



## **AGENDA**

### **Regular Council Meeting**

June 8, 2021

6:00 pm

Video Conference

Click the following link:

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

**Pages**

**1. CALL TO ORDER**

**2. OPENING & INTRODUCTION TO PATSY DAY**

Ceremony of reflection for the Kamloops Residential School victims

**3. DECLARATIONS OF PECUNIARY INTEREST**

**4. AMENDMENTS AND APPROVAL OF AGENDA**

**RECOMMENDATION**

**THAT** the June 8, 2021 regular Council meeting agenda be accepted as presented.

**5. PUBLIC INPUT PERIOD**

(Public input received by the Clerks Department prior to 4:30 pm on the day of the meeting will be read aloud by the Mayor during this portion of the agenda. Submissions will be accepted via email at [clerksoffice@town.stmarys.on.ca](mailto:clerksoffice@town.stmarys.on.ca) or in the drop box at Town Hall, 175 Queen Street East, lower level.)

**6. DELEGATIONS, PRESENTATIONS, AND PUBLIC MEETINGS**

**6.1. Public Meeting - Zoning By-Law Amendment regarding Accessory Apartments**

Register in advance of the meeting to participate as an "attendee" and observe or participate in the meeting. Upon registering, the attendee will be provided a meeting link to join by computer or alternatively by telephone.

Copy and paste the Zoom Webinar link below into your web browser to register now.

[https://zoom.us/webinar/register/WN\\_mtum9U1NREqdQvW6J4u2sA](https://zoom.us/webinar/register/WN_mtum9U1NREqdQvW6J4u2sA)

**RECOMMENDATION**

**THAT** the June 8, 2021 regular Council meeting be adjourned at \_\_\_\_\_ pm to hold a statutory public meeting as required under the *Planning Act*; and

**THAT** a Public Meeting to consider a planning application for Accessory Apartments be opened at \_\_\_\_\_ pm.

**RECOMMENDATION**

**THAT** this Public Meeting be adjourned at \_\_\_\_\_ pm; and

**THAT** the June 8, 2021 regular Council meeting reconvene at \_\_\_\_\_ pm.

**7. ACCEPTANCE OF MINUTES**

**7.1. Strategic Priorities Committee - May 18, 2021**

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**RECOMMENDATION**

**THAT** the May 18, 2021 Strategic Priorities Committee meeting minutes be accepted by Council and signed and sealed by the Mayor and the Clerk; and

**THAT** item 4.1 from the minutes, Fireworks By-law, be raised for discussion; and

**THAT** item 4.2 from the minutes, Animal Control Services Agreement, be raised for discussion; and

**THAT** item 4.4 from the minutes, Re-allocation of 2019 Provincial one-time modernization funding, be raised for discussion.

#### **7.1.1. Fireworks By-Law**

##### **RECOMMENDATION**

**THAT** Council consider By-law 57-2021 being a by-law to prohibit and regulate the sale of fireworks and the setting off of fireworks and pyrotechnics in the Town of St. Marys.

#### **7.1.2. Animal Control Services Agreement**

##### **RECOMMENDATION**

**THAT** Council receives the recommendation from the Strategic Priorities Committee regarding a 3-year agreement with the Humane Society Kitchener Waterloo & Stratford Perth; and

**THAT** Council defer the recommendation to agenda item 9.2.1, ADMIN 24-2021 Agreement with Humane Society Kitchener Waterloo & Stratford Perth for Animal Control Services.

#### **7.1.3. Reallocation of 2019 Provincial One-Time Modernization Funding**

##### **RECOMMENDATION**

**THAT** Council approves reallocating \$216,614 of 2019 One-Time Modernization funds to the following projects:

- Building/Development Department Property Files Digitization (if not funded by other sources)
- Corporate Services IT Strategy (if not funded by other sources)
- Human Resources Recruiting System
- PRC Capacitor Installation
- PRC Refrigeration Controls Replacement
- Childcare Centre Playground Astro Turf; and

**THAT** Council approves the use of the 2021 capital budget allocation for energy upgrades, as required, for the PRC Capacitor Installation and PRC Refrigeration Controls Replacement.

**RECOMMENDATION**

**THAT** the May 25, 2021 regular Council meeting minutes be approved by Council and signed and sealed by the Mayor and the Clerk.

**8. CORRESPONDENCE**

**8.1. Krissy Nickle re: Truth and Reconciliation Commission Calls to Action**

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Further action provided in agenda item 12.1, Notices of Motion

**RECOMMENDATION**

**THAT** the correspondence from Krissy Nickle regarding the Truth and Reconciliation Commission Calls to Action be received.

**9. STAFF REPORTS**

**9.1. Building and Development Services**

**9.1.1. DEV 24-2021 Accessory Apartment Units in St. Marys – Zoning Regulations Update**

26

**RECOMMENDATION**

*Provided no significant concerns are raised by the public or members of Council at the statutory public meeting.*

**THAT** DEV 24-2021 Accessory Apartment Units in St. Marys – Zoning Regulations Update be received;

**THAT** Council approve the proposed amendments to the Zoning By-law related to accessory apartment units; and

**THAT** Council consider Zoning By-law Amendment No. Z144-2021.

**9.1.2. DEV-23 2021 177 Church St. S. (Museum) Façade Maintenance**

34

**RECOMMENDATION**

**THAT** DEV-23 2021 177 Church St. S. (Museum) Façade Maintenance; and,

**THAT** the procurement for Museum Façade Maintenance be awarded to Mekker Construction Ltd. o/a Zero Defects for the procured price of \$44,861.00, inclusive of all taxes and contingencies; and,

**THAT** Council authorize the Chief Administrative Officer to sign the associated agreement.

**9.2. Administration**

**9.2.1. ADMIN 24-2021 Agreement with Humane Society Kitchener Waterloo & Stratford Perth for Animal Control Services**

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**RECOMMENDATION**

**THAT** ADMIN 24-2021 Agreement with Humane Society Kitchener Waterloo & Stratford Perth for Animal Control Services report be received; and

**THAT** Council delegate the authority to the Chief Administrative Officer to negotiate such changes to bring the agreement to its final form; and

**THAT** Council consider By-law 58-2021 for the execution of an agreement for animal control services with Humane Society Kitchener Waterloo & Stratford Perth; and

**THAT** Council authorize the Mayor and the Clerk to sign the associated agreement once the Chief Administrative Officer confirms the agreement to be in final form.

**9.2.2. ADMIN 26-2021 Update on Town Services Reopening Plan**

53

**RECOMMENDATION**

**THAT** ADMIN 26-2021 Update on Town Services Reopening Plan be received for information.

**9.3. Community Services**

**9.3.1. DCS 19-2021 June is Seniors Month 60**

**RECOMMENDATION**

**THAT** DCS 19-2021 June is Seniors Month report be received;  
and

**THAT** Council proclaim the month of June as Seniors Month in  
the Town of St. Marys.

**9.3.2. DCS 20-2021 June is Recreation and Parks Month 63**

**RECOMMENDATION**

**THAT** DCS 20-2021 June is Recreation and Parks Month be  
received; and

**THAT** Council proclaim the month of June as Recreation and  
Parks Month in the Town of St. Marys.

**9.4. Public Works**

**9.4.1. PW 44-2021 Request to Amend the Tree Donation Policy 66**

**RECOMMENDATION**

**THAT** PW 44-2021 Request to Amend the Tree Donation Policy  
be received; and,

**THAT** Council amend the Tree Donation Program Policy as per  
Attachment A: Amended Tree Donation Program Policy.

9.4.2.	<b>PW 45-2021 Sole Source Request for Turf to Park N Play Design</b>	73
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**RECOMMENDATION**

**THAT** PW 45-2021 Sole Source Request for Turf to Park N Play Design be received; and,

**THAT** the procurement for artificial turf for the Childcare Centre playground be awarded to Park N Play Design for the procured price of \$37,986.98, inclusive of all taxes and contingencies; and,

**THAT** Council approves the unbudgeted amount as identified in PW 45-2021 report; and,

**THAT** Council consider By-Law 54- 2021 and authorize the Mayor and the Clerk to sign the associated agreement.

**10. COUNCILLOR REPORTS**

**10.1. Operational and Board Reports**

**RECOMMENDATION**

**THAT** agenda items 9.1.1 to 9.1.6 and 9.2.1 to 9.2.16 be received.

10.1.1.	<b>Bluewater Recycling Association - Coun. Craigmile</b>	78
	May 20, 2021 Highlights	
10.1.2.	<b>Library Board - Coun. Craigmile, Edney, Mayor Strathdee</b>	87
	May 6, 2021 Minutes	
10.1.3.	<b>Municipal Shared Services Committee - Mayor Strathdee, Coun. Luna</b>	
10.1.4.	<b>Huron Perth Public Health - Coun. Luna</b>	
10.1.5.	<b>Spruce Lodge Board - Coun. Luna, Pridham</b>	90
	April 21, 2021 Minutes	
10.1.6.	<b>Upper Thames River Conservation Authority</b>	

## **10.2. Advisory and Ad-Hoc Committee Reports**

- 10.2.1. Accessibility Advisory Committee - Coun. Hainer**
- 10.2.2. Business Economic Support and Recovery Task Force - Mayor Strathdee, Coun. Edney**
- 10.2.3. Business Improvement Area - Coun. Winter** 94  
May 10, 2021 Minutes
- 10.2.4. CBHFM - Coun. Edney**
- 10.2.5. Committee of Adjustment**
- 10.2.6. Community Policing Advisory Committee - Coun. Winter, Mayor Strathdee** 99  
May 19, 2021 Minutes
- 10.2.7. Green Committee - Coun. Pridham** 102  
May 26, 2021 Minutes
- 10.2.8. Heritage Advisory Committee - Coun. Pridham**
- 10.2.9. Huron Perth Healthcare Local Advisory Committee - Coun. Luna**
- 10.2.10. Museum Advisory Committee - Coun. Hainer** 105  
May 12, 2021 Minutes
- 10.2.11. Planning Advisory Committee - Coun. Craigmile, Hainer**
- 10.2.12. Recreation and Leisure Advisory Committee - Coun. Pridham**
- 10.2.13. Senior Services Advisory Committee - Coun. Winter**
- 10.2.14. St. Marys Lincolns Board - Coun. Craigmile**
- 10.2.15. St. Marys Cement Community Liaison Committee - Coun. Craigmile, Winter**



May 14, 2021 Minutes

**11. EMERGENT OR UNFINISHED BUSINESS**

**12. NOTICES OF MOTION**

**12.1. Councillor Pridham re: Financial Contribution Tk'emlúps te Secwépemc First Nation**

As per section 12.1 of the Procedure By-law, 20 of 2016, a Notice of Motion pertaining to a matter that has not been dealt with previously by Council will be presented on the current agenda, but will not be received and debated by Council until the next following meeting being June 22, 2021.

**RECOMMENDATION**

**THAT** Council for the Town of St. Marys is committed to continuously improving our community's inclusiveness and diversity; and

**THAT** the Town of St. Marys make a financial contribution in the amount of \$2,150.00 to the Tk'emlúps te Secwépemc First Nation to assist with their efforts to recover and reinter the 215 children buried at the site of the Kamloops Residential School; and

**THAT** the Town of St. Marys send correspondence to MP John Nater requesting that the Federal Government take concrete action to support survivors, families and all Indigenous peoples affected by Residential Schools, and take action to advance the Canadian Truth and Reconciliation Commission's 94 Call to Action recommendations.

**13. BY-LAWS**

**RECOMMENDATION**

**THAT** By-Laws 56-2021, 57-2021, 58-2021 and Z144-2021 be read a first, second and third time; and be finally passed by Council, and signed and sealed by the Mayor and the Clerk.

**13.1. By-Law 56-2021 Agreement with Park N Play Design for Artificial Turf** 111

**13.2. By-Law 57-2021 Fireworks** 112

13.3.	By-Law 58-2021 Agreement with Humane Society Kitchener Waterloo & Stratford Perth	127
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13.4.	Z144-2021 Accessory Apartment Update	128
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**14. UPCOMING MEETINGS**

June 15, 2021 - 9:00 am, Strategic Priorities Committee

June 22, 2021 - 6:00 pm, Regular Council and Public Meeting

June 29, 2021 - 9:00 am, Special Meeting of Council

<b>15.</b>	<b>CONFIRMATORY BY-LAW</b>	<b>130</b>
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**RECOMMENDATION**

**THAT** By-Law 59-2021, being a by-law to confirm the proceedings of June 8, 2021 regular Council meeting be read a first, second and third time; and be finally passed by Council and signed and sealed by the Mayor and the Clerk.

**16. ADJOURNMENT**

**RECOMMENDATION**

**THAT** this regular meeting of Council adjourns at \_\_\_\_\_ pm.



**MINUTES**  
**Strategic Priorities Committee**

May 18, 2021

9:00 am

Town Hall, Council Chambers

Council Present: Mayor Strathdee (in-person)  
Councillor Craigmile (videoconference)  
Councillor Edney (videoconference)  
Councillor Hainer (videoconference)  
Councillor Luna (videoconference)  
Councillor Pridham (videoconference)  
Councillor Winter (in-person)

Staff Present: **In-Person**  
Brent Kittmer, Chief Administrative Officer  
Jenna McCartney, Clerk  
**Conference Line**  
Richard Anderson, Director of Emergency Services / Fire Chief

**1. CALL TO ORDER**

Chair Strathdee called the meeting to order at 9:00 am.

**3. AMENDMENTS AND APPROVAL OF THE AGENDA**

**Resolution 2021-05-18-01**

**Moved By:** Councillor Edney

**Seconded By:** Councillor Pridham

**THAT** the May 18, 2021 Strategic Priorities Committee agenda be accepted as presented.

**CARRIED**

**4. STRATEGIC PRIORITIES REVIEW**

**4.1 FD 07-2021 Fireworks By-law**

Chief Anderson presented FD 07-2021 report.

The Committee discussed the details of the by-law and the proposed set fines.

**Resolution 2021-05-18-02**

**Moved By:** Councillor Luna

**Seconded By:** Councillor Edney

**THAT** FD 07-2021 Fireworks By-law report be received for discussion; and

**THAT** the Strategic Priorities Committee recommends to Council:

**THAT** Council consider the revised draft by-law to prohibit and regulate the sale of fireworks and the setting off of fireworks and pyrotechnics in the Town of St. Marys at a subsequent meeting for approval.

**CARRIED**

**4.2 ADMIN 17-2021 Animal Control Review**

Jenna McCartney presented ADMIN 17-2021 report.

The Committee is of the consensus that a further report back is required regarding the following:

- permitting requirements for urban chickens including licensing, quantities per dwelling, zoning restrictions, enclosure provisions
- enhanced prohibited animal list

**Resolution 2021-05-18-03**

**Moved By:** Councillor Winter

**Seconded By:** Councillor Luna

**THAT** ADMIN 17-2021 Animal Control Review report be received; and

**THAT** the Strategic Priorities Committee recommends to Council:

**THAT** Council enter into a 3-year agreement with the Human Society Kitchener Waterloo Stratford Perth for animal control services.

**CARRIED**

**4.3 2021 Priorities Review**

Council was of the consensus that, due to time limitations, that the presentation of priorities be expedited with a full presentation at a later date.

Brent Kittmer presented the key points 2021 priorities review and answered Council questions.

**Resolution 2021-05-18-04**

**Moved By:** Councillor Hainer

**Seconded By:** Councillor Pridham

**THAT** the 2021 Priorities Review presentation be received for information.

**CARRIED**

The Committee took a brief break at 10:55 am.

Chair Strathdee called the meeting back to order at 11:05 am.

**4.4 ADMIN 18-2021 Re-Allocation of 2019 Provincial One-Time Modernization Funding**

Brent Kittmer presented ADMIN 18-2021 report.

**Resolution 2021-05-18-05**

**Moved By:** Councillor Hainer

**Seconded By:** Councillor Craigmile

**THAT** ADMIN 18-2021 Re-allocation of 2019 Provincial One-Time Modernization Funds be received; and

**THAT** the Strategic Priorities Committee recommends to Council:

**THAT** Council approves reallocating \$216,614 of 2019 One-Time Modernization funds to the following projects:

- Building/Development Department Property Files Digitization (if not funded by other sources)
- Corporate Services IT Strategy (if not funded by other sources)
- Human Resources Recruiting System
- PRC Capacitor Installation
- PRC Refrigeration Controls Replacement
- Childcare Centre Playground Astro Turf; and

**THAT** Council approves the use of the 2021 capital budget allocation for energy upgrades, as required, for the PRC Capacitor Installation and PRC Refrigeration Controls Replacement.

**CARRIED**

**5. CLOSED SESSION**

**Resolution 2021-05-18-06**

**Moved By:** Councillor Edney

**Seconded By:** Councillor Luna

**THAT** the Strategic Priorities Committee moves into a session that is closed to the public at 11:17 am as authorized under the Municipal Act, Section 239(2)(c) a proposed or pending acquisition or disposition of land by the municipality or local board.

**CARRIED**

**5.1 ADMIN 19-2021 CONFIDENTIAL Land Purchase Matter**

**6. RISE AND REPORT**

Chair Stratthdee reported that a closed session was held and one matter was discussed with staff being given direction. There is nothing further to report at this time.

**Resolution 2021-05-18-08**

**Moved By:** Councillor Winter

**Seconded By:** Councillor Edney

**THAT** the Strategic Priorities Committee rises from a closed session at 12:05 pm.

**CARRIED**

**7. NEXT MEETING**

Chair Stratthdee reviewed the upcoming meeting as presented on the agenda.

**8. ADJOURNMENT**

**Resolution 2021-05-18-09**

**Moved By:** Councillor Hainer

**Seconded By:** Councillor Luna

**THAT** this meeting of the Strategic Priorities Committee adjourns at 12:06 pm.

**CARRIED**

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Al Stratthdee, Mayor

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Jenna McCartney, Clerk



## **MINUTES Regular Council**

May 25, 2021

6:00pm

Town Hall, Council Chambers

Council Present: Mayor Strathdee (in-person)  
Councillor Craigmile (videoconference)  
Councillor Edney (videoconference)  
Councillor Hainer (videoconference)  
Councillor Winter (in-person)

Council Absent: Councillor Luna  
Councillor Pridham

Staff Present: **In-Person**  
Brent Kittmer, Chief Administrative Officer  
Jenna McCartney, Clerk

**Conference Line**  
Andy Anderson, Director of Emergency Services / Fire Chief  
Grant Brouwer, Director of Building and Development  
Stephanie Ische, Director of Community Services  
Jed Kelly, Director of Public Works  
Lisa Lawrence, Director of Human Resources  
André Morin, Director of Corporate Services / Treasurer

### **1. CALL TO ORDER**

Mayor Strathdee called the meeting to order at 6:00 pm.

### **2. DECLARATIONS OF PECUNIARY INTEREST**

Councillor Edney declared a conflict of interest for agenda item 5.2 due to his role as Co-Chair with the St. Marys Committee of the United Way Perth Huron.

### **3. AMENDMENTS AND APPROVAL OF AGENDA**

**Resolution 2021-05-25-01**

**Moved By** Councillor Craigmile

**Seconded By** Councillor Edney

**THAT** the May 25, 2021 regular Council meeting agenda be accepted as presented.

**CARRIED**

**4. PUBLIC INPUT PERIOD**

None submitted.

**5. DELEGATIONS, PRESENTATIONS, AND PUBLIC MEETINGS**

**5.1 Ontario Clean Water Agency re: 1st Quarter Reporting**

Adam McClure and Jackie Muller presented the first quarter water and wastewater report and responded to questions from Council.

**Resolution 2021-05-25-02**

**Moved By** Councillor Winter

**Seconded By** Councillor Craigmile

**THAT** the delegation from Ontario Clean Water Agency regarding the first quarter water and wastewater reporting be received.

**CARRIED**

Council took a brief recess at 6:11 pm so that staff could rectify a live stream technical concern.

Mayor Strathdee called the meeting back to order at 6:12pm through a new live stream feed to the St. Marys YouTube channel.

**5.2 United Way Perth Huron re: 2021 Local Update**

Ryan Erb presented the 2021 local update from the United Way Perth Huron and responded to questions from Council.

Councillor Edney vacated his responsibilities as a member of Council to participate in the presentation in his official capacity as a representative of the local United Way Community Committee.

**Resolution 2021-05-25-03**

**Moved By** Councillor Hainer

**Seconded By** Councillor Craigmile

**THAT** the delegation from United Way Perth Huron regarding the 2021 local update be received.

**CARRIED**



### **5.3 Community Safety and Well-being Plan**

Kim McElroy, Acting Inspector David Sinko, and Chief Skinner presented the Community Safety and Well-being Plan to Council and responded to questions.

**Resolution 2021-05-25-04**

**Moved By** Councillor Edney

**Seconded By** Councillor Craigmile

**THAT** the delegation regarding the Community Safety and Well-being Plan be received.

**CARRIED**

## **6. ACCEPTANCE OF MINUTES**

### **6.1 Regular Council - May 11, 2021**

**Resolution 2021-05-25-05**

**Moved By** Councillor Winter

**Seconded By** Councillor Edney

**THAT** the May 11, 2021 regular Council meeting minutes be approved by Council and signed and sealed by the Mayor and the Clerk.

**CARRIED**

## **7. CORRESPONDENCE**

### **7.1 St. Marys Youth Council re: Acknowledgement of Town Council's Resolution to Raise the Pride Flag**

**Resolution 2021-05-25-06**

**Moved By** Councillor Hainer

**Seconded By** Councillor Craigmile

**THAT** the correspondence received from St. Marys Youth Council regarding the decision of Town Council to raise the Pride flag be received.

**CARRIED**

## **8. STAFF REPORTS**

### **8.1 Administration**

#### **8.1.1 ADMIN 20-2021 May Monthly Report (Administration)**

Brent Kittmer and Jenna McCartney presented ADMIN 20-2021 report.

**Resolution 2021-05-25-07**

**Moved By** Councillor Edney

**Seconded By** Councillor Craigmile

**THAT** ADMIN 20-2021 May Monthly Report (Administration) be received for information.

**CARRIED**

**8.1.2 ADMIN 21-2021 Adoption of Community Safety and Well-being Plan**

Jenna McCartney presented ADMIN 21-2021 report.

**Resolution 2021-05-25-08**

**Moved By** Councillor Edney

**Seconded By** Councillor Craigmile

**THAT** ADMIN 21-2021 Adoption of Community Safety and Well-being Plan report be received; and

**THAT** Council adopt the Community Safety and Well-being Plan 2021 – 2024.

**CARRIED**

**8.2 Building and Development Services**

**8.2.1 DEV 21-2021 May Monthly Report (Building and Development)**

Grant Brouwer presented DEV 21-2021 report.

**Resolution 2021-05-25-09**

**Moved By** Councillor Craigmile

**Seconded By** Councillor Edney

**THAT** DEV 21-2021 May Monthly Report (Building and Development) be received for information.

**CARRIED**

**8.3 Community Services**

**8.3.1 DCS 17-2021 May Monthly Report (Community Services)**

Stephanie Ische presented DCS 17-2021 report.

**Resolution 2021-05-25-10**

**Moved By** Councillor Hainer

**Seconded By** Councillor Edney

**THAT** DCS 17-2021 May Monthly Report (Community Services) be received for information.

**CARRIED**

**8.4 Corporate Services**

**8.4.1 COR 23-2021 May Monthly Report (Corporate Services)**

André Morin presented COR 23-2021 report.

**Resolution 2021-05-25-11**

**Moved By** Councillor Hainer

**Seconded By** Councillor Craigmile

**THAT** COR 23-2021 May Monthly Report (Corporate Services) be received for information.

**CARRIED**

**8.5 Fire and Emergency Services**

**8.5.1 FD 08-2021 May Monthly Report (Emergency Services)**

Chief Anderson presented FD 08-2021 report.

**Resolution 2021-05-25-12**

**Moved By** Councillor Winter

**Seconded By** Councillor Edney

**THAT** FD 08-2021 May Monthly Report (Emergency Services) be received for information.

**CARRIED**

**8.6 Human Resources**

**8.6.1 HR 06-2021 May Monthly Report (Human Resources)**

Lisa Lawrence presented HR 06-2021 report.

**Resolution 2021-05-25-13**

**Moved By** Councillor Winter

**Seconded By** Councillor Edney

**THAT** HR 06-2021 May Monthly Report (Human Resources) be received for information.

**CARRIED**

**8.7 Public Works**

**8.7.1 PW 42-2021 May Monthly Report (Public Works)**

Jed Kelly presented PW 42-2201 report.

**Resolution 2021-05-25-14**

**Moved By** Councillor Hainer

**Seconded By** Councillor Edney

**THAT** PW 42-2021 May Monthly Report (Public Works) be received for information.

**CARRIED**

**9. EMERGENT OR UNFINISHED BUSINESS**

None.

**10. NOTICES OF MOTION**

None.

**11. BY-LAWS**

**Resolution 2021-05-25-15**

**Moved By** Councillor Edney

**Seconded By** Councillor Winter

**THAT** By-Law 51-2021 be read a first, second and third time; and be finally passed by Council and signed and sealed by the Mayor and the Clerk.

**CARRIED**

**11.1 By-Law 51-2021 Appoint Municipal Law Enforcement Officers and Amend By-law 22-2020**

**12. UPCOMING MEETINGS**

Mayor Strathdee reviewed the upcoming meeting as presented on the agenda.

Council took a brief break at 8:04 pm.

Mayor Strathdee called the meeting back to order at 8:12 pm.

### **13. CLOSED SESSION**

#### **Resolution 2021-05-25-16**

**Moved By** Councillor Hainer

**Seconded By** Councillor Edney

**THAT** Council move into a session that is closed to the public at 8:13 pm as authorized under the *Municipal Act*, Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees, and (c) a proposed or pending acquisition or disposition of land by the municipality or local board.

