

	THE CORPORATION OF THE TOWN OF COBOURG
	REGULAR COUNCIL AGENDA
	<p>Monday September 30, 2019 at 6:00 PM</p> <p>Council Chambers, Victoria Hall, Cobourg</p>

A Regular Council Meeting of the Cobourg Municipal Council will be held on Monday September 30, 2019 at 6:00 PM in the Council Chambers, Victoria Hall, Cobourg.

I CALL TO ORDER

II MOMENT OF REFLECTION

III ADDITIONS TO THE AGENDA

1. 1. Delegation, Roderick Gamble, Cobourg Resident, regarding comments on Bylaw 067-2019 - Staff Council Relations Policy and Bylaw 068-2019 - Code of Conduct Policy for Members of Council and Local Boards; and
2. Closed Session, pursuant to Section 239 (2)(b) of the *Municipal Act, 2001*.

Action Recommended: THAT the matters be added to the Agenda.

IV DISCLOSURE OF PECUNIARY (FINANCIAL) INTEREST

V ADOPTION OF MINUTES OF THE PREVIOUS MEETING

1. Adoption of the August 26, 2019 Special Council and September 9, 2019 9 - 25 Regular Council Minutes.

Action Recommended: THAT Council adopt the Minutes of the Special Council Meeting held on August 26, 2019, and the Regular Council Meeting held on September 9, 2019.

VI PRESENTATIONS

VII DELEGATIONS

1. Duane Durham and Erin Beatty, Highland Shores Children's Aid, regarding Child Abuse Prevention Month in October. 26 - 36

2. Roderick Gamble, Cobourg Resident, regarding comments on Bylaw 067-2019 - Staff Council Relations Policy and Bylaw 068-2019 - Code of Conduct Policy for Members of Council and Local Boards. 37 - 47

VIII DELEGATION ACTIONS

IX REPORTS

General Government Services

1. Committee of the Whole meeting notes held on September 23, 2019. 48 - 58

Action Recommended: THAT Council receive the notes of the Committee of the Whole meeting held on September 23, 2019 for information purposes.

Parks and Recreation Services

1. Resignation from Frederick Forfait, member of the Parks and Recreation Advisory Committee.

Action Recommended: THAT Council accept with regret the resignation from Frederick Forfait of the Parks and Recreation Advisory Committee and that a note of appreciation be sent to the member acknowledging his service to the community; and

FURTHER THAT the vacant position be advertised and a new member be recruited in accordance with the Town's policies and procedures.

X MOTIONS

XI General Government Services

1. Motion from the Committee of the Whole, regarding the 2019 - 2022 Municipal Council Strategic Plan Work Plan. 59 - 70

Planning and Development Services

1. Motion from the Committee of the Whole, regarding the disbursement of financial incentives under the Downtown Cobourg Vitalization Community Improvement Plan (CIP). 71

XII BY-LAWS

General Government Services

1. By-law 066-2019, being a by-law to execute a lease agreement with the West Northumberland Curling Club for the Jack Heenan Arena. 72 - 88

Action Recommended: THAT Council adopt by-law 066-2019, being a by-law to execute a lease agreement with the West Northumberland Curling Club for the Jack Heenan Arena.

2. By-law 067-2019, being a by-law to approve the Council and Staff Relations Policy. 89 - 98

Action Recommended: THAT Council adopt by-law 067-2019, being a by-law to approve the Council and Staff Relations Policy.

3. By-law 068-2019, being a by-law to approve the Code of Conduct Policy for Members of Council and Local Boards for the Town of Cobourg. 99 - 132

Action Recommended: THAT Council adopt by-law 068-2019, being a by-law to approve the Code of Conduct Policy for Members of Council and Local Boards for the Town of Cobourg.

4. By-law 069-2019, being a by-law to execute an amending sale agreement with 2682194 Ontario Ltd. (Cardinal Industrial Solutions) and the Corporation of the Town of Cobourg for the purchase of the sale of land in Lucas Point Business Industrial Park (Dodge Street, Cobourg). 133 - 135

Action Recommended: THAT Council adopt by-law 069-2019, being a by-law to execute an amending sale agreement with 2682194 Ontario Ltd. (Cardinal Industrial Solutions) and the Corporation of the Town of Cobourg.

5. By-law 070-2019, being a by-law to authorize an amending sale agreement between 1978327 Ontario Ltd. (Loadstar Trailers Inc.) and the Corporation of the Town of Cobourg for the purchase of the sale of land in Lucas Point Business Industrial Park (Dodge Street, Cobourg). 136 - 139

Action Recommended: THAT Council adopt by-law 070-2019, being a by-law to authorize an amending sale agreement between 1978327 Ontario Ltd. (Loadstar Trailers Inc.) and the Corporation of the Town of Cobourg.

6. By-law 071-2019, being a by-law to authorize a purchase and sale agreement between Habitat for Humanity Northumberland and the Corporation of the Town of Cobourg for 600 Daintry Crescent, Cobourg. 140 - 154

Action Recommended: THAT Council adopt by-law 071-2019, being a by-law to authorize a purchase and sale agreement between Habitat for Humanity Northumberland and the Corporation of the Town of Cobourg for 600 Daintry Crescent, Cobourg.

Planning and Development Services

1. By-law 072-2019, being a by-law to establish Building Permit Fees. 155 - 156

Action Recommended: THAT Council adopt by-law 072-2019, being a by-law to establish Building Permit Fees.

2. By-law 073-2019, being a by-law to establish tariff of fees for the processing of applications made in respect of planning matters. 157 - 160

Action Recommended: THAT Council adopt by-law 073-2019, being a by-law to establish tariff of fees for the processing of applications made in respect of planning matters.

- | | | | |
|----|----------------------------------------------------------------------------------------------------------|-----|---|
| 3. | By-law 074-2019, being a by-law to require land for park purposes or other public recreational purposes. | 161 | - |
| | | 162 | |

Action Recommended: THAT Council adopt by-law 074-2019, being a by-law to require land for park purposes or other public recreational purposes.

Protection Services

- | | | |
|----|---------------------------------------------------------------------------------------------------------------------------|-----|
| 1. | By-law 075-2019 being a by-law to appoint a Building Inspector/Plans Examiner for the Corporation of the Town of Cobourg. | 163 |
|----|---------------------------------------------------------------------------------------------------------------------------|-----|

Action Recommended: THAT Council adopt By-law 075-2019, being a by-law to appoint Pharren Wilson as a Building Inspector/Plans Examiner for the Corporation of the Town of Cobourg.

General Government Services

1. THAT the following By-law be passed:

1. By-law 066-2019, being a by-law to execute a lease agreement with the West Northumberland Curling Club for the Jack Heenan Arena.

Action Recommended: THAT leave be granted to introduce By-law 066-2019 and to dispense with the reading of the by-law by the Municipal Clerk and that the same be considered read and passed and that the Deputy Mayor and the Municipal Clerk sign the same and the Seal of the Corporation be thereto affixed.

2. THAT the following By-laws be passed:

1. By-law 067-2019 being a By-law to approve the Council and Staff Relations Policy;
2. By-law 068-2019 being a By-law to approve the Code of Conduct Policy for Members of Council and Local Boards for the Town of Cobourg;
3. By-law 069-2019 being a By-law to execute an amending sale agreement with 2682194 Ontario Ltd. (Cardinal Industrial Solutions) and the Corporation of the Town of Cobourg for the purchase of the sale of land in Lucas Point Business Industrial Park (Dodge Street, Cobourg);
4. By-law 070-2019 being a By-law to authorize an amending sale agreement between 1978327 Ontario Ltd. (Loadstar Trailers Inc.) and the Corporation of the Town of Cobourg for the purchase of the sale of land in Lucas Point Business Industrial Park (Dodge Street, Cobourg);

5. By-law 071-2019 being a By-law to authorize a purchase and sale agreement between Habitat for Humanity Northumberland and the Corporation of the Town of Cobourg for 600 Daintry Crescent, Cobourg;
6. By-law 072-2019, being a by-law to establish Building Permit Fees;
7. By-law 073-2019, being a by-law to to establish tariff of fees for the processing of applications made in respect of planning matters;
8. By-law 074-2019, being a by-law to require land for park purposes or other public recreational purposes; and
9. By-law 075-2019 being a By-law to appoint a Building Inspector/Plans Examiner for the Corporation of the Town of Cobourg.

Action Recommended: THAT leave be granted to introduce By-law 067-2019 to By-law 075-2019 and to dispense with the reading of the by-law by the Municipal Clerk and that the same be considered read and passed and that the Mayor and the Municipal Clerk sign the same and the Seal of the Corporation be thereto affixed.

XIII PETITIONS

XIV COMMITTEE/BOARD MINUTES (INFORMATION PURPOSES ONLY)

- | | | | |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|---|
| 1. | <ul style="list-style-type: none"> • Accessibility Advisory Committee - Jul 17, 2019; • Transportation Advisory Committee - Aug 22, 2019; • Parks and Recreation Advisory Committee - Aug 6, 2019; • Heritage Advisory Committee - Aug 8 and 14, 2019; and • Sustainability and Climate Change Advisory Committee - Sep 4, 2019. | 164
181 | - |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|---|

XV CORRESPONDENCE

- | | | | |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|---|
| 1. | Correspondence from Minister Steve Clark, Ministry of Municipal Affairs and Housing, regarding Building Code Services Transformation (Protection Services). | 182
183 | - |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|---|

Action Recommended: THAT Council receive the correspondence for information purposes.

- | | | |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| 2. | Correspondence, Rick Miller, President of the Marie Dressler Foundation, requesting Council Proclaim November 9, 2019 as Marie Dressler Day in the Town of Cobourg (Arts, Culture and Tourism Services). | 184 |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|

Action Recommended: THAT the Mayor and Municipal Council proclaim November 9, 2019 to be "Marie Dressler Celebration Day" in the Town of Cobourg.

XVI NOTICE OF MOTION

1. Notice of Motion, Councillor Bureau, regarding 2019 Budget Funds for Christmas 185
Curly Q's Downtown.

Action Recommended: THAT Council refer the Notice of Motion to the October 15, 2019 Committee of the Whole meeting for consideration.

XVII COUNCIL/COORDINATOR ANNOUNCEMENTS

1. Members of Council present verbal reports on matters within their respective areas of responsibility:
 - Mayor John Henderson
 - Deputy Mayor Séguin, General Government Services Coordinator
 - Councillor Beatty, Planning and Development Services Coordinator
 - Councillor Darling, Public Works Services Coordinator
 - Councillor Chorley, Parks and Recreation Services Coordinator
 - Councillor Burchat, Protection Services Coordinator
 - Councillor Bureau, Arts, Culture and Tourism Services Coordinator

XVIII UNFINISHED BUSINESS

The items listed in the order of the topics set out in the agenda of prior meetings which have not been disposed of by Council and the date of their first appearance on the agenda shall be noted and repeated on each subsequent agenda until disposed of by Council, unless removed from the agenda by leave of Council - Council Procedural By-law No. 009-2019.

1. Motion from the Committee of the Whole regarding the update to the Unfinished Business listed on each Council Agenda.

Action Recommended: THAT Council approve the updated Unfinished Business Item listing and updated deadline dates as noted in the Council Agenda.

2.	Unfinished Business Item			Meeting Date	Department/Division	Deadline Date
	Extension of the RFP for the position of the Municipal Ombudsman.			05-21-19	Legislative Services	Oct 15, 2019
	Staff Report regarding Adult Fitness Park in Cobourg			06-12-19	Community Services	Oct 15, 2019
	Staff Report reviewing the impacts of the Traffic Study for Lower Division Street/Esplanade Area.			04-01-19	Public Works	Oct 15, 2019
	Staff Report regarding the public engagement and recommended repairs/improvements for the East Pier and Victoria Park Campground			07-02-19	Community Services	Oct 15, 2019
	Staff Report Sustainability and Climate Change Advisory Committee, regarding a recommendation to support the Banning/Phasing out of Bottled Water in Municipal Facilities and Municipal Events.			06-24-19	Chief Administrative Officer	Nov 4, 2019

Report reviewing the Town of Cobourg Public Comment and Complaint Policy.	05-13-19	Legislative Department	Nov 4, 2019
Terms of Reference regarding a social planning and/or Community Development Advisory Committee, regarding affordable housing.	01-28-19	Legislative Department	Nov 25, 2019
Review of the Taxicab by-law, with the inclusion of ride sharing transportation such as Uber or Lyft, and with input by the public and taxicab owners and operators.	02-19-19	Legislative Department	Nov 25, 2019
MOU to be provided to Council Re Cobourg Dragon Boat and Canoe Club	07-22-19	Community Services	Dec 2, 2019
Report outlining suggestions for enhancing the amenities for anglers and the regulation of fishing-related activities at the Cobourg Marina.	09-03-19	Community Services	Apr 30, 2020
Staff Report in response to the Lifesaving Society's Aquatic Safety Audit Report for the Town of Cobourg Harbour, with input from the PRAC and all user groups.	09-23-19	Community Services	Mar 2020
Memo from John Ewart, Town of Cobourg Municipal Ombudsman, regarding a Town of Cobourg Ombudsman Complaint 1-2018.	11-26-18	Legislative Department	
Staff Report reviewing the impacts of the Traffic Study for Condo. Corp. #58- 148 Third Street.	04-01-19	Public Works	
Traditional Land Acknowledgment Statement to be read at Council Meeting	05-13-19	Legislative Department	
Revisions to the Long Service Recognition Policy from General Government Services.	09-23-19	Human Resources	

XIX CLOSED SESSION

1. THAT Council meet in Closed Session in accordance with Section 239 of the *Municipal Act, 2001*, regarding:

s. 239(2)(b) Personal matters about an identifiable individual, including municipal or local board employees:

1. Personnel Matter.


XX CLOSED SESSION ACTION ITEM

XXI CONFIRMATORY BY-LAW

1. By-law 076-2019, being a by-law to confirm the proceedings of the Council Meeting of September 30, 2019. 186 -
187

Action Recommended: THAT leave be granted to introduce By-law 076-2019 and to dispense with the reading of the by-law by the Municipal Clerk to confirm the proceedings of the Council of the Town of Cobourg at its Regular meeting held on September 30, 2019 and the same be considered read and passed and that the Mayor and the Municipal Clerk sign the same and the Seal of the Corporation be thereto affixed.

XXII ADJOURNMENT

	THE CORPORATION OF THE TOWN OF COBOURG
	SPECIAL COUNCIL MEETING MINUTES INTEGRITY COMMISSIONER & CLOSED MEETING EDUCATION SESSION
	August 26, 2019 Council Chambers, Victoria Hall, Cobourg

A Special Meeting of the Cobourg Municipal Council was held this afternoon at 1:00 P.M. in Council Chambers, Victoria Hall, Cobourg with the following persons in attendance:

Members present: Mayor John Henderson
Deputy Mayor Suzanne Seguin
Councillor Nicole Beatty
Councillor Aaron Burchat
Councillor Adam Bureau
Councillor Emily Chorley
Councillor Brian Darling

Staff present: Stephen Peacock, Chief Administrative Officer
Ian Davey, Treasurer/Director of Corporate Services
Dean Hustwick, Director of Community Services
Brent Larmer, Municipal Clerk/Manager of Legislative Services

CALL TO ORDER

The Meeting was called to order by Mayor Henderson (1:00 P.M.).

DISCLOSURE OF PECUNIARY INTEREST

No Declarations of Pecuniary Interest were declared by Members of Council.

PRESENTATIONS

Aird and Berlis LLP. Lead Investigator, John Mascarin - Integrity Commissioner and Closed Meeting Investigator, provided a presentation to Municipal Council regarding the following topics:

1. Codes of Conduct and the Integrity Commissioner;
2. Municipal Conflict of Interest Act; and
3. Open and Closed Meetings.

ADJOURNMENT

Moved by Councillor Beatty: THAT the Meeting be adjourned (4:56 P.M.).

317-19

Carried

	THE CORPORATION OF THE TOWN OF COBOURG
	REGULAR COUNCIL MEETING MINUTES
	September 9, 2019 Council Chambers, Victoria Hall, Cobourg

A Regular meeting of the Cobourg Municipal Council was held this evening in the Council Chambers, Victoria Hall, Cobourg with the following persons in attendance:

Members present: Mayor John Henderson
Deputy Mayor Suzanne Seguin
Councillor Nicole Beatty
Councillor Aaron Burchat
Councillor Adam Bureau
Councillor Emily Chorley
Councillor Brian Darling

Staff present: Ian Davey, Interim CAO/Treasurer
Glenn McGlashon, Director of Planning and Development
Laurie Wills, Director of Public Works
Teresa Behan, Deputy Director of Community Services
Brent Larmer, Municipal Clerk/Manager of Legislative Services

CALL TO ORDER

The Meeting was called to order by Deputy Mayor Suzanne Seguin (6:00 P.M.).

ADDITIONS TO THE AGENDA

1. Memo from the Municipal Clerk/Manager of Legislative Services, regarding the Zero-Emission Vehicle Infrastructure Program Partnership with OPG;
2. By-law 065-2019, being a by-law to authorize the execution of a Memorandum of Understanding between OPG and the Town of Cobourg for the purposes of installing, owning, operating and maintaining level 2 electric vehicle chargers and related equipment within the Town of Cobourg;
3. Delegation from Jennifer Jackman, regarding the County of Northumberland's Recommendations for Provincially Significant Employment Zones (PSEZs).

Moved by Councillor Nicole Beatty, Seconded by Councillor Adam Bureau THAT the matters be added to the Agenda.

318-19

Carried

DISCLOSURE OF PECUNIARY (FINANCIAL) INTEREST

Councillor Aaron Burchat declared a Pecuniary Interest on By-law's under Planning a Development Item No. 5- By-law 063-2019, being a by-law to amend the Zoning By-law (85-2003) for 900 Division Street and 9 Elgin Street East, and By-laws under General Government Services Item No. 2 - By-law 063-2019, being a by-law to amend the Zoning By-law (85-2003) for 900 Division Street and 9 Elgin Street East.

Councillor Burchat declared an interest for the following reasons as provided on the Declaration of Pecuniary Interest Form filed with the Municipal Clerk - Councillor Burchat indicated in Open Council that he works for Alliance Security Systems of Northumberland/Compton Telecommunications Services and the Company has done work for the medical clinic at their current location and the Councillor will refrain from voting and participating in the discussion.

ADOPTION OF MINUTES OF THE PREVIOUS MEETING

Adoption of the August 12, 2019 Regular Council and August 26, 2019 Special Council Minutes.

Moved by Councillor Nicole Beatty, Seconded by Councillor Brian Darling THAT Council adopt the Minutes of the Regular Council Meeting held on August 12, 2019, and the Special Council Meeting Minutes held on August 26, 2019.

319-19

Carried**PRESENTATIONS****DELEGATIONS**

Gregg Cooke, Consultant Project Manager, Stantec Consulting, regarding the Ministry of Transportation Highway 401 Planning Study from Cobourg to Colborne and the Nagle Road Interchange Study.

G. Cooke attended the meeting to discuss the Ministry of Transportation Highway 401 Planning Study from Cobourg to Colborne and the Nagle Road Interchange Study. After a question and answer period, G. Cooke was excused from the Meeting (6:24 P.M.).

Carol Beauchamp, Rebound Child & Youth Services Northumberland, regarding an overview of their organization and upcoming fundraiser event 'Kilometers for Kids - Building Mental Wellness'.

C. Beauchamp attended the meeting to discuss an overview of their organization and upcoming fundraiser event 'Kilometers for Kids - Building Mental Wellness'. After a question and answer period, C. Beauchamp was excused from the Meeting (6:31 P.M.).

Delegation from Jennifer Jackman, regarding the County of Northumberland's Recommendations for Provincially Significant Employment Zones (PSEZs).

J. Jackman attended the meeting to discuss the County of Northumberland's Recommendations for Provincially Significant Employment Zones (PSEZs). After a question and answer period, J. Jackman was excused from the Meeting (6:41 P.M.).

DELEGATION ACTIONS

Greg Cooke, Consultant Project Manager, Stantec Consulting, regarding the Ministry of Transportation Highway 401 Planning Study from Cobourg to Colborne and the Nagle Road Interchange Study.

Moved by Councillor Brian Darling, Seconded by Councillor Aaron Burchat THAT Council receive the delegation from G. Cooke, Consultant Project Manager, Stantec Consulting, regarding the MTO Highway 401 Planning Study from Cobourg to Colborne and the Nagle Road Interchange Study for information purposes.

320-19

Carried

Carol Beauchamp, Rebound Child & Youth Services Northumberland, regarding an overview of their organization and upcoming fundraiser event 'Kilometers for Kids - Building Mental Wellness'.

Moved by Councillor Nicole Beatty, Seconded by Councillor Adam Bureau THAT Council receive the delegation from C. Beauchamp, of Rebound Child & Youth Services Northumberland, regarding an overview of their organization and upcoming fundraiser event 'Kilometers for Kids - Building Mental Wellness' for information purposes.

321-19

Carried

Jennifer Jackman, regarding the County of Northumberland's Recommendations for Provincially Significant Employment Zones (PSEZs).

Moved by Councillor Nicole Beatty, Seconded by Councillor Aaron Burchat THAT Council receive the delegation from J. Jackman, regarding the County of Northumberland's Recommendations for Provincially Significant Employment Zones (PSEZs) for information purposes; and

FURTHER THAT Council send the correspondence and delegation material received and presented to the Northumberland County Council and the Ontario Growth Secretariat at the Ministry of Municipal Affairs and Housing.

322-19

Carried

REPORTS

General Government Services

Committee of the Whole meeting notes held on September 3, 2019.

Moved by Councillor Nicole Beatty, Seconded by Councillor Aaron Burchat THAT Council receive the notes of the Committee of the Whole meeting held on September 3, 2019 for information purposes.

323-19

Carried

Memo from the Interim Chief Administrative Officer/Treasurer, regarding the First Half 2019 Operating Budget Variance Report.

Moved by Councillor Nicole Beatty, Seconded by Councillor Adam Bureau THAT Council receive the memo from the Interim Chief Administrative Officer/Treasurer for information purposes.

324-19

Carried

Memo from the Interim Chief Administrative Officer/Treasurer, regarding the Northam Industrial Park Second Quarter Financial Report.

Moved by Councillor Nicole Beatty, Seconded by Councillor Emily Chorley THAT Council receive the memo from the Interim Chief Administrative Officer/Treasurer for information purposes.

325-19

Carried

Memo from the Municipal Clerk/Manager of Legislative Services, regarding the Mandatory Policy on Council and Staff Relations.

Moved by Councillor Nicole Beatty, Seconded by Councillor Brian Darling THAT Council receive the report from the Municipal Clerk/Manager of Legislative Services for information purposes; and

FURTHER THAT Council authorize the preparation of a by-law to be endorsed and be presented to Council for adoption at a Regular Council Meeting to approve the new Policy entitled "Council and Staff Relations Policy LEG-ADM23; and

FURTHER THAT Council refer the draft policy and draft by-law to the September 23, 2019 Committee of the Whole Meeting of Council to provide Municipal Council with sufficient time for review and consideration, prior to Council approval.

326-19

Amended

Motion to Amend:

Moved by Councillor Nicole Beatty, Seconded by Councillor Emily Chorley : THAT the Motion be amended to delete the following wording: THAT Council authorize the preparation of a by-law to be endorsed and be presented to Council for adoption at a Regular Council Meeting to approve the new Policy entitled "Council and Staff Relations Policy LEG-ADM23.

327-19

Carried

Moved by Councillor Nicole Beatty, Seconded by Councillor Brian Darling THAT Council receive the report from the Municipal Clerk/Manager of Legislative Services for information purposes; and

FURTHER THAT Council refer the draft policy and draft by-law to the September 23, 2019 Committee of the Whole Meeting of Council to provide Municipal Council with sufficient time for review and consideration, prior to Council approval.

328-19

Carried

Memo from the Manager of Legislative Services/Municipal Clerk, regarding the Code of Conduct for Members of Council and Local Boards for the Town of Cobourg.

Moved by Councillor Nicole Beatty, Seconded by Councillor Adam Bureau THAT Council receive the report from the Municipal Clerk/Manager of Legislative Services for information purposes; and

FURTHER THAT Council authorize the preparation of a by-law to be endorsed and be presented to Council for adoption at a Regular Council Meeting to approve the "Code of Conduct for Members of Council and Local Boards LEG-ADM24; and

FURTHER THAT Council refer the draft policy and draft by-law to the September 23, 2019 Committee of the Whole Meeting of Council to provide Municipal Council with sufficient time for review and consideration, prior to Council approval.

329-19

Amended**Motion to Amend:**

Moved by Councillor Nicole Beatty, Seconded by Councillor Emily Chorley: THAT the Motion be amended to delete the following wording: THAT Council authorize the preparation of a by-law to be endorsed and be presented to Council for adoption at a Regular Council Meeting to approve the "Code of Conduct for Members of Council and Local Boards LEG-ADM24.

330-19

Carried

Moved by Councillor Nicole Beatty, Seconded by Councillor Adam Bureau THAT Council receive the report from the Municipal Clerk/Manager of Legislative Services for information purposes; and

FURTHER THAT Council refer the draft policy and draft by-law to the September 23, 2019 Committee of the Whole Meeting of Council to provide Municipal Council with sufficient time for review and consideration, prior to Council approval.

331-19

Carried

Memo from the Municipal Clerk/Manager of Legislative Services, regarding the Zero-Emission Vehicle Infrastructure Program Partnership with OPG.

Moved by Councillor Nicole Beatty, Seconded by Councillor Brian Darling THAT Council authorize the preparation of a by-law to be endorsed and be presented to Council for adoption at a Regular Council Meeting to authorize execution of a Memorandum of Understanding between Ontario Power Generation Inc. (OPG) and The Corporation of the Town of Cobourg for the Purposes of Installing, Owning, Operating and Maintaining Level 2 Electric Vehicle Chargers and Related Equipment within the Town of Cobourg.

332-19

Carried

Memo from the Municipal Clerk/Manager of Legislative Services, regarding the Mayor for the Day Program.

Moved by Councillor Nicole Beatty, Seconded by Councillor Adam Bureau THAT Council receive the Report for information purposes; and

FURTHER THAT Council approve the Mayor for the Day Program to be held on October 21, 2019, and the Program Guidelines as set out in Appendix 'A' of the Report.

333-19

Carried

Planning and Development Services

Memo from the Director of Planning and Development regarding the Town of Cobourg Affordable and Rental Housing Town-wide Community Improvement Plan (RFP No. CO-19-19).

Moved by Councillor Nicole Beatty, Seconded by Councillor Aaron Burchat THAT Council authorize the award of the Affordable & Rental Housing Community Improvement Plan (CIP) project to MacNaughton Hermsen Britton Clarkson (MHBC) Planning Limited, in association with SHS Consulting, at a cost of \$60,716.25 excluding HST, plus \$3,379.16 excluding HST for the Secondary (Provisional) Project Objective of considering incentive options for encouraging the implementation of sustainable/urban design, universal design and brownfield re-development measures for all types of new private sector development and re-development proposals in the municipality.

334-19

Carried

Memo from the Senior Planner - Development, regarding the receipt of an application for Zoning By-law Amendment 0.751 ha Land parcel generally south of Highway 401, west of DePalma Drive, east of the Municipal boundary, and north of Elgin Street West (Part of the DePalma Lands) - Weston Consulting / DePalma Developments Limited.

Moved by Councillor Nicole Beatty, Seconded by Councillor Adam Bureau THAT Council receive the Application and refer it to the Planning Department for a Report; and

FURTHER THAT Council enact and endorse the notice requirements of the *Planning Act*, as amended, to be implemented, including the scheduling of a Public Meeting.

335-19

Carried

Memo from the Senior Planner - Development, regarding an Application for Zoning By-law Amendment 1111 Elgin Street West, Cobourg - Aly Premji, Trinity Development Group Inc. / Northumberland Shopping Centre Inc.

Moved by Councillor Nicole Beatty, Seconded by Councillor Brian Darling THAT Council receive the Application and refer it to the Planning Department for a Report; and

FURTHER THAT Council enact and endorse the notice requirements of the *Planning Act*, as amended, to be implemented, including the scheduling of a Public Meeting.

336-19

Carried

Memo from the Senior Planner - Development regarding an Application for Clearance of Draft Plan of Subdivision Conditions – Villages of Central Park, Phase 1 - The Planning Partnership / Rondeau (Cobourg) Ltd.

Moved by Councillor Nicole Beatty, Seconded by Councillor Adam Bureau THAT Council receive the Application and refer it to the Planning Department for a Report.

337-19

Carried

Memo from the Senior Planner Development, regarding an Application Site Plan Approval - Golden Plough Lodge, 555 Courthouse Road and 983 Burnham Street Salter Pilon Architecture/ Northumberland County.

Moved by Councillor Nicole Beatty, Seconded by Councillor Brian Darling THAT Council receive the Application and refer it to the Planning Department for a Report.

338-19

Carried**MOTIONS****General Government Services**

[Motion from the Committee of the Whole, regarding the Civic Awards Program – Standards and Procedures Manual.](#)

Moved by Councillor Nicole Beatty, Seconded by Councillor Brian Darling WHEREAS at the Committee of the Whole on September 3, 2019, Council considered a Memo from the Records and Committee Coordinator, regarding the proposed Civic Awards Advisory Committee and the Civic Awards Program – Standards and Procedures Manual;

NOW THEREFORE BE IT RESOLVED THAT Council approve the Town of Cobourg's Civic Awards Program – Standards and Procedures Manual.

339-19

Carried

[Motion from the Committee of the Whole, regarding the Cancellation, Reduction or Refund of Taxes for the period of January 1, 2019 to August 31, 2019.](#)

Moved by Councillor Nicole Beatty, Seconded by Councillor Adam Bureau WHEREAS at the Committee of the Whole on September 3, 2019, Council considered a Memo from the Treasurer/Director of Corporate Services regarding the Cancellation, Reduction or Refund of Taxes for the period of January 1, 2019 to August 31, 2019;

NOW THEREFORE BE IT RESOLVED THAT Council approve the Cancellation, Reduction or Refund of Property Taxes in the amount of \$249,128.32:

Town of Cobourg: \$129,594.89 (Budget - \$350,000)

County of Northumberland: \$58,591.21

Education: \$59,544.40

DBIA: \$1,397.82

340-19

Carried

Planning and Development Services

Councillor Beatty Notice of Motion for Reconsideration regarding the Motion of Council defeated on May 21 2019 on Council and Police Services Board Remuneration.

Moved by Councillor Nicole Beatty, Seconded by Councillor Adam Bureau THAT Council Reconsider the Motion defeated at May 21, 2019 Council Meeting.

Recorded Vote requested by Councillor Brian Darling:

	For	Against	Absent
Councillor Nicole Beatty	x		
Councillor Adam Bureau	x		
Councillor Aaron Burchat		x	
Councillor Emily Chorley	x		
Councillor Brian Darling		x	
Mayor John Henderson			x
Deputy Mayor Suzanne Séguin	x		
TOTAL:	4	2	1

341-19

2/3 Vote - Carried

[Notice of Motion regarding Council Remuneration and Members of the Cobourg Police Services Board.](#)

Moved by Councillor Nicole Beatty, Seconded by Councillor Adam Bureau WHEREAS at the Committee of the Whole on May 13, 2019, Council considered Resolution 144-18, a Report from the Cobourg Taxpayers Association, and a Delegation from Ben Burd, Cobourg Resident, relating to Municipal Council Remuneration;

NOW THEREFORE BE IT RESOLVED THAT Council set the salary for members of Council as follows effective January 1, 2020 and pending approval in the 2020 Operating Budget:

- that the position of Mayor be set at \$48,100;
- that the position of Deputy Mayor be set at \$38,480;
- that the position of Municipal Councillor be set at \$33,670; and

FURTHER THAT a formal review of Council remuneration takes place in the third year of every Council's term of office by a method of Council's choosing; and

FURTHER THAT no changes be made to the current benefits provided to the Mayor and Members of Council; and

FURTHER THAT compensation adjustments for the Mayor, Deputy Mayor and Members of Council continue to be maintained with the annual CPI adjustments as a yearly increase to the Council Remuneration effective July 1st each year as stated in the current provision of the Council Remuneration By-law; and

FURTHER THAT Council direct Staff to prepare a report to review Police Services Board remuneration including a history of annual payments to board members in Cobourg, a comparison of police board remuneration in other communities with similar populations to Cobourg and a statement from the Police Services Act Regulation O. Reg. 268/10 Part II, Section 5 Remuneration. This report will be considered in budget deliberations for 2020.

342-19

Amended

Mayor Henderson arrived in Council Chambers to join the meeting at (7:19 P.M.)

Mayor Henderson took over the Chair/Presiding Officer of the Regular Council meeting at 7:35 P.M. and the Deputy Mayor returned to her seat in Council.

Motion to Amend:

Moved by Councillor Emily Chorley, Seconded by Councillor Nicole Beatty: THAT Council set the salary for members of Council as follows effective January 1, 2020 and pending approval in the 2020 Operating Budget:

- that the position of Mayor be set at \$48,100;
- that the position of Deputy Mayor be set at \$38,480;
- that the position of Municipal Councillor be set at \$33,670; and

FURTHER THAT a formal review of Council remuneration takes place in the third year of every Council's term of office by a method of Council's choosing; and

FURTHER THAT the Police Services Board remuneration is reviewed during the 2020 budget deliberations and is no longer calculated as a percentage of the salary established for Town of Cobourg Councillors.

343-19

Carried

Moved by Councillor Nicole Beatty, Seconded by Councillor Adam Bureau WHEREAS at the Committee of the Whole on May 13, 2019, Council considered Resolution 144-18, a Report from the Cobourg Taxpayers Association, and a Delegation from Ben Burd, Cobourg Resident, relating to Municipal Council Remuneration;

NOW THEREFORE BE IT RESOLVED THAT Council set the salary for members of Council as follows effective January 1, 2020 and pending approval in the 2020 Operating Budget:

- that the position of Mayor be set at \$48,100;
- that the position of Deputy Mayor be set at \$38,480;
- that the position of Municipal Councillor be set at \$33,670; and

FURTHER THAT a formal review of Council remuneration takes place in the third year of every Council's term of office by a method of Council's choosing; and

FURTHER THAT the Police Services Board remuneration is reviewed during the 2020 budget deliberations and is no longer calculated as a percentage of the salary established for Town of Cobourg Councillors.

Recorded Vote requested by Councillor Brian Darling:

	For	Against	Absent
Councillor Nicole Beatty	x		
Councillor Adam Bureau	x		
Councillor Aaron Burchat		x	
Councillor Emily Chorley	x		
Councillor Brian Darling		x	
Mayor John Henderson		x	
Deputy Mayor Suzanne Séguin	x		
TOTAL:	4	3	0

344-19

Carried

[Motion from the August 12, 2019 Committee of the Whole Meeting, regarding the appointment of Councillor Nicole Beatty to the Northumberland County Food Policy Council.](#)

Moved by Councillor Nicole Beatty, Seconded by Councillor Aaron Burchat WHEREAS at the Committee of the Whole on August 12, 2019, Council considered a delegation from Russ Christianson and Kimberly Leadbeater, regarding the Northumberland County Food Policy;

NOW THEREFORE BE IT RESOLVED THAT Council appoint Councillor Nicole Beatty to formally represent the Town of Cobourg on the Northumberland County Food Policy Council.

345-19

Carried

[Correspondence from the County of Northumberland and Resolution from the County of Northumberland regarding Recommendations for Provincially Significant Employment Zones \(PSEZs\) \(Planning and Development Services\).](#)

Moved by Councillor Nicole Beatty, Seconded by Councillor Adam Bureau THAT Council receive the County of Northumberland Staff Report on the recommendations for Provincially Significant Employment Zones (PSEZs) for information purposes and

FURTHER THAT Council support the Northumberland County Council Resolution as follows:

WHEREAS the Province is considering changes to the Growth Plan's provincially significant employment zones and has requested a council-endorsed letter confirming municipal positions for considering new provincially significant employment zones; and

WHEREAS County and municipal planning staff have coordinated and undertaken a preliminary review to determine potential areas for provincially significant employment zones in Northumberland;

NOW THEREFORE BE IT RESOLVED THAT the Corporation of the Town of Cobourg supports the recommendation from the County of Northumberland for the following four areas to be considered as provincially significant employment zones:

1. Future Major Employment Area (Port Hope)- bound by Highway 401 to the south, County Road 28/Ontario Street to the west, Dale Road to the north, and Hamilton Road to the east;
2. Wesleyville (Port Hope)- bound by Highway 401 to the north, Wesleyville Road to the east, Lake Ontario to the south and Stacey Road / Port Hope OnRoute to the west;
3. Alternative Major Employment Area (Cobourg/Hamilton) - bound by Burnham Street to the east, Highway 401 to the south, Birch Road to the west and Telephone Road to the north;
4. Cobourg/Hamilton Employment Lands ~ bound by County Road 2 to the north, Normar Road to the west and Lake Ontario to the south;

AND FURTHER BE IT RESOLVED THAT a copy Council's Resolution be sent to the Ontario Growth Secretariat at the Ministry of Municipal Affairs and Housing.

346-19

Referred

Motion to Refer:

Moved by Councillor Nicole Beatty, Seconded by Councillor Aaron Burchat: THAT Council refer the correspondence and resolution to the September 23, 2019 Committee of the Whole Meeting for discussion.

347-19

Carried

Public Works Services

[Motion from the Committee of the Whole, regarding appointments to the TAC Sub-Committee tasked to review the standards for cycling facilities and infrastructures in the Town of Cobourg.](#)

Moved by Councillor Brian Darling, Seconded by Councillor Adam Bureau WHEREAS at the Committee of the Whole on September 3, 2019, Council considered a Memo from the Secretary of the Transportation Advisory Committee (TAC), regarding recommended appointments to the TAC Sub-Committee tasked to review the standards for cycling facilities and infrastructures in the Town of Cobourg;

NOW THEREFORE BE IT RESOLVED THAT Council appoint the following members to the TAC Sub-Committee:

TAC Sub-Committee
Greg Rawson
Rick Nonnekes
Winston Emery
William Glover
Randall Ross
Bruce Bellaire

AND FURTHER THAT Council permit the TAC to continue to accept applications from interested citizens to fill the one (1) remaining vacancy in the TAC Sub-Committee.

348-19 Carried

Parks and Recreation Services

[Motion from the Committee of the Whole, regarding the Cobourg Harbour and Marina Electrical Systems Assessment.](#)

Moved by Councillor Emily Chorley, Seconded by Councillor Nicole Beatty WHEREAS at the Committee of the Whole on September 3, 2019, Council considered a Memo from the Manager of Attractions and Facilities, regarding the Cobourg Harbour and Marina Electrical Systems Assessment;

NOW THEREFORE BE IT RESOLVED THAT Council contract the electrical engineering services of Kirkland Engineering Ltd., in the amount of \$4,800.00, plus \$84.48 of non-refundable HST, to perform a condition assessment of the Cobourg Harbour and Marina electrical system and to develop budget cost estimates for future upgrades to the electrical system to be considered in the 2020 Capital Budget Deliberations.

