1. **Public Resolution to Move into Closed Session - (6:00 P.M in Council Chambers)**

   \textit{THAT the Council of the Township of Woolwich convenes in closed session on Tuesday, March 7, 2017 in the Councillors' Office in accordance with Section 239 (2) (e) of the Municipal Act for discussion referring to litigation or potential litigation, including matters before administrative tribunals, affecting the municipality of local board (Legal Matter).}

2. **Resolution to Reconvene in Open Session (7:00 P.M. in Council Chambers)**

   \textit{THAT Council reconvenes in open session.}

3. **Moment of Silence**

4. **Disclosures of Pecuniary Interest**

5. **Items to Come Forward from Closed Session**

6. **Adoption of Minutes**

   \underline{Resolution:}

   \textit{THAT the following minutes be adopted:}

   6.1 Council Minutes: February 21, 2017

7. **Proclamations**

8. **Presentations**
9. **Delegations**

9.1 Cycling into the Future

9.1.1 Philip Martin

10. **Unfinished Business**

11. **Consent Items**

*Items listed under the Consent Agenda are considered routine, and are enacted in one motion in order to expedite the meeting. However, any Council member may request one or more items to be removed from the Consent Agenda for separate discussion and/or action.*

**Resolution**

*THAT the following items be approved and/or received for information:*

11.1 **Items for Approval**

11.1.1 C05-2016: Elmira Business Improvement Area (BIA) Board Appointments

11.1.2 E08-2017: Zone Change Application 17/2016 Harvey and Selinda Sauder

11.1.3 E09-2017: Zone Change Application 18/2016 Gordon W. Martin


11.2 **Items for Information**

11.2.1 Committee of Adjustment: Notice of Hearing - March 20, 2017

11.2.2 Council Mail Folder

12. **Committee of the Whole**

**Resolution:**

*THAT Council convenes into the Committee of the Whole.*

12.1 Recommendations from Committee of the Whole (February 28, 2017)
Resolution:

THAT the Summary of Recommendations of the Committee of the Whole be adopted.

12.2 Staff Reports and Memos

12.2.1 Memo for Fleet Management Policy - 2017

12.2.2 C04-2017: Municipal Act Changes and Code of Conduct

12.3 Other Business

12.3.1 Mayor's Report on Regional Matters

12.3.2 Council Reports/ Updates

12.3.3 Outstanding Council Activity List as of March 3, 2017

12.4 First and Second Reading of the By-laws

Resolution:

THAT the following by-laws be introduced and read a first and second time.

12.4.1 A by-law to further amend Zoning By-law 55-86 of the Township of Woolwich (Harvey and Selinda Sauder)

12.4.2 A by-law to further amend Zoning By-law 55-86 of the Township of Woolwich (Gordon W. Martin)

12.4.3 A by-law to further amend Zoning By-law 55-86 of the Township of Woolwich (Robert and Lisa Shuh)

12.4.4 A by-law to further amend Zoning By-law 55-86 of the Township of Woolwich (Robert Brubacher - 7021 Sideroad 5)

12.4.5 A by-law to confirm all actions and proceedings of Council (March 7, 2017)

13. Adoption of proceedings of the Committee of the Whole

Resolution:

THAT the Committee of the Whole rise and report to Council.

Resolution:

THAT Council confirms and adopts the proceedings of the Committee of the Whole.
14. Correspondence

15. Public Notice

16. Notice of Closed Meetings

17. Notice of Motion

18. Final Passage of By-laws

Resolution:

THAT the following by-laws in the hands of the Clerk be read a third time and finally passed, that they be numbered as By-law numbers 014-2017 to 018-2017, and that they be signed by the Mayor and Clerk and sealed with the corporate seal.

18.1 A by-law to further amend Zoning By-law 55-86 of the Township of Woolwich (Harvey and Selinda Sauder)

18.2 A by-law to further amend Zoning By-law 55-86 of the Township of Woolwich (Gordon W. Martin)

18.3 A by-law to further amend Zoning By-law 55-86 of the Township of Woolwich (Robert and Lisa Shuh)

18.4 A by-law to further amend Zoning By-law 55-86 of the Township of Woolwich (Robert Brubacher - 7021 Sideroad 5)

18.5 A by-law to confirm all actions and proceedings of Council (March 7, 2017)

19. Adjournment

Resolution:

THAT the meeting adjourns to meet again in regular session on Tuesday, March 28, 2017.

If you have any questions about the content or outcome of this meeting, please contact Adelina Corpodean at 519-669-6004 or acorpodean@woolwich.ca.
Township Of Woolwich
Council Minutes

February 21, 2017
7:00 p.m.
Council Chambers, 2nd Floor
24 Church Street West, Elmira

Present: Mayor Shantz
Councillor Merlihan
Councillor Hahn
Councillor Bauman
Councillor Martin
Councillor Shantz

Present from Staff: David Brenneman, Chief Administrative Officer;
Val Hummel, Director of Council and Information Services/Clerk;
Richard Petherick, Director of Finance/Treasurer;
Ann McArthur, Director of Recreation and Facilities Services;
Rick Pedersen, Director of Protective Services/Fire Chief;
Dan Kennaley, Director of Engineering and Planning Services
Adelina Corpodean, Clerk’s Administrative Assistant

Public Resolution to Move into Closed Session - (6:00 P.M in Council Chambers)

Moved By Councillor Shantz
Seconded By Councillor Bauman
THAT the Council of the Township of Woolwich convenes in closed session on February 21, 2017 in the Councillors’ Office in accordance with Section 239 (2) (b) of the Municipal Act for discussion referring to personal matters about an identifiable individual, including municipal or local board employees, regarding a Potential Legal Agreement and a Council Appointment.

…Carried

Resolution to Reconvene in Open Session (7:00 P.M. in Council Chambers)

Moved By Councillor Hahn
Seconded By Councillor Bauman
THAT Council reconvenes in open session.

…Motion Carried

Moment of Silence

The meeting began with a moment of silence.

Disclosures of Pecuniary Interest

Councillor Merlihan declared a pecuniary interest with regards to the Koinonia Church delegation, as Koinonia is an advertising customer.
Items to Come Forward from Closed Session

None.

Adoption of Minutes

Moved By Councillor Hahn
Seconded By Councillor Martin
THAT the following minutes be adopted:
- Committee of the Whole: January 10, 2017
- Special Council (Budget) Minutes: January 26, 2017
- Council Minutes: January 31, 2017
- Committee of the Whole Minutes: February 7, 2017

...Motion Carried

Proclamations

None.

Presentations

None.

Delegations

Koinonia Church: Ice Rental Waiver Request

Bryce Fleming

Mr. Fleming spoke on behalf of Koinonia Church to request that Council waive the Ice Rental fee for the tentative skate night event the Church is looking at holding at the Woolwich Memorial Centre.

Councillor Merlihan left the meeting due to a pecuniary interest.

In response to a Council inquiry, Ann McArthur advised that the full price to rent the skating rink is $469, while the affiliated price rate for the rink would be $316 for two hours of ice time.

Moved By Councillor Martin
Seconded By Councillor Bauman
THAT the Council of the Township of Woolwich waives the ice rental fee for Koinonia Church for a two-hour rental on March 15, 2017 with the cost being covered as a Special Assistance Grant.

...Motion Carried

Councillor Merlihan returned to the meeting.
Council Minutes – February 21, 2017

Unfinished Business

None.

Consent Items

Moved By Councillor Hahn
Seconded By Councillor Bauman
THAT the following items be approved and/or received for information:

Items for Approval

- E07-2017: Canagagigue Creek Bridge Agreement Structure No. 260146 Jigs Hollow Road
- F06-2017: Cancellation, Reduction and Refund of Taxes
- R03-2017: Amended Partnership Agreement with Grand Valley Trails Association

Items for Information

- Committee of Adjustment Minutes: January 16, 2017
- Elmira BIA Minutes: January 25, 2017
- Grand River Accessibility Advisory Committee (GRAAC) Minutes: November 24, 2016
- Grand River Accessibility Advisory Committee (GRAAC) Minutes: December 15, 2016
- Heritage Committee Minutes: January 11, 2017
- Council Mail Folder

...Motion Carried

Committee of the Whole

Moved By Councillor Martin
Seconded By Councillor Shantz
THAT Council convenes into the Committee of the Whole.

...Motion Carried

Recommendations from Committee of the Whole (February 7, 2017)

Moved By Councillor Bauman
Seconded By Councillor Shantz
THAT the Summary of Recommendations of the Committee of the Whole dated February 7, 2017 be adopted as follows:

1. THAT the following item be approved:
   - 2017 Council Meeting Schedule with televised dates;

   AND FURTHER THAT the following items be received for information:
   - Proposed Zoning Amendment: Marbro Capital Limited (50 Martin's Lane, Elmira)
   - Proposed Zoning Amendment: 2167534 Ontario Incorporated (125 Peel Street)
2. THAT the Council of the Township of Woolwich authorizes, by By-law, the Mayor and Clerk to sign the Cross Border Servicing Agreements attached as Appendix ‘A’ to Report E06-2017 and pursuant to Section 20 of the Municipal Act between the Township of Woolwich, the City of Waterloo and Colleen Diane Whitney concerning the administration, financing, design, construction, ownership and maintenance of a municipal water service extended from the City of Waterloo to a residential property at 3061 University Avenue within the Township of Woolwich subject to:

i) The Owner executing the Cross Border Servicing Agreement for municipal water service;

AND FURTHER THAT the Council of the Township of Woolwich authorizes, by By-law, the Mayor and Clerk to sign the Cross Border Servicing Agreements attached as Appendix ‘B’ to Report E06-2017 and pursuant to Section 20 of the Municipal Act between the Township of Woolwich, the City of Waterloo and Colleen Diane Whitney concerning the administration, financing, design, construction, ownership and maintenance of the municipal sanitary service extended from the City of Waterloo to a residential property at 3061 University Avenue within the Township of Woolwich subject to:

i) The Owner executing the Cross Border Servicing Agreement for municipal sanitary service.

3. WHEREAS the Fire Protection and Prevention Act, 1997, legislates that fire prevention, public education and fire protection services are a mandatory municipal responsibility;

AND WHEREAS there are a total of 449 Fire Departments operating in the province comprised of 32 Full Time Departments, 191 Composite Departments and 226 Volunteer Departments with 11,376 Full Time Firefighters, 19,347 Volunteer Firefighters and 343 Part Time Firefighters staffing these departments;

AND WHEREAS the fire service represents a significant percentage of small, rural and northern municipalities’ managed capital assets;

AND WHEREAS the Municipal Fire Department and associated assets represent critical municipal infrastructure;

AND WHEREAS there are currently no funding opportunities available from the Provincial or the Federal Government for the equipment, training, maintenance, operating or capital requirements of local fire departments;

BE IT RESOLVED THAT the Council of the Corporation of the Township of Woolwich hereby petitions the Provincial Government to recognize the municipal fire service as critical infrastructure by including funding for Fire Department infrastructure as part of the Provincial Government’s Infrastructure Strategy to Move Ontario Forward;
Council Minutes – February 21, 2017

AND FURTHER MORE THAT a copy of this resolution be sent to the Premier of Ontario, the Minister of Economic Development, Employment and Infrastructure; MPP Michael Harris, the Association of Municipalities of Ontario (AMO), the Rural Ontario Municipal Association (ROMA), and the Council of the Town of New Tecumseth.

...Motion Carried

Staff Reports and Memos

F03-2017: Ontario Regulation 284-09 Budget Exclusions 2017

Director of Finance and Treasurer, Richard Petherick briefly outlined the Budget Exclusions for 2017 set by the Province of Ontario.

Moved By Councillor Bauman
Seconded By Councillor Hahn
THAT the Council of the Township of Woolwich adopt report F03-2017 and approve the exclusion of amortization expense and employee future benefit liability expense for the 2017 Budget, as allowed under Ontario Regulation 284/09.

...Motion Carried

F04-2017: 2017 Budget Approval

Moved By Councillor Martin
Seconded By Councillor Bauman
THAT the Council of the Township of Woolwich approve the 2017 Operating and Capital Budgets, as amended, with a net levy requirement of $9,746,468 as summarized in Appendix “A” attached to report F04-2017;

AND FURTHER THAT the Council of the Township of Woolwich approve the 2017 Water Budget with a net expenditure of $4,193,646 as summarized in Appendix “C” attached to report F04-2017;

AND FURTHER THAT Council approve the 2017 Wastewater Budget with a net expenditure of $3,919,547 as summarized in Appendix “D” attached to report F04-2017;

AND FURTHER THAT Council adopt the amended Wastewater Fees and Charges By-law attached as Appendix “E” to report F04-2017;

AND FURTHER THAT Council approve the Township of Woolwich’s 2017 Corporate Business Plan as presented during budget deliberations.

...Motion Carried

R05-2017: Canada 150 Amending Agreement Bolender Park

Moved By Councillor Shantz
Seconded By Councillor Bauman
THAT the Council of the Township of Woolwich approve a by-law to authorize the Mayor and Clerk to sign an Amending Agreement for funding for facility and playground renovations in Bolender Park, Elmira under the Canada 150 Community Infrastructure Program in accordance with Report 05-2017; and
THAT the funding amount approved for project 809616 under this program is $75,000 being 50% of the total project costs.

...Motion Carried

Other Business

Settlement Rationalizations

In response to a Council inquiry, Dan Kennaley affirmed that rationalization will be dealt with by the end of March in Elmira and St. Jacobs, and by the end of 2017 in Breslau.

Mayor's Report on Regional Matters

None.

Council Reports/ Updates

None.

Outstanding Council Activity List as of February 17, 2017

Council reviewed the Outstanding Activity List.

First and Second Reading of the By-laws

Moved By Councillor Bauman
Seconded By Councillor Shantz
THAT the following by-laws be introduced and read a first and second time.

- Being a by-law to authorize the execution of a Utility Access Agreement with the Regional Municipality of Waterloo (Canagagigue Creek Bridge, Structure No. 260146 on Jigs Hollow Road)
- Being a by-law to authorize the execution of an Amended Partnership Agreement with Grand Valley Trails Association (Exploring Future Trail Routes)
- Being a by-law to authorize the execution of a Cross Border Service Agreement regarding Municipal Sanitary Services with Colleen Diane Whitney and the Corporation of the City of Waterloo (3061 University Avenue)
- Being a by-law to authorize the execution of a Cross Border Service Agreement regarding Municipal Water Services with Colleen Diane Whitney and the Corporation of the City of Waterloo (3061 University Avenue)
- A by-law to authorize the execution of an Amending Agreement #1 for the Community Infrastructure Program between the Corporation of the Township of Woolwich and Her Majesty the Queen in Right of Canada (Bolender Park Canada 150)
Council Minutes – February 21, 2017

- A by-law to amend By-law 61-2005 being a by-law to establish Wastewater Fees and Charges in the Township of Woolwich

- A by-law to confirm all actions and proceedings of Council - February 21, 2017

  ...Motion Carried

Adoption of proceedings of the Committee of the Whole

Moved By Councillor Bauman
Seconded By Councillor Hahn
THAT the Committee of the Whole rise and report to Council.

  ...Motion Carried

Moved By Councillor Hahn
Seconded By Councillor Bauman
THAT Council confirms and adopts the proceedings of the Committee of the Whole.

  ...Motion Carried

Correspondence

- Minister of Environment and Climate Change: Letter Regarding Canagagigue Creek - January 17, 2017
- Region of Waterloo: 2017 Planning and Works Project Team Membership Letter
- Grand River Accessibility Advisory Committee: Position Paper on Sidewalk Snow Removal - Final
- City of Hamilton: Request for Legislation to establish updated guidelines for Ward Boundary Reviews and to create an Independent Body to conduct those reviews
- Township of Central Frontenac: Municipal Fire Department Infrastructure Resolution

Public Notice

None.

Notice of Closed Meetings

Closed meeting will commence at 6:00 p.m. in the Councillor’s Office on February 28, 2017.

Notice of Motion

None.
Council Minutes – February 21, 2017

Final Passage of By-laws

Moved By Councillor Martin
Seconded By Councillor Merlihan
THAT the by-laws in the hands of the Clerk be read a third time and finally passed, that they be numbered as By-law numbers 007-2017 to 013-2017, and that they be signed by the Mayor and Clerk and sealed with the corporate seal.

...Motion Carried

Adjournment

Moved By Councillor Shantz
Seconded By Councillor Martin
THAT the meeting adjourns to meet again in regular session on March 7th, 2017.

...Motion Carried

_________________________ Mayor

_________________________ Clerk
Cycling Into The Future

Training Tomorrow’s Cyclists Today
From Thunder Bay To Victoria: Finishing Terry Fox's Run
From Thunder Bay To Victoria

“We can go a lot farther on bikes!”
The Wisdom Of Kids

“If we have the course during the school day we will think it is more important.”

“Having a bike course without going on the road is like having a meal without the main dish.”
Growth Of Cycling Into The Future

Non-Profit Organization

Goal: Comprehensive cycling education for all Grade 5 students in Waterloo Region

Almost 2,000 students since 2014

Over 35 instructors this past year

Broad private, public and community partnerships
## How Many Students?