**CARRIED**

#### **13.1 Minutes CLOSED SESSION**

#### **13.2 ADMIN 22-2021 CONFIDENTIAL Committee Appointment (Recreation and Leisure Advisory Committee)**

#### **13.3 ADMIN 23-2021 CONFIDENTIAL Request for Consent to Land Sale (481 Water Street South)**

### **14. RISE AND REPORT**

#### **Resolution 2021-05-25-17**

**Moved By** Councillor Edney

**Seconded By** Councillor Craigmile

**THAT** Council rise from a closed session at 8:31 pm.

**CARRIED**

Mayor Strathdee reported that a closed session was held with three items being discussed.

Council will now consider each matter in open session by way of a motion.

#### **14.1 Land Purchase Matter (14 Church Street)**

##### **Resolution 2021-05-25-18**

**Moved By** Councillor Hainer

**Seconded By** Councillor Edney

**THAT** By-Law 53-2021, being a by-law to delegate authority to the Chief Administrative Officer and to authorize the Mayor and the Clerk to execute closing documents, be read a first, second and third time; and be finally passed by Council and signed and sealed by the Mayor and the Clerk.

**CARRIED**

**14.2 Committee Appointment**

**Resolution 2021-05-25-19**

**Moved By** Councillor Craigmile

**Seconded By** Councillor Winter

**THAT** By-Law 52-2021, being a by-law to amend 95-2018 by removing Darcy Drummond from the Recreation and Leisure Advisory Committee, be read a first, second, and third time and be finally passed by Council and signed and sealed by the Mayor and the Clerk.

**CARRIED**

**14.3 Request for Consent to Land Sale (481 Water Street South)**

**Resolution 2021-05-25-20**

**Moved By** Councillor Hainer

**Seconded By** Councillor Edney

**THAT** Council provides their consent to Gail Kenworthy-Forman and Andy Forman to sell 481 Water Street South

**CARRIED**

**15. CONFIRMATORY BY-LAW**

**Resolution 2021-05-25-21**

**Moved By** Councillor Hainer

**Seconded By** Councillor Craigmile

**THAT** By-Law 54-2021, being a by-law to confirm the proceedings of May 25, 2021 regular Council meeting be read a first, second and third time; and be finally passed by Council and signed and sealed by the Mayor and the Clerk.

**CARRIED**

**16. ADJOURNMENT**

**Resolution 2021-05-25-22**

**Moved By** Councillor Hainer

**Seconded By** Councillor Craigmile

**THAT** this regular meeting of Council adjourns at 8:34 pm.

**CARRIED**

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Al Strathdee, Mayor

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Jenna McCartney, Clerk

Dear Mayor Strathdee, et al.,

I'm writing to request that the Town of St. Marys honour the memory of the 215 children whose lives were lost at the Kamloops Indian Residential School by lowering the Town flags to half-mast for whatever length of time befits a national tragedy of this magnitude.

I would also invite the Town to take this opportunity to recognize and adopt the nine Truth and Reconciliation Commission Calls to Action which directly reference municipal governments. I have attached a reference to those Calls to Action to this email.

Thank you for your consideration in this matter.

Sincerely,  
Krissy Nickle



## **Truth and Reconciliation Calls to Action**

### **Related to municipalities**

Nine Calls to Action were identified by the **Federation of Canadian Municipalities**, as containing the word 'Municipal' or 'all levels of government' in them:

#40 We call on all levels of government, in collaboration with Aboriginal people, to create adequately funded and accessible Aboriginal-specific victim programs and services with appropriate evaluation mechanisms.

#43 We call upon federal, provincial, territorial and municipal governments to fully adopt and implement the [United Nations Declaration on the Rights of Indigenous Peoples](#) as the framework for reconciliation.

#47 We call upon federal, provincial, territorial and municipal governments to repudiate concepts used to justify European sovereignty over Indigenous peoples and lands, such as the Doctrine of Discovery and terra nullius, and to reform those laws, government policies, and litigation strategies that continue to rely on such concepts

#57 We call upon federal, provincial, territorial and municipal governments to provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights and anti-racism.

#64 We call upon all levels of government that provide public funds to denominational schools to require such schools to provide an education on comparative religious studies, which must include a segment on Truth and Reconciliation Commission of Canada Aboriginal spiritual beliefs and practices developed in collaboration with Aboriginal Elders.

#75 We call upon the federal government to work with provincial, territorial and municipal governments, churches, Aboriginal communities, former residential school students, and current landowners to develop and implement strategies and procedures for the ongoing identification, documentation, maintenance, commemoration and protection of residential school cemeteries or other sites at which residential school children were buried. This is to include the provision of appropriate memorial ceremonies and commemorative markers to honour the deceased children.

#77 We call upon provincial, territorial, municipal and community archives to work collaboratively with the National Centre for Truth and Reconciliation to identify and collect copies of all records relevant to the history and legacy of the residential school system, and to provide these to the NCTR.

#87 We call upon all levels of government, in collaboration with Aboriginal peoples, sports halls of fame, and other relevant organizations, to provide public education that tells the national story of Aboriginal athletes in history.

#88 We call upon all levels of government to take action to ensure long-term Aboriginal athlete development and growth, and continued support for the North American Indigenous Games, including funding to host the games and for provincial and territorial team preparation and travel.

## FORMAL REPORT

<b>To:</b>	Mayor Stratthdee and Members of Council
<b>Prepared by:</b>	Mark Stone, Planner
<b>Date of Meeting:</b>	8 June 2021
<b>Subject:</b>	<b>DEV 24-2021 Accessory Apartment Units in St. Marys – Zoning Regulations Update</b>

### PURPOSE

The purpose of this report is to: review proposed amendments to the Zoning By-law; consider information and comments provided by Town staff, agencies and the public; and consider recommendation(s) to Council with respect to the further processing of this Application.

### RECOMMENDATION

***Provided no significant concerns are raised by the public or members of Council at the statutory public meeting.***

**THAT** DEV 24-2021 Accessory Apartment Units in St. Marys – Zoning Regulations Update be received;

**THAT** Council approve the proposed amendments to the Zoning By-law related to accessory apartment units; and

**THAT** Council consider Zoning By-law Amendment No. Z144-2021.

### BACKGROUND

Accessory apartments are private, self-contained units with kitchen and bathroom facilities within dwellings or accessory structures, and typically take the form of basement apartments or apartments above garages. The *Planning Act* requires municipal official plans to authorize, and zoning by-laws to implement, second units in detached, semi-detached and row houses if an ancillary building or structure does not contain a second unit; and in a building or structure ancillary to these housing types provided that the primary dwelling does not contain a second unit.

Strategic Pillar 6, Housing, of the Town's Strategic Plan states that "*the recent County labour market survey indicates an acute shortage of skilled workers, particularly in the 'blue collar' and agricultural sectors. The one barrier to supplying that labour is housing options. There need to be housing options that are affordable, attainable and even include rentals. This solution might also partially encourage youth and cultural practitioners to consider St. Marys as the place to live, work and play*". A Strategic Priority under Pillar 6 is exploring alternative forms of housing and this may include accessory apartments in accessory buildings.

In recent years, the Town of St. Marys has identified the shortage of attainable housing as an important issue and has prioritized the creation of accessory apartments to bring a wider variety of housing options into the local market. On October 9, 2018, Council passed Zoning By-law No. Z130-2018 to add provisions to the Town's Zoning By-law to permit accessory apartments in the Town. The following definition of 'accessory apartment' was added to the By-law:

*Accessory Apartment means a separate dwelling unit, which is located within and subordinate to a single-detached, a semi-detached, or row or townhouse dwelling.*

A new Section 5.1 was added to the General Provisions section of the Zoning By-law to regulate attached and detached accessory apartments. Subsection 5.1.1 sets out regulations for accessory apartments located within or attached to a single detached, semi-detached or townhouse dwelling.

*5.1.1 In a Single-detached, Semi-detached or Row or Townhouse Dwelling*

*A maximum of one accessory apartment is permitted per lot in any single-detached, semi-detached or row or townhouse dwelling provided that:*

- (a) The maximum gross floor area of the accessory apartment shall not exceed 40 percent of the gross floor area of the main building (including the gross floor area of the accessory apartment) and shall not exceed 100 m<sup>2</sup> (1,076 ft<sup>2</sup>);*
- (b) A home occupation is prohibited in any accessory apartment;*
- (c) An accessory apartment is prohibited on any lot where a garden suite dwelling exists;*
- (d) The lot is serviced by municipal water and sanitary sewer services; and,*
- (e) The establishment of a new accessory apartment on any lot located east of the CNR tracks and north of Trout Creek is prohibited until a secondary means of access to these lands is available.*

Subsection 5.1.2 sets out regulations for accessory apartments located in an accessory building or structure.

*5.1.2 In an Accessory Building or Structure*

*Alternatively, the accessory apartment may be permitted in an accessory building or structure on the lot in accordance with Section 5.1.1 and provided that:*

- (a) There is an existing single-detached, semi-detached or row or townhouse dwelling on the lot;*
- (b) The size of the lot is a minimum of 1,000 m<sup>2</sup>;*
- (c) The accessory building or structure complies with minimum front, rear, interior side and exterior side yard requirements for the main building in the applicable zone; and,*
- (d) The accessory building or structure complies with the building height and lot coverage requirements of Sections 5.1.4 and 5.1.5.*

Section 5.21.1.1 of the Zoning By-law was amended to require one parking space per accessory apartment.

Since the addition of these regulations to allow for accessory apartments, Town staff has monitored the appropriateness of these provisions and have identified issues and areas for improvement. Town staff has also consulted with the development and building industry, the real estate industry and residents to identify issues and constraints to the establishment of accessory apartments.

On April 27, 2021, Council received Formal Report DEV 20-2021 regarding this matter and directed staff to proceed with a public meeting to consider amendments to the Town's Zoning By-law.

It is also noted that the proposed new Town of St. Marys Community Improvement Plan (to be reviewed at a public meeting on June 22, 2021) includes an Accessory Dwelling Unit Grant intended to support a greater mix and size of housing types in the Town, and the increased availability of attainable rental

housing accommodation. The proposed grant will provide one-time assistance to help offset project costs for the construction of an:

- interior accessory apartment dwelling unit within an existing principal dwelling unit or as an addition thereto; or,
- exterior accessory apartment dwelling unit within an existing or new detached accessory structure.

## **REPORT**

This section provides a discussion of issues with existing zoning regulations pertaining to accessory apartments. Town staff has also conducted a review of best practices in other municipalities to assist with the analysis of these issues and to identify recommended changes to the Zoning By-law.

### Issue #1 – Maximum Floor Area

Section 5.1.1(a) of the Town's Zoning By-law states that "*the maximum gross floor area of the accessory apartment shall not exceed 40 percent of the gross floor area of the main building (including the gross floor area of the accessory apartment) and shall not exceed 100 square metres (1,076 ft<sup>2</sup>)*". The purpose of this regulation was, in part, to ensure that accessory dwelling units are subordinate to the main residential use and building on a property, including in terms of function and appearance.

A review of best practices in other municipalities is summarized as follows:

- Meaford and Mississauga – maximum of 50% of the total gross floor area of the building
- Vaughan – maximum of 45% of the total gross floor area of the building
- Toronto – 45% but unit may occupy entirety of basement in a bungalow
- Centre Wellington – 45% of the floor area of the principal dwelling but no more than 100 m<sup>2</sup>. (floor area does not include stairs, landings, cold cellars, garages and carports)
- Brantford – accessory dwelling units located at or above grade shall not be larger than 50% of the gross floor area for the principal dwelling or 110 square metres, whichever is lesser. If located in the basement of the principal dwelling the accessory dwelling unit may occupy the entire basement area.

Through consultation, there was general consensus that the maximum floor area should be increased. Staff have discussed and are recommending 45 percent and maintain the maximum floor area of 100 square metres for any accessory apartment, recognizing that property owners will have the option to request relief from the Committee of Adjustment for special circumstances.

It is also recommended that the provisions regulating apartment size not apply to units located in a basement or cellar.

### Issue #2 – Minimum Lot Size

Section 5.1.2(b) of the Town's Zoning By-law requires a minimum lot size of 1,000 square metres for any accessory apartment in a detached building. The intent of this regulation was based on the view that two separate buildings with dwelling units is only appropriate on larger sized lots. The purpose of this regulation was to also ensure that an appropriate amount of open space / amenity area could be maintained.

A review of best practices in other municipalities revealed that most municipalities do not prohibit accessory apartments in detached buildings based on lot size. On this basis, it is recommended that the Town consider removing the minimum lot size requirement, provided that appropriate regulations are maintained based on lot coverage, setbacks and building height (see Issue #3).

### Issue #3 –Setbacks, Building Height and Lot Coverage for Detached Accessory Apartments

Based on a review of other Zoning By-laws, most municipalities restrict the size, scale and location of detached accessory apartments.

## Setbacks

Subsection 5.1.2 (c) of St. Marys Zoning By-law requires that a detached accessory apartment comply with the minimum front, rear, interior side and exterior side yard requirements for the main building in the applicable zone. For reference, the following is a summary of required setbacks (in metres) in the Residential Zone One (R1), Two (R2), Three (R3) and Four (R4) Zones for one-storey single detached dwellings with attached garages.

Zone	Front	Exterior Side	Interior Side	Rear
R1	7.5	7.5	3 and 2.4	7.5
R2	6	6	1.2	7.5
R3	6	6	1.2	7.5
R4	6	6	1.2	7.5

In discussions with the industry and some property owners, the consensus was that the requirements for the main building are too onerous when applied to detached accessory apartments, in particular the rear yard requirement. The Kitchener Zoning By-law requires a 0.6 metre minimum setback from rear and interior side lot lines and prohibits detached accessory apartments in front and exterior side yards. In Kingston, the minimum rear and interior side yard setback is 1.2 metres provided the unit does not exceed the maximum height requirement for accessory buildings (ranges from 4.5 to 5.0 metres) and provided that a solid privacy fence is installed and maintained.

It is recommended that the following existing setback requirements for accessory buildings and structures apply to detached accessory apartments:

### 5.1.3A Location

- (a) *all accessory buildings and structures shall comply with the minimum front yard requirement for the main building on the lot or be located to the rear of the front wall of the existing main building on the lot, whichever is greater;*
- (b) *all accessory buildings and structures shall be required to comply with the side and rear yard requirements for the zone in which they are located as set out in this By-law;*
- (c) *accessory buildings and structures shall not be structurally attached to a main building in any way and they shall be located at a distance of not less than 1.0 metres from the main building. The provisions of this Section shall not apply to standby generators or air conditioning/ventilation devices;*
- (d) *notwithstanding the foregoing, in any Residential Zone One (R1), Residential Zone Two (R2), Residential Zone Three (R3), or Residential Zone Four (R4) a detached garage or other accessory building may be erected and used in a rear yard provided it is located not less than 1.0 metres from any lot line;*
- (e) *where an accessory building or structure is built on a corner lot, it shall be no closer to the front lot line than permitted by Clause (a) above and no closer to the exterior side lot line than the minimum exterior side yard distance required for the main building under this By-law.*

## Building Height and Lot Coverage

Subsection 5.1.2 (d) of St. Marys Zoning By-law requires that a detached accessory apartment comply with the building height requirements of Section 5.1.4 (for accessory buildings and structures).

#### **5.1.4A Height**

*Except as otherwise provided in this By-law, no accessory building or structure shall exceed 4.5 metres in height or be higher than the main building on the lot, whichever is the lesser.*

*This provision shall not apply to the Agricultural Zone One (A1).*

The majority of other Zoning By-laws surveyed apply the same height restriction for accessory buildings and structures to detached accessory apartments. It is recommended that the Town maintain this regulation.

Subsection 5.1.2 (d) of St. Marys Zoning By-law require that a detached accessory apartment comply with the lot coverage requirements of Section 5.1.5 (for accessory buildings and structures).

#### **5.1.5A Coverage**

(a) *The total lot coverage of all accessory buildings and structures on a lot shall not exceed 10 per cent of the lot area.*

(b) *Notwithstanding the above paragraph (a), the total lot coverage of all accessory buildings and structures on a lot in any Residential Zone One (R1), Residential Zone Two (R2), Residential Zone Three (R3), or Residential Zone Four (R4) shall not exceed 10 per cent of the lot area or 50 square metres whichever is the lesser.*

*In a R1, R2, R3, or R4 zone with a lot area of 1,050 square metres or more, shall not exceed 5% of the lot area or 115 square metres, whichever is the lesser.*

*For the purpose of Section 5.1.5 (a) and 5.1.5 (b), the area of a swimming pool that is not enclosed by a building or structure shall not be included in the calculation of lot coverage.*

It is recommended that the Town maintain this regulation with respect to lot coverage.

## **COMMUNICATIONS**

Notice of Public Meeting for the proposed Zoning By-law Amendment appeared in the St. Marys Independent on May 13, 2021 and was circulated to those agencies as prescribed by Regulation. Information related to this Application has also been provided on the Town's Current Planning / Development Applications webpage throughout the review process.

At the time of preparing this report, the Town had not received any formal comments from Town departments or external agencies in response to the notice circulation, with the exception of a letter from the Chippewas of the Thames First Nation dated May 27, 2021 noting minimal concerns with the information provided.

## **SUMMARY OF RECOMMENDATIONS**

The following is a summary of recommendations respecting accessory apartment regulations in the Town's Zoning By-law.

Section	Existing Regulation	Discussion
3.1	Accessory Apartment means a separate dwelling unit, which is located within and subordinate to a single-detached, a semi-detached, or row or townhouse dwelling.	<u>Preliminary recommendation</u> : no change
In a Single-detached, Semi-detached or Row or Townhouse Dwelling		

Section	Existing Regulation	Discussion
5.1.1	A maximum of one accessory apartment is permitted per lot in any single-detached, semi-detached or row or townhouse dwelling provided that:	<p><u>Preliminary recommendation:</u> remove reference to “per lot” to remove any confusion respecting permitting accessory apartments in condominium developments (e.g. condominium townhouses)</p> <p><u>Proposed changes to regulation:</u></p> <p><i>A maximum of one accessory apartment is permitted <del>per lot</del> in any single-detached, semi-detached or row or townhouse dwelling provided that:</i></p>
	(a) The maximum gross floor area of the accessory apartment shall not exceed 40 percent of the gross floor area of the main building (including the gross floor area of the accessory apartment) and shall not exceed 100 m <sup>2</sup> (1,076 ft <sup>2</sup> )	<p><u>Preliminary recommendations:</u></p> <ul style="list-style-type: none"> <li>increase maximum floor area from 40 to 45% but no change to 100 m<sup>2</sup> maximum</li> <li>add wording to exempt dwelling units in basements or cellars from these regulations</li> </ul> <p><u>Proposed changes to regulation:</u></p> <p><i>(a) The maximum gross floor area of the accessory apartment shall not exceed <b>45</b> <del>40</del> percent of the gross floor area of the main building (including the gross floor area of the accessory apartment) and shall not exceed 100 m<sup>2</sup> (1,076 ft<sup>2</sup>). <b>This does not apply to an accessory apartment located entirely in a basement or cellar.</b></i></p>
	(b) A home occupation is prohibited in any accessory apartment.	<u>Preliminary recommendation:</u> no change
	(c) An accessory apartment is prohibited on any lot where a garden suite dwelling exists.	<u>Preliminary recommendation:</u> no change
	(d) The lot is serviced by municipal water and sanitary sewer services; and,	<u>Preliminary recommendation:</u> no change
	(e) The establishment of a new accessory apartment on any lot located east of the CNR tracks and north of Trout Creek is prohibited until a secondary means of access to these lands is available.	<u>Preliminary recommendation:</u> no change
<i>In an Accessory Building or Structure</i>		
5.1.2	Alternatively, the accessory apartment may be permitted in an accessory building or structure on the lot in accordance with Section 5.1.1 and provided that:	
	(a) There is an existing single-detached, semi-detached or row or townhouse dwelling on the lot;	<u>Preliminary recommendation:</u> no change
	(b) The size of the lot is a minimum of 1,000 m <sup>2</sup> ;	<u>Preliminary recommendation:</u> delete subsection (b)



Section	Existing Regulation	Discussion
	(c) The accessory building or structure complies with minimum front, rear, interior side and exterior side yard requirements for the main building in the applicable zone; and,	<p><u>Preliminary recommendation:</u> change to require same setbacks as accessory buildings and structures</p> <p><u>Proposed changes to regulation:</u></p> <p><i>(c) The accessory building or structure complies with <b>Section 5.1.3A</b> minimum front, rear, interior side and exterior side yard requirements for the main building in the applicable zone; and,</i></p>
	(d) The accessory building or structure complies with the building height and lot coverage requirements of Sections 5.1.4 and 5.1.5.	<p><u>Preliminary recommendation:</u> no change</p>
5.8	<p><b>Dwelling Units Below Grade</b></p> <p>No dwelling unit shall, in its entirety, be located in a cellar. If any portion of a dwelling unit is located in a cellar, such portion of the dwelling unit shall be used only as a furnace room, laundry room, storage or utility room, recreation room, bedroom subject to applicable Building Code requirements, or for a similar use. However, a dwelling unit, in its entirety, may be located in a basement subject to applicable Building Code requirements.</p> <p>This section shall not apply to an accessory apartment.</p>	<p><u>Preliminary recommendation:</u> change to clearly indicate that an accessory apartment is permitted below grade</p> <p><u>Proposed changes to regulation:</u></p> <p><i>Dwelling Units Below Grade</i></p> <p><i>No dwelling unit shall, in its entirety, be located in a cellar <b>with the exception of an accessory apartment.</b> If any portion of a dwelling unit is located in a cellar, such portion of the dwelling unit shall be used only as a furnace room, laundry room, storage or utility room, recreation room, bedroom subject to applicable Building Code requirements, or for a similar use. However, a dwelling unit, in its entirety, may be located in a basement subject to applicable Building Code requirements.</i></p> <p><b><i>This section shall not apply to an accessory apartment.</i></b></p>

## FINANCIAL IMPLICATIONS

None known at this time.

## SUMMARY

The proposed amendments to the Zoning By-law are in conformity with the Town's Official Plan and will clarify certain sections and address regulations determined to be too restrictive in the By-law.

Based on the discussion in this report, it is recommended that Council approve the proposed Zoning By-law Amendment if no significant concerns are raised by the public or members of Council at the statutory public meeting.

## STRATEGIC PLAN

☒ This initiative is supported by the following priorities, outcomes, and tactics in the Plan.

- Pillar #6 Housing:
  - Outcome: In order to get the 'right demographic mix' for St. Marys, it will be essential to ensure housing stock is flexible and attractive for youth, workers, immigrants and persons of all abilities.



## **OTHERS CONSULTED**

N/A

## **ATTACHMENTS**

Zoning By-law Z144-2021 is listed under the "By-law" section of the agenda

## **REVIEWED BY**

### **Recommended by the Department**



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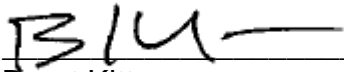
Mark Stone  
Planner



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Grant Brouwer  
Director of Building and Planning

### **Recommended by the CAO**



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Brent Kittmer  
Chief Administrative Officer

# PROCUREMENT AWARD

<b>To:</b>	Mayor Stratthdee and Members of Council
<b>Prepared by:</b>	Ray Cousineau, Facilities Supervisor
<b>Date of Meeting:</b>	8 June 2021
<b>Subject:</b>	<b>DEV-23 2021 177 Church St. S. (Museum) Façade Maintenance</b>

## PROJECT DETAILS

The project components of the Barn area include: replacement of the wooden entry door, repainting of exterior walls and re-parging retaining wall. The project components of the Main Building include: repointing of the foundation, re-staining of heavy timber roof structure, repairs to Limestone walls, re-stain vertical cedar siding, repaint wood soffits, paint exterior and refurbish wood windows.

## RECOMMENDATION

**THAT** DEV-23 2021 177 Church St. S. (Museum) Façade Maintenance; and,

**THAT** the procurement for Museum Façade Maintenance be awarded to Mekker Construction Ltd. o/a Zero Defects for the procured price of \$44,861.00, inclusive of all taxes and contingencies; and,

**THAT** Council authorize the Chief Administrative Officer to sign the associated agreement.

## PROCUREMENT SUMMARY

A procurement document was administered for the above noted project. The following is a summary of the procurement results, as well as a recommendation for a successful proponent:

Procurement Information	Details and Results
Procurement Title:	RFQ-DEV-03-2021
Tender Closing Date:	Wednesday, May 26, 2021
Number of Bids Received:	six (6)
Successful Proponent:	Mekker Construction Ltd o/a Zero Defects
Approved Project Budget:	\$110,000.00
Cost Result – Successful Bid (Inclusive of HST):	\$44,861.00
Cost Result – Successful Bid (Inc. Net of HST rebate):	\$40,398.72
Project Over-budget (Net of HST)	\$69,601.28 (Under Budget)

The procurement document submitted by Zero Defects was found to be complete, contractually acceptable, and ultimately provided the best value for the municipality.

Council will note that the winning bid is well below budget, and staff have investigated to ensure that the contractor understands the project and is reputable. Zero Defects attended the site meeting to assess the scope of work. Follow up with the three (3) references, showed that Zero Defects were a

competent contractor, able to handle the scope of work dictated for this project. All references would use Zero Defects again stating they adhered to the budget and scope of work of their projects.

In today's environment, there are various reasons why bids tend to vary drastically. In some cases, proponents may be looking to open up new markets, the overhead may be less than other companies or they may be looking for a project to keep their workers busy and employed. As well, access to materials and supplies will in some cases significantly impact the price of bids.

The bid price in this case is significantly lower than our budget and the competitors bids, however, staff are satisfied the scope of work can be properly delivered by this bidder.