349-19 Carried

[Motion from the Committee of the Whole, regarding the lift-in and out of boats at the Cobourg Marina.](#)

Moved by Councillor Emily Chorley, Seconded by Councillor Brian Darling WHEREAS at the Committee of the Whole on September 3, 2019, Council considered a delegation from Mike Hubicki, regarding the lift in and out of boats at the Cobourg Marina;

NOW THEREFORE BE IT RESOLVED THAT Council realize that there are risks with the current lift-in and lift-out services/operations; and

FURTHER THAT Council authorizes maintaining the status-quo for the Lift-in and Lift-Out Operations for the remainder of 2019 and Lift-In for the 2020 Season.

350-19 Carried

Arts, Culture and Tourism Services

[Motion from the Committee of the Whole, regarding the location of the 2019 Christmas Magic Display of Lights.](#)

Moved by Councillor Adam Bureau, Seconded by Councillor Brian Darling WHEREAS at the Committee of the Whole on September 3, 2019, Council considered a Memo and supporting Report from the Secretary of the Christmas Magic Ad Hoc Committee, regarding the location of the 2019 Christmas Magic Display of Lights;

NOW THEREFORE BE IT RESOLVED THAT Council endorse the comments of the Christmas Magic Ad Hoc Committee and adopt the following recommendations for the 2019 Christmas Magic Display of Lights:

1. Maintain Christmas Lights in Rotary Harbourfront Park. The lights should be illuminated on the third Friday of November and remain lit around the outdoor rink until late February.
2. Remove the Christmas Magic Lights from the Esplanade and relocate them to Victoria Park. Install additional lights and decorations in a manner suitable to the size of the space in the Park, within budget. While it may be appropriate to remove Christmas decorations in the first week of January, we recommend that some lighting be maintained after January 7 so that the Park has some lighting through to late February.
3. Continue to put out an annual call for volunteers to assist staff as required in implementing and expanding Christmas Magic. Community engagement and involvement in lighting up Victoria Park should be encouraged.

351-19

Carried

[Motion from the Committee of the Whole, regarding the proposed Opioid Crisis Round Table Discussion.](#)

Moved by Councillor Adam Bureau, Seconded by Councillor Brian Darling WHEREAS at the Committee of the Whole on September 3, 2019, Council considered a Notice of Motion from Councillor Bureau, regarding an Opioid Crisis Round Table Discussion; and

NOW THEREFORE BE IT RESOLVED THAT Council approve to form a partnership and invite the Cobourg Police Service, The Cobourg Fire Department, Northumberland EMS, a representative from Northumberland County, MPP David Piccini, MP Kim Rudd, Northumberland Hills Hospital Community Mental Health, Four Cast, Green Wood Coalition and two (2) members of the community with lived experience, to a round table discussion led by a facilitator to come up with suggestions to combat the opioid crisis; and

FURTHER THAT this group of people deal with this issue almost on a daily basis and would have first-hand knowledge on recommendations on how to eliminate opioids and other harmful and fatal drugs from our community; and

FURTHER THAT the round table Meeting be held at Venture 13 on October 1, 2019; and

FURTHER THAT this group may come up with ideas on how to prevent and help our citizens with drug prevention, drug dependency and drug rehabilitation; and

FURTHER THAT after the round table discussion this group shall bring back recommendations to this Council.

352-19

Carried

BY-LAWS

General Government Services

[By-law No.057-2019 being a by-law to authorize the Execution of an amending Agreement between the Corporation of the Town of Cobourg and the Marie Dressler Foundation for the Lease and occupancy of the Municipal Building located at 212 King Street West, Cobourg \(Dressler House\).](#)

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Aaron Burchat THAT Council adopt By-law No.057-2019, being a by-law to enter into an Amending Agreement between the Corporation of the Town of Cobourg and the Marie Dressler Foundation for the Lease and Occupancy the Municipally owned Building located at 212 King Street West, Cobourg.

353-19

Carried

[By-law 058-2019, being a by-law to amend by-law No. 008-2019 to include the Terms of Reference for the Civic Awards Advisory Committee and to dissolve and remove the Community Civic Awards Ad Hoc Committee.](#)

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Nicole Beatty THAT Council adopt By-law No.058-2019, being a by-law to amend by-law 008-2019 to include the Terms of Reference for the Civic Awards Advisory Committee and to dissolve and remove the Community Civic Awards Ad Hoc Committee.

354-19

Carried

Planning and Development Services

[By-law 059-2019 being a by-law to Approve a Draft Plan of Subdivision with Conditions \(East Village Phase 5 – JMCD Holdings Inc.\) and the Draft Plan of Subdivision Conditions – Appendix “I”.](#)

Moved by Councillor Nicole Beatty, Seconded by Councillor Adam Bureau THAT Council adopt By-law 059-2019, being a by-law to Approve a Draft Plan of Subdivision with Conditions (East Village Phase 5 – JMCD Holdings Inc.) and the Draft Plan of Subdivision Conditions – Appendix “I”.

355-19

Carried

[By-law 060-2019, being a by-law to amend the Zoning By-Law \(085-2003\) \(East Village Phase 5, Lands generally at the north-west corner of King Street East And Willmott Street, Cobourg\).](#)

Moved by Councillor Nicole Beatty, Seconded by Councillor Aaron Burchat THAT Council adopt By-law 060-2019, being a by-law to amend Zoning By-Law Number 085-2003 (East Village Phase 5, Lands generally at the north-west corner of King Street East And Willmott Street, Cobourg).

356-19

Carried

[By-law 061-2019, being a by-law to adopt Amendment No. 78 to the Official Plan of the Cobourg Planning Area \(East Village Phase 5 – Jmcd Holdings Inc.\) - OPA #78 – Appendix “I”, for Block 61 of the draft plan.](#)

Moved by Councillor Nicole Beatty, Seconded by Councillor Brian Darling THAT Council adopt By-law 061-2019, being a by-law to adopt Amendment No. 78 to the Official Plan of the Cobourg Planning Area (East Village Phase 5 – Jmcd Holdings Inc.) - OPA #78 – Appendix “I”, for Block 61 of the draft plan.

357-19

Carried

[By-law 062-2019, being a by-law to Amend Zoning By-law Number 085-2003 \(East Village Phase 5, proposed Block 61, generally at the north-west corner of King Street East and Willmott Street\).](#)

Moved by Councillor Nicole Beatty, Seconded by Councillor Aaron Burchat THAT Council adopt By-law 062-2019, being a by-law to Amend Zoning By-law Number 085-2003 (East Village Phase 5, proposed Block 61, generally at the north-west corner of King Street East and Willmott Street).

358-19

Carried

[By-law 063-2019, being a by-law to amend the Zoning By-law \(85-2003\) for 900 Division Street and 9 Elgin Street East.](#)

Moved by Councillor Nicole Beatty, Seconded by Councillor Brian Darling THAT Council adopt By-law 063-2019, being a by-law to amend the Zoning By-law (85-2003) for 900 Division Street and 9 Elgin Street East.

359-19

Carried

Public Works Services

[By-law 065-2019, being a by-law to authorize the execution of a Memorandum of Understanding between OPG and the Town of Cobourg for the purposes of installing, owning, operating and maintaining level 2 electric vehicle chargers and related equipment within the Town of Cobourg.](#)

Moved by Councillor Brian Darling, Seconded by Councillor Nicole Beatty THAT Council adopt By-law 065-2019, being a by-law to authorize the execution of a Memorandum of Understanding between OPG and the Town of Cobourg for the purposes of installing, owning, operating and maintaining level 2 electric vehicle chargers and related equipment within the Town of Cobourg.

360-19

Carried**General Government Services**

THAT the following By-law(s) be passed:

1. By-law No.057-2019 being a by-law to authorize the Execution of an amending Agreement between the Corporation of the Town of Cobourg and the Marie Dressler Foundation for the Lease and occupancy of the Municipal Building located at 212 King Street West, Cobourg (Dressler House);
2. By-law 058-2019, being a by-law to amend by-law No. 008-2019 to include the Terms of Reference for the Civic Awards Advisory Committee and to dissolve and remove the Community Civic Awards Ad Hoc Committee;
3. By-law 065-2019, being a by-law to authorize the execution of a Memorandum of Understanding between OPG and the Town of Cobourg for the purposes of installing, owning, operating and maintaining level 2 electric vehicle chargers and related equipment within the Town of Cobourg.

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Aaron Burchat THAT leave be granted to introduce By-law #057-2019 to By-law #58-2019 and By-law # 065-2019 and to dispense with the reading of the by-law by the Municipal Clerk and that the same be considered read and passed and that the Mayor and the Municipal Clerk sign the same and the Seal of the Corporation be thereto affixed.

361-19

Carried

THAT the following By-law be passed:

1. By-law 063-2019, being a by-law to amend the Zoning By-law (85-2003) for 900 Division Street and 9 Elgin Street East.

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Brian Darling THAT leave be granted to introduce By-law #063-2019 and to dispense with the reading of the by-law by the Municipal Clerk and that the same be considered read and passed and that the Mayor and the Municipal Clerk sign the same and the Seal of the Corporation be thereto affixed.

362-19

Carried

THAT the following By-law be passed

1. By-law 059-2019 being a by-law to Approve a Draft Plan of Subdivision with Conditions (East Village Phase 5 – JMCD Holdings Inc.) and the Draft Plan of Subdivision Conditions – Appendix “I”.

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Aaron Burchat THAT leave be granted to introduce By-law #059-2019 and to dispense with the reading of the by-law by the Municipal Clerk and that the same be considered read and passed and that the Mayor and the Municipal Clerk sign the same and the Seal of the Corporation be thereto affixed.

363-19

Carried

THAT the following By-law be passed:

1. By-law 060-2019, being a by-law to amend the Zoning By-Law (085-2003) (East Village Phase 5, Lands generally at the north-west corner of King Street East and Willmott Street, Cobourg).

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Brian Darling THAT leave be granted to introduce By-law #060-2019 and to dispense with the reading of the by-law by the Municipal Clerk and that the same be considered read and passed and that the Mayor and the Municipal Clerk sign the same and the Seal of the Corporation be thereto affixed.

364-19

Carried

THAT the following By-law be passed:

1. By-law 061-2019, being a by-law to adopt Amendment No. 78 to the Official Plan of the Cobourg Planning Area (East Village Phase 5 – Jmcd Holdings Inc.) - OPA #78 – Appendix “I”, for Block 61 of the draft plan.

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Nicole Beatty THAT leave be granted to introduce By-law # 061-2019 and to dispense with the reading of the by-law by the Municipal Clerk and that the same be considered read and passed and that the Mayor and the Municipal Clerk sign the same and the Seal of the Corporation be thereto affixed.

365-19

Carried

THAT the following By-law be passed:

1. By-law 062-2019, being a by-law to Amend Zoning By-law Number 085-2003 (East Village Phase 5, proposed Block 61, generally at the north-west corner of King Street East and Willmott Street); and

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Adam Bureau THAT leave be granted to introduce By-law # 062-2019 and to dispense with the reading of the by-law by the Municipal Clerk and that the same be considered read and passed and that the Mayor and the Municipal Clerk sign the same and the Seal of the Corporation be thereto affixed.

366-19

Carried

PETITIONS

COMMITTEE/BOARD MINUTES (INFORMATION PURPOSES ONLY)

- SCCAC Minutes - August 7, 2019;
- CPSB Minutes - June 18 and July 16, 2019; and
- DBIA Minutes, July 4 and 17, and August 8, 2019.

CORRESPONDENCE

Correspondence from Zach Wood, Leasing Representative, Goldmanco Inc., regarding the applications for approval of proposed amendments to the Town of Cobourg Official Plan and Comprehensive Zoning By-law (85-2003), and approval of a Draft Plan of Subdivision for the proposed 334 unit residential development known as “East Village Phase 5” (Planning and Development Services).

Moved by Councillor Nicole Beatty, Seconded by Councillor Brian Darling THAT Council receive the correspondence for information purposes.

367-19

Carried

Correspondence from Mary-Anne Watson-Bonsall on behalf of the Terry Fox Committee, Cobourg Collegiate Institute, requesting a permit fee waiver for the annual Terry Fox Run to occur on Friday, October 18, 2019 (Arts, Culture and Tourism Services).

Moved by Councillor Adam Bureau, Seconded by Councillor Aaron Burchat THAT Council grant the permit fee waiver request from the Terry Fox Committee, Cobourg Collegiate Institute, in the amount of \$100.00 for their annual Terry Fox Run for cancer research in Cobourg on October 18, 2019.

368-19

Carried

Correspondence from Andrew Hall, Brown Bag Enterprises, regarding the 'Chili Cook-Off and Beer Garden' at the upcoming Downtown Cobourg Harvest Festival on September 28, 2019 (Arts, Culture and Tourism Services).

Moved by Councillor Adam Bureau, Seconded by Councillor Aaron Burchat THAT Council approve the request from the Brown Bag Enterprises and declare the Chili Cook-Off and Beer Garden on September 28, 2019, as an event of Municipal Significance in the Town of Cobourg to obtain a 'Special Occasion Permit' to allow for the sale of alcohol at the event.

369-19

Carried

NOTICE OF MOTION

COUNCIL/COORDINATOR ANNOUNCEMENTS

Members of Council present verbal reports on matters within their respective areas of responsibility:

- Mayor John Henderson
- Deputy Mayor Séguin, General Government Services Coordinator
- Councillor Beatty, Planning and Development Services Coordinator
- Councillor Darling, Public Works Services Coordinator
- Councillor Chorley, Parks and Recreation Services Coordinator
- Councillor Burchat, Protection Services Coordinator
- Councillor Bureau, Arts, Culture and Tourism Services Coordinator

UNFINISHED BUSINESS

The items listed in the order of the topics set out in the agenda of prior meetings which have not been disposed of by Council and the date of their first appearance on the agenda shall be noted and repeated on each subsequent agenda until disposed of by Council, unless removed from the agenda by leave of Council - Council Procedural By-law No. 009-2019.

Unfinished Business Item	Meeting Date	Department/Division	Deadline Date
Extension of the RFP for the position of the Municipal Ombudsman.	05-21-19	Legislative Services	Jul 4, 2019
Staff Report regarding Adult Fitness Park in Cobourg	06-12-19	Community Services	Oct 15, 2019
Staff Report Sustainability and Climate Change Advisory Committee, regarding a recommendation to support the Banning/Phasing out of Bottled Water in Municipal Facilities and Municipal Events.	06-24-19	Chief Administrative Officer	Sep 3, 2019
Terms of Reference regarding a social planning and/or Community Development Advisory Committee, regarding affordable housing.	01-28-19	Legislative Department	Sep 23, 2019
MOU to be provided to Council Re Cobourg Dragon Boat and Canoe Club	07-22-19	Community Services	Sep 23, 2019
Report reviewing the Town of Cobourg Public Comment and Complaint Policy.	05-13-19	Legislative Department	Sep 23, 2019
Business Plans and project justification for potential Provincial Audit and Accountability Fund projects	07-22-19	Various Departments	Sep 23, 2019
2019 – 2022 Strategic Report Work Plan Revisions	08-13-19	Various Departments	Sep 23, 2019
Update the Capital Sidewalk Extension Program Priority Guidelines to reflect actual walking/driving distances for Northwood Drive.	02-25-19	Public Works	Sep 30, 2019
Staff Report reviewing the impacts of the Traffic Study for Lower Division Street/Esplanade Area.	04-01-19	Public Works	Oct 15, 2019
Staff Report regarding the public engagement and recommended repairs/improvements for the East Pier and Victoria Park Campground	07-02-19	Community Services	Oct 15, 2019
Review of the Taxicab by-law, with the inclusion of ride sharing transportation such as Uber or Lyft, and with input by the public and taxicab owners and operators.	02-19-19	Legislative Department	Nov 25, 2019
Report outlining suggestions for enhancing the amenities for anglers and the regulation of fishing-related activities at the Cobourg Marina.	09-03-19	Community Services	Apr 30, 2020
Memo from John Ewart, Town of Cobourg Municipal Ombudsman, regarding a Town of Cobourg	11-26-18	Legislative Department	

Ombudsman Complaint 1-2018.			
Staff Report reviewing the impacts of the Traffic Study for Condo. Corp. #58- 148 Third Street.	04-01-19	Public Works	
Traditional Land Acknowledgment Statement to be read at Council Meeting	05-13-19	Legislative Department	

CLOSED SESSION

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Aaron Burchat THAT Council meet in Closed Session in accordance with Section 239 of the Municipal Act S.O. 2001 regarding:

- s. 239(1)(b) personal matters about an identifiable individual, including municipal or local board employees:**
1. Applications for the Sustainability and Climate Change Advisory Committee.
 2. Execution of a Property Standards Order.
- S.239(2)(c) proposed or pending acquisition or disposition of land by the municipality or local board:**
1. Potential sales of Municipal Property, regarding Lucas Point Industrial Park Lands.

The Regular Council Meeting reconvened in Open Session at 9:27 P.M.

370-19

Carried

CLOSED SESSION ACTION ITEM

[Motion from the Regular Council Meeting, regarding two \(2\) appointments to the Sustainability and Climate Change Advisory Committee.](#)

Moved by Councillor Adam Bureau, Seconded by Councillor Nicole Beatty WHEREAS at the Regular Council Meeting on September 9, 2019, Council considered Applications for the Sustainability and Climate Change Advisory Committee (SCCAC);

NOW THEREFORE BE IT RESOLVED THAT Council appoint the following members to the SCCAC for the remaining of the current term of Council:

Sustainability and Climate Change Advisory Committee
John Vickers
Dale Randall

371-19

Carried

CONFIRMATORY BY-LAW

[By-law No. 064-2019, being a by-law to confirm the proceedings of the Council Meeting of September 9, 2019.](#)

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Aaron Burchat THAT leave be granted to introduce By-law No. 064-2019 and to dispense with the reading of the by-law by the Municipal Clerk to confirm the proceedings of the Council of the Town of Cobourg at its Regular meeting held on September 9, 2019 and the same be considered read and passed and that the Mayor and the Municipal Clerk sign the same and the Seal of the Corporation be thereto affixed.

372-19

Carried

ADJOURNMENT

Moved by Councillor Aaron Burchat, THAT the Meeting be adjourned (9:30 P.M.).

373-19 **Carried**

Municipal Clerk

Mayor



Serving the Counties of Hastings, Northumberland and Prince Edward
www.highlandshorescas.com

July 29, 2019

SENT BY EMAIL: clerk@cobourg.ca

Mayor John Henderson
Town of Cobourg
Victoria Hall
55 King St. West
Cobourg, ON K9A 2M2

Your Worship Mayor Henderson and Honourable Members of Council of the Town of Cobourg

RE: PROCLAMATION OF OCTOBER AS CHILD ABUSE PREVENTION MONTH

During the month of October, Children's Aid Societies across the province recognize Child Abuse Prevention Month (CAPM) which is marked by a purple ribbon. There are many types of child abuse including physical abuse, sexual abuse, emotional abuse, and exposure to domestic violence. Child neglect is also considered an equally serious child protection concern.

Preventing child abuse is a responsibility we all share. Children's Aid Societies, with the help of community partners, provide a broad range of services to children and families where there are concerns about safety and well-being. In addition to visiting children and families in their home, child welfare workers help families obtain the services they may need, such as parenting or treatment programs for problems such as addictions, mental health, and anger management.

Children's Aid Societies work first and foremost to keep families together. Ontario's leading academic study on child abuse and neglect shows that children remained at home in 97 percent of CAS investigations. (Ontario Incidence Study of Reported Child Abuse and Neglect, 2013).

Highland Shores Children's Aid, in partnership with The Children's Foundation, will be distributing purple ribbons throughout the communities we serve. We are also asking local police and fire departments to show their support by placing a purple ribbon on their vehicles during the month of October. In addition to wearing a purple ribbon during the month, we are encouraging everyone to wear purple on **Thursday, October 24th, 2019 for Dress Purple Day** and are working with our local school boards to encourage student participation in Dress Purple Day and other CAPM related activities.

At this time, we are respectfully requesting that Council proclaim October as Child Abuse Prevention Month at your September 30, 2019 meeting.

Please confirm our attached delegation request through Colleen Thompson at 613-962-9291, extension 2336 or colleen.thompson@highlandshorescas.com.

Sincerely,

Tami Callahan, M.S.W., R.S.W.
Executive Director

Our Core Values: Above all - Kids Come First

Respect, Advocacy, Collaboration, Compassion, Integrity, Communication



Belleville Office: 363 Dundas Street West, Belleville, ON K8P 1B3 • **Tel:** 613-962-9291 • **Toll-free:** 800-267-0570 • **Fax:** 613-966-3868
Cobourg Office: 1005 Burnham Street, Cobourg, ON K9A 5J6 • **Tel:** 905-372-1821 • **Toll-free:** 800-267-0570 • **Fax:** 905-372-5284
Bancroft Office: 16 Billa St., Suite 104, P.O. Box 837, Bancroft, ON K0L 1C0 • **Tel:** 613-332-2425 • **Toll-free:** 800-267-0570 • **Fax:** 613-332-5686
Pictou Office: 16 MacSteven Drive, Pictou, ON K0K 2T0 • **Tel:** 613-476-7957 • **Toll-free:** 800-267-0570 • **Fax:** 613-476-2316

Proclamation
October is Child Abuse Prevention Month

WHEREAS, child abuse is a complex and ongoing problem in our society, affecting many children in the Town of Cobourg; and

WHEREAS, every child is entitled to be loved, cared for, nurtured, and secure and to be free from neglect, as well as from verbal, emotional, sexual and physical abuse; and

WHEREAS, the Town of Cobourg faces a continuing need to support community-based programs to prevent child abuse and neglect; and

WHEREAS, it is the responsibility of every adult who comes in contact with a child to protect that child's unconditional right to a safe, nurturing childhood; and

WHEREAS, the Town of Cobourg has dedicated individuals and organizations who work daily to counter the problem of child abuse and neglect and to help parents obtain the assistance they need; and

WHEREAS, our community is stronger when all citizens become aware of child abuse and neglect prevention and become involved in supporting parents to raise their children in a safe, nurturing environment; and

WHEREAS, the Town of Cobourg residents celebrate children, our town's greatest resource and the community leaders of tomorrow;

NOW, THEREFORE, I, John Henderson, Mayor, do hereby proclaim the month of October 2019 as

CHILD ABUSE PREVENTION MONTH

in the Town of Cobourg and commend this observance of the citizens of this town.

Signed

Date



The Corporation of the Town of Cobourg
Legislative Services Department
55 King Street West
Cobourg, ON K9A 2M2

Delegation Request Form

Please submit the completed Delegation Request Form to the Municipal Clerk in person or by mail to
55 King Street West, Cobourg, ON K9A 2M2, by e-mail to clerk@cobourg.ca, or by fax to (905) 372-7558.

1.	GENERAL INFORMATION
Name of Delegate(s): Duane Durham and Erin Beatty	
Group/Organization/Business Delegation Represents (if applicable): Highland Shores Children's Aid	
2.	MEETING SELECTION
I wish to appear before: <input type="checkbox"/> Committee of the Whole <input checked="" type="checkbox"/> Regular Council <input type="checkbox"/> Advisory Committee or Local Board	
If appearing before an Advisory Committee or Local Board please specify: Press to Select a Committee of Board ▼	
Meeting Date Requested: September 30, 6 pm	
3.	DELEGATION REQUEST
General Nature/Purpose of the Delegation: (Clearly state the nature of the business to be discussed & provide a general summary of the information to be presented)	
<u>Delegation to raise awareness about Child Abuse Prevention Month (October)</u> <u>Please see attached letter.</u>	

LEGISLATIVE SERVICES DEPARTMENT | VICTORIA HALL, 55 KING ST W, COBOURG, ON K9A 2M2
T.905.372.4301 | F.905.584.4325 | www.cobourg.ca | clerk@cobourg.ca

<p>Recommendation to Council/Committee/Board: (Please indicate below what action you would like the Town to take with respect to the above-noted subject matter)</p> <div style="background-color: #e6f2ff; padding: 10px; min-height: 200px;"> <ol style="list-style-type: none"> 1. <u>Proclaim October as Child Abuse Prevention Month (see attached)</u> 2. <u>Request to tie purple ribbons in the downtown area during the month of October.</u> </div>
<p>Have you appeared before the Town of Cobourg's Council or its Committees or Boards in the past to discuss this issue?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>

4. PRESENTATION MATERIAL

<p>Will you have an oral or written presentation? <input checked="" type="checkbox"/> Oral <input type="checkbox"/> Written</p>
<p>Do you have any equipment needs? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If selecting yes, please indicate the type of equipment needed for your presentation:</p> <div style="background-color: #e6f2ff; padding: 2px;"> <p>Please Select the Type of Equipment ▼</p> </div>
<p><small>Note: Delegates are required to provide one (1) copy of all background material/presentations prior to the deadline provided in the Delegation Rules and Guidelines below, or it will not be included in the Agenda.</small></p>

Please see attached PowerPoint that we will use that night. Please advise if we must bring our own A/V equipment or if you will run the presentations for us.





During the month of October,
Children's Aid Societies across Ontario
participate in the purple ribbon campaign
to help raise awareness
about the important role the community plays
in the prevention of child abuse and neglect.





October is Child Abuse Prevention Month

- Historically CAS's across the province were solely mandated to provide protection services to children and youth up to the age of 16. More recently that mandate has changed to also allow for protection services to be provided to 16 and 17-year old youth.
- This change in legislation recognizes the vulnerability and unique struggles that this age group is faced with.
- While reporting for 16 and 17-year old youth is not mandatory, please contact your local Children's Aid Society if you have concerns about the safety or well-being of a youth.

October is Child Abuse Prevention Month



- Volume and unique service needs required a dedicated youth services team.
- In 2018-19, 186 youth aged 15, 16 and 17 received safety and wellness services from the Youth Services Team.
- In 2018-19, 10 youth aged 16 and 17 either entered care or had a Voluntary Youth Services Agreement.

October is Child Abuse Prevention Month

- There are 38,000* children 15 years of age and younger living in the areas served by Highland Shores Children's Aid.
- 5.7% of those children come to the attention of our agency each year for a concern about their well-being and safety.



* Based on 2016 Census data

October is Child Abuse Prevention Month


- More than 1,350* families are assessed for a concern about their children each year and approximately 637 families are provided with ongoing services and support.
- Less than 1% of the child population served by Highland Shores are placed in out-of-home care each year.


* Ontario Child Abuse and Neglect Data System (OCANDS)

October is Child Abuse Prevention Month


- Abuse and neglect can happen in two ways – acts of commission (doing something to a child) and acts of omission (not doing something for a child).
- There are many factors that contribute to child abuse and neglect and why children come into the care of Highland Shores CAS.


 Highland Shores
CHILDREN'S AID
Protect Care Empower

 the children's foundation
Happier Today and Brighter Tomorrow
Serving Hastings, Northumberland & Prince Edward Counties

October is Child Abuse Prevention Month



- Sometimes parents need help in identifying abusive patterns and learning techniques that can keep their children safe in their home.
- There are also times that parents request the assistance of CAS – this could be help with parenting or due to social or economic factors beyond their control.

 Highland Shores
CHILDREN'S AID
Protect Care Empower

 the children's foundation
Happier Today and Brighter Tomorrow
Serving Hastings, Northumberland & Prince Edward Counties

October is Child Abuse Prevention Month

- While poverty on its own does not result in child abuse or neglect, research clearly identifies a link between poverty, substance abuse, mental health issues and domestic violence.
- These socio-economic challenges sometimes result in referrals to child protection services.

October is Child Abuse Prevention Month

- Highland Shores Children's Aid, with the help of our community partners, provides a broad range of services to children and families where there are concerns about safety and well-being. In addition to visiting children and families in their home, our child welfare workers will help families obtain the services they may need, such as parenting or treatment programs.








October is Child Abuse Prevention Month

What YOU Can Do...

- Call Highland Shores if you have any concerns that a child or youth may be in need of protection or assistance. Your call could lead to the help and support for a child, youth and their family.

Purple is the signature colour of child abuse prevention month. Show your support by wearing a purple ribbon or purchase a purple item from The Children's Foundation and wear it proudly during the month of October! You can also attend "Go Purple" hockey games in Belleville, Quinte West, Picton, Wellington, Cobourg or Port Hope!

You Can Make a Difference!

Join us to help raise awareness by wearing purple on Dress Purple Day, Thursday, October 24, 2019.



Purple t-shirts can be purchased from The Children's Foundation, 613-962-9292 or thechildrensfoundation.ca

Order yours today!

October is Child Abuse Prevention Month

Speak up for kids and use your voice to help keep them safe and well cared for.

#BREAKthesilence

Thank you for your support!





The Corporation of the Town of Cobourg
Legislative Services Department
55 King Street West
Cobourg, ON K9A 2M2

Delegation Request Form

Please submit the completed Delegation Request Form to the Municipal Clerk in person or by mail to 55 King Street West, Cobourg, ON K9A 2M2, by e-mail to clerk@cobourg.ca, or by fax to (905) 372-7558.

1. GENERAL INFORMATION

Name of Delegate(s):

RODERICK GAMBLE

Group/Organization/Business Delegation Represents (if applicable):

N/A

2. MEETING SELECTION

I wish to appear before:

☐ Committee of the Whole ☒ Regular Council ☐ Advisory Committee or Local Board

If appearing before an Advisory Committee or Local Board please specify:

Press to Select a Committee of Board

Meeting Date Requested:

SEPTEMBER 30, 2019

3. DELEGATION REQUEST

General Nature/Purpose of the Delegation:

(Clearly state the nature of the business to be discussed & provide a general summary of the information to be presented)

There are five parts to my delegation:

Part A:

A-1: Recommend that Council defers the approval of By-law 067-2019 being a By-law to approve the Council and Staff Relations Policy until the new CAO is appointed.

A-2: Recommend that Council defers the approval of By-law 068-2019 being a By-law to approve the Code of Conduct Policy for Members of Council and Local Boards for the Town of Cobourg until the new CAO is appointed.

Part B:

Council to consider my objections to the Code of Conduct for Members of Council and Local Boards - as presently drafted.

Part C:

Council to consider my proposed amendments to the Code of Conduct for Members of Council and Local Boards - as presently drafted.

Part D:

Council to consider my objections to the Staff / Council Relations Policy - Administration - as presently drafted

Part E:

Council to consider my proposed amendments to the Staff / Council Relations Policy - Administration - as presently drafted.

LEGISLATIVE SERVICES DEPARTMENT | VICTORIA HALL, 55 KING ST W, COBOURG, ON K9A 2M2
T.905.372.4301 | F.905.584.4325 | www.cobourg.ca | clerk@cobourg.ca

Recommendation to Council/Committee/Board:

(Please indicate below what action you would like the Town to take with respect to the above-noted subject matter)

Council to defer approval of (1) By-law 067-2019 being a By-law to approve the Council and Staff Relations Policy and (2) By-law 068-2019 being a By-law to approve the Code of Conduct Policy for Members of Council and Local Boards for the Town of Cobourg until the new CAO is appointed.

Council to consider and approve amendments to the applicable By-laws to reflect the delegate's concerns about:

1. Code of Conduct for Members of Council and Local Boards - By-law 067-2019 being a By-law to approve the Council and Staff Relations Policy - to be amended as aforesaid.

and

2. Staff / Council Relations Policy - Administration - By-law 068-2019 being a By-law to approve the Code of Conduct Policy for Members of Council and Local Boards for the Town of Cobourg - to be amended as aforesaid.

Have you appeared before the Town of Cobourg's Council or its Committees or Boards in the past to discuss this issue?

☐ Yes ☒ No

4. PRESENTATION MATERIAL

Will you have an oral or written presentation? ☐ Oral ☒ Written

Do you have any equipment needs? ☒ Yes ☐ No

If selecting yes, please indicate the type of equipment needed for your presentation:

Projector and PowerPoint

Note: Delegates are required to provide one (1) copy of all background material/presentations prior to the deadline provided in the Delegation Rules and Guidelines below, or it will not be included in the Agenda.

DELEGATION RULES AND GUIDELINES THE CORPORATION OF THE TOWN OF COBOURG

A delegation is an opportunity to appear before Council or a Committee to present information. The purpose of the delegation process is to allow residents to make their views known to Council. In addition to the Town of Cobourg Procedural By-law No. 009-2019, the following delegation rules and guidelines are observed:

- Any person wishing to appear before Council on a matter which requires specific action of Council, and is a matter that falls within the jurisdiction of the Town of Cobourg, may notify the Municipal Clerk by submitting the prescribed 'Delegation Request Form' no later than 1:00 p.m. on the Friday preceding the meeting. Once the request is received by the Municipal Clerk, you will be contacted to confirm your placement on the appropriate Agenda.
- Material relating to your delegation, including any correspondence, documentation or presentation, must be submitted electronically or otherwise to the Legislative Services Department no later than 1:00 p.m. on the Friday preceding the Council or Committee meeting in order to have the information included in the Agenda package that is distributed in advance of the meeting.
- The 'Delegation Request Form' and any other correspondence that is to be presented to Council, shall be legibly written, typed or printed, and shall not contain any obscene or defamatory language.
- Municipal Council or Committee, as the case may be, may in their discretion, refuse to hear any delegation.
- Delegates attending a Council or Committee meeting, shall address the Chair from the lectern in the public gallery in the Council Chambers or from the presenter's table in the Committee Room, as the case may be and shall state their name or if they are an agent, the name and address of the client they represent.
- Delegates appearing before Council are permitted ten (10) minutes for their presentation, not inclusive of questions asked by Council. The question period is a method of seeking clarification on matters presented and is not intended nor shall be entered into as a forum for debate. After the completion of questions, the delegate(s) will be asked to return to their seat in the public gallery.
- If a delegation consist of more than five (5) persons, the delegation shall be limited to two (2) speakers, limited to speaking not more than fifteen (15) minutes in total when addressing Council.
- Discussion on topics other than the subject matter of the delegation request will not be permitted.
- No person, except Members of Council and appointed officials of the Town of Cobourg shall be permitted to come within or behind the bar during a Regular Council or Committee of the Whole meeting without prior permission of the Mayor.
- A delegate who is unable to attend a Council Meeting but who has registered their delegation with the Municipal Clerk, may arrange for another person to appear on their behalf and to read aloud a prepared statement, adhering to the time allotment and to the provisions of By-law 009-2019.
- A person addressing Council or a Committee shall not utilize profane or offensive words or insulting expressions and shall not impugn the reputation of any individual member. The Chair reserves the right to immediately end the delegation if the remarks are considered severe.
- In response to and following a delegation, Council may agree on a specific action through a resolution, such as referring the delegation to staff for a future report, to receive the delegation for information purposes or to have staff respond directly to the delegation. Alternatively, Council may decide to refer the matter to an Advisory Committee or Local Board for further action to be taken. Wherever possible, Council will assign a deadline with the action to ensure a timely response to the delegation request.

LEGISLATIVE SERVICES DEPARTMENT | VICTORIA HALL, 55 KING ST W, COBOURG, ON K9A 2M2
T.905.372.4301 | F.905.584.4325 | www.cobourg.ca | clerk@cobourg.ca

DELEGATION TO TOWN OF COBOURG –CODE OF CONDUCT AND STAFF / COUNCIL RELATIONS POLICY

There are five parts to my delegation:

Part A:

- A-1: Recommend that Council defers the approval of By-law 067-2019 being a By-law to approve the Council and Staff Relations Policy until the new CAO is appointed.
- A-2: Recommend that Council defers the approval of By-law 068-2019 being a By-law to approve the Code of Conduct Policy for Members of Council and Local Boards for the Town of Cobourg until the new CAO is appointed.

Part B:

Council to consider my objections to the Code of Conduct for Members of Council and Local Boards - as presently drafted.

Part C:

Council to consider my proposed amendments to the Code of Conduct for Members of Council and Local Boards - as presently drafted.

Part D:

Council to consider my objections to the Staff / Council Relations Policy - Administration - as presently drafted.

Part E:

Council to consider my proposed amendments to the Staff / Council Relations Policy - Administration - as presently drafted.

Part A:

Recommend that Council defers approval of By-law 068-2019 being a By-law to approve the Code of Conduct Policy for Members of Council and Local Boards for the Town of Cobourg and By-law 068-2019 being a By-law to approve the Code of Conduct Policy for Members of Council and Local Boards for the Town of Cobourg until the new CAO is appointed.

My rationale for requesting that Council defers these two By-laws is that these are substantive policies that require the input of the CAO. Council has or will soon commence the search for a new CAO. As the CAO is appointed by Council, reports to Council and is the primary liaison between Council and Staff the new CAO should be consulted on these key policies.

Part B:

Objections to the Code of Conduct for Members of Council and Local Boards - as presently drafted.

1. This code of conduct undermines the democratic rights of the citizens of Cobourg.
2. It does so by constraining the ability of our elected representatives, the Mayor, the Deputy Mayor and the other Members of Council of the Town of Cobourg (hereinafter referred to as Members of Council), to discharge their constitutional duties to represent the citizens of Cobourg in all matters pertaining to the governance, management and administration of the Town.
3. This may not have been intended in drafting the document, but it is certainly one of the consequences thereof.

4. A code of conduct is inherently a useful set of all-encompassing rules, but to achieve this goal it must apply to all persons involved in governing, managing, and administering the operations of the Town of Cobourg, not just Members of Council. Of course, there will be sub-sections that deal with matters relevant only to one group, e.g. election activity.
5. There are three essential elements to an effective municipal code of conduct.
 - 4.1 It must include an authorities and responsibilities framework. This framework is the primary structural foundation governing and underpinning the relationship between (a) the citizens of the Town of Cobourg, (b) their democratically elected and empowered representatives – the Members of Council, and (c) the staff of the Corporation of the Town of Cobourg. The code of conduct itself is secondary and merely supplemental to the authorities and responsibilities framework.
 - 4.2 It must apply equally to, and it must impose reciprocal standards and obligations on, all persons involved in governing, managing, and administering the operations of the Town of Cobourg. This includes, but is not limited to, Members of Council, members of select committees, agencies, boards and commissions established to assist in the governance, management and administrative processes, outside contractors retained to provide specific services to the Town of Cobourg, and all members of the management and staff of the Town of Cobourg.
 - 4.3 It must be enforceable and have effective and proportionate sanctions for breaches of the authorities and responsibilities framework and of the code of conduct.

Part C:

Proposed amendments to the Code of Conduct for Members of Council and Local Boards - as presently drafted

Clause 1.0 – amend as follows:

STATEMENT AND PURPOSE

This document has two parts:

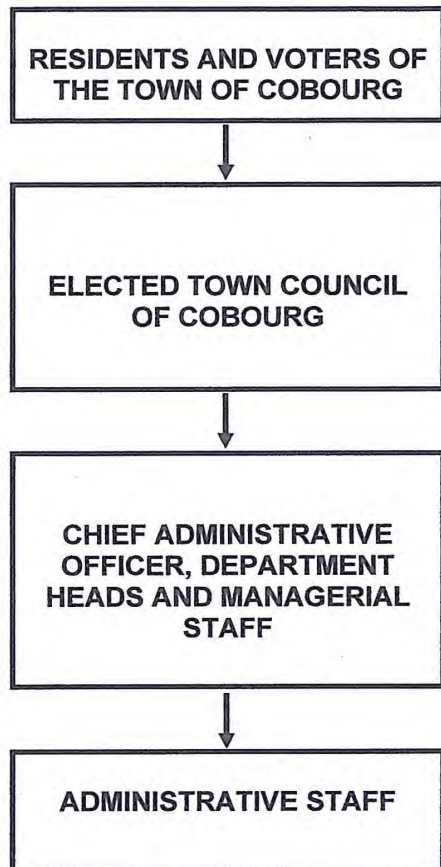
Part A:

The Authorities and Responsibilities Framework of the Town of Cobourg.

