

	THE CORPORATION OF THE TOWN OF COBOURG
	REGULAR COUNCIL AGENDA
	Monday September 9, 2019 at 6:00 PM Council Chambers, Victoria Hall, Cobourg

A Regular Council Meeting of the Cobourg Municipal Council will be held on Monday, September 9, 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. 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).

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 12, 2019 Regular Council and August 26, 2019 Special Council Minutes. 16 - 24

Action Recommended: 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.

VI PRESENTATIONS

VII DELEGATIONS

1. 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. 25 - 54
2. Carol Beauchamp, Rebound Child & Youth Services Northumberland, regarding an overview of their organization and upcoming fundraiser event 'Kilometers for Kids - Building Mental Wellness'. 55 - 56
3. Delegation from Jennifer Jackman, regarding the County of Northumberland's Recommendations for Provincially Significant Employment Zones (PSEZs). 57 - 62

VIII DELEGATION ACTIONS

IX REPORTS

General Government Services

1. Committee of the Whole meeting notes held on September 3, 2019. 63 - 73

Action Recommended: THAT Council receive the notes of the Committee of the Whole meeting held on September 3, 2019 for information purposes.

2. Memo from the Interim Chief Administrative Officer/Treasurer, regarding the First Half 2019 Operating Budget Variance Report. 74 - 82

Action Recommended: THAT Council receive the memo from the Interim Chief Administrative Officer/Treasurer for information purposes.

3. Memo from the Interim Chief Administrative Officer/Treasurer, regarding the Northam Industrial Park Second Quarter Financial Report. 83 - 88

Action Recommended: THAT Council receive the memo from the Interim Chief Administrative Officer/Treasurer for information purposes.

4. Memo from the Municipal Clerk/Manager of Legislative Services, regarding the Mandatory Policy on Council and Staff Relations. 89 - 98

Action Recommended: 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.

- 5. 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. 99 -
133

Action Recommended: 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.

- 6. Memo from the Municipal Clerk/Manager of Legislative Services, regarding the Zero-Emission Vehicle Infrastructure Program Partnership with OPG. 134 -
142

Action Recommended: 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.

- 7. Memo from the Municipal Clerk/Manager of Legislative Services, regarding the Mayor for the Day Program. 143 -
149

Action Recommended: 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.

Planning and Development Services

1. 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). 150 -
153

Action Recommended: 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.

2. 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. 154 -
159

Action Recommended: 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.

3. 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. 160 -
165

Action Recommended: 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.

4. 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. 166 -
171

Action Recommended: THAT Council receive the Application and refer it to the Planning Department for a Report.

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| 5. | 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. | 172
177 | -
- |
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Action Recommended: THAT Council receive the Application and refer it to the Planning Department for a Report.

X MOTIONS

XI General Government Services

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|----|--|------------|--------|
| 1. | Motion from the Committee of the Whole, regarding the Civic Awards Program – Standards and Procedures Manual. | 178
190 | -
- |
| 2. | 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. | 191 | |

Planning and Development Services

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| 1. | Councillor Beatty Notice of Motion for Reconsideration regarding the Motion of Council defeated on May 21 2019 on Council Remuneration. | | |
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Action Recommended:

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Emily Chorley 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 due September 3, 2019 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.

	For	Against	Abstained	COI	Absent
Deputy Mayor Suzanne Séguin (Moved By)	x				
Councillor Emily Chorley (Seconded By)	x				
Mayor John Henderson		x			
Councillor Aaron Burchat		x			
Councillor Brian Darling		x			
Councillor Nicole Beatty		x			
Councillor Adam Bureau	x				
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176-19

DEFEATED

Action Recommended: THAT Council Reconsider the Motion defeated at May 21, 2019 Council Meeting.

2. Notice of Motion regarding Council Remuneration and Members of the Cobourg Police Services Board. (if Notice of Motion to Reconsider is carried)
3. 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. 192

Public Works Services

1. 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. 193

Parks and Recreation Services

1. Motion from the Committee of the Whole, regarding the Cobourg Harbour and Marina Electrical Systems Assessment. 194
2. Motion from the Committee of the Whole, regarding the lift-in and out of boats at the Cobourg Marina. 195

Arts, Culture and Tourism Services

1. Motion from the Committee of the Whole, regarding the location of the 2019 Christmas Magic Display of Lights. 196
2. Motion from the Committee of the Whole, regarding the proposed Opioid Crisis Round Table Discussion. 197

XII BY-LAWS

General Government Services

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). 198 -
225

Action Recommended:

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.

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. 226 -
229

Action Recommended: 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.

Planning and Development Services

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”. 230 -
239

Action Recommended: 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”.

2. 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). 240 -
242

Action Recommended: 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).

3. 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. 243 -
257

Action Recommended: 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.

4. 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). 258 -
260

Action Recommended: 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).

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. 261

Action Recommended: 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.

Public Works Services

1. 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. 262

Action Recommended: 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.

General Government Services

1. 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 063-2019, being a by-law to amend the Zoning By-law (85-2003) for 900 Division Street and 9 Elgin Street East;
 4. 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.

Action Recommended: THAT leave be granted to introduce By-law # 057-2019 to By-law # 58-2019 and 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.

2. 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”.

Action Recommended: 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.

3. 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).

Action Recommended: 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.

4. 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.

Action Recommended: 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.

5. 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

Action Recommended: 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.

XIII PETITIONS

XIV COMMITTEE/BOARD MINUTES (INFORMATION PURPOSES ONLY)

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|----|--|-----|---|
| 1. | <ul style="list-style-type: none">• SCCAC Minutes - August 7, 2019;• CPSB Minutes - June 18 and July 16, 2019; and• DBIA Minutes, July 4 and 17, and August 8, 2019. | 263 | - |
| | | 281 | |

XV CORRESPONDENCE

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|----|--|-----|---|
| 1. | 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). | 282 | - |
| | | 295 | |

Action Recommended: 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 I 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.

2. Correspondence from Zach Wood, Leasing Representative, Goldmanco Inc., 296 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).

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

3. Correspondence from Mary-Anne Watson-Bonsall on behalf of the Terry Fox 297 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).

Action Recommended: 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.

OR

THAT Council respectfully deny the permit fee waiver request from the Terry Fox Committee, Cobourg Collegiate Institute.

4. Correspondence from Andrew Hall, Brown Bag Enterprises, regarding the 'Chili 298 Cook-Off and Beer Garden' at the upcoming Downtown Cobourg Harvest Festival on September 28, 2019 (Arts, Culture and Tourism Services).

Action Recommended: 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.

XVI NOTICE OF MOTION

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.	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	Sep 3, 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 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	

XIX CLOSED SESSION

1. 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.

XX CLOSED SESSION ACTION ITEM

1. Motion from the Regular Council Meeting, regarding two (2) appointments to the Sustainability and Climate Change Advisory Committee. 299

XXI CONFIRMATORY BY-LAW

1. By-law No. 064-2019, being a by-law to confirm the proceedings of the Council Meeting of September 9, 2019. 300 -
301

Action Recommended: 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.

XXII ADJOURNMENT

	THE CORPORATION OF THE TOWN OF COBOURG
	REGULAR COUNCIL MEETING MINUTES
	August 12, 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, Treasurer/Director of Corporate Services
Glenn McGlashon, Director of Planning and Development
Dean Hustwick, Director of Community Services
Brent Larmer, Municipal Clerk/Manager of Legislative Services
Terry Hoekstra, Manager of Engineering and Capital Projects

CALL TO ORDER

The Meeting was called to order by Mayor John Henderson (7:12 P.M.).

ADDITIONS TO THE AGENDA

1. Committee of the Whole meeting notes held on July 22, 2019; and
2. Closed Session Item pursuant to Section 239 (2) of the Municipal Act, 2001.

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Adam Bureau
THAT the matters be added to the Agenda.

289-19

Carried

DISCLOSURE OF PECUNIARY (FINANCIAL) INTEREST

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

ADOPTION OF MINUTES OF THE PREVIOUS MEETING

Adoption of the Monday, July 22, 2019 Regular Council Meeting Minutes.

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Aaron Burchat
THAT Council adopt the Minutes of the July 22, 2019 Regular Council Meeting.

290-19

Carried

PRESENTATIONS

DELEGATIONS

DELEGATION ACTIONS

REPORTS

General Government Services

Committee of the Whole meeting notes held on July 22, 2019.

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Aaron Burchat THAT Council receive the notes of the Committee of the Whole meeting held on July 22, 2019 for information purposes.

291-19

Carried

Planning and Development Services

Memo from the Secretary of the Cobourg Heritage Advisory Committee, regarding Heritage Permit HP-2019-041 for property located at 101 King Street West, Cobourg.

Moved by Councillor Nicole Beatty, Seconded by Councillor Brian Darling THAT Council receive the Memo and Motion from the Cobourg Heritage Advisory Committee for information purposes.

292-19

Carried

Memo from the Secretary of the Cobourg Heritage Advisory Committee, regarding Heritage Permit HP-2019-047 for property located at 176 Bay Street, Cobourg.

Moved by Councillor Nicole Beatty, Seconded by Councillor Aaron Burchat THAT Council receive the Memo and Motion from the Cobourg Heritage Advisory Committee for information purposes.

293-19

Carried

Memo from the Secretary of the Cobourg Heritage Advisory Committee, regarding Heritage Permit HP-2019-048 for property located at 22 Queen Street, Cobourg.

Moved by Councillor Nicole Beatty, Seconded by Councillor Brian Darling THAT Council receive the Memo and Motion from the Cobourg Heritage Advisory Committee for information purposes.

294-19

Carried

Parks and Recreation Services

Memo from the Deputy Director of Community Services, regarding the Memorial Arena usage (Referred from the July 22, 2019 Meeting).

Moved by Councillor Emily Chorley, Seconded by Councillor Brian Darling THAT Council receive the Report from the Deputy Director of Community Services for information purposes; and

FURTHER THAT the Memorial Arena remain closed and that an Ad Hoc Committee be struck to determine the future use of the Memorial Arena.

295-19

Carried

MOTIONS**General Government Services**

[Motion from the Committee of the Whole regarding no Expansion of the Cobourg West Pier.](#)

Moved by Deputy Mayor Suzanne Séguin, Seconded by WHEREAS at the Committee of the Whole on August 12, 2019, Council considered a Motion from Deputy Mayor Seguin, regarding no expansion of boat slips at the Cobourg Marina;

AND WHEREAS Council met in February 2019 to discuss the 2019-2022 Strategic Plan and a discussion was held under PILLAR: Places and No expansion of boat slips at the Cobourg marina will be considered during this term of Council and the natural environment of the West Harbour will be safeguarded and protected was added to the Strategic Plan;

AND WHEREAS no formal motion was ever adopted by Council to put this into effect;

NOW THEREFORE BE IT RESOLVED THAT no expansion of boat slips at the Cobourg marina be considered during the current term of Council (2018 – 2022) and the natural environment of the West Harbour will be safeguarded and protected.

296-19

Carried

[Delegation Action, regarding Drew Macklin, William Street Beer Company, regarding a Report from the Municipal Ombudsman regarding Complaint 03-2018 — William Street Beer Company.](#)

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Aaron Burchat WHEREAS at the Committee of the Whole on August 12, 2019, Council considered a delegation from Drew Macklin, William Street Beer Company for information purposes;

AND WHEREAS Council invited representatives of the William Street Beer Company to present as a delegation to the August 12, 2019 Committee of the Whole Meeting to express their concerns to Municipal Council before a final decision is made regarding their dispute with water billing charges. As noted in the analysis in the July 22, 2019 Agenda, Municipal Council does have the ability to make the final decision regarding billing disputes, which LUSI has actually indicated within the Policy;

NOW THEREFORE BE IT RESOLVED THAT Council direct Lakefront Utilities Services Inc. (LUSI) to: Correct the William Street Beer Companies Water and Sewer accounts and to reimburse the William Street Beer Company in the amount of \$10,101 being the over-billing amount of \$8,050 plus Interest of \$2,051 and that this reimbursement be issued within fifteen (15) Business Days.

297-19

Carried

Planning and Development Services

[Motion from the Regular Council Meeting, regarding Heritage Permit HP-2019-041 for property located at 101 King Street West, Cobourg.](#)

Moved by Councillor Nicole Beatty, Seconded by Councillor Adam Bureau WHEREAS at the Regular Council Meeting on August 12, 2019, Council considered a Memo from the Secretary of the Cobourg Heritage Advisory Committee, regarding Heritage Permit HP-2019-041 for property located at 101 King Street West, Cobourg;

NOW THEREFORE BE IT RESOLVED THAT Council grant Heritage Permit HP-2019-041 for the subject property located at 101 King Street West, Cobourg, 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, 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.

298-19

Carried

[Motion from the Regular Council Meeting, regarding Heritage Permit HP-2019-047 for property located at 176 Bay Street, Cobourg.](#)

Moved by Councillor Nicole Beatty, Seconded by Councillor Adam Bureau WHEREAS at the Regular Council Meeting on August 12, 2019, Council considered a Memo from the Secretary of the Cobourg Heritage Advisory Committee, regarding Heritage Permit HP-2019-047 for property located at 176 Bay Street, Cobourg;

NOW THEREFORE BE IT RESOLVED THAT Council grant Heritage Permit HP-2019-047 for the subject property located at 176 Bay Street, Cobourg, owned by Christy and Blake Fyfe and remove the property from the Town of Cobourg Heritage Register to allow for 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.

299-19

Carried

[Motion from the Regular Council Meeting, regarding Heritage Permit HP-2019-048 for property located at 22 Queen Street, Cobourg.](#)

Moved by Councillor Nicole Beatty, Seconded by Councillor Adam Bureau WHEREAS at the Regular Council Meeting on August 12, 2019, Council considered a Memo from the Secretary of the Cobourg Heritage Advisory Committee, regarding Heritage Permit HP-2019-048 for property located at 22 Queen Street, Cobourg;

NOW THEREFORE BE IT RESOLVED THAT Council grant Heritage Permit HP-2019-048 for the subject property located at 22 Queen Street, Cobourg, owned by Queensview Garden Inc., and remove the property from the Town Cobourg Heritage Register to allow for the demolition of the existing building, subject to the following conditions:

1. The documentation of the building's 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.

300-19

Carried

Public Works Services

[Motion from the Committee of the Whole regarding the purchase of a new raw sewage pump at the Water Pollution Control Plant #2.](#)

Moved by Councillor Brian Darling, Seconded by Councillor Adam Bureau WHEREAS at the Committee of the Whole on August 12, 2019, Council considered a Memo from the Manager of Environmental Services, regarding the purchase of a New Raw Sewage pump at the Water Pollution Control Plant #2 (WPCP#2);

NOW THEREFORE BE IT RESOLVED THAT Council approve the emergency purchase of a Hidrostal Pump from Directrik for the raw sewage wetwell at Plant #2 at a cost of \$115,987 (HST & shipping not included); and

FURTHER THAT Council approve an amount of up to \$20,000 to hire a local contractor to install the new pump, on a time and material basis, upon its arrival.

301-19

Carried

[Motion from the Committee of the Whole, regarding the Tender for the Sequence Batch Reactor \(SBR\) Clean-outs for the Holding and Aeration Tanks at the Wastewater Treatment Plant #2.](#)

Moved by Councillor Brian Darling, Seconded by Councillor Adam Bureau WHEREAS at the Committee of the Whole on August 12, 2019, Council considered a Memo from the Manager of Environmental Services, regarding the Tender for the Sequence Batch Reactor (SBR) Clean-outs for the Holding and Aeration Tanks at the Wastewater Treatment Plant #2;

AND WHEREAS Council authorized Staff to open a single bid received from Entec Waste Management Inc. for the SBR Cleanout Contract; and

NOW THEREFORE BE IT RESOLVED THAT Council award the contract to Entec Waste Management Inc. in the amount of \$162,500.00 excluding HST;

AND FURTHER that the bid complies with the terms of the contract and that the bid is considered to be a competitive price; and

FURTHER THAT Council approve additional funds of \$37,500 from the sanitary reserve in excess of the approved 2019 Capital Budget.

302-19

Carried

Parks and Recreation Services

[Motion from the Regular Council Meeting regarding the use of the Memorial Arena.](#)

Moved by Councillor Emily Chorley, Seconded by Councillor Aaron Burchat WHEREAS at the Committee of the Whole on July 22, 2019, Council considered a Memo from the Deputy Director of Community Services, regarding the Memorial Arena usage;

NOW THEREFORE BE IT RESOLVED THAT the Memorial Arena remain closed and that an Ad Hoc Committee be struck to determine the future use of the Memorial Arena.

303-19

Carried

BY-LAWS

General Government Services

[By-law 054-2019, being a by-law to levy a special charge in respect of the Cobourg Downtown Business Improvement Area and to provide for its collection.](#)

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Nicole Beatty THAT Council adopt By-law 054-2019, being a by-law to levy a special charge in respect of the Cobourg Downtown Business Improvement Area and to provide for its collection.

304-19

Carried

General Government Services

THAT the following By-law be passed:

1. By-law 054-2019, being a by-law to levy a special charge in respect of the Cobourg Downtown Business Improvement Area and to provide for its collection.

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Nicole Beatty THAT leave be granted to introduce By-law 054-2019 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.

305-19

Carried

PETITIONS

COMMITTEE/BOARD MINUTES (INFORMATION PURPOSES ONLY)

- Parks and Recreation Advisory Committee - June 4, 2019;
- Accessibility Advisory Committee - June 19, 2019;
- Transportation Advisory Committee - June 27, 2019;
- Sustainability & Climate Change Advisory Committee - July 3 & 17, 2019;
- Joint Animal Control Municipal Board - July 3, 2019; and
- Cobourg Heritage Advisory Committee - July 10, 2019.

CORRESPONDENCE

[Correspondence from David Piccini, MPP Northumberland - Peterborough South, regarding the provincial government's 2018/2019 accomplishments. \(General Government Services\)](#)

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Aaron Burchat THAT Council receive the correspondence for information purposes.

306-19

Carried

[Correspondence from David Piccini, MPP Northumberland - Peterborough South, regarding the More Homes, More Choice: Ontario's Housing Supply Action Plan. \(General Government Services\)](#)

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Brian Darling THAT Council receive the correspondence for information purposes.

307-19

Carried

Correspondence from Fred Stegmayer on behalf of the Terry Fox Foundation, requesting a permit fee waiver for the annual Community Terry Fox Run for cancer research in Cobourg on September 15, 2019. (Parks and Recreation Services)

Moved by Councillor Adam Bureau, Seconded by Councillor Aaron Burchat THAT Council grant the permit fee waiver request from the Terry Fox Foundation in the amount of \$50.00 for their annual Community Terry Fox Run for cancer research in Cobourg on September 15, 2019.

308-19

Carried

Correspondence from Carrie Fitzgerald, regarding an exemption to the Itinerant By-law (005-2015) to hold a Craft/Vendor Show at the Cobourg Community Centre on August 18 and October 27, 2019. (Protection Services)

Moved by Councillor Aaron Burchat, Seconded by Councillor Brian Darling THAT Council receive the correspondence for information purposes; and

FURTHER THAT Council authorize and grant an exemption to Carrie Fitzgerald under the Itinerant Vendor By-law to hold a craft/vendor show at the Cobourg Community Centre for August 18, 2019 and October 27, 2019 with all entry fees being donated to the Northumberland Hospice.

309-19

Carried

NOTICE OF MOTION

Notice of Motion, Councillor Bureau, regarding the Opioid Crisis.

Moved by Councillor Adam Bureau, Seconded by Councillor Emily Chorley THAT Council refer the Notice of Motion to the September 3, 2019 Committee of the Whole meeting for consideration.

310-19

Carried

Notice of Motion to Reconsider, Councillor Beatty, regarding Council Remuneration.

Moved by Councillor Nicole Beatty, Seconded by Councillor Emily Chorley THAT Council refer the Notice of Motion to Reconsider to the September 9, 2019 Regular Council Meeting for consideration.

311-19

Carried

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
CAO to develop a Municipal Council a Strategic Plan Action Report that sets out work, costs, timelines and Division/Department resources required for the 2019 – 2022 Council Strategic Plan Implementation.	04-23-19	Chief Administrative Officer	Jul 22, 2019
Extension of the RFP for the position of the Municipal Ombudsman.	05-21-19	Legislative Services	Jul 4, 2019
Staff Report in response to correspondence from the Chair of the	06-03-19	Corporate Services	Jul 2, 2019

Town of Cobourg Holdings Inc., regarding an amendment to the 2006 Promissory Note. July 2019			
Staff Report regarding a response to a Public Meeting held on June 24, 2019 regarding a proposed Town of Cobourg Official Plan and Zoning By-law Amendment Application, and Approval of a Draft Subdivision Plan to consider public submissions.	06-24-19	Planning Department	Aug 12, 2019
Staff Report on the creation of a Civic Awards Advisory Committee	06-03-19	Legislative Services	Sep 3, 2019
Staff Report regarding Adult Fitness Park in Cobourg	06-12-19	Community Services	Sep 3, 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
Appointments to the TAC Sub-Committee	07-22-19	Public Works	Sep 9, 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
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
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	

CLOSED SESSION

Motion to Dispense Notice under the Town of Cobourg Procedural By-law.

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Aaron Burchat THAT Council dispense with Notice, pursuant to Section 18.9 of the Council Procedural By-law as required to hold a Closed Meeting of Council, pursuant to Section 29.1 of the Procedural By-law outlining Closed Session Protocol.

312-19

Carried

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Nicole Beatty 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.

313-19

Carried

CLOSED SESSION ACTION ITEM

[By-law 056-2019, being a by-law to appoint Ian Davey as interim Chief Administrative Officer for the Town of Cobourg.](#)

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Nicole Beatty THAT leave be granted to introduce By-law No. 056-2019 and to dispense with the reading of the by-law by the Municipal Clerk 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.

314-19

Carried

CONFIRMATORY BY-LAW

[By-law No. 055-2019, being a by-law to confirm the proceedings of the Council Meeting of August 12, 2019.](#)

Moved by Deputy Mayor Suzanne Séguin, Seconded by Councillor Aaron Burchat THAT leave be granted to introduce By-law No. 055-2019 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 August 12, 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.

315-19

Carried

ADJOURNMENT

Moved by Councillor Emily Chorley, THAT the Meeting be adjourned (8:52 P.M.).

316-19

Carried

Municipal Clerk

Mayor

	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
 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. CONTACT INFORMATION	
Name of Delegate(s): GREGG COOKE (CONSULTANT PROJECT MANAGER)	
Group/Organization/Business Delegation Represents (if applicable): SPATIUM CONSULTING (AND MINISTRY OF TRANSPORTATION)	
Phone:	E-Mail:
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 9, 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)	
PROVIDE A PRESENTATION ON THE MINISTRY OF TRANSPORTATION HIGHWAY 401 PLANNING STUDY FROM COBOURG TO COBOWENE AND THE MINISTRY'S AND TOWN OF COBOURG'S NATION ROAD INTERCHANGE STUDY PRIOR TO THE FIRST PUBLIC INFORMATION CENTRE FOR THE TWO STUDIES.	

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)

REQUESTING COMMENTS AND FEEDBACK ON THE ALTERNATIVES PRESENTED.

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:
 Please Select the Type of Equipment PROJECTOR AND SCREEN

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.

I have read and understood the Delegation Rules and Guidelines attached to this Form and acknowledge that information contained on this Form, including any attachments, will become public documents and listed on the Town of Cobourg Meeting Agenda.

NEVENA GARIBARA _____ Nash (consent of Gregg Cook) 2019/08/16
 Print Full Name | Signature | Date (YYYY/MM/DD)

 Municipal Clerk or Designate

Personal information, as defined in the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), is collected under the authority of the Municipal Act, 2001, and in accordance with MFIPPA. Personal information collected in relation to materials submitted for an agenda will be used to acknowledge receipt, however, please be aware that your name is subject to disclosure by way of publication of the agenda. All meetings are open to the public except where permitted to be closed to the public under legislative authority. Questions regarding the collection, use and disclosure of personal information contained in this Form may be directed to Brent Larmer, Municipal Clerk/Manager of Legislative Services at (905) 372-4301 extension 4401, or at blarmer@cobourg.ca.

LEGISLATIVE SERVICES DEPARTMENT | VICTORIA HALL, 55 KING ST W, COBOURG, ON K9A 2M2
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Highway 401 Planning Study
from Cobourg to Colborne
GWP 4060-00-00

Nagle Road Interchange Study
GWP 4059-17-00

PIC 1 Council Presentation
Town of Cobourg
September 9, 2019



Council Presentations

Town of Cobourg	September 9, 2019
Township of Hamilton	September 10, 2019
Township of Cramahe	September 17, 2019
Northumberland County	September 18, 2019
Township of Alnwick/Haldimand	September 19, 2019

Agenda

- 1 Study Areas, Study Process
- 2 Highway 401 Planning Study
- 3 Nagle Road Interchange Planning Study
- 4 Consultation
- 5 Schedule
- 6 Questions

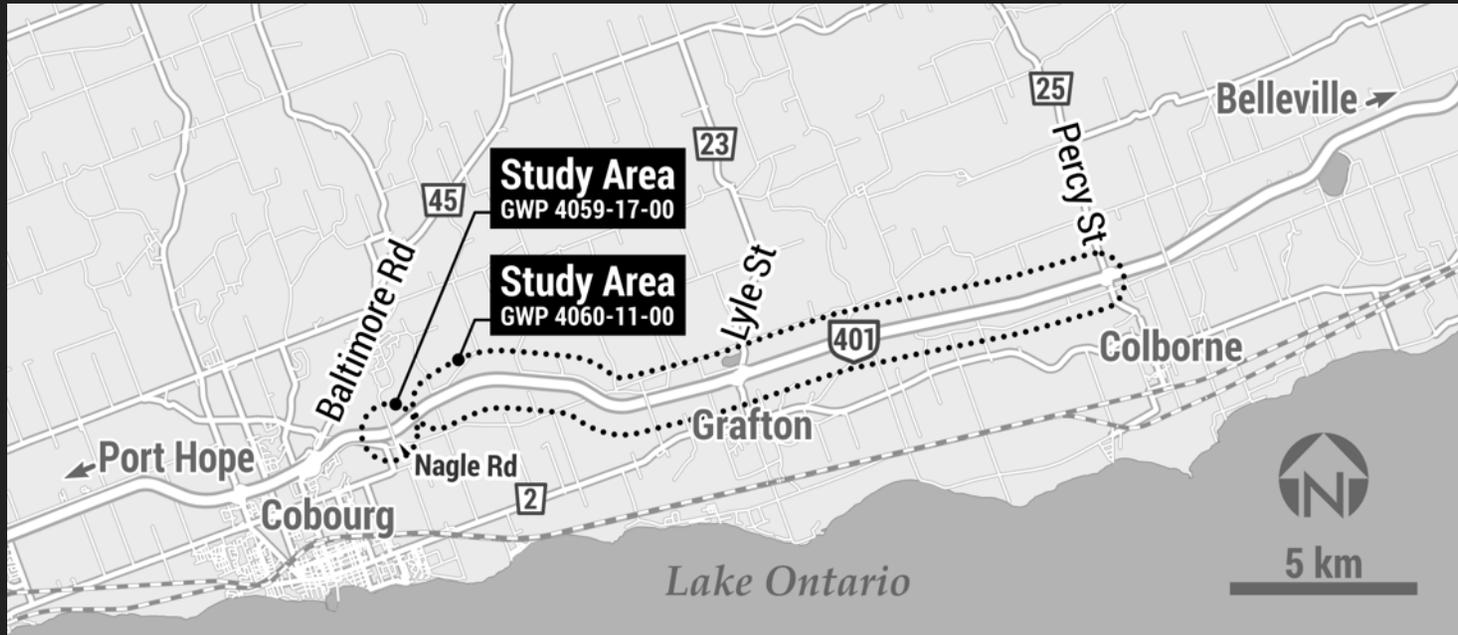
PIC 1 Council Presentation

Study Areas, Study Process

Study Areas

- The Ontario Ministry of Transportation (MTO) has retained Stantec Consulting Ltd. to undertake a Planning, Preliminary Design, and Class Environmental Assessment (Class EA) Study for Highway 401 between Cobourg and Colborne
- The Ontario Ministry of Transportation (MTO) and the Town of Cobourg have retained Stantec Consulting Ltd. to undertake a Planning, Preliminary Design, and Class Environmental Assessment (Class EA) Study for a new Highway 401 interchange near Nagle Road in the Town of Cobourg and the Township of Hamilton, in Northumberland County

Study Areas



Environmental Assessment Process

- Both studies are being carried out under the requirements of the Class Environmental Assessment (EA) for Provincial Transportation Facilities (2000)
- The studies fall within the scope of a Group “B” project, which includes highway improvements that provide/cause a significant modification in traffic access
- Both of the studies will share the same Public Information Centres (PIC) and Municipal Advisory Committees (MAC), however a separate TESR will be published for each study

Environmental Investigations & Studies

- Stage 1 Archaeological Assessment
- Cultural Heritage Studies
- Terrestrial Ecosystems Existing Conditions and Impact Assessments
- Fish and Fish Habitat Existing Conditions and Impact Assessments
- Noise Assessment
- Erosion and Sedimentation Overview Risk Assessment
- Air Quality and Greenhouse Gas Assessment
- Contamination Overview Study
- Groundwater Overview Study

PIC 1 Council Presentation

Highway 401 Planning Study

Study Purpose

The purpose of the Highway 401 Planning Study is to identify a Recommended Plan that addresses current and future transportation needs in the study area as part of the Ministry's ongoing review of safety and operational needs for the provincial highway network.

- Rehabilitation and replacement of bridges and structural culverts
- Interchange modifications at Lyle Street and Percy Street
- Commuter parking lot expansions or relocations
- Establish the footprint of future six and eight lanes on Highway 401 to ensure appropriate design of bridge replacements

Problem & Opportunity

Problems

- Many of the bridges and culverts in the study area are nearing the end of their service life and will require rehabilitation and/or replacement in the near future
- The existing Highway 401 platform cannot accommodate the traffic staging required to rehabilitate or replace the bridges and structural culverts

Opportunities

- The study will assess the existing bridges and culverts in the study area and develop appropriate rehabilitation or replacement strategies to maintain the safe operation of the Highway 401 corridor for the current and future planning horizons
- For structural planning purposes the study will establish the ultimate Highway 401 footprints for future six and eight lanes, to address current and future transportation needs

PIC 1 Alternatives

1. Danforth Road Bridge Improvement Alternatives
2. Gully Road Bridge Improvement Alternatives
3. Lyle Street Interchange Alternatives
4. Shelter Valley Road & Creek Culvert Improvement Alternatives
5. Vernonville Road Bridge Improvement Alternatives
6. Boyce Road Bridge Improvement Alternatives
7. Percy Street Interchange Alternatives
8. Highway 401 Alternatives
9. Drainage Improvements

PIC 1 Council Presentation

Nagle Road Interchange Study

Study Purpose

The purpose of the Nagle Road Interchange Study is to identify a Recommended Plan that addresses future transportation and planning needs in the study area.

- New interchange in the vicinity of Nagle Road to provide access to the Cobourg East Community
- Rehabilitation or replacement of the existing Nagle Road bridge to accommodate the new interchange
- The proposed interchange is the Town of Cobourg's initiative as identified in the Towns of Cobourg's Transportation Mater Plan (TMP) and Official Plan
- The Town of Cobourg is bearing the full cost associated with this preliminary design study

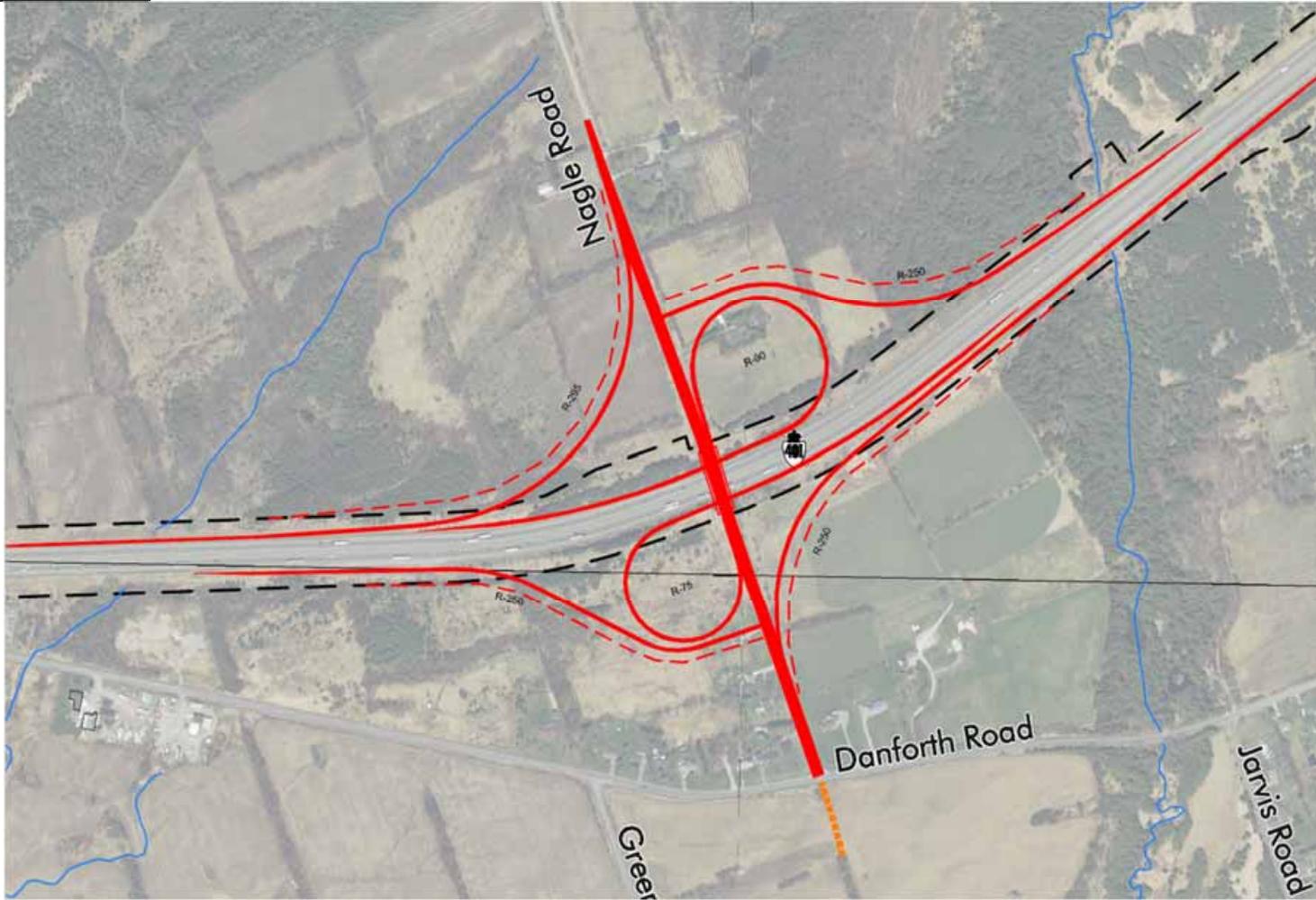
Problem & Opportunity

- The need for an interchange at Nagle Road with Highway 401 was identified in the Cobourg East Community Secondary Plan
- The proposed interchange supports the transportation objectives identified in Section 15.7 of the Town of Cobourg Official Plan (5 Year Review)

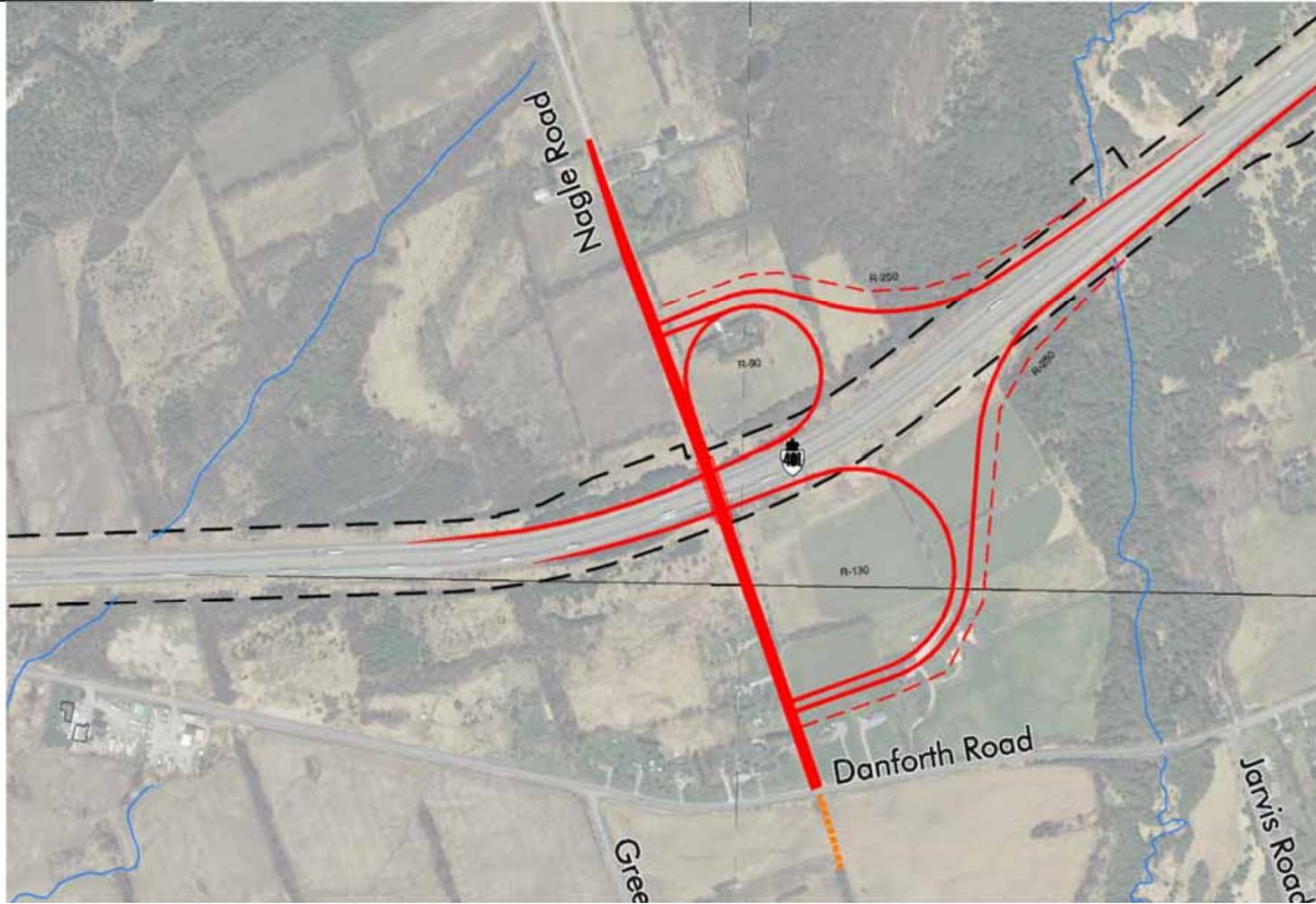
Preliminary Traffic Modelling

- The Cobourg East Community will be a significant traffic generator
- The predominant traffic movements are from the south (Nagle Road) to the west (Highway 401); and from west (Highway 401) to the south (Nagle Road)
- Nagle Road will require 4-thru lanes plus auxiliary lanes, between Danforth Road and the north ramp terminal intersection

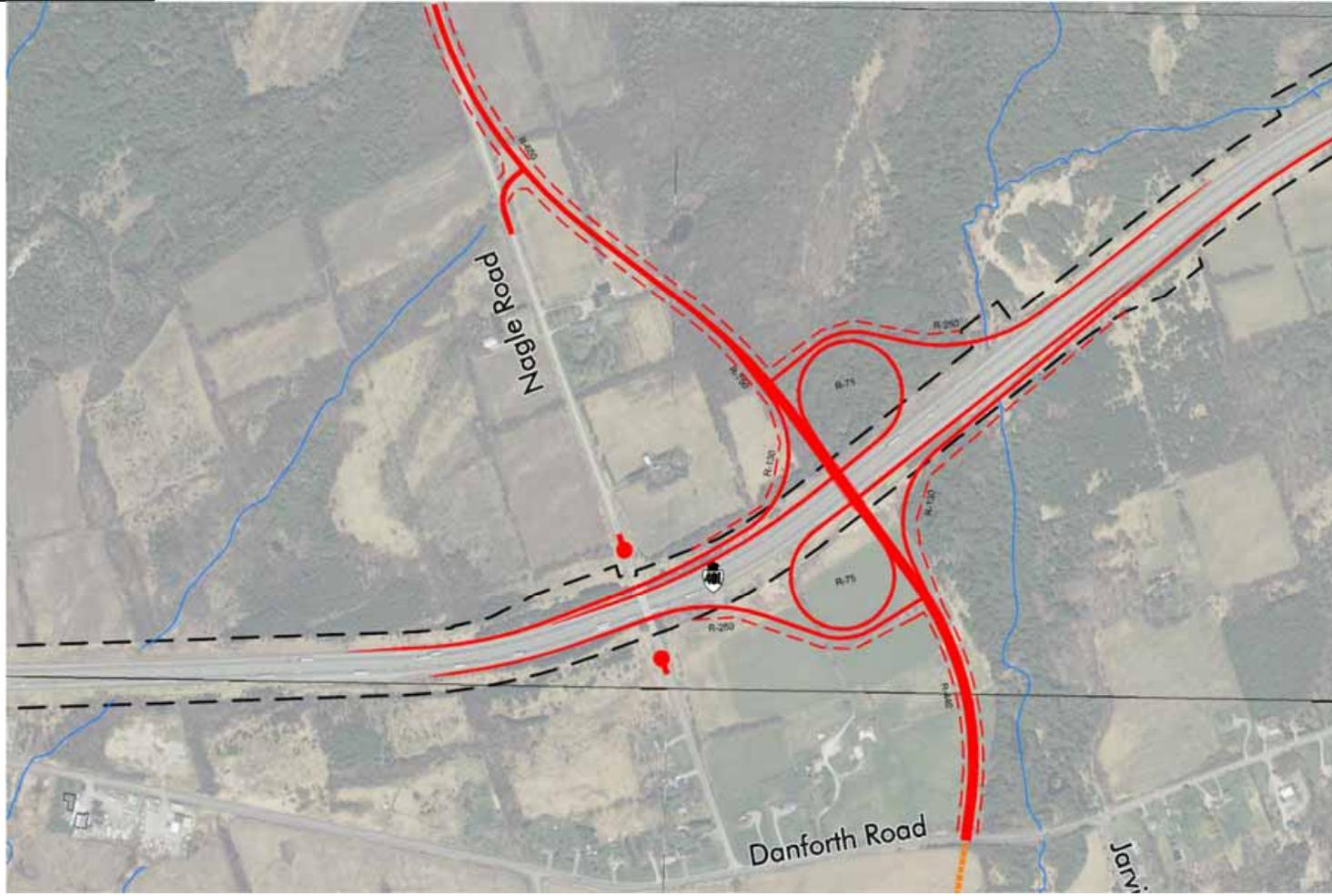
PIC 1 Alternative 2 – Parclo A



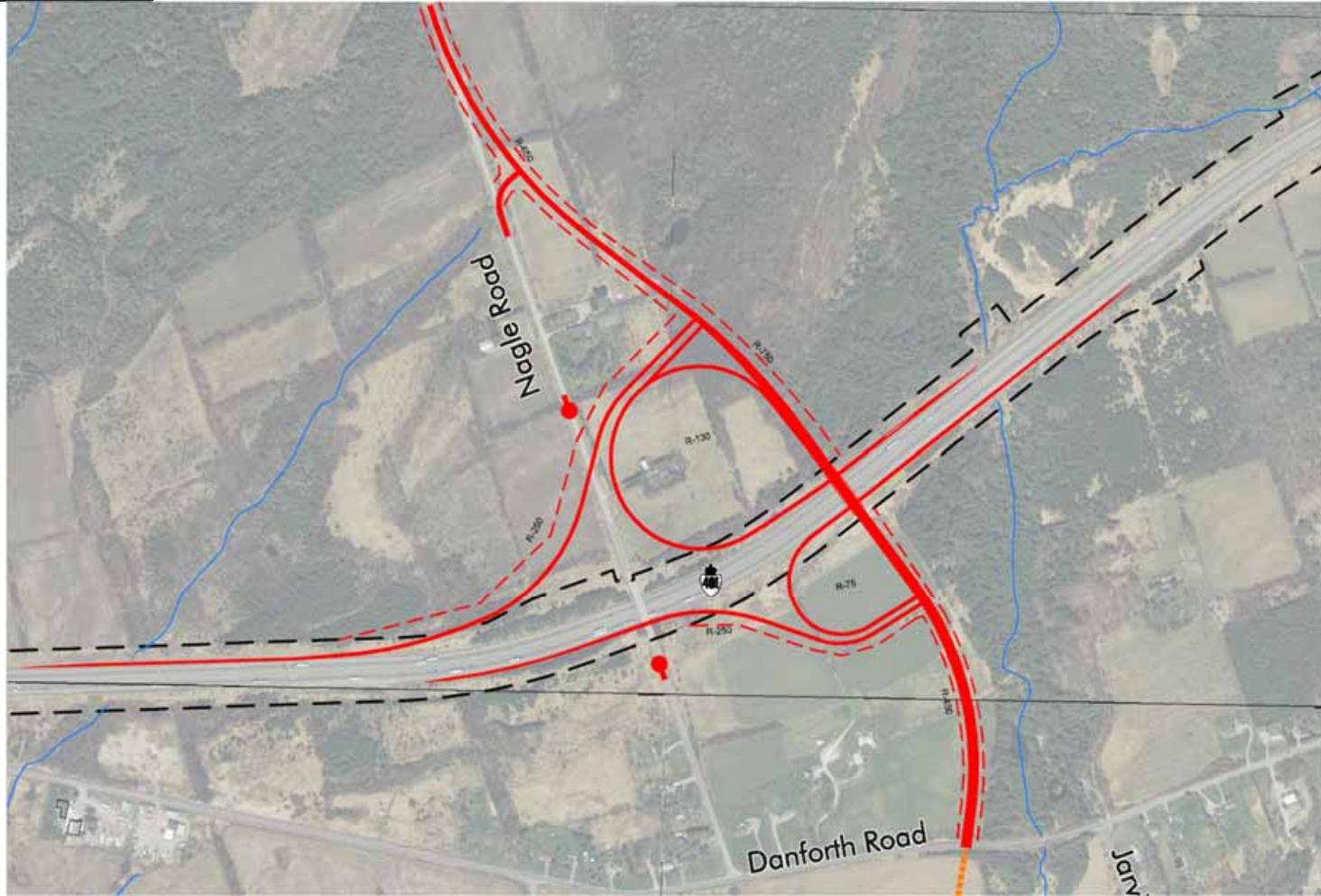
PIC 1 Alternative 4 – Parclo AB



PIC 1 Alternative 6 – Parclo A East



PIC 1 Alternative 7 – Parclo BA East



PIC 1 Council Presentation

Consultation

Consultation

- Public Notices
- Project Website (www.highway401cobourgcolborne.ca)
- Public Information Centres (2)
- Indigenous Consultation
- Council Presentations
- Municipal Advisory Committee Meetings (2)
- Consultation with External Agencies
- *Transportation Environmental Study Reports (TESR)*
Public Review

Stakeholders

- Ministry of Environment, Conservation and Parks
- Ministry of Natural Resources and Forestry
- Ministry of Tourism, Culture and Sport
- Lower Trent Conservation Authority
- Ganaraska Conservation Authority
- Town of Cobourg
- Hamilton Township
- Alnwich/Haldimand Township
- Cramahe Township
- Northumberland County
- Curve Lake First Nation
- Mississaugas of Scugog Island First Nation
- Mohawks of the Bay of Quinte
- Alderville First Nation
- Hiawatha First Nation
- Mississaugas of the New Credit First Union
- Métis Nation of Ontario
- Six Nations of the Grand River
- Williams Treaties First Nations

Issues and Concerns (MAC Meeting #1)

- Temporary traffic impacts on local roads (detours)
- Duration of road closures for bridge replacements
- Coordination of road closures
- Active transportation infrastructure at crossing roads
- Accommodation of LCVs at interchanges
- Traffic impacts on Nagle Road and the adjacent County road network
- Jurisdiction of Nagle Road with interchange (i.e. County Road?)

