this by-law in a conspicuous place on a Refreshment Vehicle for which it is issued.
- 6. No person shall connect to a municipal utility source while situated on municipal property.
- 7. No person shall transfer a licence except with consent in writing of the Clerk, and the Clerk shall not be bound to give such consent to the transfer.
- 8. All Refreshment Vehicles shall operate in compliance with the Town's Noise By-law.
- 9. No person shall permit Refreshment Vehicles to park overnight on public property or private lands after operating hours except on land owned, leased or rented by the operator ~~for the storage of the Vehicle~~ and in compliance with the Town's Zoning By-Law and Parking, Traffic and Boulevard Maintenance By-law.
- 10. The requirements of section 7.9 above do not apply where:
 - a. A Refreshment Vehicle is parked on private property for the duration of a Private Event or Public Event
 - a.b. A Refreshment Vehicle has been granted an exemption by the Town to permit overnight parking on public property.
- 9-11. No person shall equip a Refreshment Vehicle with any sounding device, loud speakers, amplifier or other hailing devices for attracting attention.
- 10-12. No person shall operate a Refreshment Vehicle:
 - a. within 10 metres of a restaurant without consent from the restaurant;
 - b. in a manner that interferes with the normal use of a sidewalk by pedestrians
 - c. on the boulevard adjacent to a public highway;
 - d. on private property without the written consent of the Property Owner;
 - e. in a residential area, except on the specific request and with the written permission of a resident to provide food to that resident and guests at the resident's address; or,

f. on highways outside of the Downtown.

~~11.13.~~ 13. Notwithstanding 7.1~~12~~ (a) there shall be no consent requirements for Refreshment Vehicles operating at Public Events which are located in the Downtown.

~~12.14.~~ 14. Every Licensee shall produce the Licence for inspection at the request of the Clerk, Police Officer, By-Law Enforcement, Fire Inspector, or Public Health Inspector .

~~13.15.~~ 15. Every Licensee shall maintain the Refreshment Vehicle in a clean and sanitary condition, with adequate measures for the storage and disposal of garbage and waste and sufficient levels of illumination to permit the safe use of the Refreshment Vehicle. The placing of refuge in a sidewalk refuge container provided by the Town is not sufficient to constitute removal.

~~14.16.~~ 16. Every Licensee shall ensure that the grounds in the vicinity of the Refreshment Vehicle for a distance of 30 metres are kept clean of all waste.

~~15.17.~~ 17. Every Licensee shall comply with all provisions of this By-law and with all provisions set out in the Licence.

~~16.18.~~ 18. Every Licensee shall comply with all applicable Town, Provincial, Federal provisions and regulations.

8.0 EXEMPTIONS

1. The requirement for Licence fees shall be exempt for those Refreshment Vehicles operating at Public Events that are owned and operated by existing St. Marys food and beverage establishment owners for the duration of the event.
2. The requirement for Licence fees shall be exempt for Public Events organized by service clubs and registered charities whose charitable objects benefit the residents of the Town of St. Marys.

9.0 INSPECTIONS

1. The Town may enter on land at any reasonable time for the purpose of carrying out an inspection to determine whether this By-law, an Order to Discontinue Activity, or an order under Section 431 of the *Municipal Act*, 2001 is being complied with.
2. For the purposes of conducting an inspection pursuant to 9.1 of this by-law, the Town may, in accordance with the provisions of Section 436 of the *Municipal Act*, 2001;
 - (a) require the production for inspection of documents or things relevant to the inspection;
 - (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
 - (c) require information from any person concerning a matter related to the inspection; and,
 - (d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take test, samples or photographs necessary for the purposes of the inspection.
3. No person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this by-law.

10.0 ORDER TO DISCONTINUE ACTIVITY

1. Where the Clerk has reasonable grounds to believe that a contravention of this By-law has occurred, the Clerk may issue an Order to Discontinue Activity requiring the person contravening the By-law, or who caused or permitted the contravention, or the owner or occupier of the land on which the contravention occurred, to discontinue the contravening activity and every person shall comply with such an order.

11.0 ENFORCEMENT

1. This by-law may be enforced by the Clerk, Police Officer and Public Health Inspectors, By-Law Enforcement Officer, or Fire Inspector.

12.0 OFFENCE AND PENALTY PROVISIONS

1. Any person who contravenes any provision of this By-law is guilty of an offence and:
 - a. Upon conviction is subject to a maximum fine of five thousand dollars (\$5,000.00); and
 - b. A maximum fine of ten thousand dollars (\$10,000.00) upon a first conviction and a maximum fine of \$25,000 for any subsequent conviction.
2. Despite section 12.1, where the person convicted is a corporation, the corporation is liable;
 - a. On the first conviction, to a maximum fine of not more than ten thousand dollars (\$10,000.00); and
 - b. On any subsequent conviction, to a maximum fine of not more than twenty-five thousand dollars (\$25,000.00).

13.0 SHORT TITLE

This By-law may be referred to as the “Refreshment Vehicle By-law”.

14.0 REPEAL

1. By-law 34-69, To Licence, regulate, and govern food premises, and for revoking any such licence.
2. By-law 16-1998, To Amend By-law No. 34-69 regulating mobile canteens in the Town of St. Marys.

15.0 ENACTMENT

This By-law comes into force and takes effect on the final passing thereof.

Read a first, second and third time and finally passed this XXXXXX day of XXXXX, 20XX.

Mayor Al Strathee

Jenna McCartney, Clerk

FORMAL REPORT

To:	Chair Stratthdee and Members of Strategic Priorities Committee
Prepared by:	Jenna McCartney, Clerk
Date of Meeting:	19 July 2022
Subject:	ADMIN 40-2022 Advisory Committee Inventory and Review

PURPOSE

To present Council with an inventory of Council's existing advisory committees, boards and external committees that have representation from Council, and to receive direction on which committees require a call for applications to serve during the 2022 – 2026 term of Council.

RECOMMENDATION

THAT ADMIN 40-2022 Advisory Committee Inventory and Review report be received; and

THAT that the Strategic Priorities Committee recommends to Council:

THAT Council direct staff to place a call for applications for advisory committee members; and

THAT Council approves housekeeping amendments to the following advisory committee terms of reference:

- Committee of Adjustment
- Community Policing
- Green; and
- Recreation and Leisure; and

THAT Council makes the following recommendations to the 2022-2026 Nomination Committee:

- **THAT** the Accessibility Advisory Committee be disbanded, and that staff be directed to continue to follow the legislative requirements of the Accessibility for Ontarians with Disabilities Act with respect to consultation with persons with disabilities through a wide scope of communication tools.
- **THAT** the Heritage Advisory, Museum Advisory and Public Art Advisory Committees be amalgamated as the Heritage and Culture Advisory Committee.
- **THAT** the Recreation and Leisure Services Advisory and Senior Services Advisory Committees be amalgamated as the Recreation and Leisure Services Advisory Committee.
- **THAT** the youth council no longer be deemed to be an advisory committee of Council but remain a stakeholder group to be consulted by staff.

BACKGROUND

Advisory committees and standing committees are implemented throughout many municipalities in Ontario as a part of their governance structure. Committees can be an important source of policy deliberation as municipal business becomes increasingly complex.

The current term of Council established ten (10) advisory committees including:

- Accessibility
- Committee of Adjustment
- Community Policing
- Green
- Heritage
- Museum
- Planning (including Property Standards)
- Recreation and Leisure Services
- Senior Services
- Youth Council

During the pandemic, Council established the Business Economic Support and Recovery Task Force as an AD-HOC group. The group was disbanded in 2021.

It has become standard practice for staff to present this report to the current term of Council in its fourth year offering feedback from committee members and staff, and to seek a recommendation to the next term of Council on which advisory committees would be beneficial to Council.

In addition to considering the recommendations provided through this review, the new term of Council will be responsible to review applications from members of the public and subsequently appointing members to advisory committees for the new term.

REPORT

Advisory committees can contribute to Council's effectiveness if the governance structure is set for success. While Council sets the policy for the municipality, there are contributing factors that support the process.