The Authorities and Responsibilities Framework of the Town of Cobourg has two parts:

- Part 1 is the structure and scope of authority and responsibility.
- Part 2 is the decision-making process governing the interaction of the residents and voters of the Town of Cobourg, the elected council of the Town of Cobourg, and of the Corporation of the Town of Cobourg and its management and staff.

PART 1
STRUCTURE AND SCOPE OF AUTHORITY AND RESPONSIBILITY



The ultimate authority and responsibility for all matters pertaining to the Town of Cobourg is vested in the residents and eligible voters of Cobourg, collectively but not individually.

The residents and eligible voters of the Town of Cobourg exercise their authority and responsibility for all matters pertaining to the Town of Cobourg, including the Corporation of the Town of Cobourg (the Corporation), through their democratically elected representatives: the mayor, the deputy mayor and the town councilors. All by-laws and policies and procedures enacted by Council shall survive the term of each Council and remain in full force and effect unless and until amended by a subsequent Council.

The Corporation is responsible for the day-to-day running of the Town of Cobourg. The Chief Administrative Officer (CAO) is responsible for the day-to-day running of the Corporation. The CAO is appointed by and reports to the Town Council. The CAO is authorized to appoint the department heads and managerial staff (Line Management) required to run the Corporation in accordance with the managerial and administrative policies and procedures established by the Council. Line Management of the Corporation reports to the CAO.

The day-to-day administration of the Town of Cobourg is performed by the administrative staff, who are appointed by the Chief Administrative Officer and/or the Department Heads. The administrative staff report to their applicable department heads and managers.

PART 2
DECISION-MAKING PROCESS GOVERNING THE INTERACTION OF THE RESIDENTS AND VOTERS OF THE TOWN OF COBOURG, THE TOWN COUNCIL OF COBOURG, AND OF THE CORPORATION AND ITS MANAGEMENT AND STAFF

INITIATE AND PROPOSE

The residents and voters of Cobourg, individually and/or in groups, and/or the Town Council of Cobourg, and/or the Corporation acting through its management and staff may initiate and propose socio-economic and other initiatives to improve the accessibility, livability, sustainability, cost-effectiveness and overall quality of life for all residents of the Town of Cobourg (the Initiatives).

NOTIFY AND SUBMIT

Initiatives must be submitted in writing to the Municipal Clerk of the Corporation in accordance with the procedures set out in Section 12 of By-Law Number 079-2017. The Municipal Clerk must promptly and diligently circulate all Initiatives (unabridged) to the residents of Cobourg as widely as practicable, including by posting them on the web site of the town. Public engagement is paramount.

**UNDERSTAND, CONSULT
AND COMMUNICATE**

Neither the Town Council, nor the Corporation acting through its management and staff may accept, reject or modify any Initiative without (a) ensuring that all stakeholders properly understand how the Initiative will likely impact the accessibility, livability, sustainability, cost-effectiveness and overall quality of life for all residents of the Town of Cobourg, (b) ensuring that there has been rigorous prior consultation with and input from all stakeholders, and (c) that adequate and effective consultation and communication has occurred at each substantive stage of the decision-making process, especially regarding Initiatives submitted by any resident of the Town of Cobourg.

**APPROVE, IMPLEMENT AND
MONITOR**

The Town Council of Cobourg has the sole authority and responsibility to approve all Initiatives, which shall be implemented as written policies and procedures for the efficacious running and governing of the Town of Cobourg. The Town Council of Cobourg shall delegate the implementation of such policies and procedures to the CAO or, in his/her absence the appropriate department head of the Corporation. The Town Council of Cobourg shall rigorously monitor the efficacy of such implementation and take prompt corrective action, as necessary.

Part C:

The Code of Conduct of the Town of Cobourg

NB: This is a sample of my proposed changes. Rather than laboriously edit the draft code of conduct I have provided a few key amendments to highlight necessary changes to the document. It would be more productive if I could discuss my proposed changes with the author(s) of the document.

1.0 STATEMENT AND PURPOSE

1.1 This Authorities and Responsibilities Framework and Code of Conduct (hereinafter referred to as the Framework and Code of Conduct) applies to all members of the Council of the Town of Cobourg, all members of select committees, agencies, boards and commissions established to assist in the governance, management and administrative process, outside contractors retained to provide specific services to the Town of Cobourg, and the management and staff of the Town of Cobourg (hereinafter referred to individually and collectively as Participants).

1.2 The purpose of this Framework and Code of Conduct is to establish a general standard to ensure that all Participants share a common basis for acceptable conduct, and to which all Participants are expected to adhere to and comply with in all respects. This Framework and Code augments other laws which Participants are now, or may in future be, governed by and subject to, including but not limited to (and, in the case of members of Council, the Procedure By-Law):

- *Municipal Act, 2001*
- *Municipal Conflict of Interest Act*
- *Municipal Elections Act, 1996*
- *Municipal Freedom of Information and Protection of Privacy Act*
- *Human Rights Code*
- *Occupational Health and Safety Act*
- *Provincial Offences Act*
- *Criminal Code*

1.3 Delete altogether.

2.0 Statement of Principles

2.1 This Framework and Code of Conduct is intended to set a high standard of conduct for Participants in order to provide good governance and a high level of public confidence in the oversight, management and administration of the Town, and to ensure that all Participants conduct themselves at all times with the utmost integrity, transparency, justice, truth, honesty and courtesy.

2.2 The following key statements of principle are intended to guide Participants and to assist in interpreting and applying the Framework and Code of Conduct:

- Participants shall always serve the public in a conscientious and diligent manner;
- Participants shall observe and act with the highest standard of ethical conduct and integrity;
- Participants shall avoid any improper use or influence of their office or position (as the case may be) and act without self-interest;
- etc.

Part D:

Objections to the Staff / Council Relations Policy - Administration as presently drafted.

1. The Staff / Council Relations Policy - Administration undermines the democratic rights of the citizens of Cobourg as exercised through their democratically elected representatives, the Mayor, the Deputy Mayor and the other Members of Council of the Town of Cobourg (hereinafter referred to as Members of Council).
2. It does so by unnecessarily constraining the ability of our elected representatives to discharge their constitutional duties to represent the citizens of Cobourg in all matters pertaining to the efficacious governance, management and administration of the Town.
3. This may not have been intended in drafting the document, but it is certainly one of the consequences thereof.
4. A staff / council relations policy - administration is inherently a useful set of rules governing the interaction between Members of Council as a whole - and between individual Members of Council as it pertains to the portfolios (such as community services) that are assigned to individual Councilors - and the Staff of the Town of Cobourg.
5. The policy must apply to all persons directly involved in managing and administering the day-to-day operations of the Town of Cobourg. This must include, but not be limited to, Council (as a whole), each Member of Council, the Chief Administrative Officer (CAO), and the directors of each of the 5 (five) divisions of the Town of Cobourg, namely: Executive Services, Corporate Services, Planning and Development, Public Works, and Community Services – and any other divisions that may subsequently be added.
6. As far as practicable (in the circumstances) the interaction between an individual Member of Council and the management of the Town of Cobourg should take place through the Chief Administrative Officer (CAO). But this must not be an absolute requirement.
7. Individual Councilors should be permitted to establish meaningful work-relationships with the Divisional Directors, especially as regards the oversight portfolios assigned to individual Councilors, e.g. Public Works.
8. The over-arching principle is that all parties must be capable of making fully informed decisions about all matters pertaining to the efficacious day-to-day management and administration of the Town of Cobourg.
9. A Member of Council must not micro-manage directors and senior managers.
10. The CAO should be appointed for a maximum contractual term of 4 (four) years that automatically expires 3 (three) calendar months after the term of office of the incumbent Council ends – unless extended by the incoming Council. The scope and terms and conditions of the CAO's employment contract must be set by Council in its sole and absolute discretion. Such terms and conditions must, of course, be acceptable to the candidate for this position.

Part E:

Proposed amendments to the Staff / Council Relations Policy - Administration - as presently drafted.

1.0 STATEMENT AND PURPOSE

- 1.1 Delete the words: Code of Conduct for Members of Council and Local Boards. Replace with: Framework and Code.

4.0 Roles and Responsibilities of Members


4.0 Members acknowledge and agree that:

- (d) they govern collectively by setting policy and making decisions in Council as a whole.
- (f) they shall, whenever possible and as far as is practicable in the circumstances, use Staff time efficiently.
- (m) delete the word "in".

5.0 Roles and Responsibilities of Staff

5.0 Staff acknowledge and agree that:

- (b) they shall promptly and diligently implement Council's decisions and policies, including establishing commensurate administrative practices and procedures necessary to carry out all such decisions and policies, including any duties specifically assigned to Staff by Council – even if Staff do not agree with those decisions, policies and/or duties.
- (c) they shall assist Council in all aspects of its decision-making process, especially as regards policies and programs pertaining to the Town of Cobourg, by providing Council with complete, accurate and unbiased information based on sound expertise, competent and thorough research, and good judgement exercised at all times in a professional and courteous manner so that Council is always able to make fully informed decisions on any and all matters that come before Council.
- (h) they shall not involve themselves in the policy-making process and decisions of Council, other than to provide Council with the information and analysis described in clause 5.0 (c) so that Council is able always to make fully informed decisions and for Council to be aware in advance of all relevant issues that may impact such decisions.

	THE CORPORATION OF THE TOWN OF COBOURG
	COMMITTEE OF THE WHOLE MEETING REPORT
	Monday, September 23, 2019 Council Chambers, Victoria Hall, Cobourg

The Cobourg Municipal Council's Committee of the Whole met this evening at 7:00 P.M. in the Council Chambers, Victoria Hall, Cobourg, with the following persons in attendance:

Members present: Mayor John Henderson
Deputy Mayor Suzanne Seguin
Councillor Nicole Beatty
Councillor Aaron Burchat
Councillor Adam Bureau
Councillor Emily Chorley
Councillor Brian Darling

Staff present: Ian Davey, Interim Chief Administrative Officer/Treasurer
Glenn McGlashon, Director of Planning and Development
Dean Hustwick, Director of Community Services
Laurie Wills, Director of Public Works
Brent Larmer, Municipal Clerk/Manager of Legislative Services

CALL TO ORDER

The Meeting was called to order by Mayor John Henderson (7:00 P.M.).

AGENDA ADDITIONS

1. Shanna Reid and Patrick D'Almada, Lifesaving Society, regarding the Aquatic Safety Audit Report on the Town of Cobourg Harbour;
2. Ken Strauss, Cobourg Tax Payers Association (CTA), regarding the presentation of alternatives to the proposed changes to the terms of the existing promissory note between the Town of Cobourg and Lakefront Utilities Inc. (LUI);
3. Jeremy Fowlie, Cobourg Dragon Boat and Canoe Club, regarding the Aquatic Safety Audit Report for the Town of Cobourg Harbour;
4. Memo from the Municipal Clerk/Manager of Legislative Services, regarding the Sale of Municipal owned property to Habitat for Humanity Northumberland - 600 Daintry Crescent, Cobourg;
5. Response to a Public Meeting held on September 23, 2019 regarding a proposed Draft Plan of Subdivision for the parcel of land known municipally as 425 and 425A King Street East;

6. Memo from the Secretary of the Accessibility Advisory Committee, regarding the Sidewalk Priority Plan;
7. Memo from the Secretary of the Accessibility Advisory Committee, regarding the pedestrian signal upgrade at the Burnham Street, William Street and Elgin Street West intersection; and
8. Closed Session Item in accordance with Section 239(2)(i) of the *Municipal Act, 2001*.

Moved by Deputy Mayor Suzanne Séguin, THAT the matters be added to the Agenda.

Carried

DISCLOSURE OF PECUNIARY INTEREST

Mayor Henderson declared a Pecuniary Interest on General Government Services Item #1, regarding the West Northumberland Curling Club (WNCC) Lease Agreement of the Jack Heenan Arena.

Mayor Henderson declared an interest for the following reasons as provided on the Declaration of Pecuniary Interest Form filed with the Municipal Clerk. Mayor Henderson indicated in Open Council that both him and his spouse are members of the West Northumberland Curling Club (WNCC) and pay Membership fees as well as maintenance fees which may be affected by the Town of Cobourg and WNCC Lease Agreement. Mayor Henderson will refrain from voting and participating in the discussion.

PRESENTATIONS

DELEGATIONS

Shanna Reid and Patrick D'Almada, Lifesaving Society, regarding the Aquatic Safety Audit Report on the Town of Cobourg Harbour.

S. Reid and P. D'Almada attended the meeting to discuss the Aquatic Safety Audit Report on the Town of Cobourg Harbour. After a question and answer period, S. Reid and P. D'Almada were excused from the meeting (7:30 P.M.).

Ken Strauss, Cobourg Tax Payers Association (CTA), regarding the presentation of alternatives to the proposed changes to the terms of the existing promissory note between the Town of Cobourg and Lakefront Utilities Inc. (LUI).

K. Strauss attended the meeting to present alternatives to the proposed changes to the terms of the existing promissory note between the Town of Cobourg and Lakefront Utilities Inc. (LUI). After a question and answer period, K. Strauss was excused from the meeting (7:40 P.M.).

Jeremy Fowlie, Cobourg Dragon Boat and Canoe Club, regarding the Aquatic Safety Audit Report for the Town of Cobourg Harbour.

J. Fowlie attended the meeting to discuss the Aquatic Safety Audit Report for the Town of Cobourg Harbour. J. Fowlie provided [written speaking notes](#), a letter from [Canoe Kayak Canada](#) and from [Eastern Ontario Division of Canoe Kayak Canada](#), in addition to the [Canoe Kayak Canada's Code of Safety](#). After a question and answer period, J. Fowlie was excused from the meeting (7:53 P.M.).

DELEGATION ACTIONS

GENERAL GOVERNMENT SERVICES

Chair, Deputy Mayor Séguin - General Government Services Coordinator

Memo from the Interim Chief Administrative Officer/Treasurer, regarding the West Northumberland Curling Club (WNCC) Lease Agreement of the Jack Heenan Arena.

Moved by Deputy Mayor Suzanne Séguin, THAT Council receive the Report from the Interim Chief Administrative Officer/Treasurer for information purposes; and

FURTHER THAT Council authorize and endorse the preparation of a by-law to be presented to Council for adoption at a Regular Council meeting to authorize the Mayor and Municipal Clerk to execute a lease agreement with the West Northumberland Curling Club for exclusive use of the Heenan Arena.

Carried

Memo from the Interim Chief Administrative Officer/Treasurer, regarding an Amendment to the 2006 Promissory Note LUI - Town of Cobourg.

Moved by Deputy Mayor Suzanne Séguin, THAT Council receive the delegation from Ken Strauss, Cobourg Tax Payers Association (CTA), for information purposes; and

FURTHER THAT as confirmed by Ian Davey, Interim CAO the next application for rate adjustment to the Ontario Energy Board will be in April of 2021 for rates effective January 2022, Council has ample time to review and discuss all options going forward with regard to the Lakefront Utilities Inc. (LUI) promissory note with the Town of Cobourg; and

FURTHER THAT Council extends an invitation to the board members of HOLDCO for a joint meeting to discuss this important issue so that it will benefit the people of Cobourg, the Town of Cobourg and Lakefront Utilities Inc. This public meeting to be held on Tuesday, October 15, 2019 at 5:00 p.m.

Carried

Memo from the Chief Administrative Officer, regarding the 2019-2022 Municipal Council Strategic Plan Work Plan (Referred from the August 12, 2019 Meeting).

Moved by Deputy Mayor Suzanne Séguin, THAT Council receive the Report for information purposes; and

FURTHER THAT Council accept the noted Work Plan, as amended as the appropriate tasks required to execute the 2019-2022 Strategic Plan and further that Council forward any of this list of projects requiring funding to the 2020-2022 budget deliberations; and

FURTHER THAT Council direct staff to report back progress of the work plan semi-annually in September and March of each year.

Carried

Memo from the Municipal Clerk/Manager of Legislative Services, regarding the Mandatory Policy on Council and Staff Relations.

Moved by Deputy Mayor Suzanne Séguin, THAT Council receive the Report for information purposes; and

FURTHER THAT Council authorize the preparation of a by-law to be endorsed and be presented to Council for adoption at a Regular Council Meeting to approve the new Policy entitled "Council and Staff Relations Policy - LEG-ADM23" as amended.

Carried

Memo from the Municipal Clerk/Manager of Legislative Services, regarding the Code of Conduct Policy for Members of Council and Local Boards for the Town of Cobourg.

Moved by Deputy Mayor Suzanne Séguin, THAT Council receive the Report for information purposes; and

FURTHER THAT Council authorize the preparation of a by-law to be endorsed and be presented to Council for adoption at a Regular Council Meeting to approve the "Code of Conduct for Members of Council and Local Boards LEG-ADM24.

Carried

Memo from the Small Business Facilitator, regarding the Cardinal Industrial Solutions Land Sale Lucas Point Business and Industrial Park, Cobourg.

Moved by Deputy Mayor Suzanne Séguin, THAT Council authorizes an extension of the original agreement dated March 27, 2019, for an additional 180 days, for the purchase of 2-acres of industrial land and a right of first refusal for an additional 2-acres of land, in the Lucas Point Business & Industrial Park by 2682194 Ontario Inc. (Cardinal Industrial Solutions) for parcel located at Dodge Street fronting North and East of 180 Willmott Street, Cobourg; and

FURTHER THAT Council authorize and endorse the preparation of a by-law to be presented to Council for adoption at a Regular Council meeting to authorize the Mayor and Municipal Clerk to execute an Amending Sale Agreement with 2682194 Ontario Ltd (Cardinal Industrial Solutions) for the purchase of the sale of land in Lucas Point

Business Industrial Park (Dodge Street, Cobourg).

Carried

Memo from the Small Business Facilitator, regarding the Loadstar Trailers Inc. Land Sale in Lucas Point Business and Industrial Park, Cobourg.

Moved by Deputy Mayor Suzanne Séguin, THAT Council authorize an amending agreement between Loadstar Trailers Inc. for a total of 6.25 acres of light industrial land located in Lucas Point Business & Industrial Park (Dodge Street fronting East, Cobourg); and

FURTHER THAT Council authorize and endorse the preparation of a by-law to be presented to Council for adoption at a Regular Council meeting to authorize the Mayor and Municipal Clerk to execute an Amending Sale Agreement with Loadstar Trailers Inc. for the purchase of the sale of land in Lucas Point Business Industrial Park (Dodge Street, Cobourg).

Carried

Memo from the Human Resources Officer, regarding the Long Service Recognition Policy.

Moved by Deputy Mayor Suzanne Séguin, THAT Council receive the Report for information purposes; and

FURTHER THAT Council approve the recommended changes to Policy #HR-AP-A18 – Long Service Recognition Policy.

Referred

Motion to Refer:

Moved by Mayor John Henderson, THAT Council refer Policy #HR-AP-A18 – Long Service Recognition Policy to General Government Services for revisions and to be brought back to Council at a later date.

Carried

Memo from the Municipal Clerk/Manager of Legislative Services, regarding the Sale of Municipal owned property to Habitat for Humanity Northumberland - 600 Daintry Crescent, Cobourg.

Moved by Deputy Mayor Suzanne Séguin, THAT Council approve acceptance of an offer received from Habitat for Humanity Northumberland for the purchase of approximately. 890 sq m (9,583 sq ft) in area, located on the east side of Daintry Crescent know municipally as 600 Daintry Crescent, in the Town of Cobourg. The parcel is located on east side of Daintry Crescent as depicted in the attached aerial map; and

FURTHER THAT Council authorize and endorse the preparation of a by-law to be presented to Council for adoption at a Regular Council meeting to authorize the Mayor and Municipal Clerk to execute a Purchase and Sale Agreement with Habitat for Humanity Northumberland for the sale of land known municipally as 600 Daintry

Crescent, Cobourg.

Carried

Motion to Recess

Moved by Deputy Mayor Suzanne Séguin, THAT Council approve a five (5) minute recess.

Carried

Mayor Henderson called the meeting to order after a recess at 9:30 P.M.

PLANNING AND DEVELOPMENT SERVICES

Chair, Councillor Beatty - Planning and Development Services Coordinator

Correspondence from the County of Northumberland and Resolution from the County of Northumberland regarding Recommendations for Provincially Significant Employment Zones (PSEZs) (Referred from the September 9, 2019 Regular Council Meeting).

Moved by Councillor Nicole Beatty, THAT Council receive the County of Northumberland Staff Report on the recommendations for Provincially Significant Employment Zones (PSEZs) for information purposes.

Carried

Memo from Planner 1 - Heritage, regarding the Downtown Cobourg Vitalization Community Improvement Plan: 2019 Intake.

Moved by Councillor Nicole Beatty, THAT Council authorize the disbursement of the following financial incentives under the programs of the Downtown Cobourg Community Improvement Plan (CIP) in the amount of \$110,000 in grants + \$5,000 in loan costs (for loans totaling \$71,942) for a total expenditure of \$115,000:

- 1 King Street East. (TVM Group): \$37,080 Residential Grant and Building Improvement Grant;
- 38 Covert Street (Lee): \$24,000 Residential Grant and Building Improvement Grant. \$25,000 Building Improvement Loan and a \$40,000 Residential Loan;
- 52 King Street West (Kest and York): \$12,340 Façade Improvement Grant and Building Improvement Grant;
- 5 King Street West (Bowman): \$8,655 Façade Improvement Grant and Building Improvement Grant;
- 23-29 King Street West (Copeman-Kessler): \$8,455 Façade Improvement Grant and Building Improvement Grant.
- 2 King Street West (Reidrev/Verdier): \$7,540 Study Grant and Building Improvement Grant;
- 77 Albert Street (Lee): \$6,255 Façade Improvement and Building Improvement Grant;
- 322 George Street (McLachlan): \$2,715 Façade Improvement Grant and

\$6,942 Façade Improvement Loan;

- 112 Orange Street (Brown): \$890 Façade Improvement Grant;
- 275 George Street (Panaitescu): \$845 Façade Improvement Grant;
- 80 King Street West (Molen): \$775 Building Improvement Grant; and
- 6 King Street West (Reidrev/Verdier): \$450 Façade Improvement Grant.

Amended

Motion to Amend:

Moved by Deputy Mayor Suzanne Séguin, THAT the following wording be deleted from the motion:

- 322 George Street (McLachlan): \$2,715 Facade Improvement Grant;
- 112 Orange Street (Brown): \$890 Facade Improvement Grant;
- 275 George Street (Panaitescu): \$845 Facade Improvement Grant;
- 80 King Street West (Molen): \$775 Building Improvement Grant; and
- 2 King Street West (Reidrev/Verdier) \$7,540 Study Grant and Building Improvement Grant.

Carried

Motion to Amend:

Moved by Councillor Brian Darling, THAT the flowing wording be added:

FURTHER THAT 2 King Street West Study Grant to be revised by Staff as part of the CIP recalculation amounts to be brought forward on September 30, 2019.

Carried

Moved by Councillor Nicole Beatty, THAT Council authorize the disbursement of the following financial incentives under the programs of the Downtown Cobourg Community Improvement Plan (CIP) in an amount to be recalculated by Staff and brought back to Council for consideration at the September 30 Regular Council, which includes the amounts for grants, loan costs, loans totaling and total expenditure:

- 1 King Street East. (TVM Group): \$37,080 Residential Grant and Building Improvement Grant;
- 38 Covert Street (Lee): \$24,000 Residential Grant and Building Improvement Grant. \$25,000 Building Improvement Loan and a \$40,000 Residential Loan;
- 52 King Street West (Kest and York): \$12,340 Façade Improvement Grant and Building Improvement Grant;
- 5 King Street West (Bowman): \$8,655 Façade Improvement Grant and Building Improvement Grant;
- 23-29 King Street West (Copeman-Kessler): \$8,455 Façade Improvement Grant and Building Improvement Grant.
- 2 King Street West (Reidrev/Verdier): Study Grant to be revised by Staff as part of the recalculations;
- 77 Albert Street (Lee): \$6,255 Façade Improvement and Building Improvement Grant;
- 322 George Street (McLachlan): \$6,942 Façade Improvement Loan; and
- 6 King Street West (Reidrev/Verdier): \$450 Façade Improvement Grant.

Carried

Motion to Extend the Meeting past 10:00 P.M.

Moved by Councillor Aaron Burchat, THAT the Committee of the Whole meeting be extended past 10:00 P.M. until its conclusion.

Carried

Memo from the Senior Planner - Development and Notice of Hearing of the Committee of Adjustment for File No. B-16/19, B-17/19 and B-18/19, 717-725 Wilkins Gate, Lots 102-106, Plan 39M-901 (New Amherst Ltd.), and File No. A-06/19, 274 Tracey Road (Joe Militello).

Moved by Councillor Nicole Beatty, THAT Council receive the Notice of Hearings of the Committee of Adjustment for information purposes and endorse the comments of the Planning Department.

Carried

Response to a Public Meeting held on September 23, 2019 regarding a proposed Draft Plan of Subdivision for the parcel of land known municipally as 425 and 425A King Street East. (Mason Homes/RFA Planning Consultant Inc.).

Moved by Councillor Nicole Beatty, THAT Council endorse the comments of the Planning Department, acknowledge the Motion of support from the Planning and Development Advisory Committee and authorize the preparation of a By-law to be endorsed and be presented to Council for adoption at a Regular Council Meeting regarding the approval of a Draft Plan of Subdivision for the property known municipally as 425 and 425A King Street East which will create twenty-seven (27) new freehold townhouse lots within five (5) residential blocks on a 1.58 ha (3.90 ac) parcel.

Carried

PUBLIC WORKS SERVICES

Chair, Councillor Darling - Public Works Services Coordinator

Memo from the Director of Public Works, regarding the Sidewalk Priority Plan – 2019 Revision.

Moved by Councillor Brian Darling, THAT Council approve the revised 2019 Sidewalk Priority Plan as provided in the Report.

Referred

Motion to Refer:

Moved by Councillor Brian Darling, THAT Council the revised 2019 Sidewalk Priority Plan to the October 15, 2019 Committee of the Whole Meeting for consideration by Council.

Carried

PARKS AND RECREATION SERVICES

Chair, Councillor Chorley - Parks and Recreation Services Coordinator

Memo from the Deputy Director of Community Services Division, regarding the Aquatic Safety Audit Report for the Town of Cobourg Harbour.

Moved by Councillor Emily Chorley, THAT Council refer the lifesaving Society's Audit of the Cobourg Harbour to the Parks and Recreation Advisory Committee to obtain feedback on the report's recommendations.

Amended

Motion to Amend:

Moved by Councillor Brian Darling, THAT the following wording be added:

FURTHER THAT Staff provide a report along with the comments from the Parks and Recreation Advisory Committee that is inclusive of all user groups and

FURTHER THAT the Staff Report come to Council for the first Committee of the Whole meeting in March 2020.

Carried

Moved by Councillor Emily Chorley, THAT Council refer the lifesaving Society's Audit of the Cobourg Harbour to the Parks and Recreation Advisory Committee to obtain feedback on the report's recommendations; and

FURTHER THAT Staff provide a report along with the comments from the Parks and Recreation Advisory Committee that is inclusive of all user groups; and

FURTHER THAT the Staff Report come to Council for the first Committee of the Whole meeting in March 2020.

Carried

PROTECTION SERVICES

Chair, Councillor Burchat - Protection Services Coordinator

Memo from the Secretary of the Accessibility Advisory Committee, regarding the Sidewalk Priority Plan.

Moved by Councillor Aaron Burchat, THAT Council receive the Memo for information purposes.

Carried

Memo from the Secretary of the Accessibility Advisory Committee, regarding the pedestrian signal upgrade at the Burnham Street, William Street and Elgin Street West intersection.

Moved by Councillor Aaron Burchat, THAT Council receive the Memo for information purposes.

Carried

ARTS, CULTURE AND TOURISM SERVICES

Chair, Councillor Bureau - Arts, Culture and Tourism Services Coordinator

Motion from the Secretary of the Sustainability and Climate Change Advisory Committee, regarding the adoption of a definition on Sustainability.

Moved by Councillor Adam Bureau, THAT Council refer the recommended definition of Sustainability to the Sustainability and Climate Change Advisory Committee for further review and consideration.

Carried

UNFINISHED BUSINESS

The items listed in the order of the topics set out in the agenda of prior meetings which have not been disposed of by Council and the date of their first appearance on the agenda shall be noted and repeated on each subsequent agenda until disposed of by Council, unless removed from the agenda by leave of Council. - Council Procedural By-law No. 009-2019.

Unfinished Business Item	Meeting Date	Department/Division	Deadline Date
Extension of the RFP for the position of the Municipal Ombudsman.	05-21-19	Legislative Services	Oct 15 2019
Staff Report regarding Adult Fitness Park in Cobourg	06-12-19	Community Services	Oct 15, 2019
Staff Report Sustainability and Climate Change Advisory Committee, regarding a recommendation to support the Banning/Phasing out of Bottled Water in Municipal Facilities and Municipal Events.	06-24-19	Chief Administrative Officer	Nov 4, 2019
Terms of Reference regarding a social planning and/or Community Development Advisory Committee, regarding affordable housing.	01-28-19	Legislative Department	Nov 25, 2019
MOU to be provided to Council Re Cobourg Dragon Boat and Canoe Club	07-22-19	Community Services	Dec 2, 2019
Report reviewing the Town of Cobourg Public Comment and Complaint Policy.	05-13-19	Legislative Department	Nov 4, 2019
Business Plans and project justification for potential Provincial Audit and Accountability Fund projects	07-22-19	Various Departments	2020 Budget
Update the Capital Sidewalk Extension Program Priority Guidelines to reflect actual walking/driving distances for Northwood Drive.	02-25-19	Public Works	Oct, 15, 2019
Staff Report reviewing the impacts of the	04-01-19	Public Works	Oct 15, 2019

Traffic Study for Lower Division Street/Esplanade Area.			
Staff Report regarding the public engagement and recommended repairs/improvements for the East Pier and Victoria Park Campground	07-02-19	Community Services	Oct 15, 2019
Review of the Taxicab by-law, with the inclusion of ride sharing transportation such as Uber or Lyft, and with input by the public and taxicab owners and operators.	02-19-19	Legislative Department	Nov 25, 2019
Report outlining suggestions for enhancing the amenities for anglers and the regulation of fishing-related activities at the Cobourg Marina.	09-03-19	Community Services	Apr 30, 2020
Memo from John Ewart, Town of Cobourg Municipal Ombudsman, regarding a Town of Cobourg Ombudsman Complaint 1-2018.	11-26-18	Legislative Department	
Staff Report reviewing the impacts of the Traffic Study for Condo. Corp. #58- 148 Third Street.	04-01-19	Public Works	
Traditional Land Acknowledgment Statement to be read at Council Meeting	05-13-19	Legislative Department	

COMMITTEE OF THE WHOLE OPEN FORUM

CLOSED SESSION

Moved by Deputy Mayor Suzanne Séguin, THAT Council meet in Closed Session in accordance with Section 239 of the *Municipal Act, 2001*, regarding:

- s. 239(2)(i) A trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization:

1. Development/Partnership Proposal

Referred

Moved by Deputy Mayor Suzanne Séguin, THAT Council refer the Closed Session of Council to the October 15, 2019 Committee of the Whole Council Meeting.

Carried

ADJOURNMENT

Moved by Councillor Brian Darling, THAT the Meeting adjourned (11:36 P.M.).

Carried



**The Corporation of the
Town of Cobourg**

Resolution

Moved By _____
Last Name Printed _____

Resolution No.:

Seconded By _____
Last Name Printed _____

Council Date:
September 30, 2019

WHEREAS at the Committee of the Whole on September 23, 2019, Council considered a Report from the Chief Administrative Officer, regarding the 2019-2022 Municipal Council Strategic Plan Work Plan;

NOW THEREFORE BE IT RESOLVED THAT Council accept the noted Work Plan as provided in Appendix 'A', as the appropriate tasks required to execute the 2019-2022 Strategic Plan; and

FURTHER THAT Council forward any of the listed projects requiring funding to the 2020-2022 budget deliberations; and

FURTHER THAT Council direct Staff to report back progress of the Work Plan semi-annually in September and March of each year.

APPENDIX 'A'



2019 – 2022 Strategic Plan Work Plan The Corporation of the Town of Cobourg

Pillar: PEOPLE**The Town supports and cares for the social and physical well-being of its citizens.****Action #1 Create a housing strategy that is in alignment with Northumberland's housing strategy**

Work	Target Date	Budget	Staff Responsible
• Report to Council on options for developer assistance	Complete	Operating	CAO/TREAS/DPD/Clerk
• Obtain legal opinion on options	Complete	Operating	Clerk
• Framework on Affordable Housing	Dec 2019	Operating	CAO/TREAS/DPD/Clerk
• Execute Town wide Affordable & Rental Housing CIP	Mar 2020	\$65,000.00	DPD
• Amend Parkland Dedication By-law	Oct 2019– pending Bill 108 Review	Operating	DPD
• Amend Planning and Building Fees By-laws	Oct 2020	Operating	DPD
• Prepare standard agreements in consultation with County	Nov 2019	Operating	CAO/TREAS/DPD/Clerk/County
• Evaluate requests and provide recommendations to Council	Ongoing until end of program	Operating	Planning & Development Services
• Initiate Town of Cobourg Official Plan Update	Mar 2022+	TBD	DPD

Action #2 Implement a Youth Program

Work	Target Date	Budget	Staff Responsible
• Involve youth in Town Council/Outreach to Local Schools	Ongoing until end of program	N/A	Clerk/Council
• As recommended in the Recreation Strategy and Implementation Plan, develop a Youth Strategy that involves youth in their program planning and the future delivery of activities that engage them in various roles	March 2020	TBD	DCS
• The new Cultural Master Plan will include • considerations and recommendations for youth	Nov 2019	TBD	DCS
• Create a Youth Advisory Committee	Jan 2020	N/A	Clerk/Council
• Incorporate the Youth into Local Government Week/Cobourg Day	Yearly	N/A	Clerk/Council

Action #3 Encourage Healthy Lifestyles across all age groups by promoting and raising awareness about public health and active transportation

Work	Target Date	Budget	Staff Responsible
• Ensure inclusion in Cultural Masterplan	Completed by end of 2019	TBD	DCS
• Update Transportation Master Plan to incorporate active transportation PR Strategy	Dec 2020	TBD	CM/DPW
• Create Healthy Life Style Strategy for the Town of Cobourg, including outreach awareness program.	Dec 2021	TBD	CAO/Directors/CM

Action #4 Continue to pursue the Age-Friendly Communities designation

Work	Target Date	Budget	Staff Responsible
• Pursue designation while following program requirements	2020-2021	TBD	Community Services Division

Action #5 Invest in programs, services and infrastructure to make Cobourg more accessible

Work	Target Date	Budget	Staff Responsible
• Update plan in consultation with Accessibility Committee on Accessible Audit as part of the Asset Management Plan	Completed by end of 2019	N/A	PW Division
• Hire a short term Contract Accessibility Coordinator for Corporate wide Accessibility initiatives for AODA compliance by 2025 including completion of Building Audits.	Jan 2020	\$55,000	Legislative Services
• Review and update the Town of Cobourg's Accessibility Policy	March 2020	TBD	Legislative Services
• Draft an updated Multi-Year Accessibility Plan and present to Council for Adoption	June 2020	TBD	Legislative Services
• Implement the Multi-Year Accessibility Plan and provide an annual report to Council on progress	June 2020 and onwards		

Note: All work should be undertaken in consultation with the Accessibility Advisory Committee.

Pillar: PLACES

The Town protects, preserves and promotes its natural assets, heritage, arts, culture and tourism.

Action #1 Investigate the creation of additional heritage conservation districts as outlined in the Heritage Masterplan

Work	Target Date	Budget	Staff Responsible
• Heritage Conservation District (HCD) Study	2021	\$75,000 - 2020 Deliberations	DPD
• Report to Council on Heritage Study Options	Oct/Nov 2019	Operating	DPD
• Initiate and Carry out Studies - RFP	Jun, 2020	Operating	DPD
• Council Approval of HCD	Jun, 2021	N/A	Council

Action #2 Create a Climate Action Plan

Work	Target Date	Budget	Staff Responsible
• Form sustainability and climate action plan committee	Complete	N/A	Council/Clerk
• Hire a Climate Change/Environment Consultant to prepare Town Climate Change Action Plan	2020	TBA	DPW/Clerk
• Implement Climate Action plan	Ongoing	TBA	CAO/Directors

Action #3 Upon completion of cultural masterplan, consider creation of Town arts, culture and tourism division

Work	Timing	Budget	Staff Responsible
• Corporate Wide Service Delivery Review - Building Efficiencies Fund.	Late 2019	\$100,000	CAO
• Implement Organizational adjustments as needed on Delivery Outcomes	Late 2019	TBD	CAO

Action #4 Continue implementation of Downtown Vitalization Action Plan (DVAP)

Work	Timing	Budget	Staff Responsible
• Update DVAP Action Table and Develop Implementation Plan	Dec 2019	Operating	CAO/DPW/DCS/ DPD/CM
• Implement the Plan as ongoing reports to Council	Ongoing	TBD	CAO/DPW/DCS/ DPD/CM
• Implement Downtown Master Plan, Downtown Vitalization CIP in conjunction with Downtown Coalition Report	Ongoing	TBD	CAO/DPW/DCS/ DPD

Action #5 Review and improve the financial performance of Town operated facilities

Work	Timing	Budget	Staff Responsible
• Complete facility condition assessments as part of the Asset Management Plan	Jul 2020	N/A	CAO
• Decommission Memorial Arena (future use of building to be determined at a later date)	Completed by end of 2019	N/A	DCS
• Regular Review of Fee Schedule	Ongoing each year	N/A	ALL DIVISIONS

Action #6 Repair and rejuvenate the East Pier

Work – Preliminary	Timing	Budget	Staff Responsible
• Initial public engagement plan	Nov 2019	N/A	DCS
• Procure Engineers/Landscape Architects	Jan 2020	TBD	DCS/PW
• Prepare designs, engineering drawings and tender documents	Nov 2020	TBD	DCS/PW
• 2021 Budget Deliberations & obtain all necessary permits	Jan 2021	TBD	DCS
• Project Tender/Construction	Completed by end of 2021	TBD	DCS/PW

Action #7 No expansion of boat slips at the Cobourg marina will be considered during this term of Council and the natural environment of the West Harbor will be safeguarded and protected

Work	Timing	Budget	Staff Responsible
• Policy Item for Council's Action	Complete – Motion #296-19	N/A	N/A

Pillar: PROGRAMS

The Town provides efficient and effective corporate, community and business and recreational services for its residents, businesses and visitors.