As such, staff recommends award of the project to Mekker Construction Ltd. o/a Zero Defects.

## FINANCIAL IMPLICATIONS

The funding source for the above noted project is as follows:

01-0800-3012 General Capital Reserve	\$40,398.72
Tender over-budget (if needed)	n/a
Total	<b>\$40,398.72</b>

## STRATEGIC PLAN

☒ This initiative is supported by the following priorities, outcomes, and tactics in the Plan.

- Pillar #1: Maintenance prioritization
  - Outcome: Given the large number of Town-owned heritage assets, a maintenance schedule ought to be agreed to by Council in prioritizing which of these assets will be the recipient of discretionary funding
  - Tactic(s): Prioritize heritage assets, in terms of importance and develop maintenance schedule and budget accordingly

## OTHERS CONSULTED

André Morin, Director of Corporate Services / Treasurer

## ATTACHMENTS

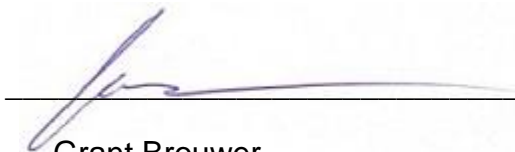
1. Bid Summary

## REVIEWED BY

### Recommended by the Department

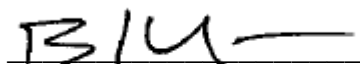


Ray Cousineau  
Supervisor of Facilities



Grant Brouwer  
Director of Building & Development

### Recommended by the CAO



Brent Kittmer  
Chief Administrative Officer

**VENDOR OPENING SUMMARY SHEET**

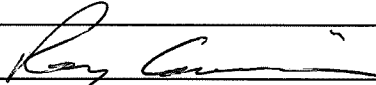
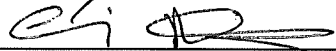
CONTRACT NO: RFQ-DEV-03-2021

TITLE: Museum Façade Maintenance

May 26 2021 MOC 2:30 PM

(prices include HST)

NO	VENDOR	DATE	TIME	AMOUNT
1	Adems Restoration	May 26/21	8:14am	110,740.00
2	B.A. Construction & Restoration Inc	May 26/21	1pm	136,956.00
3	Bartlett Restoration Ltd.	May 26/21	8:07am	98,745.05
4	Colonial Building Restoration	May 26/21	11:11am	160,832.90
5	ConstructConnect			
6	Feltz Design Build			
7	Hastings Painting Corporation			
8	Jeffrey Custom Masonry Ltd.			
9	Living Stone Painting Inc.			
10	Northern Tool and Die	May 26/21	10:22am	106,926.25
11	Roof Tile Management Inc.			
12	TMR Restoration & Construction Inc.			
13	Zero Defects	May 26/21	2:17pm	\$ 44,861.00
14				
15				
16				
17				
18				
19				
20				

Opened By:   
Recorded By: 

## FORMAL REPORT

<b>To:</b>	Mayor Stratthdee and Members of Council
<b>Prepared by:</b>	Jenna McCartney, Clerk
<b>Date of Meeting:</b>	8 June 2021
<b>Subject:</b>	<b>ADMIN 24-2021 Agreement with Humane Society Kitchener Waterloo &amp; Stratford Perth for Animal Control Services</b>

### PURPOSE

To present Council with the finalized version of the agreement with Humane Society Kitchener Waterloo & Stratford Perth for animal control services, and to seek Council's authorization to enter into the three-year agreement.

### RECOMMENDATION

**THAT** ADMIN 24-2021 Agreement with Humane Society Kitchener Waterloo & Stratford Perth for Animal Control Services report be received; and

**THAT** Council delegate the authority to the Chief Administrative Officer to negotiate such changes to bring the agreement to its final form; and

**THAT** Council consider By-law 58-2021 for the execution of an agreement for animal control services with Humane Society Kitchener Waterloo & Stratford Perth; and

**THAT** Council authorize the Mayor and the Clerk to sign the associated agreement once the Chief Administrative Officer confirms the agreement to be in final form.

### BACKGROUND

Council authorized an interim agreement with the Humane Society Kitchener Waterloo & Stratford Perth (HSKWSP) for animal control services from September to December 2020.

At the May 18, 2021 Strategic Priorities Committee meeting, the Committee received a draft agreement for consideration and passed the following resolution.

#### **Resolution 2021-05-18-03**

**Moved By:** Councillor Winter

**Seconded By:** Councillor Luna

**THAT** ADMIN 17-2021 Animal Control Review report be received; and

**THAT** the Strategic Priorities Committee recommends to Council:

**THAT** Council enter into a 3-year agreement with the Human Society Kitchener Waterloo Stratford Perth for animal control services.

## REPORT

Staff have consulted with HSKWSP to finalize the details of the animal control service agreement for 2021-2023. A few minor amendments to the draft agreement are presented below as an FYI to Council.

Section	Change	Reason
2.10	Protective Care Provision	Responsibilities that are bestowed upon HSKWSP by legislation.
3.1	Hours of Operation <ul style="list-style-type: none"><li>M-F, now 9-pm</li><li>S &amp; S, emergency services only</li></ul>	Based on current hours.
6.4	Reciprocal indemnification clause	At request of HSKWSP *Final details pending direction from Town's insurer.
Schedule A	Inclusion of <i>Animals for Research Act</i>	At request of HSKWSP
Schedule B	Inclusion of fee provision for night provision and extended patrol hours.	At request of HSKWSP

Staff are recommending that Council approve the 3-year agreement with HSKWSP for animal control services.

## FINANCIAL IMPLICATIONS

2021 animal control service \$9,081.28

## SUMMARY

Following the May 18, 2021 Strategic Priorities Committee meeting, staff are presenting the final version of the animal control services agreement with Humane Society Kitchener Waterloo & Stratford Perth for Council's consideration.

## STRATEGIC PLAN

☒ Not applicable to this report.

## OTHERS CONSULTED


Humane Society Kitchener Waterloo Stratford Perth – Executive Director, and Licensing and By-Law Manager

## ATTACHMENTS

Animal Control Service Agreement

## **REVIEWED BY**

### **Recommended by the Department**



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Jenna McCartney  
Clerk

### **Recommended by the CAO**



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Brent Kittmer  
Chief Administrative Officer

THIS AGREEMENT made this \_\_\_\_ day of \_\_\_\_\_, 2021

BETWEEN:

THE CORPORATION OF THE TOWN OF ST. MARYS

Hereinafter called the "Town"

OF THE FIRST PART

-and-

THE HUMANE SOCIETY OF KITCHENER WATERLOO & STRATFORD PERTH, carrying on business as "Stratford-Perth Humane Society"

Hereinafter called the "Humane Society",

OF THE SECOND PART

**WHEREAS** the Humane Society is a registered non-profit charitable organization established for the purpose of promoting the humane treatment of, and the prevention of cruelty to, animals, and subject to the *Provincial Animal Welfare Services Act, 2019, S.O. 2019, c.13-Bill 136* ("PAWS");

**AND WHEREAS** the *Municipal Act, 2001* and other provincial legislation contain provisions relating to animals, including provisions authorizing municipalities to pass by-laws relating to animals;

**AND WHEREAS** the Council of The Corporation of the Town of St. Marys has passed and will hereafter pass by-laws relating to animals;

**AND WHEREAS** under agreement, the Town has contracted certain animal services including the Town's pound keeper on behalf of the Town;

**AND WHEREAS** the Humane Society currently owns land at 125 Griffith Road, Stratford herein referred to as "the Land", and owns the animal shelter building and its fixtures and equipment herein referred to as the "Animal Shelter" located on the Land, and uses the Land and Animal Shelter for its operations as a Humane Society in addition to the provision of Animal Services under agreement to the Town;

**AND WHEREAS** the Parties hereto deem it desirable that the Humane Society provide the Animal Services to the Town for a fee pursuant to the terms and conditions as set out herein;

**NOW THEREFORE** for good and valuable consideration, the Parties hereto covenant and agree as follows:

## **1.0 DEFINITIONS**

1.1 "Animal" means any member of the domestic or wild animal kingdom, other than a human.

1.2 "Animal Control Officer" means a person or class of person employed by the Humane Society and designated by By-law of the Town appointed by a person to which the power of appointment may be delegated by By-law of the Town to enforce Town by-laws and legislation respecting animals, as listed in Schedule "A" of this agreement and as



amended, from time to time.

- 1.3 "Animal Services" means the services provided by the Humane Society for the Town as set out in Part 2.0 of the agreement.
- 1.4 "Domestic" in a relation to an animal means an animal kept by a person for pleasure or companionship.
- 1.5 "Protective Care" means care provided when an animal has been removed from a home, usually by the police, where the owner is deceased, incarcerated or hospitalized.
- 1.6 "Stray period" means as defined in the Pounds Act; R.S.O. 1990, c. P.17.
- 1.7 "Veterinarian" means a person registered under the Veterinarians Act; R.S.O. 1990, c. V.3.

## **2.0 ANIMAL SERVICES**

The Humane Society shall provide the Animal Services for the Town as identified in this Agreement.

- 2.1 The Humane Society shall enforce the Town's by-laws as listed in Schedule "A" (which forms part of this Agreement) respecting animals including Town by-laws regarding licensing, running at large, number of pets, cat identification, biting dogs, pet shops / kennels, exotic animals, noise complaints, animal waste, animal control and keeping of animals and shall also enforce the *Dog Owner's Liability Act* R.S.O. 1990, c. D. 16.
- 2.2 The Humane Society shall employ and supervise qualified Animal Control Officers and shall provide such officers with training, vehicles, uniforms and communication equipment and to pay all costs of such officers, training, vehicles, uniforms and communication equipment. The scheduling of shifts of the Animal Control Officers shall be as provided for in this Agreement and may be revised as mutually agreed upon by the Town and the Humane Society from time to time.
- 2.3 The Humane Society shall ensure that veterinarian services are available at all times to provide necessary treatment to any impounded animal.
- 2.4 The Humane Society shall provide and operate an Animal Shelter within the City of Stratford for stray domestic animals, equipped with suitable ventilation, heating, and cooling facilities and all other equipment necessary for the proper operation of an Animal Shelter to provide for the comfort of the animals in accordance with applicable law.
- 2.5 The Humane Society shall provide the ability to segregate animals from the general population, as may be ordered by the Medical Officer of Health, or any other person or persons having the authority to order the quarantine of animals, for the period of time so required.
- 2.6 The Humane Society shall provide for adoption or final disposition of all unclaimed animals after the stray periods have expired.
- 2.7 The Humane Society shall dispose of animals found dead or lawfully impounded and lawfully destroyed, pursuant to applicable law.

- 2.8 The Humane Society shall receive, impound and hold for claiming by the lawful owners, any domestic animal delivered to the Humane Society's Animal Shelter or captured, received or impounded by Animal Control Officers or other duly authorized persons and to dispose of unclaimed domestic animals by adoption or destruction in accordance with this agreement.
- 2.9 The Humane Society shall release any impounded animal from the Animal Shelter once the animal is registered and identified, if applicable, according to Town by-laws.
- 2.10 Where an animal is being held under Protective Care, or the subsequent impoundment period, the Humane Society shall:
- 2.10.1 Make all reasonable efforts to maintain contact with the owner of every Protective Care Animal to ensure that it returns home or is placed with an alternative care giver as designated by the owner.
  - 2.10.2 Except as provided for in 2.10.3, keep every Protective Care Animal for 120 hours, (excluding the 3 day on which the Protective Care Animal is held) then transfer the animal to impounded status, at which time the Pounds Act shall apply.
  - 2.10.3 Despite 2.10.2, euthanize and dispose of any Protective Care Animal prior to the expiration of 120 hours if, in the opinion of a duly licensed veterinarian, it is advisable to do so and where reasonable efforts to locate and receive approval from the owner of the animal have failed.
  - 2.10.4 Provide veterinary care to Protective Care Animals as required to sustain the life of the animal and/or relieve undue pain and suffering.
- 2.11 The Humane Society shall collect from the lawful owner or his/her authorized agent and retain all pound fees and destruction fees levied by the Humane Society in accordance with the fees established by the Humane Society.
- 2.12 The Humane Society shall provide for the licensing and registering of dogs and cats adopted from the Humane Society to residents of the Town pursuant to applicable Town by-laws, collect and retain license and registration fees as provided for in this Agreement, provide tags, and maintain a licensing and registration database in respect of which the Humane Society shall adopt an access to information policy analogous to the access regime under the *Municipal Freedom of Information and Protection of Privacy Act*. The Humane Society acknowledges that such a database is intended to be, subject to any other applicable privacy law, a record under the control of the Town for purposes of the *Municipal Freedom of Information and Protection of Privacy Act*. The Humane Society shall comply with all applicable privacy law with respect to all of its employees and volunteers, directors and agents.
- 2.13 Without limiting the foregoing, the Humane Society shall ensure that an Animal Control Officer and/or Animal Care staff shall respond and take appropriate action with respect to all requests for services in the Town which relate to:
- 2.13.1 Animals entrapped by Animal Control Officers, Animal Care staff, or Town staff to be freed and properly released or disposed of in accordance with applicable law.
  - 2.13.2 Dead animals on Town streets and lands, to be collected and disposed of in

- accordance with applicable law.
- 2.13.3 Sick or injured animals or animals that are dangerous to the public on Town streets and lands in accordance with applicable law.
- 2.13.4 Dead animals on private property in the Town, to be collected and disposed of in accordance with applicable law and subject to a disposal fee at the Humane Society's discretion as set by the Humane Society.
- 2.13.5 Nuisance, domestic cats, dogs and cats found at large, licensing of dogs and cats and control and keeping of animals in the Town, in accordance with applicable law.
- 2.13.6 Possible dog or cat attacks or threatening situations on another animal, person
- 2.14 Wildlife nuisance calls to the Humane Society may be referred to wildlife professionals.
- 2.15 The Humane Society shall ensure that when on duty, Animal Control Officers shall:
- 2.15.1 Be dressed in a suitable uniform and carry an appropriate identification badge.
- 2.15.2 Respond to and investigate complaints, provide warnings where appropriate, obtain evidence, and lay charges as required.
- 2.15.3 Appear and give evidence in enforcement proceedings as required on behalf of the Town.
- 2.16 The Humane Society shall ensure that Animal Control Officers shall investigate all incidents involving dog aggression and where appropriate shall assist the Town with proceedings under the applicable Town By-laws and/or *Dog Owners' Liability Act*, R.S.O. 1990, c. D. 16. including the pit bull provisions of the Act, and any regulations thereunder, as amended from time to time or any successor thereto.
- 2.17 The Humane Society shall ensure that where a dog or cat found at large has been apprehended, the Animal Control Officer takes appropriate action, which may include:
- 2.17.1 Reasonable attempts to return the dog or cat to the lawful owner,
- 2.17.2 Such actions as required to ensure that a license is purchased if the dog or cat at large is unlicensed.
- 2.17.3 Impounding a dog or cat the Animal Shelter as deemed necessary by the Human Society.
- 2.17.4 During an appropriate offence notice under the *Provincial Offences Act* R.S.O. 1990. c. P. 33. or other applicable legislation.
- 2.18 The Humane Society shall ensure that a qualified Animal Control Officer assesses all stray injured domestic animals and determines whether veterinarian care is required and to arrange for appropriate veterinarian case to alleviate pain/suffering of the animals.
- 2.19 The Humane Society shall promote a better understanding of animal control issues with citizens and promote the Town 's by-laws, the benefits of spaying and neutering of dogs and cats, promote the sale of identification tags as provided for in the Town's

Animal Control By-law at every opportunity and to undertake such other public education of animal issues for residents of the Town of St. Marys as deemed appropriate in consultation with the Town.

2.20 The Humane Society shall ensure that no animals impounded at the Animal Shelter are knowingly released for research purposes.

### **3.0 SERVICE HOURS**

The Humane Society shall provide the Animal Services pursuant to this Agreement in accordance with the following minimum performance standards.

3.1 The Humane Society shall provide Animal Control Services, including answering telephone calls, between the hours of:

- |   |                         |
|---|-------------------------|
| 3.1.1 Monday to Friday (holidays excepted)    | 9:00 am and 5:00 pm     |
| 3.1.2 Saturday and Sunday (holidays excepted) | Emergency Services Only |
| 3.1.3 Holidays                                | Emergency Services Only |

3.2 The Humane Society shall provide animal control officers sufficient to render the services required under this Agreement and shall provide sufficient staff to meet the provisions of service for St. Marys.

3.3 The Humane Society shall operate and keep open to the public, the Animal Shelter during the following days and times:

- |  |   |
|--|---|
| 3.3.1 Monday to Friday (holidays excepted)   | 10:00 am to 5:00 pm   |
| 3.3.2 Saturday (holidays excepted)   | 12:00 Noon to 4:00 pm   |
| 3.3.3 Sunday (holidays excepted)   | 12:00 Noon to 4:00 pm (not open to the public but staff available should public require access to take in animal) |
| 3.3.4 Holiday hours as determined by the Humane Society and to be published for the awareness of the public. |   |

3.4 The Humane Society shall respond to emergency services telephone calls in the Town of St. Marys on a 24-hour, 7-days per week, 52-weeks per year basis that this Agreement is in effect. An answering service may be used during the hours that the Animal Shelter is not open to the public and such service shall relay pertinent information to the caller, including a means of contacting the Animal Control Officer in the event of an emergency. An emergency call is deemed to be a request from an authorized representative of the Town or Stratford Police Services to respond to an injured animal or an animal which is dangerous to the public but does not include stray dogs or cats which come into the possession of a resident of the Town of St. Marys. The Humane Society will respond to emergency calls from Stratford Police Services within the Town relating to injured, sick, distressed, and suspected rabid, vicious, or biting animals within 1 (one) hour of receiving the complaint.

3.5 All impounded animals will be given appropriate daily care, including feeding, watering, and twice-daily exercising.

- 3.6 All animal cages, crates, kennels and surrounding areas on the Land will be cleaned and disinfected daily.
- 3.7 The Humane Society will respond to any call received during regular daily patrol hours, of a dog or domestic cat running at large in the Town within 2 (two) hours of receiving the complaint.
- 3.8 The Humane Society will respond to any call received regarding the *Dog Owner's Liability Act* within 48 (forty-eight) hours of receiving the complaint.
- 3.9 The Humane Society shall respond to any call from the public regarding an injured animal on town roads within 2 (two) hours of receiving the call.
- 3.10 The Humane Society will respond to any call received during regular daily patrols regarding a dead animal in the Town within 24 (twenty-four) hours of receiving the call for domestic animals and 48 hours for wildlife.
- 3.11 The Humane Society will respond to all other calls regarding animals in the Town with 72 (seventy-two) hours of receiving the complaint.
- 3.12 The Humane Society shall conduct after-hours patrols in the Town if determined necessary by the Town.
- 3.13 The Humane Society will patrol the Town in accordance with this Agreement, in a vehicle appropriately maintained and identified as a vehicle providing animal services, and equipped with cages in compliance with applicable laws and regulations.
- 3.14 The Humane Society shall actively pursue the registration of all exotic/restricted animals in the Town, as defined in the Town's Animal Control By-law.
- 3.15 The Humane Society shall ensure that Animal Control Officers exercise proper animal quarantine procedures.
- 3.16 The Humane Society shall effectively deal with the public in the conduct of providing animal services and foster good relations.

#### **4.0 RECORDS**

- 4.1 On or before the fifteen-day of January and the fifteen-day of July of each year during the term of this Agreement, the Humane Society shall provide the Town with a record of transactions conducted on behalf of the Town in the previous 6 months, beginning July 15, 2021. The records shall include:
- 4.1.1 Number of animals Impounded via Seized Investigation by month and categorized by type of animal – Dog, Cat, and Wildlife/Other;
  - 4.1.2 Number of animals Impounded At Large by month and categorized by type of animal – Dog, Cat, and Wildlife/Other;
  - 4.1.3 Number of animals Surrendered by Owner by month and categorized by type of animal - Dog, Cat, and Wildlife/Other;
  - 4.1.4 Number of animals Impounded Claimed by Owner by month and categorized by type of animal - Dog, Cat, and Wildlife/Other;
  - 4.1.5 Number of animals Impounded Adopted to New Owners by month and

categorized by type of animal - Dog, Cat, and Wildlife/Other

4.1.6 Number of animals Picked up Injured by month and categorized by type of animal - Dog, Cat, and Wildlife/Other

4.1.7 Number of animals Picked up Dead by month and categorized by type of animal - Dog, Cat, and Wildlife/Other

4.1.8 Number of After Hours Calls by month and categorized by type of animal - Dog, Cat, and Wildlife/Other

4.1.9 Requests for Service by month and categorized by type of animal - Dog, Cat, and Wildlife/Other

4.1.10 Identification tags sold for licences or registrations;

4.1.11 Dog attacks and bites reported to the Humane Society, and the number of proceedings commenced under the *Dog Owner's Liability Act*;

4.1.12 Other pertinent information regarding Animal Services as may be requested in writing by the Town, acting reasonably.

4.2 The Humane Society shall retain digitized records regarding licences and Animal Services, including Animal Control Officer reports, pursuant to the provisions of the Town's Record Retention By-law, as amended from time to time or any successor thereto.

## **5.0 FEE FOR SERVICE**

5.1 The Town shall pay the Humane Society an annual fee in accordance with Schedule "B" herein for the services specified in this Agreement for each year of the term of this Agreement, payable annually in advance. The Humane Society shall submit to the Town documentation as determined necessary by the Town.

5.2 The Humane Society shall be entitled to keep the revenue in accordance with Schedule "B" herein generated from dog and cat licensing, registration and impound fees.

5.3 The Humane Society shall keep and maintain all proper books, records, accounts, documents, and vouchers necessary to record all financial transactions and as required by law in connection with its operations. The Humane Society shall at all times comply with all reporting and other requirements by law as a registered charity.

5.4 The Humane Society shall be responsible to pay any taxes which may be levied against the Land and the Animal Shelter pursuant to applicable legislation.

5.5 Attached as "Schedule B" and forming part of this Agreement is a schedule of fees for service for the provision of Animal Services for the Town.

## **6.0 INSURANCE AND INDEMNIFICATION**

6.1 The Humane Society shall maintain throughout the term of this Agreement commercial general liability insurance in an amount of not less than \$5 million (\$5,000,000) including cross liability and non-owned auto. The Town shall be named as an additional insured, which respect to the Humane Society's operations and all obligations assumed under this Agreement, including insurance against loss or damage

resulting from bodily injury, including death, to one or more persons and loss of or damage to property arising from the performance of this Agreement by the Humane Society, its employees and agents. The Humane Society shall maintain their own property insurance for their buildings, stock and equipment to a limit that a prudent owner would maintain. The Humane Society shall also maintain throughout the term of this Agreement its own Directors and Officers insurance policy. The Humane Society shall also maintain Ontario automobile liability insurance to a limit of not less than \$5 million (\$5 million) covering any owned, leased or rented vehicles. The costs to the Humane Society of maintaining its own insurance are considered operating expenses of the Humane Society. The Humane Society shall also maintain their own professional liability insurance.

6.2 The Humane Society shall provide to the Town a certified copy of such policy or a certificate on the Town Certificate form thereof within 2 (two) weeks after the Humane Society executes this Agreement, and thereafter on an annual basis prior to expiry.

6.3 The Humane Society shall defend, indemnify and save harmless the Town, its elected officials, officers, employees and agents from and against any and all claims of any nature, actions, causes of action, losses, expenses, fines, costs (including legal costs), interest or damages of every nature and kind whatsoever, including but not limited to bodily injury, sickness, disease or death or to damage to or destruction of tangible property including loss of revenue or incurred expense resulting from disruption of service, arising out of or allegedly attributable to the negligence, acts, errors, omissions, misfeasance, nonfeasance, fraud or willful misconduct of the Humane Society, its directors, officers, employees, agents, contractors and subcontractors, or any of them, in connection with or in any way related to the delivery or performance of this Agreement. This indemnity shall be in addition to and not in lieu of any insurance to be provided by the Humane Society in accordance with this Agreement and shall survive this Agreement.

6.4 The Humane Society agrees to defend, indemnify and save harmless the Town from and against any and all claims of any nature, actions, causes of action, losses, expenses, fines, costs (including legal costs), interest or damages of every nature and kind whatsoever arising out of or related to the Humane Society's status with WSIB. This indemnity shall be in addition to and not in lieu of any proof of WSIB status and compliance to be provided by the Humane Society in accordance with this Agreement and shall survive this Agreement.

## **7.0 TERM AND TERMINATION**

7.1 The term of this Agreement shall be three (3) years, commencing January 1, 2021, to and including December 31, 2023. This agreement can be extended for two (2) additional one (1) year extensions subject to mutual agreement by both parties.

7.2 Where either party commits a material breach of this Agreement, the non offending party shall, by written notice, grant the offending party ninety (90) days to rectify the breach or to otherwise take corrective action to the satisfaction of the non-offending party.

7.3 Where a party to this Agreement has committed a material breach, the non offending party may, subject to Section 7.2 herein, terminate the Agreement on one hundred and eighty (180) days written notice. Where the Town committed the material breach leading

to the termination of the Agreement, the Town shall provide payment to the Humane Society in the amount equal to the prorated contract fee as defined in Schedule B to meet the defined levels of service set out in this Agreement during the notice period. Such payment shall be construed as liquidated damages and not as a penalty.

## **8.0 GENERAL**

8.1 The Humane Society shall not assign or transfer in any manner this Agreement without the prior written consent of the Town, acting reasonably.

8.2 The Humane Society shall throughout the term of this Agreement maintain its status as an independent registered charity.