<table>
<thead>
<tr>
<th>Year</th>
<th>Kitchener</th>
<th>Waterloo</th>
<th>Cambridge</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>288</td>
<td>84</td>
<td>0</td>
<td>372</td>
</tr>
<tr>
<td>2015</td>
<td>269</td>
<td>333</td>
<td>0</td>
<td>602</td>
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<tr>
<td>2016</td>
<td>399</td>
<td>275</td>
<td>193</td>
<td>867</td>
</tr>
<tr>
<td>Totals</td>
<td>956</td>
<td>692</td>
<td>193</td>
<td>1841</td>
</tr>
</tbody>
</table>
Parts of the bike course

• rules & safety
Parts of the bike course

- rules & safety
- bike tune-ups
Parts of the bike course

- rules & safety
- bike tune-ups
- tire repair
Parts of the bike course

• rules & safety
• bike tune-ups
• tire repair
• rodeo riding
Parts of the bike course

• rules & safety
• bike tune-ups
• tire repair
• rodeo riding
• road training
Parts of the bike course

- rules & safety
- bike tune-ups
- tire repair
- rodeo riding
- road training
- assessment
Covenant Of Inclusion

- Financial assistance
- Learn-to-ride instruction
- Refurbished bikes
- New helmets
- Special learning challenges
<table>
<thead>
<tr>
<th>Year</th>
<th>Spring</th>
<th>Fall</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>Elmira (3)</td>
<td>St. Jacobs</td>
</tr>
<tr>
<td></td>
<td>Breslau</td>
<td></td>
</tr>
<tr>
<td>2018</td>
<td>Elmira (3)</td>
<td>St. Jacobs</td>
</tr>
<tr>
<td></td>
<td>Breslau</td>
<td>Conestogo</td>
</tr>
<tr>
<td>2019</td>
<td>Elmira (3)</td>
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</tr>
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<td>Breslau</td>
<td>Conestogo</td>
</tr>
<tr>
<td></td>
<td>Floradale</td>
<td></td>
</tr>
</tbody>
</table>
Building Local Capacity

- Schools
- Local Instructors
- Community Funding
- ? Municipal/Township Funding
Instructors Wanted

We Train and Pay
- Front-Riders
- Learn-to-ride Instructors
- Rodeo Riding Instructors
- Tire Repair Specialists
- Program Coordinator

We Orient and Pay
- Bike Mechanics and Technicians
- CAN-BIKE Instructors
Our Funding Model

- Families/Schools: $20
- Township: $10
- Community: $10
- Townships: $20

Total: $50
Community Partnerships

- Businesses
- Service Clubs
- In Kind Contributions
- Individual Contributions
## Cost For Woolwich Township

Based on current data and assumptions

<table>
<thead>
<tr>
<th>Year</th>
<th>Spring</th>
<th>Cost</th>
<th>Fall</th>
<th>Cost</th>
<th>Year Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>2017</td>
<td>Elmira (3)</td>
<td>$1,170</td>
<td>St. Jacobs</td>
<td>$310</td>
<td>$1,480</td>
</tr>
<tr>
<td></td>
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<td></td>
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<td></td>
<td></td>
</tr>
<tr>
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<td>St. Jacobs</td>
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<tr>
<td></td>
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</tbody>
</table>
“Safe, healthy and environmentally friendly communities.”

“Transition from recreational capital facilities development to Township-wide community program development … in the interest of promoting healthy living and active lifestyles.”

“Explore collaboration and partnership opportunities that make fiscal sense and ensure best value for taxpayers.”
6 reasons to take bike course

- reduce driving to school
- care for the earth
- use biking as transportation
- increase bike safety
- improve fitness
- learn mechanical skills
When I ride my bike
My legs sing
The song of my heart!
## Cycling Into The Future and Woolwich Township: Expansion Plan and Financial Commitment Needed

<table>
<thead>
<tr>
<th>Year</th>
<th>Spring</th>
<th>Cost</th>
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<th>Cost</th>
<th>Year Cost</th>
</tr>
</thead>
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<td>St. Jacobs Conestogo</td>
<td>$610</td>
<td>$2,550</td>
</tr>
</tbody>
</table>

**Red Lettering** = Program begins at this school for the first time

**Notes:**
1. We decided to begin in Elmira because we received a request from John Mahood school and soon found that Riverside and Saint Teresa were also very interested.

2. We have not had conversations with the other schools in Woolwich Township and their interest in involvement has yet to be determined.

3. Once we begin programming in a school it is our commitment to continue annually in that school, as long as the school wants this program.

4. Building local instructional capacity is our greatest challenge, and the reason why we cannot achieve universality until at least 2019. We can bring instructors from Kitchener, Waterloo or Cambridge, but it is our goal to have a complete Woolwich team of instructors by 2019.
Why A Student Bike Training Course?

*Cycling Into The Future* promotes the love of biking among Grade 5 students. We believe that cycling makes our world a better place. It can improve our personal lives, enhance our communities and protect our earth. Through a series of challenges, we seek to build knowledge, skill and confidence in students, so they can become safe and enthusiastic cyclists.

Many children receive little or no cycling instruction. Along with student training, this course will also provide resources for parents who want to extend the growth of their children as responsible cyclists.

### About Cycling Into The Future

*Cycling Into The Future* is a not-for-profit organization dedicated to cycling education in the Waterloo Region. Our long-term goal is to provide our in-school program to all Grade 5 students of the region. In our three years of operation we have delivered our program to almost 2,000 students.

### Curriculum Connections

*Cycling Into The Future* addresses Grade 5 curriculum expectations in Health & Physical Education as well as Science & Technology. Teachers are given feedback and resources to assess students in the areas of Active Participation and Safety.

### Partnerships

*Cycling Into The Future* has enjoyed a wide range of partnerships, including municipalities (Kitchener, Waterloo and Cambridge), local schools (in both Public and Catholic boards), bike shops (Berlin Bicycle Cafe, Black Arrow, Ziggy’s, The Hub, Grand River Cycle, McPhail’s, King Street Cycles, Velofix, Recycle Cycles), service clubs (Cambridge Kiwanis Club, Southwest Kitchener Optimist Club), other funding bodies (Cambridge North Dumfries CF, RBC Learn To Play, Sustainable Waterloo, Morell Kelly Law, KW Brain Injury Association), and many individuals who have donated time and energy to our work.

### Covenant Of Inclusion

*Cycling Into The Future* strives to include all children in this training program when we work in a school. To this end we make the following provisions:

- **If students cannot afford to pay the registration fee** we have an agreement with schools that they will pick up this fee.
- **If a student does not know how to ride a bike** we will provide learn-to-ride instruction.
- **If a student cannot get a bike for this course** we will give the student a refurbished bike to keep.
- **If a student cannot get a helmet for this course** we will give the student a new helmet to keep.
- **If a student has a challenge that might prevent full participation in the course**, we will work with teachers, students and parents to provide as much instruction as possible.

### Cost

The full cost for this course is at least $40 per student. Families and/or schools pay half of this cost ($20). The remainder of fees are paid for by municipal and community funding.

### Want To Get Involved?

Please contact us if you would like to get involved in some aspect of our work. We are looking for instructors in all aspects of our programming. We give instructors the option of being paid a living wage or of volunteering their time. We are also looking for people to serve as board or committee members. Finally, we welcome your ideas about how we can better move towards our goals.

---

**Coordinator:** Philip Martin  
**Phone:** 226-789-8615  
**Email:** cyclingintothefuture@gmail.com
Parts of the Bike Training Course

Rules And Safety (75 minutes)
Classroom instruction, in consultation with the Waterloo Regional Police, includes a detailed session on rules and safety. There are sections on bikes & the law, and basic principles for riding safely and defensively on the road. Students are challenged to think carefully about routes for cycling and to consult regularly with parents.

Rodeo Riding (1 hour)
Participants practise rules, safety and performance skills in the controlled setting of the schoolyard. Challenges include straight line riding (with shoulder checks and signals), stopping and starting drills, and games to enhance balance, control and handling skills.

Road Riding (75 minutes)
Participants go on a 75 minute on-road session in a small group with trained CAN-BIKE instructors. Students apply skills they learned during earlier portions of the bike training course in actual road situations. Safety is our primary concern. None of this training takes place on busy streets. Students are taught to choose appropriate routes, in conjunction with parents, for their own road riding.

Bicycle Training Schedule

<table>
<thead>
<tr>
<th>Session</th>
<th>Instructor</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rules &amp; Safety</td>
<td>Coordinator</td>
<td></td>
</tr>
<tr>
<td>Tire Repair</td>
<td>Tire Repair Specialists</td>
<td></td>
</tr>
<tr>
<td>Bike Tune-Up &amp; Minor Repair</td>
<td>Bike Mechanics &amp; Technicians</td>
<td></td>
</tr>
<tr>
<td>Rodeo Riding</td>
<td>Rodeo Instructors</td>
<td></td>
</tr>
<tr>
<td>Road Riding</td>
<td>CAN-BIKE Instructors</td>
<td></td>
</tr>
<tr>
<td>Assessment</td>
<td>Coordinator &amp; Teacher</td>
<td></td>
</tr>
</tbody>
</table>

Dates marked in red involve activities that require bicycles. Please make sure you come to school with your bike and helmet on those days.

Tire Repair (1 hour)
Students learn to take apart a punctured tire, find the problem, patch it, and put everything back together again.

Bike Tune-Ups (10 – 30 minutes)
Students learn to inflate their tires and fit their helmets properly. Then a bike mechanic does a quick assessment of each student’s bike and works with students to make minor repairs and adjustments in preparation for rodeo and road riding.

Assessment (1 hour)
Teachers assess student achievement throughout this course, based on the Active Participation and Safety expectations in the Health and Physical Education Curriculum. Students complete a written test that reviews important learnings from all aspects of the program. Students also complete a self-evaluation, reflecting on their participation and learning in the various aspects of the course.

We welcome teacher, student and parent evaluation of the course itself. A form for such evaluation is provided.
TOWNSHIP OF WOOLWICH
COUNCIL AND INFORMATION SERVICES

REPORT: C05-2017
TITLE: Elmira Business Improvement Area (BIA)
Board Appointments
FILE ID: C10-BIA (C)
PREPARED BY: Adelina Corpodean
MEETING DATE: March 7, 2017
MEETING TIME: 7:00 PM
LOCATION: Council Chambers
REVIEWED BY: Valrie Hummel
DATE REVIEWED BY MANAGEMENT TEAM: March 6, 2017

CONSENT ITEM

RECOMMENDATION

WHEREAS the Council of the Township of Woolwich appoints the following individuals to the Elmira
Business Improvement Board of Management for a term concurrent with the term of Council:

- Steve Pond
- Jacqueline Hanley
- Juliane Shantz
- Christine Aberle
- Jon Clay
- Councillor Scott Hahn

AND FURTHER THAT all previous appointments are repealed.

BACKGROUND INFORMATION

The Elmira BIA was established by By-law in 1980 to focus on improvement, beautification and
maintenance of Downtown Elmira. In 2014, the Board developed a vision statement which focused on
having a vibrant and attractive downtown core. The Board also developed the following mission
statement:
1. Marketing: to promote the downtown core throughout the community.
2. Beautification: to implement and manage beautification projects throughout the Elmira BIA
boundaries.
3. Economic Development: to expand the downtown and retain current businesses.
4. Communication: to develop, manage and implement consistent and accurate communication with Elmira BIA Membership

The Elmira BIA establishing By-law 18-80 states that the Elmira BIA Board of Management shall consist of one member of Council of the Township of Woolwich and six additional members.

Further, the Municipal Act states that the BIA Board of Management shall be composed of (a) one or more directors appointed directly by the municipality and (b) the remaining directors selected by a vote of the membership of the improvement area and appointed by the municipality. Section 204 (9) of the Municipal Act, states that Council may refuse to appoint a person to the BIA, in which case Council may leave the position vacant or direct the members of the Business Improvement area to select another candidate for the municipality’s consideration. If a vacancy occurs for any cause, the municipality may appoint a person to fill the vacancy for the unexpired portion of the term and the appointed person is not required to be a member of the improvement area.

COMMENTS

On January 20th, 2015 Council passed a resolution to appoint the BIA Board of Management consisting of: Chad Nicholls, Christine Aberle, Steve Pond and Tami Runstedler. Further to these appointments, Councillor Hahn was appointed to the Board on February 10th, 2015. The Board had 2 vacant positions open.

On December 31st, 2016 the Downtown Elmira BIA Board received the resignations of Tami Runstedler and Chad Nicholls. The Board began recruiting for the 3 vacant positions. The Board advertised in the December 29th edition of the Woolwich Observer and emailed the general members notifying them of the vacant positions. Board members were required to complete an application form and submit it to the BIA by Friday, January 6th, 2017. The Board received 2 new applications for review and approved them on January 11th, 2017 and February 15th, 2017.

STRATEGIC PLAN

Committee appointments directly relate to the Township’s Strategic Plan focus area of best managed and governed municipality by ensuring effective and accountable government. This proposal continues the Township’s past efforts of providing stable and prudent government by ensuring that the Township continues to be represented on the Downtown Elmira Business Improvement Area Board.

CONCLUSION

Staff recommends that Council appoints the two additional members, Jon Clay and Christine Aberle to the Elmira BIA Board of Management for the remainder of the existing term of Council.

FINANCIAL IMPLICATIONS

The Municipal Act requires the BIA Board of Management submit its budget to Township Council for approval. The BIA budget will be presented to Council at the March 21st Committee meeting.

OTHER DEPARTMENT IMPLICATIONS

None.

LIST OF ATTACHMENTS

None.
TOWNSHIP OF WOOLWICH
ENGINEERING AND PLANNING SERVICES

REPORT: E 08-2017
TITLE: Zone Change Application 17/2016, Harvey and Selinda Sauder, Renewal of Temporary Use By-law
FILE ID: D 15 ZC 17/2016
PREPARED BY: Nancy Thompson

MEETING DATE: March 7, 2017
MEETING TIME: 7:00 p.m.
LOCATION: Council Chambers, 24 Church Street West, Elmira

REVIEWED BY: John Scarfone
Dan Kennaley
DATE REVIEWED BY MANAGEMENT TEAM: February 27, 2017
C.A.O.: ____________________ (signature not required if reviewed by SMT)

CONSENT ITEM ✓

RECOMMENDATION

THAT the Council of the Township of Woolwich approve Zone Change Application 17/2016 to extend the Temporary Use By-law for an additional three years concerning lands located at 1175 New Jerusalem Road (Harvey and Selinda Sauder), to allow the continued use of a mobile home (garden suite), subject to the following conditions:

1. That the amending By-law be in accordance with the proposed By-law attached as Appendix A to Report E 08-2017.

BACKGROUND INFORMATION

The 20 hectare (49 acre) property located at 1175 New Jerusalem is owned by Harvey and Selinda Sauder and contains a single detached dwelling, garden suite, livestock barns and farm shop/sheds (see Appendix B). The property is designated Rural Land Use and Restricted Land Use in the Township’s Official Plan and is zoned Agricultural (A) with site specific provisions permitting a garden suite as a temporary use until April 1, 2017.
The Planning Act, under Section 39, Temporary Use Provisions, establishes a framework for a local municipality to authorize, by By-law, the temporary use of land, building or structures for any purpose that may otherwise be prohibited, for renewable periods of up to, usually, three years. A Temporary Use By-law must conform to the Official Plan. Within Woolwich, Temporary Use By-laws have been issued for seasonal help with agricultural operations and new farm-related business (i.e. Elmira and St. Jacobs Produce Auctions), in conformity with the applicable Official Plan policies. Additionally, Temporary Use By-laws have been passed authorizing a garden suite, also commonly known as a granny flat, to be established on a property as a one-unit detached temporary residential structure in the form of a mobile home. The Planning Act allows a garden suite to be approved for an initial period of up to twenty years with subsequent renewals every three years. The Township Official Plan policies allow the initial approval period for garden suites to a maximum of ten years.

COMMENTS

The applicants are applying to extend the Temporary Use By-law for a 3 year period to allow the garden suite to remain on the property. The garden suite is occupied by the applicant’s sister-in-law. The garden suite is located on the south side of the existing dwelling and attached by a breezeway.

The original approval for this garden suite was in 2004 for a ten-year period with one subsequent 3 year extension which will expire on April 1, 2017. At the time of approval the Planning Act allowed the duration of the first Temporary Use By-law to be up to 10 years, but any subsequent extensions cannot exceed three years.

The Township’s Official Plan (Section 9.3 (e)) provides opportunity for temporary housing, via a mobile home, to provide living accommodations in the form of a “granny flat”. The provisions with respect to a “granny flat” permit an elderly family member to live on the property (either in the main dwelling or the temporary dwelling) and to receive assistance, yet still live independently.

Staff has no objection to the proposed extension of the By-law, as the garden suite continues to be used by the applicant’s sister-in-law and is in keeping with the justification required for a temporary second dwelling unit.

The public meeting for this application was held December 13, 2016 and no issues were raised. A copy of the minutes are attached as Appendix C.

STRATEGIC PLAN

The applicant’s proposal to maintain the use of a garden suite on the property through a Temporary Use By-law aligns with the following Goal and the respective Strategic Direction in the Woolwich Township Strategic Plan 2020:

“Healthy Community”

> “Provide for Inclusive and Accessible Communities – advocate for affordable housing development.”

NOTICE PROVISIONS

Notice for the public meeting was provided in accordance with the Planning Act. Notice of this recommendation report was provided to the applicant a minimum of 1 week in advance of the meeting.
CONCLUSION

Staff recommends that Council approve the Temporary Use By-law, attached as Appendix A to Report E 08-2017, to extend the Temporary Use By-law for an additional three years to allow the existing garden suite to remain on the property.

FINANCIAL IMPLICATIONS

None.

OTHER DEPARTMENT IMPLICATIONS

None.