Action #1 Develop an information technology strategic plan

Work	Timing	Budget	Staff Responsible
• Tender work	Nov 2019	N/A	DCS
• Complete plan	Aug 1, 2020	\$40,000.00	DCS
• Execute plan	TBD	TBD	DCS

Action #2 Develop an Integrated Records Management System

Work	Timing	Budget	Staff Responsible
• Complete record management inventory	Dec 2019	N/A	Clerk/All Divisions
• Create record management plan	Apr 2020	\$25,000.00	Clerk/All Divisions
• Execute record management Plan/Electronic Records	Dec 2020	TBD	Clerk/All Divisions
• Open Governance Records Model System	Dec 2023	TBD	Clerk/All Divisions

Action #3 Implement a comprehensive management plan for all town assets

Work	Timing	Budget	Staff Responsible
• Create AMP policy (provincial requirement)	Complete	N/A	DPW
• Develop a Corporate Wide Asset Management System that includes condition assessments for all Municipal Assets to create a fully Integrated Asset Management Software.	Jul 2020	\$90,000	DPW/PW

Action #4 Explore enhanced sidewalk snow clearing including the clearing of arterial bike lanes and multi-use paths

Work	Timing	Budget	Staff Responsible
• Complete study regarding additional snow clearing with costs	July/August 2020	TBD	DPW

Action #5 Review and assess appropriateness of agreements with Facility User Groups.

Work	Timing	Budget	Staff Responsible
• Provide Council with a Spreadsheet outlining all facility User-Group contract/Agreements held with the Town of Cobourg.	April 2020	N/A	CAO/Clerk
• Develop list of agreements to review	May 2020	N/A	CAO/Clerk
• Review and provide recommendations to Council	September 202	N/A	CAO/Clerk

Action #6 Continue to explore communications priorities including social media and public engagement tools

Work	Timing	Budget	Staff Responsible
• Onboard bang the table	Completed	\$10,000.00	CM/CAO
• Update communication strategic plan in-house	Completed by end of 2019	N/A	CM/CAO
• Execute updated Communication Strategic Plan	TBD	N/A	CM/CAO

Pillar: PARTNERSHIP

The Town engages in strong, sustainable public-private partnerships to improve the quality of life for everyone.

Action #1 Explore feasibility of partnerships to develop a social services community hub for community health priorities such as food security, mental health, drug addiction and homelessness

Work	Timing	Budget	Staff Responsible
• Work with partners to form plan	Sep 1, 2020	TBD	CAO
• Community Safety Plan	18 Months	TBD	Council/County/Clerk

Action #2 Explore future partnerships with Venture 13 to promote innovation, education and entrepreneurial opportunities

Work	Timing	Budget	Staff Responsible
• Complete V13 Strategic Plan	Sep 2019	N/A	CAO
• Execute Plan	Oct 2019	TBD	CAO

Action #3 Continue to work with Sustainable Cobourg and other stakeholders on greening Cobourg initiatives

Work	Target Date	Budget	Staff Responsible
• Form Sustainability and Climate Change Advisory Committee	Complete	N/A	Council/Clerk
• Work with Committee and Stakeholders to Plan Programs	Dec 2019	N/A	Clerk
• Hire a Climate Change/Environmental Consultant	Mar 2020	TBD	DPW/Clerk
• Prepare a Climate Action Plan	Dec 2020	TBD	DPW
• Prepare a Town Wide Community Sustainability Plan	Dec 2021	\$100,000	DPD/CAO/DPW/Clerk
• Complete Plans	2022	N/A	DPD/CAO/DPW/Clerk
• Execute Plans and On-going Projects	2022+ - Ongoing	TBA	Council/Staff

Action #4 Work with transit authorities in the area to integrate transit services, including accessible and active transportation services

Work	Timing	Budget	Staff Responsible
Convene stakeholders meetings	On-going	N/A	DPW
Prepare west Northumberland integrated transit study RFP following completion of County's Go Transit Expansion Business Case.	Oct 2019	N/A	DPW
Tender and conduct west Northumberland integrated transit study RFP	Dec 2019	N/A	DPW
Execute west Northumberland integrated transit study	Jun 2020	TBD	DPW
Execute study recommendations	TBD	TBD	DPW

Action #5 Facilitate meaningful collaboration with Cobourg citizens

Work	Timing	Budget	Staff Responsible
Corporate Communication Initiatives	On-going	TBA	CM/Directors
Use and Engagement with Bang the Table	On-going	TBA	CM/Directors

Pillar: PROSPERITY**The Town Plans for, markets and develops assets for economic growth and financial security.****Action #1 Develop a policy for establishing shovel ready development lands**

Work	Timing	Budget	Staff Responsible
• Develop policy	Aug 2019	N/A	CAO
• Provide work plan to Council	Oct 2019	TBA	CAO
• Execute plan	TBA	TBA	CAO

Action #2 Coordinate funding opportunities to optimize community development capital and special project funding opportunities

Work	Timing	Budget	Staff Responsible
• Create funding opportunities officer/Coordinate with the County	Sep 2019	N/A	CAO
• Execute plan	TBD	TBD	CAO

Action #3 Review feasibility of expanding Northam Industrial Park

Work	Timing	Budget	Staff Responsible
• Future Utilization Plan of the Northam Park	Jul 2020	N/A	CAO/TREAS/DPD/DPW

Action #4 Explore innovative solutions to improve connectivity between beach/waterfront and downtown Cobourg

Work	Timing	Budget	Staff Responsible
• Victoria Square Connection Phase 4	TBD	N/A	DPW/DCS
• Special Event Integration	Ongoing		DCS
• DBIA Collaboration	Ongoing		All Divisions
• Implement recommendations of all Master Plans	Ongoing	TBA	All Divisions

Action #5 Develop resources to support small businesses coming to Cobourg			
Work	Timing	Budget	Staff Responsible
• Complete gap analysis to identify supports not in place	Dec 1, 2019	N/A	CAO
• Develop required supports	TBD	TBD	CAO

Action #6 Review the mandate of Town Economic Development Department			
Work	Timing	Budget	Staff Responsible
• Service Delivery Review - Building Efficiencies Funding	2019/2020	\$100,000	CAO

Definitions

CAO	Chief Administrative Officer	DPW	Director of Public Works	TBA	To be Announced
TREAS	Director of Corporate Services	DCS	Director of Community Services	TBD	To be Determined
DPD	Director of Planning and Development Services	CM	Communications Manager	RFP	Request for Proposal



**The Corporation of the
Town of Cobourg**

Resolution

Moved By _____
Last Name Printed _____

Resolution No.:


Seconded By _____
Last Name Printed _____

Council Date:
September 30, 2019

WHEREAS at the Committee of the Whole on September 23, 2019, Council considered a Motion regarding the Downtown Cobourg Vitalization Community Improvement Plan: 2019 Intake;

NOW THEREFORE BE IT RESOLVED THAT Council authorize the disbursement of the following financial incentives under the programs of the Downtown Cobourg Community Improvement Plan (CIP) in an amount to be recalculated by Staff and brought back to Council for consideration at the September 30 Regular Council, which includes the amounts for grants, loan costs, loans totaling and total expenditure in the amount of \$99,735 (grants), \$71,942 (loans), and \$5,000 (loan costs) equaling \$104,735:

- 1 King Street East. (TVM Group): \$37,080 Residential Grant and Building Improvement Grant;
- 38 Covert Street (Lee): \$24,000 Residential Grant and Building Improvement Grant. \$25,000 Building Improvement Loan and a \$40,000 Residential Loan;
- 52 King Street West (Kest and York): \$12,340 Façade Improvement Grant and Building Improvement Grant;
- 5 King Street West (Bowman): \$8,655 Façade Improvement Grant and Building Improvement Grant;
- 23-29 King Street West (Copeman-Kessler): \$8,455 Façade Improvement Grant and Building Improvement Grant.
- 2 King Street West (Reidrev/Verdier): \$2,500 Study Grant;
- 77 Albert Street (Lee): \$6,255 Façade Improvement and Building Improvement Grant;
- 322 George Street (McLachlan): \$6,942 Façade Improvement Loan; and
- 6 King Street West (Reidrev/Verdier): \$450 Façade Improvement Grant.

	<p>THE CORPORATION OF THE TOWN OF COBOURG</p>
	<p>BY-LAW NUMBER <u>066-2019</u></p>

A BY-LAW TO AUTHORIZE EXECUTION OF AN AGREEMENT WITH THE WEST NORTHUMBERLAND CURLING CLUB AND THE TOWN OF COBOURG FOR LEASE OF JACK HEENAN ARENA, 206 FURNACE STREET, COBOURG.

WHEREAS pursuant to Section 9 of the *Municipal Act*, 2001 S.O. c. 25 which provides in part that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS Council passed a motion at the Committee of the Whole Meeting held on September 23, 2019 to authorize the Deputy Mayor and Municipal Clerk to execute a lease agreement between the Town of Cobourg and the West Northumberland Curling Club for the exclusive use of the Jack Heenan Arena, located at 206 Furnace Street, Cobourg;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

1. THAT the Deputy Mayor and Municipal Clerk are hereby authorized and instructed to execute an Agreement with the West Northumberland Curling Club for the lease of the 206 Furnace Street, Cobourg owned by the Municipality for use as a Curling Club.
1. That the term of the contract shall be ten (10) years upon signing of the Agreement to begin September 1, 2019 through August 31, 2029.
2. This By-law shall come into force and effect upon date of passing.

READ and finally passed in Open Council this 30th day of September, 2019.

MAYOR

MUNICIPAL CLERK

Appendix A
Lease Agreement
206 Furnace Street- Jack Heenan Arena, Cobourg

COMMERCIAL LEASE

Made as of the 1st day of September, 2019

BETWEEN:

**THE CORPORATION OF THE TOWN OF
COBOURG**

(the "Landlord")

- and -

WEST NORTHUMBERLAND CURLING CLUB

(the "Tenant")

WHEREAS the Tenant has occupied the Premises for the period from September 1, 2016 to August 31, 2019 without a formal lease being in place (the "Holdover Period") the landlord shall issue an invoice to the tenant consisting of the amounts as detailed in Schedule A which shall include all amounts owing for the holdover period and no further amounts shall be owing for the holdover period. The amount shown in Schedule A shall be paid in full within 30 days of issuance and prior to the execution of this lease.

In consideration of the rents, covenants and obligations stipulated herein the Landlord and the Tenant have agreed to enter into a Lease of the arena located at the premises known municipally as the Jack Heenan Arena, 206 Furnace Street, Cobourg, Ontario (the "Premises").

1. GRANT OF LEASE

- (1) The Landlord leases the Premises to the Tenant:
 - a) at the Rent set forth in Section 2;
 - b) for the Term set forth in Section 3; and
 - c) subject to the conditions and in accordance with the covenants, obligations and agreements herein.
- (2) The Landlord covenants that it has the right to grant the leasehold interest in the Premises free from encumbrances except as disclosed on title.
- (3) The Tenant's right to the Premises is subject to the following:
 - a) The Tenant shall have non-exclusive use of the parking lot surrounding the Premises;

2. RENT

- (1) Rent means the amounts payable by the Tenant to the Landlord pursuant to this Section and includes Base Rent and Additional Rent.
- (2) The Tenant covenants to pay to the Landlord during the Term of this Lease, Base Rent of Seven Thousand Two Hundred Dollars (\$7,200.00) ; per annum; plus HST, payable in advance in eight monthly instalments of \$900 plus HST for the months of September through April of the following year.

- (3) The Tenant further covenants to pay all other sums required by this Lease to be paid by it and agrees that all amounts payable by the Tenant to the Landlord or to any other party pursuant to the provisions of this Lease shall be deemed to be additional rent ("Additional Rent") whether or not specifically designated as such in this Lease.
- (4) Except as otherwise set out in this Lease, the Landlord and the Tenant agree that it is their mutual intention that this lease shall be a completely carefree net lease for the Landlord and that the Landlord shall not, during the Term of this Lease, be required to make any payments in respect of the Premises other than charges of a kind personal to the Landlord:
- a) and to effect the said intention of the parties, the Tenant promises to pay the following expenses related to the Premises as Additional Rent;
 - i) business taxes and licenses;
 - ii) utilities (including but not limited to gas, electricity, water, heat, air-conditioning);
 - iii) services supplied to the Premises, provided that this does not in any way oblige the Landlord to provide any services, unless otherwise agreed in this Lease;
 - iv) maintenance, repair and replacement of the Premises and all parts and components thereof;
 - v) insurance premiums for the Premises in the amount of Nine Thousand Dollars plus HST (\$9,000.00 plus HST) per annum for the term of the lease;
 - vi) sales tax, and any other taxes imposed on the Landlord respecting the Rent;
 - vii) all other charges, impositions, costs and expenses of every nature and kind whatsoever related to the Premises, unless otherwise agreed to in this Lease;
 - b) and if any of the foregoing charges are invoiced directly to the Tenant, the Tenant shall pay same as and when they become due and shall produce proof of payment to the Landlord immediately if requested to do so; but the Tenant may contest or appeal any such charges at the Tenant's own expense;
 - c) and the Tenant hereby agrees to indemnify and protect the Landlord from any liability accruing to the Landlord in respect of the expenses payable by the Tenant as provided for herein;
 - d) and if the Tenant fails to make any of the payments required by this Lease then the Landlord may make such payments and charge to the Tenant as Additional Rent the amounts paid by the Landlord; and if such charges are not paid by the Tenant on demand the Landlord shall be entitled to the same remedies and may take the same steps for recovery of the unpaid charges as in the event of Rent in arrears;
 - e) and if the Tenant enjoys the use of any common areas and facilities not included in the Premises, the Tenant shall pay its proportionate share of the foregoing expenses relating to such common areas and facilities. In addition, the Tenant shall pay the

sum of Two Thousand Dollars (\$2,000.00) per annum plus HST as a contribution towards grass cutting, grading and snowploughing costs for the current term.

- (5) Additional Rent shall be payable in monthly instalments in advance commencing on the first day of September each year through April of the following year during the Term, and the Landlord shall at least once each year provide the Tenant with a statement providing such information as may be required to calculate accurately the amounts payable by the Tenant as Additional Rent:
- (6) All payments to be made by the Tenant pursuant to this Lease shall be delivered to the Landlord at the Landlord's address for service set out in Section 17 or to such other place as the Landlord may from time to time direct in writing.
- (7) All Rent in arrears and all sums paid by the Landlord for expenses incurred which should have been paid by the Tenant shall bear interest from the date payment was due, or made, or expense incurred at a rate per annum equal to the prime commercial lending rate of the Landlord's bank plus two (2) per cent.
- (8) The Tenant acknowledges and agrees that the payments of Rent and Additional Rent provided for in this Lease shall be made without any deduction for any reason whatsoever unless expressly allowed by the terms of this Lease or agreed to by the Landlord in writing; and
 - a) No partial payment by the Tenant which is accepted by the Landlord shall be considered as other than a partial payment on account of Rent owing and shall not prejudice the Landlord's right to recover any Rent owing.
- (9) Shoulder Season. The Tenant shall pay the Landlord on September 1st each year any rental payments from any subtenants or Licensees received by the Tenant in the prior year of the Term during the time when there was no ice on the arena floor pad, and/or for any rentals outside of curling activities.

3. TERM AND POSSESSION

- (1) The Tenant shall have possession of the Premises for a period of ten (10) years, commencing on the 1st day of September 2019, and ending on the 31st day of August 2029 (the "Term") during which time the Landlord shall assess the future potential uses for the Premises, in its sole discretion which determination may affect the possibility of future terms or renewals.
- (2) Subject to the Landlord's rights under this Lease, and as long as the Lease is in good standing, the Landlord covenants that the Tenant shall have quiet enjoyment of the Premises during the Term of this Lease without any interruption or disturbance from the Landlord or any other person or persons lawfully claiming through the Landlord except as expressly provided in this lease.

4. ASSIGNMENT

- (1) The Tenant shall not assign this Lease or sublet the whole of the Premises unless it first obtains the consent of the Landlord in writing, which consent may not unreasonably be withheld provided that; proof of all required insurance coverage and permits are provided to the Landlord

at time of consent and further that consent may include fees to be negotiated and paid to the Landlord.

Tenant hereby waives its right to the benefit of any present or future Act of the Legislature of Ontario which would allow the Tenant to assign this Lease or sublet the Premises without the Landlord's consent.

- (2) The consent of the Landlord to any assignment or subletting shall not operate as a waiver of the necessity for consent to any subsequent assignment or subletting.
- (3) Any consent granted by the Landlord shall be conditional upon the assignee, sub lessee or occupant executing a written agreement directly with the Landlord agreeing to be bound by all the terms of this Lease as if the assignee, sub lessee or occupant had originally executed this Lease as Tenant.
- (4) Any consent given by the Landlord to any assignment or other disposition of the Tenant's interest in this Lease or in the Premises shall not relieve the Tenant from his obligations under this Lease, including the obligation to pay Rent and Additional Rent as provided for herein.
- (5) If the party originally entering into this Lease as Tenant, or any party that subsequently becomes the Tenant by way of assignment or sublease or otherwise as provided for in this Lease, is a corporation then:
 - a) the Tenant shall not be entitled to deal with its authorized or issued capital or that of an affiliated company in any way that results in a change in the effective voting control of the Tenant unless the Landlord first consents in writing to the proposed change;
 - b) if any change is made in the control of the Tenant corporation without the written consent of the Landlord then the Landlord shall be entitled to treat the Tenant as being in default and to exercise the remedies stipulated in paragraph 10(2) of this Lease and any other remedies available in law;
 - c) the Tenant agrees to make available to the Landlord or his authorized representatives the corporate books and records of the Tenant for inspection at reasonable times.

5. USE

- (1) During the Term of this Lease the Premises shall not be used for any purpose other than the normal use by a curling club of an arena without the express consent of the Landlord given in writing.
- (2) The Tenant shall not do or permit to be done at the Premises anything which may:
 - a) constitute a nuisance;
 - b) cause damage to the Premises;
 - c) cause injury or annoyance to the occupants of neighbouring premises;
 - d) make void or voidable any insurance upon the Premises;
 - e) constitute a breach of any by-law, statute, order or regulation of any municipal, provincial or other competent authority relating to the Premises.

- (3) Staffing. The staffing for operation of the Premises will be provided by the Tenant.

6. REPAIR AND MAINTENANCE

- (1) The Tenant covenants that during the term of this Lease and any renewal thereof the Tenant shall keep in good condition the Premises and including, without limiting the foregoing all structures, fixtures, plumbing, heating HVAC, electrical, ice making and other systems, equipment and components thereof, including all alterations and additions made thereto, save and except the roof, roof membrane and exterior walls, and shall, with or without notice, promptly make all needed repairs and all necessary replacements as would a prudent owner.
- (2) The Tenant shall permit the Landlord, or a person authorized by the Landlord to enter the Premises to examine the condition thereof and view the state of repair at reasonable times with 24 hours prior notice to the Tenant:
 - a) and if upon such examination repairs are found to be necessary, written notice of the repairs required shall be given to the Tenant by or on behalf of the Landlord and the Tenant shall make the necessary repairs within the time specified in the notice;
 - b) and if the Tenant refuses or neglects to keep the Premises in good repair the Landlord may, but shall not be obliged to, make any necessary repairs, and shall be permitted to enter the Premises, by himself or his servants or agents, for the purpose of effecting the repairs without being liable to the Tenant for any loss, damage or inconvenience to the Tenant in connection with the Landlord's entry and repairs; and if the Landlord makes repairs the Tenant shall pay the cost of them immediately as Additional Rent.
- (3) Upon the expiry of the Term or other determination of this Lease the Tenant agrees peaceably to surrender the Premises, including any alterations or additions made thereto, to the Landlord in a state of good repair.
- (4) The Tenant shall immediately give written notice to the Landlord of any substantial damage that occurs to the Premises from any cause.
- (5) For the purpose of this section "Major Capital Repair or Replacement" means any capital repair or replacement costs for the premises over \$25,000 Including costs related to the roof, walls or other major building systems. In the event such a Major Capital Repair or Replacement is required, the Landlord has the option but not the obligation to proceed with that repair. In the event that the Landlord elects not to proceed with the repair, it will provide the Tenant with written notice of same and provide the Tenant with a plan, timelines and cost for such repair. The Tenant may thereupon elect to have the Landlord complete the repair and the Tenant's expense. Failing this, the Landlord has the option to terminate the Lease on 30 days' notice.

7. ALTERATIONS AND ADDITIONS

- (1) If the Tenant, during the Term of this Lease or any renewal of it, desires to make any alterations or additions to the Premises, including but not limited to: erecting partitions, attaching equipment, and installing necessary furnishings or additional equipment of the Tenant's business, the Tenant may do so at his own expense, at any time and from time to time, if the following conditions are met:

- a) before undertaking any alteration or addition the Tenant shall submit to the Landlord a plan showing the proposed alterations or additions and the Tenant shall not proceed to make any alteration or addition unless the Landlord has approved the plan, and the Landlord shall not unreasonably or arbitrarily withhold his approval; and items included in the plan which are regarded by the Tenant as "Trade Fixtures" shall be designated as such on the plan;
 - b) any and all alterations or additions to the Premises made by the Tenant must comply with all applicable building code standards and by-laws of the municipality in which the Premises are located.
- (2) The Tenant shall be responsible for and pay the cost of any alterations, additions, installations or improvements that any governing authority, municipal, provincial or otherwise, may require to be made in, on or to the Premises. The Tenant is responsible for all repairs to the building inside and out, with the exception of roof and exterior walls, for the duration of this lease.
- (3) No sign, advertisement or notice shall be inscribed, painted or affixed by the Tenant, or any other person on the Tenant's behalf, on any part of the outside of the building in which the Premises are located unless the sign, advertisement or notice has been approved in every respect by the Landlord.
- (4) All alterations and additions to the Premises made by or on behalf of the Tenant, other than the Tenant's Trade Fixtures, shall immediately become the property of the Landlord without compensation to the Tenant.
- (5) The Tenant agrees, at its own expense, and by whatever means may be necessary, immediately to obtain the release or discharge of any encumbrance that may be registered against the Landlord's property in connection with any additions or alterations to the Premises made by the Tenant or in connection with any other activity of the Tenant.
- (6) If the Tenant has complied with its obligations according to the provisions of this Lease, the Tenant may remove Trade Fixtures at the end of the Term or other termination of this Lease and the Tenant covenants that it will make good and repair or replace as necessary any damage caused to the Premises by the removal of the Tenant's Trade Fixtures.
- (7) The Tenant shall, at its own expense, if requested by the Landlord, remove any or all additions or improvements made by the Tenant to the Premises during the Term and shall repair all damage caused by the installation or the removal or both.
- (8) The Tenant shall not bring onto the Premises or any part of the Premises any machinery, equipment or any other thing that might in the opinion of the Landlord, by reason of its weight, size or use, damage the Premises or overload the floors of the Premises; and if the Premises are damaged or overloaded the Tenant shall restore the Premises immediately or pay to the Landlord the cost of restoring the Premises.

8. ADDITIONAL COVENANTS OF TENANT

- (1) Prior to agreeing to host any bonspiel or other event that may impact parking volumes at the Premises, the Tenant shall seek and obtain written approval from the Landlord so as to minimize the risk of conflict

with Memorial Arena bookings. The Landlord shall provide the Tenant with a schedule of events booked at the Memorial Arena monthly.

- (2) Tenant shall not permit any smoking, alcohol or cannabis advertising at the Premises.
- (3) The Tenant acknowledges that the name of the Premises is the "Jack Heenan Arena". The Tenant covenants to ensure that use and visibility of said name at the Premises remains consistent with past practices. The Tenant shall not change the sign on the front of the Premises, or other references to the name of the Premises, without prior approval from the Landlord.
- (4) Without limiting any obligations of the Tenant in this Lease, the Tenant shall be responsible for all maintenance of the Premises, including but not limited to garbage removal, cleaning, plumbing and electrical maintenance and repair, and replacement of light bulbs.
- (5) The Tenant shall be responsible for painting of ice surface rings and lines.
- (6) The Tenant shall deliver to the Landlord financial statements of the Tenant on an annual basis, which shall include financials related to any additional leagues or curling surfaces and the Tenant's membership numbers. The first such financial statement to cover the most recent year end for the Club.
- (7) The Tenant shall comply with, and ensure its employees, agents, contractors, sub lessees and invitees comply with; the Landlord's Health and Safety and Fire Safety Policies and Procedures, as they may be amended by the Landlord from time to time. Compliance includes the regular inspections of the fire safety system and extinguishers in accordance with the Landlord's policies and the Fire Code. The Tenant will select designated personnel to undergo training provided by the Landlord regarding said policies.
- (8) The Tenant shall comply with, and ensure its employees, agents, contractors, sub lessees and invitees comply with, the Landlord's applicable Municipal Alcohol and Cannabis Policy, as it may be from time to time, and ensure proper licensing and training is in place for persons serving alcoholic beverages on the Premises.
- (9) Without limiting any other obligation of the Tenant in this Lease, the Tenant covenants and agrees that it shall, at its sole cost and expense, observe and otherwise comply with, and cause its sub lessees, invitees and all other occupants of the Premises to observe and comply with all applicable federal, provincial, municipal and other governmental authority law, statute and regulation, or any applicable decree, order, arbitration award, or any license or permit issued relating to the Premises by any governmental authority.
- (10) The Tenant will ensure that no gasoline, oil, duct tape, or any adhesive materials, are applied to the ice slab.
- (11) The Tenant will ensure that no propane or barbeques are used inside the Premises building, as such use is prohibited.
- (12) The Tenant is responsible for the cost of hydro, gas, water for compressor and R/O machine. If the Landlord pays these costs directly, the Landlord will invoice the Tenant as Additional Rent.

- (13) The Tenant shall be responsible for purchasing portable equipment necessary for the making of and maintenance of the curling ice surface.
- (14) The Tenant will be responsible for all mechanical operations relating to ice making including putting in the ice each year and any required painting.
- (15) The Tenant understands and agrees that it is their responsibility to ensure all health and safety regulations are followed and the Tenant is responsible for the cost of any future alterations that may be required to bring the building in compliance with legislation such as meeting the AODA accessibility requirements by 2025.

9. ADDITIONAL COVENANTS OF LANDLORD

- (1) The Landlord shall provide annual training to designated personnel of the Tenant on the Landlord's policies and procedures.
- (2) The Landlord shall be responsible for outside maintenance at the Premises, including grass cutting and snow removal.

10. INSURANCE

- (1) During the Term of this Lease and any renewal thereof the Landlord shall maintain with respect to the Premises, insurance coverage insuring against:
 - a) Loss or damage by fire, lightning, storm and other perils that may cause damage to the Premises or the property of the Landlord in which the Premises are located as are commonly provided for as extended perils coverage or as may be reasonably required and obtained by the Landlord; and the insurance policy shall provide coverage on a replacement cost basis in an amount sufficient to cover the cost of all signs and leasehold improvements; and
 - b) Liability insurance for bodily injury or death or property damage sustained by third parties up to such limits as the Landlord in his sole discretion deems advisable but in any event not less than \$5,000,000 per occurrence.
- (2) The Tenant covenants to keep the Landlord indemnified against all claims and demands whatsoever by any person, whether in respect of damage to person or property, arising out of or occasioned by the maintenance, use or occupancy of the Premises or the subletting or assignment of same or any part thereof. And the Tenant further covenants to indemnify the Landlord with respect to any encumbrance on or damage to the Premises occasioned by or arising from the act, default, or negligence of the Tenant, its officers, agents, servants, employees, contractors, customers, invitees or licensees: and the Tenant agrees that the foregoing indemnity shall survive the termination of this Lease notwithstanding any provisions of this Lease to the contrary. Provided that, notwithstanding the foregoing, the parties agree that the Tenant shall not be liable for damages to person or property that are caused solely by the fault or negligence of the Landlord.
- (3) The Tenant shall carry insurance in its own name insuring against the risk of damage to the Tenant's property within the Premises caused by fire or other perils and the policy shall provide for coverage on a

replacement cost basis to protect the Tenant's stock-in-trade, equipment, Trade Fixtures, decorations and improvements.

- (4) The Tenant shall carry public liability and property damage insurance in which policy the Landlord shall be a named insured and the policy shall include a cross-liability endorsement and prior notice to the Landlord in the event of adverse change to the policy; and the Tenant shall provide the Landlord annually with a Certificate of Insurance as proof of this coverage.
- (5) The Tenant shall obtain and maintain such additional insurance as would a prudent operator of a curling club, and any other insurance reasonably requested by the Landlord, including but not limited to Directors and Officers liability insurance and a minimum of \$2 million of liquor license liability insurance.
- (6) The Tenant shall provide documented evidence of all of its insurance policies to the Landlord prior to the commencement of the Term, and when requested by the Landlord from time to time throughout the Term.

11. DAMAGE TO THE PREMISES

- (1) If the Premises or the building in which the Premises are located are damaged or destroyed, in whole or in part, by fire or other peril, then the following provisions shall apply:
 - a) if the damage or destruction renders the Premises unfit for occupancy and impossible to repair or rebuild using reasonable diligence within one hundred and twenty (120) days from the happening of such damage or destruction, then the Term hereby granted shall cease from the date the damage or destruction occurred, and the Tenant shall immediately surrender the remainder of the Term and give possession of the Premises to the Landlord, and the Rent from the time of the surrender shall abate;
 - b) if the Premises can with reasonable diligence be repaired and rendered fit for occupancy within one hundred and twenty (120) days from the happening of the damage or destruction, but the damage renders the Premises wholly unfit for occupancy, then the rent hereby reserved shall not accrue after the day that such damage occurred, or while the process of repair is going on, and the Landlord may at its option either repair the Premises with all reasonable speed, and the Tenant's obligation to pay Rent shall resume immediately after the necessary repairs have been completed, or terminate this Lease on 30 days prior written notice;
 - c) if the leased Premises can be repaired within one hundred and twenty (120) days as aforesaid, but the damage is such that the leased Premises are capable of being partially used, then until such damage has been repaired, the Tenant shall continue in possession and the Rent shall abate proportionately.
- (2) Any question as to the degree of damage or destruction or the period of time required to repair or rebuild shall be determined by an architect retained by the Landlord.
- (3) Apart from the provisions of Section 11(1) there shall be no abatement from or reduction of the Rent payable by the Tenant, nor shall the Tenant be entitled to claim against the Landlord for any damages, general or special, caused by fire, water, sprinkler systems, partial or temporary

failure or stoppage of services or utilities which the Landlord is obliged to provide according to this Lease, from any cause whatsoever.

12. ACTS OF DEFAULT AND LANDLORD'S REMEDIES

(1) An Act of Default has occurred when:

- a) the Tenant has failed to pay Rent for a period of fifteen (15) consecutive days, regardless of whether demand for payment has been made or not;
- b) the Tenant has breached its covenants or failed to perform any of his obligations under this Lease; and
 - i. the Landlord has given notice specifying the nature of the default and the steps required to correct it; and
 - ii. the Tenant has failed to correct the default as required by the notice;
- c) the Tenant has:
 - i. become bankrupt or insolvent or made an assignment for the benefit of Creditors;
 - ii. had its property seized or attached in satisfaction of a judgment;
 - iii. had a receiver appointed;
 - iv. committed any act or neglected to do anything with the result that a Construction Lien or other encumbrance is registered against the Landlord's property;
 - v. without the consent of the Landlord, made or entered into an agreement to make a sale of its assets to which the Bulk Sales Act applies;
 - vi. taken action if the Tenant is a corporation, with a view to winding up, dissolution or liquidation;
- d) any insurance policy is cancelled or not renewed by reason of the use or occupation of the Premises, or by reason of non-payment of premiums;
- e) the Premises:
 - I. become vacant or remain unoccupied for a period of thirty (30) consecutive days; or
 - II. are not open for business on more than thirty business days in any twelve (12) month period or on any twelve (12) consecutive business days; or
 - III. are used by any other person or persons, or for any other purpose than as provided for in this Lease without the written consent of the Landlord.

- (2) When an Act of Default on the part of the Tenant has occurred:
 - a) the current month's rent together with the next three months' rent shall become due and payable immediately; and
 - b) the Landlord shall have the right to terminate this Lease and to re-enter the Premises and deal with them as it may choose.
- (4) If, because an Act of Default has occurred, the Landlord exercises his right to terminate this Lease and re-enter the Premises prior to the end of the Term, the Tenant shall nevertheless be liable for payment of Rent and all other amounts payable by the Tenant in accordance with the provisions of this Lease until the Landlord has re-let the Premises or otherwise dealt with the Premises in such manner that the cessation of payments by the Tenant will not result in loss to the Landlord:
 - a) and the Tenant agrees to be liable to the Landlord, until the end of the Term of this Lease for payment of any difference between the amount of Rent hereby agreed to be paid for the Term hereby granted and the Rent any new tenant pays to the Landlord.
- (5) The Tenant covenants that notwithstanding any present or future Act of the Legislature of the Province of Ontario, the personal property of the Tenant during the term of this Lease shall not be exempt from levy by distress for Rent in Arrears:
 - a) and the Tenant acknowledges that it is upon the express understanding that there should be no such exemption that this Lease is entered into, and by executing this Lease:
 - i. the Tenant waives the benefit of any such legislative provisions which might otherwise be available to the Tenant in the absence of this agreement; and
 - ii. the Tenant agrees that the Landlord may plead this covenant as an estoppel against the Tenant if an action is brought to test the Landlord's right to levy distress against the Tenant's property.
- (5) If, when an Act of Default has occurred, the Landlord chooses not to terminate the Lease and re-enter the Premises, the Landlord shall have the right to take any and all necessary steps to rectify any or all Acts of Default of the Tenant and to charge the costs of such rectification to the Tenant and to recover the costs as Rent.
- (6) If, when an Act of Default has occurred, the Landlord chooses to waive its right to exercise the remedies available to it under this Lease or at law the waiver shall not constitute condonation of the Act of Default, nor shall the waiver be pleaded as an estoppel against the Landlord to prevent its exercising its remedies with respect to a subsequent Act of Default:
 - b) no covenant, term or condition of this Lease shall be deemed to have been waived by the Landlord unless the waiver is in writing and signed by the Landlord.

13. TERMINATION UPON NOTICE AND AT END OF TERM

- (1) The Tenant and Landlord shall each have the right to terminate this Lease at any time for any reason provided that it gives at least two hundred forty (240) days prior written notice to the other party.

- 2) If the Landlord desires at any time to remodel or demolish the Premises or any part thereof, to an extent that renders continued possession by the Tenant impracticable, the Tenant shall, upon receiving two hundred forty (240) clear days' written notice from the Landlord:
 - a) surrender this Lease, including any unexpired remainder of the Term; and
 - b) vacate the Premises and give the Landlord possession.
- (3) If the Premises are subject to an Agreement of Purchase and Sale or if the Premises are expropriated or condemned by any competent authority:
 - a) the Landlord shall have the right to terminate this Lease by giving two hundred forty (240) clear days' notice in writing to the Tenant; or
 - b) the Landlord may require the Tenant to vacate the Premises within sixty (60) days from payment by the Landlord to the Tenant of a bonus equal to three (3) months' rent.
 - c) but payment of the said bonus shall be accompanied or preceded by written notice from the Landlord to the Tenant advising of the Landlord's intent to exercise this option.
- (4) The Tenant agrees to permit the Landlord during the last three (3) months of the Term of this Lease to display "For Rent" or "For Sale" signs or both at the Premises and to show the Premises to prospective new tenants or purchasers and to permit anyone having written authority of the Landlord to view the Premises at reasonable hours.
- (5) If the Tenant remains in possession of the Premises after termination of this Lease as aforesaid and if the Landlord then accepts rent for the Premises from the Tenant, it is agreed that such overholding by the Tenant and acceptance of Rent by the Landlord shall create a monthly tenancy only but the tenancy shall remain subject to all the terms and conditions of this Lease except those regarding the Term.

14. ACKNOWLEDGEMENT BY TENANT

- (1) The Tenant agrees that it will at any time or times during the Term, upon being given at least forty-eight (48) hours prior written notice, execute and deliver to the Landlord a statement in writing certifying:
 - a) that this Lease is unmodified and is in full force and effect (or if modified stating the modifications and confirming that the Lease is in full force and effect as modified);
 - b) the amount of Rent being paid;
 - c) the dates to which Rent has been paid;
 - d) other charges payable under this Lease which have never been paid;
 - e) particulars of any prepayment of Rent or security deposits; and
 - f) particulars of any sub tenancies.

15. SUBORDINATION AND POSTPONEMENT

- (1) This Lease and all the rights of the Tenant under this Lease are subject and subordinate to any and all charges against the land, buildings or improvements of which the Premises form part, whether the charge is in the nature of a mortgage, trust deed, lien or any other form of charge arising from the financing or refinancing, including extensions or renewals, of the Landlord's interest in the property.
- (2) Upon the request of the Landlord the Tenant will execute any form required to subordinate this Lease and the Tenant's rights to any such charge, and will, if required, attorn to the holder of the charge.
- (3) No subordination by the Tenant shall have the effect of permitting the holder of any charge to disturb the occupation and possession of the Premises by the Tenant as long as the Tenant performs his obligations under this Lease.

16. RULES AND REGULATIONS

- (1) The Tenant agrees on behalf of itself and all persons entering the Premises with the Tenant's authority or permission to abide by such reasonable rules and regulations that form part of this Lease and as the Landlord may make from time to time.

17. NOTICE

- (1) Any notice required or permitted to be given by one party to the other pursuant to the terms of this Lease may be given

To the Landlord at:

Victoria Hall, 55 King St. West
Cobourg, ON K9A 2M2

To the Tenant at: The Premises

- (2) The above addresses may be changed at any time by giving ten (10) days written notice.
- (3) Any notice given by one party to the other in accordance with the provisions of this Lease shall be deemed conclusively to have been received on the date delivered if the notice is served personally or seventy-two (72) hours after mailing if the notice is mailed.

18. REGISTRATION

- (1) The Tenant shall not at any time register notice of or a copy of this Lease on title to the property of which the Premises form part without consent of the Landlord.

19. CONDITION OF PREMISES

- (1) It is understood and agreed that, except as expressly provided in this Lease, the Premises are being leased to the Tenant "as is". The Tenant has satisfied itself as to the condition of the Premises and its fitness for the use intended. The Tenant acknowledges that it has inspected the Premises and conducted an independent investigation of current and past uses of the Premises and that the Tenant has not relied on any representations by the Landlord concerning any condition of the

Premises. The Landlord makes no representations or warranties whatsoever regarding the condition of the Premises or its fitness for any particular use.

20. INTERPRETATION

- (1) The words importing the singular number only shall include the plural, and vice versa, and words importing the masculine gender shall include the feminine gender, and words importing persons shall include firms and corporations and vice versa.
- (2) Unless the context otherwise requires, the word "Landlord" and the word "Tenant" wherever used herein shall be construed to include the executors, administrators, successors and assigns of the Landlord and Tenant, respectively.
- (3) When there are two or more Tenants bound by the same covenants herein contained, their obligations shall be joint and several. In Witness of the foregoing covenants the Landlord and the Tenant have executed this Lease as of the date first written above.