8.3 Notice for the purpose of this Agreement shall be deemed effectively given to the Humane Society, if delivered or mailed addressed to the:

Executive Director of Kitchener-Waterloo Humane Society  
250 Riverbend Drive  
Kitchener ON N2B 2E9

or such other address as the Humane Society shall have advised the Town in writing; and to the Town, if delivered or mailed addressed to the:

Town Clerk  
The Corporation of the Town of St. Marys  
P.O. Box 998, 175 Queen Street East  
St. Marys, ON N4X 1B6

or such other address as the Town shall have advised the Humane Society in writing.

8.4 Any notice or communication given by personal delivery, courier or by electronic means shall be deemed to have been given and received on the day of actual delivery thereof. Any notice or communication given by facsimile transmission shall be deemed to have been given and received on the next business day following the day on which it was successfully sent. Any notice or communication given by registered mail shall be deemed to have been given and received on the 5th (fifth) business day following the date of mailing.

8.5 No condoning or overlooking by the Town or the Humane Society of any default breach, or non-observance by the other shall operate as a waiver of such party's rights hereunder in respect of any continuing or subsequent default or breach. All rights and remedies herein are cumulative and alternative.

8.6 The Town and the Humane Society shall meet as a minimum, on an annual basis to review this Agreement and any relevant or related animal services.

8.7 This agreement constitutes the entire agreement between the parties hereto and supersedes all prior agreements and understandings whatsoever with respect to its subject matter and may not be amended except in writing duly approved and executed by the Town and the Humane Society.

8.8 There are no conditions, warranties, representations, or other agreements in connection with this Agreement except as specifically set out herein.



8.9 If any part of this Agreement shall be declared illegal or unenforceable by a court of competent jurisdiction, it shall be severed from and deemed never to have formed a part of this Agreement, and the remainder of this Agreement shall remain in full force and effect and enforceable in accordance with its terms.

8.10 This Agreement shall be construed and governed by the laws of the Province of Ontario.

8.11 All references shall be read with such changes in number and gender as may be appropriate according to whether the reference is to a male or female person or a corporation or partnership.

8.12 The insertion of headings is for convenience of reference only and shall not be construed so as to affect the interpretation or construction of this Agreement.

8.13 The preparation of this Agreement shall not be deemed to be an offer to the Humane Society and no agreement or contract between the parties hereto shall arise or exist except through the execution of the Agreement by the Humane Society and by the Town after same has been authorized by Town Council.

8.14 This Agreement shall ensure to the benefit of, and be binding upon, the parties hereto and their respective successors and permitted assigns.

IN WITNESS WHEREOF the parties have caused this agreement to be executed by their respective officers who are duly authorized to do so.

SIGNED, SEALED AND DELIVERED

THE CORPORATION OF THE TOWN OF ST. MARYS

---

MAYOR – Al Stratthdee

---

CLERK – Jenna McCartney

THE HUMAN SOCIETY OF KITCHENER WATERLOO  
& STRATFORD PERTH

---

EXECUTIVE DIRECTOR – Kathrin Delutis

I have the authority to bind the Humane Society

Draft

**This is Schedule A  
to the  
Agreement dated the 1st day of January 2021**

- 1) Animal Control By-law XX-2021 (to be provided at a later date)
- 2) *Dog Owners' Liability Act*, R.S.O. 1990, c.D.16 and Regulations thereunder
- 3) *Provincial Animal Welfare Services Act*, 2019, S.O. 2019, c.13-Bill 136 ("PAWS")
- 4) *Pounds Act*, R.S.O. 1990, c.P.17
- 5) *Animals for Research Act*, R.S.O., 1990, c.A.22

**This is Schedule B  
to the  
Agreement dated the 1st day of January 2021**

- 1) For services other than licensing services, the Town shall pay to the Humane Society the amount of \$9,081.28 for 2021. Future yearly increases to be based on the previous year Ontario Price Index. Additionally, the amount will be recalculated in 2022 by using the adjusted per person price and the new base population number based on the current census results (the "Population Adjustment"). The Population Adjustment will continue to apply in 2023, the last year of the initial term.
- 2) Licensing and Registration Fees:
  - a. Collected by Humane Society - 100% of revenue from dog and cat tags sold at the Humane Society's Animal Shelter shall be returned to the Town.
  - b. Retained by Town - 100% of revenue from dog and cat tags sold by the Town.
- 3) Night patrols or extended patrol hours authorized by the Town in advance - \$75.00 per hour, three-hour minimum.



# FORMAL REPORT

<b>To:</b>	Mayor Strathdee and Members of Council
<b>Prepared by:</b>	Brent Kittmer, Chief Administrative Officer
<b>Date of Meeting:</b>	8 June 2021
<b>Subject:</b>	<b>ADMIN 26-2021 Update on Town Services Reopening Plan</b>

## PURPOSE

The purpose of this report is to present the attached reopening plan to show how Town services are permitted to reopen under the Province's new three step "Roadmap to Reopen".

## RECOMMENDATION

THAT ADMIN 26-2021 Update on Town Services Reopening Plan be received for information.

## BACKGROUND

On May 20, the Province announced plans to gradually reopen using a three-step plan, provided there is alignment with projected vaccination rates and public health advice. The following summarizes these changes:

- **Step One** An initial focus on resuming outdoor activities with smaller crowds where the risk of transmission is lower and permitting retail with restrictions. This includes allowing outdoor gatherings of up to 10 people, outdoor dining with up to four people per table and non-essential retail at 15 per cent capacity.
- **Step Two** Further expanding outdoor activities and resuming limited indoor services with small numbers of people where face coverings are worn. This includes outdoor gatherings of up to 25 people, outdoor sports and leagues, personal care services where face coverings can be worn and with capacity limits, as well as indoor religious services, rites, or ceremony gatherings at 15 per cent capacity.
- **Step Three** Expanding access to indoor settings, with restrictions, including where there are larger numbers of people and where face coverings can't always be worn. This includes indoor sports and recreational fitness, indoor dining, museums, art galleries and libraries, and casinos and bingo halls, with capacity limits.

Each stage will last for at least 21 days before the Province contemplates moving to the next stage. The Province expects to enter Step 1 around the week of June 14<sup>th</sup> based on current projections.

For more details, please refer to the full [Roadmap to Reopen](#).

## REPORT

In response to the newly published guidelines for reopening, a Town services reopening plan has been created. The updated plan is attached to this report and demonstrates how the Town's various amenities and services can reopen under the new Provincial roadmap.

## **FINANCIAL IMPLICATIONS**

None. The 2021 operating budget was developed assuming the Town would deliver services under public health restrictions and reduced capacities. Each of the Town services that will reopen have been budgeted for.

## **SUMMARY**

This report is for information purposes only. If and when the Province makes announcements of a new step change, Corporate Communications will issue press releases and social media posts to make the public aware of how Town amenities and services are affected.

## **STRATEGIC PLAN**

☒ Not applicable to this report.

## **OTHERS CONSULTED**

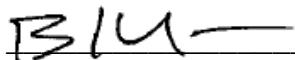
Senior Management Team

## **ATTACHMENTS**

1. Contingency Plan for a Change in Public Health Measures.

## **REVIEWED BY**

### **Recommended by the CAO**



Brent Kittmer

Chief Administrative Officer

Contingency Plan for a Change to Public Health Measures (June 3, 2021)

1. Impact of Changes in Public Health Measures:

Vaccination rate plus key health indicators*	<div>1</div> <div>60%</div> <div>Adults with one dose</div>	<div>2</div> <div>70%</div> <div>Adults with one dose 20% Fully vaccinated</div>	<div>3</div> <div>70-80%</div> <div>Adults with one dose 25% Fully vaccinated</div>
Permitted with restrictions	<div>✓</div> <div>Outdoors first with limited, well-managed crowding and permitting restricted retail</div> <div><ul style="list-style-type: none"><li>• Larger outdoor gatherings for up to 10 people</li><li>• Outdoor dining for up to 4 people per table</li><li>• Essential retail capacity at 25%</li><li>• Non-essential retail at 15%</li><li>• Outdoor religious services, rites and ceremonies with capacity limited to permit 2 metres physical distancing</li><li>• Outdoor sports, training, and personal training for up to 10 people</li><li>• Day camps</li><li>• Campsites and campgrounds</li><li>• Ontario Parks</li><li>• Outdoor horse racing and motor speedways</li><li>• Outdoor pools, splash pads and wading pools</li></ul></div> <div>•21 days before next step →</div>	<div>✓</div> <div>Open indoors with small numbers and face coverings and expand outdoors</div> <div><ul style="list-style-type: none"><li>• Larger outdoor gatherings for up to 25 people</li><li>• Small indoor gatherings for up to 5 people</li><li>• Outdoor dining for up to 6 people per table</li><li>• Essential retail at 50% capacity</li><li>• Non-essential retail capacity at 25%</li><li>• Personal care services where face coverings can be worn at all times</li><li>• Outdoor meeting and event spaces</li><li>• Outdoor amusement and water parks</li><li>• Outdoor boat tour operators</li><li>• Outdoor county fairs and rural exhibitions</li><li>• Outdoor sports leagues and events</li><li>• Outdoor cinemas, performing arts, live music events and attractions</li></ul></div> <div>•21 days before next step →</div>	<div>✓</div> <div>Expand indoors where face coverings can't always be worn</div> <div><ul style="list-style-type: none"><li>• Larger indoor and outdoor gatherings</li><li>• Indoor dining</li><li>• Essential and non-essential retail open with limited capacity</li><li>• Larger indoor religious services, rites, and ceremony gatherings</li><li>• Indoor meeting and event spaces</li><li>• Indoor sports and recreational facilities</li><li>• Indoor seated events</li><li>• Indoor attractions and cultural amenities</li><li>• Casino and bingo halls</li><li>• Other outdoor activities from Step 2 permitted to operate indoors</li></ul></div>

\* Key health Indicators include declining hospitalization, ICU, cases rate and % positivity

Based on current trends in key health indicators, including the provincial vaccination rate, Ontario expects to enter Step One of the roadmap around June 14, 2021.

For the full plan, visit [ontario.ca/reopen](https://ontario.ca/reopen)

# Contingency Plan for a Change to Public Health Measures (June 3, 2021)

## 2. Key Planning Questions:

### i. What Happens When we move to Phase 1 (tentatively week of June 14)

#### → **Municipal Offices (MOC Town Hall):**

- Offices will remain open for drop-ins, doors locked, doorbell for service.
- Preference for making appointments for service.

#### → **PRC: Closed**

- Pool closed
- Ice closed
- FC closed
  - FC staff continue providing virtual/online services and support an anticipated increase in Wellness Program.
  - Planning to offer outdoor programs.
- Youth Centre closed
  - Continue with a focus on virtual youth-based programming.
- Camp PRC
  - Permitted to be open
  - Camp to begin July 5.

#### → **Library: Closed**

- Curb-side pick-up and home delivery available.
- Access to computers and photocopiers (typically 1 patron at a time)

#### → **Museum: Closed.**

#### → **Station Gallery/VIA: Closed**

#### → **Tennis/Pickleball**

- Open, subject to restrictions

#### → **Soccer fields/Baseball Diamonds**

- Open for training purposes, 10 people, subject to restrictions

#### → **Quarry**

- Open June 19, subject to restrictions

#### → **Outdoor Events: None**

#### → **Yard Waste Depot**

- Open

#### → **Landfill:**

- Normal hours and rules of operation.
- No cash accepted.



## Contingency Plan for a Change to Public Health Measures (June 3, 2021)

### ii. What Happens When we move to Phase 2 (best case scenario, Week of July 5)

#### → **Municipal Offices (MOC/Town Hall):**

- Offices will remain open for drop-ins, doors locked, doorbell for service.
- Preference for making appointments for service.

#### → **PRC: Closed**

- Pool closed for general public use.
  - Permitted to be open for advanced lifeguard certifications.
- Ice closed
- FC closed
  - FC staff continue providing virtual/online services and support an anticipated increase in Wellness Program.
  - Planning to offer outdoor programs.
- Youth Centre closed
  - Continue with a focus on virtual youth-based programming.
- Camp PRC
  - Permitted to be open
  - Camp to begin July 5.

#### → **Library:**

- Permitted to be open at 25% capacity.

#### → **Museum: Closed.**

- Consideration will be given to offering outdoor tours of the cemetery, waterfront and Milt Dunnell in this phase.

#### → **Station Gallery/VIA: Partially open**

- VIA Service desk open, subject to public health rules related to indoor capacities (5 patrons).
- Station Gallery Closed

#### → **Tennis/Pickleball**

- Open, subject to restrictions

#### → **Soccer fields/Baseball Diamonds**

- Open for sports leagues and events

#### → **Outdoor Events**

- To be determined based on published restrictions.

#### → **Quarry**

- Open, subject to restrictions

#### → **Yard Waste Depot**

- Open

#### → **Landfill:**

- Normal hours and rules of operation.
- No cash accepted.

## Contingency Plan for a Change to Public Health Measures (June 3, 2021)

### iii. What Happens When we move to Phase 3 (best case scenario, Week of July 26)

#### → **Municipal Offices (MOC/Town Hall):**

- Municipal service desks at MOC/Town Hall Open for service.

#### → **PRC: Open**

- Pool
  - Open weekdays subject to public health rules related to indoor capacities (TBD).
  - Closed on weekends in the summer months, per the 2019 Service Delivery Review.
- Ice
  - Permitted to open on normal schedule, subject to public health rules related to indoor capacities (TBD).
  - Currently forecasting ice-in for September start.
- FC
  - Open subject to public health rules related to indoor capacities (TBD).
  - FC staff continue providing virtual/online services and support an anticipated increase in Wellness Program.
- Youth Centre closed
  - Permitted to be open, but summer focus will be Camp PRC
  - Plan to reopen Youth Centre in September.
  - Continue with a focus on virtual youth-based programming until September.
- Camp PRC
  - Permitted to be open
  - Camp to begin July 5.

#### → **Library: Open**

- Regular operating hours resumed, subject to public health rules related to indoor capacities (TBD).

#### → **Museum: Open**

- Operating plan to be developed subject to public health rules related to indoor capacities (TBD)

#### → **Station Gallery/VIA: Open**

- VIA service desk and Station Gallery open subject to public health rules related to indoor capacities (TBD).

#### → **Tennis/Pickleball**

- Open, subject to restrictions

#### → **Soccer fields/Baseball Diamonds**

- Open for sports leagues and events

#### → **Indoor/Outdoor Events**

- To be determined based on published restrictions.

#### → **Quarry**

- Open, subject to restrictions

#### → **Yard Waste Depot**

- Open

## Contingency Plan for a Change to Public Health Measures (June 3, 2021)

### → Landfill:

- Normal hours and rules of operation.
- No cash accepted.



# FORMAL REPORT

**To:** Mayor Strathdee and Members of Council

**Prepared by:** Jenny Mikita, Senior Services Supervisor

**Date of Meeting:** 8 June 2021

**Subject:** **DCS 19-2021 June is Seniors Month**

## PURPOSE

Annually, municipalities across Canada celebrate the contributions that seniors make to their communities. This report presents to Council information on the “June is Seniors Month” movement that offers an outlet to formally recognize the contributions that seniors make in our community.

## RECOMMENDATION

**THAT** DCS 19-2021 June is Seniors Month report be received; and

**THAT** Council proclaim the month of June as Seniors Month in the Town of St. Marys.

## BACKGROUND

2021 will mark the 37<sup>th</sup> annual Seniors Month initiative in Ontario giving municipalities the opportunity to formally recognize the contributions that seniors make in their community. Proclaiming June as Seniors Month validates the support the Town has for its aging population.

## REPORT

The Town of St. Marys is fortunate to have a growing and diverse population invested in the success of our community. With a population of over 7,200 residents, our 50+ demographic accounts for 40% of our total population as of the 2016 Census. Our seniors add value as leaders, volunteers, and active participants providing wisdom, friendship and experience.

The theme of Seniors Month this year is “**Stay safe, active and connected**” Over the course of the COVID- 19 pandemic, the Senior Services department was able to shift the programing approach to support older adults to stay safe, active and connected through various methods of virtual programs. COVID- 19 has validated the importance of keeping the aging population active and socially engaged. Being engaged is a key factor in maintaining physical and emotional wellbeing. Senior’s Active Living Centre’s such as the Friendship Centre are an investment into the health and wellbeing of a community.

Traditionally senior’s month offers municipalities and community organizations an opportunity to recognize the contributions of seniors by hosting events, ceremonies, social and educational opportunities. COVID 19 has altered the format for many of these events, and while many events will be hosted virtual this year, the Friendship Centre will host a drive thru senior’s month BBQ in the later part of June.

## FINANCIAL IMPLICATIONS

None

## SUMMARY

Recognizing our senior population as a thriving part of the community reiterates their importance their contributions make in promoting a healthy and active community.

## STRATEGIC PLAN

- ☒ This initiative is supported by the following priorities, outcomes, and tactics in the Plan.
- Recreation and Leisure Master Plan:
    - Outcome—to Facilitate engaging older adults and seniors to discuss opportunities to become an “Age Friendly Community” which may involve identifying gaps in programming and services, areas to improve recreation opportunities, and other relevant matters.

## OTHERS CONSULTED

None

## ATTACHMENTS

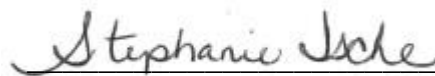
Proclamation

## REVIEWED BY

### Recommended by the Department




Jenny Mikita  
Senior Services Supervisor



Stephanie Ische  
Director of Community Services

### Recommended by the CAO



Brent Kittmer  
Chief Administrative Officer



## **Seniors' Month Proclamation**

**Seniors' Month**  
**June 1 – 30, 2021**

**WHEREAS Seniors' Month** is an annual province-wide celebration;

**WHEREAS** seniors have contributed and continue to contribute immensely to the life and vibrancy of this community;

**WHEREAS** seniors continue to serve as leaders, mentors, volunteers and important and active members of this community;

**WHEREAS** their contributions past and present warrant appreciation and recognition and their stories deserve to be told;

**WHEREAS** the health and well-being of seniors is in the interest of all and further adds to the health and well-being of the

**WHEREAS** the knowledge and experience seniors pass on to us continues to benefit all;

I, Mayor Al Strathdee, do hereby proclaim June 1-30, 2021 **Seniors' Month** in the Town of St. Marys and encourage all citizens to recognize and celebrate the accomplishments of our seniors.

Dated in the Mayor's Office on this the 8th day of June, 2021.

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Mayor Al Strathdee



# FORMAL REPORT

<b>To:</b>	Mayor Strathdee and Members of Council
<b>Prepared by:</b>	Jenny Mikita, Senior Services Supervisor
<b>Date of Meeting:</b>	8 June 2021
<b>Subject:</b>	<b>DCS 20-2021 June is Recreation and Parks Month</b>

## PURPOSE

Annually, municipalities across Ontario recognize the “June is Recreation and Parks Month” initiative. This movement promotes the benefits of recreation and parks for physical, social and environmental health. This report presents to Council information on the “June is Recreation and Parks Month” movements and offers an outlet for formally recognizing the value of recreation and parks in our communities.

## RECOMMENDATION

**THAT** DCS 20-2021 June is Recreation and Parks Month be received; and

**THAT** Council proclaim the month of June as Recreation and Parks Month in the Town of St. Marys.

## BACKGROUND

Having access to parks and recreation helps foster personal health, strong communities, and social inclusion. “June is Recreation and Parks Month” celebrates Ontario’s spectacular parks and recreation services and raises awareness for the role they play as a pathway to individual, community, and environmental well-being. Proclaiming June as Recreation and Parks Month raises awareness to the importance that parks and recreation services play in healthy communities.

## REPORT

Recreation and leisure services play an important role in advancing a community’s health and wellbeing. The Town of St. Marys vision for Recreation and Leisure Services is that residents are active, engaged and healthy through recreation, sport and outdoor activities. Residents have access to beautiful green spaces, kilometers of trails and walkways, a variety of play spaces both structured and non-structured, and top-notch sports and leisure facilities.

Our local parks are often our first experiences in nature, our introduction to a favorite hobby or physical activity. They offer spots of respite and healing, sites that connect us with essential community services, and so much more. Local parks have been essential throughout the COVID-19 pandemic, with many of our community members finding a new appreciation for these essential spaces.

Prior to COVID- 19, during the month of June, recreation and parks facilities would traditionally have become a mecca of activity throughout the Town of St. Marys. Trails used for walking, running and biking; recreation facilities used by all ages for a game of soccer, baseball, tennis, pickleball and swimming; green spaces and playgrounds filled with the sounds of play. The June is Recreation and Parks month initiative supports the message that access to parks and recreation help to foster personal health, strong communities, and social inclusion.

Attached to this report is a proposed proclamation which will be distributed through social media upon Council's approval proclaiming June as Recreation and Parks Month in the Town of St. Marys.

## **FINANCIAL IMPLICATIONS**

None

## **SUMMARY**

Recognizing the value of recreation and parks in our community promotes that the community is committed to enhancing the overall quality of life for all ages and abilities through structured and unstructured play.

## **STRATEGIC PLAN**

☒ Not applicable to this report.

## **OTHERS CONSULTED**

None

## **ATTACHMENTS**

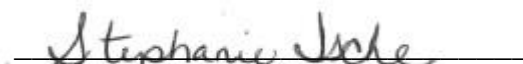
Proclamation

## **REVIEWED BY**

### **Recommended by the Department**

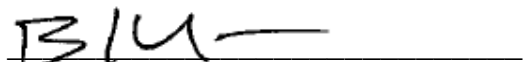


Jenny Mikita  
Senior Services Supervisor



Stephanie Ische  
Director of Community Services

### **Recommended by the CAO**



Brent Kittmer  
Chief Administrative Officer





### **MUNICIPAL PROCLAMATION: June is Recreation and Parks Month**

WHEREAS, in the Town of St. Marys, we are fortunate to have a variety of recreation and parks systems providing countless recreational opportunities for residents and visitors from around the world; and

WHEREAS, recreation enhances quality of life, balanced living and lifelong learning; helps people live happier and longer; develops skills and positive self image in children and youth; develops creativity; and builds healthy bodies and positive lifestyles; and

WHEREAS, recreational participation builds family unity and social capital; strengthens volunteer and community development; enhances social interaction; creates community pride and vitality; and promotes sensitivity and understanding to cultural diversity; and

WHEREAS, parks, open space and trails provide active and passive outdoor recreation opportunities, help maintain clean air and water; and promotes stewardship of the natural environment; and

WHEREAS, recreation, therapeutic recreation and leisure education are essential to the rehabilitation of individuals who have become ill or disabled, or disadvantaged, or who have demonstrated anti-social behavior; and

WHEREAS, the benefits provided by recreation programs, services and parks, and open space, reduce healthcare and social service costs; serve to boost the economy, economic renewal and sustainability; enhance property values; attract new business; increase tourism; and curb employee absenteeism; and

WHEREAS, all levels of government, the voluntary sector and private enterprise throughout the Province participate in the planning, development and operation of recreation and parks program, services and facilities;

NOW THEREFORE, be it resolved that Ontario does hereby proclaim that June, which witnesses the greening of Ontario and serves as a significant gateway to family activities, has been designated as Recreation and Parks Month, which will annually recognize and celebrate the benefits derived year round from quality public and private recreation and parks resources at the local, regional and provincial levels.

Therefore, The Town of St. Marys, in recognition of the benefits and values of Recreation and Parks, do hereby designate the month of **June as Recreation and Parks Month**.

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Mayor Stratheed



# FORMAL REPORT

**To:** Mayor Strathdee and Members of Council

**Prepared by:** Morgan Dykstra, Public Works and Planning Coordinator

**Date of Meeting:** 8 June 2021

**Subject:** **PW 44-2021 Request to Amend the Tree Donation Policy**

## PURPOSE

To seek Council's approval to amend the Tree Donation Policy to allocate all tree donations to the Meadowridge Park Natural Area and to construct trail posts for donor acknowledgment.

## RECOMMENDATION

**THAT** PW 44-2021 Request to Amend the Tree Donation Policy be received; and,

**THAT** Council amend the Tree Donation Program policy as per Attachment A: Amended Tree Donation Program Policy.

## BACKGROUND

In 2020, the Town of St. Marys adopted the Tree Donation Program Policy to formalize the tree donation program and transition to a bulk purchase and plant methodology. Due to feedback from residents Town staff are seeking to amend the donation policy.

## REPORT

When the Tree Donation Policy was approved in 2020, staff understood that the new approach is unique and that some changes may be made due to public feedback. After receiving feedback from potential donors, Town staff are seeking to amend the Tree Donation Program Policy to better fit the community's expectations. Due to these conversations, the program itself has not been fully implemented.

Town staff brought forward a report and draft amendment to the Green Committee on April 28, 2021. The Committee and staff discussed the proposal, key discussion items included the location of tree donations, and how those donations are acknowledged.