LIST OF ATTACHMENTS

Appendix A – Proposed Zoning By-law Amendment
Appendix B – Location Map and Site Plan
Appendix C – Minutes of Public Meeting
APPENDIX A

TOWNSHIP OF WOOLWICH
BY-LAW NUMBER

A BY-LAW TO FURTHER AMEND ZONING BY-LAW 55-86,
OF THE TOWNSHIP OF WOOLWICH
(Harvey and Selinda Sauder)

WHEREAS the Council of the Corporation of the Township of Woolwich deems it desirable to further amend By-law 55-86, as amended;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WOOLWICH ENACTS AS FOLLOWS:

1. That Section 26.1.273 of By-law 55-86, as amended, be deleted and replaced with the following:

   26.1.273 Notwithstanding any other provisions of this By-law, the lands illustrated on the Plan forming Section 26.1.273 of Schedule ‘A’ of this By-law may be used for the following specific use in addition to those uses permitted in the zone within which the parcel lies:

   a) A second dwelling unit by means of a mobile home.

   Subject to the following:

   1. That the mobile home be setback a minimum of 130 metres from the abutting manure yard at 1172 New Jerusalem Road;
   2. That this exemption is approved under the provisions of Section 39 of the Planning Act, Temporary Use By-laws, and shall be in effect only until March 7, 2020;
   3. That the mobile home shall only be constructed:
      a. In accordance with the Requirements for a Mobile Home, CAN/CSA-Z240, Section 2.1.1.4.2.a of the Building Code;
      b. Limited to one-storey in height;
      c. Not be greater than two sections in size, where each section is no more than 4.88 m (16 feet) in width;
      d. A basement shall not be permitted; and
      e. Additions are not permitted except for a minor enclosed porch or breezeway, which may be connected to the existing dwelling unit.
   4. Compliance with all other applicable regulations of Section 7 and Section 6 of this By-law, as amended.

2. That this By-law shall come into effect on the final passing thereof by the Council of the Corporation of the Township of Woolwich subject to the provisions of The Planning Act, 1990, and amendments thereto.

PASSED THIS DAY OF 2017.

______________________________
Mayor

______________________________
Clerk
APPENDIX B

MAP 1
Zone Change Application 17/2016
Harvey and Selinda Sauder

SUBJECT PROPERTY
1175 New Jerusalem Road
MAP 2
Zone Change Application 17/2016
Harvey and Selinda Sauder

SUBJECT PROPERTY
1175 New Jerusalem Road

See DETAIL Below.

DETAIL

Sheds
Farm Shop / Shed
House
Mobile Home with attached breezeway

Barns
Committee of the Whole Meeting Minutes  

December 13, 2016

Councillor Martin declared the public meeting to be open and asked staff to review the applications.

**E82-2016: Zone Change 17/2016, Harvey and Selinda Sauder (1175 New Jerusalem Road)**

Director of Engineering and Planning Services, Dan Kennaley, introduced the application regarding 1175 New Jerusalem Road. He provided a brief overview of the application noting that the applicant is proposing to extend the Temporary Use By-law for an additional three year period to allow the mobile home on the property. No one in the audience asked to speak. Since there was nothing further with respect to this application, Councillor Martin declared this portion of the public meeting to be closed and asked staff to review the next application.

**E63-2016: Zone Change 18/2016, Gordon W. Martin (206 Sandy Hills Drive)**

Mr. Kennaley introduced the application for 206 Sandy Hills Drive stating that the applicant is proposing to extend the Temporary Use By-law for an additional three year period, as the applicants parents live in the Garden Suite. Councillor Martin invited members of the public to speak to the application if interested. No one in the audience asked to speak. Since there was nothing further to add with respect to this application, Councillor Bauman declared the public meeting to be closed.

**Proclamations**

None.

**Presentations**

**Heritage Committee: Annual Report for 2016 and Work Plan for 2017**

Hans Pottkamper

On behalf of the Heritage Committee, Hans Pottkamper presented the Committees 2016 Annual Report and reflected on the numerous achievements made this year. Mr. Pottkamper explained that 2017 is a continuation of the work that was accomplished in 2016. He made Council aware that the Heritage Committee has created a partnership with the Region of Waterloo, University of Waterloo and Wellesley Township to help launch a study across both Townships for potential cultural heritage landscape sites. This program will be funded through special grants, and will not cost the Township anything.

**Delegations - 10 Minute Time Limit**

**C30-2016: In-home Puppy Training - New Kennel Application (1958 Shantz Station Road, Breslau)**

Deputy Clerk, Julie Forth introduced the kennel application by noting that the applicant is proposing to have an in-home training and socialization program for up to five young puppies. No kennel building will be constructed at this time, as the applicant will be using her home to house the puppies in. Ms. Forth pointed out that any concerns that may arise related to noise will be dealt through the Township Enforcement Services. Additionally, the kennel is not allowed
REPORT: E 09-2017
TITLE: Zone Change Application 18/2016, Gordon W. Martin, Renewal of Temporary Use By-law
FILE ID: D 15 ZC 18/2016
PREPARED BY: Nancy Thompson

MEETING DATE: March 7, 2017
MEETING TIME: 7:00 p.m.
LOCATION: Council Chambers, 24 Church Street West, Elmira

REVIEWED BY: John Scarfone
               Dan Kennaley

DATE REVIEWED BY MANAGEMENT TEAM: February 27, 2017
C.A.O.: ____________________ (signature not required if reviewed by SMT)

CONSENT ITEM ✔

RECOMMENDATION

THAT the Council of the Township of Woolwich approve Zone Change Application 18/2016 to extend the Temporary Use By-law for an additional three years concerning lands located at 206 Sandy Hills Drive (Gordon W. Martin), to allow the continued use of a mobile home (garden suite), subject to the following conditions:

1. That the amending By-law be in accordance with the proposed By-law attached as Appendix A to Report E 09-2017.

BACKGROUND INFORMATION

The 31.5 hectare (78 acre) property located at 206 Sandy Hills Drive is owned by Gordon W. Martin and contains a single detached dwelling, garden suit, livestock barns and farm sheds (see Appendix B). The property is designated Rural Land Use in the Township’s Official Plan and is zoned Agricultural (A) with site specific provisions permitting a garden suite as a temporary use until April 1, 2017.
The Planning Act, under Section 39, Temporary Use Provisions, establishes a framework for a local municipality to authorize, by By-law, the temporary use of land, building or structures for any purpose that may otherwise be prohibited, for renewable periods of up to, usually, three years. A Temporary Use By-law must conform to the Official Plan. Within Woolwich, Temporary Use By-laws have been issued for seasonal help with agricultural operations and new farm-related business (i.e. Elmira and St. Jacobs Produce Auctions), in conformity with the applicable Official Plan policies. Additionally, Temporary Use By-laws have been passed authorizing a garden suite, also commonly known as a granny flat, to be established on a property as a one-unit detached temporary residential structure in the form of a mobile home. The Planning Act allows a garden suite to be approved for an initial period of up to twenty years with subsequent renewals every three years. The Township Official Plan policies allow the initial approval period for garden suites to a maximum of ten years.

COMMENTS

The applicants are applying to extend the Temporary Use By-law for a 3 year period to allow the garden suite to remain on the property. The garden suite is occupied by the applicant’s parents. The garden suite is located to the east side of the existing dwelling and attached by a breezeway.

The original approval for this garden suite was in 2003 for a ten-year period with one subsequent 3 year extension which will expire on April 1, 2017. At the time of approval the Planning Act allowed the duration of the first Temporary Use By-law to be up to 10 years, but any subsequent extensions cannot exceed three years.

The Township’s Official Plan (Section 9.3 (e)) provides opportunity for temporary housing, via a mobile home, to provide living accommodations in the form of a “granny flat”. The provisions with respect to a “granny flat” permit an elderly family member to live on the property (either in the main dwelling or the temporary dwelling) and to receive assistance, yet still live independently.

Staff has no objection to the proposed extension of the By-law, as the garden suite continues to be used by the applicant’s parents and is in keeping with the justification required for a temporary second dwelling unit.

The public meeting for this application was held December 13, 2016 and no issues were raised. A copy of the minutes are attached as Appendix C.

STRATEGIC PLAN

The applicant’s proposal to maintain the use of a garden suite on the property through a Temporary Use By-law aligns with the following Goal and the respective Strategic Direction in the Woolwich Township Strategic Plan 2020:

“Healthy Community”
- “Provide for Inclusive and Accessible Communities – advocate for affordable housing development.”

NOTICE PROVISIONS

Notice for the public meeting was provided in accordance with the Planning Act. Notice of this recommendation report was provided to the applicant a minimum of 1 week in advance of the meeting.
CONCLUSION

Staff recommends that Council approve the Temporary Use By-law, attached as Appendix A to Report E09-2017, to extend the Temporary Use By-law for an additional three years to allow the existing garden suite to remain on the property.

FINANCIAL IMPLICATIONS

None.

OTHER DEPARTMENT IMPLICATIONS

None.

LIST OF ATTACHMENTS

Appendix A – Proposed Zoning By-law Amendment
Appendix B – Location Map and Site Plan
Appendix C – Minutes of Public Meeting
APPENDIX A

TOWNSHIP OF WOOLWICH
BY-LAW NUMBER

A BY-LAW TO FURTHER AMEND ZONING BY-LAW 55-86,
OF THE TOWNSHIP OF WOOLWICH
(Gordon W. Martin)

WHEREAS the Council of the Corporation of the Township of Woolwich deems it desirable to
further amend By-law 55-86, as amended;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF
WOOLWICH ENACTS AS FOLLOWS:

1. That Section 26.1.270 of By-law 55-86, as amended, be deleted and replaced with the following:

26.1.270 Notwithstanding any other provisions of this By-law, the lands illustrated on the Plan
forming Section 26.1.270 of Schedule ‘A’ of this By-law may be used for the following
specific use in addition to those uses permitted in the zone within which the parcel lies:

a) A second dwelling unit by means of a mobile home.

Subject to the following:

1. That this exemption is approved under the provisions of Section 39 of the
Planning Act 1990 R.S.O., and amendments thereto, Temporary Use By-laws,
and shall be in effect only until March 7, 2020;
2. That the mobile home shall only be constructed:
   a) In accordance with the Requirements for a Mobile Home, CAN/CSA-Z240,
      Section 2.1.1.4.2.a of the Building Code;
   b) Limited to one-storey in height;
   c) Not be greater than two sections in size, where each section is no more than
      4.88 m (16 feet) in width;
   d) A basement shall not be permitted; and
   e) Additions are not permitted except for a minor enclosed porch or breezeway,
      which may be connected to the existing dwelling unit.
3. Compliance with all other applicable regulations of Section 7 and Section 6 of this
By-law, as amended.

2. That this By-law shall come into effect on the final passing thereof by the Council of the Corporation
of the Township of Woolwich subject to the provisions of The Planning Act, 1990, and amendments
thereto.

PASSED THIS DAY OF 2017.

______________________________
Mayor

______________________________
Clerk
APPENDIX B

MAP 1
Zone Change Application 18/2016
Gordon W. Martin

Township of Centre Wellington

SUBJECT PROPERTY
208 Sandy Hills Drive
APPENDIX C

Committee of the Whole Meeting Minutes 
December 13, 2016

Councillor Martin declared the public meeting to be open and asked staff to review the applications.

E82-2016: Zone Change 17/2016, Harvey and Selinda Sauder (1175 New Jerusalem Road)

Director of Engineering and Planning Services, Dan Kennaley, introduced the application regarding 1175 New Jerusalem Road. He provided a brief overview of the application noting that the applicant is proposing to extend the Temporary Use Bylaw for an additional three year period to allow the mobile home on the property. No one in the audience asked to speak. Since there was nothing further with respect to this application, Councillor Martin declared this portion of the public meeting to be closed and asked staff to review the next application.

E83-2016: Zone Change 18/2016, Gordon W. Martin (206 Sandy Hills Drive)

Mr. Kennaley introduced the application for 206 Sandy Hills Drive stating that the applicant is proposing to extend the Temporary Use By-law for an additional three year period, as the applicants parents live in the Garden Suite. Councillor Martin invited members of the public to speak to the application if interested. No one in the audience asked to speak. Since there was nothing further to add with respect to this application, Councillor Bauman declared the public meeting to be closed.

Proclamations

None.

Presentations

Heritage Committee: Annual Report for 2016 and Work Plan for 2017

Hans Pottkamper

On behalf of the Heritage Committee, Hans Pottkamper presented the Committees 2016 Annual Report and reflected on the numerous achievements made this year. Mr. Pottkamper explained that 2017 is a continuation of the work that was accomplished in 2016. He made Council aware that the Heritage Committee has created a partnership with the Region of Waterloo, University of Waterloo and Wellesley Township to help launch a study across both Townships for potential cultural heritage landscape sites. This program will be funded through special grants, and will not cost the Township anything.

Delegations - 10 Minute Time Limit

C30-2016: In-home Puppy Training - New Kennel Application (1956 Shantz Station Road, Breslau)

Deputy Clerk, Julie Forth introduced the kennel application by noting that the applicant is proposing to have an in-home training and socialization program for up to five young puppies. No kennel building will be constructed at this time, as the applicant will be using her home to house the puppies in. Ms. Forth pointed out that any concerns that may arise related to noise will be dealt through the Township Enforcement Services. Additionally, the kennel is not allowed
TOWNSHIP OF WOOLWICH
ENGINEERING AND PLANNING SERVICES

REPORT: E 10-2017

TITLE: Zone Change Application 16/2016, Robert and Lisa Shuh, Renewal of Temporary Use By-law

FILE ID: D 15 ZC 16/2016

PREPARED BY: Nancy Thompson

MEETING DATE: March 7, 2017

MEETING TIME: 7:00 p.m.

LOCATION: Council Chambers, 24 Church Street West, Elmira

REVIEWED BY: John Scarfone
Dan Kennaley

DATE REVIEWED BY MANAGEMENT TEAM: February 21, 2017

C.A.O.: ___________________ (signature not required if reviewed by SMT)

CONSENT ITEM ☑

RECOMMENDATION

THAT the Council of the Township of Woolwich approve Zone Change Application 16/2016 (Robert and Lisa Shuh) concerning a property located at 6515 Line 86 and which proposes to extend the Temporary Use By-law for an additional three years, to permit a farm-related mobile home to be located on the property for seasonal farm workers only and which will function as the primary residence, subject to the following:

1. That the amending By-law be in accordance with the proposed By-law attached as Appendix ‘A’ to Report E10-2017.

BACKGROUND INFORMATION

The 24 hectare (60 acre) property located at 6515 Line 86 is owned by Robert and Lisa Shuh and contains a mobile home, driving shed and apple orchard operation (see Appendix ‘B’). The farm is designated Rural Land Use and Restricted Land Use in the Township’s Official Plan. The property is also zoned Agricultural (A) with site specific provisions permitting a farm-related mobile home for seasonal farm workers as a primary residence and on a temporary basis until March 11, 2017. The farm’s original single detached dwelling was destroyed by fire in 2010. The Restricted Area designation recognizes a creek and an associated floodplain area that is situated along the eastern property line.

The Planning Act, under Section 39, Temporary Use Provisions, establishes a framework for a local municipality to authorize, by By-law, the temporary use of land, building or structures for any purpose
that may otherwise be prohibited, for renewable periods of up to, usually, three years. A Temporary Use By-law must conform to the Official Plan. Within Woolwich, Temporary Use By-laws have been issued for seasonal help with agricultural operations and new farm-related business (i.e. Elmira and St. Jacobs Produce Auctions), in conformity with the applicable Official Plan policies. The Planning Act and the Township Official Plan policies allow a temporary use of this nature (i.e. farm help) to be approved for an initial period of three years with subsequent renewals every three years.

COMMENTS

The applicants are applying to extend the Temporary Use By-law for a 3 year period to allow the mobile home to remain on the property for seasonal farm workers. The applicants established an apple orchard operation on the farm in the spring of 2013. To-date there have been no issues identified with the orchard operation or mobile home. The applicant had initially intended to construct a new permanent dwelling on the property for themselves or a member of their family. At this time they have not pursued construction of a permanent dwelling as the family continues to evaluate the future of the apple orchard operation and investment in a dwelling at this time.

In 2013 the applicant planted approximately 60,000 apple trees and acquired equipment required to operate the farm (i.e. irrigation system, trellis system and orchard/ground sprayers). There are up to 9 seasonal employees who perform such duties as pruning, spraying, weeding and harvesting during a 8 month work season from April 1st to November 30th. Three of these employees are on site for the full 8 month period and the additional employees are there during harvesting. Mr. Shuh has been hiring ‘offshore’ seasonal workers (e.g. Mexico, Caribbean countries) under the Seasonal Agricultural Worker Program (SAWP) through the Government of Canada. The fruit growing industry is heavily dependent on ‘offshore’ seasonal workers to an extent where the Government has developed a policy and program to satisfy this need. A requirement of this Program is for the employer to provide adequate housing for the farm help and to satisfy various housing guidelines including minimum spacing requirements per employee and the adequate provision of sanitary/water services, etc. Mr. Shuh also identified the need to have an ongoing presence on the farm to provide additional security, given that the farm contains a pond, a small bush area, and is adjacent to the Kissing Bridge hiking trail. Given the owner’s security concerns, the nature of this specialty crop farming and the level of investment already made in the farm, Staff are satisfied that there is a sufficient need to continue the mobile housing for seasonal farm help.

The mobile home on the farm, functions as a “bunk house” to house all of the seasonal workers. When a new single detached unit is built on the farm, the mobile home will then function as a second farm-related unit in conformity with the housing policies and Rural Land Use designation in the Township’s Official Plan. Staff notes that the Township has allowed mobile homes as a second unit for farm help based on the farm size (35 plus hectares) or the nature of the operation (labour intensive). In fact the Township has approved a number of Temporary Use By-laws since 2005 for the Martin’s Family Fruit Farm to permit a trailer to accommodate ‘offshore’ seasonal workers (i.e. bunk house) on Lobsinger Line.