Other Comments and Considerations

- Interruptions to school bus routes
- Stormwater management considerations
- Noise and vibration impacts
- Air quality and greenhouse gas impacts (Sustainable Cobourg)
- Impacts to sensitive natural environment features (i.e., Brook Creek Environmental Constraint Area)
- Contamination of surface and groundwater
- Property impacts at Nagle Road
- Highly erodible soils
- Ongoing developments

PIC 1 Council Presentation

Schedule

Key Dates

Notice of Study Commencement	April-May 2018
Municipal Advisory Committee Meeting 1	May 16, 2019
Public Information Centre 1	September 18, 2019
Municipal Advisory Committee Meeting 2	March 2020 (tentative)
Public Information Centre 2	May 2020 (tentative)
Transportation Environmental Study Reports	August 2020 (tentative)

Public Information Centre 1

The PIC will be a drop-in format and is scheduled for:

- Date: September 18, 2019
- Location: Cobourg Lions Community Centre, 157 Elgin Street East, Cobourg, Ontario
- Time (public): 4 PM to 8 PM
- External Agency Meeting: 3 PM to 4 PM

Questions?



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.	<p>GENERAL INFORMATION</p> <p>Name of Delegate(s): Carol Beauchamp</p> <p>Group/Organization/Business Delegation Represents (if applicable): Rebound Child & Youth Services Northumberland</p>
2.	<p>MEETING SELECTION</p> <p>I wish to appear before:</p> <p><input type="checkbox"/> Committee of the Whole <input checked="" type="checkbox"/> Regular Council <input type="checkbox"/> Advisory Committee or Local Board</p> <p>If appearing before an Advisory Committee or Local Board please specify: Press to Select a Committee of Board</p> <p>Meeting Date Requested: Monday, September 9</p>
3.	<p>DELEGATION REQUEST</p> <p>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)</p> <p>Rebound Child & Youth Services Northumberland would take great pride in the opportunity to present our vision, mission and values. We would love to share information about the free programs and services that are available to the families of Cobourg (and Northumberland). Additionally, we would appreciate the opportunity to promote our upcoming fundrasier (Kilometers for Kids - Building Mental Wellness). Events like Kilometers for Kids allow us to continue to provide services to the community, as well as navigate opportunities to expand our mental health supportive service programs.</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)

Share the awareness of Rebound Child & Youth Services Northumberland to the community.

Participate in our fundraising events.

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:

Please Select the Type of Equipment

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.



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. CONTACT INFORMATION

Name of Delegate(s):

Jennifer Jackman

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

(information to follow)

Phone:

E-Mail:

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 9, 2019 Regular Council Meeting 6pm

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)

Letter to follow with presentation. Commentary on Council report 2019-55 County of Northumberland Recommendations for Provincially Significant Employment Zones (PSEZs)

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)

To defer a decision on the Wesleyville parcel until an environmental inventory can be done, including consultations with local groups.

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:

Please Select the Type of Equipment

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.

I have read and understood the Delegation Rules and Guidelines attached to this Form and acknowledge that information contained on this Form, including any attachments, will become public documents and listed on the Town of Cobourg Meeting Agenda.

Jennifer Jackman

2019/09/06

Print Full Name

Signature

Date (YYYY/MM/DD)



Municipal Clerk or Designate

Personal information, as defined in the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), is collected under the authority of the Municipal Act, 2001, and in accordance with MFIPPA. Personal information collected in relation to materials submitted for an agenda will be used to acknowledge receipt, however, please be aware that your name is subject to disclosure by way of publication of the agenda. All meetings are open to the public except where permitted to be closed to the public under legislative authority. Questions regarding the collection, use and disclosure of personal information contained in this Form may be directed to Brent Larmer, Municipal Clerk/Manager of Legislative Services at (905) 372-4301 extension 4401, or at blarmer@cobourg.ca.

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

To: Mayor Henderson and Members of Cobourg Town Council

2019 September 9

Attn: Mr. Brent Larmer, Town Clerk, Corporation of the Town of Cobourg, Victoria Hall, 55 King Street West Cobourg, Ontario, K9A 2M2

Regarding Cobourg Council XV Correspondence, Item 1 and Action Recommended, September 9 Regular Council Meeting Agenda: **Council Report # 2019-55 County of Northumberland Recommendations for Provincially Significant Employment Zones (PSEZs)**

We are a group of concerned citizens who have only recently been made aware of Council Report #2019-55, which recommends that the Council endorse four areas in Northumberland County to be considered as Provincially Significant Employment Zones (PSEZs). This designation is intended to “protect strategically located employment lands for industrial activities and emerging economies”, and it is our understanding that it is largely applied to areas that already support high levels of industrial activity and employment. It appears that the recommendation obliges Municipalities to rezone areas designated as PSEZs to accommodate economic development. However, within the recommended four areas there are lands currently identified as Provincially Significant Wetlands, Environmentally Protected and other Conservation designations that protect cultural heritage sites. Also, clarity is needed on how two proposed PSEZs adjacent to Cobourg’s municipal boundary will affect Cobourg and its citizens.

We have concerns about what this designation legally implies, particularly with respect to environmental due diligence, and whether sufficient analysis of natural and cultural heritage has been undertaken. For example, among the lands recommended to become a PSEZ is a section called Wesleyville, which includes about 1100 hectares of land running from the Lake Ontario shoreline to the 401 on the western side of Northumberland County (see attachment below). These lands are largely owned by Ontario Power Generation, Hydro One, Cameco, and a number of smaller landowners.

The lands in question have considerable ecological value, as described in the paragraphs below. In this era of climate change and ongoing biodiversity loss, we strongly request that Council form a working group to examine existing critical ecological information about these lands, and the social, environmental and economic benefits they provide, before it decides whether to endorse this recommendation. A good deal of information exists in databases held by the Canadian Wildlife Service, the Ministry of Natural Resources and Forestry and other public databases. In addition, the County is currently developing a Natural Heritage Strategy, and its findings are important to informing the Council’s decision on this matter.

The Wesleyville area consists of a number of diverse habitats that support a range of animal and plant species. These include Lake Ontario shoreline, woodlands, old growth forest, meadows, streams that are part of the Lake Ontario watershed, provincially significant and other wetlands and agricultural land. The shoreline areas provide important staging grounds for the migration of birds and butterflies, and the woodlands and meadows provide habitat for animals and native plants. Since the area has been largely undeveloped for more than four decades, parts of it have naturalized or remain undisturbed. The area is adjacent to federal lands at Port Granby that are under consideration for a nature reserve, it could be connected to Greenbelt areas, and it includes the Waterfront Trail. Most importantly, it is largely within the Iroquois Plain, an ecoregion that was identified in a 2015 joint Environment Canada / Nature Conservancy of Canada Report (A landscape assessment for the Ontario Mixedwood Plains: Terrestrial

biodiversity of federal interest in the Mixedwood Plains ecozone of Ontario: 2015) that examined 53 ecological areas in Southern Ontario by fourteen different criteria, and determined that the Iroquois Plain had the highest biodiversity values and hence is of the highest priority for conservation. In 2014, a coalition of 120 organizations noted the importance of the Iroquois Plain and the Northumberland County watershed to the protection of water for the future (<https://www.greenbelt.ca/bluebelt>).

These lands are also known to be of archeological and historical interest. Before any decision is made about their disposition, Council should consult with affected First Nations. Also, at Wesleyville Village, four buildings and the surrounding acreage, described as a “cultural heritage landscape”, are listed as a Provincial Heritage Property, and are being conserved and managed by a charitable group. We understand that conservation is not a permitted use in employment zoning.

It is important to note that we are in the process of gathering more specific biodiversity information about this area; such as the identity and extent of specific habitats, types and density of species at risk, data on bird and other animal populations in the area, observations of migratory stopover and nesting points, etc. However, a professional environmental inventory should be undertaken, and an assessment of the many benefits this rich natural and cultural heritage provides, before these lands are put at risk of habitat destruction.

These lands would be a huge asset to the County in their natural state for centuries to come, as natural landscapes along the north shore of Lake Ontario are precious and increasingly rare. Ecologically sustainable recreation can be supported. Connecting people to nature has been identified as an important goal at the federal and provincial levels, as has the protection of natural habitat (Ontario Biodiversity Target #13 states that “By 2020, at least 17 per cent of terrestrial and aquatic systems are conserved through well-connected networks of protected areas and other effective area-based conservation measures”). Protecting natural areas is also a key strategy in enhancing community resilience to climate change.

In our view, the Wesleyville area meets a number of important criteria for conservation, as may other areas being considered as PSEZs. We strongly recommend that, before making a decision about whether to approve their designations as PSEZs, a working group be formed with representation from citizens and naturalist groups to: 1) undertake an environmental inventory of the areas and an assessment of their social, ecological and economic benefits; 2) consider the full implications of the PSEZ designation on future use and conservation; and 3) present a comprehensive report to Council on the extent and uniqueness of the natural features in the areas.

Thank you for your consideration.

**Jennifer Jackman,
Frank Godfrey,
Richard Pope,
Kathryn McHolm,
Brian Maxwell,**

**Miriam Mutton,
Bill Newell,
John Geale,
Suzanne Stickley,**

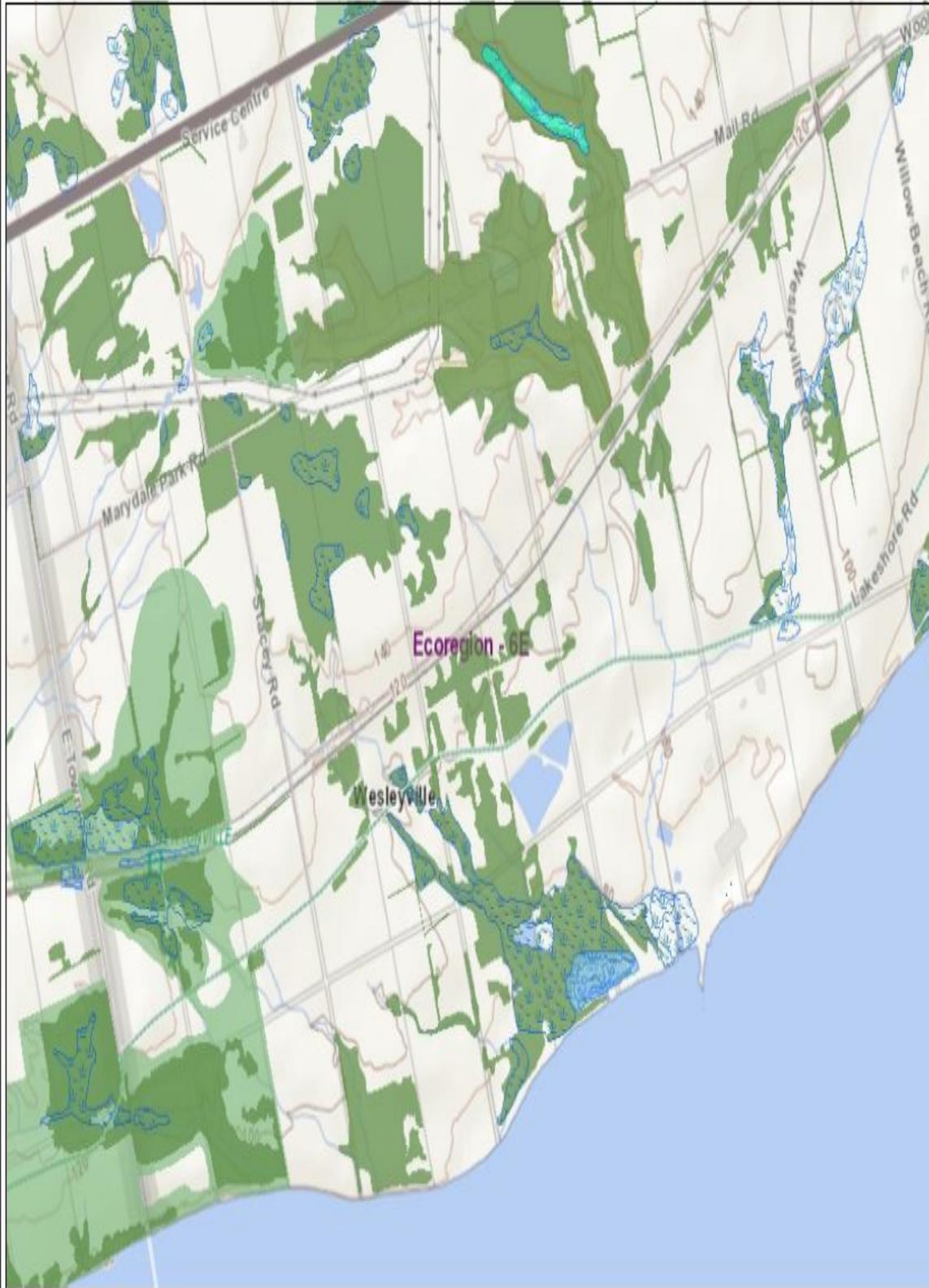
Attachment: Map of the Wesleyville area, about 1100 hectares which runs from the lakeshore to 401, bounded by Wesleyville Road to the east and Stacey Road to the west. The map shows the diversity of habitat in the area, including lakeshore, wetlands, woods and meadows.





Wesleyville Area

Notes: Enter map notes



Legend

- Assessment Parcel
- Woodland
- Conservation Reserve
- Provincial Park
- Natural Heritage System
- Ecoregion
- Wetland**
 - Provincially Significant Wetland Evaluated
 - Non-Provincially Significant Wetland Evaluated
 - Unassessed Wetland
- Area of Natural Heritage & Scientific Interest (ANHSI)**
 - Provincially Significant Life Sciences ANHSI
 - Provincially Significant Earth Sciences ANHSI
- Greenbelt Plan**
 - Boundary
 - River Valley Corridors
- Land Use Designations**
 - Protected Countryside
 - Town and Village
 - Heritage
 - Urban River Valley
 - Specialty Crop Area
- Niagara Escarpment Plan (NEP)**
 - Boundary
 - Parks and Open Space System
- Land Use Designations**
 - Escarpment Natural Area
 - Escarpment Protection Area
 - Escarpment Rural Area
 - Meatal Resource Education Area
 - Escarpment Recreation Area
 - Urban Area
 - Major Urban Centre
- Oak Ridges Moraine Conservation Plan (ORM)**
 - Boundary
 - Land Use Designations**
 - Natural Core Area
 - Natural Linkage Area
 - Countryside Area
 - Rural Settlement
 - Palimpsestic Residential Community
 - Settlement Area

	THE CORPORATION OF THE TOWN OF COBOURG
	COMMITTEE OF THE WHOLE MEETING REPORT
	Tuesday, September 3, 2019 Council Chambers, Victoria Hall, Cobourg

The Cobourg Municipal Council's Committee of the Whole met this evening at 6:00 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 Brian Darling

Regrets: Councillor Emily Chorley

Staff present: Ian Davey, Interim Chief Administrative Officer
Glenn McGlashon, Director of Planning and Development
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 John Henderson (6:00 P.M.).

AGENDA ADDITIONS

1. Torben Drewes, representing Boaters at the Cobourg Marina, regarding the electrical supply on the Marina docks;
2. Mike Hubicki, Cobourg Yacht Club, regarding the lift in and out of boats at the Cobourg Marina;
3. Roderick Gamble, President of the Coverdale Tennis Club, regarding the activities and objectives of the Coverdale Tennis Club;
4. Bruce Moore, Chair of the Christmas Magic Ad Hoc Committee (CMAHC), regarding the August 14, 2019 CMAHC's Motion and Report to Council on the location of the 2019 Christmas Magic Display of Lights;
5. Memo from the Records and Committee Coordinator, regarding the Civic Awards Advisory Committee;

6. Notice of a Public Meeting concerning a proposed Draft Plan of Subdivision, submitted by RFA Consultant Inc., on behalf of Mason Homes for the parcel of land known municipally as 425 and 425A King Street East;
7. Memo from the Secretary of the Parks and Recreation Advisory Committee, regarding the trees along Molley Baker Lane; and
8. A Closed Session Item regarding Section 239(2)(a) of the *Municipal Act, 2001*.

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

Carried

DISCLOSURE OF PECUNIARY INTEREST

Councillor Aaron Burchat declared a Pecuniary Interest on Planning a Development Item #1 - Response to a Public Meeting held on September 3, 2019 regarding a proposed Zoning By-law Amendment for the property known municipally as 900 Division Street.

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.

PRESENTATIONS

Judy Smith, Environmental Officer/Climate Change Coordinator for the County of Northumberland, regarding Climate Change and the upcoming Climate Action Plan for the Town of Cobourg.

J. Smith attended the meeting to introduce herself and her role to Council, and discussed the Climate Change Action Plan for the Town of Cobourg. After a question and answer period, J. Smith was excused from the meeting (6:18 P.M.).

DELEGATIONS

John King, representing Boaters at the Cobourg Marina, regarding the Town of Cobourg's Marina Facilities and Services.

J. King attended the meeting to request that the Town of Cobourg provide power to all docks in years of high water (e.g. 2017, 2019). After a question and answer period, J. King was excused from the meeting (6:30 P.M.).

Roger Magnan, representing the Cobourg Marina Fishing Community, regarding current fishing trends and issues, and the implementation of regulations for the fishing community.

R. Magnan attended the meeting to discuss current fishing trends and issues, and the implementation of regulations for the fishing community. After a question and answer period, R. Magnan was excused from the meeting (6:41 P.M.).

Torben Drewes, representing Boaters at the Cobourg Marina, regarding the electrical supply on the Marina docks.

T. Drewes attended the meeting to discuss the electrical supply on the Marina docks. After a question and answer period, T. Drewes was excused from the meeting (6:48 P.M.).

Mike Hubicki, Cobourg Yacht Club, regarding the lift in and out of boats at the Cobourg Marina.

M. Hubicki attended the meeting to discuss the Cobourg Yacht Club's concerns if Town Marina were to cease its service of the lift out of boats this fall. After a question and answer period, M. Hubicki was excused from the meeting (6:55 P.M.).

Roderick Gamble, President of the Coverdale Tennis Club, regarding the activities and objectives of the Coverdale Tennis Club.

R. Gamble attended the meeting to raise awareness of the activities offered by the Coverdale Tennis Club, and to discuss the poor conditions of the three (3) tennis courts at Peter Delanty Park. After a question and answer period, R. Gamble was excused from the meeting (7:00 P.M.).

Bruce Moore, Chair of the Christmas Magic Ad Hoc Committee (CMAHC), regarding the August 14, 2019 CMAHC's Motion and Report to Council on the location of the 2019 Christmas Magic Display of Lights.

B. Moore attended the meeting to provide additional background on the proposed August 14, 2019 CMAHC's Motion and Report to Council on the location of the 2019 Christmas Magic Display of Lights. After a question and answer period, B. Moore was excused from the meeting (7:08 P.M.).

DELEGATION ACTIONS

Delegation Action, John King, representing Boaters at the Cobourg Marina, regarding the Town of Cobourg's Marina Facilities and Services and Torben Drewes, representing Boaters at the Cobourg Marina, regarding the electrical supply on the Marina docks.

Moved by Councillor Brian Darling, THAT Council receive the delegations from J. King and T. Drewes regarding the electrical supply on the Marina docks and the Marina Services and Facilities for information purposes; and

FURTHER THAT the Harbour and Marina Electrical System be upgraded prior to the 2020 Boating Season, pending 2020 Budget Approval; and

FURTHER THAT an internal review of the safety standards and procedures at the Cobourg Marina be conducted prior to the 2020 Boating Season.

Carried

Delegation Action, Roger Magnan, representing the Cobourg Marina Fishing Community, regarding current fishing trends and issues, and the implementation of regulations for the fishing community.

Moved by Councillor Brian Darling, THAT Council receive the delegation from R. Magnan regarding current fishing trends and issues, and the implementation of regulations for the fishing community for information purposes; and

FURTHER THAT a copy of the delegation material be forwarded to the Manager of Attractions and Facilities; and

FURTHER THAT Council instruct Staff to review the concerns raised, and provide a report to Council with suggestions for enhancing the amenities for anglers and the regulation of fishing related activities at the Cobourg Marina by April 30, 2020.

Carried

Delegation Action, Mike Hubicki, Cobourg Yacht Club, regarding the lift in and out of boats at the Cobourg Marina.

Moved by Councillor Brian Darling, THAT Council receive the delegation from M. Hubicki, regarding the Lift-In and Lift-Out of Boats at the Cobourg Marina for information purposes; and

FURTHER THAT Council realizes 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.

Carried

Delegation Action, Roderick Gamble, President of the Coverdale Tennis Club, regarding the activities and objectives of the Coverdale Tennis Club.

Moved by Councillor Brian Darling, THAT Council receive the delegation from R. Gamble, regarding the activities offered by the Coverdale Tennis Club, and to discuss the poor conditions of the three (3) tennis courts at Peter Delanty Park for information purposes; and

FURTHER THAT the repair of the tennis courts at the Peter Delanty Park be considered during the 2020 Budget deliberations.

Carried

Delegation Action, Bruce Moore, Chair of the Christmas Magic Ad Hoc Committee (CMAHC), regarding the August 14, 2019 CMAHC's Motion and Report to Council on the location of the 2019 Christmas Magic Display of Lights.

Moved by Councillor Adam Bureau, THAT Council receive the delegation from B. Moore, Chair of the Christmas Magic Ad Hoc Committee regarding the Ad Hoc Committees report and motion on the location of the 2019 Christmas Magic Display of Lights for information purposes.

Carried

ARTS, CULTURE AND TOURISM SERVICES

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

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.

Moved by Councillor Adam Bureau, 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.

Carried

GENERAL GOVERNMENT SERVICES

Chair, Deputy Mayor Séguin - General Government Services Coordinator

Memo from the Human Resources Officer, regarding the Recruitment for an Interim Chief Administrative Officer for the Town of Cobourg.

Moved by Deputy Mayor Suzanne Séguin, THAT Council receive the memo from the Human Resources Officer for information purposes; and

FURTHER THAT Council provide direction to the Human Resources Department regarding the recruitment of an Interim Chief Administrative Officer for the Town of Cobourg.

Carried

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.

Moved by Deputy Mayor Suzanne Séguin, THAT Council receive the First Property Tax Adjustment Report for 2019 for information purposes; and

FURTHER 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

Carried

Memo from the Records and Committee Coordinator, regarding the Civic Awards Advisory Committee.

Moved by Deputy Mayor Suzanne Séguin, 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 amend the Terms of Reference By-law (008-2019) to:

1. Dissolve the Community Civic Awards Ad Hoc Committee provided in Schedule 'E' – 1 of the by-law; and
2. Adopt the proposed Terms of Reference for the Civic Awards Advisory Committee set out in Appendix 'I' of the Report; and

FURTHER THAT Council approve the Town of Cobourg's Civic Awards Program – Standards and Procedures Manual set out in Appendix 'II' of the Report; and

FURTHER THAT Council direct the Legislative Services Department to advertise for the six (6) citizen vacancies in the local newspaper and on the municipal website in order to begin the search for volunteers to participate on the Advisory Committee subsequent to the passing of the amending by-law.

Carried

PLANNING AND DEVELOPMENT SERVICES

Chair, Councillor Beatty - Planning and Development Services Coordinator

Response to a Public Meeting held on September 3, 2019 regarding a proposed Zoning By-law Amendment for the property known municipally as 900 Division Street.

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 preparation of the necessary amendments to the Zoning By-law (85-2003) for the property known municipally as 900 Division Street, to permit a 665 m2 medical clinic use consisting of eight (8) medical practitioners in part of the existing easterly building, referred to as 9 Elgin Street East.

Carried

Memo from the Senior Planner - Development, regarding the Pre-Servicing and Development Agreements for 312 Clyde Street, Cobourg (3FiveSix Corp.).

Moved by Councillor Nicole Beatty, 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 the Mayor and Municipal Clerk to execute a Pre-Servicing Agreement and Development Agreement with 3FiveSix Corp. and Lakefront Utility Services Inc. for the four (4) lots of record described as Lots 16, 17, 18 & 19, Block X, Caddy Plan, known municipally as 312 Clyde Street, for the development of four (4) new dwellings, subject to the finalization of details by municipal staff and applicable agencies.

Carried

Notice of a Public Meeting concerning a proposed Draft Plan of Subdivision, submitted by RFA Consultant Inc., on behalf of Mason Homes for the parcel of land known municipally as 425 and 425A King Street East.

Moved by Councillor Nicole Beatty, THAT Council receive the Notice of a Public Meeting on September 23, 2019, to be held at 5:00 P.M. for information purposes.

Carried

Motion to Recess

Moved by Councillor Brian Darling, THAT Council recess the Council meeting for five (5) Minutes.

Carried

Mayor Henderson reconvened the meeting at 7:59 P.M.

PUBLIC WORKS SERVICES

Chair, Councillor Darling - Public Works Services Coordinator

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.

Moved by Councillor Brian Darling, THAT Council endorse the comments of the Transportation Advisory Committee (TAC) and appointed the six (6)-listed members to the TAC Sub-Committee; 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.

Carried

PARKS AND RECREATION SERVICES

*Alternate Chair, Councillor Darling - Parks and Recreation Services Coordinator
Alternate*

Memo from the Manager of Attractions and Facilities, regarding the Cobourg Harbour and Marina Electrical Systems Assessment.

Moved by Councillor Brian Darling, 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.

Carried

Memo from the Secretary of the Parks and Recreation Advisory Committee, regarding the trees along Molly Baker Lane.

Moved by Councillor Brian Darling, THAT Council endorse the comments of the Parks and Recreation Advisory Committee and endorse that the trees along Molly Baker Lane be given adequate consideration in the development process for 425 King Street, East, 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 St East and Molly Baker Lane; and

FURTHER THAT this Motion be referred to the September 23, 2019 Public Meeting for inclusion with other applicable municipal advisory committee comments.

Carried

PROTECTION SERVICES

Chair, Councillor Burchat - Protection Services Coordinator

ARTS, CULTURE AND TOURISM SERVICES

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

Memo from the Secretary of the Sustainability and Climate Change Advisory Committee, regarding funding for the Integrated Community and Sustainability Plan in the Town of Cobourg.

Moved by Councillor Adam Bureau, THAT Council endorse the comments of the Sustainability and Climate Change Advisory Committee and make the development of an Integrated Community Sustainability Plan (ICSP) a priority in the 2020 Budget and allocate the necessary resources to achieve an ICSP.

Withdrawn

Motion to Withdrawn:

Moved by Councillor Adam Bureau, THAT the Item - Memo from the Secretary of the Sustainability and Climate Change Advisory Committee, regarding funding for the Integrated Community and Sustainability Plan in the Town of Cobourg be withdrawn from discussion.

Carried

Notice of Motion, Councillor Bureau, regarding an Opioid Crisis Round Table Discussion.

Moved by Councillor Adam Bureau, WHEREAS Councillor Adam Bureau asks permission from this council 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 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.

Motion to Amend:

Moved by Councillor Nicole Beatty, THAT the following wording be added to the Motion to include additional meeting participants: Northumberland Hills Hospital Community Mental Health, Forecast Greenwood Coalition and Two (2) members of the community with lived experience.

Carried

Moved by Councillor Adam Bureau, WHEREAS Councillor Adam Bureau asks permission from this council 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, Forecast Greenwood 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.

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	Jul 4, 2019
Staff Report on the creation of a Civic Awards Advisory Committee	06-03-19	Legislative Services	Sep 3, 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
Appointments to the TAC Sub-Committee	07-22-19	Public Works	Sep 9, 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	02-25-19	Public Works	Sep 30, 2019

distances for Northwood Drive.			
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
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)(a) The security of the property of the municipality or local board:

1. Municipal property lease agreement

The Committee of the Whole reconvened in Open Session at 9:22 P.M.

Carried

ADJOURNMENT

Moved by Councillor Nicole Beatty, THAT the Meeting be adjourned (9:23 P.M.).

Carried

Municipal Clerk

 COBOURG	THE CORPORATION OF THE TOWN OF COBOURG
	STAFF REPORT
TO:	Mayor and Council Members
FROM: TITLE:	Ian D. Davey Treasurer / Director of Corporate Services
DATE OF MEETING:	September 9, 2019
TITLE / SUBJECT:	First Half 2019 – Operating Budget Variance Report
REPORT DATE:	September 5, 2019

1.0 STRATEGIC PLAN

Not applicable

2.0 PUBLIC ENGAGEMENT

Not applicable

3.0 RECOMMENDATION

That Council receive the First Half 2019 Operating Budget Variance Report for information purposes.

4.0 ORIGIN

This budget variance report covers the period from January 1, 2019 through June 30, 2019 and is intended for information purposes. When reviewing this report, please keep in mind that seasonality may play a role in some of the departmental variances being shown.

5.0 BACKGROUND

The 2019 Operating Budget was approved by Council on April 8, 2019 by Resolution 98 – 19. The purpose of this report is to provide a comparison of the actual results for the first half of 2019 to the approved annual operating budget.

The report to the end of the third quarter of 2019 will be provided to Council at the meeting of November 11, 2019 and will incorporate a report on the 2019 Capital Budget for the first three quarters of 2019.

6.0 ANALYSIS

The **first** page of the report is a summary of the **Revenue and Expenditures** by category.

The **revenues** represent those items specifically noted within each category of the municipal operating budget. The first column represents the total annual budget, the second column is the actual revenue recorded to the end of March 2019, the third column is the actual revenue recorded to the end of June 2019, and the fourth column is the remaining amount to reach budget over the remainder of the year and the fifth column is the percentage required to meet budget.

Approximately 43% of the total budgeted revenue from sources other than property taxes have been received to the end of June 2019.

The **expenditures** portion of page 1 has the same columns with the first column representing the total annual budget, the second column is the actual expenditure to March 31, 2019, the third column is the actual expenditure to June 30, 2019, the fourth column is the budget available for the remainder of 2019 and the fifth column represents the remaining funds as a percentage of the total annual budget.

Approximately 46% of the total budgeted expenditures have been spent as of June 30, 2019.

The difference between the total budgeted revenue of \$14,375,614 and the total budgeted expenditures of \$38,361,143 is shown at the bottom of the page in the amount of **\$23,985,529** and represents the **Municipal Tax Levy** which agrees to the approved operating budget.

The **second** page of the report provides a further breakdown of the **revenue** received to June 30, 2019 by department which supports the figures shown on the summary page (Page 1).

The remaining pages, 3 to 5, provide a similar departmental breakdown of **expenditures** made to June 30, 2019 by department and support the expenditure amounts as shown on the summary page (Page 1).

A **capital projects** report will be provided to Council at a later date and has not been included with this report.

7.0 FINANCIAL IMPLICATIONS/BUDGET IMPACT

Not applicable.

8.0 CONCLUSION

This report has been provided to Council and Members of the Public for information purposes.

If there are specific questions on any of this information, I would be pleased to provide an answer to them.

9.0 POLICIES AFFECTING THE PROPOSAL

Not applicable

10.0 COMMUNICATION RESULTS

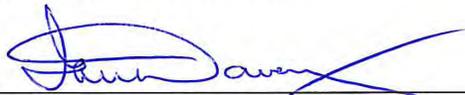
The report is a public document prepared internally and intended as high level overview of the results of operations of the municipality for the first half of 2019 and is available to anyone wanting to review it.

11.0 ATTACHMENTS

First Half 2019 – Operating Budget Variance Report

12.0 AUTHORIZATION ACKNOWLEDGMENT

Respectfully submitted,



Ian D. Davey, BBA CPA CA
Treasurer / Director of Corporate Services

TOWN OF COBOURG

**OPERATING BUDGET
VARIANCE REPORT**

FIRST HALF – 2019

JANUARY 1, 2019 to JUNE 30, 2019

Prepared and submitted by:
Ian D. Davey BBA CPA CA
Treasurer / Director of Corporate Services
September 5, 2019

BUDGET VARIANCE REPORT

FOR THE PERIOD ENDED JUNE 30, 2019

SUMMARY	ANNUAL BUDGET	2019 YTD MARCH 31/19	2019 YTD JUNE 30/19	\$ REMAINING BUDGET	% REMAINING BUDGET
REVENUE					
General government	195,700.00	42,482.00	92,098.90	103,601.10	52.94
Protection services	2,945,858.00	666,040.50	1,903,496.63	1,042,361.37	35.38
Public Works	834,900.00	95,094.87	244,301.79	590,598.21	70.74
Environmental	6,209,232.00	1,198,678.52	2,184,127.49	4,025,104.51	64.82
Parks & Recreation	2,979,649.00	378,955.70	1,125,052.84	1,854,596.16	62.24
Culture & Community	188,850.00	34,055.67	75,144.42	113,705.58	60.21
Planning & Residential	85,000.00	46,460.00	83,425.00	1,575.00	1.85
Commercial & Economic	187,325.00	11,663.27	66,523.52	120,801.48	64.49
Other Direct Revenue	749,100.00	114,567.26	350,372.09	398,727.91	53.23
	14,375,614.00	2,587,997.79	5,774,170.59	8,251,071.32	57.40
EXPENDITURES					
General government	3,503,628.00	771,871.15	1,729,000.98	1,774,627.02	50.65
Protection	12,684,447.00	2,990,342.21	5,964,561.96	6,719,885.04	52.98
Public Works	5,444,827.00	1,427,071.76	2,499,099.77	2,945,727.23	54.10
Environmental	6,365,157.00	1,280,486.12	2,807,221.70	3,557,935.30	55.90
Social & Family	196,500.00	0.00	0.00	196,500.00	100.00
Parks & Recreation	6,802,764.00	1,217,939.56	2,868,489.34	3,934,274.66	57.83
Culture & Community	1,821,169.00	544,500.51	1,056,430.47	764,738.53	41.99
Planning & Residential	541,097.00	142,969.83	266,222.65	274,874.35	50.80
Commercial & Economic	847,554.00	177,815.22	377,778.12	469,775.88	55.43
Capital Levy	154,000.00	38,500.00	77,000.00	77,000.00	50.00
	38,361,143.00	8,591,496.36	17,568,804.99	20,715,338.01	54.00
MUNICIPAL LEVY	23,985,529.00				

BUDGET VARIANCE REPORT

FOR THE PERIOD ENDED JUNE 30, 2019

REVENUE	ANNUAL BUDGET	2019 YTD MARCH 31/19	2019 YTD JUNE 30/19	\$ REMAINING BUDGET	% REMAINING BUDGET
GENERAL GOVERNMENT					
Clerks	177,700	39,157.00	82,158.90	95,541.10	53.77
Finance	18,000	3,325.00	9,940.00	8,060.00	44.78
	195,700	42,482.00	92,098.90	103,601.10	52.94
PROTECTION SERVICES					
Fire	13,500	3,224.75	1,464.75	12,035.25	89.15
Police	65,000	12,733.15	25,017.89	39,982.11	61.51
Police - Business Services	2,438,358	627,462.35	1,791,629.86	646,728.14	26.52
Building Department	410,000	20,920.25	77,954.13	332,045.87	80.99
Property Standards	19,000	1,700.00	7,430.00	11,570.00	60.89
	2,945,858	666,040.50	1,903,496.63	1,042,361.37	35.38
PUBLIC WORKS					
Engineering review fees	60,000	0.00	10,000.00	50,000.00	83.33
Parking enforcement	615,000	62,202.17	163,438.19	451,561.81	73.42
Transit	159,900	32,892.70	70,863.60	89,036.40	55.68
	834,900	95,094.87	244,301.79	590,598.21	70.74
ENVIRONMENTAL					
WPCP 1	6,209,232	1,198,678.52	2,184,127.49	4,025,104.51	64.82
PARKS & RECREATION					
Parks Administration	141,000	1,558.00	65,186.00	75,814.00	53.77
Marina	760,140	10,367.90	324,029.68	436,110.32	57.37
Trailer Park	310,700	1,848.00	94,600.95	216,099.05	69.55
Dredging	147,000	0.00	0.00	147,000.00	100.00
Arena	146,900	47,750.20	51,362.35	95,537.65	65.04
Cobourg Community Centre	1,345,699	297,079.98	544,830.95	800,868.05	59.51
Seniors Activity Centre	86,210	20,351.62	39,865.49	46,344.51	53.76
Legion Fields	42,000	0.00	5,177.42	36,822.58	87.67
	2,979,649	378,955.70	1,125,052.84	1,854,596.16	62.24
CULTURE & COMMUNITY					
Concert Hall	166,850	24,300.67	60,149.42	106,700.58	63.95
Market Building	22,000	9,755.00	14,995.00	7,005.00	31.84
	188,850	34,055.67	75,144.42	113,705.58	60.21
PLANNING & RESIDENTIAL					
Planning	75,000	41,510.00	78,475.00	-3,475.00	-4.63
Comm. of Adjustment	10,000	4,950.00	4,950.00	5,050.00	50.50
	85,000	46,460.00	83,425.00	1,575.00	1.85
COMMERCIAL & ECONOMIC					
Venture 13	149,825	11,650.00	35,794.01	114,030.99	76.11
Tourism	37,500	13.27	30,729.51	6,770.49	18.05
	187,325	11,663.27	66,523.52	120,801.48	64.49

BUDGET VARIANCE REPORT

FOR THE PERIOD ENDED JUNE 30, 2019

EXPENDITURES	ANNUAL BUDGET	2019 YTD MARCH 31/19	2019 YTD JUNE 30/19	\$ REMAINING BUDGET	% REMAINING BUDGET
GENERAL GOVERNMENT					
Council	373,948	86,806.96	163,408.43	210,539.57	56.30
CAO	249,378	58,671.55	118,689.93	130,688.07	52.41
Clerks	464,326	120,213.98	213,613.23	250,712.77	53.99
Finance	661,388	164,002.47	335,166.44	326,221.56	49.32
Information Technology	319,976	76,207.69	160,025.15	159,950.85	49.99
Communications	209,179	39,079.03	97,865.58	111,313.42	53.21
Victoria Hall	686,118	140,680.79	353,012.89	333,105.11	48.55
Financial	144,500	48,026.85	211,246.83	-66,746.83	-46.19
Personnel	381,965	33,681.83	64,762.61	317,202.39	83.04
Health & Safety	12,850	4,500.00	11,209.89	1,640.11	12.76
	3,503,628	771,871.15	1,729,000.98	1,774,627.02	50.65
PROTECTION SERVICES					
Fire	2,940,731	684,104.40	1,427,592.57	1,513,138.43	51.45
Police	5,668,111	1,351,030.38	2,726,495.34	2,941,615.66	51.90
Police Service Board	81,015	17,681.45	42,261.42	38,753.58	47.84
Court Security	359,612	234,568.98	452,295.64	-92,683.64	-25.77
Police Facilities	155,800	17,212.09	76,625.57	79,174.43	50.82
Business Services	2,438,358	419,975.62	851,798.16	1,586,559.84	65.07
Communications Centre	0	0.00	0.00	0.00	0.00
Conservation Authority	248,903	124,451.45	124,451.45	124,451.55	50.00
Animal Control	99,748	24,787.00	24,786.91	74,961.09	75.15
Building Department	410,000	56,594.97	114,744.78	295,255.22	72.01
Property Standards	96,921	15,345.18	32,745.89	64,175.11	66.21
Emergency Management	129,645	28,987.25	58,851.22	70,793.78	54.61
By-Law Enforcement	55,603	15,603.44	31,913.01	23,689.99	42.61
	12,684,447	2,990,342.21	5,964,561.96	6,719,885.04	52.98
PUBLIC WORKS					
Engineering	371,398	34,692.54	86,727.71	284,670.29	76.65
GIS	191,719	119,877.70	132,337.12	59,381.88	30.97
Public Works	2,127,878	515,194.09	849,746.52	1,278,131.48	60.07
Bridges	1,150	0.00	6,216.04	-5,066.04	-440.53
Roadside Grass	0	0.00	3,385.38	-3,385.38	0.00
Forestry (moved to parks)	0	0.00	0.00	0.00	0.00
Storm Drain System	60,000	3,815.25	39,566.62	20,433.38	34.06
Roadside Litter	41,100	7,723.50	30,825.72	10,274.28	25.00
Hardtop Maintenance	93,000	12,355.58	22,782.42	70,217.58	75.50
Safety Devices	135,650	37,286.91	75,946.45	59,703.55	44.01
Winter Maintenance	181,500	261,661.79	282,999.66	-101,499.66	-55.92
Long-term debt	309,000	77,250.00	154,500.00	154,500.00	50.00
Sidewalks	51,800	3,897.15	26,068.43	25,731.57	49.67
Parking Lots	134,670	35,689.63	73,440.13	61,229.87	45.47
Parking enforcement	480,330	35,571.11	52,931.79	427,398.21	88.98
Transit	841,444	186,721.57	401,795.46	439,648.54	52.25
Crossing Guards	77,458	20,390.06	42,481.17	34,976.83	45.16
Street Lighting	346,730	74,944.88	217,349.15	129,380.85	37.31
	5,444,827	1,427,071.76	2,499,099.77	2,945,727.23	54.10

BUDGET VARIANCE REPORT

FOR THE PERIOD ENDED JUNE 30, 2019

EXPENDITURES	2019		2019		\$ REMAINING BUDGET	% REMAINING BUDGET
	ANNUAL BUDGET	YTD MARCH 31/19	YTD JUNE 30/19	YTD JUNE 30/19		
ENVIRONMENTAL						
WPCP 1	1,658,213	273,655.28	663,006.29	995,206.71	60.02	
WPCP 2	1,462,113	260,703.98	604,743.59	857,369.41	58.64	
Sanitary Sewer Pumphouses	68,200	11,717.28	52,826.11	15,373.89	22.54	
Sanitary Sewer System	512,835	63,497.78	162,121.35	350,713.65	68.39	
Transfer to Sanitary Reserve	2,507,871	626,967.75	1,253,935.50	1,253,935.50	50.00	
Storm Sewer Pumphouses	30,325	14,481.46	10,723.13	19,601.87	64.64	
Garbage Collection	7,100	389.59	1,164.73	5,935.27	83.60	
Landfill - long-term debt	118,500	29,073.00	58,701.00	59,799.00	50.46	
	6,365,157	1,280,486.12	2,807,221.70	3,557,935.30	55.90	
SOCIAL & FAMILY SERVICES						
St Peter's Court	21,500	0.00	0.00	21,500.00	100.00	
Physician Recruitment	0	0.00	0.00	0.00	0.00	
Northumberland Hospice	0	0.00	0.00	0.00	0.00	
Affordable Housing	175,000	0.00	0.00	175,000.00	100.00	
	196,500	0.00	0.00	196,500.00	100.00	
PARKS & RECREATION						
Parks Administration	1,590,579	277,230.62	513,571.41	1,077,007.59	67.71	
Horticulture	70,000	22,599.01	101,366.03	-31,366.03	-44.81	
Parks Maintenance	234,900	40,144.39	206,462.49	28,437.51	12.11	
Forestry Services	201,558	28,698.26	60,898.93	140,659.07	69.79	
Parks Athletic Fields	26,500	2,317.84	7,043.44	19,456.56	73.42	
Parks Turf Maintenance	8,000	1,056.93	10,445.77	-2,445.77	-30.57	
Subtotal	2,131,537	372,047.05	899,788	1,231,749	57.79	
Centennial Pool	16,500	1,434.57	10,771.21	5,728.79	34.72	
Outdoor Rink / Fountain	28,500	9,058.61	20,428.08	8,071.92	28.32	
Parks - long-term debt	263,200	76,532.57	144,266.36	118,933.64	45.19	
Marina	760,140	73,647.45	245,442.93	514,697.07	67.71	
Trailer Park	164,905	12,558.12	40,048.19	124,856.81	75.71	
Beach Washrooms	69,300	42.74	4,709.95	64,590.05	93.20	
Harbour / Walkway	201,692	772.17	32,027.16	169,664.84	84.12	
Dredging	147,000	26,173.98	58,977.39	88,022.61	59.88	
Arena	332,899	82,241.78	214,336.97	118,562.03	35.62	
Cobourg Community Centre	2,330,911	474,776.37	1,003,180.64	1,327,730.36	56.96	
Seniors Activity Centre	196,280	34,121.97	65,902.20	130,377.80	66.42	
Legion Fields	49,900	2,532.18	24,610.19	25,289.81	50.68	
Acquatics / Lifeguards	224,300	52,000.00	104,000.00	120,300.00	53.63	
Transfer from Reserves	-114,300	0.00	0.00	-114,300.00	100.00	
	6,802,764	1,217,939.56	2,868,489.34	3,934,274.66	57.83	
CULTURE & COMMUNITY						
Cultural Administration	101,929	18,258.92	33,566.29	68,362.71	67.07	
Organizational grants	50,946	0.00	37,055.14	13,890.86	27.27	
Special Events	290,430	29,102.27	107,663.13	182,766.87	62.93	
Concert Hall	359,659	64,658.81	141,358.70	218,300.30	60.70	
Library	904,505	416,000.00	633,820.10	270,684.90	29.93	
Market Building	18,200	1,910.17	4,952.73	13,247.27	72.79	
Art Gallery	115,000	23,750.00	80,000.00	35,000.00	30.43	
Concert Band of Cobourg	20,500	820.34	18,014.38	2,485.62	12.12	
Library - Long Term Debt	-40,000	-10,000.00	-20,000.00	-20,000.00	50.00	
	1,821,169	544,500.51	1,056,430.47	784,738.53	43.09	

BUDGET VARIANCE REPORT

FOR THE PERIOD ENDED JUNE 30, 2019

EXPENDITURES	ANNUAL BUDGET	2019 YTD MARCH 31/19	2019 YTD JUNE 30/19	\$ REMAINING BUDGET	% REMAINING BUDGET
PLANNING & RESIDENTIAL					
Planning	407,769	101,102.74	198,926.93	208,842.07	51.22
Comm. of Adjustment	73,839	12,720.73	28,237.66	45,601.34	61.76
Heritage Committee	59,489	29,146.36	39,058.06	20,430.94	34.34
	541,097	142,969.83	266,222.65	274,874.35	50.80
COMMERCIAL & ECONOMIC					
Economic Development	230,703	37,884.41	81,300.57	149,402.43	64.76
Venture 13	347,279	107,765.48	197,751.33	149,527.67	43.06
Tourism	249,772	27,908.89	83,049.56	166,722.44	66.75
Henley Arcade	3,500	1,391.22	3,252.33	247.67	7.08
Old Firehall Theatre	6,500	1,375.00	6,010.39	489.61	7.53
Dressler House	9,800	1,490.22	6,413.94	3,386.06	34.55
	847,554	177,815.22	377,778.12	469,775.88	55.43

 COBOURG	THE CORPORATION OF THE TOWN OF COBOURG
	STAFF REPORT
TO:	Mayor and Council Members
FROM: TITLE:	Ian D. Davey, BBA CPA CA Treasurer / Director of Corporate Services
DATE OF MEETING:	September 9, 2019
TITLE / SUBJECT:	Northam Industrial Park – Financial Report – June 30/19
REPORT DATE:	September 9, 2019

1.0 STRATEGIC PLAN

Not applicable.