The changes are as follows:

<b>Location</b>	<p>The existing policy does not dedicate a specific tree per donor, instead, the policy uses donated funds to bulk purchase many trees – those trees may be planted anywhere in Town. Potential donors have expressed that they understand the bulk purchase approach to maximize the number of trees being planted but prefer a centralized location for tree donations. By establishing a specific location, donors can clearly identify how their donation has contributed to the Town's tree canopy.</p> <p>Staff are recommending that all donations be allocated to the Meadowridge Park Natural Area. The donation program will supplement additional planting initiatives using the Town's and Upper Thames River Conservation</p>
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	<p>Authorities' resources. The plantings will likely take place simultaneously, twice a year, in the Spring and in the Fall. When the Meadowridge Park's planting is complete, the Public Works staff will identify a new area for tree donations.</p>
<b>Acknowledgement</b>	<p>Plaques have been the main form of acknowledgement for most Public Works donations programs. In late 2019 and 2020 it was the department's preference to investigate alternative methods for recognition including a certificate, acknowledgement via the Town's website and the St. Marys Independent Newspaper.</p> <p>Town staff and donors have discussed the method of recognition. Through those discussions there is a consensus that most donors wish to have tangible recognition as opposed to being featured on the Town's website. Due to historical issues (plaque maintenance, replacements, lack of inventory), staff have been hesitant to install additional plaques.</p> <p>At the Green Committee meeting the Committee and staff discussed recognition options. Staff originally proposed creating a seating area adjacent to the natural area and install plaques on the benches at that seating area (benches to be procured from the existing inventory). The Committee then discussed the construction of a donor board. Both options were fully considered, but ultimately, there was no consensus that one method was better than the other. The Committee was of the consensus that tangible recognition is preferred; that a blanket statement noting that donations will be physically acknowledged near the donation be included in the policy; and that staff determine how that will be done prior to presenting the policy to Council.</p> <p>Town staff are proposing to install 6x6 posts along the new trail route within the natural area, plaques will be installed on the posts. The benefit of this method is the capital cost is nominal and maintenance is minimal while simultaneously providing tangible recognition. Additionally, the posts could also be multi-purpose used for trail way finding signage and could be added as required if more plaque space was required. Staff prefer infrastructure options that will not have a significant upfront cost, and long-term maintenance implications. The posts and the plaques installed on each post will be uploaded to the Town asset inventory tracking program (City-Wide Program) to ensure there is an inventory of the plaques.</p> <p>Town staff still want to move forward with community plantings (inviting donors to participate), this acknowledgement component will be dependent on COVID-19 restrictions in place at the time of planting.</p> <p>While plaques were not the original intention, they do meet the desires of potential donors, in essence, the intended outcome of the policy remains – the Town will continue to maximize donations to purchase more trees, and thus, increase the size of the Town's tree canopy and natural areas.</p>

At its meeting, the Green Committee made the follow recommendation:

**Resolution: GC-2021-04-05**

**Moved By** Fred Stam

**Seconded By** Councillor Pridham

**THAT** PW 29-2021 Request to Amend the Tree Donation Policy report be received; and

**THAT** the Committee endorse the amended Tree Donation Policy; and,

**THAT** the Green Committee recommend to Council:

**THAT** Council amends the Tree Donation Policy as per the changes specified in Attachment A: Amended Tree Donation Policy.

**Carried**

Please see **Attachment A: Amended Tree Donation Program Policy** for greater detail on the changes being proposed.

#### Next Steps

Town staff are seeking Council's approval to amend the Tree Donation Program Policy to allocate all tree donations to the Meadowridge Park, and transition to a plaque-based acknowledgement method.

If approved by Council, Town staff will begin to set up the new program:

1. Set up a new website page on the Town's website, which will include information related to the Forestry Management Plan, Town operations related to trees including maintenance and planting activities, natural areas, the wildflower meadow, and the donation program (much of the background work for this has been completed).
2. Create an online form using Form Builder for Donors to complete.
3. Reach out to known potential donors and advise that the program is now available.
4. Advertise an open call for donations in the summer of 2021.

The creation of the natural area will commence in September of 2021. At this time the Town will begin planting trees and any donations received will be planted at this time.

## **FINANCIAL IMPLICATIONS**

The approximate cost for each acknowledgement post is \$76.00, which can be absorbed within the existing operating budget. The donor will be asked if they want a plaque for an additional fee between \$15 to \$25.00/per plaque (since the donation option is open ended).

## **SUMMARY**

The Town has a Tree Donation Policy. Town staff are proposing to amend the policy to align with the wishes of donors, including creating a centralized location for tree donations and establishing a tangible recognition area.

## **STRATEGIC PLAN**

- ☒ This initiative is supported by the following priorities, outcomes, and tactics in the Plan.
  - Pillar #4: Culture and Recreation
    - Outcome: St. Marys' parks are not only a prized asset; they are also a natural gathering place that should be optimized to enhance the cultural profile of St. Marys.
    - Tactic(s): Implement forestry and tree management policies for the Town (Tree Donation Policy supports the Forestry Management Plan)

## **OTHERS CONSULTED**

Potential Donors

Town of St. Marys Green Committee

## ATTACHMENTS

Attachment A – Amended Tree Donation Program Policy

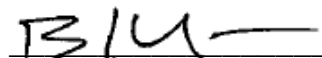
### REVIEWED BY

#### Recommended by the Department

  
Morgan Dykstra  
Public Works & Planning Coordinator

  
Jed Kelly  
Director of Public Works

#### Recommended by the CAO

  
Brent Kittmer  
Chief Administrative Officer



## Tree Donation Program Policy

### Policy Statement

The primary objective of the policy is to provide the parameters and guidelines for citizens to participate in a tree donation program within the Town's green space. This policy will provide appropriate oversight and understanding of administration and maintenance responsibilities for any donations.

### Scope

This policy applies to the donation of monies to the Town of St. Marys for the purpose of planting trees within the Meadowridge Park Natural Area in the Town of St. Marys.

### Purpose

The purpose of this policy is to outline the terms and conditions that allow for the provision of donating money for the purpose of planting trees.

### Guidelines

The Town will facilitate a tree donation program that accepts monies for the purpose of planting trees on public lands within the Town of St. Marys.

The donations shall contribute to growing the Town's tree canopy. Trees may be planted on public lands in remembrance, observance or acknowledgment of a special event or purpose.

All forestry undertakings will adhere to the Town's Forestry Management Plan (By-law 85-2018) and any subsequent amendments and replacements.

### Process

Individuals wishing to donate funds, shall submit a donation form available on the Town's website. The amount of the donation is unrestricted and is at the discretion of the donor. A donation receipt will be issued for any amount exceeding \$20.00.

### Use of Donations

The donated monies will be allocated to the Town's Forestry Reserve.



The sole use of the reserve is to procure and plant trees on public lands. The monies in the Forestry Reserve will be used to augment the Meadowridge Park Natural Area, maximizing the number of trees being planted.

The Town will utilize the donated monies once the reserve reaches a minimum of \$500.00.

Monies received prior to the spring (April to May) planting will be used to augment the number of trees being planted in the spring. Monies received after the spring planting will be used to augment the number of trees being planted in the fall (October to November). If the fall planting cannot be completed to inclement weather, the funds will be re-allocated to the next year's spring planting.

#### Tree Planting

The Town shall complete a bulk tree planting initiative on an annual basis, in the spring and in the fall if the weather permits. The trees shall be planted within the Meadowridge Park Natural Area, no other locations shall be accepted. Each donation will contribute to increasing the Town's urban forest and tree canopy, no specific tree(s) will be designated per donation.

The Town shall be responsible for the procurement, installation and maintenance of all trees purchased using donated funds.

The Town has the sole authority to determine the size of the trees, the species based on the Town's Forestry Management, Appendix F: Approved Species List and Planting Conditions (as amended).

#### Acknowledgement of Donation

The Town will undertake several actions to recognize donations.

Upon receipt of a donation, an acknowledgment certificate will be given to the donor, or to the individual or group being commemorated.



**The Town shall establish a physical recognition area with plaques near the natural area to recognize those who have donated funds. The procurement of a plaque shall be at the discretion of the donor, the Town shall coordinate the procurement of the plaque at the expense of the donor. References**

Forestry Management Plan, 2018 (By-law 85-2018)

### End of Document

Rev #	Date	Reason	Initiated	Reviewed	Approved
#1	June 8, 2021	Public Request	Morgan Dykstra	Jed Kelly	



# PROCUREMENT AWARD

<b>To:</b>	Mayor Stratthdee and Members of Council
<b>Prepared by:</b>	Jed Kelly, Director of Public Works
<b>Date of Meeting:</b>	8 June 2021
<b>Subject:</b>	<b>PW 45-2021 Sole Source Request for Turf to Park N Play Design</b>

## PROJECT DETAILS

On May 18, 2021, a staff report was brought forward to the Strategic Priorities Committee to consider projects to be funded by the 2019 Provincial One-Time Modernization Fund surplus. Council recommended that a portion of the surplus be used to convert the turf at the Childcare Centre to artificial turf.

## RECOMMENDATION

**THAT** PW 45-2021 Sole Source Request for Turf to Park N Play Design be received; and,

**THAT** the procurement for artificial turf for the Childcare Centre playground be awarded to Park N Play Design for the procured price of \$37,986.98, inclusive of all taxes and contingencies; and,

**THAT** Council approves the unbudgeted amount as identified in PW 45-2021 report; and,

**THAT** Council consider By-Law 54- 2021 and authorize the Mayor and the Clerk to sign the associated agreement.

## PROCUREMENT SUMMARY

On May 18, 2021, a staff report was brought forward to the Strategic Priorities Committee to consider projects to be funded by the 2019 Provincial One-Time Modernization Fund surplus. Within this report, Staff recommended that funds be used to convert grass at the Childcare Centre playground to artificial turf. The project includes replacing existing grass turf that is prone to washout and irregular growth to artificial turf. This will prevent washout allowing the entire playground to be used after a rain event. Council passed Resolution 2021-05-18-05, approving the procurement of artificial turf for the Childcare Centre playground. As such staff have proceeded to execute the recommendation.

There is existing artificial turf at the Childcare Centre, provided by Park N Play Design. As per Section 9, of By-law 36-2012, Council has the authority to sole source projects to companies if certain elements exist. Section 9(b)(vi) states that the Town may sole source because doing so is more cost effective or beneficial for the Town. Staff are recommending that Council sole source the artificial turf at the Childcare Centre to Park N Play Design since their services are more beneficial for the Town. Park N Play is the existing service provider for artificial turf at the Childcare Centre, staff believe its in the interest of the Town to procure their services for the turf expansion to ensure material consistency, and singular vendor coordination for maintenance and replacement concerns.

Details related to the proposed works can be found in **Attachment A: Park N Play Design Quote #060121**. A procurement breakdown can be found in Table 1.

**Table 1. Summary of Turf Installation at Childcare Centre**

Procurement Information	Details and Results
Sole Source Proponent:	Park N Play Design
Approved Project Budget:	\$33,600.00
Cost Result – Successful Bid (Inclusive of HST):	\$37,986.98
Cost Result – Successful Bid (Inc. Net of HST rebate):	\$34,208.45
Project Over-budget (Net of HST)	\$608.45

## FINANCIAL IMPLICATIONS

The funding sources for the above noted project are as follows:

2019 Provincial One-Time Modernization Fund	\$33,600.00
Parks Administration (01-7110-6990)	\$608.45
Total	<b>\$34,208.45</b>

The project will incur a variance of \$608.45, which will be funded through the Parks Administration budget which funds playgrounds and parks areas. This would be partially representative of the maintenance cost avoidance for the remainder of the year if the surface is upgraded.

## STRATEGIC PLAN

This project supports Council's modernization and service delivery review initiatives.

## OTHERS CONSULTED


André Morin, Director of Corporate Services / Treasurer  
Stephanie Ische, Director of Community Services  
Jennifer Lewis, Early Learning Services Supervisor  
John Hahn, Parks Operator

## ATTACHMENTS

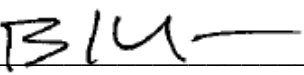
Attachment A: Park N Play Design Quote

## REVIEWED BY

### Recommended by the Department

  
Jed Kelly, Director of Public Works

### Recommended by the CAO

  
Brent Kittmer, Chief Administrative Officer

St Mary's Daycare Turf  
St Mary's, Ontario

June 1, 2021

PLAY EQUIPMENT QUOTE  
QUOTE #: 060121  
JOB #: OS2202

100ft <sup>2</sup>	Upper Area 10' x 10'	\$ 1,811.25
	<ul style="list-style-type: none"> <li>- To excavate the existing surface area to a depth of 2" and Remove soil to a bin on the property (for disposal by the client)</li> <li>- To supply and install 40' of nailer board around the perimeter</li> <li>- To supply and install geo fabric prior to installation of limestone Screenings</li> <li>- To Install and compact limestone screening provided by the client</li> <li>- To supply and install turf grass with rubber infill, Fastened to nailer board on the perimeter</li> </ul>	
600ft <sup>2</sup>	Upper Area 20' x 30'	\$ 10,177.50
	<ul style="list-style-type: none"> <li>- To excavate the existing surface area to a depth of 2" and Remove soil to a bin on the property (for disposal by the client)</li> <li>- To supply and install 100' of nailer board around the perimeter</li> <li>- To supply and install geo fabric prior to installation of limestone Screenings</li> <li>- To Install and compact limestone screening provided by the client</li> <li>- To supply and install turf grass with rubber infill, Fastened to nailer board on the perimeter</li> </ul>	
180ft <sup>2</sup>	Upper Area 6' x 30'	\$ 3,260.25
	<ul style="list-style-type: none"> <li>- To excavate the existing surface area to a depth of 2" and Remove soil to a bin on the property (for disposal by the client)</li> <li>- To supply and install 72' of nailer board around the perimeter</li> <li>- To supply and install geo fabric prior to installation of limestone Screenings</li> <li>- To Install and compact limestone screening provided by the client</li> <li>- To supply and install turf grass with rubber infill, Fastened to nailer board on the perimeter</li> </ul>	

St Mary's Daycare Turf  
St Mary's, Ontario

June 1, 2021

PLAY EQUIPMENT QUOTE  
QUOTE #: 060121  
JOB #: OS2202

660ft <sup>2</sup>	<p>Bottom Area 55' x 12' \$ 11,195.25</p> <ul style="list-style-type: none"> <li>- To excavate the existing surface area to a depth of 2" and Remove soil to a bin on the property (for disposal by the client)</li> <li>- To supply and install 134' of nailer board around the perimeter</li> <li>- To supply and install geo fabric prior to installation of limestone Screenings</li> <li>- To Install and compact limestone screening provided by the client</li> <li>- To supply and install turf grass with rubber infill, Fastened to nailer board on the perimeter</li> </ul>
252ft <sup>2</sup>	<p>Upper Area 12' x 21' \$ 4,564.35</p> <ul style="list-style-type: none"> <li>- To excavate the existing surface area to a depth of 2" and Remove soil to a bin on the property (for disposal by the client)</li> <li>- To supply and install 66' of nailer board around the perimeter</li> <li>- To supply and install geo fabric prior to installation of limestone Screenings</li> <li>- To Install and compact limestone screening provided by the client</li> <li>- To supply and install turf grass with rubber infill, Fastened to nailer board on the perimeter</li> </ul>
144ft <sup>2</sup>	<p>Upper Area 12' x 12' \$ 2,608.20</p> <ul style="list-style-type: none"> <li>- To excavate the existing surface area to a depth of 2" and Remove soil to a bin on the property (for disposal by the client)</li> <li>- To supply and install 48' of nailer board around the perimeter</li> <li>- To supply and install geo fabric prior to installation of limestone Screenings</li> <li>- To Install and compact limestone screening provided by the client</li> <li>- To supply and install turf grass with rubber infill, Fastened to nailer board on the perimeter</li> </ul>

PLAY EQUIPMENT QUOTE  
QUOTE #: 060121  
JOB #: OS2202

- 
- Pricing Based on 1 Mobilization
  - Pricing Based on Maximum of 1800 ft<sup>2</sup> of turf
  - Site fencing and security to be provided by others
  - Portable bathroom facilities to be provided by others
  - Softline FirstBase Play Surfaces are certified IPEMA (ASTM F1292)  
To meet safety and quality standards for 6ft and 10ft fall heights
  - Required compaction standard for 20mm Road Crush / Granular A  
base layers is 98% S.P.D. If base is installed by others and  
Third-party compaction testing services are not utilized to confirm  
The compaction standard, Softline Solutions cannot be held  
Liable for complications due to compaction and sub-soil conditions

**\*\* Any overage in footprint size is subject to an upcharge  
or change order \*\***

TOTAL	\$ 33,616.80
<u>13% H.S.T.</u>	<u>\$ 4,370.18</u>
TOTAL (INCLUDING TAXES)	\$ 37,986.98

**\*\*SEE TERMS AND CONDITIONS ON PAGES 4 AND 5\*\***

**\*\*SECOR CERTIFICATE #20200109-SE5281\*\***

**Board of Directors Meeting Highlights  
Held on May 20, 2021 at 8:30 AM  
as a Virtual Meeting**



### **Blue Box Regulation Update**

We had hoped that the Blue Box regulation to transition blue box programs to full producer responsibility would be finalized by now. AMO President Smith has sent a letter to Premier Ford and all PC Caucus on April 16 regarding the continued delay with the Blue Box regulation. There is urgency to get this regulation finalized for municipal governments. And it needs to happen quickly to allow for the transition timeline to be met.

The regulation is the product of over five years of consultation and broad agreement between all stakeholders including producers, municipal governments, service providers and environmental groups. The regulation offers an opportunity to fix the broken blue box system that cannot keep up with the record amounts of plastics, complex and rapidly evolving packaging and litter. It also ensures the costs to manage these materials are borne by the party most able to influence change – producers.

Some of the key points municipal governments have raised on this issue include:

- This is not a new issue. Every position and perspective, from all stakeholders has been clearly expressed over the last five years of focused and collective work.
- The government, has on multiple occasions, committed to transitioning the Blue Box program between 2023 – 2025, and municipal governments have planned and acted accordingly.

The Government has now missed two key deadlines for this expected regulation (i.e., end of 2020 and mid February 2021). With a provincial election fast approaching, it is becoming more likely that the regulation will be further delayed, if it happens at all. It seems that a small producer group has convinced the Premier that implementing this now would hurt small businesses in Ontario and kill the economy when there is nothing supporting this claim. Consumers pay based on what they buy rather than taxpayers subsidizing the big corporate producers.

We urge the government to pass a regulation as soon as possible that:

- Sets best in class recycling targets, to drive economic and environmental outcomes
- Expands designated materials included to address growing list of problematic packaging
- Increases accessibility for all Ontarians
- Ensures proper oversight and enforcement

We will continue to advocate for the finalization of the regulation and keep members apprised of any developments.

## Email your MPP for a New Blue Box Regulation in Just Three Clicks

The image shows a web browser window with the URL "https://www.bheard.ca/owma/". The page features the OWMA logo (Ontario Waste Management Association) at the top. Below the logo, there are two input fields: "M9W 1J1" and "Mike Chopowick". A "Submit" button is located below these fields. A preview of the email content is shown in a box, starting with "Hello Mr. Doug Ford," and discussing recycling and waste management. At the bottom of the form, there are "Mail" and "Tweet" buttons, and the "bheard" logo.

OWMA's digital grassroots campaign to persuade the provincial government to approve a new producer responsibility regulation for the Blue Box is gathering momentum. A draft Blue Box regulation was introduced on October 19, 2020. Half-a-year later, there has been no indication the regulation will be passed before the next election. This is putting the future of Ontario Blue Box system in jeopardy. OWMA is asking members and the public to use this link to write to their MPP:

Click on the link: <https://www.bheard.ca/owma/>

Enter your name and postal code, and click “Submit”

Click on the “Mail” or “Twitter” icon (if you have a Twitter account)

Once your email has opened up, you have the option to personalize the content of the prewritten email, and add your mailing address at the bottom (recommended so MPPs know it is from their constituents).

## Guideline to Address Odour Mixtures in Ontario

The Ontario government is proposing guidance on how the Ministry of the Environment, Conservation and Parks and the regulated community can anticipate, prevent, and address odour issues that could be of concern to local residences. OWMA sees this review as an opportunity to obtain better regulatory clarity and certainty on how emitted odours from facilities are identified, managed, and remediated. The Ministry's review will include clarification on the requirements for potentially odorous facilities applying for an Environmental Compliance Approval (ECA) under section 20.2 of the Environmental Protection Act. More information can be found [here](#), and the deadline for comments to the Ministry is July 3, 2021.

## Nutrient Management Act, 2002 - General Regulation (O. Reg. 267/03) Amendment Proposal – Anaerobic Digestion

Proposed regulatory changes that would allow farmers to expand the emerging renewable natural gas (RNG) market in Ontario can potentially make the province a North American leader in the biogas sector. This can create a tremendous opportunity for the entire supply chain (i.e., waste generators, waste management companies, haulers, engineering/construction firms, utilities, land application firms, etc.) to create long-term jobs and drive economic development in the rural landscape. While OWMA generally supports this proposed regulatory approach, we strongly recommend that if products from on-farm facilities do not meet digestate qualities, they should be subject to the same rules and Environmental Compliance Approval (ECA) requirements as the waste processing sites. There should be consistent permitting rules for both on-farm and waste sector processing sites regarding waste generation. Click [here](#) to review OWMA's submission on O. Reg. 267/03.

## **Ontario Expands COVID-19 Rapid Testing Across Province**

On May 7th, in collaboration with the federal government and the Ontario Chamber of Commerce, the Ontario Government rolled out the COVID-19 Rapid Screening Initiative for small and medium-sized businesses across the province. This initiative will provide free rapid antigen tests, and will screen for asymptomatic cases of COVID-19. More than 760,000 test kits have already been shipped to 28 chambers and more than 50 others expressing interest in participating.

For more information on the COVID-19 Rapid Screening Initiative and which businesses are eligible, visit <https://occ.ca/covid-19-rapid-screening-initiative-ontario/> or [ontario.ca/testingonsite](https://ontario.ca/testingonsite). Anyone who has symptoms, is a known close contact of someone with COVID-19 or is part of another group that meets provincial testing eligibility criteria should make an appointment at an assessment centre, participating pharmacy or specimen collection centre. Please visit [Ontario.ca/covidtest](https://ontario.ca/covidtest) to find a testing location and eligibility criteria to be tested.

## **Waste Management Workers Now Eligible for Vaccine Appointments**

As of Tuesday, May 11, 2021, individuals who are in Group Two of people who cannot work from home, including waste management, transportation and warehouse workers, will be eligible to book an appointment to receive the COVID-19 vaccine.

In addition, effective Thursday, May 13, 2021, individuals turning 40 and over in 2021 in non-hot spot communities will also be eligible to book an appointment to receive the COVID-19 vaccine at a mass immunization clinic. Eligible individuals can schedule an appointment through the provincial booking system, or directly through public health units that use their own booking system.

The web portal for the provincial vaccine booking system is: <https://covid-19.ontario.ca/book-vaccine/>

## **Excess Soil and Hazardous Waste Program Registry projects underway**

The Authority has kicked off two projects for the Ministry of the Environment, Conservation and Parks. The Excess Soil Registry will launch in December in advance of regulatory requirements for filing notices taking effect on January 1, 2022. The Hazardous Waste Program Registry will launch on January 1, 2023.

The Ministry of the Environment, Conservation and Parks will continue to conduct compliance and enforcement activities for both programs. Visit our Hazardous Waste Program and Excess Soil webpages for project information and updates.

## **Tire Performance Reporting due May 31, 2021**

The deadline for tires haulers, retreaders, processors and PROs to report on their tire collection, recovery and management activities in the previous performance year is May 31, 2021.

## **Authority approves Stewardship Ontario's plan to further mitigate conflict of interest during the transition of the Blue Box Program**

The approved plan implements new policies, measures and an amended code of conduct to ensure the segregation of Stewardship Ontario and Canadian Stewardship Services Alliance staff and data throughout the wind-up and transition of Ontario's Blue Box Program.



## **Ontario Electronic Stewardship appoints Deloitte as liquidator**

The Board of Directors of Ontario Electronic Stewardship (OES) have resigned as Directors effective April 1, 2021, and have appointed Deloitte Restructuring Inc., as liquidator of OES. [Learn more.](#)

## **MHSW Program Wind-up Extended to September 30, 2021**

On April 29, 2021, the Minister of the Environment, Conservation and Parks issued new direction to Stewardship Ontario (SO) to extend the deadline to wind up the Municipal Hazardous or Special Waste (MHSW) Program from June 30, 2021 to September 30, 2021. The 3-month extension follows from feedback the Minister received from stakeholders and applies to all designated materials except for single-use batteries, which already transitioned to the individual producer responsibility framework regulated by the Authority in June 2020.

SO is required to submit an amendment to the MHSW Wind-up Plan to the Authority for approval no later than May 31, 2021. The Authority is expected to approve the amendment no later than June 30, 2021.

All other elements of the wind-up plan for MHSW will remain unchanged except as necessary to implement the Minister's direction.

The Government of Ontario is developing a new regulation that will detail the individual producer responsibility requirements for MHSW materials once the current program ends on September 30, 2021.

## **Resource Productivity and Recovery Authority Registrar Reporting**

The Association of Municipalities of Ontario ("AMO"), the City of Toronto and the Ontario Waste Management Association collectively submitted these comments as a follow-up to the last Service Provider Advisory Group meeting held on April 19, 2021.

Our organizations have been very supportive of the government's move to an outcome-based approach for producer responsibility that allows for a greater flexibility to achieve compliance and to innovate. We also support the important role RPRA plays in this structure to ensure the outcomes prescribed in the regulations under the Resource Recovery and Circular Economy Act, 2016 (RRCEA) are met.

As discussed on several occasions, we would like to have greater transparency on data related to performance under each of the RRCEA regulations. We note that RPRA's 2019 Annual Report provides an update on: producer supplied data reported by the deadline, producer supplied data on reporting accuracy and free riders. In addition to this and in order to ensure transparency and a sense of the performance of the programs, we request that RPRA also report on the following data at a minimum in all future annual reports:

### **For the tire regulation,**

As of December 31 each year:

- All registered tire Producer Responsibility Organizations (PRO) and proportional market share of each
- Any tire producers that are not part of a PRO (i.e., acting individually)
- Tire collection system by PRO/producer acting individually.

For each performance year:

- Aggregated tires supplied by reporting category

- Collection target by reporting category
- Total tires collected (in tonnes and % of supplied)
- Management target
- Total tires managed (in tonnes) by type of end-use.

#### For the batteries regulation,

As of December 31 each year:

- All registered battery PROs and proportional market share of each
- Battery producers that are not part of a PRO (i.e., acting individually)
- Battery collection system by PRO/producer acting individually.