Staff's role is to research policy concepts and present options to an advisory committee. The committee offers the perspective of a resident and may include expert advice on the proposed policy or initiative. The information is converted to a recommendation to be made to either the Strategic Priorities Committee for further insight or directly to Council for consideration.

Often, this is not the end of the process. Staff will return to the advisory committee for feedback about implementation strategies as the grand vision is to increase transparency of local governance and improve public communication about municipal policy.

Attachment #1 to this report is an inventory of the existing advisory committees. For information purposes, the inventory includes all known external committees and boards where a Council member has a seat.

The attachment includes governance structure information for each advisory committee, represented as function or role, whether the committee is statutory in nature, the composition, the value for remuneration, and meeting frequency.

Following consultation earlier this year with committee members, Council members and staff liaisons of each of the advisory committees, staff have reviewed the feedback received through that survey process and taken that into consideration when presenting the recommendations included in this report.

After the discussion, Council will be asked for direction that guides which advisory committees staff may advertise a call for applications in advance of the new term of Council.

Below, an outline of each advisory committee is listed along with information gathered over the course of this term resulting in a recommendation to Council for consideration.

Accessibility Advisory Committee (the “AAC”)

Section 29.(1) of the Accessibility for *Ontarians with Disabilities Act* provides:

The council of every municipality having a population of not less than 10,000 shall establish an accessibility advisory committee or continue any such committee that was established before the day this section comes into force. 2005, c. 11, s. 29 (1).

Subsection (2) further provides:

The council of every municipality having a population of less than 10,000 may establish an accessibility advisory committee or continue any such committee that was established before the day this section comes into force. 2005, c. 11, s. 29 (2).

While not legislated, the AAC was established by Council of the day in 2011. The initial mandate of the AAC was to “advise and may assist the municipality in promoting and facilitating a barrier-free municipality for citizens of all abilities”.

Over time, the mandate has evolved as an outlet for the municipality to solicit feedback from persons with disabilities regarding capital projects such as the skate park, road reconstruction, and park and playground development.

The legislative deadlines of the Act applicable to public sector organizations (ie: municipalities) have come to pass, and the Town has implemented the requirements for an organization this size. There remains one ongoing requirement listed frequently within the Act; “...consultation with persons with disabilities and if they have established an accessibility advisory committee, they shall consult with the committee”.

A limitation of an advisory committee focusing on accessibility is that the representation across the members is limited to its breadth. The composition of the AAC is currently five (5) members of the public and one (1) council representation. The range of disabilities in society today is extensive and in no way can be represented by such a small representation.

Alternatively, by appointing a larger number of representatives to the advisory committee, it can bog down the process for review and make it difficult for such a large representation to come to a consensus that can be recommended to Council for approval. Additionally, the potential of excluding representation of all persons with disabilities remains as each individual is unique.

During the Cadzow Park revitalization, the Town’s communication team implemented a public facing approach for gathering feedback to support the inclusive development of the project. The comments specific to accessibility were more representative of persons with disabilities than was garnered from the AAC due to the audience catchment. St. Marys is a different municipality today than it was in 2011. Public engagement has been well developed by the communications staff and projects are being implemented more successfully since adopting this business practice.

The Act has seen changes since 2011 including O. Reg. 413/12 that includes the design of public spaces standards. Staff’s approach to projects has always been to consult the *Ontario Building Act* for technical specifications within the Building Code including barrier-free requirements. This legislation in partnership with the design of public spaces standards within the AODA ensure that projects are built to the standards. The benefit of the wide-range public engagement is that opportunities for

enhancement over and above the minimum standards exist making the end result a better product for all persons.

As legislative improvements have occurred since 2011, the process of consulting such a small demographic of persons with disabilities through the committee may be a redundancy and inefficient when compared to the wide-range public engagement. Therefore, staff are recommending that the Accessibility Advisory Committee be disbanded, and that public engagement continue to be streamlined through the municipality's communication strategies.

Recommendation: THAT Council disbands the Accessibility Advisory Committee and directs staff to continue to follow the legislative requirements of the *Accessibility for Ontarians with Disabilities Act* with respect to consultation with persons with disabilities through a wide scope of communication tools.

Committee of Adjustment (the "CoA")

The general consensus of CoA members and staff liaisons to this committee is that the governance of CoA should remain status quo. There are no legislative changes anticipated related to CoA.

As a result of the recent pandemic and knowing that meeting location may change from time to time, it is recommended that the terms of reference regarding general meeting location be removed to allow for more flexibility.

Further, within the terms of reference there is historic referencing of "CAO / Clerk" that staff are recommending be tided at this time.

Recommendation: THAT the Committee of Adjustment terms of reference regarding general meeting location be removed to allow for more flexibility.

THAT the Committee of Adjustment terms of reference be amended to change from the "CAO / Clerk" to "Clerk" concerning whom should be in receipt of minutes for listing on a future Council agenda.

Community Policing Advisory Committee (the "CPAC")

The general consensus of CPAC members and the staff liaisons to this committee is that the governance of CPAC should remain status quo. There are no legislative changes anticipated related to CPAC.

Within the terms of reference there is historic referencing of "CAO / Clerk" that staff are recommending be tided at this time.

Recommendation: THAT the Community Policing Advisory Committee terms of reference be amended to change from the "CAO / Clerk" to "Clerk" concerning whom should be in receipt of minutes for listing on a future Council agenda and the CAO should be designated as the staff liaison.

Green Committee

The general consensus of Green Committee members and the staff liaisons to this committee is that the governance should remain status quo.

Staff have noted that the terms of reference regarding frequency of meetings should be changed from monthly to quarterly to allow for more flexibility with scheduling.

Further, within the terms of reference there is historic referencing of "CAO / Clerk" that staff are recommending be tided at this time.

Recommendation: THAT the Green Advisory Committee terms of reference be amended to change from the "CAO / Clerk" to "Clerk" concerning whom should be in receipt of minutes for listing on a future Council agenda.

THAT the Green Advisory Committee terms of reference be amended from monthly to quarterly meeting frequency to better reflect the past practice given the period of time often needed for report backs to the committee.

THAT the committee be known as the Green Advisory Committee for consistency.

Heritage Advisory and Museum Advisory Committees

Some years ago, a Museum Board was established in St. Marys. It had numerous responsibilities of a traditional board of management. As the Town of St. Marys grew to include an array of support staff, primarily human resources, the Board relinquished much of this authority through Council to administrative staff. In 2018, Council of the day approved terms of reference that transitioned the Museum Board from a board function to an advisory role.

There is a requirement from the Community Museums Operating Grant funder, Ministry of Tourism, Culture and Sport, that a museum oversight committee be established who ensures specific standards for community museums are met related to policy development and implementation, as well as artifact deaccessions policies and procedures. The requirements are such that Council can fulfill this role. Accordingly, the current practice is that the Museum Advisory Committee advises on these areas and that Council is the approval authority.

With respect to the Heritage Advisory Committee, in 2018, Council reviewed the mandate of the Heritage Advisory and Heritage Conservation District Advisory Committees and found that by amalgamating the two, efficiencies could be found.

There are natural synergies between the Heritage Advisory, Museum Advisory and the newly proposed Public Art Advisory Committees. As the Town continues to embrace a heritage and culture portfolio, it is staff's recommendation to amalgamate these committees into a newly formed Heritage and Culture Advisory Committee. The mandate of the Committee would include the requirements of;

- the *Ontario Heritage Act* (Part IV and V for heritage designations and conservation districts),
- the Ministry of Tourism, Culture and Sport (Standards for community museums), and
- the draft Public Art Policy (to be presented via a future staff report)

In theory, by amalgamating the committees to one, it will create more efficient results from the committee and from staff. Examples of the efficiencies:

- heritage and culture enthusiasts residing in St. Marys would not need to apply to multiple committees and, if appointed, attend multiple meetings
- staff reduction in time to prepare for multiple meetings of various committees
- duplication of information eliminated

Recommendation: THAT the Heritage Advisory, Museum Advisory and Public Art Advisory Committees be amalgamated as the Heritage and Culture Advisory Committee.