The public meeting for this application was held November 22, 2016 and no issues were raised by the public. A copy of the minutes are attached as Appendix C.
STRATEGIC PLAN

The applicant’s proposal to maintain the use of a mobile home for seasonal farm workers on the property through a Temporary Use By-law aligns with the following Goal and the respective Strategic Direction in the Woolwich Township Strategic Plan 2020:

“Healthy Community”

➢ “Provide for Inclusive and Accessible Communities – advocate for affordable housing development.”

NOTICE PROVISIONS

Notice for the public meeting was provided in accordance with the Planning Act. Notice of this recommendation report was provided to the applicant a minimum of 1 week in advance of the meeting.

CONCLUSION

Township Staff recommends that Council approve the Temporary Use By-law, attached as Appendix A to report E 10-2017, to extend the Temporary Use By-law for an additional three years to allow a mobile home to be located on the property for seasonal farm workers during their work period only and to allow the mobile home to function as the primary residence for an additional three years. Staff is satisfied that there is sufficient need for such housing on the property for seasonal farm help because of the security concerns, the nature of this specialty crop farming and the level of investment already made to the apple orchard farm.

FINANCIAL IMPLICATIONS

None.

OTHER DEPARTMENT IMPLICATIONS

None.

LIST OF ATTACHMENTS

Appendix A – Proposed Zoning By-law Amendment
Appendix B – Location Map and Site Plan
Appendix C – Minutes of Public Meeting
APPENDIX A

TOWNSHIP OF WOOLWICH
BY-LAW NUMBER

A BY-LAW TO FURTHER AMEND ZONING BY-LAW 55-86,
OF THE TOWNSHIP OF WOOLWICH
(Robert and Lisa Shuh)

WHEREAS the Council of the Corporation of the Township of Woolwich deems it desirable to further amend By-law 55-86, as amended;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WOOLWICH ENACTS AS FOLLOWS:

1. That Section 26.1.335 of By-law 55-86, as amended, be deleted and replaced with the following:

26.1.335 Notwithstanding any other provisions of this By-law, the Lands illustrated on the Plan forming Section 26.1.335 of Schedule ‘A’ of this By-law may be used for the following specific use in addition to those uses permitted in the zone within which the parcel lies:

a) A seasonal farm-related mobile home as the primary residence for a three (3) year period.

Subject to the following:

1. That this exemption is approved under the provisions of Section 39 of the Planning Act, Temporary Use By-laws, and shall be in effect only until March 7, 2020;

2. That the mobile home shall occupy seasonal farm workers that are full time farm employees on the Lands only during the eight-month work season from April 1st to November 30th;

3. That the mobile home shall be located in the area shown on the Plan forming Section 26.1.335 of Schedule A of this By-law;

4. Notwithstanding Section 7.2.4 of this By-law, the minimum rear yard setback for the mobile home shall be 15 metres;

5. Compliance with all other applicable regulations of Section 7 and Section 6 of this By-law, as amended; and

6. That the mobile home shall only be constructed:
   a) In accordance with the Requirements for a Mobile Home, CAN/CSA-Z240, Section 2.1.1.4.2.a of the Building Code;
   b) Limited to one-storey in height;
   c) Not be greater than two sections in size, where each section is no more than 4.88 m (16 feet) in width;
   d) A basement shall not be permitted; and
   e) Additions are not permitted except for a minor enclosed porch.
2. That this By-law shall come into effect on the final passing thereof by the Council of the Corporation of the Township of Woolwich subject to the provisions of The Planning Act, 1990, and amendments thereto.

PASSED THIS               DAY OF               2017.

______________________________
Mayor

______________________________
Clerk
APPENDIX B

Zone Change Application 16/2016
Robert and Lisa Shuh

SUBJECT PROPERTY
6515 Line 86
Committee of the Whole Meeting Minutes  

November 22, 2016

Planning Public - 7:00 P.M.

Val Hummel, Director of Council and Information Services & Clerk read the following Planning Public introduction:

This meeting constitutes the formal public meeting required under Section 34 of the Planning Act. The meeting is for information purposes only and no decisions will be made at this time. The applications will be brought forward at a future meeting of the Committee of the Whole when staff has had an opportunity to review all submissions and prepare recommendations. All those in attendance will be given an opportunity to speak. Interested parties are invited to sign the appropriate signup sheet in the lobby, if they wish further notification with respect to the applications. Individuals are requested to submit a written outline of any oral submissions made at the Public Meeting to the Township Clerk. If a person or public body that files an appeal of a decision of the Council of the Township of Woolwich in respect of the proposed zoning by-laws does not make oral submissions at a public meeting or make written submissions to the Council of the Township of Woolwich before the proposed zoning by-law amendments are passed:

a) the person or public body is not entitled to appeal the decision of the Township of Woolwich to the Ontario Municipal Board; and

b) the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body as a party.

Councillor Hahn declared the public meeting to be open and asked staff to review the application.

E76-2016: Robert and Lisa Shuh, 6515 Line 86, Township of Woolwich

Director of Engineering and Planning Services, Dan Kennaley introduced the application regarding 6515 Line 86. He provided an overview of the application noting that the applicant proposes to extend the Temporary Use By-law for an additional 3 year period to allow the mobile home to remain on the property, as it is useful for the apple growing operation.

Since there was nothing further to add with respect to this application, Councillor Hahn declared the public meeting to be closed.

Proclamations

None.

Presentations

None.
COMMITTEE OF ADJUSTMENT
NOTICE OF HEARING

Pursuant to the Planning Act and Ontario Regulations 197/96 and 200/96

TAKE NOTICE THAT the Committee of Adjustment for the Township of Woolwich will meet on:

MONDAY March 20, 2017 AT 5:30 P.M.
in the Council Chambers of the Municipal Offices,
24 Church Street West, Elmira

for the purpose of hearing all persons interested in support of or opposition to any of the following applications as described on the attached Schedule.

The Committee will also consider signed, written submissions for or against the applications if submitted to Jeremy Vink, Senior Planner, at the address noted at the top of this page, no later than 5:00 p.m. on Tuesday March 14, 2017 (Note that this date is before the meeting). Any submissions received will be included in a comment package and presented at the meeting.

This notice has been sent to commenting agencies, and to owners of property located within 60 metres (200 feet) of the subject properties. If you plan to attend the meeting and / or if you wish to be notified of any last minute changes to the agenda (i.e. withdrawal of an application) please contact Nancy Thompson, Committee Secretary at 519-669-6040 or 1-877-969-0094 (Ext. 6040). Applicants and their authorized agents do not need to register in advance.

FAILURE TO ATTEND HEARING: If the applicant or authorized agent fails to attend this public hearing, the Committee may postpone or deny the application in their absence.

NOTICE OF THE DECISION: Within 10 days of the meeting, a copy of each decision will be sent to owners, agents, those who submit written comments, and people who sign the register at the meeting. If you wish to be notified of the decision of the Committee of Adjustment in respect to this application, you must submit a written request (to the Secretary-Treasurer – Nancy Thompson ext. 6040) or sign the register at the meeting. This will also entitle you to be advised of a possible Ontario Municipal Board Hearing. Even if you are the successful party, you should request a copy of the decision since the Committee decision may be appealed to the Ontario Municipal Board by the applicant or another member of the public.

APPEAL OF MINOR VARIANCE AND CONSENT APPLICATIONS: Anyone in opposition to a decision may appeal the decision to the Ontario Municipal Board. The Board may dismiss an appeal without holding a hearing if the appellant did not make oral or written submissions to the Committee of Adjustment before a decision was given, or does not provide a reasonable explanation for having failed to make a submission to the Committee. A form outlining the appeal process will be circulated with the decision.

Further information about the applications may be obtained by contacting Jeremy Vink, Senior Planner, Engineering and Planning Services at 519-669-6038 or 1-877-969-0094 (Ext. 6038), Fax: 519-669-4669, or Email: jvink@woolwich.ca.

Jeremy Vink
MCIP, RPP, Senior Planner
Engineering & Planning Services
519-669-6038 / 1-877-969-0094 ext. 6038
DATED at Elmira, this 2nd day of March, 2017
HUMMINGBIRD-#57075-v1-March_2017_Committee_of_Adjustment_Circulation_Notice.DOC
COMMITTEE OF ADJUSTMENT
EXPLANATORY NOTE

March 20, 2017

Further information about the applications may be obtained from Engineering and Planning Services at 519-669-6038 or 1-877-969-0094 (Ext. 6038). A copy of this notice is also available on the Township’s website at www.woolwich.ca. If you require an alternative format of this notice, please contact the Township Office.

MINOR VARIANCE APPLICATION A 4/2017 – Bloomingdale Mennonite Church
PROPERTY: 1151 Snyder’s Flats Road, Bloomingdale, James Wilson Tract Part Lot 7, 58R10675 Parts 1 and 2
PROPOSAL: The applicant is requesting permission to expand the institutional uses on the property to permit a summer day camp, operating annually during the months of July and August, and a day camp, operating once a week throughout the year for elementary aged children, as accessory uses to the Church in conformity with Site Specific Section 26.1.221 of Zoning By-law 55-86. The 1.5 ha property is zoned Agricultural with site-specific provisions and contains a church and cemetery.

PROPERTY: 1430 and 1440 King Street North, St. Jacobs, Plan 1501 Lots 20 and 24, Part Lot 23, 58R17930 Parts 11 to 13
PROPOSAL: The applicant is proposing to sever an irregular shaped parcel of land (1430 King Street North) as well as to convey the associated servicing and access easements, as follows:
• Application B1/2017 - to sever an irregular shaped 2,253 square metre parcel located at 1430 King Street North from the retained lands located at 1440 King Street North in St. Jacobs. The proposed severed lands contain a restaurant/hotel building and a brewery and are zoned Core Commercial – Urban (C-1). The proposed retained lands are approximately 1.5 hectares in area and contain two office buildings and a building with a model railway display. The proposed retained lands are zoned Core Commercial – Urban (C-1) with site-specific provisions.
• Application B2/2017 – to grant a blanket easement over the proposed severed lands in favour of the proposed retained lands for access to the water and sanitary services;
• Application B3/2017 – to grant an access easement / right-of-way over an approximate 366 square metre portion of the proposed severed lands at 1430 King Street North in favour of the proposed retained lands at 1440 King Street North for vehicle access.

Jeremy Vink, MCIP, RPP
Senior Planner, Engineering & Planning Services
SITE PLAN
Minor Variance Application A 4/2017
Bloomingdale Mennonite Church

Subject Property
1151 Snyder's Flats Road

PROPOSED ADDITIONAL USE FOR THE PROPERTY
DAY CAMP

Cemetery Area

Parking Area

CHURCH

Snyder's Flats Road

SNYDER'S FLATS RD
LOCATION MAP
Consent Applications B1/2017, B2/2017 and B3/2017
Mercedes Corporation

SUBJECT PROPERTY
1430 - 1440 King Street North

ST. JACOBS
SITE PLAN
Consent Applications B1/2017, B2/2017 and B3/2017
Mercedes Corporation
SITE PLAN
Consent Applications B1/2017, B2/2017 and B3/2017
Mercedes Corporation

BLANKET EASEMENT OVER THE
PROPOSED SEVERED LANDS (1430 King St N)
IN FAVOUR OF THE PROPOSED
RETAINED LANDS (1440 King St N)
FOR MUNICIPAL SERVICES
Application B2/2017

Approximate Location of Municipal Services
SITE PLAN
Consent Applications B1/2017, B2/2017 and B3/2017
Mercedes Corporation

PROPOSED ACCESS EASEMENT IN FAVOUR OF PROPOSED RETAINED LANDS (1440 King St N) Application B3/2017
TOWNSHIP OF WOOLWICH

MEMORANDUM

TO: Mayor Shantz and Members of Council
FROM: Valrie Hummel, Director of Council and Information Services

Date: March 3rd, 2017

Re: Council Mail Folder Items

- AMCTO Municipal Minute – March 1, 2017
- AMO WatchFile – March 2, 2017
The Committee of the Whole recommends the following to Council:

1. THAT the Council of the Township of Woolwich supports the January 30th, 2017 decision made by the Dog Designation Committee.

2. THAT the Council of the Township of Woolwich approve Zone Change Application 10/2016 (Robert Brubacher) concerning a property at 7021 Side Road 5 to amend the site specific Agricultural (A) zoning provisions to:
   - increase the area of operation from 0.7 ha to 1.03 ha.,
   - allow the addition of an accessory use of mixing, bagging and storage of other granular products, as accessory to the farm related use of fertilizer production, and
   - convert the existing barn (1215 sq. m.) to product storage associated with the mixing, bagging and storage of the granular products.

subject to:
   - The amending By-law being in accordance with the proposed By-law attached as Appendix ‘D’ to Report E11-2017; and
   - The applicant enter into an addendum to the site plan agreement to address the road works, garbage, expanded area, fire reservoir requirements, and agreeing to provide annual details on material processed.
   - That Township staff address the scale house concern through a revision to the by-law and bring back a recommendation with regards to the road paving issue.

3. THAT the Council of the Township of Woolwich approve Zone Change Application 14/2016 for the property known as 1175 Wurster Place to amend the site specific Agricultural zoning with site-specific provisions to permit development on an Agricultural parcel with approximately 12 metres of frontage on an unopened public road, subject to:
   - The amending By-law being in accordance with the proposed By-law attached as Appendix C to Report E12-2017, and
   - That the associated Encroachment Agreement has been entered into in a form which is substantially and reasonably in accordance with the attached Encroachment Agreement.

AND THAT the Council of the Township of Woolwich authorize the Mayor and Clerk to enter into an agreement, subject to review by the Township’s solicitor, attached as Appendix D to Report E12-2017 with the owners of 1175 Wurster Place, to allow the construction and maintenance of a private driveway over the unopened portion of Wurster Place, and the agreement be registered on title of the Lands at 1175 Wurster Place.

4. THAT the Council of the Township of Woolwich, in accordance with Report E13-2017, award the tender for the reconstruction of Green Warbler Crescent to Terracon Underground Ltd. at a total cost of $1,110,383.15 after H.S.T. rebate;
AND FURTHER THAT the Mayor and Clerk of the Township of Woolwich be authorized to sign the contract documents;
AND FURTHER THAT MTE Consultants be retained for the contract administration, inspection and post construction services at a total cost of $60,029.39 after H.S.T. rebate;

AND FURTHER THAT new sidewalk not be installed on the north/west side of Green Warbler Crescent and that staff report further on the design of the connecting sidewalk from the walkway to Green Warbler Crescent.

5. THAT the following items be received for information:
   - Council Mail Folder Items
TO: Mayor Shantz and Members of Council

FROM: Richard Petherick

SUBJECT: Fleet Management Policy

FILE ID:

MEETING DATE: March 7, 2017

RECOMMENDATION

THAT the Council of the Township of Woolwich approve the Fleet Management Policy attached as Appendix A.

COMMENTS

The Fleet Management Policy, attached as Appendix A, was included in the Draft 2017 Budget report but unfortunately due to time constraints this policy needed to be deferred.

By way of background through the 2016 Budget process Council requested that staff investigate and develop a small vehicle policy. Staff from Fire, EPS, RFS and Finance collaborated on the Township of Woolwich Fleet Management Policy for Council’s consideration. This policy sets out the parameters for the Township’s vehicle fleet including vehicle eligibility, the timing of vehicle replacement, as well as requirements for the use of Township vehicles.

LIST OF ATTACHMENTS

Appendix A – Fleet Management Policy
SECTION: Procurement

SUBJECT: Fleet Management Policy

PURPOSE:

To establish the rules and responsibilities governing the use of the Township of Woolwich vehicles and to outline procedures for day to day operations. Fleet management is an asset management discipline and the main objective is to provide the appropriate service level at the lowest long-term cost.

DEFINITIONS:

Business Use: Any activity requiring the use of a Township of Woolwich vehicle in the direct delivery of services for the Township and its residents.

CAO: Chief Administrative Officer of the Township of Woolwich

Council: The Council of the Township of Woolwich, Woolwich Council

CRA: Canada Revenue Agency.

Employee: Any person hired in a contract, part-time, temporary or permanent position


Occasional Business Use: Occasional business use of a vehicle refers to the use of an employee’s personal vehicle to conduct Township business.

Standby/On-Call: A status whereby an employee can be called out to a work site during or after the normal working day on a moment’s notice to attend to a work related incident. Standby/On Call is determined either by a collective agreement or at the discretion of the department head or CAO of the Township. This does not apply to employees responding to emergency measures under the Community Emergency Management Plan.

Township – Township of Woolwich, Woolwich Township

Township Vehicle – A vehicle made available to an eligible Township employee for his/her business use within the Township or outside the Township for business use.
**Vehicle** – A vehicle is defined as commercial truck, SUV, car, tractor, trailer, driver employee operated RFS / EPS operational and construction equipment, and off road vehicle and is deemed to be part of the Township’s vehicle fleet and found safe to use on a public roadway.

**POLICY SCOPE:**

This policy applies to all Township employees.

**POLICY:**

**Table of Contents**

1. Vehicle Eligibility
2. Conditions for Using a Township Vehicle
   a) General Requirements
   b) Reporting Vehicle Use
   c) Other Use
3. Replacement of Vehicles
4. Vehicle Fuel and Maintenance
5. Insurance
6. Accidents and Vehicle Damage
7. Taxable Benefit
8. Vehicle Disposal
9. Vehicle Licensing
10. Vehicle Re-assignment & Inventory Control
11. Short Term Rental Cars
12. Vehicle and Transportation Safety

**1. Vehicle Eligibility**

1.1 Based on service requirements, the Township, at the discretion of the appropriate Department Head and with the approval of Council, will acquire vehicles for business use.

1.2 The mileage threshold for the acquisition of a vehicle should be based on the expectation of a minimum of 20,000 kilometers annually for Township business. Written justification must be provided for acquisition of a vehicle when the expected annual mileage is less than 20,000 kilometers. The deliberation and decision to procure a new Township vehicle will typically be handled in conjunction with the Township’s annual capital budgeting process. Additions to the fleet will consider a number of factors such as service level needs, staffing impact, availability of contracted services, appropriate storage.