2.0 PUBLIC ENGAGEMENT

Not Applicable

3.0 RECOMMENDATION

That Council receive the Second Quarter 2019 Northam Industrial Park Financial Report for information purposes.

4.0 ORIGIN

This financial report covers the period from January 1, 2019 through June 30, 2019 and is intended for information purposes.

5.0 BACKGROUND

The Town of Cobourg purchased the Northam Industrial Park from the Ontario Realty Corporation on March 4, 2003. The original purchase was 100% financed by way of a loan from the Royal Bank of Canada. This loan was paid in full as of March 4, 2018.

6.0 ANALYSIS

The attached report is unaudited and has been prepared internally and consists of 3 pages as follows:

Balance Sheet

The assets section is split between current assets of \$3,956,065 and fixed assets of \$17,484,118. The bank balance includes an operating balance of \$2,690,524 and a capital reserve of \$1,000,000 which was established shortly after the purchase of the park and has remained at that level since that time. Currently an asset management plan is being completed which will establish the target for future capital spending and the required level of capital reserve to be maintained.

The liabilities as of June 30, 2019 were \$850,158 compared to \$437,051 as at December 31, 2018. The increase is a result of capital projects which started during the second quarter of 2019.

The book value of the equity in the park is \$20,590,025 as of June 30, 2019.

Income Statement

The income statement is presented in 3 columns including the 2018 actual results for the full year and the 2019 actual results to June 30, 2019 along with the budget for 2019 for the full year.

Operating revenues for the first 6 months are very close to expected at just under 50% of the total annual budget amount. Vacancies within the park are currently at a very low level and should remain close to current levels barring any unforeseen circumstances.

Operating and administrative expenses are tracking within budget for the first 6 months of the year.

Cashflow Report

The cashflow report is intended to provide a summary of the changes in the cash balance from the start of the fiscal year to the end of June 2019. The cash balance has increased by \$1,390,817 during the first half of 2019 and is expected to continue to increase over the remainder of 2019 as we build reserves in anticipation of the capital work required coming out of the asset management plan.

7.0 FINANCIAL IMPLICATIONS/BUDGET IMPACT

The 2019 Town of Cobourg Operating and Capital budgets included the amounts of \$502,100 and \$385,000 respectively to be funded from Northam Industrial Park operations. This financial report indicates that this is a realistic commitment.

8.0 CONCLUSION

This report has been provided to Council and Members of the Public for information purposes.

If there are specific questions on any of this information, I would be pleased to provide an answer to them.

9.0 POLICIES AFFECTING THE PROPOSAL

Not applicable.

10.0 COMMUNICATION RESULTS

This report is a public document prepared internally and intended as a high level overview of the results of operations of Northam Industrial Park for the first half of 2019 and is available to anyone wanting to review it.

11.0 ATTACHMENTS

Northam Industrial Park Financial Report – June 30, 2019 (3 pages)

12.0 AUTHORIZATION ACKNOWLEDGMENT

Respectfully submitted,



Ian D. Davey, BBA CPA-CA
Treasurer / Director of Corporate Services

Northam Q2 2019

NORTHAM INDUSTRIAL PARK

BALANCE SHEET - AS AT JUNE 30, 2019

(UNAUDITED)

	Jun 30 2019	Dec 31 2018
ASSETS		
Current		
Bank	3,690,524	2,299,707
Accounts receivable	224,815	251,081
Prepaid Expenses	40,726	11,896
	-----	-----
	3,956,065	2,562,684
	-----	-----
Fixed		
Land	3,683,512	3,683,512
Buildings	10,205,027	10,205,027
Building improvements	14,017,788	13,511,382
Roadways, rail and parking lots	366,752	366,752
	-----	-----
	28,273,079	27,766,673
Accumulated amortization	-10,788,961	-10,418,961
	-----	-----
	17,484,118	17,347,712
	-----	-----
TOTAL ASSETS	21,440,183	19,910,396
	=====	=====
LIABILITIES		
Current		
Accounts payable	655,580	302,317
Tenant deposits and prepaid rent	194,578	134,734
Due to Town of Cobourg	0	0
	-----	-----
TOTAL LIABILITIES	850,158	437,051
	-----	-----
EQUITY		
Capital reserve	1,000,000	1,000,000
Retained earnings	18,473,345	16,850,413
Current year earnings	1,116,680	2,110,032
Transfer to Town of Cobourg	0	-487,100
	-----	-----
Total Equity	20,590,025	19,473,345
	-----	-----
TOTAL LIABILITIES AND EQUITY	21,440,183	19,910,396
	=====	=====

NORTHAM INDUSTRIAL PARK

INCOME STATEMENT

For the SIX months ended June 30, 2019

(UNAUDITED)	2018 ACTUAL (12 MONTHS)	2019 ACTUAL (6 MONTHS)	2019 BUDGET (12 MONTHS)
REVENUE			
Base Rent	3,603,506	1,803,718	3,602,369
Realty Tax Recoveries	1,090,567	558,602	1,139,148
Vacancies	-145,409	-44,346	-88,692
Interest and other income	5,173	5,725	5,000
	4,553,837	2,323,699	4,657,825
OPERATING EXPENSES			
Insurance	42,575	22,756	43,663
Realty Taxes	1,092,927	568,747	1,137,494
Repairs & Maintenance	246,719	119,492	278,300
Utilities	111,687	30,595	94,357
Mortgage interest	694	0	0
	1,494,602	741,590	1,553,814
ADMINISTRATIVE EXPENSES			
Bad Debts	0	0	5,000
Leasing Commissions	5,315	4,133	47,228
Management Fees	158,022	83,617	157,731
Office & General Admin	17,760	7,879	23,050
Consulting & Prof fees	29,260	-200	40,000
	210,357	95,429	273,009
NET OPERATING INCOME	2,848,878	1,486,680	2,831,002
AMORTIZATION	738,846	370,000	740,000
NET INCOME	2,110,032	1,116,680	2,091,002

NORTHAM INDUSTRIAL PARK

CASHFLOW REPORT - AS AT June 30, 2019

(UNAUDITED)	Jun 30 2019 ACTUAL	Dec 31 2018 ACTUAL
<u>Sources of cashflow:</u>		
Net income per budget report	1,116,680	2,110,032
Add non-cash item - amortization	370,000	738,846
Cash from operations	1,486,680	2,848,878
Reduction in accounts receivable	26,266	0
Reduction in prepaid expenses	0	19
Increase in accounts payable	353,263	35,914
Increase in tenant deposits and prepaid rent	59,844	3,014
Cash available	1,926,053	2,887,825
<u>Uses of cash</u>		
Increase in accounts receivable	0	-18,040
Increase in prepaid expenses	-28,830	0
Invested in fixed assets	-506,406	-274,763
Decrease in accounts payable	0	0
Applied to mortgage principal	0	-312,387
Transfer to Town of Cobourg	0	-487,100
Cash used during period	-535,236	-1,092,290
Net change in cash balance during period	1,390,817	1,795,535
Cash balance at start of year	2,299,707	504,172
Cash balance at end of period	3,690,524	2,299,707

 COBOURG	THE CORPORATION OF THE TOWN OF COBOURG	
	STAFF REPORT	
TO:	Mayor, Deputy Mayor and Council Members	
FROM: TITLE:	Brent Larmer Municipal Clerk/Manager of Legislative Services	
DATE OF MEETING:	September 9, 2019	
TITLE / SUBJECT:	Mandatory Policy on Council and Staff Relations	
REPORT DATE:	August 22, 2019	File #:

1.0 STRATEGIC PLAN
Not Applicable

2.0 PUBLIC ENGAGEMENT
The topic of this Staff Report has not been subject to a Public Meeting as there is no requirement to hold a Public Meeting. Comments regarding this report should be submitted to the Municipal Clerks Office at clerk@cobourg.ca.

3.0 RECOMMENDATION
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 LED-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.

4.0 ORIGIN

The Provincial Government introduced Bill 68, the Modernizing Ontario's Municipal Legislation Act, 2017, and the associated amendments to various Provincial Acts, which received Royal Assent on May 30, 2017.

Bill 68 amended subsection 270 (1) of the *Municipal Act, 2001* to require that all municipalities adopt and maintain a policy with respect to the relationship between members of council and the officers and employees of the municipality. Municipalities have the flexibility and authority to determine the content of this mandatory policy. The amendment to subsection 270(1) was proclaimed on March 1, 2019. The purpose of this report is to provide Council with a recommended policy with respect to the relationship between members of council and the officers and employees of the municipality as required under the new provisions of the *Municipal Act, 2001*.

The Town of Cobourg has a number of existing by-laws and/or policy documents that address the working relationships between staff and members of council. The proposed policy serves to identify specific relationship principles based on the aforementioned common messages that are intended to be equally applicable to both members of council and members of municipal staff. The principles of the proposed policy are:

1. Understanding the importance of, and difference between, the political/representative role and the administrative/operational management role necessary for the provision of efficient, responsible, transparent and accountable municipal governments; and
2. The need for mutual trust and respect between both parties for the effective execution of their respective duties and functions.

5.0 BACKGROUND

Subsection 270 (1) of the *Municipal Act, 2001* requires municipalities to adopt and maintain policies with respect to a number of matters. Bill 68 added a new paragraph 2.1 that requires municipalities to adopt and maintain a specific policy related to the relationship between members of council and the officers and employees of the municipality. The requirement for the adoption of the council-staff relations policy became effective on March 1, 2019.

6.0 ANALYSIS

The attached policy was drafted by the Towns Integrity Commissioner, Aird and Berlis with comment and review by the Municipal Clerks Office. The proposed policy outlines the roles Council and staff have in committing to a respectful and

productive relationship between and amongst Council, members of Council, and the officers and employees of the municipality.

7.0 FINANCIAL IMPLICATIONS/BUDGET IMPACT

There are no financial or budget implications related to this Staff Report.

8.0 CONCLUSION

THAT Council receive the report from the Municipal Clerk/Manager of Legislative Services for information purposes and 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 for final approval.

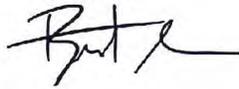
9.0 POLICIES AFFECTING THE PROPOSAL

N/A

10.0 COMMUNICATION RESULTS

The final approved Policy will be uploaded to the Town of Cobourg Website under Policies.

12.0 AUTHORIZATION/SIGNATURES



Brent Larmer
Municipal Clerk/Manager of Legislative Services



Ian Davey
Treasurer/Director of Corporate Services



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date:

Department: Legislative Services

Approval Level: Council

Policy Title: **Staff/Council Relations Policy
- Administration**

Section # **3-1**
Policy # **LEG-ADM23**

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;
 - Members and Staff shall relate and interact with one another in a respectful, professional and courteous manner;



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date:

Department: Legislative Services

Approval Level: Council

Policy Title: Staff/Council Relations Policy
- Administration

Section # 3-1
Policy # LEG-ADM23

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- 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.

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;



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date:

Department: Legislative Services

Approval Level: Council

Policy Title: Staff/Council Relations Policy
- Administration

Section #
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LEG-ADM23

-
- (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.
 - (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 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;
 - (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



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date:

Department: Legislative Services

Approval Level: Council

Policy Title: Staff/Council Relations Policy
- Administration

Section # 3-1
Policy # LEG-ADM23

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.

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



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date:

Department: Legislative Services

Approval Level: Council

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- Administration

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LEG-ADM23

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;
- (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.



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date:

Department: Legislative Services

Approval Level: Council

Policy Title: **Staff/Council Relations Policy
- Administration**

Section # **3-1**
Policy # **LEG-ADM23**

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.

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



CORPORATION OF THE TOWN OF COBOURG

Division: Corporate Services

Effective Date:

Department: Legislative Services

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Policy Title: Staff/Council Relations Policy
- Administration

Section # 3-1
Policy # LEG-ADM23

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.

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:
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 COBOURG	THE CORPORATION OF THE TOWN OF COBOURG	
	STAFF REPORT	
TO:	Mayor and Council Members	
FROM:	Brent Larmer	
TITLE:	Municipal Clerk/Manager of Legislative Services	
DATE OF MEETING:	Monday September 9, 2019	
TITLE / SUBJECT:	Code of Conduct Policy for Municipal Council and Local Boards	
REPORT DATE:	August 26, 2019	File #:

1.0 STRATEGIC PLAN

Not Applicable

2.0 PUBLIC ENGAGEMENT

The topic of this Staff Report has not been subject to a Public Meeting as there is no requirement to hold a Public Meeting. Comments regarding this report should be submitted to the Municipal Clerks Office at clerk@cobourg.ca. Staff is recommending that the Draft Policy be referred to the September 23, 2019 Committee of the Whole Meeting to provide additional time for Council and Public Review.

3.0 RECOMMENDATION

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 "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.

4.0 ORIGIN

The *Municipal Act, 2001* authorizes a municipality to establish a Code of Conduct for Members of Council. The Act further authorizes a municipality to appoint an Integrity Commissioner who reports to Council and who is responsible for performing, in an independent manner, the application of the Code of Conduct.

5.0 BACKGROUND

The Town of Cobourg's Code of Conduct was approved in 2015, this was when Codes of Conducts were permissive and not mandatory. With the recent changes to accountability and transparency legislation at the Provincial level and the recent appointment of a new Town of Cobourg Integrity Commissioner, staff and the newly appointed Integrity Commissioner made it a priority to update and modernize the current Code of Conduct, to be sure the Town is upholding the highest quality of municipal administration and governance which can best be achieved by encouraging high standards of conduct on the part of all elected officials.

On July 22, 2019 Council approved the following Motion:

WHEREAS at the Committee of the Whole on July 22, 2019, Council considered a Memo from the Municipal Clerk/Manager of Legislative Services, regarding an outline of services and fees associated with the Integrity Commissioner for Training and Policy Review;

NOW THEREFORE BE IT RESOLVED THAT Council Pre-Approve \$10,000 in the 2020 Operating Budget to include a Line Item for Integrity Commissioner Services, to cover the costs of the suggested Town of Cobourg Integrity Commissioner policy review and educational training for Council, the Public and Staff.

As part of the approval of this motion, the Municipal Clerk engaged the services of the Integrity Commissioner to conduct a comprehensive and total review of the current Council and Local Board Code of Conduct which forms the purpose of this staff report.

6.0 ANALYSIS

The attached policy incorporates the required legislative revisions based on Bill 68 Modernizing the *Municipal Act, 2001* and also includes revisions based on the Integrity Commissioners knowledge and expertise of what is best practice for a Code of Conduct for municipalities. The Municipal Clerk has been working with the Integrity Commissioner to review and revise the Code of Conduct for Members of Council and Local Boards.

The Integrity Commissioner has provided to Council a recommended revised Code of Conduct for Members of Council and Local Board Members which is attached as Appendix "A" to this report.

In addition, the Integrity Commissioner will be in attendance on September 23, 2019 to present the revised Code of Conduct to Council with the Municipal Clerk to present the new Code of Conduct and answer any questions that Members of Council may have.

7.0 FINANCIAL IMPLICATIONS/BUDGET IMPACT

There are no financial implications or budget impacts related to this staff report.

8.0 CONCLUSION

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 "Code of Conduct for Members of Council and Local Boards LEG-ADM24 and 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.

9.0 POLICIES AFFECTING THE PROPOSAL

Council Code of Conduct Policy
Staff Council Relations Policy (to be approved).

10.0 AUTHORIZATION/SIGNATURES



Brent Larmer
Municipal Clerk
Manager of Legislative Services



Ian Davey
Treasurer/Director of Corporate Services/ Interim CAO

APPENDIX 'A'

CORPORATION OF THE TOWN OF COBOURG



Division: Corporate Services

Effective Date:

Department: Legislative Services

Approval Level: Council

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

Section # 3-1
Policy # LEG-ADM24

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:

Department: Legislative Services

Approval Level: Council

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

Section # 3-1
Policy # LEG-ADM24

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:

Department: Legislative Services

Approval Level: Council

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

Section # 3-1
Policy # LEG-ADM24

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:

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- Administration

Section # 3-1
Policy # LEG-ADM24

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



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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



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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.



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- 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.



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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.



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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



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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.



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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.

21.0 Complaint Protocol

21.1 The Complaint Protocol is Appendix "B" to the Code of Conduct and applies to



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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;
- (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,



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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;
- (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;



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- (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.

Scope



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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:
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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



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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.



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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



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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.



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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



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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,



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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;



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- (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.



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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.



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- (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.



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- (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



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- (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*.



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- (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.



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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.



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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	THE CORPORATION OF THE TOWN OF COBOURG	
	STAFF REPORT	
TO:	Mayor and Council Members	
FROM: TITLE:	Brent Larmer Municipal Clerk/Manager of Legislative Services	
DATE OF MEETING:	Monday September 9, 2019	
TITLE / SUBJECT:	Zero-Emission Vehicle Infrastructure Program Partnership with OPG	
REPORT DATE:	September 5, 2019	File #:

1.0 STRATEGIC PLAN
Not Applicable

2.0 PUBLIC ENGAGEMENT
Not Applicable

3.0 RECOMMENDATION
 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.

4.0 ORIGIN
 The Government of Canada is steadfast in its belief that electrification is key to decarbonizing our transportation sector and transitioning to a low-carbon future. That is why, the Government of Canada has set ambitious federal targets for zero-emission vehicles (ZEV) reaching 10% of light-duty vehicles (LDV) sales per year by 2025, 30% by 2030 and 100% by 2040.

According to experts, access to localized and visible charging infrastructure is key to alleviate consumer concerns about where to charge their vehicle. To that end, the Government of Canada announced, through its 2019 Budget, \$130

million over five (5) years (2019-2024) to deploy a network of zero-emission vehicle charging (level 2 and higher) and refuelling stations in more localized areas where Canadians live, work and play.

Support is also available for strategic projects for electric vehicle and/or hydrogen infrastructure for corporate fleets, last-mile delivery fleets, and mass transit. This funding will be delivered through cost-sharing contribution agreements for eligible projects that will help meet the growing charging and refuelling demand. The program supports electric vehicle charging infrastructure deployment in parking areas intended for public use. Parking areas can be privately or publicly owned and operated.

Examples of public places include, but are not limited to:

- service stations;
- restaurants;
- arenas;
- libraries;
- medical offices;
- park and ride; etc.

The first Request for Proposals focusses on Public Places and On-Street and is open for applications until midnight on September 18, 2019. All applicants will be informed of NRCan's funding decisions by November 2019. NRCan's contribution through this Program will be limited to fifty percent (50%) of Total Project Costs up to a maximum of five million dollars (\$5,000,000) per Project.

5.0 BACKGROUND

In order to be considered for funding, the Project must meet the following requirements:

- Increase localized charging opportunities in Public Places and/or On-Street;
- Should the charging stations have multiple connectors where each connector can charge a vehicle and support a dedicated parking space simultaneously, each connectors can be counted as a charging station;
- The work performed must be in compliance with all applicable local codes (for example, building and electrical) and bylaws (for example, zoning and parking);
- Charging infrastructure must be installed in a parking space clearly identified for the purpose of charging electric vehicles; and
- Be completed within eighteen (18) months after the receipt of the Letter of Conditional Approval.

6.0 ANALYSIS

Ontario Power Generation (OPG) is currently seeking Site Host partners interested in deploying Level 2 EV charging infrastructure in order to better leverage the funding opportunity.

OPG's proposal consists of the following:

- They are seeking site host partners interested in deploying Level 2 EV charging infrastructure. Site hosts will endorse a submission to NRCan;
- OPG offers the following value to site hosts:
 - Increases the odds of funding success by collecting sites into a larger proposal to NRCan;
 - Avoids high upfront installation costs;
 - A turn-key public Level 2 charging service whereby OPG takes care of installation, maintenance and operation of the charging stations on the municipality's behalf;
 - Provides seamless user experience by connecting site hosts to a wider Ontario based network of EV charges;
 - Ongoing management of NRCan relationship and reporting OPG is looking for municipalities to enter into a 10-year lease agreement (this could be flexible but costs may increase if the number of years included in the agreement is reduced)

Site hosts (municipalities in Northumberland and Alderville First Nation) have to sign a non-binding MOU with OPG and an exclusivity document with OPG with regard to Natural Resources Canada's Zero Emission Vehicle Infrastructure Program (ZEVIP) due on September 18, 2019. The cost will be spread over 10 years.

Level 2 charging stations use a 240 volt system (similar to a clothes dryer plug) and can fully charge a vehicle from 0 per cent charge in about four to six hours. In addition, Level 2 charging stations are relatively simple pieces of equipment and generally do not require regular maintenance, except for an occasional cleaning if required. Level 3 charging stations (also known as Direct Current Fast Chargers or DCFC) use a 480 volt system and can charge a vehicle to 80 per cent in about 20-30 minutes. These stations allow EV drivers to charge their vehicles about eight times faster than Level 2 charging stations, making longer trips more feasible for EV drivers. Level 3 charging stations would seem to be the preferred solution. However, they are much more expensive to deploy and operate, and with their 20-30minute charge time are best suited to in-transit charging instead of destination charging.

7.0 FINANCIAL IMPLICATIONS/BUDGET IMPACT

The funding application is submitted by OPG to NRCan, which means that the purchase and installation of the EV chargers are financed by OPG. OPG owns the EV chargers, and the municipality would be a site host for 10 years (with an option to extend for a longer period). OPG would be responsible for all maintenance and repairs in addition to the upfront capital cost. The Municipality is responsible for an annual service fee per charger. The estimated annual service fee per charger is \$1,000-\$2,000, which results in an estimated total annual cost of \$4,000-\$8,000 based on 4 chargers. The cost will vary based on site specific conditions and will be refined upon approval by NRCan and following a site assessment. The electrical cost to operate the charger is paid for by the Municipality, but all revenue is sent back to the Municipality from OPG.

While the market is expanding for EVs, the amount of usage on any particular charging station is difficult to determine. It is recommended that Council support the submission of four 4 dual head EV chargers (8 connectors in total) for installation at:

- Division Street Lot;
- Victoria Hall; and
- Cobourg Community Centre (CCC)

A non-binding MOU (please see attached) is required to show NRCan that the Municipality and OPG are willing to negotiate in good faith should the funding application be successful. The total cost of four (4) chargers over then (10) years is approximately \$40,000 - \$80,000, which may be offset by any revenues in excess of the electricity charges.

As part of the submission process, the Municipality is not likely to hear back from OPG with final signings until early 2020 and discussions would last up to 18 months before the EV stations would be up and running, this would not be in time for the 2020 Budget deliberations. If OPG is successful, discussion would take place with municipalities if they would be interested in continuing in the EV Charging station installation and Staff will bring a further report to municipal Council at that time.

8.0 CONCLUSION

Municipal Staff have brought forward the proposed partnership with OPG to better leverage the funding available through the Zero-Emission Vehicle Infrastructure Program, and further recommends that Council support the MOU for the installation of 4 dual head EV chargers.

9.0 POLICIES AFFECTING THE PROPOSAL

Not Applicable

10.0 AUTHORIZATION/SIGNATURES



Brent Larmer
Municipal Clerk
Manager of Legislative Services

Laurie Will
Director of Public Works



Ian Davey
Interim CAO/Treasurer/Director of Corporate Services

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (“MOU”), dated as of September 9th, 2019 (the “**September 9, 2019**”), sets forth certain nonbinding understandings and binding agreements between **ONTARIO POWER GENERATION INC. (“OPG”)** and **CORPORATION OF THE TOWN OF COBOURG (“ the Town of Cobourg”)** relating to potential use of the lands legally described in Schedule “A” of this MOU (the “**Premises**”) for the purposes of installing, owning, operating and maintaining Level 2 electric vehicle chargers and related equipment (the “**Project**”). OPG and the Town of Cobourg are sometimes referred to individually as a “**Party**” and collectively as “**Parties**”.

1. MOU Subject to Definitive Agreement.

This MOU is for discussion purpose only, and is not intended to constitute a legally binding or enforceable agreement or commitment on either Party, except for Section 4, which shall be binding on the parties in accordance with its terms.

2. Negotiation of Definitive Agreement for Use of Premises.

During the period commencing on the Effective date and continuing for a period of 60 days (the “**Interim Period**”), OPG will have an exclusive option to license a portion of the Premises for the purposes of the Project. During the Interim Period or until the earlier termination of this MOU in respect of the Premises, the Parties agree to negotiate in good faith a definitive agreement that would govern the terms and conditions of the Project including a license of such Premises from Town of Cobourg to OPG (“**Definitive Agreement**”). Binding obligations with respect to the Project shall only arise upon the execution of the Definitive Agreement by both Parties.

3. Key Understandings of the Definitive Agreement

The Definitive Agreement shall set out the Parties respective roles and responsibilities with respect to the Project and the Parties agree that the Definitive Agreement shall include the following terms and conditions. These do not reflect all of the material terms of the Project but provide a basis for negotiating the Definitive Agreement:

- (a) Term. The Town of Cobourg shall provide OPG with a license to install and operate electric vehicle infrastructure for a period of ten (10) years, with an option to renew for additional terms.
- (b) Exclusivity. Town of Cobourg will grant OPG exclusive use of the Premises for the purposes of designing, installing, owning, and operating the Project. This right shall also include the ability to display logos and signage at the Premises, subject to the Town of Cobourg’s consent, of any signage at the premises if applicable, and all applicable laws;
- (c) Permits. Town of Cobourg will cooperate with OPG to obtain any required permits and approvals in connection with the Project; and
- (d) Maintenance. The Town of Cobourg will provide cleaning services at the Premises.
- (e) Cost. The Town of Cobourg will be responsible for paying all electricity costs associated with the operation of the electric vehicle Level 2 chargers; and
- (f) Fees. The Town of Cobourg will pay OPG an annual services fee in connection with the provision of the Project.

4. Binding Agreements.

This Section 4 shall constitute a legally binding and enforceable agreement between the Parties. In consideration of the expenses that the Parties will incur in pursuing the Project and drafting and negotiating the Definitive Agreement, the Parties agree as follows:

- a) Good Faith Negotiation. The Parties shall negotiate in good faith and use their reasonable efforts to bring about the execution and delivery of the Definitive Agreement at the earliest practicable time. The execution of a binding agreement between the Parties is subject to any required internal approvals.
- b) Termination. The Town of Cobourg and OPG shall each have the right at any time, upon written notice to the other party, to terminate this MOU in respect of one or more of the Premises.
- c) Exclusivity. The Town of Cobourg agrees that from the Effective Date until the expiration of the Interim Period or earlier termination of this MOU in respect of the Premises, the Town of Cobourg will not enter into any agreement, license, or lease which permits any party other than OPG to install and operate a project similar to the Project at the Premises.
- d) Confidentiality. All information, both written and oral, obtained by the Town of Cobourg in connection with the Project is subject to that certain Confidentiality Agreement, dated as of September 9, 2019 between the Parties.
- e) Governing Law. This MOU shall be governed by and construed in accordance with the laws of Ontario and the federal laws of Canada applicable therein.
- f) Entire Agreement. This MOU constitutes the entire agreement between the Parties hereto with respect to the subject matter of this MOU. The Parties acknowledge that there is no representation, warranty, and agreement or understanding between them, whether express or implied, which has induced any of the Parties hereto to enter into this MOU except as expressly stated herein.

IN WITNESS WHEREOF the Parties have executed this MOU as of the Effective Date

ONTARIO POWER GENERATION INC.

**CORPORATION OF THE TOWN OF
COBOURG**

Per: _____
Name:
Title:

Per: _____
Name: John Henderson
Title: Mayor

Per: _____
Name: Brent Larmer
Title: Municipal Clerk

I/We have authority to bind the corporation.

I/We have authority to bind the corporation.

Schedule "A"
Premises

- 1. Victoria Hall – 55 King Street West, Cobourg**
- 2. Division Street Lot – 55 Queen Street, East**
- 3. Cobourg Community Centre - 750 D'Arcy St, Cobourg**

 COBOURG	THE CORPORATION OF THE TOWN OF COBOURG
	STAFF REPORT
TO:	Mayor and Council Members
FROM: TITLE:	Brent Larmer Municipal Clerk/Manager of Legislative Services
DATE OF MEETING:	September 9, 2019
TITLE / SUBJECT:	Mayor for the Day Program
REPORT DATE:	September 6, 2019

1.0 STRATEGIC PLAN

Partnerships #5: Facilitate meaningful collaborations with Cobourg citizens.
 People (Desired Outcome): Cobourg's youth participate in community activities and events.

2.0 PUBLIC ENGAGEMENT

Not Applicable.

3.0 RECOMMENDATION

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.

4.0 ORIGIN AND LEGISLATION

The Ministry of Municipal Affairs and Housing, the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO), and the Association of Municipalities of Ontario (AMO) partnered together in 2008 to develop Local Government Week to celebrate the key role that local governments play in helping define the priorities, amenities and physical make-up of communities. As part of Local Government Week, the Town of Cobourg offers an opportunity for students of local schools to participate in a contest to act as Mayor for the day.

5.0 BACKGROUND

The Mayor for the Day Program is a Town of Cobourg initiative that encourages young people to think about public service and future community leadership.

The program consist of a contest that allows students from grades seven (7) through ten (10) to submit ideas on how to make our community a better place to live, with the focus of increasing student interest and awareness in local government activities.

Although no formal process has been in place for this Program, the contest is typically advertised through our local newspaper and municipal website to solicit submissions from students. All submissions received as part of the contest have ordinarily been reviewed by the Mayor who makes a final selection on a student to act as Mayor for the day. The responsibilities for the one-time Mayor for the day position have included in the past, attending a Regular Council Meeting and having the opportunity to rename Second Street in Cobourg. The Mayor also arranges a class visit for the contest winner, which is typically accompanied with lunch to answer questions on municipal government.

6.0 ANALYSIS

In comparison to other municipalities who offer the Mayor for the Day contest, the Legislative Services Department did not find any official policies or procedures related to this type of event. The rules and regulations governing the contest were typically found directly on the website or contest advertisement of the municipality. The Legislative Services Department did however, observe consistent information found on the contest rules and regulations. This included a detailed eligibility criteria (who can participate), contest guidelines (how and where to submit an application), define timelines on when to apply, and prize(s) awarded to the contest winner(s).

In considering the town's previous contest advertisements for the program and other examples found in Ontarian municipalities, the Legislative Services Department have created a comprehensive guideline for the Mayor for the Day Program. Through adopting these Guidelines, Council will be providing municipal staff with a uniform process on how to conduct the Mayor for the Day contest, including who to solicit nominations from, and how the winner is selected and awarded by the Town of Cobourg. These guidelines will also provide students will a clear understanding on the Program and how to apply.

7.0 FINANCIAL IMPLICATIONS/BUDGET IMPACT

Not Applicable.

8.0 CONCLUSION

The Mayor for the Day Program has been routinely offered by the Town of Cobourg, in conjunction with Local Government Week which occurs in October of every year. The Program allows the Town to directly engage its student to encourage awareness about municipal affairs. By formalizing the Program, it will provide Council the opportunity to consider the contest application, and make appropriate changes, while also providing guidance to staff and interested applicants on how the program functions.

9.0 POLICIES AFFECTING THE PROPOSAL

Not Applicable.

10.0 COMMUNICATION RESULTS

Mayor's Office

55 King Street West, Cobourg ON K9A 2M2

Telephone: (905) 372-4301

E-Mail: tgalea@cobourg.ca

11.0 ATTACHMENTS

Mayor for the Day Program Guidelines Appendix 'A'.

12.0 AUTHORIZATION ACKNOWLEDGMENT



Brent Larmer
Municipal Clerk/
Manager of Legislative Services

Appendix 'A'



**TOWN OF COBOURG'S
MAYOR FOR THE DAY
PROGRAM – PROCEDURES**

RESOLUTION #000-19

1.0 CONTEST BACKGROUND

The 'Mayor for the Day' Contest initiative is open to students from Grades 7 through ten. The contest encourages young people to think about public service and future community leadership. This is an opportunity for youth to submit an idea to the Municipal Council on how to make our community a better place to live, increase student interest and enhance student awareness.

2.0 ELIGIBILITY

The contest is open to students who are attending Grades seven (7) through ten (10) residing in the Town of Cobourg. All entrants are required to complete the Mayor for a Day Application Form with signed consent from parent or guardian.

3.0 CONTEST GUIDELINES

Individuals may submit only one (1) entry answering the following questions (Written submissions are to be a maximum of 500 words and video submissions are to be no longer than one minute):

- i. Why would you like to be Mayor for the Day?
- ii. What concerns (list up to a maximum of three) do you have about our community and what changes would you make to address these concerns if you were Mayor?
- iii. Highlight one youth program related to one of the following areas: arts, culture, athletics, non-profit, environmental or civic, that is important to you; and how have you benefitted from this program?

Only one (1) winner will be selected. All entries will be submitted to the Mayor who will select the winner.

The winner of the Mayor for the Day will:

- Get a tour of Municipal facilities;
- Spend time with the Mayor and attend official meetings on October 21, 2019;
- Officially open the Regular Council or Special Council meeting on October 21, 2019;
- Have Second Street named after them for a week; and
- Arrange a class visit for the Mayor to be accompanied with lunch to answer questions on Municipal Government.

The Contest will commence in September of every year and end early to mid-September of the same year.

4.0 HOW TO SUBMIT AN APPLICATION

Applications Forms are available online at www.cobourg.ca or can be picked up at the Town Hall in the Municipal Office. Applicants can submit their entry online by email to tgalea@cobourg.ca, or drop off, or mail the completed application to:

Toni Galea
Executive Assistant to the Mayor & CAO
The Corporation of the Town of Cobourg
55 King Street West
Cobourg, ON
K9A 2M2

5.0 TO BE DECLARED 'MAYOR FOR THE DAY'

To be declared a winner, the selected entrant must confirm that he/she meets the Contest eligibility criteria. The Executive Assistant will attempt to contact the selected contestant by email within five (5) business days immediately following the selection of the entry as a possible winner.

The selected entrant is required to complete and sign a Declaration and Release (including the permission and signature of a parent or legal guardian) and return it to the Toni Galea, Executive Assistant by email at tgalea@cobourg.ca within five (5) business days following notice. The proposed winner shall also email a photo of themselves to the Executive Assistant with knowledge that it will be published on the Town of Cobourg website www.cobourg.ca and used in promotional materials.

6.0 VERIFICATION OF ENTRIES

The validity of any Contest entry is subject to verification by the Executive Assistant. Incomplete entries will be rejected. Any individual who enters or attempts to enter the Contest in a manner which is contrary to the Official Rules or which is otherwise disruptive to the proper operation of the Contest or by its nature is unjust to other entrants or potential entrants will be rejected and that entrant will be disqualified.

7.0 ACCEPTANCE OF PRIZES

The Mayor of the Day will receive a personal gift bag with Cobourg items. He/she will be recognized via By-Law to have a temporary street name placed on Second Street for a period of one week. Prizes cannot be transferred to another individual, substituted for another prize or exchanged in whole or in part for cash or credit.

8.0 NAME/IMAGE OF WINNERS

By entering the Contest, each contestant agrees to abide by the Official Rules and authorizes to broadcast, publish and otherwise his or her name, photograph, image, statements regarding the Contest or any prize, place of residence, without any form of remuneration, including without limitation, in print media or on any website or social media operated by or on behalf of the Administrator.

9.0 PERSONAL INFORMATION

Personal information gathered from Contest entrants in connect with the Contest will be kept in a secure and confidential database, and will not be rented or sold. Personal information of the Contest entrants will be used solely for the administration of the Contest and will be destroyed following the completion or termination of the administration of the Contest.

Questions regarding the collection, use and disclosure of personal information submitted as part of the Contest may be directed to Brent Larmer, Municipal Clerk/Manager of Legislative Services at (905) 372-4301 extension 4401, or at clerk@cobourg.ca.

	THE CORPORATION OF THE TOWN OF COBOURG	
	COUNCIL REPORT	
TO:	Members of Council	
FROM:	Glenn McGlashon, MCIP, RPP Director – Planning & Development Division	
DATE OF MEETING:	September 9, 2019	
REPORT TITLE/SUBJECT:	Town of Cobourg Affordable & Rental Housing Community Improvement Plan (Town-wide) (RFP No. CO-19-19)	
DATE OF REPORT:	September 5, 2019	File #

1.0 CORPORATE STRATEGIC PLAN OBJECTIVE

Pillar: People – the Town supports and cares for the social and physical well-being of its citizens

2.0 RECOMMENDATION

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.

3.0 PUBLIC ENGAGEMENT

The Affordable & Rental Housing Community Improvement Plan (CIP) process will include the preparation and implementation of a formal Communications and Public Engagement Plan in consultation with the Planning and Communications Departments to actively engage stakeholders and the general public throughout the project timeline, expected to begin in mid-September and conclude in March of 2020.

4.0 **ORIGIN**

In accordance with Council's Strategic Plan, one of the strategic actions under the "People" pillar is to create a housing strategy that is in alignment with the County of Northumberland's Housing Strategy.

In April of 2019, Council passed a Motion which authorized the preparation of a Town-wide Affordable Housing CIP at an estimated cost of \$65,000.00. The CIP would provide a legal mechanism and various incentive tools authorized under Section 28 of the Planning Act to help stimulate the provision of affordable and rental housing in the community.

5.0 **BACKGROUND**

In accordance with Council's direction, a Request for Proposals (RFP) was issued on July 16, 2019 for the preparation of an Affordable and Rental Housing CIP for the entire municipality. The goal of the project is to develop a comprehensive, yet flexible, pro-active plan to assist in the development and enhancement of affordable and rental housing in the community, thereby improving the quality of life and social well-being of its residents. At the same time, it was determined that an opportunity exists to help advance the Town's objectives for community improvement by considering incentive options which encourage sustainable, accessible and economic development throughout the municipality.

Specifically, the scope of work as outlined in the RFP included the following key elements:

1. The preparation of a detailed framework and/or implementation plan to provide a wide range of incentive options, or tools, for the Municipality to offer to private sector organizations in exchange for the provision of affordable and rental housing that meets the needs of all residents in the community; and,
2. The preparation of a detailed framework and/or implementation plan to provide incentive options which encourage the private sector to champion and incorporate exemplary urban design, universal design and sustainable design measures into new development and re-development proposals, and to stimulate brownfield re-development, in the municipality.

The project will build upon the goals of the Official Plan by establishing a co-ordinated and strategic mechanism for stimulating affordable housing and innovative and/or enhanced development utilizing the most effective tools available through existing legislation.

This Report provides a brief overview of the consultant proposal selection process and provides a recommendation for awarding a contract for services for

the preparation of an Affordable and Rental Housing CIP, including the consideration of 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 as a secondary project objective.

6.0 ANALYSIS

A total of two (2) submissions were received from project teams. Interviews of the two firms were conducted by an evaluation team consisting of Councillor Beatty (Co-ordinator of Planning & Development Services), the Vice-Chair of the Planning & Development Advisory Committee (PDAC), the Interim CAO/Treasurer and the Director of Planning & Development on August 22nd and September 3rd.

The evaluation team utilized a Proposal Evaluation Matrix with a weighted scoring system based on Project Team Experience and Qualifications, Project Management, Quality of the Proposal, Public Participation/Consultation /Stakeholder Management and Financial. The proposal evaluations are summarized as follows:

Bidder	Price (excl. hst)	Points	Rating
MHBC Planning, SHS Consulting	\$60,716.25 + \$3,379.16 (secondary project objective) Total: \$64,095.41	708	1 nd
Optimus SBR	Total: \$64,050.00	630	2 nd

Generally, both proposals met the minimum requirements of the RFP, however the consulting team of MHBC/SHS was the consensus choice of the evaluation team for the following primary reasons:

- Superior combination of project team experience with extensive project management skills and practical experience in housing and land use policy and CIP development;
- Excellent capacity for developing a progressive product for implementing effective affordable and rental housing and secondary incentive approaches for the entire municipality;
- Considerably more hours dedicated to project relative to the other firm within the budget allocation;
- Demonstrated an enthusiastic passion for affordable housing, community design and improvement, and the CIP project;
- Proposed a methodical and practical community engagement/consultation program to ensure public participation and enhanced public education/awareness at all stages of the CIP process.

Planning staff contacted a number of references for the MHBC/SHS proposal and all were favourable.

7.0 FINANCIAL IMPLICATIONS/BUDGET IMPACT

A total of \$65,000.00 has been budgeted by Council for this project. The financial proposal by the consultant team of MHBC Planning and SHS Consulting at \$64,095.41 excl. HST generally meets the budget allocation, including the additional 'secondary' scope of work governing urban, sustainable and universal design, and brownfields. The total project cost, including the Municipality's uncredited portion of the HST, is \$65,185.03.

8.0 CONCLUSION

It is the opinion of the evaluation team that the submission by MHBC Planning in association with SHS Consulting for the Affordable & Rental Housing CIP project (RFP No. CO-19-19) at a cost of \$64,095.41 excl. HST meets the requirements of the RFP and is the preferred bid.

9.0 POLICIES AFFECTING THIS PROPOSAL

A number of municipal policy documents affect this proposal, including the Northumberland County Affordable Housing Strategy (AHS), the Cobourg Official Plan and the Cobourg Municipal Council Strategic Plan 2019-2022.