For each performance year:

- Aggregated batteries supplied by reporting category
- Management target
- Prior to reduction due to recycled content
- After reduction due to recycled content
- Total batteries managed (in tonnes) by type of end-use.

We also request that RPRA report:

- The number of compliance cases open at the start of a period, opened during the period and closed during the period by type □ \_Type could be the same categories as in the Annual Report
- Preferred reporting frequency would be quarterly.

#### **Dow and Mura Technology announce partnership to scale game-changing new advanced recycling solution for plastics**

Technology can recycle all forms of plastic – including multi-layer, flexible plastics often used in food packaging.

Dow to play pivotal role in Mura's global rollout of one million metric tonnes of recycling capacity by 2025. Dow to receive supply of recycled feedstocks made from plastics waste from Mura's first-of-its-kind plant in Teesside, UK, supplying major brands across the globe with sustainable plastic products.

Future Mura sites planned in US, Germany, and Asia as Mura's global rollout accelerates.

The collaboration will support the rapid scaling of Mura's new HydroPRS™ (Hydrothermal Plastic Recycling Solution) advanced recycling process aimed at preventing plastic and carbon from entering the natural environment while creating the feedstocks for a sustainable, circular plastics economy. The deal marks an important step in Dow's commitment to advance a circular economy for plastics and keep plastic waste from entering the environment.

The partnership combines Dow's materials science capabilities, global scale and financial resources with Mura's leading technology, to produce the circular feedstocks which are then converted into the recycled plastics that consumers and global brands are increasingly seeking.

Mura's proprietary solution, HydroPRS™, is a revolutionary advanced recycling process that uses supercritical steam to convert plastics back into the chemicals and oils from which they were made, for use in new, virgin-equivalent plastic products. HydroPRS™ can recycle all forms of plastic – including multi-layer, flexible plastics used in packaging, which are currently harder to recycle and often incinerated or sent to landfill.

Importantly, the plastics produced using these recycled products are expected to be suitable for use in food-contact packaging, unlike most conventional recycling processes. With Mura's process there is no anticipated limit to the number of times the same material can be recycled – meaning it has the potential to significantly reduce plastics being used once and make the raw ingredients for a circular plastics economy. In addition, advanced recycling processes are expected to save approximately 1.5 tonnes of CO2 per tonne of plastic recycled, compared to incineration of unrecycled plastics.

Dow will play an important role as a global manufacturer of plastic, proving that Mura's solution can meet both the sustainability and performance needs of the industry and that the products made via HydroPRS™ can be employed at scale to make new plastics. The world's first plant using HydroPRS™ is in development in Teesside, UK, with the first 20,000 tonne per year line expected to be operational in 2022. Once all four lines are complete, Mura will be able to recycle up to 80,000 tonnes of plastic waste per year, providing Dow with materials produced by the process. Dow will use these materials to develop new, virgin-grade plastic for applications such as food packaging and other packaging products to be re-circulated into global supply chains, creating a true circular plastics economy.

This 'lost resource' of plastic waste is a huge economic opportunity – valued at up to \$120 billion per year according to the World Economic Forum. Global plastic production also creates an estimated 390 million tonnes of CO2 every year– equivalent to over 172 million cars. While plastic production accounts for approximately 6 percent of global oil consumption today, by deploying technology capable of recycling all plastics and creating the ingredients for a circular plastics economy, advanced recycling can decrease the use of oil by the chemical industry. Mura offers the prospect of dramatically cutting global plastic waste and associated emissions attributed to that waste.

To reduce global plastic waste, Mura has designed its business model for rapid global deployment and is building a global network of partners. Dow joins other major global players such as KBR Inc., a US-based multinational engineering services company, Wood, a global consulting and engineering company, and Igus GmbH, a global leader in industrial plastics, as partners to accelerate the deployment of Mura's technology worldwide. Mura's HydroPRS™ process utilises at its core the Cat-HTR™ technology, which was developed and is owned by Licella Holdings Limited, New South Wales, Australia.

Alongside its first plant in the UK, Mura has identified development opportunities in Germany and the United States – where it will develop new recycling plants in both countries in the next five years – and Asian markets, as part of a rapid global rollout that will see one million tonnes of recycling capacity in development worldwide by 2025. The partnership with Dow will be a key driver of this goal. Mura is continuing to raise funds to drive further expansion and is in discussions with a range of global investors.

The partnership announced today is another example of how Dow is working with partners to build momentum around breakthrough advanced recycling technologies and to drive game-changing innovations that keep plastic waste from entering the environment. In 2019, Dow announced a partnership with Fuenix to supply feedstock made from recycled plastic waste. The partnership with Mura represents another step in Dow's efforts to meet its recently announced sustainability targets to address both climate change and plastic waste.

## How do outreach efforts impact different households?

The report from SWANA delves into how poor recycling behaviors develop and why they persist. | Scott Beck / Resource Recycling Inc.

Education campaigns may improve curbside recycling practices for residents who produce average or low amounts of contamination, but they may not impact the worst offenders, according to new research.

The Solid Waste Association of North America (SWANA) last week released a report developed by its Applied Research Foundation. Titled “Reducing Contamination in Curbside Recycling Programs,” the report details a study of residents’ recycling behavior in 2018.



The study was initiated to probe how poor recycling behaviors develop and why they persist. Understanding these factors “should enable recycling and sustainability program managers to develop and implement more effective anti-contamination programs that address the underlying reasons for curbside recycling contamination,” SWANA wrote in an executive summary of the research.

Researchers looked at recycling practices in two communities in the Solid Waste Authority of Central Ohio (SWACO) service area, sampling curbside recyclables before and after a switch from bins to carts. The switch was accompanied by an outreach campaign.

The study identified three groups of households based on contamination in their recyclables. “High performers” were households with contamination rates of less than 10%; “learners” had rates of 10% to 24%; and “under performers” produced contamination rates of higher than 25%.

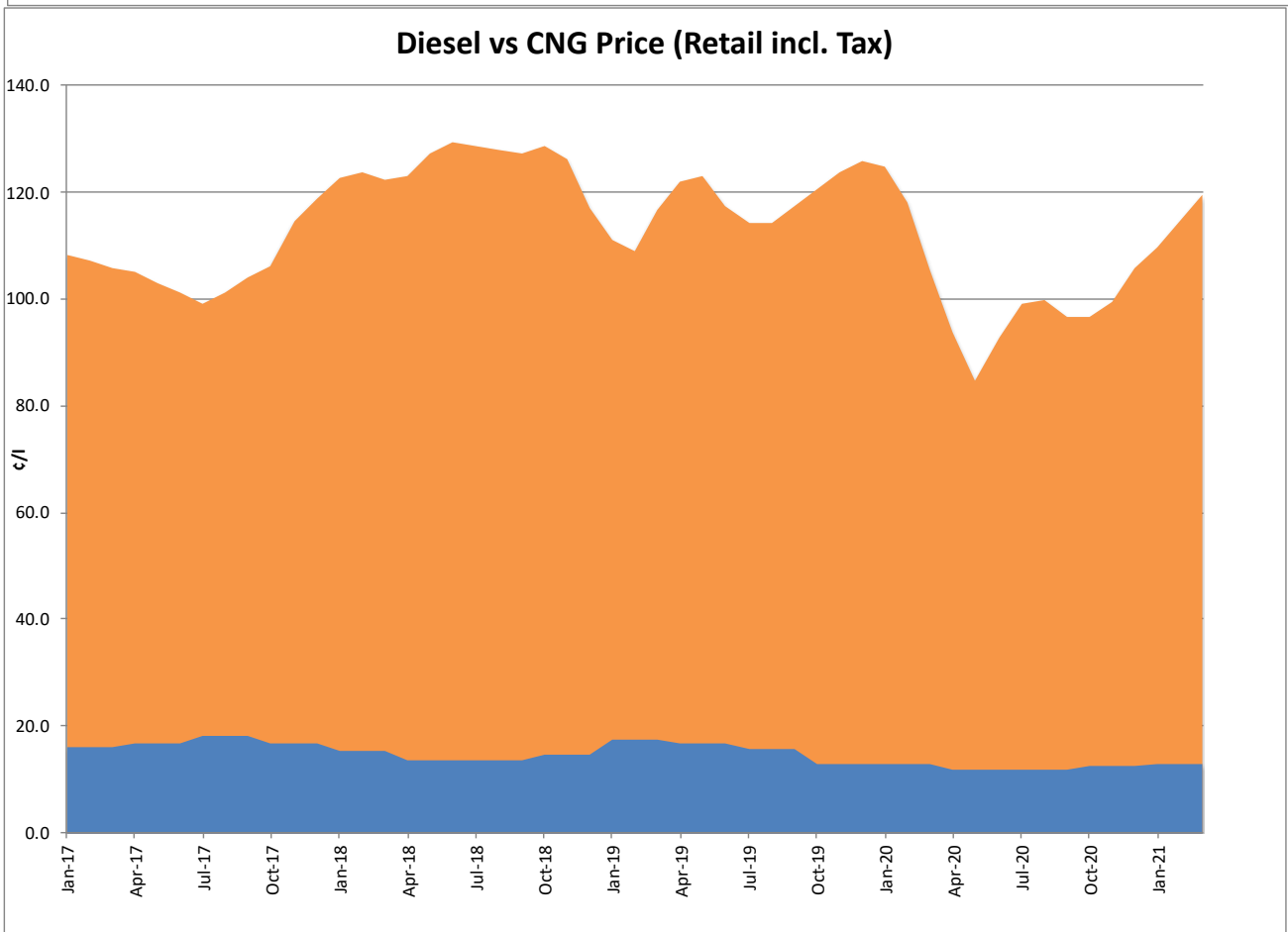
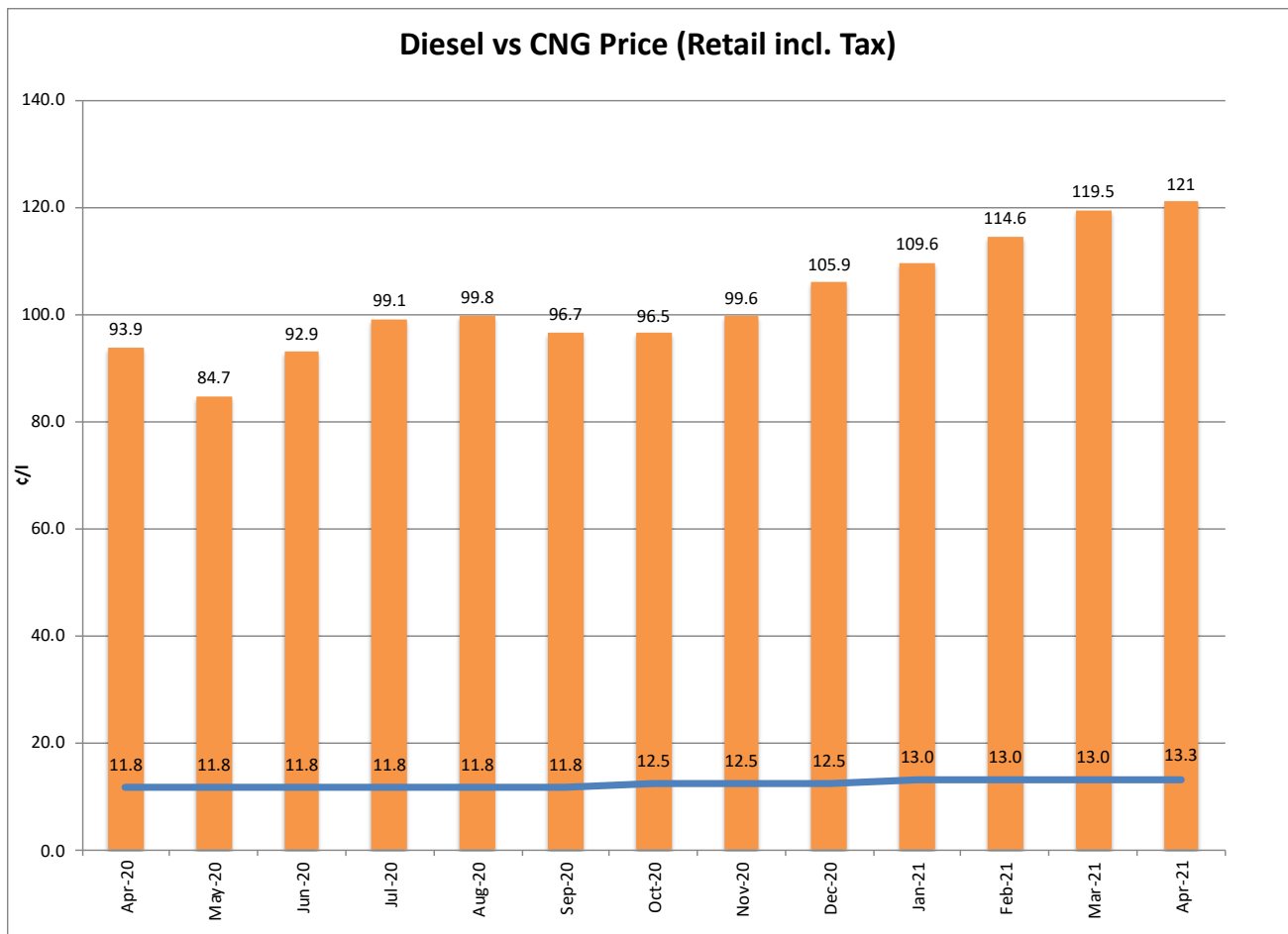
After recycling carts and the outreach campaign, “high performers” jumped from 39% to 50% of households and “learners” dropped from 38% to 22%, suggesting outreach reduced contamination rates for these groups.

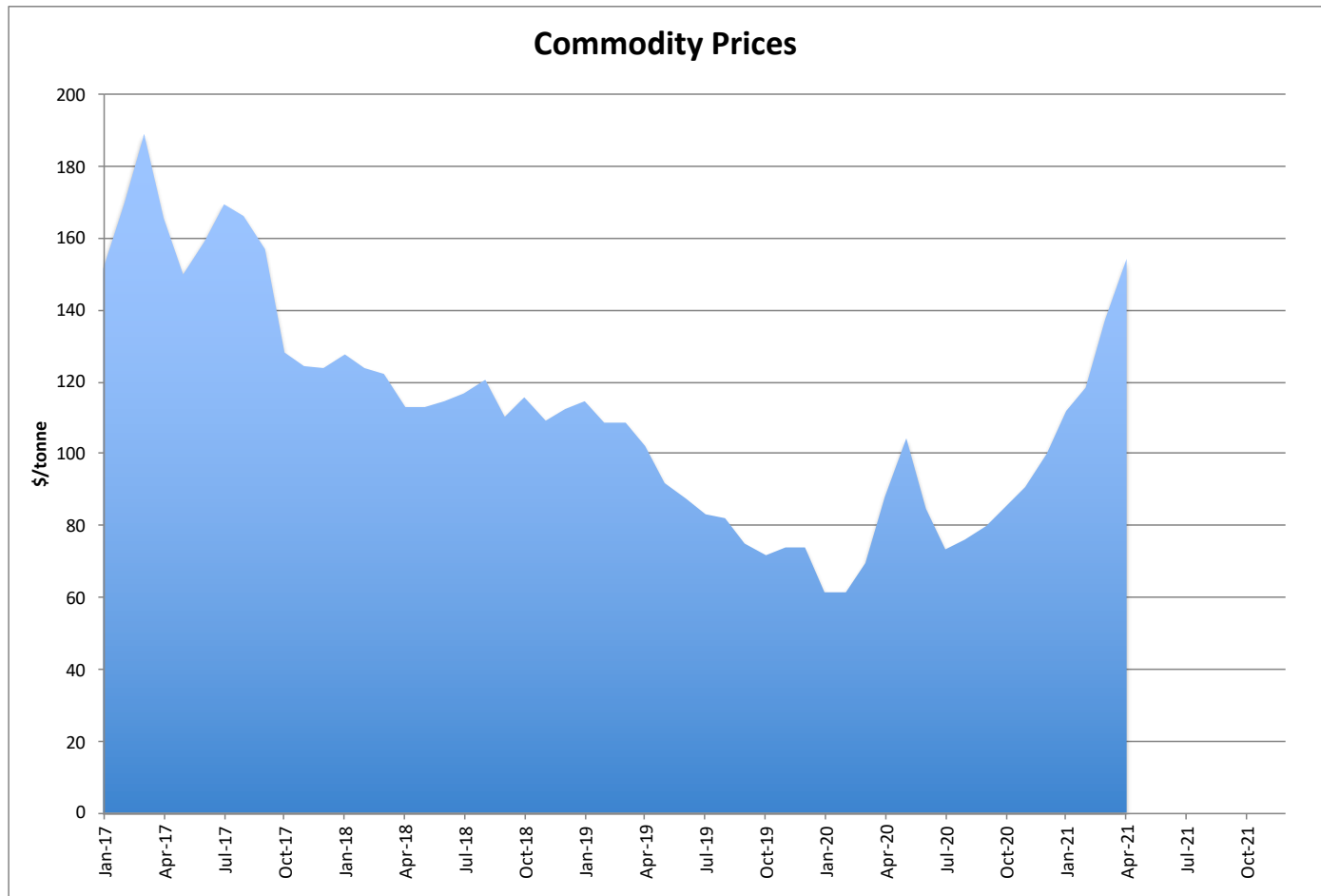
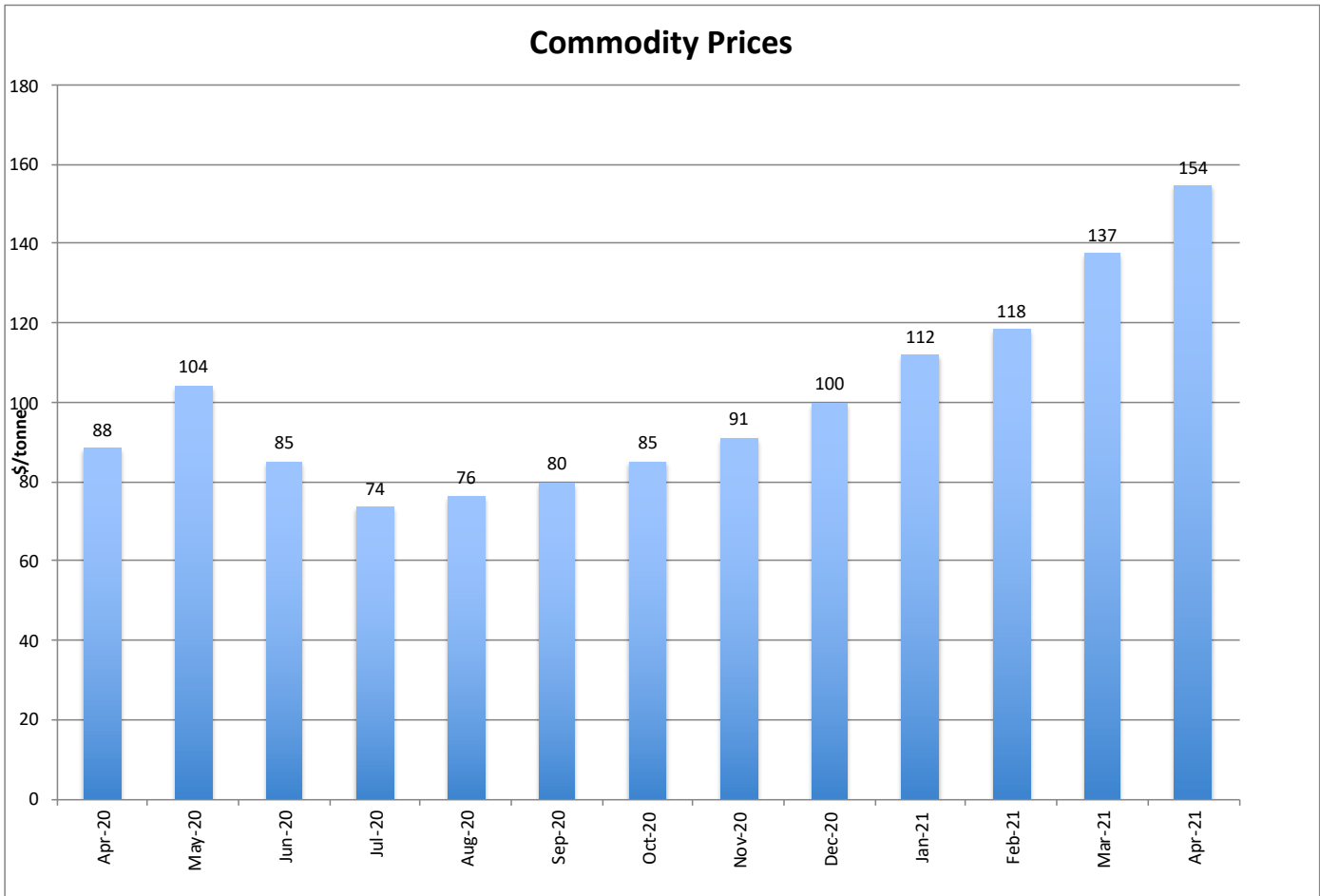
But the highest-contamination group saw different results. Households deemed “under performers” increased from 23% to 28%.

“This increase in contamination occurred despite the extensive educational outreach that was conducted during the bin-to-cart conversion program,” SWANA wrote. “This suggests that increased education outreach is not likely to have a significant impact on the contamination caused by this group.”

These different trends – and the tailored outreach efforts that can address these differences – are detailed in the full SWANA report, which is only available to SWANA Applied Research Foundation subscribers.

“One factor that is often overlooked in responding to the curbside recycling contamination issue is the varying levels of recycling commitments of residents who are provided with curbside recycling collection s be resolved through increased spending on recycling public education programs.”







## **Minutes**

### **Library Board**

May 6, 2021

6:45 pm

Video Conference

Click the following link:

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

Members Present      Mayor Strathdee, Councillor Craigmile, Barbara Tuer, Lynda Hodgins, Melinda Zurbrigg, Reg Quinton, Joyce Vivian

Members Absent      Councillor Edney, Cole Atlin

Staff Present      Rebecca Webb, Staff Liaison, Sarah Andrews, Library CEO

#### **1. CALL TO ORDER**

The May 6, 2021 Regular Meeting of the St. Marys Public Library Board was called to order at 6:41pm by Board Vice Chair B. Tuer.

#### **2. DECLARATION OF PECUNIARY INTEREST**

None declared.

#### **3. AMENDMENTS AND APPROVAL OF AGENDA**

**Moved By** Joyce Vivian

**Seconded By** Mayor Strathdee

That the agenda for the May 6, 2021 regular meeting of the St. Marys Public Library Board be approved as presented.

**Carried**

**4. DELEGATIONS**

None present.

**5. CONSENT AGENDA**

**Moved By** Lynda Hodgins

**Seconded By** Councillor Craigmile

That consent agenda items 5.1 and 5.3 though 5.5 be approved as presented with item 5.2 moved to New and Unfinished business for discussion as item 6.1.

**Carried**

5.1 Acceptance of Minutes

5.1.1 Minutes of the April 8, 2021 Regular Meeting of the Library Board

5.2 CEO Report

5.2.1 Library Report (May)

5.2.2 Adult Learning Presentation to Council

5.3 Library Statistics

5.3.1 Statistics Infographic- March in Review

5.3.2 Statistics Graphs- March in Review

5.4 Financial Report

5.4.1 Library Financial Report- YTD actuals vs. budget

5.4.2 Adult Learning Financial Report- YTD actuals vs. budget

5.5 Correspondence

5.5.1 Board Assembly Meetings

**6. NEW AND UNFINISHED BUSINESS**

6.1 CEO Report

CEO S. Andrews gave a verbal update about the CEO report for the month of May.



## 6.2 Fines Free PCIN

CEO S. Andrews led a discussion about the fines free library model.

## 7. ROUNDTABLE DISCUSSION

### 7.1 Friends of the Library Report

R. Quinton gave the members of the Board an update on the recent activities of the Friends of the Library.

### 7.2 Board member L. Hodgins queried whether the Library sends a monthly newsletter and congratulated the Library on their positive feedback from the spring break activity bags.

## 8. UPCOMING MEETINGS

The next regular meeting of the St. Marys Public Library Board will take place on June 3, 2021 at 6:45pm.

## 9. ADJOURNMENT

**Moved By** Reg Quinton

**Seconded By** Mayor Stratthdee

That the May 6, 2021 regular meeting of the St. Marys Public Library Board be adjourned at 7:35pm.

**Carried**

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Chair

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Board Secretary

# SPRUCE LODGE

## Board of Management Meeting

April 21<sup>st</sup>, 2021

**Present:** *Peter Bolland, David Schlitt, and Jennifer Facey*

**Councillors:** *Jim Aitcheson, Rhonda Ehgoetz, Danielle Ingram, Marg Luna, Fern Pridham, Kathy Vassilakos*

**Regrets:**

**Guests:** *Drew Campbell, Zehr Insurance, and Mike Arndt, and Brad Klein, Graham Mathew Professional Corporation*

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*Chairperson Councillor Kathy Vassilakos brought the meeting to order.*

Moved by Councillor Aitcheson

Seconded by Councillor Ingram

**That the agenda for April 21<sup>st</sup>, 2021 be approved as presented.**

**CARRIED**

➤ Declaration of pecuniary interest.

### **Insurance Presentation:**

Drew Campbell from Zehr Insurance joined the meeting to present the Insurance renewal from Frank Cowan company for discussion and approval. Drew will investigate the impact of increasing deductibles and report back to the Board.

Moved by Councillor Luna

Seconded by Councillor Pridham

**To accept the Spruce Lodge Insurance renewal at a cost of \$41,423 plus applicable taxes effective April 15, 2021 as presented.**

**CARRIED**

### **Spruce Lodge Auditor's Report:**

Mike Arndt, and Brad Klein from Graham Mathew Professional Corporation joined the meeting to the present the Spruce Lodge Audited Financial statements for the year ended December 31, 2020.