1.3 Any person using a Township vehicle must bear in mind that the manner of use reflects on the Township and its’ employees. It is therefore important to avoid any situation that has the possibility of creating a negative perception of the Township. Examples of this would include inappropriate/unsafe driving practices (i.e. speeding or driving aggressively), use of the vehicle for obvious non-business purposes (i.e. driving to a movie theatre, LCBO, use of the vehicle while on vacation) or carrying or towing items that are not related to Township business (i.e. tent trailer or other recreational equipment). Any complaint from
the public regarding a driver’s behavior while using a Township vehicle will be investigated by the Department Head and disciplinary action taken (see article 2.23).

1.4 The Township will provide compensation to employees who occasionally use their personal vehicles for business in accordance with the per kilometer mileage rates approved by Council and current CRA automobile allowance rates. Employees understand that this form of allowance is taxable income. The Township does not oversee such deductions through an employee pay (refer to article 7.0, 7.1, 7.2).

2. Conditions for Using a Township of Woolwich Vehicle

a) General Requirements

2.1 Vehicles are provided for business purposes only and may not be used for personal purposes.

2.2 There are occasions when after regular working hours, a Township vehicle may be located at the residence of an employee. Permission for this will be at the discretion of the CAO or Department Head taking into consideration the efficient use of municipal resources.

2.3 Permission to use a Township vehicle to travel to and from the workplace and the employee’s place of residence will typically be granted for employees with job descriptions and/or rotating shifts that designate them as being “standby/on-call” as defined in this policy.

2.4 Township vehicles that are taken home by an employee shall be returned to (or remain at) the appropriate Township location when the employee is away from work for any prolonged period due to vacation, extended illness or any other reason.

2.5 The use of seat belts is mandatory at all times when the vehicle is in motion.

2.6 Smoking is strictly prohibited in all Township vehicles, (see Policy 28 – Smoking in the Workplace).

2.7 All vehicles must be used in compliance with driving laws, ordinances and regulations.

2.8 Township vehicles (exteriors and interiors) shall be kept clean and tidy, (see article 4.1).

2.9 Hitchhikers must not be picked up under any circumstances.

2.10 The Township is not liable for fines resulting from traffic/parking violations. It is the responsibility of the driver to deal promptly with any violations and/or subsequent charges. Township staff shall promptly report driving violations received while operating a Township vehicle to their supervisor.

2.11 Drivers are not permitted to use highway toll roads such as the 407 ETR except:
- In case of emergency such as road closures or accidents.
• If the use of the highway will significantly reduce the travel time.
  Approval from the Department Head must be obtained prior to using highway toll roads.

2.12 All vehicles must be locked when unattended and valuables removed when appropriate. Vehicle keys shall be stored securely off-site (i.e. not left in vehicle).

2.13 All employees, including Summer, Co-op students and seasonal staff, must have a valid G or G2 class Ontario driver’s license and be able to show evidence of a satisfactory driving record before operating a Township vehicle. The license must always be carried when operating a vehicle. When a job specification includes a requirement for a valid driver’s license (of any class), a photocopy of the incumbent’s current driver’s license must be provided to their Department Head upon commencement of employment in the position. This MUST occur before the employee is permitted to operate a Township vehicle. When a job description includes a requirement for a satisfactory driving record, a driver abstract must be provided as a condition of employment. The Township reserves the right to obtain periodic driver’s abstracts from the Ministry of Transportation to ensure drivers of Township vehicles have the appropriate licensing in good standing.

2.14 Employees are also required to immediately notify their manager of any restrictions assigned to their driver’s license during the course of their employment; failure to do so will result in disciplinary action against the employee (see article 2.23). This requirement is applicable to any Township employee who is assigned to temporary, contract or permanent positions. The requirement for a valid driver’s license abstract must be outlined in the job specification and in the job advertisement, HR Policy 18 – Loss of Driving Licence.

2.15 Driving under the influence of alcohol or illegal drugs, transporting of such drugs, driving without a license or with a suspended license or under medical direction/orders subjects the Township employee to disciplinary action up to and including dismissal.

(Note: Driving under the influence invalidates insurance.)

2.16 While the law is straightforward regarding intoxication, employees must use good judgment and refrain from driving if using any medication that may impair their ability to drive.

2.17 Township vehicles may only be driven outside Ontario when specifically approved by Township CAO. A written request must be completed detailing the travel need.

2.18 Passengers may be carried in a Township vehicle only if such passengers are being carried in relation to the business use of the vehicle.

  b) Reporting Vehicle Use (see section 7 for information on Taxable Benefits)

2.19 Any personal use of a vehicle will result in a taxable benefit as per CRA guidelines.
2.20 Township vehicles may only be driven by staff that have been authorized to do so. In case of emergency (e.g. medical), licensed drivers residing in the household may drive the vehicle.

2.21 Under no circumstances is any person, other than a Township employee, authorized to sign for the use of the Township fuel card. Use of any hand held electronic device is prohibited. Article 2.10 would come into effect due to any violations (see article 12.1).

2.22 All employees using a Township (commercial vehicle) are required to complete a pre-start inspection of said vehicle. Any areas of concern which makes the vehicle not road worthy are to be reported to the immediate supervisor. This vehicle will not be used until the proper inspection and repairs have been completed. As part of the pre-start inspection, the operator shall ensure the vehicle ownership and insurance certificate are in the vehicle (see article 12.3 12.4).

2.23 The vehicle operator is to ensure that all required fire extinguishing and first aid equipment are in place. Vehicle operators are to insure all form of safety guards and safety devices are in place and found to be in operational condition.

c) Other Use

2.22 Township vehicles may not be used for trailer towing unless equipped with a trailer-towing package suitable for the load/trailer to be towed.

The operator of the tow vehicle is responsible for the inspection of the trailer and its load(s) and is to ensure the approved trailer capacity is capable of handling the loads being applied.

The operator of the tow vehicle is responsible in overseeing that all loads are properly secured and maintained.

All Township commercial vehicle operators are to observe all provincial transportation, police officials and all road side MTO weight scale sites and vehicle safety inspections. Any violations found as operator error will be considered that of the vehicle operator. Any vehicle mechanical irregularities found will be that of the Township.

2.23 Failure to comply with any of the conditions for using a Township vehicle subjects the employee to disciplinary action up to and including dismissal. Such action may also include cash reimbursement by the employee to the Township for expenses incurred.

3. Replacement of Vehicles Fleet Optimization

3.1 While the Township must ensure that it has the appropriate resources to deliver its’ services effectively and efficiently, due consideration must also be given to the use of fuel-efficient, alternative fuel vehicles and or hybrid technology vehicles whenever it is operationally feasible to do so. Optimizing the fleet efficiency will result in decreased fuel consumption and exhaust emissions, thus supporting the Township’s efforts to minimize its’ carbon footprint. Fleet optimization can be achieved in a number of ways:

- Reduce the number of vehicles – consider car pooling.
• Consider contracting services that require specialized vehicles.
• Reduce idling time. Unnecessary idling wastes fuel and wasted fuel is wasted money.
• Vehicle Technology – the age of the fleet must be regularly reviewed and older vehicles disposed of.

3.2 Township vehicles will be replaced, with the approval of the Department Head and Council, based on the following criteria:
   a) The vehicle odometer reading is approaching 8 years or 180,000 km
   b) Emergency Response Vehicles (hour meter X factor of 60 = equivalent kilometers)
      Emergency response vehicles will reference current NFPA 1901- Standard for Automotive Fire Apparatus when considering replacement
   c) The vehicle hours are approaching 10,000 hours for plow trucks, 4000 hours for tractors and other small vehicles
   d) The vehicle is fully amortized as per the Estimated Useful Life (amortization rates) established in the Township’s Tangible Capital Asset Policy
   e) It is recognized that it is economically expedient to replace and/or discard vehicles before extensive breakdowns and downtime result, as well as replace old or worn out vehicles before it becomes financially unsound for the continued use due to extensive repairs; therefore, early replacement may be required
   f) The required Capital Project Justification Sheet has been completed. The Justification Sheet must clearly address why a particular type/style of vehicle is needed to best serve the needs of the Township. Examples-crew cab vs. single cab, passenger van vs. car, used vehicle vs. new vehicle, contracted service vs. internal service provision
   g) Vehicle purchase has been approved in the Township Budget.
   h) Vehicle procurement follows the requirements of the Township Purchasing and Procurement Policy.

Selection of Vehicles

3.3 The appropriate Superintendent or Manager will determine the vehicle specifications at the time of replacement.

3.4 In certain instances, purchase of used vehicles will be considered based on written recommendation from the Department Head or at direction from Council.

3.5 All Township vehicles must have a white exterior and the Township logo appropriately decaled on the driver and passenger side door panel. Magnetic decals are not acceptable.

Exceptions exist for Special Purpose Equipment (e.g. plow truck, fire vehicles, graders).

3.6 If a used vehicle within the fleet is in fair condition and is available, the Township reserves the right to re-assign that vehicle to a department requiring a vehicle of the same type as opposed to acquiring a new vehicle.

3.7 Before accepting delivery of a new vehicle, the Township employee must examine the vehicle carefully. Delivery should not be accepted if the vehicle does not conform to what was ordered. Any discrepancies should be identified and resolved prior to accepting delivery.
4. **Vehicle Fuel and Maintenance**

4.1 Each vehicle must be maintained in a manner that is consistent with the manufacturer’s maintenance schedule to ensure reliability and a safe operating condition at all times. Maintenance schedules will be maintained to ensure compliance with warrantee conditions. Superintendents and Managers are responsible for maintaining vehicles in their respective areas. The Township should, whenever possible, deal with a reputable properly licensed vendor for any repairs required. Maintenance records for each vehicle must be maintained.

4.2 Any expenses incurred to repair damage to a vehicle caused by neglect or abuse by a Township employee will be paid by the employee.

4.3 Each Township vehicle and operator is assigned a fuel card and PIN. This PIN must be used only for the fueling of Township vehicles by the employee assigned the PIN.

4.4 If a fuel card is lost, stolen or damaged, the driver must notify their department head immediately. Arrangements will be made to send a replacement card as soon as possible.

4.5 All fuel purchased must be regular, unleaded, diesel or propane.

4.6 If a Township Driver is required to pay cash for any required gas and/or repairs, an Expense Report request form with receipts to obtain reimbursement must be completed.

4.7 All warranty work must be performed at an authorized dealership or a location authorized to perform warranty work.

4.8 Drivers must ensure that any warranty repairs they are aware of, are performed prior to warranty expiration.

4.9 The Township will not repair vehicles that are due for replacement unless the safe operation of the vehicle is in question. Exceptions can be made at the discretion of the appropriate Township Superintendent/Manager.

4.10 All vehicles shall be maintained in good condition and be safe to drive. Any unsafe vehicle shall be removed from service immediately and repaired or replaced.

5. **Insurance**

5.1 A valid insurance certificate must be kept in the vehicle at all times. Replacements can be obtained from the Township Finance Department.

5.2 Any personal belongings carried in a Township vehicle, including Township assets, are NOT covered under the Township vehicle insurance policy.

5.3 Township employees who use their personal vehicle for occasional business use must ensure that their insurance policy covers use of the vehicle for business purposes (minimum $1 million liability). The Township’s insurance does not cover personal vehicles.
The Township will not become involved or be found liable for any damage to property, personal injury, loss or theft as a result of an employee using their personal vehicle for Township business, or as a result of the individual's actions or vehicle condition(s). The Township will NOT provide any form of legal representation, resulting from such cases.

An employee having prior approval for use of their own vehicle will maintain and licence their vehicle in accordance to this policy. Where personal injury has been suffered while using such vehicle for business, the Township will be entitled to submit a WSIB claim and receive any subsequent compensation as a result from such claim.

Should an employee using a township vehicle be called into work outside their normal working hours or as a result of an emergency call, the employee is deemed to be at work while in transit. If in a motor vehicle accident while using their personal vehicle while in transit, the actions of the employee, vehicle damages and third party personal injury damage claims would be that of the employee. However, should the employee be injured, the Township would proceed with the proper WSIB claim.

6. Accidents and Vehicle Damage

6.1 Drivers involved in an accident in a Township vehicle must:
   a) Contact the police
   b) Inform their manager and department head of the incident
   c) Complete an Accident/Incident Investigation form as per the Township’s Health & Safety Policy

*Note: If you are involved in an accident and are found to be at fault, it will be reflected in your personal driving record even if you are driving a Township vehicle.*

7. Taxable Benefits

The below excerpts were taken from Canada Revenue Agency (CRA).

“If your employee drives your vehicle for personal reasons or you reimburse your employee for the personal driving of his or her own vehicle, there is a taxable benefit that has to be calculated and included in his or her income.

**Personal driving includes:**
- Vacation trips;
- Driving to conduct personal activities;
- Travel between home and a regular place of employment, other than a point of call;
- Travel between home and a regular place of employment even if you (employer) insist the employee drive the vehicle home, such as when he or she is on call.”

*Employers and employees should keep records on the use of a motor vehicle so that the total kilometers driven in a calendar year by an employee or a person related to the employee may be properly apportioned between business use and personal use*.”
7.1 The Township of Woolwich will rely on CRA’s “Motor Vehicle Home at Night Policy”. As such, Township vehicles are not to be utilized for any personal use other than travelling between home and a regular place of employment by Township employees. The Township no longer charges employees for the use of motor vehicles. Therefore, there are income tax implications for employees who drive a Township vehicle for uses that the CRA would deem to be personal.

7.2 A taxable benefit will be added to the income of each driver who drives a Township vehicle for personal use. Employees are responsible for tracking and reporting all personal use of Township vehicles. Employees will indicate on their bi-weekly timesheet the total kilometres driven for the period and additionally the personal kilometres driven for the period. Payroll staff will calculate the taxable benefit for the personal kilometres utilizing the CRA prescribed rate. This amount will be reflected on the employee’s bi-weekly pay and on their annual T4. Employees will be responsible for any fines and interests resulting from inaccurate declarations made to the CRA.

8. **Vehicle Disposal**

8.1 To facilitate the disposal, the original registration (plate and vehicle portions) and other related documentation must be retained by the Superintendent or Manager. All personal belongings must be removed from the vehicle.

8.2 When a vehicle is no longer in use or disposed of, the Superintendent or Manager must immediately notify the Finance Department. The Fleet Inventory/TCA database will be updated upon disposal.

8.3 All Woolwich vehicles will be disposed of in the manner established in the Township’s Purchasing and Procurement Policy. It is the Township’s objective to ensure that all assets are re-marketed as cost effectively as possible. It is more cost effective to dispose of older vehicles at local auctions rather than through advertised sale. After the vehicle is sold, the cheque and bill of sale shall be forwarded to the Finance Department for processing.

8.4 If Township vehicles are traded in as part of the purchase of a new vehicle, the bill of sale for the new vehicle must explicitly show the trade-in value for the vehicle disposed of.

9. **Vehicle Licensing**

9.1 A photocopy of the registration will be retained in the glove box of each vehicle. The original vehicle registration shall be kept as part of the Township records management.

10. **Vehicle Re-assignment and Inventory Control**

10.1 The Township Tangible Capital Asset (TCA) database will be the primary inventory control system for all vehicles. The vehicle identifier can be the license plate, the unit number or the VIN number.
10.2 The appropriate manager must ensure that any additions, disposals or re-assignment of vehicles are immediately reported to the Finance Department, who will then update TCA records.

11. **Short-term Rental of Vehicles**

11.1 A short term rental is defined as requiring a vehicle for a period of 3 weeks or less. If a rental vehicle is required for a month or more, a tendering process must be followed.

11.2 As a result of changes made to the *Insurance Act* in 2007, the Employer is now identified as the renter on short term rental. This means that the Township's insurance policy will respond first if an employee is in a serious at-fault accident while renting a vehicle on Township business. The name of the renter will be “Township of Woolwich.” The name of the Township employee renting the vehicle shall be listed under “licensed operator.”

11.3 If you are involved in an accident while in a rental car, please follow the same reporting procedure as when using a Township vehicle.

11.4 Employees operating rental vehicles are responsible for complying with the terms of the rental contract.

12. **Vehicle/ Commercial Vehicle Safety and Maintenance Vehicle Safety**

12.1 The Township is committed to ensuring that all Township vehicles are driven in a manner that ensures the safety of its drivers and in accordance to all regulatory requirements.

**Commercial Vehicles Operator's Registration (CVOR)**

12.2 When driving a commercial motor vehicle (i.e. grader, dump truck, loader), a daily vehicle inspection must be completed, as set out in the Highway Traffic Act. The inspection must be conducted by the driver prior to using the vehicle (unless the vehicle has been driven by more than one driver and 24 hrs have not elapsed since the previous driver conducted an inspection). To meet the requirements for a record of daily inspections, a commercial motor vehicle trip inspection report must be completed and kept in the vehicle for 24 hrs and then appropriately filed. Every driver of a Commercial Motor Vehicle is required to complete a daily log that accounts for all of his or her on-duty time and off-duty time for that day.