THAT the draft terms of reference for the Heritage and Culture Advisory Committee be approved.

Planning Advisory Committee (the "PAC")

Staff have begun to report to Council on the impacts of Bill 109, *More Homes for Everyone Act*. Staff will present a further report to the Strategic Priorities Committee in August about the recommendations related to the planning process including implications to the PAC. Therefore, staff are recommending that PAC remain status quo.

Recommendation: Nothing at this time.

Recreation and Leisure Advisory Committee and Senior Services Advisory Committee

Senior Services Advisory Committee is a blend of the previous Friendship Centre Board and the Home Support Services Board. As was the case with the historic Museum Board, these Boards were initially created as a board of management. As the municipality has grown over the years, a board of management was no longer required, and these boards transitioned to a Senior Services Advisory Committee in 2014.

At the outset the Senior Services Advisory Committee was used by staff to solicit feedback on current and planned programs. However, as the Town's communications approach has grown, and with the strong presence of social media and the Town's commitment to streamlined communication, departments are now turning to methods like surveys to receive instantaneous feedback, whether solicited or not, from the public. Rather than relying solely on a handful of representatives on the advisory committee, the senior services department can introduce questions and receive immediate responses to help guide staff in program development.

During this term of Council, there have not been strategic projects that sat before the Senior Services advisory committee. Combined with the shift to using broader communications for program feedback, committee members feel as though they were not contributing to the task at hand.

In contrast, over the past four years, the Recreation and Leisure Advisory Committee has had strategic priorities to consider with a focus placed on youth and adults but silent on the older adult demographic. Staff feel that amalgamating the Recreation and Leisure Advisory Committee and Senior Services Advisory Committee, efficiencies can be found, and committee members can feel as though their contributions are effective.

Staff's vision is that the new term of the Recreation and Leisure Advisory Committee will include representation from the older adult contingent.

Recommendation: THAT the Recreation and Leisure Services Advisory and Senior Services Advisory Committees be amalgamated as the Recreation and Leisure Services Advisory Committee.

THAT the Recreation and Leisure Services Advisory Committee terms of reference be amended to include that the committee structure consider persons who may receive services from all aspects of the Community Services department from youth to seniors programming.

Youth Council

This group was established in 2018 with a purpose of encouraging collaboration with the youth demographic of this community. The mandate was such that the members increase their involvement in the community, gain and build youth skills, and ensure youth voices be represented and heard.

Over the past four years, insight has been gained about the governance of the Youth Council and has caused staff to give consideration for a change to the model of being an advisory committee.

A four-year commitment that parallels the term of municipal council is not ideal with this age group. Youth are looking for short-term participation. There does not seem to be a naturally occurring time throughout the year that aligns for onboarding new members. As this group is appointed by by-law, each change to the membership requires an amendment to the by-law by Council. This process is neither expedient nor efficient.

The group focuses on short-term project-based initiatives rather than long-term strategic visioning. Given the operational function of the group rather than strategic, it does not produce advice that would guide municipal council in its decision making.

As the group was established as an advisory committee to Council, it must follow the requirements of the Procedure By-law in that meetings of the group must be open to the public. During the pandemic

this has involved the live streaming of each meeting. The group has identified their hesitancy of joining and participating in meetings knowing that it is live streamed and retained on the Town's YouTube channel.

Staff recognize the benefit to youth engagement and do not want to lose the opportunity presented within this group. To make this work for the youth, a more flexible and open approach will be needed. The feedback from the participants is that they just want to be a group of kids who can discuss ideas and make decisions within an environment of their peers without having to be put on public display through live stream.

Moving forward, it is staff's vision that a youth council will exist in the following way:

- No longer be deemed an advisory committee of Council and will be considered a stakeholder group that staff can reach out to for youth perspectives.
- Meetings will be more ad-hoc and will not need to follow the rigor of the procedure by-law.
- Activity updates will be provided by staff within the department's monthly reports to municipal Council.

Recommendation: THAT the youth council no longer be deemed to be an advisory committee of Council but remain a stakeholder group to be consulted by staff.

SUMMARY OF RECOMMENDATIONS

Advisory Committee	Recommendation
Accessibility	THAT Council disbands the Accessibility Advisory Committee and directs staff to continue to follow the legislative requirements of the <i>Accessibility for Ontarians with Disabilities Act</i> with respect to consultation with persons with disabilities through a wide scope of communication tools.
Committee of Adjustment	THAT the Committee of Adjustment terms of reference regarding general meeting location be removed to allow for more flexibility. THAT the Committee of Adjustment terms of reference be amended to change from the "CAO / Clerk" to "Clerk" concerning whom should be in receipt of minutes for listing on a future Council agenda.
Community Policing	THAT the Community Policing Advisory Committee terms of reference be amended to change from the "CAO / Clerk" to "Clerk" concerning whom should be in receipt of minutes for listing on a future Council agenda and the CAO should be designated as the staff liaison.
Green Committee	THAT the Green Advisory Committee terms of reference be amended to change from the "CAO / Clerk" to "Clerk" concerning whom should be in receipt of minutes for listing on a future Council agenda.

	<p>THAT the Green Advisory Committee terms of reference be amended from monthly to quarterly meeting frequency to better reflect the past practice given the period of time often needed for report backs to the committee.</p> <p>THAT the committee be known as the Green Advisory Committee for consistency.</p>
Heritage	<p>THAT the Heritage Advisory, Museum Advisory and Public Art Advisory Committees be amalgamated as the Heritage and Culture Advisory Committee.</p> <p>THAT the draft terms of reference for the Heritage and Culture Advisory Committee be approved.</p>
Museum	See Heritage Advisory Committee recommendation
Planning	Nothing at this time.
Public Art	See Heritage Advisory Committee recommendation
Recreation and Leisure Services	<p>THAT the Recreation and Leisure Services Advisory and Senior Services Advisory Committees be amalgamated as the Recreation and Leisure Services Advisory Committee.</p> <p>THAT the Recreation and Leisure Services Advisory Committee terms of reference be amended to include that the committee structure consider persons who may receive services from all aspects of the Community Services department from youth to seniors programming.</p>
Senior Services	See Recreation and Leisure Advisory Committee recommendation
Youth Council	THAT the youth council no longer be deemed to be an advisory committee of Council but remain a stakeholder group to be consulted by staff.

NEXT STEPS

If the Committee agrees with staff's recommendations, the minutes will be forwarded to a future Council meeting for final approval.

Once the recommendations are approved, staff will update all committee governance and post a call for applications for the upcoming term.

Staff will ensure a report back to all committee members is completed by way of staff liaisons to ensure communication is complete.

Staff will present a list of all applicants to the nominating committee (new term of Council) in November 2022, seeking a recommendation to the incoming Council of which advisory committees will exist and whom should be appointed to the future committees.

FINANCIAL IMPLICATIONS

If Council approves the amalgamation of five committees into two, there will be direct cost savings through staff wages as well as committee remuneration. The savings are not anticipated to be of significance, however, in combination with other operational efficiencies being best use of resident resources, reduction in staff time, and eliminating duplication of information, these benefits outweigh the action of remaining status quo.

SUMMARY

From this report, staff are seeking a recommendation from the Committee which advisory committees will be retained for the 2022-2026 Council term, and acceptance of the updated terms of reference.

After the review is complete, the Town will begin the posting for committee applications for the 2022-2026 term. It is expected that the advertisements for committee applications will be issued early September with a closing date of mid-October.

The Town's procedure by-law allows the Council-elect to sit as a "Nomination Committee" prior to the commencement of the next Council term on November 15, 2022. The purpose of the Nomination Committee is to review the committee applications and to make recommendations to the incoming Council of the individuals that will be appointed to the various committees. A Nomination Committee meeting is planned for early November. The formal committee appointments would occur through a by-law enacted at Council's inaugural meeting on November 15, 2022.

STRATEGIC PLAN

☒ Not applicable to this report.