10.0 COMMUNICATION RESULTS

This Report is intended to advise Council of the results of the RFP process for the Affordable & Rental Housing CIP project, and to recommend that Council approve the selection of the preferred bid.

11.0 SIGNATURES/APPROVAL

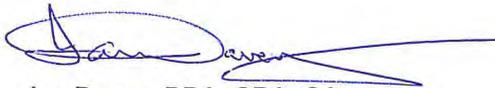
Report prepared by:



Glenn J. McGlashon, MCIP, RPP
Director of Planning & Development



Report approved by:



Ian Davey, BBA, CPA, CA
Interim CAO/Treasurer

 COBOURG	THE CORPORATION OF THE TOWN OF COBOURG	
	COUNCIL STAFF REPORT	
TO:	Mayor and Council	
FROM: TITLE:	Desta McAdam, MCIP, RPP Senior Planner - Development	
DATE OF MEETING:	September 9, 2019.	
TITLE / SUBJECT:	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	
REPORT DATE:	September 4, 2019.	File #: Z-06-19

1.0 CORPORATE STRATEGIC PLAN OBJECTIVE

N/A

2.0 RECOMMENDATION

The following actions are recommended:

- a) That the applications be received by Council and referred to the Planning Department for a report; and,
- b) That the notice requirements of the *Planning Act, RSO 1990*, as amended, be implemented, including the scheduling of a Public Meeting.

3.0 PUBLIC ENGAGEMENT

Sections 34 (10.4) & (13) of the *Planning Act, RSO 1990, c.P. 13*, as amended prescribe statutory notice requirements for a complete application for Zoning By-law Amendment applications and for the scheduling of a public meeting.

The notice of a statutory Public Meeting can also be provided together with notice of complete applications, or separately. The Municipality is required to give notice by either:

- a) publication in a newspaper that is of sufficient circulation in the area which the application applies; or

b) personal or ordinary service mail to every land owner within 120 metres of the subject land, and by posting a notice, clearly visible from a public highway or other place the public has access on the subject land, or a location chosen by the municipality.

The Municipality's notification procedures for complete applications and public meetings comply with the notice requirements prescribed by the Planning Act.

4.0 ORIGIN AND LEGISLATION

On August 13, 2019, the Planning Department received an application for approval of an amendment to Comprehensive Zoning By-law No. 85-2003 from Weston Consulting on behalf of DePalma Developments Limited for a .751 ha (1.86 acre) land parcel within a larger 12.84 hectare (31.73 acre) parcel of land located generally south of Highway 401, west of DePalma Drive, east of the Municipal boundary, and north of Elgin Street West, referred to as the DePalma Lands. Following a review of the application, Planning staff has concluded that it forms a complete application in accordance with the provisions of the Ontario *Planning Act* and the Cobourg Official Plan and is in a position to be formally received by Council. Pursuant to the *Planning Act*, the Municipality has 30 days from the receipt of an application to deem it complete, otherwise the applicant may appeal the matter to the Local Planning Appeal Tribunal.

5.0 BACKGROUND

On February 20th, 2019, provisional Consent was granted by the Committee of Adjustment to sever a .751 hectare parcel from the larger land parcel generally south of Highway 401, west of DePalma Drive, east of the Municipal boundary, and north of Elgin Street West, referred to as the DePalma Lands. On August 13, 2019 an application for Zoning By-law Amendment over the 0.751 ha parcel was received by the Planning Department. See **Schedule "A"** Key Map.

The Subject Lands are currently designated as "Employment Area Special Policy 14.3.2.6.2" in the Cobourg West Business Park Secondary Plan (as approved by the Local Planning Appeal Tribunal on June 15, 2018), and zoned "Business Park Exception 4 (BP-4) Zone," in the Comprehensive Zoning By-law No. 85-2003.

The purpose of the application is to amend the site specific provisions of the BP-4 Zone to permit a new 5,060 m², four (4) storey hotel use on the Subject Lands. The proposed hotel will consist of eighty-two (82) hotel suites, amenity space for hotel patrons including, pool, fitness centre, meeting rooms, board room, meal space, and lobby area. Spaces for hotel staff office/administrative and maintenance will also be provided. The application also seeks site specific provisions to increase the permitted encroachments in yards for unenclosed uncovered porches and sundecks, steps and patios not exceeding 0.6 m above

finished grade, and to reduce minimum required parking and minimum landscaped area adjoining a Street or Road Allowance.

The following plans and reports have been submitted in support of the applications:

- Planning Justification Report, Weston Consulting
- Urban Design and Sustainability Brief, Weston Consulting
- Conceptual Site Plan, Chamberlain Architects
- Conceptual Architectural Elevation Drawings, Chamberlain Architects
- Zoning Compliance Matrix (contained on Site Plan), Chamberlain Architects
- Ontario Building Code Matrix (contained on Site Plan), Chamberlain Architects
- Topographic Survey, DFP Surveyors
- Functional Servicing Report, Engage Engineering Ltd.
- Geotechnical Report, Trow Architects Inc.
- Preliminary Servicing/Grading Plans, Engage Engineering Ltd.
- Traffic Impact Study, NexTrans Consulting Engineers

6.0 ANALYSIS

This memo is for application receipt notification purposes only and there is subsequently no staff analysis at this time. The application package is being circulated to the Development Review Team and applicable agencies/committees for review and comment before being brought back to Council for consideration, including the convening of a Public Meeting.

Formal public notifications of the applications and future public meeting will be provided in accordance with *Planning Act* regulations. Pursuant to the provisions of the *Planning Act*, if the Municipality fails to approve the complete application within 90 days after their receipt by Council, the applicant may appeal the application to the Local Planning Appeal Tribunal.

7.0 FINANCIAL IMPLICATIONS/BUDGET IMPACT

There are no anticipated negative financial implications imposed on the Municipality as a result of the applications. The Owner has submitted the requisite \$6,500.00 in application fees and deposits.

8.0 CONCLUSION

The application package and supporting information is being circulated to the Development Review Team and applicable agencies/committees for review and comments before being brought back to Council for consideration, including the convening of a Public Meeting.

9.0 POLICIES AFFECTING THE PROPOSAL

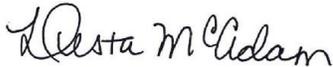
The primary policies affecting this application relate to the Mixed Use Area designation of the Cobourg Official Plan.

10.0 COMMUNICATION RESULTS

This Report is intended to: advise Council of the applications; and, to recommend that Council receive the applications, refer the applications to the Planning Department for a report, and implement the public notification requirements of the Planning Act, including the scheduling of a Public Meeting.

Please contact the Planning Department if you have any questions or concerns.

Respectfully submitted,



Desta McAdam, MCIP RPP
Senior Planner – Development

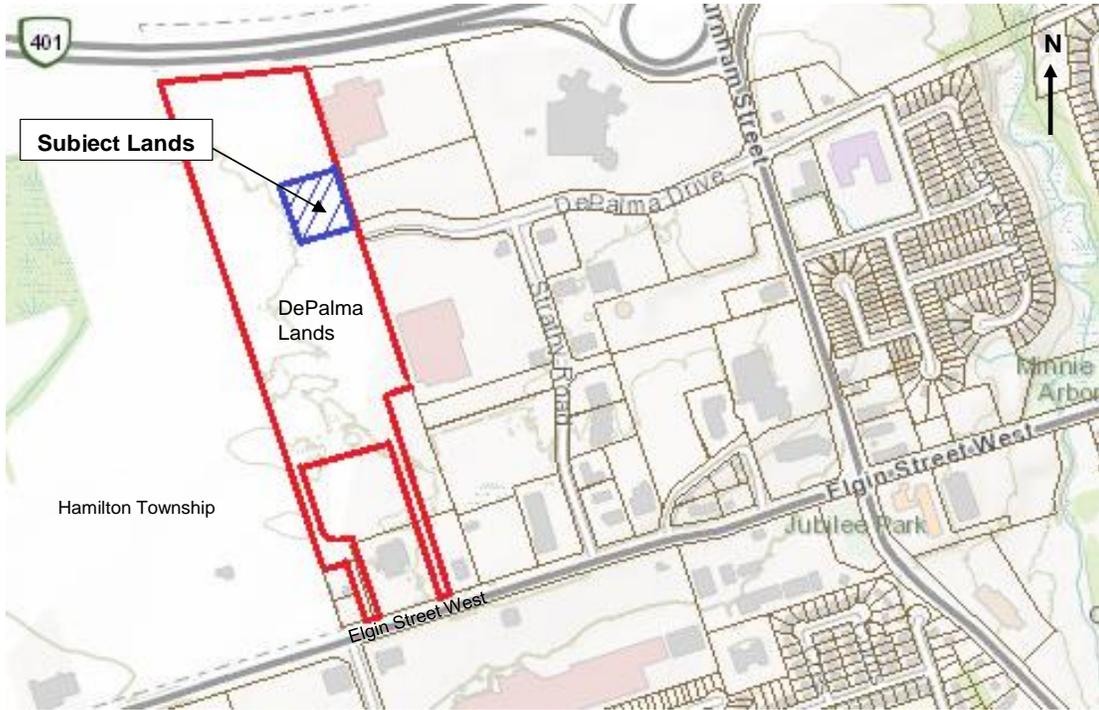
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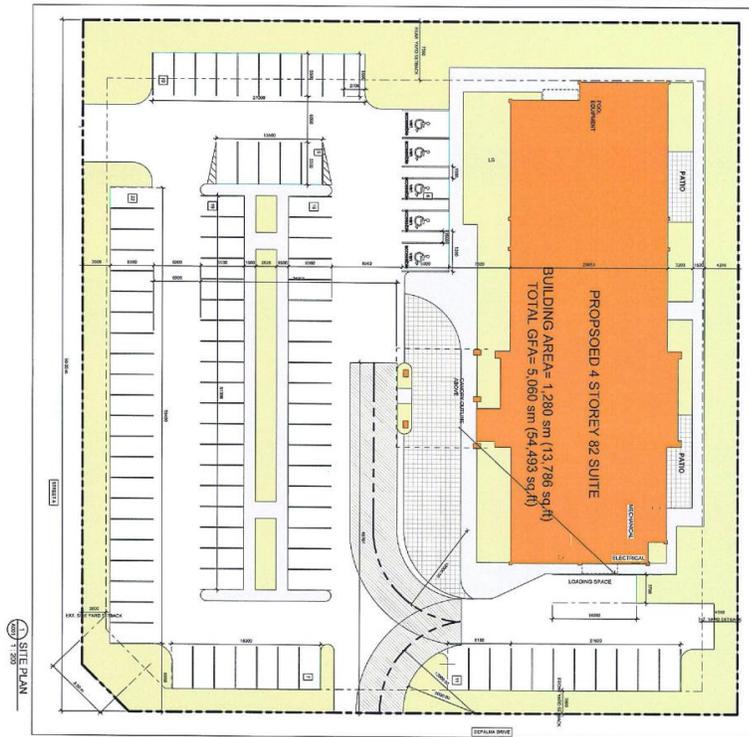
Glenn J. McGlashon, MCIP, RPP
Director of Planning & Development



SCHEDULE 'A'
KEY MAP



SCHEDULE "B" DEVELOPMENT CONCEPT SITE PLAN



DEPALMA DRIVE (Extension)

GENERAL INFORMATION		PROPOSED		EXISTING	
NO.	DESCRIPTION	AREA	TYPE	AREA	TYPE
1	PROPOSED 4 STOREY 82 SUITE BUILDING	1,280	RESIDENTIAL	1,280	RESIDENTIAL
2	PARKING SPACES	100	PARKING	100	PARKING
3	LOADING SPACE	100	LOADING	100	LOADING
4	LANDSCAPING	100	LANDSCAPING	100	LANDSCAPING
5	UTILITIES	100	UTILITIES	100	UTILITIES
6	ROADS	100	ROADS	100	ROADS
7	WATERWAYS	100	WATERWAYS	100	WATERWAYS
8	OTHER	100	OTHER	100	OTHER
TOTAL		2,780		2,780	

4 STOREY 82 SUITE BUILDING

DEVELOPMENT CONCEPT SITE PLAN

DATE: 11/01/2024

SCALE: 1:500

PROJECT NO: A001

DEVELOPMENT CONCEPT SITE PLAN

DATE: 11/01/2024

SCALE: 1:500

PROJECT NO: A001

 COBOURG	THE CORPORATION OF THE TOWN OF COBOURG	
	COUNCIL STAFF REPORT	
TO:	Mayor and Council	
FROM: TITLE:	Desta McAdam, MCIP, RPP Senior Planner - Development	
DATE OF MEETING:	September 9, 2019.	
TITLE / SUBJECT:	Application for Zoning By-law Amendment 1111 Elgin Street West Aly Premji, Trinity Development Group Inc. / Northumberland Shopping Centre Inc.	
REPORT DATE:	September 4, 2019.	File #: Z-07-19

1.0 CORPORATE STRATEGIC PLAN OBJECTIVE

N/A

2.0 RECOMMENDATION

The following actions are recommended:

- a) That the applications be received by Council and referred to the Planning Department for a report; and,
- b) That the notice requirements of the *Planning Act, RSO 1990*, as amended, be implemented, including the scheduling of a Public Meeting.

3.0 PUBLIC ENGAGEMENT

Sections 34 (10.4) & (13) of the *Planning Act, RSO 1990, c.P. 13*, as amended prescribe statutory notice requirements for a complete application for Zoning By-law Amendment applications and for the scheduling of a public meeting.

The notice of a statutory Public Meeting can also be provided together with notice of complete applications, or separately. The Municipality is required to give notice by either:

- a) publication in a newspaper that is of sufficient circulation in the area which the application applies; or

b) personal or ordinary service mail to every land owner within 120 metres of the subject land, and by posting a notice, clearly visible from a public highway or other place the public has access on the subject land, or a location chosen by the municipality.

The Municipality's notification procedures for complete applications and public meetings comply with the notice requirements prescribed by the Planning Act.

4.0 ORIGIN AND LEGISLATION

On August 9, 2019, the Planning Department received an application for approval of an amendment to Comprehensive Zoning By-law No. 85-2003 from MHBC Planning Limited on behalf of Northumberland Shopping Centre Inc. for a 9.92 ha (24.52 acres) land parcel with 446 m of lot frontage along Elgin Street West, known municipally as 1111 Elgin Street West, Cobourg. Following a review of the application, Planning staff has concluded that it forms a complete application in accordance with the provisions of the Ontario *Planning Act* and the Cobourg Official Plan and is in a position to be formally received by Council. Pursuant to the *Planning Act*, the Municipality has 30 days from the receipt of an application to deem it complete, otherwise the applicant may appeal the matter to the Local Planning Appeal Tribunal.

5.0 BACKGROUND

The Subject Lands are currently occupied by Northumberland Mall shopping centre, and three freestanding buildings, including the Boston Pizza restaurant, A&W restaurant and drive through, and the LCBO liquor/alcohol store. See **Schedule "A"** Key Map.

The Subject Lands are currently designated as "Shopping Node Area" in the Town of Cobourg Official Plan (2017), and zoned "Shopping Centre Commercial Exception 1 (SC-1) Zone," "Shopping Centre Commercial Exception 2 (SC-2) Zone," and "Shopping Centre Commercial Exception 3 (SC-3) Zone" in the Comprehensive Zoning By-law No. 85-2003. The area of the Subject Lands where the new building is proposed is within the SC-1 Zone. The SC-1 Zone has a number of site specific provisions relating to the use of the site, and ties aspects of the development to a specific Site Plan for the property, included in Schedule B-7 of Zoning By-law #85-2003.

The purpose of the application is to amend the existing site specific provisions of the SC-1 Zone to permit a new 929 m² single storey freestanding building in the SC-1 Zone. The proposed building will be located in a surplus parking area in the front yard of the property, and will consist of six (6) units with a drive-through facility on the west side of the new building. The application also proposes reductions to required parking, landscaping and yards for the new building, and to update Schedule B-7 of the Zoning By-law to reflect the

proposed building location, and encompass existing freestanding buildings and Northumberland Mall.

The following plans and reports have been submitted in support of the applications:

- Planning Justification Report, MHBC Planning
- Urban Design Brief, MHBC Planning
- Retail Market Impact Analysis/Brief, Urban Metrics Inc.
- Parking Study, LEA Consulting Ltd.
- Transportation Impact Study, LEA Consulting Ltd.
- Conceptual Servicing Report/Brief, Counterpoint Engineering
- Architectural Elevation Drawings
- Overall Site Plan, Petroff Partnership Architects
- Site Plan Building "D," Petroff Partnership Architects
- Building Elevation Plans

6.0 ANALYSIS

This memo is for application receipt notification purposes only and there is subsequently no staff analysis at this time. The application package is being circulated to the Development Review Team and applicable agencies/committees for review and comment before being brought back to Council for consideration, including the convening of a Public Meeting.

Formal public notifications of the applications and future public meeting will be provided in accordance with *Planning Act* regulations. Pursuant to the provisions of the *Planning Act*, if the Municipality fails to approve the complete application within 90 days after their receipt by Council, the applicant may appeal the application to the Local Planning Appeal Tribunal.

7.0 FINANCIAL IMPLICATIONS/BUDGET IMPACT

There are no anticipated negative financial implications imposed on the Municipality as a result of the applications. The Owner has submitted the requisite \$6,500.00 in application fees and deposits.

8.0 CONCLUSION

The application package and supporting information is being circulated to the Development Review Team and applicable agencies/committees for review and comments before being brought back to Council for consideration, including the convening of a Public Meeting.

9.0 POLICIES AFFECTING THE PROPOSAL

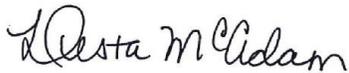
The primary policies affecting this application relate to the Mixed Use Area designation of the Cobourg Official Plan.

10.0 COMMUNICATION RESULTS

This Report is intended to: advise Council of the applications; and, to recommend that Council receive the applications, refer the applications to the Planning Department for a report, and implement the public notification requirements of the Planning Act, including the scheduling of a Public Meeting.

Please contact the Planning Department if you have any questions or concerns.

Respectfully submitted,



Desta McAdam, MCIP RPP
Senior Planner – Development

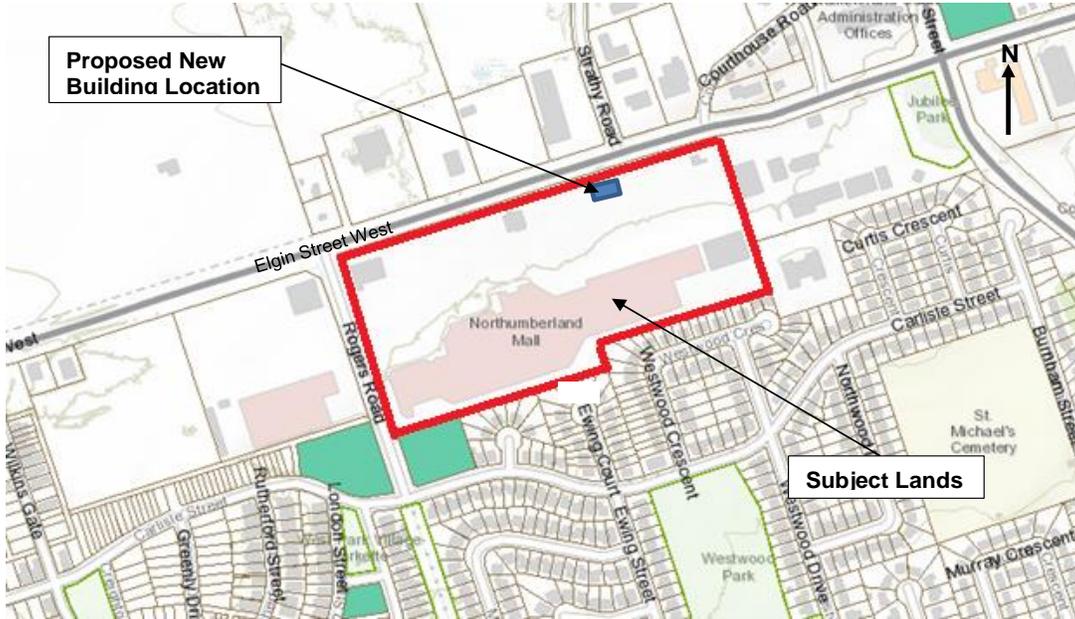
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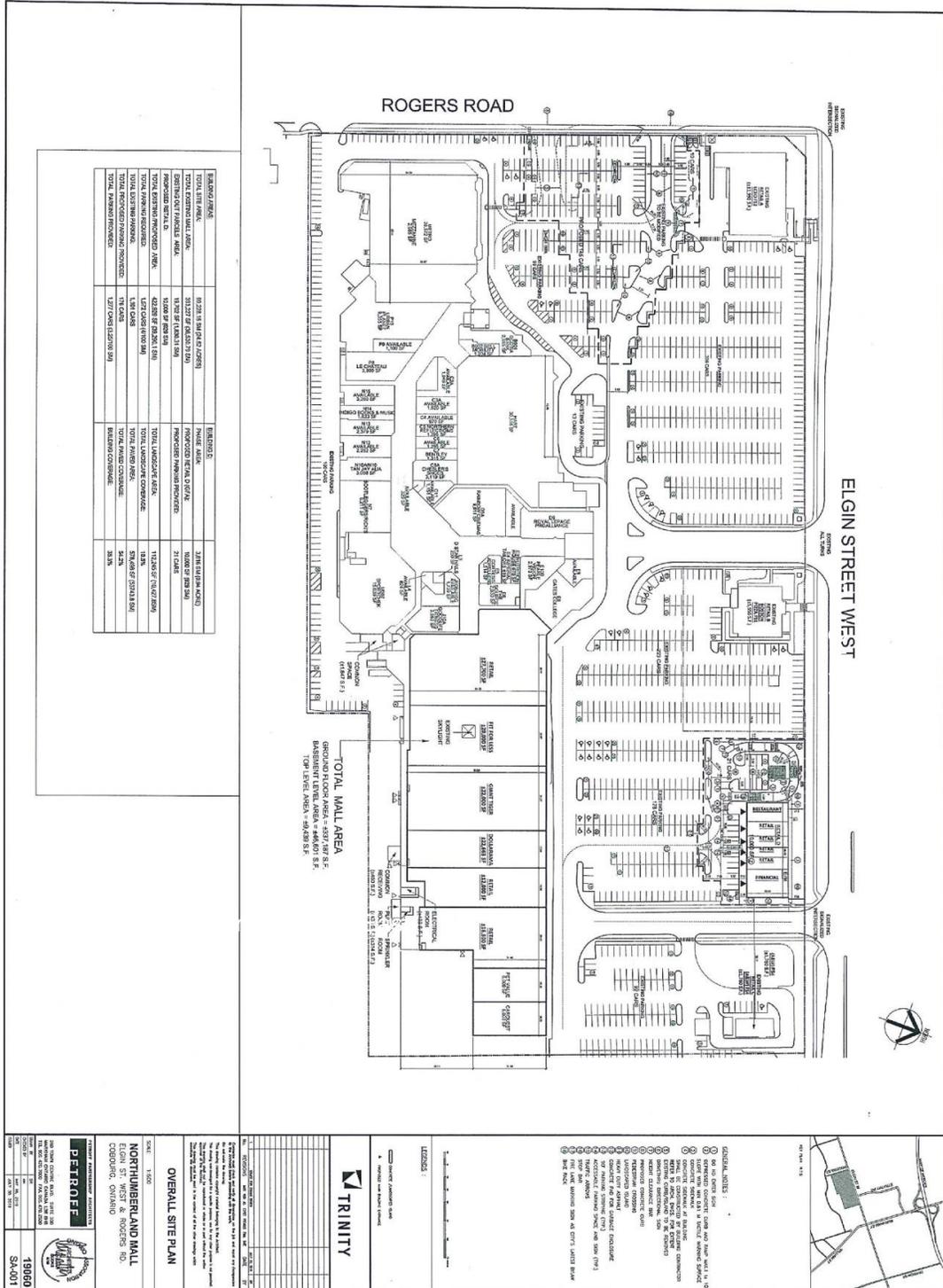
Glenn J. McGlashon, MCIP, RPP
Director of Planning & Development



SCHEDULE 'A'
KEY MAP



SCHEDULE "B" DEVELOPMENT CONCEPT SITE PLAN



 COBOURG	THE CORPORATION OF THE TOWN OF COBOURG	
	COUNCIL STAFF REPORT	
TO:	Mayor and Council	
FROM: TITLE:	Desta McAdam, MCIP, RPP Senior Planner - Development	
DATE OF MEETING:	September 9 th , 2019.	
TITLE / SUBJECT:	Application for Clearance of Draft Plan of Subdivision Conditions – Villages of Central Park, Phase 1 The Planning Partnership / Rondeau (Cobourg) Ltd.	
REPORT DATE:	September 5 th , 2019.	File #: SUBCL-01-19

1.0 CORPORATE STRATEGIC PLAN OBJECTIVE

N/A

2.0 RECOMMENDATION

The following actions are recommended:

- a) That the application be received by Council and referred to the Planning Department for a report.

3.0 PUBLIC ENGAGEMENT

The Planning Act R.S.O 1990, c.P. 13, as amended does not prescribe any statutory public notice or engagement requirements for applications to clear conditions of Draft Plan of Subdivision Approval, as these particular applications are recognized as being a detailed, technical review of matters relating to a draft approved subdivision development, including servicing, grading, stormwater management, landscaping, utility coordination, and agency conditions to name a few.

However, Section 51 (20) of the Planning Act, RSO 1990, c.P.13, as amended prescribes statutory notice requirements for complete Draft Plan of Subdivision applications and amendments to an approved Draft Plans of Subdivision, and for the scheduling of a public meeting or open house. The Notice of a complete Plan of Subdivision application and notice of a public meeting or open house can be provided together. The Municipality is required to give notice by either:

- a) publication in a newspaper that is of sufficient circulation in the area which the application applies; or
- b) personal or ordinary service mail to every land owner within 120 metres of the subject land, and by posting a notice, clearly visible from a public highway or other place the public has access on the subject land, or a location chosen by the municipality.

The Municipality's notification procedures for complete applications and public meetings comply with the notice requirements prescribed by the Planning Act.

The application for Revisions to the Approved Draft Plan of Subdivision – Phase 1 by The Planning Partnership / Rondeau (Cobourg) Ltd. was received in May 2016. The Notice of Complete Application was circulated and published on June 23rd, 2016, and the Public Meeting was held June 25, 2018. The Notice of Decision of Council was circulated and published on July 31, 2018.

Additionally, the Planning Department provides written notice to Council of complete applications to clear conditions of Draft Plan of Subdivision, and final approval of all Subdivision Agreements are considered by Council in open session prior to final approval. Any persons on record as submitting comments to the Town during the Draft Plan of Subdivision approval process will be notified of receipt of the application for Clearance of Draft Plan of Subdivision Conditions.

4.0 ORIGIN AND LEGISLATION

In July 2019, the Planning Department received an application for Clearance of Draft Plan of Subdivision Conditions from the Planning Partnership on behalf of Rondeau (Cobourg) Ltd. for Villages of Central Park - Phase 1 (previously referred to as the Rondeau Lands). Following a review of the application, Planning staff has concluded that it constitutes a complete application in accordance with the provisions of the Ontario *Planning Act* and the Cobourg Official Plan and is in a position to be formally received by Council.

5.0 BACKGROUND

The complete Villages of Central Park subdivision lands have an area of 107.3 hectares, and are generally located in the area of Brook Road North and Elgin Street East. The draft approved Phase 1 lands are located generally east of Denton Drive and north of Elgin Street East. See **Schedule "A"** Key Map.

The Villages of Central Park Phase 1 Lands are designated as "Living Area", "Village Square" and "Environmental Protection" in the Cobourg East Community Secondary Plan (OPA 76), and zoned "Cobourg East Low Density Residential (CER1) Zone," Open Space (OS) Zone, and Environmental Constraint (EC) Zone in the Comprehensive Zoning By-law No. 85-2003.

The application provides technical details relating to the development of Phase 1 of the Villages of Central Park subdivision lands, which will consist of up to 216 dwelling units, with associated streets, open space, park space, environmental protection area, and stormwater retention area. See **Schedule “B”** Draft Plan of Subdivision.

The following plans and reports have been submitted in support of the applications:

- Draft M-Plan – Phase 1 prepared by DFP Surveyors Ltd;
- Civil Engineering Drawings prepared by DG Biddle and Associates Ltd.;
- Comprehensive Servicing and Stormwater Management Report prepared by DG Biddle and Associates Ltd.;
- Edge Management Plan prepared by Henry Kortekaas & Associates Inc.;
- Landscape Plans prepared by Henry Kortekaas & Associates Inc.;
- Geotechnical Report prepared by V.A. Wood Associates Ltd;
- Phase 1 Hydrogeological Impact Assessment prepared by PGL Environmental Consultants;
- Noise Report for Phase 1 prepared by YCA Engineering Limited;
- Technical Design Brief: Tributary of Brook Creek Realignment prepared by Geomorphix;
- Technical Design Drawings for Brook Creek prepared by Geomorphix;
- Landscape Master Plan prepared by the Planning Partnership; and
- Arborist Report prepared by The Planning Partnership.

6.0 ANALYSIS

This memo is for application receipt notification purposes only and there is subsequently no staff analysis at this time. The application package is being circulated to the Development Review Team and applicable agencies/committees for review and comment before being brought back to Council for consideration.

7.0 FINANCIAL IMPLICATIONS/BUDGET IMPACT

There are no anticipated negative financial implications imposed on the Municipality as a result of the application. The Owner has submitted the requisite \$15,250.00 in application fees.

8.0 CONCLUSION

The application package is being circulated to the Development Review Team and applicable agencies for review and comments before being brought back to Council for consideration.

9.0 POLICIES AFFECTING THE PROPOSAL

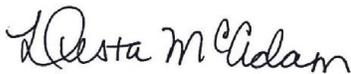
The primary policies affecting this application relate to the Cobourg East Community Secondary Plan policies, and the Community Design and Improvement policies of the Cobourg Official Plan.

10.0 COMMUNICATION RESULTS

This Report is intended to advise Council of the application, and to recommend that Council receive the application, and refer the application to the Planning Department for a report prior to final approval consideration by Council.

Please contact the Planning Department if you have any questions or concerns.

Report Prepared by:



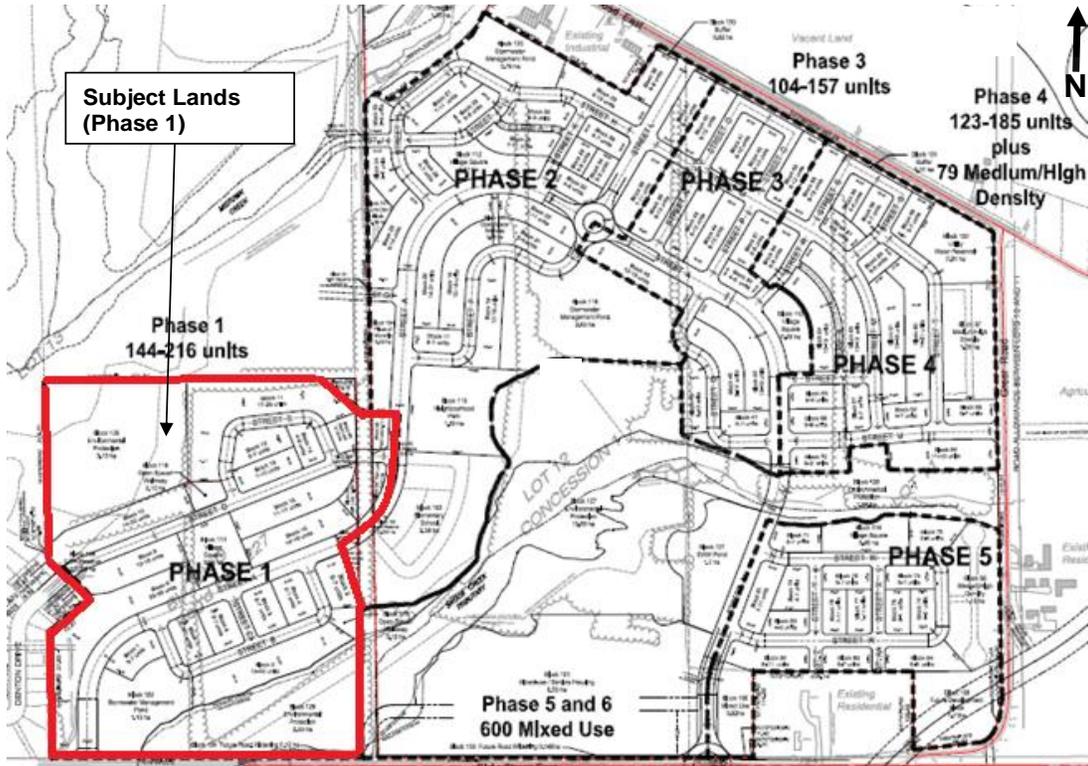
Desta McAdam, MCIP, RPP
Senior Planner - Development

Report Approved by:



Glenn McGlashon
Director of Planning and Development

SCHEDULE 'A'
KEY MAP



 COBOURG	THE CORPORATION OF THE TOWN OF COBOURG	
	COUNCIL STAFF REPORT	
TO:	Mayor and Council	
FROM: TITLE:	Desta McAdam, MCIP, RPP Senior Planner - Development	
DATE OF MEETING:	September 9 th , 2019	
TITLE / SUBJECT:	Application Site Plan Approval – Golden Plough Lodge, 555 Courthouse Road and 983 Burnham Street Salter Pilon Architecture/ Northumberland County	
REPORT DATE:	September 5 th , 2019.	File #: SPA-08-19

1.0 CORPORATE STRATEGIC PLAN OBJECTIVE

N/A

2.0 RECOMMENDATION

The following actions are recommended:

- a) That the application be received by Council and referred to the Planning Department for a report.

3.0 PUBLIC ENGAGEMENT

The Planning Act R.S.O 1990, c.P. 13, as amended does not prescribe any statutory public notice or engagement requirements for Site Plan Applications and Amendments, as these particular applications are recognized as being a detailed, technical review of matters relating to site development, including building layout, access, parking, landscaping, servicing and grading to name a few.

However, the Municipality requires that the applicant provide notice by posting a 1 m x 1.8 m sign on the Subject Lands, in an area visible from the public realm, notifying the public that an application for Site Plan approval has been submitted to the Municipality. The sign must include a contact number for both the applicant and the Town of Cobourg Planning Department, where plans can be made available for the public to view.

Additionally, the Planning Department provides written notice of complete Site Plan Applications to Council, and all Site Plan Applications are considered by Council in open session prior to final approval. Finally, information relating to the Site Plan Application is posted on the municipal website under the Planning Applications page (Planning & Development).

4.0 ORIGIN AND LEGISLATION

In August 2019, the Planning Department received an application for Site Plan approval from Salter Pilon Architecture on behalf of Northumberland County for the redevelopment and relocation of the Golden Plough Lodge long term care home located at 555 Courthouse Road and 983 Burnham Street. Following a review of the application, Planning staff has concluded that it constitutes a complete application in accordance with the provisions of the Ontario *Planning Act* and the Cobourg Official Plan and is in a position to be formally received by Council.

5.0 BACKGROUND

The Subject Lands known as 555 Courthouse Road and 983 Burnham Street are located at the northwest corner of the Burnham and Elgin Street intersection, and is 5.6 ha in lot area. The Subject Lands consist of two buildings: the Northumberland County Administrative Headquarters building, referred to as 555 Courthouse Road, and the Golden Plough Lodge long term care facility, referred to as 983 Burnham Street. See **Schedule “A”** Key Map.

The Subject Lands are designated “Major Institutional Area” in the Cobourg West Business Park Secondary Plan Area of the Official Plan (2017) and zoned “Institutional Holding (I-H) Zone” in the Comprehensive Zoning By-law #85-2003.

The application proposes to demolish the existing Golden Plough Lodge building in its existing location on the northeast side of the property, and rebuild a new 18,832.5 m² three storey building with a 4th storey mechanical penthouse in a new location towards the western limits of the Subject Lands. The proposed new Golden Plough Lodge building will consist of 180 long term care rooms, and one (1) palliative care bed. As part of the proposal, new internal parking areas, and roadways, and a new entrance from Strathy Road are proposed. Revisions to the Courthouse Road network and Burnham Street entrance are also proposed. Finally, the application considers new property boundaries, which include closing a portion of Courthouse Road and merging the properties known as 575, 585, and 595 Courthouse Road as part of the Subject Lands. See **Schedule “B”** Site Plan (note that the site plan design may change prior to final approval consideration by Council).

6.0 ANALYSIS

This memo is for application receipt notification purposes only and there is subsequently no staff analysis at this time. The application package is being

circulated to the Development Review Team and applicable agencies/committees for review and comment before being brought back to Council for consideration.

Pursuant to the provisions of the *Planning Act*, if the Municipality fails to approve the complete applications within thirty (30 days) after its submission, the Owner may appeal the application to the Local Planning Appeal Tribunal.

7.0 FINANCIAL IMPLICATIONS/BUDGET IMPACT

There are no anticipated negative financial implications imposed on the Municipality as a result of the application. The Owner has submitted the requisite \$5,500.00 in application fees and deposits.

8.0 CONCLUSION

The application package is being circulated to the Development Review Team and applicable agencies for review and comments before being brought back to Council for consideration.

9.0 POLICIES AFFECTING THE PROPOSAL

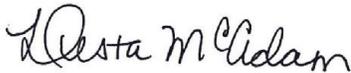
The primary policies affecting this application relate to the Cobourg West Business Park Secondary Plan policies including the Major Institutional Area designation, and the Community Design and Improvement policies of the Cobourg Official Plan.

10.0 COMMUNICATION RESULTS

This Report is intended to advise Council of the application, and to recommend that Council receive the application, and refer the application to the Planning Department for a report prior to final approval consideration by Council.

Please contact the Planning Department if you have any questions or concerns.

Report Prepared by:



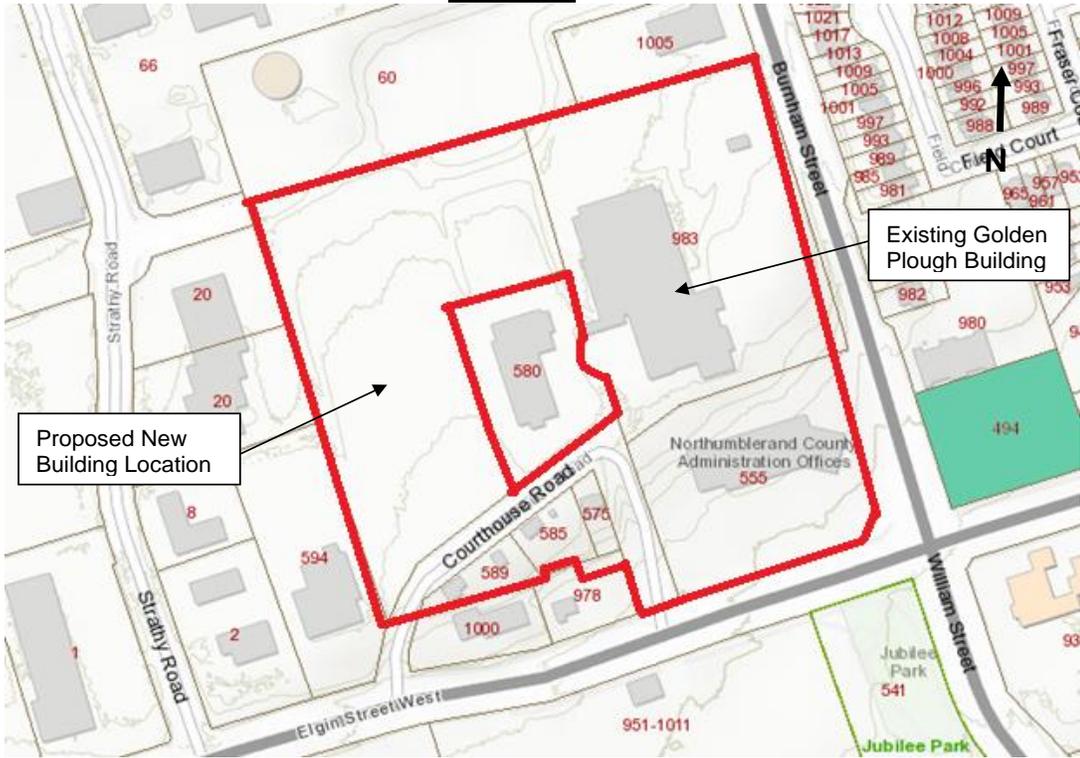
Desta McAdam, MCIP, RPP
Senior Planner - Development

Report Approved by:



Glenn McGlashon
Director of Planning and Development

SCHEDULE 'A'
KEY MAP





**The Corporation of the
Town of Cobourg**

Resolution

Moved By _____
Last Name Printed _____

Resolution No.:

Seconded By _____
Last Name Printed _____

Council Date:
September 9, 2019

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 as attached to this Resolution.



TOWN OF COBOURG'S CIVIC AWARDS PROGRAM – STANDARDS & PROCEDURES

RESOLUTION #000-19

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Town of Cobourg's Civic Award Program – Standards & Procedures

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1.0 PREAMBLE

The Town of Cobourg's Civic Awards Program was created to recognize volunteer achievements that have made a significant contribution to our community. This is done through hosting an Annual Awards Ceremony that honors the award finalists with a special award presentation generally hosted in the spring of every year.

The Civic Awards Advisory Committee is responsible to oversee the annual Civic Awards Program and reports directly to the Municipal Council of the Town of Cobourg on matters related to the Program.

2.0 PURPOSE

This document establishes the criteria, guidelines and procedures for the formal recognition of individuals and groups who have contributed to the betterment of the Town of Cobourg through volunteer service to the community.

Its standards and procedures will assist members of the public to determine the right award category for their nominee and how to submit a nomination, while also setting a framework for the Civic Awards Advisory Committee to refer when providing oversight of the Program on behalf of the Municipal Council.

3.0 NOMINATION ELIBILITY

The Civic Awards Program is designed to recognize volunteer efforts, exceptional contributions and/or achievements in the Town of Cobourg. Individuals, groups or individuals within a group who willingly volunteers their time to benefit others are eligible for an award provided that they live in, operate a business in or volunteer within the boundaries of the Municipality.

Nominees must be volunteers. Any remuneration of any kind for the activity in which the person is involved will make a nomination void.

The Town of Cobourg's Civic Awards Program recognizes two (2) types of awards: Major and Distinguished Awards. For Major Awards, Nominators must ensure that the standard eligibility criteria of Nominees serving a minimum of five (5) years of volunteer service is met, unless noted otherwise in the eligibility criteria for the Award. Distinguished Awards will only require a demonstrated volunteer service of one (1) year.

All Nominations must satisfy the requirement(s) listed in the respective Award that they are nominating individual(s) or groups for. This information is found in Sections 6.0 and 7.0 of this document.

Nominees may be eligible to receive awards in more than one category, should each Nomination fulfil the criteria of the award category. Nominees may not receive awards in multiple categories for the same body of work.

Self-nominations will not be accepted. Nominations may be eligible for posthumous recognition provided the nomination submitted qualifies and meets award criteria in any of the available categories.

Members of the Civic Awards Committee may be eligible to receive a Civic Award during their term on the Advisory Committee if they have satisfied the requirements for the award in which they have been nominated, however, they are not eligible to receive an award for work done on the Civic Awards Advisory Committee while they are still active on the Advisory Committee.

4.0 NOMINATION PROCESS

To nominate an individual, group or individuals within a group for a civic award, Nominator's must complete the prescribed Civic Awards Nomination Form.

The Nomination Form shall be made publicly available in electronic and hard-copy formats and include information on where to submit the Nomination Form. If individuals are unable to complete the Nomination Form for reason of disability, accessible and alternate formats will be made available upon request to the Legislative Services Department.

The Nomination Form must specify if the nomination is for an individual, group, or individuals within a group, and must be completely and accurately filled out according to the requirements provided on the Form. If a nomination is not completed to the satisfaction of the Civic Awards Advisory Committee, the form may be disqualified, and the nomination be rejected.

Nominators should include enough information to give the Civic Awards Advisory Committee a general overview of the Nominee's character (or group name and particulars) and the impact of his/her or group volunteer service. If nominating individuals within a group, the Nominator is required to supply complete contact information, years of service and an explanation of impact for each individual member and submit the nomination as one package.

The Civic Awards Advisory Committee may only use the information provided in the nomination package to make an award recommendation to the Municipal Council for final approval. The Civic Awards Advisory Committee reserves the right to change a nomination to an alternative category if the criteria is met.

Civic Award Nominations may be submitted to the Advisory Committee any time prior to the deadline for submissions. Nomination submissions received past the advertised deadline will be disqualified.

5.0 SELECTION PROCESS

The Civic Awards Advisory Committee, or its designated Sub-Committee, will act as the Selection Committee to review all eligible Civic Award Nominations for the Program. The Selection Committee shall score all nominations according to a set criteria to be determined by the Selection Committee. These scores are tallied and provide an overall assessment for each Nomination.

If the Civic Awards Advisory Committee own its determination, or through the recommendation of the Selection Committee, determines that more than one (1) Nominee should be awarded a Major or Distinguished Award for a particular year, the Civic Awards Advisory Committee may recommend the appropriate number of recipients and supporting documentation for such Award(s) to the Municipal Council.

If a Selection Sub-Committee is established, the Committee shall first report its award recipient recommendations to the Civic Awards Advisory Committee directly who shall thereafter, provide the Municipal Council with the names of all recommended recipients eligible to receive awards, along with supporting documentation for their consideration and final approval.