THE CORPORATION OF THE TOWN OF COBOURG

Per: _____

Per: _____

WEST NORTHUMBERLAND CURLING CLUB

Per: _____

Per: _____

SCHEDULE "A"

This schedule is made as part of the commercial lease made as of the 1st day of September, 2019

Between: The Corporation of the Town of Cobourg (landlord)

AND

West Northumberland Curling Club (tenant)

In recognition by both the landlord and the tenant that the existing lease expired on the 31st day of August 2016 and that rental payments have not been made during the period from September 1, 2016 through August 31, 2019 it is agreed that the landlord will issue an invoice to the tenant for the following amounts:


- a) Base rent calculated as follows: \$3,600 per annum for 3 years = \$10,800
- b) Additional rent for building and liability insurance: \$9,000 for 3 years = \$27,000
- c) Additional rent for grass cutting, lot grading and snowploughing: \$2,000 for 3 years = \$6,000

HST will be added to the amounts listed in a), b) and c) in the amount of \$5,694.

The total amount of the invoice including HST will be \$49,494 and the tenant will receive a credit in the amount of \$18,000 in recognition of the payment made to the landlord on or about August 26, 2018.

The tenant will make a payment of \$31,494 within 30 days of the issuance of this invoice and receipt of this payment shall be a condition which must be met prior to the final execution of this lease.

Both the tenant and the landlord agree that the payment of the amount indicated on this schedule shall represent full and final payment of any and all amounts owing between the tenant and the landlord for the period from the 1st day of September 2016 to the 31st day of August 2019.

	THE CORPORATION OF THE TOWN OF COBOURG
	BY-LAW NUMBER <u>067-2019</u>

A BY-LAW TO ADOPT A STAFF COUNCIL RELATIONS POLICY FOR THE CORPORATION OF THE TOWN OF COBOURG.

WHEREAS, Subsection 270(1) of the Municipal Act, Chapter C.25, R.S.O. 2001, as amended, requires municipalities to adopt and maintain a policy with respect to relationship between members of Council and the officers and employees of the municipality;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

1. THAT the “Council-Staff Relations Policy” is hereby adopted as set out in Schedule “A” attached hereto and forming part of this By-law
2. THAT this By-law shall come into force and take effect on the date of its final passing.

READ and passed in Open Council this 30th day of September, 2019.

MAYOR

MUNICIPAL CLERK

SCHEDULE "A"

Staff Council Relations Policy



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Staff/Council Relations Policy
- Administration

Section # 3-1
Bylaw # 067-2019

Purpose

1.0 STATEMENT AND PURPOSE

- 1.1 The Corporation of the Town of Cobourg takes pride in providing a positive and healthy workplace for its employees through promoting and nurturing good relations and communications between Council and all levels of staff guided by the Code of Conduct for Members of Council and Local Boards, the Discrimination & Harassment-Free Workplace Policy, and the Procedural By-Law.
- 1.2 The purpose of this Policy is to set out a general standard to ensure that Council and Staff share a common understanding of their respective roles and responsibilities as well as a common basis of their relationship, and to set out acceptable standards to govern their relationship and to which all Council Members and Staff are expected to adhere to and comply with.
- 1.3 The purpose of this Policy is to establish a policy to govern the relationship between Members of Council and Staff of the Town in accordance with paragraph 2.1 of subsection 270(1) of the *Municipal Act, 2001*.

Policy

2.0 Statement of Principles

- 2.0 This Policy is intended to set a high standard for relations between Council and Staff in order to provide good governance, trust and collaboration and instill a high level of public confidence in the administration of the Town by its Members as duly elected public representatives and its Staff as public administrators.
- 2.1 The following key statements of principle are intended to guide Council and Staff and to assist with the interpretation of the Policy:
 - Council and Staff shall recognize that positive and respectful internal relations are central to the collective ability of Council Members and Staff to work together and to provide good governance and instill a high level of public confidence in the administration of the Town;



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Staff/Council Relations Policy
- Administration

Section # 3-1
Bylaw # 067-2019

-
- Members and Staff shall relate and interact with one another in a respectful, professional and courteous manner;
 - Members and Staff shall understand and respect each other's respective roles and responsibilities; and
 - Members and Staff shall work together in furtherance of the common goal of serving the public good.

The above statements are key principles that are intended to facilitate an understanding, application and interpretation of the Policy – these principles are not operative provisions of the Policy.

3.0 General Obligations

3.0 In all respects, Members and Staff shall:

- (a) relate to one another in a courteous, respectful and professional manner;
- (b) maintain formal working relationships in order to promote equality and discourage favouritism, which includes but is not limited to using proper titles and avoiding first names during public meetings or formal business dealings;
- (c) understand their respective roles and responsibilities, and appreciate and respect the roles and responsibilities of the other;
- (d) work together to produce the best results and outcomes for the Town and always for the collective public interest of the Town; and
- (e) act in a manner that enhances public confidence in the Council, Staff and the Corporation as a whole.



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Staff/Council Relations Policy
- Administration

Section # 3-1
Bylaw # 067-2019

4.0 Roles and Responsibilities of Members

4.0 Members acknowledge and agree that:

- (a) Council as a whole is the governing body of the Town and that it comprises a collective decision-making body and that individual Members only have a single vote;
- (b) they are representatives of the entire Town;
- (c) Staff serve the whole of Council rather than any individual Member;
- (d) they govern, provide political direction collectively by setting policy and making decisions as Council as a whole;
- (e) they will respect the administrative and managerial chain of command by:
 - (i) presenting to Council for approval, any item for direction to Staff;
 - (ii) directing any questions or concerns in relation to the administration or management of the Town to the CAO for his/her consideration,
 - (iii) giving direction to Staff only as Council and through the CAO,
 - (iv) shall not become involved in the operations of the Corporation or the management of Staff, with the exemption of the CAO.
- (f) they shall use and respect Staff time effectively, which includes but is not limited to only referring essential matters to Staff for reports;
- (g) they ensure any requests for information to Staff that were not received at a meeting of Council are made in writing to the Directors and CAO and circulated in writing to all Members;
- (h) they understand that Staff will undertake significant projects only if they have been directed to do so by Council through the CAO;



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Staff/Council Relations Policy
- Administration

Section # 3-1
Bylaw # 067-2019

-
- (i) they shall notify either the CAO or appropriate director or Clerk, whenever possible, if an action or position of Staff is to be questioned or criticized at a public meeting to ensure Staff has sufficient time to formulate an intelligent, informed and helpful response for the consideration of Council and that any such questioning or criticism shall be undertaken with courtesy, respect and professionalism, and in no event shall there be any attempt to criticize, humiliate, berate, disparage or denigrate Staff and that they shall refrain from doing so publicly criticizing members of Staff in relation to their intelligence, integrity, competence or otherwise;
 - (j) they shall request advice from the Clerk about the appropriate wording of motions, amendments, and formal directions of Staff, in advance of Council meetings whenever possible that will be placed before Council to consider and discuss;
 - (k) they shall request information regarding meeting agendas or minutes from the Clerk;
 - (l) as individual Members, they have no greater access to records or information held by the Town than any member of the public and that they cannot access records or information otherwise protected from disclosure by the *Municipal Freedom of Information and Protection of Privacy Act* or in accordance with the process set out in that statute;
 - (m) they shall recognize Staff are not expected to provide information or respond to requests or take action in outside of regular administrative business hours, except in extenuating circumstances;
 - (n) certain members of Staff are statutory officers and have specific statutory authorities, duties, powers and responsibilities that cannot be interfered with or derogated from;
 - (o) they shall at all times comply with the Town's Code of Conduct for Members of Council; and
 - (p) they shall at all times comply with all policies relating to the Town and Council that the Council may implement from time to time.



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Staff/Council Relations Policy
- Administration

Section # 3-1
Bylaw # 067-2019

5.0 Roles and Responsibilities of Staff

5.0 Staff acknowledge and agree that:

- (a) Council is the collective decision-making and governing body of the Town and is ultimately responsible to the electorate for the good governance of the Town;
- (b) they shall implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions and any duties specifically assigned to them by Council;
- (c) they shall assist Council in their decision-making process with respect to its decision, policies and programs by providing Council with information based on professional expertise, research and good judgment in a professional and timely manner;
- (d) they shall serve the whole of Council rather than any individual Member;
- (e) all Members are equal and shall be treated as such and always with courtesy, respect and professionalism;
- (f) they shall respond to inquiries from Council and provide appropriate and timely follow-up to such inquiries as necessary through the CAO or Director;
- (g) they shall ensure any responses to requests for information by a Member that were not received at a meeting of Council are circulated to all Members through either the CAO, appropriate Director or Clerk;
- (h) they shall refrain from becoming involved in the policy and decision-making process of Council, outside of ensuring that Council is provided with the information necessary and analysis in order to make their decisions and that Council is aware of any issues that may impact such decisions;
- (i) they shall diligently and impartially implement Council's decisions;
- (j) they shall notify the Director or the CAO, as appropriate, of any issues that may impact the Town and of ongoing activities in each department;



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Staff/Council Relations Policy
- Administration

Section # 3-1
Bylaw # 067-2019

-
- (k) they shall not speak publicly on any matter respecting any Council decisions or policies without authorization to do so, and without limiting the generality of the foregoing, shall not publicly criticize any decision or policy of Council;
 - (l) they shall refrain from publicly criticizing decisions of Council or Members in relation to their intelligence, integrity, competence or otherwise; and
 - (m) they shall at all times comply with any policies relating to Staff that the Council may implement from time to time.

6.0 COMPLAINT PROCESS

6.1 The Clerk shall be responsible for receiving complaints and/or concerns related to this policy. A complaint or concern with respect to an officer or an employee of the Town of Cobourg shall be submitted in writing on the attached Form 1. A formal complaint with respect to a Member shall be submitted in writing on the Council Code of Conduct - Formal Complaint Form. Upon receipt of a complaint and/or concern, the Clerk shall notify:

- a) In the case of an officer or an employee of the Town of Cobourg, the Chief Administrative Officer; and
- b) In case of the Chief Administrative Officer, the Mayor; and
- c) In the case of a Member of Council, the Integrity Commissioner.



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Staff/Council Relations Policy
- Administration

Section # 3-1
Bylaw # 067-2019

Definitions:

7.0 The following terms shall have the following meanings in this Policy:

- (a) “CAO” means the Chief Administrative Officer of the Town;
- (b) “Clerk” means the person appointed by Council pursuant to Section 228 of the Municipal Act, 2001, in the Town of Cobourg.
- (c) “Council” means the council for the Town;
- (d) “Deputy Mayor” means the deputy mayor of the Town;
- (e) “Mayor” means the head of Council;
- (f) “Member” means a Member of Council;
- (g) “Policy” means this Council and Staff Relations Policy;
- (h) “Staff” means the CAO and all officers, directors, managers, supervisors and all non-union and union employees, whether full-time, part-time, contract, seasonal or volunteer employees, as well as agents and consultants acting in furtherance of the Town’s business and interests; and
- (i) “Town” means The Corporation of the Town of Cobourg.

Scope

8.0 Application and Purpose

- 8.1 This Council and Staff Relationship Policy applies to all Members of the Council of the Town of Cobourg, including the Mayor, Deputy Mayor, and all members of Staff of the Town of Cobourg.



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Staff/Council Relations Policy
- Administration

Section # 3-1
Bylaw # 067-2019

Administration


The Chief Administrative Officer shall designate the Municipal Clerk to implement and administer the terms of this policy and shall establish related operating procedures as required.

Cross Reference

Policy #

Procedure #

By-law 067-2019	Revision Description:	Signature/Municipal Clerk: _____	Council Approval Date: Sep 30, 2019
--------------------	-----------------------	-----------------------------------------	-----------------------------------------------

	THE CORPORATION OF THE TOWN OF COBOURG
	BY-LAW NUMBER <u>068-2019</u>

A BY-LAW TO ADOPT A CODE OF CONDUCT FOR THE COUNCIL AND LOCAL BOARDS OF THE CORPORATION OF THE TOWN OF COBOURG.

WHEREAS Section 11 of the *Municipal Act* S.O. 2001, C.25, as amended, authorizes municipalities to pass by-laws regarding Accountability and Transparency of the municipality and its operations;

AND WHEREAS Section 223.2(1) of the *Municipal Act* S.O. 2001, C.25, as amended, requires a municipality to establish codes of conduct for Members of Council of the municipality and of local boards of the municipality.

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

1. THAT the Code of Conduct for Municipal Council and Local Boards, Schedule “A”, attached hereto and forming part of this By-law be adopted.
2. THAT this By-law shall come into force and take effect on the date of its final passing.

READ and passed in Open Council this 30th day of September, 2019.

MAYOR

MUNICIPAL CLERK

SCHEDULE "A"

**Council and Local Boards Code of
Conduct**



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

**Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration**

**Section # 3-1
By-law # 068-2019**

Purpose

1.0 STATEMENT AND PURPOSE

- 1.1 This Code of Conduct applies to all Members of the Council of the Town of Cobourg, including the Mayor and Deputy Mayor and, unless specifically indicated, and with necessary modifications, to all of the Town's committees, agencies, boards and commissions, which comprise and are defined as local boards in subsection 1(1) and section 223.1 of the *Municipal Act, 2001*.
- 1.2 The purpose of this Code of Conduct is to establish a general standard to ensure that all Members share a common basis for acceptable conduct, and to which all Members are expected to adhere to and comply with. This Code of Conduct augments other laws which Members are governed by and which requires Members to follow the Procedure By-law and other sources of applicable law, including but not limited to:
- *Municipal Act, 2001*
 - *Municipal Conflict of Interest Act*
 - *Municipal Elections Act, 1996*
 - *Municipal Freedom of Information and Protection of Privacy Act*
 - *Human Rights Code*
 - *Occupational Health and Safety Act*
 - *Provincial Offences Act*
 - *Criminal Code*
- 1.3 This Code applies to members of local boards but it is recognized that such members do not hold elected office nor do they represent the community in general. Members of local boards do not represent Council of the Town as whole unless mandated to do so.



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

**Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration**

**Section # 3-1
By-law # 068-2019**

Policy

2.0 Statement of Principles

2.1 This Code of Conduct is intended to set a high standard of conduct for Members in order to provide good governance and a high level of public confidence in the administration of the Town by its Members as duly elected or appointed public representatives of local boards to ensure that they each operate from a foundation of integrity, transparency, justice, truth, honesty and courtesy.

2.2 The following key statements of principle are intended to guide Members and assist with the interpretation of the Code of Conduct:

- Members shall serve and be seen to serve the public in a conscientious and diligent manner;
- Members shall observe and act with the highest standard of ethical conduct and integrity;
- Members shall avoid the improper use of the influence of their office and act without self-interest;
- Members shall act and are expected to perform their functions with honesty, integrity, accountability and transparency;
- Members shall perform their duties and arrange their private affairs in a manner that promotes public confidence and that will bear close public scrutiny;
- Members shall be cognizant that they are at all times representatives of the Town and of Council, recognize the importance of their duties and responsibilities, take into account the public character of their function, and maintain and promote the public trust in the Town; and
- Members shall uphold the spirit and the letter of the laws of Ontario and Canada and the laws and policies adopted by Council.

The above statements are key principles that are intended to facilitate an understanding, application and interpretation of the Code of Conduct – the principles are *not* operative provisions of the Code of Conduct and are not intended to be enforced independently as such.



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration

Section # 3-1
By-law # 068-2019

4.0 General Obligations

4.1 In all respects, a Member shall:

- (a) make every effort to act with good faith and care;
- (b) conduct themselves with integrity, courtesy and respectability at all meetings of the Council or any committee and in accordance with the Town's Procedure By-law or other applicable procedural rules and policies;
- (c) seek to advance the public interest with honesty;
- (d) seek to serve their constituents in a conscientious and diligent manner;
- (e) respect the individual rights, values, beliefs and personality traits of any other person, recognizing that all persons are entitled to be treated equally with dignity and respect for their personal status regarding gender, sexual orientation, gender identity, gender expression, race, creed, religion, ability and spirituality;
- (f) refrain from making statements known to be false or with the intent to mislead Council or the public;
- (g) recognize that they are representatives of the Town and that they owe a duty of loyalty to the residents of the Town at all times;
- (h) accurately communicate the decisions of Council and respect Council's decision-making process even if they disagree with Council's ultimate determinations and rulings; and
- (i) refrain from making disparaging comments about another Member or unfounded accusations about the motives of another Member.

5.0 The Role of Staff

- 5.1 Council as a whole approves the budget, policies and governance of the Town through its by-laws and resolutions. An individual Member does not direct nor oversee the functions of the staff of the Town.
- 5.2 Town staff serve Council and work for the Town as a body corporate under the



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration

Section # 3-1
By-law # 068-2019

direction of the CAO. Members shall acknowledge, respect and have regard for the administration, managerial and organizational structure of the Town when requesting information or advice from staff.

- 5.3 A Member shall comply with the Town's Council and Staff Relationship Policy.
- 5.4 A Member shall not publicly criticize staff. Should a Member have any issue with respect to any staff member, such issue shall be referred to the CAO who will direct the matter to the particular staff member's appropriate superior.
- 5.5 A Member shall respect the role of staff in the administration of the business and governmental affairs of the Town, and acknowledge and appreciate that staff:
- (a) provide advice and make policy recommendations in accordance with their professional ethics, expertise and obligations and that a Member must not falsely or maliciously injure the reputation of staff members whether professional or ethical or otherwise;
 - (b) work within the administration of justice and that a Member must not make requests, statements or take actions which may be construed as an attempt to influence the independent administration of justice and, therefore, a Member shall not attempt to intimidate, threaten, or influence any staff member from carrying out that person's duties, including any duty to disclose improper activity; and
 - (c) carry out their duties based on political neutrality and without undue influence from any individual Member and, therefore, a Member must not invite or pressure any member of staff to engage in partisan political activities or be subjected to discrimination or reprisal for refusing to engage in such activities.

6.0 Town Property

- 6.1 Council is the custodian of the assets of the Town. The community places its trust in Council and those it appoints to make decisions for the public good in relation to these assets.
- 6.2 By virtue of their office or appointment, a Member must not use or permit the use of the Town's land, facilities, equipment, supplies, services, staff or other resources for activities other than the business of the Town unless they are entitled to such use



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration

Section # 3-1
By-law # 068-2019

equally with any other resident and have paid fair market value for such use. No Member shall seek financial gain for themselves, family or friends from the use or sale of the Town's intellectual property, computer programs, technological innovations, or other patent, trademarks or copyright held by the Town.

7.0 Gifts and Benefits

- 7.1 Any gift to a Member risks the appearance of improper influence. Gifts may improperly induce influence or create an incentive for a Member to make decisions on the basis of relationships rather than in the best interests of the Town. A Member shall not accept a fee, advance, gift, gift certificate, cash, hospitality, loan or any form of personal benefit connected directly or indirectly with the performance of his or her duties except as provided in Section 7.2. A gift, benefit or hospitality provided with the Member's knowledge to a Member's spouse, child, or parent, or to a Member's staff that is connected directly or indirectly to the performance of the Member's duties is deemed to be a gift to that Member. Any doubt concerning the propriety of the gift should be resolved by the Member not accepting or keeping it.
- 7.2 For greater clarity, despite Section 7.1, a Member is entitled to accept any compensation, remuneration or benefits authorized by law but shall not accept any gift or benefit other than in the following circumstances:
- (a) such gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation;
 - (b) a political contribution otherwise reported by law, in the case of a Member running for office;
 - (c) services provided without compensation by persons volunteering their time for a charitable or non-profit event or for the Member's re-election campaign;
 - (d) nominal tokens, mementos or souvenirs received as an incident of protocol or social obligation that normally accompanies the responsibilities of elected office or at a function honouring the Member;
 - (e) food, lodging, transportation and entertainment provided by provincial, regional and local governments or any agencies or subdivisions of them or by the federal government or by a foreign government within a foreign country, or by a



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration

Section # 3-1
By-law # 068-2019

conference, seminar or event organizer where the Member is either speaking or attending in an official capacity as a representative of the Town;

- (f) entrance fees or food and beverages consumed at banquets, receptions or similar events, if:
 - (i) attendance serves a legitimate municipal business purpose related to the normal business of the Town,
 - (ii) the person extending the invitation or a representative of the organization is in attendance, and
 - (iii) the value is determined by the Integrity Commissioner to be reasonable and the invitations are infrequent;
- (g) gifts not having a value greater than \$500;
- (h) benefits received as a door prize, raffle or similar draw at an event, conference or seminar attended by the Member; and
- (i) any gift or benefit, if the Integrity Commissioner is of the opinion, before the gift or personal benefit has been accepted, that it is unlikely that receipt of the gift or benefit gives rise to a reasonable presumption that the gift or benefit was given in order to influence the Member in the performance of his or her duties.

7.3 A Member who has received and accepted a gift or benefit pursuant to Section 7.2(a), (f), (g), (h) and (i) shall file a disclosure of the gift or benefit indicating the person, body or entity from which it was received together with the estimated value of the gift or benefit in accordance with the Disclosure Statement set out in Appendix "A". A Member shall provide the Disclosure Statement to the Clerk on an annual basis by March 31 for the preceding calendar year and it shall be a matter of public record.

7.4 A Member shall not seek or obtain by reason of his or her office any personal privilege or advantage with respect to municipal services not otherwise available to the general public and not connected directly or indirectly to the performance of the Member's duties.



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration

Section # 3-1
By-law # 068-2019

8.0 Confidential Information

- 8.1 Members receive confidential information from a number of sources as part of their work as elected officials. This includes information received in confidence by the Town that falls under the privacy provisions of the *Municipal Freedom of Information and Protection of Privacy Act* and other applicable privacy laws and information received during closed meetings of Council or committees of local boards. Examples of types of information that a Member must keep confidential, unless expressly authorized by Council or as required by law, include, but are not limited to:
- (a) matters related to ongoing litigation or negotiation, or that is the subject of solicitor-client privilege;
 - (b) information provided in confidence, for example, the identity of a complainant where a complaint is made in confidence, personal information of an individual derived from municipal records or other information that a Member receives in confidence by virtue of their office as an elected representative;
 - (c) price schedules in contract tender or request for proposal submissions if so specified;
 - (d) personnel matters about an identifiable individual;
 - (e) "personal information" as defined in the *Municipal Freedom of Information and Protection of Privacy Act*;
 - (f) any census or assessment data that is deemed confidential; and
 - (g) the purchase or sale of personal or real property by the Town.
- 8.2 A Member shall not disclose the content of any confidential information, or the substance of deliberations, of a closed meeting. A Member has a duty to hold any information received at closed meetings in strict confidence for as long and as broadly as the confidence applies. Any hard copies of confidential documents received at a closed meeting are to be turned into the Clerk at the end of the closed meeting. A Member shall not, either directly or indirectly, release, make public or in any way divulge any such information or any confidential aspect of the closed deliberations to anyone, unless authorized by Council or as required by law.



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration

Section # 3-1
By-law # 068-2019

-
- 8.3 A Member shall not disclose, use or release confidential information in contravention of applicable privacy laws. Members are only entitled to information in the possession of the Town that is relevant to matters before the Council, or a committee. Otherwise, Members enjoy the same access rights to information as any other member of the community or resident of the Town and must follow the same processes as any private citizen to obtain such information.
- 8.4 A Member shall not misuse confidential information in any way or manner such that it may cause detriment to the Town, Council or any other person, or for financial or other gain for themselves or others.
- 8.5 A Member shall respect the right to confidentiality and privacy of all clients, volunteers and staff, and should be aware of their responsibilities under applicable legislation, municipal policies, procedures and rules, ethical standards and, where appropriate, professional standards.
- 8.6 A Member shall not disclose any confidential information received by virtue of his or her office, even if the Member ceases to be a Member.
- 9.0 Discrimination and Harassment**
- 9.1 A Member shall treat all members of the public, one another and staff with respect and without abuse, bullying or intimidation and ensure that their work environment is free from discrimination and harassment.
- 9.2 A Member shall not use indecent, abusive, demeaning or insulting words, phrases or expressions toward any member of the public, another Member or staff. A Member shall not make comments or conduct themselves in any manner that is discriminatory to any individual based on the individual's race, colour, ancestry, citizenship, ethnic origin, place of origin, creed or religion, gender, gender identity, gender expression, sexual orientation, marital status, family status, disability, age or record of offences for which a pardon has not been granted.
- 9.3 A Member shall comply with the Town's workplace harassment and violence policy.



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration

Section # 3-1
By-law # 068-2019

10.0 Improper Use of Influence

- 10.1 A Member shall not use the influence of their office or appointment for any purpose other than the exercise of his or her official duties in the public interest.
- 10.2 A Member shall not use the status of their position to influence the decision of another person to the private advantage or non-pecuniary interest of themselves, their parents, children or grandchildren, spouse, or friends or associates, or for the purpose of creating a disadvantage to another person or for providing an advantage to themselves.

11.0 Conflicts of Interest

- 11.1 A Member shall seek to avoid conflicts of interest, both pecuniary and non-pecuniary. A Member shall comply with the requirements of the *Municipal Conflict of Interest Act* with respect to obligations relating to pecuniary interests. A Member shall take proactive steps to mitigate any non-pecuniary conflicts of interest in order to maintain public confidence in the Town and its elected officials.
- 11.2 Members are encouraged to seek guidance from the Integrity Commissioner when they become aware that they may have a conflict of interest between their responsibilities to the public as a Member and any other pecuniary interest or non-pecuniary interest.

12.0 Council Policies and Procedures

- 12.1 A Member shall observe and adhere to the by-laws, policies, procedures and rules enacted and/or established from time to time by Council.

13.0 Election Activity

- 13.1 A Member is required to conduct themselves in accordance with the *Municipal Elections Act, 1996* and any of the Town's policies pertaining to elections. The use of the Town's resources, both property and staff time, for any election-related activity is strictly prohibited. Election-related activity applies to the Member's campaign and any other election campaigns for municipal, provincial or federal office.



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration

Section # 3-1
By-law # 068-2019

14.0 Communications and Media Relations

- 14.1 In order to foster respect for the decision-making process of Council, Members shall fairly and accurately communicate the decisions of Council, even if they disagree with its decision. Members may publicly express disagreement with a decision but shall do so in a respectful manner that does not belittle, ridicule or disrespect the decision or any Members who voted in favour of the decision.
- 14.2 Members shall not indicate, implicitly or explicitly, in any communications with the media that they speak on behalf of Council, unless they have been expressly authorized to do so by Council.
- 14.3 Members shall refrain at all times from making any comments of a disparaging nature about any Members, any municipal staff or any persons of the public.

15.0 Social Media

- 15.1 Members using social media shall:

- (a) ensure that all posts are accurate before uploading content to the internet;
- (b) obtain permission before posting any third-party content;
- (c) follow the same principles and guidelines as for other forms of communication by employing sound judgment and common sense, by acting with respect, dignity, courtesy and empathy manner and by adhering to all of the General Principles set out in the Code of Conduct; and
- (d) ensure that it is noted that communications that are Member and constituent-related do not necessarily reflect the existing or future opinions, views or decisions of the Council.

16.0 Respect for the Code of Conduct

- 16.1 A Member shall respect the process for complaints made under the Code of Conduct or through any process for complaints adopted by the Town. A Member shall not act in reprisal or threaten reprisal against a person who makes a complaint or provides information to the Integrity Commissioner during an investigation. A Member shall



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration

Section # 3-1
By-law # 068-2019

interact courteously and respectfully with the Integrity Commissioner and with any person acting under the direction of the Integrity Commissioner. Member shall not act in reprisal or threaten reprisal in against the Integrity Commissioner or any person acting under the instructions of the Integrity Commissioner. The Integrity Commissioner is authorized to report any incidents of threats or reprisals to Council or the local board and may recommend penalties or remedial or corrections measures or actions.

16.2 A Member shall cooperate with requests for information during any investigations or inquiries under the Code of Conduct and shall not:

- (a) interfere with or obstruct an investigation by the Integrity Commissioner;
- (b) destroy or damage documents or erase electronic communications; or
- (c) refuse to respond to the Integrity Commissioner where a complaint has been filed under the Code of Conduct or any process for complaints adopted by the Town.

17.0 Declaration of Office

17.1 Members are expected to adhere to the specific declarations as well as the spirit of the promises they made to abide by various duties when they swore their declaration of office under section 232 of the *Municipal Act, 2001*.

18.0 Penalties for Non-Compliance with the Code of Conduct

18.1 Where Council receives a report from the Integrity Commissioner that there has been a violation of the Code of Conduct by a Member, Council may impose the following penalties on the Member:

- (a) a reprimand; or
- (b) a suspension of the remuneration paid to the Member in respect of his or her services as a Member for a period up to ninety (90) days.

18.2 In the case of a local board, if the Council has not imposed either of the penalties set out in Section 18.1 on its Member, the Integrity Commissioner may report to the local board that, in his or her opinion, the Member has contravened the Code of Conduct in which case the local board may impose the penalties set out in Section 18.1.



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration

Section # 3-1
By-law # 068-2019

19.0 Remedial or Corrective Actions

19.1 Council may, on the basis of a recommendation from the Integrity Commissioner, also take any or all of the following corrective or remedial actions, and require that the Member:

- (a) provide a written or verbal apology;
- (b) return property or make reimbursement of its value or of money spent;
- (c) be removed from or not be appointed to the membership on a committee of Council;
- (d) be removed from or not be appointed as chair of a committee of Council; and
- (e) comply with any other remedial or corrective action or measure deemed appropriate by the Integrity Commissioner.

19.2 In the case of a local board, if the Council has not imposed either of the penalties set out in Section 18.1 on its Member or any remedial or corrective actions under Section 19.1, the local board may impose such remedial or corrective actions as are set out in Section 19.1.

20.0 Legal Fees

20.1 A Member of Council is entitled to seek the advice of the Integrity Commissioner with respect to the Member's obligations under the Code of Conduct, any ethical procedure, policy or rule, and sections 5, 5.1 and 5.2 of the *Municipal Conflict of Interest Act*. As such, a Member is solely responsible for his or her own legal costs if they retain a lawyer or paralegal to provide counsel, advice or representation on any matter related to the Code of Conduct, any ethical procedure, policy or rule, and sections 5, 5.1 and 5.2 of the *Municipal Conflict of Interest Act*, including, but not limited to, an investigation and the imposition of penalties or remedial or corrective actions recommended by the Integrity Commissioner and imposed by Council.



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

**Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration**

**Section # 3-1
By-law # 068-2019**

21.0 Complaint Protocol

21.1 The Complaint Protocol is Appendix "B" to the Code of Conduct and applies to complaints and requests under the Code of Conduct and the *Municipal Conflict of Interest Act*.

22.0 Integrity Commissioner Annual Report

22.1 The Integrity Commissioner shall provide an Annual Report to Council in March in each year detailing its activities, including advice, education and investigations over the previous year and such periodic reports as the Integrity Commissioner consider may be necessary for the purposes of discharging its obligations to the Council and the Town.

23.0 Definitions

23.1 The following terms shall have the following meanings in this Code of Conduct:

- (a) "CAO" means the Chief Administrative Officer of the Town;
- (b) "child" means a child born within or outside marriage and includes an adopted child and a person whom a parent has demonstrated a settled intention to treat as a child of his or her family;
- (c) "Clerk" means the Clerk of the Town;
- (d) "confidential information" means information or records that are in the possession, in the custody or under the control of the Town that the Town is either precluded from disclosing under the *Municipal Act, 2001* or other applicable legislation, its Procedure By-law or any of its other by-laws, policies, rules or procedures, or that it is required to refuse to disclose under the *Municipal Freedom of Information and Protection of Privacy Act* or other legislation;
- (e) "conflict of interest" means a situation in which a Member has competing interests or loyalties between the Member's personal or private interests and his or her public interests as an elected representative such that it might influence his or her decision in a particular matter;



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration

Section # 3-1
By-law # 068-2019

-
- (f) “Council” means the council for the Town and includes, as the context may require and with all necessary modifications, any of the Town’s committees, agencies, boards or commissions, which are defined as local boards in subsection 1(1) and section 223.1 of the *Municipal Act, 2001*;
- (g) “Deputy Mayor” means the member of council who holds the position of Deputy Mayor of the Town;
- (h) “frivolous” means of little or no weight, worth, importance or any need of serious notice;
- (i) “gift” means any kind of benefit, contribution or hospitality that has any financial or monetary value and includes the forms of benefits and hospitality that are set out in Section 7.0;
- (j) “Integrity Commissioner” means the person appointed by Council pursuant to section 223.3 of the *Municipal Act, 2001* to independently carry out the functions set out therein and such other functions as may be assigned by Council from time to time;
- (k) “local board” means any committee, agency, board or commission of the Town, which is a local board as defined in subsection 1(1) and section 223.1 of the *Municipal Act, 2001*, and includes a joint board;
- (l) “Mayor” means the head of Council for the Town;
- (m) “media” includes any radio, television, newspaper, magazine, website, blog, social media, twitter feed or any other vehicles for the public dissemination of information, whether digital, electronic or print;
- (n) “meeting” means a regular, special or other meeting of Council or a committee of Council where:
- (i) a quorum of Members is present, and
 - (ii) Members discuss or otherwise deal with any matter in a way that materially advances the business or decision-making of Council;



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration

Section # 3-1
By-law # 068-2019

-
- (o) “Member” means a Member of the Council for Town or a member of a local board, including a member of a joint board if that member is appointed by the Council to the joint board;
 - (p) “non-pecuniary interest” means a private or personal interest that a Member may have that is non-financial in nature and that would be considered by a reasonable person, apprised of all the circumstances, as being likely to influence the Member’s decision in any matter in which the non-pecuniary interest arises, and may include, but is not limited to, an interest that arises from a relationship with a person or entity;
 - (q) “parent” means a person who has demonstrated a settled intention to treat a child as a member of his or her family whether or not that person is the natural parent of the child;
 - (r) “pecuniary” means relating to or consisting of money or having financial or economic value;
 - (s) “social media” means any third-party hosted technologies that allow the creation and exchange of user-generated content to share opinions, information and documents, and includes blogs, discussion boards and forums, microblogs, photo-sharing sites, social networks and video sharing services;
 - (t) “spouse” means a person to whom the person is married or with whom the person is living in a conjugal relationship outside marriage;
 - (u) “staff” means the CAO and all officers, directors, managers, supervisors and all administrative staff, whether full-time, part-time, contract, seasonal or volunteer, as well as agents, consultants and volunteers acting in furtherance of the Town’s business and interest;
 - (v) “Town” means The Corporation of the Town of Cobourg; and
 - (w) “vexatious” means troublesome or annoying in the case of being instituted without sufficient grounds and serving only to cause irritation and aggravation to the person being complained of.



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

**Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration**

**Section # 3-1
By-law # 068-2019**

Scope

24.0 Application and Purpose

24.1 This Council and Staff Relationship Policy applies to all Members of the Council of the Town of Cobourg, including the Mayor, Deputy Mayor, and Councillors.

Administration

The Chief Administrative Officer shall designate the Municipal Clerk to implement and administer the terms of this policy and shall establish related operating procedures as required.

Cross Reference

Policy #

Procedure #

Resolution #	Revision Description:	Signature/Municipal Clerk: _____	Council Approval Date:
-----------------	-----------------------	-----------------------------------------	---------------------------



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

**Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration**

**Section # 3-1
By-law # 068-2019**

APPENDIX "A"

DISCLOSURE STATEMENT FOR GIFTS OR BENEFITS

Member's Name: _____

Gift Received or Nature of Benefit: _____

Received From: _____

Date of Receipt: _____ Value or Estimate of Gift: _____

Please describe the circumstances under which the Gift or Benefit was received:

Please describe your intentions with respect to the Gift or Benefit:

Do you anticipate transferring the Gift or Benefit described above to the Town or the local board?

Yes, immediately _____ No _____

Member's Signature

Date



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration

Section # 3-1
By-law # 068-2019

APPENDIX “B” COMPLAINT PROTOCOL

PART A - INFORMAL COMPLAINT PROCEDURE

1. Any individual who identifies or witnesses behaviour or activity by a Member that they believe contravenes the Code of Conduct may seek to address the prohibited behaviour or activity themselves in the following manner by following the Informal Complaint Procedure:
 - (a) document the incident(s) where the Member may have contravened the Code of Conduct including dates, times, locations, other persons present, and any other relevant information;
 - (b) advise another person about the concerns regarding the Member's actions, to corroborate the incident;
 - (c) advise the Member that the behaviour or activity appears to contravene the Code of Conduct;
 - (d) identify to the Member the specific provision(s) of the Code of Conduct that may have been contravened;
 - (e) encourage the Member to acknowledge and agree to stop the prohibited behaviour or activity and to undertake to refrain from future occurrences of the prohibited behaviour or activity;
 - (f) request the Integrity Commissioner to assist in informal discussion of the alleged complaint with the Member in an attempt to settle or resolve the issue;
 - (g) if applicable:
 - (i) confirm to the Member that his or her response is satisfactory, or
 - (ii) advise the Member that his or her response is unsatisfactory;
 - (h) consider the need to pursue the matter in accordance with the Formal Complaint Procedure set out in Part B, or in accordance with any other applicable judicial or quasi-judicial process or complaint procedure.



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

**Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration**

**Section # 3-1
By-law # 068-2019**

-
2. Individuals are strongly encouraged to pursue the Informal Complaint Procedure as the first means of remedying behaviour or activity of a Member that they believe violates the Code of Conduct.
 3. With the consent of both the complaining individual and the Member, the Integrity Commissioner may participate in any informal process. The parties involved are encouraged to take advantage of the Integrity Commissioner's potential role as a mediator/conciliator on issues relating to a complaint.
 4. The Informal Complaint Procedure is not a precondition or a prerequisite to pursuing the Formal Complaint Procedure related to the Code of Conduct set out in Part B.

PART B - FORMAL COMPLAINT PROCEDURE

Formal Complaints

1.
 - (1) Any individual who identifies or witnesses behaviour or activity by a Member that they reasonably believe contravenes the Code of Conduct may file a formal complaint to request an inquiry by the Integrity Commissioner as to whether a Member has contravened the Code of Conduct in accordance with the following requirements:
 - (a) all complaints shall be in writing on the prescribed form (Formal Complaint Form # 1) and shall be dated and signed by an identifiable individual (the "complainant");
 - (b) the complaint must set out reasonable and probable grounds for the allegation that the Member has contravened the Code of Conduct and must be accompanied by a supporting sworn affidavit setting out the evidence in full in support of the allegation; and
 - (c) Council may also file a complaint against any of its Members of an alleged contravention of the Code of Conduct by passing a resolution requesting the Integrity Commissioner to undertake an inquiry.
 - (2) An elector, as defined in section 1 of the *Municipal Conflict of Interest Act*, or a person demonstrably acting in the public interest (collectively, a "complainant") may file a formal request that the Integrity Commissioner carry out an inquiry concerning an alleged



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration

Section # 3-1
By-law # 068-2019

contravention of section 5, 5.1 or 5.2 of that statute by a Member in accordance with the following requirements:

- (a) all requests (also referred to as “complaints”) shall be in writing on the prescribed form (Complaint Form # 2), dated and signed by an identifiable individual (the “complainant”);
 - (b) the request shall include a statutory declaration attesting to the fact that:
 - (i) the complainant became aware of the contravention not more than six (6) weeks before the date of the complaint, or
 - (ii) in the case where the complainant became aware of the alleged contravention during the period of time described in paragraph 1 of subsection 223.4.1(5) of the *Municipal Act, 2001*, that the complainant became aware of the alleged contravention during that period of time;
 - (c) Council may also pass a resolution requesting the Integrity Commissioner to undertake an inquiry respecting an alleged contravention of sections 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act* by a Member and provide a statutory declaration as required by Section 1(2) to be sworn by a Member of Council.
- (3) Complainants who file a formal complaint under Sections 1(1) or 1(2) must provide a full and complete record of evidence to the Integrity Commissioner who is under no obligation whatsoever to, but may, seek additional information to supplement or complete the evidentiary record to substantiate or support the allegations set out in the complaint or request.