12.3 An annual safety inspection is required on all heavy commercial vehicles. Stickers provided upon completion of inspections are valid in any province or state for 12 months after the month of inspection.
## Estimated Useful Life Chart

<table>
<thead>
<tr>
<th>Sub-Category</th>
<th>Comments</th>
<th>Estimated Useful Life in Years</th>
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</thead>
<tbody>
<tr>
<td>Licensed Vehicles – Light Duty</td>
<td>Pick –ups, Vehicles &lt; 1 Tonne, Trailers, Argo</td>
<td>8</td>
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<tr>
<td></td>
<td></td>
<td>10</td>
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<tr>
<td>Licensed Vehicles – Heavy Duty</td>
<td>Fire Vehicles (pumpers, tankers, rescues, aerials)</td>
<td>20</td>
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<tr>
<td></td>
<td>Dump Trucks, Vehicles &gt; 1 tonne</td>
<td>12</td>
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<tr>
<td></td>
<td>Flusher</td>
<td>15</td>
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<td>Sweeper</td>
<td>7</td>
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<tr>
<td>Unlicensed Vehicles – Light Duty</td>
<td>Tractors</td>
<td>25</td>
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<td></td>
<td>Ice Resurfacer</td>
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<td></td>
<td>Trail Groomer</td>
<td>25</td>
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<tr>
<td>Unlicensed Vehicles – Heavy Duty</td>
<td>Graders</td>
<td>20</td>
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<td>Backhoe</td>
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<td>Weed Cutter Attachment</td>
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TOWNSHIP OF WOOLWICH
COUNCIL AND INFORMATION SERVICES

REPORT: C04-2017
TITLE: Bill 68, Modernizing Ontario’s Municipal Legislation Act/Draft Code of Conduct and Appointment of Integrity Commissioner
FILE ID: A09/CCC
PREPARED BY: Julie Forth, Deputy Clerk
MEETING DATE: March 7, 2017
MEETING TIME: 7:00 p.m.
LOCATION: Council Chambers
REVIEWED BY: Valrie Hummel
DATE REVIEWED BY MANAGEMENT TEAM: February 20, 2017
C.A.O.: ________________ (signature not required if reviewed by SMT)

CONSENT ITEM

RECOMMENDATION


And further that Council appoint ADR Chambers Inc. at a rate of $250.00 per hour to provide Integrity Commissioner Services as outlined in staff Report C04-2017;

And further that the Township of Woolwich enter into an agreement with ADR Chambers Inc. to provide Integrity Commissioner services on a fee for services basis for a contract term ending on June 30, 2019 with the option to renew for two (2) additional years with the same terms and pricing;

And further that the Mayor and Clerk be authorized to sign all documents related to this matter subject to the approval of the Director of Council and Information Services/Clerk.

BACKGROUND INFORMATION

Bill 68, Modernizing Ontario’s Municipal Legislation Act

In November, 2016, the Province introduced Bill 68, Modernizing Ontario’s Municipal Legislation Act. These changes come as a result of public consultation and feedback that was received at the end of 2015. This legislation, if passed, is intended to help local governments be more open, flexible and
accountable to the public. The changes will affect the Municipal Act, the City of Toronto Act and the Municipal Conflict of Interest Act. These pieces of legislation set out the roles, responsibilities and conflict of interest rules for members of local Council. At the time of writing this report, the changes proposed in Bill 68 were in second reading debate at the Legislative Assembly of Ontario.

**Code of Conduct/Integrity Commissioner**

Under current legislation, Subsection 223.2 of the Municipal Act authorizes a municipality to establish a code of conduct for members of council and local boards of the municipality. In February of 2016, the Council of the Township of Woolwich passed the following resolution:

> “THAT the Council of the Township of Woolwich direct staff to develop a code of conduct for Council's consideration and approval;
>
> AND FURTHER THAT Council direct staff to work with area municipalities to investigate the hiring of a joint Integrity Commissioner for the Township of Woolwich.”

Subsection 223.3 authorizes the appointment of an Integrity Commissioner who reports to Council and is responsible for performing in an independent manner the functions assigned with respect to the application of the code of conduct and investigations into an alleged breach of the code.

A joint Request for Proposal (RFP) for Integrity Commissioner Services was issued by the Cities of Kitchener and Waterloo, on behalf of the Cooperative Purchasing Group of Waterloo Region (the participating members), on May 10, 2016 and closed on May 24, 2016. The RFP was flexibly structured to allow the participating members to join the agreement with the Integrity Commissioner at a later date if desired, and to choose the service level needed. Subsequent to the issuance of the RFP, the City of Cambridge elected to join also.

**COMMENTS**

**Bill 68, Modernizing Ontario’s Municipal Legislation Act**

The changes proposed within Bill 68 focus on accountability, transparency, municipal financial sustainability and responsive and flexible service delivery. The changes may be summarized as follows:

**Accountability and Transparency**

- Requirement that municipalities establish a code of conduct for members of municipal council and local boards. Under the current legislation this is an option; not a requirement.

- Provide the public and municipal councillors with access to an integrity commissioner with broadened powers to investigate complaints; provide advice and initiate investigations related to conflicts of interest and the municipality’s code of conduct.

- Updated definition of “meeting” in certain cases within the legislation to help ensure that rules would be clearer for municipal officials, local board members and the public. The definition of meeting is expanded to state that quorum must be present and discussion must take place which materially advances the business or decision-making of the Council, Local Board or Committee.

- Provide a broader range of penalties for contravention to the Municipal Conflict of Interest Act, as follows:
Reprimand the member or former member;

- Suspend the remuneration paid to the member for a period of up to 90 days;
- Declare the member’s seat vacant;
- Disqualify the member or former member from being a member during a period of not more than seven years after the date of the order;
- If the contravention has resulted in personal financial gain, require the member or former member to make restitution to the party suffering the loss, or, if the party’s identity is not readily ascertainable, to the municipality or local board, as the case may be.

- The proposed amendments to the Municipal Conflict of Interest Act also provide that the judge may consider whether the member or former member took reasonable measures to prevent the contravention, if they disclosed the pecuniary interest and all relevant facts in a request for advice to an Integrity Commissioner and acted in accordance with the advice, or if they committed the contravention through inadvertence or by reason of an error in judgement made in good faith.

Municipal Financial Sustainability

- Broadening municipal investment powers for municipalities that meet certain criteria, which is intended to help better finance repairs and replacements of local infrastructure. This change will enable municipalities to invest according to the prudent investor standard, which may lead to better investment returns through more diverse investment portfolios. Bill 68 provides that qualifying municipalities may invest in any security, provided that the municipality exercises the degree of diligence of a “prudent investor”. The draft legislation sets out criteria to be applied in planning investments, including economic conditions, the municipality’s overall portfolio, the anticipated return from income and the need for preservation of assets.

Responsive and flexible service delivery

- Clarification that municipalities may pass climate change by-laws and participate in long-term planning for energy use, which could help address the impacts of climate change in their communities. In further support of environmental initiatives, there would be a new requirement for municipalities to adopt and maintain a policy with respect to the manner in which the municipality will protect and enhance the tree canopy and natural vegetation in the municipality.

- Requiring reviews of regional council composition after every second municipal election, beginning in 2018, to strengthen democratic representation at the local level.

- Affirming a municipality’s power to establish and determine the composition of community councils. Currently, the Municipal Act provides that an upper-tier municipality may change the composition of its council subject to certain procedures. A Minister’s regulation authorizing a change in the composition is required, and implementing the change is subject to the “triple majority” provision which requires a majority of all votes on Regional Council; resolutions from a majority of local councils and that the resolutions from supporting municipalities represent a majority of the electorate. Bill 68 proposes to eliminate the need for a Minister’s regulation. The requirement to obtain a “triple majority” prior to changing the composition of Council is, however, preserved as are the timing requirements for any changes to take effect. A By-law changing the composition of Council must be enacted by December 31st of the year prior to the next municipal election.
- Strengthening democratic representation at the local level by proposing that the heads of most regional councils be elected to help ensure they are accountable to the voters they represent. This proposed change is part of the Building Ontario Up for Everyone Act.

Changes are also proposed within the Modernizing Ontario’s Municipal Legislation Act, such as ensuring that women or parents are entitled to take time off for pregnancy or parental leave, without fear of being removed from elected office.

**Code of Conduct/Integrity Commissioner**

**Code of Conduct**

Staff has reviewed a number of different Codes of Conduct from area municipalities. A draft Code of Conduct is attached to this report as Appendix “A” for Council’s review and consideration. The Code of Conduct is intended to go above and beyond the provisions contained within the Township’s existing code of conduct for staff and Council relations. Standard components of a code of conduct are as followed:

- Business relations;
- Conduct at meetings, respecting staff and of a political nature;
- Confidential information;
- Gifts and benefits;
- Use of Township property;
- Complaint procedures and protocol;
- Complaint investigations/reporting.

A code of conduct is intended to demonstrate a commitment to the public that members of Council, Local Boards and Committees of Council will act with integrity, fairness, consistency, respect and within the law without prejudice or bias. Additionally, should the changes proposed within the Modernizing Ontario’s Municipal Legislation Act receive Royal Assent, a code of conduct will be required under the Municipal Act.

**Integrity Commissioner**

In response to the Request for Proposal (RFP) that was issued by the Cities of Waterloo, Kitchener and Cambridge, three (3) bids were received. They were from Robert J. Swayze of Caledon, ON (Swayze), Fasken Martineau of Ottawa, ON (Fasken), and ADR Chambers Inc. of Toronto, ON (ADR).

The RFP acknowledged that the volume of work is unpredictable and stated the services of the Integrity Commissioner would be required on a part-time, flexible, as-needed basis only. The RFP indicated that the Integrity Commissioner would be expected to work independently from the administrative staff of any participating member, and would report directly to each participating member’s Council, as necessary. The RFP also stated that work of the Integrity Commissioner would be carried out at their own independent workplace and not on the property of any participating member; however, space at a facility to conduct interviews would be made available, as required.
The bids that were received were evaluated by Christine Tarling, City Clerk for Kitchener and Steve Rudak, Buyer for Kitchener, Michael Di Lullo, City Clerk for Cambridge and Olga Smith, City Clerk for Waterloo. All three submissions met the basic qualifications which were evaluated based on overall Integrity Commissioner experience; investigation, mediation and adjudication experience; and knowledge of Ontario municipal legislation and codes of conduct.

ADR received the highest score among the three proponents, especially with respect to their extensive municipal experience with codes of conduct and their knowledge of the municipal sector as well as their experience with mediation and adjudication methods.

Proponents were required to state their hourly rate and no retainer fee. The hourly rate was to be the maximum compensation per hour for providing services and was not to include travel time. As well, disbursements, mileage, accommodation and meals were to be compensated as set out in a Draft Agreement which was attached to the RFP. The rationale for this was to ensure each participating member is not paying for services which are not being used and is paying for services at a rate which is appropriate for the service being provided.

The hourly rate for ADR Chambers is $250.00. Upon review of other municipalities that use an Integrity Commissioner, the rate provided by ADR was found to be consistent. Reference checks for ADR have also been completed with no issues.

Under the changes proposed within Bill 68, the appointed Integrity Commissioner would also be able to provide support and recommendations to members of Council as required.

Staff is recommending that Council appoint the same Integrity Commissioner used for the Cities of Kitchener, Cambridge and Waterloo for consistency, but also to take advantage of any potential efficiencies with respect to future training opportunities for members of Council.

STRATEGIC PLAN

The development of a code of conduct and the appointment of a joint Integrity Commissioner for the Township directly relates to the Township's Strategic Plan focus area of best managed and governed municipality by ensuring strong leadership, accountability and good interaction with the community.

CONCLUSION

Staff recommends that Council approve the draft Code of Conduct attached as Appendix “A” to Report C04-2017: Bill 68, Modernizing Ontario’s Municipal Legislation Act/Draft Code of Conduct and Appointment of Integrity Commissioner and the appointment of ADR Chambers Inc. to provide Integrity Commissioner Services for the Township of Woolwich.

Staff anticipates that the development and implementation of a code of conduct and the appointment of an Integrity Commissioner will soon be a requirement and not an option. A code of conduct will demonstrate to the public that members of Council, its committees and boards will serve with integrity, fairness, consistency, respect. Given the pending changes to the Municipal Act under Bill 68, any code of conduct approved by Council will be reviewed and updated after a period of one year. The appointment of an Integrity Commissioner will further support the commitment to the code and will ensure that provisions of the code are enforced.
FINANCIAL IMPLICATIONS

The costs associated with any investigations by the Integrity Commissioner will be accommodated within the Council and Information Services Department’s legal fees account. If Council elects to have any training provided by the Integrity Commissioner or requests any advice from the Integrity Commissioner, those costs will be absorbed within the Council/Committee training and development account. Staff will monitor expenses in the first year and report back through the 2018 budget approval process if these accounts need to be adjusted.

OTHER DEPARTMENT IMPLICATIONS

None.

LIST OF ATTACHMENTS

Appendix A – Draft Code of Conduct for the Township of Woolwich
Section: Council and Committee
Subject: Code of Conduct (Council, Committees of Council, Local Boards)

**Purpose**

The purpose of this policy is to implement a Code of Conduct to reinforce the Township of Woolwich’s Accountability and Transparency Policy and other relevant legislation within which all members of Council, its boards and committees must operate. It ensures those members share a common integrity base and, through adherence to its principles, serves to enhance public trust.

**Definitions**


"**Complaint**" means a purported contravention of the Code of Conduct.

"**Frivolous**" means being of little or no weight, worth, or importance; not worthy of serious notice.

"**Good Faith**" means in accordance with standards of honesty, trust, sincerity.

"**Integrity Commissioner**" means the Integrity Commissioner appointed by the Council of the Township of Woolwich to provide independent and consistent complaint investigation and resolution, respecting the application of the Code of Conduct.

"**Immediate Relative**" means a parent, spouse, child, sister, brother, sister-in-law, brother-in-law, father-in-law, mother-in-law as well as step relationships; spouse shall mean the person to whom a person is married or with whom the person is living in a conjugal relationship outside marriage.

"**Private Advantage**" does not include, for the purposes of the Code of Conduct, a matter:

a) That is of general application or considered to be an interest in common generally with the electors within the jurisdiction of an area; or
b) That concerns the remuneration or benefits of a member of Council.

"Vexatious" means instituted without sufficient grounds and serving only to cause annoyance to the defendant; troublesome; annoying: a vexatious situation.

**Policy Scope**

This policy applies to all members of Council, Local Boards and Advisory Committees within the Township of Woolwich.

**Policy Statement**

This code of conduct is designed to operate with and as a supplement to existing Municipal, Provincial and Federal legislation including, but not limited to:

- The Criminal Code of Canada;
- The Ontario Human Rights Code;
- The Municipal Act;
- The Municipal conflict of Interest Act;
- The Municipal Elections Act;
- The Municipal Freedom of Information and Protection of Privacy Act;
- Township of Woolwich By-laws; and
- Any and all other Municipal, Provincial and Federal legislation that may from time to time govern the conduct of members of Council.

This policy is based on the key principles that members of Council:

- Shall serve and be seen to serve their constituents in a conscientious and diligent manner;
- Are committed to performing the functions of their office with integrity and to avoiding the improper use of influence of their office and conflicts of interest, both real and apparent;
- Are expected to perform their duties in office and arrange their private affairs in a manner that promotes public confidence and will bear close public scrutiny;
- Shall seek to serve the public interest by upholding both the letter and spirit of the laws of Canada, the Province of Ontario and the laws and policies adopted by Township Council;
- Are responsible for making honest statements and shall not make statements which they know to be false or with the intent to mislead other members or the public.
Policy Requirements

Business Relations

No member shall act as a paid agent before Council, its committees, or an agency, board or commission of the Township except in compliance with the terms of the Municipal Conflict of Interest Act. A member shall not refer a third party to a person, partnership, or corporation in exchange for payment or other personal benefit. This does not prohibit activities in which a member would normally engage on behalf of constituents in accordance with the duties of their office.

Conduct at Meetings

At all meetings members shall conduct themselves with decorum in accordance with the provisions of The Township of Woolwich Procedure By-Law. Respect for delegations, fellow members and staff requires that all members show courtesy and not distract from the business of the Township during presentations and when other members have the floor.

Conduct of a Political Nature

No member shall use Township facilities, equipment, supplies, services, or property for his/her election or re-election campaign. No member shall undertake campaign-related activities on Township property. No member shall use the services of Township employees for his/her election or re-election campaign during hours in which the employees are in the paid employment of the Township.

Despite any other provision within this policy, any complaint received by the Township Clerk between Nomination Day and Election Day shall not be referred to the Integrity Commissioner for investigation until at least 30 days after the election has taken place.

Conduct Respecting Staff

Mutual respect and cooperation are required to achieve Council’s corporate goals and implement the corporate strategic priorities through the work of staff.

Employees have an obligation to recognize that members of Council have been duly elected to serve the residents of the Township of Woolwich and respect the role of Council in directing the actions of the Township.

Employees serve Council and work for the municipal corporation under the direction of the Chief Administrative Officer. Council directs staff through its decisions as recorded in the minutes and resolutions of Council. Members have no individual capacity to direct members of staff to carry out particular functions.

Inquiries of staff from Members should be directed to the Chief Administrative Officer or the appropriate staff of the Senior Management Team. Where inquiries have been delegated to a member of the senior management team, they may further delegate to the appropriate supervisor/manager for a response.

Only Council as a whole and no single member has the authority to direct staff, approve budget, policy, committee processes and other such matters, unless specifically authorized by Council.

Members shall be respectful of the role of staff to advise based on political neutrality and objectivity and without undue influence from any individual member or faction of the Council. Accordingly, no
member shall maliciously or falsely injure the professional or ethical reputation, or the prospects or practice of staff, and all members shall show respect for the professional capacities of the staff of the Township.

Members of Council voicing their personal opinion on a matter, either within or out of Council Chambers, shall ensure their opinion relates to the matter at hand and shall not make any negative comments or insinuations about staff or other Members of Council. Press releases, interviews, social media, and any other communications with the media and the public shall focus on policies and initiatives, not individuals. Members shall accurately communicate the ideas in reports as well as decisions of Council even if they disagree with the report or the decision.