Moved by Councillor Luna

Seconded by Councillor Ingram

**To accept the Spruce Lodge Audited Financial statements for the year ended December 31, 2020 report as presented.**

**CARRIED**

### **Approval of Minutes:**

Moved by Councillor Aitcheson

Seconded by Councillor Ehgoetz

**That the minutes of March 17<sup>th</sup>, 2021 be approved as presented.**

**CARRIED**

**Business Arising:** *None noted.*

## **SPRUCE LODGE - Continued**

### **Board of Management Meeting**

**April 21<sup>st</sup>, 2021**

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#### **New Business:**

##### ***Ratification of Accounts:***

Moved by Councillor Pridham  
Seconded by Councillor Ehgoetz

**That the March 2021 accounts in the amount of \$430,192.39 to be ratified.**

**CARRIED**

##### **Financial Report:**

The Business Manager presented the financial report for the period ending February 28<sup>th</sup>, 2021 for review and discussion. The containment funding received was used to purchase furniture, which included dining room tables, dining chairs, sofas, and furniture that promote social distancing and have easy cleaning surfaces. Revenue and occupancy levels will be reimbursed by the Ministry of Health. Spruce Lodge has the longest waiting list in Huron Perth at approximately 250 on the list. Crisis admissions are taking priority. All long-term care homes were asked to admit residents from hospitals. Spruce Lodge is currently at 90% occupancy with 12 vacant beds, some being in ward rooms that cannot be filled, and short stay beds not being utilized.

Moved by Councillor Aitcheson  
Seconded by Councillor Ingram

**To accept the Spruce Lodge Revenue and Expenses for the period ending February 28<sup>th</sup>, 2021 prior to audit as presented.**

**CARRIED**

Moved by Councillor Ingram  
Seconded by Councillor Pridham

**To approve electronic Board member signatures on financial statements going forward.**

**CARRIED**

##### **Administrator's Report:**

##### **COVID Update:**

Visiting protocol has changed due to the lock down. One (1) essential visitor is permitted per resident, and must be swab tested prior to visits. Residents are permitted to leave if they have urgent medical appointments. Those who venture out may be subject to a fine given the stay at home order. We have one resident who does tend to leave, but he is aware.

Testing protocols have also changed where staff now receive one (1) PCR test and one (1) rapid test weekly.

TNT security is still in place, with costs covered by containment funding.

Spruce Lodge is now taking admissions.

Case counts in the province have been up over 4000 in recent days, although there are no long-term care outbreaks in Huron Perth, and they are down across the province.

The Ministry has also changed the outbreak definition, where there has to be at least two (2) positive cases. One (1) staff case is no longer considered an outbreak. The sector was down to 41 outbreaks last week, of which, only 11 had resident cases. There have been three (3) resident deaths in the last month, and none last week.

There are 41 active cases locally, and 194 on isolation in Huron Perth.

## **SPRUCE LODGE - Continued**

### **Board of Management Meeting**

**April 21<sup>st</sup>, 2021**

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Vaccination rates are as follows:

Spruce Lodge 93%

Woodland Towers 93%

Hamlet Estates 96%

Staff with first vaccination 78.46%

Staff with second vaccination 59.49%

Essential Visitors Woodland Towers 48%

Essential Visitors Spruce Lodge 66%

Spruce Lodge has yet to restrict access to any of those visitors not vaccinated. Visits are important, and with delays in vaccine supply, vaccinations have been delayed.

For those staff not vaccinated, medical exemptions require a letter providing proof of such. If there is outbreak, those staff not vaccinated can still come to work, but can't work in the affected area. If staff cannot come to work, they are not able to use sick time, but may use vacation. All front line staff are now required to wear eye protection. Those staff not vaccinated are also required to be tested more frequently, 3 to 5 times per week.

The PSW premium pay will continue to the end of June.

It has been a source of concern for staff who have not received the premium.

There are fourteen (14) open part-time PSW lines, seven (7) of which are temporary lines for those who are off. Spruce Lodge has received government funding for fifteen (15) summer students, eleven (11) of which will be full-time. Most will be working as PSWs. Part-time staff have indicated they want to work four (4) days rather than three (3) over the summer months, making it possible to accommodate more vacation over the summer.

Spruce Lodge continues to struggle obtaining Registered Nurses (RN) and Registered Practical Nurses (RPN), with two (2) vacant temporary part-time RPN and two (2) part-time RN lines.

There is a shortage of registered staff everywhere. One RN left Spruce Lodge to work at a vaccination center for \$60.00/hour. More overtime causes workload issues. Advertising will continue online, and with the upcoming Nurses Week, a hiring spin will be announced on the radio. A signing bonus is another possibility for RPN staff.

#### **Quality Improvement:**

Spruce lodge has applied for funding to address the three (3) person ward rooms. HVAC will also be a priority for funding

Moved by Councillor Aitcheson

Seconded by Councillor Ingram

**To enter closed session at 6:12 p.m. to discuss collective bargaining.**

**CARRIED**

Moved by Councillor Luna

Seconded by Councillor Aitheson

**To enter open session at 6:17 p.m.**

**CARRIED**

#### **Surveys:**

The surveys process has begun with residents and families.

## SPRUCE LODGE - Continued

### Board of Management Meeting

April 21<sup>st</sup>, 2021

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Moved by Councillor Ingram  
Seconded by Councillor Pridham

To accept the Administrator's report as presented.

**CARRIED**

#### **Correspondence:**

*Dress Down Days:*

☺ *For February 2021, the lucky charitable receipt winner is Nicole Bontaine!*

☺ *For March 2021, the lucky charitable receipt winner is Lily Kampferseck!*

**Other Business:** *None presented.*

Moved by Councillor Ehogetz

<b>That the meeting be adjourned.</b>
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**CARRIED**

#### Date & Time of Next Meeting:

***Wednesday, May 19<sup>th</sup>, 2021 at 5:00 p.m. – Teleconference***

Councillor Vassilakos  
*Chairperson*

Jennifer Facey  
*Secretary*

*Jennifer Facey*

**Date** May 19/21

**Minutes**  
**St. Marys Business Improvement Area Committee**  
**Regular Meeting**

May 10, 2021

6:00 pm

Video Conference

Click the following link:

<https://www.youtube.com/channel/UCzuUpFqxcEl8OG-dOYKteFQ>

**1. CALL TO ORDER**

Members Present: Lanny Hoare (Chair), Gwendolen Boyle (Vice-Chair), Amie Rankin (Secretary), Kyle Burnside (Treasurer), Councillor Tony Winter (Council Representative)

Staff Present: Emily Taylor (Administrative Assistant)

Staff Liaisons Present: Kelly Deeks-Johnson (Tourism and Economic Development Manager), Stacey Frayne (Tourism Assistant)

The Chair called the meeting to order at 6:02 pm.

**2. DECLARATION OF PECUNIARY INTEREST / CONFLICT OF INTEREST**

None.

**3. AMENDMENTS AND APPROVAL OF AGENDA**

Dates in agenda were amended to be 2021 instead of 2020.

Moved By: Gwendolen Boyle

Seconded By: Kyle Burnside

**THAT** the May 10, 2021 St. Marys Business Improvement Area Board agenda be approved as amended.

**Carried**

#### **4. ACCEPTANCE OF MINUTES**

Moved By: Gwendolen Boyle

Seconded By: Amie Rankin

**THAT** the April 12, 2021 St. Marys Business Improvement Area Board meeting minutes be approved by the Board and signed by the Chair and the Secretary.

**Carried**

#### **5. DELEGATIONS**

##### **5.1 Len Hawkins re: Rotary Club of St. Marys Keepsake Totes**

Len Hawkins presented on the Rotary Club of St. Marys Keepsake Tote project. The tote bag will include updated images of St. Marys, sponsor logos, and Strong as Stone messaging. The first shipment of bags is expected to be delivered in June.

The Rotary Club would appreciate participation from BIA members. There will be two inventory locations in Downtown St. Marys at Stonetown Travel and Snapping Turtle Coffee Roasters. The retail price of the bags is \$5 and the wholesale price of the bags is \$4. Displays will also be available for the bags.

Rotary Club would like an indication of which businesses are interested in the bags by May 24, 2021.

Moved By: Councillor Winter

Accepted By: Gwendolen Boyle

**THAT** the verbal report presented by Len Hawkins be accepted as presented.

**Carried**

#### **6. BUSINESS ARISING FROM MINUTES**

None.

#### **7. CORRESPONDENCE**

None.

## **8. COUNCIL REPORT**

### **8.1 Council Report**

Councillor Winter presented on highlights from Council meetings. This included an update on the BIA tax levy and the Community Improvement Plan.

Moved By: Gwendolen Boyle

Seconded By: Amie Rankin

**THAT** the verbal Council report be received.

**Carried**

### **8.2 Treasurer's Report**

Moved By: Councillor Winter

Seconded By: Gwendolen Boyle

**THAT** the April 2021 Treasurer's report be accepted as presented.

**Carried**

## **9. OTHER BUSINESS**

### **9.1 Ontario By Bike Network**

Kelly Deeks-Johnson presented on the partnership with Ontario By Bike. This four-year partnership with Ontario By Bike includes Destination Stratford, County of Perth, and the Town of St. Marys. This collaboration will help businesses capitalize on cycle tourism and encourage them to be a cycle-friendly business. Individual businesses or a BIA can register to meet the requirements. Two webinars (May 17 and May 19) will provide more information on the benefits and requirements.

### **9.2 Town of St. Marys Tourism Website**

Stacey Frayne, Town of St. Marys Tourism Assistant, presented on the new Town of St. Marys tourism website called Discover St. Marys. This website will be launching by early June and include a business directory. There will also be important links, news boxes, a calendar, and



information on arts and culture. This website will be a user-friendly place to find tourism information for St. Marys.

The business directory will link to Google Places, so businesses are encouraged to check to ensure information and images are up to date before they are pulled into the website.

### **9.3 St. Marys Money**

Kelly Deeks-Johnson presented on the new St. Marys Money program. This gift certificate program is a way for customers to support local business. The Town of St. Marys will print and sell bills in increments of \$5, \$10, and \$20 to be used at participating businesses.

The paper St. Marys money can be accepted by businesses who do not have a POS system as well as businesses outside of the downtown. Businesses can sign up for an EFT with the Town of St. Marys so money can be deposited faster than the 10-day grace period for the issuing of cheques.

The Town has set up a process whereby it will be quick and easy to identify any fraudulent activity occurring within the program. If fraudulent activity is suspected, the police will be contacted to deal with this. In the case of fraud, the Town will consider improvements, changes, or cancelation of the program. Used St. Marys Money will be permanently destroyed by the Town.

This program has been requested by several major businesses in Town and can be used as gifts for volunteers or frontline workers. Within 24 hours of announcing the program, 22 businesses had signed up.

Moved By: Amie Rankin

Seconded By: Kyle Burnside

**THAT** the verbal presentations of 9.1, 9.2, and 9.3 be accepted as presented.

**Carried**

## **11. UPCOMING MEETINGS**

The next Board meeting will be held on Monday, June 14, 2021 at 6:00pm and will be livestreamed on the Town of St. Marys' YouTube page.

**11. ADJOURNMENT**

Moved By: Kyle Burnside

Seconded By: Gwendolen Boyle

**THAT** this meeting of the St. Marys Business Improvement Area Board adjourns at 6:51 pm.

**Carried**

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Chair

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Committee Secretary



**MINUTES**  
**Community Policing Advisory Committee**

May 19, 2021  
9:00 am  
Video Conference

Committee Members Present: Mayor Strathdee  
Councillor Winter  
Doug Diplock  
Jacqueline Hibbert  
Paul Dunseith

Stratford Police Services Present: Chief Greg Skinner  
Deputy Chief Foster  
Community Resources Officer Aaron Mounfield

Staff Present: Brent Kittmer, Chief Administrative Officer  
Jenna McCartney, Clerk

**1. CALL TO ORDER**

The Chair called the meeting to order at 9:00 am.

**2. DECLARATION OF PECUNIARY INTEREST**

None.

**3. AMENDMENTS AND APPROVAL OF AGENDA**

**Moved By** Paul Dunseith

**Seconded By** Mayor Strathdee

**THAT** the May 19, 2021 Community Policing Advisory Committee agenda be accepted as presented.

**CARRIED**

**4. ACCEPTANCE OF MINUTES**

**Moved By** Councillor Winter

**Seconded By** Jacqui Hibbert

**THAT** the April 21, 2021 Community Policing Advisory Committee meeting minutes be approved by the Committee and signed by the Chair and the Secretary.

**CARRIED**

## **5. REPORTS**

### **5.1 CRIME STOPPERS REPORT**

Chief Skinner presented the April monthly Crime Stoppers report.

In response to an inquiry about the reference to gang activity, Chief Skinner stated that it could be any form of organized crime.

**Moved By** Jacqui Hibbert

**Seconded By** Paul Dunseith

**THAT** the April 2021 Crime Stoppers report be received.

**CARRIED**

### **5.2 POLICE MONTHLY STATISTICS**

Deputy Foster presented the April monthly police report.

In response to concerns raised about noise being emitted from vehicles, Deputy Foster stated that it is a concern and the police are monitoring.

Community Resources Officer Mounfield stated that the police are investigating vehicles without mufflers and laying tickets where warranted.

**Moved By** Mayor Strathdee

**Seconded By** Jacqui Hibbert

**THAT** the April 2021 Police Monthly Statistics report be received.

**CARRIED**

## **6. OTHER BUSINESS**

### **6.1 Park Patrol Update**

Community Officer Mounfield stated that two Park Patrollers have been hired and will be trained the week of May 25. The Patrollers will cover evenings and weekends. It is staff's intention to introduce the Park Patrollers to this committee at the June 16 meeting.

In response to an inquiry regarding bicycle safety education in St. Marys, the Committee was informed that the May tip of the month was in regards

to bicycle safety. Due to the pandemic and public health restrictions, the annual bike rodeo will not take place.

**7. UPCOMING MEETINGS**

The Chair reviewed the upcoming meeting as presented on the agenda.

Chief Skinner asked to address the Community Safety and Well-being Plan. Chief Skinner stated that a travelling roadshow was occurring throughout the lower tier municipalities of Perth County, City of Stratford and St. Marys for the purpose of presenting the Community Safety and Well-being Plan and the Implementation Plan. Each municipality must adopt the Plan by July 1, 2021. There will be a future presentation to the Community Policing Advisory Committee regarding this Plan.

**8. ADJOURNMENT**

**Moved By** Councillor Winter

**Seconded By** Jacqui Hibbert

**THAT** this Community Policing Advisory Committee meeting adjourn at 9:23 am.

**CARRIED**

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Chair Diplock

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Brent Kittmer, Chief Administrative Officer



**Minutes**  
**Green Committee**

May 26, 2021

5:30 pm

Video Conference

Click the following link:

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

Member Present	Lynette Geddes, Chair Councillor Pridham  Fred Stam  John Stevens  David Vermeire
Staff Present	Jed Kelly, Director of Public Works Morgan Dykstra, Committee Secretary

**1. CALL TO ORDER**

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

**2. DECLARATION OF PECUNIARY INTEREST**

None.

**3. AMENDMENTS AND APPROVAL OF AGENDA**

**Resolution: GC-2021-05-01**

**Moved By** John Stevens

**Seconded By** Fred Stam

**THAT** the May 26, 2021 Green Committee agenda be accepted as presented.

**Carried**

**4. DELEGATIONS**

None.

**5. ACCEPTANCE OF MINUTES**

**Resolution: GC-2021-05-02**

**Moved By** Fred Stam

**Seconded By** Councillor Pridham

**THAT** the April 28, 2021 Green Committee minutes be approved and signed by the Chair and Committee Secretary.

**Carried**

**6. STRATEGIC ITEMS - PROGRESS UPDATE**

Morgan Dykstra spoke to the Strategic Priorities Table for May and responded to questions from the Committee.

**Resolution: GC-2021-05-03**

**Moved By** Fred Stam

**Seconded By** John Stevens

**THAT** the May Green Committee Strategic Priorities Table be received for information.

**Carried**

**7. REPORTS**

**7.1 PW 43-2021 Administering a Green Recognition Program**

Morgan Dykstra and Jed Kelly spoke to the report.

The Committee discussed the questions contained within the report and asked that staff bring forward a framework at the next Green Committee meeting.

**Resolution: GC-2021-05-04**

**Moved By** Fred Stam

**Seconded By** John Stevens

**THAT** PW 43-2021 Administering a Green Recognition Program report be received; and,

**THAT** Staff bring forward a green recognition program framework at the next Green Committee meeting.

**Carried**

**8. OTHER BUSINESS**

None.

**9. UPCOMING MEETINGS**

June 23, 2021 at 5:30 p.m. (Virtual)

September 22, 2021 at 5:30 p.m. (Virtual)

**10. ADJOURNMENT**

**Resolution: GC-2021-05-05**

**Moved By** Councillor Pridham

**Seconded By** Fred Stam

**THAT** this meeting of the Green Committee adjourn at 6:28 p.m.

**Carried**

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Lynette Geddes, Chair

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Morgan Dykstra, Committee Secretary





## **Minutes**

### **Museum Advisory Committee**

May 12, 2021

6:30 pm

Video Conference

Click the following link:

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

Member Present      Councillor Hainer, Doug Fread, Peter McAsh, Scott Crawford

Member Absent      Krissy Nickle, Karen Ballard

Staff Present      Amy Cubberley, Cultural Services Supervisor

#### **1. CALL TO ORDER**

Chair Fread called the meeting to order at 6:32pm.

#### **2. DECLARATION OF PECUNIARY INTEREST**

None declared.

#### **3. AMENDMENTS AND APPROVAL OF AGENDA**

**Moved By** Peter McAsh

**Seconded By** Scott Crawford

THAT the May 12, 2021 Museum Advisory Committee agenda be accepted as presented.

**Carried**

#### **4. DELEGATIONS**

None.

**5. ACCEPTANCE OF MINUTES**

**Moved By** Councillor Hainer

**Seconded By** Scott Crawford

THAT the March 10, 2021 Museum Advisory Committee minutes be accepted as presented.

**Carried**

**6. BUSINESS ARISING FROM MINUTES**

Amy Cubberley followed up with Councillor Hainer, confirming that Canada Day plans will be similar to 2020.

**7. REPORTS**

**7.1 May Monthly Report (Museum and Archives)**

Amy Cubberley spoke to DCS 16-2021

**Moved By** Peter McAsh

**Seconded By** Scott Crawford

**THAT** DCS 16-2021 May Monthly Report (Museum and Archives) be received for information.

**Carried**

**7.2 Council Report**

Councillor Hainer updated the Committee on recent Council initiatives, including the Strong as Stone campaign and St. Marys Money.

**8. OTHER BUSINESS**

None.

**9. UPCOMING MEETINGS**

July 14, 2021 at 6:30pm

**10. ADJOURNMENT**

**Moved By** Peter McAsh

**Seconded By** Scott Crawford

THAT the May 12, 2021 Museum Advisory Committee meeting adjourn at 6:46 pm.

**Carried**

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Chair Doug Fread

---

Board Secretary Amy Cubberley



## **Minutes**

### **Youth Council**

May 14, 2021

4:00 pm

Video Conference

Click the following link:

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

Member Present	Sam Truax, Kirsten Pabillano, Megan Richardson, Meghan Hymus, Jess Hammond, Cate Poulton, Councillor Edney
Member Absent	Lauren Partridge, Allison Kennedy-Edney, Paytien Truax
Staff Present	Amy Cubberley, Cultural Services Supervisor Brittany Petrie, EarlyON Coordinator Darcy Drummond, Recreation Supervisor

#### **1. CALL TO ORDER**

Chair Truax called the meeting to order at 4:09 pm.

#### **2. DECLARATION OF PECUNIARY INTEREST**

None declared.

#### **3. AMENDMENTS AND APPROVAL OF AGENDA**

**Moved By** Cate Poulton

**Seconded By** Jess Hammond

THAT the May 14, 2021 Youth Council agenda be accepted as presented.

**Carried**

**4. DELEGATIONS**

4.1 Welcome, Darcy!

Darcy Drummond, new Recreation Supervisor introduced herself to Council. She will be taking over for Brittany and Amy in the coming weeks.

**5. ACCEPTANCE OF MINUTES**

**Moved By** Meghan Hymus

**Seconded By** Jess Hammond

THAT the April 9, 2021 Youth Council minutes be accepted as presented.

**Carried**

**6. BUSINESS ARISING FROM MINUTES**

6.1 Mental Health Initiative

Sam Truax encouraged Council to check the Google document to confirm what they are responsible for. Some deadlines have been adjusted to coincide with school ending for summer, instead of Mental Health Week in May. The new date for the Virtual Silent Rave is July 2.

Councillor Edney informed Youth Council that Town Council will fly the pride flag for the entire month of June.

**Moved By** Cate Poulton

**Seconded By** Meghan Hymus

THAT the Youth Council write a letter to Town Council expressing their appreciation for Council's willingness to fly the Pride Flag for all of June.

**Carried**

**7. REGULAR BUSINESS**

7.1 Social Events Calendar

Sam has created a social events calendar that the Youth Council will participate in for team building, but also as a recruitment opportunity. A movie night, cooking night, and two other virtual events are planned.

7.2 Summer Planning

Youth Council will decide on their summer meeting and event schedule at the June meeting.

7.3 Revisiting Youth Council members on Town Committees

Town Staff reminded Council of the opportunities to participate on other municipal committees.

**8. UPCOMING MEETINGS**

Friday, June 4 at 4:00pm.

**9. ADJOURNMENT**

**Moved By** Cate Poulton

**Seconded By** Jess Hammond

THAT the May 14, 2021 Youth Council meeting adjourn at 4:28 pm.

**Carried**

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Chair

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Committee Secretary

**BY-LAW 56-2021**

**THE CORPORATION OF THE TOWN OF ST. MARYS**

**Being a By-law to authorize an Agreement between The Corporation of the Town of St. Marys and Park N Play Design and to authorize the Mayor and Clerk to execute the Agreement.**

- WHEREAS:** Section 5(3) of the *Municipal Act, 2001 S.O. 2001, c.25*, as amended, provides that a municipal power shall be exercised by by-law;
- AND WHEREAS:** The Corporation of the Town of St. Marys wishes to enter into an agreement with Park N Play Design through sole sourcing for the purpose of astro turf surface at the St. Marys Childcare Centre playground (the “Project”) which was subsequently approved by Council on June 8, 2021;
- AND WHEREAS:** The Corporation of the Town of St. Marys deems it expedient to enter into an agreement with Park N Play Design (the “Agreement”) for the purpose of clarifying and delineating the respective rights, obligations and of the delivery of the Project;
- AND WHEREAS:** It is appropriate to authorize the Mayor and the Clerk to execute the Agreement on behalf of the Town;
- NOW THEREFORE:** The Council of the Corporation of the Town of St. Marys hereby enacts as follows:
1. That the Agreement between The Corporation of the Town of St. Marys and Park N Play Design, attached hereto as Appendix “A”, is hereby authorized and approved.
  2. That the Mayor and Clerk are hereby authorized to execute the Agreement on behalf of The Corporation of the Town of St. Marys.
  3. 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 8<sup>th</sup> day of June 2021.**

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Mayor Al Stratthdee

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Jenna McCartney, Clerk

**BY-LAW 57-2021**

**THE CORPORATION OF THE TOWN OF ST. MARYS**

**Being a By-law to prohibit and regulate the sale of fireworks and the setting off of fireworks and pyrotechnics in the Town of St. Marys.**

**WHEREAS:** The *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a local municipality may,

- a) prohibit and regulate the manufacture of explosives in the municipality;
- b) prohibit and regulate the storage of explosives and dangerous substances in the municipality;
- c) regulate the keeping and transportation of explosives and dangerous substances in the municipality;

and further that a by-law may prohibit the manufacture or storage of explosives unless a permit is obtained, and may impose conditions of obtaining or continuing to hold and renewing the permit, including requiring the submission of plans;

**AND WHEREAS:** Section 121 of the *Municipal Act, 2001*, as amended, provides that a local municipality may prohibit and regulate the sale of fireworks and the setting off of fireworks and further that a by-law may prohibit those activities unless a permit is obtained for those activities and may impose conditions for obtaining, continuing to hold and renewing the permit, including requiring the submission of plans;

**AND WHEREAS:** Section 130 of the *Municipal Act, 2001*, as amended, provides that a municipality may regulate matters for purposes related to the health, safety and well-being of the inhabitants of the municipality;

**AND WHEREAS:** Section 7.1(1) of the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c. 4, as amended, provides that a council of a municipality may pass by-laws regulating fire prevention, including the prevention of spreading fires;

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

**1.0 DEFINITIONS**

- 1) For the purpose of this By-law:



“Act” means the *Explosives Act*, Revised Statutes of Canada, 1985, Chapter E-17 and the Regulations enacted thereunder as amended from time to time or any Act and Regulations enacted in substitution therefore;

“Authorized Persons” means, as the context requires, a) in the case of Display Fireworks those persons working under the direct supervision of the Fireworks Supervisor, and b) in the case of Special Effects Pyrotechnics, those persons working under the direct supervision of the Pyrotechnician;

“Consumer Fireworks” means low hazard fireworks generally used for recreation, which may be classified as type F.1 explosives under the Act, including: showers, golden rain, lawn lights, pin wheels, roman candles, and volcanoes, but does not include Christmas crackers, sparklers and caps for toy guns containing not in excess of 2 mg of explosive substance;

“Council” means the Council for The Corporation of the Town of St. Marys;

“Discharge” means to fire, ignite, explode or set off or cause to be fired, ignited, exploded or set off and the words “discharged” and “discharging” have a similar meaning;

“Display Fireworks” means high hazard fireworks that is classed as F.2 under the Act, and includes rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, bombardos, waterfalls, fountains, batteries, illumination, set pieces and pigeons but does not include firecrackers;

“Fire Chief” means the Fire Chief for the Town or designate;

“Firecracker” means a pyrotechnic device that explodes when ignited and does not make any subsequent display or visible effect after the explosion, and includes those devices commonly known as Chinese firecrackers;

“Fire Department” means the St. Marys Fire Department;

“Fireworks” means display fireworks, consumer fireworks, and Special Effects Pyrotechnics but does not includes sparklers;

“Fireworks Supervisor” means a person who is a ‘display supervisor in charge’ under the Act;

“Minor” means a person who is under 18 years of age;

“Prohibited Firework” includes but is not limited to cigarette loads or plugs, exploding matches, ammunition for miniature tie clip, cufflink or key chain pistols, auto alarms or jokers, cherry bombs, M-80 and silver salutes and flash crackers, throw downtorpedoes and cracking balls, exploding golf balls, stink bombs and smoke bombs, tear gas pens and launchers, party poppers and table bombs, table rockets and bottle sky rockets, fake firecrackers and other trick devices or practical jokes as included on the most recent list of Prohibited Fireworks as published from

time to time under the Act;

“Pyrotechnician” means a person who is ‘pyrotechnician in charge’ under the Act;

“Special Effect Pyrotechnics” means explosives used to produce a special effect in a film or television production or a performance before a live audience; explosives which may be classified as type F.3 in the Act; Fireworks accessories which may be classified as type F.4 in the Act; black powder and hazard category PE 1 black powder substitutes; smokeless black powder and hazard category PE 3 black powder substitutes; initiation systems classified as type I under the Act such as blasting accessories; and detonating cord classified as type E.1 under the Act;

“Sale” includes all attempts or offers to sell or cause or permit to sell or invitations to purchase, whether by express act or implication; and

“Town” means The Corporation of the Town of St. Marys.