Final consideration of dispensation of awards will be at the Municipal Council's discretion. Once an award has been approved by the Municipal Council and given to a Nominee at the Awards Ceremony, it may not be rescinded.

It shall be the responsibility of the Civic Awards Advisory Committee to ensure that each Major Award recipient receives the signature Hoselton statue award, Certificate of Honour and a Civic Award Pin, and that Distinguished Award recipients receive a Certificate of Honour and a Civic Awards Pin.

6.0 MAJOR AWARD CATEGORIES & CRITERIA

The Cobourg Civic Awards Program has the following eleven (11) Major Awards in which members of the public may nominate individual(s) or groups for:

- Angus & Bernice Read Volunteer Award;
- Arts & Culture Award;
- Bravery Award;
- Environmental Award;
- Heritage Award;
- Layton Dodge Athletic Award;
- Lloyd C. Stinson Award for Community Service;
- Mayor's Award of Distinction;
- Outstanding Seniors Award;
- Outstanding Youth Award; and
- Sportsmanship Award.

Angus & Bernice Read Volunteer Award

The Angus & Bernice Read Volunteer Award is presented to an individual whose volunteerism, leadership, commitment and actions have improved the quality of life for a large spectrum of the population in Cobourg. This individual will have a minimum of five (5) years of volunteer service.

The Civic Awards Advisory Committee in selecting the recipient for the Angus & Bernice Read Volunteer Award will consider the following criteria:

- Length of service – five (5) years or more;
- Diversity of service;
- Leadership;
- Their demonstration of civic mindedness;
- The benefits of their contributions to the Community; and
- Their service as a role model.

Additional Qualifications for the Angus & Bernice Read Volunteer Award include:

- Three (3) to five (5) letters of support which highlight the Nominee's achievements in the Award's category.

This Award shall only be given when warranted in the opinion of the Civic Award Advisory Committee and with the approval of the Municipal Council.

Arts & Culture Award

The Arts & Culture Award is presented to an individual or group who has accomplished outstanding achievement(s) in the Community within the fields of arts and culture.

The Civic Awards Advisory Committee in selecting the recipient for the Arts & Culture Award will consider the following criteria:

- Length of service – five (5) years or more;
- Their demonstration of civic mindedness;
- The benefits of their contributions to the Arts and Culture Community in the Town of Cobourg;
- Their service as a role model;
- Diversity of service; and
- Leadership.

Additional Qualifications for the Arts & Culture Award include:

- Three (3) to five (5) letters of support which highlight the Nominee's achievements in the Award's category.

This Award shall only be given when warranted in the opinion of the Civic Award Advisory Committee and with the approval of the Municipal Council.

Bravery Award

The Bravery Award is presented to an individual who has displayed courage and heroism, beyond the call of duty, in the face of danger in order to save others from harm. This Award will be given out when circumstances dictate, at the discretion of the Civic Awards Advisory Committee, and with the approval of the Municipal Council.

The Civic Awards Advisory Committee in selecting the recipient for the Bravery Award will consider the following criteria:

- Individuals of all ages who have displayed courage and heroism beyond the call of duty, in the face of danger in order to save others from harm; and
- The quality of previous recipients who have received the Bravery Award.

This Award shall only be given when warranted in the opinion of the Civic Award Advisory Committee and with the approval of the Municipal Council.

Environmental Award

The Environment Award is to be awarded to a person or group for outstanding leadership, inspiration, vision, innovation or action on behalf of environmental causes.

The Civic Awards Advisory Committee in selecting the recipient for the Environmental Award will consider the following criteria:

- Raised awareness for environmental issues (including media coverage);
- Provided a benefit to the environment through increased conservation, through restoration of natural habitat, in the use of environmentally sound practices in construction or operations; and
- A local fundraising campaign to benefit a local environmental project.

Previous Recipients of this Award will be eligible for consideration if:

- Their achievement is in a different area for which they were previously nominated;
- Five (5) years have passed since their last award for the same achievement; or
- If in the same category, they have significantly exceeded their previous achievement.

This Award shall only be given when warranted in the opinion of the Civic Award Advisory Committee and with the approval of the Municipal Council.

Heritage Award

The Heritage Award is presented to an individual or group who has demonstrated an outstanding contribution to the conservation and/or promotion of the Town's cultural heritage resources.

The Civic Awards Advisory Committee in selecting the recipient for the Heritage Award will consider the following criteria:

- Their leadership in teaching, encouraging, and engaging the public in significant Heritage projects.

Previous Recipients of this Award will be eligible for consideration if:

- Their achievement is in a different area for which they were previously nominated;
- Five (5) years have passed since their last award for the same achievement; or
- If in the same category, they have significantly exceeded their previous achievement.

This Award shall only be given when warranted in the opinion of the Civic Award Advisory Committee and with the approval of the Municipal Council.

Layton Dodge Athletic Award

The Layton Dodge Athletic Award is presented to an athlete, who has contributed to Cobourg's athletic community in terms of ability, sportsmanship, participation and leadership.

The Civic Awards Advisory Committee in selecting the recipient for the Layton Dodge Athletic Award will consider the following criteria:

- The Nominee has been chosen to represent Ontario in a national competition;
- The Nominee has been chosen to represent Canada in an international competition; and/or
- The Nominee has placed first, second or third in a National or Provincial Championship.

Given the level of achievement, previous year's award recipients may be eligible for consideration.

This Award shall only be given when warranted in the opinion of the Civic Award Advisory Committee and with the approval of the Municipal Council.

Lloyd C. Stinson Memorial Award for Community Service

The Lloyd C. Stinson Memorial Award for Community Service is presented to an individual who has performed outstanding charitable works to those in need, the aged, youth or those living with disabilities.

The Civic Awards Advisory Committee in selecting the recipient for the Lloyd C. Stinson Memorial Award for Community Service will consider the following criteria:

- Length of service – five (5) years or more;
- The benefits of contributions to the needy, aged, youth or those living with disabilities;
- Diversity of service; and
- Leadership.

Previous Recipients of this Award will be eligible for consideration if:

- Their achievement is in a different area for which they were previously nominated;
- Five (5) years have passed since their last award for the same achievement; or
- If in the same category, they have significantly exceeded their previous achievement.

This Award shall only be given when warranted in the opinion of the Civic Award Advisory Committee and with the approval of the Municipal Council.

Mayor's Award of Distinction

The Mayor's Award of Distinction is presented to an individual or group who has made outstanding volunteer contributions in the Community.

The Mayor in selecting the recipient for the Mayor's Award of Distinction will consider the following criteria:

- Length of service – five (5) years or more;
- The benefits of their contributions to the community;
- Diversity of service; and
- Leadership.

Previous Recipients of this Award will be eligible for consideration if:

- Achievement is in a different area for which they previously nominated;
- Five (5) years have passed since their last award for the same achievement; or
- If in the same category, they have significantly exceeded their previous achievement.

This Award shall only be given when warranted in the opinion of the Civic Award Advisory Committee and with the approval of the Municipal Council.

Outstanding Seniors Award

The Outstanding Seniors Award is presented to an individual who has made an outstanding volunteer contribution to the community and who is a minimum of sixty-five (65) years of age as of December 31st of the year of Nomination.

The Civic Awards Advisory Committee in selecting the recipient for the Outstanding Seniors Award will consider the following criteria:

- Length of service – five (5) years or more;
- The benefits of their contributions to the community;
- Diversity of service; and
- Leadership.

Previous Recipients of this Award will be eligible for consideration if:

- Achievement is in a different area for which they previously nominated;
- Five (5) years have passed since their last award for the same achievement; or
- If in the same category, they have significantly exceeded their previous achievement.

This Award shall only be given when warranted in the opinion of the Civic Award Advisory Committee and with the approval of the Municipal Council.

Outstanding Youth Award

The Outstanding Youth Award is presented to an individual who has made an outstanding volunteer contribution to the community and who is nineteen (19) years of age or younger as of December 31st of the year of Nomination.

The Civic Awards Advisory Committee in selecting the recipient for the Outstanding Youth Award will consider the following criteria:

- Length of service – five (5) years or more;
- The benefits of their contributions to the community;
- Diversity of service; and
- Leadership.

Previous Recipients of this Award will be eligible for consideration if:

- Achievement is in a different area for which they previously nominated;
- Five (5) years have passed since their last award for the same achievement; or

- If in the same category, they have significantly exceeded their previous achievement.

This award shall only be given when warranted in the opinion of the Civic Award Advisory Committee and with the approval of the Municipal Council.

Sportsmanship Award

The Sportsmanship Award is presented to a coach, official or sports organizer who has shown outstanding leadership in contribution to Cobourg's sports and recreation community.

The Civic Awards Advisory Committee in selecting the recipient for the Sportsmanship Award will consider the following criteria:

- Nominee demonstrates leadership in teaching, encouraging, and engaging their team members in their sport; and
- Through their mentorship and teaching, has succeeded in taking their team to a Provincial, National or International Championship.

Given the level of achievement, previous year's Award Recipients may be eligible for consideration.

This Award shall only be given when warranted in the opinion of the Civic Award Advisory Committee and with the approval of the Municipal Council.

7.0 DISTINGUISHED AWARD CATEGORIES & CRITERIA

The Cobourg Civic Awards Program has the following seven (7) Distinguished Awards in which members of the public may nominate individual(s) or groups for:

- Arts & Culture;
- Athletics;
- Accessibility;
- Community Service;
- Environment;
- Education & Technology; and
- Heritage.

The Civic Awards Advisory Committee in selecting recipients for Distinguished Awards will consider the following criteria:

- Length of service – at least one (1) year;
- The benefits of their contributions to the Community;
- Diversity of service; and
- Leadership.

Previous Recipients of Distinguished Awards will be eligible for consideration if:

- Achievement is in a different area for which they previously nominated;
- Five (5) years have passed since their last award for the same achievement; or
- If in the same category, they have significantly exceeded their previous achievement.

8.0 PERSONAL INFORMATION

Personal information that is submitted to the Civic Awards Program is collected under the authority of the Municipal Freedom of Information and Protection of Privacy Act to determine the Nominee's eligibility for Awards. Submissions of Nomination Forms and supporting material will be retained by the Town of Cobourg for the period of time prescribed in the Municipality's Retention Schedule.

Information contained in Nomination Forms will be shared with Members of the Civic Awards Advisory Committee and its designated Sub-Committee(s) for the purposes of evaluating Nominations and to make an appropriate selection of award recipients.

Questions regarding the collection, use and disclosure of personal information submitted as part of the Nomination Form may be directed to Brent Larmer, Municipal Clerk/Manager of Legislative Services at (905) 372-4301 extension 4401, or at clerk@cobourg.ca.



**The Corporation of the
Town of Cobourg**

Resolution

Moved By _____
Last Name Printed _____

Resolution No.:

Seconded By _____
Last Name Printed _____

Council Date:
September 9, 2019

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



**The Corporation of the
Town of Cobourg**

Resolution

Moved By _____
Last Name Printed _____

Resolution No.:

Seconded By _____
Last Name Printed _____

Council Date:
September 9, 2019

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.



Moved By _____
Last Name Printed _____

Resolution No.:

Seconded By _____
Last Name Printed _____

Council Date:
September 9, 2019

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.



**The Corporation of the
Town of Cobourg**

Resolution

Moved By _____
Last Name Printed _____

Resolution No.:

Seconded By _____
Last Name Printed _____

Council Date:
September 9, 2019

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.



**The Corporation of the
Town of Cobourg**

Resolution

Moved By _____
Last Name Printed _____

Resolution No.:

Seconded By _____
Last Name Printed _____

Council Date:
September 9, 2019

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.



Moved By _____
Last Name Printed _____

Resolution No.:

Seconded By _____
Last Name Printed _____

Council Date:
September 9, 2019

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.



Moved By _____
Last Name Printed _____

Resolution No.:

Seconded By _____
Last Name Printed _____

Council Date:
September 9, 2019

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

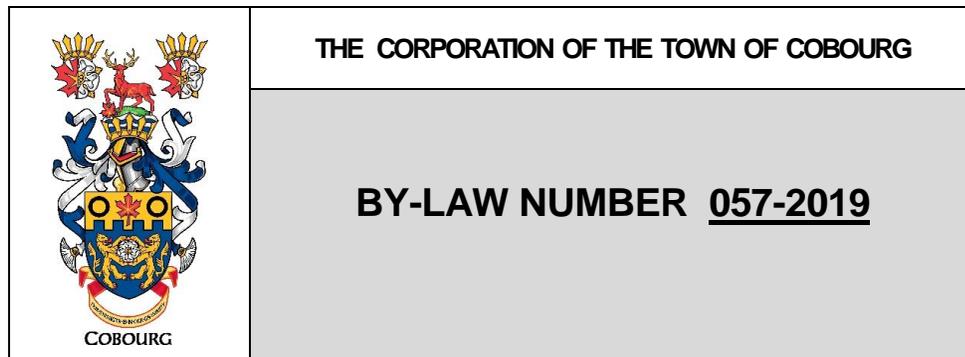
NOW THEREFORE BE IT RESOLVED THAT Council approve to form a partnership and invite the Cobourg Police Service, The Cobourg Fire Department, Northumberland EMS, a representative from Northumberland County, MPP David Piccini, MP Kim Rudd, Northumberland Hills Hospital Community Mental Health, Forecast Greenwood 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.



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 A LEASE TO OCCUPY THE BUILDING LOCATED AT 212 KING STREET WEST, COBOURG (DRESSLER HOUSE).

WHEREAS The Municipal Act, 2001, Section 8 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 the Town of Cobourg on August 10th, 2019 through By-law No.072-2015 agreed to grant a lease to the Marie Dressler Foundation to occupy the 'premises' being part of the building known as 212 King Street West, Cobourg (Dressler House) consisting of approximately 365 sq. ft.;

AND WHEREAS the Council of the Corporation of the Town of Cobourg on August 12, 2019 authorized the Mayor and Municipal Clerk to execute an amending agreement with the Marie Dressler Foundation for the use of the entire building (2,123.6 sq.ft) located at 212 King Street West, Cobourg.

NOW THEREFORE BE IT RESOLVED that the Municipal Council of The Corporation of Cobourg hereby enacts as follows:

1. **THAT** the Mayor and Municipal Clerk are hereby authorized and instructed to execute on behalf of the Corporation an amending agreement with the Marie Dressler Foundation for lease of the entire building known as 212 King Street West, Cobourg consisting of 2,123.6 sq. ft. as outlined and attached to this By-law as Appendix 'A'.
2. **THAT** this by-law shall take effect upon the date of passing.

READ and finally passed in Open Council this 9th day of September, 2019.

MAYOR

MUNICIPAL CLERK

APPENDIX 'A'

FORM OF AGREEMENT

THIS AMENDING AGREEMENT made this day of , 2019.

BETWEEN:

THE CORPORATION OF THE TOWN OF COBOURG of the County of Northumberland,
Province of Ontario.

Hereinafter called the “**Town**” of the **FIRST PART**;

And

MARIE DRESSLER FOUNDATION

Hereinafter called the “**Foundation**” of the **SECOND PART**;

WHEREAS the parties hereto entered an Agreement dated August 11, 2015, in respect to the grant of a lease to the Foundation to occupy the premises as described in the lease agreement under By-law No.072-2015, being part of the building known as 212 King Street West, Cobourg Ontario consisting of Approximately 365 sq. ft. as outlined in Appendix “A” of the ‘original agreement’.

AND WHEREAS at the August 12, 2019 Committee of the Whole Meeting, Council authorized the preparation of a by-law to be endorsed and be presented to Council for adoption at a Regular Council Meeting to authorize the Mayor and Municipal Clerk to execute an amendment to the August 11, 2015 Original Lease Agreement between the Town of Cobourg and the Marie Dressler Foundation to include use of entire interior area of the Marie Dressler House located at 212 King Street West, Cobourg, subject to the various conditions as outlined in the amending agreement.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and agreements hereinafter contained, the parties hereto covenant and agree that the agreement be amended as follows:

1. Section 4.01 of the Agreement shall be amended to require that the Foundation be responsible for the payment of all utilities at the Foundations expense; save and except the security services, and exterior maintenance including snow clearing as required shall remain the responsibility of the Town.
2. Section 4.01 of the Agreement shall be amended to provide that the Tenant shall be responsible for all Janitorial Services within the interior of the Premises with all costs for such services to be paid for by the Foundation.

3. Section 7.02 of the Agreement shall be amended to allow for the Foundation to have absolute and sole use of the entire building in the total space of 2,123.6 sq.ft.
4. Section 13.04 of the Agreement shall be amended to include the current Foundation contact information as follows:

Marie Dressler Foundation
P.O Box 673 Cobourg, ON
K9A 4R5
5. Schedule "A" of the Agreement shall be amended to indicate the entire Gross Floor Area of 2,123.6 sq.ft be occupied by the Foundation.
6. The original agreement approved through By-law No. 072-2015 shall remain in full force and effect and the agreement shall continue to be for a period for ten (10 years from August 11, 2015 through September 1, 2025 inclusive.

THIS AGREEMENT shall ensure to the benefit of and be binding upon the heirs, executors, administrators and assigns of the parties hereto.

IN WITNESS WHEREOF, the Foundation and the Town have hereunto signed their names and set their seals on the day first above written.

THE CORPORATION OF THE TOWN OF COBOURG

MARIE DRESSLER FOUNDATION

 Mayor

 Name and Position

 Municipal Clerk

 Signature

We have the authority to bind the Corporation

 Name and Position

 Signature

We have the authority to bind the Corporation

Appendix 'A'

THIS LEASE AGREEMENT made as of the 11th day of August, 2015.

BETWEEN:

THE CORPORATION OF THE TOWN OF COBOURG
(hereinafter called the "Town")
of the FIRST PART

- and -

MARIE DRESSLER FOUNDATION
(hereinafter called the "Foundation")
of the SECOND PART

RECITALS

A. **WHEREAS** the Town has agreed to grant a lease to the Foundation to occupy the hereinafter described Premises being part of the building known as 212 King Street West, Cobourg, Ontario consisting of approximately 365 sq. ft. as outlined on the sketch attached as Schedule "A".

THEREFORE, IN CONSIDERATION of the rents, covenants and agreements hereinafter contained and by the parties to be respectively paid, observed and performed, the parties hereby agree as follows:

ARTICLE I: DEFINITIONS

In this Agreement unless there is something in the subject matter or context inconsistent therewith:

- 1.01 "Agreement" means this Lease.
- 1.02 "Building" means the building located at 212 King Street West, Cobourg and any additions thereto
- 1.03 "Premises" means the Premises described in recital A. above.
- 1.04 "Term" means the initial term of this Agreement as set out in Section 2.02 hereof, any renewal term and any overholding period.

ARTICLE II: GRANT AND TERM

2.01 **Premises**

In consideration of the rents, covenants and agreements provided for herein to be paid, observed and performed by the Town and the Foundation, the Town grants to the Foundation and the Foundation accepts a non-exclusive lease to occupy the Premises for the Term, and at the rent and on the terms and conditions stated in this Agreement.

2.02 **Term**

- (a) The term of the Agreement will be for a period of ten (10) years from the Date of Commencement as hereinafter defined.
- (b) The "Date of Commencement" shall be September 1, 2015.
- (c) Renewal –
 - (i) Provided the Foundation is not in default pursuant to this Lease, the Foundation shall have the option to extend the term of this lease for one additional term of ten (10) years on the same terms and conditions. This option must be exercised by written notice delivered to the Town not later than six (6) months prior to expiry of the initial term failing which this option shall be null and void and of no further force or effect. There shall be no further option to renew, except as provided pursuant to s. 2.02(c)(ii) below.
 - (ii) The Term of this Agreement shall be automatically renewed for successive terms of one year each, unless either party gives written notice to the contrary not less than thirty (30) days prior to expiry of the initial term or the renewal term as the case may be.

2.03 **Acceptance of Premises**

The Foundation hereby acknowledges that it has examined the Premises before taking possession hereunder and the Foundation shall conclusively be deemed to have found the Premises in order, and such taking of possession shall be conclusive evidence as against the Foundation that, at the time thereof, the Premises were in good order and satisfactory condition. The Foundation agrees that there is no promise, representation or undertaking by or binding upon the Town with respect to any construction, fixturing, finishing, alteration, modelling, or decorating of or installation of equipment or fixtures in the Premises, except such, if any, as are expressly set forth in this Agreement.

ARTICLE III: PAYMENT OF RENT

3.01 **Rent**

The Foundation covenants and agrees to pay to the Town, without notice or demand and without deduction, set-off or abatement for any reason whatsoever except as expressly provided in this Agreement an annual Rent as follows:

One dollar (\$1.00) per annum

Such annual rent (hereinafter called the "Rent") shall be in addition to all other payments, if any, to be made by the Foundation as provided in this Agreement and shall be paid in advance on the first day of each calendar year during the Term.

ARTICLE IV: MAINTENANCE, REPAIRS AND REPLACEMENTS

4.01 **Foundation Responsible for Condition of Premises**

- (a) If the Building, the Premises or any part thereof, becomes out of repair or is damaged or destroyed through the negligence, carelessness, misuse or abuse of or by the Foundation, its servants, agents, employees, invitees or anyone under its control permitted by it to be in the Building or on the Premises, or as a result of water or other damaging substances escaping from the Premises, the expense of the necessary repairs, replacements or alterations shall be borne by the Foundation, who shall pay such expenses and an administrative charge of ten (10%) per cent of such expense to the Town, forthwith on demand.
- (b) **Town Responsible for Utilities**
- Subject to the provision of s.4.01 (c) below, the Town shall be responsible for payment of heat, electricity, security services (alarm monitoring) and exterior maintenance including snow clearing as reasonably required.
- (c) In the event that the Town shall determine in its sole discretion, that the Town has reduced or ceased the use of an area of the Building, the Town may require the Foundation to be responsible for all or any portion of the obligations set out in paragraph 4.01 (b) and 4.09, as the Town may determine in the Town's sole discretion and the Foundation shall fully comply with such requirement, and shall pay for same in a timely manner as directed by the Town.

4.02 **View State of Repair**

The Foundation covenants and agrees to permit the Town at all reasonable times to enter upon and view the state of repair and maintenance of the Premises and the Foundation shall comply with all reasonable requirements of the Town with respect to the care, maintenance and repair thereof.

4.03 **Repair on Notice**

Further to the obligations of the Foundation contained in Section 4.01 hereof, the Foundation shall commence to repair upon five (5) days' notice in writing from the Town, but failure to give notice shall not relieve the Foundation from its obligation to repair.

Provided, further, that if the Foundation, upon written notice being given pursuant to this Section, refuses or neglects to repair properly to the reasonable satisfaction of the Town as required by Section 4.01 hereof, the Town may, but shall not be obliged to, make such repairs without liability to the Foundation for any loss or damage that may accrue to the Foundation's merchandise, fixtures or other property or to the Foundation's business or operations by reason thereof, and upon completion thereof, the Foundation shall pay to the Town the Town's costs for making any such repairs plus a sum equal to ten (10%) per cent thereof for overhead.

4.04 **Alterations or Improvements**

The Foundation shall not make any alterations, replacements, decorations or improvements to any part of the Premises without the Town's written approval, which approval may not be unreasonably or arbitrarily withheld. If the Foundation desires to make any such alterations, replacements, decorations or improvements, the Foundation shall, at its sole cost and expense, at the time of its application for the Town's consent, submit to the Town:

- (i) details of the proposed work including drawings and specifications;
- (ii) an agreement to indemnify the Town against liens, costs, damages and expenses in such form as the Town shall reasonably require; and
- (iii) evidence satisfactory to the Town that the Foundation has obtained all necessary consents, permits, licences and inspections from all governmental authorities having jurisdiction.

All repairs, replacements, alterations, decorations or improvements by the Foundation shall be at the sole cost of the Foundation, shall be performed by competent workmen fully covered by Workers' Compensation, shall be performed in a good and workmanlike manner in accordance with the drawings and specifications which the Town has approved, and shall be subject to the reasonable supervision and direction of the Town. The Foundation's contractors shall carry property damage and liability insurance satisfactory to the Town for their operations. Any such repair, replacement, alteration, decoration or improvement made by the Foundation without the prior written consent of the Town or which is not in accordance with the drawings and specifications approved by the Town shall, if requested by the Town, be promptly removed by the Foundation at its expense and the Premises restored to their previous condition.

No alterations, additions or improvements to the Premises by or on behalf of the Foundation shall be permitted which may weaken or endanger the structure of the building or adversely affect the condition or operation of the Premises or diminish the value thereof.

4.05 **External Changes**

The Foundation covenants and agrees that it will not, except as hereinafter provided, erect or affix on the roof nor any part of the exterior of the Building any antennae, sign, fixture or attachment of any kind; neither shall it make any opening in the roof for stacks or other reason, nor alter the walls or structure of the Building, nor install any free standing air conditioning units, without the prior written consent of the Town, which consent may be arbitrarily or unreasonably withheld.

4.06 **Notify Town**

If damage occurs to the Premises for any cause whatsoever, the Foundation covenants and agrees to give immediate notice in writing to the Town of such damage immediately upon such damage becoming known to the Foundation.

4.07 Right of Entry

The Town or its agents may, without written or prior notice, enter and examine the Premises at all reasonable times and may make such repairs, alterations, improvements or additions to the Building or Premises as the Town considers necessary. The Town shall have the right to make changes and additions to pipes, conduits, wiring and ducts in the Building where necessary and the Town shall not be liable for damage to property of the Foundation or of others located on the Premises as a result of any such entry. In case of an emergency, if the Foundation is not present to open and permit an entry into the Building when for any reason an entry shall be necessary, the Town or its agents may, using reasonable force, enter the Building without rendering the Town or such agents liable therefore, and without affecting the obligations and covenants contained in this Agreement. Nothing herein contained, however, shall impose upon the Town any obligation, responsibility or liability for the care, maintenance or repair except as specifically provided in this Agreement.

4.08 Keep Tidy

The Foundation covenants and agrees at the end of each business day to leave the Premises in a tidy condition.

4.09 Janitorial Service

Subject to the provisions of s. 4.01 (c) above, the Town hereby agrees to be totally responsible for cleaning the Premises to a satisfactory level with all costs for such services to be paid for by the Town. The Foundation shall be responsible for the maintaining and cleaning up all of the garbage that has been accumulated inside and outside the Building as a result of the operation of the Foundation's business.

4.10 Loading and Unloading

The Foundation covenants and agrees that all deliveries or movement of heavy articles to and from the Building shall be made only by accessways, doorways or corridors designated by the Town for such purpose.

4.11 Rules and Regulations

The Town shall have the right from time to time to establish, modify and enforce rules and regulations with respect to the use of the Premises and the Foundation agrees to comply with such rules and regulations.

4.12 Foundation Not to Overload Floors

The Foundation shall not bring upon the Building or any part thereof any machinery, equipment, article or thing that by reason of its weight, size or use might in the opinion of the Town damage the Building and shall not at any time overload the floors of the Building. If any damage is caused to the Building by any machinery, equipment, object or thing or by its overloading, or by any act, neglect or misuse on the part of the Foundation, the Foundation shall forthwith repair the same, or, at the option of the Town, pay the Town forthwith on demand the cost of making good the same.

4.13 **Protection of Equipment**

The Foundation shall protect from damage all of the heating and air conditioning apparatus, water, gas and drain pipes, tanks, pressure tanks, hoses, water closets, sinks and accessories thereof in or about the Building and keep same free from all obstructions that might prevent their free working and give to the Town prompt written notice of any accident to or defects in apparatus, pipes, water closets, sinks or any of their accessories. Any damage resulting from misuse or failure to protect same shall be the sole responsibility of the Foundation.

4.14 **Foundation Compliance with Governmental Regulations, Etc.**

The Foundation will comply with all provisions of law including, but not limited to, federal and provincial legislative enactments, zoning and building by-laws and environmental laws, regulations and guidelines and any other governmental or municipal regulations in respect of its operation or use of the Building. The Foundation will comply with all police, fire and sanitary regulations imposed by federal, provincial or municipal authority or made by fire insurance underwriters, and with all governmental and municipal regulations and other requirements governing the conduct of business from the Premises or the Building.

4.15 **Definitions**

In this Agreement:

- (a) "Environmental Laws" means any law, by-law, order, ordinance, ruling, regulation, certificate, approval, consent or directive of any applicable federal, provincial or municipal government, governmental department, agency or regulatory authority or any court of competent jurisdiction:
- (i) relating to pollution or the protection of human health or the environment (including workplace health and safety);
 - (ii) dealing with filings, registrations, emissions, discharges, spills, releases or threatened releases of Hazardous Substances or materials containing Hazardous Substances; and/or
 - (iii) regulating the import, storage, distribution, labelling, sale, use, handling, transport or disposal of a Hazardous Substance; and
- (b) "Hazardous Substance" means any substance capable of posing a risk or damage to health, safety, property or the environment including, without limitation, any contaminant, pollutant, dangerous or potentially dangerous substance, noxious substance, toxic substance, hazardous waste, flammable or explosive material, radioactive material, urea-formaldehyde foam insulation, asbestos, polychlorinated biphenyls, polychlorinated biphenyl waste, polychlorinated biphenyl related waste, and any other substance or material now or hereafter declared, defined or deemed to be regulated or controlled under any Environmental Law.

4.16 Compliance with Environmental Laws

Without limiting any other obligation of the Foundation in this Agreement, the Foundation covenants and agrees that it shall, at its sole cost and expense, observe and otherwise comply with, and cause its invitees and all other occupants of the Premises to observe and comply with all Environmental Laws. Without limiting the generality of the foregoing, the Foundation covenants and agrees that:

- (a) it shall not cause or permit any Hazardous Substance to be brought into, stored, kept or used in or about the Premises or Building or any part thereof, other than any Hazardous Substance that is used in the ordinary course of the permitted use being carried on at the Premises and which is stored, kept and used in strict compliance with all Environmental Laws pertaining thereto;
- (b) it shall not permit any emissions, discharges or releases of Hazardous Substances or materials containing Hazardous Substances from the Building or onto any part of the Premises, other than where such occurs in the ordinary course of the permitted use being carried on at the Premises in strict compliance with all Environmental Laws pertaining thereto and;
- (c) on the expiration or earlier termination of this Agreement, it shall cause each and every Hazardous Substance which is then located on the Premises to be removed from the Building or Premises in compliance with all Environmental Laws pertaining thereto.

4.17 Rectification of Breach

In the event that the Town determines that the Foundation is in breach of its obligations in this Article, the Town may, without limiting any other rights or remedies, provide the Foundation with notice in writing of the breach, and the Foundation shall commence to rectify such breach at the Foundation's sole cost and expense, and shall complete such rectification as soon as reasonable possible. In the event that the Foundation does not commence to rectify such breach, the Town may, at its option and in its sole discretion, terminate this Agreement without any further notice, or may rectify such breach at the cost of the Foundation, and the Foundation shall forthwith, on demand, reimburse the Town for the cost of rectification together with an administration fee of ten (10%) percent of the cost of rectification.

4.18 **Foundation Indemnity**

The Foundation agrees to indemnify and save harmless the Town, its agents, servants, employees and others for whom the Town is in law responsible, against any and all liabilities, claims, damages, interest, penalties, fines, monetary sanctions, losses, costs and expenses whatsoever (including, without limitation, reasonable costs of professional advisors, consultants and experts in respect of any investigation, and all costs, all remediation and other clean-up costs and expenses) arising in any manner whatsoever out of:

- (a) any breach by the Foundation of any provisions of this Article, or any noncompliance by the Foundation, its sublessees, invitees and other occupants with any Environmental Laws;
- (b) any generating, manufacture, refinement, treatment, transportation, storage, handling, disposal, transfer, production or processing of any Hazardous Substance by the Foundation, its sublessees, invitees and other occupants; and
- (c) any illness, injury or death of persons, or any loss or damage to property, on or about the Premises.

4.19 **Survival of Obligations**

The covenants and agreements of, and indemnification by, the Foundation contained in the foregoing Articles 4.16 to 4.18 inclusive, shall survive the expiration or earlier termination of this Agreement notwithstanding anything herein contained to the contrary.

ARTICLE V: CONSTRUCTION AND OTHER LIENS

5.01 **Foundation Shall Discharge All Liens**

The Foundation shall promptly pay all its contractors and materialmen and shall do any and all things necessary so as to minimize the possibility of a lien attaching to the Premises and, should any such lien be made or filed, the Foundation shall discharge it immediately.

If the Foundation shall fail to discharge any lien, then in addition to any other right or remedy of the Town, the Town may, but it shall not be so obligated, discharge the lien by paying the amount claimed to be due into court and the amount paid by the Town together with all costs and expenses including solicitor's fee (on a substantial indemnity basis) incurred for the discharge of the lien shall be due and payable by the Foundation to the Town.

ARTICLE VI: ASSIGNMENT AND SUBLETTING**6.01 Consent Required**

The Foundation shall not assign this Agreement in whole or in part, nor sublet all or any part of the Premises, nor suffer or permit the occupation of, or part with or share possession of, all or any part of the Premises by any person (all of the foregoing being hereinafter collectively referred to as a "Transfer"), without the prior written consent of the Town in each instance, which consent may be unreasonably withheld.

ARTICLE VII: USE OF PREMISES**7.01 Use**

The Foundation covenants and agrees that it shall use the Premises solely for the purpose of the Foundation's museum exhibition and the Foundation shall not use or permit, or suffer the use of, the Premises or any part or parts thereof for any other business or purpose without obtaining the prior written consent of the Town.

7.02 Shared Use

- (a) The Foundation agrees that it will permit reasonable access to and shared use of any boardroom or washroom facilities, display areas, public areas, parking lot and picnic areas by visitors, non-profit or other civic groups or other parties as may be designated or authorized by the Town from time to time.
- (b) The Foundation acknowledges and agrees that except as provided in s. 7.02:
 - (i) It will have access to the Building during the regular hours established by the Town from time to time.
 - (ii) Where access to the Building is required for the purpose of public access to the Foundation displays outside of the hours provided or established by the Town under s. 7.02 (b) (i), the Foundation may exercise such access provided that a member of the Foundation or designate of the Foundation is present at all times to ensure the security of Town offices and areas in the Building.
 - (iii) The Foundation shall be provided with a key and access to security codes from Town.
 - (iv) It shall be permitted the use of the boardroom and kitchen area up to five (5) times per year upon reasonable prior notice to the Town, such notice not to be less than seven (7) days' prior notice.

7.03 **Town's Right**

Notwithstanding anything herein contained, the Town, on behalf of itself, hereby reserves the right at any time and from time to time to add buildings and parking structures and to make any changes in, additions to, subtractions from, rearrangement of or relocation of any part thereof including, without limitation, all buildings, parking areas, improvements and facilities at any time therein (including, without limitation, the size, location, elevation or nature thereof, the enclosing of any open areas and the adding up or down of the main grade level or any part thereof), which acts are herein collectively called the "Changes" to grant, modify and terminate easements and other agreements pertaining to the use and maintenance of all or any part of the property upon which the Building is located; to close all or any part of the Premises to make any changes or additions to the pipes, conduits, utilities and other building services and, in so doing, the Town shall have the right to enter upon the Premises or in the Building to perform any such Changes provided that the Town shall make any such changes as expeditiously as reasonably possible and the Foundation shall not be entitled to any abatement in rent or compensation for any inconvenience, nuisance or discomfort occasioned thereby.

ARTICLE VIII: INSURANCE AND INDEMNIFICATIONS

8.01 **Insurance**

- (a) The Foundation shall, at its sole cost and expense, take out and keep in full force and effect and in the names of the Foundation and the Town as their respective interests may appear, the following insurance:
 - (i) Insurance covering all structures and equipment and property of every description and kind located in the Premises including, without limitation, stock-in-trade, furniture, fittings, installations, alterations, additions, partitions, fixtures and anything in the nature of a leasehold improvement in an amount of not less than full replacement cost thereof, against, at least, the perils of fire and standard extended coverage including flood, earthquake and sewer backup, sprinkler leakages (where applicable), floor or collapse. In the event that there shall be a dispute as to the amount of full replacement cost, the decision of the Town shall be conclusive;
 - (ii) Broad form public liability and property damage insurance including personal liability, contractual liability, tenants' legal liability, non-owned automobile liability, lease agreement contractual coverage and owners' and contractors' protective insurance coverage with respect to the Building or Premises and the Foundation's use of any part of thereof, coverage to include the business operations conducted by the Foundation and any other person on or from the Premises and liability or damage caused by or attributable to the breaking of any glass on the Building or Premises, including the outside perimeter of the windows in the exterior walls, regardless of how such breakage may arise. Such policies shall be written on a comprehensive basis with limits of not less than \$2,000,000.00 for bodily injury to any one or more persons, and \$2,000,000.00 for property damage, and such higher limits as the Town may reasonably require from time to time, and all such policies shall contain a severability of interest clause and a cross-liability clause; and

- (b) All policies written on behalf of the Foundation pursuant to subparagraph (a)(i) and (a)(ii) above shall contain a waiver of any subrogation rights which the Foundation's insurers may have against the named insureds and those for whom they are, in law, responsible, whether any such damage is caused by the act, omission or fault of such named insured or by those for whom they are, in law, responsible.
- (c) The Foundation agrees that certificates of insurance or, if required by the Town certified copies of each such insurance policy, shall be delivered to the Town as soon as practicable after the placing of the required insurance. All policies shall contain an undertaking by the insurers to notify the Town in writing not less than thirty (30) days prior to any material change, cancellation or other termination thereof.

8.02 **Theft**

The Town shall not be liable to the Foundation or anyone claiming through the Foundation for the theft of any property at any time in the Building or on the Premises.

8.03 **Loss and Damage to Personal Property**

The Foundation covenants and agrees that the Town shall not be liable or responsible in any way for any loss of or damage or injury to any property belonging to the Foundation or to employees of the Foundation or to any other person while such property is in the Building or on the Premises whether or not such property has been entrusted to employees of the Town and, without limiting the generality of the foregoing, the Town shall not be liable for any damage to any such property caused by wind or otherwise, or for escape or leakage of smoke, gas, water, rain, snow, steam, electrical or other energy, however caused, nor for any damage to property nor injury to person or persons caused by any motor vehicle or by the breaking of any drain, water pipe, gas pipe, electrical wire, lamp, combustion chamber, conductor, reactor or glass, howsoever caused, nor for any accident to property of the Foundation, nor for any injury, howsoever caused, to any persons in, on or about the Building or the Premises.

8.04 **Indemnification of Town**

The Foundation shall unconditionally and irrevocably indemnify and save harmless the Town from and against any and all expenses, costs, damages, suits, actions or liabilities arising or growing out of any default by the Foundation hereunder and from all claims and demands of every kind and nature made by any person or persons to or against the Town and/or its managing agent, for all and every manner of costs, damages or expenses incurred by or injury or damage to such person or persons or his, her or their property, which claims or demands may arise howsoever out of the use and occupation of the Building or the Premises by the Foundation or any subtenant or occupant authorized by the Foundation or any of them, or his, her, or their servants, agents, assistants, employees, invitees or other persons entering into the Building or the Premises or any part thereof, and from all costs, counsel fees, expenses and liabilities incurred in or about any such claim or any action or proceedings brought in connection with such claim.

ARTICLE IX: FIXTURES AND SIGNS

9.01 Removal and Restoration by Foundation

All alterations, additions, fixtures and improvements made, brought on to or installed by the Foundation, for use in connection with the Foundation's operation or made by the Town on the Foundation's behalf, shall immediately become the property of the Town without compensation to the Foundation. Such alterations, additions, fixtures or other improvements shall not be removed from the Building or the Premises except that:

- (a) the Foundation shall, at the end of the Term, remove such of its leasehold improvements and fixtures as the Town may require to be removed;

The Foundation shall, in the case of every such removal, either during or at the end of the Term, make good any damage caused to the Building or the Premises by the installation and removal of any such alteration, decoration, addition, fixture or improvement and any such removal shall be done at the Foundation's sole cost and expense.

9.02 Foundation's Signs

The Foundation will not erect any sign or advertising material upon the property where the Building is located, any part of the exterior of the Building or on the Premises or upon the exterior or interior surfaces of any window, or of any exterior door without the consent of the Town, which consent may be arbitrarily withheld.

The Town will maintain "Marie Dressler House" and Ontario Heritage signs as are in the Town's discretion appropriate.

ARTICLE X: IMPOSSIBILITY OF PERFORMANCE

10.01 Whenever and to the extent that the Town shall be unable to fulfil or shall be delayed or restricted in the fulfilment of any obligations hereunder in respect of the supply or provision of any service or utility or the doing of any work or the making of any repairs by reason of being unable to obtain the materials, goods, equipment, service, utility or labour required to enable it to fulfil such obligation or by reason of any statute, law or order-in-council, or any regulation or order passed or made pursuant thereto or by reason of the order or direction of any administrator, controller or board, or any governmental department or officer or other authority, or by reason of not being able to obtain any permission or authority required thereby, or by reason of any other cause beyond its control, whether of the foregoing character or not, the Town shall be entitled to extend the time for fulfilment of such obligation by a time equal to the duration of such delay or restriction and the Foundation shall not be entitled to any compensation for any inconvenience, nuisance or discomfort thereby occasioned.

ARTICLE XI: DEFAULT**11.01 Right to Re-Enter**

Proviso for re-entry by the Town on non-payment of rent or non-performance of covenants where such non-performance has not been cured within fifteen (15) days of receipt of written notice of same. Without limiting the generality of the foregoing, if:

- (a) the Foundation fails to observe or perform any other of the terms, covenants or conditions of this Agreement to be observed or performed by the Foundation and such breach is not cured within fifteen (15) days of receipt of notice of same; or
- (b) any steps are taken or any action or proceedings are instituted by the Foundation or by any other party including, without limitation, any court or governmental body of competent jurisdiction for the dissolution, winding-up or liquidation of the Foundation or its assets; or
- (c) the Foundation abandons the Premises; or
- (d) the Foundation assigns, transfers, encumbers, sublets or permits the occupation or use or the parting with or sharing possession of all or any part of the Premises by anyone except in a manner permitted by this Agreement;

then the Town, in addition to any other rights or remedies it has pursuant to this Agreement or by law, has, to the extent permitted by law, the immediate right to expel all persons and remove all property from the Premises and such property may be removed and sold or disposed of by the Town as it deems advisable or may be stored in a public warehouse or elsewhere at the cost and for the account of the Foundation, all without service of notice or resort to legal process and without the Town being considered guilty of trespass or becoming liable for any loss or damage which may be occasioned thereby.

ARTICLE XII: TOWN'S RIGHT TO PERFORM FOUNDATION'S COVENANTS

12.01 The Foundation covenants and agrees that if during the Term it shall at any time neglect or fail to take out, pay for, maintain or deliver any of the insurance provided for in Article VIII, or shall fail to make any other payment or perform or observe any other act on its part to be made or observed as provided in this Agreement, then the Town may, at its option, and without notice to or demand upon the Foundation and without waiving or releasing the Foundation from the strict performance of any of the agreements, terms, covenants and conditions contained in this Agreement to be performed and observed by it, make any such payment, affect any such insurance and pay premiums therefor, and make any other payment or perform or observe any other act on the part of the Foundation to be made, performed or observed as provided in this Agreement in such manner and to such extent as the Town may deem desirable and in exercising any such rights may pay necessary and incidental costs and expenses, employ solicitors and incur and pay reasonable solicitors' fees.

ARTICLE XIII: MISCELLANEOUS**13.01 No Waiver**

No condoning or waiver by the Town of any default or breach by the other at any time or times in respect of any of the agreements, terms, covenants and conditions contained in this Agreement to be performed or observed by the Foundation shall be deemed or construed to operate as a waiver of the Town's rights, as the case may be, in respect of any continuing or subsequent default or breach nor so as to defeat or affect in any way the rights or remedies of the Town or Foundation under this Agreement, as the case may be, in respect of any such continuing default or breach.

13.02 Notice

Any notice required or contemplated by any provision of this Agreement shall be given in writing enclosed in a sealed envelope addressed, in the case of notice to the Town, to the Clerk of the Town, in the case of notice to the Foundation, to it at the Premises and personally delivered or sent by mail and postage prepaid with copy to:

Marie Dressler Foundation
c/o Langhorne Irwin
Wharram-Spry
Chartered Accountants
P.O. Box 880
Cobourg, Ontario
K9A 4S3

The time of giving of such notice shall be conclusively deemed to be the day of personal delivery or the second business day after the day of such mailing.

13.03 Entire Agreement

There are no covenants, representations, warranties, agreements or conditions, express or implied, collateral or otherwise, forming part of or in any way affecting or relating to this Agreement save as expressly set out in this Agreement, and this Agreement constitutes the entire agreement between the Town and the Foundation and may not be modified except as herein explicitly provided or except by subsequent agreement in writing of equal formality hereto executed by the Town and the Foundation.

13.04 Registration

Neither this Agreement nor any assignment hereof or sublease hereunder shall be registered against title to the Premises by the Foundation or by anyone on the Foundation's behalf.

13.05 Construction of Agreement

This Agreement shall be governed and construed in accordance with the laws of Ontario.

13.06 **Option to Purchase:**

See Schedule "C".

13.07 **Town's Repurchase Option**

See Schedule "D"

13.08 **Successors**

All rights and liabilities herein given to or imposed upon the respective parties hereto shall extend to and bind the several administrators, successors and assigns of the said parties.