Employees have a duty and obligation to act impartially, and in accordance with prescribed regulations or standards of conduct. Similarly, Employees with professional qualifications have an additional duty and obligation to act in accordance with standards of conduct prescribed by their profession. Members shall refrain from any conduct which may deter, interfere or unduly influence Employees in the performance of such duties and obligations.

Certain Employees are employed within the administration of justice. Members shall refrain from making requests or statements or taking actions which may be construed as an attempt to influence the independent administration of justice.

No member shall compel staff to engage in partisan political activities or be subjected to threats or discrimination for refusing to engage in such activities. Nor shall any member use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding, or influencing any staff member with the intent of interfering with that person’s duties, including the duty to disclose improper activity.

In practical terms, there are distinct and specialized roles carried out by Council as a whole and by Councillors when performing their other roles. The key requirements of these roles are captured in the Code of Conduct and include dealing with constituents and the general public, participating as committee members, participating as Chairs of Committees, and participating as Council representatives on agencies, boards, commissions and other bodies. Similarly, there are distinct and specialized roles expected of Township staff in both the carrying out of their responsibilities and in dealing with Council.

More specific details regarding the expectations of Council and staff relations are found within the Township of Woolwich Code of Conduct for Council/Staff (Corporate Policy Number CC-03).

Conduct while Representing the Township

Members shall make every effort to participate diligently in the activities of the agencies, boards, and committees to which they are appointed.

Confidential Information

Pursuant to Section 239 of the Municipal Act, 2001, where a matter discussed at a closed meeting remains confidential; no member shall disclose the content of that matter, or the substance of the deliberations of a closed meeting except as allowed in the Procedure By-Law. Members shall not permit any persons, other than those who are entitled thereto, to have access to confidential information. Members shall not disclose or release by any means to any member of the public either in verbal or written form any confidential information acquired by virtue of their office, except when required to do so by law.
Particular care should be exercised in ensuring the confidentiality of the following types of information:

a) the security of the property of the municipality or local board;

b) personal matters about an identifiable individual, including municipal or local board employees;

c) a proposed or pending acquisition or disposition of land by the municipality or local board;

d) labour relations or employee negotiations;

e) litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;

f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

g) a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act;

h) items under negotiation, or personnel matters;

i) information that infringes on the rights of others (i.e. sources of complaints where the identity of a complainant is given in confidence);

j) price schedules in contract tenders or Request for Proposal submissions if so specified;

k) information deemed to be "personal information" under the Municipal Freedom of Information and Protection of Privacy Act;

l) statistical data required by law not to be released (i.e. certain census or assessment data); and

m) any and all statements that have been provided in confidence

The above list is provided as an example and is not exclusive. Requests for information will be referred to appropriate staff to be addressed as either an informal request for access to municipal records, or as a formal request under the Municipal Freedom of Information and Protection of Privacy Act.

Members of Council shall not access or attempt to gain access to confidential information in the custody of the Township unless it is necessary for the performance of their duties and not prohibited by council policy.

Members are only entitled to information in the possession of the Township that is relevant to matters before the Council or a committee. Otherwise, they enjoy the same level of access rights to information as any other member of the community and must follow the same processes as any private citizen. As one example, no member shall have access to documents or receive any information related to a particular procurement process while the process is ongoing.
Discreditable Conduct

Harassment may be defined as any behaviour by any person that is directed at or is offensive to another person on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, age, disability, sexual orientation, marital status, or family status and any other grounds identified under the Ontario Human Rights Code.

All members have a duty to treat members of the public, one another and staff appropriately and without abuse, bullying or intimidation, and to ensure that their work environment is free from discrimination and harassment. The Ontario Human Rights Code applies, as does Policy J-01 (Workplace Harassment Policy).

Failure to adhere to Council Policies and Procedures

Members are required to observe the terms of all policies and procedures established by Council. However, this provision does not prevent a member from requesting that Council grant an exemption from a policy, other than this Code of Conduct.

Gifts and Benefits

No member shall accept a fee, advance, gift or personal benefit that is connected directly or indirectly with the performance of his/her duties of office, unless permitted by the exceptions listed below. Notwithstanding the exceptions listed, no member shall accept monies or any instrument that can be converted into monies unless authorized by law. For these purposes, a fee or advance paid to, or a gift or benefit provided by a third party with the member's knowledge to a member's spouse, child (who is under the age of 18 years), is deemed to be a gift to that member.

The following are recognized as exceptions:

a) compensation authorized by by-law;

b) gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation;

c) a political contribution otherwise reported by law;

d) services provided without compensation by persons volunteering their time;

e) a suitable memento of a function honouring the member;

f) food, lodging, transportation and entertainment provided by provincial, regional and local governments or political subdivisions of them; and, by the Federal government or the government of a foreign country;

g) food, beverages and/or admission fees provided for banquets, receptions or similar events, if:

a. attendance is resultant to protocol or social obligations that accompanies the responsibility of office; and

b. the person extending the invitation or a representative of the organization is in attendance;
h) communication to the offices of a member, including subscriptions to newspapers and periodicals.

In the case of categories (b) (e) (f) (g) and (h), if the value of the gift or benefit exceeds $100, or if the total value received from any one source over any 12 month period exceeds $100 the member shall within 30 days of receipt of the gift or reaching the annual limit, file a disclosure statement with the Township Clerk. All disclosure statements shall be a matter of public record.

The disclosure statement must indicate:

a) The nature of the gift or benefit;

b) Its source and date of receipt;

c) The circumstances under which it was given or received;

d) Its estimated value;

e) What the recipient intends to do with the gift; and,

f) Whether any gift will at any point be left with the Township. All disclosure statements shall be a matter of public record.

Improper Use of Influence

No member shall use the influence of his/her office for any purpose other than for the exercise of his/her official duties. No member shall seek or obtain by reason of his/her office any personal privilege or private advantage with respect to Township services not otherwise available to the general public and not of consequent to his/her official duties.

Examples of prohibited conduct are the use of one's status to improperly influence the decision of another person to the private advantage of oneself, or one's immediate relatives, staff members, friends, or associates, business or otherwise. This would include attempts to secure preferential treatment beyond activities in which members normally engage on behalf of their constituents as part of their official duties. Also prohibited is the holding out of the prospect or promise of future advantage through a member's supposed influence in return for present actions or inaction.

No member shall use for personal purposes any Township property, equipment, services, supplies or services of consequence other than for purposes connected with the discharge of Township duties or associated community activities of which Township Council has been advised. No member shall use information gained in the execution of his or her duties that is not available to the general public for any purposes other than his or her official duties. No member shall obtain financial gain from the use of Township developed intellectual property, computer programs, technological innovations or other patentable items, while an elected official or thereafter. All such property remains the exclusive property of the Township of Woolwich.

Complaint Protocol

The complaint protocol shall not retroactively apply to any alleged transgressions occurring prior to the date on which the Code of Conduct was formally adopted by Council.
Integrity Commissioner

Pursuant to Section 233 of the Municipal Act, 2001, the Township of Woolwich shall appoint an Integrity Commissioner who reports to Council and is responsible for performing the following duties in an independent and consistent manner:

1) Complaint Investigation: having the power to assess and investigate formal written complaints respecting alleged contraventions of the Code of Conduct;

2) Complaint Adjudication: determining whether a member of Council or local board has in fact violated a protocol, by-law or policy governing their ethical behaviour; with the final decision making authority resting with Council as to whether the recommendation(s) of the Integrity Commissioner are imposed; and,

3) Annual Reporting: providing Council, through the Township Clerk, with an annual public report on findings of complaint cases.

4) Advice to Council Members or Council as a Whole: Any member of Council who wishes to contact the Integrity Commissioner for advice must provide a written request to the Township Clerk who will forward the request to the Integrity Commissioner.

Informal Complaint Procedure

Individuals (for example, municipal employees, members of the public, members of Council or local boards) or organizations, who have identified or witnessed behaviour or an activity by a member of Council, a local board or an advisory committee that they believe is in contravention of the Code of Conduct may address the prohibited behaviour or activity themselves as follows:

a) advise the member that their behaviour or activity appears to contravene the Code of Conduct;

b) encourage the member to stop the prohibited behaviour or activity;

c) keep a written record of the incidents including dates, times, locations, other persons present, and any other relevant information;

d) if applicable, confirm to the member that the response received is satisfactory; or advise the member of any dissatisfaction with the response;

e) consider the need to pursue the matter in accordance with the formal complaint procedure.

Individuals and organizations are encouraged to initially pursue the informal complaint procedure outlined in this policy as a means of stopping and remedying a behaviour or activity that is prohibited by the Code of Conduct. A person is not required to undertake the informal complaint procedure prior to pursuing the formal complaint procedure.

Formal Complaint Procedure

1. Application

All the provisions of this Section apply to a request for an inquiry by an individual or an organization other than a local board or Council as a whole. Individual members of Council or individual members of a local board are not precluded from filing a formal written complaint.
2. Complaint

A request for an investigation of a complaint that a member has contravened the Code of Conduct (the "complaint") shall be in writing. All complaints shall be signed by an identifiable individual (which includes the authorized signing officer of an organization). A complaint shall set out reasonable and probable grounds for the allegation that the member has contravened the Code of Conduct and shall include a supporting affidavit (sample attached as Appendix 'A') that sets out the evidence in support of the complaint. A Commissioner for Taking Oaths and Affidavits shall sign the supporting affidavit in addition to the complainant.

3. File with Township Clerk

The request for an investigation shall be filed with the Township Clerk who shall forward the matter to the Integrity Commissioner for initial classification to determine if the matter is, on its face, a complaint with respect to non-compliance of the Code of Conduct; and not covered by other legislation or other Council policies.

4. Deferral

If the complaint does not include a supporting affidavit, the Integrity Commissioner may defer the classification until an affidavit is received. If the complaint, including any supporting affidavit, is not, on its face, a complaint with respect to non-compliance with the Code of Conduct or the complaint is covered by other legislation or a complaint procedure under another Council policy, the Integrity Commissioner shall instruct the Township Clerk to advise the complainant in writing as follows:

a) If the complaint on its face is an allegation of a criminal nature consistent with the Criminal Code of Canada, the complainant shall be advised that if they wish to pursue any such allegation, they must pursue it with the appropriate police force;

b) If the complaint on its face is with respect to non-compliance with the Municipal Conflict of Interest Act, the complainant shall be advised to review the matter with their own legal counsel;

c) If the complaint on its face is with respect to non-compliance with the Municipal Freedom of Information and Protection of Privacy Act, the complainant shall be advised that the matter will be referred to the Township Clerk for review;

d) If the complaint on its face is with respect to non-compliance with a more specific Council policy with a separate complaint procedure, the complainant shall be advised that the matter will be processed under that procedure; and

e) In other cases, the complainant shall be advised that the matter, or part of the matter, is not within the jurisdiction of the Integrity Commissioner to process, with any additional reasons and referrals as the Integrity Commissioner considers appropriate. For example, a complaint regarding a member of Township of Woolwich Council relating to their actions while serving on Regional Council would not be within the jurisdiction of the Integrity Commissioner, as the Region of Waterloo is a separate level of government; and the Integrity Commissioner will advise accordingly.
5. Reports

The Integrity Commissioner may report to Council and a local board that a specific complaint is not within the jurisdiction of the Integrity Commissioner.

The Integrity Commissioner shall report annually to Council in open session on complaints not within the jurisdiction of the Integrity Commissioner, but shall not disclose information that could identify a person concerned.

Should no complaints be received within a calendar year, the Integrity Commissioner will advise the Township Clerk who shall report to Council in open session accordingly and no annual report shall be made by the Integrity Commissioner.

6. Refusal to Conduct Investigation

If the Integrity Commissioner is of the opinion that the referral of a matter to him or her is frivolous, vexatious or is not made in good faith, or that there are no grounds or insufficient grounds for an investigation, the Integrity Commissioner shall not conduct an investigation, or, where that becomes apparent in the course of an investigation, terminate the investigation.

Complaints referred that are repetitious in nature, not germane to the Code of Conduct, deemed frivolous, vexatious, or without substance in the opinion of the Integrity Commissioner; shall not be advanced to an investigation stage.

The Integrity Commissioner will not report to Council or a local board on any complaint described above except as part of an annual or other periodic report.

7. Investigation

If a complaint has been classified as being within the Integrity Commissioner's jurisdiction, the Integrity Commissioner shall investigate and may attempt to settle the complaint.

8. Public Inquiries Act

Under Section 223.4(2) of the Municipal Act, 2001, the Integrity Commissioner may elect to investigate a complaint by exercising the powers of a commission under Parts I and II of the Public Inquiries Act.

When the Public Inquiries Act applies to an investigation of a complaint, the Integrity Commissioner shall comply with the procedures specified in that Act and this complaint protocol, but, if there is a conflict between a provision of the complaint protocol and a provision of the Public Inquiries Act, the provision of the Public Inquiries Act prevails.

9. Complaint - Gifts and Benefits

Upon receiving a formal written complaint, not deemed to be frivolous or vexatious, that a gift or benefit was received contrary to the conditions set out herein, the Integrity Commissioner shall examine the disclosure statement to ascertain whether the receipt of the gift or benefit might, in his/her opinion, create a conflict between a private interest and the public duty of the member. In the event that the Integrity Commissioner makes that preliminary determination, he/she shall call upon the member to justify receipt of the gift or benefit.
Should the Integrity Commissioner determine that receipt of the gift or benefit was inappropriate, he/she may recommend that Council direct the member to return the gift, reimburse the donor for the value of any gift or benefit already consumed, forfeit the gift or remit the value of the gift or benefit already consumed to the Township; or such other action as the Integrity Commissioner deems to be appropriate.

10. Opportunity to Comment

The Integrity Commissioner will proceed as follows, except where otherwise required by the Public Inquiries Act:

a) serve the complaint and supporting material upon the member whose conduct is in question with a request that a written response to the allegation be filed within ten days; and

b) serve the complainant with a copy of the member's written response with a request that the complainant provide a written reply within ten days.

If necessary, after reviewing the written materials, the Integrity Commissioner may speak to anyone relevant to the complaint, access and examine any of the information described in Section 223.4(2) of the Municipal Act, 2001 and may enter any municipal or local board work location relevant to the complaint for the purposes of investigation and settlement.

Prior to issuing a report finding a violation of the Code of Conduct on the part of any member, the member will have 10 days notice to respond in writing the Integrity Commissioner on their findings and any recommended sanction.

11. Interim Reports

The Integrity Commissioner may make interim reports to Council where necessary and as required to address any instances of delay, interference, obstruction or retaliation encountered during the investigation; or as otherwise deemed necessary by the Integrity Commissioner.

12. Final Report

The Integrity Commissioner shall publicly report the general findings of his/her investigation to the complainant and the member no later than 90 days after the making of the complaint. That report shall indicate when the Integrity Commissioner anticipates presenting his/her recommended corrective action(s) for Council's consideration.

Where the complaint is sustained in whole or in part, the Integrity Commissioner shall also publicly report to Council outlining the findings, and/or recommended corrective action(s).

Where the complaint is dismissed, other than in exceptional circumstances, the Integrity Commissioner shall not report to Council or the local board except as part of an annual or other periodic report.

13. Lawful Recommendations

Any recommended corrective action must be permitted in law and shall be designed to ensure that the inappropriate behaviour or activity does not continue.
Section 223.3 of the Municipal Act, 2001 authorizes Council to impose either of two penalties on a member of Council or local board following a report by the Integrity Commissioner that, in his/her opinion, there has been a violation of the Code of Conduct:

a) a reprimand; or

b) suspension of the remuneration paid to the member in respect of his or her services as a member of Council or local board, as the case may be, for a period of up to 90 days.

The Integrity Commissioner may also recommend that Council or a local board take the following actions:

a) Removal from membership from an advisory committee or local board;

b) Removal as Chair of a Committee or local board;

c) Repayment or reimbursement of moneys received;

d) Return of property or reimbursement of its value; or

e) A request for an apology to Council, the complainant, or both

14. Member not Blameworthy

If the Integrity Commissioner determines that there has been no contravention of the Code of Conduct or that a contravention occurred although the member took all reasonable measures to prevent it, or that a contravention occurred that was trivial or committed through inadvertence or an error of judgment made in good faith, the Integrity Commissioner shall so state in the report and shall recommend that no penalty be imposed.

15. Report to Council

The Township Clerk shall process the Integrity Commissioner's report for the next meeting of Council. Said report shall remain confidential until the matter has received complete and final disposition by the Integrity Commissioner and has been reported out to the members of Council through the Township Clerk.

16. Duty of Council/ Local Board

Council shall consider and respond to the report within 90 days after the day the report is laid before it.

17. Confidentiality

A complaint will be processed in compliance with the confidentiality requirements in Section 223.5 of the Municipal Act, 2001, which are summarized in the following subsections:

a) The Integrity Commissioner and every person acting under her/his instructions shall preserve secrecy with respect to all matters that come to his or her knowledge in the course of any investigation except as required by law in a criminal proceeding or in accordance with the provisions of Section 223.5(1) of the Municipal Act, 2001.
b) Pursuant to Section 223.5(3) of the Municipal Act, 2001, this Section prevails over the Municipal Freedom of Information and Protection of Privacy Act.

c) If the Integrity Commissioner reports to the municipality his/her opinion about whether a member of Council or advisory committee has contravened the applicable Code of Conduct, the Integrity Commissioner may disclose in the report such matters as in the Integrity Commissioner's opinion are necessary for the purposes of the report.

d) The municipality shall ensure that reports received from the Integrity Commissioner are made available to the public upon the matter being reported out to the members of Council. Neither the Integrity Commissioner nor any person acting under the instructions of the Integrity Commissioner is a competent or compellable witness in a civil proceeding in connection with anything done under this Part.

e) if the Integrity Commissioner, when conducting an inquiry, determines that there are reasonable grounds to believe that there has been a contravention of any other Act or of the Criminal Code of Canada, the Integrity Commissioner shall immediately refer the matter to the appropriate authorities and suspend the inquiry until any resulting police investigation and charge have been finally disposed of, and shall report the suspension to Council through the Township Clerk.