## **2.0 SALE OF FIREWORKS AND FIRECRACKERS**

- 1) No person shall sell any Firecrackers.
- 2) No person shall sell any Prohibited Fireworks.
- 3) No person shall sell Special Effect Pyrotechnics or Display Fireworks unless the person holds a licence to do so under the Act.
- 4) No person shall sell Consumer Fireworks without obtaining a permit from the Fire Chief.
- 5) As provided in Schedule A of this By-law, every application for a permit to sell shall include:
  - a) the name and address of the applicant (business or vendor name);
  - b) the date, time and location of the proposed sale of Consumer Fireworks;
  - c) a site plan providing a description of where and how the Consumer Fireworks will be stored and displayed; and
  - d) such other information as required by the Fire Chief.
- 6) No person shall sell Consumer Fireworks except on the following days:
  - a) Victoria Day and Canada Day, and
  - b) 10 calendar days prior to each of the above holidays.
- 7) No person shall display Consumer Fireworks in the Town unless:
  - a) the Consumer Fireworks are displayed in a package, glass case or other suitable receptacle away from inflammable goods;
  - b) the Consumer Fireworks are displayed in a place where they are not exposed to the rays of the sun or to excess heat;
  - c) the Consumer Fireworks are displayed inside of a building and a minimum of 3 meters from any window;

- d) the Consumer Fireworks are displayed in or near an area where smoking or igniting of any smoking or other substance or device is prohibited;
  - e) the Consumer Fireworks are displayed in or near any areas where cooking or heating of food or beverage or other substance is Prohibited; and
  - f) the Consumer Fireworks are displayed in lots that do not exceed 22.68 kgs (50lbs) gross weight.
- 8) No person shall sell or give to any Minor person any type of Consumer or Display Fireworks.
- 9) No person shall sell Consumer Fireworks in a building unless the provisions of the Ontario Fire Code and all other applicable Acts and Regulations are complied with.
- 10) Notwithstanding the provisions of this Section, retail sales of Consumer Fireworks may be permitted from detached storage units or tractor trailer units outside of a building, provided that the units are located at least:
- a) 6 metres from any combustible material;
  - b) 6 metres from any building or any other temporary retail outlet;
  - c) at least 3 metres from any vehicle parking; and
  - d) with the prior approval of the Fire Chief or designate, for the location.

### **3.0 DISCHARGE OF FIRECRACKERS AND PROHIBITED FIREWORKS**

- 1) No person shall Discharge any Firecrackers, except with the appropriate federal approvals and for the purpose of cultural celebrations.
- 2) No person shall Discharge any Prohibited Fireworks.

### **4.0 DISCHARGE OF CONSUMER FIREWORKS**

- 1) No person shall Discharge Consumer Fireworks in the Town except:
  - a) between dusk and 11:00 pm on Victoria Day or two days preceding or following Victoria Day;
  - b) between dusk and 11:00 pm on Canada Day or two days day preceding or following Canada Day;
  - c) as part of a display of Display Fireworks for which a permit has been obtained and for which all conditions and requirements of the permit have been met; or
  - d) at such other times and such other dates as permitted by Council by by-law.
- 2) A person eighteen (18) years of age or older may hold a display of Consumer Fireworks on any land belonging to him or her or on any other privately-owned land where the owner thereof has given permission for such display or Discharge of Fireworks.
- 3) No person under the age of eighteen (18) shall Discharge any Consumer Fireworks except under the direct supervision of and control of a person eighteen (18) years of age or over.

- 4) No person being the parent or guardian of any person under the age of eighteen (18) years shall allow the person to Discharge any Consumer Fireworks except when such parent or guardian or some other responsible person of eighteen (18) years of age or over is in direct supervision and control.
- 5) No person shall Discharge any Consumer Fireworks in, or into or on any building, doorway, or motor vehicle.
- 6) No person shall store, handle or Discharge any Consumer Fireworks in such a manner as might create danger or constitute a nuisance to any person or property, or to do or cause or allow any unsafe act or omission at the time and place for the Discharging of any Fireworks.
- 7) No person shall Discharge any Consumer Fireworks in or on or into any park, highway, street, land, square or other public place, unless under a Display Fireworks permit to do so issued by the Fire Chief.

## **5.0 DISCHARGE OF DISPLAY FIREWORKS**

- 1) No person shall hold or Discharge Display Fireworks in the Town without first having obtained a permit to do so issued by the Fire Chief.
- 2) Every application for a permit shall be submitted to the Fire Chief a minimum of thirty (30) calendar days prior to the event when the proposed Discharge of the Display Fireworks is to occur.
- 3) As provided in Schedule B, every application for a permit shall be submitted by the Fireworks Supervisor and shall include:
  - a) the name and address of the applicant (Fireworks Supervisor) and the sponsoring organization, if applicable;
  - b) the date and time of the proposed Discharge of Display Fireworks;
  - c) the type and kind of Display Fireworks that may be Discharged;
  - d) the Discharge techniques to be used;
  - e) the manner and means of restraining unauthorized persons from attending too near the Discharge site;
  - f) the manner in which unused Fireworks are to be disposed of;
  - g) the number of Authorized Persons on site during the event to handle and Discharge the Display Fireworks;
  - h) a site plan providing a description of the Discharge site to be used for the Discharging of the Display Fireworks;
  - i) a description of the fire emergency procedures;
  - j) proof of certification of the applicant as a Fireworks Supervisor;
  - k) proof of consent of the owner of the property to the Discharge of Display Fireworks in writing;

- l) a permit fee as set out in the applicable Town Fees By-law;
  - m) proof of insurance and indemnification in accordance with Sections 7.0 and 8.0; and
  - n) such other information as required by the Fire Chief.
- 4) If, in the opinion of the Fire Chief, it is necessary for a firefighter or firefighters to be present at the Discharge of Display Fireworks, the presence of such firefighter(s) shall be a condition of the permit. The firefighter(s) shall have the right to enter any premises for the purpose of ensuring public safety and shall not be hindered or obstructed in any way whatsoever. Such firefighter(s) shall also have the authority to require any precautions for the prevention of fire which in the opinion of the firefighter(s) is deemed necessary before any Display Fireworks are Discharged pursuant to the permit issued by the Fire Chief.
  - 5) The permit may be suspended or revoked by the Fire Chief if the conditions of the permit are not being met or it would be unsafe to allow the Display Fireworks.
  - 6) Every person to whom a permit is issued under this section shall:
    - a) provide and maintain approved fully operational fire extinguishing equipment ready for immediate use, throughout the time while the Display Fireworks is being set off or displayed and for a reasonable period thereafter, at the location or site of the setting off or holding of a Display Fireworks;
    - b) produce the permit on demand by the Fire Department or to any police officer, or any person authorized to enforce this By-law; and
    - c) permit the inspection of any site where the Display Fireworks may be stored, Discharged or displayed and the Fireworks themselves together with all associated equipment, by the Fire Department or anyone authorized to enforce this By-law, forthwith, upon demand.
  - 7) Every person to whom a permit is issued under this section, shall, immediately after the conclusion of the Discharge or holding of a Display Fireworks, carry out a site inspection and shall:
    - a) remove all unused or partly used Display Fireworks from the site;
    - b) gather together and remove all debris remaining after using or partial use of the Display Fireworks; and
    - c) return the site to the condition it was prior to the setting off or holding of the Display Fireworks.

## **6.0 SPECIAL EFFECTS PYROTECHNICS**

- 1) No person shall hold or Discharge a display of Special Effect Pyrotechnics in the Town without first obtained a permit to do so issued by the Fire Chief.
- 2) As provided in Schedule B, every application for a permit shall be submitted by the Pyrotechnician and shall include:

- a. the name and address of the applicant (Pyrotechnician) and the sponsoring organization, if applicable;
  - b. the date and time of the proposed Discharge of Special Effect Pyrotechnics;
  - c. the type and kind of Special Effect Pyrotechnics that may be Discharged;
  - d. the Discharge techniques to be used;
  - e. the manner and means of restraining unauthorized persons from attending too near the Discharge site;
  - f. the manner in which unused Special Effect Pyrotechnics are to be disposed of;
  - g. the number of Authorized Persons on site during the event to handle and Discharge the Special Effect Pyrotechnics;
  - h. a site plan providing a description of the Discharge site to be used for the Discharging of the Special Effect Pyrotechnics;
  - i. a description of the fire emergency procedures;
  - j. proof of certification of the applicant as a Pyrotechnician;
  - k. proof of consent of the owner of the property to the Discharge of Special Effect Pyrotechnics in writing;
  - l. a permit fee as set out in the applicable Town Fees By-law;
  - m. proof of insurance and indemnification in accordance with Sections 7.0 and 8.0 respectively; and
  - n. such other information as required by the Fire Chief.
- 3) The Special Effect Pyrotechnics shall only be set off under the supervision of a Pyrotechnician.
- 4) If, in the opinion of the Fire Chief, it is necessary for a firefighter or firefighters to be present at the setting off of any Special Effect Pyrotechnics, the presence of such firefighter(s) shall be a condition of the permit. The firefighter(s) shall have the right to enter any premises for the purpose of ensuring public safety and shall not be hindered or obstructed in any way whatsoever. Such firefighter(s) shall also have the authority to require any precautions for the prevention of fire which in the opinion of the firefighter(s) is deemed necessary before any Pyrotechnic Special Effect Fireworks are set off pursuant to the permit issued by the Fire Chief.

## **7.0 INSURANCE**

- 1) The applicant for a permit shall provide and maintain Commercial General Liability insurance subject to the limits of not less than Five Million Dollars (\$5,000,000) inclusive per occurrence for bodily injury, death and damage to property including loss of use thereof. Such insurance shall be in the name of the applicant and shall name The Corporation of the Town of St. Marys as an additional insured thereunder. Such insurance shall include coverage of displays of Special Effects Pyrotechnics,

Consumer Fireworks or Display Fireworks. Such insurance policy shall contain an endorsement to provide the Town of St. Marys within thirty (30) calendar days prior written notice of cancellation or of a material change that would diminish coverage, and a standard Certificate of Insurance evidencing such insurance coverage shall be provided to the Town prior to the issuance of a permit.

## **8.0 INDEMNIFICATION**

- 1) The applicant for a permit shall indemnify and save harmless the Town from any and all claims, demands, causes of action, loss, costs or damages that the Town may suffer, incur or be liable for resulting from the performance of the applicant as set out in the by-law whether with or without negligence on the part of the applicant, the applicant's employees, directors, contractors and agents.

## **9.0 VALIDITY**

- 1) If a court of competent jurisdiction declares any subsection, section or part of this By-law invalid, it is the intention of Council that the remainder of the By-law shall continue to be in force.

## **10.0 CONFLICT WITH OTHER BY-LAWS**

- 1) Nothing in this By-law shall exempt any person from complying with the requirements of any by-law in force or from obtaining any licence, permission, permit, authority or approval required under any by-law or legislation.

## **11.0 SHORT TITLE**

- 1) This by-law shall be known as the Fireworks By-law.

## **12.0 OFFENCES**

- 1) Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for by the *Provincial Offences Act*, R.S.O. 1990, Chapter P.33, as amended.;
- 2) Every person who is convicted of an offence under this By-law is liable to a fine:
  - a. Upon a first conviction to a maximum fine of five thousand dollars (\$5,000);
  - b. Upon a subsequent conviction to a maximum fine of ten thousand dollars (\$10,000).

## **13.0 REPEAL**

- 1) That By-law 61-2011, Fireworks, is hereby repealed.

#### **14.0 ENACTMENT**

This By-law shall come into force and effect on the final passing thereof.

**Read a first, second and third time and finally passed this 8<sup>th</sup> day of June 2021.**

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Mayor Al Stratheedee

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Jenna McCartney, Clerk



## Schedule A to By-Law 57-2021

### APPLICATION FOR A PERMIT TO SELL FIREWORKS

Date of Application: _____		<b>FOR OFFICE USE ONLY</b> License # _____  Valid Until: _____ (Permit Valid for One Year)	
Business/Vendor's Name: _____ _____			
Address	Street: _____		
	City: _____	Postal Code: _____	Phone: _____
	Email Address: _____		
Date of Sales: _____			
Location of Sales: _____			
Description of structure of which the fireworks will be sold			
Store: _____			
Other (describe fully): _____			
Where and how will fireworks be stored and displayed? _____ _____			
(Attach a Site Plan pursuant to Section 4.3 of this by-law)			
Number and type of fire extinguishers in structure: _____ _____			
Fire and explosion safeguards to be undertaken: _____ _____			
Name of manufacturer of fireworks: _____			
The undersigned hereby releases the Corporation of the Township of Perth East from any or all claims for damage which may arise in the carrying on of business within the Municipality under which the undersigned is licensed by the Municipality to do so.			
<b>FOR OFFICE USE ONLY</b>			

Department	Date Circulated	Response	Amount Paid:	Date:
Fire Dept:			Insurance:	
			Expiry:	
Planning:			Co-Insured:	
Approved:			Site Plan Record:	
Not Recommended for Approval: Reason:			Appealed:	
Council Decision:			Comments:	Permission: Property Owner: Agent:
Personal information collected on this form is collected pursuant to the Municipal Act. S.O. 2001, c.25 and will be used for the purpose of responding to your request. Questions about this collection should be directed to the Clerk.				

## Schedule B to By-Law 57-2021

### Display Fireworks or Special Effects Pyrotechnics Permit

Applicant Name:	Address, Telephone Number and Email:
Sponsoring Organization	Permit: <input type="checkbox"/> Display Fireworks <input type="checkbox"/> Special Effects Pyrotechnics
Purpose of the Display:	
Location of the Event:	Date(s) and time of Event:
Number of Authorized Persons (handling and Discharging Display Fireworks):	
Type and kind of Display Fireworks or Special Effects Pyrotechnics:	
Proposed Technique for Discharging Display Fireworks or Special Effects Pyrotechnics:	
How will unauthorized persons be restricted from Discharge site:	
How will unused Display Fireworks or Special Effects Pyrotechnics be disposed of?	

To Be Included:

- a) Site Plan providing a description of the Discharge site
- b) A description of Fire Emergency Procedures;
- c) Proof of Fireworks Supervisor or Pyrotechnician certification;
- d) Proof of consent of the owner of the property to the Discharge of the Display Fireworks of Special Effects Pyrotechnics in writing;
- e) Permit fee
- f) Proof of insurance and indemnification in accordance with sections 7.0 and 8.0

I \_\_\_\_\_, having the appropriate Fireworks accreditation from  
(Fireworks Supervisor or Pyrotechnician)

Natural Resources Canada, will supervise and control all Fireworks or Special Effects Pyrotechnics to be set off in the Corporation of the Town of St. Marys. I agree to abide by the terms and conditions set out in Sections 7.0 and 8.0 of the Fireworks By-law and have attached proof of Liability Insurance with a minimum coverage of five million Canadian dollars (\$5,000,000.00 CA) with The Corporation of the Town of St. Marys to be named as an additional insured.

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Signature

Date

**FOR OFFICE USE ONLY**

Additional conditions for display (use extra sheet if necessary):

Accepted: ☐

Declined: ☐

Fire Chief:

Date:

## Penalties of Infraction

### Part I: Provincial Offences Act

Item	Short Form Wording	Provision creating or defining offence	Set Fine
1	Sell Firecrackers	2.(1)	\$150.00
2	Sell Prohibited Fireworks	2.(2)	\$150.00
3	Sell Special Effect Pyrotechnics or Display Fireworks without license	2.(3)	\$150.00
4	Sell Consumer Fireworks without permit	2.(4)	\$150.00
5	Sell Consumer Fireworks outside of permitted dates	2.(6)	\$150.00
6	Display Consumer Fireworks near inflammable goods	2.(7)(a)	\$150.00
7	Display Consumer Fireworks near heat source	2.(7)(b)	\$150.00
8	Display Consumer Fireworks inside a building, within 3m of a window	2.(7)(c)	\$150.00
9	Display Consumer Fireworks near smoking or ignition area	2.(7)(d)	\$150.00
10	Display Consumer Fireworks near permitted cooking or food source area	2.(7)(e)	\$150.00
11	Display Consumer Fireworks in lots exceeding 22.68 kg	2.(7)(f)	\$150.00
12	Sell or give Consumer or Display Fireworks to any person under the age of 18	2.(8)	\$150.00
13	Sell Consumer Fireworks in a building where Ontario Fire Code and all other applicable Acts and Regulations are not complied with	2.(9)	\$150.00
14	Discharge Firecrackers without appropriate federal approval	3.(1)	\$150.00
15	Discharge Prohibited Fireworks	3.(2)	\$150.00
16	Discharge Consumer Fireworks between dawn and 10:59pm on permitted days for Victoria Day	4.(1)(a)	\$150.00

The Corporation of the Town of St. Marys  
Schedule C – By-law 57-2021  
Being a By-law to Regulate Fireworks

17	Discharge Consumer Fireworks between dawn and 10:59pm on permitted days for Canada Day	4.(1)(b)	\$150.00
18	Discharge Consumer Fireworks as part of a display of Display Fireworks without a permit	4.(1)(c)	\$150.00
19	Discharge any Consumer Fireworks by person under 18 years	4.(3)	\$150.00
20	Parent or guardian permits person under 18 years to discharge Consumer Fireworks without direct supervision and control	4.(4)	\$150.00
21	Discharge Consumer Fireworks in, or into or on any building	4.(5)	\$150.00
22	Discharge Consumer Fireworks in, or into or on any doorway	4.(5)	\$150.00
23	Discharge Consumer Fireworks in, or into or on any motor vehicle	4.(5)	\$150.00
24	Dangerous storage of Consumer Fireworks	4.(6)	\$150.00
25	Dangerous handling of Consumer Fireworks.	4.(6)	\$150.00
26	Dangerous Discharge of Consumer Fireworks	4.(6)	\$150.00
27	Discharge Consumer Fireworks in any public place without permit	4.(7)	\$150.00
28	Hold Display Fireworks without permit	5.(1)	\$150.00
29	Discharge Display Fireworks without permit	5.(1)	\$150.00
30	Hold Special Effect Pyrotechnics without a permit	6.(1)	\$150.00
31	Discharge Special Effect Pyrotechnics without a permit	6.(1)	\$150.00

NOTE: The penalty provisions for the offences listed above is Section 12.1 of by-law 57-2021, a certified copy of which has been filed.

**BY-LAW 58-2021**

**THE CORPORATION OF THE TOWN OF ST. MARYS**

**Being a By-law to authorize an Agreement between The Corporation of the Town of St. Marys and Humane Society of Kitchener Waterloo & Stratford Perth and to authorize the Mayor and Clerk to execute the Agreement.**

- WHEREAS:** Section 5(3) of the *Municipal Act, 2001 S.O. 2001, c.25*, as amended, provides that a municipal power shall be exercised by by-law;
- AND WHEREAS:** The Corporation of the Town of St. Marys deems it expedient to enter into an agreement with Humane Society of Kitchener Waterloo & Stratford Perth to contract animal control services (the “Agreement”) for the purpose of clarifying and delineating the respective rights, obligations and of the delivery of the Agreement;
- AND WHEREAS:** It is appropriate to authorize the Mayor and the Clerk to execute the Agreement on behalf of the Town;
- AND WHEREAS:** It is appropriate to appoint the Humane Society of Kitchener Waterloo Stratford Perth and its officers as Animal Control Officers in the Town of St. Marys;
- NOW THEREFORE:** The Council of the Corporation of the Town of St. Marys hereby enacts as follows:
1. That the Mayor and Clerk are hereby authorized to execute an Agreement on behalf of The Corporation of the Town of St. Marys between The Corporation of the Town of St. Marys and Humane Society of Kitchener Waterloo & Stratford Perth.
  2. That individuals employed by Humane Society of Kitchener Waterloo & Stratford Perth in the capacity of animal control officers are hereby appointed as Animal Control Officers in the Town of St. Marys.
  3. That a copy of the said Agreement is attached hereto this By-law, and to affix the corporate seal of the Corporation of the Town of St. Marys.
  4. 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 8<sup>th</sup> day of June 2021.**

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Mayor Al Strathdee

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Jenna McCartney, Clerk

## **THE CORPORATION OF THE TOWN OF ST. MARYS**

### **BY-LAW NO. Z144-2021**

Being a By-law pursuant to the provisions of Section 34 of the *Planning Act* to amend By-law No. Z1-1997, as amended, which may be cited as “The Zoning By-law of the Town of St. Marys” affecting all lands in the Town of St. Marys.

**WHEREAS** the Council of the Corporation of the Town of St. Marys deems it necessary in the public interest to pass a By-law to amend By-law No. Z1-1997, as amended;

#### **NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF ST. MARYS ENACTS AS FOLLOWS:**

1. That the introductory sentence of Section 5.1.1 of By-law No. Z1-1997 is hereby amended by deleting the words “per lot” to read as follows:  
**5.1.1 In a Single-detached, Semi-detached or Row or Townhouse Dwelling**  
A maximum of one **accessory apartment** is permitted in any **single-detached, semi-detached or row or townhouse dwelling** provided that:
2. That Section 5.1.1(a) of By-law No. Z1-1997 is hereby amended by replacing “40” with “45” and adding the following sentence “This does not apply to an **accessory apartment** located entirely in a **basement** or cellar” to read as follows:
  - (a) The maximum **gross floor area** of the **accessory apartment** shall not exceed 45 percent of the **gross floor area** of the **main building** (including the **gross floor area** of the **accessory apartment**) and shall not exceed 100 square metres (1,076 ft<sup>2</sup>); This does not apply to an **accessory apartment** located entirely in a **basement** or cellar.
3. That Section 5.1.2 of By-law No. Z1-1997 is hereby amended by deleting Subsection (b) and renumbering all existing sections following thereafter.
4. That Section 5.1.2(c) of By-law No. Z1-1997 is hereby deleted and replaced with the following:
  - (c) The accessory building or structure complies with Section 5.1.3A; and,
5. That Section 5.8 of By-law No. Z1-1997 is hereby amended by adding “with the exception of an accessory apartment” and deleting the following sentence “This section shall not apply to accessory apartment” to read as follows:  
**5.8 Dwelling Units Below Grade**  
No **dwelling unit** shall, in its entirety, be located in a cellar with the exception of an accessory apartment. If any portion of a dwelling unit is located in a cellar, such portion of the dwelling unit shall be used only as a furnace room, laundry room, storage or utility room, recreation room, bedroom subject to applicable Building Code requirements, or for a similar use. However, a dwelling unit, in its entirety, may be located in a basement subject to applicable Building Code requirements.
6. That By-law No. Z1-1997 is hereby amended by updating all cross references in sections accordingly.



7. All other provisions of By-law No. Z1-1997, as amended, shall apply.
8. The Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law in accordance with the *Planning Act*, as amended, and to Regulations thereunder.

**Read a first, second and third time this 8<sup>th</sup> day of June 2021.**

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Mayor Al Strathee

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Jenna McCartney, Clerk

**BY-LAW 59-2021**

**THE CORPORATION OF THE TOWN OF ST. MARYS**

**Being a By-law to confirm all actions and proceedings of the Council of The Corporation of the Town of St. Marys at its regular meeting held on June 8, 2021.**

**WHEREAS:** The *Municipal Act, 2001*, S.O. 2001, c.25, as amended, Section 5(3), provides that the jurisdiction of every council is confined to the municipality that it represents, and its powers shall be exercised by by-law;

**AND WHEREAS:** The Council of the Corporation of the Town of St. Marys deems it expedient to confirm its actions and proceedings;

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

- 1.** That all actions and proceedings of the Council of the Corporation of the Town of St. Marys taken at its regular meeting held on the 8<sup>th</sup> day of June 2021 except those taken by by-law and those required by by-law to be done by resolution are hereby sanctioned, ratified and confirmed as though set out within and forming part of this by-law.
- 2.** This by-law comes into force on the final passing thereof.

**Read a first, second and third time and finally passed this 8<sup>th</sup> day of June 2021.**

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Mayor Al Stratheedee

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Jenna McCartney, Clerk