OTHERS CONSULTED

Advisory Committee Members and Staff Liaisons

ATTACHMENTS

2022 Master Committee Review

Terms of Reference:

Committee of Adjustment

Community Policing Advisory Committee

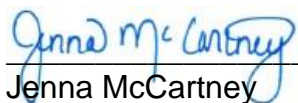
Green Committee

Heritage and Culture Advisory Committee

Recreation and Leisure Advisory Committee

REVIEWED BY

Recommended by the Department



Jenna McCartney

Clerk

Recommended by the CAO



Brent Kittmer

Chief Administrative Officer

Committee Name (Staff Liaison)	Function/Role	Statutorily Required?	Council Members on the Committee	Total Members of the Public on the Committee	Remuneration for Members of the Public?	Meeting Day and Time
Committees of Council						
Strategic Priorities Committee (B. Kittmer)	<ul style="list-style-type: none"> Advisory committee Reviews strategic and corporate level matters of the Town prior to debate at Council. Occasional dates set aside for budget deliberations 	No	Committee of the Whole of Council	N/A	N/A	Monthly, Third Tuesday, 9:00 am
CAO Performance Review Committee (Dir. of H.R.)	<ul style="list-style-type: none"> Advisory committee Meets to oversee annual CAO performance review process and make recommendations to Council. 	No, but set out as method for feedback in CAO contract	2 Councillors plus the Mayor	N/A	N/A	Call of the Chair
External Boards with a Municipal Purpose						
Bluewater Recycling Association	<ul style="list-style-type: none"> Statutory board of management responsible for the oversight of operations and management of the waste collection. St. Marys has a seat on the Board. 	Yes	1	N/A	N/A	Monthly, Third Thursday, 8:30 am
Huron Perth Public Health Board	<ul style="list-style-type: none"> Statutory Board responsible for the oversight of operations and management of the Health Unit. St. Marys has a seat on the Board as a member municipality. 	Yes	1	N/A	N/A	Monthly, First Friday 9:30-am
Library Board (S. Andrews)	<ul style="list-style-type: none"> Statutory local board of management. Responsibilities established in the Public Libraries Act. 	Yes	2 Members from St. Marys Council 1 Member from Perth South Council	1 more than a majority of elected officials appointed (Currently 5)	\$20/meeting	Monthly, up to 10 meetings per year, First Thursday, 6:45 pm
Municipal Shared Services Committee (B. Kittmer)	<ul style="list-style-type: none"> Advisory committee to each of Perth County, City of Stratford, Town of St. Marys. Oversees and administers the shared services agreements. 	No, but required by agreement with County and Stratford	2	N/A	N/A	Quarterly, Third Thursday, 1:30 pm

Committee Name (Staff Liaison)	Function/Role	Statutorily Required?	Council Members on the Committee	Total Members of the Public on the Committee	Remuneration for Members of the Public?	Meeting Day and Time
Spruce Lodge Board	<ul style="list-style-type: none"> Statutory board responsible for the oversight of operations and management of the nursing home. St. Marys has a seat on the Board as a member municipality. 	Yes	2	N/A	\$40/meeting (Spruce Lodge, Committee, SLNPH, SL/HA/Fdn) Mileage \$0.58/km (paid to the Council rep)	
Upper Thames River Conservation Authority	<ul style="list-style-type: none"> Statutory board responsible for the oversight of operations and management of the conservation authority. Perth South, South Huron and St. Marys share one representative on the Board. Representative has been member of the public. 	Yes	Not currently	1	N/A	Monthly, Fourth Tuesday, 9:30 am
Ad-hoc committee for the Procedure By-Law (J. McCartney)	<ul style="list-style-type: none"> Ad-hoc advisory committee. Assist in the review and revision of Council's Procedure By-Law. 	No	3	0	N/A	Call of the Chair
Council Advisory Committees						
Accessibility Advisory Committee (J. McCartney)	<ul style="list-style-type: none"> Advises on matters to improve accessibility and remove barriers. May promote accessibility within the community to increase education and awareness. 	No	1	5	\$20/meeting	Quarterly
Committee of Adjustment (G. Brouwer, M. Dykstra)	<ul style="list-style-type: none"> Quasi-judicial, has decision making authority. Responsible for deciding upon variances from Town planning rules. 	Yes	0	5	\$20/meeting	Monthly, First and Third Wednesday, 6:00 pm (as required)

Committee Name (Staff Liaison)	Function/Role	Statutorily Required?	Council Members on the Committee	Total Members of the Public on the Committee	Remuneration for Members of the Public?	Meeting Day and Time
Community Policing Advisory Committee (B. Kittmer)	<ul style="list-style-type: none"> Review local policing matters in Town, work with service provider to bring forward current policing concerns, review annual budget, complete regular reviews of police service provider. 	No, but required by service agreement with Stratford	2	3	\$20/meeting	Monthly, Third Wednesday, 9:00 am
Green Committee (J. Kelly, M. Dykstra)	<ul style="list-style-type: none"> Advises on matters of environmental importance 	No	1	5	\$20/meeting	Monthly, Fourth Wednesday, 5:30 pm
Heritage Advisory Committee (A. Cubberley)	<ul style="list-style-type: none"> Responsible for reviewing and making recommendations on a number of items including: heritage designations and amendments to designations, demolition of heritage structures, HCDs, reviewing renovation and restoration projects in relation to designated structures, sign by-law permit applications, In addition, the committee: administers the heritage plaque program, maintains the register cultural heritage properties, and supports heritage events and activities. 	Yes	1	5	\$20/meeting	Monthly, Second Monday 6:15 pm
Museum Advisory Committee (A. Cubberley)	<ul style="list-style-type: none"> Approval body required by CMOG funding which includes a municipal council who may be advised by a committee or board of management. Responsible for policies, long range planning, preparing and submitting budgets, collections development, property maintenance, grant applications, and fundraising efforts. 	Somewhat	1	5	\$20/meeting	Every other monthly, Second Wednesday, 7:00 pm
Planning Advisory Committee (G. Brouwer, M. Dykstra)	<ul style="list-style-type: none"> Responsible for review of planning applications, receiving reports from the Town Planner, holding advisory meetings, and making recommendations to Council on whether to approve or deny a planning application. 	Yes	2	3	\$20/meeting	Monthly, First and Third Monday, 6:00 pm (as required)

Committee Name (Staff Liaison)	Function/Role	Statutorily Required?	Council Members on the Committee	Total Members of the Public on the Committee	Remuneration for Members of the Public?	Meeting Day and Time
Property Standards Committee (G. Brouwer)	<ul style="list-style-type: none"> PAC sits as the Property Standards Committee. Quasi-judicial purposes rendering decisions on property standards matters. 	Yes	2	3	\$20/meeting	As required when appeals arise.
Recreation and Leisure Advisory Committee (S. Ische)	<ul style="list-style-type: none"> Responsible for advising on strategies to increase public participation, revenue generation, user experience improvement and to develop recreation and leisure-related programs. 	No	1	5	\$20/meeting	Monthly, Second Thursday, 5:30 pm
Senior Services Advisory Committee (J. Mikita)	<ul style="list-style-type: none"> Responsible to advise staff on all aspects of the provision of senior services and programming in the Municipality of St. Marys & Area, and to promote and maintain communication with the public on senior services needs. 	No	1	9	\$20/meeting	Monthly, Fourth Monday, 1:00 pm
Youth Council (D. Drummond)	<ul style="list-style-type: none"> Recommendation of the Perth4Youth Project. Advisory committee to Council regarding youth related issues. Allows for youth to have input into local governance matters. 	No	1	5-8	\$20/meeting	Monthly, First Friday, 4:00 pm
External Boards and Committees with a Council Liaison						
Business Improvement Area (K. Deeks Johnson)	<ul style="list-style-type: none"> Statutory board responsible for the operations and management of the BIA. 	Yes	1 Member of Council	N/A (voted by membership, appointed by Council)	N/A	Monthly, Second Monday, 6:30 pm
Canadian Baseball Hall of Fame Board	<ul style="list-style-type: none"> Board of management for the CBHFM. 	N/A	1 Member of Council	N/A	N/A	
Huron Perth Local Advisory Committee	<ul style="list-style-type: none"> Local advisory committee to the HPHA. 	N/A	1 Member of Council	N/A	N/A	