Filing of Complaint and Classification by Integrity Commissioner

2.

- (1) The complaint may be filed with:
 - (a) the Clerk by hard copy or by e-mail, or
 - (b) directly with Integrity Commissioner by a sealed hard copy or by email,to the addresses and/or email address(es) set out on the Town’s website.



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

**Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration**

**Section # 3-1
By-law # 068-2019**

-
- (2) The Integrity Commissioner shall initially classify the complaint to determine if the matter is, on its face, a complaint with respect to non-compliance with the Code of Conduct and not covered by other legislation or other Council procedures, policies or rules as set out in Section 3 or whether it is a request under sections 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act*.

Complaints Outside Integrity Commissioner's Jurisdiction or Not for Investigation

3.

- (1) If the complaint, including the supporting affidavit or the statutory declaration, is not, on its face, a complaint with respect to non-compliance with the Code of Conduct or the complaint relates to matters addressed by other legislation under another of the Town's procedure, policy or rule, or the request in relation to sections 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act*, the Integrity Commissioner shall advise the complainant in writing as follows:

Criminal Matter

- (a) if the complaint is, on its face, an allegation of a criminal nature consistent with the *Criminal Code*, the complainant shall be advised that:
- (i) the Integrity Commissioner will refer it to the appropriate police service, or
 - (ii) the complainant may pursue it with the appropriate police service if the complainant wishes to pursue any such allegation;

Municipal Freedom of Information and Protection of Privacy Act

- (b) if the complaint is more appropriately addressed under the *Municipal Freedom of Information and Protection of Privacy Act*, the complainant shall be advised that the matter must be referred to the Clerk to deal with under its access and privacy policies under that statute;

Other Procedure, Policy or Rule Applies

- (c) if the complaint appears to fall within the scope of another procedure, policy or rule of the Town, the complainant shall be advised to pursue the matter under



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

**Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration**

**Section # 3-1
By-law # 068-2019**

such procedure, policy or rule with the appropriate municipal official or staff member; and

Lack of Jurisdiction

- (d) if the complaint is, for any other reason not within the jurisdiction of the Integrity Commissioner (for example, it relates to a decision of Council or a local board as a whole and not one or more individual Members), the complainant shall be so advised and provided with any additional reasons and referrals as the Integrity Commissioner considers appropriate.
- (2) If the complaint with respect to non-compliance with the Code of Conduct or the request in relation to section 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act*, relates to any of the following matters, the Integrity Commissioner shall advise the complainant in writing as follows:

Matter Already Pending

- (a) if the complaint is in relation to a matter which is subject to an outstanding complaint under another process such as a court proceeding, a human rights or workplace harassment complaint or similar process, or to a civil matter that is pending before the courts, the Integrity Commissioner may, in his/her sole discretion, suspend any investigation, in whole or in part, pending the result of the other process;

Similar Matter Already Pending

- (b) if the complaint is in relation to a similar matter which is subject to an outstanding complaint before the Integrity Commissioner, the Integrity Commissioner may, in his/her sole discretion, consider the matter in conjunction with the similar matter or deal with it separately, including not undertaking an inquiry if the matter can be adequately addressed in any report and/or recommendations made with respect to the complaint in the similar matter; and

Other Ethical Code or Policy Applies

- (c) if the complaint is in relation to a matter which is governed by a code of conduct, ethical code or similar procedure or policy of another body or entity which also



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration

Section # 3-1
By-law # 068-2019

governs the Members (for example, another board, body or committee to which the Member has been appointed), the Integrity Commissioner shall consider the most appropriate forum for the complaint and may, in his/her sole discretion, defer consideration of the matter pending any determination made by the other body or entity and shall so advise the complainant and, if necessary, the Member.

- (3) Nothing in Section 3 precludes the Integrity Commissioner from reporting to Council any matter summarily dismissed or not otherwise investigated.

Limitation Period

4.

- (1) The Integrity Commissioner shall not accept a complaint under the Code of Conduct for which the event giving rise to the complaint occurred or came to the attention of the complainant more than six (6) months prior to the date of the filing of the complaint. The complainant must establish that the event giving rise to the complaint occurred and/or came to the complainant's attention within six (6) months of the complaint being filed in accordance with Section 2.
- (2) The Integrity Commissioner shall not accept a request relating to section 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act* except in accordance with the requirements of subsections 8(2)-(6) of that statute and section 223.4.1 of the *Municipal Act, 2001*.

Refusal to Conduct Investigation

5. The Integrity Commissioner has a discretion as to whether to carry out an investigation. If the Integrity Commissioner is satisfied, after considering the information contained in the complaint, that a complaint:
- (a) is frivolous or vexatious,
 - (b) is not made in good faith,
 - (c) constitutes an abuse of process,
 - (d) discloses no grounds or insufficient grounds for an investigation, or
 - (e) does not warrant a full investigation,



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration

Section # 3-1
By-law # 068-2019

the Integrity Commissioner shall not be required to conduct an investigation and may summarily dismiss the complaint, and, where this becomes apparent during the course of an investigation, the Integrity Commissioner shall terminate the inquiry and provide notice to the complainant and, if necessary, to the Member. The Integrity Commissioner may report the refusal to conduct an investigation to Council.

Opportunities for Resolution

6. Following receipt and review of a formal complaint or at any time during the investigation where the Integrity Commissioner, in his or her discretion, believes that an opportunity to resolve the matter may be successfully pursued without a formal investigation, and both the complainant and the Member agree, efforts may be pursued to achieve an informal resolution.

Investigation

7.
 - (1) The Integrity Commissioner may proceed as follows, except where the Integrity Commissioner has a full factual record and believes, in his or her sole discretion, that no additional information is required, or where otherwise required by the *Public Inquiries Act, 2009*, or where the Integrity Commissioner has not otherwise terminated the inquiry:
 - (a) provide the Member with an outline of the complaint with sufficient particularity to allow the Member to understand the complaint against him or her but the Integrity Commissioner shall not have any obligation to disclose:
 - (i) the identity of the complainant, or
 - (ii) the identity of any witnesses set out in the complaint or persons that are questioned/interviewed by the Integrity Commissioner,unless it is essential for the Member to adequately respond to the complaint, which determination shall be made in the Integrity Commissioner's sole and absolute discretion;
 - (b) request that the Member provide a written response to the allegations in the complaint to the Integrity Commissioner within seven (7) days;



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration

Section # 3-1
By-law # 068-2019

-
- (c) provide a copy of the Member's response to the complainant with a request that any written reply be provided by the complainant to the Integrity Commissioner within seven (7) days; and
 - (d) extend the timelines set out above if the Integrity Commissioner deems it necessary to do so in his or her sole and absolute discretion.
- (2) If necessary, after reviewing the submitted materials, the Integrity Commissioner may contact and speak to or correspond with any other persons, access and examine any other documents or electronic materials, including any materials on the Town's computers and servers, and may enter any municipal work location relevant to the complaint for the purpose of investigation and potential resolution.
 - (3) The Integrity Commissioner may, but is under no obligation, to provide the Member with a draft of the proposed draft report on the complaint.
 - (4) The Integrity Commissioner shall not issue a report finding a violation of the Code of Conduct on the part of any Member unless the Member has had an opportunity to comment to the Integrity Commissioner in writing on any preliminary or proposed finding(s).
 - (5) The Integrity Commissioner may, but is under no obligation, to advise either the Member or the complainant of any proposed sanction or recommendation the Integrity Commissioner may include in the report to Council.
 - (6) The Integrity Commissioner may make interim reports to Council where necessary and as required to address any instances of interference, obstruction, intimidation, delay, reprisal or retaliation by the Member or by any other person encountered during the formal complaint investigation.
 - (7) The Integrity Commissioner is entitled to make such additional inquiries and provide such additional reports to Council where necessary and as required to address any instances of non-compliance with any decision of Council including the failure to comply with any penalties or corrective measure or actions imposed by Council.
 - (8) The Integrity Commissioner shall retain all records related to the complaint and investigation but may provide copies of certain records, in confidence, to the Town's administrative staff who are required to ensure that any such records are securely and confidentially retained.



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration

Section # 3-1
By-law # 068-2019

No Complaint Prior to Municipal Election

8.

- (1) Notwithstanding any other provision of this Complaint Protocol, no complaint may be filed with the Integrity Commissioner, no report shall be made by the Integrity Commissioner to Council during the period of time starting on nomination day for a regular municipal election year, as set out in section 31 of the *Municipal Elections Act, 1996* and ending on the voting day in a regular election as set out in section 5 of the *Municipal Elections Act, 1996*.
- (2) If the Integrity Commissioner has received a complaint and has commenced an inquiry but has not completed the inquiry before nomination day in a regular municipal election year, the Integrity Commissioner shall terminate the inquiry on nomination day but may commence an inquiry in respect of the same complaint if within six (6) weeks after the voting day in a regular municipal election the individual who made the request makes a written request to the Integrity Commissioner in accordance with subsection 223.4(8) of the *Municipal Act, 2001*.

Advice Provided to Member by Integrity Commissioner

9.

- (1) Subject to Section 9(2), a Member is entitled to rely upon any written advice given by the Integrity Commissioner to the Member respecting the Code of Conduct in any subsequent consideration of the conduct of the Member in the same matter provided that the Member fully disclosed in writing all relevant facts known to him or her to the Integrity Commissioner and acted in accordance with the written advice provided by the Integrity Commissioner.
- (2) If the Integrity Commissioner applies to a judge under section 8 of the *Municipal Conflict of Interest Act* for a determination as to whether the Member contravened section 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act*, the Member is entitled to advise the judge of any written advice given by the Integrity Commissioner provided that the Member fully disclosed in writing all relevant facts known to him or her to the Integrity Commissioner and acted in accordance with the written advice provided by the Integrity Commissioner.



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration

Section # 3-1
By-law # 068-2019

-
- (3) A Member under investigation by the Integrity Commissioner shall not request advice from the Integrity Commissioner as to the Member's rights under the Code of Conduct, the *Municipal Conflict of Interest Act* or generally at law with respect to any matter that the Integrity Commissioner is investigating or reviewing with respect to the Member, nor is the Member entitled to rely upon any statement(s) made by the Integrity Commissioner during the course of any investigation or review that may impact the Member's rights under the Code of Conduct, the *Municipal Conflict of Interest Act* or generally at law.

Authority to Abridge or Extend

10.

- (1) Notwithstanding any requirement, obligation or timeline, set out in the Code of Conduct or this Complaint Protocol, the Integrity Commissioner shall retain the right to abridge or extend any provision therein in the public interest.

Investigation Report

11.

- (1) The Integrity Commissioner shall report to the complainant and the Member no later than ninety (90) days after the official receipt of any complaint under the Code of Conduct. If the investigation process is anticipated to or takes more than ninety (90) days, the Integrity Commissioner shall provide an interim report to Council and must advise the parties of the approximate date the report will be available. The Integrity Commissioner may also, at his or her discretion, advise any witnesses or other persons of the approximate date the report will be available.
- (2) Where the complaint is sustained in whole or in part, the Integrity Commissioner shall report to Council outlining the findings, the terms of any settlement and/or any recommended remedial or corrective measure or action.
- (3) The Integrity Commissioner may provide a copy of the report to the complainant and the Member whose conduct has been investigated in advance of the public release of the report, in strict confidence until the report is publicly released. The Member shall have the right to address the report if it considered by Council.



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

**Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration**

**Section # 3-1
By-law # 068-2019**

-
- (4) Where the complaint is not sustained, the Integrity Commissioner is not obligated to report to Council on the result of the investigation or any findings but may do so at his/her discretion and may also include such information as he/she deems necessary in a report or as part of an annual or other periodic report by the Integrity Commissioner.
- (5) The Integrity Commissioner shall complete the investigation under the *Municipal Conflict of Interest Act* no later than one hundred and eighty (180) days after the official receipt of any complaint validly made under Section 1(2) of this Part.

Findings

12.

- (1) If the Integrity Commissioner determines that:
- (a) there has been no contravention of the Code of Conduct, or section 5, 5.1 or 5.2 of the *Municipal Conflict of Interest Act*, or
 - (b) a contravention occurred but:
 - (i) the Member took all reasonable measures to prevent it, including having sought and followed the advice of the Integrity Commissioner;
 - (ii) it was trivial,
 - (iii) it was committed through inadvertence, or
 - (iv) it resulted from an error in judgment made in good faith,

the Integrity Commissioner may so state in the report and may make appropriate recommendations pursuant to the *Municipal Act, 2001*, including but not limited to, a recommendation of no penalty.

- (2) If the Integrity Commissioner:
- (a) considers it appropriate, once he or she has concluded the investigation under Section 1(2) of this Part, he or she may apply to a judge under section 8 of the *Municipal Conflict of Interest Act* for a determination as to whether the Member has contravened section 5, 5.1 or 5.2 of that statute; or



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration

Section # 3-1
By-law # 068-2019

-
- (b) does not proceed with an application to the judge, he or she shall so advise the complainant and the Member in writing.
- (3) The Integrity Commissioner shall provide a written report to Council providing the reasons for his or her decision under Section 12(2).

Report to Council

13.

- (1) Upon receipt of a report from the Integrity Commissioner with respect to the Code of Conduct, the Clerk shall place the report on the next regular agenda of Council for consideration by Council and Council must consider the report at that meeting and may accept or refuse the recommendations set out in the report and accept, refuse or vary any penalties or sanctions or any remedial or corrective actions contained in the report.
- (2) A report from the Integrity Commissioner may also be considered by Council in advance of its next regular meeting should Council agree to hold a special or other meeting before its next regular meeting to consider the report.

Duty of Council

14. Council shall consider and make a determination on the Integrity Commissioner's report under Section 13 at the same meeting at which the report is tabled.

Public Disclosure

15.

- (1) The Integrity Commissioner and every person acting under his or her jurisdiction shall preserve confidentiality where appropriate and where it does not interfere with the course of any investigation, except as required by law and as required by this Complaint Protocol.
- (2) The Integrity Commissioner shall retain all records related to the complaint and investigation although copies may be provided to the Town's administrative staff, subject to the duty of confidentiality under subsection 223.5 of the *Municipal Act, 2001*.



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration

Section # 3-1
By-law # 068-2019

-
- (3) The identity of the Member who is the subject of the complaint shall not be treated as confidential information in the Integrity Commissioner's report to Council. The identity of the complainant and of any other person, including any witnesses, may be disclosed if deemed appropriate and necessary by the Integrity Commissioner or if consented to by the complainant or any other person.
- (4) All reports from the Integrity Commissioner to Council shall be made available to the public by the Clerk.

Delegation by Integrity Commissioner

16. The Integrity Commissioner may delegate in writing to any person, other than a Member of Council, any of the Integrity Commissioner's powers and duties under Part V.1 of the *Municipal Act, 2001*.

Complaint Protocol Applicable to Local Boards and Members

17. The provisions of this Complaint Protocol shall apply, with modifications as necessary, to all local boards of the Town and their members.



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

**Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration**

**Section # 3-1
By-law # 068-2019**

Code of Conduct — Formal Complaint Form # 1

AFFIDAVIT

I, _____ (first and last name),
of the Town of _____ in the Province of Ontario.

MAKE OATH AND SAY (or AFFIRM):

1. I reside at: _____ (full address) and
may be contacted at telephone: _____ and email: _____.

2. I have reasonable and probable grounds to believe that:

_____ (name of Member),

a member of the Council of The Corporation of the Town of Cobourg or a local board of the Town has
contravened section(s) _____ of the Code of Conduct
of the Town of Cobourg. The particulars of which are attached hereto.

3. Facts constituting the alleged contravention (use separate page if required)

This affidavit is made for the purpose of requesting that this matter be reviewed and/or investigated by
the Town's Integrity Commissioner and for no other improper purpose.

SWORN (or AFFIRMED) before me at the)
the _____ of _____ on)
_____ (date))
)

(Signature)

A Commissioner for taking affidavits etc.

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



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date: September 30, 2019

Department: Legislative Services

Approval Level: Council

Policy Title: Code of Conduct for Members
of Council and Local Boards
- Administration

Section # 3-1
By-law # 068-2019

Municipal Conflict of Interest Act – Complaint Form # 2

STATUTORY DECLARATION

I, _____ (first and last name), of the
Town of _____ in the Province of Ontario.

I SOLEMNLY DECLARE THAT:

1. I reside at: _____ (full address) and
may be contacted at telephone: _____ and email: _____.

2. I have reasonable and probable grounds to believe that:

_____ (specify name of Member),
a member of the Council of The Corporation of the Town of Cobourg or a local board of the Town, has
contravened section(s) _____ of the *Municipal Conflict of Interest Act*,
R.S.O. 1990, c. M.50. The particulars of which are attached hereto.

3. I became aware of the facts constituting the alleged contravention not more than six (6) weeks ago
and they comprise the following: (use separate page if required)


This declaration is made for the purpose of requesting that this matter be investigated by the Town of
Cobourg's Integrity Commissioner and for no other improper purpose.

DECLARED before me at the _____)
the _____ of _____)
on _____ (date))
_____)

(Signature)

A Commissioner for taking affidavits etc.

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

 COBOURG	<div>THE CORPORATION OF THE TOWN OF COBOURG</div> <div>BY-LAW NUMBER <u>069-2019</u></div>
----------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------

A BY-LAW TO ENTER INTO AN AGREEMENT WITH 2682194 ONTARIO LTD. (CARDINAL INDUSTRIAL SOLUTIONS) AND THE CORPORATION OF THE TOWN OF COBOURG (DODGE STREET, COBOURG).

WHEREAS Section 9 of the *Municipal Act, 2001* S.O. c. 25, as amended (herein referred to as the “Municipal Act”) provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purposes of exercising its authority under this or any other Act;

AND WHEREAS pursuant to the General Powers contained in Part II of the *Municipal Act 2001 as amended*, the Council of every Municipality has the authority to sell land;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

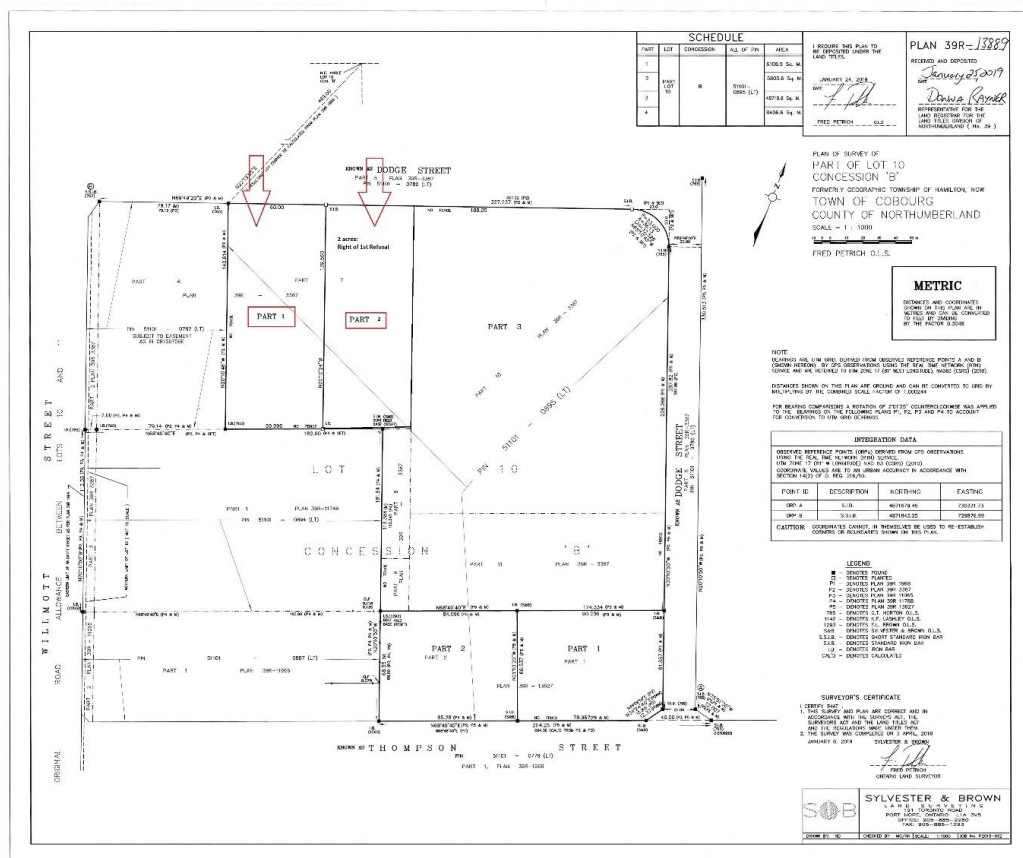
1. THAT the Mayor and Municipal Clerk are hereby authorized and directed to execute on behalf of the Corporation a Sale of Land Agreement with 2682194 Ontario Ltd. (Cardinal Industrial Solutions) at Dodge Street, Cobourg, as generally described in Schedule “A” and Schedule “B”, for an additional 180 days, for the purchase of 2-acres of industrial land and a right of first refusal for an additional 2-acres of land, in the Lucas Point Business & Industrial Park by 2682194 Ontario Inc. (Cardinal Industrial Solutions) for parcel located at Dodge Street fronting North and East of 180 Willmott Street, Cobourg, including any required extensions or minor amendments to the Agreement of Sale and all other necessary or ancillary documentation for the purpose of completing such transaction to carry out the purpose of this By-law.
2. THAT By-law No.019-2019 is hereby repealed at the passing of this By-law.
3. THAT this By-law shall come into force and effect upon the date of passing.

By-law read and passed in Open Council on this 30th day of September, 2019.

MAYOR


MUNICIPAL CLERK

SCHEDULE "A"



SCHEDULE "B"



 COBOURG	<p>THE CORPORATION OF THE TOWN OF COBOURG</p> <p>BY-LAW NUMBER <u>070-2019</u></p>
----------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------

A BY-LAW TO ENTER INTO AN AGREEMENT WITH 1978327 ONTARIO LTD. (LOADSTAR TRAILERS) AND THE CORPORATION OF THE TOWN OF COBOURG (DODGE STREET, COBOURG).

WHEREAS Section 9 of the *Municipal Act, 2001* S.O. c. 25, as amended (herein referred to as the “Municipal Act”) provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purposes of exercising its authority under this or any other Act;

AND WHEREAS pursuant to the General Powers contained in Part II of the *Municipal Act, 2001* as amended, the Council of every Municipality has the authority to sell land;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

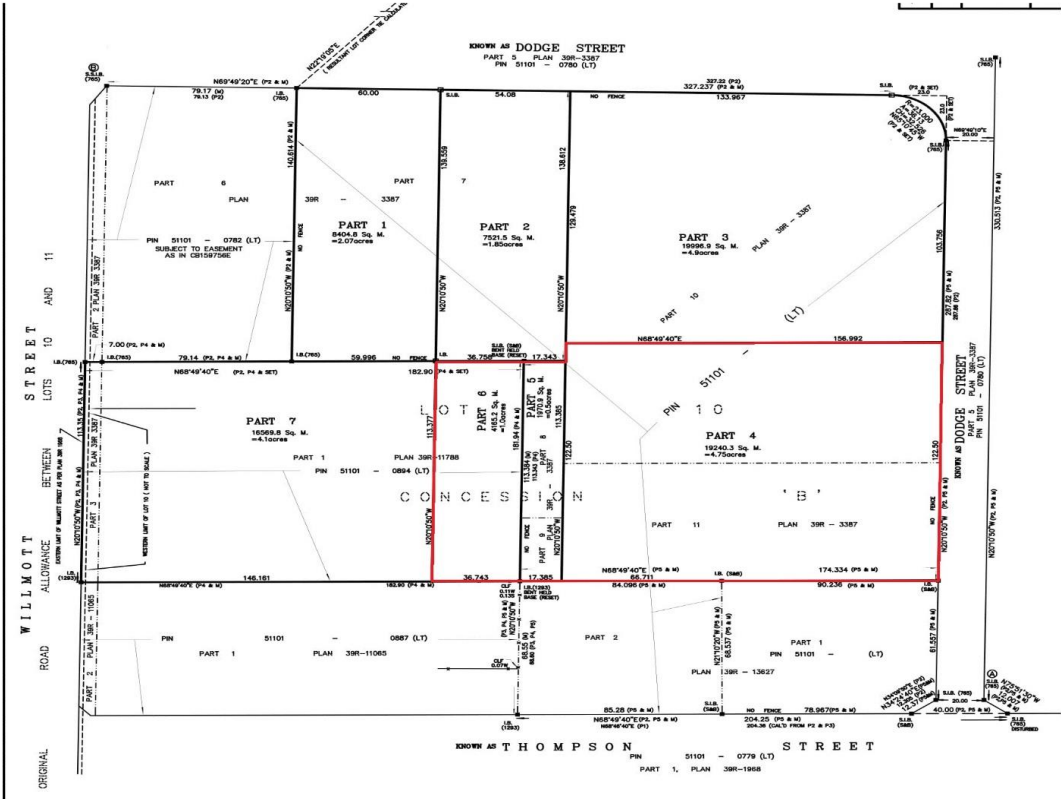
- 1. THAT the Mayor and Municipal Clerk are hereby authorized and directed to execute on behalf of the Corporation a Sale of Land Agreement with 1978327 Ontario Ltd. (Loadstar Trailers) at Dodge Street, Cobourg, as generally described in Schedule “A” and Schedule “B”, for a total of 6.25 acres of light industrial land located in Lucas Point Business & Industrial Park (Dodge Street fronting East, Cobourg),including any required extensions or minor amendments to the Agreement of Sale and all other necessary or ancillary documentation for the purpose of completing such transaction to carry out the purpose of this By-law.
- 2. THAT By-law No.001-2019 be herby repealed at the passing of this By-law.
- 3. THAT this By-law shall come into force and effect upon the date of passing.

By-law read and passed in Open Council on this 30th day of September, 2019.

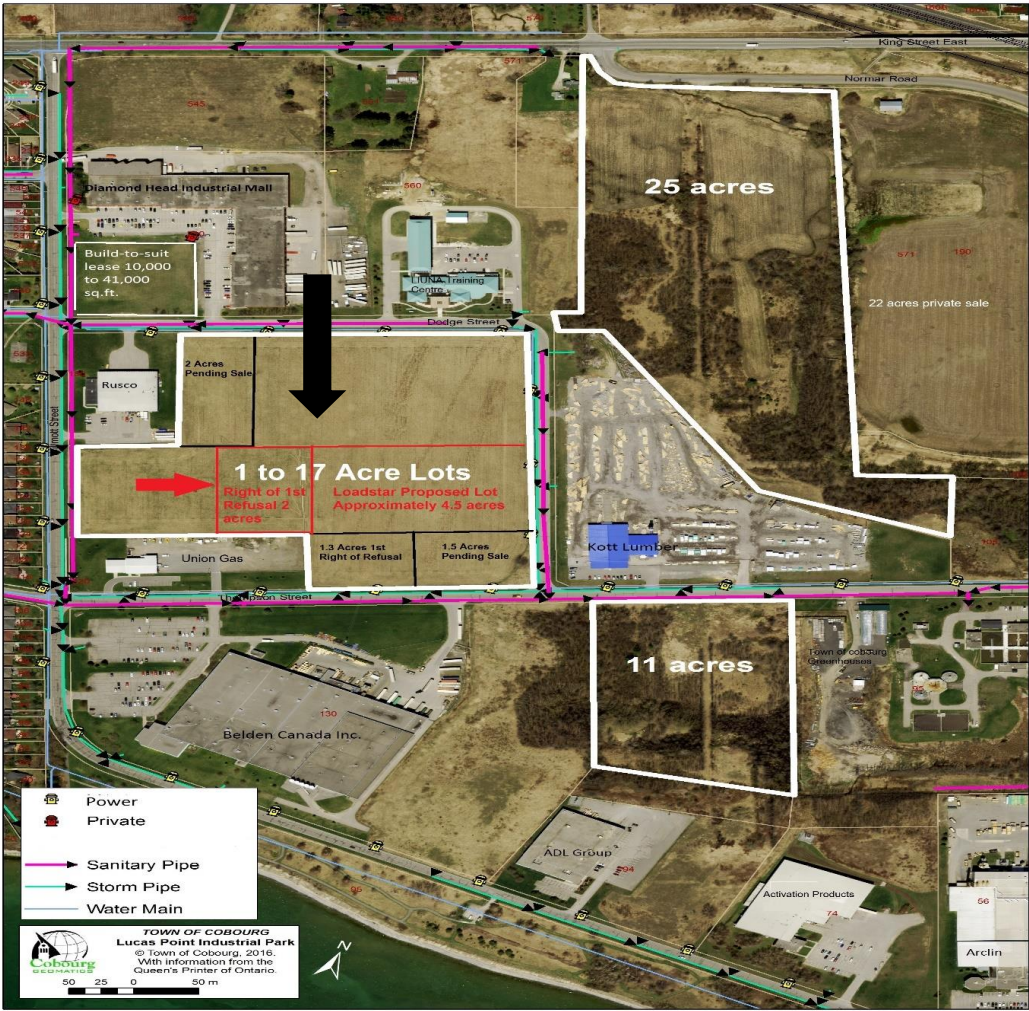
MAYOR


MUNICIPAL CLERK

SCHEDULE "A"



SCHEDULE “B”



	<p>THE CORPORATION OF THE TOWN OF COBOURG</p>
	<p>BY-LAW NUMBER <u>071-2019</u></p>

A BY-LAW TO ENTER INTO AN AGREEMENT OF PURCHASE AND SALE BETWEEN HABITAT FOR HUMANITY NORTHUMBERLAND AND THE CORPORATION OF THE TOWN OF COBOURG FOR 600 DAINTRY CRESCENT COBOURG, LEGALLY KNOW AS PART OF LOT 22 &24, CONC. A TOWN OF COBOURG (FORMERLY IN THE TOWNSHIP OF HAMILTON), PT BLOCK P, PL 424, BEING PARTS 40-41, PLAN 39R-3373.

WHEREAS pursuant to Section 9 of the *Municipal Act*, 2001 S.O. c. 25 which provides in part that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS pursuant to the General Powers contained in Part II of the *Municipal Act*, 2001, S.O., c25, as amended, (the “Act”) the Council of every municipality has the authority to sell land;

AND WHEREAS Council has received an offer to purchase the 890 sq m (9,583 sq ft) in area parcel of land known municipally as 600 Daintry Crescent, Cobourg;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

1. THAT the Agreement of Purchase and Sale between the Corporation of the Town of Cobourg and Habitat for Humanity Northumberland, attached hereto as Schedule “A” be authorized and approved by Council to sell the 890 sq m (9,583 sq ft) in area parcel of land known municipally as 600 Daintry Crescent, Cobourg and legally know as Part of Lot 22 & 24, Conc. A Town of Cobourg (Formerly in the Township of Hamilton), Pt Block P, Pl 424, Being Parts 40-41, Plan 39r-3373.
2. THAT the Mayor and Municipal Clerk are hereby authorized and directed to execute the Agreement of Purchase and Sale including any required extensions or minor amendments to the Agreement of Purchase and Sale an all other necessary or ancillary documentation for the purpose of completing such transaction to carry out the purpose of this by-law.
3. This By-law shall come into force and effect on the day of passing.

READ and passed in Open Council this 23rd day of July, 2018.

MAYOR

MUNICIPAL CLERK

Schedule “A” to By-law No.071-2019

Appendix A
Purchase and Sale Agreement
600 Daintry Crescent, Cobourg

Agreement of Purchase and Sale Commercial

Form 500
for use in the Province of Ontario

This Agreement of Purchase and Sale dated this 6th day of September 2019

BUYER: HABITAT FOR HUMANITY OF NORTHUMBERLAND agrees to purchase from
(full legal names of all Buyers)

SELLER: THE CORPORATION OF THE TOWN OF COBOURG the following
(full legal names of all Sellers)

REAL PROPERTY:

Address VACANT LAND ON DAINTRY CRESCENT (600 DAINTRY CRESCENT)

Fronting on the _____ side of _____

in the TOWN OF COBOURG

and having a frontage of _____ more or less by a depth of _____ more or less

and legally described as TOWN OF COBOURG (FORMERLY IN THE TOWNSHIP OF HAMILTON), PT BLOCK Q, PL 424

being parts 40-41, Plan 39R-3373 S/T EASEMENT OVER PT 40 39R-3373 AS IN **CB111842** (the "property")
(legal description of land including easements not described elsewhere) **BEING PIN 51085-1179(LT)**

PURCHASE PRICE: Dollars (CDN\$) **\$35,000.00**
THIRTY-FIVE THOUSAND DOLLARS Dollars

DEPOSIT: Buyer submits UPON ACCEPTANCE
(herein "Upon Acceptance" or otherwise described in this Agreement)
FIVE THOUSAND Dollars (CDN\$) **\$5,000.00**

by negotiable cheque payable to **SELLER'S SOLICITOR, in trust** Deposit Holder
to be held in trust pending completion or other termination of this Agreement and to be credited toward the Purchase Price on completion. For the purposes of this Agreement, "Upon Acceptance" shall mean that the Buyer is required to deliver the deposit to the Deposit Holder within 24 hours of the acceptance of this Agreement. The parties to this Agreement hereby acknowledge that, unless otherwise provided for in this Agreement, the Deposit Holder shall place the deposit in trust in the Deposit Holder's non-interest bearing Real Estate Trust Account and no interest shall be earned, received or paid on the deposit.

Buyer agrees to pay the balance as more particularly set out in Schedule A attached.

SCHEDULES A, B attached hereto form(s) part of this Agreement.

1. **IRREVOCABLE OFFER:** This offer shall be irrevocable by MM **BUYER** until 5:00 on OCTOBER (Seller/Buyer) 20 19
the 30th day of September after which time, if not accepted, this offer shall be null and void and the deposit shall be returned to the Buyer in full, without interest.

2. **COMPLETION DATE:** this Agreement shall be completed by no later than 6:00 p.m. on the _____ day of _____
See Schedule "A" 20 _____ Upon completion, vacant possession of the property shall be given to the Buyer unless otherwise provided for in this Agreement.

INITIALS OF BUYER(S): MM

INITIALS OF SELLER(S):

IREA is the trademark of REALTOR®, REALTORSM, REALTORSES, Multiple Listing Services, and associated logos are owned or controlled by the Canadian Real Estate Association (CREA) and identify the real estate professionals who are members of CREA and the many of services they provide. Used under license.
© 2019 Ontario Real Estate Association ("OREA"). All rights reserved. This form was developed by OREA for the use and reproduction by its members and licensees only. Any other use or reproduction is prohibited except with prior written consent of OREA. Do not alter when printing or reproducing the standard contract portion. OREA bears no liability for your use of this form.

This form is licensed for use by ROLF MARTIN RENZ only

3. **NOTICES:** The Seller hereby appoints the Listing Brokerage as agent for the Seller for the purpose of giving and receiving notices pursuant to this Agreement. Where a Brokerage (Buyer's Brokerage) has entered into a representation agreement with the Buyer, the Buyer hereby appoints the Buyer's Brokerage as agent for the purpose of giving and receiving notices pursuant to this Agreement. **Where a Brokerage represents both the Seller and the Buyer (multiple representation), the Brokerage shall not be appointed or authorized to be agent for either the Buyer or the Seller for the purpose of giving and receiving notices.** Any notice relating hereto or provided for herein shall be in writing. In addition to any provision contained herein and in any Schedule hereto, this offer, any counter-offer, notice of acceptance thereof or any notice to be given or received pursuant to this Agreement or any Schedule hereto (any of them, "Document") shall be deemed given and received when delivered personally or hand delivered to the Address for Service provided in the Acknowledgement below, or where a facsimile number or email address is provided herein, when transmitted electronically to that facsimile number or email address, respectively, in which case, the signature(s) of the party (parties) shall be deemed to be original.

FAX No.:
(For delivery of Documents to Seller)

FAX No.:
(For delivery of Documents to Buyer)

Email Address: **mmdonald@habitatnorthumberland.ca**
(For delivery of Documents to Seller)

Email Address: **blarmer@cobourg.ca**
(For delivery of Documents to Buyer)

4. **CHATELS INCLUDED:**

N/A

Unless otherwise stated in this Agreement or any Schedule hereto, Seller agrees to convey all fixtures and chattels included in the Purchase Price free from all liens, encumbrances or claims affecting the said fixtures and chattels.

5. **FIXTURES EXCLUDED:**

N/A

6. **RENTAL ITEMS (Including Lease, Lease to Own):** The following equipment is rented and **not** included in the Purchase Price. The Buyer agrees to assume the rental contract(s), if assumable:

N/A

The Buyer agrees to co-operate and execute such documentation as may be required to facilitate such assumption.

7. **HST: IN ADDITION TO**

The Seller will not collect HST if the Buyer provides to the Seller a warranty that the Buyer is registered under the Excise Tax Act ("ETA"), together with a copy of the Buyer's ETA registration, a warranty that the Buyer shall self-assess and remit the HST payable and file the prescribed form and shall indemnify the Seller in respect of any HST payable. The foregoing warranties shall not merge but shall survive the completion of the transaction. If the sale of the property is not subject to HST, Seller agrees to certify on or before closing, that the transaction is not subject to HST. Any HST on chattels, if applicable, is not included in the Purchase Price.

INITIALS OF BUYER(S):



INITIALS OF SELLER(S):





The trademarks REALTOR®, REALTORS®, MLS®, Multiple Listing Services® and associated logos are owned or controlled by The Canadian Real Estate Association (CREA) and identify the real estate professionals who are members of CREA and the quality of services they provide. Used under license.

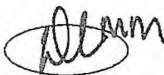
© 2019 Ontario Real Estate Association (OREA). All rights reserved. This form was developed by OREA for the use and reproduction by its members and licensees only. Any other use or reproduction is prohibited except with prior written consent of OREA. Do not alter when printing or reproducing the standard pre-set portion. OREA bears no liability for your use of this form.

This form is licensed for use by ROLF MARTIN RENZ only.