13.09 **No Partnership**

The Town does not, in any way or for any purpose, become a partner of the Foundation in the conduct of its business, or otherwise, or joint venture or member of a joint enterprise with the Foundation.

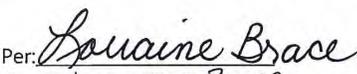
*** signing page below***

IN WITNESS WHEREOF, Town and Foundation have executed this Agreement as of the day and year first above written.

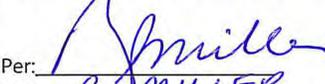
SIGNED, SEALED & DELIVERED
in the presence of

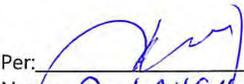
) **THE CORPORATION OF THE TOWN**
) **OF COBOURG**

)
)
) Per: 
) Name: Gil Drocanier
) Title: Mayor
) I have the authority to bind the Corporation

)
)
) Per: 
) Name: Lorraine Brace
) Title: Municipal Clerk
) I have the authority to bind the Corporation.

) **MARIE DRESSLER FOUNDATION**

)
)
) Per: 
) Name: R. MILLER
) Title: PRESIDENT & CHAIR
) I have the authority to bind the Corporation.

)
)
) Per: 
) Name: A. LANGHORNE
) Title: DIRECTOR
) I have the authority to bind the Corporation.

SCHEDULE "B"

RULES AND REGULATIONS

1. The Foundation shall not permit any cooking in the Premises without the written consent of the Town.

2. The sidewalks, entrances, driveways and roadways shall not be obstructed or used by the Foundation, its agents, servants, contractors, invitees or employees for any purpose other than ingress to and egress from the Premises.

3. The Foundation shall not place or cause to be placed upon any doors of the Building any additional locks without the approval of the Town and then subject only to any conditions imposed by the Town.

4. The water closets and other water apparatus shall not be used for any purpose other than those for which they were constructed, and no sweepings, rubbish, rags, ashes or other substances shall be thrown therein. Any damage resulting from misuse shall be borne by the Foundation. The Foundation shall not deface or mark any part of the Building, or drive nails, spikes, hooks or screws into the walls or woodwork of the Building.

5. No one shall use the Building for sleeping apartments or residential purposes or for the storage of personal effects or articles other than those required for business purposes.

6. The Foundation shall not receive or ship articles of any kind except through facilities accessways and designated doors and at hours designated by the Town.

7. No inflammable oils or other inflammable, dangerous or explosive materials except those approved in writing by the Town shall be kept or permitted to be kept in the Building or elsewhere on the Premises.

8. If the Foundation desires telegraphic or telephonic connections, the Town will direct the electricians as to where and how the wires are to be introduced and without such direction no boring or cutting for wires will be permitted. No gas pipe or electric wire will be permitted which has not been ordered or authorized by the Town. No outside radio or television aerials shall be allowed on the Premises without prior written authorization by the Town.

9. The Foundation shall not permit undue accumulations of garbage, trash, rubbish or other refuse within or without the Building or on the Premises or cause or permit objectionable odours to emanate or be dispelled therefrom.

SCHEDULE "C"

OPTION TO PURCHASE

THIS AGREEMENT made this 1st day of September, 2015

BETWEEN:

MARIE DRESSLER FOUNDATION
hereinafter referred to as the "Foundation"
of the FIRST PART

- and -

**THE CORPORATION OF THE TOWN OF
COBOURG**

hereinafter referred to as the "Owner"
of the SECOND PART

WHEREAS the Owner is the registered owner of those lands, being municipally known as 212 King Street West, Cobourg more particularly described on Schedule "A" annexed hereto (hereinafter called the "Lands");

AND WHEREAS pursuant to a Lease made between the Foundation and the Owner to which this Option to Purchase (hereinafter called the "Option") is attached, the Owner agreed to grant this Option.

NOW THEREFORE witnesseth that in consideration of the sum of TWO Dollars (\$2.00) now paid by the Foundation to the Owner, the receipt of which is hereby acknowledged by the Owner, and in consideration of the mutual covenants and conditions and provisos herein contained the parties hereto agree as follows:

1. The term of this Option shall expire at 11:59 p.m. on the 31st day of December 2024 or upon termination or expiry of the Lease, whichever is the earlier;
2. If at any time during the term of this Option, the Owner shall give to the Foundation written notice that it intends to sell the Lands or any part thereof the Foundation shall have the right during the next ninety (90) days after giving of such notice, by written notice to the Owner, to elect to purchase the Lands for the price of two dollars (\$2.00) plus applicable H.S.T.
3. Any notice may be served or made by mailing the same by registered post, postage prepaid or personal delivery, in a properly address and sealed envelope addressed as follows:

To the Foundation at:

212 King Street West
Cobourg, Ontario K9A 2N1

To the Owner at:

Victoria Hall
55 King Street West
Cobourg, Ontario K9A 2M2

Attention: Clerk

4. Any party may from time to time change his or its address for service on written notice to the other. Any notice shall be deemed to have been received twelve (12) hours after the time of mailing of it.
 5. Upon the exercise of the Option by the Foundation, the following shall be the terms of the Agreement of Purchase and Sale of the Lands:
 - (a) the purchase price of the Lands shall be paid by way of cash or certified cheque on the date of completion subject to the usual adjustments and further adjustments as hereinbefore set out;
 - (b) the sale shall be completed on that day which is sixty (60) days following the exercise of the Option provided that if on that day the appropriate Land Registry Office is not open for business the completion date shall be that day when such Registry Office is next open;
 - (c) on the date of completion, the Owner shall convey to the Foundation, good and marketable title to the Lands free of all liens, charges and encumbrances.
 - (d) The Foundation shall grant to the Owner on closing an Option to Purchase the Lands in the form attached as Schedule "D" to the Lease which shall be registered in priority to all other charges, mortgages, liens or encumbrances.
 6. The aforesaid Option when exercised shall constitute a binding contract of purchase and sale and time in all respects shall be of the essence of this agreement. Provided that the time for doing or completing of any matter provided for herein may be extended or abridged by agreement in writing signed by the Owner and the Foundation or by their respective solicitors who may be specifically authorized in that regard.
 7. This agreement shall constitute the entire agreement between the Owner and the Foundation and there is no representation, warranty, collateral agreement or condition affecting this agreement or the Lands supported hereby other than as expressed herein in writing and in the said agreement of purchase and sale.
 8. The Lands shall be and remain at the risk of the Owner until closing.
 9. Provided that this agreement shall be effective to create an interest in the Lands only if the subdivision control provisions of The Planning Act are complied with.
 10. Rents, mortgage interest, taxes, local improvements and assessment rates shall be apportioned and allowed to the date of completion (the day itself to be apportioned to the Foundation).
 11. 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 the Owner and the Foundation or by their respective solicitors who may be specifically authorized in this regard.
 12. Any tender of documents or money hereunder may be made upon the Foundation or the Owner or their respective solicitors on the day set for completion of this Agreement, money may be tendered by bank draft or cheque certified by a Chartered Bank, Trust Company, Province of Ontario Savings Officer, Credit Union or Caisse Populaire.
 13. This Agreement shall enure to the benefit of and be binding on the respective heirs, executors, administrators, successors and assigns of each of the parties hereto.
- IN WITNESS WHEREOF the Parties hereto have set their hands and seals.

SCHEDULE "D"

TOWN'S REPURCHASE OPTION

BETWEEN: THIS AGREEMENT made this day of , 2015

MARIE DRESSLER FOUNDATION
hereinafter referred to as the "Foundation"
of the FIRST PART

- and -

**THE CORPORATION OF THE TOWN OF
COBOURG**

hereinafter referred to as the "Town"
of the SECOND PART

WHEREAS the Foundation is the registered owner of those lands, being municipally known as 212 King Street West, Cobourg more particularly described on Schedule "A" annexed hereto (hereinafter called the "Lands");

AND WHEREAS pursuant to a Lease made between the Foundation and the Town to which this Option to Purchase (hereinafter called the "Option") is attached, the Foundation agreed to grant this Option.

NOW THEREFORE witnesseth that in consideration of the sum of TWO Dollars (\$2.00) now paid by the Town to the Foundation, the receipt of which is hereby acknowledged by the Town, and in consideration of the mutual covenants and conditions and provisos herein contained the parties hereto agree as follows:

1. The term of this Option shall expire at 11:59 p.m. on that day which is 20 years following the date of this Option.
2. If at any time during the term of this Option, the Foundation shall give to the Town written notice that it intends to sell the Lands or any part thereof the Town shall have the right during the next ninety (90) days after giving of such notice, by written notice to the Foundation, to elect to purchase the Lands for the price of two dollars (\$2.00) plus applicable H.S.T.
3. Any notice may be served or made by mailing the same by registered post, postage prepaid or personal delivery, in a properly address and sealed envelope addressed as follows:

To the Foundation at:

212 King Street West
Cobourg, Ontario K9A 2N1

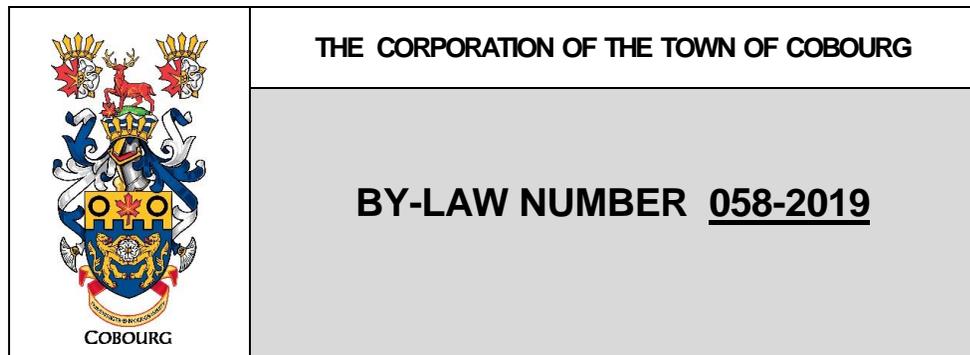
To the Town at:

Victoria Hall
55 King Street West
Cobourg, Ontario K9A 2M2

Attention: Clerk

4. Any party may from time to time change his or its address for service on written notice to the other. Any notice shall be deemed to have been received twelve (12) hours after the time of mailing of it.

5. Upon the exercise of the Option by the Town, the following shall be the terms of the Agreement of Purchase and Sale of the Lands:
 - (a) the purchase price of the Lands shall be paid by way of cash or certified cheque on the date of completion subject to the usual adjustments and further adjustments as hereinbefore set out;
 - (b) the sale shall be completed on that day which is sixty (60) days following the exercise of the Option provided that if on that day the appropriate Land Registry Office is not open for business the completion date shall be that day when such Registry Office is next open;
 - (c) on the date of completion, the Foundation shall convey to the Town, good and marketable title to the Lands free of all liens, charges and encumbrances.
6. The aforesaid Option when exercised shall constitute a binding contract of purchase and sale and time in all respects shall be of the essence of this agreement. Provided that the time for doing or completing of any matter provided for herein may be extended or abridged by agreement in writing signed by the Town and the Foundation or by their respective solicitors who may be specifically authorized in that regard.
7. This agreement shall constitute the entire agreement between the Town and the Foundation and there is no representation, warranty, collateral agreement or condition affecting this agreement or the Lands supported hereby other than as expressed herein in writing and in the said agreement of purchase and sale.
8. The Lands shall be and remain at the risk of the Foundation until closing.
9. Provided that this agreement shall be effective to create an interest in the Lands only if the subdivision control provisions of The Planning Act are complied with.
10. Rents, mortgage interest, taxes, local improvements and assessment rates shall be apportioned and allowed to the date of completion (the day itself to be apportioned to the Town).
11. 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 the Town and the Foundation or by their respective solicitors who may be specifically authorized in this regard.
12. Any tender of documents or money hereunder may be made upon the Foundation or the Town or their respective solicitors on the day set for completion of this Agreement, money may be tendered by bank draft or cheque certified by a Chartered Bank, Trust Company, Province of Ontario Savings Officer, Credit Union or Caisse Populaire.
13. This Agreement shall enure to the benefit of and be binding on the respective heirs, executors, administrators, successors and assigns of each of the parties hereto.



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.

WHEREAS Council of the Town of Cobourg authorized preparation of a by-law to amend the Terms of Reference By-law (008-2019), to include a Civic Awards Advisory Committee, and authorized the dissolving of the existing Community Civic Award Ad Hoc Committee at the Committee of the Whole Meeting held on September 3, 2019;

AND WHEREAS By-law No. 009-2019, being a by-law to establish rules of order and procedures to govern the proceedings of Council, and is referred to as the 'Procedural By-law', establishes the rules and procedures under which Council and Committees of Council are to function;

AND WHEREAS the Municipal Council of the Town of Cobourg adopted the 'Advisory Committee of Municipal Council Policies and Procedures';

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

1. **THAT** the Terms of Reference By-law (008-2019) be amended to include Schedule 'C' – 6 to Section 4 of the by-law to include the Terms of Reference for the Civic Awards Advisory Committee.
2. **THAT** Schedule 'E' – 1 for the Community Civic Awards Ad Hoc Committee be removed from the Terms of Reference By-law (008-2019).
3. **THAT** this By-law shall take effect upon the date of final passing.

By-law read and passed in Open Council this 9th day of September, 2019.

MAYOR

MUNICIPAL CLERK



Civic Awards Advisory Committee Terms of Reference

1.0 Authority

The Municipal Act provides the Municipality with the authority to create Advisory Committees for specific purposes. The Town of Cobourg Municipal Council has deemed it advisable to establish a Civic Awards Advisory Committee.

In accordance with the Procedural By-law, the Civic Awards Advisory Committee is an Advisory Committee authorized by the Municipal Council and has been established in accordance with these Terms of Reference. Committee members shall be guided by these Terms of Reference.

2.0 Purpose, Mandate and Duties

The purpose of the Civic Awards Advisory Committee is to oversee the annual Civic Awards Program that recognizes outstanding contributions and achievements in the Town of Cobourg. Its mandate shall be to:

- To provide advice to Council on the overarching framework of the Civic Awards Program;
- Proactively promote the Civic Awards Program;
- Recommend to Council a list of recipients for the annual awards;
- Preserve the integrity of the Civic Awards Program and ensure awards are recommended in a fair and consistent manner;
- Collaborate with Municipal Staff and Council in the planning and execution of Civic Awards Ceremonies.

To accomplish its mandate, the Civic Awards Advisory Committee shall be responsible for the following duties:

- Solicit nominees for civic award recognition;
- Collect and review all eligible nominations for awards submitted as part of the Civic Awards Program;
- Establish and oversee Sub-Committees to deal with special matters coming within the scope and jurisdiction of the Civic Awards Advisory Committee;
- Keep all nominees and selections confidential until such time that they are announced publicly;
- Manage and track all award recipients and their nominations;
- Create, manage and revise the Nomination Form to reflect current procedures of the Civic Awards Program;
- Make recommended updates to Council on the Town of Cobourg's Civic Awards Program – Standards and Procedures Manual, as needed, and to clarify and develop program category objectives and selection processes and to consider any additional award categories to the Program;
- Explore opportunities for sponsorships and partnerships to support the Civic Awards Program; and
- Other related Civic Award Program matters as referred to the Committee by Council.

3.0 Composition and Term of Appointments

The Civic Awards Advisory Committee shall be comprised of up to six (6) and no less than four (4) citizen appointments and the Mayor, as the Council representative.

Each voting member of the Civic Awards Advisory Committee is an independent representative to the Committee and does not represent the concerns of only one sector or sphere of interest within the Town of Cobourg. The members of the Committee shall work together to fulfill the mandate and duties of this Advisory Committee.

Citizen Members appointed by Council shall be appointed for a maximum term of four (4) years with the option of Council to appoint any citizen member for a further two (2) year term upon reapplication to the Committee.

Appointments of citizen Members to the Committee will be made by Council in the year directly following a municipal election to ensure continuity in the planning for the Civic Awards Program. All citizen member terms, regardless of when the appointment was made, shall expire on July 1st of every year following a municipal election.

A quorum consisting of a majority of the members of the Committee is required for a Committee meeting. Quorum will be based on the number of active members appointed to the Committee.

4.0 Reporting Structure

The Civic Awards Advisory Committee is an Advisory Committee of Council and shall report to the Municipal Council.

The Civic Awards Advisory Committee may make recommendations to the Municipal Council on all relevant business presented before it. Recommendations by the Committee are considered advice to Council only and any related recommendations must be approved by the Municipal Council before any action is taken unless delegated authority is granted by Council.

All Committee Minutes, when approved, are to be sent to the Municipal Clerk for record keeping purposes and to be included in the next scheduled Regular Council meeting for information purposes.

5.0 Administration

The Civic Awards Advisory Committee shall meet on an as required basis to be determined by the Committee.

All meetings shall be conducted in accordance with the Town of Cobourg Advisory Committees of Municipal Council Policies and Procedures and the Town of Cobourg's Procedural By-law.

Meetings shall be open to the public except if the subject matter being considered is within a category defined in Section 239(2), (3) or (3.1) of the *Municipal Act, 2001*, in which case the meeting may be closed.

The Civic Awards Advisory Committee may form Sub-Committees to deal with special matters coming within the scope and jurisdiction of the Civic Awards Advisory Committee, including a Selection Sub-Committee to consider all eligible nominations for award recipients.

All Sub-Committees created by the Civic Awards Advisory Committee must receive prior approval from Council and shall not be subject to the

requirement of having three (3) Members of Civic Awards Advisory Committee in the composition of the Sub-Committee.

All Committee members of the Civic Awards Advisory Committee, or its designated Sub-Committees have a duty to carry out their prescribed responsibilities in a manner that preserves the integrity of the Civic Awards Program by ensuring that awards are recommended to Council in a fair and impartial manner. As such, members must not engage in any activities and/or in decision making concerning any matters where they have a direct or indirect personal or financial interest.

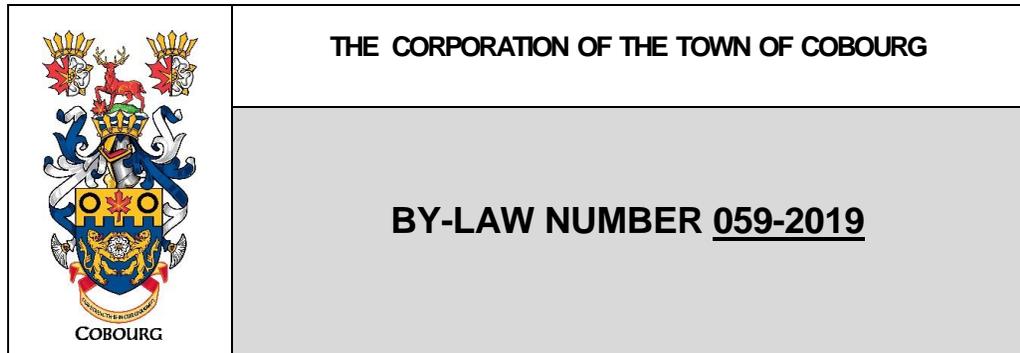
When a member has a perceived pecuniary and/or conflict of interest on a Nomination for an award, he or she shall refrain from any discussions and votes brought forward by the Committee to Council for the award in which conflict exist.

6.0 Resources

Secretarial support will be provided by the Mayor's Office to provide for the general administrative coordination of meetings, including the preparation and distribution of Agendas and Minutes. The Events Coordinator of the Community Services Division will also act as a Staff Liaison to assist in the organization and execution of the annual Civic Awards Ceremony.

The Communications Manager will prepare an annual Communications Plan so that the Advisory Committee can work to program deadlines. Graphics, editing, printing and advertising services are provided through corporate communications, funded by the Civic Awards Advisory Committee's annual budget allocation.

Additional Municipal Staff shall provide advisory support to the Committee, including background information and technical advice, to assist it with its role when, in the opinion of the Municipal Director, such requests can be reasonably accommodated within existing workloads and priorities, and do not place an unreasonable demand on available resources.



A BY-LAW TO APPROVE A DRAFT PLAN OF SUBDIVISION WITH CONDITIONS (EAST VILLAGE PHASE 5 – JMCD HOLDINGS INC.)

WHEREAS the Council of the Corporation of the Town of Cobourg held a Public Meeting in accordance with the Planning Act, R.S.O. 1990, c.P. 13, as amended, on the 24th day of June, 2019 regarding an application by RFA Planning Consultant Inc. on behalf of JMCD Holdings Inc. to approve a Draft Plan of Subdivision on an 11.87 ha parcel of land at the north-west corner of King Street East and Willmott Street (hereinafter referred to as the “Subject Lands”);

AND WHEREAS the Council of the Corporation of the Town of Cobourg duly considered all public submissions, the Director of Planning & Development’s reports and all other relevant background information surrounding the subject matter, and deems it advisable to grant Draft Approval of the Plan of Subdivision, subject to detailed conditions;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg, in accordance with the provisions of Section 51 of the Planning Act, R.S.O. 1990 as amended, hereby enacts as follows:

1. Draft Approval of a Plan of Subdivision generally located on the 11.87 ha parcel of land at the north-west corner of King Street East and Willmott Street is hereby granted, subject to the conditions as affixed hereto as Appendix “I”;
2. THIS By-law will come into force and take effect upon final approval in accordance with the requirements of the Planning Act, R.S.O. 1990, c.P. 13, as amended.

READ and passed in Open Council on this 9th day of September, 2019.

Mayor

Municipal Clerk

Certified that this is a true copy of By-law 059- 2019 as enacted and passed by the Council of the Corporation of the Town of Cobourg on 9th day of September, 2019.

Municipal Clerk

Appendix "I"

Applicant: JMCD Holdings Inc. **Date of Decision:** , 2019
File No: Z-00-19 SUB; 14T-19001
Municipality: Town of Cobourg
Location: King St. E. & Willmott St. (n/w corner) – East Village Phase 5

1. This approval applies to the Draft Plan of Subdivision, as shown in red on the Plan, prepared by RFA Planning Consultants Ltd., dated April 17, 2019 (attached hereto as **Figure 1**), and consisting of:
 - 30 Lots to be used for freehold single detached dwelling units;
 - 13 Blocks to be used for freehold semi-detached dwelling units;
 - 12 Blocks to be used for freehold townhouse dwelling units;
 - 6 Blocks to be used for multiple "10-plex" buildings;
 - 1 Block with an area of 1.417 ha to be reserved for an apartment complex;
 - 1 Block with an area of 0.756 ha in the south-central quadrant of the Draft Plan abutting King Street East to be utilized for stormwater management purposes;
 - 1 Block with an area of 0.24 ha in the western quadrant of the Draft Plan for a central neighbourhood park to be dedicated to the Town of Cobourg for parkland purposes under the *Planning Act* (total of 5.4% for the Phase 1 – 5 lands combined);
 - 2 Blocks with a combined area of 0.43 ha for road allowance dedications; and,
 - Various public road rights-of-way with a combined area of 2.3 ha to be dedicated to the Town of Cobourg;

The Town of Cobourg Municipal Council has allocated sanitary sewage treatment capacity for the draft plan to a *maximum* of **334** units on the condition that the owner enters into an allocation agreement with, and on terms satisfactory and at no cost to, the Town. The foregoing agreement shall be incorporated into the subdivision agreement.

2. The owner shall agree in writing to satisfy the requirements of the Town of Cobourg and any other municipality and/or approval authority that has jurisdiction, and subsequently enter into a subdivision agreement and/or a development agreement with the Town of Cobourg pursuant to the Planning Act, RSO 1990 c.P 13, as amended, which shall be registered on title to the subject lands once the plan of subdivision has been registered. Without limiting the generality of the foregoing, the owner shall agree in writing to satisfy all the requirements, financial and otherwise, of the Town and any other municipality and/or authority that has jurisdiction concerning matters internal and external to the draft plan, including but not limited to:
 - the provision, installation and staging of services (including utilities), drainage, grading and road infrastructure, including street design to reflect a "complete streets" priority;
 - stormwater management, including the design and conveyance of stormwater from lands external to the draft plan, sustainable 'green' infrastructure, low-impact development stormwater systems and other sustainable development measures, all in accordance with the specifications and requirements of the Town and GRCA;
 - the allocation, collection and treatment of wastewater in accordance with the specifications and requirements of the Town;
 - facilities for active transportation, including pedestrian and bicycle circulation (trails

- and sidewalks);
- urban built form, landscape and streetscape design measures;
- park design, stormwater management facility design, landscaping and other improvements;
- tree protection, removals, re-planting, edge management/buffering, and other matters relating to the appropriate stewardship of natural heritage systems;
- habitat and nest protection, where applicable;
- consideration of the provision of housing which is affordable, accessible and sustainable;
- cost-sharing arrangements, financial securities and other development performance measures;
- easements that may be required by the applicable authority;
- archaeological resource conservation;
- construction and emergency access;
- noise impact mitigation; and,
- subdivision phasing;

All costs incurred by the Town and any other municipality and/or approval authority that has jurisdiction which are associated with the planning, design, peer review and inspection of said works shall be borne by the owner.

The Town of Cobourg reserves the right to modify, or 'red-line', at its discretion the draft plan of subdivision and/or conditions thereto prior to final approval based on an evaluation by the Town and relevant agencies of detailed engineering plans, reports, or other applicable documentation, particularly related to stormwater management and natural heritage protection, and may impose special conditions in the subdivision agreement that it deems reasonable in accordance with the Planning Act, R.S.O. 1990, c.P. 13, as amended. The aforementioned modifications to the draft plan may include, but are not limited to, changes to the lotting and/or road pattern and possible removal/re-location/expansion of lots, blocks and roads in order to satisfy the applicable policies, guidelines and standards of the Town and agencies.

3. The owner shall agree in writing to satisfy the Town of Cobourg's urban design objectives of the Official Plan and Urban & Landscape Design Guidelines, including, but not limited to:
 - the creation of high quality, pedestrian-friendly streetscapes and landscapes;
 - the provision of attractive building designs and dwelling forms which are sympathetic to the surrounding neighbourhood and reflect the quality image of the community;
 - the careful design and placement of dwellings in relation to existing natural heritage resources; and,
 - the careful design and placement of dwellings in relation to the street to enhance the sense of place and minimize the impact of garages.

The development will be subject to architectural controls, and the Town will require the preparation of architectural plans, guidelines and details which demonstrate that the aforementioned objectives will be achieved upon the implementation of the subdivision via a subdivision agreement and/or a development agreement.

4. That prior to final approval of the draft plan, the Town of Cobourg and the Ganaraska Region Conservation Authority (GRCA) shall be satisfied that the recommendations of the Environmental Impact Study, dated November 2018, prepared by Cambium Inc, and any Addenda thereto and related studies, are implemented in accordance with applicable Provincial, GRCA and Town policies, guidelines, regulations and standards as part of the detailed subdivision review process of the Town, and that appropriate conditions and/or clauses are included in the subdivision agreement to address the aforementioned requirements.
5. The owner shall convey the land on the plan identified for park purposes to the Town of Cobourg in accordance with Section 51.1(1) of The Planning Act, R.S.O. 1990, c.P. 13.
6. That prior to final approval of the draft plan, Canadian National (CN) Railway and Canadian Pacific Railways (CPR) shall be satisfied that appropriate conditions and/or warning clauses are inserted into the subdivision agreement in accordance with the recommendations contained within the Environmental Noise Analysis Update Report, dated December 2018, prepared by Valcoustics Canada Ltd., and any Addenda thereto, that may be required as part of the detailed subdivision review process of the Town, and in accordance with Provincial Guidelines and railway requirements.
7. Prior to the final approval of the draft plan, the Town shall be satisfied that satisfactory arrangements, financial and otherwise, have been made with the appropriate utility authority for any utility facilities serving this draft plan of subdivision which are required by the appropriate utility authority to be installed underground. Any such easements as may be required for utility or drainage purposes shall be granted to the appropriate utility authority.
8. Temporary turning circles (min. 13.0 m radius) shall be required at any dead-ends of road allowances to the satisfaction of the Town of Cobourg.
9. The road allowances included in this draft plan shall be shown and dedicated as public highways.
10. The streets shall be named to the satisfaction of the Town of Cobourg and the County of Northumberland.
11. Prior to the final approval of the draft plan, the appropriate zoning shall be in place to the satisfaction of the Town of Cobourg.
12. Any necessary daylighting triangles, road widening, and walkway blocks shall be shown on the final plan and be dedicated to the appropriate authority; and that any dead ends and open sides of any road allowances created by this draft plan shall be terminated in 0.3 m reserves to be conveyed to, and held in trust, by the Town of Cobourg.
13. Prior to the final approval of the draft plan, Bell Canada shall confirm to the Town that satisfactory arrangements, financial and otherwise, have been made with Bell Canada for any Bell facilities serving this draft plan of subdivision which are required by the Town of Cobourg to be installed underground. The owner shall agree in the subdivision agreement, in words satisfactory to Bell Canada, to grant to Bell Canada any easements that may be required for telecommunication services and/or Fibre Optic digital switching equipment sites.

14. Prior to the final approval of the draft plan, Canada Post shall confirm to the Town that satisfactory arrangements, financial and otherwise, have been made with Canada Post for any postal facilities servicing this draft plan of subdivision which are required to be installed.
15. Prior to the final approval of the draft plan, the County of Northumberland shall confirm to the Town that satisfactory arrangements, financial and otherwise, have been made with the County of Northumberland regarding the following matters:
 - i) That the pavement structure for the public roadways within the plan of subdivision shall be designed to accommodate highway vehicle loading for waste collection vehicles.
 - ii) That the owner acknowledges and agrees that waste collection services within the subdivision shall not be provided until such time as the public roads are assumed for maintenance by the local municipality and shall advise all purchasers within the subdivision with an appropriate statement in all Offers and Agreements of Purchase and Sale of this requirement.
 - iii) The Owner shall agree in the Town of Cobourg subdivision agreement to remove a temporary access to Brook Road which services other developments external to this subdivision at such time as the proposed road allowance to access King Street is constructed. The temporary access shall be removed to the satisfaction of Northumberland County.
16. Prior to the final approval of the draft plan, the County of Northumberland is to be satisfied that appropriate clauses are contained within the Subdivision Agreement which require the owner to implement or cause to be implemented the recommendations and measures contained within the plans and reports required and approved by the County in accordance with Condition #15.
17. Prior to the commencement of any grading, construction on site, or final registration of the plan, whichever occurs first, the owner shall submit to the Ganaraska Region Conservation Authority (GRCA) reports, plans and/or other documentation which describes and confirms the following to the satisfaction of the GRCA:
 - (i) a detailed Stormwater Management Implementation Report supporting the detailed design which includes the following to the satisfaction of the GRCA:
 - a detailed hydraulic analysis of the proposed outlet structures from the stormwater management (SWM);
 - revised hydrologic analysis including all design flow events, 2 to 100 year inclusive, routed through the SWM facilities;
 - a hydraulic gradeline analysis for the 5 year event and sewers oversized to ensure that flows are contained below the obvert of the pipe;
 - a 100 year hydraulic gradeline analysis to confirm that basement elevations are not surcharged, and an overland flow analysis that identifies sags, any

- sewer oversizing required, and confirmation that flows can be conveyed safely to the SWM facilities within the municipal rights-of-way;
- confirmation that all flows from the proposed development will be treated by the SWM facilities;
- (ii) an Erosion and Siltation Control Report and Plan detailing the means by which erosion and sedimentation and their effects will be minimized and contained on the site during and after construction in accordance with Provincial Guidelines. The report will need to outline:
- the protection measures required;
 - the timing of the removal of devices tied to areas that have been stabilized;
 - details for temporary outlet structures, decommissioning and sediment removal/disposal protocols following MOE-EPA Guidelines; and,
 - all actions to be taken to prevent an increase in the concentration of solids in any water body as a result of on-site, or other related works, to comply with the Canada Fisheries Act;
- iii) Any other studies and/or drawings that the GRCA considers necessary to ensure the appropriate development of the subdivision lands in accordance with Provincial and GRCA policies and regulations.
18. That the owner agrees to pay all GRCA detailed technical review fees in accordance with the current GRCA Fee Schedule on a per phase basis, and further agree to obtain all necessary GRCA permits required under Ontario Regulation 168/06.
19. Prior to the final approval of the draft plan, the GRCA is to be satisfied that appropriate clauses are contained within the subdivision agreement which require the owner to implement or cause to be implemented the recommendations and measures contained within the reports, and any addenda thereto, as required and approved by the GRCA;
20. Prior to the final approval of the draft plan, the GRCA is to be satisfied that appropriate clauses are contained within the subdivision agreement which require the owner to maintain all erosion and siltation control devices in good repair prior to and during the construction period in a manner satisfactory to the GRCA.
21. That prior to final approval of the draft plan, the owner shall carry out a detailed archaeological resource assessment of the draft plan lands and mitigate, through avoidance or documentation, adverse impacts to any significant archaeological resources found. No demolition, grading, filling, or any form of soil disturbances, shall take place on the draft plan lands prior to the issuance of a letter from the Ministry of Tourism, Culture and Sport to the Town indicating that all archaeological resource concerns have met licensing and resource conservation requirements.
22. Prior to the final approval of the draft plan, Lakefront Utility Services Inc. (LUSI) and Lakefront Utilities Inc. (LUI) shall confirm to the Town that satisfactory arrangements, financial and otherwise, have been made with LUSI and LUI for any facilities serving this

draft plan of subdivision which are required to be installed. The owner shall agree in the subdivision agreement, in words satisfactory to LUSI and LUI, to implement the requirements of LUSI and LUI and to grant to LUSI and LUI any easements that may be required for electrical and/or water services.

23. Prior to the final approval of the draft plan, Enbridge Gas, operating as Union Gas, shall confirm to the Town that satisfactory arrangements, financial and otherwise, have been made with Enbridge/Union Gas for any gas facilities serving this draft plan of subdivision. The owner shall agree in the subdivision agreement, in words satisfactory to Enbridge/Union Gas, to grant to Enbridge/Union Gas any easements that may be required for gas utility services and/or infrastructure required to service the draft plan of subdivision.
24. That prior to final approval of the draft plan, the Town of Cobourg is to be advised in writing by Bell Canada how Condition #13 has been satisfied.
25. That prior to final approval of the draft plan, the Town of Cobourg is to be advised in writing by Canada Post how Condition #14 has been satisfied.
26. That prior to final approval of the draft plan, the Town of Cobourg is to be advised in writing by the County of Northumberland how Condition #'s 10, 15 and 16 have been satisfied.
27. That prior to final approval of the draft plan, the Town of Cobourg is to be advised in writing by the Ganaraska Conservation Authority how Condition #'s 4, 17, 18, 19 and 20 have been satisfied.
28. That prior to final approval of the draft plan, the Town of Cobourg is to be advised in writing by the Ministry of Tourism, Culture and Sport how Condition # 21 has been satisfied.
29. That prior to final approval of the draft plan, the Town of Cobourg is to be satisfied in writing by the Lakefront Utility Services Inc. and Lakefront Utilities Inc. how Condition #22 has been satisfied.
30. That prior to final approval of the draft plan, the Town of Cobourg is to be satisfied in writing by Enbridge/Union Gas how Condition #23 has been satisfied.
31. That prior to final approval of the draft plan, the Town of Cobourg is to be satisfied in writing by Canadian Pacific Railway and Canadian National Railway how Condition #6 has been satisfied.

NOTES TO DRAFT APPROVAL

1. It is the Applicant's responsibility to fulfill the conditions of draft approval and to ensure that the required clearance letters are forwarded by the appropriate agencies to the Municipality, quoting the '14T' File Number.
2. We suggest that the Applicant make yourself familiar with Section 144 of the Land Titles Act and Subsection 78(10) of the Registry Act.

Subsection 144(1) of the Land Titles Act requires that a plan of subdivision of land that is located in a land titles division be registered under the Land Titles Act. Exceptions to this provision are set out in Subsection 144(2).

Subsection 78(10) of the Registry Act requires that a plan of subdivision of land that is located only in a registry division cannot be registered under the Registry Act unless that title of the Owner of the land has been certified under the Certification of Titles Act. Exceptions to this provision are set out in clauses {b} and {c} of subsection 78(10).

3. The Subdivision Agreement should be registered under Subsection 51(26) of the Planning Act, R.S.O. 1990, c.P.13 against the land to which it applies as notice to prospective purchasers.
4. A permit will be required under the Ganaraska Region Conservation Authority's Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation (Ont. Reg. 168/06) prior to any development or site alteration on the subject property.
5. The Ganaraska Region Conservation Authority notes that temporary sediment control ponds must be capable of accommodating 125 cubic metres per hectare of contributing drainage area for a period of not less than 12 hours, or removing particle sizes down to 40 microns.
6. Clearances are required from the following agencies:

Mr. Ken Thajer
Ganaraska Region Conservation Authority
P.O. Box 328
Port Hope ON L1A 3W4

D. Campbell
County of Northumberland
860 William Street
Cobourg ON K9A 3A9

Janice Young
Bell Canada
Network Property Services
F 13-100 Borough Drive
Toronto ON M1P 4W2

Canada Post/Postes Canada
Attn: Stephen McGraw
Delivery Service Officer / Agent de Service a la Livraison
P.O Box 8037 Ottawa T CSC
Ottawa, ON K1G 3H6

D. Paul, President
Lakefront Utility Services Inc/Lakefront Utilities Inc.
207 Division Street
Cobourg, Ontario

K9A 4L3

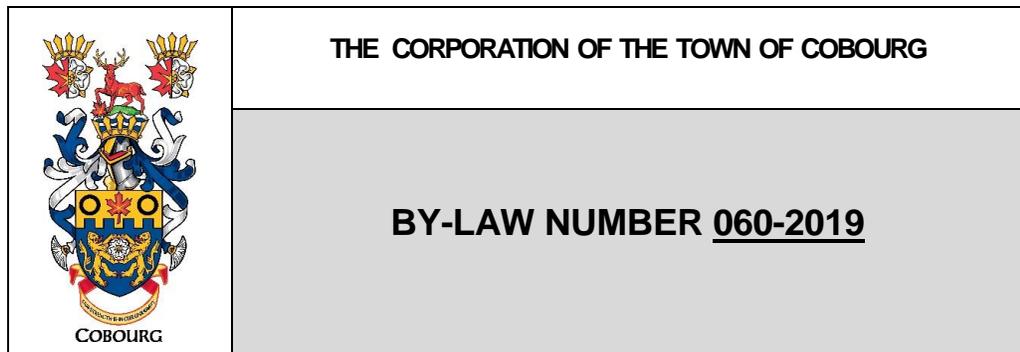
Josie Tomei
Canadian Pacific Railway
800-1290 Central Parkway West
Mississauga, ON L5C 4R3

Susanne Glenn-Rigny, MCIP, RPP, OUQ
Agente principale/Senior Officer
Planification et développement communautaires/
Community Planning and Development
CN Affaires juridiques/Law Department
935, rue de La Gauchetière Ouest
15e étage
Montréal (Québec) H3B 2M9

Ministry of Tourism, Culture and Sport - Archaeology
Hearst Block, 9th Floor
900 Bay Street
Toronto, ON M7A 2E1

Mary Jane Patrick
Enbridge Gas Inc., operating as Union Gas
50 Keil Drive North
Chatham, ON N7M 5M1

7. All measurements in subdivision plans and condominium final plans must be presented in metric units.
8. The final plan approved by the Town must be registered within 30 days or the Municipality may withdraw its approval under Subsection 51(59) of the Planning Act, R.S.O. c.P.13, 1990.
9. This draft approval shall be in force and effect until 2022.



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)

WHEREAS the Council of the Corporation of the Town of Cobourg held a Public Meeting in accordance with the Planning Act, R.S.O. 1990, c.P. 13, as amended, on the 24th day of June, 2019 regarding an application by RFA Planning Consultant Inc. on behalf of JMCD Holdings Inc. to re-zone an 11.87 ha parcel of land at the north-west corner of King Street East and Willmott Street (hereinafter referred to as the “Subject Lands”) to permit a residential subdivision;

AND WHEREAS the Council of the Corporation of the Town of Cobourg duly considered all public submissions, the Director of Planning & Development’s reports and all other relevant background information surrounding the subject matter, and deems it advisable to amend the Town of Cobourg Zoning By-law, subject to detailed regulations to address development matters including but not limited to land use permissions, building types and lot provisions;

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

1. That By-law No. 85-2003, Section 10 is hereby amended by the addition of the following new subsection:

10.2.31 Multiple Residential 4 Exception 31 Holding (R4-31[H]) Zone

10.2.31.1 Defined Area:

(R4-31[H]) as shown on Schedule ‘A’, to this by-law.

10.2.31.2 Permitted Uses:

The uses permitted in Section 10.1.1 and 10.1.2

10.2.31.3 Permitted Buildings and Structures

The buildings and structures permitted in Section 10.1.3 in addition to the following:

- i) Up to four (4) apartment and/or multiple dwellings on one lot, including dwellings for senior citizens and/or the disabled.

10.2.31.4 Regulations for Permitted Uses in the R4-31 Zone

The regulations of Section 10.1 shall apply with the exception of the following:

i) Lot Frontage

48 m min.

ii) Front Yard

3 m (9.8 ft.) minimum

2. That Schedule 'A', Map 5, attached to and forming part of By-law No. 85-2003, is hereby amended by changing the zone category of the lands generally located at the north-west corner of King Street East and Willmott Street from "Development (D) Zone" to "Multiple Residential 4 Exception 29 Holding (R4-29[H]) Zone", "Multiple Residential 4 Exception 31 Holding (R4-31[H]) Zone", and "Open Space (OS) Zone" as illustrated on Schedule "B" attached hereto.
3. The Holding (H) Symbol shall not be removed by Cobourg Municipal Council until the Owner(s) has received approval of all applicable plans, drawings, and other related documentation by the Municipality and following the execution of a Subdivision Agreement and/or a Development Agreement with the Municipality and/or other authority having jurisdiction. The Agreement(s) shall address technical matters both internal and external to the Subject Lands, including but not limited to: plans and/or other documentation pertaining to the architectural, landscape and urban design; vehicular access, parking, site circulation, pedestrian connections and access; infrastructure and servicing; fencing and buffering; and, performance measures (re: financial securities and regulations for construction and use), all to the satisfaction of the Municipality.
4. That Schedule "B" attached hereto is hereby made part of this by-law as fully and to all intents and purposes as though recited in full herein.
5. THIS BY-LAW shall come into force and effect upon final passing hereof, subject to the provisions of the Planning Act, R.S.O. 1990, c. P. 13, as amended.

READ and passed in Open Council on this 9th day of September, 2019.

Mayor

Municipal Clerk

Certified that this is a true copy of By-law 060-2019 as enacted and passed by the Council of the Corporation of the Town of Cobourg on 9th day of September, 2019.

Municipal Clerk

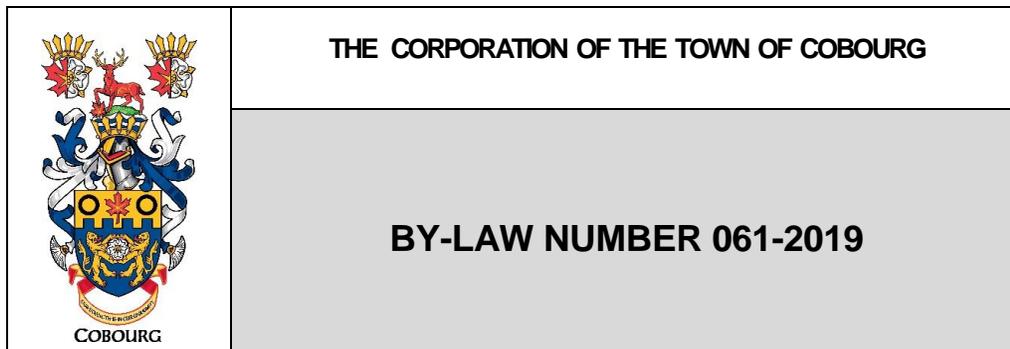
SCHEDULE "B"



- To be changed from "Development (D) Zone" to "Multiple Residential Four Exception 29 Holding [R4-29(H)] Zone"
- To be changed from "Development (D) Zone" to "Multiple Residential Four Exception 31 Holding [R4-31(H)] Zone"
- To be changed from "Development (D) Zone" to "Open Space (OS) Zone"
- Area to remain "Development (D) Zone" under this By-law

JMCD Holdings Inc./RFA Planning Consultant Inc.,
 North-west corner of King Street East and Willmott Street

By-law No. 060-2019



A BY-LAW TO ADOPT AMENDMENT NO. 78 TO THE OFFICIAL PLAN OF THE COBOURG PLANNING AREA (EAST VILLAGE PHASE 5 – JMCD HOLDINGS INC.)

WHEREAS the Council of the Corporation of the Town of Cobourg held a Public Meeting in accordance with the Planning Act, R.S.O. 1990, c.P. 13, as amended, on the 24th day of June, 2019 regarding an application by RFA Planning Consultant Inc. on behalf of JMCD Holdings Inc. to re-designate a 1.417 ha parcel of land at the north-west corner of King Street East and Willmott Street (hereinafter referred to as the “Subject Lands”) from “*Residential Area*” to “*High Density Residential Area – Special Provision*” to permit a 5-storey, 102 unit residential apartment complex;

AND WHEREAS the Council of the Corporation of the Town of Cobourg duly considered all public submissions, the Director of Planning & Development’s reports and all other relevant background information surrounding the subject matter, and deems it advisable to amend the Town of Cobourg Official Plan, subject to a detailed land use policy framework designed to address streetscape design, building design, height and massing, and pedestrian and vehicular connections;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg, in accordance with the provisions of Sections 17 and 22 of the Planning Act, R.S.O. 1990 as amended, hereby enacts as follows:

1. AMENDMENT NO. 78 to the Official Plan of the Town of Cobourg as affixed hereto as Appendix “I” is hereby adopted;
2. THIS By-law will come into force and take effect upon final approval in accordance with the requirements of the Planning Act, R.S.O. 1990, c.P. 13, as amended.