Committee Name (Staff Liaison)	Function/Role	Statutorily Required?	Council Members on the Committee	Total Members of the Public on the Committee	Remuneration for Members of the Public?	Meeting Day and Time
St. Marys Cement Community Liaison Committee	<ul style="list-style-type: none"> Advisory committee controlled by St. Marys Cement. 	N/A	2 Members of Council	N/A	N/A	Quarterly, Second Friday, 10:00 am
St. Marys Lincolns Board	<ul style="list-style-type: none"> Board responsible for the oversight of operations and management of the home for Jr. B Club 	N/A	1 Member of Council	N/A	N/A	
St. Marys Minor Hockey Association Board	<ul style="list-style-type: none"> Board responsible for the oversight of operations and management of the minor hockey association 	N/A	1 Member of Council	N/A	N/A	

Committee of Adjustment Terms of Reference

MANDATE

This Committee considers applications for minor variances from the Zoning By-law, applications for land division (consent to sever land), and variances to the fence by-law and any other specified by Council that implements the Official Plan. It is the responsibility of the Secretary-Treasurer to accept all applications for processing, upon submission by the applicant.

Applications to the Committee of Adjustment will be processed in accordance with the requirements of Sections ~~45-44~~ and 53 of the *Planning Act*, applicable regulations (O.Reg. 200/96 and 197/96 as amended) the *Statutory Powers Procedures Act* and Committee of Adjustment procedure.

The Committee is authorized by the *Planning Act* to consider applications for:

- Minor variances from the provisions of the Zoning By-law
- Extensions, enlargements or variations of existing legal non-conforming uses under the Zoning By-law
- Land division (severing a new lot from an existing lot, adding land to an existing lot, easements, mortgages or leases in excess of 21 years)
- Determine whether a particular use conforms with the provisions of the Zoning By-law where the uses of land, buildings or structures permitted in the by-law are defined in general terms

COMMITTEE STRUCTURE

- 5 members of the public appointed by Council.
- Eligible members of the public are those who are entitled to be an elector in the Town under section 17 of the *Municipal Elections Act*. For clarity, members do not necessarily have to be Canadian Citizens, but must reside in St. Marys or be a property owner (personal or business).
- Employees of the Town of St. Marys are not eligible to serve on Town committees. Immediate family members of employees are eligible, but only for Committees where there is no potential for a conflict of interest.

GENERAL RULES OF OPERATION

The Committee is subject to the rules established in Council's Code of Conduct and Council's Procedure By-Law. All meetings of the Committee are open to the public, and rules governing the procedure for Council meetings shall be observed by the Committee insofar as they are applicable.

All appointed members will be voting members, and a quorum of the Committee shall be the majority of those appointed by Council as members of the Committee.

At the first meeting, the members shall determine the preferred day and time for Committee meetings.

If a member is absent from meetings of the Committee for three successive months without being authorized to do so by a resolution of the Council, the position held by the member will consider to be vacated.

Should a vacancy exist on the Committee during the term, Council may appoint a person to fill the vacancy for the unexpired portion of the term.

ROLE OF COMMITTEE CHAIR

A committee Chair and Vice-Chair will be elected yearly from committee members to preside over meetings and committee business.

The Chair's role is to:

- In accordance with the Town's Procedure By-Law, preside at all meetings, and control proceedings and discussion to ensure smooth transition of the business as listed on the agenda.
- Vote on all matters requiring a formal motion.
- ~~Report on the activities of the Committee to Council as required.~~

ROLE OF COMMITTEE MEMBERS

The Committee Members shall:

- Report to the Chair any issues that they feel should be addressed by the Committee.
- Attend and participate in Committee meetings.
- Contribute time, knowledge, skill and expertise during meetings in order to fulfill the Committee's mandate and report their concerns and issues to the Committee.
- Abide by the procedural decisions made by the Chair.
- Disclose any pecuniary interests and conflict of interest per the requirements of the *Municipal Conflict of Interest Act*.
- Actively participate in carrying out the responsibilities of the Committee.
- Be considered to be voting members of the Committee.

ROLE OF STAFF

- Corresponding with members of the Committee.
- Is without voting privileges.
- Act as the Secretary-Treasurer, including meeting package preparation.
- Research reports and prepare meeting packages in co-operation with the Chair.
- Give notice of meetings and prepare all associated correspondence.
- Preserve all records and correspondence in accordance with the Town Records Retention By-law.

- Act as a resource personnel for Town policies and procedures.

REPORTING REQUIREMENTS

Committee minutes are to be provided to the ~~CAO~~/Clerk for insertion on the Council agenda.

FINANCIAL PLANNING

Members of the public serving on the Committee will receive remuneration in the amount of \$20.00 per meeting attended. There will be no remuneration for Council members serving on the Committee.

Reimbursement for travel and other expenses incurred in the performance of Committee duties will be paid in accordance with the Town's policies.

Any financial requirement of the Committee shall be approved by Council prior to expenditure.

FREQUENCY OF MEETINGS

The Committee will meet as applications for Consent to Sever and Minor Variance are deemed complete by the Secretary / Treasurer. ~~Meetings will generally be held at the Municipal Operations Centre, located at 408 James Street South, St. Marys.~~

TERM

The term of the Committee shall coincide with the term of the appointing Council.

Community Policing Advisory Committee Terms of Reference

MANDATE

The Community Policing Advisory Committee (“CPAC”) shall advise and assist Council and the citizens of the Town of St. Marys on matters relating to community policing.

The CPAC’s responsibilities will be analogous to Section 10(9) (b), (c), and (e) of the Police Services Act, including:

- Meeting on a monthly basis, or more frequently if necessary, to advise the Chief of police, or his/her designate, in regards to the needs, objectives and priorities for police services in the Town.
- Establishing, after consultation with the Chief of Police, or his/her designate, any local policies with respect to police services.
- Receiving monthly reports from the Chief of Police, or his/her designate.
- Monitoring the performance of the police services.
- Receiving regular reports from the Chief of Police, or his/her designate on disclosures and decisions made under Section 49 Police Services Act (secondary activities).
- Reviewing the Chief of Police’s administration of the complaints system under Part V of the Police Services Act and receive regular reports from the Detachment Commander or his or her designate on his or her administration of the complaints system.

Further, the responsibilities of the CPAC shall also include:

- Reviewing the annual policing budget submission and recommending to Council to adopt or dispute the annual budget. This includes working with the contract police service provider to resolve any budget concerns prior to making a recommendation to Council to proceed with formal dispute resolution.
- Conducting reviews of the state of the Town’s police service, on such terms of reference as the CPAC may adopt. The first such review shall be after the contract policing has been in effect for one (1) year, and periodically thereafter. The CPAC shall report its findings to Council. At a minimum, the purpose of the review(s) shall be:
 - To evaluate the success of the contract police services in providing adequate and effective police services to the Town;
 - To assess the cost impacts of this contract police services on the Town; and
 - To make any recommendations to the Town and the Police Services Board for the contract services provider as may be appropriate in light of the findings.
- Researching and making recommendations to Council on how best to improve police services in the Town. This includes, but is not limited to, making recommendations to Council in regards to any preferred amendments to the police services agreement when periodic reviews of the contract policing services are completed.
- Selecting one member to represent the Town of St. Marys during Police Service Board meetings of the contract policing service provider. Such attendance will be to advise



the Board with respect to objectives and priorities for the police services in the Town. The representative of the CPAC shall be a non-voting attendee.

The CPAC will **not** be responsible for the following:

- In accordance with Section 31(4) of the Police Services Act, the CPAC cannot interfere with day-to-day operations of the police services. Neither the CPAC as a body, nor any individual member of the CPAC, shall give orders or directions to the Chief of Police, his/her designate, or any member of the police force including administrative or civilian staff.
- Undertaking, supervising, or directing the day to day operations of any Town department;
- Administrative matters including giving directions to any member of Town staff.
- Reviewing the Town's or the police services' staff structure, staff compensation, or other staffing related matters.
- Approving budgets and capital projects.
- Performing project and program implementation.
- Reviewing any matter that may be subject to the Town's closed meeting provisions that is not within the mandate of the CPAC.
- Acting as a forum to debate decided matters of Council, or a forum to organize political advocacy for Council to reconsider decided matters.