Form 500 Revised 2019 Page 2 of 13


8. **TITLE SEARCH:** Buyer shall be allowed until 6:00 p.m. on the 7th day of prior to closing 20 [Requisition Date] to examine the title to the property at his own expense and until the earlier of (i) thirty days from the later of the Requisition Date or the date on which the conditions in this Agreement are fulfilled or otherwise waived or; (ii) five days prior to completion, to satisfy himself that there are no outstanding work orders or deficiency notices affecting the property, that its present use (VACANT LAND) may be lawfully continued and that the principal building may be insured against risk of fire. Seller hereby consents to the municipality or other governmental agencies releasing to Buyer details of all outstanding work orders and deficiency notices affecting the property, and Seller agrees to execute and deliver such further authorizations in this regard as Buyer may reasonably require.
9. **FUTURE USE:** Seller and Buyer agree that there is no representation or warranty of any kind that the future intended use of the property by Buyer is or will be lawful except as may be specifically provided for in this Agreement.
10. **TITLE:** Provided that the title to the property is good and free from all registered restrictions, charges, liens, and encumbrances except as otherwise specifically provided in this Agreement and save and except for (a) any registered restrictions or covenants that run with the land providing that such are complied with; (b) any registered municipal agreements and registered agreements with publicly regulated utilities providing such have been complied with, or security has been posted to ensure compliance and completion, as evidenced by a letter from the relevant municipality or regulated utility; (c) any minor easements for the supply of domestic utility or telecommunication services to the property or adjacent properties; and (d) any easements for drainage, storm or sanitary sewers, public utility lines, telecommunication lines, cable television lines or other services which do not materially affect the use of the property. If within the specified times referred to in paragraph 8 any valid objection to title or to any outstanding work order or deficiency notice, or to the fact the said present use may not lawfully be continued, or that the principal building may not be insured against risk of fire is made in writing to Seller and which Seller is unable or unwilling to remove, remedy or satisfy or obtain insurance save and except against risk of fire (Title Insurance) in favour of the Buyer and any mortgagee, (with all related costs at the expense of the Seller), and which Buyer will not waive, this Agreement notwithstanding any intermediate acts or negotiations in respect of such objections, shall be at an end and all monies paid shall be returned without interest or deduction and Seller, Listing Brokerage and Co-operating Brokerage shall not be liable for any costs or damages. Save as to any valid objection so made by such day and except for any objection going to the root of the title, Buyer shall be conclusively deemed to have accepted Seller's title to the property.
11. **CLOSING ARRANGEMENTS:** Where each of the Seller and Buyer retain a lawyer to complete the Agreement of Purchase and Sale of the property, and where the transaction will be completed by electronic registration pursuant to Part III of the Land Registration Reform Act, R.S.O. 1990, Chapter L4 and the Electronic Registration Act, S.O. 1991, Chapter 44, and any amendments thereto, the Seller and Buyer acknowledge and agree that the exchange of closing funds, non-registrable documents and other items (the "Requisite Deliveries") and the release thereof to the Seller and Buyer will (a) not occur at the same time as the registration of the transfer/deed (and any other documents intended to be registered in connection with the completion of this transaction) and (b) be subject to conditions whereby the lawyer(s) receiving any of the Requisite Deliveries will be required to hold same in trust and not release same except in accordance with the terms of a document registration agreement between the said lawyers. The Seller and Buyer irrevocably instruct the said lawyers to be bound by the document registration agreement which is recommended from time to time by the Law Society of Ontario. Unless otherwise agreed to by the lawyers, such exchange of Requisite Deliveries shall occur by the delivery of the Requisite Deliveries of each party to the office of the lawyer for the other party or such other location agreeable to both lawyers.
12. **DOCUMENTS AND DISCHARGE:** Buyer shall not call for the production of any title deed, abstract, survey or other evidence of title to the property except such as are in the possession or control of Seller. If requested by Buyer, Seller will deliver any sketch or survey of the property within Seller's control to Buyer as soon as possible and prior to the Requisition Date. If a discharge of any Charge/Mortgage held by a corporation incorporated pursuant to the Trust and Loan Companies Act (Canada), Chartered Bank, Trust Company, Credit Union, Caisse Populaire or Insurance Company and which is not to be assumed by Buyer on completion, is not available in registrable form on completion, Buyer agrees to accept Seller's lawyer's personal undertaking to obtain, out of the closing funds, a discharge in registrable form and to register same, or cause same to be registered, on title within a reasonable period of time after completion, provided that on or before completion Seller shall provide to Buyer a mortgage statement prepared by the mortgagee setting out the balance required to obtain the discharge, and, where a real-time electronic cleared funds transfer system is not being used, a direction executed by Seller directing payment to the mortgagee of the amount required to obtain the discharge out of the balance due on completion.
13. **INSPECTION:** Buyer acknowledges having had the opportunity to inspect the property and understands that upon acceptance of this offer there shall be a binding agreement of purchase and sale between Buyer and Seller.
14. **INSURANCE:** All buildings on the property and all other things being purchased shall be and remain until completion at the risk of Seller. Pending completion, Seller shall hold all insurance policies, if any, and the proceeds thereof in trust for the parties as their interests may appear and in the event of substantial damage, Buyer may either terminate this Agreement and have all monies paid returned without interest or deduction or else take the proceeds of any insurance and complete the purchase. No insurance shall be transferred on completion. If Seller is taking back a Charge/Mortgage, or Buyer is assuming a Charge/Mortgage, Buyer shall supply Seller with reasonable evidence of adequate insurance to protect Seller's or other mortgagee's interest on completion.

INITIALS OF BUYER(S):



INITIALS OF SELLER(S):



 The trademarks REALTOR®, REALTOR®, MLS®, Multiple Listing Services® and associated logos are owned or controlled by the Canadian Real Estate Association (CREA) and identify the real estate professionals who are members of CREA and the quality of services they provide. Used under license.
© 2019, Ontario Real Estate Association (OREA). All rights reserved. This form was developed by OREA for the use and reproduction by its members and licensees only. Any other use or reproduction is prohibited except with prior written consent of OREA. Do not alter when printing or reproducing the standard pre-set portion. OREA bears no liability for your use of this form.

This form is licensed for use by ROLF MARTIN RENZ only.

Form 500 Revised 2019 Page 3 of 13

15. **PLANNING ACT:** This Agreement shall be effective to create an interest in the property only if Seller complies with the subdivision control provisions of the Planning Act by completion and Seller covenants to proceed diligently at his expense to obtain any necessary consent by completion.
16. **DOCUMENT PREPARATION:** The Transfer/Deed shall, save for the Land Transfer Tax Affidavit, be prepared in registrable form at the expense of Seller, and any Charge/Mortgage to be given back by the Buyer to Seller at the expense of the Buyer. If requested by Buyer, Seller covenants that the Transfer/Deed to be delivered on completion shall contain the statements contemplated by Section 50(22) of the Planning Act, R.S.O. 1990.
17. **RESIDENCY:** (a) Subject to (b) below, the Seller represents and warrants that the Seller is not and on completion will not be a non-resident under the non-residency provisions of the Income Tax Act which representation and warranty shall survive and not merge upon the completion of this transaction and the Seller shall deliver to the Buyer a statutory declaration that Seller is not then a non-resident of Canada;
(c) provided that if the Seller is a non-resident under the non-residency provisions of the Income Tax Act, the Buyer shall be credited towards the Purchase Price with the amount, if any, necessary for Buyer to pay to the Minister of National Revenue to satisfy Buyer's liability in respect of tax payable by Seller under the non-residency provisions of the Income Tax Act by reason of this sale. Buyer shall not claim such credit if Seller delivers on completion the prescribed certificate.
18. **ADJUSTMENTS:** Any rents, mortgage interest, realty taxes including local improvement rates and unmetered public or private utility charges and unmetered cost of fuel, as applicable, shall be apportioned and allowed to the day of completion, the day of completion itself to be apportioned to Buyer.
19. **TIME LIMITS:** Time shall in all respects be of the essence hereof provided that the time for doing or completing of any matter provided for herein may be extended or abridged by an agreement in writing signed by Seller and Buyer or by their respective lawyers who may be specifically authorized in that regard.
20. **PROPERTY ASSESSMENT:** The Buyer and Seller hereby acknowledge that the Province of Ontario has implemented current value assessment and properties may be re-assessed on an annual basis. The Buyer and Seller agree that no claim will be made against the Buyer or Seller, or any Brokerage, Broker or Salesperson, for any changes in property tax as a result of a re-assessment of the property, save and except any property taxes that accrued prior to the completion of this transaction.
21. **TENDER:** Any tender of documents or money hereunder may be made upon Seller or Buyer or their respective lawyers on the day set for completion. Money shall be tendered with funds drawn on a lawyer's trust account in the form of a bank draft, certified cheque or wire transfer using the large Value Transfer System.
22. **FAMILY LAW ACT:** Seller warrants that spousal consent is not necessary to this transaction under the provisions of the Family Law Act, R.S.O. 1990 unless the spouse of the Seller has executed the consent hereinafter provided.
23. ~~UFFI: Seller represents and warrants to Buyer that during the time Seller has owned the property, Seller has not caused any building on the property to be insulated with insulation containing ureaformaldehyde, and that to the best of Seller's knowledge no building on the property contains or has ever contained insulation that contains ureaformaldehyde. This warranty shall survive and not merge on the completion of this transaction, and if the building is part of a multiple-unit building, this warranty shall only apply to that part of the building which is the subject of this transaction.~~
24. **LEGAL, ACCOUNTING AND ENVIRONMENTAL ADVICE:** The parties acknowledge that any information provided by the brokerage is not legal, tax or environmental advice, and that it has been recommended that the parties obtain independent professional advice prior to signing this document.
25. ~~CONSUMER REPORTS: The Buyer is hereby notified that a consumer report containing credit and/or personal information may be referred to in connection with this transaction.~~
26. **AGREEMENT IN WRITING:** If there is conflict or discrepancy between any provision added to this Agreement (including any Schedule attached hereto) and any provision in the standard pre-set portion hereof, the added provision shall supersede the standard pre-set provision to the extent of such conflict or discrepancy. This Agreement including any Schedule attached hereto, shall constitute the entire Agreement between Buyer and Seller. There is no representation, warranty, collateral agreement or condition, which affects this Agreement other than as expressed herein. For the purposes of this Agreement, Seller means vendor and Buyer means purchaser. This Agreement shall be read with all changes of gender or number required by the context.
27. **TIME AND DATE:** Any reference to a time and date in this Agreement shall mean the time and date where the property is located.

INITIALS OF BUYER(S):

mm

INITIALS OF SELLER(S):

mm



The trademarks REALTOR®, REALTOR®, MLS®, Multiple Listing Services® and associated logos are owned or controlled by The Canadian Real Estate Association (CREA) and identify the real estate professionals who are members of CREA and the quality of services they provide. Used under license.

© 2019 Ontario Real Estate Association (OREA). All rights reserved. This form was developed by OREA for the use and reproduction by its members and licensees only. Any other use or reproduction is prohibited except with prior written consent of OREA. Do not alter when printing or reproducing the standard pre-set portion. OREA bears no liability for your use of this form.

This form is licensed for use by ROLF MARTIN RENZ only.

Form 500 Revised 2019 Page 4 of 13

28. **SUCCESSORS AND ASSIGNS:** The heirs, executors, administrators, successors and assigns of the undersigned are bound by the terms herein. SIGNED, SEALED AND DELIVERED in the presence of:

IN WITNESS whereof I have hereunto set my hand and seal:

HABITAT FOR HUMANITY OF NORTHUMBERLAND

(Witness)

(Buyer/Authorized Signing Officer)

(Seal)

(Date)

(Witness)

(Buyer/Authorized Signing Officer)

(Seal)

(Date)

I, the Undersigned Seller, agree to the above offer. I hereby irrevocably instruct my lawyer to pay directly to the brokerage(s) with whom I have agreed to pay commission, the unpaid balance of the commission together with applicable Harmonized Sales Tax (and any other taxes as may hereafter be applicable), from the proceeds of the sale prior to any payment to the undersigned on completion, as advised by the brokerage(s) to my lawyer.

SIGNED, SEALED AND DELIVERED in the presence of:

IN WITNESS whereof I have hereunto set my hand and seal

THE CORPORATION OF THE TOWN OF COBOURG

(Witness)

(Seller/Authorized Signing Officer)

(Seal)

(Date)

(Witness)

(Seller/Authorized Signing Officer)

(Seal)

(Date)

SPOUSAL CONSENT: The undersigned spouse of the Seller hereby consents to the disposition evidenced herein pursuant to the provisions of the Family Law Act, R.S.O. 1990, and hereby agrees to execute all necessary or incidental documents to give full force and effect to the sale evidenced herein.

(Witness)

(Spouse)

(Seal)

(Date)

CONFIRMATION OF ACCEPTANCE: Notwithstanding anything contained herein to the contrary, I confirm this Agreement with all changes both typed and written was finally accepted by all parties at this day of, 20

(Signature of Seller or Buyer)

INFORMATION ON BROKERAGE(S)

Listing Brokerage

(Tel. No.)

(Salesperson/Broker/Broker of Record Name)

Co-op/Buyer Brokerage

(Tel. No.)

(Salesperson/Broker/Broker of Record Name)

ACKNOWLEDGEMENT

I acknowledge receipt of my signed copy of this accepted Agreement of Purchase and Sale and I authorize the Brokerage to forward a copy to my lawyer

I acknowledge receipt of my signed copy of this accepted Agreement of Purchase and Sale and I authorize the Brokerage to forward a copy to my lawyer

(Seller)

(Date)

(Buyer)

(Date)

(Seller)

(Date)

(Buyer)

(Date)

Address for Service

Address for Service

Seller's Lawyer **ROLF RENZ - TEMPLEMANN LLP**

Address **200-205 DUNDAS STREET E, BELLEVILLE ON K8N 5A2**

Email **rrenz@tmlegal.ca**

613 966-2620

613 966-2866

(Tel. No.)

(Fax No.)

Buyer's Lawyer **Alison Lester**

Address **24 Covert St., Cobourg ON**

Email **alison@irvinelesterlaw.ca**

905-372-8791

(Tel. No.)

(Fax No.)

FOR OFFICE USE ONLY

COMMISSION TRUST AGREEMENT

I, Co-operating Brokerage shown on the foregoing Agreement of Purchase and Sale, in consideration for the Co-operating Brokerage procuring the foregoing Agreement of Purchase and Sale, hereby declare that all moneys received or receivable by me in connection with the transaction as contemplated in the MLS® Rules and Regulations of my Real Estate Board shall be receivable and held in trust. This agreement shall constitute a Commission Trust Agreement as defined in the MLS® Rules and shall be subject to and governed by the MLS® Rules pertaining to Commission Trust.

DATED as of the date and time of the acceptance of the foregoing Agreement of Purchase and Sale.

Acknowledged by:

(Authorized to bind the Listing Brokerage)

(Authorized to bind the Co-operating Brokerage)

The trademarks REALTOR®, REALTORSO, MLS®, Multiple Listing Services® and associated logos are owned or controlled by The Canadian Real Estate Association (CREA) and identify the real estate professionals who are members of CREA and the quality of services they provide. Used under license.

© 2019 Ontario Real Estate Association ("OREA"). All rights reserved. This form was developed by OREA for the use and reproduction by its members and licensees only. Any other use or reproduction is prohibited except with prior written consent of OREA. Do not alter when printing or reproducing the standard pre-set portion. OREA bears no liability for your use of this form.

Form 500 Revised 2019 Page 5 of 13

This form is licensed for use by ROLF E. MARTIN RENZ only

Schedule A
Agreement of Purchase and Sale – Commercial

This Schedule is attached to and forms part of the Agreement of Purchase and Sale between:

BUYER: HABITAT FOR HUMANITY OF NORTHUMBERLAND, and

SELLER: THE CORPORATION OF THE TOWN OF COBOURG

for the purchase and sale of **VACANT LAND ON DAINTRY CRESCENT (600 DAINTRY CRESCENT)**

dated the **6th** day of **September**, 20**19**
Buyer agrees to pay the balance as follows:

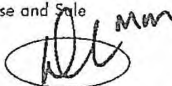
the Buyer and Seller agree as follows:

1. The Buyer agrees to pay the balance of the purchase price, subject to adjustments, to the Seller on completion of this transaction, with funds drawn on a lawyer's trust account in the form of a bank draft, certified cheque or wire transfer using the Large Value Transfer System.
2. The Buyer acknowledges receipt of the "Sale of Land Information Package" attached as Schedule "B".
3. The Buyer shall pay all survey costs, and the costs of all zoning amendments and/ or planning amendments or other permits or approvals that may be required for any use of the Property other than present use.
4. The Buyer shall accept title subject to any easements, By-Laws, Subdivision Agreements or other municipal agreements registered on title. Existing easements over Part 40 39R3373 and any other easement required by the Seller will be reserved.
5. The Buyer shall be responsible for any Development Charges, permits, fees or levies chargeable upon development of the Property.
6. (a) This Agreement shall be conditional upon approval of the Agreement by By-Law of the Corporation of the Town of Cobourg. Unless the Seller gives notice in writing to the Buyer personally or in accordance with any other provisions for the delivery of notice in this Agreement or any Schedule thereto not later than 45 days from acceptance of this Agreement that this condition has been fulfilled, this offer shall become null and void and the deposit shall be returned to the Buyer in full without deduction. This condition is included for the benefit of the Seller and may be waived at the Seller's sole option by notice in writing to the Buyer as aforesaid within the period stated herein.

(b) This Agreement shall be conditional upon the Buyer satisfying itself that all required permits or approvals for the Buyer's proposed development are available. Unless the Buyer gives notice in writing delivered to the Seller personally or in accordance with any other provisions for the delivery of notice in this Agreement or any

This form must be initialed by all parties to the Agreement of Purchase and Sale

INITIALS OF BUYER(S):



INITIALS OF SELLER(S):



The trademarks REALTOR®, REALTOR5®, MLS®, Multiple Listing Services® and associated logos are owned or controlled by the Canadian Real Estate Association (CREA) and identify the real estate professionals who are members of CREA and the quality of services they provide. Used under license.

© 2019, Ontario Real Estate Association ("OREA"). All rights reserved. This form was developed by OREA for the use and reproduction by its members and licensees only. Any other use or reproduction is prohibited except with prior written consent of OREA. Do not alter when printing or reproducing the standard preset portion. OREA bears no liability for your use of this form.

This form is licensed for use by ROLF MARTIN RENZ only.

Form 500 Revised 2019 Page 6 of 13

Schedule A

Agreement of Purchase and Sale – Commercial

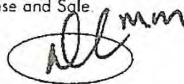
Schedule thereto not later than 90 days from acceptance of this Agreement that this condition has been fulfilled, this Offer shall become null and void and the deposit shall be returned to the Buyer and may be waived at the Buyer's sole option by notice in writing to the Seller as aforesaid within the time period stated herein. The Buyer shall promptly provide to the Seller copies of all reports and results of all audits, investigations and inquiries with respect to the property which the Buyer receives.

7. The Purchaser acknowledges that they have inspected the land to their satisfaction and that the property is sold "as is". They further acknowledge that the Vendor makes no representations whatsoever as to the condition of the property. It shall be understood that the successful bidder has inspected the land to their satisfaction and that the property is therefore, sold "as is". The Corporation of the Town of Cobourg (the "Town") makes no representations whatsoever as to the condition of the property and the environmental matters or the presence of any hazardous materials in the soil or groundwater. All of the foregoing become the sole responsibility of the Purchaser on closing including compliance with all environmental laws, regulations and orders. Any costs associated with inspecting the property shall be borne by the Purchaser.

8. This Agreement shall be completed on that day which is 14 days following fulfillment or waiver of all conditions provided that if the Land Registry Office is not open for business on that day the transaction shall be completed on the next business day following.

This form must be initialed by all parties to the Agreement of Purchase and Sale.

INITIALS OF BUYER(S):



INITIALS OF SELLER(S):





The trademarks REALTOR®, REALTOR®, MLS®, Multiple Listing Service® and associated logos are owned or controlled by the Canadian Real Estate Association (CREA) and identify the real estate professionals who are members of CREA and the quality of services they provide. Used under license.

© 2019 Ontario Real Estate Association ("OREA"). All rights reserved. This form was developed by OREA for the use and reproduction by its members and licensees only. Any other use or reproduction is prohibited except with prior written consent of OREA. Do not alter when printing or reproducing the standard pre-set portion. OREA bears no liability for your use of this form.

This form is licensed for use by ROLF MARTIN RENZ only.

SCHEDULE "B"



THE CORPORATION OF THE TOWN OF COBOURG SALE OF LAND INFORMATION PACKAGE

RE: THE CORPORATION OF THE TOWN OF COBOURG
SALE OF LAND BY PUBLIC TENDER

Subject Lands: Part of Lot 22 & 24, Conc. A, Town of Cobourg (formerly in the Township of Hamilton), Pt Block P, PL 424, being Parts 40-41, Plan 39R-3373 and known municipally as 600 Daintry Crescent (as shown on Schedule "A" and Schedule "B" attached). Assessment Roll No. 1421000220109400000.

Date: May 3, 2018

A. INTRODUCTION

The following information and related attachments are intended to provide a general overview of the status of the Subject Lands from a municipal policy, land use, and engineering perspective and to inform potential purchasers of the possible issues surrounding the possible development of the Subject Lands.

B. OFFICIAL PLAN POLICY CONTEXT

1. Relevant Documents¹: Cobourg Official Plan (Schedule "A" Land Use Plan)
2. Land Use Designation: Residential Area, Section 3.4;
3. Policy Context: Residential development permitted, subject to the applicable criteria contained within *Section 3.4 - Residential Area* and *Section 8.0 - Development Review* of the Official Plan;

C. ZONING BY-LAW REGULATORY CONTEXT

¹ Copies of relevant municipal planning documents are available by contacting the Planning Department, Victoria Hall, 55 King Street West, Cobourg, Ontario, K9A 2M2 (905)372-1005 or by accessing the municipal website www.cobourg.ca.

1
mm

1. Relevant Document: Cobourg Zoning By-law No. 85-2003 (Schedule "A", Map 1);
2. Land Use Category: Residential Type 3 Exception 1 (R3-1) Zone (Section 9.2.1, and Schedule 'B-1');
3. Regulatory Context: Development Restricted – Site Specific Zoning Category. Any development of the Subject Lands, including changes or other adjustments to the zoning, will require municipal and railway approval.

D. SERVICING STATUS Based on information available from the Public Works Department and Lakefront Utility Services Inc. (LUSI), municipal water and sanitary sewer services are available within the Daintry Crescent road allowance to service the Subject Lands, and individual service stubs have been installed to the front property line. Electrical service is available on Daintry Crescent. Neither the Town of Cobourg nor LUSI certify or warrant the location or condition of the individual service lines.

E. KEY ISSUES Development feasibility and/or built form: noise, vibration and mitigation (ie. proximity to elevated railway main lines); restrictive zoning.

F. GENERAL

The Subject Lands, comprising approx. 890 sq m (9,583 sq ft) in area, are located on the east side of Daintry Crescent and are located in close proximity to a single track CP Railway elevated main line and a double track CN Railway main line (Windsor-Montreal rail corridor). The vacant property and adjacent vacant lands along Daintry Crescent were zoned approximately 30 years ago for a very specific form of residential development consisting of linked semi-detached-type dwelling structures having defined setbacks, a minimum height of 9.1 m and a maximum height of 10.6 m, and a continuous solid wall along the back of the units.

The sale of the Subject Lands by the Municipality is being offered on an "as-is" basis² and, through the Agreement of Purchase and Sale and restrictive covenants on the title deed, it will be a requirement that the Owner apply for a Zoning By-law Amendment and

² The Corporation of the Town of Cobourg makes no representations whatsoever as to the condition of the property or any environmental matters or the presence of any hazardous materials in the soils and groundwater. All of the foregoing would become the sole responsibility of the successful landowner including compliance with all environmental laws, regulations or orders.

2
NM
lll

Site Plan Approval for the development of a single detached dwelling and receive approval of same by the Municipality, including the execution and registration of a Development Agreement, prior to the issuance of a Building Permit.

This approach is intended to ensure that all relevant policies, regulations and criteria of the Provincial Planning Act, Provincial Policy Statement, Places To Grow Growth Plan, Municipal Official Plan and Zoning By-law are satisfied by the submission and approval of detailed drawings and/or other documentation including such matters as, but not limited to: site/survey plans; architectural plans; site servicing/grading plans; and a noise impact and vibration study by qualified persons. Current Provincial and CN/CP Railway standards together with recommendations of the noise and vibration studies could impose potential mitigation measures and/or conditions that could affect the nature and extent of development permitted on this lot. Prospective purchasers are expected to undertake their own due diligence as part of their response to this offering of land for sale by public tender.

Important Note: *This information package was developed to assist members of the public who are interested in the above-referenced land sale in understanding the issues surrounding the potential use and development of the Subject Lands. The information and opinions in this package are for convenience purposes and should not be relied upon, implicitly or explicitly, as a substitute for legal or other professional advice as part of a proper due diligence process in connection with any particular matter outlined herein. Neither the Town of Cobourg nor its employees certify or warrant the completeness or accuracy of the information contained within this package. Please be advised that there are no implicit or explicit guarantees made by the Town of Cobourg, its employees, and/or agencies that the development of the Subject Lands is feasible. The Municipality is under no obligation to resolve any of the key issues related to the development status of the Subject Lands, nor is it obligated to approve any amendments to the applicable planning documents or grant Site Plan Approval without proper justification to the satisfaction of the Municipality and/or CN/CP Railways.*

Specific questions relating to the land use planning and development status of the Subject Lands may be directed to:

Mr. Glenn McGlashon, MCIP, RPP

Director of Planning & Development
Building and Planning Department
Victoria Hall, 55 King Street West
Cobourg ON K9A 2M2

(p) (905)372-1005
(f) (905)372-1533
(e) gmcglashon@cobourg.ca

Mr. Rob Franklin, MCIP, RPP

Manager of Planning Services
Building and Planning Department
Victoria Hall, 55 King Street West
Cobourg ON K9A 2M2

(p) (905)372-1005
(f) (905)372-1533
(e) rfranklin@cobourg.ca

MM
WCC

Specific questions relating to the engineering and public servicing status of the Subject Lands may be directed to:

Ms. Laurie Wills, P. Eng.
Director of Public Works
Northam Industrial Park
740 Division St, Bldg #7
Cobourg, ON K9A 0H6

(p) (905)372-9971
(f) (905)372-0009
(e) lwills@cobourg.ca

Mr. Larry Spyрка
LUSI Manager of Water Systems
6 D'Arcy Street
Cobourg ON K9A 3Z4

(p) (905) 372-2193 x5238
(f) (905) 372-2581
(e) lsprka@lusi.on.ca

Mr. Chris Callaghan, C. Tech
Electrical Distribution Systems
Manager of Assets and Design
207 Division St., Box 577
Cobourg, ON K9A 4L3

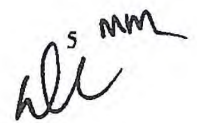
(p) 905-372-2193 x 5204
(f) 905-372-2581
(e) ccallaghan@lusi.on.ca

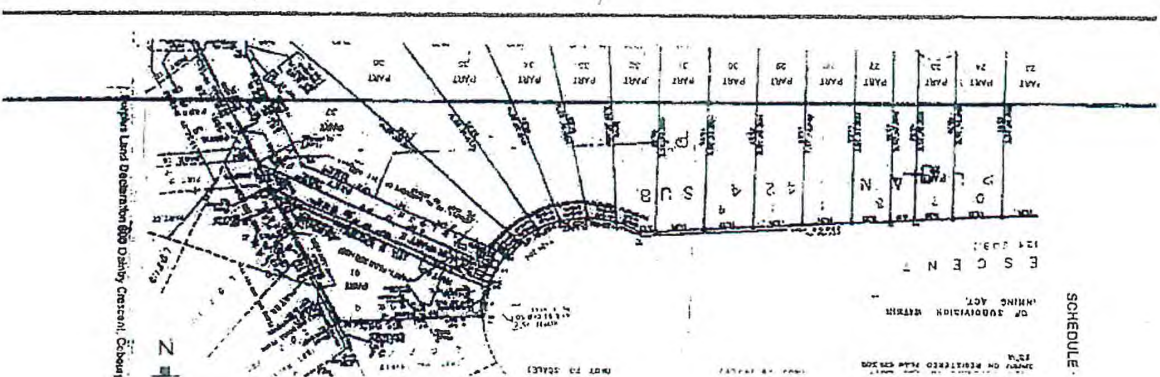
Specific questions relating to the land sale and other financial matters may be directed to:

Mr. Ian Davey
Director of Corporate Services
55 King Street West
Cobourg ON K9A 2M2


(p) (905)372-4301
(f) (905)372-7421
(e) jdavey@cobourg.ca

MM
dl





mm
6

 COBOURG	THE CORPORATION OF THE TOWN OF COBOURG
	BY-LAW NUMBER <u>072-2019</u>

BY-LAW TO ESTABLISH BUILDING PERMIT FEES FOR THE CORPORATION OF THE TOWN OF COBOURG

WHEREAS the Building Code Act, 1992, S.O. 1992, Chapter 23, Section 7(1) provides in part that a Council of a municipality may pass by-laws requiring the payment of fees on application for and issuance of permits and prescribing the amounts thereof;

AND WHEREAS the Municipal Council of the Town of Cobourg has considered a report by Tunnock Consulting Ltd. dated November 6, 2015 and a report from the Director of Planning & Development dated September 26, 2019;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:


- 1. THAT ‘Table 6’, attached hereto as Appendix “A”, is hereby adopted.
- 2. THAT the fees be adjusted annually on January 1st of each year based on the Consumer Price Index (CPI) available through Statistics Canada.
- 3. THAT the Municipal Council of the Corporation of the Town of Cobourg shall have the authority to change any fee imposed pursuant to this By-law or to provide refunds of fees for affordable and rental housing developments subject to and in accordance with the provisions of the *Building Code Act, 1992, S.O. 1992, Chapter 23*, as amended from time to time.
- 4. THAT this By-law shall come into force and effect upon passing.
- 5. THAT By-law 103-2015 is hereby repealed.

READ and passed in Open Council this 30th day of September, 2019.

MAYOR

MUNICIPAL CLERK

Table 6 - Proposed Fees - Town of Cobourg							
Type of Permit or Service	Floor Area (ft. ²)	Cost/ft. ²	Current Fee/ft. ²	Proposed Fee/ft. ²	Minimum Fee	Minimum Fee for Larger Floor Area	Increase 2016/2015 (%)
Group A & B (Assembly / Care & Detention)							
New Construction (Finished Area)	1200	\$1.69 - \$1.84	\$1.62	\$1.66	\$ 2,000.00	\$1.66/ft.2 - > 1200 ft.2	2.4
Addition	750	\$1.69	\$1.62	\$1.66	\$ 1,275.00	\$1.66/ft.2 - > 750 ft.2	2.4
Group C (Residential)							
New Construction (Finished Area)	1200	\$1.52 - \$1.57	\$1.55	\$1.57	\$ 1,900.00	\$1.57/ft.2 - > 1200 ft.2	1.3
Addition	400	\$1.57	\$1.55	\$1.57	\$ 650.00	\$1.57/ft.2 - > 400 ft.2	1.3
Group D & E (Business & Personal Service / Retail)							
New Construction (Finished Area)	1200	\$1.63 - \$1.70	\$1.62	\$1.66	\$ 2,000.00	\$1.66/ft.2 - > 1200 ft.2	2.4
Addition	750	\$1.70	\$1.62	\$1.66	\$ 1,275.00	\$1.66/ft.2 - > 750 ft.2	2.4
Group F (Industrial)							
New Construction (Finished Area)	1200	\$1.41 - \$1.66	\$1.62	\$1.66	\$ 2,000.00	\$1.66/ft.2 - > 1200 ft.2	2.4
Addition	750	\$1.66	\$1.62	\$1.66	\$ 1,275.00	\$1.66/ft.2 - > 750 ft.2	2.4
All Uses							
New Construction / Accessory Structure (Unfinished Area)							
Residential	300	\$0.91 - \$1.01	\$0.95	\$0.99	\$ 300.00	\$0.99/ft.2 - > 300 ft.2	5
Non-Residential	500	\$0.91 - \$1.02	\$0.89	\$0.92	\$ 500.00	\$0.99/ft.2 - > 500 ft.2	11.2
Decks at ground or less than 600 mm above ground	300	\$0.91 - \$1.01	\$0.95	\$0.99	\$ 150.00	\$0.99/ft.2 - > 300 ft.2	
Decks more than 600 mm above ground	300	\$0.91 - \$1.02	\$0.95	\$0.99	\$ 250.00	\$0.99/ft.2 - > 300 ft.2	
Complex Renovation (Life Safety Systems / HVAC, Fire Separations)	500	\$0.85 - \$0.93	NEW	\$0.93	\$ 500.00	\$0.93/ft.2 - > 500 ft.2	n/a
Basic Renovation (Interior Layout Changes Only)	500	\$0.30 - \$0.50	NEW	\$0.40	\$ 200.00	\$0.40/ft.2 - > 500 ft.2	n/a
Change of Use (To Group C, D, E, F)	500	\$0.15 - \$0.52	\$0.40	\$0.44	\$ 200.00	\$0.44/ft.2 - > 500 ft.2	10
Change of Use (To Group A, B)	750	\$0.24 - \$0.63	\$0.43	\$0.47	\$ 350.00	\$0.47/ft.2 - > 750 ft.3	10
Demolition (Part 9)	500	\$0.40	\$0.40	\$0.44	\$ 200.00	\$0.44/ft.2 - > 500 ft.2	10
Demolition (Part 3)	750	\$0.88	\$0.43	\$0.47	\$ 350.00	\$0.47/ft.2 - > 750 ft.3	10
Alternative Solution			NEW		\$500 flat fee	n/a	n/a
Administration Fees			NEW		\$100 flat fee	n/a	n/a

	THE CORPORATION OF THE TOWN OF COBOURG
	BY-LAW NUMBER <u>073-2019</u>

A BY-LAW TO ESTABLISH A TARRIFF OF FEES FOR THE PROCESSING OF APPLICATIONS MADE IN RESPECT OF PLANNING MATTERS FOR THE CORPORATION THE TOWN OF COBOURG

WHEREAS Section 69(1) of the *Planning Act*, R. S. O. 1990, c. P. 13, as amended, provides in part that a council of a municipality may establish a tariff of fees for the processing of applications made in respect of planning matters;

AND WHEREAS the Municipal Council of the Town of Cobourg has considered a report from the Director of Planning & Development dated September 26, 2019;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

1. THAT it is hereby established a tariff of fees for the processing of applications made in respect of planning matters, as shown on Schedule “A” attached hereto and forming part of this By-law.
2. THAT this By-law shall come into force and effect as of its passing, with annual adjustments automatically being implemented in accordance with Schedule “A”.
3. THAT despite the tariff of fees established pursuant to this By-law, the Municipal Council of the Corporation of the Town of Cobourg in processing an application may reduce the amount of or waive the requirement for the payment of a fee in respect of the application where the Council is satisfied that it would be unreasonable to require payment in accordance with the tariff as per subsection 69(2) of the Planning Act, R.S.O. 1990, c.P. 13, as amended from time to time.
4. THAT By-law 030-2016 is hereby repealed.

READ and passed in Open Council this 30th day of September, 2019.