READ and passed in Open Council on this 9th day of September, 2019.

Mayor

Municipal Clerk

Certified that this is a true copy of By-law 061-2019 as enacted and passed by the Council of the Corporation of the Town of Cobourg on this 9th day of September, 2019.

Municipal Clerk

Appendix "I"

**AMENDMENT NO. 78
TO THE OFFICIAL PLAN
OF THE
TOWN OF COBOURG**

**Subject: Amendment to the Cobourg Official Plan
East Village Phase 5 – JMCD Holdings Inc.**

**The following text and schedules constitute
Amendment No. 78 to the Official Plan
of the Town of Cobourg**

**August 2019
Revised September 2019**

**AMENDMENT NO. 78
TO THE OFFICIAL PLAN OF
THE CORPORATION OF THE TOWN OF COBOURG**

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Statement of Components

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 II-1 Introduction

 II-2 Details of Amendment

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PART III The Appendices

THE STATEMENT OF COMPONENTS

PART I – THE PREAMBLE does not constitute part of the Amendment.

PART II – THE AMENDMENT consisting of the attached schedules and text constitutes Amendment No. 78 to the Official Plan of the Town of Cobourg.

PART III – THE APPENDICES do not constitute part of this Amendment. The appendices contain supporting information and background reports which form part of the basis for the Amendment.

PART I – THE PREAMBLE

PART I – THE PREAMBLE

1. PURPOSE

The purpose of this Amendment is to re-designate a 1.417 ha (3.5 ac) block of land located in the south-east corner of the 11.8 ha (29 ac) site known as East Village Phase 5, owned by JMCD Holdings Inc. (the “Site”) from “Residential Area” to “High Density Residential Area – Special Provision” to permit a 102 unit, 5-storey apartment complex on the Site.

2. LOCATION

The Site is located at the north-west corner of King Street East and Willmott Street, and is comprised of 1.417 ha (3.5 ac) of land within a proposed draft plan of subdivision, denoted as Block 61 on the plan.

3. BASIS

The Site is wholly located within the built boundary of the urban settlement area of Cobourg and is subject to the policies of the Cobourg Official Plan.

In support of the development proposal, updated technical studies were prepared, including:

- Planning Report, prepared by RFA Planning Consultant Inc., December 2018;
- Functional Servicing Report, prepared by Engage Engineering, November 2018;
- Storm Water Management Report, prepared by Engage Engineering, December 2018;
- Downstream Trunk Storm Sewer Capacity Assessment, prepared by Engage Engineering, November 2018;
- Traffic Impact Assessment Update, prepared by TranPlan, December 2018;
- Environmental Noise Analysis Update, prepared by Valcoustics, December 2018;
- Environmental Impact Study, prepared by Cambium, December, 2018;
- Phase 1 and Phase 2 Environmental Site Assessment Reports, prepared by GHD, December 2017 and February 2018;

Based on an evaluation of the application and supporting background information relative to the applicable policy and regulatory framework, it was concluded that the amendment to the Official Plan for Block 61 of the East Village Phase 5

development is appropriate, desirable and represents good planning for the following reasons:

- i) The proposal will satisfy the key directives of the *Planning Act*, Provincial Policy Statement, A Place To Grow Growth Plan, County of Northumberland Growth Management Strategy, the County Official Plan and the Cobourg Official Plan, most notably relating to the provision of a full range of housing types in an urban, serviced and built-up area of the municipality at a density of ~55 persons/ha, which conforms to and exceeds the minimum greenfield intensification target of 35 persons and jobs/ha for the Town of Cobourg;
- ii) The Site's close proximity to existing and planned employment and commercial uses, transit and active transportation facilities and parkland will help promote alternative modes of travel, reduce greenhouse gas emissions and contribute to building a healthy, complete community;
- iii) The amendment contains an appropriate policy framework for the high density residential block to ensure that the development form creates a high quality streetscape and protects the character and image of the town's eastern gateway and the surrounding neighbourhoods in conformity with the community design objectives of the Official Plan;
- iv) The amendment to increase the permitted building height from 4-storeys to 5-storeys is modest and an appropriate policy approach has been formulated to ensure that impacts associated with building height and massing can be mitigated through the use of creative architectural design measures (step-backs, building articulation, building material variation, etc.), landscaping and setback buffers in conjunction with the implementing Zoning By-law and requirements of Site Plan Approval.

This amendment has been prepared in accordance with these conclusions.

PART II – THE AMENDMENT

PART II – THE AMENDMENT

1. Introduction

All of this part of the document entitled Part II – The Amendment consisting of the following text and attached schedule designated Schedule “1”, constitutes Amendment No. 78 to the Official Plan of the Town of Cobourg.

2. Details of the Amendment

The Official Plan of the Town of Cobourg is hereby amended as follows:

- 2.1 By amending Schedule “A”, Land Use Plan, as shown on Schedule “1” to this amendment.
- 2.2 By modifying Section 3.5.4 by adding a new subsection 3.5.4.4 at the end of the section as follows:

“3.5.4.4 Lands at the North-West Corner of King Street East and Willmott Street

3.5.4.4.1 Permitted Uses, Buildings and Structures

The uses, buildings and structures permitted in 3.5.2, plus supportive housing including senior’s housing.

3.5.4.4.2 Land Use Policies

The development of these lands shall be carried out in accordance with the policies and provisions of the Official Plan, particularly Section 3.5 High Density Residential Area and Section 5.0 Community Design and Improvement, the Cobourg Urban & Landscape Design Guidelines, and the Site Plan Control provisions of the Planning Act. In addition, the development shall conform to the following urban design guidelines:

i) Streetscape Design

- a) Building mass shall be situated parallel and adjacent to the streetline(s) to frame the street

space, provide a sense of enclosure to the road, screen parking areas and emphasize its visibility and role as a prominent landmark at this 'gateway' intersection.

- b) In order to provide a positive interface between the public and private realm, assist in creating an attractive street 'edge', and soften impacts associated with building height and mass, a generous landscaped buffer shall be provided along the streetline(s), excluding the area of driveway crossings.

Without limiting the generality of the foregoing, the site and building design shall incorporate decorative landscaping and/or architectural elements, including but not limited to:

- low masonry walls, metal fencing and/or other decorative treatments;
 - rockery, elevated rock gardens and/or other edge treatments;
 - private and semi-private outdoor activity areas (ie. patios, forecourts, courtyards, squares, sensory gardens, seating areas);
 - strategic clustering and placement of trees and other forms of planting;
 - extensive plant material; and,
 - other identifiable features deemed appropriate by the Town.
- c) Parking areas shall be designed to reduce their impact on the streets and other public spaces. No parking will be permitted between the building(s) and the streets.
- d) Service and storage areas shall be sited away from prominent views from public streets so as to minimize visual impacts. Innovative methods of design and decorative screening treatment will be used for all service and open storage areas.

ii) Building Design

- a) The subject lands shall exhibit a high quality of urban and architectural design. In particular, emphasis should be given to creating attractive design features and animating the facades of all buildings which face and/or are visible from the public street to generate an appealing visual image and mitigate impacts with respect to building height and mass.

Accordingly, the following critical building design elements shall be considered:

- the use of step-backs and other architectural expression/design features above the third floor to reduce the perceived height and massing of the building from the public realm;
- the use of innovative architecture and facade treatments to provide variable but consistent rhythm in both the horizontal and vertical wall planes (ie. articulation, recesses and projections, bays, ornaments, vestibules, rooflines, parapets, porticos, canopies, awnings, balconies, railings);
- high quality, complementary building materials, textures and colours used in variation to provide a clear distinction between the building base, middle and/or top;
- the use of generous clear glass window areas along the applicable street exposure(s) to create strong visual connections between the private dwellings and the public realm;
- sloped roofs, if utilized, which appropriately reflect the scale, design and character of the site and building and are compatible with the surrounding neighbourhood context;
- the location of doors and walkways in relation to the street; and,

- appropriate screening of rooftop mechanical equipment, elevators, and stacks;
- b) The site and building(s) should be designed to ensure that it is easy for visitors to orient themselves by incorporating features which terminate vistas, frame views and clearly identify entrance and exit areas.

iii) Pedestrian and Vehicular Connections

- a) The site and building design shall maximize opportunities for equal access for all persons to buildings and/or facilities. Development shall conform wherever possible to the Town's Safe Community Design and Barrier Free Access design policies of Section 5.2 of the Official Plan, Accessibility Guidelines and other applicable design standards during the Town's Site Plan Control process.
- b) Direct, clearly defined pedestrian and vehicular connections, which form an extension of the public transportation system, shall be required throughout the site, particularly to the primary building entrance(s) and outdoor amenity areas/facilities.
- c) Pedestrian routes shall be functionally separated from parking and driveway areas and should be comprised of a variety of pavement materials, textures, colour, landscaping and changes in elevation. 'Street furniture' such as benches, bicycle racks, waste receptacles, and pedestrian-scale lighting should be provided along the main pedestrian route(s), where appropriate.

iv) Building Height

The maximum building height shall be 5 storeys, provided that buildings greater than 3-storeys in height shall incorporate a minimum step-back of 3.0 m for any portion of the building above the 3rd storey, measured from a vertical line at the outer wall of the building 'base' to the closest part of any building above the 3rd storey.

v) Density

The maximum density shall be 102 dwelling units.

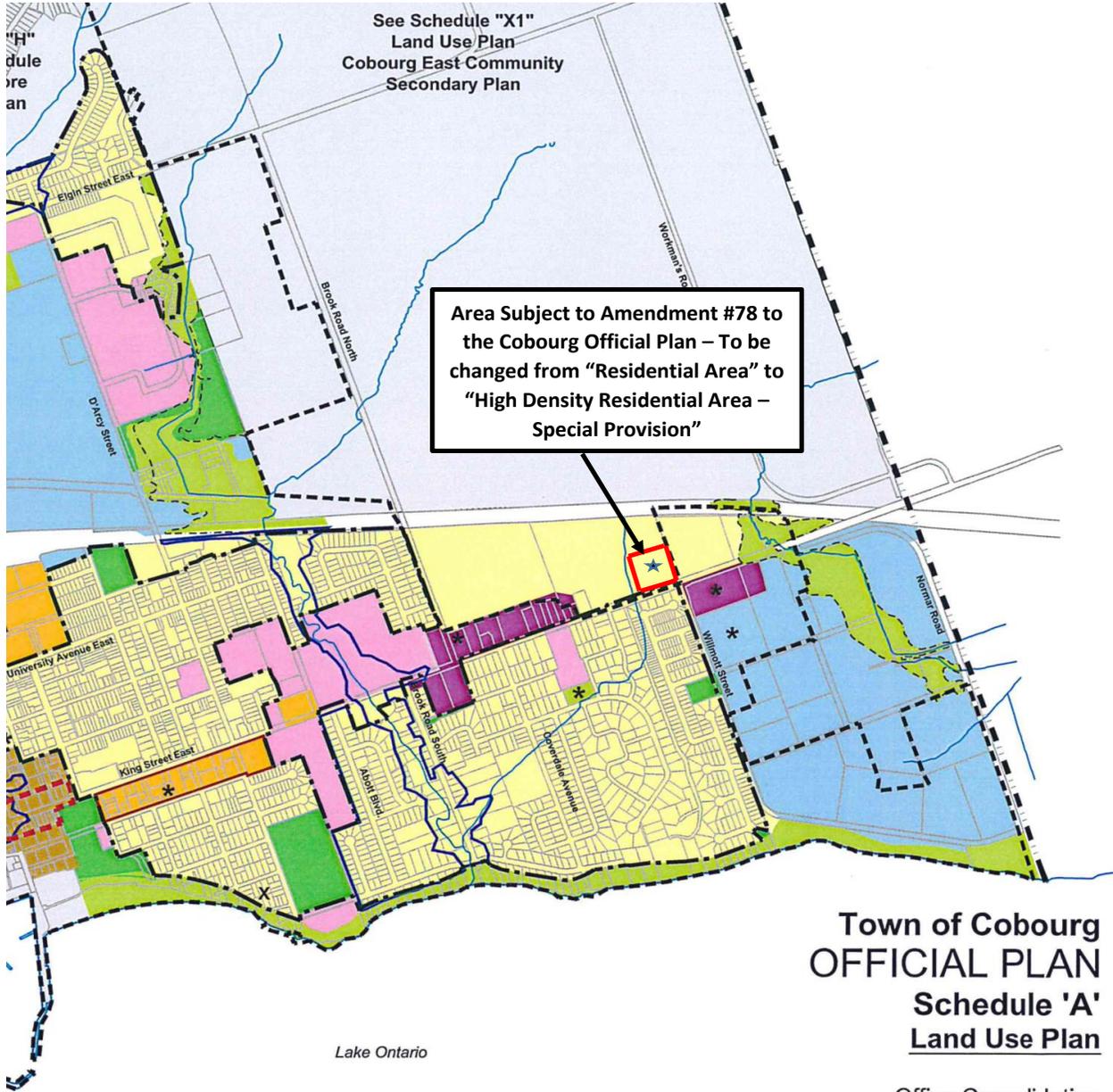
vi) Implementation

The policies of this Plan shall be implemented by the Municipality through the use of zoning by-law regulations, site plan control conditions, a holding zone, and/or an agreement(s) authorized pursuant to the *Planning Act*.

3. Implementation and Interpretation

The implementation and interpretation of this amendment shall be in accordance with the respective policies of the Official Plan of the Town of Cobourg.

Schedule "1"



Office Consolidation
May 2018

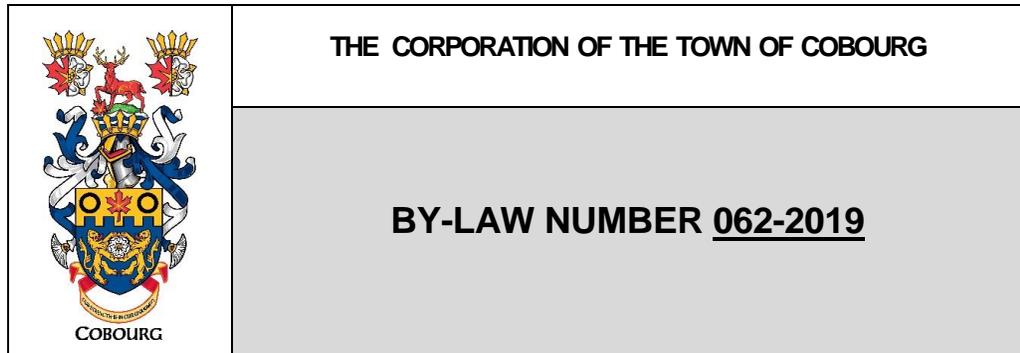
Town of Cobourg Official Plan Amendment No. 78

August 2019
Revised Sept 2019

PART III – THE APPENDICES

The municipal staff Planning Report, dated June 13, 2019, the follow-up municipal staff Report, dated August 1, 2019, and the following reports and other supporting documentation associated with Application File OPA-01-19 and the proposed Amendment are held in the offices of the Planning Department, Victoria Hall, 55 King Street West, Cobourg, Ontario, K9A 2M2 during regular office hours.

- Planning Report, prepared by RFA Planning Consultant Inc., December 2018;
- Functional Servicing Report, prepared by Engage Engineering, November 2018;
- Storm Water Management Report, prepared by Engage Engineering, December 2018;
- Downstream Trunk Storm Sewer Capacity Assessment, prepared by Engage Engineering, November 2018;
- Traffic Impact Assessment Update, prepared by TranPlan, December 2018;
- Environmental Noise Analysis Update, prepared by Valcoustics, December 2018;
- Environmental Impact Study, prepared by Cambium, December, 2018;
- Phase 1 and Phase 2 Environmental Site Assessment Reports, prepared by GHD, December 2017 and February 2018;



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)

WHEREAS the Council of the Corporation of the Town of Cobourg held a Public Meeting in accordance with the Planning Act, R.S.O. 1990, c.P. 13, as amended, on the 24th day of June, 2019 regarding an application by RFA Planning Consultant Inc. on behalf of JMCD Holdings Inc. to re-zone an 11.87 ha parcel of land at the north-west corner of King Street East and Willmott Street (hereinafter referred to as the “Subject Lands”) to permit a residential subdivision;

AND WHEREAS the Council of the Corporation of the Town of Cobourg duly considered all public submissions, the Director of Planning & Development’s reports and all other relevant background information surrounding the subject matter, and deems it advisable to amend the Town of Cobourg Zoning By-law No. 85-2003 for the proposed Block 61 contained within the Draft Plan of Subdivision on the Subject Lands, subject to regulations to address development matters including but not limited to land use permissions, building types and lot provisions;

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

1. That By-law No. 85-2003, Section 11 is hereby amended by the addition of the following new subsection:

11.2.16 High Density Residential 5 Exception 16 Holding (R5-16 [H]) Zone

11.2.16.1 Defined Area:

(R5-16[H]) as shown on Schedule ‘A’, to this by-law.

11.2.16.2 Permitted Uses:

The uses permitted in Section 11.1.1, plus the following additional uses:

- i) senior citizen’s complex;
- ii) retirement home use;
- iii) accessory uses to the permitted uses.

11.2.16.3 Permitted Buildings and Structures

The buildings and structures permitted in Section 11.1.3 and for the uses permitted in Section 11.2.16.2.

11.2.16.4 Regulations for uses permitted in the R5-16 Zone

The regulations of Section 11.1 shall apply with the exception of the following:

i) Building Height

5-storeys maximum, provided that a minimum step-back of 3.0 m shall be required for any portion of the building above the 3rd storey, measured from a vertical line at the outer wall of the building 'base' to the closest part of any building above the 3rd storey.

ii) Density

102 dwelling units maximum.

2. That Schedule 'A', Map 5, attached to and forming part of By-law No. 85-2003, is hereby amended by changing the zone category of the lands on proposed Block 61 of the Draft Plan of Subdivision generally located at the north-west corner of King Street East and Willmott Street from "Development (D) Zone" to "High Density Residential 5 Exception 16 Holding (R5-16[H]) Zone" as illustrated on Schedule "B" attached hereto.
3. The Holding (H) Symbol shall not be removed by Cobourg Municipal Council until the Owner(s) has received approval of all applicable plans, drawings, and other related documentation by the Municipality and following the execution of a Subdivision Agreement and/or a Development Agreement with the Municipality and/or other authority having jurisdiction. The Agreement(s) shall address technical matters both internal and external to the Subject Lands, including but not limited to: plans and/or other documentation pertaining to the architectural, landscape and urban design; vehicular access, parking, site circulation, pedestrian connections and access; infrastructure and servicing; fencing and buffering; and, performance measures (re: financial securities and regulations for construction and use), all to the satisfaction of the Municipality.
4. That Schedule "B" attached hereto is hereby made part of this by-law as fully and to all intents and purposes as though recited in full herein.
5. THIS BY-LAW shall come into force and effect upon final passing hereof, subject to the provisions of the Planning Act, R.S.O. 1990, c.P. 13, as amended.

READ and passed in Open Council this 9th day of September, 2019.

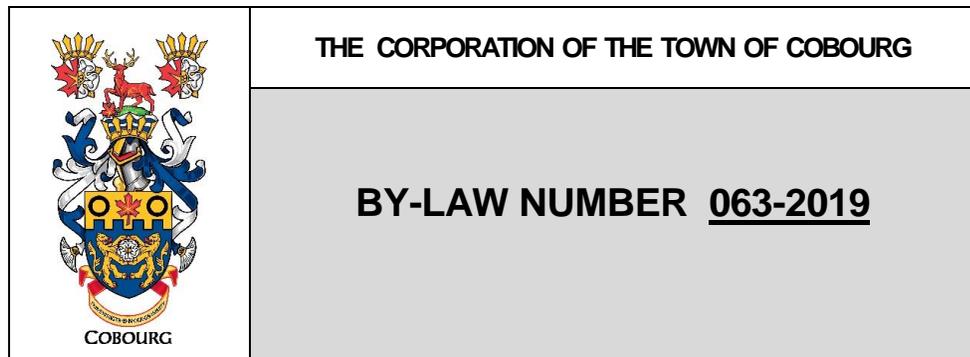
MAYOR

MUNICIPAL CLERK

SCHEDULE "B"



To be changed from "Development (D) Zone" to "High Density Residential Five Exception 16 Holding [R5-16(H)] Zone"



A BY-LAW TO AMEND THE ZONING BY-LAW (85-2003) (900 DIVISION STREET AND 9 ELGIN STREET EAST).

WHEREAS the Municipal Council of the Corporation of the Town of Cobourg convened a Public Meeting in accordance with the Planning Act, R.S.O. 1990, c.P. 13, as amended, on September 3rd, 2019 regarding an application for a Zoning By-law Amendment for the lands known as 900 Division Street and 9 Elgin Street East;

AND WHEREAS the Council of the Corporation of the Town of Cobourg duly considered all relevant information surrounding the subject matter, and now deems it advisable to amend By-Law Number 85-2003, as amended;

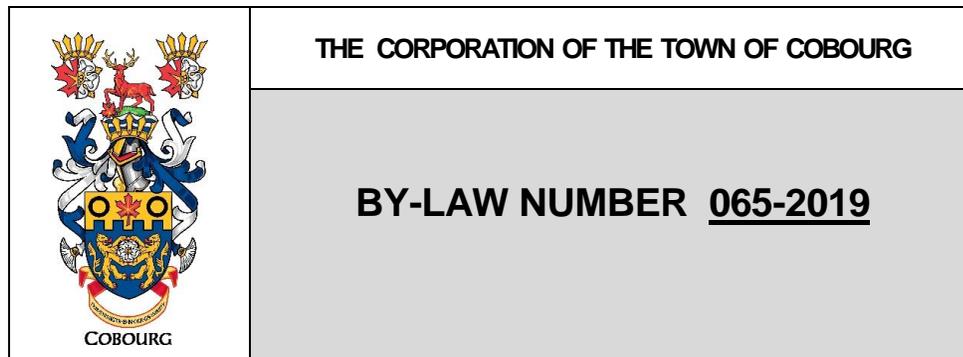
NOW THEREFORE the Council of the Corporation of the Town of Cobourg enacts as follows:

1. **THAT** By-law No. 85-2003, Section 14.2.22.2 is hereby amended to add the following permitted use:
 - “iii) one medical clinic with a maximum of eight (8) practitioners, and maximum gross floor area of 665 m2.”
2. **THAT** this by-law shall come into force and effect upon final passing hereof, subject to the provisions of the Planning Act, R.S.O. 1990, c. P. 13.

Read a first, second, third time and finally passed in Open Council on this 9th day of September, 2019.

MAYOR

MUNICIPAL CLERK



A BY-LAW TO AUTHORIZE THE 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.

WHEREAS *the Municipal Act, 2001*, Section 9 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 at their regular Council meeting held on September 9, 2019 considered a Staff Report dated September 5, 2019 regarding Zero-Emission Vehicle Infrastructure Program Partnership with Ontario Power Generation Inc.;

AND WHEREAS Ontario Power Generation Inc. is currently seeking Site Host partners interested in deploying Level 2 Electric Vehicle (EV) charging infrastructure in order to better leverage the funding opportunity;

AND WHEREAS the partnership with Ontario Power Generation Inc. will better leverage the funding available through the Zero-Emission Vehicle Infrastructure Program;

NOW THEREFORE BE IT RESOLVED that the Municipal Council of The Corporation of Cobourg hereby enacts as follows:

1. **THAT** the Mayor and Municipal Clerk are hereby authorized and instructed to execute on behalf of the Corporation of the Town of Cobourg a Memorandum of Understanding between Ontario Power Generation Inc. and the Corporation of the Town of Cobourg with the terms and conditions as set out in Appendix "A" attached hereto comprising part of this By-law.
2. **THAT** this by-law shall take effect upon the date of passing.

READ and finally passed in Open Council this 9th day of September, 2019.

MAYOR

MUNICIPAL CLERK

	THE CORPORATION OF THE TOWN OF COBOURG
	SUSTAINABILITY & CLIMATE CHANGE ADVISORY COMMITTEE MEETING MINUTES
	August 7, 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: Councillor Adam Bureau
 Minnie de Jong, Chair
 Gigi Ludorf-Weaver, Vice-Chair
 Antony Pitts
 Gillian Berridge-Kassela

Regrets: 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 Berridge-Kassela THAT the Agenda be approved.

Carried

DISCLOSURE OF PECUNIARY INTEREST

ADOPTION OF MINUTES

SCCAC Minutes of the July 3, 2019 Regular Meeting and July 17, 2019 Special Meeting.

Moved by Member Bureau THAT the SCACC adopt the Minutes of the July 3 and July 17, 2019 Meetings.

Carried

PRESENTATIONS/DELEGATIONS

COMMUNICATION/CORRESPONDENCE

REPORTS

NEW BUSINESS

Development of a Digital Record File of Sustainable and Green technology documents and sources in conjunction with Sustainable Cobourg.

The SCCAC considered the proposed idea and whether or not to include it in the upcoming SCCAC 2020 Work Plan. It was specified that the item was not currently included in the Work Plan, as Sustainable Cobourg was essentially doing something of similar nature, and rather than undertaking this work, the SCCAC could refer interested members of the public to Sustainable Cobourg.

Alternatively, the SCCAC suggested that we could include the item on our 2020 Work Plan, or potentially include a page on the Municipal Website on this matter which refers interested members of the public to Sustainable Cobourg.

Draft SCCAC's 2019 Annual Report and 2020 Work Plan.

The SCCAC reviewed the draft Annual Report and 2020 Work Plan due at the end of September 2019. All suggestive items on the 2020 Work Plan were presented and discussed individually by SCCAC Members. Items on the draft 2020 Work Plan included an Integrated Community Sustainability Plan (ICSP), Support and connectivity with all Town of Cobourg Advisory Committees and the forthcoming Climate Action Plan.

Having considered the upcoming deadlines to submit items for consideration to the 2020 Budget Deliberations, the SCCAC discussed and considered submitting a recommendation to Council regarding the budgeting for an ICSP for the Town of Cobourg, as the proposed SCCAC 2020 Work Plan required sufficient funding on this item to achieve the Work Plan objective.

Moved by Member Pitts: THAT Council make the development of an Integrated Community Sustainability Plan (ICSP) a priority in the 2020 Budget and allocate the necessary resources to achieve an ICSP.

Carried

UNFINISHED BUSINESS

Update on the Water Bottle Filling Stations and Sub-Committee Motions (Councillor Bureau).

Councillor Bureau provided an update on the SCCAC Motion that were sent to Council at their recent Committee of the Whole Meeting.

Overview of an Integrated Community Sustainability Plan (ICSP) (members de Jong/Ludorf-Weaver).

The SCCAC discussed the history and general background of an ICSP for the purpose of being considered in the SCCAC's 2020 Work Plan.

Climate Change Emergency Motion (Member Smith).

The SCCAC agreed that this item would not be discussed and be deferred until the Climate Change Action Plan was finalized.

Update on the Town of Cobourg Climate Action Plan and debrief of the June 18, 2019 Climate Change Coordinator Workshop (Member Smith).

The SCCAC received the update on the Cobourg Climate Action Plan for information purposes.

Adoption of a definition of Sustainability (Member Ludorf-Weaver).

SCCAC defer this item to be discussed at the next regular SCCAC Meeting.

ADJOURNMENT

Moved by Member Ludorf-Weaver: THAT the Meeting be adjourned (3:56 P.M.).

Carried

	THE CORPORATION OF THE TOWN OF COBOURG
	COBOURG POLICE SERVICES BOARD MEETING REPORT
	June 18, 2019 739 D'Arcy Street, Cobourg, Venture 13, CPS Corporate Services Board Room (2nd Flr)

A regular meeting of the Cobourg Police Services Board was held on June 18, 2019 at 739 D'Arcy Street - Venture 13, 2nd Floor Boardroom, with the following persons in attendance:

Members present: Dean Pepper, Chair
 Mayor John Henderson
 Councillor Aaron Burchat
 Ronald Kerr
 Sean Graham

Staff present: Chief Kai Liu
 Deputy Chief Paul VandeGraaf
 Laurie Debattista

 Katie Darling, Executive Assistant

WELCOME AND INTRODUCTIONS

MOTION TO OPEN PUBLIC MEETING

Moved by Sean Graham, Seconded by Ronald Kerr THAT the Cobourg Police Service Board open public meeting (9:01A.M.)

Carried

DISCLOSURE OF PECUNIARY INTEREST

APPROVAL OF PREVIOUS MINUTES

Adoption of previous minutes, dated May 21 2019.

Moved by Mayor John Henderson, Seconded by Ronald Kerr THAT the Minutes dated May 21, 2019, be adopted.

Carried

ADDITIONS TO THE AGENDA

Addition of July board meeting - date July 16, 2019 to be added to Chair's Report.

PRESENTATIONS

Media Monitoring & Dashboard

Moved by Councillor Aaron Burchat, Seconded by Sean Graham THAT the Cobourg Police Service Board receives the Media Monitoring & Dashboard report, as information.

Carried

COMMUNICATIONS / CORRESPONDENCE

CHIEF'S REPORT

Officer Deployment

Moved by Ronald Kerr, Seconded by Sean Graham THAT the Cobourg Police Service Board receives the Officer Deployment report, as information.

Carried

May 2019 Financial Report

Moved by Councillor Aaron Burchat, Seconded by Mayor John Henderson THAT the Cobourg Police Service Board receives the May 2019 Financial Report, as information.

Carried

CHAIR'S REPORT

Drone inquiry

Adoption of Procedural Policies manual

Moved by Ronald Kerr, Seconded by Mayor John Henderson THAT the Cobourg Police Service Board repeal the Governance Policy Manual, dated October 30, 2008;

FURTHER THAT the Procedural Policies manual is hereby enacted by the Cobourg Police Service Board, on this 18th day of June, 2019, taking effect on its date of passage.

Carried

PSB Operating Budget

Moved by Ronald Kerr, Seconded by Councillor Aaron Burchat THAT the Cobourg Police Service Board receives the May 2019 PSB Operating Budget, as information.

Carried

R.I.D.E. Grant - new funding allocation

Moved by Councillor Aaron Burchat, Seconded by Sean Graham THAT the Cobourg Police Service Board authorizing the Chair to enter into the R.I.D.E.program, contract.

Carried

MOU Reserve Account

Addition to meeting schedule

Moved by Dean Pepper, Seconded by Ronald Kerr THAT Cobourg Police Service Board will hold their next regular meeting on July 16, 2019, at 9:00 a.m., at Venture 13, 739 D'Arcy Street, Cobourg, in the CPS Corporate Services Boardroom, 2nd Floor.

Carried

DATE OF NEXT MEETING

Next Regular Meeting - July 16, 2019, at 9:00 a.m., at 739 D'Arcy Street, Cobourg, CPS Corporate Services Board Room - Venture 13.

CLOSED SESSION

Section 44 (1) of the Community Safety and Policing Act, 2019.

Before holding a meeting, a police service board, or a committee of the board, shall,

- a. consider whether to close the meeting or part of the meeting to the public, having regard to the matters listed in **subsections 44(2) and 44(3)**; and
- b. if the board or committee decides to close the meeting or part of the meeting, state by resolution,
 - I. the fact of the holding of the closed meeting and the general nature of the matter to be considered at the closed meeting, or
 - II. in the case of a meeting under subsection (6), the fact of the holding of the closed meeting, the general nature of its subject-matter and that it is to be closed under that subsection.

- 1. Authorize payment of legal bills**
- 2. Reporting of intimate financial matters**
- 3. Reporting on intimate personal matters**

Moved by Ronald Kerr, Seconded by Councillor Aaron Burchat THAT the Cobourg Police Service Board approves decisions made during in-camera session;

FURTHER THAT THAT the Cobourg Police Service Board conclude in-camera session.

Carried

Budget Item - Legal Expenses 2018

Whereas the Cobourg Police Service legal allocation for 2018 was over budget due to a higher than normal legal opinions and there is a need to deal with the deficit;

Moved by Ronald Kerr, Seconded by Mayor John Henderson NOW THEREFORE BE IT RESOLVED THAT the Cobourg Police Service allocate \$173,593.92 from the CIR funds to off-set the deficit. Also that in the subsequent 3 years, the Cobourg Police Service will budget \$60,000 in its legal allocation to pay back the money transferred from the CIR funds. This motion will be sent to the Town of Cobourg, Treasurer, Mr. Ian Davey, to facilitate the transaction.

Carried

ADJOURNMENT

(Adjournment at 11:15am)

 <p>Downtown Cobourg —</p>	<p>Cobourg Downtown Business Improvement Area BOARD OF MANAGEMENT</p>	
	<p>DBIA BOARD OF MANAGEMENT REGULAR MEETING MINUTES</p>	
	<p>Date: July 4th, 2019</p>	<p>Meeting Location: Committee Room Victoria Hall</p>

A regular meeting of the DBIA Board of Management was held with the following members in attendance:

Councillor Adam Bureau
Deputy Mayor Suzanne Seguin
Amanda Da Silva
Jenna Fitzgerald
Joan Greaves
Julie Dreyer
Julie McCuaig
Rino Ferreri

REGRETS
Lou Trozzolo
Deputy Chief Paul VandeGraaf

MINUTES PREPARED BY Melissa Graham

1. CALL TO ORDER

The meeting was called to order by Chairperson J. Greaves at 8:36 am.

2. APPROVAL / ADDITIONS TO THE AGENDA

2.1. Approval of the agenda

Moved by J. Fitzgerald: THAT the DBIA Board of Management approve of the agenda as presented.

Carried

3. DECLARATIONS OF INTEREST BY MEMBERS

There were no declarations of interest by members.

4. ADOPTION OF MINUTES

4.1. Approval of the minutes dated May 29th, 2019

Moved by J. Dreyer: THAT the DBIA Board of Management approve the meeting minutes dated May 29th, 2019 as presented.

Carried

- 4.2. Approval of the special meeting minutes dated June 18th, 2019

Moved by A. da Silva: THAT the DBIA Board of Management approve the special meeting minutes dated June 18th, 2019 as presented.

Carried

5. PRESENTATIONS / DELEGATIONS

- 5.1. Municipal Clerk: Regarding By-law Enforcement

Municipal Clerk B. Larmer sent his regrets to a conflict in his schedule. This item is referred to the meeting scheduled on August 8th, 2019.

6. COMMUNICATIONS / CORRESPONDENCE

- 6.1. Grand Opening Press Releases

Moved by J. Dreyer: THAT the DBIA Board of Management accept the following press releases for information purposes. **DBIA_051_2019**

Carried

- 6.2. Email correspondence from DBIA Members.

Moved by Deputy Mayor Seguin: THAT the DBIA Board of Management accept the correspondence for information purposes.

FURTHER THAT the DBIA Board of Management approve the drafted letter to send to T. Rickerby and H. Haraldsson-Glennie as amended. **DBIA_052_2019**

Carried

7. REPORTS

- 7.1. Chairperson Report - J. Greaves

- 7.1.1. Secondary Meeting dates (ongoing placeholder for Special Meetings)

The Board of Management agreed to add an additional date to the meeting schedule. Refer to Motion: **DBIA_053_2019**

- 7.1.2. Strategic Planning Session

Chairperson J. Greaves discussed the potential option of doing the Strategic Planning session internally to save cost, although the Board currently has budgeted \$6,000 for the hiring of a professional externally. It was recommended that J.Greaves should reach out to Kay Matthews, Executive Director of OBIAA to facilitate and select a few dates that might work for the Board of Management.

- 7.1.3. Sub Committee Meetings

Chairperson J.Greaves told the Board of Management that the sub-committees should continue with or without a coordinator position. It was recommended that in the interim they record the meetings and Secretary M.Graham will provide the notes for the agenda to ensure transparency for the membership.

- 7.1.4. Code of Conduct

Deputy Mayor Suzanne Seguin will bring an updated version of the Code of Conduct for the next regular scheduled meeting.

- 7.1.5. List of Policies to be updated

Chairperson J. Greaves provided a list of policies that she and J.Leslie discussed to be updated. This list included HR Policy and Procedures, Social Media Policy, Events

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Policy and Email Code of Conduct. The Chair and Vice Chair with the assistance of Deputy Mayor Seguin will review the drafted HR Policy and procedures to bring back for Board approval.

Moved by Councillor A. Bureau: THAT the DBIA Board of Management approve the addition of July 17th, 2019 at 8:30 a.m. to the meeting schedule. DBIA_053_2019

Carried

7.2. Vice Chair Report - J. Dreyer - No Report

7.3. Treasurer Report - L. Trozzolo - No Report

7.4. Marketing Report - A. da Silva

7.4.1. Marketing Swag

A. da Silva provided the Board of Management a verbal update for marketing. With the discussion through the Chair regarding Sub-Committee meetings, it was determined that there will be scheduled Marketing Sub-Committee meeting on Friday July 12th, 2019.

Further updates included radio ads, and the creation of new ads for the Sidewalk Sale. Councillor Bureau, and R. Ferreri will reach out to the radio contacts to get coverage of the Food and Music Festival.

7.5. Special Events Report - R. Ferreri

7.5.1. Sidewalk Sale Security Quote

7.5.2. Busker Fest Debrief

7.5.3. Food and Music Festival Status

7.5.4. Sidewalk Sale Status/To do list

Moved by R.Ferreri: THAT the DBIA Board of Management approve the hiring of Jessie Hill & Team for security services for the Sidewalk Sale scheduled on August 1st-4th, 2019 for no more than \$2200.00 **DBIA_054_2019**

Carried

7.6. Membership Report - J. Fitzgerald

7.6.1. Membership Meeting

The DBIA membership expressed interest in holding a membership meeting. It was referred for discussion until the next meeting scheduled for August 8th, 2019. The membership director will respond to the membership that all members are welcome to attend the Board Meetings. The meeting rules will be reiterated, that if the membership would like to provide formal correspondence or have a formal delegation or presentation; it is to be requested through the Chair to be included in the agenda. In addition to the members request to create a safe, supportive environment, free from hate speech and harassment, the administrators of the Facebook pages will revise the descriptions to include a disclaimer of such.

7.7. Beautification and Maintenance Report - J. McCuaig

7.7.1. Christmas Ad-Hoc Committee Update

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Moved by J.McCuaig: THAT the DBIA Board of Management recommends to the Christmas Magic Ad-Hoc Committee that Christmas Magic remains in Rotary Park;
FURTHER THAT the DBIA Board of Management will make a commitment of \$9000 for more lights and/or decorations to wrap the downtown core light posts;
FURTHER THAT all lights and/or decorations purchased with the committed \$9000.00 will remain the property of the DBIA Board of Management. DBIA_055_2019

Carried

- 7.8. Coordinator Report - No Report
- 7.9. Cobourg Police Services Report - Deputy Chief P. VandeGraaf - No Report
- 7.10. Northumberland Central Chamber of Commerce Report - K. Ward - No Report

8. COUNCIL REPORTS

8.1. Councillor A. Bureau - No Report

8.2. Deputy Mayor S. Seguin

8.2.1. Hiring Committee Update

The hiring committee will be short listing 3-4 candidates in order to set up interviews for next week. Additionally, the Deputy Mayor requested budget updates from all Board of Management Directors to be included on the August 8th, 2019 meeting agenda.

9. CLOSED SESSION

9.1. Closed Session

Moved by Councillor A. Bureau: THAT the DBIA Board of Management meet in Closed Session in accordance with Section 239 of the *Municipal Act S.O. 2001* regarding:
s. 239(2)(b): Personal matters about an identifiable individual including municipal or local board employees

(1) Personnel Matters (Contract)

DBIA_056_2019

Carried

Moved by Councillor A. Bureau: THAT the DBIA Board of Management move into open session. **DBIA_057_2019**

Carried

Moved by Deputy Mayor Seguin: THAT the DBIA Board of Management review the Falconhurst Contract for 1 year (May 1, 2019 - April 30, 2020)
FURTHER THAT they inquire with the Falconhurst organization for the purchase of new equipment and materials. **DBIA_058_2019**

Carried

10. UNFINISHED BUSINESS

10.1. 09/04/2018: Requested Pick Up/ Drop Off zones

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10.2. 12/04/2018: Winter Passport Program - Home for the Holidays

10.3. 05/02/2019: MOU

11. NEW BUSINESS

There was no new business.

12. ADJOURNMENT

The meeting was adjourned at 10:54 a.m by Chairperson J. Greaves.

The next meeting August 8th, 2019 at 8:30 am (as approved in January 2019 to accommodate Sidewalk Sale). There was a special meeting scheduled on July 17th, 2019 as per Motion # **DBIA_053_2019**.

 <p>Downtown Cobourg</p>	<p>Cobourg Downtown Business Improvement Area BOARD OF MANAGEMENT</p>	
	<p>DBIA BOARD OF MANAGEMENT SPECIAL MEETING MINUTES</p>	
	<p>Date: July 17th, 2019</p>	<p>Meeting Location: Committee Room Victoria Hall</p>

A special meeting of the DBIA Board of Management was held with the following members in attendance:

Councillor Adam Bureau
Deputy Mayor Suzanne Seguin
Amanda Da Silva
Jenna Fitzgerald
Joan Greaves
Julie Dreyer
Julie McCuaig
Lou Trozzolo
Rino Ferreri

REGRETS

Deputy Chief Paul VandeGraaf

MINUTES PREPARED BY Melissa Graham

1. CALL TO ORDER

The meeting was called to order by Chairperson J. Greaves at 8:35am.

2. APPROVAL / ADDITIONS TO THE AGENDA

Moved by Councillor A. Bureau: THAT the DBIA Board of Management approve the agenda as presented.

Carried

3. DECLARATIONS OF INTEREST BY MEMBERS

There were no declarations of interest by the members.

4. REPORTS

4.1. DBIA Hiring Committee Update

Moved by Deputy Mayor Seguin: THAT the DBIA Board of Management hire Tracey Gainforth as the DBIA Events & Communications Coordinator effective Friday, July 20th, 2019 with a salary of \$50,000/per annum, and a six (6) month probationary period.
DBIA_061_2019

Carried

5. CLOSED SESSION

5.1. Closed session

Moved by Deputy Mayor Seguin: THAT the DBIA Board of Management meet in Closed Session in accordance with Section 239 of the *Municipal Act S.O. 2001* regarding:

s. 239(2)(b): Personal matters about an identifiable individual including municipal or local board employees. DBIA_059_2019

Carried

Moved by L. Trozzolo: THAT the DBIA Board of Management move into open session. **DBIA_060_2019**

Carried

6. ADJOURNMENT

The meeting was adjourned at 9:51 a.m.

The next meeting August 8, 2019 at 8:30 a.m.

DOWNTOWN BUSINESS IMPROVEMENT AREA BOARD OF MANAGEMENT	
	DBIA Board of Management MINUTES
	Thursday August 8, 2019 at 8:30 AM Conference Room

A regular meeting of the DBIA Board of Management was held with the following members in attendance:

Councillor Adam Bureau
Deputy Mayor Suzanne Seguin
Amanda Da Silva
Joan Greaves
Julie McCuaig
Lou Trozzolo
Rino Ferreri
Chief Designate P. VandeGraaf
Tracey Gainforth - Staff

REGRETS:

Julie Dreyer
Jenna Fitzgerald

MINUTES PREPARED BY Melissa Graham

1. CALL TO ORDER

The meeting was called to order by Chairperson J. Greaves at 8:33 am.

2. APPROVAL / ADDITIONS TO THE AGENDA

2.1. Approval of agenda

Moved by Deputy Mayor Seguin: THAT the DBIA Board of Management approve the agenda as amended with the addition of the Coordinator Report.

Carried

3. DECLARATIONS OF INTEREST BY MEMBERS

There were no declarations of interest by the members.

4. ADOPTION OF MINUTES

4.1. Adoption of minutes dated July 4th, 2019

Moved by A. da Silva: THAT the DBIA Board of Management approve the meeting minutes dated July 4th, 2019 as presented. **DBIA_061_2019**

Carried

4.2. Adoption of minutes dated July 17th, 2019

Moved by A. da Silva: THAT the DBIA Board of Management approve the meeting minutes dated July 17th, 2019 as presented. **DBIA_062_2019**

Carried

5. PRESENTATIONS / DELEGATIONS

There were no presentations or delegations.

6. COMMUNICATIONS / CORRESPONDENCE

6.1. MailChimp Correspondence

It was recommended to the Board that outside businesses that require daily banking have asked for special 15-minute parking during events. The Special Events Committee will discuss the options to ensure safe and seamless transitions for all parties.

Moved by J. McCuaig: THAT the DBIA Board of Management accept the MailChimp correspondence for information purposes. **DBIA_063_2019**

Carried

7. REPORTS

7.1. Chairperson Report: J. Greaves

7.1.1. RED Funding

Rural Economic Development Funding was provided to the Board of Management for information purposes. This item will be added to Unfinished Business to discuss further prior to the next intake.

7.2. Vice Chair Report: J. Dreyer - No Report

7.3. Treasurer Report: L. Trozzolo

7.3.1. August 2019 Income Statement

7.3.2. Comparative Income Statement

The August 2019 Income Statement, and Comparative Income Statement were provided to the Board of Management for information purposes. There was a request that all directors provide L. Trozzolo for preparation of the 2020 Draft Budget by August 25th. The Draft Budget will be presented to the Board on September 5th, 2019.