COMMITTEE STRUCTURE

The composition of the CPAC is designed to reflect Section 27 (6) of the *Police Services Act* and shall consist of:

- The Mayor, or if the Mayor chooses not to be a member of the CPAC, another member of the Council appointed by Council.
- One further member of the Council appointed by Council.
- 3 members of the public appointed by Council.
- Eligible members of the public are those who are entitled to be an elector in the Town under section 17 of the Municipal Elections Act. For clarity, members do not necessarily have to be Canadian Citizens, but must reside in St. Marys or be a property owner (personal or business).
- Employees of the Town of St. Marys and members of the police services are not eligible to serve on Town committees. Immediate family members of employees are eligible, but only for Committees where there is no potential for a conflict of interest.

GENERAL RULES OF OPERATION

The St. Marys Community Policing Advisory Committee is subject to the control and direction of Council. All meetings of the CPAC are open to the public, and the Procedure By-Law governing the procedures for Council meetings shall be observed by the CPAC. The closed meeting provisions of the *Municipal Act* and the *Police Services Act* apply to meetings of the CPAC.

All appointed CPAC members will be voting members, and a quorum of the CPAC shall be the majority of those appointed by Council as members of the CPAC.

At the first meeting, the members shall determine the preferred day and time for CPAC meetings.

If the CPAC refuses or neglects to give due consideration to any matter assigned to it or before it, it may, by Council resolution, be discharged of its responsibilities.

If a member is absent from meetings of the Committee for three successive months without being authorized to do so by a resolution of the Council, the position held by the member will consider to be vacated.

Should a vacancy exist on the Committee during the term, Council may appoint a person to fill the vacancy for the unexpired portion of the term.

APPOINTMENT OF CHAIR AND VICE CHAIR

The CPAC shall appoint a Chair and Vice Chair in accordance with the procedure set out in Section 28(1) and (2) of the *Police Services Act*. The members of the CPAC shall, at the first meeting held in January of each year, select from amongst its members, a Chair and Vice-Chair for a term of one year.

- The election of the Chair shall be conducted by the Town staff liaison to the CPAC.
- The election of the Vice-Chair shall be conducted by the Chair.
- Any votes required under this section shall be taken as described by the provision of Section 61(1) and (2) of the *Municipal Act*, which requires that each member of the CPAC present shall indicate his or her vote openly, and that no vote be taken by ballot or any other method of secret balloting.

ROLE OF CPAC CHAIR

- In accordance with the Town's Procedure By-Law, preside at all meetings, and control proceedings and discussion to ensure smooth transition of the business as listed on the agenda.
- Vote on all matters requiring a formal motion.
- Report on the activities of the CPAC and of the police services to Council as required.

ROLE OF CPAC MEMBERS

The CPAC members shall:

- Report to the Chair any issues that they feel should be addressed by the CPAC.
- Attend and participate in CPAC meetings.
- Contribute time, knowledge, skill and expertise during meetings in order to fulfill the CPAC's mandate and report their concerns and issues to the CPAC.
- Abide by the procedural decisions made by the Chair.
- Disclose any pecuniary interests and conflict of interest per the requirements of the *Municipal Conflict of Interest Act*.
- Actively participate in carrying out the responsibilities of the CPAC.

- Be considered to be voting members of the CPAC.

ROLE OF TOWN ADMINISTRATIVE STAFF

The CAO/~~Clerk~~, or his/her designate, shall be the staff liaison to the CPAC.

The staff liaison's responsibilities include:

- Corresponding with members of the CPAC.
- Acting as the CPAC Secretary and give notice of meetings and preparing all associated correspondence.
- Preserving all records and correspondence in accordance with the Town Records Retention By-law.
- Acting as a resource personnel for Town policies and procedures.

REPORTING REQUIREMENTS

CPAC minutes are to be provided to the ~~CAO~~/Clerk for insertion on the Council agenda. Recommendations for Council's consideration are to be presented to Council in an appropriate format under signature of the staff liaison~~CAO~~/Clerk.

FINANCIAL RESOURCES OF THE COMMITTEE

Members of the public serving on the CPAC will receive remuneration in the amount of \$20.00 per meeting attended. There will be no remuneration for Council members serving on the CPAC.

Reimbursement for travel and other expenses incurred in the performance of CPAC duties will be paid in accordance with the Town's policies.

Any financial requirement of the CPAC shall be approved by Council prior to expenditure.

FREQUENCY OF MEETINGS:

The CPAC will meet a minimum of monthly, with the exception of the months of July, August and December.

TERM

The term of the CPAC shall coincide with the term of the appointing Council.

Green Advisory Committee Terms of Reference

MANDATE

The Green Committee is committed to educating the residents of St. Marys, advising the municipality and researching issues of environmental importance to the community.

The Committee' focus will be strategic level projects assigned to it by Council. The role of the Committee is to assist in advancing Council's strategic priorities as outlined in the 2017 Strategic Plan and the Recreation and Leisure Master Plan.

Specific duties of the Committee may include:

1. Advise the Municipality of St. Marys on pertinent environmental issues that are within the jurisdiction of the Town, including trails and green spaces.
2. Support approved municipal initiatives with respect to the education of the citizens and to facilitate public perspective on how particular environmental and sustainability issues impact on the community.
3. To review, comment on and provide input during the preparation and implementation of environmental and sustainability plans, strategies and initiatives.
4. To advise on short-term, intermediate and long-term environmental and sustainability strategic initiatives.
5. To raise new, relevant, unexplored environmental/sustainability issues to be considered by the Town.
6. Undertake other environmental projects assigned by Council from time to time.

The Committee will not be responsible for the following:

- Undertaking or directing the daily operations of the Town.
- Administrative matters including directions to staff.
- Reviewing staff structure, staff compensation, or other staffing related matters.
- Preparing, approving or delivering the annual budget and capital projects.
- Performing project and program implementation, unless assigned by Council.
- Reviewing any matter that may be subject to the Town's closed meeting provisions.
- Acting as a forum to debate decided matters of Council, or a forum to organize political advocacy for Council to reconsider decided matters.

COMMITTEE STRUCTURE

- 1 Elected Official as appointed by Council.
- 5 members of the public appointed by Council.
- Eligible members of the public are those who are entitled to be an elector in the Town under section 17 of the Municipal Elections Act. For clarity, members do not necessarily have to be Canadian Citizens, but must reside in St. Marys or be a property owner (personal or business).

- Employees of the Town of St. Marys are not eligible to serve on Town committees. Immediate family members of employees are eligible, but only for Committees where there is no potential for a conflict of interest.
- Eligible members of the public include youth (under 18 years of age) who reside in the Town of St. Marys.

GENERAL RULES OF OPERATION

The Committee is subject to the control and direction of Council. The Committee is subject to the rules established in Council's Code of Conduct and Council's Procedure By-Law. All meetings of the Committee are open to the public, and rules governing the procedure for Council meetings shall be observed by the Committee insofar as they are applicable.

All appointed members will be voting members, and a quorum of the Committee shall be the majority of those appointed by Council as members of the Committee.

At the first meeting, the members shall determine the preferred day and time for Committee meetings.

If the Committee refuses or neglects to give due consideration to any matter assigned to it or before it, the Committee may, by Council resolution, be discharged of its responsibilities.

If a member is absent from meetings of the Committee for three successive months without being authorized to do so by a resolution of the Council, the position held by the member will consider to be vacated.

Should a vacancy exist on the Committee during the term, Council may appoint a person to fill the vacancy for the unexpired portion of the term.

ROLE OF COUNCIL REPRESENTATIVES

- The Council Representative is a participating voting member of the Committee
- The Mayor may attend and participate in Committee meetings as ex officio and shall have voting rights in accordance with the Town Procedure By-law.