18. Integrity Commissioner Vacancy

Should the office of Integrity Commissioner become vacant, the Code of Conduct remains in effect and all members shall abide by the provisions set out therein. When a vacancy occurs, all formal complaints shall be held in abeyance until such time as a new Integrity Commissioner has been appointed; or an interim measure enacted to enable the complaint to be addressed within a reasonable amount of time. For example the Township could engage the services of an Integrity Commissioner from another local municipality as a potential interim measure.

19. Reprisals and Obstructions

Members shall respect the integrity of the Code of Conduct and investigations conducted under it. Any reprisal or threat of reprisal against a complainant or anyone for providing relevant information to the Integrity Commissioner is therefore prohibited. It is also a violation of the Code of Conduct to obstruct the Integrity Commissioner in the carrying out of his/her responsibilities, as, for example, by the destruction of documents or the erasing of electronic communications.
Appendix “A”

Formal Complaint Procedure Affidavit

Please note that signing a false affidavit may expose you to prosecution under Sections 131 and 132 or 134 of the Criminal Code, R.S.C. 1985, c. C-46, and also to civil liability for defamation.

AFFIDAVIT OF

I, ____________________________________________________________ [full name], of the [City, Town, etc of] ___________________________ [municipality of residence] in the Province of Ontario MAKE

OATH AND SAY [or AFFIRM]:

1. I have personal knowledge of the facts as set out in this affidavit, because __________________________ [insert reasons e.g. I work for . . . I attended the meeting at which . . . etc].

2. I have reasonable and probable grounds to believe that a member of Township of Woolwich Council or committee or local board, __________________________________________ [specify name of member], has contravened section(s) ___________________________ [specify section(s)] of the Code of Conduct. The particulars of which are as follows:

[Set out the statements of fact in consecutively numbered paragraphs in the space below, with each paragraph being confined as far as possible to a particular statement of fact. If you require more space, please attach a separate page. If you wish to include exhibits to support this complaint, please refer to the exhibits as Exhibit A, B, etc. and attach them to this affidavit.]

____________________________________________________________________________________
____________________________________________________________________________________
____________________________________________________________________________________
____________________________________________________________________________________
____________________________________________________________________________________
____________________________________________________________________________________
____________________________________________________________________________________
____________________________________________________________________________________
This affidavit is made for the purpose of requesting that this matter be reviewed and for no other purpose.

SWORN [or AFFIRMED] before me at the

[City, Town, etc of] ________________________________

_______________________________ in the}

Province of Ontario on this ______ day of )

________________________ , ________.

) )

_______________________________ )

[Signature of commissioner] ) [Signature of Complainant]

A Commissioner for taking affidavits, etc. )
<table>
<thead>
<tr>
<th>Discussion Date</th>
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</tr>
</thead>
<tbody>
<tr>
<td>O – December 8, 2015</td>
<td><strong>Settlement Boundary Rationalization Process</strong></td>
<td>EPS</td>
<td>Dependent on Regional Approval</td>
<td>Further to the verbal update provided to Council on Nov 29, 2016, a report to Council on Elmira and St. Jacobs boundary rationalization will occur in the first quarter of 2017 with reports on Breslau and other settlements anticipated by the end of 2017.</td>
</tr>
<tr>
<td>R – November 29, 2016</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| O – October 20, 2015  | **GRT Working Group**                                     | CAO         | Second Quarter 2017          | On December 19 Council directed:  
  - That the Township of Woolwich support the implementation of Grand River Transit service improvements to Route 21 commencing September 2017 with no annual cost increase to the Regional tax levy of the Township of Woolwich.  
  - That the Township of Woolwich request a review of the methodology related to the allocation of costs and revenue to the Township.  
  - The Township of Woolwich continues to work with the Region on the development of a Breslau GRT Bus Route.  
  A Township internal working group met with GRT staff on 102. |
| R - February 8, 2016  |                                                            |             |                              |                                                                                                           |

O – Original Date  
R – Review  
CAO – Chief Administrative Officer  
CIS – Council and Information Services  
Fin – Finance  
EPS – Engineering and Planning Services  
RFS – Recreation and Facilities Services  
Fire – Fire Services
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<tr>
<td>O - January 12, 2016</td>
<td>Investigations of Glasgow Street Traffic Options</td>
<td>EPS</td>
<td>Fourth Quarter 2017</td>
<td>Confirm load limit in Quarter 1, EPS to conduct traffic study in Quarter 2. Public meeting will be held in Quarter 3. Report to Council Quarter 4</td>
</tr>
<tr>
<td>O – January 18, 2016</td>
<td>Benjamin Road Pedestrian Crossing</td>
<td>EPS</td>
<td>Timing is dependent on discussions with Regional Staff</td>
<td>Discussion with regional staff is ongoing and pedestrian crossing signal is back on the table. Consultant's update to traffic study Quarter 1, status report to Council Quarter 2.</td>
</tr>
<tr>
<td>O - January 28, 2016</td>
<td>Cost Analysis - resurfacing of Snyder’s Flats Road and Bloomingdale community centre parking lot</td>
<td>EPS</td>
<td>Timing is dependent on cost sharing discussions with developer and those discussions being reflected in the Development Charge Amendment</td>
<td>Geotechnical investigations in Quarter 2.</td>
</tr>
</tbody>
</table>
| O – May 16, 2016    | Budget Debrief                                                                         | Part of 2017 Budget Reporting                                                                  | - Financial position of Recreation programs  
- Concession stand  
- Conestoga Park Daycare  
- Guidelines for replacement of small vehicles  
- Phone/fax lines at Fire Halls  
- Revisit Traffic Calming Policy |

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COUNCIL’S OUTSTANDING ACTIVITY LIST
As of March 3, 2017

<table>
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<tr>
<td>O – May 31, 2016 R – December 13, 2016</td>
<td>Additional Street Lighting in Bloomingdale</td>
<td>EPS</td>
<td>See Updates/Notes</td>
<td>- Council’s priorities related to assessment growth will be part of budget parameters report discussion. Fire working on policy regarding guidelines for replacing small vehicles and looking to include larger vehicles as well. Comments suggested and to come to SMT next week.</td>
</tr>
<tr>
<td>O – June 28, 2016</td>
<td>Former Riverside School Site</td>
<td>CAO</td>
<td>Completion depends on Public Boards review of alternative uses for site</td>
<td>The Public School Board has advised that they are presently exploring potential alternative uses.</td>
</tr>
<tr>
<td>O – August 9, 2016</td>
<td>Reduce Speed Limit in School Zones</td>
<td>EPS</td>
<td>Third Quarter 2017</td>
<td>Review all schools not in a 40 km/h Zone in Quarter 1. Report to Council in Quarter 2. Implementation will take place in Quarter 2 and Quarter 3.</td>
</tr>
<tr>
<td>O – August 23, 2016 R – September 13, 2016</td>
<td>Adam Street – Snow Plowing and Traffic Concerns</td>
<td>EPS</td>
<td>Second Quarter 2017</td>
<td>Staff updated Council at the Dec 19 meeting and reported that the adjustment to the snow plowing</td>
</tr>
</tbody>
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<tbody>
<tr>
<td>O- November 8, 2016</td>
<td>St. Jacobs BIA Garbage Collection Request</td>
<td>EPS</td>
<td>See Updates/Notes</td>
<td>A letter of request from the St. Jacobs BIA Chair has been forwarded to EPS staff by Councillor Bauman on November 8th with regards to the BIA garbage collection in St. Jacobs. Investigate and report to Council in Quarter 1, including budget implications.</td>
</tr>
<tr>
<td>O- December 13, 2016</td>
<td>Urban Tree Cover</td>
<td>EPS</td>
<td>First Quarter 2017</td>
<td>In order to incorporate greener measures in the Township, in the First Quarter of 2017 Council and staff will discuss the subject regarding tree cover in Elmira.</td>
</tr>
<tr>
<td>O-January 26, 2017</td>
<td>Investigate Options for Library at Existing Breslau Community Centre</td>
<td>RFS</td>
<td>Will come forward as part of the report to Council for Breslau Task Force in May</td>
<td>Added to list during budget discussions.</td>
</tr>
</tbody>
</table>

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R – Review
CAO – Chief Administrative Officer
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Fin – Finance
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#23005-v1-Council's_Outstanding_Activity_List
TOWNSHIP OF WOOLWICH
BY-LAW NUMBER
A BY-LAW TO FURTHER AMEND ZONING BY-LAW 55-86,
OF THE TOWNSHIP OF WOOLWICH
(Harvey and Selinda Sauder)

WHEREAS the Council of the Corporation of the Township of Woolwich deems it desirable to further amend By-law 55-86, as amended;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WOOLWICH ENACTS AS FOLLOWS:

1. That Section 26.1.273 of By-law 55-86, as amended, be deleted and replaced with the following:

26.1.273 Notwithstanding any other provisions of this By-law, the lands illustrated on the Plan forming Section 26.1.273 of Schedule ‘A’ of this By-law may be used for the following specific use in addition to those uses permitted in the zone within which the parcel lies:

a) A second dwelling unit by means of a mobile home.

Subject to the following:

1. That the mobile home be setback a minimum of 130 metres from the abutting manure yard at 1172 New Jerusalem Road;
2. That this exemption is approved under the provisions of Section 39 of the Planning Act, Temporary Use By-laws, and shall be in effect only until March 7, 2020;
3. That the mobile home shall only be constructed:
   a. In accordance with the Requirements for a Mobile Home, CAN/CSA-Z240, Section 2.1.1.4.2.a of the Building Code;
   b. Limited to one-storey in height;
   c. Not be greater than two sections in size, where each section is no more than 4.88 m (16 feet) in width;
   d. A basement shall not be permitted; and
   e. Additions are not permitted except for a minor enclosed porch or breezeway, which may be connected to the existing dwelling unit.
4. Compliance with all other applicable regulations of Section 7 and Section 6 of this By-law, as amended.

2. That this By-law shall come into effect on the final passing thereof by the Council of the Corporation of the Township of Woolwich subject to the provisions of The Planning Act, 1990, and amendments thereto.

PASSED THIS DAY OF 2017.

______________________________
Mayor

______________________________
Clerk
TOWNSHIP OF WOOLWICH
BY-LAW NUMBER

A BY-LAW TO FURTHER AMEND ZONING BY-LAW 55-86,
OF THE TOWNSHIP OF WOOLWICH
(Gordon W. Martin)

WHEREAS the Council of the Corporation of the Township of Woolwich deems it
desirable to further amend By-law 55-86, as amended;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF
WOOLWICH ENACTS AS FOLLOWS:

1. That Section 26.1.270 of By-law 55-86, as amended, be deleted and replaced with the
following:

   26.1.270 Notwithstanding any other provisions of this By-law, the lands illustrated on the
   Plan forming Section 26.1.270 of Schedule ‘A’ of this By-law may be used for the
   following specific use in addition to those uses permitted in the zone within which
   the parcel lies:

   a) A second dwelling unit by means of a mobile home.

   Subject to the following:

   1. That this exemption is approved under the provisions of Section 39 of the
   Planning Act 1990 R.S.O., and amendments thereto, Temporary Use By-
   laws, and shall be in effect only until March 7, 2020;
   2. That the mobile home shall only be constructed:
   a) In accordance with the Requirements for a Mobile Home, CAN/CSA-
   Z240, Section 2.1.1.4.2.a of the Building Code;
   b) Limited to one-storey in height;
   c) Not be greater than two sections in size, where each section is no
   more than 4.88 m (16 feet) in width;
   d) A basement shall not be permitted; and
   e) Additions are not permitted except for a minor enclosed porch or
   breezeway, which may be connected to the existing dwelling unit.
   3. Compliance with all other applicable regulations of Section 7 and Section 6
   of this By-law, as amended.

2. That this By-law shall come into effect on the final passing thereof by the Council of the
Corporation of the Township of Woolwich subject to the provisions of The Planning Act,
1990, and amendments thereto.

PASSED THIS DAY OF 2017.

______________________________  ______________________________
Mayor                                      Clerk
TOWNSHIP OF WOOLWICH
BY-LAW NUMBER

A BY-LAW TO FURTHER AMEND ZONING BY-LAW 55-86,
OF THE TOWNSHIP OF WOOLWICH
(Robert and Lisa Shuh)

WHEREAS the Council of the Corporation of the Township of Woolwich deems it desirable to further amend By-law 55-86, as amended;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WOOLWICH ENACTS AS FOLLOWS:

1. That Section 26.1.335 of By-law 55-86, as amended, be deleted and replaced with the following:

26.1.335 Notwithstanding any other provisions of this By-law, the Lands illustrated on the Plan forming Section 26.1.335 of Schedule ‘A’ of this By-law may be used for the following specific use in addition to those uses permitted in the zone within which the parcel lies:

a) A seasonal farm-related mobile home as the primary residence for a three (3) year period.

Subject to the following:

1. That this exemption is approved under the provisions of Section 39 of the Planning Act, Temporary Use By-laws, and shall be in effect only until March 7, 2020;

2. That the mobile home shall occupy seasonal farm workers that are full time farm employees on the Lands only during the eight-month work season from April 1st to November 30th;

3. That the mobile home shall be located in the area shown on the Plan forming Section 26.1.335 of Schedule A of this By-law;

4. Notwithstanding Section 7.2.4 of this By-law, the minimum rear yard setback for the mobile home shall be 15 metres;

5. Compliance with all other applicable regulations of Section 7 and Section 6 of this By-law, as amended; and

6. That the mobile home shall only be constructed:

a) In accordance with the Requirements for a Mobile Home, CAN/CSA-Z240, Section 2.1.1.4.2.a of the Building Code;

b) Limited to one-storey in height;

c) Not be greater than two sections in size, where each section is no more than 4.88 m (16 feet) in width;

d) A basement shall not be permitted; and

e) Additions are not permitted except for a minor enclosed porch.
2. That this By-law shall come into effect on the final passing thereof by the Council of the Corporation of the Township of Woolwich subject to the provisions of The Planning Act, 1990, and amendments thereto.

PASSED THIS                  DAY OF                          2017.

_________________________________________
Mayor

_________________________________________
Clerk
TOWNSHIP OF WOOLWICH

BY-LAW NUMBER

A BY-LAW TO FURTHER AMEND ZONING BY-LAW 55-86, OF THE TOWNSHIP OF WOOLWICH
(Robert Brubacher – 7021 Sideroad 5)

WHEREAS the Council of the Corporation of the Township of Woolwich deems it desirable to further amend By-law 55-86, as amended;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WOOLWICH ENACTS AS FOLLOWS:

1. That Section 26.1.325 of By-law 55-86, as amended, be deleted and replaced with following Section and corresponding Schedule ‘A’, to allow, a dry industrial use as an On-Farm Business at the property described as 7021 Sideroad 5 and known as German Company Tract Part Lot 125, RP58R-9005 Part of Part 4, Township of Woolwich.

26.1.325 Notwithstanding any other provisions of this By-law, the lands illustrated on the Plan forming Section 26.1.325 of Schedule ‘A’ (hereafter referred to as the “Plan”) of this By-law may be used for the following specific use in addition to the uses permitted in the zone within which the parcel lies:

a) A farm fertilizer operation (including the receiving, storage, mixing, bagging and bulk loading), and
b) Uses accessory and related to the fertilizer operation,

Subject to the following:

i. That the use be restricted to the Area of Operation as shown on the Plan, and being a maximum of 1.03 ha;
ii. That the truck weigh scale be an accessory use only to the fertilizer operation and the mixing, bagging and storage of other granular products;
iii. The farm pond used for fire reservoir purposes maybe permitted outside the Area of Operation;
iv. That the use shall not be severed from the property;
v. Compliance with all other applicable regulations of Section 7 and Section 6 of this By-law, as amended.
c) Receiving, storage, mixing, bagging and bulk loading of salt or other granular material as accessory and minor relative to the farm fertilizer operation, subject to the following:

a. Other Granular Material shall mean: a *benign substance(s)* that by itself or in combination with the fertilizers product(s) on site, does not create or constitute:
   
   i. a *dangerous, hazardous or toxic substance*,
   
   ii. a *risk of explosion, high flammability, or is highly reactive*.

b. That the maximum tonnage of the other granular material shall not exceed 50% of the annually processed fertilizer material,

c. The other granular material being processed shall occur only 3 months of the entire year, and

d. That the storage area of the other granular material shall only be in the former barn and not exceed 50% of that entire barn storage area.

2. That this By-law shall come into effect on the final passing thereof by the Council of the Corporation of the Township of Woolwich subject to the provisions of the Planning Act, 1990, and amendments thereto.

PASSED THIS DAY OF , 2017.

____________________________________
Mayor

____________________________________
Clerk
TOWNSHIP OF WOOLWICH

BY-LAW NUMBER **-2017

A BY-LAW TO CONFIRM ALL ACTIONS AND PROCEEDINGS OF THE COUNCIL

THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF WOOLWICH ENACTS AS FOLLOWS:

All actions and proceedings of the Council taken at its meeting held on:

March 7th, 2017

except those taken by By-law and those required by law to be done by resolution, are hereby sanctioned, ratified and confirmed as though set out herein provided, however, that any member of this Council who has dissented from any action or proceeding or has abstained from discussion and voting thereon shall be deemed to have dissented or abstained, as the case may be, in respect of this By-law as it applies to such action or proceeding.

PASSED this 7th day of March, 2017.

________________________________________
Mayor

________________________________________
Clerk