MAYOR

MUNICIPAL CLERK

SCHEDULE “A” TO BY-LAW No. 073-2019
TOWN OF COBOURG PLANNING APPLICATION FEES 2016 – 2020
Pursuant to Section 69(1) of the Planning Act, R.S.O. 1990, c.P. 13 as amended

Type of Application/Service	Existing Fee (approved in 2008)	Proposed Fee 2016	Proposed Fee 2017	Proposed Fee 2018	Proposed Fee 2019	Proposed Fee 2020	Explanatory Notes
Official Plan Amendment (OPA)	\$5,000.00	\$7,000.00	\$7,500.00	\$8,000.00	\$8,500.00	\$9,000.00	Major Residential ¹
	\$7,600.00	\$10,000.00	\$11,000.00	12,000.00	\$13,000.00	\$14,000.00	Major Commercial ²
	\$3,500.00	\$4,000.00	\$4,500.00	\$5,000.00	\$5,500.00	\$6,000.00	Other
	\$3,500.00	\$5,000.00	\$6,000.00	\$7,000.00	\$8,000.00	\$9,000.00	Major Residential
	\$3,500.00	\$5,000.00	\$6,000.00	\$7,000.00	\$8,000.00	\$9,000.00	Major Commercial
Zoning By-law Amendment (ZBA)	\$3,500.00	\$5,000.00	\$6,000.00	\$7,000.00	\$8,000.00	\$9,000.00	Major Residential
	\$3,500.00	\$5,000.00	\$6,000.00	\$7,000.00	\$8,000.00	\$9,000.00	Major Commercial
Combined OPA/ZBA	\$2,500.00	\$3,000.00	\$3,500.00	\$4,000.00	\$4,500.00	\$5,000.00	Other
	OPA fee + 50% of ZBA	OPA fee + 50% of ZBA	OPA fee + 50% of ZBA	OPA fee + 50% of ZBA	OPA fee + 50% of ZBA	OPA fee + 50% of ZBA	Accounts for some overlap in process and services rendered
Draft Plan Review of a Plan of Subdivision/Condominium/Condo minium Conversion	\$3,000.00 + \$30.00 per lot, block or unit (in the case of a condominium conversion) to a maximum of \$7,500.00 (based on 150 lots, blocks or units)	\$5,000.00 + \$35 per lot or unit (in the case of a condominium conversion) to a maximum of \$15,000.00	\$5,500.00 + \$40 per lot or unit (in the case of a condominium conversion) to a maximum of \$17,000.00	\$6,000.00 + \$45 per lot or unit (in the case of a condominium conversion) to a maximum of \$19,000.00	\$6,500.00 + \$50 per lot or unit (in the case of a condominium conversion) to a maximum of \$21,000.00	\$7,000.00 + \$55 per lot or unit (in the case of a condominium conversion) to a maximum of \$23,000.00	Includes 'one-window' processing of the draft plan, application and reports, circulation, review, analysis, discussions, preparation of memoranda, reports, and public notices, and formulation of draft conditions and attendance at meetings
Changes to Draft Plan/Conditions of Draft Approval	\$2,000.00	\$3,000.00	\$3,500.00	\$4,000.00	\$4,500.00	\$5,000.00	Major draft plan changes/re-design and/or significant changes to a condition requiring re-circulation, analysis, reports and/or public notice, draft conditions and attendance at meetings
	\$500.00	\$750.00	\$1,000.00	\$1,250.00	\$1,500.00	\$1,750.00	Minor 'red-line' adjustments to a draft plan and/or changes to draft conditions, analysis and reports
Clearance of Draft Conditions of Approval and Final Approval of a Plan of Subdivision	\$1,500.00 + \$30.00 per lot, block or unit to a maximum of \$6,000.00 (based on 150 lots, blocks or units)	\$5,000.00 + \$35 per lot or unit + \$500.00 per 3 rd submission >= (NEW)	\$5,500.00 + \$40 per lot or unit + \$600.00 per 3 rd submission >= (NEW)	\$6,000.00 + \$45 per lot or unit + \$700.00 per 3 rd submission >= (NEW)	\$6,500.00 + \$50 per lot or unit + \$800.00 per 3 rd submission >= (NEW)	\$7,000.00 + \$55 per lot or unit + \$900.00 per 3 rd submission >= (NEW)	Includes general processing of the detailed engineering drawings, plans and reports, plans review, discussions, preparation of memoranda and/or reports, attendance at meetings, review of draft conditions, compilation of clearances, preparation of Subdivision Agreement, review and approval of M-Plan, and subdivision monitoring
Extension to Draft Plan Approval	N/A	\$2,000.00 (NEW)	\$2,250.00	\$2,500.00	\$2,750.00	\$3,000.00	Includes analysis of conditions, circulation and preparation of a planning report for Council approval and attendance at meetings
Condominium Exemption and Final Approval of a Plan of Condominium	\$500.00 + \$30.00 per unit to a maximum of \$2,000.00	\$750.00 + \$35 per unit	\$1,000 + \$40 per unit	\$1,250.00 + \$45 per unit	\$1,500.00 + \$50 per unit	\$1,750.00 + \$55 per unit	Includes processing of application, review of draft and final condominium plans and related documentation, attendance at meetings, and execution of documents
Part Lot Control By-law Exemptions	\$500.00 + \$30.00 per part lot	\$750.00 + \$35 per part lot	\$1,000.00 + \$40 per part lot	\$1,250.00 + \$45 per part lot	\$1,500.00 + \$50 per part lot	\$1,750.00 + \$55 per part lot	Includes processing of Block and/or R-Plans, review discussions, preparation of memoranda and/or reports, attendance at meetings, and registration of By-law
Removal of a Holding (H) Symbol	\$500.00	\$550.00	\$600.00	\$650.00	\$700.00	\$750.00	Includes preparation and circulation of notices, by-laws, reports and attendance at meetings

¹ Major Residential consists of development in excess of 25 dwelling units
² Major Commercial consists of development in excess of 1,400 sq m GFA


SCHEDULE “A” TO BY-LAW No. 073-2019 CONT’D

Type of Application	Existing Fee 2008-2015	Proposed Fee 2016	Proposed Fee 2017	Proposed Fee 2018	Proposed Fee 2019	Proposed Fee 2020	Explanatory Notes
Site Plan Approval	\$1,500.00 + \$30.00 per unit	\$3,000.00 + \$35.00 per unit*	\$3,500.00 + \$40 per unit*	\$4,000.00 + \$45 per unit*	\$4,500.00 + \$50 per unit*	\$5,000.00 + \$55 per unit*	Major Residential
	\$3,500.00	\$4,500.00*	\$5,000.00*	\$5,500.00*	\$6,000.00*	\$6,500.00*	Major Commercial
	\$750.00	No Fee (NEW)	No Fee	No Fee	No Fee	No Fee	Industrial
	\$1,000.00	\$1,100.00*	\$1,200.00*	\$1,300.00*	\$1,400.00*	\$1,500.00*	Site Plan Amendment (excluding Major Residential and Major Commercial)
	\$2,000.00	\$2,500.00*	\$2,750.00*	\$3,000.00*	\$3,250.00*	\$3,500.00*	Other
Consents for Severance		**+ \$500.00 per submission >= 3 rd submission (NEW)	**+ \$600.00 per submission >= 3 rd submission	**+ \$700.00 per submission >= 3 rd submission	**+ \$800.00 per submission >= 3 rd submission	**+ \$900.00 per submission >= 3 rd submission	Includes general processing of the application and plans, review, discussions, preparation of memoranda, reports, and notices, attendance at meetings, formulation of decisions, administration of conditions, and review and approval of legal title documentation
	\$1,000.00 per new lot	\$1,500.00 per new lot + \$500.00 per Consent Certificate (NEW)	\$1,750.00 per new lot + \$500.00 per Consent Certificate	\$2,000.00 per new lot + \$500.00 per Consent Certificate	\$2,250.00 per new lot + \$500.00 per Consent Certificate	\$2,500.00 per new lot + \$500.00 per Consent Certificate	
Minor Variance	\$200.00 Minor \$500.00	\$250.00 \$600.00	\$300.00 \$700.00	\$350.00 \$800.00	\$400.00 \$900.00	\$450.00 \$1,000.00	Easements, rights-of-way, leases, lot line adjustments, etc. Includes general processing of the application and plans, review, discussions, preparation of memoranda, reports, and notices, attendance at meetings, formulation of decisions, and administration of conditions
Compliance Letters (building, zoning, vehicle inspection, chip trucks, etc.)	\$75.00	\$80.00	\$85.00	\$90.00	\$95.00	\$100.00	Includes general review of planning records, zoning, agreements, and preparation of correspondence
Preconsultation	N/A	\$500.00 per pre-consultation (NEW)	\$550.00 per pre-consultation	\$600.00 per pre-consultation	\$650.00 per pre-consultation	\$700.00 per pre-consultation	Includes general planning review of development concepts, reports, application and plans, discussions, preparation of memoranda, reports, and/or correspondence, and discussions in advance of formal submission of planning application(s) – the fee will be credited to applicant if/when formal application is submitted within 6 months of the first pre-consultation, to a maximum of 2 pre-consultations (ie. credit does not apply to any pre-consultations after the second)

SCHEDULE “A” TO BY-LAW No. 073-2019 CONT’D

SCHEDULE FOR REFUNDS TO PLANNING APPLICATION FEES 2016 - 2020

Type of Application	Service Rendered	Existing Refund	Proposed Refund
Official Plan Amendments, Zoning By-law Amendments, Plans of Subdivision, and Site Plan Approval	If an application has been submitted to the Planning Department but no administrative functions have been performed	90%	90%
	If a report has been prepared and/or other administrative functions have been performed on an application, but the application has not been considered by the Planning and Sustainability Advisory Committee	50%	30%
	If the application and report has been considered by the Planning and Sustainability Advisory Committee but has not proceeded to Council and/or a Public Meeting	40%	20%
	If the application and report have been considered by Council and/or a Public Meeting has been held	25%	10%
	If Council has passed an implementing By-law	No Refund	No Refund
Consents, Minor Variances	If an application has been submitted but no administrative functions have been performed	90%	90%
	If a report has been prepared and/or other administrative functions have been performed on an application, but the application has not been considered by the Committee of Adjustment	50%	30%
	If the application and report have been considered by the Committee of Adjustment	No Refund	No Refund

	THE CORPORATION OF THE TOWN OF COBOURG
	BY-LAW NUMBER <u>074-2019</u>

A BY-LAW TO REQUIRE LAND FOR PARK PURPOSES OR OTHER PUBLIC RECREATIONAL PURPOSES FOR THE CORPORATION OF THE TOWN OF COBOURG

WHEREAS the Planning Act R.S.O 1990, Chapter P. 13 Section 42(1) provides in part that the Council of a local municipality may, by by-law require that the land be conveyed to a municipality for parks or other public recreational purposes as a condition of development or redevelopment of land;

AND WHEREAS the Municipal Council of the Corporation of the Town of Cobourg has considered a report from the Director of Planning & Development dated September 26, 2019 and deems is advisable and in the public interest to pass a By-law pursuant to Section 42 of the Planning Act R.S.O 1990, Chapter P.13 as amended;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

1. FOR THE PURPOSES OF THIS BY-LAW:

“**Development**” shall mean the construction, erection, or placing of one or more buildings or structures on land or the making of a substantial addition or alteration to the building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishment of a commercial parking lot or of sites for the location of three or more trailers as defined in clause (a) of subsection 164(4) of the Municipal Act, 2001 or of sites for the construction, erection or location of three or more mobile homes as defined in subsection 46(1) of the Planning Act, 1990 or of sites for the construction, erection or location of three or more land lease community homes as defined in subsection 46(1) of the Planning Act, 1990.

“**Town**” shall mean the Corporation of the Town of Cobourg

- 2. THAT as a condition of development or redevelopment of land for commercial or industrial purposes, the Town shall require that the land in an amount not exceeding two (2) percent of the land proposed for development or redevelopment, be conveyed to the Municipality for park or other public recreational purposes.
- 3. THAT as a condition of development or redevelopment of land for residential purposes or any purpose other than commercial or industrial, the Town shall require that the land in an amount not exceeding five (5) percent of the land proposed for development or


redevelopment be conveyed to the Municipality for the park or other recreational purposes.

4. THAT the Council of the Town may require the payment of money to the value of the land otherwise required to be conveyed under this By-law in lieu of the conveyance.
5. THAT this By-law shall come into full force and effect upon the date of its passing.
6. THAT By-law No. 015-2012 is hereby repealed.

READ and passed in Open Council this 30th day of September, 2019

MAYOR

MUNICIPAL CLERK

	<div>THE CORPORATION OF THE TOWN OF COBOURG</div> <div>BY-LAW NUMBER <u>075-2019</u></div>
-----------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------

A BY-LAW TO APPOINT A BUILDING INSPECTOR/PLANS EXAMINER FOR THE TOWN OF COBOURG.

WHEREAS pursuant to Section 3.(1) of the *Building Code Act*, R.S.O. 1992, C. 23, which provides that the council of municipality is responsible for the enforcement of this Act in the Municipality;

AND WHEREAS pursuant to Section 3.(2) of the *Building Code Act*, R.S.O. 1992, C. 23, provides that the council of each municipality shall appoint a Chief Building Official and such Building Inspectors that are necessary for the purposes of enforcement of this Act in the areas in which the municipality has jurisdiction;


NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

- 1. THAT** Pharen Wilson is hereby appointed as a Building Inspector/Plans Examiner for purposes of enforcement of the *Building Code Act*, and any amendments and regulations thereto in the Town of Cobourg.
- 2. THAT** his By-law shall come into force and effect as of the date of passing.

READ finally passed in Open Council this 30th day of September, 2019.

MAYOR

MUNICIPAL CLERK

	THE CORPORATION OF THE TOWN OF COBOURG
	ACCESSIBILITY ADVISORY COMMITTEE MEETING MINUTES
	July 17, 2019 Conference Room

The regular meeting of the Cobourg Accessibility Advisory Committee was held at 10:00 a.m. at the Conference Room, Victoria Hall with the following persons in attendance:

PRESENT

Chair, Kathryn Richards
 Vice Chair, Troy Mills
 Estelle Morrill
 Jerry Ford
 Aaron Burchat, Councillor
 Laurie Wills, Director of Public Works
 Desta McAdam, Secretary
 Brent Larmer, Manager of Legislative Services

ABSENT:

Susan Caron
 Elizabeth (Beth) Sheffield

CALL TO ORDER

K. Richards called the meeting to order at 10:00 a.m.

APPROVAL / ADDITIONS TO THE AGENDA

Agenda was approved as amended.

DECLARATIONS OF INTEREST BY MEMBERS

J. Ford declared Conflict of Interest for the Site Plan Review of 311-325 University Ave W & 387 William Street.

ADOPTION OF MINUTES

Approval of Minutes from the June 19th, 2019 meeting.

Moved by K. Richards: That the Minutes dated June 19th, 2019 be adopted.

Carried

PRESENTATIONS / DELEGATIONS

Page 1 of 3

N/A

COMMUNICATIONS / CORRESPONDENCE

N/A

REPORTS

N/A

UNFINISHED BUSINESS

Accessibility Budget Allocation

- B. Larmer noted that a report is being prepared for Council regarding meeting Strategic Plan objectives. Some items in the report may be directed to the Committee, and may help the Committee in deciding how to best allocate the budget.

Accessible Taxi

- Following a discussion regarding the issues surrounding the absence of accessible an taxi service, and ensuring accessible transportation options are available in the Municipality beyond regular transit operating hours, the following Motion was put forward:

Moved by E. Morrill, seconded by T. Mills:

THAT the Accessibility Committee endorses the continuation of extended accessible transit services to 11:00 p.m. beyond December 2019.

Carried

Cobourg Beach Stair Painting

- L. Wills to look into adding boardwalk edge painting to 2019 painting contract

Sandwich Board Locations in Downtown

- B. Larmer provided correspondence to the Chair of DBIA regarding this matter. B. Larmer has requested that the By-law enforcement officers and Special Constables with the Cobourg Police Services supervise the locations of the sandwich board signs, and ticket/remove when necessary

Victoria Hall Accessibility Audit Planning

- No update.

Cobourg Police Services Building

- A. Burchat noted that they are still in discussion with Police Services to find a solution to the current accessibility concerns. A. Burchat will keep the Committee informed as new information arises.

NEW BUSINESS

Accessibility Advisory Committee Meeting Minutes

JULY 17, 2019

Site Plan Review Comments: 311-325 University Avenue West & 387 William Street

- How many barrier free units are proposed, and how many will be affordable?
- Please consider audible elevator announcements
- Please confirm that all routes well lit outside
- Please confirm curb cut will be provided to access main entry
- Please provide dimensions for Barrier Free parking
- Why are no Barrier Free parking spaces provided underground? Please consider adding underground barrier free parking
- What are the overall accessibility goals for the project?

Accessibility Webinar Follow-up

- The use of 3D renderings in development review was discussed generally.

Plan of Subdivision Review: East Village, Phase 5

- The Committee reviewed and discussed plans and information relating to the Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment Applications for East Village Phase 5 (JMCD Holdings Inc./RFA Planning Consultant). Following the discussion, the following Motion was put forth:

Moved by E. Morrill:

THAT the Accessibility Committee endorses the Applications for Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment for East Village, Phase 5.

However, the Accessibility Committee will request to review the Detailed Plans for Subdivision Clearance as they become available, and as part of the existing Committee mandate, the Accessibility Advisory Committee will continue to review any Site Plan Applications relating to the Subdivision Lands, including those for the ten-plex blocks and the future high density residential block (Block 61). These plans will be reviewed for accessibility, and further comments from the Committee may arise.

Furthermore, the applicant should consider economic accessibility by making Block 61 rental housing, and investigate other opportunities for rental housing in the Subdivision

Carried

Sandcastle Festival

- L. Wills informed the Committee that additional Beach Mats will be installed by the Parks Department for the Festival. Additional Mobi-Chairs will also be available.

Curbs in New Developments

- Mountable curbs were discussed. L. Wills provided information to the Committee.

ADJOURNMENT

The next regularly scheduled meeting will be **10:00 a.m., Wednesday, August 21st, 2019** in the 1st Floor Conference Room, Victoria Hall, Cobourg.

	THE CORPORATION OF THE TOWN OF COBOURG
	TRANSPORTATION ADVISORY COMMITTEE MEETING MINUTES
	August 22, 2019 Committee Room

The Transportation Advisory Committee met in the Committee Room, Victoria Hall, Cobourg with the following persons in attendance:

Members present: Councillor Brian Darling
Bruce Bellaire, Vice Chair
Anneke Russell
Harry Meester
Randall Ross
William Glover
Randy Curtis, Chair

Staff present: Terry Hoekstra, Manager of Engineering and Capital Projects
Bobby-Jo Preston, Engineering and Public Transit Administrator

CALL TO ORDER

Meeting called to order by Randy Curtis, Chair at 8:58 A.M.

APPROVAL/AGENDA ADDITIONS

Moved by William Glover that the Agenda be approved

CARRIED

DISCLOSURE OF PECUNIARY INTEREST

ADOPTION OF MINUTES

Adoption of Minutes from the Thursday July 25th, 2019 TAC Meeting.

Moved by Anneke Russell that the minutes of July 25th, 2019 be adopted as presented.

CARRIED

CLOSED SESSION

Moved by William Glover THAT the Transportation Advisory Committee meet in Closed Session at 9:08 A.M. in accordance with Section 239 of the *Municipal Act, 2001*, regarding:

s. 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees:

1. TAC Sub-Committee Applications.

The Transportation Advisory Committee in Open Session at 9:18 A.M.

PRESENTATIONS/DELEGATIONS

COMMUNICATION/CORRESPONDENCE

REPORTS

Public Works Report by Terry Hoekstra

1. Reported on Capital funding announcement that was made on Friday August 16th, 2019 and breakdown of it

- More than \$413,000 from Provincial
- Expected \$500,000 from Federal government
- Requires the Town of Cobourg to commit \$330,000

Making total \$1.25 million to purchase of 3 buses

2. Explains the benefit of government funding and entering agreement to provide the two (2) conventional and one (1) specialized bus, lessen burden on tax payers funding

3. Advised that application and processed prior to being approved the funding, must apply for funding in advance

4. Advised of two (2) Public Meetings

A - September 18th, 2019 4-8pm at Lion's Centre, Nagle Road Project (New Interchange)

- Held by Town of Cobourg and MTO

B - October 8th, 2019 5-8pm at Cobourg Community Centre, Spoolon Room

- 3 construction projects
 - Kerr Street (New Construction) From Division St to D'Arcy St
 - Albert Street (Reconstruction) Hibernia to Third
 - Mathew Street (Reconstruction) King to University

5. Advised that the Transportation Advisory Committee still have available funds available for 2019 year, suggestion of installing bicycle racks.

Transit Report by Bobby-Jo Preston

1. Report on recent noise complaint for conventional transit buses and newer unit #909 being off the road.

- Advised that the contractor Century has had a few issues getting correct parts, many requiring to come from out of province, then scheduling the manufacture to arrive on site to complete the warranty items.
- Main noise issue is the compressor units on buses, will be louder and run constantly during humid and hot weather
- Age of bus causes more items to be in need of repair

2. Complaint on AVL (Where's My Bus App) not functioning, having difficulty maintaining connection.

- Advised that the 9V ports and ends of system being changed to ensure better connection.
- Provided did system update for better GPS connection to units to allow update images and quicker refresh time.

NEW BUSINESS

Motion to Recommend Appointments to the Transportation Advisory Committee (TAC) Sub-Committee tasked to review the standards for cycling facilities and infrastructures in the Town of Cobourg.

Moved by Harry Meester that Submissions by Bruce Bellaire, William Glover and Randall Ross be presented to Council for approval

Submissions by Public are Winston Emery, Rick Nonnekes, Gregory Rawson be submitted to Council for approval

Carried

Review Parking meter locations and/or additions to be placed

- D'Arcy Street (East Side)
- Division Street (West Side)
- Lake Street (South Side)
- King Street (North Side)

Discussion how many areas is prime tourist, and centrally located areas not being posted as paid parking is losing potential revenue. Suggestions that visit the possibility of increasing the number of Pay & Display machines in heavily used areas and remove individual meters and use meters in other location.

- Generate more revenue
- Allow less time collecting using Pay & Display for several parking stalls
- Less risk for damage and repairs

Decision to further review the potential of increasing numbers and best locations

Moved by William Glover to add to Work plan and present to Council **Carried**

UNFINISHED BUSINESS


Annual Report and Work Plan (Discussion of items to be included and presented to Council).

Discussion on some items that TAC would like to have on Work Plan due to be submitted September 30, 2019

- Zero emission/electric of Town of Cobourg Vehicles
- Expansion of Pay & Display, meters parking
- Bus mounted bike racks
- Identifying routes and priorities for new bicycle lanes and locations
- Supporting sidewalk priority plan

ADJOURNMENT

Randy Curtis, Chair, adjourned meeting at 10:40 A.M.

	THE CORPORATION OF THE TOWN OF COBOURG
	PARKS & RECREATION ADVISORY COMMITTEE MEETING MINUTES
	<p>August 6, 2019 1:00pm Committee Room, Victoria Hall</p>

A regular meeting of the Cobourg Parks and Recreation Advisory Committee was held at 1:00pm at Victoria Hall in the Committee Room with the following in attendance:

Committee Members:

Beth Bellaire, Chair
Dora Body
James McGrath
Richard Pope
Councillor Emily Chorley

Staff:

Director Dean Hustwick
Deputy Director Teresa Behan
Administrative Assistant Jodi Ware-Simpson

Regrets:

Fred Forfait
Patricia Whitney

1. CALL TO ORDER

The meeting was called to order at 1:00pm

2. APPROVAL / ADDITIONS TO THE AGENDA

2.1 Approval of the Agenda

Carried

3. ADOPTION OF MINUTES

3.1 Approval of the Regular Meeting Minutes Dated June 4, 2019

Carried

4. DECLARATIONS OF INTEREST BY MEMBERS

None

5. PRESENTATIONS / DELEGATIONS

5.1 Ashley Mason, Mason Homes

- Explanation of development plans adjacent to Molly Baker Lane. Ashley Mason reviewed the development plans.
- Explanation of how they will avoid damaging the trees (and their root masses) along Molly Baker Lane. Advised that Mason Homes is trying to protect as many trees as possible and will work through any concerns.

Moved by Councillor Chorley:

THAT Council receive the following motion for information purposes;

WHEREAS Molly Baker Lane is an important natural heritage feature;

THEREFORE the Parks and Recreation Advisory Committee recommends that the trees along Molly Baker Lane be given adequate consideration with preservation being a high priority;

AND FURTHER THAT alternative grading, drainage and storm water management solutions be considered to mitigate the impact of the proposed development at 425 King Street East on Molly Baker Lane.

Carried

6. COMMUNICATIONS / CORRESPONDENCE

7. REPORTS

8. UNFINISHED BUSINESS

Zoning By-Law Review

James McGrath has started to review the zoning by-law. He will prepare a report for the September meeting. The Committee discussed inviting the Director of Planning and Development to attend a meeting to discuss the by-law review/official plan timelines. Dean will email the Director to inquire about providing information by email.

9. NEW BUSINESS

9.1 Harbour Audit: Aquatic Safety Audit

Working on a report to go to Council at the end September and it will come back to this Committee in October.

9.2 Strategic Plan

A memo from the CAO will go to Council on August 12.

Parks & Recreation Advisory Committee Meeting
Minutes

AUGUST 6, 2019

9.3 Annual Report and Work Plan

Town of Cobourg Committees are required to submit an annual report and work plan. It is due no later than September 30, 2019.


The Chair will prepare the work plan and then forward it to the committee for review.

10. ADJOURNMENT

The meeting was adjourned at 2:02pm.

11. NEXT MEETING

September 10, 2019 (**Conference Room, First Floor, Victoria Hall**)

	THE CORPORATION OF THE TOWN OF COBOURG
	SPECIAL COBOURG HERITAGE ADVISORY COMMITTEE MEETING MINUTES
	Thursday August 8, 2019 At Victoria Hall Committee Room 4:00PM

The following members were present:

Graham Andrews, Chair
Kenneth Bagshaw, Vice-Chair
Felicity Pope
Catherine Richards
N.Beatty, Councillor
Loren Turner
Jolinka Burine

The following staff were present:
Dave Johnson, Planner 1-Heritage
Robyn Bonneau, Recording Secretary

Regrets:

CALL TO ORDER

The Chair called the meeting to order at 4:00PM

DECLARATIONS OF INTEREST BY MEMBERS

No declarations by members were made

ADOPTION OF MINUTES

Approval of the minutes from the July 10, 2019 meeting

Moved by K.Bagshaw "That the minutes from the July 10, 2019 meeting be accepted as written"

Carried

HERITAGE PERMIT APPLICATIONS

HP-2019-041
101 King St. W – New Rear Addition
Hillman/Johnson (Agent: Natasa Djordjevic)

Moved by K.Bagshaw

WHEREAS Planning and Heritage Staff reviewed the proposed rear addition at 101 King Street West and has determined that the proposal would constitute a compatible addition to heritage structure and would conform to the provisions of the Commercial Core Heritage Conservation District;

THEREFORE BE IT RESOLVED THAT the Cobourg Heritage Advisory Committee recommend to Council that Heritage Permit Application HP-2019-040, as submitted by Natasa Djordjevic on behalf of Lucy Hillman and Anthony Johnson to permit a 239 metre square (2574.21 square foot) three storey rear addition, be approved, subject to the finalization of details with Planning and Heritage Staff, including due consideration of the modification of the north-side street facing shutters to be of operable width and height

Carried

HP-2019-048

22 Queen Street

Notice of Demolition of a Listed Property – 22 Queen Street (Lam)

Moved by N.Beatty

WHEREAS Planning and Heritage Staff received an application for the demolition of a building on the property at 22 Queen Street that is listed on the Town of Cobourg Heritage Register, but is not formally Designated under the Ontario Heritage Act;

AND WHEREAS Planning and Heritage Staff have reviewed the original Cultural Heritage Impact Assessment (CHIA) prepared by Piccini Architect and is of the opinion that the subject property does not merit designation under Part IV of the Ontario Heritage Act;

NOW THEREFORE BE IT RESOLVED THAT the Cobourg Heritage Advisory Committee recommend to Council that the subject property located at 22 Queen Street, owned by Queensview Garden Inc., be removed from the Town Cobourg Heritage Register to allow the demolition of the existing building, subject to the following conditions:

1. The documentation of the buildings physical attributes, including photos, measurements and a written description as they are today, prior to and during demolition;
2. The development of a historical record in consultation with the Cobourg Heritage Advisory Committee, former occupants (if available), and relevant community groups;
3. The implementation of heritage commemoration and interpretive panels in accordance with the recommendations of the CHIA as part of the Site Plan Approval process; and
4. The finalization of details by Planning and Heritage Staff.

Carried

HP-2019-047

176 Bay Street (Fyfe)

Cobourg Heritage Advisory Committee Meeting
Minutes

AUGUST 8, 2019

Notice of Demolition of a Listed Property

Moved by N.Beatty

WHEREAS Planning and Heritage Staff received an application for the demolition of a building on the property at 176 Bay Street that is listed on the Town of Cobourg Heritage Register but is not formally designated under the Ontario Heritage Act;

AND WHEREAS, Planning and Heritage Staff have reviewed the Cultural Heritage Impact Assessment (CHIA) prepared by Branch Architecture and is of the opinion that the subject property does not merit designation under Part IV of the Ontario Heritage Act;

NOW THEREFORE BE IT RESOLVED THAT the Cobourg Heritage Advisory Committee recommend to Council that the subject property located at 176 Bay Street, owned by Christy and Blake Fyfe, be removed from the Town of Cobourg Heritage Register to allow the demolition of the existing building subject to the finalization of details by Planning and Heritage Staff for the new residence in keeping with the recommendations of the CHIA; and

FURTHER THAT the Applicant maximize efforts to conserve and protect the municipal boulevard tree.


Carried

ADJOURNMENT

Meeting adjourned at 6:00PM

NEXT MEETING

Wednesday August 14, 2019 at 4:00PM Victoria Hall, Committee Room

	THE CORPORATION OF THE TOWN OF COBOURG
	COBOURG HERITAGE ADVISORY COMMITTEE MEETING MINUTES
	August 14, 2019 at Victoria Hall Committee Room 4:00PM

The following members were present:

Graham Andrews, Chair
Kenneth Bagshaw, Vice-Chair
Catherine Richards
Nicole Beatty, Councillor
Loren Turner

The following staff were present:
Dave Johnson, Planner 1-Heritage
Adriane Miller, Secretary

Regrets:
Felicity Pope
Jolinka Burnie

CALL TO ORDER

The meeting was called to order by the Chair at 4:03PM

APPROVAL / ADDITIONS TO THE AGENDA

Addition to the agenda - 22 Queen Street

Carried

DECLARATIONS OF INTEREST BY MEMBERS

No declarations by members were made

ADOPTION OF MINUTES

Minutes from the August 8, 2019 special meeting will be made available at the September 11, 2019 meeting.

HERITAGE PERMIT APPLICATIONS

HP-2019-050

Façade Improvements

10 King St. W/Ferreri/Heritage Permit Renewal

Moved by N. Beatty WHEREAS, Heritage and Planning staff has reviewed the proposed facade improvements for 10 King Street West and has concluded that the proposed improvements would be compatible with the character of the commercial streetscape and generally conform to the Commercial Core Heritage Conservation District Plan;

THEREFORE, it is recommended that Heritage Permit Application HP-2019-50, submitted by Rino Ferreri, be approved to permit facade improvements at 10 King Street West, subject to the finalization of details by Heritage and Planning staff.

Carried

NEW BUSINESS

Annual Report and Work Plan

Committee to finalize report and work plan at the September 11th meeting
D.Johnson to provide the Chair the number of permits reviewed by CHC in 2019
Committee members to e-mail the chair any highlights or accomplishments they would like to see included in the Annual Report and Work Plan
Secretary to clarify with the Clerks Department on the requirements for the communication portion of the Annual Report and Work Plan

22 Queen Street

The Chair will e-mail Director Glenn McGlashon to coordinate a site visit to assist with photos and other historical documentation associated with the CHC Motion for the demolition of 22 Queen

STAFF APPROVAL SUMMARY LISTS


Staff Approval Memo presented by D.Johnson

ADJOURNMENT

Meeting adjourned at 5:45 PM

NEXT MEETING

Wednesday September 11, 2019 at 4:00PM Victoria Hall - Committee Room

	THE CORPORATION OF THE TOWN OF COBOURG
	SUSTAINABILITY & CLIMATE CHANGE ADVISORY COMMITTEE MEETING MINUTES
	September 4, 2019 Committee Room, Victoria Hall, Cobourg

The Sustainability and Climate Change Advisory Committee (SCCAC) met in the Committee Room, Victoria Hall, Cobourg with the following persons in attendance:

Members present: Minnie de Jong, Chair
Gigi Ludorf-Weaver, Vice-Chair
Councillor Adam Bureau
Antony Pitts
Gillian Berridge-Kassela
Marius Marsh

Staff present: Judy Smith, Environmental Officer, County of Northumberland
Robyn Bonneau, Secretary

CALL TO ORDER

The Meeting was called to order by the Chair (2:00 P.M.).

APPROVAL/AGENDA ADDITIONS

Moved by Member Bureau THAT the Agenda be approved.

Carried

DISCLOSURE OF PECUNIARY INTEREST

ADOPTION OF MINUTES

SCCAC Minutes of the August 7, 2019 Meeting.

Moved by Member Berridge-Kassela THAT the SCACC adopt the Minutes of the August 7, 2019 Meeting.

Carried

PRESENTATIONS/DELEGATIONS

COMMUNICATION/CORRESPONDENCE

REPORTS

NEW BUSINESS

Update on the ICSP Motion.

The updated ICSP Motion will be brought forward to the next regularly scheduled Meeting of the Advisory Committee on October 2, 2019.

Follow Up Action: The Chair, through the Secretary of the SCCAC, to ask the Director of Planning for information on work done in the past by the former Planning and Sustainability Advisory Committee and Cobourg planning staff on developing an ICSP, including any funds requested or allocated in past Cobourg budgets, for consideration at the Oct 2, 2019 SCCAC

UNFINISHED BUSINESS

Definitions of Sustainability for the Adoption of a Definition of Sustainability.

Moved by Member Marsh THAT the SCCAC adopt the following definition of Sustainability:

Sustainability is the ability to continue a defined behavior indefinitely. For our purpose:

- Environmental sustainability is the ability to maintain rates of renewable resource harvest, pollution creation, and non-renewable resource depletion that can be continued indefinitely.
- Economic sustainability is the ability to support a defined level of economic production indefinitely.
- Social sustainability is the ability of a social system, such as the world, a country, a local community, to function at a defined level of social well-being indefinitely.

Carried

SCCAC Terms of Reference.

Moved by Member de Jong THAT the SCCAC make no amendments to their Terms of Reference.

Carried

Draft SCCAC's 2019 Annual Report.

Moved by Member Marsh THAT the SCCAC approve the Annual Report.

Carried

Draft SCCAC's 2020 Work Plan.

Moved by Member Bureau THAT the SCCAC approve the 2020 Work Plan.

Carried

ADJOURNMENT

Moved by Member Berridge-Kassela THAT the Meeting be adjourned (3:30 P.M.).

Carried

Municipal Clerk

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister

777 Bay Street, 17th Floor
Toronto ON M5G 2E5
Tel.: 416 585-7000

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre

777, rue Bay, 17^e étage
Toronto ON M5G 2E5
Tél. : 416 585-7000



19-4232

September 24, 2019

RE: Building Code Services Transformation

Dear Head of Council,

I am writing today to announce that my ministry is launching a consultation on potential changes to the delivery of building code services. On September 24, 2019, I released a discussion paper: *Transforming and Modernizing the Delivery of Ontario's Building Code Services*.

Our government has heard from stakeholders about the need for better, modern, and timely services to support the building sector's ability to understand and apply building code requirements. To do this, the ministry is proposing to establish a new administrative authority to deliver a suite of enhanced and new user-driven services. Modernized service delivery will ensure that the sector has the supports it needs to continue growing Ontario's economy, while protecting public health and safety.

Your feedback is important and will help inform enhancements to current building code services and the development of new services, which would:

- strengthen public safety
- streamline customer service and approval processes
- deliver sector-driven services
- provide timely and modern tools and products
- promote consistency across the province
- enhance integrity in the system.

.../2

We will also be hosting regional information sessions that will include an informational session for the sector earlier in the afternoon (1:00 - 3:00 p.m.) and a public open house in the evening (5:30 - 7:00 p.m.). Sessions will be held on the following dates:

1. City of Belleville: Friday, October 4, 2019
Belleville Lions Club, 119 Station St., Belleville
2. City of North Bay: Monday, October 7, 2019
North Bay Memorial Gardens, 100 Chippewa St. W., North Bay
3. Municipality of Chatham-Kent: Wednesday, October 9, 2019
Chatham-Kent Cultural Centre, 75 William Street, Chatham-Kent
4. City of Vaughan: Wednesday, October 16, 2019
Vellore Hall, 9541 Weston Road, Woodbridge

For more information about this consultation and for additional ways to participate, please visit www.ontario.ca/buildingtransformation where you will find:

- A link to the discussion paper
- Information about how to provide feedback
- A short optional survey

The consultation will close on November 25, 2019.

I look forward to your feedback on the transformation of building code service delivery. Please note that Chief Building Officials will also receive notification of this transformation initiative and associated opportunities for engagement.

If you have any questions about the consultation, please contact ministry staff at buildingtransformation@ontario.ca.

Sincerely,



Steve Clark
Minister

c: Municipal Clerks



P.O. Box 673, Stn. Main, Cobourg, ON K9A 4R5
www.mariedressler.ca

September 6, 2019

Mr. Brent Larmer
Municipal Clerk
The Corporation of the Town of Cobourg
Victoria Hall
Cobourg, ON

Dear Mr. Larmer:

Re: Request for Proclamation – Marie Dressler Celebration Day

One hundred and fifty years ago, a little girl named Leila Koerber came into this world here in Cobourg. Who was to know that some sixty plus years later, Leila, now named **Marie Dressler**, would become an Academy Award winner for Best Actress and would be the highest grossing movie star in the world for the years 1932 and 1933?

On November 9, 1933, in the depths of the Great Depression, Louis B. Mayer, head of MGM, hosted an enormous birthday party for Marie's 62nd birthday. It was the biggest party that Hollywood had ever seen to that time. Here in Cobourg, a radio link was set up with Hollywood and the festivities in Cobourg were hosted by Mayor J.P. Delanty at the Capitol Theatre.

Marie Dressler and her birthplace home at 212 King St. West, Cobourg are an important part of Cobourg's history.

Accordingly, every year we celebrate Marie's career and accomplishments with a special event on her birthday. We encourage the residents of Cobourg to join us in the celebrations.

Therefore, we request that the Mayor and Town Council proclaim November 9, 2019 to be "**Marie Dressler Celebration Day**" in Cobourg.

Yours very truly,

Rick Miller
President & Chair



Municipal Council
Town of Cobourg
55 King Street West
Cobourg, ON K9A 2M2

Notice of Motion Form

Printed Name: Councillor Adam Bureau

Hereby files a Notice of Motion to be included in the next available Agenda for the meeting of Council.

Subject: 2019 Budget Funds for Christmas Curly Q's Downtown

Which Notice of Motion reads as follows:

WHEREAS the Christmas lights Curly Q's that hang on the lamp poles in our Downtown Area were voted out of the budget for 2019.; and

WHEREAS the Downtown Business Improvement Area Board (DBIA) made a motion to the Christmas Magic Ad Hoc Committee that they would partner with the Town of Cobourg and contribute \$9,000.00 towards the Curly Q's rental purchase; and

WHEREAS the total amount for the Curly Q's installed and rented for the Christmas season is \$25,000.00; and

AND WHEREAS since it gets dark earlier in the winter season the Curly Q's add more light to our beautiful Downtown and will add additional safety and a better atmosphere for Tourism, but most of all for our residents; and

NOW THEREFORE BE IT RESOLVED THAT Council approve the rental of the Christmas lights Curly Q's and direct staff to contact the company and have them install the Curly Q'S for this 2019 Christmas season in the Downtown Core; and

FURTHER THAT Council use funds from HOLDCO Reserve for the purchase of the Christmas Curly Q' for 2019. Christmas lights Curly Q's



Council Member Signature

Sept 25/19.
Date

CLERK'S USE ONLY

Date and Time Received on: September 25, 2019

For the Regular Meeting Meeting on September 30, 2019

	<div>THE CORPORATION OF THE TOWN OF COBOURG</div> <div>BY-LAW NUMBER <u>076-2019</u></div>
-----------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------

A BY-LAW TO CONFIRM THE PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE TOWN OF COBOURG AT ITS REGULAR COUNCIL MEETING HELD ON SEPTEMBER 30, 2019.

WHEREAS Section 5(1) of the Municipal Act, 2001, as amended, provides that the powers of a Municipality shall be exercised by its Council;

AND WHEREAS Section 5(3) of the Municipal Act, 2001, as amended, provides Municipal power, including the Municipality’s capacity, rights, powers and privileges under Section 8, shall be exercised by by-law, unless the Municipality is specifically authorized to do otherwise;

AND WHEREAS the Council of the Corporation of the Town of Cobourg adopted By-law No. 009-2019, establishing the rules of order and procedure, which provided for the enactment of a Confirmatory By-law at the end of each Regular Council Meeting to confirm the recommendations and actions approved at that meeting;

AND WHEREAS in many cases, action which is taken or authorized to be taken by Council does not lend itself to the passage of an individual by-law;

AND WHEREAS it is deemed expedient that the proceedings of the Council of the Corporation of the Town of Cobourg at this meeting be confirmed and adopted by by-law;

NOW THEREFORE the Council of the Corporation of the Town of Cobourg enacts as follows:

- 1. THAT** the actions of the Council of the Town of Cobourg at its Regular meeting held on September 30, 2019, in respect to each report, motion, resolution or other action passed and taken by Council at its meeting, is hereby adopted, ratified and confirmed as if all such proceedings were expressly embodied in this by-law;
- 2. THAT** where no individual by-law has been or is passed with respect to the taking of any action authorized in or by the above mentioned proceedings, then this by-law shall be deemed for all purposes to be the by-law required for approving and authorizing and the taking of any action authorized therein or thereby the proceedings of Council at its Regular meeting on September 30, 2019;
- 3. THAT** this by-law, to the extent to which it provides authority for or constitutes the exercise of power for an undertaking, work, project, scheme, act, matter or thing which requires additional approval to that of Council, shall not take effect until the additional approval has been obtained;
- 4. THAT** any member of Council who 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 to this by-law as it applies to such action or proceeding;

- 5. **THAT** the Chief Administrative Officer and the appropriate Division Head of the Corporation are hereby authorized and directed to do all things necessary to give effect to the said actions of Council referred to in its September 30, 2019 Regular Council proceedings;
- 6. **THAT** the Mayor and Clerk, or the Treasurer and Chief Administrator Officer, or their respective designates, are authorized and directed to execute all documents necessary on behalf of Council and to affix the corporate seal of the Corporation of the Town of Cobourg to all such documents;
- 7. **THAT** this by-law shall come into full force on the day it is passed.

Read a first, second, third time and finally passed in Open Council on this 30th day of September, 2019.

MAYOR

MUNICIPAL CLERK