ROLE OF COMMITTEE CHAIR

A committee Chair and Vice-Chair will be elected yearly from committee members to preside over meetings and committee business.

The Chair's role is to:

- In accordance with the Town's Procedure By-Law, preside at all meetings, and control proceedings and discussion to ensure smooth transition of the business as listed on the agenda.
- Vote on all matters requiring a formal motion.
- Report on the activities of the Committee to Council as required.

ROLE OF COMMITTEE MEMBERS

The Committee Members shall:

- Report to the Chair any issues that they feel should be addressed by the Committee.
- Attend and participate in Committee meetings.
- Contribute time, knowledge, skill and expertise during meetings in order to fulfill the Committee's mandate and report their concerns and issues to the Committee.
- Abide by the procedural decisions made by the Chair.
- Disclose any pecuniary interests and conflict of interest per the requirements of the *Municipal Conflict of Interest Act*.
- Actively participate in carrying out the responsibilities of the Committee.
- Be considered to be voting members of the Committee.

ROLE OF STAFF

- Corresponding with members of the Committee.
- Is without voting privileges.
- Act as the Committee Secretary and give notice of meetings and prepare all associated correspondence.
- Research reports and prepare meeting packages in co-operation with the Chair.
- Preserve all records and correspondence in accordance with the Town Records Retention By-law.
- Act as a resource personnel for Town policies and procedures.

REPORTING REQUIREMENTS

Committee minutes are to be provided to the ~~CAO~~/Clerk for insertion on the Council agenda. Recommendations for Council's consideration are to be presented to Council in a report format under signature of the supervising Director.

FINANCIAL PLANNING

Members of the public serving on the Committee will receive remuneration in the amount of \$20.00 per meeting attended. There will be no remuneration for Council members serving on the Committee.

Reimbursement for travel and other expenses incurred in the performance of Committee duties will be paid in accordance with the Town's policies.

Any financial requirement of the Committee shall be approved by Council prior to expenditure.

FREQUENCY OF MEETINGS

The Committee will meet a minimum of ~~monthly~~quarterly, with the actual frequency to be determined by the Committee once it is seated.

TERM

The term of the Committee shall coincide with the term of the appointing Council.

Heritage and Culture Advisory Committee Terms of Reference

MANDATE

The Heritage and Culture Advisory Committee is a committee of Council, responsible for advising on heritage, museum and archives, and public art matters. It is a consolidated committee of the former Heritage Advisory Committee, Museum Advisory Committee, and Public Art Committee.

The Heritage and Culture Advisory Committee is a committee appointed by Town Council to advise and make recommendations to Council about St. Marys' built heritage and other heritage features. The committee has a statutory role which is set out in legislation as the following:

- Designations under Part IV of the *Ontario Heritage Act*
- Repeals, amendments of designations
- Alterations or demolition of heritage structures
- Easements or covenants
- Heritage Conservation Districts under Part V of the *Ontario Heritage Act*
- Other heritage matters as directed by the Municipal Council
- Town of St. Marys Official Plan 1987 (consolidated 2007) provides additional authority in Section 2.3.2: Policies including:
 - 2.3.2.1 *Council has established and will continue to maintain a citizen's heritage advisory committee known as "St. Marys Heritage Committee" to advise and assist Council on heritage matters. Council shall continue to consult with the St. Marys Heritage Committee on all matters and development application that pertain to heritage resources.*
 - 2.3.2.2 *The "Heritage Conservation" policies shall apply throughout the Town, where applicable.*

Additionally, the Committee advises Council on matters related to the St. Marys Museum, specifically related to the St. Marys Museum's Strategic Plan and policies as set out by the Ministry of Tourism, Culture and Sport Standards for Community Museums.

Finally, the Committee advises Council on matters related to public art as identified within the Public Art Policy, as amended from time to time by Town Council.

The goals and responsibilities of the Committee include:

Heritage:

1. To identify and record the community's significant heritage features including: built heritage resources, cultural heritage landscapes, heritage conservation districts, archaeological resources and/or areas of archaeological potential that have cultural heritage value or interest.
2. To recommend steps to preserve the local heritage features identified in 1.

3. Recommend properties for heritage designation to Town Council. This includes preparing and reviewing research of properties proposed for designation, statements of designation and text for heritage designation plaques.
4. To interpret this heritage to increase appreciation and understanding of these community assets. Support interpretive activities such as exhibits, newspaper articles and architectural walking tours on occasions such as Doors Open and the Heritage Festival.
5. To maintain and expand reference materials – photographs, reference books, periodicals, catalogues, documents such as deeds, abstracts – that provide resource material for research into St. Marys' heritage.
6. To refer the heritage permit application to the St. Marys Town Council where the Committee deems appropriate.
7. To review, provide comments, recommendation and any terms or conditions to the Chief Building Official, or successor or designate, within sixty (60) days of heritage permit applications for the renovation, restoration, alteration and demolition of *Ontario Heritage Act* Part IV and Part V designated properties as they concern external features of designated buildings and internal features if identified through designation.
8. To review, provide comments, recommendation and any terms or conditions to the Chief Building Official, or successor or designate, on development and site alterations on adjacent lands to protected heritage property to ensure that the heritage attributes of the protected heritage property are conserved.
9. Review the Municipal Register of Cultural Heritage Properties that includes all designated properties and a list of significant, non-designated heritage properties. This includes creating a digital photographic inventory of these properties, including historic photographs.
10. Undertake long term strategic planning, especially regarding the implications of the Heritage District.

Museum:

1. Provide input into the development of the Museum's strategic plan and ongoing review of the pillars and goals outlined.
2. Provide feedback on Museum policies relating to the Ministry of Tourism, Culture and Sport Standards for Community Museums.
3. Advise on any artifact deaccessions as per the St. Marys Museum's Collections Management Policy.

Public Art:

1. Advise and promote communication and outreach of the Public Art Policy to the community.
2. Advise and recommend to Council the selection, acquisition, and deaccession of public art to which this Policy applies.

Additionally, the Committee may undertake special projects assigned to the Committee by Council from time to time. They may also be asked to assist with municipal special events that focus on heritage, culture and public art.

The Committee will not be responsible for the following:

- Undertaking or directing the daily operations of the Town.
- Administrative matters including directions to staff.
- Reviewing staff structure, staff compensation, or other staffing related matters.
- Preparing, approving or delivering the annual budget and capital projects.
- Performing project and program implementation, unless assigned by Council.
- Reviewing any matter that may be subject to the Town's closed meeting provisions.
- Acting as a forum to debate decided matters of Council, or a forum to organize political advocacy for Council to reconsider decided matters.

COMMITTEE STRUCTURE

- 1 Elected Official as appointed by Council.
- 6 members of the public as per the *Ontario Heritage Act*, appointed by Council.
- Eligible members of the public are those who are entitled to be an elector in the Town under section 17 of the *Municipal Elections Act*. For clarity, members do not necessarily have to be Canadian Citizens, but must reside in St. Marys or be a property owner (personal or business).
- Employees of the Town of St. Marys are not eligible to serve on Town committees. Immediate family members of employees are eligible, but only for Committees where there is no potential for a conflict of interest.

GENERAL RULES OF OPERATION

The Committee is subject to the control and direction of Council. The Committee is subject to the rules established in Council's Code of Conduct and Council's Procedure By-Law. All meetings of the Committee are open to the public, and rules governing the procedure for Council meetings shall be observed by the Committee insofar as they are applicable.

All appointed members will be voting members, and a quorum of the Committee shall be the majority of those appointed by Council as members of the Committee.

At the first meeting, the members shall determine the preferred day and time for Committee meetings.

If the Committee refuses or neglects to give due consideration to any matter assigned to it or before it, the Committee may, by Council resolution, be discharged of its responsibilities.

ROLE OF COUNCIL REPRESENTATIVES

- The Council Representative is a participating voting member of the Committee

- The Mayor may attend and participate in Committee meetings as ex officio and shall have voting rights in accordance with the Town Procedure By-law.