7.4. Marketing Report: A. da Silva – No Report

7.5. Special Events Report: R. Ferreri

7.5.1. Sidewalk Sale breakdown

Sidewalk sale was a good success, great feedback and a huge shout out to Lori from Jake's whom has assisted in the past events downtown. There were

a few down falls, such as lack of water truck, and a power surge disconnecting the music supply. The music issue has been fixed, and plan in place if it is to happen again.

7.5.2. Artwalk Event

The Artwalk Event was postponed as per Motion # DBIA_065_2019

Moved by R. Ferreri: THAT the DBIA Board of Management approve four (4) balloons towers/arches at a cost of \$325 + tax for the total cost of \$1469 from Beachcomber Hot Tub and Balloon Boutique Cobourg. **DBIA_064_2019**

Carried

Moved by R. Ferreri: THAT the DBIA Board of Management postpone the 2019 Art Walk to be incorporated in the Harvest Festival on September 28th, 2019.

DBIA_065_2019

Carried

6.0 Membership Report: J. Fitzgerald - No Report

Beautification Report: J. McCuaig

7.6.1. Holiday Decor Correspondence

7.0 The DBIA Board of Management reviewed the holiday decor correspondence for information purposes. The Christmas Ad-Hoc Committee seems to be leaning towards moving Christmas Magic back to Victoria Park which has left a discussion with Special Events, Beautification and Marketing to come back with a proposed vision at the next scheduled meeting (September 5th, 2019) for the DBIA Board of Management to discuss further for the holiday season.

Cobourg Police Services Liaison - Chief Designate P. VandeGraaf

8.0 A verbal update was provided by Chief Designate P. VandeGraaf. Key highlights include;

- [CPTED Audit](#) - If any business is interested in having a free environmental scan from a member of the Cobourg Police Service. They are asked to fill out the Inspection Request Form a Cobourg Police Officer will be in touch to set up the appointment.
- The Opioid Issue has been felt Downtown Cobourg, but it is being felt across Ontario. If you see something suspicious please contact Cobourg Police Services.

9.0 Northumberland Central Chamber of Commerce - K. Ward - No Report

Coordinator Report - T. Gainforth

10.0 As added to the agenda, there was a verbal update from T. Gainforth regarding her new role as the Coordinator. Jumping into the sidewalk sale, and introducing herself to the businesses. Through the Special Events Committee, there will be further

descriptions for the outside vendors that attend. There is a need to be consistent with complimentary vendors for all events.

Coordinator Report August 2019

8. COUNCIL/COORDINATOR ANNOUNCEMENTS

1.0 Deputy Mayor S. Seguin - No Report

Councillor A. Bureau

2.0 A verbal update was provided by Councillor A. Bureau. Key highlights include;

- Congratulations were provided to Chief Designate Paul VandeGraaf
- Scheduling a strategic planning session will be discussed at the next meeting.
- Walk a Mile in Her Shoes is scheduled on September 28th, 2019 starting at 9:30 am at the Cobourg Public Library.
- Requested at the next meeting that there be a discussion on setting the Annual General Meeting date, and Annual Board of Management Christmas Party.

Moved by Councillor A. Bureau: THAT the DBIA Board of Management approve Councillor A. Bureau to coordinate a strategic planning date with the OBIAA facilitator and send the confirm date to the Board of Management once confirmed.

DBIA_066_2019

Carried

Moved by Councillor A. Bureau: THAT the DBIA Board of Management approved the sponsorship of \$500 for 2019 Walk a Mile event to go towards the logo that will be placed on the sleeve of the participants' t-shirts. **DBIA_067_2019**

Carried

9. UNFINISHED BUSINESS

9.1. 09/04/2018: Requested Pick Up/ Drop Off zones

9.2. 12/04/2018: Winter Passport Program - Home for the Holidays

9.3. 05/02/2019: MOU

10. NEW BUSINESS

There was no new business added to the agenda.

11. ADJOURNMENT

The meeting was adjourned at 10:37 am.

The next meeting is scheduled for September, 5, 2019 at 8:30 a.m.

Coordinator's Report | August 2019

Events-Tasks Completed

Sidewalk Sale– August 1st-4th

- Press release
- Poster delivery
- Recruited more vendors
- Secured live music due to malfunction in our music system
- Volunteer meetings, organization and list of tasks
- Social media posts (Instagram and FB)
- Emergency issues
- Frequent check-ins with vendors and businesses during event
- Collected feedback and input from both vendors and businesses
- Budget \$6,000 (sponsor Scotiabank, \$5,000)

Art Walk–August 24th

- 8 vendors recruited for Second Street to date
- Answering email and telephone inquiries
- Continue building vendors list
- Researching the history of the event
- Budget \$1,000

Harvest Festival–September 28th

- Application to the town
- Securing vendors
- Responding to vendors inquiries
- Researching old files
- Budget \$5000 (sponsor Kawartha, \$1000)

Other Items Completed/On-Going/Pending

- Meeting with many members and key people related to DBIA work.
- Currently working on final report for Sidewalk Sale
- Prepped for Freedom Mobile Grand Opening
- Combining and cleaning up computer files
- Updating vendor/key contacts/volunteer lists
- Meeting with Jay and Mae regarding website
- Completed application for Rib-Fest/waiting on insurance certificate from Ian Davey and set up volunteer schedule
- Meeting with Aaron Blair to go over requirements for municipal events
- Social media: Instagram and FB posts



Council Report # 2019-55

Title: County of Northumberland Recommendations for Provincially Significant Employment Zones (PSEZs)

Prepared by: Dwayne Campbell, Manager, Planning & Inspection Services

Reviewed by: Dan Borowec, Director of Economic Development, Land Use Planning & Tourism

Approved by: Jennifer Moore, CAO

Strategic Plan: Economic Innovation and Prosperity

Council Date: June 19, 2019

Recommendation

“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 Council of the County of Northumberland hereby supports 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 the Province consider requiring any lands within a provincially significant employment zone be designated in municipal official plans to facilitate land use changes and ensure long-term protection;

And Further Be It Resolved That a copy this report be sent to the Ontario Growth Secretariat at the Ministry of Municipal Affairs and Housing;

And Further Be It Resolved That a copy of this report be sent to the Town of Cobourg, Township of Hamilton and Municipality of Port Hope for their information and support.”

Purpose

The propose of this report is to respond to the Ministry of Municipal Affairs and Housing request for a council-endorsement to consider adding provincially significant employment zones in Northumberland County.

Background

In January 2019, the Province released proposed changes to the Growth Plan for the Greater Golden Horseshoe, 2017 (“the Growth Plan”) for consultation. A series of regional roundtables were held to discuss the potential local community implications of the proposed changes. The East Regional Roundtable was held in in Cobourg on February 19th. Representatives from the County and the member municipalities attended the event.

As part of the Growth Plan changes, the Province has prepared mapping and policy to protect strategically located employment lands for industrial activities and emerging economies. The employment areas are called “provincially significant employment zones” (PSEZs). Twenty-nine PSEZs were identified across the Greater Golden Horseshoe; no PSEZs were identified in Northumberland County.

In February 2019, County Land Use Planning undertook a review of the proposed changes to the Growth Plan, including the proposed PSEZs. In consultation with Port Hope, Hamilton and Cobourg planning staff, County Land Use Planning identified four potential areas in Northumberland as potential PSEZs. A brief description of each area was provided to the Province in the County’s response to the proposed Growth Plan changes.

In May 2019, the Province approved changes to the Growth Plan. The County also received correspondence from Honorable Steve Clark, Minister of Municipal Affairs and Housing, which indicated that the twenty-nine PSEZs have not changed as result of Provincial consultations; but that in the next phase of work, the Province will be reviewing and reconsidering certain PSEZs and potentially adding new PSEZs (refer to attachment 1). To help process the reconsiderations, the Province is seeking municipal support (council-endorsement) for any requests to add new PSEZs.

Consultations

This report has been prepared in consultation with planning staff at the Town of Cobourg, Township of Hamilton and Municipality of Port Hope. During the review of the recent changes

to the Growth Plan, Cobourg and Port Hope staff provided comments to the Province which support the PSEZs identified in this report.

Legislative Authority/Risk Considerations

Land uses within the Growth Plan area are governed by the *Planning Act* and Ontario's planning system. All land use planning decisions must conform with the policies of the Growth Plan, including any changes as a result of the Provincial consideration.

Discussion/Options

A founding vision of the County Official Plans is to establish areas of land for major employment uses to support existing and future manufacturing, agri-food and technology industries in the County. County Land Use Planning has undertaken a preliminary review of four areas that could be used for major employment uses, and has recommended that the Province consider these areas as "Provincially Significant Employment Zones" in the Growth Plan. The four areas and a brief description of each are below.

1. Future Major Employment Area (Port Hope)

The site consists of private land holdings of various sizes totaling approximately 145 hectares (350 acres). The site is located to the northeast of the Highway 401/Ontario Street Interchange in Port Hope, abutting the Port Hope urban serviced area. The site is generally 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 (refer to attachment 2).

The lands are currently designated as 'Agricultural' and consist primarily of open agricultural fields. The site has been identified as a preferred location for a Major Employment Area in the County Official Plan. In order to advance the planning process and formally establish this major employment area for future industrial development, the County in coordination with the Municipality of Port Hope, has initiated a technical review and planning studies. The detailed studies are currently underway and will be used to support a Port Hope Secondary Plan for the area. Should the Province designate this future employment area as a PSEZ, it would facilitate the municipal planning process and a shared vision for a protected employment area and job creation within the County.

2. Wesleyville

The site is a rural settlement for employment uses and consists primarily of land holdings by Ontario Power Generation and Hydro-One. The Wesleyville site is approximately 1100 hectares (2700 acres). The site is located to the south and west of the Highway 401/Wesleyville Road interchange in the Municipality of Port Hope. The site is generally 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 (refer to attachment 3).

The Wesleyville site is designated as a rural settlement (hamlet) in Port Hope. The area is currently not serviced with municipal water or sanitary sewage. Should the Province designate this rural employment area as a PSEZ, and given the provincially affiliated facilities (i.e. OPG and Hydro-One) that exist, it would protect an existing employment area for the long term and could provide opportunities for infrastructure investments to support job creation in the future.

3. Alternative Major Employment Area (Cobourg/Hamilton)

The site is approximately 90 hectares (220 acres) of land located to the north and west of the Highway 401/Burnham Street interchange in the Township of Hamilton, abutting the Town of Cobourg. These lands are generally bound by Burnham Street to the east, Highway 401 to the south, Birch Road to the west and Telephone Road to the north (refer to attachment 4).

The site is located on rural lands that abut the Town of Cobourg urban service area boundary. The site has been identified as an alternative for a major employment area in the County OP. Should the Province designate this potential employment area as a PSEZ, it could facilitate the coordination of land use planning, economic development, and infrastructure investments between abutting municipalities and facilitate a shared County and municipal vision for strategically located employment lands.

4. Cobourg/Hamilton Employment Area (SABIC¹ lands)

The site is approximately 120 hectares (300 acres) of existing employment land, of which eighty-five percent is currently vacant. The site is located in the Township of Hamilton and abuts the Town of Cobourg. A portion of the site is serviced by Cobourg water and sanitary sewage services. The site is generally bound by County Road 2 to the north, Normar Road to the west and Lake Ontario to the south (refer to attachment 5).

Should the Province designate this area as a PSEZ, it would protect existing employment lands for the long term and could facilitate the coordination of infrastructure investments between abutting municipalities.

In addition to the Province considering the above four areas as PSEZs, it also recommended that Growth Plan policies require that the PSEZs be designated in accordance with mapping prepared by the Province. In some cases, land use changes will be needed to allow employment uses in the areas identified. A provincial requirement for municipalities to designate identified PSEZs in municipal official plans would facilitate local planning processes if a land use change is required (i.e. official plan and zoning amendments) and will ensure that areas are protected for employment uses.

Financial Impact

While there is no immediate financial impact associated with the recommendations of this report, a PSEZ designation could provide opportunity to attract private-sector investment for the development of employment uses; create jobs in the industrial sector and associated spin-off jobs throughout the community; and, stimulate overall economic growth for Northumberland.

Future development in any of the four areas recommended to be considered as a PSEZ is contingent on the availability and the provision of municipal services to the areas. As such, substantial infrastructure investment will be required. A PSEZ designation would provide assurance that these strategically located areas, which are supported by municipal and

¹ SABIC Innovative Plastics Inc. ULC is a major polycarbonate and thermo-plastic manufacturing company, featuring a Centre for Manufacturing Innovation (CMI) research laboratory, employing upwards of 180 people.

provincial policies, are protected for future employment and would facilitate long-term financial planning to provide the necessary infrastructure.

Member Municipality Impacts

Member municipal staff and councils have been supportive of County initiatives to establish major employment areas. The added protection of a PSEZ(s) facilitates a common goal amongst municipal partners that will benefit all municipalities in the County with protected employment lands for job creation.

Conclusion/Outcomes

The Province is considering requests to add new provincially significant employment zones (PSEZs) in the recently revised Growth Plan. Given the Growth Plan's projected employment for Northumberland, we have identified a need to have more land available for new businesses and industry seeking to locate to the County. The County in coordination with the local municipalities has identified four strategically located areas and recommends that the Province consider these areas as PSEZs. It also recommended that the Province require that any new PSEZs be designated in the applicable municipal official plans to facilitate land use changes ensure long-term protection.

Attachments

1. May 15, 2019 letter from Honorable Steven Clark, Minister of Municipal Affairs and Housing
2. Location map - Future Major Employment Area (Port Hope)
3. Location map - Wesleyville (Port Hope)
4. Location map - Alternative Major Employment Area (Cobourg/Hamilton)
5. Location map - Cobourg/Hamilton Employment (SABIC lands)

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



19-3055

May 14, 2019

Your Worship
Warden John Logel
County of Northumberland
555 Courthouse Road
Cobourg ON K9A 5J6

Dear Warden John Logel,

On May 2, I released **More Homes, More Choice: Ontario's Housing Supply Action Plan** <https://www.ontario.ca/page/more-homes-more-choice-ontarios-housing-supply-action-plan>. It lays out our government's comprehensive plan to increase the supply of housing that is affordable and provides families with more meaningful choices on where to live, work and raise their families.

The Greater Golden Horseshoe is a critical economic driver, both provincially and nationally, with 85 per cent of the province's population growth expected in this region by 2041. We know that we need a growth plan to not only address the current housing crisis, but to also prepare the region for the exponential growth that will occur over the next 20 years. That is why **A Place to Grow: Growth Plan for the Greater Golden Horseshoe** <https://www.ontario.ca/document/place-grow-growth-plan-greater-golden-horseshoe> is a critical part of Ontario's Housing Supply Action Plan.

A Place to Grow addresses the needs of the region's growing population, its diversity, its people and its local priorities. It is the result of the recent consultations on growth plan policies in the Greater Golden Horseshoe, and I would like to thank you for sharing your input during that process. All input was carefully considered in the development of A Place to Grow and the introduction of the Provincially Significant Employment Zones. A Place to Grow will help increase housing supply, create jobs, attract investments and promote economic development. It comes into effect on May 16, 2019 and aims to provide planning flexibility at the local level.

In my letter of May 2, 2019, I outlined that we have identified 29 Provincially Significant Employment Zones that we consulted on to provide enhanced protections for existing employment areas. The 29 zones have not changed as a result of consultations; however, we have revised them to address any factual errors in the mapping based on municipal official plans that are in effect. These zones can be viewed on our web portal: <http://ontario.ca/dp16>.

.../2

Requests for Reconsideration

During the next phase of work, we will be reviewing more than 750 requests we received during the consultation period to reconsider a particular zone and/or add new zones. As a part of this, we may require additional information from municipalities and others who submitted requests. Each request will be assessed on its own merit, and other considerations, such as local planning context and provincial interest.

To help process these reconsiderations, we will be seeking demonstrable municipal support, such as a council endorsed letter that outlines local support for the request. We will work with the parties involved to connect with the appropriate municipal officials.

Any requests for reconsideration received after May 2, 2019 should be submitted to the impacted municipality to include in its planning process or should be accompanied by a letter of endorsement from the impacted municipality when submitted to the Province. Further details on the Requests for Reconsideration process including how requests are assessed can be found online at <https://ontario.ca/page/provincially-significant-employment-zones>.

If you have questions about the zones, the Requests for Reconsideration process, or accessing mapping files of the existing zones, please contact ministry staff at growthplanning@ontario.ca.

Engagement on longer-term use of Provincially Significant Employment Zones

The last phase of work will look at the longer-term use of Provincially Significant Employment Zones. The ministry has already begun to consider innovative ways to use the zones to leverage economic development investments, programs and strategies both inside and outside the Greater Golden Horseshoe. Our goal is to maximize the economic opportunities that these zones can provide. This includes but is not limited to the number of jobs and people in these zones as they play a strategic and significant role in keeping Ontario economically viable both provincially and internationally.

Provincially Significant Employment Zones can be areas with high concentrations of employment, areas that are recognized to have high economic output, or areas that are understood to play an economically strategic or significant role to the region. They will help provide stable, reliable employment across the region and opportunities for greater integration of the different facets of longer-term planning.

With our partners from the ministries of Economic Development, Job Creation, and Trade; Transportation; Infrastructure; Finance; Agriculture, Food and Rural Affairs; and the province's Open for Business Division, we will be holding stakeholder discussions this summer. These discussions will focus on ways to maximize the use of the zones as tools in investments, infrastructure planning and economic activity.

In the interim, if you have any questions, concerns or ideas, feel free to contact the representative in my office, Jae Truesdell, Senior Policy Advisor – Planning, Zoning & Development at jae.truesdell@ontario.ca. You may also contact Cordelia Clarke Julien, Assistant Deputy Minister, Ontario Growth Secretariat, Ministry of Municipal Affairs and Housing at cordelia.clarkejulien@ontario.ca or at 416-325-5803 for any process-related matters.

.../3

Thank you once again for sharing your input. I value your feedback and look forward to continuing to work together in the months ahead.

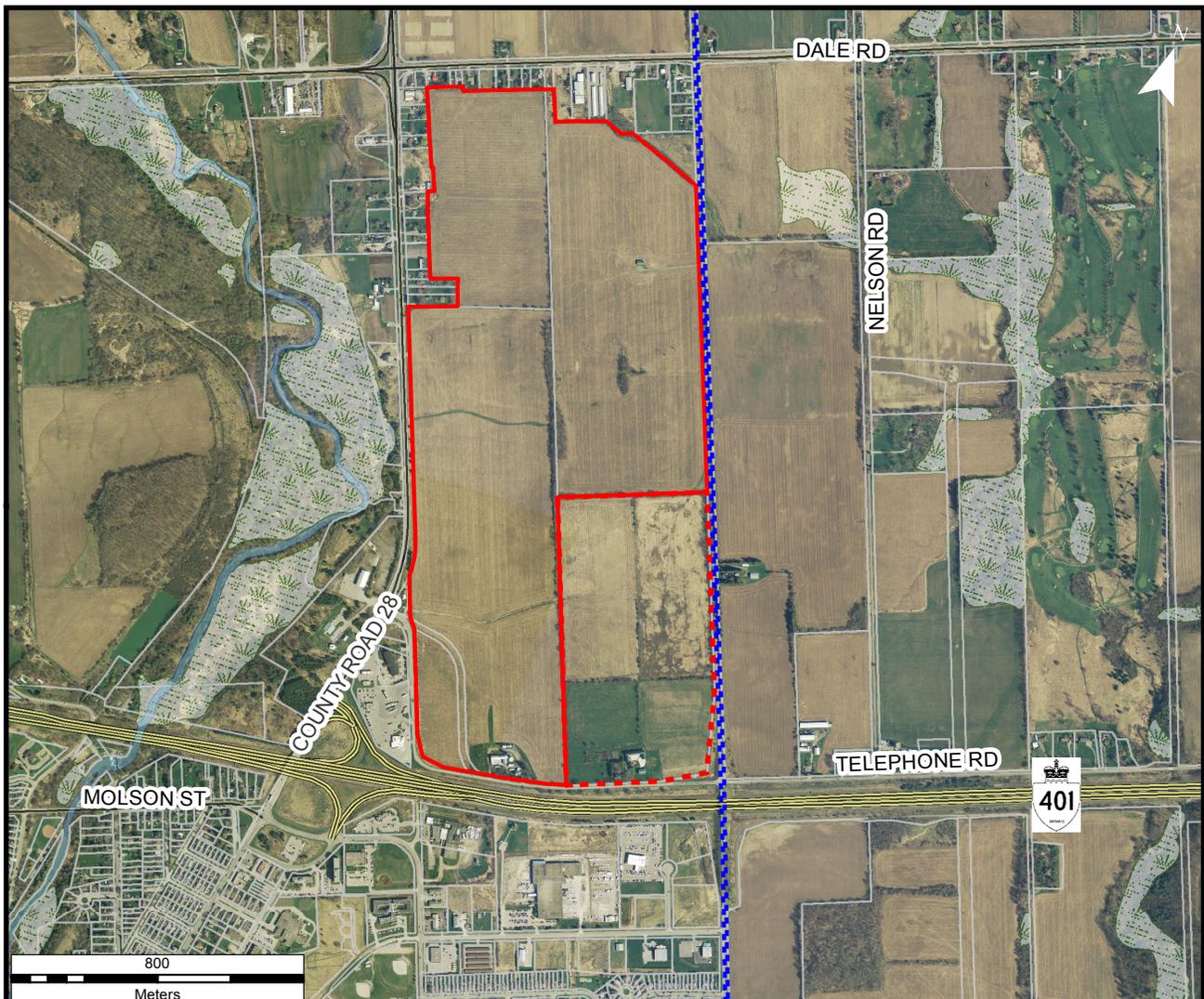
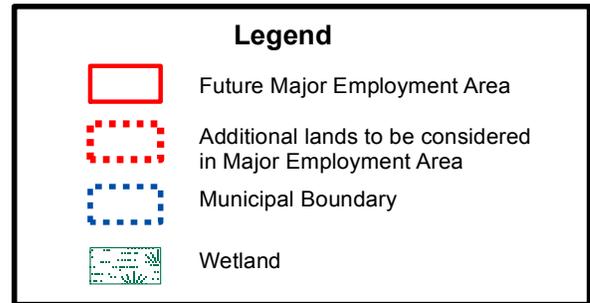
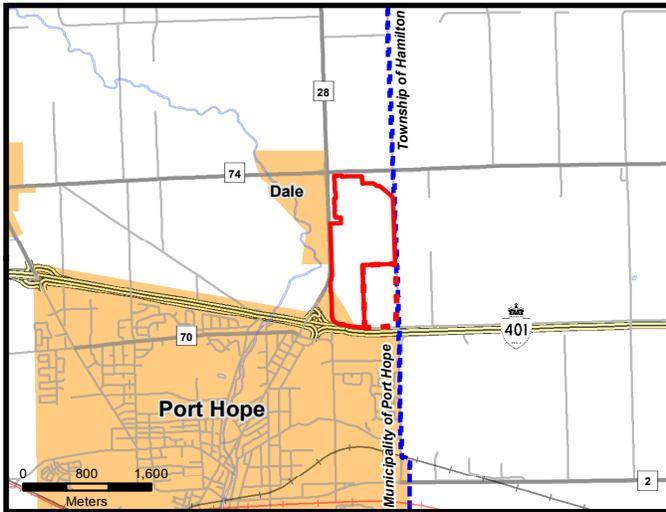
Sincerely,



Steve Clark
Minister of Municipal Affairs and Housing

cc: Nancy MacDonald, Clerk/Manager of Legislative Services
Dan Borowec, Director of Economic Development, Land Use Planning & Tourism
Jennifer Moore, CAO

Major Employment Area (Port Hope)

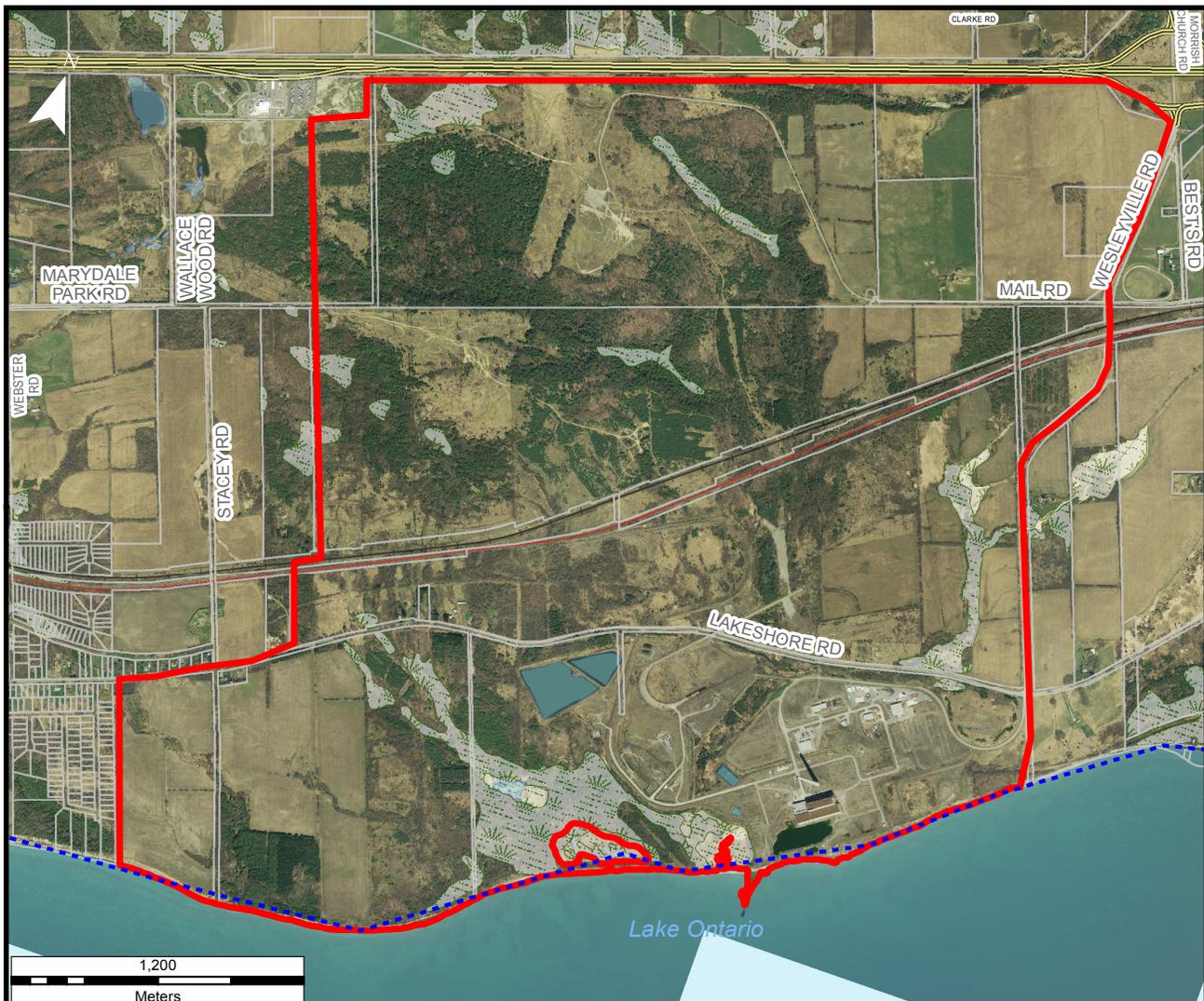
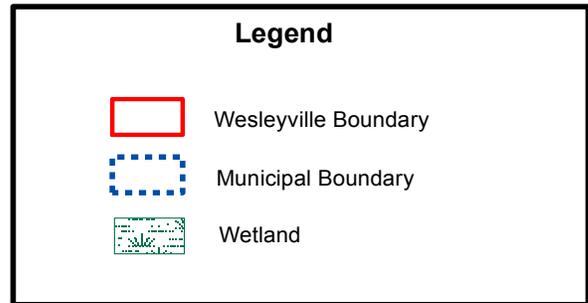


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Wesleyville Rural Employment Area

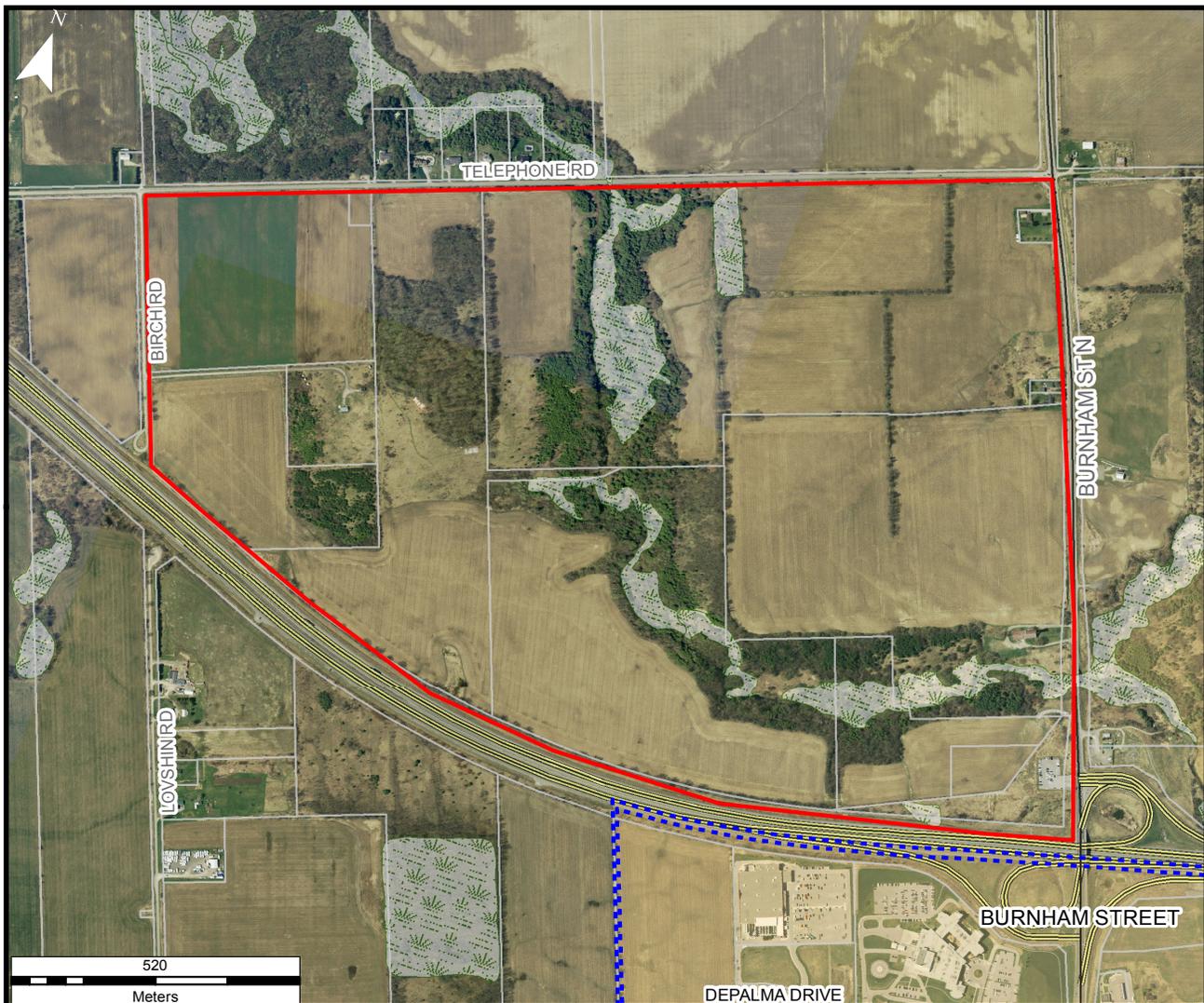
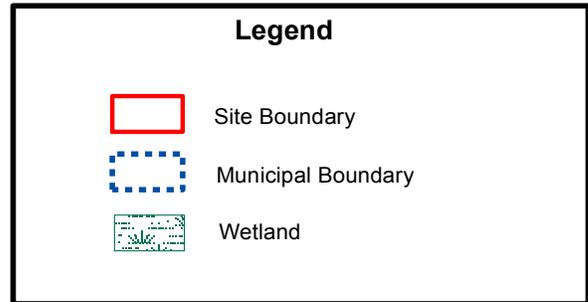
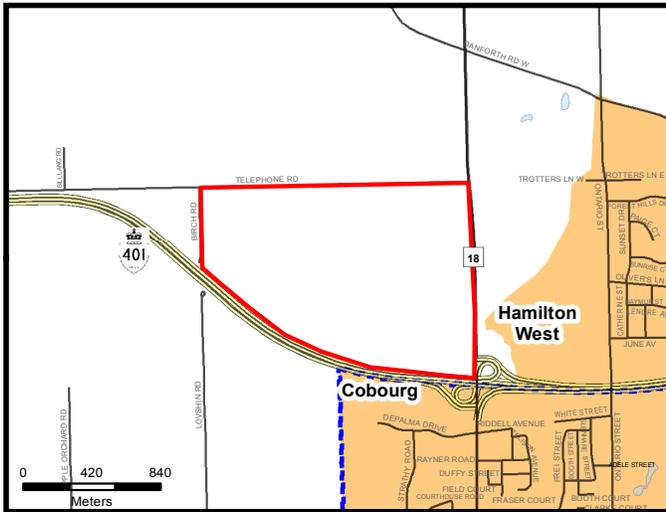


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Alternative Major Employment Area (Cobourg/Hamilton)

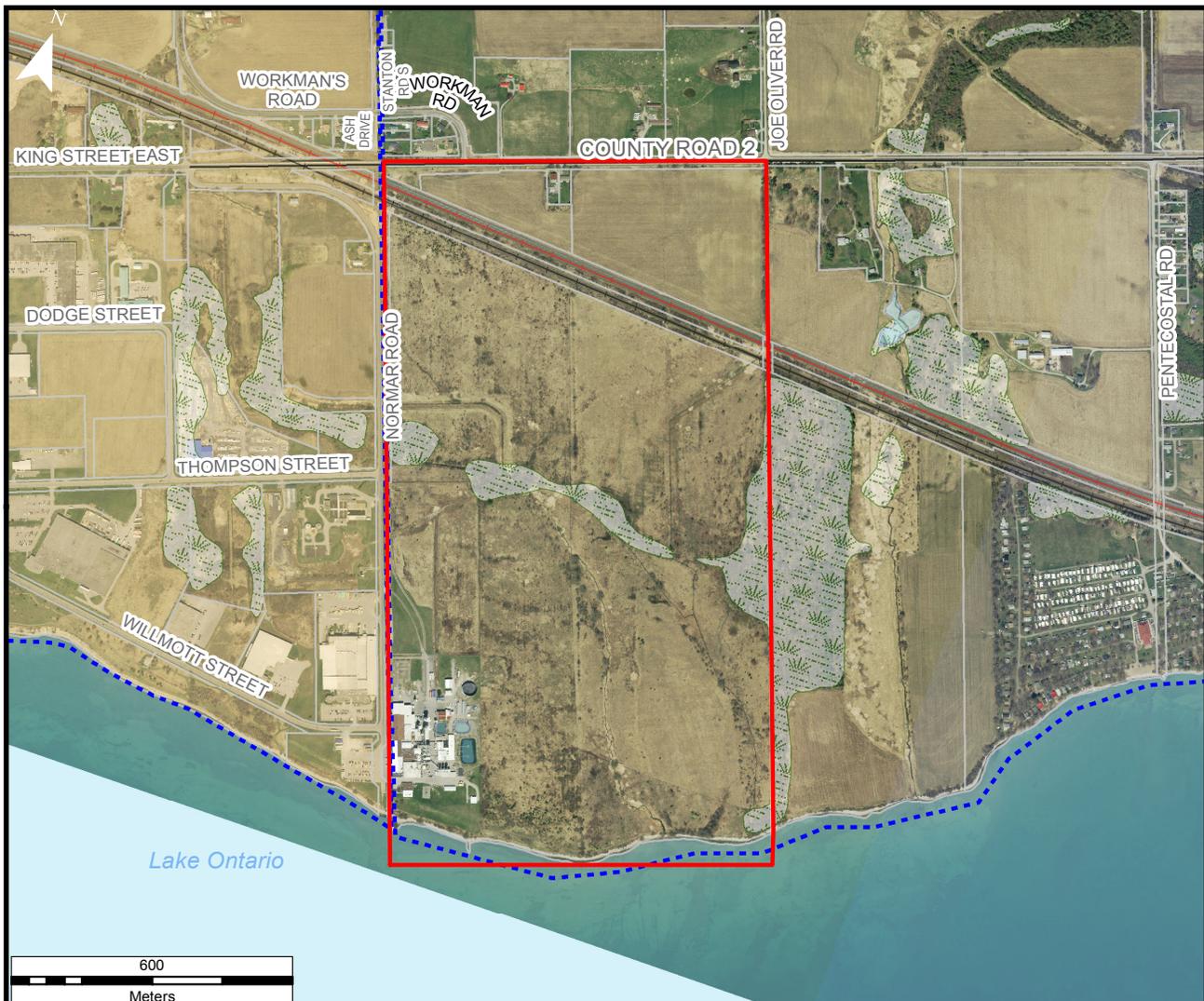
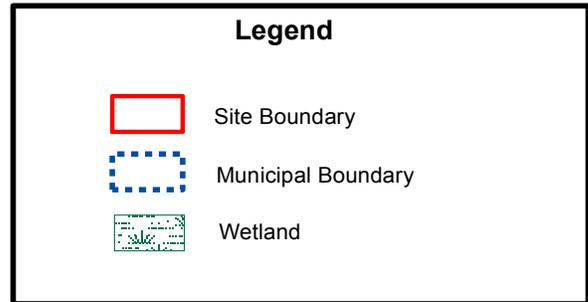
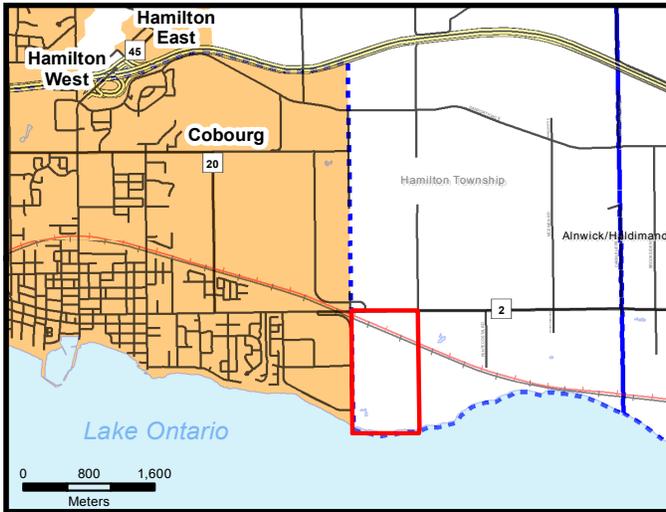


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Cobourg/Hamilton Employment Area



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Northumberland
County

Resolution

Moved By *[Signature]*

Agenda
Item 9I

Resolution No.
2019-06-19-145

Last Name Printed CANE

Seconded By *[Signature]*

Council Date: June 19, 2019

Last Name Printed GAIL LATCHEFORD

“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 Council of the County of Northumberland hereby supports 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;

page 1 of 2

Agenda Item 9I

Resolution No. 2019-06-19-145

Council Date: June 19, 2019

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 the Province consider requiring any lands within a provincially significant employment zone be designated in municipal official plans to facilitate land use changes and ensure long-term protection;

And Further Be It Resolved That a copy this report be sent to the Ontario Growth Secretariat at the Ministry of Municipal Affairs and Housing;

And Further Be It Resolved That a copy of this report be sent to the Town of Cobourg, Township of Hamilton and Municipality of Port Hope for their information and support.”

page 2 of 2

Recorded Vote Requested by _____
Councillor's Name

Carried  _____
Warden's Signature

Deferred _____
Warden's Signature

Defeated _____
Warden's Signature

Clerk Cobourg

From: Zach Wood
Sent: Wednesday, August 21, 2019 3:45 PM
To: Clerk Cobourg
Subject: Re: Official Plan Amendment, Zoning By-Law and Draft Plan of Subdivision OPA-01-19, Z-01-19, Z-01-19SUB/14T-19001

Follow Up Flag: Follow up
Flag Status: Flagged

Cobourg Municipal Council
c/o Brent Larmer, Municipal Clerk
Town of Cobourg
Victoria Hall, 55 King Street
Cobourg, K9A 2M2

Re: Official Plan Amendment, Zoning By-Law and Draft Plan of Subdivision OPA-01-19, Z-01-19, Z-01-19SUB/14T-19001

I am writing on behalf of Goldmanco Inc. We are a developer of large retail sites in Ontario and Quebec and own the property south of King Street across from the East Village Phase 5 development, owned by JMCD Holdings Inc. Goldmanco Inc. would like to offer its endorsement and support of the East Village development and in particular the proposed high density block Official Plan Amendment/Zoning By-Law amendment. We are pleased to see further development on the east side of Cobourg that will assist Goldmanco Inc. in attracting additional tenants to our King Street site.

Sincerely,

Zach Wood
Leasing Representative | Agent de location
GOLDMANCO INCORPORATED

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**COBOURG
COLLEGIATE INSTITUTE**

335 King Street East
Cobourg, Ontario
K9A 1M2

Tel: (905) 372-2271
Fax: (905) 372-5343
www.cciwolves.com

July 29, 2019

Dear Mayor Henderson and Members of Cobourg Council:

I am writing on behalf of staff and students at Cobourg Collegiate Institute and St. Mary's Secondary School to ask for your support of our joint high school Terry Fox Run this fall (the afternoon of October 18th). Participating in this worthwhile fundraiser for cancer research and celebrating the life of a young Canadian hero is always a positive way to start the school year, and we are looking forward to another great event.

The permit application for the event has been submitted, and our plan is to continue the tradition of gathering at the Victoria Park Band Shell for the send-off and wrap-up activities; please consider this your invitation to join us for the event and share your encouragement with the participants. We would also very much appreciate if Town Council were able to waive the event fee of \$200 as has been done in previous years.

Many thanks for your consideration of this invitation and request.

Regards,

*Mary-Anne
Watson-Bonsall*

Mary-Anne Watson-Bonsall

Terry Fox Committee, Cobourg Collegiate Institute
maryanne_watsonbonsall@kprdsb.ca



**KAWARTHA PINE RIDGE
DISTRICT SCHOOL BOARD**



September 3 2019

Mayor Henderson and Town Council Members
Town of Cobourg
55 King St. West
Cobourg, ON K9A 2M2

Dear Mayor Henderson and Council Members,

Once again, Brown Bag Event Co. is working in partnership with the Cobourg DBIA to host the Chili Cook-off & Beer Garden at the upcoming Downtown Cobourg Harvest Festival on September 28th.

Through tourism-related activities and events, it is Brown Bag's aim to attract visitors who will discover Cobourg to be a quality destination, and also to engage our existing community members in new and interesting ways.

In doing so, we partner with various local establishments to help them promote their businesses, which strengthens and grows not only the local food/drink-based industries, but also related industries such as agriculture, accommodations, entertainment, special events, education and training, etc.

Like last year's event, the upcoming Harvest Festival involves a licensed Chili Cook-off and Beer Garden on Second Street. This event will see the involvement of several restaurants, breweries and related businesses. In order for us to obtain a Special Occasion Permit for a public event, the Alcohol and Gaming Commission of Ontario requires that the Town of Cobourg provide a letter recognizing this event as 'municipally significant.'

We are formally requesting this event be declared 'municipally significant' so that we can provide event goers with a seasonally themed event highlighting various establishments of Cobourg and area. This will help us to build larger and more renowned events in the years to come, attracting more visitors and strengthening related industries.

For your convenience, I have enclosed a copy of the letter and resolution passed by Council for last year's event.

Most sincerely,

J Andrew Hall
Co-Founder/CEO - Brown Bag Enterprises

Cc. The Board of Management for the Cobourg DBIA; Jackie Chapman Davis

2544427 ONTARIO INC. • PO Box 702, Cobourg, ON K9A 4R5 • info@brownbagtour.ca • www.brownbag.ca • #brownbagcanada



Moved By _____
Last Name Printed _____

Resolution No.:

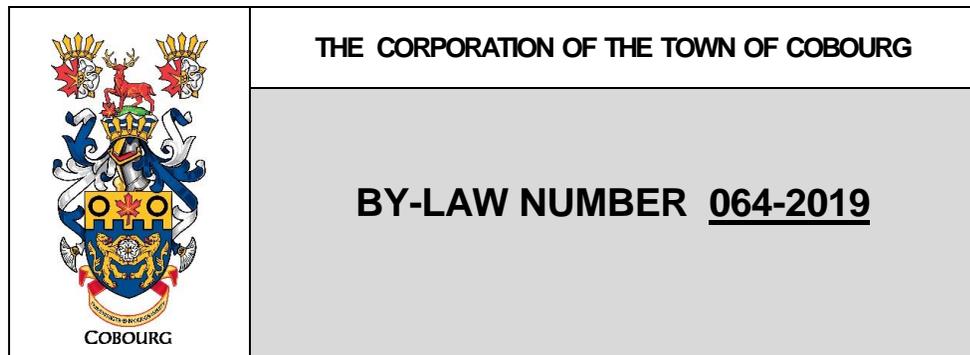
Seconded By _____
Last Name Printed _____

Council Date:
September 9, 2019

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



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 9, 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 9, 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 9, 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 9, 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 9th day of September, 2019.

MAYOR

MUNICIPAL CLERK