ROLE OF COMMITTEE CHAIR

A committee Chair and Vice-Chair will be elected yearly from committee members to preside over meetings and committee business.

The Chair's role is to:

- In accordance with the Town's Procedure By-Law, preside at all meetings, and control proceedings and discussion to ensure smooth transition of the business as listed on the agenda.
- Vote on all matters requiring a formal motion.
- Report on the activities of the Committee to Council as required.

ROLE OF COMMITTEE MEMBERS

The Committee Members shall:

- Report to the Chair any issues that they feel should be addressed by the Committee.
- Attend and participate in Committee meetings.
- Contribute time, knowledge, skill and expertise during meetings in order to fulfill the Committee's mandate and report their concerns and issues to the Committee.
- Abide by the procedural decisions made by the Chair.
- Disclose any pecuniary interests per the requirements of the *Municipal Conflict of Interest Act*.
- Actively participate in carrying out the responsibilities of the Committee.
- Be considered to be voting members of the Committee.

ROLE OF STAFF

- Corresponding with members of the Committee.
- Is without voting privileges.
- Act as the Committee Secretary, including meeting package preparation.
- Research reports and prepare meeting packages in co-operation with the Chair.
- Give notice of meetings and prepare all associated correspondence.
- Preserve all records and correspondence in accordance with the Town Records Retention By-law.
- Act as a resource personnel for Town policies and procedures.

REPORTING REQUIREMENTS

Committee minutes are to be provided to the Clerk for insertion on the Council agenda. Recommendations for Council's consideration are to be presented to Council in a report format under signature of the supervising Director.

FINANCIAL PLANNING

Members of the public serving on the Committee will receive remuneration in the amount of \$20.00 per meeting attended. There will be no remuneration for Council members serving on the Committee.

Reimbursement for travel and other expenses incurred in the performance of the Committee's duties will be paid in accordance with the Town's policies.

Any financial requirement of the Committee shall be approved by Council prior to expenditure.

FREQUENCY OF MEETINGS

The Committee will meet a minimum of quarterly, with the actual frequency to be determined by the Committee once it is seated.

The traditional meeting time of this Committee is the second Wednesday of the month at 6:00 pm.

TERM

The term of the Committee shall coincide with the term of the appointing Council.

Recreation and Leisure Advisory Committee Terms of Reference

MANDATE

The Recreation Advisory Committee shall advise and assist Council and the citizens of the Town of St. Marys on matters relating to recreation and ~~Leisure~~leisure.

The Committee' focus will be strategic level projects assigned to it by Council. The role of the Committee is to assist in advancing Council's strategic priorities as outlined in the 2017 Strategic Plan, the Recreation and Leisure Master Plan, and the Pyramid Recreation Centre Strategic Business plan.

Specific duties of the Committee may include:

1. Review and understand the Town of St. Marys current inventory of recreation and leisure programs, including the costs to deliver the programs and the revenue generated from these programs.
2. Research and make recommendations to Council on strategies to maximize user participation in existing programs/services, increase usage of municipal recreation facilities, and increase overall participation in recreation and leisure programs.
3. Research and make recommendations to Council for new revenue generating strategies related to recreation and leisure.
4. Research and make recommendations to Council on how best to improve the overall user experience at the Town's recreation facilities.
- ~~5.~~ Research and make recommendations to Council regarding how to increase existing partnerships and develop new recreation and Leisure partnerships.
- ~~6.~~ Provide an advocacy on behalf of recreation and leisure users of
- ~~5-7.~~ Promote volunteerism and participation through supporting projects, programs and services related to recreation and leisure.

The Committee will not be responsible for the following:

- Undertaking or directing the daily operations of the Town.
- Administrative matters including directions to staff.
- Reviewing staff structure, staff compensation, or other staffing related matters.
- Preparing, approving or delivering the annual budget and capital projects.
- Performing project and program implementation, unless assigned by Council.
- Reviewing any matter that may be subject to the Town's closed meeting provisions.
- Acting as a forum to debate decided matters of Council, or a forum to organize political advocacy for Council to reconsider decided matters.

COMMITTEE STRUCTURE

- 1 Elected Official as appointed by Council.
- 5 members of the public appointed by Council with consideration given to persons who may receive services from all aspects of the Community Services department from youth to seniors programming.

- Eligible members of the public are those who are entitled to be an elector in the Town under section 17 of the Municipal Elections Act. For clarity, members do not necessarily have to be Canadian Citizens, but must reside in St. Marys or be a property owner (personal or business).
- Employees of the Town of St. Marys are not eligible to serve on Town committees. Immediate family members of employees are eligible, but only for Committees where there is no potential for a conflict of interest.
- Eligible members of the public include youth (under 18 years of age) who reside in the Town of St. Marys.

GENERAL RULES OF OPERATION

The Committee is subject to the control and direction of Council. The Committee is subject to the rules established in Council's Code of Conduct and Council's Procedure By-Law. All meetings of the Committee are open to the public, and rules governing the procedure for Council meetings shall be observed by the Committee insofar as they are applicable.

All appointed members will be voting members, and a quorum of the Committee shall be the majority of those appointed by Council as members of the Committee.

At the first meeting, the members shall determine the preferred day and time for Committee meetings.

If the Committee refuses or neglects to give due consideration to any matter assigned to it or before it, the Committee may, by Council resolution, be discharged of its responsibilities.

If a member is absent from meetings of the Committee for three successive months without being authorized to do so by a resolution of the Council, the position held by the member will consider to be vacated.

Should a vacancy exist on the Committee during the term, Council may appoint a person to fill the vacancy for the unexpired portion of the term.

ROLE OF COUNCIL REPRESENTATIVES

- The Council Representative is a participating voting member of the Committee
- The Mayor may attend and participate in Committee meetings as ex officio and shall have voting rights in accordance with the Town Procedure By-law.

ROLE OF COMMITTEE CHAIR

A committee Chair and Vice-Chair will be elected yearly from committee members to preside over meetings and committee business.

The Chair's role is to:

- In accordance with the Town's Procedure By-Law, preside at all meetings, and control proceedings and discussion to ensure smooth transition of the business as listed on the agenda.
- Vote on all matters requiring a formal motion.
- Report on the activities of the Committee to Council as required.

ROLE OF COMMITTEE MEMBERS

The Committee Members shall:

- Report to the Chair any issues that they feel should be addressed by the Committee.
- Attend and participate in Committee meetings.
- Contribute time, knowledge, skill and expertise during meetings in order to fulfill the Committee's mandate and report their concerns and issues to the Committee.
- Abide by the procedural decisions made by the Chair.
- Disclose any pecuniary interests and conflict of interest per the requirements of the *Municipal Conflict of Interest Act*.
- Actively participate in carrying out the responsibilities of the Committee.
- Be considered to be voting members of the Committee.

ROLE OF STAFF

- Corresponding with members of the Committee.
- Is without voting privileges.
- Act as the Committee Secretary and give notice of meetings and prepare all associated correspondence.
- Research reports and prepare meeting packages in co-operation with the Chair.
- Preserve all records and correspondence in accordance with the Town Records Retention By-law.
- Act as a resource personnel for Town policies and procedures.

REPORTING REQUIREMENTS

Committee minutes are to be provided to the ~~CAO~~/Clerk for insertion on the Council agenda. Recommendations for Council's consideration are to be presented to Council in a report format under signature of the supervising Director.

FINANCIAL PLANNING

Members of the public serving on the Committee will receive remuneration in the amount of \$20.00 per meeting attended. There will be no remuneration for Council members serving on the Committee.

Reimbursement for travel and other expenses incurred in the performance of Committee duties will be paid in accordance with the Town's policies.

Any financial requirement of the Committee shall be approved by Council prior to expenditure.

FREQUENCY OF MEETINGS

The Committee will meet a minimum of ~~monthly~~quarterly, with the actual frequency to be determined by the Committee once it is seated.

The traditional meeting time of this Committee is the third Thursday of the month at 5:30 pm.

TERM

The term of the Committee shall coincide with the term of the appointing Council.